

MAY 13, 2024

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MAY 13, 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
Hector Hinojosa, Commissioner
Norma N. Alvarez, Commissioner
Edna Lopez, Commissioner

CITY COMMISSION ABSENT:

Ann Marie Torres, 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
Bill Donnell, Public Works Director
Susan Ivy, Parks Director
Emilio Garcia, Health Director
Deborah Balli, Finance Director
Janine Reyes, Tourism Director
John Blair, Chief of Police
Diana Gonzalez, Human Resources Director
Erik Spitzer, Director of Planning & Development Services
Charlie Sosa, Purchasing Manager
Leticia Salinas, Accounting Manager
Juan J. Adame, Fire Chief

I. Preliminary Proceedings.**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 P.M. with four commission members present. Commissioner Torres 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 – April 8, 2024****Special Meeting – April 11, 2024****Special Meeting – April 18, 2024**

Motion made by Commissioner Lopez to approve the minutes of April 8, 2024, April 11, 2024, and April 18, 2024 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting “FOR”.

II. Public Hearing - (Required by Law).¹**1. Public hearing on condemnation of structure at 219 E. Richard, Kingsville, Texas. (Director of Planning and Development Services).**

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

Mayor Fugate opened this public hearing at 5:06 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 on this condemnation. Property is an attractive nuisance to children and a harbor for vagrants, criminals, and immoral people. There is evidence of roaches, rats, mice, or other vermin found. This property has an uncovered roof and graffiti. This property has back taxes owed and has not been paid. The property has been noticed and the notice was published in the local newspaper. Photos of said property were displayed for Commission viewing.

There being no further comments, Mayor Fugate closed this public hearing at 5:06 p.m.

2. Public hearing on condemnation of structure at 223 E. Richard, Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:06 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 on this condemnation. The property is unsecured and is an attractive nuisance to children and harbors for vagrants, criminals, and immoral people. There is evidence of roaches, rats, mice, or other vermin found. This property has an uncovered roof and graffiti. This property has back taxes owed and has not been paid. The property has been noticed and the notice was published in the local newspaper. Photos of said property were displayed for Commission viewing.

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

3. Public hearing on condemnation of structure at 301 E. Richard, 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 on this condemnation. The property is unsecured and is an attractive nuisance to children and harbors for vagrants, criminals, and immoral people. There is evidence of roaches, rats, mice, or other vermin found. This property has an uncovered roof and graffiti. This property has back taxes owed and has not been paid. The property has been noticed and the notice was published in the local newspaper. Photos of said property were displayed for Commission viewing. The city maintains this property for code violations. The owner has not made contact with city staff. This property has not had water service since 2018 and no electricity since October 2013.

There being no further comments, Mayor Fugate closed this public hearing at 5:15 p.m.

4. Public hearing on condemnation of structure at 721 Alexander, Kingsville, Texas. (Director of Planning and Development Services).

No discussion was taken on this public hearing.

5. Public hearing on condemnation of structure at 608 E. Mesquite, Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:15 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 on this condemnation. The property is unsecured and is an attractive nuisance to children and harbors for vagrants, criminals, and immoral people. There is evidence of roaches, rats, mice, or other vermin found. This property has an uncovered roof and graffiti. The property has been noticed and the notice was published in the local newspaper. Photos of said property were displayed for Commission viewing. This property has been without electricity since 2016. Mr. Spitzer stated that he spoke with the deceased owner's daughter, Audrey, and she was supposed to bring this property up to code but never did.

There being no further comments, Mayor Fugate closed this public hearing at 5:18 p.m.

6. Public hearing on condemnation of structure at 614 W. Ave. F, Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:18 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 on this condemnation. The property is unsecured and is an attractive nuisance to children and harbors for vagrants, criminals, and immoral people. There is evidence of roaches, rats, mice, or other vermin found. This property has an uncovered roof and graffiti. The property has been noticed and the notice was published in the local newspaper. Photos of said property were displayed for Commission viewing. The structure is in bad repair and was notified by Mr. Manny Buentello, Inspector, in February 2022, but nothing has been done to said property. This property has been without water services since June 2012 and electricity since 2015.

