

City of Kingsville, Texas

AGENDA CITY COMMISSION

THURSDAY, SEPTEMBER 12, 2024

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)

Special Meeting – August 14, 2024

Regular Meeting – August 26, 2024

Regular Meeting – September 5, 2024

APPROVED BY:



Mark McLaughlin
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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2-Sewers, Section 3-Required Taps, Connections, providing for an increase in sewer tap fees. (Public Works Director).
2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Section 52, providing for an increase in water tapping charges and adding water boring tap charges. (Public Works Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 budget to appropriate additional funding for sanitation professional services and vehicle maintenance. (Public Works Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. **Items for consideration by Commissioners.⁴**

4. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to accept and expend grant funds from the Coastal Bend Regional Advisory Council for Fire Department medical supplies. (Fire Chief).
5. Consider approving authorization to issue Requests for Proposal for Administrative Services for grant Pre-application (phase I), Application (phase II), and Implementation Services for the 2025/2026 Texas Community Development Fund, administered by the Texas Department of Agriculture. (City Engineer).
6. Consider a resolution authorizing the City to submit an application to the U.S. Bureau of Reclamation WaterSMART Drought Response Grant Program for the City of Kingsville, Texas. (City Engineer).
7. Consider awarding bid for RFP#24-13 Landfill South Drainage Infrastructure-Lined Channel as per recommendation of contract engineer. (Purchasing Manager).
8. Consider final passage of an ordinance adopting the City Manager's budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2024, and ending September 30, 2025, in the particulars hereinafter stated. (Finance Director).
9. Consider ratifying the property tax increase reflected in the 2024-2025 Annual Budget of the City of Kingsville. (Finance Director).

10. Consider final passage of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for fiscal year beginning October 01, 2024, and ending September 30, 2025, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Finance Director).
11. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).
12. Consider final passage of an ordinance ratifying classifications and prescribing the number of positions in such classifications for the classified service in the Fire Department by adding two new civil service positions. (Human Resource Director).
13. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3-Water, providing for an increase in water rates, providing for an increase in water rates. (Finance Director).
14. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewers, Section-2 User Classification, Schedule Of Charges, providing for an increase in sewer rates. (Finance Director).
15. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances Sections 9-10-56 and 57 to update the fees used for the purposes of funding the City Streets System. (City Engineer/).
16. Consider final passage of an ordinance amending the Code of Ordinances of the City of Kingsville, Texas, Chapter V Public Works, Article 6 "Stormwater Utility System", Section 21 Fee Calculation, to increase the monthly stormwater utility fees for the purpose of funding the stormwater utility system. (City Engineer).
17. Consider rejecting all bids for Bid No. 24-14: 2023-2024 City-wide Miscellaneous Concrete and Drainage Improvements – Phase 3. (City Engineer).
18. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Water, providing for fees increases for tampering with meters, damaging cut-off valves, discontinuance cut-offs, certain service calls, interest, and late fee charges, and a change in the penalty for late payments. (Finance Director).
19. Consider introduction of an ordinance – amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Section 13-Purpose and Authority for Third Party Plan Review Services. (Director of Planning and Development Services).
20. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1-Building Regulations, Sections 6, 8, 11, 23, & 40, and Article 6-Zoning, Section 126, revising permit fees in building, plumbing, fuel gas, and sign regulation codes. (Director of Planning and Development Services).
21. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Article 1, Building Regulations, Section 152, revising the fee for swimming pools permits. (Director of Planning and Development Services).
22. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX, Article 10-Streets and Sidewalks, Section 35-permit required; fee, providing for change to fees. (Director of Planning and Development Services).
23. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Section 9-7-6 Abatement of Nuisance Lots; Administrative Fees, providing for revision of administrative fees. (Director of Planning and Development Services).

VII. Adjournment.

- 1¹. 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:

September 6, 2024, at 10:45 A.M. and remained so 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)**

AUGUST 14, 2024

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON WEDNESDAY, AUGUST 14, 2024, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:30 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:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, Director of Information & Technology
Derek Williams, IT
Emilio Garcia, Health Director
John Blair, Chief of Police
Leticia Salinas, Accounting Manager
Deborah Balli, Finance Director
Susan Ivy, Park Director
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Charlie Sosa, Purchasing Manager
Juan J. Adame, Fire Chief
Janine Reyes, Tourism Director
Mike Mora, Capital Improvements Manager
Ruben Chapa, Golf Course Manager
James Creek, Firefighter
Jennifer Bernal, Parks Manager
Diana Gonzalez, Human Resources Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 4:30 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

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. Mark McLaughlin, City Manager gave a brief update on streets.

Ms. Courtney Alvarez, City Attorney reported that the next meeting is scheduled for September 5, 2024, with two public hearings for the FY 24-25 proposed budget and tax rate and the introduction of ordinances for the proposed budget and tax rate. Alvarez stated that a special meeting is scheduled for August 19, 2024, and August 26, 2024. A meeting is also scheduled for Thursday, September 12, 2024, where the commission will vote on FY 24-25 and the tax rate.

IV. Public Comment on Agenda Items.³

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

No public comments 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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Review and discuss proposed fiscal year 2024-2025 budget for departments of the City of Kingsville. (City Manager).

Information Technology Department: This department is independent and has consolidated the KPD IT Department into it. Change. Change highlights are in personnel for the year 2 comp plan and employer health premium increase. In supplies, workstations for \$45,000 will be paid out of ARP funding. Services have a software mechanics increase due to consolidating KPD IT. Leases have a change in the copier lease agreement.

Parks & Recreation: FY 24-25 revenue sources are: Parks County Contributions \$465,000, Golf Course-\$527,200, Recreation & Donations-\$196,600=\$1,188,800. FY 23-24 budget is \$1,028,200 with activity of \$1,195,006. The proposed budget for FY 23-24 is \$1,188,800.00.

Parks Administration Division 4501: Change highlights are in personnel for year 2 comp plan increases and employer health premium increases. Supplies have a budget reduction, and services has an increase in communications and utilities. Keep Kingsville Beautiful budget moved from the Planning Department.

Golf Course Maintenance Division 4502: Change highlights are in personnel due to year 2 comp plan increases and employer health care increases. One part-time Ground Maintenance Worker position has been frozen for FY 24-25. The supply budget has a reduction, and services have an increase in communications, professional services, and utilities. Leases have a change in copier lease and a new lease on golf carts.

Park Maintenance Division 4503: Change highlights are in personnel due to year 2 of the comp plan increases and increased employer health care premiums. In supplies, a one-time supplemental for tables and chairs for FY 23-24 was removed. Services have an increase in communications. Maintenance removed FY 23-24 one-time supplementals and leases had a change in the copier lease agreement.

Golf Course Pro Shop Division 4512: Change highlights are in personnel for year 2 comp plan increases and increased employer health care premiums. This division only records personnel costs of the Golf Course Manager and Pro Shop employees.

Parks Recreational Programs Division 4513: Change highlights are in personnel for Recreation Coordinator position which is frozen for FY 24-25. Additional 1-year longevity for all eligible employees. Services has an increase in credit card fees.

Softball League Division 4514: This division no longer exists due to the city no longer managing this league.

General Fund Transfers Out: Transfer to Tourism Fund 002 \$12,211.51 for PIO Stipend. HOT funds cannot be used to pay this stipend requiring the transfer from the General Fund. Transfer to Golf Course Maintenance Fund 026 \$15,816. The General Fund is required to send over 3% of budgeted Golf Course revenues for specific capital maintenance projects. Budgeted revenues are $\$527,200 \times 3\% = \$15,816$. Transfer to Utility Fund 051 \$114,018.19. General Fund and Utility Fund share personnel costs for Facilities Division 1805, Public Works 3000, Engineering 8000. To keep from splitting employees in the Payroll system, Division 1805 employees are recorded in Utility Fund in Division 8020, Division 8000 employees are recorded partly in GF Division 3000 & UF Division 8000: 25% of 8000 Engineering Personnel Costs (in UF) - $\$5585,040.44 \times 25\% = \$146,260.11$; 50% of 8020 Facilities Personnel Costs (in UF) $\$222,259.35 \times 50\% = \$111,129.68$; Offset 50% of 3000 Public Works Personnel Costs (in GF) $\$207,479.16 \times 50\% = (\$103,739.58)$; Offset 50% of Welder in Division 3030 (in GF) $\$79,264.03 \times 50\% = (39,632.02)$.

Commissioner Hinojosa stated that the PIO stipend started due to COVID. How did it arrive at \$10,000? How was this determined as a stipend is not given to the Purchasing Manager for having the Facilities Manager responsibilities? He further asked where the fairness is as we do it for one employee and not for another and is there a timesheet on the number of hours that are spent on PIO work for this particular \$10,000?

Mr. McLaughlin stated it is correct that this started during COVID due to all the communications piece, but it has morphed into our Publication Information Officer. He further stated that there has been time that over the last years a recommendation to hire a full-time PIO, there is not enough work for a full-time PIO position therefore the work was assigned to Ms. Janine Reyes, Tourism Director as she has experience in this field. He further stated that the amount, he is not sure how he came up with that dollar amount, but the amount in the budget is fully vested with all the workman's comp and not what she actually gets paid. The time is not accounted in a separate timesheet, but you do get a report on a weekly basis what the PIO did for that particular week.

Commissioner Hinojosa commented that he has seen that, but it doesn't reflect the number of hours spent on PIO duties.

Mr. McLaughlin responded that this is due to her being an exempt employee, so we don't count hours. He further stated that for what ask her to do for the stipend that we pay, it is a very good deal for the city. Hiring a full-time individual to do the work will cost the city a lot more than the stipend being paid out.

Mayor Fugate commented that Ms. Reyes has been instrumental with the USS Kingsville Commissioning. This is a monumental task for both Ms. Reyes and Mr. Manny Salazar. The stipend paid to her of \$10,000 is a bargain for the work she does for the city.

Commissioner Lopez commented that hiring a full-time PIO will cost the city more with fringe benefits.

Mr. McLaughlin commented that with her expertise in public information and the Tourism position, both go together.

Commissioner Lopez commented that Ms. Reyes goes far and beyond than the work scope.

Commissioner Hinojosa stated that all he wanted was clarification of this.

The General Fund Transfer Out continued: Transfer to Economic Development Fund 098 - \$200,000: \$100,000 Assist the EDC with their efforts; \$15,000 – The Retail Coach; \$7,000 – Community Marketing; \$5,000 – Zac Tax Sales Tax Database \$5,000 – Professional Development; \$30,000 – Business Development Staff \$15,000 – Economic/hosing Impact Studies; \$8,000 – Economic Development Website \$15,000 – Housing & Retail Developer Recruitment; \$100,000 estimated payments on the tax incentive agreements.

Building Security Funds 025: This fund comes from the court as it is a fee that is assessed on court cases. Budget revenues are about \$13,350 with the new fiscal year hitting about \$13,800, which is consistent.

Mayor Fugate commented that there is a percentage of fines that has to be used for security reasons, which is stated in the law.

Golf Course Capital Maintenance Fund 026: This fund is used to account for 3% of budgeted revenues at the Golf Course to be used on golf course capital maintenance. FY 24-25 Estimated Beginning Fund Balance is \$506.03. Budgeted Revenues are \$15,816 and budgeted expenditures are \$0. Fiscal Year 24-25 estimated ending fund balance is \$16,322.03.

Solid Waste Capital Projects Fund 087: Residential is \$4.30 of the \$21.00 Fee-Ordinance 2009-01. Commercial fees vary by the size of the rollout & number of pickups. The intent was to set aside funding for the replacement of garbage trucks. FY 24-25 Estimated Beginning Fund Balance is \$261,658.66. Budgeted revenues are \$590,485.00 and budgeted expenditures are \$595,383.19. FY 24-25 Estimated Ending Fund Balance is \$256,760.47. Expenditures for FY 24-25 are budgeted at \$595,383.19 vs \$597,686.17 for last FY. Rollouts & Dumpsters – \$100,000 annual budget for rollouts and dumpsters. Capital Lease – \$146,584 for the principal and interest payments on the Articulated Dump Truck & Garbage Trucks. Street & Bridge Alley - \$50,000 Annual allocation. Transfer to Fund 011 - \$203,753 for 2021 & 2022 Tax Note payment. Transfer to Fund 090 - \$95,046.19 for the City Hall payback payment (Payback was for 25 years and will be completed in FY 2040-2041)

Landfill Closure Fund 090: This is a \$3.00 landfill fee on both residential and commercial accounts. This funds the closure and post-closure landfill costs. Fiscal year 24-25 estimated beginning fund balance is \$2,737,544.25. Budgeted revenues are \$366,682.19

and budgeted expenditures are \$0. Fiscal Year 24025 estimated ending fund balance is \$3,104,226.44.

Commissioner Hinojosa asked if there was a separate bank account for this. Mrs. Balli responded that it is in the Pool Account and TxClass Account.

Street Maintenance Fund 092: This fund accounts for the street maintenance fees collected from property owners. Expenditures for this fund are handled within this fund. Fees are proposed to increase in FY 24-25. Fiscal Year 24-25 estimated beginning fund balance is \$883,274.14. Budgeted revenues are \$1,499,385 and budgeted expenditures are \$1,524,982. Fiscal Year 24-25 estimated ending fund balance is \$857,677.14. Expenditures are \$1,542,982.00 for the street sweeping contract to SCA for \$174,982.00 and street & bridge for \$1,200,00.00. The list of streets will be provided via separate correspondence. Transfer to General Fund 001 of \$150,000 to reimburse payroll costs of the Street Construction Crew. Recommendation of this fee to increase by \$15,000 to \$165,000.

Park Maintenance Fund 093: This fund accounts for specific park maintenance projects. The General Fund transfers annually \$25,000 for Parks Maintenance. The FY 24-25 transfer will start the FY at \$0 and be budget-amended later in the FY when funds are available. FY 24-25 estimated beginning fund balance is \$3,904.50. Budgeted revenues are \$0 and budgeted expenditures are \$0. FY 24-25 Estimated Ending Fund Balance is \$3,904.50. When funds become available in FY 24-25, the following projects have been identified for possible funding: \$13000 zero turn mower, \$5,000 swing set at Flores Park, \$3,000 swings and chains for all parks, and \$4,000 more red dirt for fields.

Mayor Fugate asked about Chamberlain Park. Mr. McLaughlin responded that Chamberlain Park will be taken care of, after the USS Kingsville Commissioning and when the budget gets approved. Mayor Fugate further commented that NAS Kingsville has donated to the city playground equipment that is in great shape and will be placed at Chamberlain Park.

Commissioner Hinojosa asked if the donation of the playground equipment needed to be approved by the commission. Mr. McLaughlin responded yes.

Economic Development Fund 098: This fund accounts for the revenues and expenditures related to economic development. Funds are from transfers from the General Fund. FY 24-25 estimated beginning fund balance is \$279,045.49. budgeted revenues are \$208,509.44 and budgeted expenditures are \$265,000. FY 24-25 estimated ending fund balance is \$222,554.93. FY 24-25 expenditure sources: personnel for \$65,000 as per contract and services at \$100,000. Assistance with Economic Development efforts and \$100,000 for tax incentive agreements.

Tax Note Series 2021 Fund 115: This fund was used to account for tax note proceeds used to purchase FY 20-21 capital outlay of police vehicles, fire command vehicles, garbage trucks, and golf course backhoe. This fund still has a fund balance because the purchase price was less. FY 24-25 estimated beginning fund balance is \$8,790.47. Budgeted revenues are \$0 and budgeted expenditures are \$8,790.47. FY 24-25 estimated ending fund balance at \$0. The budgeted expenditure is not in the budget book, but it will be entered for Dash Cameras. There will be a \$100,000 recurring maintenance & software support cost on the Dash Cameras for 4 years. Funding for this will come from the General Fund.

Mr. McLaughlin commented that as for the Dash Cam, all have to be backed up as expressed by the City Attorney.

GF Tax Note Series 2022 Fund 126: This fund is used to account for the tax note proceeds used to acquire the FY 21-22 capital outlay purchases from the General Fund of the (3) police vehicles, Bobcat Skid Steer, Excavator, Pneumatic Roller, Wheeled Trash Compactor and Ford F250 Regular Cab truck for Code Compliance. FY 24-25 estimated beginning fund balance is \$78,918.59. Budgeted revenues are \$0 and budgeted expenditures are \$78,918.59. FY 24-25 estimated ending fund balance is \$0. The Budgeted Expenditures are not in the budget book, but it will be entered for Dash Cameras.

CO Series 2023A-GF Fund 151: This fund is used to account for the proceeds from the sale of the Certificates for the use of (1) public works department vehicles and equipment, including garbage trucks and dump trucks, and (2) paying the costs of issuance of the Certificates. FY 24-25 estimated beginning fund balance is \$145,424.67. Budgeted revenues are \$0 and budgeted expenditures are \$145,424.67. FY 24-25 estimated ending fund balance is \$0. The Budgeted Expenditures are not in the budget book, but it will be entered for the purchase of 2 trucks for Streets and 1 truck for Sanitation.

GO Debt Service Fund 011: This fund is used to account for the payment of General Fund and Solid Waste Fund debt service. Revenues are generated from the I & S portion of the Ad Valorem Taxes. FY 24-25 estimated beginning fund balance is \$702,346.91. Budgeted revenues are \$2,258,686.00 and budgeted expenditures are \$2,148,181.53. FY 24-25 estimated ending fund balance is \$812,851.38. Best practice recommends fund balance be at least 1 year of principle payments which for FY 24-25 is \$867,923 for the General Fund portion. FY 24-25 Revenue Sources: Debt Service from Tax Rate-\$1,944,426 (Includes paying agent fees \$8,750, Arbitrage Services \$7,500 & Disclosure Fees \$3,500) – Delinquent & Penalties-\$85,261, Interest-\$25,246 & Transfer from SW FD 087-\$203,753 = \$2,258,686. Mrs. Balli commented that the estimated fund balance is where it needs to be. Expenditures for GO Debt Service - \$2,148,181.53: Principle – \$1,056,478.00; Interest - \$1,071,923.53; Paying Agent Fees - \$8,750; Arbitrage Calculation - \$7,530; and Continuing Disclosures - \$3,500.

Tourism Fund 002: This fund is used to account for revenues and expenditures for tourism activities. Revenues are received from Hotel Occupancy Taxes (HOT) and expenditures are based on State Tax Code Chapter 351. FY 24-25 estimated beginning fund balance is \$607,770.78. Budgeted revenues are \$652,421.35, which does not include venue tax. Budgeted expenditures are \$661,366.61. Operating Expenditures-\$626,366.61, transfer out of \$35,000 (Increased to \$38,500). FY 24-25 estimated ending fund balance is \$598,825.52.

Mr. McLaughlin stated that there will be a budget amendment that will be brought to the commission for the JK Northway parking lot which is \$65,772.00 which is paid out of Tourism Fund and will be adjusted at a later time when we receive the final number.

Commissioner Hinojosa commented that the venue tax is not included as it has not begun to be collected. Mr. McLaughlin responded that the city has not instituted that collection as of today. Commissioner Hinojosa asked if the funds received would be able to pay the payment on the principal and interest on that. Mr. McLaughlin responded yes, for whatever the bond is setup to pay for the HMC facility, but we are not there yet as we are still doing an outside review of the public/private partnership and making requests for donations at this time. Commissioner Hinojosa further stated that he didn't the transfer in from the general fund on the PIO stipend. Is this figured into the figures that were given to the commission.

Mr. McLaughlin commented that one of the slide presentations states revenue sources Hot Funds \$601,000; Merchandise & Fees \$23,000; Transfers-In \$22,721.00 and Miscellaneous \$5,700 which equal to \$652,421.00.

Commissioner Hinojosa stated that the city has Wine Walks and Loteria events and asked where this money is reflected in our books, as far as money coming in and money that is being expensed.

Mrs. Balli commented that as far as she is aware that should be coming in as vendor fees. Staff would need to get an accounting of that for the commission.

Ms. Janine Reyes, Tourism Director stated that as far as those events, the only revenues that that come in are vendor fees and any sales from merchandise items during the said event. As for event proceeds because of the way, we fund them with a donation from the public to a 501c3, the revenues from the event itself, Wine Walk Passport, or the Loteria Cards, that go straight to the non-profit, but we are not paying the expenses of that event. It has been seen through the years that the vendor fees have gone up, far exceeding when she came in when they were at \$5,000 and now at \$12,000 in vendor fees. Ms. Reyes further commented that we do see revenue from that but additionally each and every time we have one of those events and once the series wraps up the amount is announced that was raised for the non-profit. Data is collected that assist in showcasing other revenues that are not Tourism's, for example, sales downtown. She further stated that when there is a Wine Walk, anyone who spends money with the downtown merchants, can bring in their receipts to enter for a prize.

Commissioner Hinojosa asked if the Finance Department is involved in this as far as looking at the bank statements or looking at the donations. Does the Commission have to get involved in approving the donations that are given to the non-profit. He further stated that the commission does not receive any reports on this. This is something that is going on and someone has to be accountable for it. He further asked where it in the budget book is, the income coming in, and expenditures.

Mrs. Susan Ivy, Parks Director responded that she is going to speak as she is on the Board for Keep Kingsville Beautiful and has historically been the benefactor of the Loteria. Every year that they have done the Loteria, Keep Kingsville Beautiful Board Members (KKB) do all of the Loteria events. They solicit sponsors for the tables to which those funds come directly to KKB as KKB is now a 501c3 which is separate from the city. Those funds are deposited in a special Kleberg Bank Account that belongs to KKB. For the sales for the cards, KKB sets up tables and sales the cards. KKB buys or gets the prizes donated for this event, Tourism has nothing to do with any of that. All Tourism does is the advertising for the event. All of the expenses for the Loteria games are either donated or paid for, and some marketing is paid for by KKB.

Commissioner Hinojosa asked if there is an audit done for the 501c3 as the commission is involved in this and held accountable.

Mayor Fugate commented that he doesn't understand how the city could be accountable as staff explained the process and that the city is not involved in it.

Mayor Fugate recessed the meeting at 5:43 p.m. Fugate reconvened the meeting at 5:47 p.m.

Tourism ARP SLFR Fund 205: This fund accounts for the ARP allotment for Tourism Revenue Replacement Projects. FY 24-25 estimated beginning fund balance is \$45,897.72. Budgeted revenues are \$989 and budgeted expenditures at \$46,886.72. FY 24-25 estimated ending fund balance is \$0. All funds must be committed by December 1, 2024. Original ARP Funding for revenue replacement projects is \$173,544. Revenues budgeted \$989, the initial transfer was short, and this transfer is a correction. Expenditures budgeted \$46,886.72, and Wayfinding signs balance \$18,819.00. Tourism Dog Park-\$28,067.72, Mural-\$3,000, Mini-Dog Park-\$10,000, Dog Park Signs-\$2,000, Parking Lot Overlay-\$13,067.72.

PD State Seizure Fund 005: This fund is used to account for revenues and expenditures resulting from state seizure awards. FY 24-25 estimated beginning fund balance is \$729,569.58. Budgeted revenues are \$3,131 (Interest) and budgeted expenditures are \$237,710. FY 24-25 estimated ending fund balance is \$494,990.58. Expenditures - \$237,710: Minor Equipment - \$35,000; Educational Material - \$11,000; Computers - \$57,000; Professional Services - \$78,520; Donation - \$20,000; Training - \$4,500; Subscriptions - \$23,690; and Building - \$8,000.

PD Federal Seizure fund 028: This fund is used to account for revenues and expenditures resulting from federal seizure awards. FY 24-25 estimated beginning fund balance is \$106,598.63. Budgeted revenues are \$135.00 and budgeted expenditures are \$30,000. FY 24-25 estimated ending fund balance is \$76,733.63.

Municipal Court Technology Fund 031: This fund is used to provide for technology needs of Municipal Court. Revenues are generated from consolidated court fees. FY 24-25 estimated beginning fund balance is \$41,003.05. Budgeted revenues are \$11,500 (Changed from \$12,000) and budgeted expenditures at \$7,800. FY 24-25 estimated ending fund balance at \$45,203.05. Expenditures are \$7,800 for professional services for notification calls \$2,000 and copier lease at \$5,800.

GF ARP SLFR Fund 121: The funding came from the Federal Government's State and Local Fiscal Recovery Fund and was received in FY 21-22. FY 24-25 estimated beginning fund balance is \$482,663. Budgeted revenues are \$45,000 and budgeted expenditures are \$527,663. FY 24-25 estimated ending fund balance is \$0. Budgeted Revenues are \$45,000, transfer from ED ARP Fund 123 for IT Workstations. Budgeted expenditures of \$527,663 for Professional Services - \$11,044.70 - IT Firewall; Professional Services - \$22,020 - Balance of Demos; Computers - \$45,000 - IT Workstations; Building - \$207,618.83 - Balance of Animal Shelter; and Transfer Out -\$241,979.47. To UF ARP Fund 125 - \$240,990.47 - UV Light system and to Tourism ARP Fund 205 initial transfer correction.

Mr. McLaughlin stated that during the last storm, it caused the UV Light System to fail. He further stated that he explained to staff why ARP funds were taken from them and they understood. The UV Light is a requirement as per TCEQ.

Ed Rachal PD Grant Fund 124: this fund will be closed on FY 24-25. FY 24-25 estimated beginning fund balance is \$352.62. Budgeted revenues are \$0 and budgeted expenditures are \$352.62. FY 24-25 estimated ending fund balance is \$0.

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:00 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

AUGUST 26, 2024

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 26, 2024, 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
Leo Alarcon, Commissioner

CITY COMMISSION ABSENT:

Hector Hinojosa, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, Director of Information & Technology
Derek Williams, IT
Emilio Garcia, Health Director
John Blair, Chief of Police
Leticia Salinas, Accounting Manager
Deborah Balli, Finance Director
Susan Ivy, Park Director
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Charlie Sosa, Purchasing Manager
Janine Reyes, Tourism Director
Diana Gonzalez, Human Resources Director
Erik Spitzer, Director of Economic & Development Services
Mike Mora, Capital Improvements Manager
James Creek, Firefighter
Joseph Ramirez, Engineer's Assistant
Kwabena Agyekum, Senior Planner/HPO

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with four commission members present. Commissioner Hinojosa was absent.

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)

Special Meeting – August 7, 2024

Motion made by Commissioner Lopez to approve the minutes of August 7, 2024, as presented, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Alarcon, Fugate voting "FOR".

Special Meeting – August 19, 2024

Motion made by Commissioner Alarcon to approve the minutes of August 19, 2024, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Alarcon, Lopez, Fugate voting "FOR".

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

1. Public Hearing on condemnation of structure at 227 E. Richard Ave., Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:03 p.m. He further announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Erik Spitzer, Director of Planning and Development Services reported that the Planning and Development Services Department completed detailed inspections that revealed the unsafe and dilapidated state of the identified six properties listed below; consequently, these buildings have been declared uninhabitable. The relevant owners have been duly notified and nothing has been accomplished to improve or remove the dilapidated structures. This commercial property was built in 1945 and is owned by Armela Soliz. Code violations date back to May 28, 2017. Various violations of high grass, and trash in 2017, 2019, 2023, and 2024. The property was identified as a potential condemnation on July 31, 2023. The Historical Board reviewed this case on March 20, 2024, and recommended condemnation. A notice was sent to the owner on August 15, 2023, March 1, 2024, and May 2, 2024. Letter sent to appear at City Commission on June 24, 2024. There are no records of water or electric services. The property is currently vacant and there are no taxes owed.

There being no comments, Mayor Fugate closed this public hearing at 5:08 p.m.

2. Public Hearing on condemnation of structure at 500 W. Santa Gertrudis Ave., Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:08 p.m. He further announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Spitzer reported that is a commercial property that was built in 1940 and owned by Velma Veliz. The property has code violations dated back to October 24th, 2013, for high grass, and debris in 2014, 2018, 2020, 2022, and 2023. The property was identified as a potential condemnation on January 9, 2019. Notice was sent to the owner on January 11, 2019, and staff resent a letter on January 23, 2024, to which notification was returned unclaimed. Letter sent to appear at City Commission meeting on June 24, 2024. There has been no electric service since January 2023 and no records found on water services. The property is currently vacant and there are no taxes owed.

There being no comments, Mayor Fugate closed this public hearing at 5:09 p.m.

3. Public Hearing on condemnation of structure at 521 E. Mesquite Ave., Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:09 p.m. He further announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Spitzer reported that this property is a residential property that was built in 1945 and was previously owned by Constantino De Leon Jr. Code violations date back to June 10, 2014. Various violations of high grass were noted back in 2015, 2018, 2019, 2022, 2023 and 2024. Numerous fees are assessed for mowing by the city. This property was identified as a potential condemnation on May 2, 2023. A notice was sent to the property owner on August 25, 2023. All notifications were returned unclaimed. A letter was sent to appear at the City Commission meeting on June 24, 2024. This property has no water service since July 2023. The property currently has electric service. The property is currently vacant. This property has back taxes of \$3,001.26.

There being no comments, Mayor Fugate closed this public hearing at 5:11 p.m.

4. Public Hearing on condemnation of structures at 527 E. Alice Ave., Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:11 p.m. He further announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Spitzer reported that this property is residential and built in 1999. The property is owned by Rual Longoria. Code violations date back to August 14, 2018, for trash and debris and from 2021-2024. The property was identified as a potential condemnation on January 19, 2023. Notice was sent to the owner on April 17, 2023. The Historical Board reviewed this case on September 20, 2023, and recommended condemnation. A letter was sent to the property owner to appear at the City Commission meeting on June 24, 2024. There has been no water or electric service since January 2023. The property is currently vacant and has no taxes owed.

Ms. Courtney Alvarez, City Attorney stated that this is for all three structures on the property.

There being no comments, Mayor Fugate closed this public hearing at 5:13 p.m.

5. Public Hearing on condemnation of structure at 829 E. Warren Ave., Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:13 p.m. He further announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Spitzer reported that this property is a residential property built in 1950 and owned by Kevin William Childs Estate. The property was identified as a potential condemnation on July 5, 2023. A notice was sent to the owner on August 15, 2023. A letter was sent to appear at a City Commission meeting on June 24, 2024. This property has no water service since September 2022 and no electric service since 2003. The property is currently vacant. Taxes owed since 2015 total to \$27,589.52.

There being no comments, Mayor Fugate closed this public hearing at 5:14 p.m.

6. Public Hearing on condemnation of structure at 1232 E. Ella Ave., Kingsville, Texas. (Director of Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:14 p.m. He further announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Spitzer reported that this property is a residential property that was built in 1950 and owned by Melcher Hawkins. The property has violations that date back to March 9, 2014. Various violations of debris and high grass date back to 2015, 2017, 2020, 2022, and 2023. The property was identified as a potential condemnation on August 27, 2022. A notice was sent to the property owner on August 25, 2023. Notifications were returned unclaimed. A letter was sent to appear at the City Commission meeting on June 24, 2024. There has been no water service since August 2006 and no electric service since 2010. The property is currently vacant. Taxes owed since 2017 for an amount of \$7,929.67.

There being no comments, Mayor Fugate closed this public hearing at 5:14 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. Mark McLaughlin, City Manager thanked staff for their assistance and hard work on the USS Kingsville events. He reported that negotiations on the Fire Department Collective Bargaining Agreement have come to an end with both parties agreeing and certain terms. He also reported that the city has its first case of West Nile. Staff will be setting out mosquito traps for further testing to take place in Austin.

Ms. Alvarez reported that there will be a special meeting on Thursday, September 5, 2024, at 5:00 p.m. where the commission will have two public hearings for FY 24-25 City Manager’s Proposed Budget and FY 24-25 Tax Rate. At that meeting, staff will also introduce two ordinances, one for the budget and the other for the tax rate. She also reported that city offices will be closed on Monday, September 2, 2024, in observance of Labor Day. The regular meeting scheduled for Monday, September 9, 2024, will be moved to Thursday, September 12, 2024. At this meeting, the commission will be voting on the FY 24-25 Budget and Tax Rate.

Commissioner Lopez read and presented a proclamation to KISD Superintendent and staff for Attendance Awareness Month.

IV. Public Comment on Agenda Items.³

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

Mrs. Velma Veliz, 217 Jayvee Lane, commented on what happens now, as to referring to the property brought forward for condemnation.

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: Alvarez, Alarcon, Lopez, Fugate voting “FOR”.

1. Motion to approve final passage of an ordinance amending Ordinance No. ORD2009-38, ordaining the City of Kingsville’s continued participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code (Act), amending the original ordinance language and providing additional potential incentives for the

investment of private resources in productive business enterprises located in severely distressed areas of the City as required by the Office of the Governor Economic Development and Tourism (EDT). (City Attorney).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate additional funding for repairs to fire unit 111-Ladder Truck. (Fire Chief).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate additional funding for Street Maintenance Work. (Public Works Director).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate additional funding for Wastewater chemicals and pump replacements. (Public Works Director).

5. Motion to approve final passage of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate ARP funding for the Wastewater Treatment Plant UV Light System emergency repairs. (Public Works Director/Purchasing Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. Consider condemnation of structure located at 227 E. Richard Ave., Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Lopez, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Fugate voting "FOR".

7. Consider condemnation of structure located at 500 W. Santa Gertrudis Ave., Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Alarcon, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Alarcon, Fugate voting "FOR".

8. Consider condemnation of structure located at 521 E. Mesquite Ave., Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Alvarez, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Alarcon, Lopez, Fugate voting "FOR".

9. Consider condemnation of structures located at 527 E. Alice Ave., Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Lopez, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Fugate voting "FOR".

10. Consider condemnation of structure located at 829 E. Warren Ave., Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Alarcon, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Alarcon, Fugate voting "FOR".

11. Consider condemnation of structure located at 1232 E. Ella Ave., Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Alvarez, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction, then declare the building or structure to be a public nuisance and order its demolition by owner/agent/person in charge within 30 days; city shall abate in any manner it deems necessary and proper, seconded by Commissioner Lopez and Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Alarcon, Lopez, Fugate voting "FOR".

12. Consider a resolution authorizing the City Manager to enter into a Collective Bargaining Agreement between the City of Kingsville, Texas and the Kingsville Professional Firefighter's Association, International Association of Firefighters (IAFF) Local #2390 for Fiscal Years 2024-2026; repealing all conflicting resolutions and providing for an effective date. (Human Resources Director).

Mrs. Diana Gonzalez, Human Resources Director stated that the current two-year collective bargaining agreement between the city and Kingsville Professional Firefighters Association IAFF Local #2390 is set to expire on September 30, 2024. The City and Firefighters Association met to negotiate certain items as mandated by the Texas Local Government Code for entities that have voted in collective bargaining. Negotiation meetings occurred on the following dates in 2024 May 10th & 21st, June 11th, July 15th, and August 13th and 15th, 2024. Meetings were conducted and tentative agreements between the City and Kingsville Professional Firefighters Association, IAFF Local #2390 were reached during negotiations. The Kingsville Professional Firefighters Association President Steve Palacios advised Local 2390 association members voted to approve the proposals on August 20, 2024. The agreement presented is for two years with increases to base wages, one additional holiday, and an increase to longevity. Additional cost estimates for Year 1 and Year 2 of the agreement, including applicable benefits, are as follows: Year 1, FY 2024-2025 \$140,164, new wage schedule with steps, one added holiday, and longevity increase to \$5.50. Year 2, FY 2025-2026 \$90,148, the addition of a step on the wage schedule, continuation of the additional holiday, and increase in longevity to \$6.00.

Mayor Fugate asked both Mr. McLaughlin and Ms. Alvarez if this was a fair agreement. Both responded yes, it is a fair agreement.

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 Professional Firefighter's Association, International Association of Firefighters (IAFF) Local #2390 for Fiscal Years 2024-2026; repealing all conflicting resolutions and providing for an effective date, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Fugate voting "FOR".

13. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).

Mrs. Gonzalez In preparation for the beginning of each new fiscal year, the City of Kingsville Classification & Compensation Plan is brought before the City Commission. This plan includes all non-civil service positions and incorporates classification and title changes included in the City Manager's budget. In February 2023, the city hired Evergreen Solutions, LLC (Evergreen) to conduct a compensation and classification study. Evergreen completed the study and provided the city with options on how to get our positions closer to the market. As the cost to attempt to update the compensation in one year was beyond budgetary constraints, Evergreen was able to provide a two-year approach. Based on Evergreen's recommendations and factoring in internal equity, the recommended compensation plan for FY 2024-2025 is attached. The approximate total financial impact of the wage schedule for all positions, excluding civil service positions, is \$ 16,062,699 which includes all fringe benefits paid by the City such as (taxes, life insurance, health insurance, worker's compensation, unemployment, and City retirement contributions) and is incorporated in the City Manager's proposed budget. The total financial impact includes Compensation Plan adjustments as per Evergreen's study for Year 2 of the plan; Continuation of the Anniversary Program; Continuation of the Longevity Program; and Minimum hiring rate for Full-time and Part-time positions continues at \$15.45 per hour. It is staff's recommendation to approve the recommended FY 2024-2025 City of Kingsville Classification & Compensation Plan as presented and included in the City Manager's proposed budget.

Introduction item.

14. Consider introduction of an ordinance ratifying classifications and prescribing the number of positions in such classifications for the classified service in the Fire Department by adding two new civil service positions. (Human Resource Director).

Mr. McLaughlin stated that the two Firefighters that had been talked about in the past are classified in this but have not been funded yet.

Introduction item.

15. Consider awarding Bid 24-09 for GLO CDBG-MIT Contract No. 22-082-016-D218 Project 1: 14th Street Sanitary Sewer Improvements, as per the recommendation of the contract engineer. (City Engineer).

Mr. Rudy Mora, City Engineer stated that Staff is seeking approval to award the sixth GLO CDBG-MIT 2016 Flood Mitigation Projects. The sixth being Project 1 - 14th Street – Sanitary Sewer Improvements. Project 1 includes the installation of one (1) new lift station, 2,795 force main, 12" diameter gravity wastewater line, 7,477 of cured-in-place pipe (CIPP), manhole rehabilitation, point repairs, and pavement repairs. The project is scheduled to be completed within 240 days from the Notice to Proceed and after award. This project will help divert the flow which is in the south wastewater basin for the South Wastewater Treatment Plant (WWTP) towards the North WWTP. Bid 24-09, Project 1 sealed bids were received on April 18, 2024, from 3 bidders. Bidder one (1) is Donald Hubert Construction Co., from Kingsville, Texas. Bidder two (2) is C&A Builders, from San Benito, Texas. Bidder three (3) is Jhabores Construction Co., Inc., from Corpus Christi, Texas. The base bids

range from \$2,523,299.15 to \$2,779,811.00, with alternate bid no. 1 ranging from \$35,000.00 to \$134,760.00, and total bid amounts ranging from \$2,593,299.15 to \$2,914,571.00. The staff recommends awarding the project to the lowest bidder, Donald Hubert Construction Co. for \$2,593,299.15. The General Land Office (GLO) Awarded \$7,293,111.00 to the City of Kingsville for Citywide Wastewater Improvements on March 11, 2021. Texas Land Commissioner George P. Bush announced the Texas General Land Office approved \$135,462,438 in flood mitigation projects to 21 grantees in the second round of grant funding for the GLO's \$2.3 billion regional mitigation competitions. It is staff's recommendation to award CDBG-MIT GLO Contract No. 22-082-016-D218 – Project 1 – 14th Street. -Sanitary Sewer Improvements for \$2,593,299.15 to Donald Hubert Construction Co. contingent on a final GLO approval of a Performance Statement and TxDOT right of way permit pending.

Mayor Fugate commented that he likes it when local contractors are awarded a bid, as it keeps the funds within our community.

Motion made by Commissioner Alarcon to award Bid 24-09 for GLO CDBG-MIT Contract No. 22-082-016-D218 Project 1: 14th Street Sanitary Sewer Improvements, as per the recommendation of the contract engineer, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Alarcon, Lopez, Fugate voting "FOR".

16. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Sections 9-10-56 and 57 to update the fees used for the purposes of funding the City Streets System. (City Engineer).

Mayor Fugate asked for the amount for the increase. Mr. McLaughlin responded that the increase is \$2.00 for residential and 20% for non-residential for all tiers.

Commissioner Alvarez asked if it was correct that citizens have the right to appeal the street user fee. Ms. Alvarez responded yes, and that the city had three that appealed a few years ago.

Introduction item.

17. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Water, providing for an increase in water rates. (Finance Director).

Mrs. Debroah Balli, Finance Director stated that the city contracted with Grady Reed with HDR Engineering to perform a rate study of Water and Wastewater rates which was completed on August 11, 2023. The study indicated that rates would need to be increased in 2024 by 15% for Water and 13% for Wastewater with additional increases in future years.

Introduction item.

18. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2- Sewers, Section 2-User Classification, Schedule of Charges; providing for an increase in sewer rates. (Finance Director).

Mr. McLaughlin stated that this is for sewer rates which is being proposed at a 13% increase as per the study.

Introduction item.

19. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on

the position of the governmental body in negotiations with a third party. (City Manager).

Mayor Fugate announced the executive session and convened the meeting into a closed session at 5:50 p.m.

Mayor Fugate reconvened the meeting into an open session at 6:00 p.m.

20. Consider a resolution authorizing staff to accept the offer for the sale of the City's 3.030 acres of land located on the north side of the 400 Block of East Caesar Ave. (9th, Block 24, Lot all, S/2 closed Ragland St.), also known as the Old Hospital site, in Kingsville, Texas. (Purchasing Manager).

Mayor Fugate stated that staff is to continue negotiations and therefore the commission will take no action on this item.

No action was taken.

21. Review and discuss proposed fiscal year 2024-2025 budget for departments of the City of Kingsville. (City Manager).

Mr. McLaughlin stated that a handout showing the fund balance estimated for FY 24-25 budget was given to the City Commission. This handout shows that the General Fund will have an ending of 26.59% and the Utility Fund at 26.06%. The handouts also show the changes to the proposed budget for expenditures.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:05 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

SEPTEMBER 5, 2024

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON THURSDAY, AUGUST 26, 2024, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Edna Lopez, Commissioner
Norma N. Alvarez, Commissioner
Hector Hinojosa, Commissioner
Leo Alarcon, Commissioner

CITY COMMISSION ABSENT:

Sam R. Fugate, Mayor

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, Director of Information & Technology
Derek Williams, IT
Emilio Garcia, Health Director
John Blair, Chief of Police
Leticia Salinas, Accounting Manager
Deborah Balli, Finance Director
Susan Ivy, Park Director
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Erik Spitzer, Director of Economic & Development Services
Joseph Ramirez, Engineer's Assistant
Steve Palacios, Fire Marshall

I. Preliminary Proceedings.

OPEN MEETING

Commissioner Lopez opened the meeting at 5:00 p.m. with four commission members present. Mayor Fugate was absent.

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 - August 12, 2024.

Motion made by Commissioner Alvarez to approve the minutes of August 12, 2024 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez voting "FOR".

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

1. Public Hearing on proposed Fiscal Year 2024-2025 budget. (Finance Director).

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

Mrs. Deborah Balli, Finance Director stated that the proposed budget is \$116,179,345.63 for FY 24-25. Within the packet, were some change sheets that showed total expenditures

of \$116,027,659.83, there was a last-minute change for \$151,685.80 for the landfill drainage plan. This project needs to roll over into the new fiscal year.

There being no comments, Commissioner Lopez closed this public hearing at 5:04 p.m.

2. Public Hearing on a proposed tax rate increase from \$.76000 to \$.77000 for Fiscal Year 2024-2025 with \$.77000 being an increase in the no new revenue rate of \$.73176; the vote on the tax rate will be on September 12, 2024, at 5pm in the Helen Kleberg Groves Community Room, City Hall, 400 W. King, Kingsville, Texas. (Finance Director).

Commissioner Lopez opened this public hearing at 5:04 p.m. He further announced that this is a public hearing and if anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mrs. Balli stated that the current tax rate is \$.7600 per one hundred dollars and the proposed tax rate is \$.77000 per one hundred dollars. The proposed rate falls between the no new revenue rate of \$.73176 and the voter approval tax rate of \$.79793.

There being no comments, Commissioner Lopez closed this public hearing at 5:05 p.m.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; 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. McLaughlin, City Manager reported that a second case of West Nile virus has been reported in Kingsville. The area in which the second case was reported, is the same as the first case, 700 block of Warren and Huisache. He further stated that the infected area will be sprayed by the Health Department beginning this evening through Saturday, pending weather conditions.

Ms. Courtney Alvarez, City Attorney reported that the next meeting is scheduled for Thursday, September 12, 2024, where the commission will consider voting on the FY 24-25 proposed budget and the new tax rate. The meeting will take place at City Hall, Helen Kleberg Community Room, 400 W. King Ave., Kingsville, TX and will begin at 5:00 p.m. The following meeting is scheduled for Monday, September 23, 2025. Agenda items are due for this meeting on September 12, 2024. Due to the Columbus Day holiday on Monday, October 14th, to which a regular meeting would have been scheduled, that meeting will be held on Tuesday, October 15, 2024.

Commissioner Lopez read and presented a proclamation for National Recovery Month for the month of September 2024.

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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Review and discuss proposed fiscal year 2024-2025 budget for departments of the City of Kingsville. (City Manager).

Mr. McLaughlin gave a brief recap on the proposed FY 24-25 budget. He stated that the FY 24-25 is being proposed at \$116,179,345.63 with the new tax rate at \$.77000 per one hundred dollars. In the current budget, there are fee increases of 13% for sewer, 15% for water, a street user fee of \$2.00 increase, and 20% for the different tiers for commercial. The budget also includes the second phase of the compensation plan for 104 employees. It also includes year 2 of the Kingsville Police Department Collective Bargaining Agreement and the first year of the Fire Department Collective Bargaining Agreement. The general fund stands now at 26.59% of the fund balance which is above the 25% minimum. The utility fund is at 26.06% which is above the 25% minimum. Of 175 supplemental requests received, only 17 of those requests were able to be funded for the upcoming fiscal year. He further stated that what is not in the budget but will be an immediate savings from day one is the appraisal district budget that he just received it, which is up for a vote. They have lowered the amount of increases in their fees. In the city's budget, the fee that the city would pay the appraisal district is a little over \$199,000.00. Based on the budget he received from the appraisal district, it looks as if it will drop to \$190,000, which is a \$9,000 savings from day one. Mr. McLaughlin stated that he has not received any input from anyone since the last budget workshop.

Commissioner Alvarez asked if the staff had estimated what the appraisal districts budget would be for the new fiscal year?

Mr. McLaughlin responded yes, as the city receives a preliminary number from the appraisal district, and they had an increase of 5% in every line item. He stated that he asked for justification for the increases but never received anything in return, but he did receive their budget which shows about a 2% increase across the board.

2. Consider introduction of an ordinance adopting the City Manager's budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2024, and ending September 30, 2025, in the particulars hereinafter stated. (Finance Director).

Mr. McLaughlin stated that the final vote for the budget will take place on September 12, 2024. The voter will be a roll call vote, and the minimum number of commissioners required to attend to vote on this is three. All three members would have to vote unanimously to approve this budget. The law states that the commission shall adopt a budget.

Introduction item.

3. Consider introduction of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for fiscal year beginning October 01, 2024, and ending September 30, 2025, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Finance Director).

Mr. McLaughlin stated that the final vote for the new tax rate will take place on September 12, 2024. The proposed tax rate is \$.77000 per one-hundred-dollar evaluation.

Introduction item.

4. Consider taking no action to approve the budget until the City Commission meeting to be held on Thursday, September 12, 2024. (Finance Director).

Ms. Alvarez stated that this is generally stated verbally, but for clarification for people that were not going to be showing up it would be easier for people that haven't paid attention to prior meetings when the actual vote will take place for the FY 24-25 budget.

Commissioner Lopez commented that she had never seen an item like this in the past.

Motion made by Commissioner Alvarez to approve taking no action to approve the budget until the City Commission meeting to be held on Thursday, September 12, 2024, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Alvarez, Lopez voting "FOR".

5. Consider introduction of an ordinance amending the Code of Ordinances of the City of Kingsville, Texas, Chapter V Public Works, Article 6 "Stormwater Utility System", Section 21 Fee Calculation, to increase the monthly stormwater utility fees for the purpose of funding the stormwater utility system. (City Engineer).

Mr. Rudy Mora, Engineer stated that increasing the Stormwater Utility fee is to provide additional funding for repairing, replacing, and upgrading the city's stormwater infrastructure. Not approving this increase would impede and limit the completion of additional stormwater/drainage projects, funding grant & loan applications, and continue to allow flooding within the city. The fee increase will allow the city to better manage stormwater runoff from properties by directing it into the city's stormwater conveying system.

Introduction item.

6. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2-Sewers, Section 3-Required Taps, Connections, providing for an increase in sewer tap fees. (Public Works Director).

Mr. Mora stated that this item authorizes the increase in fees for wastewater tapping charges. Material and equipment prices have increased over the years. Sewer tapping fees

have not been increased since 2002. This increase is requested to keep up with the market price of material and equipment. Tapping fees have been polled for the surrounding areas and are competitive with the recommendation.

Introduction item.

7. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Section 52-Tapping Charges, providing for an increase in water tapping charges and water boring tap charges. (Public Works Director).

Mr. Bill Donnell, Public Works Director stated that this item authorizes the increase in fees for water tapping charges. Material and equipment prices have increased over the years. Meter tapping fees have not been increased since 2017, This increase is requested to keep up with the market price of materials and equipment. Tapping fees have been polled for the surrounding areas and are competitive with the recommendation.

Introduction item.

8. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 budget to appropriate additional funding for sanitation professional services and vehicle maintenance. (Public Works Director).

Mr. Donnell stated that the Sanitation Recycling Center has been very productive in receiving recycling from the public this year which has created a need for additional funding for service of the single stream compactor. These funds will pay for the additional hauling required for the single-stream recycling program. The new garbage trucks orders at the beginning of this fiscal year have not been delivered and has created unforeseen additional maintenance and repairs for the current units to continue collecting the garbage routes. Additional funds of \$12,790 should cover expenses throughout the remaining fiscal year. He stated that he is requesting total budget reserve funds of \$19,290 to cover operation expenses through the remaining fiscal year.

Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:26 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

City of Kingsville
Public Works, Wastewater Collection Division

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: William Donnell, Director of Public Works
DATE: August 27, 2024
SUBJECT: Wastewater Tapping Charges

Summary:

This item authorizes the increase in fees for Wastewater tapping charges.

Background:

Material and equipment prices have increased over the years. Sewer tapping fees have not been increased since 2002. This increase is requested to keep up with the market price of material and equipment. Tapping fees have been polled for the surrounding areas and are competitive with the recommendation.

Financial Impact:

Increasing the cost of sewer taps will ensure the city has a breakeven return on materials and equipment costs for new sewer connections.

Recommendation:

Staff is requesting adoption of the proposed sewer tap charges to cover the cost of service for new sewer connections.

ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 2-SEWERS, SECTION 3-REQUIRED TAPS, CONNECTIONS, PROVIDING FOR AN INCREASE IN SEWER TAP FEES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the sewer tap fees have not been increased since September 18, 2002 and costs to provide the service have gone up since then;

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 5-2-3 of Article 2: Sewers of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 5-2-3 REQUIRED TAPS; CONNECTIONS.

(A) All occupied residential and commercial property within the city which is within 300 feet of any sanitary sewer line which is part of the city sewer system shall have a sewer tap made on the system. Cleanout at the property line is required. A separate sewer tap and lateral is required for each dwelling; provided, that in case of apartments, dormitories, rooming houses or other group quarters a single tap and lateral may be permitted upon approval of the City Engineer Building Official or other agent specified by the City Manager.

(B) The method of installation and the materials used in the installation shall be subject to inspection by the Plumbing Inspector or other authorized officers of the city.

(C) All taps shall be made only to laterals or feeder lines.

(D) All taps on active city sewer lines shall be made only by City Wastewater Collections Division personnel unless previously approved by the Public Works Director and/or City Engineer. Private contractors shall perform taps only under the direct supervision of city inspectors. Every person, firm or contractor performing any tap on city sewer lines shall first secure a permit prior to excavating any city sewer line or commencing work. Tapping fees shall be paid to the utility billing office prior to any tap being made.

All sewer taps on city lines shall be made by city employees. Laterals within existing easements or public rights-of-way shall be laid by city employees. Such laterals will include a cleanout located at the property line.

(E) For all original sewer taps, a minimum fee of ~~\$300.00~~ ~~\$650.00~~ for four inch taps and ~~\$1250~~ for six inch taps shall be charged. The minimum fee shall be paid by the user or owner of the property being connected to the city before the taps shall be made. Taps ~~larger than four inches or~~ at a depth of greater than five feet shall be assessed an additional charge based upon actual costs. Taps requiring a street cut shall be assessed an additional fee of ~~\$450.00~~ ~~\$1,250.00~~ ~~\$750~~ for cuts up to 15 feet and ~~\$40.00~~ ~~\$60~~ per linear foot thereafter.

(F) The city shall maintain taps and laterals within easements and the public right-of-way. Repairs or replacements of taps and laterals within the public right-of-way or easement shall be made by the city. If the lateral does not have a cleanout, a clean out shall be installed during maintenance. In no case shall the city repair, maintain or install laterals outside the public right-of-way or easement.

(1962 Code, § 8-6-4; Ord. 81007, passed 3-9-81; Ord. 83027, passed 7-18-83; Ord. 90003, passed 2-5-90; Ord. 94005, passed 2-14-94; Ord. 2002-23, passed 9-18-02)

II.

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

III.

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

IV.

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

INTRODUCED on this the 5th day of September, 2024.

PASSED AND APPROVED on this the 12th day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

City of Kingsville
Public Works, Water Construction Division

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: William Donnell, Director of Public Works
DATE: August 27, 2024
SUBJECT: Water Tapping Charges

Summary:

This item authorizes the increase in fees for water tapping charges.

Background:

Material and equipment prices have increased over the years. Meter tapping fees have not been increased since 2017. This increase is requested to keep up with the market price of material and equipment. Tapping fees have been polled for the surrounding areas and are competitive with the recommendation.

Financial Impact:

Increasing the cost of water taps, meters and tapping bores will ensure the city has a breakeven return on materials and equipment costs for new meter connections.

Recommendation:

Staff is requesting adoption of the proposed water tap charges to cover the cost of service for new water connections.

ORDINANCE NO. 2024- _____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 3, SECTION 52-TAPPING CHARGES, PROVIDING FOR AN INCREASE IN WATER TAPPING CHARGES AND WATER BORING TAP CHARGES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, these rates have not been revised since November 27, 2017, and before that at least 2002, but the costs for processing and/or disposing of them has gone up since that time;

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 5-3-52 of Article 3: Water of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

Sec. 5-3-52. Tapping charges.

(A) All taps on active city water lines shall be made only by City Water Department ~~Construction Division~~ personnel unless previously approved by the ~~City Utility Public Works~~ Director and/or City Engineer ~~or other agent specified by the City Manager~~. Private contractors shall perform taps only under the direct supervision of city inspectors. Every person, firm or contractor performing any tap on city water lines shall first secure a permit prior to excavating any city water line or commencing work. Tapping and meter fees shall be paid to the utility billing office prior to any tap being made.

(B) The fee schedule for water taps and water bore taps made by city personnel within the city limits shall be:

TABLE INSET for water taps:

Size of Tap	Fee	Meter Cost
5/8 and 3/4 inch	\$ 389.00 \$485	\$ 164.00 \$354
1 inch	456.00 \$600	301.00 \$587
1 1/2 inch & 2 inch	982.00 \$1,104	670.00 \$1,235
2 inch	\$1,946	\$1,588

TABLE INSET for water bore taps:

Size of Tap	Fee	
4 inch	\$ 650.00 \$1,137	
6 inch	700.00 \$1,225	
8 inch	750.00 \$1,312	
12 inch	800.00 \$1,400	

(C) Charges for tap sizes not listed shall be charged based on the cost of labor, equipment, and material. Taps which require a street or alley cut shall be assessed an additional fee of ~~\$450~~ \$750 for cuts up to 15 feet and ~~\$40~~ \$60 per linear foot thereafter. The charge for meters not listed shall be determined by actual cost to the city plus 10%. Applicants for service outside the city shall pay the in-city tap fee and meter cost as a minimum fee prior to the tap being made by the city. Outside city limit customers shall be billed for all actual costs in excess of the tap fee.

(D) Taps requiring a street cut using a trencher shall be assessed a fee of ~~\$20.00~~ \$40 per linear foot of trench in addition to the tapping fee.

(1962 Code, § 3-1-14; Ord. 85062, passed 12-16-85; Ord. 2002-20, passed 9-9-02)

Cross references: Penalty, see § 5-3-99.

II.

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

III.

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

IV.

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

INTRODUCED on this the 5th day of September, 2024.

PASSED AND APPROVED on this the 12th day of September, 2017.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

City of Kingsville
Public Works, Sanitation Division

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: William Donnell, Director of Public Works
DATE: August 27, 2024
SUBJECT: Fund 001 Budget Reserve Amendment Request

Summary:

This item authorizes additional funding in the Sanitation Division for Professional Services and Vehicle & Equipment Maintenance.

Background:

The Sanitation Recycling Center has been very productive in receiving recycling from the public this year which has created a need for additional funding (\$6,500) for service of the single stream compactor. These funds will pay for the additional hauling required for the single stream recycling program.

The new garbage trucks ordered at the beginning of this fiscal year have not been delivered and has created unforeseen additional maintenance and repairs for the current units to continue collecting the garbage routes. Additional funds of \$12,790.05 should cover expenses throughout the remaining fiscal year. I am requesting total budget reserve funds in the amount of \$19,290.05 to cover operation expenses through the remaining fiscal year.

Financial Impact:

This will reduce unappropriated Fund 001-5-1702-86000 Budget Amendment Reserves balance by \$19,290.05 and increase the Professional Services line account 001-5-1702-31400 by \$6,500.00 and Vehicle/Equipment Maintenance line account 001-5-1702-41100 by \$12,790.05.

Recommendation:

Staff is requesting approval of a budget amendment to provide funding to cover costs associated with professional services and repairing and maintaining vehicles and equipment this fiscal year.

ORDINANCE NO. 2024-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2023-2024 BUDGET TO APPROPRIATE ADDITIONAL FUNDING FOR SANITATION PROFESSIONAL SERVICES AND VEHICLE MAINTENANCE.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2023-2024 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#58

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Expenditures - 5</u>					
1702	Sanitation	Professional Services	31400	\$6,500.00	
1702	Sanitation	Vehicle Maintenance	41100	\$12,790.05	
1030	City Special	Budget Amend Reserve	86000		\$19,290.05

[To amend the City of Kingsville FY 23-24 budget to appropriate additional funding for Sanitation Professional Services and Vehicle Maintenance. Funding will come from the remaining funds in the Budget Amendment Reserve line item.]

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 5th day of September 2024.

PASSED AND APPROVED on this the 12th day of September 2024.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #4

City of Kingsville
Department Name

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Juan J. Adame, Fire Chief
DATE: September 5, 2024
SUBJECT: Fire Department Budget Amendment

Summary:

The Kingsville Fire Department is requesting approval to amend the FY 24-25 budget to carry-over surplus funds from a grant from the Coastal Bend Regional Advisory Council (CBRAC) in the amount of \$4,149.

Background:

Each year CBRAC distributes funds to emergency medical services departments based on the number of EMS calls.

Financial Impact:

No financial impact. This grant will be used to purchase medical equipment and supplies.

Recommendation:

Approve the carry over of surplus funds from the CBRAC grant in the amount of \$4,149.



7748

AMERICAN BANK
(800) 257-5816
americanbank.com

88-328/1149



08/28/2024

PAY TO THE ORDER OF KINGSVILLE FIRE DEPT

\$**4,149.00

DOLLARS

Four thousand one hundred forty-nine and 00/100*****

KINGSVILLE FIRE DEPT
Attn: Joey Reed
P.O. BOX 1458
KINGSVILLE, TX 78363

Two Signatures Required
Valid After 90 Days

AUTHORIZED SIGNATURE

MEMO FY24 EMS Co Grant Fund Kleberg County

⑈007748⑈

7748

08/28/2024 KINGSVILLE FIRE DEPT

Date 08/28/2024 Reference FY24 EMS Co

Type Bill

Original Amount 4,149.00

Balance Due 4,149.00

Check Amount 4,149.00

Payment 4,149.00

RAC-Primary

FY24 EMS Co Grant Fund Kleberg County

4,149.00

ORDINANCE NO. 2024-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2023-2024 BUDGET TO ACCEPT AND EXPEND GRANT FUNDS FROM THE COASTAL BEND REGIONAL ADVISORY COUNCIL FOR FIRE DEPARTMENT MEDICAL SUPPLIES.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2023-2024 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#59

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 027 – EMS Fund					
<u>Revenues</u>					
2200	Fire	State Grants	72010	\$4,149	
<u>Expenditures</u>					
2200	Fire	Medical Supplies	22400	\$4,149	

[To amend the City of Kingsville FY 23-24 budget to accept and expend grants funds from the Coastal Bend Regional Advisory Council for medical supplies. Funding will come from the grant funding for this 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 12th day of September 2024.

PASSED AND APPROVED on this the 23rd day of September 2024.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: September 12, 2024

SUBJECT: Consider and Approve Authorization to Issue Requests for Proposals for Administrative Services (RFP) for Grant Pre-Application (Phase I), Application (Phase II), and Implementation Services for the 2025/2026 Texas Community Development Fund, Administered by the Texas Department of Agriculture

Summary:

The Community Development Fund for the 2025-2026 cycle offers a maximum award of \$750,000, with a city match requirement of 15% (\$112,500), which can include in-kind services like in-house engineering. Historically, high-scoring applications have focused on water system improvements, crucial for providing quality housing and living conditions, especially for low- to moderate-income residents.

The Community Development Block Grant (CDBG) Program aims to develop viable communities by expanding economic opportunities for low- to moderate-income individuals. This goal aligns with our objectives for the 2025-2026 funding cycle.

In addition to water system improvements, the City may consider other eligible activities, including wastewater management, street and drainage improvements, and housing activities. These projects are vital for community growth and safety and contribute to broader economic development, particularly in rural areas.

Background:

The Community Development Fund is the largest category in the TxCDBG Program and is available through a competitive process in each of the 24 state planning regions. Its primary goal is to enhance communities by providing decent housing, suitable living environments, and expanding economic opportunities for low- to moderate-income individuals.

Eligible applications are from non-entitlement cities with populations under 50,000 or 200,000 that are not part of the entitlement portion of the federal CDBG Program. While most funds typically support Public Facilities Projects, such as water/wastewater infrastructure, street and drainage improvements, and housing, they can also be used for downtown revitalization, Colonia Fund Construction, and State Urgent Need (SUN) projects, depending on local priorities.



**City of Kingsville
Engineering Dept.**

The deadline for applications for the 2025-2026 funding cycle is December 1, 2024. Adhering to this timeline is crucial for submitting a competitive application.

Financial Impact:

The cost to advertise the RFP in the local newspaper is approximately \$500. This expenditure is essential for attracting a competitive selection of qualified administrative service providers, ensuring effective grant administration.

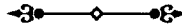
Recommendation:

Staff recommends issuing a request for proposals to secure administrative services for the Community Development Fund.

Attachments:

Texas Department of Agriculture CDBG Programs





TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

Community Development Block Grant (CDBG) Program for Rural Texas

The primary objective of the Community Development Block Grant program is to develop viable communities by providing decent housing and suitable living environments, and to expand economic opportunities principally for persons of low- to moderate-income.

Eligible Applicants: Non-entitlement cities and counties whose populations are less than 50,000 and 200,000 respectively, and that are not designated as eligible for the entitlement portion of the federal Community Development Block Grant Program (CDBG).

Community Development Fund (2025-2026)

Community Application Deadline: December 1, 2024

Max Award: \$750,000

The Community Development Fund is the largest fund category in the TxCDBG Program. This fund is available through a competition in each of the 24 state planning regions. Although most funds are used for Public Facilities (water/wastewater infrastructure, street and drainage improvements and housing activities), there are numerous other activities for which these funds may be used.

Downtown Revitalization Program (2025)

Community Application Deadline: TBD

Max Award: \$1,000,000

Provides grant funds for public infrastructure to eliminate deteriorated conditions and foster economic development in historic main street areas and rural downtown areas.

Colonia Fund Construction (2025)

Community Application Deadline: TBD

Max Award: \$1,000,000

Funds available to eligible county applicants for projects in severely distressed unincorporated areas. The term "colonia" generally means an identifiable unincorporated community that is within 150 miles of the border between the United States and Mexico. Assistance to fund water and wastewater improvements, housing rehabilitation, and other improvements in colonia areas.

Colonia Economically Distressed Areas Program (2025)

Application Deadline: As Needed

Max Award: \$1,000,000

Assistance to colonia areas to connect to a water and sewer system project funded by other state and federal funds.

State Urgent Need (SUN) Fund (2025)

Application Deadline: As Needed

Max Award: \$500,000

(\$1,000,000 for certain multi-jurisdiction awards)

Assistance to communities impacted by state-declared disaster events that are not eligible for federal disaster assistance. Infrastructure repair, replacement, and improvement are eligible projects, with priority for drinking water systems and debris removal.

AGENDA ITEM #6

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: September 12, 2024

SUBJECT: Consider and Approve Resolution the WaterSMART Drought Response Grant Program Administered by the U.S. Bureau of Reclamation

Summary:

The U.S. Bureau of Reclamation has announced the WaterSMART Drought Response Program for Fiscal Year 2025, offering grants between \$25,000 and \$10,000,000. As a disadvantaged community, the city is eligible for this program, which provides 95% federal funding and requires a 5% city match. If awarded, the following projects are under consideration:

- Rehabilitation of well #20 with new equipment
- Rehabilitation of well #14 with new equipment
- Construction of a new Elevated Storage Tank (EST) at well #25
- Installation of a new water well at Dick Kleberg Park
- Rehabilitation of wells #22 and #24

These projects are crucial for maintaining and enhancing our water infrastructure, particularly during drought conditions. Water is essential for community consumption, fire protection, economic growth, social equity, and environmental sustainability.

Background:

The WaterSMART Drought Response Program provides financial assistance based on specific eligibility criteria outlined in the Notice of Funding Opportunity (NOFO).

For Drought Resiliency Projects (Tasks A-C), eligible applicants fall into two categories:

Category A includes states, tribes, irrigation districts, water districts, and state, regional, or local authorities with water or power delivery authority. This category also encompasses other organizations with similar authority, provided they are located in the Western United States or U.S. Territories. This includes states such as Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South



**City of Kingsville
Engineering Dept.**

Dakota, Texas, Utah, Washington, Wyoming, and territories like American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, and Puerto Rico.

Category B consists of nonprofit conservation organizations partnering with entities described in Category A. These organizations must be located in the United States or one of the U.S. Territories listed above.

For Domestic Water Supply Projects (Task D), the eligibility criteria mirror those of Category A, encompassing states and territories like Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, and U.S. Territories such as American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands.

Financial Impact:

No financial impact for approving the resolution.

Recommendation:

Staff recommends approving the attached resolution for the U.S. Bureau of Reclamation Grant Application.

Attachments:

Resolution



RESOLUTION

*A RESOLUTION FOR THE SUBMISSION OF THE BUREAU OF RECLAMATION
WATERSMART DROUGHT RESPONSE GRANT PROGRAM FOR THE CITY OF
KINGSVILLE.*

WHEREAS, the City of Kingsville seeks to request funding aimed at obtaining reliable access to water supply for the citizens of Kingsville; and

WHEREAS, the City of Kingsville finds it in the best interest of the residents of Kingsville that the application for the Bureau of Reclamation WaterSMART Drought Response Grant Program be submitted; and

WHEREAS, that the City of Kingsville will work with the Bureau of Reclamation to meet established deadlines and processes for entering into and executing this grant if selected; and

WHEREAS, the City of Kingsville is applying for a 95% cost share as a disadvantaged community and for domestic water supply, may be capable of determining other methods to obtain cost-share funding and/or in-kind contributions if required and further agreed upon; and

WHEREAS, the City of Kingsville designates name, role as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency;

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

The City of Kingsville hereby authorizes an application for a United States Bureau of Reclamation Drought Response Program Grant.

PASSED, ADOPTED AND APPROVED ON THIS, THE ___ DAY OF SEPTEMBER, 2024.

Name, Title

ATTEST:

Name, Title

RESOLUTION # 2024-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE U.S. BUREAU OF RECLAMATION WATERSMART DROUGHT RESPONSE GRANT PROGRAM FOR THE CITY OF KINGSVILLE, TEXAS.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that it seeks to request funding aimed at obtaining reliable access to a water supply for the citizens of Kingsville; and

WHEREAS, the City of Kingsville finds it in the best interest of the residents of Kingsville that the application for the Bureau of Reclamation WaterSMART Drought Response Grant Program be submitted; and

WHEREAS, the City of Kingsville will work with the Bureau of Reclamation to meet established deadlines and processes for entering into and executing this grant if selected; and

WHEREAS, the City of Kingsville is applying for a 95% cost share as a disadvantaged community and for domestic water supply, may be capable of determining other methods to obtain cost-share funding and/or in-kind contributions if required and further agreed upon; and

WHEREAS, the City of Kingsville designates the City Manager, Mark McLaughlin, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

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

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

I.

THAT the City Commission approves the submission of a grant application to the United States Bureau of Reclamation Drought Response Program Grant, with a 5% anticipated cash match, and authorizes the City Manager to submit the grant and administer the grant and necessary paperwork if the grant is awarded to the City.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 12th day of September, 2024.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #7

**City of Kingsville
Purchasing Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Charlie Sosa, Purchasing Manager
DATE: August 29, 2024
SUBJECT: Landfill South Drainage Infrastructure-Lined Channel (RFP #24-13)

Summary:

This item authorizes the City to accept bids and award contract to Lowman Land Improvements Inc., for RFP # 24-13 Landfill South Drainage Infrastructure-Lined Channel for the City of Kingsville.

Background:

We published a Request for Proposal #24-13 in the newspaper on August 1, 2024, and August 8, 2024. Responses were accepted until 2:00 PM on August 27, 2024. The City received Four (4) responses. They were from 1) Lowman Land Improvements of Orange Grove, TX; 2) ERS of MS Inc. of Jacksonville, MS.; 3) Texas Chili of Kingwood, TX; and 4) EnviroCon Systems Inc., of Houston, TX. Hanson Engineering of Corpus Christi, Texas is the engineer of record for the City of Kingsville Landfill. Hanson Engineering reviewed proposals and found the information received to be responsive. Bids received range from \$299,814.00 to \$490,714.64. Hanson Engineering is recommending the City accept the apparent low bidder Lowman Land Improvement Inc. of Orange Grove, Texas in the amount of \$299.814.00. Please see attached Bid Tabulation.

Financial Impact:

Funds are available through Landfill Closure Fund Line Item 090-5-1703-31400; total cost of construction is anticipated to be \$299,814.00 for which funds are available.

Recommendation:

It is recommended that the City Commission accept bids and award the construction contract to Lowman Land Improvements Inc. of Orange Grove, Texas for bid RFP# 24-13 Landfill South Drainage Infrastructure-Lined Channel for the City of Kingsville, as per staff recommendation.





Hanson Professional Services Inc.
4501 Gollihar Road
Corpus Christi, Texas 78411
(361) 814-9900
Fax: (361) 814-4401
www.hanson-inc.com

August 28, 2024

Mr. Charlie Sosa
Purchasing Department
City of Kingsville
400 W. King Avenue
Kingsville, TX 78363

Re: Recommendation of Award
Bid 24-13 Landfill South Drainage

Dear Mr. Sosa,

The City of Kingsville opened bids for the above referenced project on Tuesday, August 27, 2024, at the City Hall Community Room, Kingsville, Texas. Four (4) bids were received by the designated closing time of 2 p.m. and were opened and read aloud by Charlie Sosa (Purchasing Department). Hanson Professional Services Inc. prepared a tabulation of the bids received and we have included a copy for your reference. We reviewed the bids for mathematical errors and discovered errors in the bid from EnviroCon Systems, Inc. The errors were corrected, and the proper values are reflected in the tabulation.

As you will note from the tabulation, the low bidder is Lowman Land Improvements, Inc. (Lowman) from Orange Grove, TX. Their total base bid was \$299,814.00. We have reviewed Lowman's bid for accuracy and compliance with the bid documents and find that the bid is mathematically accurate and was accompanied by the required bid bond and qualifications information.

Lowman was incorporated as a construction company in 2018 and has the experience required for this work. We contacted all the references Lowman listed in the qualifications provided with their proposal. All the references we contacted indicated that the work done by Lowman had been performed satisfactorily and within or ahead of schedule and that they would be willing to hire them for future work. Our review of the qualifications submitted by Lowman indicates that they have experience performing work similar to that required for the City's project.

Based on our review of Lowman's bid and qualifications and the satisfactory responses from the references, we recommend that the City of Kingsville award the project to Lowman in the amount of \$299,814.00.

Should you have any questions or need any additional information, please do not hesitate to contact us.

Sincerely,

HANSON PROFESSIONAL SERVICES INC.
TBPE Firm Registration No. F-417

Jon M. Reinhard, P.E.
Senior Project Manager

Encl.

BID 24-13 LANDFILL SOUTH DRAINAGE
INFRASTRUCTURE-LINED CHANNEL

TABULATED BY: Jon M. Reinhard, P.E.
DESIGN ENGINEER: Hanson Professional Services Inc.
BID DATE: 2:00 PM, Tuesday, August 27, 2024

BID 24-13 LANDFILL SOUTH DRAINAGE		Lowman Land Improvements, Inc.		ERS of MS, Inc.		Texas Chile		EnviroCon Systems, Inc.*	
BASE BID		Orange Grove, TX 78372		Jackson, MS 39216		Kingwood, TX 77345		Houston, TX 77073	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
Base Bid									
1	Mobilization/Demobilization	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 23,500.00	\$ 23,500.00	\$ 20,000.00	\$ 20,000.00
2	Storm Water Pollution Prevention Control	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 3,500.00	\$ 3,500.00	\$ 7,000.00	\$ 7,000.00
3	Site Clearing and Stripping	LS	1	\$ 18,000.00	\$ 18,000.00	\$ 22,500.00	\$ 22,500.00	\$ 32,500.00	\$ 32,500.00
4	Excavation and Grading	CY	1,300	\$ 30.58	\$ 39,754.00	\$ 27.00	\$ 35,100.00	\$ 55.00	\$ 71,500.00
5	60 mil Flexible Membrane Liner	SF	13,000	\$ 3.68	\$ 47,840.00	\$ 4.75	\$ 61,750.00	\$ 4.00	\$ 52,000.00
6	4.5" Thick Open Cell Interlocking Concrete Block	SF	13,000	\$ 9.94	\$ 129,220.00	\$ 12.00	\$ 156,000.00	\$ 16.00	\$ 208,000.00
7	Allowance to be used for unanticipated items	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
SUBTOTAL BASE BID (Items 1-7)					\$ 299,814.00		\$ 327,350.00		\$ 416,000.00

TOTAL BASE BID	\$	299,814.00	\$	327,350.00	\$	416,000.00	\$	490,714.64
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*Mathematical Errors Corrected for Bid Items 5 & 6

AGENDA ITEM #8

MOTION TO ADOPT THE BUDGET

For whoever will be making tonight's motion to adopt the budget can use the wording as follows:

“I move to approve final passage of an ordinance adopting the City Manager’s budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 1, 2024 and ending September 30, 2025 in the particulars hereafter stated.”

Steps Required for Proposal and Adoption of Budget

Entity Name: CITY OF KINGSVILLE

Date: 08/08/2024 11:27 AM

Steps for the Proposal of the Budget:

This year's property tax levy will raise more revenue from property taxes than in the preceding year. The governing body must hold a separate vote to ratify the property tax increase reflected in the budget. This vote must be in addition to and separate from the vote to adopt the budget or the vote to set the tax rate. Counties that maintain a website must post the proposed budget when it is filed with the county clerk. The adopted budget must also be posted on the website when it is filed with the county clerk.

The following statement must be included on the notices of public hearing on proposed budget. It must also be included on the cover page of the proposed budget, in 18-point type or larger.

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$475,938 OR 5.54%, AND OF THAT AMOUNT, \$51,245 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

Steps for the Adoption of the Budget:

-A vote to adopt the budget must be a record vote.

-An adopted budget must contain a cover page stating a record vote of each member of the governing body by name, the property tax rates for the current and preceding fiscal year, the total amount of debt obligations, and the following statement in 18 point font:

This budget will raise more revenue from property taxes than last year's budget by an amount of \$475,938, which is a 5.54 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$51,245.

-The budget and cover page must be filed with the clerk and posted on the entity's website at least until the date of the first anniversary the budget is adopted.

NOTICE OF PUBLIC HEARING ON BUDGET

Notice is hereby given that a Public Hearing on the proposed City of Kingsville Budget for Fiscal Year 2024-2025 will be held on Thursday, September 5, 2024, at 5:00 P.M. at the Helen Kleberg Groves Community Room, City Hall, 400 West King Avenue, Kingsville, Texas.

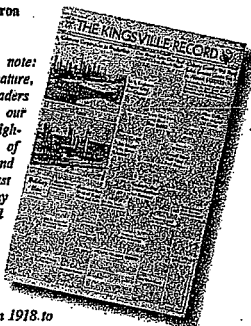
Using the proposed tax rate, which is the rate the budget is based on, this budget will raise more total property taxes than last year's budget by \$475,938 or 5.54%, and of that amount \$51,245 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the proposed budget is on file in the offices of the City of Kingsville City Secretary and the Director of Finance and on the City's website (www.cityofkingsville.com) since August 9, 2024, for the public to review. All interested citizens will have the opportunity to give written and oral comments at the Public Hearing.

Pageants and burglaries

By Ted Figueroa
Reporter

(Editor's note: In this feature, we take readers back through our archives, highlighting some of the people and events of the past century. Many issues are still in paper form, some are digitized, and a few are on microfilm.)



The issues from 1918 to July of 1924 were lost in a fire, however, the rest remain intact. Here is a look back at what was happening this week in Kingsville.

**25 years ago
August 1999**
Melanio Juarez of Kingsville placed as first runner up and was voted Miss Congeniality by fellow participants at the 1999 Nationals Miss Teen Pageant in San Antonio. Juarez met 114 other girls from the region and credited her parents, sponsors and friends for her success.

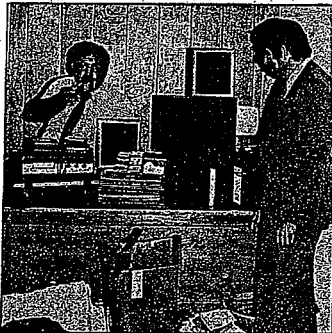
**50 years ago
August 1974**
Kingsville Police Detectives solved seven burglaries and one attempted burglary with the arrest of three individuals. Two juveniles were also linked to the case. Robert C. Ferrin (21), Richard Lewis Brimage (18), and Michael Elliott (18) were charged by

the District Attorney for Burglary and a bond was set. A search warrant had been executed at 816 1/2 E. Caesar and the three males along with a juvenile girl were all arrested after a quantity of marijuana was found in the residence. After a search was conducted, police located several stolen items from recent burglaries. A subsequent interview at the police station revealed that the burglaries dated back to June. In 1987 Brimage murdered Mary Beth Kunkel (19) a former H.M. King High School Homecoming Queen. It was a crime that shocked the City of Kingsville. Brimage was convicted of murder and put to death by lethal injection in 1997.

Board members at Texas A&T voted to remove the ban on the possession and use of alcoholic beverages



H.M. King High cheerleaders win big in competition - 1974.



KPD Lt. Geroge Gomez and Capt. Al Gutierrez discuss various stolen items recovered from several burglaries - 1974.



Mrs. Oleta Reed gives a customer a set in 1947.

on the Kingsville campus within the rooms of the residence halls and in student family apartments. While

most were happy about the decision, a few board mem-

bers disapproved. The H.M. King High Cheerleaders who included Pam Falls, Tricia Coleman, Debbie Phillips, Bessie Hernandez, Mary Coleman, and Terri Harvey received three superior and one excellent rating at the National Cheerleading Association Camp in Seguin.

75 years ago, August 1949
Kingsville officials and citizens were greeted by Missouri Pacific officials when they called to inspect coach 443, the second of eight coaches that were to be completely rebuilt, modernized, and streamlined in the Kingsville coach shops. The cost of rehabilitating the cars was estimated at \$35,000 each.

Mrs. Oleta Reed had been a hairdresser for 15 years in Kingsville. She put in 1,000 hours and six months of training before receiving her operator's license. Her popular beauty operator said "every woman who comes in has a different interest. I learn so much just listening to my customers and that the one thing an operator must do, learn to listen and sympathize with her customer."

Reed said she never violated the confidence of her customers by repeating anything they said to her. "It's professional ethics and the beauty parlor isn't the center of gossip as has been reported," Reed said.

**99 years ago
August 1925**
A new headlight was about to take effect in the State of Texas.

There was quite a rush to the three different headlight testing stations in Kingsville. The stations included Gulf Coast Motor Company, Saters Motor Company, and Elliotts Garage. The law was designed to take the light out of the other driver's eyes and put it on the road where it did most good.

NOTICE OF PUBLIC HEARING ON BUDGET

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Using the proposed tax rate, which is the rate the budget is based on, this budget will raise more total property taxes than last year's budget by \$475,938 or 5.54%, and of that amount \$51,245 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the proposed budget is on file in the offices of the City of Kingsville City Secretary and the Director of Finance and on the City's website (www.cityofkingsville.com) since August 9, 2024, for the public to review. All interested citizens will have the opportunity to give written and oral comments at the Public Hearing.

?? TRIVIA ?? HOW SMART ARE YOU?

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

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

Questions:

1. In "Charlotte's Web" what type of animal is Wilbur?
2. On the Seventh day of Christmas, what kind of birds did "my true love" give to me?
3. For which movie did Tom Hanks receive his first Academy Award nomination?
4. Name the television show about an Interior Designer and a gay lawyer which stopped in 2006, then resumed airing in 2017.
5. Which Major League Baseball team has won the most World Series?
6. Name the actress/model who was married to Arthur Miller and Joe DiMaggio.
7. Name the first single in the history of Billboard's Top 200 which reached No. 1 after the singer had died.
8. Who was the youngest person to win an American Presidential election?
9. In which state was the show "One Tree Hill" set?
10. Which city is the capital of Idaho?

(Answers will be in the next issue)

HOW SMART ARE YOU:

- 9-10: Okay Einstein, quit bragging
- 7-8: Pick up your PhD at TAMUK
- 5-6: You are on your way to your B.S. degree
- 3-4: Do not skip any more school
- 2 or less: Don't leave home without a chaperon

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

Harrel's
Kingsville Pharmacy
204 E. Kleberg • Kingsville, Tx
(361) 592-3354

TRIVIA ANSWERS

Aug. 15, 2024 issue

- | | |
|-----------------------|---|
| 1. Thor | 7. 22 |
| 2. Uranus and Neptune | 8. Chicago O'hare International Airport |
| 3. Lil Nas X | 9. 90% |
| 4. Otters | 10. Jellyfish |
| 5. 2,868 diamonds | |
| 6. Cristiano Ronaldo | |

All about relationships

Dr. Juan Sandoval strives to help students succeed

By Ted Figueroa
Reporter

With 27 years of experience in education, Assistant Superintendent of Kingsville ISD Dr. Juan Sandoval uses his wealth of knowledge to find ways that will help students be successful.

His philosophy is that motivation and relationships will lead to success.

"I believe all students can learn and should be given the opportunity to reach their full potential. All students want to be successful; we just need to find out what really motivates them to do well and succeed," Sandoval said.

Dr. Sandoval graduated from H.M. King High School in 1992.

He played football, ran track, and was the regional and state champion in powerlifting in the 123 pound class in 1992.

He credits some of his teachers for helping him to make the decision to go into the education field.

"I had teachers in high school that made a difference in my life like Mr. Mel Schoech and Coach Juan Castillo. They both helped me realize my potential, one in Algebra and the other in sports. They inspired me to help others reach their full potential in life," Sandoval said.

After high school Dr. Sandoval earned a Bachelor of Science-Kinesiology degree from TAMUK in 1997.

He continued attending TAMUK and earned a Master of Science in Educational Administration in 2000 and by 2010 he had obtained a Doctor of Education in Educational Leadership.

Sandoval began his teaching career at Lamar Elementary and Memorial Junior High in 1997. He became an assistant high school and coach in Bishop in 2000 and served there until 2005 when he was hired as an assistant high school principal at H.M. King.

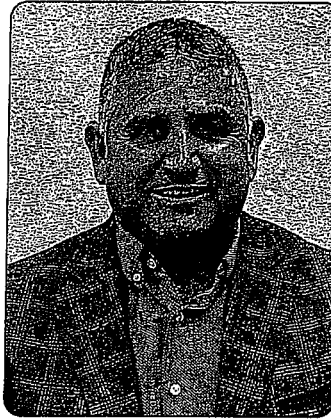
He also worked at Falfurrias High School as an assistant principal until 2008.

In 2009 Sandoval was hired by the Alice ISD where he served as the Director of CTE, Director of Federal Programs, and Director of Operations. Dr. Sandoval made his way back to KISD in 2013 when he was hired on as principal at H.M. King.

Then in 2017 he went to work for Santa Gertrudis ISD as an assistant principal and took over as principal in 2018.

In 2020, Dr. Sandoval took over as Assistant Superintendent (Executive Director of School Improvement) for KISD.

For Sandoval, going into administration was a way to



Dr. Juan Sandoval

have a greater impact on students.

"When I began my career as a teacher, I knew that I wanted to be a high school coach and athletic director. After completing my masters, an opportunity opened up at Lucers Junior High School for an assistant principal/coach so I applied. I couldn't pass up on the opportunity to be a coach and learn the administrative side of education. I immediately realized that I could have a greater impact on students

as a campus administrator. From that point on, I knew I wanted to serve students in this capacity," Sandoval said.

The transition from the classroom to administration was easy and enabled Sandoval to see a bigger picture.

"The transition from classroom teacher, to principal, to district level administration requires seeing the big picture for all students. When in the classroom, you get to focus on the small things that make a difference in a student's life,

while working as a principal or assistant superintendent requires long-term planning and goal setting to ensure student success," Sandoval said.

Sandoval has set out to do just that, ensure student success.

He has been instrumental with the capturing kid's hearts program and the superintendent's student advisory council. Strategies he has been using since 2001.

"I have been using these strategies since I attended my first Capturing Kids' Hearts training in 2001. CKH revolves around building relationships with students so you can get to their mind. We have been very successful at KISD with CKH during the previous year when four of our five campuses were designated Capturing Kids' Hearts National Showcase Schools. We want to build on that this year, we want all of our school to earn the designation along with the district," Sandoval said.

The CKH program and Superintendents Student Round Table are designed in a way that helps administrators and teachers guide students to reach their full potential. Students and staff alike are required to form social contracts with each other and everyone is involved.

"It's not just teachers and students that follow the social

contract, everyone is involved in modeling good behavior, teachers, students, parents, and even I have to follow it," Sandoval said.

Dr. Sandoval is steadfast on building efficiency with the departments he oversees. His team knows that they need to take pride in the work that they do on a day-to-day basis and they work together to make sure they provide the best support for students and staff.

Sandoval also wants to see a successful launch of the Aviation Mechanics Program with Coastal Bend College, a project they have been hard at work preparing for.

He has also worked hard at re-designing their Early College Program and this year 98 freshman enrolled in it.

There are now well over 200 students involved in the program.

Looking back on his career Sandoval says he's worked hard to build student trust over the years.

"I am most proud of the relationships that I have been able to build with my students throughout the years. They have made my years as an educator very memorable. I hope that I've made an impact in some of their lives like the teachers, coaches, and administrators did in mine," Dr. Sandoval said.

Water District Notice of Public Hearing on Tax Rate

The South Texas Water Authority Board of Directors will hold a public hearing on a proposed tax rate for the tax year 2024 on September 10, 2024 at 5:00 p.m. at the Condon Annex Law Enforcement Center, 1500 E. King, Kingsville, Texas 78361. Your individual taxes may increase at a greater or lesser rate, or even decrease, depending on the tax rate that is adopted and on the change in the taxable value of your property in relation to the change in taxable value of all other property. The change in the taxable value of your property in relation to the change in the taxable value of all other property determines the distribution of the tax burden among all property owners.

Visit [Texas.gov/propertytaxes](https://www.texas.gov/propertytaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

FOR the proposal: Jose Craveley, Imelda Garza, Rudy Galvan, Jr., Art Rodriguez, Angela Pena, Kathleen Lorman, Joe Morales

AGAINST the proposal: none
PRESENT and not voting: none
ABSENT: Patsy Rodgers, Frances Garcia

The following table compares taxes on an average residence homesteaded in this taxing unit last year to taxes proposed on the average residence homesteaded this year.

	Last Year Adopted	This Year Proposed
Total tax rate (per \$100 of value)	\$0.6703745100	0.6656958100
Difference in rates per \$100 of value		-\$0.0046787000
Percentage increase/decrease in rates (%)		-6.65%
Average appraised residence homesteaded value	\$120,245	\$143,860
General homesteaded exemptions available (excluding 65 years of age or older or disabled person's exemptions)	\$5,000	\$5,000
Average residence homesteaded taxable value	\$125,245	\$138,860
Tax on average residence homesteaded	\$88.14	\$91.22
Annual increase/decrease in taxes if proposed tax rate is adopted (%) and percentage of increase (%)		+ \$3.08 + 3.50%

If the proposed combined debt service, operation and maintenance, and contract tax rate requires or authorizes an election to approve or reduce the tax rate the South Texas Water Authority Board of Directors proposes to use the tax increase for the purpose of NA.

NOTICE OF VOTE ON TAX RATE

If the district adopts a combined debt service, operation and maintenance and contract tax rate that would result in the taxes on the average residence homesteaded increasing by more than 3.5 percent, an election must be held to determine whether to approve the operation and maintenance tax rate under Section 49.23602, Water Code. An election is not required if the adopted tax rate is less than or equal to the voter-approved tax rate. The 86th Texas Legislature modified the manner in which the voter-approved tax rate is calculated to limit the rate of growth of property taxes in the state.

NOTICE OF PUBLIC HEARING ON BUDGET

Notice is hereby given that a Public Hearing on the proposed City of Kingsville Budget for Fiscal Year 2024-2025 will be held on Thursday, September 5, 2024, at 5:00 P.M. at the Helen Kleberg Groves Community Room, City Hall, 400 West King Avenue, Kingsville, Texas.

Using the proposed tax rate, which is the rate the budget is based on, this budget will raise more total property taxes than last year's budget by \$475,938 or 5.54%, and of that amount \$51,245 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the proposed budget is on file in the offices of the City of Kingsville City Secretary and the Director of Finance and on the City's website (www.cityofkingsville.com) since August 9, 2024, for the public to review. All interested citizens will have the opportunity to give written and oral comments at the Public Hearing.

CITY OF KINGSVILLE

Fiscal Year 2024-2025

Budget Cover Page

This budget will raise more revenue from property taxes than last year's budget by an amount of \$475,938, which is a 5.54 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$51,245.

The members of the governing body voted on the budget as follows:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

Property Tax Rate Comparison

	2024-2025	2023-2024
Property Tax Rate:	\$0.77000/100	\$0.76000/100
No-New-Revenue Tax Rate:	\$0.73176/100	\$0.00000/100
No-New-Revenue Maintenance & Operations Tax Rate:	\$0.57362/100	\$0.00000/100
Voter-Approval Tax Rate:	\$0.79793/100	\$0.00000/100
Debt Rate:	\$0.16520/100	\$0.16591/100

Total debt obligation for CITY OF KINGSVILLE secured by property taxes: \$0

Changes to Proposed Revenues Budget

Proposed Budget Submitted

\$96,353,404.88

Fund	Line Item	Amount	Change Description	
001 General Fund		25,059,272.55		
	001-4-1800-21110	City Sales Tax	196,139.00	Addtl tax revenue based on trend
	001-4-0000-75092	Transfer From FD 092	15,000.00	Increase Transfer
	001-4-0000-75002	Transfer From FD 002	65,925.31	Increase Transfer \$3,500 & JK Parking Lot \$62,425.31
	001-4-0000-75138	Transfer From FD 138	(300,000.00)	Eliminate Transfer
	001-4-1800-14010	In Lieu of Tax-Celanese	100,000.00	Revenue reallocated from FD 098 to FD 001
	001-4-1800-14015	In Lieu of Tax-Housing	4,600.00	Revenue reallocated from FD 098 to FD 001
	001-4-0000-91000	Sale of City Property	218,300.00	Property Sale Less Commission
	001-4-1600-31130	Building Permits	115,550.00	New/Updated Permits
	001-4-1600-31190	Signs Permits	6,300.00	New/Updated Permits
	001-4-1600-31170	Certificate of Occupancy	4,500.00	New/Updated Permits
	001-4-1600-31150	Other Permits	5,800.00	New/Updated Permits
	001-4-1600-65100	Abatements	65,100.00	New/Updated Permits
	Changes	497,214.31		
001-Adjusted Proposed Rev Budget		25,556,486.86		
031 Municipal Court Technology		12,000.00		
	031-4-1800-41106	Technology Fee	(500.00)	Reduction in revenue estimate
	Changes	(500.00)		
031-Adjusted Proposed Rev Budget		11,500.00		
054 UF Capital Projects Fund		5,200.00		
	054-4-0000-75129	Transfer from Fund 129	17,728.00	Setup transfer to send back the cash match on a grant that was never awarded to the City.
	Changes	17,728.00		
054-Adjusted Proposed Rev Budget		22,928.00		
092 Street Maintenance Fund		1,499,385.00		

Changes to Proposed Revenues Budget

Proposed Budget Submitted

\$96,353,404.88

Fund	Line Item		Amount	Change Description
	092-4-3050-84000	Street Maint Fees	(73,917.52)	Reduced estimate of increased revenues of fee rate change on residential and non-residential property.
	Changes		(73,917.52)	
092-Adjusted Proposed Rev Budget			1,425,467.48	
098 Economic Development Fund				
098 Economic Development Fund			313,109.44	
	098-4-1060-14010	In Lieu of Taxes-Celanese	(100,000.00)	Revenues actually belong to General Fund
	098-4-1060-14015	In Lieu of Taxes-Housing	(4,600.00)	Revenues actually belong to General Fund
	Changes		(104,600.00)	
098 - Economic Development Fund			208,509.44	
125 UF ARP Fund				
125 UF ARP Fund			345,990.47	
	125-4-0000-75121	Transfer from Fund 121	(240,990.00)	Transfer from Fund 121-completed in FY 23-24
	125-4-0000-75123	Transfer from Fund 123	(105,000.47)	Transfer from Fund 123-completed in FY 23-24
	Changes		(345,990.47)	
125-Adjusted Proposed Rev Budget			0.00	

Proposed Revenues Budget

96,353,404.88

Changes

(10,065.68)

Proposed Budget Adjusted

\$96,343,339.20



CHANGES TO PROPOSED EXPENDITURES BUDGET

Changes to Proposed Expenditures Budget

Proposed Budget Submitted

\$114,067,505.03

Fund	Line Item	Fund Amount	Amount	Change Description
001	GF Proposed Budget	26,016,658.83		
	001-5-1000-1xxxx	Personnel	28,164.00	Change of Commissioners
	001-5-1030-31400	Professional Servs	(155,000.00)	Decrease in services requirement
	001-5-1400-1xxxx	Personnel	2,183.91	Step Adjustment
	001-5-1702-1xxxx	Personnel	(5,067.16)	Updates to Salary Worksheet
	001-5-1902-1xxxx	Personnel	2,679.45	Missed Anniversary
	001-5-2101-1xxxx	Personnel	5,570.13	Police Chief Addtl Comp after passing TCOLE & TX Chief School
	001-5-2102-1xxxx	Personnel	(43,446.77)	Savings due to Changes in Personel that will take time to fill the vacancy.
	001-5-2103-1xxxx	Personnel	2,894.70	Savings due to Personnel Changes
	001-5-2200-1xxxx	Personnel	135,626.56	CBA Agmt & Other Personnel Changes
	001-5-3030-1xxxx	Personnel	5,341.74	Personnel Change
	001-5-3050-1xxxx	Personnel	2,478.43	Updates to Salary Worksheet
	001-5-4400-1xxxx	Personnel	14,480.76	Updates to Salary Worksheet
	001-5-4503-1xxxx	Personnel	(1,727.19)	Updates to Salary Worksheet
	001-5-4502-64100	Capital Lease	16,368.24	New Golf Cart & Utility Cart Lease Update
	Changes		10,546.80	
001-Adjusted	Proposed Exp Budget	26,027,205.63		
002	Tourism Fund	661,366.61		
	002-5-6900-80001	Transfer to FD 001	65,925.31	Increase transfer
	Changes		65,925.31	
002 Adjusted	Proposed Exp Budget	727,291.92		
011	UF Debt Service	2,135,401.53		
	011-5-5100-63100	Paying Agent Fees	12,780.00	Increase in fees
	Changes		12,780.00	
011 Adjusted	Proposed Exp Budget	2,148,181.53		

CHANGES TO PROPOSED EXPENDITURES BUDGET

Changes to Proposed Expenditures Budget - con't

Fund	Line Item	Fund Amount	Amount	Change Description
051 UF Proposed Exp Budget		12,681,290.85		
	051-5-6002-31400	Professional Services	30,000.00	Suppl Approved-Water Tanks Clean Inspect
	051-5-6101-1xxxx	Personnel	7,822.51	Personnel Updates-Div 6101
	051-5-6101-1xxxx	Personnel	1.00	Personnel Updates-Div 6201
	051-5-6201-21100	Supplies	750.00	Supp App-Div 6201-Mailing Supplies
	051-5-6201-21700	Minor Equipment	5,000.00	Supp App-Div 6201-Hydrant Backflows
	051-5-6201-22400	Medical Supplies	150.00	Supp App-Div 6201-First Aid Kits
	051-5-6201-31500	Printing/Publishing	4,500.00	Supp App-Div 6201-Billing Supplies
	051-5-7001-1xxxx	Personnel	(1,014.08)	Personnel Updates-Div 7001
	051-5-7003-1xxxx	Personnel	17,796.08	Personnel Updates-Div 7003
	051-5-7003-54300	Utility Plant	540,000.00	Supp App-Div 7003-Slip Line Work
	051-5-8000-1xxxx	Personnel	13,958.56	Personnel Updates-Div 8000
	051-5-8020-1xxxx	Personnel	(2,378.35)	Personnel Updates-Div 8020
	Changes	616,585.72		
051 Adjusted Proposed Exp Budget		13,297,876.57		
055 Stormwater				
	055-5-8600-71600	Drainage	570,187.26	Drainage Project TBD
	Changes	570,187.26		
055 Adjusted Proposed Exp Budget		695,187.26		
068 CO Series 2013 Drainage				
	068-5-3050-53100	Drainage	716,446.49	Drainage Projects TBD
	Changes	716,446.49		
068 Adjusted Proposed Exp Budget		716,446.49		
090 Landfill Closure Fund				
	090-5-1703-31400	Professional Services	50,347.00	Engineering-LF South Drainage Project
	090-5-1703-31400	Professional Services	225,000.00	Construction-LF South Drainage Project
	090-5-1703-31400		151,685.80	FY 23-24 Remaining Drainage Project Fds
	Changes	427,032.80		
090 Adjusted Proposed Exp Budget		427,032.80		
092 Street Maint Fund				
	092-5-3050-52100	Street & Bridge	(46,481.75)	Reduced expenditures due to reduced fee increase revenue estimates
	Changes	(46,481.75)		
092 - Street Maint Fund		1,478,500.25		
098 Economic Development Fund				
	098-5-1060-1xxxx	Personnel	2,109.09	Contract Adjustment
	Changes	2,109.09		
098 Adjusted Proposed Exp Budget		265,000.00		

CHANGES TO PROPOSED EXPENDITURES BUDGET

Changes to Proposed Expenditures Budget - con't

Fund	Line Item	Fund Amount	Amount	Change Description
106	Vehicle Replacement PW UF	100,000.00		
	106-5-6001-71100	Vehicle	38,838.14	Vehicle for UF PW
	Changes		38,838.14	
106	Adjusted Proposed Exp Budget	138,838.14		
115 Tax Notes Series 2021				
115	Tax Notes Series 2021	0.00		
	115-5-2102-71100	Vehicle	8,790.47	Dash Cameras for Police Vehicles
	Changes		8,790.47	
115	Adjusted Proposed Exp Budget	8,790.47		
121 GF ARP Funding				
121	GF ARP Funding	527,663.00		
	121-5-6900-80125	Transfer to Fund 125	(240,990.52)	Transfer completed in FY 23-24
	Changes		(240,990.52)	
121	Adjusted Proposed Exp Budget	286,672.48		
123 Economic Development Grant Pro				
123	Economic Development Grant Pro	150,000.47		
	123-5-6900-80125	Transfer to Fund 125	(105,000.47)	Transfer completed in FY 23-24
	Changes		(105,000.47)	
123	Adjusted Proposed Exp Budget	45,000.00		
126 GF Tax Notes Series 2022				
126	GF Tax Notes Series 2022	0.00		
	126-5-2102-71100	Vehicle	78,918.59	Dash Cameras for Police Vehicles
	Changes		78,918.59	
126	Adjusted Proposed Exp Budget	78,918.59		
129 TX Severe Weather Mobile Gen				
129	TX Severe Weather Mobile Gen	0.00		
	129-5-6900-80054	Transfer to Fund 054	17,728.00	Cash Match Not Needed-Grant not awarded
	Changes		17,728.00	
129	Adjusted Proposed Exp Budget	17,728.00		
138 Insurance Fund				
138	Insurance Fund	7,026,348.60		
	138-5-6900-80001		(300,000.00)	Eliminated Additional Transfer to GF
	Changes		(300,000.00)	
138	Adjusted Proposed Exp Budget	6,726,348.60		
141 CO Series 2023 Utility Fund				
141	CO Series 2023 Utility Fund	0.00		
	141-5-6001-54300	Utility Plant	93,000.00	Remaining expenditures on Water Meter Project
	Changes		93,000.00	
141	Adjusted Proposed Exp Budget	93,000.00		

CHANGES TO PROPOSED EXPENDITURES BUDGET

Changes to Proposed Expenditures Budget - con't

Fund	Line Item	Fund Amount	Amount	Change Description
151 CO Series 2023A General Fund		0.00		
	151-5-1702-71100	Vehicle	48,475.00	Vehicle for Sanitation
	151-5-3050-71200	Equipment	96,949.67	Equipment for Streets
	Changes	145,424.67		
151 Adjusted Proposed Exp Budget		145,424.67		

Proposed Expenditures Budget \$114,067,505.03
Changes 2,111,840.60
Adjusted Proposed Exp Budget 116,179,345.63

ORDINANCE NO. 2024-_____

AN ORDINANCE ADOPTING THE CITY MANAGER'S BUDGET, AS AMENDED, OF THE CITY OF KINGSVILLE, TEXAS, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2024 AND ENDING SEPTEMBER 30, 2025 IN THE PARTICULARS HEREINAFTER STATED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the budget for FY 2024-2025 is adopted as follows:

Section One: The official budget for the City of Kingsville for the fiscal year beginning October 01, 2024 and ending September 30, 2025 has been presented to the City Commission by the City Manager, several budget workshops were conducted on such budget, along with a duly noticed public hearing, and the budget is hereby approved.

Section Two: The budget contains a complete financial statement of the City and shows (1) the outstanding obligations of the City of Kingsville, Texas, (2) the cash on hand to the credit of each fund, (3) the funds received from all sources during the preceding year, (4) the funds available from all sources during the ensuing year, (5) the estimated revenue available to cover the proposed budget, and, (6) the estimated tax rate required to cover the proposed budget. The budget shows each of the projects for which expenditures are set up and the estimated amount of money appropriated for each project.

Section Three: The sum of \$116,179,345.63 is hereby appropriated for the budget revenues and expenses in the amounts shown on the attached Consolidated Statement of all Operating and General Obligation Debt Service Funds – Summary of Revenues and Expenditures. The General Obligation Debt Service principle is \$1,676,177 and interest is \$470,300.

Section Four: The budget and all the attached support material as outlined in the above sections shall be deemed the official budget for the City of Kingsville, Texas, for the fiscal year starting October 01, 2024 and ending September 30, 2025. A copy of the official budget shall be kept by the City Secretary with the designation thereon as the official budget for FY 2024-2025, with the date of the adoption clearly stated, and filed with the County Clerk's Office. The official budget shall be available for inspection by any taxpayer.

Section Five: The City Commission is authorized to levy taxes in accordance with this budget. The City Commission may authorize the expenditure of City funds only in strict compliance with the budget, except in an emergency. The City Commission may authorize an emergency expenditure as an amendment to the original budget only in case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent care and attention. If the City Commission amends the original official budget to meet an emergency, the City Commission shall file a copy of its ordinance amending the budget with the City Secretary, and the City Secretary shall attach it to the original budget. The

City Manager shall provide for the filing of true copy of the approved budget in the office of the County Clerk of Kleberg County. The City Commission reserves the right to make changes in the official budget for municipal purposes.

Section Six: All Ordinances of parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

Section Seven: 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.

Section Eight: This Ordinance shall NOT be codified but will become effective on and after adoption and publication as required by law.

Section Nine: 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, and Chapter 102 of the Texas Local Government Code.

INTRODUCED on this the 5th day of September, 2024.

PASSED on this the 12^h day of September, 2024.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #9

MOTION TO RATIFY PROPERTY TAX INCREASE
REFLECTED IN BUDGET

For whoever will be making tonight's motion on the ratification of the property tax increase reflected in the budget just adopted can use the wording as follows:

**“I move to ratify the property
tax increase reflected in the
2024-2025 Annual Budget of the
City of Kingsville.”**

AGENDA ITEM #10



**CITY OF KINGSVILLE
LEGAL DEPARTMENT**

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

Date: September 5, 2024

To: City Commission Members

From: Courtney Alvarez, City Attorney

Re: Motion to Vote on Tax Rate FY24-25

Pursuant to the Texas (Property) Tax Code, Section 26.05(b), the vote on the ordinance setting the tax rate must be (1) a record vote (which we always do) and (2) made in the following form:

“I move that the property tax rate be increased by the adoption of a tax rate of \$0.77000, which is effectively a 5.23 percent increase in the tax rate.”

Please use the afore-stated motion when moving to adopt the tax rate ordinance.

**§26.05(b) of Property Tax Code
Steps Required for Adoption of Tax Rate & Budget**

Entity Name: CITY OF KINGSVILLE

Date: 08/08/2024 11:27 AM

Language Required in the Motion Setting This Year's Tax Rate:

This year's proposed tax rate exceeds the no-new-revenue tax rate. The vote on the ordinance, resolution, or order setting the tax rate must be a record vote and 60% of the governing body must vote in favor of the adoption of the tax rate. A motion to adopt the ordinance, resolution, or order must be made in the following form:

I move that the property tax rate be increased by the adoption of a tax rate of 0.77000, which is effectively a 5.23 percent increase in the tax rate.

Statement Required in the Ordinance, Resolution, or Order Setting:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.44 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$10.71.

Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

CITY OF KINGSVILLE ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.44 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$10.71.

NOTICE OF PUBLIC HEARING ON TAX INCREASE

*Tax Rate
Order.*

A tax rate of \$0.77000 per \$100 valuation has been proposed by the governing body of CITY OF KINGSVILLE.

PROPOSED TAX RATE	\$0.77000 per \$100
NO-NEW-REVENUE TAX RATE	\$0.73176 per \$100
VOTER-APPROVAL TAX RATE	\$0.79793 per \$100

The no-new-revenue tax rate is the tax rate for the 2024 tax year that will raise the same amount of property tax revenue for CITY OF KINGSVILLE from the same properties in both the 2023 tax year and the 2024 tax year.

The voter-approval rate is the highest tax rate that CITY OF KINGSVILLE may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that CITY OF KINGSVILLE is proposing to increase property taxes for the 2024 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 5, 2024 AT 5:00 P.M. AT THE HELEN KLEBERG GROVES COMMUNITY ROOM IN CITY HALL, 400 West King Ave., Kingsville, Texas, 78363.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, CITY OF KINGSVILLE is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the CITY COMMISSION of THE CITY OF KINGSVILLE at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

FOR the proposal:

AGAINST the proposal:

PRESENT and not voting:

ABSENT:

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by CITY OF KINGSVILLE last year to the taxes proposed to be imposed on the average residence homestead by CITY OF KINGSVILLE this year.

	2023	2024	Change
Total tax rate (per \$100 of value)	\$0.76000	\$0.77000	increase of 0.01000 per \$100, or 1.32%
Average homestead taxable value	\$109,485	\$116,465	increase of 6.38%
Tax on average homestead	\$832.09	\$896.78	increase of 64.69, or 7.77%
Total tax levy on all properties	\$8,586,585	\$9,062,523	increase of 475,938, or 5.54%

For assistance with tax calculations, please contact the tax assessor for CITY OF KINGSVILLE at 361-595-8002 or mmclaughlin@cityofkingsville.com, or visit cityofkingsville.com for more information.

Badger Band begins preparation for season

By Ted Figueroa
Reporter

Bishop Consolidated Independent School District had their first day of school on Tuesday, however, the Badger Band under the direction of Jonas Quintanilla and Assistant Director Chris Garcia had already been at school for a week preparing for this year's marching season.

Quintanilla, who is now in his third year as director, said, "The theme for this year's show is Outside the Box, in reference to the famous composer Johan Sebastian Bach. It contains a compilation of his hits and famous works," Quintanilla said.

This year Bishop CISD drops back down to Class 3A competition and that means that they will be competing against schools of a similar or smaller size. There will be 46 active members marching on the field along with five on the sideline "the pit" during halftime.

There are two drum majors leading the Badger Band.

Clarissa Gonzalez, who is only a sophomore, had the skills to land the position. She will also be featured as a flute soloist during the show.

"It's pretty unheard of to have a sophomore as a drum major. She asked me if she could try out and I let her. She made the top two and we are very proud of her," Quintanilla said.

Easton Gonzalez now a senior is also returning for his third year as a drum major.

The drum-line is a little smaller this year with two snares and two bass drums but Quintanilla says for their size it fits.

New to the band is Tiffany Garcia who teaches at the junior high and has

volunteered to be the color guard instructor.

Last year the color guard had five members. This year they have 16 and Quintanilla credits Garcia for boosting that program.

The Badger Band has been practicing on a new blacktop parking lot that has been marked like a football field.

The project took about five months to complete due to rain delays and a few changes. It is now finished

and Quintanilla said that it is a blessing to be able to practice on it.

The Badger Band began practicing from July 31 - Aug. 9. During that time, they learned fundamentals and new music. By the time the week and half summer band started they were ready to hit the ground running.

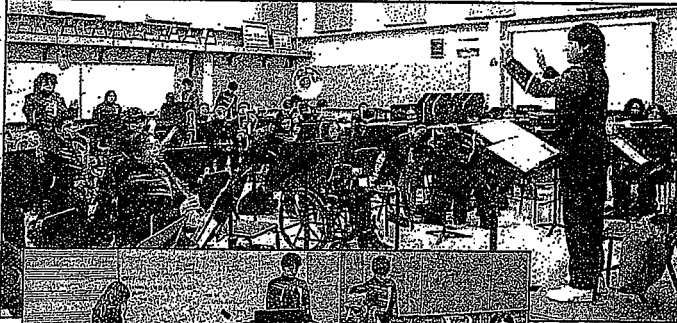
"My goal is to create an environment where the students can express themselves through music. We also want to teach them a good work ethic that they can take with them for the rest of their lives. It's been kind of like a boot camp here. We started two weeks before everyone else and it has taught them a lot," Quintanilla said.

Fans will also be able to listen to the Badger Jazz Funk Band after the half time shows are over. They will be on the sidelines while the Badger Band gets set up back in the stands. The Jazz Band will be playing tunes from Van Halen and Earth Wind and Fire.

Bishop is the only high school in the area that features their jazz band after the halftime shows, Quintanilla said.

The Badger Jazz Funk Band will also compete at the TAMUK Texas Jazz Festival in the spring.

The Badgers open their football season on Aug. 29 at London High School. Kickoff starts at 7 p.m.



(Above) Bishop Badger Drum Major Easton Gonzalez directs the Badger Band during practice.



(At left) Bishop Badger Band Director Jonas Quintanilla does a walk through as the Badger Band warms up before hitting the practice field. (Photos by Ted Figueroa)

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$0.77000 per \$100 valuation has been proposed by the governing body of CITY OF KINGSVILLE.

PROPOSED TAX RATE	\$0.77000 per \$100
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VOTER-APPROVAL TAX RATE	\$0.79793 per \$100

The no-new-revenue tax rate is the tax rate for the 2024 tax year that will raise the same amount of property tax revenue for CITY OF KINGSVILLE from the same properties in both the 2023 tax year and the 2024 tax year.

The voter-approval rate is the highest tax rate that CITY OF KINGSVILLE may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that CITY OF KINGSVILLE is proposing to increase property taxes for the 2024 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 5, 2024 AT 5:00 P.M. AT THE HELEN KLEBERG-GROVES COMMUNITY ROOM IN CITY HALL, 400 West King Ave., Kingsville, Texas, 78363.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, CITY OF KINGSVILLE is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the CITY COMMISSION OF THE CITY OF KINGSVILLE at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

FOR the proposal:

AGAINST the proposal:

PRESENT and not voting:

ABSENT:

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by CITY OF KINGSVILLE last year to the taxes proposed to be imposed on the average residence homestead by CITY OF KINGSVILLE this year.

	2023	2024	Change
Total tax rate (per \$100 of value)	\$0.76000	\$0.77000	Increase of 0.01000 per \$100, or 1.32%
Average homestead taxable value	\$109,485	\$116,465	Increase of 6.389%
Tax on average homestead	\$832.09	\$896.78	Increase of 64.69, or 7.77%
Total tax levy on all properties	\$9,586,585	\$9,062,523	Increase of 475,936, or 5.54%

For assistance with tax calculations, please contact the tax assessor for CITY OF KINGSVILLE at 361-595-8002 or mmclaughlin@cityofkingsville.com, or visit [cityofkingsville.com](https://www.cityofkingsville.com) for more information.

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TAMUK AD speaks at Rotary

TAMUK Director of Athletics Steve Roach tells Rotary members about the success of the various sports on the Kingsville campus. Roach said the football team was ready for a big year after going through an injury-riddled 2023 campaign. He also said the volleyball program was primed for a successful season, and spoke about the STUNT program at TAMUK that is overseen by his wife. Rotary meets each Tuesday at noon at El Dorado Resin Plant in Kingsville. (Photo by JT Struener)



KISD recognizes safety officers

Kingsville Independent School District safety officers were recognized Aug. 13 at the school board meeting. Pictured from left are Dr. Juan Sandoval (Asst. Supt. of Support Services), Jason Villarreal (Gillett), Albert Munoz (Harvey), Arnold Perez (HMK), Dr. Cissy Reynolds-Perez (Supt.), Gaspar Ramirez (HMK/CARE/DAEP), David Galindo (Farrel), Nicole Sandoval (HMK/CARE/DAEP), Jonathan Garza (Perez), Lucas Garza (Gillett) Max Segovia (School Safety Coordinator). Back row pictured from left are Joe Mireles, Martin Chapa (Board Secretary), Brian Coufal (Board President), Delma Salinas, Joseph Ruiz (Vice President) and Jacob Perez. (Not pictured is David Garcia) (Contributed photo)



Brahmas place at cross country invitational

The Brahmas and Lady Brahmas Cross Country Team competed recently at the Tulosso-Midway Cross Country Invitational. In the girls division, 10th place went to Kaylin Garcia-Trevino. In the boys division, second place went to Jacob Rivera. (Contributed photo)

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of \$0.77000 per \$100 valuation has been proposed by the governing body of CITY OF KINGSVILLE.

PROPOSED TAX RATE	\$0.77000 per \$100
NO-NEW-REVENUE TAX RATE	\$0.73176 per \$100
VOTER-APPROVAL TAX RATE	\$0.79793 per \$100

The no-new-revenue tax rate is the tax rate for the 2024 tax year that will raise the same amount of property tax revenue for CITY OF KINGSVILLE from the same properties in both the 2023 tax year and the 2024 tax year.

The voter-approval rate is the highest tax rate that CITY OF KINGSVILLE may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that CITY OF KINGSVILLE is proposing to increase property taxes for the 2024 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 5, 2024 AT 5:00 P.M. AT THE HELEN KLEBERG GROVES COMMUNITY ROOM IN CITY HALL, 400 West King Ave., Kingsville, Texas, 78363.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, CITY OF KINGSVILLE is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the CITY COMMISSION OF THE CITY OF KINGSVILLE at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

FOR the proposal:

AGAINST the proposal:

PRESENT and not voting:

ABSENT:

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/propertytaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by CITY OF KINGSVILLE last year to the taxes proposed to be imposed on the average residence homestead by CITY OF KINGSVILLE this year.

	2023	2024	Change
Total tax rate (per \$100 of value)	\$0.76000	\$0.77000	Increase of 0.01000 per \$100, or 1.32%
Average homestead taxable value	\$109,485	\$116,465	Increase of 6.39%
Tax on average homestead	\$832.09	\$896.78	Increase of 64.69, or 7.77%
Total tax levy on all properties	\$8,586,585	\$9,062,523	Increase of 475,938, or 5.54%

For assistance with tax calculations, please contact the tax assessor for CITY OF KINGSVILLE at 361-595-8002 or mmclaughlin@cityofkingsville.com, or visit [cityofkingsville.com](https://www.cityofkingsville.com) for more information.

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To subscribe, call Dana at 361-592-4304 or email circulation@kingsville-record.com

2024 Governing Body Summary #1A*

Benchmark 2024 Tax Rates

CITY OF KINGSVILLE

Date: 08/08/2024 11:28 AM

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY	ADDITIONAL TAX LEVY
No-New-Revenue Tax Rate	\$0.73176	\$8,612,457	
One Percent \$100 Tax Increase****	\$0.73908	\$8,698,610	\$86,153
One Cent per \$100 Tax Increase****	\$0.741760	\$8,730,152	\$117,695
De Minimis Rate	\$0.78130	\$9,195,518	\$583,061
VAR NOT adjusted for Unused Increment Rate	\$0.76979	\$9,060,051	\$447,594
VAR adjusted for Unused Increment Rate	\$0.79793	\$9,391,245	\$778,788
Last Year's Tax Rate	\$0.76000	\$8,944,828	\$332,371
Proposed Tax Rate	\$0.77000	\$9,062,523	\$450,066

*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

**Tax levies are calculated using line 21 of the No-New-Revenue Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

***Tax increase compared to no-new-revenue tax rate.

Notice of Adopted 2024 Tax Rate

CITY OF KINGSVILLE ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.44 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$10.71.

2024 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

CITY OF KINGSVILLE

361-595-8009

Taxing Unit Name

Phone (area code and number)

400 W King Avenue, Kingsville, TX 78363

www.cityofkingsville.com

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low-Tax-Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42, as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 1,117,349,445
2.	Prior year tax ceilings. Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 0
3.	Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1.	\$ 1,117,349,445
4.	Prior year total adopted tax rate.	\$ 0.76000 / \$100
5.	Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value. A. Original prior year ARB values: \$ 0 B. Prior year values resulting from final court decisions: -\$ 0 C. Prior year value loss. Subtract B from A. ³	\$ 0
6.	Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ 84,470,270 B. Prior year disputed value: -\$ 78,278,190 C. Prior year undisputed value. Subtract B from A. ⁴	\$ 6,192,080
7.	Prior year Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 6,192,080

¹Tex. Tax Code §26.012(14)

²Tex. Tax Code §26.012(14)

³Tex. Tax Code §26.012(13)

⁴Tex. Tax Code §26.012(13)

Line	Description	Amount/rate
8.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 1,123,541,525
9.	Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2023. Enter the prior year value of property in deannexed territory. ⁵	\$ 0
10.	Prior year taxable value lost because property first qualified for an exemption in the current year. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use prior year market value: \$ 547,240 B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: +\$ 2,398,492 C. Value loss. Add A and B. ⁶	\$ 2,945,732
11.	Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year. Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year. A. Prior year market value: \$ 52,190 B. Current year productivity or special appraised value: -\$ 2,040 C. Value loss. Subtract B from A. ⁷	\$ 50,150
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 2,995,882
13.	Prior year captured value of property in a TIF. Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in Line 18D, enter 0.	\$ 0
14.	Prior year total value. Subtract Line 12 and Line 13 from Line 8.	\$ 1,120,545,643
15.	Adjusted prior year total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 8,516,146
16.	Taxes refunded for years preceding the prior tax year. Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year. ⁹	\$ 47,670
17.	Adjusted prior year levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 8,563,816
18.	Total current year taxable value on the current year certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: \$ 1,003,053,100 B. Counties. Include railroad rolling stock values certified by the Comptroller's office: +\$ C. Pollution control and energy storage system exemption. Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: -\$ 0 D. Tax increment financing. Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² -\$ 0 E. Total current year value. Add A and B, then subtract C and D.	\$ 1,003,053,100

⁵ Tex. Tax Code §26.012(15)
⁶ Tex. Tax Code §26.012(15)
⁷ Tex. Tax Code §26.012(15)
⁸ Tex. Tax Code §26.03(c)
⁹ Tex. Tax Code §26.012(13)
¹⁰ Tex. Tax Code §26.012(13)
¹¹ Tex. Tax Code §26.012, 26.04(c-2)
¹² Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	Total value of properties under protest or not included on certified appraisal roll.¹³ A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴ \$ 173,897,916 B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵ +\$ 0. C. Total value under protest or not certified. Add A and B.	\$ 173,897,916
20.	Current year tax ceilings. Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ 0
21.	Current year total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ 1,176,951,016
22.	Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed. ¹⁸	\$ 0
23.	Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for the current year. ¹⁹	\$ 6,655,121
24.	Total adjustments to the current year taxable value. Add Lines 22 and 23.	\$ 6,655,121
25.	Adjusted current year taxable value. Subtract Line 24 from Line 21.	\$ 1,170,295,895
26.	Current year NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ 0.73176 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. ²¹	\$ _____ /\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	Prior year M&O tax rate. Enter the prior year M&O tax rate.	\$ 0.59409 /\$100
29.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the No-New-Revenue Tax Rate Worksheet.	\$ 1,123,541,525

¹³ Tex. Tax Code §26.01(c) and (d)
¹⁴ Tex. Tax Code §26.01(c)
¹⁵ Tex. Tax Code §26.01(d)
¹⁶ Tex. Tax Code §26.012(6)(B)
¹⁷ Tex. Tax Code §26.012(6)
¹⁸ Tex. Tax Code §26.012(17)
¹⁹ Tex. Tax Code §26.012(17)
²⁰ Tex. Tax Code §26.04(c)
²¹ Tex. Tax Code §26.04(d)

Line	Vote/Approval Tax Rate Worksheet	Amount/Rate
30.	Total prior year M&O levy. Multiply Line 28 by Line 29 and divide by \$100.	\$ 6,674,847
31.	Adjusted prior year levy for calculating NNR M&O rate.	
	A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2023. This line applies only to tax years preceding the prior tax year.	+ \$ 38,210
	B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0.	- \$ 0
	C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0.	+/- \$ 0
	D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function.	\$ 38,210
	E. Add Line 30 to 31D.	\$ 6,713,057
32.	Adjusted current year taxable value. Enter the amount in Line 25 of the No-New-Revenue Tax Rate Worksheet.	\$ 1,170,295,895
33.	Current year NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.57362 /\$100
34.	Rate adjustment for state criminal justice mandate. ²³	
	A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose.	\$ 0
	B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies.	- \$ 0
	C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$ 0.00000 /\$100
	D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.00000 /\$100
35.	Rate adjustment for indigent health care expenditures. ²⁴	
	A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose.	\$ 0
	B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose.	- \$ 0
	C. Subtract B from A and divide by Line 32 and multiply by \$100.	\$ 0.00000 /\$100
	D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.00000 /\$100

²³ (Reserved for expansion)
²⁴ Tex. Tax Code §26.044
²⁵ Tex. Tax Code §26.041

Line	Voter Approval (Tax Rate) Worksheet	Amount/Rate
36.	<p>Rate adjustment for county indigent defense compensation.²⁵</p> <p>A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state grants received by the county for the same purpose..... \$ 0</p> <p>B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose..... \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.00000 /\$100</p> <p>D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100..... \$ 0.00000 /\$100</p> <p>E. Enter the lesser of C and D. If not applicable, enter 0.</p>	\$ 0.00000 /\$100
37.	<p>Rate adjustment for county hospital expenditures.²⁶</p> <p>A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year..... \$ 0</p> <p>B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023..... \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.00000 /\$100</p> <p>D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100..... \$ 0.00000 /\$100</p> <p>E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.</p>	\$ 0.00000 /\$100
38.	<p>Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information.</p> <p>A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year..... \$ 0</p> <p>B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year..... \$ 0</p> <p>C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.00000 /\$100</p> <p>D. Enter the rate calculated in C. If not applicable, enter 0.</p>	\$ 0.00000 /\$100
39.	Adjusted current year NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ 0.57362 /\$100
40.	<p>Adjustment for prior year sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero.</p> <p>A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent..... \$ 2,161,740</p> <p>B. Divide Line 40A by Line 32 and multiply by \$100..... \$ 0.18471 /\$100</p> <p>C. Add Line 40B to Line 39.</p>	\$ 0.75833 /\$100
41.	<p>Current year voter approval M&O rate. Enter the rate as calculated by the appropriate scenario below:</p> <p>Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08.</p> <p>- or -</p> <p>Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.</p>	\$ 0.78487 /\$100

²⁵ Tex. Tax Code §26.0442
²⁶ Tex. Tax Code §26.0443

Line	Voter Approval Tax Rate Worksheet	Amount/Rate
D41	<p>Disaster Line 41 (D41): Current year voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of:</p> <p>1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred; or</p> <p>2) the third tax year after the tax year in which the disaster occurred.</p> <p>If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08.²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).</p>	\$ 0.00000 /\$100
42	<p>Total current year debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that:</p> <p>(1) are paid by property taxes;</p> <p>(2) are secured by property taxes;</p> <p>(3) are scheduled for payment over a period longer than one year; and</p> <p>(4) are not classified in the taxing unit's budget as M&O expenses.</p> <p>A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.²⁸</p> <p>Enter debt amount \$ 1,944,426</p> <p>B. Subtract unencumbered fund amount used to reduce total debt - \$ 0</p> <p>C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ 0</p> <p>D. Subtract amount paid from other resources - \$ 0</p> <p>E. Adjusted debt, Subtract B, C and D from A. \$ 1,944,426</p>	\$ 1,944,426
43	Certified prior year excess debt collections. Enter the amount certified by the collector. ²⁹	\$ 0
44	Adjusted current year debt. Subtract Line 43 from Line 42E.	\$ 1,944,426
45	<p>Current year anticipated collection rate.</p> <p>A. Enter the current year anticipated collection rate certified by the collector.³⁰ 100.00 %</p> <p>B. Enter the prior year actual collection rate 97.34 %</p> <p>C. Enter the 2022 actual collection rate 101.19 %</p> <p>D. Enter the 2021 actual collection rate 100.05 %</p> <p>E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.³¹</p>	100.00 %
46	Current year debt adjusted for collections. Divide Line 44 by Line 45E.	\$ 1,944,426
47	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New Revenue Tax Rate Worksheet</i> .	\$ 1,176,951,016
48	Current year debt rate. Divide Line 46 by Line 47 and multiply by \$100.	\$ 0.16520 /\$100
49	Current year voter-approval M&O rate plus current year debt rate. Add Lines 41 and 48.	\$ 0.95007 /\$100
D49	<p>Disaster Line 49 (D49): Current year voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.</p>	\$ 0.00000 /\$100

²⁷ Tex. Tax Code §26.042(a)
²⁸ Tex. Tax Code §26.012(7)
²⁹ Tex. Tax Code §26.012(10) and 26.04(b)
³⁰ Tex. Tax Code §26.04(b)
³¹ Tex. Tax Code §26.04(h), (h-1) and (h-2).

Line	Voter Approval Tax Rate Worksheet	Amount/Rate
50.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate.	\$ 0.00000 /\$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue. This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	Taxable Sales. For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary Webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0.	\$ 0
52.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November of the prior year. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ 2,121,868
53.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,176,951,016
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ 0.18028 /\$100
55.	Current year NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.73176 /\$100
56.	Current year NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November of the prior tax year.	\$ 0.73176 /\$100
57.	Current year voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.95007 /\$100
58.	Current year voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ 0.76979 /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Tax Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ 0
60.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,176,951,016
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ 0.00000 /\$100

³² Tex. Tax Code §26.041(d)
³³ Tex. Tax Code §26.041(i)
³⁴ Tex. Tax Code §26.041(d)
³⁵ Tex. Tax Code §26.041(c)
³⁶ Tex. Tax Code §26.041(c)
³⁷ Tex. Tax Code §26.045(d)
³⁸ Tex. Tax Code §26.045(i)

Line	Voter Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
62.	Current year voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ 0.76879 /\$100

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value.³⁷ The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value.⁴⁰

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042;⁴¹
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴² or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴³

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴⁴

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	Year 3 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value A. Voter-approval tax rate (Line 67)..... B. Unused increment rate (Line 66)..... C. Subtract B from A..... D. Adopted Tax Rate..... E. Subtract D from C..... F. 2023 Total Taxable Value (Line 60)..... G. Multiply E by F and divide the results by 100. If the number is less than zero, enter zero.....	\$ 0.76311 /\$100 \$ 0.00000 /\$100 \$ 0.76311 /\$100 \$ 0.76000 /\$100 \$ 0.00311 /\$100 \$ 1,175,807,894 \$ 36,567
64.	Year 2 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value A. Voter-approval tax rate (Line 67)..... B. Unused increment rate (Line 66)..... C. Subtract B from A..... D. Adopted Tax Rate..... E. Subtract D from C..... F. 2022 Total Taxable Value (Line 60)..... G. Multiply E by F and divide the results by 100. If the number is less than zero, enter zero.....	\$ 0.84485 /\$100 \$ 0.00000 /\$100 \$ 0.84485 /\$100 \$ 0.82500 /\$100 \$ 0.01985 /\$100 \$ 1,014,835,601 \$ 201,444
65.	Year 1 Foregone Revenue Amount. Subtract the 2021 unused increment rate and 2021 actual tax rate from the 2021 voter-approval tax rate. Multiply the result by the 2021 current total value A. Voter-approval tax rate (Line 67)..... B. Unused increment rate (Line 66)..... C. Subtract B from A..... D. Adopted Tax Rate..... E. Subtract D from C..... F. 2021 Total Taxable Value (Line 60)..... G. Multiply E by F and divide the results by 100. If the number is less than zero, enter zero.....	\$ 0.84961 /\$100 \$ 0.00000 /\$100 \$ 0.84961 /\$100 \$ 0.84000 /\$100 \$ 0.00961 /\$100 \$ 970,417,704 \$ 93,257
66.	Total Foregone Revenue Amount. Add Lines 63G, 64G and 65G	\$ 331,266 /\$100
67.	2024 Unused Increment Rate. Divide Line 66 by Line 21 of the No-New-Revenue Rate Worksheet. Multiply the result by 100	\$ 0.02814 /\$100
68.	Total 2024 voter-approval tax rate, including the unused increment rate. Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution)	\$ 0.79793 /\$100

³⁷ Tex. Tax Code §26.013(b).
³⁸ Tex. Tax Code §26.013(a)(1)-(5), (1)-(6), and (7).
³⁹ Tex. Tax Code §52.004(c)(2)(A) and §6.042(s).
⁴⁰ Tex. Tax Code §52.0501(e) and (f).
⁴¹ Tex. Local Gov't Code §120.007(d).
⁴² Tex. Local Gov't Code §120.007(d).

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁴ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

Line	De Minimis Rate Worksheet	Amount/Rate
69.	Adjusted current year NNR M&O tax rate. Enter the rate from Line 39 of the Voter-Approval Tax Rate Worksheet.	\$ 0.57362 /\$100
70.	Current year total taxable value. Enter the amount on Line 21 of the No-New-Revenue Tax Rate Worksheet.	\$ 1,176,951,016
71.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 70 and multiply by \$100.	\$ 0.04248 /\$100
72.	Current year debt rate. Enter the rate from Line 48 of the Voter-Approval Tax Rate Worksheet.	\$ 0.16520 /\$100
73.	De minimis rate. Add Lines 69; 71 and 72.	\$ 0.78130 /\$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁷

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
74.	2023 adopted tax rate. Enter the rate in Line 4 of the No-New-Revenue Tax Rate Worksheet.	\$ 0.76000 /\$100
75.	Adjusted 2023 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2023 and the taxing unit calculated its 2023 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2023 worksheet due to a disaster, complete the applicable sections or lines of Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet. --or-- If a disaster occurred prior to 2023 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2023, complete Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet to recalculate the voter-approval tax rate the taxing unit would have calculated in 2023 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. ⁴⁸ Enter the final adjusted 2023 voter-approval tax rate from the worksheet. --or-- If the taxing unit adopted a tax rate above the 2023 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ 0.00000 /\$100
76.	Increase in 2023 tax rate due to disaster. Subtract Line 75 from Line 74.	\$ 0.00000 /\$100
77.	Adjusted 2023 taxable value. Enter the amount in Line 14 of the No-New-Revenue Tax Rate Worksheet.	\$ 1,120,545,643
78.	Emergency revenue. Multiply Line 76 by Line 77 and divide by \$100.	\$ 0
79.	Adjusted 2023 taxable value. Enter the amount in Line 25 of the No-New-Revenue Tax Rate Worksheet.	\$ 1,170,295,895
80.	Emergency revenue rate. Divide Line 78 by Line 79 and multiply by \$100. ⁴⁹	\$ 0.00000 /\$100

⁴⁴ Tex. Tax Code §26.04(c)(2)(B)
⁴⁵ Tex. Tax Code §26.012(f-a)
⁴⁶ Tex. Tax Code §26.063(a)(1)
⁴⁷ Tex. Tax Code §26.042(b)
⁴⁸ Tex. Tax Code §26.042(f)
⁴⁹ Tex. Tax Code §26.042(c)
⁵¹ Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
81	Current-year voter-approval tax rate, adjusted for emergency revenue. Subtract Line 80 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 68 (taxing units with the unused increment rate).	\$ 0.79793 /\$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.73176 /\$100
 As applicable, enter the current-year NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
 Indicate the line number used: 26

Voter-approval tax rate. \$ 0.79793 /\$100
 As applicable, enter the current-year voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 68 (adjusted for unused increment); or Line 81 (adjusted for emergency revenue).
 Indicate the line number used: 68

De minimis rate. \$ 0.78130 /\$100
 If applicable, enter the current-year de minimis rate from Line 73.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.⁵²

print here ▶ María Victoria Valadez
 Printed Name of Taxing Unit Representative

sign here ▶ _____
 Taxing Unit Representative

_____ Date

⁵² Tex. Tax Code §§26.04(c-2) and (d-2)

Section 26.05(b) of Property Tax Code
Worksheet for Determination of Steps Required for Adoption of Tax Rate
CITY OF KINGSVILLE

M&O Tax Increase in Current Year	
1. Last year's taxable value, adjusted for court-ordered reductions. Enter Line 8 of the No-New-Revenue Tax Rate Worksheet.	\$1,123,541,525
2. Last year's M&O tax rate. Enter Line 28 of the Voter-Approval Tax Rate Worksheet.	\$0.59409/\$100
3. M&O taxes refunded for years preceding tax year 2023. Enter Line 31A of the Voter-Approval Tax Rate Worksheet.	\$38,210
4. TIF Adjustment. Enter Line 31B of the Voter-Approval Tax Rate Worksheet.	\$0
5. Last year's M&O tax levy. Multiply line 1 times line 2 and divide by 100. To the result, add line 3 and subtract line 4.	\$6,713,057
6. This year's total taxable value. Enter line 21 of the No-New-Revenue Tax Rate Worksheet.	\$1,176,951,016
7. This year's proposed M&O tax rate. Enter the proposed M&O tax rate approved by the Governing Body.	\$0.60480/\$100
8. This year's M&O tax levy. Multiply line 6 times line 7 and divide by 100.	\$7,118,200
9. M&O Tax Increase (Decrease). Subtract line 5 from line 8.	\$405,143
Comparison of Total Tax Rates	
10. No-New-Revenue Total Tax Rate.	\$0.73176/\$100
11. This year's proposed total tax rate.	\$0.77000/\$100
12. This year's rate minus No-New-Revenue rate. Subtract line 10 from line 11.	\$0.03824
13. Percentage change in total tax rate. Divide Line 12 by line 10.	5.23%
Comparison of M&O Tax Rates	
14. No-New-Revenue M&O Tax Rate. Enter line 39 of the Voter-Approval Tax Rate Worksheet.	\$0.57362/\$100
15. This year's proposed M&O tax rate.	\$0.60480/\$100
16. This year's rate minus No-New-Revenue rate. Subtract line 14 from line 15.	\$0.03118
17. Percentage change in M&O tax rate. Divide line 16 by line 14.	5.44%
Raised M&O Taxes on a \$100,000 Home	
18. This year's taxable value on a \$100,000 home.	\$100,000
19. Last year's M&O tax rate.	\$0.59409/\$100
20. This year's proposed M&O tax rate.	\$0.60480/\$100
21. This year's raised M&O taxes. Subtract line 19 from line 20 and multiply result by line 18.	\$10.71

ORDINANCE NO. 2024-_____

AN ORDINANCE ESTABLISHING AND ADOPTING THE AD VALOREM TAX RATE FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF KINGSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2024 AND ENDING SEPTEMBER 30, 2025, DISTRIBUTING THE TAX LEVY AMONG THE VARIOUS FUNDS, AND PROVIDING FOR A LIEN ON REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES ASSESSED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the ad valorem tax rate for all taxable property within the city limits of Kingsville, Texas for FY 2024-2025 be established and adopted as follows:

Section One: THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.44 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$10.71.

Section Two: That there be and there is hereby levied and ordered collected on each One Hundred Dollar (\$100) valuation of all taxable property, real, personal, and mixed, within the corporate limits of the City of Kingsville, Texas, for the tax corporate limits of the City of Kingsville, Texas, for the tax year 2024 starting October 01, 2024 and ending September 30, 2025, the sum of \$.77000 based on 100% of the fair market value.

Section Three: Said levy shall be distributed in the following manner:

FOR GENERAL FUND EXPENDITURES (Maintenance & Operations), the sum of \$.60480 on each one hundred dollars (\$100.00) assessed valuation of such property.

FOR DEBT SERVICE FUND EXPENDITURES of annual principal, interest, and service fees of all General Obligation Bonds, Warrants, Certificates of Obligation, and Combination Tax and Junior Lien Revenue

Certificates of Obligations, of the City of Kingsville, the sum of \$.16520 on each one hundred dollars (\$100) assessed valuation of such property.

Section Four: That said taxes shall be due and payable at the time and in the manner provided by ordinances of the City of Kingsville and laws of the State of Texas, relating to the payment of taxes and providing for penalties and interest on delinquent taxes.

Section Five: There is hereby fixed, levied on each and every item of taxable property a lien for the purpose of securing the certain payment of the taxes assessed against said item of property and said lien shall continue to exist against any item of property against which a tax is assessed hereunder until such tax together with all penalties and interest shall be paid.

Section Six: This ordinance shall be in full force and effective ten days from and after the date of the second publication in a local newspaper as provided by law and the City Charter of the City of Kingsville.

Section Seven: The tax rate established and adopted by this ordinance and a copy of this ordinance shall be filed in the office of the Tax Assessor Collector.

Section Eight: That no discounts or split payments are allowed for the 2023 tax year.

Section Nine: That an exemption of \$8,400.00 be granted for any person of age sixty-five (65) or over.

Section Ten: The Kleberg County Tax Assessor-Collector is hereby authorized to assess and collect the taxes of the City of Kingsville employing the above tax rate.

INTRODUCED on this the 5th day of September, 2024.

PASSED on this the 12th day of September, 2024.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #11

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 19, 2024

SUBJECT: Ordinance – City of Kingsville Classification & Compensation Plan FY 2024-2025

Summary: In preparation for the beginning of each new fiscal year, the City of Kingsville Classification & Compensation Plan is brought before the City Commission. This plan includes all non-civil service positions and incorporates classification and title changes included in the City Manager's budget. See attached proposed FY 2024-2025 City of Kingsville Classification & Compensation Plan which notates changes from the FY 2023-2024 plan.

Background:

In February 2023, the City hired Evergreen Solutions, LLC (Evergreen) to conduct a compensation and classification study. Evergreen completed the study and provided the City with options on how to get our positions closer to market. As the cost to attempt to update the compensation in one year was beyond budgetary constraints, Evergreen was able to provide a two-year approach. Based on Evergreen's recommendations and factoring in internal equity, the recommended compensation plan for FY 2024-2025 is attached.

Financial Impact: The approximate total financial impact of the wage schedule for all positions, *excluding civil service positions*, is \$ 16,062,699 which includes all fringe benefits paid by the City such as (taxes, life insurance, health insurance, worker's compensation, unemployment and City retirement contributions) and is incorporated in the City Manager's proposed budget.

The total financial impact includes:

- Compensation Plan adjustments as per Evergreen study for Year 2 of plan
- Continuation of Anniversary Program
- Continuation of Longevity Program
- Minimum hiring rate for Full-time and Part-time positions continues at \$15.45 per hour

Recommendation: To approve the recommended FY 2024-2025 City of Kingsville Classification & Compensation Plan as presented and included in the City Manager's proposed budget.

CITY OF KINGSVILLE CLASSIFICATION & COMPENSATION PLAN

FISCAL YEAR-2023-2024 2024-2025

Year 1: Classes = 5% & Steps=4%

Class #

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
11	\$ 15.45	\$ 16.07	\$ 16.71	\$ 17.38	\$ 18.07	\$ 18.80	\$ 19.55	\$ 20.33

Custodian Customer Billing & Services Representative I Golf Pro Shop Attendant Grounds Maintenance Worker	Kennel Attendant Meter Reader Technician Public Maintenance Worker Utility Worker
--	--

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
12	\$ 16.22	\$ 16.87	\$ 17.55	\$ 18.25	\$ 18.98	\$ 19.74	\$ 20.53	\$ 21.35

Administrative Technician Animal Care Attendant Customer Billing & Services Representative II	Plant Helper Pump Operator Services Technician
---	--

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
13	\$ 17.03	\$ 17.71	\$ 18.42	\$ 19.16	\$ 19.93	\$ 20.72	\$ 21.55	\$ 22.42

Animal Services Specialist Customer Billing Specialist I Deputy Clerk Evidence Technician	Intake & Placement Specialist Light Equipment Operator Recycling Technician
--	---

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
14	\$ 17.89	\$ 18.60	\$ 19.34	\$ 20.12	\$ 20.92	\$ 21.76	\$ 22.63	\$ 23.54

A/P Specialist Accounting Assistant Administrative Assistant Building Inspector Code Compliance Inspector	Customer Billing Specialist II Inventory Technician Lab Technician Recreation Coordinator Telecommunications Operator
---	---

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
15	\$ 18.78	\$ 19.53	\$ 20.31	\$ 21.12	\$ 21.97	\$ 22.85	\$ 23.76	\$ 24.71

Administrative Coordinator Engineering Technician GIS Technician Heavy Equipment Operator Maintenance Technician	Payroll Specialist Welder/Fabricator Wastewater Operator Water Production Operator
--	---

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
16	\$ 19.72	\$ 20.51	\$ 21.33	\$ 22.18	\$ 23.07	\$ 23.99	\$ 24.95	\$ 25.95

Human Resource Specialist

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
17	\$ 20.70	\$ 21.53	\$ 22.39	\$ 23.29	\$ 24.22	\$ 25.19	\$ 26.20	\$ 27.25

Health Inspector I Help Desk Technician Lead Maintenance Technician	Lead Telecommunications Operator Paralegal Senior Heavy Equipment Operator
---	--

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
18	\$ 21.74	\$ 22.61	\$ 23.51	\$ 24.45	\$ 25.43	\$ 26.45	\$ 27.51	\$ 28.61

Crime Scene Specialist Engineering Assistant Foreman - Landfill Foreman - Meter Readers	Foreman - Parks & Recreation - Golf Foreman - Solid Waste Foreman - Street Foreman - Wastewater - Plants
--	---

Foreman - Parks & Recreation

Foreman - Wastewater - Construction

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
19	\$ 22.83	\$ 23.74	\$ 24.69	\$ 25.68	\$ 26.70	\$ 27.77	\$ 28.88	\$ 30.04

Collection's Supervisor - Move to Class 21

Health Inspector II

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
20	\$ 23.97	\$ 24.93	\$ 25.92	\$ 26.96	\$ 28.04	\$ 29.16	\$ 30.33	\$ 31.54

Communications Supervisor - Move to Class 21

Project Engineer

Municipal Court Supervisor - Move to Class 21

Special Events/Downtown Manager - Move to Class 21

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
21	\$ 25.17	\$ 26.17	\$ 27.22	\$ 28.31	\$ 29.44	\$ 30.62	\$ 31.84	\$ 33.12

Collection's Supervisor - From Class 19

Municipal Court Supervisor - From Class 20

Communications Supervisor Coordinator - From Class 20

Special Events/Downtown Manager - From Class 20

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
22	\$ 26.42	\$ 27.48	\$ 28.58	\$ 29.72	\$ 30.91	\$ 32.15	\$ 33.44	\$ 34.77

Senior Planner/Historic Preservation Officer

Systems Administrator

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
23	\$ 27.75	\$ 28.86	\$ 30.01	\$ 31.21	\$ 32.46	\$ 33.76	\$ 35.11	\$ 36.51

Golf Course Superintendent

Parks Manager

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
24	\$ 29.13	\$ 30.30	\$ 31.51	\$ 32.77	\$ 34.08	\$ 35.45	\$ 36.86	\$ 38.34

Garage Supervisor

Wastewater Supervisor

Purchasing & Facilities Manager

Water Production Supervisor

Solid Waste Supervisor

Water Supervisor

Street Supervisor

Wastewater Collections/Stormwater Supervisor

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
25	\$ 30.59	\$ 31.81	\$ 33.09	\$ 34.41	\$ 35.79	\$ 37.22	\$ 38.71	\$ 40.25

City Secretary

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
26	\$ 32.12	\$ 33.40	\$ 34.74	\$ 36.13	\$ 37.58	\$ 39.08	\$ 40.64	\$ 42.27

Accounting Manager

Building Official

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
27	\$ 33.73	\$ 35.07	\$ 36.48	\$ 37.94	\$ 39.45	\$ 41.03	\$ 42.67	\$ 44.38

Capital Improvements Manager

Information Technology Manager

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
28	\$ 35.41	\$ 36.83	\$ 38.30	\$ 39.83	\$ 41.43	\$ 43.08	\$ 44.81	\$ 46.60

Economic Development Director

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
29	\$ 37.18	\$ 38.67	\$ 40.22	\$ 41.82	\$ 43.50	\$ 45.24	\$ 47.05	\$ 48.93

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
30	\$ 39.04	\$ 40.60	\$ 42.23	\$ 43.92	\$ 45.67	\$ 47.50	\$ 49.40	\$ 51.38

Health Director

Park & Recreation Director

Information Technology Director

Tourism Services Director

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
31	\$ 40.99	\$ 42.63	\$ 44.34	\$ 46.11	\$ 47.96	\$ 49.87	\$ 51.87	\$ 53.94

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
32	\$ 43.04	\$ 44.76	\$ 46.56	\$ 48.42	\$ 50.35	\$ 52.37	\$ 54.46	\$ 56.64

Human Resource Director

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
33	\$ 45.20	\$ 47.00	\$ 48.88	\$ 50.84	\$ 52.87	\$ 54.99	\$ 57.19	\$ 59.47

Planning & Development Services Director

Public Works Director

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
34	\$ 47.46	\$ 49.35	\$ 51.33	\$ 53.38	\$ 55.52	\$ 57.74	\$ 60.05	\$ 62.45

City Engineer

Finance Director

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
35	\$ 49.83	\$ 51.82	\$ 53.89	\$ 56.05	\$ 58.29	\$ 60.62	\$ 63.05	\$ 65.57

Fire Chief

Police Chief

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
36	\$ 52.32	\$ 54.41	\$ 56.59	\$ 58.85	\$ 61.21	\$ 63.65	\$ 66.20	\$ 68.85

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
37	\$ 54.94	\$ 57.13	\$ 59.42	\$ 61.79	\$ 64.27	\$ 66.84	\$ 69.51	\$ 72.29

Min	
\$ 10.00	

Seasonal/Temporary Employees

Example of positions include: Pool Manager/Attendants/Instructors/Lifeguards, Recreation Assistants, etc.

Step increases are calculated from Step placement at time of hire. Employees progress to the next Step upon completion of the following years: 1, 3, 6, 10, 15, 20, and 25th year or until reach Step 8.

The hourly chart shall be relevant to all employees (excluding executive officers and civil service employees) maintaining a position in the same CLASS, unless otherwise approved by the City Manager.

LONGEVITY PROGRAM - \$ 5 per month per year of service - maximum 25 years

**City of Kingsville Classification & Compensation Plan
FY 2024-2025 Executive Officer Wage Schedule**

	Minimum	Midpoint	Maximum
EXECUTIVE OFFICER - 1 City Manager	\$ 138,346	\$ 166,893	\$ 195,441
EXECUTIVE OFFICER - 2 City Attorney	\$ 105,406	\$ 139,444	\$ 173,481
EXECUTIVE OFFICER - 3 Municipal Court Judge	\$ 44,595	\$ 59,532	\$ 74,063

ORDINANCE NO. 2024-____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III, ARTICLE 7, PERSONNEL POLICIES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

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 3-7-1 of Article 7: Personnel Policies of Chapter III. Administration of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 3-7-1 ADOPTION OF THE JOB CLASSIFICATION AND COMPENSATION PLAN.

The City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2024 is hereby adopted by reference providing for certain classifications and positions as more particularly defined therein. Classified positions and incumbents thereof shall be subject to the terms and conditions of all policies incorporated by reference and adopted by the City Commission by resolution. All employees serve at will, at the pleasure of the City Manager, or designee, or at the pleasure of the City Commission if appointed by the City Commission, and shall have and continue such at-will status, notwithstanding any other provision of this Classification Plan, any other City Ordinance, or any rule or regulation of the City.

All Employees (excluding civil service personnel) of the City of Kingsville are placed on the City of Kingsville FY 2024-2025 Employee Wage Schedule in a corresponding step for the specified position.

New hires shall be placed at the compensation Class for the designated positions. New hires may be placed in the Step within the designated Class corresponding to the years of experience the new employee brings to the City correlating to the designated duties of the position.

Employees promoted, transferred or temporarily assigned to a position in a higher classification range shall commence at a step of the higher Class. Each promoted, transferred or temporarily assigned employee shall then proceed to the next step after one (1) year in their current position and shall proceed to each step thereafter on the 3rd, 6th, 10th, 15th, 20th, and 25th year or until the employee reaches the final step of the compensation schedule.

Employees demoted, transferred, temporarily assigned, or accepting a position in a lower Class shall commence at a step of pay in the lower Class. Employees shall proceed to the next step of the compensation plan, as scheduled, based on years of City service.

Executive Level 1, 2, & 3 positions shall receive a cost of living adjustment when employees (excluding civil service personnel) receive a cost of living adjustment unless superseded by an employment agreement. The City Commission shall evaluate the performance

of and recommend salaries for Executive Level 1, 2, & 3 positions each July to prepare for the up-coming fiscal year.

II.

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

III.

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

IV.

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

INTRODUCED on this the 26th day of August, 2024.

PASSED AND APPROVED on this the 12th day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Diana Gonzales, Human Resource Director
DATE: August 20, 2024
SUBJECT: Fire Department – Number of Classified Positions

Summary: Increase the number of Fire Department positions in the classified service from 39 to 41 eligible positions.

CLASSIFICATION	NUMBER OF AUTHORIZED POSITIONS
Fire Chief	1
Captains	4
Lieutenants	3
Engineers	6
Fire Fighters	24 <u>26</u>
Fire Marshal	1

Background: Previous changes to number of Firefighters occurred as follow:

FY 2017-2018 addition of 1 Firefighter position

FY 2021-2022 addition of 2 Firefighter positions

FY 2022-2023 addition of 2 Firefighter positions

FY 2023-2024 addition of 1 Firefighter and 1 Captain position

Texas Local Government Code § 143.021 *Classification; Examination Requirement*

- (a) The commission shall provide for the classification of all fire fighters and police officers. The municipality's governing body shall establish the classifications by ordinance. The governing body by ordinance shall prescribe the number of positions in each classification.

Financial Impact: The annual financial impact is approximately \$ 165,449 including benefits. The two (2) additional personnel are included in the FY 24-25 proposed budget for the City of Kingsville in preparation for when funding becomes available for the new positions.

Recommendation: Update the ordinance to increase the number of classified positions in the Fire Department to correspond to the number of personnel in the FY 2024-2025 proposed budget.



ORDINANCE NO. 2024-_____

AN ORDINANCE RATIFYING CLASSIFICATIONS AND PRESCRIBING THE NUMBER OF POSITIONS IN SUCH CLASSIFICATIONS FOR THE CLASSIFIED SERVICE IN THE FIRE DEPARTMENT BY ADDING TWO NEW CIVIL SERVICE POSITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, CODIFICATION INSTRUCTIONS, AND AN EFFECTIVE DATE.

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

WHEREAS, the City desires to add two (2) positions to the Kingsville Fire Department as follows:

Two (2) Fire Fighter positions in Fiscal Year 2024-2025, increasing the number of those positions from 24 to 26;

WHEREAS, the expenses related to these positions are incorporated in the proposed FY 2024-2025 budget for the City of Kingsville.

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

I.

THAT two (2) positions of Fire Fighter are hereby added to the Kingsville Fire Department beginning in Fiscal Year 2024-2025.

II.

THAT in accordance with section 143.021, Texas Local Government Code, the City Commission ratifies the following previously established classifications and hereby prescribes the number of positions in each classification by Ordinance duly passed, to wit:

<u>CLASSIFICATION</u>	<u>NUMBER OF POSITIONS</u>
Fire Chief	1
Captain	4
Lieutenant	3
Engineer	6
Firefighter	<u>24 26</u>
Fire Marshal	1

Notes: Previously increased by two (2) firefighter positions in October 2021; by two (2) firefighter positions in October 2022; by one (1) firefighter position and (1) captain position in October 2023.

III.

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

IV.

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.

V.

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

INTRODUCED on this the 26th day of August, 2024.

PASSED AND APPROVED on this the 12th day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Deborah Balli, Finance Director
DATE: August 21, 2024
SUBJECT: Proposed Fee Increase for Water and Sewer

Summary:

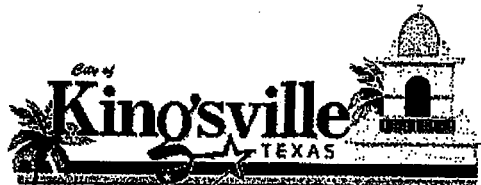
The City contracted with Grady Reed with HDR Engineering to perform a rate study of Water and Wastewater (Sewer) rates which was completed 8/11/2023. The study indicated that rates would need to start increasing in 2024 by 15% for Water and 13% for Wastewater with additional increases in future years.

The 15% increase in Water rates will provide an estimated \$750,000 in additional water revenues. The 13% increase in Wastewater rates will provide an estimated \$624,000 in additional sewer revenues. Both these revenues have been incorporated into the proposed budget in the water and sewer revenue line items of Fund 051.

The Utility Fund has several major projects identified that need to be completed. The additional revenues will be used to begin work on the Capital Improvements Plan and to insure the minimum fund balance requirements of Fund 051.

Recommendation:

Staff recommends the approval of the water and sewer rate increases as proposed in the FY 24-25 budget.



ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 3, WATER, PROVIDING FOR AN INCREASE IN WATER RATES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the cost to provide this service has increase substantially in the three years since the rates were last adjusted;

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: 15% Increase

I.

THAT Section 5-3-51 of Article 3: Water of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 5-3-51. MINIMUM MONTHLY CHARGE; RATE SCHEDULE.

(A) The following monthly rates shall be charged inside-city customers for the use of city water, provided that minimum monthly charges shall be made and bills rendered accordingly, under the standard water rates schedule as follows:

<i>Minimum Monthly Bill Water Service</i>					
<i>Meter Allowance Size</i>	<i>Single-Family Residential</i>	<i>Multi-Family Residential</i>	<i>Commercial**</i>	<i>Irrigation</i>	<i>Gallons</i>
5/8 - 3/4 inch	12.80 14.72	\$0.00	\$0.00	\$0.00	0
5/8 - 3/4 inch	□	24.22 27.86	25.19 28.97	28.89 33.23	3,000
1 inch	26.19 30.12	29.46 33.88	31.85 36.63	39.31	5,000
1 1/4 inch	34.87 36.65	35.23 40.52	38.49 44.27	46.07 52.98	7,000
1 1/2 inch	39.07 44.93	43.47 49.99	48.47 55.74	58.93 67.77	10,000

Minimum Monthly Bill Water Service					
Meter Allowance Size	Single-Family Residential	Multi-Family Residential*	Commercial**	Irrigation	Gallons
2 inch	56.95 65.50	59.95 68.95	68.40 78.66	94.71 97.42	16,000
3 inch	56.95 65.50	112.18 129.01	120.96 139.11	166.33 191.28	35,000
4 inch	56.95 65.50	180.90 208.04	186.52 214.50	273.71 314.77	60,000
6 inch	56.95 65.50	359.56 413.50	356.31 409.76	552.89 635.83	125,000
8 inch	56.95 65.50	359.56 413.50	679.38 781.29	552.89 635.83	200,000

* Includes apartments of 3-4 units.
 ** Includes hotels, motels, and apartments over 4 units.

(B) The following monthly rates shall be charged outside-city customers for the use of city water, provided that minimum monthly charges shall be made and bills rendered accordingly, under the standard water rates schedule as follows:

Minimum Monthly Bill Water Service					
Meter Allowance Size	Single-Family Residential	Multi-Family Residential*	Commercial**	Irrigation	Gallons
5/8 - 3/4 inch	14.70 16.91	\$0.00	\$0.00	\$0.00	0
5/8 - 3/4 inch	—	27.87 32.05	28.97 33.32	33.29 38.18	3,000
1 inch	30.14 34.67	33.90 38.99	36.60 42.09	41.60 47.84	5,000
1 1/4 inch	32.58 37.47	40.51 46.59	44.26 50.90	52.41 60.28	7,000
1 1/2 inch	44.89 51.63	49.98 57.48	55.71 64.07	67.77 77.94	10,000
2 inch	65.52 75.35	68.95 79.30	78.66 90.46	97.39 112.00	16,000
3 inch	65.52 75.35	429.01 148.37	139.10 159.97	191.26 219.95	35,000

Minimum Monthly Bill Water Service

Meter Allowance Size	Single-Family Residential	Multi-Family Residential	Commercial**	Irrigation	Gallons
4 inch	65.52 75.35	208.01 239.22	214.50 246.68	314.75 361.97	60,000
6 inch	65.52 75.35	413.47 475.49	409.74 471.21	635.82 731.20	125,000
8 inch	65.52 75.35	413.47 475.49	781.27 898.46	635.82 731.20	200,000

* Includes apartments of 3-4 units.

** Includes hotels, motels, and apartments over 4 units.

(C) For all water furnished in excess of the minimum allowance, the charge per 1,000 gallons of water delivered per month shall be shown as follows:

	In-side City	Outside City
Single-family residential:		
0 - 5,000 gallons	\$2.68 3.09	\$3.08 3.55
5,001 - 10,000 gallons	2.82 3.25	3.25 3.74
10,001 - 15,000 gallons	2.94 3.39	3.41 3.93
15,001 - 20,000 gallons	3.07 3.53	3.56 4.10
20,001 - 30,000 gallons	3.24 3.70	3.69 4.25
30,000 + gallons	4.14 4.77	4.78 5.50
Multi-family:	2.84 3.27	3.28 3.78
Commercial:	3.41 3.93	3.91 4.50
Irrigation	4.28 4.93	4.92 5.66

(D) These rates shall be applied to all water that passes through the meter regardless of whether the water is used or not.

(E) Industrial rates by special contract with the city.

(F) Naval Air Station Kingsville water rate, as determined by the most current water rate study, is set at \$~~1.79~~ 2.06/1,000 gallons.

II.

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

III.

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

IV.

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

INTRODUCED on this the 26th day of August, 2024.

PASSED AND APPROVED on this the 12th day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Deborah Balli, Finance Director
DATE: August 21, 2024
SUBJECT: Proposed Fee Increase for Water and Sewer

Summary:

The City contracted with Grady Reed with HDR Engineering to perform a rate study of Water and Wastewater rates which was completed 8/11/2023. The study indicated that rates would need to start increasing in 2024 by 15% for Water and 13% for Wastewater with additional increases in future years.

The 15% increase in Water rates will provide an estimated \$750,000 in additional water revenues. The 13% increase in Wastewater rates will provide an estimated \$624,000 in additional sewer revenues. Both these revenues have been incorporated into the proposed budget in the water and sewer revenue line items of Fund 051.

The Utility Fund has several major projects identified that need to be completed. The additional revenues will be used to begin work on the Capital Improvements Plan and to insure the minimum fund balance requirements of Fund 051.

Recommendation:

Staff recommends the approval of the water and sewer rate increases as proposed in the FY 24-25 budget.



ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 2-SEWERS, SECTION 2-USER CLASSIFICATIONS, SCHEDULE OF CHARGES; PROVIDING FOR AN INCREASE IN SEWER RATES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the cost to provide this service has increase substantially in the three years since the rates were last adjusted;

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: 13% increase

I.

THAT Section 5-2-2 of Article 2: Sewers of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 5-2-2 USER CLASSIFICATIONS; SCHEDULE OF CHARGES.

(A) *Single-family residential.* Minimum monthly charge of \$7.80 ~~\$15.55~~ 17.58 with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of \$2.23 ~~\$4.45~~ 5.03 per 1,000 gallons will be levied to a maximum of 15,000 gallons after which no further charge shall be levied.

(B) *Duplex.* Minimum monthly charge of \$9.58 ~~\$19.08~~ 21.56 with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of \$2.23 ~~\$4.45~~ 5.03 per 1,000 gallons will be levied.

(C) *Multi-family residential (includes apartments of 3-4 units).* Minimum monthly charge of \$14.64 ~~\$29.16~~ 32.95 with an allowance for 3,000 gallons. For consumption in excess of 3,000 gallons, a charge of \$2.23 ~~\$4.45~~ 5.03 per 1,000 gallons shall be levied.

(D) *Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any other categories).* Minimum monthly charge ~~\$35.87~~ 40.54 with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of \$2.35 ~~\$4.69~~ 5.30 per 1,000 gallons will be levied.

(E) *Irrigation.* No customer using city water services solely for irrigation purposes shall be assessed a sewer charge.

(F) *Industrial plants.* By special contract with the city.

(G) *Billing charge.* All sewer customers who are not billed for water services shall be assessed a monthly billing charge of ~~\$2.59~~ 2.93 in addition to their sewer charges.

(H) (1) *Outside city limits.* All parts of this section shall apply to customers located outside the city limits and who receive city sewer service except the rates to such customers shall be as follows:

(2) *Single-family residential.* Minimum monthly charge of ~~\$17.89~~ 20.22 with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of \$2.57 ~~\$5.11~~ 5.78 per 1,000 gallons of water consumed to a maximum of 15,000 gallons after which no further charge shall be levied.

(3) *Duplex.* Minimum monthly charge of \$11.01 ~~\$21.95~~ 24.81 with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of \$2.57 ~~\$5.11~~ 5.78 per 1,000 gallons of water consumed.

(4) *Multi-family residential (includes apartments of 3-4 units).* Minimum monthly charge of \$16.84 ~~\$33.52~~ 38.88 with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of \$2.57 ~~\$5.11~~ 5.78 per 1,000 gallons of water consumed.

(5) *Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any of the above categories).* Minimum monthly charge of \$20.70 ~~\$41.24~~ 46.61 with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of \$2.70 ~~\$5.39~~ 6.09 per 1,000 gallons of water consumed.

(6) Naval Air Station Kingsville sewer rate, as determined by the most current sewer rate study, is the Commercial Rate noted above and amended from time to time. ('62 Code, § 8-6-1) (Ord. 81007, passed 3-9-81; Am. Ord. 84029, passed 10-29-84; Am. Ord. 89042, passed 9-11-89)

II.

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

III.

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

IV.

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

INTRODUCED on this the 26th day of AugustAugust, 202405.

PASSED AND APPROVED on this the 12th day of SeptemberAugust, 20245.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: August 26, 2024
SUBJECT: An Ordinance Amending the City of Kingsville Code of Ordinances Sections 9-10- 56 and 57 to Update the Fees and Calculation Method Used for the Purpose of Funding the City Streets System

Purpose:

The purpose of increasing the Street Maintenance Fees (**SMF**) is to provide additional funding for the repair of streets in the City. Not approving this increase would impede and limit completion of additional projects and permit the continued deterioration of the streets, resulting in increasingly more expensive repairs.

Summary:

Article 10, Section 9-10 of our Code of Ordinances (see *Background pg. 2:* below) defines the factors and calculations used to determine how the Street Maintenance Fee is determined and assigned.

To achieve the additional revenue target, the following proposed changes to the Street Maintenance Fees are needed:

- Increase the **ERU** fee for residential accounts from \$6.00 to \$8.00
- Increase the Monthly fees of the Point Value Tier Table for the non-residential accounts by 20% for all tiers. The new tier fees would be:

Tier	Current Fee	Proposed Fee
1A	\$500	\$600
1B	\$250	\$300
1C	\$150	\$180
2	\$125	\$150
3	\$100	\$120
4	\$70	\$84
5	\$50	\$60



**City of Kingsville
Engineering Dept.**

6	\$40	\$48
7	\$30	\$36
8	\$25	\$30
9	\$20	\$24
10	\$15	\$18
11	\$10	\$12

Background:

Kingsville, TX Code of Ordinances, Article 10 – Streets and Sidewalks, Sec. 9-10 was established to provide a funding source for maintaining our street system city-wide. Highlights of Sec. 9-10 include:

Factors involved include the following:

- Property Type – Residential benefitted property (single-family, attached multifamily & detached dwelling units) and Nonresidential benefitted property(businesses)
- Square Footage (**SF**) – Designated as “living area” in square feet, per Kleberg County Appraisal District.
- Equivalent Residential Unit Square Footage (**ERU**) – Unit of measurement for the median size of a residence unit equal to 2,425 sf. For Residential benefitted property the **ERU** = 1. For Nonresidential benefitted property the **ERU** = **SF** / 2,425 sf.
- Trip Factor (**TF**) – Trip Generation Rates based on the types of land uses recognized by the City of Kingsville for purposed of implementing the Street Maintenance Fee.
- Trip Adjustment Percentage (**TA%**) – This is a discount (currently 85%) applied to the **TF** to arrive at the Adjusted Trip Factor(**ATF**). Note, this discount does not apply to Residential benefitted property.
- Point Value (**PV**) – This value is calculated and assigned according to point ranges set up in 11 tiers and contained in the Point Value Tier Table found in Section 9-10-57 to determine the Street Maintenance Fee assigned to the Nonresidential benefitted property. The **PV** is calculated in the following formula:

$$PV = (SF / 2,425 \text{ sf}) \times (TF \times TA\%)$$

The current 13 tiers determine the monthly fee which range from \$10 to \$500(see example below).



**City of Kingsville
Engineering Dept.**

- Sec. 9-10-50: The Street Maintenance Fee (**SMF**) became effective in December 2015.
- Sec. 9-10-51: The fee is collected from owners or occupants of benefitted property for this purpose. A Street Preventative Maintenance Program (**SPMP**) was created to prioritize street maintenance funded by the **SMF**.
- Sec. 9-10-56: Residents pay a flat fee of \$6/month.
- Sec. 9-10-57: Non-Residents (business owners) pay a rate based on a **PV** formula(see Summary pg. 2: above).
- Sec. 9-10-62: A Street Maintenance Fee Board of Appeals was established and is comprised of five members, Finance Director, Public Works Director/City Engineer, Planning Director and two citizens appointed by the City Manager.
- Sec. 9-10-64: Exemptions - This article does not apply to a city, county, state, federal agency or department, hospital district, publicly funded independent school district or charter school, public institution of higher education, church, registered 501(c) organizations, or regional transit authority. This article does not apply to vacant property that generates no motor vehicle trips. The director may adopt any reasonable method to determine whether a property is vacant and generates no motor vehicle trips.
- Sec. 9-10-66: The City Commission will periodically review the street maintenance fees and rates.

Financial Impact:

Approval of the recommended changes outlined above will raise the current yearly Street Maintenance Fee revenues from the FY22-23 estimated total of \$1,089,702.07, to \$1,401,157.87, providing approximately \$311,455.80 of additional revenue.

Recommendation:

Staff recommends approving the ordinance amendment that will:

1. Increase the Equivalent Residential Unit (**ERU**) fee from \$6.00 to \$8.00
2. Increase the Monthly fees of the Point Value Tier Table for the non-residential accounts by 20% for all tiers.

Attachments:

→ Article 10 – Section 9-10-50 to 9-10-66, "Street Maintenance Fees"



ORDINANCE NO. 2024-_____

AN ORDINANCE AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTIONS 9-10-56 AND 57 TO UPDATE THE FEES USED FOR THE PURPOSE OF FUNDING THE CITY STREETS SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville, Texas ("City Commission") has determined that in order to protect the citizenry from the deterioration of the quality and safety of the street system that they rely upon and use on a regular basis, it is necessary and in the best interest of the public health and safety to establish a street maintenance fee in order to provide a properly maintained road system; and

WHEREAS, on November 23, 2015, the City Commission approved the Street Maintenance Fee ordinances (9-10-50 through 9-10-66) and since then staff has worked with an outside consultant to update the comprehensive street maintenance and improvement plan and has determined the ordinance is in need of update as reflected herein, and the Commission finds the proposed fees are non-discriminatory, reasonable, and equitable; and

WHEREAS, the fee was last updated by Commission on September 13, 2021 and the cost of materials, equipment, and personnel has gone up considerably since then;

WHEREAS, in setting the schedule of Street Maintenance Fees, the fees are based on an inventory of parcels within the city limits.

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

SECTION 1: The City Commission has previously established a Street Maintenance Fees and proposes to amend that ordinance as set forth herein. Street Maintenance Fees shall be levied against all benefited properties within the city limits unless exempt under Chapter IX, Article 10, Section 64.

SECTION 2: The Code of Ordinances of the City of Kingsville, Texas is hereby amended by amending 9-10-5-56 and 9-10-57 of Chapter IX, Article 10 "Street Maintenance Fee" to read as follows:

STREET MAINTENANCE FEES

...

Sec. 9-10-56 RESIDENTIAL BENEFITTED PROPERTY.

The director shall determine the fee for residential benefitted property on the basis of factors that include the trip generation rate published by the Institute of Transportation Engineers for residential use of the property.

The fee for residential benefitted property shall be on the basis of a set fee per dwelling unit.

For a residential benefitted property, each month a customer shall pay an amount equal to the following:

(Single-family) Monthly Bill = ~~\$6.00~~ 8.00

(Multi-family of more than 1 living unit or for mobile home lots) Monthly Bill = ~~\$6.00~~ 8.00 x (total number of living units or mobile home lots) x (0.85 which is estimated occupancy)

Sec. 9-10-57 NONRESIDENTIAL BENEFITTED PROPERTY.

The director shall determine the fee for nonresidential benefitted property on the basis of factors that include the trip generation rate published by the Institute of Transportation Engineers for the land uses allowed.

For each nonresidential customer, the ERU for the building area on the property will be multiplied by the appropriate discounted trip factor to arrive at a point value. This value will be compared to a tier of point ranges which will determine what the nonresidential benefitted property customer will pay each month.

For a nonresidential benefitted property, a point value shall be determined as follows:

~~\$6.00~~ 8.00 x (SF/2,425 SF) x (TF) = Point Value

The director shall determine the square footage for a nonresidential benefitted property based upon building square footage of property as recorded by the Kleberg County Appraisal District. If appraisal district records are unavailable, the director may determine the size of a nonresidential benefitted property from the best available information.

The point tier system is as follows:

Total Point Value	=	Price Per Month
80 and over		\$500 \$600
60 to 79.99		\$250 \$300
40 to 59.99		\$150 \$180
20 to 39.99		\$125 \$150
14 to 19.99		\$100 \$120
12 to 13.99		\$ 70 \$ 84
10 to 11.99		\$ 50 \$ 60
6 to 9.99		\$ 40 \$ 48
5 to 5.99		\$ 30 \$ 36

4 to 4.99		\$ 25 \$ 30
3 to 3.99		\$ 20 \$ 24
2 to 2.99		\$ 15 \$ 18
Under 2		\$ 10 \$ 12

...

SECTION 3: It is found and determined by the City Commission that the fees established by this Ordinance are non-discriminatory, reasonable, and equitable, and that the fees are based upon an inventory of improved parcels within the city limits.

SECTION 4: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage and approval.

INTROUCED on this the 26th day of August, 2024.

PASSED AND APPROVED by the City Commission on this the 12th day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #16

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: September 5, 2024
SUBJECT: An Ordinance Amending the City of Kingsville Code of Ordinance Section 5-6-21(d) to Update the Applicable Stormwater Utility Fee

Purpose:

The purpose of increasing the Stormwater Utility Fee is to provide additional funding for the repairing, replacing, upgrading the city's stormwater infrastructure. Not approving this increase would impede and limit completion of additional stormwater/ drainage projects, funding grant & loan applications and continue to allow flooding within the city.

Summary:

The increase in fee will allow the city to better manage stormwater runoff from properties by directing it into the city's stormwater conveying system.

Background:

The stormwater utility fee originated in September 2012 at \$1.25/ERU/month. In 2017 the fee was increased to \$2.25/ERU/month.

Equivalent residential unit (ERU) means a unit of measurement of impervious surface area calculated for the average single family residential property within the utility service area, as measured in square feet (SF), including the residential structure, garage, driveway, sidewalk, patio, out buildings, and any other impervious surface.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is resistant to penetration by water and does not have vegetative cover. An impervious surface includes, but is not limited to, parking lots, driveways, a sidewalk or private roadway, a building or artificial structure, or any surface that changes the natural landscape and increases, concentrates, pollutes, or otherwise alters the flow or amount of stormwater runoff.



**City of Kingsville
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Financial Impact:

Approving the recommended changes above will increase yearly stormwater utility fee revenues from the FY22-23 estimated total of \$426,029.02 to \$568,038.69, providing approximately \$142,009.67 of additional revenue.

Recommendation:

Staff recommendations.

1. Increasing the Monthly Stormwater Utility Fees from \$2.25 to \$3.00.

Attachments:

Ordinance No. 2024-_____



ORDINANCE NO. 2024-__

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF KINGSVILLE, TEXAS BY AMENDING CHAPTER V PUBLIC WORKS, ARTICLE 6 "STORMWATER UTILITY SYSTEM", SECTION 21 FEE CALCULATION, TO INCREASE THE MONTHLY STORMWATER UTILITY FEES FOR THE PURPOSE OF FUNDING THE STORMWATER UTILITY SYSTEM; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville, Texas ("City Commission") has adopted Ordinance No. 2012-48, to create a Stormwater Utility System and provide stormwater drainage service to collect and direct stormwater runoff for benefitted properties within the utility service area upon payment of Stormwater Drainage Utility Fees; and

WHEREAS, the City Commission, after holding a public hearing and finding that the fees are non-discriminatory, reasonable, and equitable, adopted Ordinance No. 2012-51 to levy a schedule of Stormwater Utility Fees for stormwater service; and

WHEREAS, the engineer's proposed schedule called for periodic increases to the Stormwater Utility Fee which have only previously been done on September 11, 2017; and

WHEREAS, in setting the schedule of Stormwater Utility Fees, the fees are based on an inventory of improved parcels within the utility service area.

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

SECTION 1: The City Commission hereby establishes amended Stormwater Utility Fees as set forth herein. Stormwater Utility Fees shall be levied against all benefitted properties within the utility service area unless exempt under Chapter V, Article 6, Section 11. These fees shall be imposed and issued with utility billing statements issued on and after October 1, ~~2017~~ 2024.

SECTION 2: The Code of Ordinances of the City of Kingsville, Texas section 5-6-21 to Chapter V, Article 6 "Stormwater Utility Fees" is hereby amended to read as follows:

ARTICLE II. STORMWATER UTILITY FEES

Sec. 5-6-20. Applicability.

A Stormwater Utility Fee shall be levied against all benefitted property within the utility service area unless exempt under Section 5-6-11.

Sec.5-6-21. Fee Calculation.

- (a) *Stormwater Utility Fee Calculation.* Stormwater Utility Fees shall be calculated based on the total stormwater runoff potential for benefitted properties for all customers within the utility service area. The total stormwater runoff potential shall be measured as impervious cover in square feet (SF).
- (b) *Stormwater Utility Fee.* The total stormwater runoff potential for the service area shall be allocated between the customer classes based on the relative amount of impervious area in each class established in Section 5-6-6. The monthly Stormwater Utility Fee is based on the average impervious area for an ERU, which is Two Thousand Four Hundred Twenty Five Square Feet (2,425.0 SF).
- 1) *Residential Property Class.* The monthly Stormwater Utility Fees for each residential property as defined in Section 5-6-4, shall be either a flat-rate fee per singly-family equivalent residential unit (ERU) or a flat-rate fee per dwelling unit on a residential parcel.
 - 2) *Non-Residential Property Class.* The monthly Stormwater Utility Fees for each improved non-residential property or allocated portion of an improved non-residential property shall be equal to: Impervious Area in square feet divided by 2,425.0 square feet for the ERU time the applicable flat-rate ERU fee.
 - 3) *Minimum Monthly Stormwater Utility Fee.* The minimum Stormwater Utility Fee for all customer classes shall be the fee for one ERU.
- (c) *Revision of Fees or Rates.* The Stormwater Utility Fee or the stormwater utility rate may be revised by the City Commission through an ordinance from time to time as permitted by the Article and the Act.
- (d) *Applicable Stormwater Utility Fee.* The applicable Stormwater Utility Fee is ~~\$3.00~~ \$2.25/ERU/month.
-

SECTION 3: It is found and determined by the City Commission that the fees established by this Ordinance are non-discriminatory, reasonable, and equitable, and that the fees are based upon an inventory of improved parcels within the utility service area.

SECTION 2: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval.

INTROUCED on this the 5th day of September, 2024.

PASSED AND APPROVED by the City Commission on this the 12th day of September, 2024.

Effective: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #17

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: September 12, 2024

SUBJECT: Consider Rejecting Bids for Bid No. 24-14 2023-2024 City-wide Miscellaneous Concrete and Drainage Improvements – Phase 3 and Rebidding

Purpose:

We seek approval to reject all bids for Bid No. 24-14 and initiate a new bidding process. The initial bids contained errors, making it necessary to rebid to ensure accurate and competitive pricing. Additionally, funds originally set aside for this project are recommended to be redirected to support the GLO D237 Project 13, which involves extending curb & gutter and drainage improvements, along W Johnston Ave.

Summary:

On July 30, 2024, we received sealed bids for Bid No. 24-14 from three bidders:

1. International Consulting Engineers (Corpus Christi, Texas)
2. RXDX (Sinton, Texas)
3. NEX Construction (Corpus Christi, Texas)

On August 1, 2024, NEX Construction withdrew their bid. Base bids ranged from \$1,498,646.00 to \$1,982,488.34, with alternate bids ranging from \$199,487.00 to \$295,596.25 (Alternate Bid No. 1) and \$71,486.00 to \$94,735.00 (Alternate Bid No. 2). Total bid amounts varied from \$1,769,619.00 to \$2,372,819.59. Given the significant errors and the need for accurate pricing, we recommend rejecting all bids and rebidding the project.

Background:

This project continues our efforts to address city-wide drainage issues, building on previous phases aimed at reducing flooding across the city. Rebidding will help ensure we receive accurate and competitive proposals that align with the city's budget and project objectives.

Financial Impact:



**City of Kingsville
Engineering Dept.**

The estimated cost to advertise the rebid in the local newspaper is approximately \$500. This expenditure is essential to ensure a competitive and cost-effective bidding process.

Recommendation:

Staff recommends rejecting all current bids and proceeding with a rebidding process for the 2023-2024 City-wide Miscellaneous Concrete and Drainage Improvements – Phase 3 project.

Attachments:

Bid Tabulation - Revised



BID TABULATION -REVISED

City of Kingsville

Project Name: 2023-2024 City Wide Miscellaneous Concrete and Drainage Improvements - Phase 3

Bid Number: BID #24-14

Date: August 19, 2024



Attachment No. 1

ITEM	QTY (Revised)	QTY (Original)	UNIT	DESCRIPTION	R23DX City of Kingsville Station 145+28.87		105 2515 S. Kings Blvd Corpus Christi TX 78419		No. Construction 151614000 Corpus Christi TX 78415	
					UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID:										
B1	242	242	S.Y.	Remove / Dispose of Concrete Driveway	\$30.00	\$7,260.00	\$67.50	\$16,335.00	Not Supplied	\$14,152.16
B2	282	312	L.F.	Remove / Dispose of Concrete Curb & Gutter	\$10.00	\$2,820.00	\$13.75	\$3,877.50	Not Supplied	\$5,915.70
B3	147	147	L.F.	Remove / Dispose of Concrete Valley Gutter	\$30.00	\$4,410.00	\$25.00	\$3,675.00	Not Supplied	\$3,223.71
B4	1024	1024	S.Y.	Remove / Dispose of Asphalt & Base	\$30.00	\$30,720.00	\$56.25	\$57,600.00	Not Supplied	\$36,086.60
B5	191	191	S.Y.	Remove / Dispose of Concrete Sidewalk	\$28.00	\$5,348.00	\$67.50	\$12,892.50	Not Supplied	\$4,341.43
B6	1621	2202	S.Y.	Remove / Dispose of Concrete Pavement	\$4,000.00	\$8,000.00	\$87.50	\$141,837.50	Not Supplied	\$51,592.86
B7	2	5	EA	Remove / Dispose of Storm Junction Box	\$30.00	\$46,230.00	\$22.50	\$34,672.50	Not Supplied	\$6,578.00
B8	1541	1541	L.F.	Remove / Dispose of Storm Pipe	\$3,500.00	\$14,000.00	\$1,781.25	\$16,031.25	Not Supplied	\$31,513.45
B9	9	9	EA	Remove / Dispose of Curb Inlet	\$4,000.00	\$36,000.00	\$2,375.00	\$7,125.00	Not Supplied	\$5,408.00
B10	3	0	EA	Remove / Dispose of Storm Manhole	\$6,500.00	\$19,500.00	\$8,500.00	\$25,500.00	Not Supplied	\$11,986.02
B11	0.07	0	AC	Remove / Dispose of Vegetation	\$26.00	\$57,928.00	\$45.00	\$100,260.00	Not Supplied	\$69,758.68
B12	2228	2228	L.F.	6" Concrete Curb & Gutter	\$50.00	\$13,000.00	\$40.00	\$10,400.00	Not Supplied	\$7,995.00
B14	260	260	L.F.	2' Wide Concrete Valley Gutter	\$60.00	\$6,240.00	\$60.00	\$6,240.00	Not Supplied	\$5,560.88
B15	104	104	L.F.	3' Wide Concrete Valley Gutter	\$120.00	\$103,080.00	\$175.00	\$150,325.00	Not Supplied	\$45,812.80
B16	859	836	S.Y.	4" Thick Concrete Sidewalk	\$12,100.00	\$60,500.00	\$13,950.00	\$69,750.00	Not Supplied	\$0.00
B17	5	0	EA	Concrete Storm Manhole	\$140.00	\$60,620.00	\$187.50	\$81,187.50	Not Supplied	\$51,561.64
B18	433	433	S.Y.	6" Thick Concrete Driveway	\$150.00	\$109,800.00	\$101.25	\$74,115.00	Not Supplied	\$27,691.56
B19	732	732	S.Y.	2" Hot Mix Asphalt Repair	\$45.00	\$98,100.00	\$81.25	\$177,125.00	Not Supplied	\$65,599.20
B20	2180	2180	S.Y.	6" Thick Avg Limestone Base Compacted	\$70.00	\$8,260.00	\$300.88	\$35,503.84	Not Supplied	\$15,376.96
B21	118	118	S.Y.	Brick Pavers	\$155.00	\$316,355.00	\$187.50	\$352,687.50	Not Supplied	\$171,387.90
B22	2041	1458	S.Y.	6" Thick Concrete Pavement	\$165.00	\$26,665.00	\$206.00	\$33,166.00	Not Supplied	\$16,205.36
B23	161	744	S.Y.	6" Thick Concrete Pavement Repair	\$8,500.00	\$17,000.00	\$12,675.00	\$25,350.00	Not Supplied	\$64,948.03
B24	2	7	EA	Concrete Junction Box	\$140.00	\$168,420.00	\$176.25	\$212,028.75	Not Supplied	\$101,533.20
B25	1203	1203	L.F.	24" DIA Reinforced Concrete Pipe	\$220.00	\$99,440.00	\$329.25	\$148,821.00	Not Supplied	\$65,999.36
B26	452	448	L.F.	36" DIA Reinforced Concrete Pipe	\$6,000.00	\$30,000.00	\$10,800.00	\$54,000.00	Not Supplied	\$32,650.00
B27	5	10	EA	Curb Inlet	\$10,000.00	\$30,000.00	\$16,287.50	\$48,862.50	Not Supplied	\$15,639.00
B28	3	2	EA	Curb Inlet w/ Extension	\$3,500.00	\$10,500.00	\$4,287.50	\$15,225.00	Not Supplied	\$29,770.00
B29	10	10	EA	Pedestrian Curb Ramp Type 1	\$3,500.00	\$14,000.00	\$3,500.00	\$14,000.00	Not Supplied	\$12,220.00
B30	4	4	EA	Pedestrian Curb Ramp Type 7	\$3,500.00	\$14,000.00	\$3,500.00	\$14,000.00	Not Supplied	\$5,980.00
B31	2	2	EA	Pedestrian Curb Ramp Type 10	\$3,500.00	\$7,000.00	\$3,500.00	\$7,000.00	Not Supplied	\$0.00
B32	4	0	EA	ADA Sheared Landing 5'X5'	\$3,500.00	\$14,000.00	\$568.75	\$2,275.00	Not Supplied	\$0.00

TOTAL BASE BID				\$1,498,646.00	\$1,982,488.34	\$1,096,487.50
TOTAL BASE BID				\$1,498,646.00	\$1,982,488.34	\$1,096,487.50
ALTERNATE 1 BID:						

A1-1	12	12	S.Y.	Remove / Dispose of Concrete Driveway	\$30.00	\$67.50	\$810.00	Not Supplied	\$701.76
A1-2	212	212	L.F.	Remove / Dispose of Concrete Curb & Gutter	\$10.00	\$13.75	\$2,915.00	Not Supplied	\$4,006.80
A1-3	28	28	L.F.	Remove / Dispose of Concrete Valley Gutter	\$30.00	\$25.00	\$700.00	Not Supplied	\$614.04
A1-4	313	313	S.Y.	Remove / Dispose of Asphalt & Base	\$30.00	\$56.25	\$9,390.00	Not Supplied	\$10,932.00
A1-5	836	836	L.F.	Remove / Dispose of Concrete Flume	\$20.00	\$67.50	\$16,720.00	Not Supplied	\$18,392.00
A1-6	0	0	AC	Remove / Dispose of Vegetation	\$89.45	\$8,500.00	\$17.00	Not Supplied	\$0.00
A1-7	206	212	L.F.	6" Concrete Curb & Gutter	\$26.00	\$45.00	\$9,270.00	Not Supplied	\$6,637.72
A1-8	26	6.5	L.F.	2' Wide Concrete Valley Gutter	\$50.00	\$40.00	\$1,040.00	Not Supplied	\$1,998.16
A1-9	28	12	L.F.	6" Wide Concrete Valley Gutter	\$60.00	\$120.00	\$3,360.00	Not Supplied	\$1,497.16
A1-10	12	12	S.Y.	6" Thick Concrete Driveway	\$140.00	\$187.50	\$2,250.00	Not Supplied	\$1,428.96
A1-11	320	320	S.Y.	2" Hot Mix Asphalt Repair	\$150.00	\$101.25	\$32,400.00	Not Supplied	\$12,332.58
A1-12	836	836	L.F.	Concrete Flume	\$134.00	\$200.00	\$167,200.00	Not Supplied	\$44,700.92
TOTAL ALTERNATE 1 BID						\$295,596.25			\$103,242.10
TOTAL BASE BID + ALTERNATE 1 BID					\$1,698,133.00	\$2,278,084.59			\$1,199,729.60
ALTERNATE 2 BID:									

TOTAL BASE BID				\$1,500.00	\$1,687.50	\$1,047.00			
TOTAL BASE BID + ALTERNATE 1 BID + ALTERNATE 2 BID				\$1,769,619.00	\$2,372,819.59	\$1,258,308.10			
A2-1	30	30	S.Y.	Remove / Dispose of Asphalt & Base	\$50.00	\$56.25	\$1,687.50	Not Supplied	\$1,047.00
A2-2	6	6	S.Y.	Remove / Dispose of Concrete Sidewalk	\$28.00	\$67.50	\$405.00	Not Supplied	\$136.38
A2-3	51	51	L.F.	4" Concrete Roll Curb & Gutter	\$28.00	\$48.75	\$2,486.25	Not Supplied	\$1,479.00
A2-4	1265	1265	L.F.	6" Concrete Curb & Gutter	\$26.00	\$45.00	\$56,925.00	Not Supplied	\$39,607.15
A2-5	60	60	L.F.	2' Wide Concrete Valley Gutter	\$50.00	\$40.00	\$2,400.00	Not Supplied	\$1,845.00
A2-6	60	60	S.Y.	6" Thick Concrete Driveway	\$140.00	\$187.50	\$11,250.00	Not Supplied	\$7,144.80
A2-7	241	241	S.Y.	6" Thick Avg Limestone Base Compacted	\$100.00	\$81.25	\$19,581.25	Not Supplied	\$7,319.17
TOTAL ALTERNATE 2 BID					\$71,486.00	\$94,735.00			\$58,578.50

* DENOTES ERROR IN BID
 DID NOT ACKNOWLEDGE ADDENDUM NO. 1
 UNIT PRICES AND TOTAL PRICES NOT PROVIDED
 UNIT PRICES NOT SUPPLIED IN BID
 BID RESULTS RANKING:

1

2

3
 BID WITHDRAWN

AGENDA ITEM #18

City of Kingsville
Public Works, Wastewater Division

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Deborah Balli, Finance Director
DATE: August 28, 2024
SUBJECT: Utility Billing Fee Increases – FY 24-25 Budget

Summary:

The Utility Billing Department analyzed their current fees and determined there were several fees that either needed to be implemented and increased and include the following:

- Utility Billing Penalty (Late Fee) – The proposed fee would be the greater of \$5.00 or 10% of the current bill. The fee currently is the greater of \$3.00 or 3% of the current bill. Alice changes 15% of the current bill.
- Utility Billing Reconnect Fee (During Business Hours) – This would be a new fee as the City does not charge a reconnect fee. Currently there are 179 reconnects per month.
- Utility Billing Reconnect Fee (After Hours) – This would increase the fee from \$50 to \$75. On average, there are only 10 calls per year.
- Utility Billing Tamper Fees – The current fees are \$75 for the 1st tamper, \$150 for the 2nd tamper with a max of \$1,000 in fees. The new fees would be \$100 for the 1st tamper, \$200 for the 2nd tamper with a max of \$1,000 in fees. Once the fee max is reached, the meter is removed.

Financial Impact:

The additional estimated revenues of \$62,150 have been included in the Utility Fund budget for FY 24-25.

Recommendation:

Staff recommends the approval of the proposed new or updates to current fees as stated above.



ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 3, WATER, PROVIDING FOR FEES INCREASES FOR TAMPERING WITH METERS, DAMAGING CUT-OFF VALVES, DISCONTINUANCE CUT-OFFS, CERTAIN SERVICE CALLS, INTEREST, AND LATE FEE CHARGES, AND A CHANGE IN THE PENALTY FOR LATE PAYMENTS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the cost to provide this service has increased substantially in the time since the rates were last adjusted;

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 5-3-33 through 5-3-99 of Article 3: Water of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...
§ 5-3-33 TAMPERING OR INTERFERING WITH METERS AND THE LIKE.

It shall be unlawful for any person:

(A) To cover over or conceal from view any water valve box, service or meter box;

(B) To remove any water meter or water meter lid that has been placed by the city, or to in any manner change, interfere with or tamper with any water meter or water meter lid;

(C) To directly or indirectly inhibit authorized representatives of the city from reading, checking or repairing water meter and/or meter box at all reasonable hours of the day. ('62 Code, § 3-1-2) (Ord. —, passed 9-22-58; Am. Ord. 81003, passed 1-26-81)

A violation of this ordinance shall result in a fee of ~~\$75.00~~ \$100 for the initial violation, ~~\$150.00~~ \$200 for a second violation, and an additional ~~\$150.00~~ \$200 fee for each additional violation not to exceed \$2,000.

...

§ 5-3-37 DAMAGE TO CUT-OFF VALVE.

The unintentional damage of a cut-off valve shall result in a fee to the customer of \$50 ranging from \$123.75 through \$674.41 depending on the size of the meter at the location to the customer.

...

§ 5-3-53 FAILURE TO PAY; DISCONTINUE SERVICE.

(A) All charges for water service furnished or rendered by the City Water Department shall be due when rendered and are payable, unless otherwise specified, on or before the date shown on the face of the bill. Bills not paid by this date are in default and service may be discontinued for such default.

(B) Notice of default shall be sent to the customer by U.S. Mail to the address shown on the customer's application.

(C) When service has been discontinued for failure to pay for services rendered, a charge of \$20 shall be levied for each and every meter discontinued. Where a meter has been removed or locked for failure to pay for services rendered, an additional charge of ~~\$25~~ \$45 shall be levied for each and every meter removed or locked. These charges must be paid before such service shall be restored or water turned on. An additional fee of ~~\$50~~ \$75 shall be charged for restoration of service after regular working hours and an additional fee of \$25 shall be charged for restoration of service during regular working hours; the payment shall be due at the time of service, such payment being accepted only in the form of check or money order.

(D) Failure to receive a bill in no way exempts a customer from payment of bills or the provisions of these terms and conditions.

(E) Any customer owing water, garbage or sewer bills, and removing to other premises where there are water connections or where connections are thereafter made, shall, before being permitted to use the water, pay all former delinquencies. Further, a customer's current unpaid water, sewer and garbage charges may be transferred to another premises where water service is currently in use when services are being rendered to the same person at the same time, and one is disconnected. ('62 Code, § 3-1-13) (Ord. 84030, passed 10-29-84) Penalty, see § 5-3-99

(F) It is the policy of the city to discontinue water service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for water service and all bills shall contain the address and telephone number for billing inquires, clearly visible and easily readable provisions to the effect:

(1) That all bills are due and payable on or before the date set forth on the bill;
and

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within eight days of the mailing of the second bill, service will be discontinued for nonpayment; and

(3) That any customer disputing the correctness of his bill shall have a right to present orally or in writing his complaint and contentions to the city official in charge of water billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(G) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the dispute procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(H) When it becomes necessary for the city to discontinue water service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with the charges listed in division (C) above.

Statutory reference:

Connection and disconnection for municipal utility service, see TEX. LOC. GOV'T CODE § 402.0025 and 552.0025

§ 5-3-54 INTEREST CHARGE ON LATE PAYMENTS.

In addition to the terms and conditions stated in § 5-3-53, all customer classes shall pay a penalty if not paid by the due date printed on the customer's bill. The penalty shall be the greater of \$5 \$3 or 3% 5% of the current billing due as stated on the bill. An interest charge shall be assessed on all accumulated arrears, penalties, and interest which are not paid by the subsequent month's billing. The interest charge shall be the greater of \$5 \$3 or 3% 5% per month and shall be assessed on all amounts shown as arrears, penalties, or interest due.

('62 Code, § 3-1-13) (Ord. 89043, passed 9-11-89)

§ 5-3-55 WAIVER OF LATE CHARGES; EXEMPTION.

(A) Utility bills are due and payable by the 14th day after the date on the bill. The greater of \$5 \$3 or 3% 5% of the bill due will be assessed as a late charge on bills not paid by the due date. However, the late service charge may be exempted for a period of 25 days upon request of an individual customer who is receiving social security benefits

(retirement or disability) and is low income. Persons receiving social security benefits are considered low income if their sole source of support are social security payments and their outside income, if any, does not exceed \$3,850 annually.

('62 Code, § 3-1-13) (Ord. 90026, passed 6-25-90)

...

§ 5-3-99 PENALTY.

(A) Any person who violates any provision of this article for which no penalty is otherwise provided shall be subject to the penalty provided in § 1-1-99.

(B) Violation of any of the provisions of § 5-3-35 shall constitute a misdemeanor and be punishable by a fine of not less than \$250.00 nor more than \$2,000.00 and each day shall constitute a separate offense, provided that, any violation of this section which results or could result in the pollution, endangering, or contaminating of the public water supply shall constitute a misdemeanor and be punishable by a fine not less than \$1,500.00 nor more than \$2,000.00 and each day shall constitute a separate offense.

(C) Any person, firm or corporation violating any of the provisions of the mandatory water use restrictions which have been formally initiated by the city and contained in the Water Conservation and Drought Contingency Program as adopted in § 5-3-36 shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court of the city shall be punished by a fine not to exceed the sum of \$500.00 for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

(D) A violation of §§ 5-3-32 through 5-3-34, §§ 5-3-37 through 5-3-39 and §§ 5-3-52 through 5-3-54 shall result in a fee of ~~\$75.00~~ \$100 for the initial violation, ~~\$150.00~~ \$200 for a second violation, and an additional, ~~\$150.00~~ \$200 fee for each additional violation not to exceed \$2,000.00.

(Ord. 94020, passed 9-12-94; Ord. 95029, passed 11-13-95; Ord. 2002-20, passed 9-9-02)

II.

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

III.

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

subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 12th day of September, 2024.

PASSED AND APPROVED on this the 23rd day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #19



MEMO

Date: August 29th, 2024

To: Mark McLaughlin (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 add language to the existing Third-Party Plan Review Ordinance to ensure fees charged by a company for residential and commercial plan reviews are recouped by the city**

Summary: The Department of Planning and Development Services currently has an existing contract with a Third-Party Plan Reviewer (“Bureau Veritas”) to conduct plan reviews for both residential and commercial plans when workload surpasses local department capacity. To ensure the proper fees are recouped when plans are sent to the Third-Party Plan Reviewer, the Planning Department will collect the “Third-Party” company fees upfront from the customer + a 10% administrative fee when plans are accepted for review.

Background: The current City of Kingsville Code of Ordinance Sec. 15-1-13 does not reflect this “pass thru” cost. Proposed additional language underlined and highlighted in “yellow” below:

Sec. 15-1-13 - Purpose and authority for third party plan review services.

The purpose of the procedures enumerated in this section is to provide the city with a selection procedure for pre-qualifying companies to perform the services of plan review under the provisions established by the code. This section shall be applicable to the city's selection of third-party plan review companies under the authority of the Building Official. Specifically, the city, by and through the Building Official, shall select a third-party plan review company solely on the basis of qualifications. The Building Official through the Pre-Qualification Procedure enumerated herein shall review a company's qualifications. In addition, this section does not apply to the hiring of such companies by the city to provide services relating to potential litigation or to provide services ancillary to compliance with local, state, or federal laws. Such hiring shall be done in consultation with the City Attorney and in accordance with the applicable requirements of local, state, or federal law. All plan review fees charged by a third party company (with which the city has an existing contract) will be paid for upfront by the customer seeking a plan review plus a 10% administrative fee (e.g., company “X” charges \$1500 for a plan review of a single family residence; the City of Kingsville Planning Department will charge the customer \$1650 before the plans are sent to the third-party company for review).

Financial Impact: Third-Party Plan Review fees will be collected upfront from the customer to ensure solvency within the city’s plan review budget line item.

Recommendation: Staff recommends approving the new proposed language within the existing ordinance.

Erik Spitzer
Director of Planning and Development Services

Courtney Alvarez

From: Erik Spitzer
Sent: Tuesday, August 27, 2024 3:59 PM
To: Courtney Alvarez; Mark McLaughlin
Cc: Erik Spitzer
Subject: Proposed Change to City of Kingsville Ordinance WRT 3rd Party Vendor Plan Review Reimbursement

Courtney,

Mark asked me to propose new language to add within the existing city ordinance that speaks to 3rd party vendor services and reimbursements:

Sec. 15-1-13. - Purpose and authority for third party plan review services.

The purpose of the procedures enumerated in this section is to provide the city with a selection procedure for pre-qualifying companies to perform the services of plan review under the provisions established by the code. This section shall be applicable to the city's selection of third party plan review companies under the authority of the Building Official. Specifically, the city, by and through the Building Official, shall select a third party plan review company solely on the basis of qualifications. The Building Official through the Pre-Qualification Procedure enumerated herein shall review a company's qualifications. In addition this section does not apply to the hiring of such companies by the city to provide services relating to potential litigation or to provide services ancillary to compliance with local, state, or federal laws. Such hiring shall be done in consultation with the City Attorney and in accordance with the applicable requirements of local, state, or federal law. All plan review fees charged by a third party company (with which the city has an existing contract) will be paid for upfront by the customer seeking a plan review plus a 10% administrative fee (e.g., company "X" charges \$1500 for a plan review of a single family residence; the City of Kingsville Planning Department will charge the customer \$1650 before the plans are sent to the third party company for review).

(Ord. 2004-16, passed 6-28-04)

Very Respectfully,
Erik Spitzer
City of Kingsville Planning and Development Services Director
espitzer@cityofkingsville.com



ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTION 13-PURPOSE AND AUTHORITY FOR THIRD PARTY PLAN REVIEW SERVICES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, this Ordinance has not been revised since it was approved on June 28, 2004 via Ordinance #2004-16 and some updates are needed;

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

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

I.

THAT Sections 15-1-13 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 15-1-13 PURPOSE AND AUTHORITY FOR THIRD PARTY PLAN REVIEW SERVICES.

The purpose of the procedures enumerated in this section is to provide the city with a selection procedure for pre-qualifying companies to perform the services of plan review under the provisions established by the Code. This section shall be applicable to the city's selection of third party plan review companies under the authority of the Building Official. Specifically, the City, by and through the Building Official, shall select a third party plan review company solely on the basis of qualifications. The Building Official through the Pre-Qualification Procedure enumerated herein shall review a company's qualifications. In addition this section does not apply to the hiring of such companies by the City to provide services relating to potential litigation or to provide services ancillary to compliance with local, state, or federal laws. Such hiring shall be done in consultation with the City Attorney and in accordance with the applicable requirements of local, state, or federal law. All plan review fees charged by a third party company (with which the City has an existing contract) will be paid for upfront by the customer seeking a plan review plus a 10% administrative fee (e.g.: company "X" charges \$1,500 for a plan review fee of a single family residence; the City's 10% of that is \$150, so the City of Kingsville Planning Department will charge the customer a total of \$1,650, which must be received before the plans are sent to the third-party company for review).

...

II.

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

III.

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

IV.

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

INTRODUCED on this the 12th day of September, 2024.

PASSED AND APPROVED on this the 23rd day of September, 2024.

Effective Date: _____

Sam Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #20

ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 6, 8, 11, 23, & 40, AND ARTICLE 6-ZONING, SECTION 126, REVISING PERMIT FEES IN BUILDING, PLUMBING, FUEL GAS, AND SIGN REGULATION CODES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the cost to provide the services has gone up since these ordinances were last revised;

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

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

I.

THAT Sections 15-1-6, 8, 11, 23, and 40 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-1-6 SCHEDULE OF PERMIT FEES.

- (A) On all repairs or alterations to existing buildings or on construction of other than buildings, fees will be based on a flat fee as restated in subdivision (B)(1) hereof shall apply.
- (B) The permit fee for all new buildings or additions to existing buildings where the floor area is increased, shall be as follows:
 - (1) (a) Permit fees for remodeling, repair, or alterations to existing buildings will be charged on a flat fee basis. A project with one inspection or more, if necessary, (that is not a re-inspection) will be charged a flat fee of \$100.00 dollars. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. Permit fees for roof repairs shall be charged a permit fee of ~~\$0.06~~ \$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 will be charged for each the first reinspection, the second reinspection fee will be \$100.00; the third reinspection fee will be \$150.00.
 - (b) Permit fees; new buildings and additions.
 - 1. All buildings shall be charged a permit fee of \$0.30 per square foot. The minimum fee shall be \$25. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. A

Construction Site Office shall be charged a permit fee based on inspection and review requirements.

2. In applying paragraph 1. of this subdivision (b), square footage shall be determined by including each floor level including basements and cellars, mechanical rooms, storage areas, lofts, balconies, porches, sun decks, covered patios, breezeways, carports, garages, sheds and other similar areas.
3. *Moved buildings or structures.* A fee of \$0.20 per square foot shall be charged for the issuance of any permit for a moved building or structure.

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

1. \$250.00 for new single family or two-family residential construction and a \$35 permit fee.
2. \$500.00 for new multi-family residential
3. \$500.00 for new commercial construction and a \$100 permit fee
4. \$25.00 for any plumbing, mechanical or electrical permit.
5. \$25.00 for any accessory building
6. \$25.00 and \$0.20/square foot for signs
7. \$25.00 and \$0.30/square foot for residential remodel
8. \$25.00 for commercial tenant finish out
9. ~~\$35.00~~ \$50.00 fence permit.
10. \$75.00 for a permit renewal
11. \$125.00 (review fee) and \$0.30/square foot for any commercial remodel.

- (2) *Moving buildings or structures.* A fee of \$110.00 shall be charged for the issuance of any permit for the moving of a building or structure.
- (3) *Demolition of building or structure.* A fee of \$75.00 shall be charged for issuing a permit for the demolition of any building or structure.
- (4) *Plan-checking fee.* A plan-checking fee shall be paid at the time of submitting plans and specifications for review of commercial projects. The plan-checking fee shall be equal to one-half of the building permit fee as set forth in § 109 of the *International Building Code*. Such plan-checking fee is in addition to the building permit fee. A Plan Update or Revision fee shall be charged equal to 50% of the original Plan Review fee and shall be payable upon submission of update or revision.
- (5) *Starting work without permit.* Where work for which a permit is required by this code is started or proceeded with prior to obtaining the permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.
- (6) *Investigation fee.* The fee for any investigation required for building construction is equal to the cost of the plan review.

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

(8) *Reinspection fee.* When the work performed does not meet the code requirements and a reinspection is required, a fee of \$50.00 will be charged for each reinspection.

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

...

§ 15-1-8 SWIMMING POOLS; ENCLOSURE REQUIRED.

Prior to first filing and final inspection, all swimming pools shall be completely enclosed by a barrier in compliance with section 305 of the 2018 International Swimming Pool and Spa Code. The fence or screen enclosure of the pool shall be at least four feet in height and shall not exceed six feet in residential pools. Openings in the fence shall not permit the passage of a four-inch diameter sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates. The pool application fee is \$25 (review fee) and \$0.30/square foot.

...

§ 15-1-11 CERTIFICATE OF OCCUPANCY REQUIRED.

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

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

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

(2) A Permanent Certificate of Occupancy shall be issued when the Building Official determines that the proposed structure meets all applicable laws and ordinances, and not before. The fee for a Permanent Certificate of Occupancy shall be ~~\$25.00~~ \$75.00. An additional fee of \$15.00 per floor shall be charged for multi-story buildings. A Permanent Certificate of Occupancy shall not be subject to renewal, and shall be valid as long as the premises for which it was issued meets all applicable codes and utility services are not terminated for any reason to such premises, whichever occurs first.

§ 15-1-23 SCHEDULE OF PERMIT FEES.

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

- (A) ~~Except for a specific fee set forth below, permit fees for remodeling or alterations to existing buildings costing in excess of \$100.00 shall be charged a permit fee of \$0.15 per square foot. Duplexes, apartments, hotels and motels shall be charged an additional fee of \$10.00 per unit.~~

Plumbing Permit Fees	
For each issuing permit	\$25.00
Plus the following when provided:	
- For each plumbing fixture, floor drain or trap, including water and drainage piping	2.50
- For each house sewer	10.00
- For each house sewer having to be replaced or repaired	10.00
- For each cesspool	10.00
- For each septic tank and seepage pit or drainfield	10.00
- For each water heater and/or vent	10.00 15.00
- For installation, alteration or repair of water piping and/or water-treating equipment	5.00
- For repair or alteration of drainage or vent piping	5.00
For vacuum breakers or backflow protective devices installed subsequent to the installation of the piping or equipment served:	
- One to five	2.50
- Over five, each	1.50
Investigation fee	Permit fee

Reinspection fee	1 st =50.00; 2 nd =100; 3 rd =150
Outside city limits fee	25.00 plus permit fee
The permit fee shall be doubled and \$150 assessed, if work is started before the permit is issued.	

- (B) *Permit fees for new buildings and additions.* All buildings shall be charged a permit fee \$0.15 per square foot. The minimum fee shall be \$20.00. Duplexes, apartments, hotels and motels shall be charged an additional fee of \$10.00 per unit.
- (C) *Moved buildings or structures.* A fee of \$0.15 per square foot shall be charged for the issuance of any permit for a moved building or structure.
- (D) *Refunds on permits.* No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: (1) no work has commenced, (2) no inspections have been made, and (3) the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.

...

§ 15-1-40 SCHEDULE OF PERMIT FEES.

- (A) The fees for gas permits as set forth in Section 106.6.2 of the International Fuel Gas Code, 2018 Edition, are hereby established. A separate permit is required for each address.

Schedule of Permit Fees	
For issuing each permit	\$25.00
One to four outlets (inclusive)	\$10.00
Each additional outlet	\$1.00
Conversion burners, floor furnaces, incinerators, boilers, central heating, or air conditioning	\$10.00
Each additional	\$1.00

Vented wall furnaces and water heaters (first unit)	\$10.00 15.00
Each additional	\$5.00
Reinspection fee	\$50.00

- (B) If any person commences any work before obtaining the necessary permit and inspection, fees shall be doubled and \$150 assessed; and any and all fees shall be paid by the person to whom the permit is issued.
- (C) If the inspector determines that public safety has been endangered, a complaint shall filed in Municipal Court. Upon receiving a conviction, the person shall have their license revoked as follows:
- (1) 1st conviction 3 months revocation
 - (2) 2nd conviction 6 months revocation
 - (3) 3rd conviction 12 months revocation
 - (4) 4th conviction 2 year revocation
 - (5) 5th conviction permanently revoked

...

II.

THAT Section 15-6-126 of Article 6: Zoning of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-6-126 PERMITS.

(A) All signs and banners are required to be permitted prior to installation. See Texas Election Code Section 259.003 to determine if a political sign needs a permit.

(B) *Exempt signs.* The following signs are exempt from the permit requirements of these sign regulations. No sign, including exempt signs, may be posted within a street right-of-way without written approval from the Director of Public Works or his designee.

- (1) Advertising and identifying signs located on currently licensed vehicles such as taxicabs, buses and trucks, as well as on bus benches, except for those vehicle signs prohibited under § 15-6-121;

(2) Any legal or public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance;

(3) *Noncommercial signs in all zoning districts, including but not limited to religious and social commentary signs and personal emblems.* Such signs shall be no greater than nine square feet in area within a residential zoning district or 32 square feet in a nonresidential district and may be free standing or attached flat against a wall so long as they are not painted directly on a structure. Political signs may be placed no more than 90 days prior to the election and can remain throughout the period of primary elections to the conclusion of the general election for those who are still viable political candidates. Upon the completion of the general election all political signs must be removed within ten days after said election. See Texas Election Code Section 259.003 for other political sign regulations.

(4) Holiday and seasonal lights and decorations with no commercial message;

(5) Signs advertising temporary activity on the property such as sale, rent or lease of the property; construction; grand openings; garage and yard sales; and special events and which meet the following requirements:

a. One sign shall be permitted on the property at any one time and shall be removed within 48-hours following the end of the temporary activity or event.

b. May be either installed flat against a structure or affixed in the ground as a freestanding sign.

c. In residential zoning districts, the maximum size shall be nine square feet.

d. In nonresidential zoning districts, the maximum size shall be 32 square feet.

(C) Temporary signs generally, except as otherwise permitted in this sign code, are not classified as exempt signs under § 15-6-126 of the sign code; therefore temporary signs shall:

(1) Obtain a sign permit to be valid for 30 consecutive days, and no more than two temporary sign permits shall be issued for each business per any 180 day period;

(2) Not be placed in street rights-of-way or otherwise diminish public safety such as placement in an intersection visibility triangle;

(3) Not be mounted on a roof or above the roofline;

(4) Not be artificially illuminated; and

(5) Be a maximum of 20 square feet in area when located in residential zoning districts (R3 & R4 districts only);

(6) Be a maximum of 100 square feet in area when located in nonresidential zoning districts;

(7) Be limited to one sign per parcel for each street frontage.

(8) Signs advertising a temporary event may be placed no more than 60 days prior to the event and shall be removed no later than 10 days after the event has ended.

Permit fees will be as follows: ~~\$0.20 per square foot, with a minimum permit fee of \$15.00~~ \$25 (review fee) and \$0.20/square foot.

(Ord. 97041, passed 12-8-97; Ord. 98003, passed 2-23-98; Ord. 98013, passed 7-13-98; Ord. 200022, passed 11-20-00; Ord. 2013-32, § I, passed 7-22-2013; Ord. 2019-12, § I, passed 4-8-2019; Ord. 2024-15, § I, passed 2-26-24)

...

III.

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

IV.

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.

V.

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

INTRODUCED on this the 12th day of September, 2024.

PASSED AND APPROVED on this the 23rd day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #21

ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV, ARTICLE 1, BUILDING REGULATIONS, SECTION 152, REVISING THE FEE FOR SWIMMING POOLS PERMITS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the cost to provide the service has increased over the past few years;

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 15-1-152 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-1-152 LICENSES AND PERMITS REQUIRED; FEES.

- (A) It shall be the duty of every contractor who shall make contracts for the construction or installation, repair or alteration of swimming pools to pay a license fee of \$125.00 annually and have a copy of the same on file with the Building Department, giving full name, residence and place of business, phone number, and, in case of removal from one place to another, to have made corresponding changes in the file accordingly.
- (B) All persons performing swimming pool work for which a permit is required by this subarticle must secure a permit prior to starting work. Fees listed in § 105 of the Swimming Pool and Spa Code, 2018 Edition, are hereby adopted with the following amendment: For issuing each permit it shall cost ~~\$10.00~~ \$25 (review fee) plus \$0.30/square foot.
- (C) If any person starts work without a permit, the permit fee shall be equal to the cost of the permit times the number of incidents the person has not obtained a permit prior to commencing work.
- (D) If the inspector determines that public safety has been endangered, a complaint shall be filed in Municipal Court. Upon receiving a conviction, the person shall have their license revoked as follows:
 - (1) 1st conviction three months revocation;

- (2) 2nd conviction six months revocation;
- (3) 3rd conviction 12 months revocation;
- (4) 4th conviction two year revocation;
- (5) 5th conviction permanently revoked.

(1962 Code, § 4-12-3; Ord. 99015, passed 3-15-99; Ord. 200022, passed 11-20-00)

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

...

II.

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

III.

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

IV.

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

V.

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

INTRODUCED on this the 12th day of September, 2024.

PASSED AND APPROVED on this the 23rd day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #22

ORDINANCE NO.2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER IX, ARTICLE 10-STREETS AND SIDEWALKS, SECTION 35-PERMIT REQUIRED; FEE, PROVIDING FOR CHANGE TO FEES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the cost to provide the services has increased since the fees were last adopted;

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

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

I.

THAT Section 9-10-35 of Article 1: Streets and Sidewalk Requirements of Chapter XV, General Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 9-10-35. PERMIT REQUIRED; FEE.

It shall be unlawful for any person other than a municipal employee to excavate, cut, construct, reconstruct, alter, remove, repair or replace any street, avenue, alley or other public way, without first securing a permit from the Building Official. All work performed under a permit so issued shall conform to current standards and specifications as contained in this article. A permit shall be valid for a period of ten days, unless specified for a longer period, which shall not exceed 30 days. Permits may be renewed as necessary. A fee for each permit shall be collected as follows:

Driveway/curb out.\$15 50

Sidewalk/curb/gutter.\$10 50 per lot

(1962 Code, § 9-2A-1; Ord. 85027, passed 9-23-85; Ord. 200022, passed 11-20-00)

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

...

II.

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

III.

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

IV.

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

INTRODUCED on this the 12th day of September, 2024.

PASSED AND APPROVED on this the 23rd day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #23

ORDINANCE NO. 2024-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES SECTION 9-7-6 ABATEMENT OF NUISANCE LOTS; ADMINISTRATIVE FEES, PROVIDING FOR REVISION OF ADMINISTRATIVE FEES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the cost to provide these services has gone up since this ordinance was last amended;

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

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

I.

THAT Sections 9-7-6 of Article 7: Nuisances of Chapter IX, General Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§9-7-6 ABATEMENT OF NUISANCE LOTS; ADMINISTRATIVE FEES

For each abatement of nuisance lots that are in violation of § 9-7-1 through § 9-7-3 of this code, the administrative fee for abatements of administration is \$150.00 \$300 for the first abatement, \$400 for the second abatement, and \$500 for the third abatement at the same location. This fee is to cover the labor, fuel, vehicle expenses, photographic expenses, notice and postage expenses from the initial inspection through the time of abatement and submittal for invoicing.

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

.....

II.

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

III.

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

paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 12th day of September, 2024.

PASSED AND APPROVED on this the 23rd day of September, 2024.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney