

City of Kingsville, Texas

AGENDA CITY COMMISSION

TUESDAY, OCTOBER 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)

Regular Meeting – July 14, 2025

Regular Meeting – September 22, 2025

APPROVED BY:

Charlie Sosa

Charlie Sosa
City Manager

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

None.

III. Reports from Commission & Staff.²

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve City participation in annual events and parades for FY2025-2026. (Tourism Director).
2. Motion to approve submittal of membership application to the Electric Reliability Council of Texas (ERCOT) for 2026. (renewal of annual membership). (City Attorney).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider a resolution authorizing the City to submit an application to the Texas Parks and Wildlife Department's Community Outdoor Outreach Grant Program for the purpose of requesting funding for community nature based, family oriented, recreational programming with no cash match required; authorizing the City Manager to submit the grant and the City Parks Director as the Grant Official to act on the City's behalf with such grant program. (Parks Director).
4. Consider accepting monetary donations from various sources for Parks Department Healthy Families Program. (Parks Director).
5. Consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend donations for Parks Department Healthy Family Events. (Parks Director).
6. Consideration and approval of Bid No. 25-20 award for GLO CBDG-MIT Contract No. 22-085-009-D237 Project 1: E. Santa Gertrudis Ave. near Fairview, Storm Water Improvement Project, as per recommendation of consulting engineer. (City Engineer).
7. Consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend Body Worn Camera Grant #5094901 funding for replacement of outdated body worn cameras. (Police Chief).
8. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances section 15-6-21-Definitions to revise the definition for tiny homes. (Director of Planning & Development Services).
9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances sections 15-6-21-Definitions and 15-6-25-Cargo Containers to revise the definition and regulations for cargo/shipping containers. (Director of Planning & Development Services).
10. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances section 15-1-6-Schedule of Perit Fees to update uses and costs for certain

permits, especially for parking lots and laydown yards. (Director of Planning & Development Services).

11. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 1-City Commission, Section 1-Meetings, providing for revision of process when Mayor and Mayor Pro Tem leave a meeting. (Commissioner Alarcon).

12. Executive Session: Pursuant to Section 551.074, Texas Government Code, Personnel Exception, the City Commission shall convene in executive session to deliberate the duties and compensation of the City Manager. (Mayor Fugate).

13. Consider rescinding appointment of Charlie Sosa as City Manager. (Mayor Fugate).

14. Consider appointment of Interim City Manager and setting compensation for the position. (Mayor Fugate).

15. Consider authorizing staff to move forward with re-opening job search for City Manager position with outside firm. (Mayor Fugate).

16. Consideration and approval of a resolution authorizing the Mayor to execute a City Manager Employment Agreement with Charles L. Sosa. (Commissioner Hinojosa).

17. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding pending litigation in Cause No. 25-377-D, Selina Tijerina vs. City of Kingsville, Texas, Norma Nelda Alvarez, Hector M. Hinojosa, and Lionel "Leo" H. Alarcon in the 105th Judicial District Court of Kleberg County, Texas. (City Attorney).

VII. Adjournment.

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

NOTICE

This City of Kingsville and 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:

October 7, 2025, at 4:00 P.M. and remained posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

Mary Valenzuela

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

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

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

MINUTES OF PREVIOUS MEETING(S)

JULY 14, 2025,

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 14, 2025, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS, AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Edna Lopez, Commissioner
Norma Alvarez, Commissioner
Hector Hinojosa, Commissioner
Leo Alarcon, Commissioner

CITY STAFF PRESENT:

Charlie Sosa, Interim City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Derek Williams, Systems Administrator
Kyle Benson, IT Director
Emilio Garcia, Health Director
Leticia Salinas, Accounting Manager
Juan J. Adame, Fire Chief
Diana Gonzales, Human Resources Director
Susan Ivy, Parks Director
Deborha Balli, Finance Director
John Blair, Police Chief
Nick Rivas, Administrative Assistant
Manny Salazar, Economic Development
Bill Donnell, Public Works Director
Alicia Tijerina, Special Events Coordinator
Kobby Agyekum, Senior Planner/HPO
Rudy Mora, City Engineer

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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).

Mayor Fugate read and opened this public hearing at 5:02 p.m. Mayor Fugate further announced that this is a public hearing. If anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Agyekum, Senior Planner/HPO stated that on April 8, 2025, Chris Manriquez, applicant, 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. A change in ownership warrants the new variance request. One church is located within 300 feet of the proposed establishment, which requires an alcohol variance. Staff mailed out 15 letters to those within the 300-foot radius, and staff received no feedback from those who received notice.

Mayor Fugate closed this public hearing at 5:04 p.m.

III. Reports from Commission & Staff.²

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

Mr. Charlie Sosa, Interim City Manager, reported on street projects. He further mentioned that the City of Kingsville will be hosting a donation drive for the City of Kerrville. Items will be delivered to the City of Kerrville on Friday.

Ms. Courtney Alvarez, City Attorney, reported that the next commission meeting is scheduled for July 16, 2025, which is a special meeting. The next regular meeting is scheduled for July 28, 2025.

Commissioner Alvarez asked how much the City of Kingsville depends on water from the South Texas Water Authority (STWA).

Mr. Sosa stated that the STWA water is the city's backup water supply. He further stated that in order for the city to reach the capacity that the city needs are about 585 gallons per minute, as the city has the capacity to provide over 10,000 connections, which is what the city has. The city's wells and elevated storage tanks do not have that capacity, so the city still relies on STWA for about 585 gallons per minute in order to abide by TCEQ regulations.

Commissioner Alvarez asked how much the city pays STWA.

Mr. Sosa responded that the city pays \$420,000.00 annually.

Commissioner Alvarez further stated that she is aware that the city has some major budget constraints at this time and commented that the city needs to see if there are any grants available so that the city can get another water well.

Mr. Sosa stated that in order to build a new water well, a production well will cost \$2.5 million. This does not include the pump station or the piping that goes along with it.

Mayor Fugate stated that he placed the executive session item on this again, but in light of the county's meeting, he requested that the executive session not take place.

Mr. Sosa stated that the county had a meeting today, and they will be holding off on the project in order to put an oversight committee together to look into the environmental impact it will have. Once the oversight committee gets the approval and they are convinced that it will not have a detrimental impact on the environment, then they will move forward with the project. If the committee is not fully convinced that it will not have an impact on the environment, then they will stop the project.

Mayor Fugate commented that he is not against desalination or brackish water converted into drinking water, but the waste has to be taken care of, and you cannot go in the creek.

Commissioner Hinojosa asked how this would affect the citizens of Kingsville.

Mayor Fugate stated that the number three industry in Kleberg County and the city, which is ecotourism, will be a direct influence on the city.

Commissioner Lopez asked Mr. Sosa when the Caesar ditch project is scheduled to begin.

Mr. Sosa responded that the project should have been started, but due to inclement weather it has been delayed. He further stated that he has spoken with ICE Engineering and ICE is working on a schedule and once he has received it, he will email it to the commission.

IV. Public Comment on Agenda Items.³

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

Carola Serrato, 501 Billy Evans commented that she is here to speak against the recall election item. She stated that she understands that the petition garnered a sufficient number of signatures to bring this item before the commission. Nonetheless, it is a shame to see this happening to our city. A recall election will only serve to divide our community. It has and will stifle progress. Furthermore, it will cost our citizens money that could be used for much better purposes. The three commissioners who are the subject of the recall have done nothing wrong. Two out of the three commissioners were not on the commission when the employee contract was approved for the previous city manager, which provided for a one-year payout, despite the fact that he was already actively pursuing another job. The bottom line, in my opinion, and hopefully the opinion of many Kingsville voters, should the November election occur, is the petition for recall is nothing more than personal, ego-driven reaction by certain people not getting their way.

Joel Saenz, 307 W. Ailsie commented that The recall petition mentioned above must be addressed to the City Commission of the City of Kingsville, must distinctly and specifically state the ground(s) upon which such petition for removal is predicated, and if there be more than one ground, such as for incompetency, noncompliance with this Charter, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of such matters and things with which he or she is charged. He further commented that all members present at the commissioners meeting shall vote yes or no on matters requiring a vote before such commission, provided, however, any commissioner who has any conflicts of interest regarding the matter or matters which a vote is to be taken shall abstain from voting and abstain from any discussion on such matters. Reason being as for the City of Kingsville Record publication as per Mrs. Lerma and Ms. Tijerina that requested for the recall petition which one is the daughter-in-law of a commissioner and the other the daughter of a city employee that was seeking a position and was not promoted to that position therefore they started a petition

recall as personal vendetta as stated in the newspaper. Mr. Saenz commented that as he has previously stated in past meetings, he thought he had answered their questions as for the four recall petition items. First one, harassing personnel should have been addressed by the city staff; second, fiscal responsibilities should have been addressed by city staff; city commissioner behavior, he commented that he has no idea as he is not aware as to how the commission behaves; and negligence of city policies, he commented that two commissioners have at least 50 years municipal charter, ordinance experience and they should have addressed this because of their positions when they were working under city employment and not city administrators. He further commented that he would like to say to vote no, vote accordingly, as to the facts and not hearsay. Vote no on item 18 for your consideration.

Norma Martinez, 402 E. Main, Bishop TX, commented that she is commenting on the meeting that the South Texas Water Authority had. She stated that she was not at this meeting but saw a video of it. The question as to whether you could drink brackish water. Animals can drink, but for humans, it is not advised. She further commented that whatever they put in place, will they not have to get a permit, will the regulatory agencies not view it. Ms. Martinez further commented that there are many uses for the discharge, the brine, other than dumping into a hypersaline bay. Baffin Bay is unique and has a higher-than-normal salinity level but if you take it past what it is now, it would be detrimental to the wildlife and fish life that is there and detrimental to the city and the county. She stated that if there is no one qualified to serve as a representative for the city on whatever committee STWA is having, the city should feel free to call her as she is a registered geologist with the State of Texas. Her job for 37 years was permitting underground injection wells; which dealt with hazardous waste including brackish streams.

Mrs. Toni Pena, 440 E. CO Road 2190, commented that as she owns property in Kingsville city limits, she pays taxes here and spends a lot of her time in this community. Like many others in the county, she cares deeply about what happens in Kingsville. She further commented that she is here tonight to oppose the recall effort targeting three city commissioners. This recall isn't about proving misconduct or violations of duty; it's happening because some people don't like how these commissioners have voted. But voting, even when it's unpopular, is exactly what they were elected to do. You may not agree with every decision, but that is what elections are for. Recalls should be reserved for real wrongdoing. Not used as a tool to punish people for doing their jobs. What's even more concerning is how many signatures it took to trigger this process. Under 300 voters in a city with thousands of registered voters, and that's not democracy; that is a loophole being used by a small group to overwrite the will of the majority. This recall is not only unfair, it's divisive, it's creating tension, stirring up negativity, and turning neighbor against neighbor at a time when this city should be working together to move forward. She commented that on top of that, it is expensive, even though we do not know the exact cost yet, but we all know that recall elections are not free. The city will have to spend taxpayers' money, our money, to run an unnecessary special election, which is money that could be spent towards fixing roads, supporting local services, or improving quality of life for residents. Mrs. Pena further commented that as a taxpayer and a property owner, she does not support this kind of waste, especially as there has been no clear violation of the public's trust. Let the commissioners continue what they were elected to do, and if people want change, they need to wait until the next election.

Mrs. Dianne Leubert, 715 W. Nettie, commented that she, along with others, would like to know the appropriate amount of time for a reply by the city for any question or request for a meeting. She stated that she believes 5 business days are adequate. She stated that she is talking about basic questions, not anything that would take in-depth research. This is not an open-ended question. She further stated she, along with others, would like an answer

within 5 business days. This is because she has been waiting for an answer for a meeting for 2 weeks, on an issue that occurred on June 24th.

Mrs. Valenzuela, City Secretary, read a public comment received via email. The comment read as follows: Rolando Sandoval, 1219 E. Caesar Ave: Good Afternoon, I am writing because I have become aware of an increasing troubling surveillance presence in our community of Kingsville. I have seen Flock cameras installed on major streets which are reading all license plates of passing vehicles without any suspicion of crime. I have also been told that the Kingsville Police patrol vehicle cameras are also reading all license plates of vehicles they pass, again without any suspicion of a crime. I have spoken to members of the community who have stated that a member of city staff is able to gain access to cell phones and computers without passcodes or owner consent and doing so regularly for agencies all around us. Even without the current situation with ICE and their presence in our community this new surveillance state the city is creating is concerning. We do not want to become East Germany with no freedom of movement or privacy against a growing police state. I urge the commission to ask their own questions and decide for themselves what kind of community they want to live in.

V.

Consent Agenda

Notice to the Public

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

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

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

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

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).

Mayor Fugate commented that if there were no objections from the Commission, he would like to move agenda item 18 before hearing agenda item 9. There were no objections made by the Commission.

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

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).

Mr. Juan J. Adame, Fire Chief stated that the Kingsville Fire Department would like to apply to the 1PointFive First Responder Donation Program. 1PointFive is committed in supporting First Responders in the communities where they establish operations. The donation program offers funding opportunities for first responder agencies. This funding can be used for the purchase of essential emergency response equipment. Chief Adame stated that there is no matching funds are required to apply for this program.

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

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).

Chief Adame stated that the Kingsville Fire Department can apply for the FY 2025 Assistance to Firefighters Grant (AFG) to request funding for eleven additional Firefighters. The application will request \$3,648,645.00 for these costs. 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 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 grants 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.

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

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).

Mr. Sosa stated that bids were opened on May 29, 2025, and it is staff's recommendation to award the bid to Victory Building Team for \$8,250,000.00.

Motion made by Commissioner Lopez to approve of awarding Competitive Sealed Proposals (Bid #25-15) for the construction of Kingsville Fire Station #3, as per the recommendation of the consulting engineer, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

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

Mr. Rudy Mora, City Engineer, stated that 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. 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 requirements.

Motion made by Commissioner Alvarez to approve the resolution approving the City of Kingsville Federal Grant Financial Policies and Procedures, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

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

Mr. Mora stated that this is another policy that is required.

Motion made by Commissioner Alarcon to approve the resolution approving the City of Kingsville Federal Grants Procurement Policies and Procedures, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

15. Consideration and approval of a resolution authorizing the Interim City Manager to execute Change 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).

Mr. Mora stated that this change order will decrease the contract price by \$36,414.70 and no increase on the contract time.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the Interim City Manager to execute Change 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, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

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).

Mr. Mora stated that there is a slight modification of \$1,000 for repairing concrete driveway and repair gravel driveway.

Motion made by Commissioner Alvarez to approve the 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 22-085-09-D237 Project 13: W. Johnston Ave. Storm Water Improvements Project, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

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).

Mrs. Diana Gonzales, Human Resources Director, stated that the city has a total of 337 positions. Restructuring changes for the general fund are as follows: Restructure 2 Planning Seasonal Ground Maintenance Workers to 1 Part-Time 19-hour position; Change Police Evidence Clerk from 19 hours per week to 29 hours per week; Eliminate Finance Accounts Payable Specialist; Eliminate Senior Planner/Historic Preservation Officer; Eliminate 1 Help Desk Technician; and Rename Economic Development Director to

Economic Development Manager. In the Tourism Fund has the following restructuring changes: eliminate 2 seasonal staff; eliminate 1 part-time Administrative Coordinator; restructure 1 full-time Administrative Coordinator to part-time; restructure Customer Billing and Services Rep Class 13 to Media Specialist part-time Class 15; and restructure Special Events/Downton Manager to 1 Events Coordinator and 1 Merchant Services Coordinator. Utility Fund changes is to eliminate Finance Collections Meter Reader Foreman. Mrs. Gonzales further stated that FY 25 continuation of Anniversary Program, continue with Anniversary Program with Step Increases for 1st, 3rd, 6th, 10th, 15th 20th and 25th year for non-civil service personnel and as designated in respective Fire and Police collective bargaining agreements. Mrs. Gonzales stated that under the general fund there are 34 non-exempt expected to receive an anniversary increase which equates to about \$33,000 and exempt there are three that will equate to \$5,600. In the Fire and Police there are anniversaries with their collective bargaining, Fire has 15 which will equate to \$34,500 and Police has 13 for \$24,400. Total number of personnel with anniversaries is 65 for an amount of \$97,805.51. In the Utility Fund, non-exempt has 14 for a cost of \$17,300 and exempt has 2 for an amount of \$5,000. Tourism Fund has 1 non-exempt for \$141.00 and 1 exempt at \$1,358.00. Budgeted personnel costs, includes all projected costs for Fiscal Year 25-26 is \$26,684,551.00, which is a reduction from last year. Fiscal Year 25 classification and compensation plan is proposed to remain the same starting with Class 11 Step 1 at \$15.45 an hour. The percentage between steps remains at 4% between the steps and 5% between the classes. The continuation of the Longevity Program for non-civil service, which will equal to \$5 per month per year of service; and Fire and Police are both by contract, Police is at \$10 and Fire has a new rate with the upcoming fiscal year at \$6 per year of service. Under the cost of the longevity program, non-civil service employees the cost is \$92,664. Civil service Fire and Police, as per collective bargaining agreements, longevity cost is \$86,434. Certification pay equals to \$206,112 which includes education for a cost of \$32,624; clothing \$8,339; and certification \$165,088. Mrs. Gonzales stated that Police collective bargaining agreement is currently in negotiations. Fire collective bargaining agreement is in its 2nd year of two year-agreement. Proposed changes to TMRS, staff has been exploring a change in TMRS from 1.5:1 to a 2:1 match. Keep the city current in retirement offerings and assist with retention. It will also assist with getting experienced individuals interested in Kingsville. Changes to TMRS options require city commission approval and are effective January 1st following approval. TMRS 2026 proposal will continue with employee contributions of 7% and change to 2:1, have the updated service credit from 100% repeating to 50% repeating, removing the transfer credit, no change to the COLA 70% repeating, and change the retroactive COLA to the COLA that is dependent to the previous year CPI, which is the last year that TMRS will offer this option. Retirement eligibility will remain the same, 20 years and vesting will remain at 5 years. Total contribution rate is 9.56% under 2026, currently the city is at 9.34% and going to 9.56% that is TMRS calculation without any changes. With the proposed changes it would go to 10.06% employer contribution. Three plan design changes get plan to a 2:1 matching and decreasing updated service credit from 100% to 50% with no transfer credit. What does this mean? Upon retirement, TMRS calculates your last 3 completed years of earnings and averages out a wage which is then used to calculate earning as if you had earned that wage from the entire employment with the city. TMRS then adds a percentage for COLA and calculates. This is then compared to current contributions and interest. If there is a difference, then TMRS adds 50% of the dollar amount difference to your accounts and calculates your new monthly annuity for retirement payments. Changing from Retroactive COLA for annuity payments to Non-retroactive COLA. What does this mean? Currently, the city has a repeating 70% Retroactive COLA which ends up with different calculations for each retiree as it is a cumulative calculation as of retirement. The new non-repeating COLA option looks back to the change in the Consumer Price Index (CPI) for one year and applies 70%, existing city plan percentage, of the CPI percentage and increases annuity payments for retirees annually by the calculated percentage. This will provide all retirees with the same percentage increase to their annuity payments annually. Increase would be

70% of the CPI each year. Increasing TMRS from 1.5:1 to 2:1 with an effective date of January 1st, employee contribution remains the same at 7%. Employer contribution on January 2024 was 9.09%, January 2025 at 9.34%, and January 2026 at 9.56% with proposed plan changes rate is 10.06%. Total annual employer contributions for FY 2025-2026 equals to \$1,631,500, based on projected budgeted numbers. The 2:1 matching will commence for all contributions after the effective date of January 2025, if approved by city commission. All prior employee contributions would be matched at the rate effective at time of contribution. Health Plan changes, RFP for Health Insurance received 2 responses from United Healthcare and Blue Cross Blue Shield. There are three plan types available to help meet employee specific needs. There is no change to RX. Supplemental Employee benefits, city provided basic life and AD&D Insurance for full-time employees which has no change for FY 26. Dental and vision is still available at employee paid products. National Group benefits recommends continuation of existing employee products with Dearborn National/Blue Cross Blue Shield and AFLAC. Other supplemental employee benefits continues with two additional retirement plans, Nationwide and MissionSquare.

Mr. Sosa gave the presentation on Tourism Fund. He stated that this fund has 3 full-time employees, 2 part-time employees and 3 seasonal employees. The mission of the City of Kingsville Tourism Department is to promote and enhance Kingsville's unique heritage, culture, and attractions by inspiring travel, supporting local businesses, and fostering community pride. Through strategic marketing, engaging events, and collaborative partnerships, we aim to position Kingsville as a premier destination for visitors while enriching the quality of life for our residents. Key strategies and actions to accomplish mission is to promote Kingsville's unique identity, inspire travel and tourism, support local businesses, organize signature events, foster regional and statewide collaborations, enhance visitor experience, and measure and improve. Additional changes will include a new festival called Viva El Centro. The city will no longer host Wine Walks downtown. The city's Christmas tree will be moved to a more central location at the corner of 7th and Kleberg. Ranchhand festival will remain the same with some minor changes in vendor locations. Tourism funds are used to account for revenues and expenditures for tourism activities. Revenues are received from Hotel Occupancy Taxes and expenditures are based on State Tax Code Chapter 351. Estimated beginning fund balance for FY 25-26 is \$622,419 with budgeted revenues at \$740,662. Budgeted expenditures are \$705,409. Fiscal Year 25-26 estimated ending fund balance is \$657,672. Tourism Fund 002 expenditures are as follows: Personnel Services at \$335,939.00; supplies at \$18,500; services at \$252,563; repairs at \$1,700; maintenance is \$2,000; and transfers out is \$94,707 for total expenditures of \$705,409.00.

Mayor Fugate asked what are services. Mr. Sosa responded that this is used to promote tourism in Kingsville such as on IHeart Radio.

Mr. Sosa continues with the presentation and further stated that FY 25-26 Tourism Fund notable financial changes are as follows: Revenues: The Ranch Hand Concert will now be a city event with all revenues captured by the City. This results in Sponsorship revenues of \$60,000 now budgeted for FY 25-26. Once this event is held, it will provide the ability to know how to budget for these revenues. Expenditures: Change in positions for FY 25-26. Annual allocation to General Fund increased from \$38,500 to \$50,000 due to increased costs. Additional allocation of \$40,000 to General Fund for work performed for Tourism related activities with downtown merchants. Ranch Hand concert expenditures are budgeted at \$60,000 Once this event is held, it will provide the ability to know how to budget for these expenditures. Communications & Operating leases are budgeted to be paid by General Fund to make payment easier. Tourism pays its share to General Fund through a Transfer out.

Mayor Fugate asked if there will be a charity or association. Mr. Sosa stated that they are revamping the Tourism Department to have events. Mayor Fugate stated that it has been past practice that a non-profit had been selected to support and asked if this was going to continue. Mr. Sosa responded that this will no longer take place. Sosa further stated that what was found out was that the event would support the non-profit but the non-profit would not do anything in return for the city. Sosa further stated that there was no revenue and knows that it was helping the non-profit organization, but we will move forward with projects but it won't be as frequently done as before. Mayor Fugate commented that he did not like this, regarding the non-profit change. Mayor Fugate further asked if Wine Walks would be continuing. Mr. Sosa stated that it will be different. Mayor Fugate asked what the downtown merchants thought of that change.

Mr. Sosa responded that staff is currently speaking with the merchants and will be having a Sip and Shop, which is what is being looked at right now.

Mayor Fugate commented that he has been to a Sip and Shop and they are not the same as a Wine Walk. Fugate further asked if staff had spoken to the merchants about this.

Mr. Sosa responded that staff has spoken to all the downtown merchants.

Mayor Fugate asked what the merchants thought of the new idea.

Mr. Sosa responded that the merchants are happy with the new idea.

Commissioner Lopez stated that it seems as if the interim city manager has eliminated and restructured a lot of the Tourism Department, more in the Tourism Department than any other department. Events have also decreased, but when you do have an event who is going to work that event, if there is no personnel.

Mr. Sosa responded that there are seasonal employees that were hired for events.

Commissioner Lopez stated that she thought two seasonal employees were being eliminated.

Mr. Sosa responded yes, they are not going to be full-time events and will not be funded all year round. He further stated that they will be funded for that event where they will be used. He stated that it is the same as it's being done for the swimming pool, they are only funded when used.

Commissioner Lopez asked why the Interim City Manager focused so much on the Tourism Department.

Mr. Sosa responded that no and if she would go back and look there was short fall in revenues coming in from the city.

Commissioner Lopez stated that the Tourism Department was thriving and asked why he focused on that department. This is the department that will be bringing in revenues to the city.

Mr. Sosa responded that as far as cutting back on positions there is still going to be a Tourism Director, Events Coordinator, Downtown Coordinator, and Social Media. At this time there are three employees.

Commissioner Lopez commented that she did not agree with Mr. Sosa and asked what was the criteria he used to make these cuts.

Mr. Sosa responded that it is based on what was done in the past.

Commissioner Lopez commented that Mr. Sosa has eliminated a lot of positions that had a lot of seniority that was not even thought about.

Mr. Sosa asked Commissioner Lopez what position did he eliminate.

Commissioner Lopez responded that the Meter Reader Foreman which had over 30 years' experience.

Mr. Sosa responded that he eliminated the position. New water meters were installed.

Commissioner Lopez asked if that employee was given any options.

Mr. Sosa responded that he eliminated the position, he did not eliminate person.

Commissioner Lopez then asked what was going to happen to that person now.

Mr. Sosa responded that this person can apply for additional jobs that are available within the city. The option was given to the employee.

Commissioner Lopez further asked if there is a set criteria as to how Mr. Sosa did all this.

Mr. Sosa responded that the position was no longer needed.

Commissioner Lopez further asked if Mr. Sosa had a set criteria in writing so that if something comes up he can say what he did and why he did it.

Mr. Sosa responded yes, there is justification.

Commissioner Lopez further asked Mr. Sosa to provide her with this information. Mr. Sosa responded that he would provide her with the information.

Commissioner Hinojosa asked Mr. Sosa that the reason he did all this was because he needed to balance the budget which is the reason for all the changes. Commissioner Hinojosa stated that he supports what the Interim City Manager is doing which he has always been a proponent not to use the fund balance to balance the budget which is what had been done the past two to three years.

Commissioner Alvarez commented or put into the utility fund.

Commissioner Hinojosa further commented that he does support the interim city manager on what he is doing.

Commissioner Lopez commented that she didn't say that she didn't support him, what she was doing was asking questions as she doesn't know anything. She is the last one to know anything and she needs to make sure that she knows what is going on because she is hearing all this for the first time as she never knows what is going on as Mr. Sosa does not communicate with her.

Ms. Alvarez asked if the city was still intending of being part of the Texas Main Street Program.

Mr. Sosa responded yes, the city will continue being part of that program.

Ms. Alvarez responded the city would then need to have a Downtown Manager designated.

Mr. Sosa stated that there is a position of Downtown Manager, it is a Downtown Coordinator, is what it consist of. The Downtown Manager would be consisting of the Tourism Director. She will be holding the position of Downtown Manager. He further stated that the actual Tourism Director will be the Downtown Manager.

Mayor Fugate commented that Mr. Sosa may want to look into this.

Ms. Alvarez commented that it is in the contract which is why she was asking. That the city has someone with that title. She further stated that the title was eliminated from the compensation plan from what she saw tonight.

Commissioner Hinojosa asked when the contract expires. Ms. Alvarez responded that the city is currently in one, and renewable every year, so the city does not want to be in breach after October 1st and wants to be ready for the new contract what should be received sometime in January of next year.

Mr. Sosa stated that he would get Commissioner Lopez the justification. Mr. Sosa continued with the budget workshop presentation, Economic Development, Fund 098. Fund 098 notable financial changes, currently there is no longer a need to have a separate fund for Fund 098 as these operations have been moved to 100% City responsibility. The Economic Development Director is no longer a shared position with the Chamber of Commerce. The current Economic Development Director is now housed at City Hall. All funding for the Economic Development Fund 098 came from General Fund and therefore this fund will be budgeted with General Fund 001. The Economic Director position title will change to Economic Development Manager.

Mrs. Deborah Balli, Finance Director, gave the presentation on Updated Fund Balances. The estimated fund balance for FY 25-26, based on DR's is \$764,159.15. Next year, the General Fund will meet the requirement of 25% by 25.60%. Mrs. Balli further mentioned the dates for the upcoming budget workshops.

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 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. (el 4 de noviembre de 2025) (Secretaría Municipal).

Mrs. Mary Valenzuela, City Secretary, stated that on June 23, 2025, the City Commission was presented with a memo regarding the certification of recall petitions that were received on June 6, 2025 (original petitions were available for inspection during this meeting, upon request from the City Commission). As per City Charter, Article II, Section 24(6), it states, that if the officers whose removal is being sought does not resign within five 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. Mrs. Valenzuela further stated that with this

being said, we are now at the step where we would call for the recall election and fix a date for holding the election, which would be on November 4, 2025.

Mayor Fugate asked City Secretary, Mrs. Valenzuela, if it would be fair to say that all the signatures were investigated on these petitions and certified.

Mrs. Valenzuela responded that all signatures received were certified according to the election code and the city charter and further answered yes.

Mayor Fugate further stated that even though it is a small number that signed the petition, they complied with the city charter.

Mrs. Valenzuela responded that, according to what the City of Kingsville Charter states, yes.

Mayor Fugate asked if the city charter is what governs this commission and its citizens and further asked if this would be fair to say.

Mrs. Valenzuela responded it would be fair to say, but she is not an attorney to answer legal questions.

Mayor Fugate asked Ms. Alvarez if everything had been done legally.

Ms. Alvarez responded that yes.

Mayor Fugate further asked that the citizens that have signed this petition have complied with the city charter.

Ms. Alvarez responded that the City Secretary has certified the signatures that were received on the recall petitions, in accordance with the City Charter and the Texas Election Code.

Mayor Fugate further asked that what needs to occur tonight is to set the election.

Ms. Alvarez responded that yes, it would be ordering the recall election for the next uniform election date, which would be November 4, 2025.

Mayor Fugate asked if there was anything done illegally that Ms. Alvarez could see.

Ms. Alvarez responded not to her knowledge.

Mayor Fugate asked if it is the commission's obligation to vote for this.

Ms. Alvarez responded that the city charter Article II, Section 24(6) states that if the officers whose removal is being sought does not resign within five calendar days after such notice is given, which was done on June 23rd, then it shall become the duty of the City Commission to order an election and fix a date of holding such recall election, which shall be in accordance with the Texas Election Code Annotated.

Commissioner Lopez asked if the commission does not vote for this item or call the election, then the commission is in violation of the city charter.

Ms. Alvarez responded yes.

Mayor Fugate commented that in the last 20 years, there have been two charter revisions, where there are a group of citizens that look at the charter and see how it can be best improved. This may be something that needs to be looked at, as it is a small number of citizens, but saying that, they have complied with the city charter.

Ms. Alvarez commented that the language is typical of what's in a lot of charters with regards to the 20%, but as there was a very low voter turnout, which resulted in a 20% of a low voter turnout, it is a small number.

Motion made by Commissioner Lopez to consider 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 City of 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, seconded by Mayor Fugate. The motion failed by a 3-2 vote with Alvarez, Hinojosa, Alarcon voting "AGAINST". Lopez and Fugate voting "FOR".

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).

Agenda item 19, Executive Session, was not needed.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:24 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

SEPTEMBER 22, 2025

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, SEPTEMBER 22, 2025, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS, AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Edna Lopez, Commissioner
Norma Alvarez, Commissioner
Hector Hinojosa, Commissioner
Leo Alarcon, Commissioner

CITY STAFF PRESENT:

Charlie Sosa, Interim City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Director
Derek Williams, Systems Administrator
Emilio Garcia, Health Director
Leticia Salinas, Accounting Manager
Juan J. Adame, Fire Chief
Diana Gonzales, Human Resources Director
Deborha Balli, Finance Director
Erik Spitzer, Director of Planning and Development Services
Charlie Cardenas, City Engineer
James Creek, Captain
Susan Ivy, Parks & Recreation Director
Frank Garcia, Wastewater Supervisor
Alicia Tijireina, Downton Manager/Special Events Coordinator
Nick Rivas, Administrative Assistant
Joe Casillas, Water Production Supervisor
George Flores, KPD Officer
Monika Mascorro Donnell, Municipal Court Supervisor

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – July 14, 2025

Regular Meeting – July 28, 2025

Special Meeting – August 13, 2025

Regular Meeting – August 25, 2025

Special Meeting – September 2, 2025

Regular Meeting – September 8, 2025

Mayor Fugate stated that Commission Alvarez would like to pull the minutes of July 14, 2025, as she has some questions on them. Mayor Fugate further noted that the minutes for July 28, 2025, will be taken separately, as he was absent from that meeting. There were no objections made by the commission.

Motion made by Commissioner Lopez to approve the minutes of August 13, 2025, August 25, 2025, September 2, 2025, and September 8, 2025 as submitted, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate Voting "FOR".

Motion made by Commissioner Lopez to approve the minutes of July 28, 2025, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez voting "FOR". Fugate "ABSTAINED".

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

None.

III. Reports from Commission & Staff.²

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

Mr. Charley Sosa, Interim City Manager, reported on street projects. He further thanked the staff for their hard work on the past weekend's festivities.

Ms. Courtney Alvarez, City Attorney, reported that the next city commission is scheduled for Tuesday, October 14, 2025. City office will be closed on Monday, October 13, 2025, for Columbus Day.

IV. Public Comment on Agenda Items.³

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

Dianne Leubert, 715 W. Nettie, commented, Commissioner Lopez, thank you from the citizens. She further commented that if it is true that you are all in agreement that anyone with an employee contract with the City of Kingsville should receive 20 weeks of compensation for quitting this job or getting fired from the position. Really? You are voted in to support tax-paying citizens and the City of Kingsville.

Elizabeth Ramos, 615 Elizabeth, commented that she does not know the Interim City Manager. She holds no grudges or animosity towards him. She looks forward to working with the next city manager, no matter who she or he is. She further commented that she has been the microphone for so many community members in Kingsville, which is why she is here today. She stated that she personally wants the commission to know that if he gets a signed contract tonight, just remember that here on and forever, you will draw the line in the sand for everyone hired after, and you will be setting an unfavorable precedence for the future of all Kingsville government entities. Mrs. Ramos stated that the following comments are comments she has received from the community: hearing reports of retaliation towards community members and employees of who signed the petition of removal, which is something the commission may want to look into; the commission would

allow him to walk away with 20 weeks' pay whether he did something nefarious or not?; now the city commission is stealing from us; there is post after post about why Kingsville has its issues, if all of this is true, the fact that there are still numerous people supporting this guy is why Kingsville will continue to have numerous issues; you all are missing the point and that's even more scarier to me. I can't believe this went unchecked and if it was checked that's even worse that no one cared and let it slide. Friends in high places isn't why you should have a job that handles access to that much money and authority. In other words he will fit right in with the others. In other words, Bill Donnell for City Manager, and she kind of agrees with that as he is more qualified as Erik Spitzer is more qualified and even she is more qualified. Background checks should always be a requirement. Can I apply for the job? Everyone should be asking who on the council told him not to fill out an application because quote, they had the votes to appoint him". Did he lie about the felony? I think the more concerning thing is that he didn't even apply for the job. Wow, seeing this and other situations KISD and the County play out is disheartening. Are we really at that point where this is the best we can do and the current elected officials are the best we have? Enough of convicted felons in leadership positions, this is what's wrong in America, sadly we get what we allow. He did not apply; enough of this crap. Mrs. Ramos continued to read comments she has received and further stated that another comment was, Mrs. Ramos you are pissing under the wind if you think that corrupt Kingsville is going to change. He was in his thirties when he committed that crime, he should be disqualified. Mrs. Ramos further commented that she can keep going on and on with these comments about how this community feels, and it is just sad that know one is here to say anything. She stated that she does want to point out that she has not seen anyone up at the podium supporting the position of a new city manager.

Andrew Mendez, 405 E. Alice, commented that some people may know him from Brian and Blood which started as an investigation to the South Texas Water Authority to which they had some success in changing that. He further commented that recently he has taken on a new challenge and that was potholes in the City of Kingsville. That's not literal it is a metaphor for the potholes in this town. He has started a new Facebook Group called The Kingsville Pothole Patrol. The purpose of this group is to not be a slam board but to connect residents to city services. He stated that the goal is to get people engaged about going out and finding potholes. Teaching them the proper way that the city manages potholes, and part of that is education. He stated that he has emailed the City Manager, to which he hopes to meet with him, to get educated himself before he starts working on what the city does to address potholes, as we hear that a lot from citizens. He stated that he would like to be educated on this and see how the processes go from a to z so that he can educate the public and maybe get people more civically engaged to say something. It can also engage the city that they can show the good if potholes to get repaired, to which he hopes they do and that they can visually see that if they see something and speak to the city in the correct way, politely and professionally, that they can affect change as small as a pothole. He further commented that this is the goal for this, just tackling some of the smallest problems which have gone on for the longest time. It is his hope to try a different way with education and not to be a slam board or disparage the city which will not be allowed as it is not the goal of it. The goal is to educate and start off with the smallest level with something that everyone can agree that potholes are bad, which he does not think they will disagree on that. What they will disagree on is which ones are worse and what part of town they are at and how they all affect them.

V.

Consent Agenda

Notice to the Public

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

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

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

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

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

1. Motion to approve the final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies and approving the Classification and Compensation Plan reflected in the FY25-26 Budget. (Human Resource Director).

2. Motion to approve the final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to reallocate ARP funding. (Finance Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consideration and approval of a resolution approving the City of Kingsville's 2025 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, section 26.09(e). (Finance Director).

Mrs. Deborah Balli, Finance Director, stated that the Kleberg County Tax Assessor-Collector has submitted the 2025 Tax Roll for the City of Kingsville. Mrs. Balli further stated that the Tax Assessor-Collector certifies that the foregoing information and the roll it represents is accurate and correct to the best of her knowledge. The Tax Assessor-Collector has certified this on the 15th day of September 2025.

Motion made by Commissioner Hinojosa to approve the resolution approving the City of Kingsville's 2025 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, section 26.09(e), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

4. Consideration and approval of a resolution authorizing the City Manager to execute Change Order #3 to the Construction Contract with PM Construction & Rehab, LLC for the GLO #22-082-016-D218 Project 6: 10th Street Sanitary Sewer Improvements Project. (City Engineer).

Mr. Charlie Cardenas, City Engineer, this item is for the General Land Office (GLO) Change Order No. 3 for project 6, which deducts \$28,500 from the contract by removing unnecessary fiberglass manhole rehabilitation and eliminating concrete pavement repairs that were no longer required, while maintaining asphalt pavement point repairs. In addition, CO-3 provides 99-day contract extension to allow for construction closeout activities, including final pay application processing, walkthrough, and related documentation.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute Change Order #3 to the Construction Contract with PM Construction & Rehab, LLC for the GLO #22-082-016-D218 Project 6: 10th Street Sanitary Sewer Improvements Project, seconded by Commissioner Hinojosa. The

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

5. Consideration and approval of a resolution approving a revised City of Kingsville Federal Grant Procurement Policies and Procedures. (for GLO compliance, replaces one adopted 7/14/25). (City Engineer).

Mr. Cardenas stated that as part of a GLO Monitoring plan and report dated August 21, 2025, 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. In particular, this amendment will describe any disciplinary actions related to "conflict of interest" during the procurement process.

Motion made by Commissioner Alvarez to approve the resolution approving a revised City of Kingsville Federal Grant Procurement Policies and Procedures. (for GLO compliance, replaces one adopted 7/14/25), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

6. Consideration and approval of a resolution approving a revised City of Kingsville Labor Standards Policy. (for GLO compliance). (City Engineer).

Mr. Cardenas stated that the city has prepared an amendment to its Labor Standard Policy to ensure compliance with federal prevailing wage requirements under the Davis-Bacon Act, HUD Regulations, and the Texas General Land Office Implementation Manual. The amendment formalizes the duties of the designated Labor Standards Officer, the review and approval process for pre-construction and post-construction labor standards tasks, and the delegation of authority in the City Manager's absence.

Motion made by Commissioner Lopez to approve the resolution approving a revised City of Kingsville Labor Standards Policy. (for GLO compliance), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

7. Consideration and approval of a resolution authorizing the City Manager to enter into a Collective Bargaining Agreement Between the City of Kingsville, Texas and the Kingsville Law Enforcement Association for Fiscal Year 2025-2026. (Human Resources Director).

Mrs. Diana Gonzales, Human Resources Director, stated that the current two-year collective bargaining agreement between the city and the Kingsville Law Enforcement Association (KLEA) is set to expire on September 30, 2025. The City and KLEA met to negotiate certain items as mandated by the Texas Local Government Code for entities that have voted in collective bargaining. Meetings were held on the following days: April 7th & 29th, May 13th, June 10th, July 8th & 15th, August 19th, and September 3rd & 11, 2025. Meetings were conducted, and a tentative agreement between the City and KLEA association members was voted to approve the proposals tentatively agreed upon during negotiations. The impacted articles are as follows: Article 6, Non-Discrimination Section 1, Add non-discrimination program description; Article 7, Entry Level Hiring Section 2A(b), Decrease alternate hiring requirement for applicants from 3 years TCOLE certified to 2 years; Article 9, Promotions, Section 1(1), Decrease eligibility requirements to test for promotion from 3 years to 2 years in the next lower position. This corresponds to Texas Local Government Code 143.028 Eligibility for promotion; Section 3(1), Procedures to Appeal Examination Questions, addition of wording to defer to local Civil Service Rules and Regulations if the issue is not addressed in the agreement; Section 7, Decrease eligibility

requirements to test for promotion from 3 years to 2 years in the next lower position. This corresponds to Texas Local Government Code 143.028, Eligibility for Promotion. Article 13, Shift Schedules and Assignments, clarification/simplification; Article 15, Training, Clarification/simplification; Article 29, Compensation, update the new agreement dates 10/1/25 to 9/30/26; Article 38, Duration, 1-year proposed agreement 10/1/25 to 9/30/25; and Appendix A, Wages Schedule, FY 2025-2026 equal 2%. As per Texas Local Government Code Chapter 174 Fire and Police Employee Relations, the city held negotiation meetings with the Kingsville Law Enforcement Association. Mrs. Gonzales further stated that the agreement presented is for one year with a 2% increase to base wages in FY 25-26. The estimated new costs, based on full department staffing, equal to \$70,802, which include anniversary increases and fringe benefits. Proposed added costs are included in preliminary budget calculations.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to enter into a Collective Bargaining Agreement Between the City of Kingsville, Texas and the Kingsville Law Enforcement Association for Fiscal Year 2025-2026, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

8. Consideration and approval of a resolution amending the City of Kingsville Administrative Policies and Procedures Manual for Policy No. 720.020 – Compensation for Holidays. (Human Resources Director).

Mrs. Gonzales stated that this amendment to Policy 720.02 Compensation for Holidays is to provide clarification and to set the number of hours per holiday to 8 hours. This also clarifies how holiday hours will be accrued for employees scheduled and not scheduled to work on an official holiday. The amendment establishes a deadline for accrued holiday use and consequences of not utilizing holiday leave within 12 months of accrual. Policy 720.02 was included in the City of Kingsville Policies and Procedures Manual approved on 08/28/2006 by the City Commission. This policy was previously revised on 09/10/2018 and 10/22/2018. No additional costs.

Motion made by Commissioner Hinojosa to approve the resolution amending the City of Kingsville Administrative Policies and Procedures Manual for Policy No. 720.020 – Compensation for Holidays, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

9. Consideration and approval of a resolution amending the City of Kingsville Administrative Policies and Procedures Manual for Policy No. 730.00 – Vacation Leave. (Human Resources Director).

Mrs. Gonzales stated that this revision to Policy 730.00 Vacation Leave is to provide clarification and to update the maximum allowed Vacation Leave at separation to correspond with Policy 630.04, Separation Pay. Policy 730.00 was included in the City of Kingsville Policies and Procedures Manual approved on 08/28/2006 by the City Commission. There has been no revision since the 08/28/2006 approval date. No additional costs.

Motion made by Commissioner Alvarez to approve the resolution amending the City of Kingsville Administrative Policies and Procedures Manual for Policy No. 730.00 – Vacation Leave, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

10. Consideration and approval of a resolution authorizing the City Manager to execute the Restatement of Governmental 457 (B) Retirement Plan with Nationwide Retirement Solutions. (Human Resources Director).

Mrs. Gonzales stated that this item authorizes the restatement of the deferred compensation plan offered by Nationwide Retirement Solutions, Inc. (NRS), which outlines the type of programs available to employees. This restatement automatically includes ROTH contribution options not previously available. As this type of contribution was not previously included, the plan document requires approval by the governing board, even though contributions to NRS are 100% employee contributions. The attached restatement, "Governmental 457 (b) Basic Plan Document," is the most recent update from Nationwide to its governmental clients. Nationwide Plan Document amendment/restatement history: 03/09/1995 Original implementation of Nationwide 457 deferred compensation plan; 11/17/1997 Amendment to restate plan document, no change in options; 11/11/2005 Amended and restated plan document, no change in options; 03/09/2009 Amended to allow for new option, loan program, Resolution 2009-09; and 02/22/2011 Restatement of plan document, no change in options. No financial impact on the City. This provides additional options for employees to consider.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute the Restatement of Governmental 457 (B) Retirement Plan with Nationwide Retirement Solutions, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

11. Consideration and approval of a resolution nominating certain person(s) as candidate(s) for election to the Board of Directors for the Kleberg County Appraisal District. (City Attorney).

Ms. Alvarez stated that this resolution is for the city to make its nomination of an individual for the Board of Directors for the Kleberg County Appraisal District. At a later time, the city will receive its ballot for its vote, which will be brought before the commission. This is for the 2026-2027 term.

Motion made by Commissioner Hinojosa to nominate Mr. Crispin Trevino to the Board of Directors for the Kleberg County Appraisal District, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 1-City Commission, Section 1-Meetings, providing for revision of process when Mayor and Mayor Pro Tem leave a meeting. (Commissioner Alarcon).

Mayor Fugate commented that it is his understanding that if the Mayor or Mayor Pro Tem is not present or leaves a commission meeting, there is a process in place to have one of the other commission members lead the meeting.

Commissioner Alarcon responded, to preside over the meeting.

Commissioner Hinojosa commented, if there is a quorum.

Commissioner Lopez stated that she read somewhere that the City Manager was to choose who would preside over the meeting. She further stated that normally it's the next person with the highest vote. The City Manager has nothing to do with appointing the person who would preside over a commission meeting. This is something that should be decided amongst the commission.

Mayor Fugate asked for Ms. Alvarez opinion on that.

Ms. Alvarez responded that, typically under Robert's Rules of Order, when the Mayor or Mayor Pro Tem leaves a meeting, the meeting ends, as there is no longer a presiding officer. She further stated that Commissioner Alarcon's ordinance suggestion would allow, so long as there is a quorum, for the meeting to continue. She stated that the commission can do those kinds of modifications, but you also have the right in the ordinance to set out how the commission wants the next person in line to preside over the meeting.

Mayor Fugate asked if this should be done with the remaining members?

Commissioner Lopez commented that the remaining members can pick and choose, but it is normally done by the next person with the highest votes.

Commissioner Alarcon commented that not necessarily so, as the voting has now changed, as the commission is now elected by places and not by at-large. All this changed this past time, so this is why that does not apply.

Commissioner Hinojosa stated that why not go by places, depending on who is at the meeting.

Commissioner Lopez commented that it would be amongst whoever is at the meeting and not that the city manager makes that decision.

Commissioner Alarcon commented that the commission can appoint amongst themselves who would preside over a meeting if the Mayor and Mayor Pro Tem are absent. He further stated that so long as the job gets done. The commission is here for a purpose, and the commission was here that day and could have continued with the executive session for the employment of the city manager, and both the Mayor and Mayor Pro Tem walked out. He further stated that it was a very important meeting and that it happened, he felt like the commission could have continued to view applications on that day, but it didn't happen as the commission did not have a presiding officer. This is the reason for him asking for this item to be placed on the agenda.

Mayor Fugate commented that he does not have any problems with Commissioner Alarcon's ordinance, but he feels that it would be better if whoever is left from the commission makes that decision as to who will preside over the meeting.

Commissioner Hinojosa commented that he feels that this needs to be taken out of the city manager's decision, and have it be decided by whoever is present from the commission.

Mayor Fugate asked Ms. Alvarez to make this amendment to the ordinance. Ms. Alvarez responded that staff could come up with some language before the next meeting.

Introduction item.

13. Executive Session: Pursuant to Section 551.074, Texas Government Code, Personnel Exception, the City Commission shall convene in executive session to deliberate the duties and compensation of the City Manager. (Mayor Fugate).

Mayor Fugate read the executive session into the record and called the meeting into closed session at 5:36 p.m.

Mayor Fugate reconvened the meeting into open session at 6:09 p.m.

14. Consideration and approval of a resolution authorizing the Mayor to execute a City Manager Employment Agreement with Charles L. Sosa. (City Manager).

Mayor Fugate announced that the commission would not be discussing or taking any action on item #14.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:10 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

City of Kingsville Downtown

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Alicia Tijerina, Downtown Manager/Special Events Coordinator

DATE: October 1, 2025

SUBJECT: Request for City Support for Events & Parades

Summary:

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

Background:

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

Financial Impact:

The total parade/event costs to the City for FY 2025-2026 is **\$13,030** of which \$600 are street closing fees.

Recommendation:

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

DOWNTOWN PARADES & EVENTS REQUIRING STREET CLOSURES FY 2024-2025

Imagine the Possibilities Tour, October 15, 2025, 5-7pm

Veteran's Day Parade, Nov. 11, 2025, 5:30pm, Kleberg Avenue

Ranch Hand Festival, Tree Lighting, Fri., Nov. 21, 5-10 pm, 100-400 blocks E. Kleberg

Ranch Hand Festival, Sat., Nov. 22, 2025, 9 am – 4 pm, 100-400 blocks E. Kleberg, Yoakum & surrounding streets

Children's Day, Sat., Dec. 6, 2025, 10:00 am – 2:30 pm, Maggie Salinas Pavilion

La Posada de Kingsville Parade, Dec. 6, 2025, 7 pm, Kleberg, Yoakum Avenues & side streets

MLK Day Parade & Celebration, Mon., Jan. 19, 2025, 11 am, Kleberg Ave.

Kleberg County Attorney's Annual Easter, March/April 2025 TBD

Festival de la Loteria, April 2026 TBD 10 am – 4 pm, Kleberg Ave.

CrossFit Kingsville Competition, Sat., June 2025 (Date TBD)

4th of July Parade & Concert Celebration, Saturday, July 4, 2026, Kleberg Ave. & Pavilion

Viva el Centro, Sept., 2026 TBD Kleberg Avenue

HM King Homecoming Parade, Sept.-Oct. 2026, Date & Time TBD, Kleberg & Yoakum Avenues

PARADE COSTS TO THE CITY FY 2025-2026

Community Parades (4)

Veteran's Day Parade, Nov. 2026

MLK Day Parade, Jan. 2026

4th of July Concert, July 4, 2026

HM King High School Homecoming Parade, Sept/October. 2026 Date TBD

Public Works

Barricades: Build-up & Tear-down \$30/hr. (10 men/4hrs) = \$1,200

Street Closing Event permit = \$150

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 5 containers = \$50

Cost of \$1,400 per parade

Christmas Parade (1)

La Posada Parade & Children's Day, Dec. 6, 2025

Public Works

Barricades: Build-up & Tear-down \$30/hr. (15 men/6hrs) = \$2,700

Trash & Recycling: Delivery/Pickup/Dumping \$10 (x20) = \$200

Dumpsters: \$30 (x12) = \$360

Parade permit = \$0

Cost of \$3,260

Total parade costs \$8,860

EVENT COSTS TO THE CITY FY 2025-2026

COMMUNITY EVENT (10)

Imagine the Possibilities Tour, October 15, 2025

No street closure is required for this event

Cost of \$0

***Veterans Day Parade, Nov. 11, TBD**

Public Works

Barricades: Build-up & Tear-down \$30/hr. (10 men/4hrs) = \$1,200

Street Closing Event permit = \$150

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 5 containers = \$50

Cost of \$1,400

Ranch Hand Festival, Nov. 21-22, 2025

Public Works

Barricades: Build-up & Tear-down \$30/hr (10men/8hrs) = \$2,400

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 20 containers x 2 = \$400

Cost of \$2,800

***MLK Parade & Celebration, January 2026 TBD**

Public Works

Barricades: Build-up & Tear-down \$30/hr. (10 men/4hrs) = \$1,200

Street Closing Event permit = \$150

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 5 containers = \$50

Cost of \$1,400

Kleberg County Attorney's Easter Bash, April 2026 (TBD)

Public Works

Barricades: Build-up & Tear-down \$30/hr (3men/2hrs) = \$180

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

Street closing permit for large events = \$0

Cost of \$180

Festival de la Loteria, April 2026 (10am – 4pm)

Public Works

Barricades: Build-up & Tear-down \$30/hr (3men/4hrs) = \$360

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 10 containers = \$100

Street closing permit for large events = \$0

Cost of \$420

CrossFit Kingsville Competition, June 2026 (TBD)

Public Works

Barricades: Build-up & Tear-down \$30/hr (3men/2hrs) = \$180

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 2 containers = \$20

Street closing permit = \$150

Cost of \$350

***4th of July Parade, 2026**

Public Works

Barricades: Build-up & Tear-down \$30/hr. (10 men/4hrs) = \$1,200

Street Closing Event permit = \$150

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 5 containers = \$50

Cost of \$1,400

***HM King High Homecoming Parade, Sept./Oct. 2026 TBD**

Public Works

Barricades: Build-up & Tear-down \$30/hr. (10 men/4hrs) = \$1,200

Street Closing Event permit = \$150

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 5 containers = \$50

Cost of \$1,400

Viva el Centro, Sept/Oct 2026 Friday & Saturday event (10am – 4pm)

Public Works

Barricades: Build-up & Tear-down \$30/hr (3men/4hrs) = \$360

Trash & Recycling: Delivery/Pickup/Dumping \$10 each x 10 containers x 2 = \$100

Street closing permit for large events = \$0

Cost of \$420

***Grayed out parades are included in total under parades.**

TOTAL EVENT COSTS \$4,170

AGENDA ITEM #2



**CITY OF KINGSVILLE
LEGAL DEPARTMENT**

P.O. Box 1458, Kingsville Texas 78364 Phone: 361-595-8016 Fax: 361-592-4696

Date: October 2, 2025

To: City Commission Members

From: Courtney Alvarez, City Attorney

Re: ERCOT Membership Renewal

AGENDA ITEM: Consider joining the Electric Reliability Council of Texas ("ERCOT") for 2026.

ISSUE: The City received notice that the ERCOT membership applications for 2026 are due by October 24, 2025, and it has been recommended that we join to give cities greater representation in ERCOT and on ERCOT's policy-making boards.

BACKGROUND: The City has been a member of ERCOT each year since 2009. ERCOT has begun accepting membership applications for 2026. In order to vote in the upcoming ERCOT elections, our city must be a member of ERCOT by October 24, 2025.

Since 2008, cities succeeded in placing city representatives on ERCOT's Board of Directors and on the Technical Advisory Committee due to their strong presence at ERCOT. ERCOT is an important arena in the effort to ensure that electricity rates in the deregulated Texas market are reasonable and stable. ERCOT membership is a straightforward way to influence electric market policy and costs \$100 to join. Membership in ERCOT gives the consumer presence greater clout at ERCOT and allows us to vote for city representatives to serve on ERCOT's most important policy-making bodies.

REQUIRED COMMISSION ACTION: Authorize staff to submit an application to join ERCOT for 2026 that includes payment of a \$100 membership fee.

FUNDING: Funds are available in the General Fund-City Special account.

CONCLUSION & RECOMMENDATION: Authorize staff to submit an application to join ERCOT for 2026.

Courtney Alvarez

From: Membership <membership@ercot.com>
Sent: Monday, September 29, 2025 8:37 AM
To: Membership
Subject: Announcement of Record Date and Commencement of 2026 ERCOT Membership Application and Agreement Cycle
Attachments: ERCOT Public Portal Registration Guide.pdf

Announcement of Record Date and Commencement of 2026 ERCOT Membership Application and Agreement Cycle

Record Date for Annual Membership Meeting

- The Record Date for 2026 ERCOT Corporate Members to vote in the 2026 Technical Advisory Committee (TAC) Representatives Elections is **Friday, November 7, 2025**. See ERCOT Bylaws, § 3.7(d).
- Results of the TAC elections for the 2026 calendar year will be announced at the fifty-fifth Annual Membership Meeting on December 8, 2025.
- To vote, your entity must receive written approval of the submitted Membership Application and Agreement (Application), as a Corporate Member, by ERCOT Membership for the 2026 Membership Year **no later than the Record Date**.

Membership Application and Agreement for the 2026 Membership Year is Available Online through ERCOT's Public Portal

- **ERCOT's Public Portal:** Applicants that do not have an existing ERCOT Public Portal account will need to create an account by clicking on the ***New Users Click here to Register*** link on the login page. **Please note, new users are required to verify their email address after submitting the Sign Up form** before they can proceed with the Application. Attached is the ERCOT Portal Registration Guide to assist you with registration.
 - Alternatively, if you log into ERCOT's Public Portal online you can find the Application by searching for "Annual" or "Member" in the search bar on the landing page. For any login issues, as well as any technical questions and support regarding ERCOT's Public Portal please contact portalsupport@ercot.com.
- **How to apply:** An authorized representative from the applying entity must submit an application online at Annual Membership Request.
 - **Steps:**
 - complete and electronically agree to the terms of the Application,
 - pay the applicable Annual Member Dues, and
 - receive written notice of approval of the submitted Application from ERCOT Membership.
- **Term:** ERCOT Membership terms are for no more than one Membership Year and do not renew automatically. The 2026 Membership Year begins on January 1, 2026, and ends on December 31, 2026.

Membership Eligibility

- See ERCOT Bylaws, Article 3, Members. See also *2026 ERCOT Membership Application and Agreement* found at Membership for reference.

Membership Voting Rights

- See ERCOT Bylaws § 3.2 Membership Types and Voting Rights. Corporate Members are the only Membership Type with voting rights to elect TAC Representatives.

Annual Member Dues

- Annual Member Dues are payable as follows:

| Member Category (ERCOT Bylaws Section 3.4) | Annual Dues (\$) |
|---|-------------------------|
| Corporate (General) – Voting | 2,000 |
| • Residential Consumer – Corporate | 100 |
| • Office of Public Utility Counsel – Corporate | Complimentary |
| • Appointed Residential Consumer TAC Rep. – Corporate | Complimentary |
| • Commercial Consumer – Corporate | 100 |
| Associate (General) – Non-voting | 500 |
| • Residential Consumer – Associate | 50 |
| • Commercial Consumer – Associate | 50 |
| Adjunct – Non-voting | 500 |

- **Payment Method:** ERCOT requires submission of all Annual Member Dues by electronic means (wire or ACH). Electronic payment instructions will be attached to the confirmation of receipt email that the Applicant Contact receives upon submission of the online 2026 Application and Agreement.
- **Invoices:** Please consider this notice as an invoice for your entity's Annual Member Dues.
- **Waiver Request:** Any Member may request that the Member's Annual Member Dues be waived for good cause shown. Annual Member Dues are not prorated even if Membership is approved by ERCOT after the 2026 Membership Year has begun.

Membership Election Rights

- See ERCOT Bylaws § 3.6, TAC Participation
 - Corporate and Associate Membership Types permit an employee or representative of your organization to be nominated for and elected to TAC and TAC subcommittees.

Additional Information

- ERCOT Membership will post an updated *2026 ERCOT Members* document to [Membership \(ercot.com\)](http://ercot.com) by close of business every Friday until the Record Date.
- Final approval of the Application is dependent upon correct and complete submission of the Application, timely responses to follow-up questions by Membership staff, and timely payment of Member Dues.
- Being registered as a Market Participant is independent from being a Member. Membership is completely optional and does not interfere with your Market Participant status.
- For more information or to obtain a copy of the ERCOT Bylaws and Certificate of Formation, please visit ERCOT's website at <http://www.ercot.com/about/governance/> under *Key Documents*. See ERCOT's Membership webpage at <http://www.ercot.com/about/governance/members> for additional information. Please contact Membership@ercot.com with any questions.

Thank you in advance for your efforts to submit your Application in a complete and timely manner.



ERCOT Membership
membership@ercot.com

REGULAR AGENDA

AGENDA ITEM #3

City of Kingsville Parks & Recreation

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: Susan Ivy, Parks Director

DATE: September 30, 2025

SUBJECT: Resolution authorizing the submission of a Texas Parks & Wildlife Department grant application for the Community Outdoor Outreach Grant Program.

Summary:

This item is to consider a resolution authorizing the submission of a Texas Parks & Wildlife Department grant application; and authorizing the City Manager to act as the executive officer and Parks Director as authorized representative in all matters pertaining to the participation in the Community Outdoor Outreach Grant Program. We also request the approval of the attached resolution authorizing the application.

Background:

The City of Kingsville intends to apply for the Texas Parks & Wildlife Department grant under the Community Outdoor Outreach Grant Program. The application will be for up to \$65,000 of grant funds for training, staffing, program organization and implementation for Nature Based, family oriented, outdoor activities hosted at Dick Kleberg Park, local schools and in various Texas State Parks.

Financial Impact:

Funding provided by this program is on a cost reimbursement basis. If awarded, the City must initiate the approved project with our own funds and be reimbursed 100% of qualified expenses after submitting documentation of expenses. There is no match for this grant.

Recommendation:

City staff recommends that the City Commission approve the resolution for the submittal of a grant application to TPWD Community Outdoor Outreach Grant Program requesting \$65,000 in funding to be expensed in a reimbursement method upon approval of grant.

RESOLUTION # 2025-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT'S COMMUNITY OUTDOOR OUTREACH GRANT PROGRAM FOR THE PURPOSE OF REQUESTING FUNDING FOR COMMUNITY NATURE BASED, FAMILY ORIENTED, RECREATIONAL PROGRAMMING WITH NO CASH MATCH REQUIRED; AUTHORIZING THE CITY MANAGER TO SUBMIT THE GRANT AND THE CITY PARKS DIRECTOR AS THE GRANT OFFICIAL TO ACT ON THE CITY'S BEHALF WITH SUCH GRANT PROGRAM.

WHEREAS, the Texas Parks and Wildlife Department (hereinafter "Department") has a Community Outdoor Outreach Grant Program (hereinafter "Program") that can provide monetary assistance for community, nature based recreational programming; and

WHEREAS, the City of Kingsville strives to provide quality recreational programming to the citizens in our community; and

WHEREAS, the City's Dick Kleberg Park is home to an abundance of nature based opportunities such as birding, walking trail, wildlife identification, and our recently initiated "Outdoor Classroom"; and

WHEREAS, the City is fully eligible to receive assistance under the Program; and

WHEREAS, the City is desirous of authorizing the Parks Director, Susan Ivy, as the Grant Official to represent and act for the City in dealing with the Department concerning the Program; and

WHEREAS, the City of Kingsville would like to apply for approximately \$65,000.00 in funding for recreational programming through the Community Outdoor Outreach Program; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the City Manager as the Executive Officer to submit an application for the aforementioned grant and project and the City Parks Manager as the authorized representative/grant official to administer the grant and represent the City in this matter.

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

I.

THAT the City certifies it is eligible to receive assistance under the Program.

II.

THAT the City Manager is the executive officer hereby authorized and directed to sign and act on the City's behalf in all matters pertaining to the Texas Parks and Wildlife Department's Community Outdoor Outreach Grant Program, including any certifications, amendments or representations stipulated therein and that the City Parks Manager, as the authorized representative/grant official, to administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

THAT the City the City specifically authorizes the official to make application to the Department concerning the site to be known as Dick Kleberg Park in the City of Kingsville, Texas or use as a park site and is hereby dedicated for public park and recreation purposes in perpetuity or for the lease term if legal control is through a lease. Projects with federal monies may have differing requirements.

IV.

THAT the City Commission approves the submission of the grant application to the Texas Parks and Wildlife Department's Community Outdoor Outreach Grant Program for the Kingsville Parks Department for training, staffing, program organization and implementation for nature based, family oriented, outdoor activities hosted at Dick Kleberg Park, local schools and in various Texas State Parks on the City's behalf with a grant request of up to \$65,000.00 with no anticipated cash match.

V.

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

VI.

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

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #4

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



For Information on events and facilities
www.cityofkingsville.com/departments/parks

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

• Accept Donations

to: Charlie Sosa, City Manager

from: Susan Ivy, Parks Director

date: September 30, 2025

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

Summary – We are requesting Commission approve the receipt of donations for Parks Department Healthy Family Events and the associated budget amendments.

History – Parks Department started this initiative in 2015 to supplement the need for additional funds in our recreation programming budget due to increased involvement in festivals and special events and the need to offer more programming to our community that focuses on drug/alcohol/bully free and active lifestyles.

Our partners this year are: Kleberg County Attorney's Specialized Crimes and Narcotics Task force **\$3500.00**

Christus Spohn Hospital Kleberg \$2500.00

L'Aiglon Foundation \$3000.00

Driscoll Health Plan \$2500.00

District Attorney John Hubert \$500

King Ranch - \$2000.00

KISD Education Foundation \$1000

Ultra Screen Printing \$1000.00

Communities in Schools \$1500.00

Diva Association of Kingsville \$250

Brookshire Foundation is a named sponsor money will come in later

Vishal Baghat Raju Foundation \$1500.00

Lyte Fiber, Inc. \$2500.00

Womack and Womack CPA \$250.00

Total Donations are **\$19,000.00** in cash.

Financial Impact – These Healthy Family donations will increase our recreational programming budget by **\$19,000.00**. We ask that **\$8,000.00** be coded to special events **001-5-4513-31441** and **\$11,000.00** be coded to recreational programs **001-5-4513-31499**.

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

AGENDA ITEM #5

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



For Information on events and facilities
www.cityofkingsville.com/departments/parks

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

Budget Am.

To: Charlie Sosa, City Manager

From: Susan Ivy, Parks Director

Date: September 30, 2025

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

Summary – We are requesting Commission approve the receipt of donations for Parks Department Healthy Family Events and the associated budget amendments.

History – Parks Department started this initiative in 2015 to supplement the need for additional funds in our recreation programming budget due to increased involvement in festivals and special events and the need to offer more programming to our community that focuses on drug/alcohol/bully free and active lifestyles.

Our partners this year are: Kleberg County Attorney's Specialized Crimes and Narcotics Task force \$3500.00

Christus Spohn Hospital Kleberg \$2500.00

L'Aiglon Foundation \$3000.00

Driscoll Health Plan \$2500.00

District Attorney John Hubert \$500

King Ranch - \$2000.00

KISD Education Foundation \$1000

Ultra Screen Printing \$1000.00

Communities in Schools \$1500.00

Diva Association of Kingsville \$250

Brookshire Foundation is a named sponsor money will come in later

Vishal Baghat Raju Foundation \$1500.00

Lyte Fiber, Inc. \$2500.00

Womack and Womack CPA \$250.00

Total Donations are \$19,000.00 in cash.

Financial Impact – These Healthy Family donations will increase our recreational programming budget by \$19,000.00. We ask that \$8,000.00 be coded to special events 001-5-4513-31441 and \$11,000.00 be coded to Recreational programs 001-5-4513-31499.

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

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2025-2026 BUDGET TO ACCEPT AND EXPEND DONATIONS FOR THE PARKS DEPARTMENT HEALTHY FAMILY EVENTS.

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 2025-2026 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#2

| Dept No. | Dept Name | Account Name | Account Number | Budget Increase | Budget Decrease |
|-------------------------------|------------|-----------------------|----------------|-----------------|-----------------|
| Fund 001- GENERAL FUND | | | | | |
| <u>Revenues-4</u> | | | | | |
| 4513 | Recreation | Donations | 72030 | \$19,000 | |
| | | | | | |
| <u>Expenditures-5</u> | | | | | |
| 4513 | Recreation | Special Events | 31441 | \$8,000 | |
| 4513 | Recreation | Recreational Programs | 31499 | \$11,000 | |
| | | | | | |

[To amend the City of Kingsville FY 25-26 budget to appropriate, accept, and expend the donations for the Parks Department Healthy Family Events. Funding will come from the donations received for the stated purpose.]

II.

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

III.

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

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

IV.

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

INTRODUCED on this the 14th day of October 2025.

PASSED AND APPROVED on this the 27th day of October 2025.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager *CS*

FROM: Juan Carlos Cardenas, P.E., City Engineer

DATE: October 14, 2025

SUBJECT: Consider Awarding Bid No. 25-20 for the General Land Office (GLO)
Community Development Block Grant Mitigation (CDBG-MIT) Contract No.
22-085-009-D237 Project 1 – (E. Santa Gertrudis Ave. Near Fairview) Storm
Water Improvements

Purpose:

This item is for approval to award the ninth GLO CDBG-MIT Hurricane Harvey State Mitigation Competition Round 1 grant. Project 1 – E. Santa Gertrudis Ave. Near Fairview Storm Water Improvements is a critical component of the city's flood management infrastructure upgrades. This project includes which consists of the installation of approximately 370 LF of 3' x 4' reinforced concrete box, mill and overlay approximately 1,460 SY of existing street asphalt, and storm outfall structure with items associated with the installation (service connections, curb and gutter repairs, pavement repairs, traffic control, etc.) and related appurtenances to improve stormwater drainage and reduce future flood risks. The project will be completed within 160 consecutive calendar days after giving the Notice to Proceed.

Summary:

This project was advertised in the local newspaper on August 14th and 21st and city's website. Sealed bids for Bid No. 25-20 (Project 1) were received prior to the deadline of September 9, 2025, at 2:00pm and read out loud, from five bidders:

1. D&J Utility Services LLC, Aransas Pass, TX 78335
1. White Star Services LLC, Corpus Christi, TX 78415
2. Leinneweber Concrete Construction LLC, San Marcos, TX 78666
3. D&M Underground Corp., Corpus Christi, TX 78418
1. RS Parker Construction LLC, Corpus Christi, TX 78408

The total bids range from \$510,426.00 to \$666,431.73. After review, staff recommends awarding the project to the lowest bidder, D&M Underground Corp., for the total base bid



**City of Kingsville
Engineering Dept.**

amount of \$510,426.00. Also, the bid is 38% below the engineer's estimate which is considered reasonable.

Background:

The General Land Office (GLO) awarded \$36,311,929.00 to the City of Kingsville for citywide drainage improvements on May 21, 2021. Texas Land Commissioner George P. Bush announced over \$46 million in flood mitigation projects to improve drainage infrastructure in Kleberg County and the City of Kingsville. These projects will benefit thousands of residents in low-to-moderate income (LMI) areas that have experienced repeated storm damage, including during Hurricane Harvey in 2017.

The City of Kingsville amended its Drainage Master Plan in 2020 to include five additional sites, covering all areas of the city. External funding is necessary to complete these improvements, which will bolster community resilience by reducing flood-related economic losses, protecting public infrastructure, and preserving emergency response capabilities.

These drainage improvements will efficiently direct stormwater from residential and commercial areas to outflows leading to Santa Gertrudis Creek, San Fernando Creek, and ultimately Baffin Bay. The improvements include:

- Installation of 9,000 feet of reinforced concrete pipe and 23,100 feet of culverts with 130 added inlets
- 65 junction boxes and 6,900 feet of curb and gutter to drain water from road surfaces
- Surface repairs using flex base with geogrid for soil stabilization, with either a 4-inch hot mix asphalt or concrete pavement surface
- Replacement of impacted sidewalks for pedestrian safety
- Installation of concrete headwalls at drainage pipe and culvert ends to prevent erosion

Financial Impact:

Project 1 will be funded by the General Land Office Hurricane Harvey Mitigation Grant (Fund 122) in the amount of \$510,426.00.

Recommendation:

Staff recommends awarding CDBG-MIT GLO Contract No. 22-085-009-D237 – Project 1 (E. Santa Gertrudis Ave. Near Fairview Storm Water Improvements) to D&M Underground Corp., for the total base bid amount of \$510,426.00 contingent of a final GLO approval of a Performance Statement and TxDot right of way permit pending.



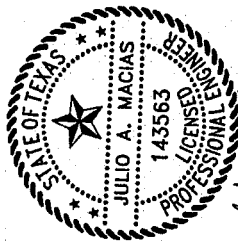
**City of Kingsville
Engineering Dept.**

Attachments:

- Bid Recommendation/Award Letter for Project 1
- Bid Tabulation for Project 1



City of Kingsville GLO SW Project 1 (GLO Contract No. 22-085-009-D237) Bid Tabulation
Bid Opening Date and Location: September 9, 2025 - City Hall
400 W. King Ave., Kingsville, TX 78363



Julio A. Macias
9/22/2025

| BASE BID: | | | | | | | | | | | | | | | | | |
|----------------|-------------------------------------|------|------|---------------------------|--------------|-------------|--------------------------|-------------|--------------|-------------|--------------|-------------|-----------------------|-------------|-----------------------------|-------------|--------------|
| | | | | D&J Utility Services, LLC | | | White Star Services, LLC | | | Leineweber | | | D&M Underground Corp. | | RS Parker Construction, LLC | | |
| ITEM | DESCRIPTION | QTY | UNIT | UNIT COST | AMOUNT | UNIT COST | AMOUNT | UNIT COST | AMOUNT | UNIT COST | AMOUNT | UNIT COST | AMOUNT | UNIT COST | AMOUNT | UNIT COST | AMOUNT |
| A1 | Mobilization/ Bonds/ Insurance | 1 | LS | \$20,000.00 | \$20,000.00 | \$45,750.00 | \$45,750.00 | \$29,800.00 | \$29,800.00 | \$30,000.00 | \$30,000.00 | \$46,000.00 | \$46,000.00 | \$46,000.00 | \$46,000.00 | \$46,000.00 | \$46,000.00 |
| A2 | Traffic Control | 1 | LS | \$80,000.00 | \$80,000.00 | \$7,600.00 | \$7,600.00 | \$10,000.00 | \$10,000.00 | \$15,000.00 | \$15,000.00 | \$15,250.00 | \$15,250.00 | \$15,250.00 | \$15,250.00 | \$15,250.00 | \$15,250.00 |
| A3 | Utility Adjustment | 1 | LS | \$7,500.00 | \$7,500.00 | \$10,000.00 | \$10,000.00 | \$24,000.00 | \$24,000.00 | \$20,000.00 | \$20,000.00 | \$6,900.00 | \$6,900.00 | \$6,900.00 | \$6,900.00 | \$6,900.00 | \$6,900.00 |
| A4 | SWPP (Sediment Control Fence) | 30 | LF | \$20.00 | \$600.00 | \$28.00 | \$840.00 | \$6.00 | \$180.00 | \$5.00 | \$150.00 | \$5.75 | \$172.50 | \$5.75 | \$172.50 | \$5.75 | \$172.50 |
| A5 | SWPP (Erosion Control Log) | 70 | LF | \$10.00 | \$700.00 | \$16.00 | \$1,120.00 | \$6.60 | \$462.00 | \$10.00 | \$700.00 | \$39.43 | \$2,760.10 | \$39.43 | \$2,760.10 | \$39.43 | \$2,760.10 |
| A6 | Remove Street Asphalt | 370 | SY | \$10.00 | \$3,700.00 | \$28.50 | \$10,545.00 | \$9.73 | \$3,600.10 | \$18.00 | \$6,660.00 | \$28.59 | \$10,578.30 | \$28.59 | \$10,578.30 | \$28.59 | \$10,578.30 |
| A7 | Mill Street Asphalt | 1460 | SY | \$5.50 | \$8,030.00 | \$9.00 | \$13,140.00 | \$12.00 | \$17,520.00 | \$15.75 | \$22,995.00 | \$32.20 | \$47,012.00 | \$32.20 | \$47,012.00 | \$32.20 | \$47,012.00 |
| A8 | Remove Exist. Curb & Gutter | 63 | LF | \$10.00 | \$630.00 | \$16.00 | \$1,008.00 | \$26.25 | \$1,653.75 | \$10.00 | \$630.00 | \$58.60 | \$3,691.80 | \$58.60 | \$3,691.80 | \$58.60 | \$3,691.80 |
| A9 | Remove Exist. Curb | 18 | LF | \$10.00 | \$180.00 | \$16.00 | \$288.00 | \$41.80 | \$752.40 | \$10.00 | \$180.00 | \$32.58 | \$586.44 | \$32.58 | \$586.44 | \$32.58 | \$586.44 |
| A10 | Remove Exist. Sidewalk | 25 | SY | \$90.00 | \$2,250.00 | \$26.00 | \$650.00 | \$22.90 | \$572.50 | \$5.00 | \$125.00 | \$63.25 | \$1,581.25 | \$63.25 | \$1,581.25 | \$63.25 | \$1,581.25 |
| A11 | Remove Exist. ADA Sidewalk Ramp | 12 | SY | \$90.00 | \$1,080.00 | \$26.00 | \$312.00 | \$22.80 | \$273.60 | \$45.00 | \$540.00 | \$68.52 | \$822.24 | \$68.52 | \$822.24 | \$68.52 | \$822.24 |
| A12 | Remove Exist. Valley Gutter | 24 | SY | \$10.00 | \$240.00 | \$22.00 | \$528.00 | \$24.00 | \$576.00 | \$20.00 | \$480.00 | \$63.25 | \$1,518.00 | \$63.25 | \$1,518.00 | \$63.25 | \$1,518.00 |
| A13 | Remove Exist. 18" Ø RCP | 36 | LF | \$30.00 | \$1,080.00 | \$8.00 | \$288.00 | \$37.50 | \$1,350.00 | \$25.00 | \$900.00 | \$47.28 | \$1,702.08 | \$47.28 | \$1,702.08 | \$47.28 | \$1,702.08 |
| A14 | Remove Exist. 24" Ø RCP | 72 | LF | \$40.00 | \$2,880.00 | \$8.00 | \$576.00 | \$108.00 | \$7,776.00 | \$30.00 | \$2,160.00 | \$27.60 | \$1,987.20 | \$27.60 | \$1,987.20 | \$27.60 | \$1,987.20 |
| A15 | Remove Exist. Curb Inlet | 1 | EA | \$3,500.00 | \$3,500.00 | \$475.00 | \$475.00 | \$1,800.00 | \$1,800.00 | \$1,350.00 | \$1,350.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 |
| A16 | Remove Exist. Outfall Structure | 1 | EA | \$5,000.00 | \$5,000.00 | \$3,975.00 | \$3,975.00 | \$1,800.00 | \$1,800.00 | \$1,850.00 | \$1,850.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 | \$1,725.00 |
| A17 | Remove Exist. 36" Ø RCP | 10 | LF | \$50.00 | \$500.00 | \$15.00 | \$150.00 | \$231.00 | \$2,310.00 | \$30.00 | \$900.00 | \$207.00 | \$2,070.00 | \$207.00 | \$2,070.00 | \$207.00 | \$2,070.00 |
| A18 | Repair Street Asphalt | 370 | SY | \$150.00 | \$55,500.00 | \$85.00 | \$31,450.00 | \$40.30 | \$14,911.00 | \$25.00 | \$9,250.00 | \$78.59 | \$29,078.30 | \$78.59 | \$29,078.30 | \$78.59 | \$29,078.30 |
| A19 | Overlay Street Asphalt | 1460 | SY | \$38.00 | \$55,480.00 | \$63.75 | \$93,075.00 | \$42.00 | \$61,320.00 | \$25.00 | \$36,500.00 | \$32.80 | \$47,888.00 | \$32.80 | \$47,888.00 | \$32.80 | \$47,888.00 |
| A20 | Repair Curb & Gutter | 63 | LF | \$30.00 | \$1,890.00 | \$26.00 | \$1,638.00 | \$47.00 | \$2,961.00 | \$100.00 | \$6,300.00 | \$34.50 | \$2,173.50 | \$34.50 | \$2,173.50 | \$34.50 | \$2,173.50 |
| A21 | Repair Curb | 18 | LF | \$30.00 | \$540.00 | \$45.00 | \$810.00 | \$72.00 | \$1,296.00 | \$80.00 | \$1,440.00 | \$54.50 | \$981.00 | \$54.50 | \$981.00 | \$54.50 | \$981.00 |
| A22 | Repair Sidewalk | 25 | SY | \$180.00 | \$4,500.00 | \$108.00 | \$2,700.00 | \$171.00 | \$4,275.00 | \$55.00 | \$1,375.00 | \$51.75 | \$1,293.75 | \$51.75 | \$1,293.75 | \$51.75 | \$1,293.75 |
| A23 | Repair ADA Sidewalk Ramp | 12 | SY | \$300.00 | \$3,600.00 | \$185.00 | \$2,220.00 | \$270.00 | \$3,240.00 | \$65.00 | \$780.00 | \$103.50 | \$1,242.00 | \$103.50 | \$1,242.00 | \$103.50 | \$1,242.00 |
| A24 | Repair Valley Gutter | 24 | SY | \$180.00 | \$4,320.00 | \$126.00 | \$3,024.00 | \$162.00 | \$3,888.00 | \$75.00 | \$1,800.00 | \$51.75 | \$1,242.00 | \$51.75 | \$1,242.00 | \$51.75 | \$1,242.00 |
| A25 | Repair Exist. 24" Ø RCP | 8 | LF | \$150.00 | \$1,200.00 | \$145.00 | \$1,160.00 | \$661.00 | \$5,288.00 | \$150.00 | \$1,200.00 | \$149.50 | \$1,196.00 | \$149.50 | \$1,196.00 | \$149.50 | \$1,196.00 |
| A26 | 18" Ø RCP Class V | 9 | LF | \$130.00 | \$1,170.00 | \$130.00 | \$1,170.00 | \$320.00 | \$2,880.00 | \$165.00 | \$1,485.00 | \$173.78 | \$1,564.02 | \$173.78 | \$1,564.02 | \$173.78 | \$1,564.02 |
| A27 | 24" Ø RCP Class V | 36 | LF | \$150.00 | \$5,400.00 | \$150.00 | \$5,400.00 | \$376.00 | \$13,536.00 | \$223.00 | \$8,028.00 | \$153.33 | \$5,519.88 | \$153.33 | \$5,519.88 | \$153.33 | \$5,519.88 |
| A28 | 36" Ø RCP Class V | 25 | LF | \$240.00 | \$6,000.00 | \$335.00 | \$8,375.00 | \$698.00 | \$17,450.00 | \$316.00 | \$7,900.00 | \$494.24 | \$10,856.00 | \$494.24 | \$10,856.00 | \$494.24 | \$10,856.00 |
| A29 | Concrete Collar | 1 | EA | \$500.00 | \$500.00 | \$2,375.00 | \$2,375.00 | \$2,500.00 | \$2,500.00 | \$4,500.00 | \$4,500.00 | \$5,865.00 | \$5,865.00 | \$5,865.00 | \$5,865.00 | \$5,865.00 | \$5,865.00 |
| A30 | Junction Box Type 'A' | 5 | EA | \$8,500.00 | \$42,500.00 | \$10,850.00 | \$54,250.00 | \$36,500.00 | \$182,500.00 | \$25,900.00 | \$129,500.00 | \$34,500.00 | \$172,500.00 | \$34,500.00 | \$172,500.00 | \$34,500.00 | \$172,500.00 |
| A31 | Outfall Structure | 1 | EA | \$15,000.00 | \$15,000.00 | \$16,650.00 | \$16,650.00 | \$9,600.00 | \$9,600.00 | \$3,000.00 | \$3,000.00 | \$7,475.00 | \$7,475.00 | \$7,475.00 | \$7,475.00 | \$7,475.00 | \$7,475.00 |
| A32 | Plug and Abandon Existing 36" Ø RCP | 2 | EA | \$1,500.00 | \$3,000.00 | \$425.00 | \$850.00 | \$4,000.00 | \$4,000.00 | \$1,150.00 | \$2,300.00 | \$1,725.00 | \$3,450.00 | \$1,725.00 | \$3,450.00 | \$1,725.00 | \$3,450.00 |
| A33 | 4' x 3' RCB | 371 | LF | \$800.00 | \$296,800.00 | \$650.00 | \$241,150.00 | \$603.25 | \$223,805.75 | \$500.00 | \$185,500.00 | \$602.31 | \$223,457.01 | \$602.31 | \$223,457.01 | \$602.31 | \$223,457.01 |
| A34 | Refill Pav Mark TY 1 (W) 4" (SLD) | 506 | LF | \$1.25 | \$632.50 | \$4.25 | \$2,150.50 | \$4.20 | \$2,125.20 | \$4.00 | \$2,024.00 | \$4.03 | \$2,039.18 | \$4.03 | \$2,039.18 | \$4.03 | \$2,039.18 |
| A35 | Refill Pav Mark TY 1 (V) 4" (SLD) | 506 | LF | \$1.43 | \$723.58 | \$4.25 | \$2,150.50 | \$4.20 | \$2,125.20 | \$4.00 | \$2,024.00 | \$4.03 | \$2,039.18 | \$4.03 | \$2,039.18 | \$4.03 | \$2,039.18 |
| A36 | Refill Pav Mark TY 2 (A-A) | 10 | EA | \$100.00 | \$1,000.00 | \$125.00 | \$1,250.00 | \$60.00 | \$600.00 | \$150.00 | \$1,500.00 | \$57.50 | \$575.00 | \$57.50 | \$575.00 | \$57.50 | \$575.00 |
| Total Base Bid | | | | | \$637,626.08 | | \$554,493.00 | | \$662,727.50 | | \$510,426.00 | | \$666,431.73 | | \$510,426.00 | | \$666,431.73 |

| RECOMMENDED AWARD OPTIONS BY RANK: | | | | | | |
|------------------------------------|-------------|---|--|----------------------------|---------------------------------------|---|
| | | 3 | 2 | 4 | 1 | 5 |
| OPTION | DESCRIPTION | | | | | |
| 1 | BASE BID | D&J Utility Services, LLC \$637,626.08 | White Star Services, LLC \$554,493.00 | Leineweber \$662,727.50 | D&M Underground Corp. \$510,426.00 | RS Parker Construction, LLC \$666,431.73 |

September 22, 2025

Juan Carlos "Charlie" Cardenas, P.E.
City Engineer
City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

Re: **CDBG-MIT GLO Contract No. 22-085-009-D237 Project 1, (City of Kingsville Bid No. 25-20) – ICE award recommendation**

Dear Mr. Cardenas,

This memorandum is in reference to ICE's recommendation for award of the above-mentioned project which consists of the installation of approximately 370 LF of 3' x 4' reinforced concrete box, mill and overlay approximately 1,460 SY of existing street asphalt, and storm outfall structure with items associated with the installation (service connections, curb and gutter repairs, pavement repairs, traffic control, etc.).

The following is a Bid Summary for the above referenced project. Five (5) general contractors submitted bids to the City of Kingsville on 09/09/2025. Their information is attached herewith. The bidders' list with their total bid is given below:

| Rank | Company | Submitted Base Bid |
|------|--------------------------|--------------------|
| 1 | D&M Underground Corp. | \$510,426.00 |
| 2 | White Star Services, LLC | \$554,493.00 |
| 3 | D&J Utility Services | \$637,626.08 |
| 4 | Leinneweber | \$662,727.50 |
| 5 | R.S. Parker Construction | \$666,431.73 |

D&M Underground Corp. submitted the lowest total bid of **\$510,426.00**. On 09/09/2025 D&M Underground Corp. was notified of the low bid pending GLO and City of Kingsville approval. A notice to proceed will delivered upon commencement of the preconstruction meeting.



The Engineer's estimate is \$660,706.00. The bid is 23% below the engineer's estimate which is considered reasonable. Furthermore, no clerical errors were found in D&M Underground Corp.'s packet.

Therefore, it is ICE's recommendation that D&M Underground Corp. be awarded this bid. It is the city's discretion to waive any informality or to reject any or all bids.

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

Sincerely,

A handwritten signature in black ink that reads 'Julio A. Macias, P.E.' The signature is written in a cursive, flowing style.

Julio A. Macias, P.E.
Project Engineer

AGENDA ITEM #7

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, City Manager

FROM: John Blair, Chief of Police

DATE: September 17, 2025

SUBJECT: Receipt of Body - Worn Camera Grant Funds

Summary:

The Kingsville Police Department is requesting approval for acceptance of funds from the Body-Worn Camera Grant Program and a budget amendment to place the funds in Fund 207-5-2100-71200. The purchase will consist of hardware and software to allow for the replacement of outdated Body Worn Cameras.

Background:

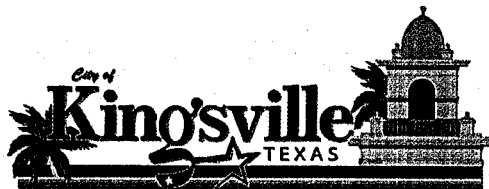
The Body-Worn Camera Grant Program, FY 2026, is a significant initiative aimed at equipping peace officers with body-worn cameras. The program is authorized under the Texas General Appropriations Act. The program requires a 25% match and complies with the Texas Grant Management Standards and Federal Uniform Grant Guidance. Funds can be used for obtaining body-worn cameras, digital video storage, retrieval systems, or cloud-based services.

Financial Impact:

A total of \$28,525.54 was received for fiscal year 2026. We are seeking approval to accept and utilize the grant sponsored by the Office of the Governor under Grant# 5094901. Funds must be used to purchase body-worn cameras, digital video storage, retrieval systems, or cloud-based services and requires a 25% cash match of \$7,131.39 by the grantee.

Recommendation:

We request that the City Commission authorize the receipt and expenditure of these funds in the manner for which they were provided by the grant as well as provide the \$7,131.39 cash match.



ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2025-2026 BUDGET TO ACCEPT AND EXPEND BODY WORN CAMERA GRANT #5094901 FUNDING FOR REPLACEMENT OF OUTDATED BODY WORN CAMERAS.

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#1

| Dept No. | Dept Name | Account Name | Account Number | Budget Increase | Budget Decrease |
|--------------------------------|--------------|------------------------|----------------|-----------------|-----------------|
| Fund 207 – BWC Grant | | | | | |
| <u>Revenues</u> | | | | | |
| 0000 | Non-Dept | Transfer from Fund 001 | 75001 | \$7,131.39 | |
| 0000 | Non-Dept | State Grants | 72010 | \$28,525.54 | |
| | | | | | |
| <u>Expenditures</u> | | | | | |
| 2100 | Police | Machinery & Equipment | 71200 | \$35,656.93 | |
| | | | | | |
| Fund 001 – General Fund | | | | | |
| 6900 | Transfer | Transfer to Fund 207 | 80207 | \$7,131.39 | |
| 1030 | City Special | Budget Amend Reserve | 86000 | | \$7,131.39 |
| | | | | | |

[To amend the City of Kingsville FY 25-26 budget to accept and expend body worn camera grant #5094901 funding for replacement of outdated body worn cameras. Funding for the cash match will come from the unappropriated fund balance of General Fund 001.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 14th day of October 2025.

PASSED AND APPROVED on this the 27th day of October 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: September 11th, 2025

To: Charlie Sosa (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 definition of a “Tiny Home” in the existing City of Kingsville ordinances

Summary: During a recent review of definitions within the City of Kingsville ordinances by the Planning and Development Services Department, it has been determined that our current definition of a “Tiny Home” differs significantly from the International Residential Code (IRC) definition. Based on this difference, the following definition within the ordinances should be updated as follows :

Sec. 15-6-21. - Definitions.

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

Tiny Homes. A dwelling with a square footage of ~~between 200~~ less than 400 square feet ~~and 1,000~~ square feet, ~~and not~~ located/supported on axels and/or wheels.

Background: International Residential Code (IRC) Appendix Q of 2018 established Tiny Home Regulations throughout the United States with a new definition. We are asking to update our ordinances to reflect IRC Appendix Q.

The department recommends approval.

Erik Spitzer
Director of Planning and Development Services

ORDINANCE NO.2025-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTION 15-6-21-DEFINITIONS TO REVISE THE DEFINITION FOR TINY HOMES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the definition of tiny homes has not been updated in the last six years and staff believes there is a need to do so now;

WHEREAS, the definition of tiny homes was added via Ordinance #2018-61 on November 11, 2018 did not contain a maximum size for a tiny home;

WHEREAS, the definition of tiny homes was amended via Ordinance #2019-63 on December 9, 2019 to add a maximum size for tiny homes;

WHEREAS, the staff proposes to modify the definition of tiny homes to have a maximum square footage of 400 square feet and not be located/supported on axels and/or wheels;

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 OF KINGSVILLE BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:

I.

THAT Section 15-6-21 of Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-6-21 DEFINITIONS.

...

TIA/EIA-222. Telecommunications Industry Association/Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures."

Tiny Homes. A dwelling with a square footage of ~~between 200~~ less than 400 square feet ~~and 1,000 square feet~~ and not located/supported on axels and/or wheels.

Tower, electric transmission. A self-supporting structure over 50 feet (15 meters) in height, designed to support high-voltage electric lines. This does not

include local utility or distribution poles (with or without transformers) designed to provide electric service to individual customers.

...

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 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 day on the 14th day of October, 2025.

PASSED AND APPROVED on this the 27th day of October, 2025.

EFFECTIVE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #9



MEMO

Date: September 11th, 2025

To: Charlie Sosa (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 requirements of "Cargo/Shipping Container(s)" used as a residence in the existing City of Kingsville ordinances

Summary: During a recent review of the use of cargo/shipping containers permitted within the City of Kingsville city limits, it was discovered that the city does not currently address the use of shipping containers to be used to construct residential structures. The Building Official is seeking approval to update the ordinances as follows:

15-6-21. - Definitions.

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

Cargo/shipping containers. A metal structure specifically constructed for shipment of goods by ship, rail, or truck that is later used as a place to store goods and materials. **Cargo/shipping containers may be used to construct residential structures in the city of Kingsville, provided all the requirements in Section 15-6-25 (A) 1-3 are met.**

Sec. 15-6-25. – Cargo/shipping containers.

(A) Cargo/shipping containers (that are not used to construct residences) are prohibited in all residential zoning districts as of the effective date of this amendment. **If cargo/shipping containers are used to construct a residential structure, the following requirements shall be met:**

1. The structure shall meet all requirements contained in IBC Section 3114 and shall be submitted using the "Residential Construction Pre-Development Application & Statement of Acknowledgement" as well as the Building Permit Application; windstorm and foundation information shall be submitted with the building permit.
2. The structural design shall be representative of the style and elevation of the structures in the area, including roof and siding. If the structure will be built in the Historic District, the Historical Development Board must approve the design before construction may begin.
3. The structure shall comply with all sections of the IRC related to one and two family residential structures.

(B) Cargo/shipping containers may be allowed in all other zoning districts subject to the following conditions:

- (1) The cargo/shipping containers shall be located to meet all setback requirements for the zoning district in which they will

be located.

(2) The cargo/shipping containers may not occupy any required off-street parking spaces.

(3) The containers may not be stacked.

(4) The containers must be in a good sound condition, free of holes and freshly painted.

(5) The containers may not be used for human or animal occupancy.

(6) During construction, licensed contractors may use cargo/shipping containers in any zoning district for temporary storage of equipment and/or materials at a construction site that is authorized by a City of Kingsville Building Permit.

(C) Cargo/shipping containers must be screened from view by being enclosed by a tight board fence or a wall so that they are not visible at any time of the year from a public place, public right-of-way, or adjacent private property. The fence or wall shall be kept in a good condition. Any existing cargo containers now being maintained in the city shall be allowed three months within which to construct a fence or wall of the kind and character required hereby. No screening would be required for cargo containers put in place for temporary use for a period of 90 days or less. The cargo container placed for temporary use must be removed at the end of 90 days unless an extension is requested and granted by the Planning Department.

Background: The City of Kingsville Ordinances currently do not address the use of cargo/shipping containers to construct residential structures. We are asking to update our ordinances to allow this use.

The department recommends approval.

Erik Spitzer

Director of Planning and Development Services

ORDINANCE NO.2025-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTIONS 15-6-21-DEFINITIONS AND 16-6-25-CARGO CONTAINERS TO REVISE THE DEFINITION AND REGULATIONS FOR CARGO/SHIPPING CONTAINERS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the definition and regulation of cargo containers have not been updated in the last sixteen years and staff believes there is a need to do so now;

WHEREAS, the definition of and regulations for cargo containers were added via Ordinance #2009-20 on August 10, 2009 and did not allow for the use of cargo/shipping containers to construct residential structures;

WHEREAS, the staff proposes to modify the definition of and regulations for cargo/shipping containers to be used for residential construction providing certain conditions are met;

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 OF KINGSVILLE BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:

I.

THAT Sections 15-6-21 and 15-6-25 of Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-6-21 DEFINITIONS.

...

Brewpub. An establishment which holds a valid permit from the Texas Alcohol Beverage Control Board for the manufacture, processing and packaging of alcoholic beverages that can make and sell beer on-site to sell off and on site, that can self-distribute to stores and bars, that can sell other beers for on-site consumption but only their own beer to-go, and that is limited in production to 10,000 barrels a year.

Cargo/shipping containers. A metal structure specifically constructed for shipment of goods by ship, rail, or truck that is later used as a place to store goods and materials. Cargo/shipping containers may be used to construct

residential structure in the City of Kingsville provided all the requirements in Section 15-6-25 are met.

Cleaning or laundry self service shop. Self service shop with customer operated machines.

...

§ 15-6-25 CARGO/SHIPPING CONTAINERS.

(A) Cargo/shipping containers (that are not used to construct residences) are prohibited in all residential zoning districts as of the effective date of this amendment. If cargo/shipping containers are used to construct a residential structure, the following requirements shall be met:

(1) The structure shall meet all requirements contained in the International Building Code (IBC) Section 3114 and shall be submitted using the "residential Construction Pre-Development Application & Statement of Acknowledgement" as well as the Building Permit Application; windstorm and foundation information shall be submitted with the building permit.

(2) The structural design shall be representative of the style and elevation of the structures in the area, including roof and siding. If the structure will be built in the Historic District, the Historical Development Board must approve the design before construction may begin.

(3) The structure shall comply with all sections of the International Residential Code related to one and two family residential structures.

(B) Cargo/shipping containers may be allowed in all other zoning districts subject to the following conditions:

(1) The cargo/shipping containers shall be located to meet all setback requirements for the zoning district in which they will be located.

(2) The cargo/shipping containers may not occupy any required off-street parking spaces.

(3) The containers may not be stacked.

(4) The containers must be in a good sound condition, free of holes and freshly painted.

(5) The containers may not be used for human or animal occupancy.

(6) During construction, licensed contractors may use cargo/shipping containers in any zoning district for temporary storage of equipment and/or materials at a construction site that is authorized by a City of Kingsville Building Permit.

(C) Cargo/shipping containers must be screened from view by being enclosed by a tight board fence or a wall so that they are not visible at any time of the year from a public place, public right-of-way, or adjacent private property. The fence or wall shall be kept in a good condition. Any existing cargo/shipping containers now being maintained in the city shall be allowed three months within which to construct a fence or wall of the kind and character required hereby. No screening would be required for cargo/shipping containers put in place for temporary use for a period of 90 days or less. The cargo/shipping container placed for temporary use must be removed at the end of 90 days unless an extension is requested and granted by the Planning Department.

(Ord. 2009-20, § I, passed 8-10-09)

...

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 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 day on the 14th day of October, 2025.

PASSED AND APPROVED on this the 27th day of October, 2025.

EFFECTIVE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #10



MEMO

Date: September 22nd, 2025

To: Charlie Sosa (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 changes to the existing Schedule of Permit Fees in the City of Kingsville Ordinance Section 15-1-6.**

Summary: During a recent business transaction involving a stand-alone laydown yard within the City of Kingsville and the required permit fee, it was discovered that the existing language in the ordinance did not clearly define the schedule of permit fees for parking lots and laydown yards. In an effort to clarify the existing ordinance language with respect to parking lots and laydown yards, the Planning Department is seeking approval to update the ordinance as follows:

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

(A) On all repairs or alterations to existing buildings or on construction of other than buildings (to include new parking lots, laydown yards, modifications/additions to parking lots, laydown yards, etc.), fees will shall be based on a flat fees charged as restated below in subdivision as sections (B)(1) (a), (b) (1), (2) and (3) hereof shall apply.

(B) The permit fee for all new buildings or additions to existing buildings and/ or parking lots, laydown yards, etc., where the floor area use of land 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/re-roofing 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 \$150.00 will be charged for each reinspection.

(b) Permit fees; for new buildings and additions and new/modified parking lots, laydown yards, etc.

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. Adjacent parking lot and driveway construction shall be charged a permit fee of \$0.07 per square foot. Stand-alone parking lots, laydown yards, etc. shall be charged a permit fee of \$0.10 per square foot. Parking lot, laydown yard and driveway overlays (which do not involve milling/removal of existing material) are exempt from permit requirements.

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.

The department recommends approval.

Erik Spitzer

Director of Planning and Development Services

ORDINANCE NO.2025-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTION 15-1-6-SCHEDULE OF PERMIT FEES TO UPDATE USES AND COSTS FOR CERTAIN PERMITS, ESPECIALLY FOR PARKING LOTS AND LAYDOWN YARDS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, staff has found the existing ordinance regarding this topic that was adopted on April 23, 2014 via Ordinance #20214-26 does not clearly define the schedule of permit fees for parking lots and laydown yards, so they are requesting the revisions set out below;

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 15-1-6-Schedule of Permit Fees of Article 1: Building Regulations of Chapter XV, Land Usage 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 (to include new parking lots, laydown yards, modifications/additions to parking lots, laydown yards, etc.), fees ~~will~~ shall be ~~based on a flat fee charged~~ as restated below in subdivision section (B)(1) hereof shall apply.

(B) The permit fee for all new buildings or additions to existing buildings and/or parking lots, laydown yards, etc. where the floor area use of land 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 /re-roofing shall be charged a permit fee of ~~\$0.06~~ 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~~ 150.00 will be charged for each reinspection.

(b) Permit fees for new buildings and additions and new/modified parking lots, laydown yards, etc.

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. Adjacent parking lot and driveway construction shall be charged a permit fee of \$0.07 per square foot. Standalone parking lots, laydown yards, etc. shall be charged a permit fee of \$0.10 per square foot. Parking lot, laydown yard and driveway overlays (which do not involve milling/removal of existing material) are exempt from permit requirements.

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.

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 this Ordinance was considered, passed, and approved at a regular meeting of the City Commission of the City of Kingsville, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

INTRODUCED on this the 14th day of October, 2025.

PASSED AND APPROVED on this the 27th day of October, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Effective Date: _____, 2025

AGENDA ITEM #11

ORDINANCE # 2025- _____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER III- ADMINISTRATION; ARTICLE 1-CITY COMMISSION, SECTION 1-MEETINGS PROVIDING FOR REVISION OF PROCESS WHEN MAYOR AND MAYOR PRO TEM LEAVE A MEETING; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City Commission of the City of Kingsville needs to amend its Code of Ordinances from time to time for statutory compliance and to address issues that arise; and

WHEREAS, there is an interest in removing the language that places a limit on the time period for the return of an item to the agenda after it has failed to be approved;

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public and to comply with State Law.

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

I.

THAT Article 1: City Commission of Chapter III- Administration, of the Code of Ordinances of the City of Kingsville, Texas shall be amended to read as follows:

Article 1 – City Commission

GENERAL PROVISIONS

...

§ 3-1-1. - Meetings.

(A) *Time of meetings.* The City Commission shall meet in regular session on the second and fourth Monday of each month at 5:00 p.m., in the Commission chambers located at City Hall, 400 West King, Kingsville, Texas.

(B) *Holidays.* The City Commission shall authorize city staff to amend the meeting schedule in the event a regular scheduled meeting date coincides with a city holiday. (Ord. 90024, passed 5-14-90)

(C) *Scheduling of meetings.* Regular or special meetings of the City Commission shall be scheduled as follows:

(1) The City Commission shall meet in accordance with this section.

(2) Any two members of the City Commission may call special meetings of the Commission at any time deemed advisable according to the Charter, Article V, § 12.

(3) If it is known that a quorum of elected officers will not be present for a regularly scheduled meeting and this fact is known 72 hours or more prior to the meeting, the meeting may be rescheduled or cancelled by either the City Manager or the City Commission. If the Mayor and Mayor Pro Tem leave a commission meeting or should both decide not to attend the scheduled meeting and a quorum is still present, then the meeting may proceed with the quorum present; and, the City Commissioners shall select one of the elected officials present to perform the duties of presiding officer.

(4) Before the City Manager cancels or reschedules a regular or special meeting of the City Commission he shall get authorization from the Mayor or Mayor Pro Tem, or in their absence, from any member of the Commission.

(1962 Code, § 1-5-5; Ord. 91002, passed 1-28-91; Ord. 2019-54, passed 10-15-19)

...

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, as required by the Open Meetings Act, it is officially found and determined that the meeting at which this Ordinance is passed was open to the public and that the public notice of the time, place and purpose was given.

V.

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

INTRODUCED on this the 22nd day of September, 2025.

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

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

AGENDA ITEM #13

AGENDA ITEM #14

AGENDA ITEM #15

AGENDA ITEM #16

RESOLUTION #2025-_____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CITY MANAGER EMPLOYMENT AGREEMENT WITH CHARLES L. SOSA; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the chief administrator for the City of Kingsville ("City") is the City Manager and that position has been vacated due to the resignation of the prior City Manager who left in December 2024; and

WHEREAS, the City Commission is charged with filling the position of City Manager and on January 13, 2025 selected Clear Career Professionals to assist with the search and selection process to fill such vacancy, but did not select one of the applicants presented by the firm; and

WHEREAS, at a meeting on August 25, 2025, the City Commission appointed Interim City Manager Charles L. Sosa to the position of City Manager and on September 8, 2025 negotiated a contract with him; and

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

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to enter into a City Manager Employment Agreement with Charles L. Sosa 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 October, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY MANAGER EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT is made and entered into this the _____ day of _____, 2025 by and between the **CITY OF KINGSVILLE, TEXAS** (hereinafter referred to as the "City"), a Texas home-rule municipality, and **CHARLES L. SOSA** (hereinafter referred to as "Manager"), both of which parties hereto understand and agree as follows:

WITNESSETH:

WHEREAS, City Commission desires to employ **CHARLES L. SOSA** as City Manager for the City of Kingsville, Texas; and

WHEREAS, it is the desire of Kingsville City Commission to provide certain benefits, establish certain conditions of employment, and to set certain working conditions of said **Manager**; and

WHEREAS, **CHARLES L SOSA** desires to accept employment as Manager, and an officer, of said City on the terms outlined herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, and hereinbefore stated, the parties hereto agree as follows:

A. Duties and Responsibilities

As City Manager, Manager agrees to perform all duties and responsibilities as described in the City Charter, the Municipal Code, the ordinances of the City, and as reasonably directed by the City Commission. It is specifically understood and agreed that the Manager must establish Kingsville residency within one hundred-eighty (180) days of his start date and remain a Kingsville resident as long as he serves as Kingsville's City Manager.

B. Salary

The Manager will receive as starting annual salary of \$180,000 payable in equal installments on the same schedule as other City employees. At the end of the Manager's initial 6 months, and following a favorable performance evaluation, the City shall increase the annual salary of the Manager to \$185,000 payable in equal installments on the same schedule as other City employees. Thereafter, City agrees to consider increasing said salary and/or other benefits of Manager in such amounts and to such an extent as the City Commission may determine that it is desirable to do so, based on the annual performance evaluation and/or salary review of the Manager. The Manager agrees he will not receive any compensation from City (i.e. anniversary, step increases, longevity pay, COLA, or other incentives) not specifically mentioned herein.

C. Automobile Allowance

The City agrees to pay Manager an annual automobile allowance of \$4,800 payable in equal installments on the same schedule as other City officers or employees with automobile allowances.

The automobile allowance shall be subject to review from time to time by the City Commission and accordingly modified, if deemed necessary. This automobile allowance shall cover all automobile-related expenses incurred by Manager, including expenses for automobile repair, maintenance, insurance, operation and replacement. Manager shall receive additional reimbursement for excess mileage outside the area as defined in the City of Kingsville "Travel Policy."

D. Vacation Leave & Sick Leave

Vacation and Sick leave shall be calculated in accordance with the City of Kingsville "Administrative Policies and Procedures Manual". The Manager shall be provided with a bank of forty (40) hours of Vacation Leave on the commencement of employment. The Manager shall accrue 120 hours of vacation leave annually earned at a rate of 4.62 hours bi-weekly. The Manager shall accrue 80 hours of sick leave annually earned at a rate of 3.07 hours bi-weekly.

E. Health Insurance

The Manager shall be eligible for coverage by the City's group medical insurance plan. The Manager may elect to have his eligible dependents covered under the health plan with the City contributing a percentage of the premiums as established by the City Commission. The fixed rate for the monthly premium for the Manager and his eligible dependents (spouse or family coverage), should he elect to pay for such coverage, shall be the same as that paid by other city employees for the same type of coverage.

F. Life Insurance

The City agrees to provide the Manager with a basic life insurance plan equal to his annual salary for the term of this agreement. The City pays all premiums associated with this policy. The Manager may, at his option and at his cost, increase the basic life insurance plan amount, if such higher insurance is available under the City's life insurance plan.

G. Moving and Relocation Allowance

The City shall pay the Manager the lump sum of \$3,500 to cover his moving and relocation expenses within 30 days of commencement of the Manager's start date.

H. Termination and Severance Pay

In the event the City Commission decides to terminate Manager's employment during such time Manager is willing and able to continue performing the duties of the City Manager, the City agrees to pay a lump sum cash payment (less any TMRS & taxes) equal to twenty (20) weeks full salary (salary & automobile allowance only) plus the value of vacation leave accrued during the term of this contract by, or credited to, the Manager prior to the termination as allowed by City Policy No. 630.04; provided, however, in the event that severance is paid to Manager, Manager agrees that he shall contemporaneously execute and deliver to the City a full release of any and all claims that he

may have against the City. The failure to execute and deliver such release shall nullify any obligation by the City to pay severance.

In the event the City Commission terminates the Manager's employment because of the commission of an illegal act, including but not limited to acts involving personal gain, corruption, misconduct or malfeasance in office, any felony, violation of the City Charter or the Administrative Policies and Procedures Manual or the City of Kingsville "Code of Ethics", then the City shall have no obligation whatsoever to pay any severance pay designated in this section.

I. Texas Municipal Retirement System

Contributions to Texas Municipal Retirement System (TMRS) are mandatory for all full-time employees. Contribution rates and other policies of the City's TMRS Plan are determined by the City Commission and are subject to change.

J. Performance Evaluation

It will be the responsibility of the Manager to work with the City Commission and develop performance criteria within six (6) months of his commencement date. The Commission must approve the performance criteria developed by the Manager. The Commission shall review and evaluate the performance of the Manager approximately six (6) months after the commencement date and then at least once annually utilizing the performance criteria approved by the Commission. The review of the Manager's performance shall be in writing and in accordance with criteria and format approved by the Commission. The Commission shall provide the Manager with a reasonable and adequate opportunity to discuss with the Commission and/or respond to the Manager's evaluation. The annual performance reviews and evaluations shall be reasonably related to the Manager's written job description and shall be based on the performance criteria jointly developed and adopted by the Commission and Manager. Adjustment of base salary, if any, is the sole discretion of the City Commission and will be effective on October 1st of each year.

K. Business Equipment and Expenses

The City shall provide the Manager with all necessary business equipment including personal computers and a cell phone with "smart phone technology." The Manager will be reimbursed for any other necessary business equipment or services not provided by the City according to City policy and guidelines.

L. Starting Date and Notice of Resignation

The Manager agrees to commence employment with the City no later than August 26, 2025. The Manager agrees to provide the City Commission with a minimum of 30 days' written notice if he chooses to resign his position and terminate this agreement.

M. Civic Activities

The Manager is encouraged to participate in community and civic organizations and activities. Membership dues and participation costs will be paid by the City, subject to annual appropriation by the City Commission.

N. Professional Dues, Education and Training

The City agrees to reimburse membership dues in ICMA and TCMA, and for reasonable expenses incurred in the attendance at annual conferences and/or regional conferences. Such reasonable expenses shall be defined as including conference registration fees, coach/economy airfares, hotel accommodations and meals in accordance with the City's Travel Policy. In addition, the City agrees to reimburse reasonable expenses incurred in attendance at one other professional development conference or training opportunity as approved by the Mayor or his designee. Developing and maintaining professional association contacts and standing provide the City with access to valuable resources, and reasonable participation and related travel by the Manager. All dues, continuing education and travel expenses are subject to annual appropriation by the City Commission.

O. Bonds

The City shall bear the full cost of any fidelity or other bonds required of the Manager under any law or ordinance.

P. Indemnification

The City will defend, hold harmless, and indemnify Manager against any tort, professional liability claims or demand, or other civil legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of the duties as City Manager, except for intentional acts or acts of gross negligence or other acts not covered by the City's insurance carrier policy. The City will compromise and settle any such covered claim or suit, at its sole option, and settle any such covered claim or suit and pay the amount of any settlement or judgment rendered thereon allowed by law.

Q. Term of Agreement

This agreement shall be for a term not to exceed three (3) years from the start date of August 26, 2025. This agreement may be terminated in accordance with the provisions of Paragraph H and may be extended or renewed at any time during the term upon mutual agreement of the parties. If the City Commission takes no action regarding renewal of the Agreement prior to August 26, 2028, this Agreement automatically renews for an additional two (2) year term.

R. General Provisions

1. **Severability.** In the event any one or more of the sections, provisions or clauses contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other

provision of this Agreement, but this Agreement shall be construed as if such invalid, illegal or unenforceable provision had not been contained herein.

2. **Entire Agreement.** This Agreement incorporates all the agreements, covenants and understanding between the City and the Manager concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged onto this written Agreement. No other prior agreements or understandings, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.
3. **Amendment.** This Agreement shall not be modified or amended except by a written instrument executed by the Manager and the duly authorized representative of the Commission.

IN WITNESS WHEREOF, the City of Kingsville, Texas, has caused this Employment Agreement to be signed and executed on its behalf by its Mayor after being authorized to do so at a regular and duly posted meeting of the Kingsville City Commission, and the Manager has signed and executed this Agreement.

Signed this the _____ day of _____, 2025.

CITY OF KINGSVILLE, TEXAS

Sam R Fugate, Mayor

ACCEPTED:

APPROVED AS TO FORM:

Charles L. Sosa

Courtney Alvarez, City Attorney

AGENDA ITEM #17