There being no further comments, Mayor Fugate closed this public hearing at 5:20 p.m.

7. Public hearing on condemnation of structure at 529 E. Johnston, Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate opened this public hearing at 5:20 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 on this condemnation. The property is unsecured and is an attractive nuisance to children and harbors for vagrants, criminals, and immoral people. There is evidence of roaches, rats, mice, or other vermin found. This property has an uncovered roof and graffiti. The property has been noticed and the notice was published in the local newspaper. Photos of said property were displayed for Commission viewing. This structure has had a fire in the past. It has been noticed that there are cats inside and outside the

structure. The property owner will not allow city staff to go in and has been given multiple extensions in the past. The fence is falling and has overgrown trees surrounding the property. This property has had no water services since August 2022 and no electricity since 2011.

There being no further comments, Mayor Fugate closed this public hearing at 5:22 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 stated that the city held its trash-off event this past weekend. He further announced the upcoming State of the City Event which is scheduled for Wednesday, May 22, 2024.

Ms. Courtney Alvarez, City Attorney reported that there is a special meeting scheduled for Thursday, May 16, 2024, for the swearing-in of the newly elected Mayor and Commissioners. The next regular meeting is scheduled for Tuesday, May 28, 2024, with the deadline for staff to submit their agenda items no later than Friday, May 17th. Alvarez further announced that city offices will be closed on Monday, May 27th for the Memorial Day Holiday.

The commission thanked the citizens who came out to vote in the city's election.

Commissioner Lopez announced that this week is National Police Week. She further thanked officers who help serve and protect our community and surrounding communities.

Mayor Fugate read and presented city staff a proclamation for Public Service Week.

IV. Public Comment on Agenda Items.³

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

Public comment was received via email from Juan Sanchez, 1002 Gillet. The comment read as follows: Abandoned and unsafe properties: 1006 Gillet has high grass and 5 to 6 abandoned vehicles, and 1009 Gillet abandoned properties with broken doors and windows.

Mr. Jack Cairnes, 787 CO Road 1145 in Riviera made a public comment regarding Code Enforcement. He stated that he owns property in Kingsville and has received a notice from the Code Enforcement Department regarding his property. He stated that there is a group of people in Kingsville government that believe that they have a right to tell private citizens what articles of personal property they may or may not have on their front porch or on their property. He further stated that the group is Code Enforcement and the City Manager. Code Enforcement is heavy-handed and belligerent in their dealings with citizens. They seem to have no understanding of the tenant and landlord relationship and they make up the rules on their own as they go along. This behavior should not and cannot stand.

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

1. Motion to approve reappointment of Maggie Salinas, Daniel Burt, Lucia Perez, and David Thibodeaux to the Historical Development Board each for a three-year term. (Director of Planning and Development Services).

2. Motion to approve a resolution authorizing the City Manager and the Chief of Police to enter into a Memorandum of Understanding between the City of Kingsville Police Department and the Coastal Bend College Police Department. (to update signatories; no cost). (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consideration and approval of an ordinance authorizing the issuance of "City of Kingsville, Texas Certificates of Obligation, Series 2024"; entering into a Bond Purchase Agreement and a Paying Agent/Registrar Agreement; and approving all other matters related thereto. (Finance Director).

Mr. Matt Lujan gave a brief presentation on the city's Certificate of Obligation Series 2024.

Motion made by Commissioner Lopez to approve the ordinance authorizing the issuance of "City of Kingsville, Texas Certificates of Obligation, Series 2024"; entering into a Bond Purchase Agreement and a Paying Agent/Registrar Agreement; and approving all other matters related thereto, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

4. Consider accepting the Annual Comprehensive Financial Report (ACFR) of the City of Kingsville for Fiscal Year 2022-2023. (Finance Director).

Mrs. Margaret Kelly of Womack & Co. gave a presentation on the city's Annual Comprehensive Financial Report for Fiscal Year 2022-2023. The city is trending in the right direction.

Motion made by Commissioner Lopez to accept the Annual Comprehensive Financial Report (ACFR) of the City of Kingsville for Fiscal Year 2022-2023, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

5. Consider appointment of Daniel Morales to the Historical Development Board for a three-year term. (Director of Planning and Development Services).

Motion made by Commissioner Lopez and Commissioner Alvarez to approve the appointment of Daniel Morales to the Historical Development Board for a three-year term, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

6. Consider condemnation of structure located at 219 E. Richard, 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: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

7. Consider condemnation of structure located at 223 E. Richard, 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 Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

8. Consider condemnation of structure located at 301 E. Richard, 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: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

9. Consider condemnation of structure located at 721 Alexander, Kingsville, Texas. (Director of Planning and Development Services).

No discussion or action was taken on this agenda item.

10. Consider condemnation of structure located at 608 E. Mesquite, 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 Hinojosa. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

11. Consider condemnation of structure located at 614 W. Ave. F, 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: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

12. Consider condemnation of structure located at 529 E. Johnston, 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 Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

13. Consider a resolution authorizing the City to submit an application to the U.S. Department of Homeland Security's Federal Emergency Management Agency for the purpose of requesting grant funding on behalf of the City for the 2024 Staffing For Adequate Fire and Emergency Response (SAFER) Grant Program for additional firefighters for the Kingsville Fire Department with no anticipated cash match. (Fire Chief).

Chief Adame stated that the staffing for Adequate Fire and Emergency Response Grants (SAFER) was created to provide funding directly to fire departments to increase or maintain the number of trained front-line firefighters available in their communities. The grant also gives the department 180 days to hire the additional personnel funded through the grant. The total grant request is for \$3,925,644.00. At the end of the three years, the city will be responsible for the employee cost. This grant covers full salary and benefits for twelve employees for three years, there are no matching funds during this time. After three years the city will have the responsibility for salaries and benefits.

Motion made by Commissioner Lopez to approve the resolution authorizing the City to submit an application to the U.S. Department of Homeland Security's Federal Emergency Management Agency for the purpose of requesting grant funding on behalf of the City for the 2024 Staffing For Adequate Fire and Emergency Response (SAFER) Grant Program for additional firefighters for the Kingsville Fire Department with no anticipated cash match, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

14. Consider accepting grant funds from the Occidental Petroleum Corporation for the Kingsville Fire Department and the Kingsville Police Department. (Fire Chief).

Chief Adame stated that each year 1 Point Five through Occidental Petroleum Corporation awards donations to various organizations. This year 1 Point Five has awarded a total of \$50,000 to the Fire and Police Departments. The donations will be earmarked for upgrading the 800 MHz Radio System. Both departments are requesting approval to accept the said

donation. Each department will be awarded \$25,000. There is no financial impact on the city. The funds will be used to reimburse Fund 5 of the radio project.

Motion made by Commissioner Lopez to accept grant funds from the Occidental Petroleum Corporation for the Kingsville Fire Department and the Kingsville Police Department, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

15. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to accept and expend the donation from the Occidental Petroleum Corporation for radio system upgrades. (for Kingsville Fire & Police Departments). (Fire Chief).

Introduction item.

16. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate additional funding for medical supplies for the Fire Department. (Fire Chief).

Introduction item.

17. Consider a resolution authorizing the Police Chief to enter into an Operating Agreement between Navy Region Southeast Regional Dispatch Center, Commanding Officer Naval Air Station Kingsville, Kingsville Police Department, and Kleberg County Sheriff Office for Managing Emergency "911" Calls for Service at Naval Air Station Kingsville. (Police Chief).

Mr. John Blair, Chief of Police stated that the execution of this public safety operating agreement holds significant importance in ensuring the timely and effective management of emergency calls for service originating from Naval Air Station Kingsville and its affiliated properties. By establishing clear protocols, the agreement delineates responsibilities between the Navy Region Southeast Regional Dispatch Center and local law enforcement agencies, namely the Kingsville Police Department and the Kleberg County Sheriff's Office. This agreement is pivotal in guaranteeing that emergency calls from NAS Kingsville and associated properties receive prompt attention and appropriate response measures are swiftly enacted.

Motion made by Commissioner Alvarez to approve the resolution authorizing the Police Chief to enter into an Operating Agreement between Navy Region Southeast Regional Dispatch Center, Commanding Officer Naval Air Station Kingsville, Kingsville Police Department, and Kleberg County Sheriff Office for Managing Emergency "911" Calls for Service at Naval Air Station Kingsville, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

18. Consider a resolution authorizing the Police Chief to enter into a Memorandum of Understanding Between the Kingsville Police Department and the Kleberg County Sheriff's Office for Law Enforcement Firearms Range Agreement. (Police Chief).

Chief Blair stated that the implementation of this public safety agreement is paramount in guaranteeing the safety and adherence to established protocols for Kingsville Police Department officers utilizing the Kleberg County Sheriff's Office Range for firearm training. With a multitude of KPD staff certified by the Texas Commission on Law Enforcement to host and instruct firearm courses at ranges, it is imperative that all officers understand the safety regulations and associated liabilities inherent in range usage. This memorandum of understanding serves as formal acknowledgement of the requisite safety measures and operational protocols governing firearm training conducted at the Kleberg County Sheriff's Office Range. By aligning with TCOLE-certified instructors within KPD, this agreement fulfills the mandated requirement for an established MOU to facilitate training courses.

Motion made by Commissioner Lopez to approve the resolution authorizing the Police Chief to enter into a Memorandum of Understanding Between the Kingsville Police Department and the Kleberg County Sheriff's Office for Law Enforcement Firearms Range Agreement, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

19. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to accept and expend grant proceeds from the Coastal Bend Bays & Estuaries for a Parks outdoor classroom. (Parks Director).

Introduction item.

20. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for the purchase, painting, and delivery of 5 javelina statues. (Finance Director).

Introduction item.

21. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate additional funding for City Commission group health insurance. (Finance Director).

Mrs. Deborha Balli, Finance Director stated that the FY 23-24 budget appropriated funding for 2 group health enrollments based on the prior year. Benefit enrollment took place after the budget was adopted and resulted in an additional enrollment. This budget amendment appropriates \$6,600 in additional funding for the increased enrollment.

Introduction item.

22. Consider a resolution authorizing the City Manager to enter into an Engagement Letter Agreement between the City of Kingsville, Texas and John Womack & Co., P.C. for the 2023-2024 Fiscal Year Audit. (Finance Director).

Motion made by Commissioner Lopez and Commissioner Alvarez to approve the resolution authorizing the City Manager to enter into an Engagement Letter Agreement between the City of Kingsville, Texas and John Womack & Co., P.C. for the 2023-2024 Fiscal Year Audit, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

23. Consider rescinding award to and construction contract with Texas Pride Utilities LLC for Bid No. 24-04 for GLO CDBG-MIT Contract No.22-082-016-D218 for Project 6: 10th Street Sanitary Sewer Improvement Project as per recommendation of outside engineer and staff. (City Engineer/ Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that on March 11, 2024, the city awarded Bid 24-04 for GLO Project 6 to Texas Pride Utilities for \$714,814.00, as the lowest responsible bidder. On March 25, 2024, the construction contract was awarded. The City held a Preconstruction Conference with the contractor on April 4, 2024. However, the city could not issue a Notice to Proceed with construction due to pending bonds, insurance, and the construction contract not being received from the vendor. The City, GrantWorks, and ICE made several attempts to contact the contractor, but no response or documents have been provided. As the initial vendor is being unresponsive and unnecessarily delaying the project, the outside engineer and staff recommend the city move forward with rescinding the initial bid award and the construction contract.

Mayor Fugate asked if this is something that could be done and has it ever been done in the past. Ms. Alvarez stated that there is nothing from preventing the city to rescind the contract and this is the first for the city.

Motion made by Commissioner Hinojosa to approve rescinding award to and construction contract with Texas Pride Utilities LLC for Bid No. 24-04 for GLO CDBG-MIT Contract No.22-082-016-D218 for Project 6: 10th Street Sanitary Sewer Improvement Project as per recommendation of outside engineer and staff, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

24. Consider awarding Bid No. 24-04 for GLO CDBG-MIT Contract No.22-082-016-D218 for Project 6: 10th Street Sanitary Sewer Improvement Project to PM Construction & Rehab, LLC as per recommendation of outside engineer and staff. (City Engineer/ Purchasing Manager).

Motion made by Commissioner Hinojosa to approve awarding Bid No. 24-04 for GLO CDBG-MIT Contract No.22-082-016-D218 for Project 6: 10th Street Sanitary Sewer Improvement Project to PM Construction & Rehab, LLC as per recommendation of outside engineer and staff, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Alvarez, Fugate voting "FOR".

25. Consider awarding Bid No. 24-12 for Miscellaneous Services, as per staff recommendation. (Purchasing Manager).

Mr. Sosa stated that this authorizes the city to enter into a contract with D.I.A. Utilities of Kingsville for annual miscellaneous services contract. Request for Proposal 24-06 was published in the newspaper on April 4, 2024 and April 11, 2024. Request were accepted until 2:00 p.m. on April 23, 2024. One response was received from D.I.A. Utilities of Kingsville, Staff reviewed RFP 24-12 and found the information received to be responsive for D.I.A. Utilities of Kingsville.

Motion made by Commissioner Lopez to approve awarding Bid No. 24-12 for Miscellaneous Services, as per staff recommendation, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

26. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate additional funding for various line items for the Facilities Division. (Purchasing Manager).

Introduction item.

27. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for new City Commission dais. (Purchasing Manager).

Mr. Sosa stated that this is for a new dais for the City Commission. The new dais will have a curvature which will make it easier for each Commission member to see the other when speaking.

Introduction item only.

28. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV, Land Use, Article 3, Subdivisions, Sections 15-3-19, & 45: to add clarifying regulation references to the Model Subdivision Rules. (City Engineer/City Attorney).

The Engineering Department will be submitting a grant application to the TWDB for the Economical Distressed Areas Program (EDAP). The area of interest is in the northwest part of the city limits. There are approximately 21 residential properties that would qualify for first-time connection to wastewater services. In addition, a total of 80 residential properties could benefit from the new proposed waterlines and manholes.

Introduction item.

29. Consider a resolution authorizing the City Manager to execute an Utility Easement from King Carlos Retail Partners, LTD to place, construct, operate, repair, maintain, inspect, and replace underground utility lines and systems. (SE corner US77 bypass access road and East Sen. Carlos Truan Blvd.) (City Engineer/City Attorney).

This utility easement will be a separate instrument document because the developer was not required to plat his property. The City of Kingsville has a potential for growth on the east side of US Hwy 77. The property is located on the southeast corner of US Hwy 77 Access Road and Senator Carlos Truan Blvd., south of McCoy's. The owner of the property plans to develop a convenience store on the property and has agreed to provide the city with this utility easement.

Introduction item.

30. Consider a resolution and order canvassing the election returns and declare the results of the City of Kingsville's General Election conducted on May 4, 2024. (City Secretary). *CONSIDERE UNA RESOLUCIÓN Y ORDEN DE ESCRUTINIO DE LOS VOTOS DE LAS ELECCIONES, EN QUE SE DECLARAN LOS RESULTADOS DE LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, LLEVADAS A CABO EL 4 DE MAYO DE 2024. (SECRETARIA MUNICIPAL).*

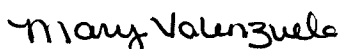
Motion made by Commissioner Lopez and Commissioner Alvarez to approve the resolution and order canvassing the election returns and declare the results of the City of Kingsville's General Election conducted on May 4, 2024, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:42 P.M.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary