

MARCH 24, 2025

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 24, 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 N. 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
John Blair, Police Chief
Juan J. Adame, Fire Chief
Erik Spitzer, Director of Economic & Development Services
James Creek, Captain
Diana Gonzales, Human Resources Director
Kobby Agyekum, Senior Planner/HPO
Susan Ivy, Parks Director
Deborah Balli, Finance Director

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 – January 27, 2025

Regular Meeting – March 10, 2025

Motion made by Commissioner Lopez to approve the minutes of January 27, 2025 and March 10, 2025 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting “FOR”.

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

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. Charlie Sosa, Interim City Manager, gave a brief report on street projects. He further reported that the city's trash off event has been scheduled for Saturday, April 12, 2025.

Ms. Courtney Alvarez, City Attorney, reported that the next city commission meeting is scheduled for April 14, 2025, with the deadline for staff to submit agenda items no later than April 3, 2025.

IV. Public Comment on Agenda Items.³

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

No public comments were made.

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

1. **Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for emergency repairs to Water Wells #21 & #24. (Public Works Director).**
2. **Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to reallocate GF ARP Funds from the demos allocation and left-over funds of the IT Firewalls Project to cover Golf Course water well pump purchase. (Parks Director).**
3. **Motion to approve a resolution authorizing the Mayor to execute the Permission and Indemnity Agreement with the King Ranch, Inc. for the 20th Annual Ride on the Wild Side Charity Bike Event. (City Attorney).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. **Consideration and approval of a resolution naming the City Girls Youth Softball Field as the "David Chavez Field". (Parks Director).**

Mrs. Susan Ivy stated that this is a request to permanently name the Youth Girls Softball/Tee ball Green Field in memory of David Chavez. Mrs. Ivy further stated that Mr. Chavez served as an umpire for youth and adult baseball and softball games for 30 years. He worked for Kleberg County, City of Kingsville, Fastpitch American Softball Association, multiple generations of youth baseball and softball leagues, and an enormous amount of weekend tournament play. He rarely ever turned down a request to call a game. He has a great sense of humor and was a great umpire who served our community well for many years. Mr. Chavez's family has secured approximately 2,000 signatures, led by County Judge Rudy Madrid, in support of this action, giving a clear message of the love our community has for Mr. Chavez. Mrs. Ivy stated that as a long-time employee of the Parks System and a long-time friend of Umpire Chavez, she could not be prouder to recommend that the Girls Youth Tee Ball Field (Green Field) be named in memory of David Chavez and forever honor him for his service to our community.

At this time, Mayor Fugate read the resolution in its entirety.

Motion made by Commissioner Lopez to approve the resolution naming the City Girls Youth Softball Field as the "David Chavez Field", seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

5. **Consideration and approval of a resolution authorizing the City to submit an application to the GLO for CDBG-MIT funds under the Resilient Communities**

Program for a Comprehensive Master Plan with no anticipated cash match. (Director of Planning and Development Services).

Mr. Erik Spitzer, Director of Planning and Development Services, stated that the city has chosen Halff Associates, Inc. to produce a new comprehensive plan to replace the existing 2008 plan on file, which is out of date. A signed contract is required as part of the documentation Halff Associates, Inc will use to apply for GLO grant to fund and produce a new comprehensive plan. Once a signed contract is submitted, Halff Associates, Inc. will apply for a \$300,000 GLO grant within the Resilient Communities Program. Mr. Spitzer stated that there is no financial impact and if a grant is not obtained by Halff Associates, Inc., the City of Kingsville will not owe any money for the initial grant application work performed. There is no city match required.

Motion made by Commissioner Lopez to approve the resolution authorizing the City to submit an application to the GLO for CDBG-MIT funds under the Resilient Communities Program for a Comprehensive Master Plan with no anticipated cash match, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

6. Consideration and approval of a resolution authorizing the Interim City Manager to execute an Agreement for Professional Consulting Services on a Defined Scope of Services Basis with Halff Associates, Inc. (for the GLO's CDBG-MIT Fund under the Resilient Communities Program for a Comprehensive Master Plan). (Director of Planning and Development Services).

Mr. Spitzer stated that a comprehensive plan is a 20 to 30-year framework designed to help guide future developments and land use within a city. It is staff's recommendation to approve the contract with Halff Associates, Inc., to obtain a grant and produce a new comprehensive plan as well as approve Halff Associates, Inc. is applying for the GLO grant on behalf of the City of Kingsville.

Motion made by Commissioner Alvarez to approve the resolution authorizing the Interim City Manager to execute an Agreement for Professional Consulting Services on a Defined Scope of Services Basis with Halff Associates, Inc. (for the GLO's CDBG-MIT Fund under the Resilient Communities Program for a Comprehensive Master Plan), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

7. Consideration and approval of a resolution authorizing the Interim City Manager to execute a Training (Ride Along) Agreement between the City of Kingsville Fire Department and Del Mar College District for the Training of Emergency Medical Services Students. (Fire Chief).

Mr. Juan J. Adame, Fire Chief, stated that this is a request to enter into a Training (Ride Along) Agreement between Del Mar College and the City of Kingsville Fire Department for the purpose of allowing Emergency Medical Services Students to ride out with the Kingsville Fire Department personnel during their clinical ride-along. No financial impact. Del Mar College shall provide and maintain Student Blanket Liability Insurance with liability limits of \$1,000,000.00 per occurrence and \$3,000,000.00 in aggregate and will keep such coverage during the life of this agreement.

Commissioner Lopez asked if this was one student on the ride-along. Chief Adame responded yes.

Motion made by Commissioner Lopez to approve the resolution authorizing the Interim City Manager to execute a Training (Ride Along) Agreement between the City of Kingsville Fire Department and Del Mar College District for the Training of Emergency Medical Services Students, seconded by Commissioner Alvarez and Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

8. Consideration and approval of a resolution authorizing the Interim City Manager to enter into a Business Associate Agreement and an Agreement for Specialized Professional Ambulance Billing Services between the City of Kingsville and Emergicon, LLC. (Fire Chief).

Mr. James Creek, Captain for the Kingsville Fire Department, stated that staff have spoken with three different billing agencies over the last year. He further stated that this is a request to establish an intergovernmental agreement with Emergicon Emergency Medical Billing for the purpose of managing the Fire Department's EMS billing operations. The financial impact of this agreement entails that the city will compensate Emergicon with a fee of nine percent (9%) of all revenues collected on their behalf. Additionally, any credit card payment processed by Emergicon will incur an extra charge of two percent (2%) unless this fee is offset by a convenience fee paid by the payer. This structure is designed to ensure that the

client benefits from efficient revenue collection while covering the associated processing costs.

Commissioner Lopez asked if this is a new company that will be processing the billing for the department. Mr. Creek responded yes, as the current company processing billing has changed their policies, which do not meet the policies of the Fire Department.

Motion made by Commissioner Lopez to approve the resolution authorizing the Interim City Manager to enter into a Business Associate Agreement and an Agreement for Specialized Professional Ambulance Billing Services between the City of Kingsville and Emergicon, LLC, seconded by Commissioner Hinojosa.

Mayor Fugate asked Ms. Alvarez if she had reviewed the agreement and was in agreement with it. Ms. Alvarez stated that there were some minor changes that needed to be made, to which the company agreed to the changes.

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

9. Consideration and approval of accepting Law Enforcement Officer Standards and Education (LEOSE) Funds from the Texas Comptroller of Public Accounts for Police Department training. (Police Chief).

Mr. John Blair, Chief of Police, stated that this is a request for acceptance of funds from the Texas Comptroller of Public Accounts and a budget amendment to place the funds in Fund 009 for training. A direct deposit was made into the City of Kingsville account from the Law Enforcement Officer Standards and Education account. These payments are necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide necessary training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in our agency. A total of \$8,395.42 was received for use for training of City of Kingsville Police personnel. It is staff's recommendation to approve the receipt and expenditures of these funds in the manner for which they were provided by the Texas Comptroller of Public Accounts.

Motion made by Commissioner Alarcon to approve the acceptance of Law Enforcement Officer Standards and Education (LEOSE) Funds from the Texas Comptroller of Public Accounts for Police Department training, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

10. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend funding from LEOSE for Police officer training. (Police Chief).

Introduction item.

11. Consider introduction of an ordinance vacating, abandoning, and closing the easternmost 40-foot-wide right-of-way on undeveloped S. 13th Street between Kenedy Avenue and the southmost edge of the alley nearest King Avenue in Fifth Addition, Block 4, while retaining a utility easement. (City Attorney).

Ms. Alvarez stated that the city adopted a Parks Master Plan in 2017 that identified Kenedy Park as a location no longer needed as a park given the proximity of other neighborhood parks. The city went through the process of decommissioning the park, which included getting voter approval in May 2019. The City Commission authorized the real property of Kenedy Park to be placed for sale on July 26, 2021. On June 10, 2024, the City Commission approved staff to move forward with the sale of Kenedy Park as an offer had been received and accepted. The prospective buyer requested a 210-day feasibility period. Since then, the prospective buyer has advised they could not locate any documents at the Kleberg County Courthouse reflecting the abandonment of the 40-foot undeveloped road right-of-way, even though the Appraisal District included that land within its legal description of Kenedy Park. To clean up the title to this portion of the park land, it is recommended that this ordinance be approved before completing the sale of Kenedy Park.

Mayor Fugate asked if this could close the alley. Ms. Alvarez responded no.

Mr. Sosa commented that the first proposed buyer wanted to close the alley, but this is a different buyer.

Introduction time.

12. Consideration and approval of a resolution authorizing staff to accept bid for sale of the City's real property known as Kenedy Park located off 14th Street and East Kenedy Street (5th Addition, Block 4, Lots 17-32 & E 40' of abandoned S. 13th St.) in

Kingsville, Texas. (update from June 10, 2024, to authorize the Interim City Manager to sign). (Purchasing Manager).

Ms. Alvarez stated that this resolution approves the Interim City Manager to execute real estate sale documents for Kenedy Park.

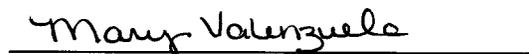
Motion made by Commissioner Lopez to approve the resolution authorizing staff to accept bid for sale of the City's real property known as Kenedy Park located off 14th Street and East Kenedy Street (5th Addition, Block 4, Lots 17-32 & E 40' of abandoned S. 13th St.) in Kingsville, Texas. (update from June 10, 2024, to authorize the Interim City Manager to sign), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:32 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary