

City of Kingsville, Texas

AGENDA

CITY COMMISSION

MONDAY, FEBRUARY 10, 2025

REGULAR MEETING

CITY HALL

HELEN KLEBERG GROVES COMMUNITY ROOM

400 WEST KING AVENUE

5:00 P.M. – Regular Meeting

4:00 P.M.- Workshop

5:00 P.M. – Regular Meeting

Live Videostream: <https://www.facebook.com/cityofkingsvilletx>

I. Preliminary Proceedings.

OPEN MEETING

CONVENE INTO BUDGET WORKSHOP AT 4:00 P.M.:

Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the employment and duties of the City Manager. (Mayor Fugate).

APPROVED BY:



Charlie Sosa
Interim City Manager

REGULAR MEETING RESUMES AT 5:00 P.M.:

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

None.

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

1. None.

III. Reports from Commission & Staff.²

“At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial Services - Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works-Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project,

Financial Advisor, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time.”

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 of the City Commission of the City of Kingsville, Texas, approving a Project and Financing Plan for Tax Increment Reinvestment Zone Number Three, City of Kingsville, Texas, established pursuant to Chapter 311 of the Texas Tax Code. (Economic Development Director).
2. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for daycare use in R1 (Single Family District) at 1515 Lewis St., Kingsville, Texas, also known as Anglewood, Block 3, Lot 12; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning and Development Services).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for TIRZ #2 and TIRZ #3. (Finance Director).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for the Interim City Manager stipend. (Finance Director).
5. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter IX-General Regulations, Article 8-Parks and Recreation, Section 41-Golf Course Fees, providing for revised monthly membership fees for the L.E. Ramey Golf Course. (Parks Director).
6. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend grant funds from the Stonegarden Grant #3194310. (Police Chief).
7. Motion to approve reappointment to the City of Kingsville Park Advisory Board of Sandra Seymore and Clarice Willams to one-year terms effective February 10, 2025-February 9, 2026; Max Segovia to a two-year term effective February 10, 2025-February 9, 2027; and Sally Macias to a two-year term effective February 10, 2025-February 9, 2027. (Parks Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

8. Consideration and award of Bid #25-10 for 2024 Generator for Pumphouse at Water Well No. 14; FEMA-DR-4586 (Texas Winter Storm), as per staff recommendation. (City Engineer).
9. Consideration and approval of a resolution authorizing the Interim City Manager to execute the Construction Contract with D&J Utility Services LLC for the FEMA-DR-4586 (Texas Winter Storm) Program for Project 2024 Generator for Pumphouse at Water Well No. 14. (Bid #25-10 awarded 2/10/25). (City Engineer).
10. Consideration and approval of an ordinance amending the Fiscal Year 2024-2025 Budget to receive and expend grant funds for the Texas Severe Winter Storm Grant-backup generator Water Well No. 14 Pumphouse. (FEMA-DR-4586). (City Engineer).
11. Consideration and approval of a resolution authorizing the Mayor to execute Change Order No.2 to the Construction Contract with PM Construction & Rehab LLC for the GLO CBDG-MIT Contract No. 22-082-016-D218 Project 6: 10th Street Sanitary Sewer Improvements Project. (Bid No. 24-04; contract approved 5/28/24). (City Engineer).
12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V-Public Works, Article 3- Water, by adopting Sections 82 & 83, providing required statutory language in Water Supply Contracts and the Drought Contingency Plan. (Public Works Director).
13. Consideration and approval of a resolution authorizing application to, administration of, and acceptance of Office of the Governor, Bullet-Resistant Shield Grant Program, FY2026; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).
14. Consideration and approval of a resolution authorizing application to, administration of, and acceptance of Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2026; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).
15. Consideration and approval of a resolution amending the City of Kingsville Administrative Policies and Procedures Manual for Policy 890.05-Firearms and Other Weapons. (Human Resources Director).
16. Discuss and consider city manager position preferences to develop recruitment tools with Clear Career Professionals. (Mayor Fugate/Human Resources Director).

VII. Adjournment.

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

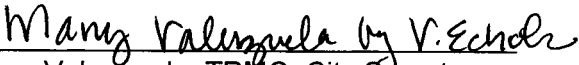
NOTICE

This City of Kingsville and Commission Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073

Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall, City of Kingsville, 400 West King Avenue, Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

February 6, 2024, at 4:00 P.M. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.



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

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

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

**MINUTES OF PREVIOUS
MEETING(S)**

PUBLIC HEARING(S)

CONSENT AGENDA

AGENDA ITEM #1

CITY OF KINGSVILLE, TEXAS

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, APPROVING A PROJECT AND FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER THREE, CITY OF KINGSVILLE, TEXAS, ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE

WHEREAS, the City of Kingsville, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code, as amended (the “Act”), may designate a geographic area within the City or in the City’s extraterritorial jurisdiction or in both as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a noncontiguous geographic area that is in the corporate limits of the municipality or in the extraterritorial jurisdiction of the municipality or both to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Commission desires to promote the development of a certain noncontiguous geographic area in the City, through the creation of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, on December 9, 2024, the City Commission of the City of Kingsville, Texas, pursuant to Chapter 311 of the Texas Tax Code, approved Ordinance No. 24-91 designating a noncontiguous geographic area within the City as Reinvestment Zone Number Three, City of Kingsville, Texas (the “Zone”); and

WHEREAS, as authorized by Section 311.011(e), and 311.008, of the Act, on January 27, 2024, the Board of Directors of the City of Kingsville Tax Increment Financing District #3 recommended that the Plan in Exhibit “A”, be approved by the City Commission:

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

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS.

That the City Commission hereby makes the following findings of fact:

- i. That the Plan includes all information required by Sections 311.011(b) and (c) of the Act.
- ii. That the Plan is feasible and the project plan conforms to the City's master plan.

SECTION 3. APPROVAL OF PLAN.

That based on the findings set forth in Section 2 of this Ordinance, the Plan in Exhibit "A" is hereby approved.

SECTION 4. POWERS OF THE BOARD.

Pursuant to Section 311.010(h) of the Act and Article III, Section 52-a of the Texas Constitution, the City Commission hereby authorizes the Board, as necessary or convenient to implement the Project and Finance Plan and achieve its purposes, to establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the Zone, eliminating unemployment and underemployment in the Zone, and developing or expanding transportation, business, and commercial activity in the Zone, including programs to make grants of land and buildings and make grants from the TIRZ Fund for activities that benefit the Zone and stimulate business and commercial activity in the Zone. In addition, the City Commission hereby authorizes the Board to exercise all of the powers of the City under Chapter 380, Texas Local Government Code, as amended.

SECTION 5. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Commission at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Commission further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law.

INTRODUCED on the 27th day of January, 2025.

PASSED AND APPROVED by the City Commission of the City of Kingsville, Texas, this the 10th day of February, 2025.

CITY OF KINGSVILLE

Sam Fugate, Mayor

ATTEST:

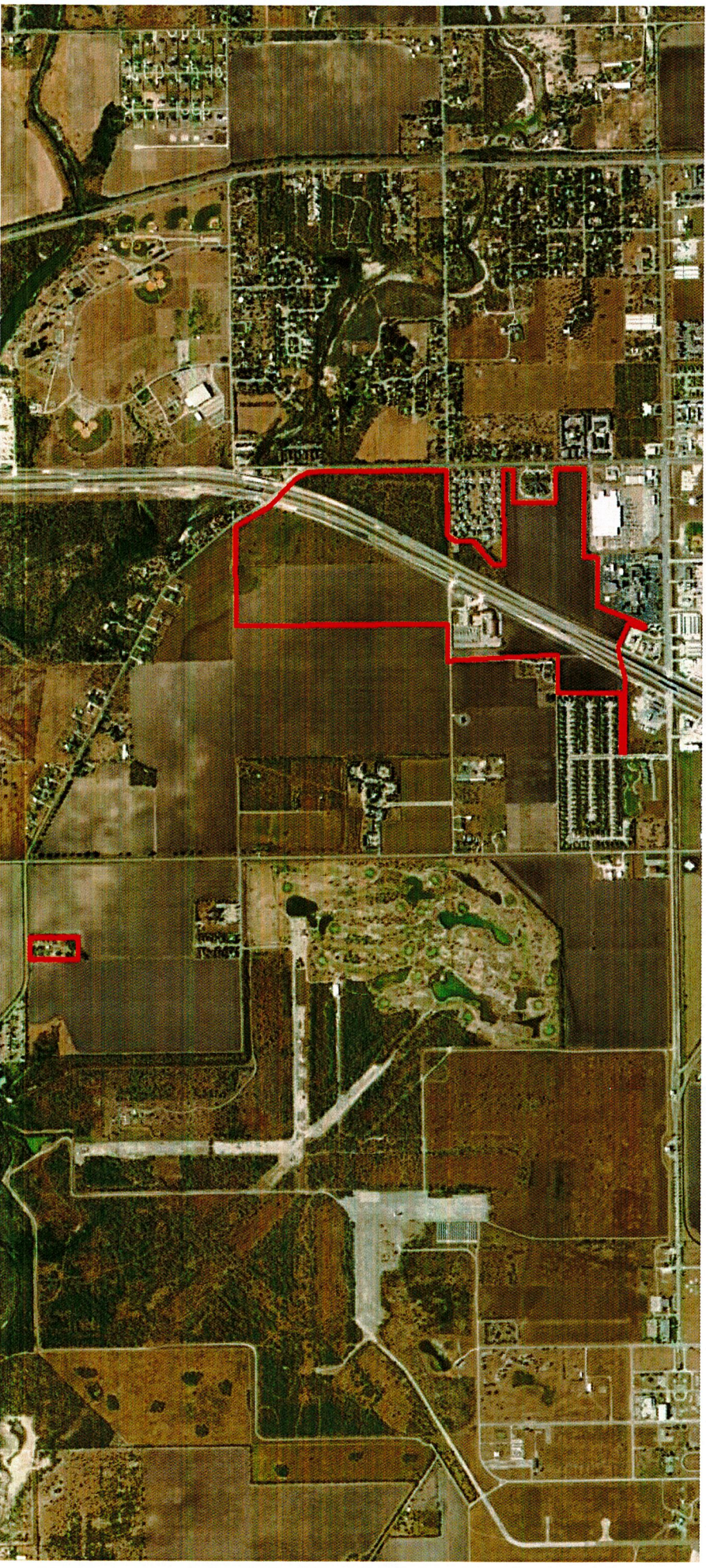
Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

Tax Incrementment Reinvestment Zone #3 City of Kingsville, Texas

PROJECT AND FINANCING PLAN
FEBRUARY 2025



Project and Financing Plan, TIRZ #3

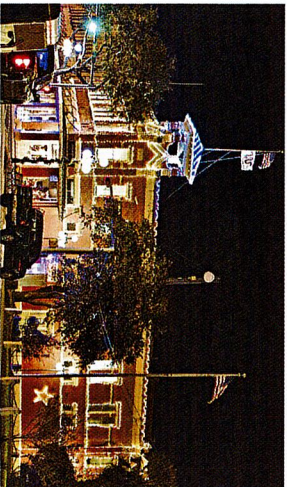
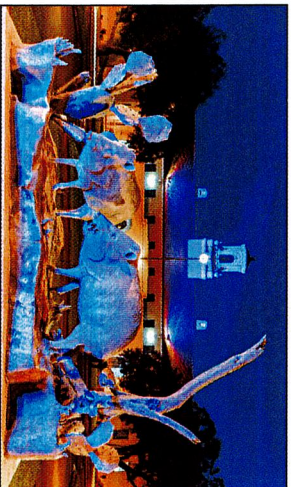
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DISCLAIMER

Our conclusions and recommendations are based on current market conditions and the expected performance of the national, and/or local economy and real estate market. Given that economic conditions can change and real estate markets are cyclical, it is critical to monitor the economy and real estate market continuously, and to revisit key project assumptions periodically to ensure that they are still justified.

The future is difficult to predict, particularly given that the economy and housing markets can be cyclical, as well as subject to changing consumer and market psychology. There will usually be differences between projected and actual results because events and circumstances frequently do not occur as expected, and the differences may be material.



Kingsville, TX, located in Kleberg County, is positioned between the Texas Gulf Coast on the east and the Brush Country on the west. Kingsville is home to nearly 25,000 people and is also home to a leading public research university, Texas A&M Kingsville, a Naval Air Station and several Fortune 500 Industrial companies.

Kingsville's proximity to major highways is a plus for this community that promotes itself as "A Main Street Community." The city sits just off U.S. Highway 77, which is a major corridor from Texas to Mexico. Highway 77, soon to become a part of the I-69 corridor, is a busy road. Both local and national truck carriers provide inbound and outbound service through connecting lines from San Antonio, Houston and Dallas. Shipments to and from the Ports of Corpus Christi and Houston are convenient to Kingsville by truck. The city is also served with incoming and outgoing rail service by the Union Pacific Railroad. Kingsville is located 38 miles southwest of Corpus Christi International Airport, and is served by American, Southwest and United Airlines. Kingsville is also immediately accessible when you fly into Kleberg County Airport.

Kingsville proudly offers a diverse selection of outdoor activities, restaurants, and retail establishments for visitors and locals alike. Tour one of our many historic museums, exciting planned events, or local attractions and enjoy an unforgettable excursion off the beaten path.

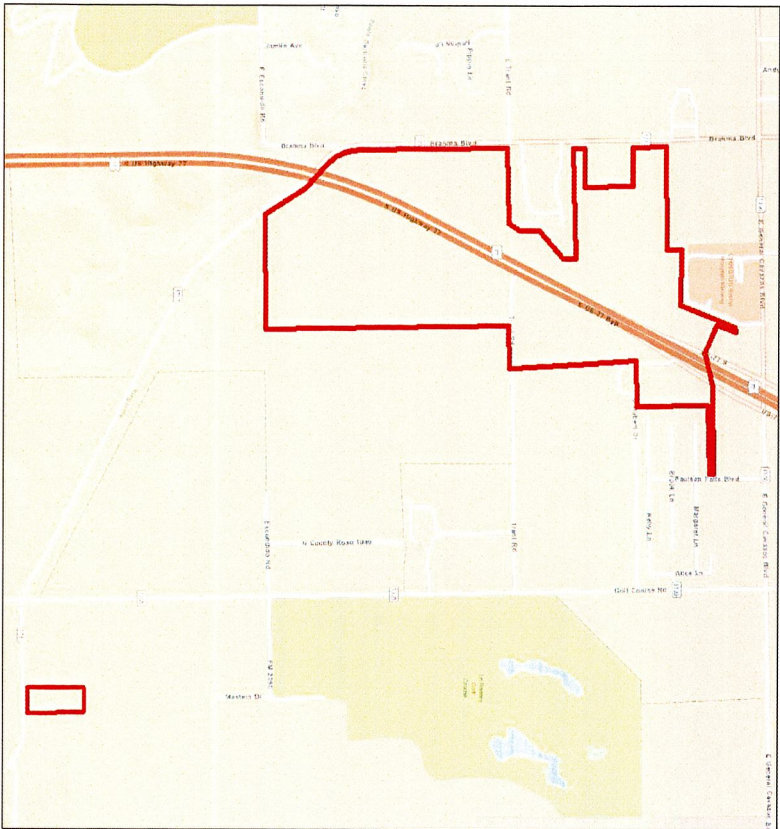
Introduction

Tax Increment Reinvestment Zone #3, City of Kingsville

Tax Increment Financing (TIF) is a tool used to promote both new development and redevelopment within a specified geographic area. A city may designate a geographic area targeted for new development and redevelopment that would not occur but for the designation of the geographic area as a Tax Increment Reinvestment Zone (TIRZ).

On December 9, 2024 the City Commission of the City of Kingsville, Texas (the "Commission"), pursuant to Chapter 311 of the Texas Tax Code, approved Ordinance 24-91 designating a contiguous geographic area within the City limits and within the limits of the City's extraterritorial jurisdiction ("ETJ") as Reinvestment Zone Number Three, City of Kingsville, Texas. The goal of Tax Increment Reinvestment Zone #3 (TIRZ #3) is to fund the construction of needed public infrastructure and to encourage private development that will yield additional tax revenue to all local taxing jurisdictions.

This project and financing plan outlines the funding of \$11,682,345 in public improvements related to water, sanitary sewer, and storm water facilities, as well as street and intersection improvements, open space and park facilities, utilities and street lighting, and economic development grants. The TIRZ can fund these improvements through ad valorem participation of eligible taxing jurisdictions, including the City of Kingsville. Without the implementation of the TIRZ, the specified property would continue to impair the sound growth of the municipality.



 - TIRZ Boundary

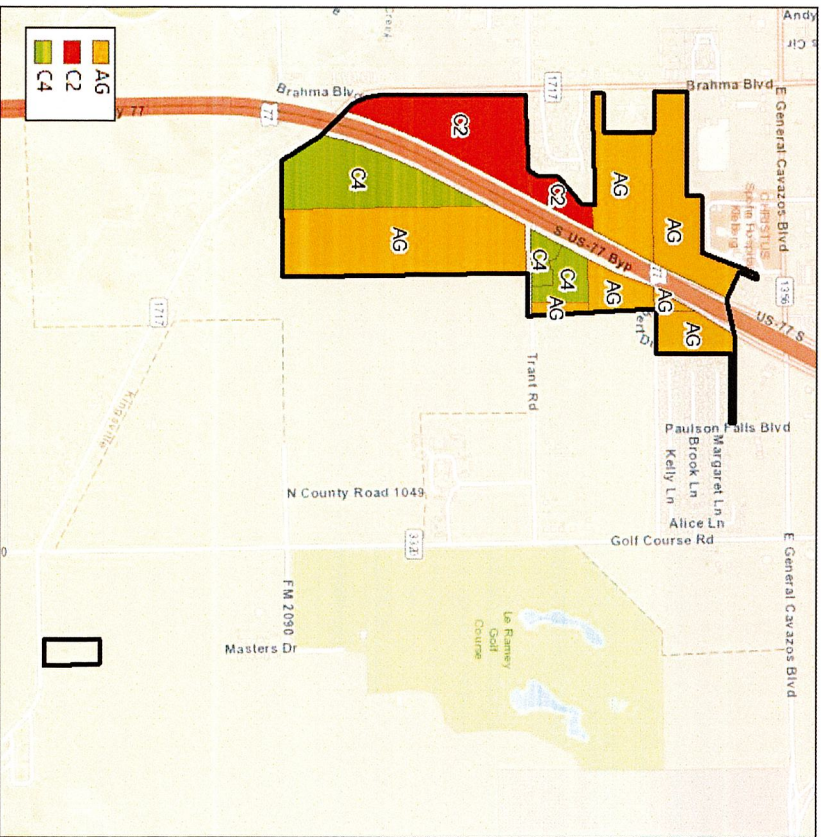
Current Conditions

Land Use

The land within Area #1 of the zone is primarily vacant land that is well positioned for future development. There is also a hotel property within the zone. Area #2 is improved with a waste water plant. Less than 30 percent of the property in the zone, excluding property that is publicly owned, is used for residential purposes.

Zoning

The land within the TIRZ that is within the City limits is zoned AG: Agricultural District (shaded in yellow), C2: Retail District (shaded in red), and C4: Commercial District (shaded in green). The land within the TIRZ that is in the ETJ is not zoned. The property may need to be rezoned to accommodate any future development. It is not anticipated there will be any changes to the City of Kingsville zoning ordinance, master plan, building codes, subdivision rules and regulations or other municipal ordinances as a result of the TIRZ.



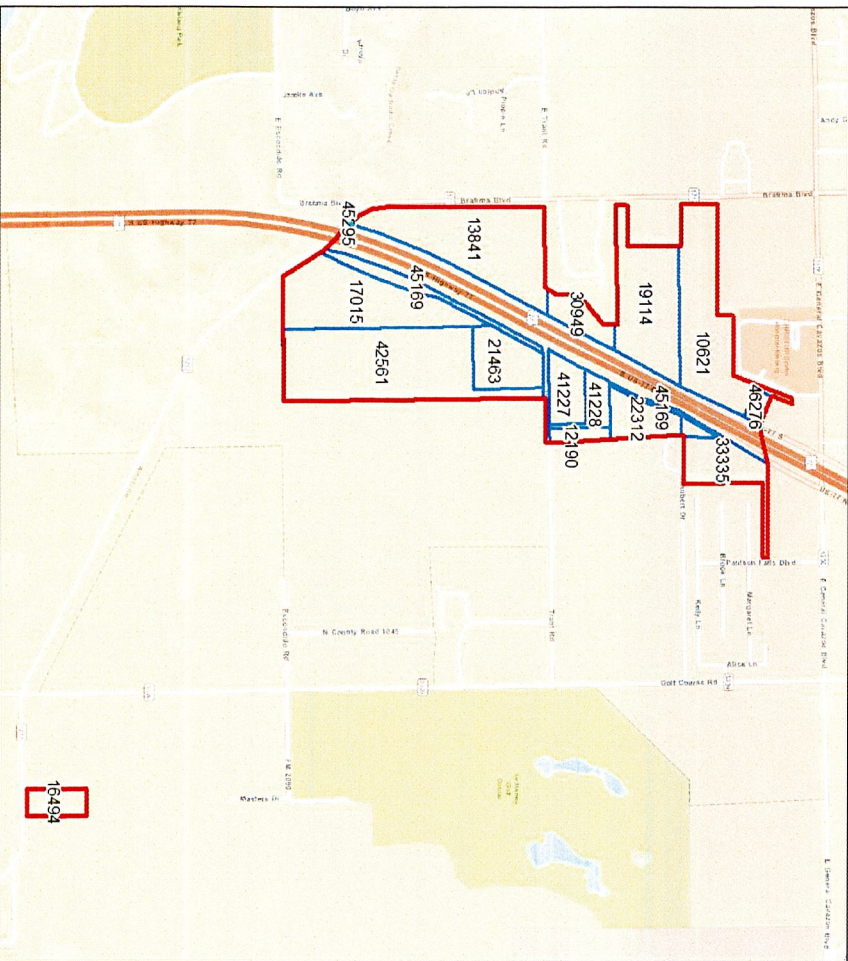
Current Conditions

Method of Relocating Persons to be Displaced

It is not anticipated that any persons will be displaced or need to be relocated as result of the implementation of the TIRZ.

Current Ownership

There are currently 16 parcels within Tax Increment Reinvestment Zone #3. The estimated taxable base value of the property within the TIRZ is \$4,134,464. The 2024 base value will need to be verified by Kleberg County Appraisal District when the final 2024 taxable values are available. For further details of parcels included within the TIRZ see Appendix A.



Proposed Development

Anticipated Development

The land within the zone is well positioned for future development and redevelopment. The table below provides an overview of the scope and timing of potential development that DPED projects could occur during the life of the TIRZ, based on market trends, known planned development, and input from City staff. It is anticipated that the development that occurs within the TIRZ could be financed in part by incremental real property tax generated within the TIRZ.

TIRZ #3	Projected Completion Date	Units/SF	RP Taxable		Incremental Value	Sales/SF		
			Value per Unit/SF	Incremental Value		Sales/SF	Incremental Sales	
Retail	2028	22,000	\$	200	\$ 4,400,000	\$	200	\$ 4,400,000
Retail	2028	5,000	\$	200	\$ 1,000,000	\$	200	\$ 1,000,000
Retail	2028	25,000	\$	200	\$ 5,000,000	\$	200	\$ 5,000,000
Retail	2028	25,000	\$	200	\$ 5,000,000	\$	200	\$ 5,000,000
Retail	2028	62,365	\$	200	\$ 12,473,000	\$	200	\$ 12,473,000
Retail	2028	5,700	\$	200	\$ 1,140,000	\$	200	\$ 1,140,000
Retail	2028	16,385	\$	200	\$ 3,277,000	\$	200	\$ 3,277,000
Retail	2028	10,000	\$	200	\$ 2,000,000	\$	200	\$ 2,000,000
Retail	2028	12,860	\$	200	\$ 2,572,000	\$	200	\$ 2,572,000
Retail	2028	10,000	\$	200	\$ 2,000,000	\$	200	\$ 2,000,000
Retail	2028	16,445	\$	200	\$ 3,289,000	\$	200	\$ 3,289,000
Retail	2028	11,970	\$	200	\$ 2,394,000	\$	200	\$ 2,394,000
Retail	2030	4,550	\$	200	\$ 910,000	\$	200	\$ 910,000
Retail	2032	15,200	\$	200	\$ 3,040,000	\$	200	\$ 3,040,000
Retail	2034	14,500	\$	200	\$ 2,900,000	\$	200	\$ 2,900,000
Restaurant	2028	6,500	\$	200	\$ 1,300,000	\$	200	\$ 1,300,000
Restaurant	2030	6,400	\$	200	\$ 1,280,000	\$	200	\$ 1,280,000
Restaurant	2032	6,635	\$	200	\$ 1,327,000	\$	200	\$ 1,327,000
Restaurant	2034	5,525	\$	200	\$ 1,105,000	\$	200	\$ 1,105,000
Hotel	2030	80	\$	70,000	\$ 5,600,000	\$	-	\$ -
Retail	2030	30,000	\$	200	\$ 6,000,000	\$	200	\$ 6,000,000
Total		312,115			\$ 68,007,000			\$ 62,407,000

*\$68,007,000 represents the estimated 2024 taxable value of the Anticipated Development. The Anticipated Development is projected to generate \$11,682,345 in TIRZ Revenue to fund the Project Costs outlined on Page 6.

Project Costs

Project Costs of the Zone

There are a number of improvements within Tax Incremental Reinvestment Zone #3 that will be financed in part by incremental real property tax generated within the TIRZ.

Proposed Project Costs - TIRZ #3	\$ 1,752,352	15%
<i>Public Utilities</i>		
<i>Water Facilities and Improvements; Sanitary Sewer Facilities and Improvements; Storm Water Facilities and Improvements</i>		
<i>Parking and Transit Improvements</i>	\$ 1,752,352	15%
<i>Street and Intersection Improvements</i>	\$ 1,752,352	15%
<i>Pedestrian Enhancements</i>	\$ 1,401,881	12%
<i>Streetscape, lighting, public art, and other amenities that enhance the pedestrian experience</i>		
Open Space, Park and Recreation Facilities and Improvements, Public Facilities and Improvements	\$ 1,168,234	10%
Economic Development Grants	\$ 3,504,703	30%
Administrative Costs	\$ 350,470	3.0%
Total	\$ 11,682,345	100%

The categories listed in the table above outline various public improvements, and are meant to include all projects eligible under Chapter 311, Section 311.002 of the Texas Tax Code. The project costs listed above are estimates and may be revised. Savings from one line item may be applied to a cost increase in another line item. The \$11,682,345 project cost total amount shall be considered a cap on expenditures that shall not be exceeded without an amendment to the project and financing plan.

Economic Development Grants may include grants, loans, and services for public and private development. Chapter 380 of the Local Government Code grants municipalities in Texas the authority to offer grants and loans of public funds to stimulate economic development. Section 311.010 (h) of the Texas Tax Code details the authority of Chapter 380 within a project and financing plan and limits the aggregate amount not to exceed the amount of tax increment produced by the municipality and paid into the tax increment fund for the zone for activities that benefit the zone and stimulate business and commercial activity in the zone.

The project costs are anticipated to be incurred over the term of the TIRZ, subject to demand for development driven by market conditions. It is anticipated that the individual TIRZ project costs will be evaluated on a case-by-case basis consistent with Chapter 311, Section 311.002, and brought forward to the TIRZ Board and City Commission for consideration.

Chapter 311 of the Texas Tax Code

Sec. 311.002.

- (1) "Project costs" means the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations. "Project costs" include:
 - (A) capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;
 - (B) financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;
 - (C) real property assembly costs;
 - (D) professional service costs, including those incurred for architectural, planning, engineering, and legal advice and services;
 - (E) imputed administrative costs, including reasonable charges for the time spent by employees of the municipality or county in connection with the implementation of a project plan;
 - (F) relocation costs;
 - (G) organizational costs, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;
 - (H) interest before and during construction and for one year after completion of construction, whether or not capitalized;
 - (I) the cost of operating the reinvestment zone and project facilities;
 - (J) the amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan;
 - (K) the costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and
 - (L) payments made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.

Project Costs

Public Utilities includes but is not limited to:

Water Facilities and Improvements: This category includes TIRZ eligible expenditures for design, engineering and construction of water facilities and improvements that support the development and redevelopment of the TIRZ.

Sanitary Sewer Facilities and Improvements: This category includes TIRZ eligible expenditures for design, engineering and construction of structures or systems designed for the collection, transmission, treatment, or disposal of sewage, and includes trunk mains, interceptors, treatment plants and disposal systems.

Storm Water Facilities and Improvements: Many areas within the TIRZ have an aging infrastructure, making proper utility drainage an important component of the project plan. Utility drainage encompasses the physical provisions to accommodate and regulate stormwater runoff to preclude excessive erosion and sedimentation and to control and regulate the rate of flow. Facilities/systems can include natural features and conduits, channels, ditches, swales, pipes, detention devices or other devices designed or intended to carry, direct, detain or otherwise control stormwater.

Parking and Transit Improvements: Parking structures, whether newly constructed or existing, may be utilized to encourage denser development and support public access to commercial, residential, and retail developments at future mixed-use or transit-oriented developments. Parking includes, but is not limited to, parking garages, surface parking, parking lighting, parking signage and wayfinding, parking meters/kiosks and electrical charging stations. The goal is to create compact, walkable, pedestrian-centered developments to enhance and act as a catalyst to spur additional development and redevelopment in the district.

Street and Intersection Improvements and Pedestrian Enhancements: The TIRZ will encourage the construction of multi-functional, pedestrian-oriented, aesthetically-pleasing, safe, and inviting streets for residents and visitors. Creating a pleasing public realm supports and encourages a wide variety of new development and investment. Elements of complete streets include the building to building improvements which may encompass: sidewalks, shared travel lanes (e.g. bus and bicycle), parallel and angled parking, pedestrian crosswalks, pedestrian and emergency bulb (American with Disabilities Act (ADA) accessibility), awnings, street improvements, planters, pedestrian street furniture, bike racks and pedestrian lighting. This includes public art and other amenities that enhance the pedestrian experience.

Open Space, Park and Recreation Facilities and Improvements, Public Facilities and Improvements: In accordance with Sec. 311.008(4B), TIRZ funds may be used to acquire, construct, reconstruct, or install public works, facilities, or sites or other public improvements. Costs of design, improvements, and land acquisition are TIRZ eligible expenses and can be funded from this category.

Economic Development Grants: This may include grants, loans, and services for public and private development. Eligible TIRZ project costs are not limited to public uses and may also include projects that involve: historic preservation, demolition, environmental remediation and economic development grants. Chapter 380 of the Local Government Code grants municipalities in Texas the authority to offer grants and loans of public funds to stimulate economic development. Section 311.010 (h) of the Texas Tax Code details the authority of Chapter 380 within a project and financing plan and limits the aggregate amount not to exceed the amount of tax increment produced by the municipality and paid into the tax increment fund for the zone for activities that benefit the zone and simulate business and commercial activity in the zone.

Administrative Costs: Administrative costs, including reasonable charges for the time spent by employees of the City, to assist with implementation within the TIRZ will be eligible for reimbursement as project costs, upon approval by the Board of Directors and in connection with the implementation of the Project and Financing Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures and equipment are included in this category.

Financial Feasibility Analysis

Method of Financing

To fund the public improvements outlined on the previous page, the City of Kingsville will contribute 50% of the real property increment within the Zone.

Debt Service

It is not anticipated at this time that the TIRZ will incur any bonded indebtedness.

Economic Feasibility Study

A taxable value analysis was developed as part of the project and financing plan to determine the economic feasibility of the project. The study examined the expected tax revenue the TIRZ would receive based on the previously outlined developments. A summary overview of the anticipated development square footages, the anticipated sales per square foot and the anticipated taxable value per square foot can be found on the following pages.

The following pages show the estimated captured appraised value of the zone during each year of its existence and the net benefits of the zone to each of the local taxing jurisdictions as well as the method of financing and debt service.

Utilizing the information outlined in this feasibility study, DPED has found that the TIRZ is economically/feasible and will provide the City and other taxing jurisdictions with economic benefits that would not occur without its implementation.

TIRZ #3	Real Property Tax - 2024 Rates	Participation	
	City of Kingsville	50%	0.38500000
	Kleberg County	0%	0.00000000
	Kingsville ISD	0%	0.00000000
	South Texas Water Authority	0%	0.00000000
	3.01796500		0.38500000

	Personal Property Tax	Participation	
	City of Kingsville	0%	0.00000000
	Kleberg County	0%	0.00000000
	Kingsville ISD	0%	0.00000000
	South Texas Water Authority	0%	0.00000000
	3.01796500		0.00000000

	Sales Tax	Participation	
	City of Kingsville	0%	0.00000000
	Kleberg County	0%	0.00000000
	0.02000000		0.00000000

Financial Feasibility Analysis - Development Worksheet

Tax Revenue Projections

Current Year

Year	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
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TOTAL TAX REVENUE

Real Property	200	206	212	218	224	230	236	242	248	254	260	266	272	278	284	290	296	302	308	314	320	326	332	338	344	350	356	362	368	374	380	386	392	398	404	410	416	422	428	434	440	446	452	458	464	470	476	482	488	494	500	506	512	518	524	530	536	542	548	554	560	566	572	578	584	590	596	602	608	614	620	626	632	638	644	650	656	662	668	674	680	686	692	698	704	710	716	722	728	734	740	746	752	758	764	770	776	782	788	794	800	806	812	818	824	830	836	842	848	854	860	866	872	878	884	890	896	902	908	914	920	926	932	938	944	950	956	962	968	974	980	986	992	998	1004	1010	1016	1022	1028	1034	1040	1046	1052	1058	1064	1070	1076	1082	1088	1094	1100	1106	1112	1118	1124	1130	1136	1142	1148	1154	1160	1166	1172	1178	1184	1190	1196	1202	1208	1214	1220	1226	1232	1238	1244	1250	1256	1262	1268	1274	1280	1286	1292	1298	1304	1310	1316	1322	1328	1334	1340	1346	1352	1358	1364	1370	1376	1382	1388	1394	1400	1406	1412	1418	1424	1430	1436	1442	1448	1454	1460	1466	1472	1478	1484	1490	1496	1502	1508	1514	1520	1526	1532	1538	1544	1550	1556	1562	1568	1574	1580	1586	1592	1598	1604	1610	1616	1622	1628	1634	1640	1646	1652	1658	1664	1670	1676	1682	1688	1694	1700	1706	1712	1718	1724	1730	1736	1742	1748	1754	1760	1766	1772	1778	1784	1790	1796	1802	1808	1814	1820	1826	1832	1838	1844	1850	1856	1862	1868	1874	1880	1886	1892	1898	1904	1910	1916	1922	1928	1934	1940	1946	1952	1958	1964	1970	1976	1982	1988	1994	2000	2006	2012	2018	2024	2030	2036	2042	2048	2054	2060	2066	2072	2078	2084	2090	2096	2102	2108	2114	2120	2126	2132	2138	2144	2150	2156	2162	2168	2174	2180	2186	2192	2198	2204	2210	2216	2222	2228	2234	2240	2246	2252	2258	2264	2270	2276	2282	2288	2294	2300	2306	2312	2318	2324	2330	2336	2342	2348	2354	2360	2366	2372	2378	2384	2390	2396	2402	2408	2414	2420	2426	2432	2438	2444	2450	2456	2462	2468	2474	2480	2486	2492	2498	2504	2510	2516	2522	2528	2534	2540	2546	2552	2558	2564	2570	2576	2582	2588	2594	2600	2606	2612	2618	2624	2630	2636	2642	2648	2654	2660	2666	2672	2678	2684	2690	2696	2702	2708	2714	2720	2726	2732	2738	2744	2750	2756	2762	2768	2774	2780	2786	2792	2798	2804	2810	2816	2822	2828	2834	2840	2846	2852	2858	2864	2870	2876	2882	2888	2894	2900	2906	2912	2918	2924	2930	2936	2942	2948	2954	2960	2966	2972	2978	2984	2990	2996	3002	3008	3014	3020	3026	3032	3038	3044	3050	3056	3062	3068	3074	3080	3086	3092	3098	3104	3110	3116	3122	3128	3134	3140	3146	3152	3158	3164	3170	3176	3182	3188	3194	3200	3206	3212	3218	3224	3230	3236	3242	3248	3254	3260	3266	3272	3278	3284	3290	3296	3302	3308	3314	3320	3326	3332	3338	3344	3350	3356	3362	3368	3374	3380	3386	3392	3398	3404	3410	3416	3422	3428	3434	3440	3446	3452	3458	3464	3470	3476	3482	3488	3494	3500	3506	3512	3518	3524	3530	3536	3542	3548	3554	3560	3566	3572	3578	3584	3590	3596	3602	3608	3614	3620	3626	3632	3638	3644	3650	3656	3662	3668	3674	3680	3686	3692	3698	3704	3710	3716	3722	3728	3734	3740	3746	3752	3758	3764	3770	3776	3782	3788	3794	3800	3806	3812	3818	3824	3830	3836	3842	3848	3854	3860	3866	3872	3878	3884	3890	3896	3902	3908	3914	3920	3926	3932	3938	3944	3950	3956	3962	3968	3974	3980	3986	3992	3998	4004	4010	4016	4022	4028	4034	4040	4046	4052	4058	4064	4070	4076	4082	4088	4094	4100	4106	4112	4118	4124	4130	4136	4142	4148	4154	4160	4166	4172	4178	4184	4190	4196	4202	4208	4214	4220	4226	4232	4238	4244	4250	4256	4262	4268	4274	4280	4286	4292	4298	4304	4310	4316	4322	4328	4334	4340	4346	4352	4358	4364	4370	4376	4382	4388	4394	4400	4406	4412	4418	4424	4430	4436	4442	4448	4454	4460	4466	4472	4478	4484	4490	4496	4502	4508	4514	4520	4526	4532	4538	4544	4550	4556	4562	4568	4574	4580	4586	4592	4598	4604	4610	4616	4622	4628	4634	4640	4646	4652	4658	4664	4670	4676	4682	4688	4694	4700	4706	4712	4718	4724	4730	4736	4742	4748	4754	4760	4766	4772	4778	4784	4790	4796	4802	4808	4814	4820	4826	4832	4838	4844	4850	4856	4862	4868	4874	4880	4886	4892	4898	4904	4910	4916	4922	4928	4934	4940	4946	4952	4958	4964	4970	4976	4982	4988	4994	5000
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REAL PROPERTY

City of Long Beach	148,321	150,121	151,921	153,721	155,521	157,321	159,121	160,921	162,721	164,521	166,321	168,121	169,921	171,721	173,521	175,321	177,121	178,921	180,721	182,521	184,321	186,121	187,921	189,721	191,521	193,321	195,121	196,921	198,721	200,521	202,321	204,121	205,921	207,721	209,521	211,321	213,121	214,921	216,721	218,521	220,321	222,121	223,921	225,721	227,521	229,321	231,121	232,921	234,721	236,521	238,321	240,121	241,921	243,721	245,521	247,321	249,121	250,921	252,721	254,521	256,321	258,121	260,000
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SALES TAX

City of Long Beach	14,832	15,012	15,192	15,372	15,552	15,732	15,912	16,092	16,272	16,452	16,632	16,812	16,992	17,172	17,352	17,532	17,712	17,892	18,072	18,252	18,432	18,612	18,792	18,972	19,152	19,332	19,512	19,692	19,872	20,052	20,232	20,412	20,592	20,772	20,952	21,132	21,312	21,492	21,672	21,852	22,032	22,212	22,392	22,572	22,752	22,932	23,112	23,292	23,472	23,652	23,832	24,012	24,192	24,372	24,552	24,732	24,912	25,092	25,272	25,452	25,632	25,812	26,000
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TOTAL TAX REVENUE

City of Long Beach	163,153	165,133	167,113	169,093	171,073	173,053	175,033	177,013	178,993	180,973	182,953	184,933	186,913	188,893	190,873	192,853	194,833	196,813	198,793	200,773	202,753	204,733	206,713	208,693	210,673	212,653	214,633	216,613	218,593	220,573	222,553	224,533	226,513	228,493	230,473	232,453	234,433	236,413	238,393	240,373	242,353	244,333	246,313	248,293	250,273	252,253	254,233	256,213	258,193	260,173	262,153	264,133	266,113	268,093	270,073	272,053	274,033	276,013	278,000
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OPERATING EXPENSES

City of Long Beach	148,321	150,121	151,921	153,721	155,521	157,321	159,121	160,921	162,721	164,521	166,321	168,121	169,921	171,721	173,521	175,321	177,121	178,921	180,721	182,521	184,321	186,121	187,921	189,721	191,521	193,321	195,121	196,921	198,721	200,521	202,321	204,121	205,921	207,721	209,521	211,321	213,121	214,921	216,721	218,521	220,321	222,121	223,921	225,721	227,521	229,321	231,121	232,921	234,721	236,521	238,321	240,121	241,921	243,721	245,521	247,321	249,121	250,921	252,721	254,521	256,321	258,121	260,000
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NET REVENUE

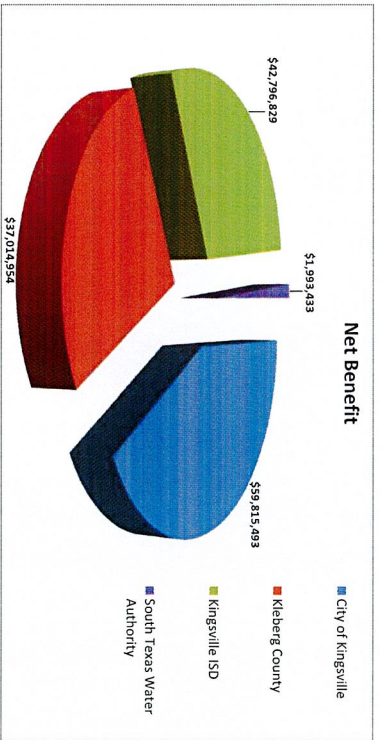
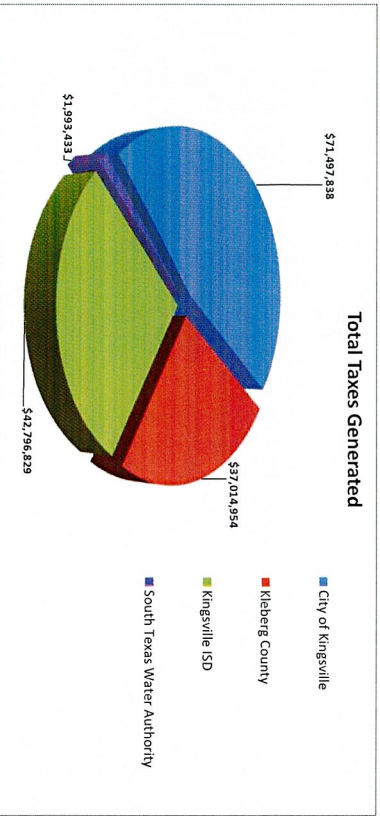
City of Long Beach	15,832	16,012	16,192	16,372	16,552	16,732	16,912	17,092	17,272	17,452	17,632	17,812	17,992	18,172	18,352	18,532	18,712	18,892	19,072	19,252	19
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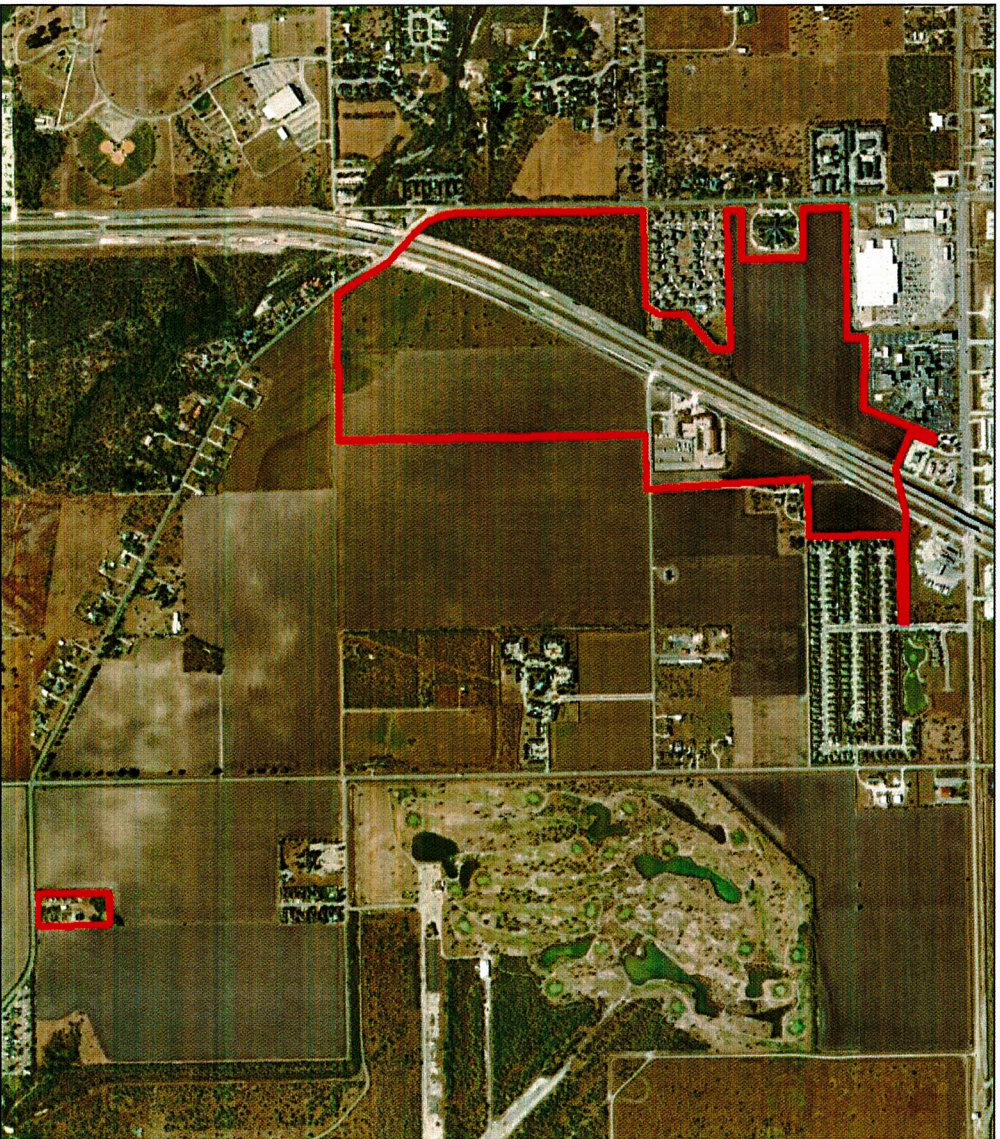
Financial Feasibility Analysis - Summary

Revenue Summary

Taxing Jurisdictions	Total Taxes Generated	TIRZ Participation	Net Benefit
City of Kingsville	\$71,497,838	\$11,582,345	\$59,815,493
Kieberg County	\$37,014,954	\$0	\$37,014,954
Kingsville ISD	\$42,796,829	\$0	\$42,796,829
South Texas Water Authority	\$1,993,433	\$0	\$1,993,433
Total	\$153,303,053	\$11,582,345	\$141,620,708

Taxing Jurisdictions	Total Taxes Generated	Participation
City of Kingsville	\$71,497,838	\$11,582,345
Real Property	\$23,364,690	\$11,582,345
Hotel/Occupancy Tax	\$7,352,585	\$0
Sales	\$40,780,563	\$0





Length of TIRZ #3 in Years:

The TIRZ has a 30-year term and is scheduled to end on December 31, 2054 (with the final year's tax increment to be collected by September 1, 2055).

Powers and Duties of Board of Directors:

The Board shall have all powers granted to it by Chapter 311 of the Texas Tax Code, including powers of a municipality under Chapter 380, Local Government Code. The Board shall not be authorized to:

- issue bonds;
- impose taxes or fees;
- exercise the power of eminent domain; or
- give final approval to the Zone's project and financing plan.

APPENDIX A - CURRENT PROPERTY OWNERSHIP

Property ID	Owner Name	Acres	Legal Description	Estimated Taxable Value
10621	WEST PAUL M	29.361	KT & I CO, BLOCK 22, LOT PT 3, 4, ACRES 29.361	\$ 11,100
12190	SMITH & SULLIVAN INC	1.99	KT & I CO, BLOCK 22, LOT PT 6, (S/E COR 140 X 620), ACRES 1.99	\$ 6,370
13841	TEXAN STORE PROPERTIES LLC	28.53	KT & I CO, BLOCK 22, LOT PT 12-13, ACRES 28.530	\$ 1,626,210
16494	CITY OF KINGSVILLE	5	KT & I CO, BLOCK 30, LOT PT 5, (EX E M P T), (WASTE WATER SOUTH PLANT)	\$ -
17015	TEXAN STORE PROPERTIES LLC	24.36	KT & I CO, BLOCK 22, LOT PT 12-13, ACRES 24.36	\$ 2,940
19114	T & R TRUST	22.01	KT & I CO, BLOCK 22, LOT PT 5, 6, ACRES 22.01	\$ 8,320
21463	TEXAS STORE PROPERTIES LLC	9.299	KT & I CO, BLOCK 22, LOT PT 11, ACRES 9.299	\$ 3,520
22312	JL BARTH COMPANY	6.643	KT & I CO, BLOCK 22, LOT 6.643 ACS OF PT 6, ACRES 6.643	\$ 2,510
30949	WESTERN KINGSVILLE LTD	5.659	HUNTERS COVE, LOT 2, ACRES 5.659	\$ 331,720
33335	HENNESSEY KINGSVILLE INVESTMENT LLC	12.816	KT & I CO, BLOCK 22, LOT PT 1, PT 2, ACRES 12.816	\$ 4,950
41227	LAKSHMI LTD	5.7041	ABINCO IND PARK 1 (AMENDED REPLAT), LOT 2, (HWY 77 ONE STOP & 77 RV PARK), ACRES 5.7041	\$ 1,386,580
41228	DATTA MANGLAM HOSPITALITY LLC	3.5279	ABINCO IND PARK 1 (AMENDED REPLAT), LOT 1, (KNIGHTS INN), ACRES 3.5279	\$ 699,264
42561	PRAKRUTHI LLC	40.33	KT & I CO, BLOCK 22, LOT PT 11, 14, ACRES 40.33	\$ 14,240
45169	TEXAS DEPT OF TRANSPORTATION	3.896	KT & I CO, BLOCK 22, LOT PT 3, PT 6, PT 11-13, (ROW), (FOR INFO ONLY), ACRES 3.896	\$ -
45295	TEXAS DEPT OF TRANSPORTATION	0.026	KT & I CO, BLOCK 22, LOT PT 12-13, (ROW), (FOR INFO ONLY), ACRES 0.026	\$ -
46276	BRAZOS DE SANTOS PARTNERS LTD	1.148	BILL MILLER BAR-B-Q, BLOCK 1, LOT 3, ACRES 1.148	\$ 36,740

AGENDA ITEM #2

Urdn. - SUP.

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



MEMO

Date: January 15th, 2025

To: Charlie Sosa (Interim City Manager)

From: Erik Spitzer (Director of Planning and Development Services)

Subject: **The City of Kingsville Planning and Development Services Department is seeking approval from the City Commissioners and Mayor for a Special Use Permit to open up a "Day Nursey" for four (4) children at a residence located at 1515 Lewis Street, a parcel of land zoned as R1 (Single Family).**

Summary: Brenda Rios, applicant/owner, approached the Planning Department on October 22nd, 2024, requesting a Special Use Permit for a "Day Nursery" business at a residence located at 1515 Lewis Street, a parcel of land zoned as R1 (Single Family). When the PNZ meeting was held on December 4th, 2024, the board had questions and Ms. Rios was not present to answer them; the board voted to "table" the discussion until January 15th, 2025.

Background: A "Day Nursery" is permitted in R1 (Single Family), provided a Special Use Permit is approved. Ms. Rios commented that pick up and drop off parking will not impact neighbors.

The Planning and Zoning Commission meeting was held on January 15th, 2025, with 6 members in attendance.

Members deliberated over the request to open a "Day Nursery" business at a residence located at 1515 Lewis Street, a parcel of land zoned as R1 (Single Family). 22 Notice Letters were sent out to neighbors within the 200 foot buffer and the city received no feedback.

The Planning and Zoning Commission board members voted to approve the Special Use Permit requested above. A recorded vote of all members present was taken and board members Rev. Idotha Battle, Debbie Tiffie, Mike Klepac, Larry Garcia, Krystal Emery and the Chairman, Steve Zamora, all voted "YES."

The meeting was adjourned by 6:18 p.m.

The department continues to recommend approval.

Erik Spitzer
Director of Planning and Development Services



**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER LAND USE APPLICATION**

email: hsolis@cityofkingsville.com / Phone (361) 595-8055

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1515 Lewis St. Nearest Intersection Carlos Truan + Lewis St.
 (Proposed) Subdivision Name Anglewood Lot 12 Block 3
 Legal Description Anglewood, Block 3, Lot 12
 Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Brenda Rios Phone 979-709-1657
 Email Address (for project correspondence only): brios7126@gmail.com
 Mailing Address 1515 Lewis St. City Kingsville State TX Zip 78363
 Property Owner Brenda + David Rios Phone 979-709-1657 FAX _____
 Email Address (for project correspondence only): brios7126@gmail.com
 Mailing Address 1515 Lewis St. City Kingsville State TX Zip 78363

Select appropriate process for which approval is sought. Attach completed checklists with this application.

<input type="checkbox"/> Annexation Request _____ No Fee	<input type="checkbox"/> Preliminary Plat _____ Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA) _____ \$250.00	<input type="checkbox"/> Final Plat _____ Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request _____ \$250.00	<input type="checkbox"/> Minor Plat _____ \$100.00
<input type="checkbox"/> Re-zoning Request _____ \$250	<input type="checkbox"/> Re-plat _____ \$250.00
<input checked="" type="checkbox"/> SUP Request/Renewal _____ \$250	<input type="checkbox"/> Vacating Plat _____ \$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA) _____ \$250	<input type="checkbox"/> Development Plat _____ \$100.00
<input type="checkbox"/> PUD Request _____ \$250	<input type="checkbox"/> Subdivision Variance Request _____ \$25.00 ea

Please provide a basic description of the proposed project:

Open a registered home daycare
(TRANSFER)

I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature Brenda C. Rios Date: 12/16/24
 Property Owner's Signature Brenda C. Rios Date: 12/16/24
 Accepted by: ERIK SPIER Date: 17 DEC 2024

This form available on our website: <https://www.cityofkingsville.com/departments/planning-and-development-services/>

Last revised 10 Jun 2024

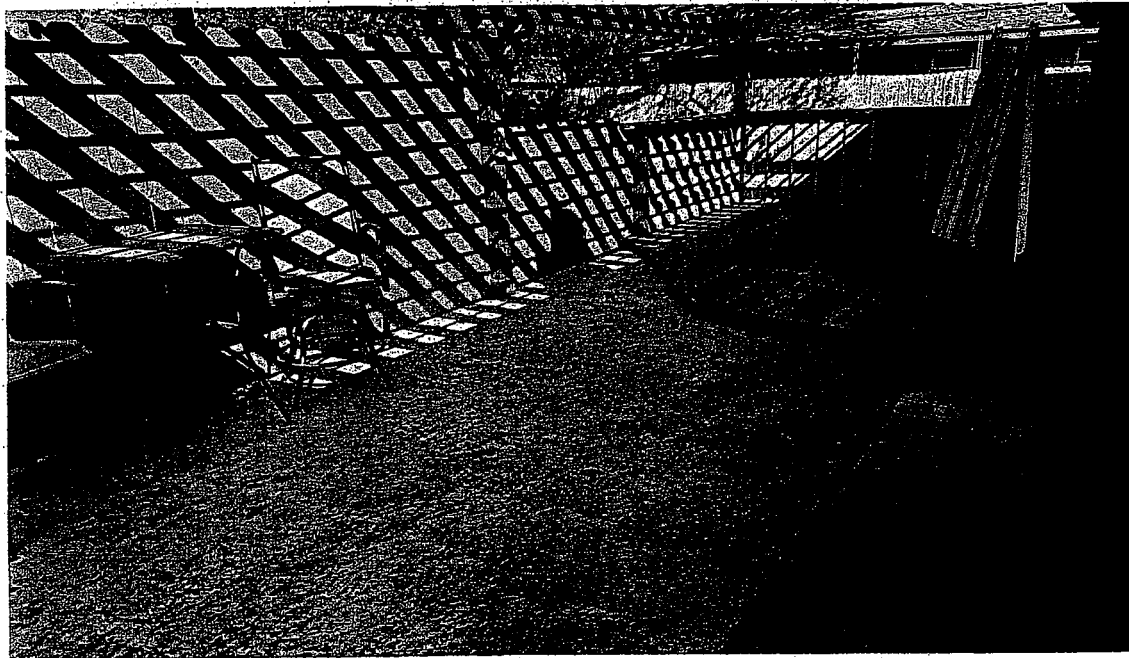
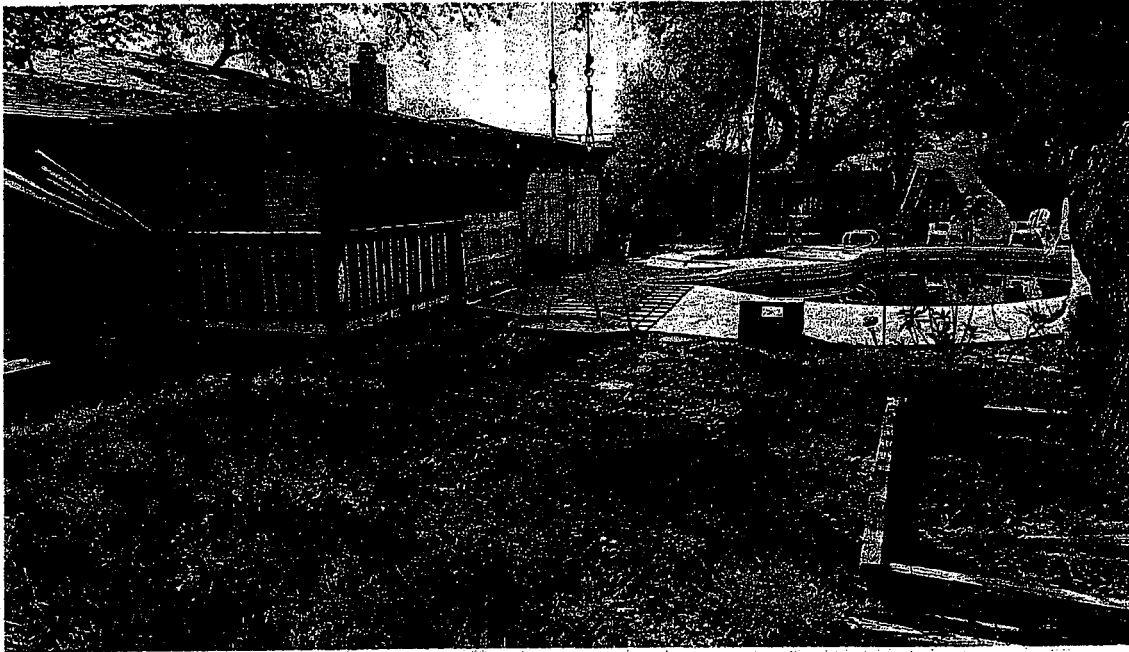
Convent, monastery or other dwelling for pursuit of group religious ideals	S	S		S	P	S	S	P	P					P
Private country club	S	S		P	P	P	P	P						P
Day care or kinder	S	S		S	P	P	P	P	P	P	P			P
Fairground/Rodeo											P	P		S
Lodge or Club				S		P	P	S						P
Home, halfway house, or other group dwelling for alcoholic, narcotic, psychiatric patients or felons and delinquents		S		S	S		P	S						S
Hospital (acute care)					S			P	P					
Nursing home					P			P	P					
Institutions of religious or philanthropic nature		S		S	S	S		P	P					
Library, art gallery, museum					S	S		P	P					
Park, playground,	P	P		P	P	P	P	P	P	P	P	P	P	P
Public administration office		S		S	S	P	P	P	P	P	P	P	P	P
Home for the aged		P		P			P	P						
Private school, college or university	S	S		S	S			P	P					

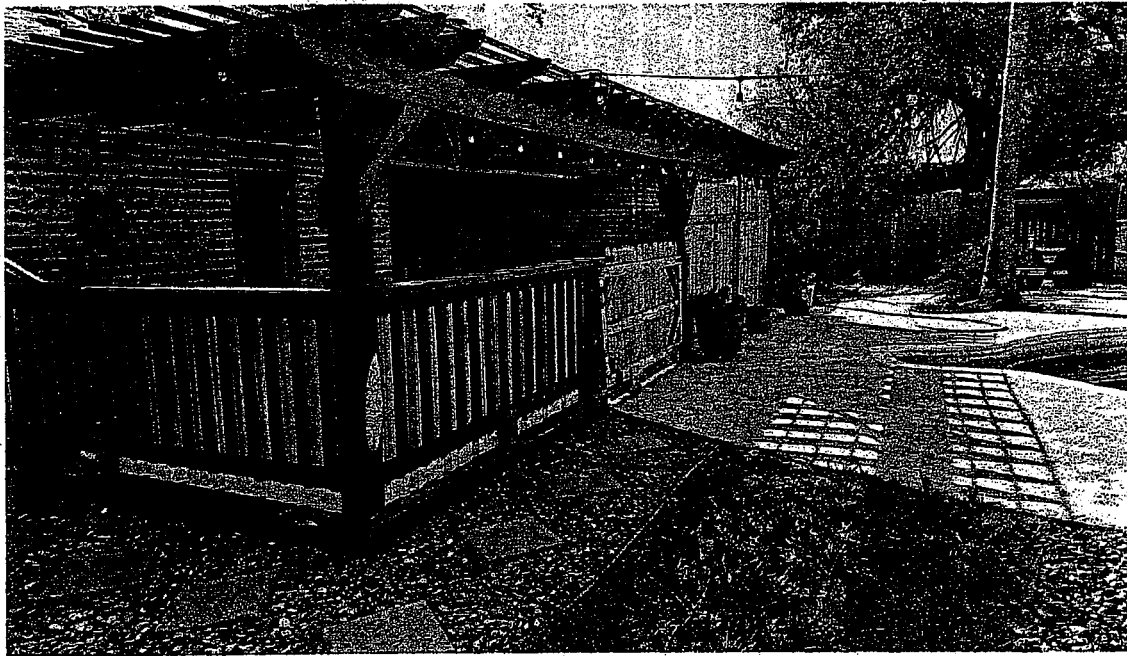
1515 Lewis St



1515 Lewis St



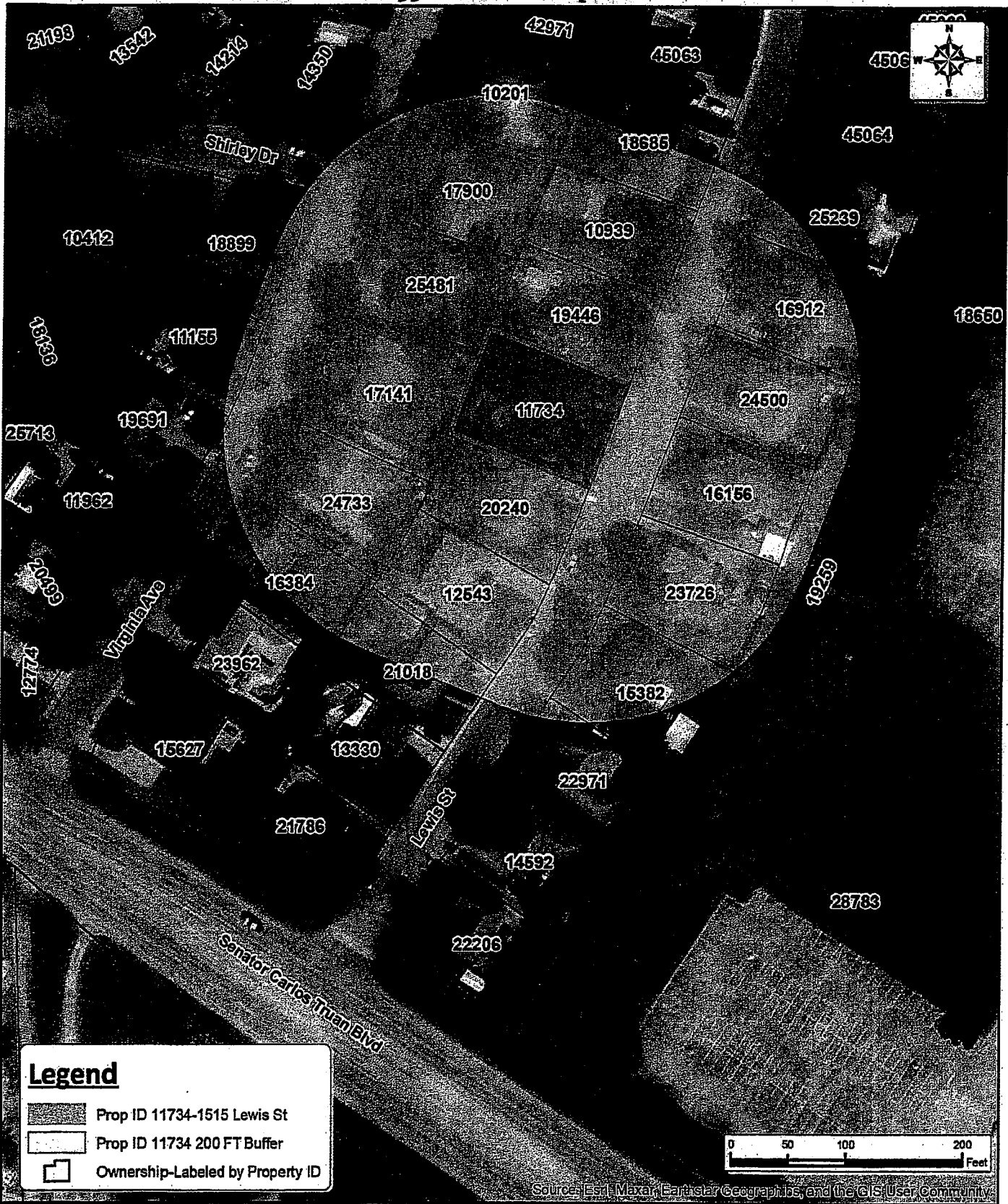








200-FT Buffer at Prop ID: 11734



Page: 1/1	Drawn By: R. PICK
	Last Update: 10/23/2024
	Note: Ownership is labeled with its Prop ID.

DISCLAIMER:
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CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 400 W King Ave; Kingsville, TX 78363
 Office: (361) 595-8007
 Fax: (361) 595-8064

Melinda Anne Brou
1513 Virginia
Kingsville, TX 78363
#18899

Alonzo B Vidal
215 E County Road 2205
Kingsville, TX 78363
#11155

Fabian Gomez
ETUX Angela
1521 Virginia
Kingsville, TX 78363
#19691

John R Fluman
1526 Virginia ST
Kingsville, TX 78363
#16384

Miguel Esparza
ETUX Monica N Rivas
1522 Virginia
Kingsville, TX 78363
#24733

Jack O Oliver
1518 Virginia ST
Kingsville, TX 78363
#17141

Dawson Mortensen-Chown
1514 Virginia AVE
Kingsville, TX 78363
#25481

Kenneth Yandell
ETUX Rita Lynn
1510 Virginia ST
Kingsville, TX 78363
#17900

Luis Miguel Gonzalez
ETUX Sabreana Daun
1506 Virginia
Kingsville, TX 78363
#10201

William B Rauch
ETUX Pamela K
1505 Lewis ST
Kingsville, TX 78363
#18685

Gregory Wollenzien
ETUX Autumn M
1504 Lewis
Kingsville, TX 78363
#10939

Doris Rosemary Huskey
1521 Lewis ST
Kingsville, TX 78363
#20240

Zhuofan Zhang
1525 Lewis ST
Kingsville, TX 78363
#12543

Ralph Alfred Perez Sr
ETUX Marilyn
1529 Lewis ST
Kingsville, TX 78363
#21018

Alberto Parez III
1530 Lewis
Kingsville, TX 78363
#22971

Guadalupe Fernandez
ETUX Leonor
1526 Lewis ST
Kingsville, TX 78363
#15382

Corina Gutierrez
1522 Lewis ST
Kingsville, TX 78363
#23726

Johnny Soliz
ETUX Margarita
1518 Lewis ST
Kingsville, TX 78363
#16156

Shelly Seann Maher
AKA Shelly Deann Chambers
1514 Lewis ST
Kingsville, TX 78363
#24500

Brandon P Stewart
1510 Lewis ST
Kingsville, TX 78363
#16912

William R Durrill EST
Robert Anderson (IND EXEC)
615 South Upper Broadway
Corpus Christi, TX 78401
#19259

David Christopher
1506 Lewis
Kingsville, TX 78363
#25239

Our Lady of Good Counsel brings back tradition

By Ted Figueroa
Reporter

Members of Our Lady of Good Counsel Catholic Church have brought back the tradition of "Las Posadas", a reenactment of the last leg of the journey that the Holy Family made from Nazareth to Bethlehem, where Jesus was born.

The trip for the holy family was made so that they could be counted in the census.

The trip was dangerous and difficult as Mary was about to give birth. The word "Posada" in Spanish translates to "shelter" or "inn" in English.

The reenactment is believed to have originated in Spain and Catholic missionaries brought it to Mexico sometime in the 1500s to teach the indigenous people about Christ's birth.

It is celebrated annually in Mexico and eventually spread to the United States.

Terry Resendez organized the local event so that the younger generations would not forget it.

Resendez grew up participating in these reenactments as a child with her father and said she wanted to bring back the tradition with her father five years ago.

Unfortunately, he passed away and could not proceed.

"I finally got the inspiration to do it and bring it back to our community and our children. It's a memory we all hold dear to our hearts. The tradition is a novena and it begins on the 16th of December every year. The message I want to bring back and remind us about is the TRUE meaning of Christmas, the reason for the season. It's all about baby Jesus born in a manger. The posadas should remind us of what Mary and Joseph had to endure during the journey to Bethlehem. No one would give them a place to birth baby Jesus until the last inn opened up their stables and our Savior Jesus Christ was born in a manger," Resendez said.

The celebrations were first practiced in the church and by the 1900s



Members of Our Lady of Good Counsel along with Kristen Martinez (Mary) and Mike Esparrza (Joseph) during the Las Posadas earlier this month. (Contributed Photo)

had evolved into a procession to three different homes or locations of church members. The procession is led by children dressed as an angel and Mary and Joseph.

They are followed by adults who sing songs and recite prayers along the way. At the first two stops, Joseph asks for lodging and is denied twice after being told there is no room. Finally at the third stop, they are told that the inn is full but offered a place to stay in the stables nearby. "Las Posadas" begins on Dec. 16 and lasts nine nights leading up to Christmas Eve.

Tradition says it is meant to represent the nine months that Mary carried Jesus in her womb.

On the first night locally the procession began at the home of Raymond Perez then on to the Leo Garza residence and finally at the home of Ernie Martinez.

Martinez, whose daughter Kristen played the role of Mary, then provided dinner and refreshments to the group.

"It was a blessing to participate in this special event that has not been practiced in years. As children we would always participate in the Posadas and I'm happy we are continuing the tradition," Martinez said.



McLaughlin presented certificate of appreciation

Congressman Vicente Gonzalez honors Mark McLaughlin for service. Albert Martinez, Northern District Director for Congressman Vicente Gonzalez, presented former Kingsville City Manager Mark McLaughlin with a flag recently that flew over the nation's capital along with a certificate of appreciation for his service to the city. "I want to offer my sincere gratitude to Mark McLaughlin for serving Kingsville and its residents as City Manager. His dedication and hard work over the last five years are a testament to his commitment to public service. I wish him the best in his next endeavor," Congressman Gonzalez said. (Contributed photo)

Congressman Gonzalez celebrates senate passage of Social Security Bill that benefits public servants

WASHINGTON, D.C. - Today, Congressman Vicente Gonzalez (TX-34) announced the U.S. Senate passage of a critical piece of legislation that would improve social security benefits for South Texas. H.R. 82, the Social Security Fairness Act of 2023.

The bill previously passed the U.S. House of Representatives on Nov. 12, 2024, with Congressman Gonzalez's support.

This bill would increase

retirement benefits for firefighters, police officers, teachers, and other retired public servants by eliminating the Windfall Elimination Provision and the Government Pension Offset.

"Protecting and enhancing Social Security benefits is an absolute priority for me, as it should be for every single Member of Congress," said Congressman Gonzalez.

"These are rightfully earned benefits and econom-

ic lifelines for many retired public servants in South Texas and across our country. The Social Security Fairness Act is an opportunity to fix harmful provisions that unjustly reduce the amount of aid retirees receive."

"I urge President Biden

to quickly sign this into law. The federal government must uphold its promise to hard-working Americans and honor the contributions these folks have made over decades of giving back to their community and country."

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PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, January 15, 2025, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following item and at which time all interested persons will be heard:

Brenda Rios, applicant/owner; requesting a Special Use Permit for childcare in home in R1 (Single Family) of Anglewood, Block 3, Lot 12, also known as 1515 Lewis St, Kingsville, TX 78363.

The meeting will be held at City Hall, 400 West King, Kingsville TX in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, January 27, 2025, at 5:00 p.m. wherein the City Commission will discuss the consideration of the following item and at which time all interested persons will be heard:

Brenda Rios, applicant/owner; requesting a Special Use Permit for childcare in home in R1 (Single Family) of Anglewood, Block 3, Lot 12, also known as 1515 Lewis St, Kingsville, TX 78363.

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

ORDINANCE NO. 2025-_____

AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR DAYCARE USE IN R1 (SINGLE FAMILY DISTRICT) AT 1515 LEWIS ST., KINGSVILLE, TEXAS, ALSO KNOWN AS ANGLEWOOD, BLOCK 3, LOT 12; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION.

WHEREAS, the Planning & Zoning Commission has forwarded to the City Commission it's reports and recommendations concerning the application of Brenda Rios, property owner/ applicant, for amendment to the zoning map of the City of Kingsville;

WHEREAS, the property is currently zoned R1-Single Family Residential District and it is desired for the area to be used as a home daycare facility;

WHEREAS, the City Code of Ordinances, Chapter XV-Land Usage, Appendix A- Land Use Categories states that in R1 a special use permit is required to have a day nursery or kinder (day care facility); and

WHEREAS, the City of Kingsville Code of Ordinances section 15-6-142 regulates special use permits; and

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, January 15, 2025, during a meeting of the Planning & Zoning Commission, and on Monday, January 27, 2025, during a meeting of the City Commission, in the Helen Kleberg Groves Community Room/Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning & Zoning Commission voted 6-0 to APPROVE, with no abstentions, the requested special use permit; and

WHEREAS, the City Commission has determined that this amendment would best serve public health, necessity, and convenience and the general welfare of the City of Kingsville and its citizens.

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for a Daycare Facility on the premises known as 1515 Lewis St., Kingsville, Texas, (Anglewood, Block 3, Lot 12), as more specifically describe on site plan attached as Exhibit A.

SECTION 2. That the Special Use Permit granted in Section 1 of this Ordinance is subject the following conditions:

1. **ALLOWED USE:** The only uses authorized by this Special Permit other than the permitted "R1" Single Family District uses is as a Daycare Facility.

2. **STATE LICENSE:** The premises or operator be licensed or registered by the State of Texas to have a Daycare Facility.

3. **TIME LIMIT:** This Special Permit is good for the duration of the business from the date of this ordinance unless the property is not being used for the purpose outlined in Condition 1 or any other conditions have not been complied with.

4. **SPECIAL CONDITION:** The applicant shall obtain all required background checks, business licenses and cooperation with all annual fire safety, health, and sanitation inspections, as required by the Department of Family and Protective Services and the City of Kingsville, and any other laws or regulations regarding such business in order to maintain compliance with state and city regulations for the daycare facility.

SECTION 3. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendment to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 4. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 5. That to the extent that this amendment to the Zoning Ordinance represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 6. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 7. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 27th day of January, 2025.

PASSED AND APPROVED on this the 10th day of February, 2025.

Effective Date: _____, 202__

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Deborah Balli, Finance Director
DATE: January 8, 2025
SUBJECT: Economic Development Fund 098 Budget Amendment

Summary:

The City has several TIRZ's and when prior budget amendments were done, there were not any reimbursable expenditures included. Also, TIRZ #2 was budgeted in FY 23-24, but completed in FY 24-25 without the remaining budget rolled over creating a budget shortage. This Budget Amendment appropriates funding for the reimbursable expenditures and budget roll-over for the TIRZ #2 remaining balance forward to FY 24-25.

Financial Impact:

The Budget Amendment requested of \$6,500 includes:

- \$4,000 for the remaining balance of TIRZ #2 not rolled over from FY 23-24 - Invoice #DPED24-07.6
- \$744 incurred reimbursable expenditures for TIRZ #2-Invoice #DPED24-07.6
- \$710 incurred reimbursable expenditures for TIRZ #3-Invoice #DPED24-28.2
- \$378 ad for public hearing on TIRZ #3-Gannett Media Invoice #0006776603
- \$668 potential current year reimbursable expenditures for TIRZ #3

There is currently \$87,040.74 available for this budget amendment.

Recommendation:

The Finance Department recommends approval of the submitted Budget Amendment.



ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO APPROPRIATE FUNDING FOR TIRZ #2 AND TIRZ #3.

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 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#24

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 098 – Economic Development					
<u>Expenditures</u>					
1060	Econ Devel	Professional Services	31400	\$6,500.00	

[To amend the City of Kingsville FY 24-25 budget to appropriate funding for TIRZ #2 and TIRZ #3. Funding for this request will come from the Budget Amendment Reserve line item.]

The General Fund has budgeted \$300,000 for FY 24-25 budget amendments. The following budget amendments funded through the reserve line item have been previously submitted:

- BA #1 – PW Parking Lot - \$74,060
- BA #4 – City Hall A/C - \$65,100
- BA #10 – Fire Station #2 Plumbing Repairs - \$12,800
- BA #11 – Bureau Veritas Inspection Services - \$6,179.08
- BA #12 – Planning IBC Books - \$1,242.79
- BA #13 – Grant Match for BWC Grant - \$15,493.13
- BA #17 – Grant Match for BVP Grant - \$9,084.26
- BA #21 – Planning Inspection Services - \$29,000
- Total Previously Submitted BA's - \$212,959.26
- Available \$87,040.74

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 27th day of January 2025.

PASSED AND APPROVED on this the 10th day of February 2025.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4



**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Deborah Balli, Finance Director
DATE: January 15, 2025
SUBJECT: City Manager Stipend Budget Amendment

Summary:

The former City Manager resigned resulting in an Interim City Manager being appointed until the permanent City Manager can be hired. It is estimated that the Interim City Manager will be in place until the end of September 2025. The City Commission approved the hiring of a search firm at the January 13, 2025 Commission meeting.

Financial Impact:

The salary line-item budget remaining after the prior City Manager's payout was \$79,917.92
A budget transfer of \$16,000 to professional services for the search firm was completed leaving a budget remaining of \$63,917.92

The current pay period amount for the City Manager division = \$6,596.80 x 19 pp left for the fiscal year = \$125,339.20

Year-end accrual will be 10 days of a 14 day pp ($6,596.80 / 14 \times 10$) = \$4,712.00

Total remaining needed for salaries = \$130,051.20

There is a shortage of \$66,133.28 (\$130,051.20 less \$63,917.92)

The car allowance is $\$184.62 \times 19 = \$3,507.78$

Salary + Car Allowance = \$69,641.06 ($\$66,133.28 + \$3,507.78$)

FICA is $\$69,641.06 \times 7.65\% = \$5,327.54$

TMRS is $\$69,641.06 \times 9.09\% / 12 \times 3 = \$1,582.59$

+ $\$69,641.06 \times 9.34\% / 12 \times 9 = \$4,878.36 =$ Total of \$6,460.95

W/C = \$190.31

Total Fringe = \$11,978.80 ($\$5,327.54 + \$6,460.95 + \190.31)

Total budget Amendment needed is \$81,619.86 ($\$69,641.06 + \$11,978.80$)

Recommendation:

The Finance Department recommends approval of the submitted Budget Amendment.

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO APPROPRIATE FUNDING FOR THE INTERIM CITY MANAGER STIPEND.

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 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#25

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Expenditures</u>					
1010	City Manager	Salaries	11100	\$66,133.28	
1010	City Manager	Car Allowance	11200	\$3,507.78	
1010	City Manager	FICA	11500	\$5,327.54	
1010	City Manager	TMRS	11400	\$6,460.95	
1010	City Manager	Workers Comp	11700	\$190.31	
		Total		\$81,619.86	

[To amend the City of Kingsville FY 24-25 budget to appropriate funding for the interim City Manager stipend. Funding for this request will come from the Budget Amendment Reserve line item of \$80,540.74 and the unappropriated fund balance of General Fund of \$1,079.12]

The General Fund has budgeted \$300,000 for FY 24-25 budget amendments. The following budget amendments funded through the reserve line item have been previously submitted:

- BA #1 – PW Parking Lot - \$74,060
- BA #4 – City Hall A/C - \$65,100
- BA #10 – Fire Station #2 Plumbing Repairs - \$12,800
- BA #11 – Bureau Veritas Inspection Services - \$6,179.08
- BA #12 – Planning IBC Books - \$1,242.79
- BA #13 – Grant Match for BWC Grant - \$15,493.13
- BA #17 – Grant Match for BVP Grant - \$9,084.26
- BA #21 – Planning Inspection Services - \$29,000

- BA #24 – TIRZ #2 & TIRZ #3 - \$6,500
- Total Previously Submitted BA's - \$219,459.26
- Available \$80,540.74

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 27th day of January 2025.

PASSED AND APPROVED on this the 10th day of February 2025.

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
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: Susan Ivy, Parks Director

DATE: December 18, 2024

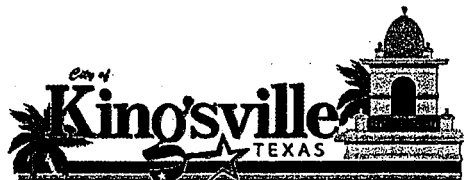
SUBJECT: Agenda Request – Request for Approval for revised ordinance for change in Golf Course Fees

Summary: We are requesting approval of the attached revised ordinance adjusting the Golf Course fees for Monthly Membership Fee Without Cart and Monthly Membership Fee with Cart.

Background: During the presentation of the proposed budget for Fiscal Year 2024/2025 these Fees were adjust to \$175 without cart and \$350 with cart.
After community input and revised info on area rates we would like to lower these rates to \$100 per month without cart and \$250 with cart.

Financial Impact: This would lower the anticipated revenue for the rates approximately \$24,000 which would be considered an investment in quality of life/promotional for our community.

Recommendation: Approval the recommended changes to the Golf Course fees and associated Revisions to Ordinance setting those fees becoming effective February 1, 2025.



ORDINANCE NO. 2025-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER IX-GENERAL REGULATIONS, ARTICLE 8-PARKS AND RECREATION, SECTION 41-GOLF COURSE FEES, PROVIDING FOR REVISED MONTHLY MEMBERSHIP FEES FOR THE L.E. RAMEY GOLF COURSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, in 2014 the City and County approved interlocal agreements to transfer operations and maintenance of all of the parks within the city limits and the L.E. Ramey Golf Course from the County to the City;

WHEREAS, the approval of these interlocal agreements necessitated the City to enact regulations and fees for the properties covered under the interlocal agreements; and

WHEREAS, in the first half of 2018, the City made several hundred thousand dollars of improvements at the L.E. Ramey Golf Course and determined that it needed to increase user fees to help offset the cost of the improvements and those revisions were approved on June 25, 2018, via Ordinance #2018-35; and

WHEREAS, the golf course user fees were revised on August 12, 2019, golf cart rental fees were revised on September 28, 2020, golf course fees were last revised on October 15, 2024; and

WHEREAS, the City recently acquired new electric golf carts for rent at the golf course and performed a rental rate survey which showed the current rate to be below market, so staff is now recommending a slight increase in the golf cart rental rate for the new carts to be more in-line with the going market rate; and

WHEREAS, the City has made numerous improvements to the golf course in the last few years without a rate adjustment and the cost to provide the services has increased, new rates are being proposed by staff to help cover costs; and

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 Chapter IX- General Regulations, Article 8-Parks and Recreation, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

ARTICLE 8 PARKS AND RECREATION

...

GOLF COURSE

...

§ 9-8-41 GOLF COURSE FEES.

The following schedule of fees shall be paid by the patrons of the municipal golf course. The Golf Course Manager may negotiate rates for golf course special events and promotions. NOTE: All fees will have sales taxes added to them at the time of sale.

...

(H) Monthly membership fees:

Monthly membership entitles an individual player to unlimited green fees for 30 days from date of purchase (non-refundable).

Monthly individual rate (no cart): ~~\$175.00~~ \$100.00

Monthly individual rate (with cart): ~~\$350.00~~ \$250.00

Monthly individual rate per school team member: \$35.00

...

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 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, work or ordinance 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 27th day of January, 2025.

PASSED AND APPROVED on this the 10th day of February, 2025.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: John Blair, Chief of Police
DATE: January 16, 2025
SUBJECT: Operation Stonegarden, OPSG 2024 Grant#3194310

Summary:

The Police Department has been invited to participate and in another year of OPSG and has been conditionally approved for participation during performance period beginning 03/01/2025 and ending 02/28/2026.

Background:

Kleberg County and identified Friendly Forces will participate in Operation Stonegarden (OPSG) for Funding Year 2025. The participating agencies will utilize OPSG funding to enhance enforcement efforts along ingress/egress routes leading from the U.S./Mexico border and into the interior of the United States. OPSG funding will be used for the essential capability enhancement of participating agencies to coordinate operations with the U.S. Border Patrol to support border security efforts within the Rio Grande Valley Border Patrol Sector.

Financial Impact:

The grant for "Operation Stonegarden" is a reimbursement grant and not require a cash match. We have been approved \$136,205.00 to cover the overtime, fringe benefits, fuel costs, and equipment for the grant.

- Funding Categories
 - Personnel - \$114,205.00
 - Equipment (Portable Radio) - \$12,000.00
 - Supplies and Direct Operating Expense (Vehicle Operations) - \$10,000.00



**City of Kingsville
Police Department**

Recommendation:

We are respectfully requesting a resolution approving the acceptance of this grant via the Office of the Governor eGrants portal by the grantee's authorized official as designated by the City Manager and Police Chief. We also request a budget amendment to the current FY 2024-2025 for use of the funds as soon as they are available. Thank you for your assistance regarding this matter.



ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO ACCEPT AND EXPEND GRANT FUNDS FROM THE STONEGARDEN GRANT #3194310.

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 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#26

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 016 – Stonegarden Grant Fund					
<u>Expenditures</u>					
2100	Police	Overtime	11200	\$114,205	
2100	Police	Equipment	12000	\$12,000	
2100	Police	Motor Gas & Oil	21500	\$10,000	

[To amend the City of Kingsville FY 24-25 budget to accept and expend grant funds from Operation Stonegarden Grant #3194310. Funding will come from grant proceeds for the stated purposes.]

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 27th day of January 2025.

PASSED AND APPROVED on this the 10th day of February 2025.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: Susan Ivy, Director of Parks & Recreation

DATE: January 30, 2025

SUBJECT: Agenda Request – Reappointments to Park Advisory Board

Summary: We are asking that Sandra Seymour and Clarice Williams be re-appointed for 1 year terms to the Park Advisory Board. Their current places expire on February 8, 2025. We also ask that Max Segovia be reappointed for a two-year term. His current term expires February 8, 2025. And finally, we ask that Sally Macias, NASK School/Family Liaison, be reappointed to a 2-year term to the Park Advisory Board. She is currently completing her one-year term she filled when Joey Lee resigned last January. Joey's appointment was a two-year term.

Financial Impact: This agenda item has no financial impact to City.

Recommendation: Please vote to: 1) reappoint Sandra Seymore and Clarice Williams to new one-year terms effective February 10, 2025 through February 9, 2026; 2) reappoint Max Segovia to a two-year term effective February 10, 2025 through February 9, 2027; and, 3) reappoint Sally Macias to serve a two-year term effective February 10, 2025 through February 9, 2027.



REGULAR AGENDA

AGENDA ITEM #8

Award Bid

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: February 10, 2025
SUBJECT: Consider Awarding Project and Construction Contract for Bid No. 25-10 for 2024 Generator for Pumphouse at Water Well No. 14 FEMA-DR-4586 (Texas Winter Storm)

Purpose:

We seek approval to award the project and the construction contract for Bid No. 25-10.

Summary:

Bid No. 25-10 was advertised on December 12 and December 19, 2024, in the local newspaper and on the City's website. The bids were received by the deadline of 2:00 p.m. on January 27, 2025, from four bidders:

1. Donald Hubert Construction Co. Inc. (Kingsville, Texas)
2. D & J Utility Services LLC (Sinton, Texas)
3. Bonco LLC (Driscoll, Texas)
4. Texas Municipal & Industrial LLC (Houston, Texas)

Base bids ranged from \$123,900.00 to \$212,950.00

The Engineer's estimate was \$127,456.00 and the lowest bid was 3% below the estimate. Staff recommends awarding the lowest responsible bidder D & J Utility Services LLC, in the amount of \$123,900.00.

Background:

On March 27, 2023, City approved the revised federal and local funding percentages. The city received a Request For Information (RFI) on March 9, 2023, with a deadline of April 10, 2023. The standard 75% federal cost share was authorized to be increased to 90% for the Hazard Mitigation Grant Program, per the H.R. 2471 Consolidations Appropriations Act 2022. The final generation project cost is \$141,825.00 and the City's match is 10% or \$14,182.50.



**City of Kingsville
Engineering Dept.**

The application deadline was extended to January 15, 2022. The proposed application includes a new standby generator for water well #14. Other improvement at water well #14 include a new pumphouse structure and equipment. The ground storage tank was replaced last year. The approximate cost of the generator is \$100,000.00. If award the grant pays 90% by federal assistance from the FEMA regarding the Texas Winter Storm.

Financial Impact:

The project will be paid for by Fund 130 – Texas Severe Winter Storm Grant – Backup Generator. The fund has \$175,000.00 allocated for this project. The grant is 90% federal and 10% city match.

Recommendation:

Staff recommendations:

1. Awarding the project and construction contract to D & J Utility Services LLC. in the amount of \$123,900.00 for the 2024 Generator for Pumphouse at Water Well No. 14.
2. Authorizing the City Manager to sign the construction contract.

Attachments:

Bid Tabulation
Construction Contract





P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

BID TAB SHEET

Project:	Bid #25-10- 2024 Generator for Pumphouse at Water Well #14	Facilitator:	Rudy Mora- City Engineer
Date:	January 27, 2025		

Contractor Bidder Name	Base Bid	Alternate	Total Bid
1 Danz J Utility Serv.	123,900.00		
2 Donald Hubert	210,637.50		
3 Bonco LCC	212,950.00		
4 Texas Municipal ^{1/3} industrial LCC	176,164.00		
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AGENDA ITEM #9

**City of Kingsville
Engineering Dept.**

Construction
Contract

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: February 10, 2025
SUBJECT: Consider Awarding Project and Construction Contract for Bid No. 25-10 for 2024 Generator for Pumphouse at Water Well No. 14 FEMA-DR-4586 (Texas Winter Storm)

Purpose:

We seek approval to award the project and the construction contract for Bid No. 25-10.

Summary:

Bid No. 25-10 was advertised on December 12 and December 19, 2024, in the local newspaper and on the City's website. The bids were received by the deadline of 2:00 p.m. on January 27, 2025, from four bidders:

1. Donald Hubert Construction Co. Inc. (Kingsville, Texas)
2. D & J Utility Services LLC (Sinton, Texas)
3. Bonco LLC (Driscoll, Texas)
4. Texas Municipal & Industrial LLC (Houston, Texas)

Base bids ranged from \$123,900.00 to \$212,950.00

The Engineer's estimate was \$127,456.00 and the lowest bid was 3% below the estimate. Staff recommends awarding the lowest responsible bidder D & J Utility Services LLC, in the amount of \$123,900.00.

Background:

On March 27, 2023, City approved the revised federal and local funding percentages. The city received a Request For Information (RFI) on March 9, 2023, with a deadline of April 10, 2023. The standard 75% federal cost share was authorized to be increased to 90% for the Hazard Mitigation Grant Program, per the H.R. 2471 Consolidations Appropriations Act 2022. The final generation project cost is \$141,825.00 and the City's match is 10% or \$14,182.50.



**City of Kingsville
Engineering Dept.**

The application deadline was extended to January 15, 2022. The proposed application includes a new standby generator for water well #14. Other improvement at water well #14 include a new pumphouse structure and equipment. The ground storage tank was replaced last year. The approximate cost of the generator is \$100,000.00. If award the grant pays 90% by federal assistance from the FEMA regarding the Texas Winter Storm.

Financial Impact:

The project will be paid for by Fund 130 – Texas Severe Winter Storm Grant – Backup Generator. The fund has \$175,000.00 allocated for this project. The grant is 90% federal and 10% city match.

Recommendation:

Staff recommendations:

1. Awarding the project and construction contract to D & J Utility Services LLC. in the amount of \$123,900.00 for the 2024 Generator for Pumphouse at Water Well No. 14.
- ②. Authorizing the City Manager to sign the construction contract.

Attachments:

Bid Tabulation
Construction Contract





P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

BID TAB SHEET

Project:	Bid #25-10- 2024 Generator for Pumphouse at Water Well #14	Facilitator:	Rudy Mora- City Engineer
Date:	January 27, 2025		

Contractor Bidder Name	Base Bid	Alternate	Total Bid
1 Danz J Utility Serv.	123,900.00		
2 Donald Hubert	210,637.50		
3 Bonco LCC	212,950.00		
4 Texas Municipal $\frac{1}{2}$ industrial LCC	176,164.00		
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RESOLUTION #2025-_____

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE CONSTRUCTION CONTRACT WITH D & J UTILITY SERVICES LLC FOR THE FEMA-DR-4586 (TEXAS WINTER STORM) PROGRAM FOR PROJECT 2024 GENERATOR FOR PUMPHOUSE AT WATER WELL NO. 14; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville (City) intends to make some sanitary water improvements through a Hazard Mitigation Grant Program FEMA-DR-4586 (Texas Winter Storm) program for a generator for the pumphouse at Water Well No.14 and went out for bids via Bid #25-10 which was advertised on December 12th & 19th, 2024 in the local newspaper and on the City's website;

WHEREAS, four bids were received for Bid #25-10 by the January 27, 2025 deadline and after reviewing the bid submittals staff recommended the bid be awarded to the lowest responsible bidder, which was D & J Utility Services LLC from Sinton, Texas (Vendor);

WHEREAS, the City awarded Bid #25-10 to Vendor at a Commission meeting on February 10, 2025 for a total amount of \$123,900.00;

WHEREAS, the FEMA-DR-4586 (Texas Winter Storm) program has a 10% local cash match;

WHEREAS, the City and Vendor worked to prepare a contract for FEMA-DR-4586 (Texas Winter Storm) Program for 2024 Generator for the Pumphouse at Water Well No.14 Project and the parties both agreed to the terms of the proposed contract for a total amount of \$123,900.00 with a contract time of 240 calendar days;

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

I.

THAT the City Commission approves and the Interim City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute the Construction Contract for the Hazard Mitigation Grant Program's FEMA-DR-4586 (Texas Winter Storm) Program for 2024 Generator for the Pumphouse at Water Well No.14 Project between the City of Kingsville, Texas and D & J Utility Services LLC as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
10th day of February, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**STANDARD FORM OF AGREEMENT
BETWEEN CITY AND CONTRACTOR
ON THE BASIS OF A STIPULATED PRICE**

THIS AGREEMENT is dated as of the _____ day of _____ in the year _____ by and between the **City of Kingsville, 400 W. King Avenue, Kingsville, Texas 78363** (hereinafter called CITY) and **D&J Utility Services LLC, 113 Candlelite Lane, Sinton, Texas 78387** (hereinafter called CONTRACTOR).

CITY and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

Article 1. WORK:

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

“City of Kingsville – BID 25-10: 2024 GENERATOR FOR PUMPHOUSE AT WATER WELL #14”.

Article 2. ENGINEER:

The Project has been designed by:



City of Kingsville - Engineering Department
400 W. King Avenue
Kingsville, Texas 78363
(361) 595-8007

Who is hereinafter called ENGINEER and who is to act as CITY’S representative, assume all duties and responsibilities, and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

Article 3. CONTRACT TIME

- 3.1 The Work will be completed and ready for final payment in accordance with the General Conditions within **240** calendar days from the date when the Contract Time commences to run.
- 3.2 Liquidated Damages. CITY and CONTRACTOR recognize that time is of the essence of this Agreement and that CITY will suffer financial loss if the Work is not completed within the time specified in paragraph 3.1 above, plus any extensions thereof allowed in accordance with the General Conditions.

They also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by CITY if the Work is not completed on time. Accordingly, instead of requiring any such proof, CITY and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay CITY two hundred & 00/100 dollars (\$200.00) for each calendar day that expires after the time specified in Article 3.1 of this Agreement for Substantial Completion. After Substantial Completion, if CONTRACTOR shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by CITY,

CONTRACTOR shall pay CITY two hundred dollars (\$200.00) for each calendar day that expires after the time specified in Article 3.1 of this Agreement for completion and readiness for final payment.

Article 4. CONTRACT PRICE:

- 4.1 CITY shall pay CONTRACTOR for completion of Work in accordance with the Contract Documents in current funds as follows: Per Contractor's Proposal dated January 27, 2025 in the total base bid in the amount of \$123,900.00, as attached and a part of this contract document.

Article 5. PAYMENT PROCEDURES:

CONTRACTOR shall submit Applications for Payment in accordance with the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

Article 6. INTEREST:

All moneys not paid when due as provided in the General Conditions shall bear interest at the maximum rate allowed by law at the place of the Project.

Article 7. CONTRACTORS REPRESENTATIONS:

In order to induce CITY to enter into this Agreement, CONTRACTOR makes the following representations:

- 7.1 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance, or furnishing of the Work.
- 7.2 CONTRACTOR has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies which pertain to the subsurface or physical conditions at or contiguous to the site or otherwise may affect the cost, progress, performance, or furnishing of the Work as CONTRACTOR considers necessary for the performance of furnishing of the Work at the Contract Price, within the Contract Time and in accordance with other terms and conditions of the Contract Documents, including specifically the provisions of the General Conditions; and, no additional examinations, investigation, explorations, tests reports, studies or similar information or data are or will be required by CONTRACTOR for such purposes.
- 7.3 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies, or similar information or data in respect of said Underground Facilities are or will be required by CONTRACTOR in order to perform and furnish the Work at the Contract Price, within the Contract Time, and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of the General and Special Conditions.
- 7.4 CONTRACTOR has correlated the results of all such observations, examinations, investigations, explorations, tests, reports, and studies with the terms and conditions of the Contract Documents.
- 7.5 CONTRACTOR has given ENGINEER written notice of all conflicts, errors or discrepancies that he has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

Article 8. CONTRACT DOCUMENTS:

The Contract Documents which comprise the entire agreement between CITY and CONTRACTOR concerning the Work consists of the following:

8.1 A bound set of executed documents and specifications titled:

**CONTRACT DOCUMENTS
&
TECHNICAL SPECIFICATIONS
FOR**

**BID 25-10
2024 GENERATOR FOR PUMPHOUSE AT WATER WELL #14
FOR
CITY OF KINGSVILLE, TEXAS
FEMA PROJECT NO.0041**

City Manager

Mark McLaughlin

Mayor

Sam Fugate

Commissioner(s)

Hector Hinojosa
Norma Nelda Alvarez
Edna Lopez
Leo Alarcon

DECEMBER 2024

Prepared by:



Engineering Department
400 W. King Avenue
Kingsville, Texas 78363
(361) 595-8007

together with all of the items or sections listed in the Table of Contents thereof.

- 8.2 A Notice of Award consisting of one page.
- 8.3 A Notice to Proceed with Construction consisting of one page which shall be executed at a later date.
- 8.4 A set of drawings consisting of SIX (6) sheets titled:

Description

- 1. COVER SHEET
- 2. OVERALL SITE PLAN AND GENERAL NOTES
- 3. GENERATOR DETAILS I
- 4. GENERATOR DETAILS II
- 5. GENERATOR ENCLOSURE
- 6. GENERATOR TANK

- 8.5 CONTRACTOR's Proposal submitted for Bid No. 25-10.

There are no Contract Documents other than those listed above in this Article 8. The Contract Documents may only be amended, modified or supplemented as provided in the General Conditions.

Article 9. MISCELLANEOUS

- 9.1 Terms used in this Agreement which are defined in the General Conditions will have the meanings indicated in the General Conditions.
- 9.2 No assignment by a party hereto of any rights or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.
- 9.3 CITY and CONTRACTOR each bind itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect of all covenants, agreements, and obligations contained in the Contract Documents.

Article 10. OTHER PROVISIONS

- 10.1 The successful bidder who is awarded this bid will be required to complete and return a Conflict of Interest Disclosure Form and a Form 1295 – Certificate of Interested Parties
- 10.2 This contract gives no rights or benefits to anyone other than the CITY and CONTRACTOR.
- 10.3 CONTRACTOR agrees to abide by all local, state, and federal nondiscrimination and fair wage laws, and all other laws applicable to this contract.

IN WITNESS WHEREOF, CITY and CONTRACTOR have signed this Agreement in five counterparts. Two counterparts each have been delivered to CITY and CONTRACTOR and one counterpart to ENGINEER. All portions of the Contract Documents have been signed or identified by CITY and CONTRACTOR or by ENGINEER on their behalf.

This Agreement will be effective on _____, 20_____.

CITY:
City of Kingsville, Texas

CONTRACTOR:
D&J Utility Services LLC

By: _____
Charlie Sosa, Interim City Manager

By: _____
David Flores Jr., Managing Principle

Attest: _____

Attest: _____

Address for giving notices:

**City of Kingsville
400 W. King Avenue
Kingsville, Texas, 78363**

Address for giving notices:

**D&J Utility Services LLC
113 Candlelite Lane
Sinton, Texas 78387**

AGENDA ITEM #10

B.A.

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: February 10, 2025
SUBJECT: Consider Introduction of an Ordinance Amending the Fiscal Year 2024-2025 Budget to Appropriate Additional Funding for 2024 Generator for Pumphouse at Water Well No. 14 FEMA-DR_4586 (Texas Winter Storm)

Summary:

The Budget Amendment proposes allocating funds for Fund 130 – Texas Severe Winter Storm Grant – Backup Generator for 2024 Generator for Pumphouse at Water Well No. 14. This improvement is to provide a generator at Water Well No. 14 to maintain service during a power loss on the west side of the city.

Financial Impact:

The amendment appropriates \$175,000.00 for Fund 130 - Texas Severe Winter Storm Grant – Backup Generator.

Recommendation:

Staff recommends approval of the Budget Amendment to fund the necessary 2024 Generator for Pumphouse at Water Well No. 14.

Attachments:

Ordinance No. 2025-_____



ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO RECEIVE AND EXPEND GRANT FUNDS FROM THE TEXAS SEVERE WINTER STORM GRANT-BACKUP GENERATOR WATER WELL NO.14 PUMPHOUSE.

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 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#27

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 130 – TX Severe Backup Generator Grant					
<u>Revenues</u>					
0000	Grants	Federal Grants	72005	\$175,000	
<u>Expenditures</u>					
6002	Water Prod	Machinery & Equipment	71200	\$175,000	

[To amend the City of Kingsville FY 24-25 budget to appropriate, accept and expend grant funds from the FEMA-DR-4586-Texas Severe Winter Storm Grant-Backup Generator for the Pumphouse at Water Well No. 14. Funding for this request will come from the grant funds for the stated purpose.]

II.

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

III.

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

phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 10th day of February 2025.

PASSED AND APPROVED on this the 24th day of February 2025.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

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

DATE: February 10, 2025

SUBJECT: Consider Approving Change Order No. 2 (CO-2) for Bid No. 24-04 for the General Land Office (GLO) Community Development Block Grant Mitigation (CDBG-MIT) Contract No. 22-082-016-D218 Project 6 – 10th Street Sanitary Sewer Improvements Project

Purpose:

Consider approving the General Land Office (GLO) Change Order No. 2 (CO-2) for Project 6, which substitutes 2,339 LF of 12" dia. cast-in-place pipe (CIPP) to 16" dia. pipe bursting using HDPE, deducting point repairs that are no longer required, rehabilitation of eight (8) manholes using fiberglass inserts (in lieu of spray-on coating rehabilitation), and reconstruction of bench and inverts of 18 existing sanitary sewer manholes. All recommendations are based on the condition of the pipe and manholes discovered CCTV inspection. CO-2 will add an estimated 60 calendar days to the contract time.

Summary:

GLO Change Order No. 2 – Contract Price

Item	Description	Unit	Quantity	Unit Cost	Total
B1	Ex. Manhole Protective Coating (60MIL)	SY	-314	\$554.00	(\$173,956.00)
B2	Point Repair	EA	-6	\$19,000.00	(\$114,000.00)
CO2-1	16" Dia. Pipe Bursting Ex. 12" Dia. VCP with HDPE SDR 17	LF	2,339	\$108.00	\$252,612.00
CO2-2	Fiberglass Manhole Rehabilitation	EA	8	\$14,000.00	\$112,000.00
CO2-3	Reconstruct Bench and Invert	EA	18	\$1,900.00	\$34,200.00
CO2-4	Mobilization of Pipe Bursting Crew	LS	1	\$16,000.00	\$16,000.00

GLO Change Order No. 2 Total \$126,856.00



**City of Kingsville
Engineering Dept.**

GLO Change Order No. 1 – Contract Time

Description	Calendar Days
Additional Contract Time	85

Revised Contract Price and Time \$908,756.00 and 265 Calendar Days

CO1-1 will increase the cost by 8.64% within the 25% allowed by the contract.

There will be a second change order that will need to be approved at a later day but will require environmental clearance and use a different method of rehabilitation.

Financial Impact:

Project 6 Change Order No. 2 will be funded by Fund 113 Citywide Wastewater Collection System Improvements in the amount of \$126,856.00.

Recommendation:

Staff recommendations approving Change Order No. 2 for CDBG-MIT GLO Contract No. 22-082-016-D218 – Project 6 -10th Street. -Sanitary Sewer Improvements for an additional cost of \$126,826.00 and additional contract time of 60 calendar days.

Attachments:

- GLO Change Order No. 2
- ICE Project 6 – CO 2 Recommendation Letter
- ICE Project 6 – Revised Plan and Profile Sheets





January 21, 2025

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

Re: **CDBG-MIT GLO Contract No. 22-082-016-D218 Project 6, (City of Kingsville Bid No. 24-04) – ICE CO 2 recommendation**

Dear Mr. Mora,

This memorandum is in reference to ICE's recommendation to PM Construction & Rehab's request for Change Order 2, in the amount of \$126,856.00. The Change Order is to substitute 2,339 LF of 12" cast-in-place piping to pipe-bursting using HDPE, deducting point repairs that are no longer required, rehabilitation of eight (8) manholes using fiberglass inserts (in lieu of spray-on coating rehabilitation), and reconstruction of bench and inverts on 18 existing sanitary sewer manholes. All recommendations are based on the conditions of pipe and manholes discovered during CCTV inspection.

ICE has reviewed the video footage from inspection and can confirm that the sewer line for a segment of the 12" VCP is in no condition for cast-in-place piping to be an effective means of rehabilitation. We recommend pipe-bursting as a more suitable alternative given the conditions of the existing sewer pipe. Additionally, there were two sanitary sewer manholes discovered during CCTV inspection, labeled as SSMH-1A and SSMH-4B. These manholes will require fiberglass rehabilitation to maintain structural integrity.

This Change Order along with Change Order 1 will increase the original contract amount of \$836,495.00 by approximately **23.8%**, which falls within the 25% allowance per the GLO contract. The adjusted contract amount with this change order will be \$1,035,612.00. It is our experience that the cost of pipe-bursting materials is a volatile market and this cost is justifiable and within practical reason.

Therefore, it is ICE's recommendation to approve Change Order 2. The City of Kingsville has the final decision to approve/not approve change orders.

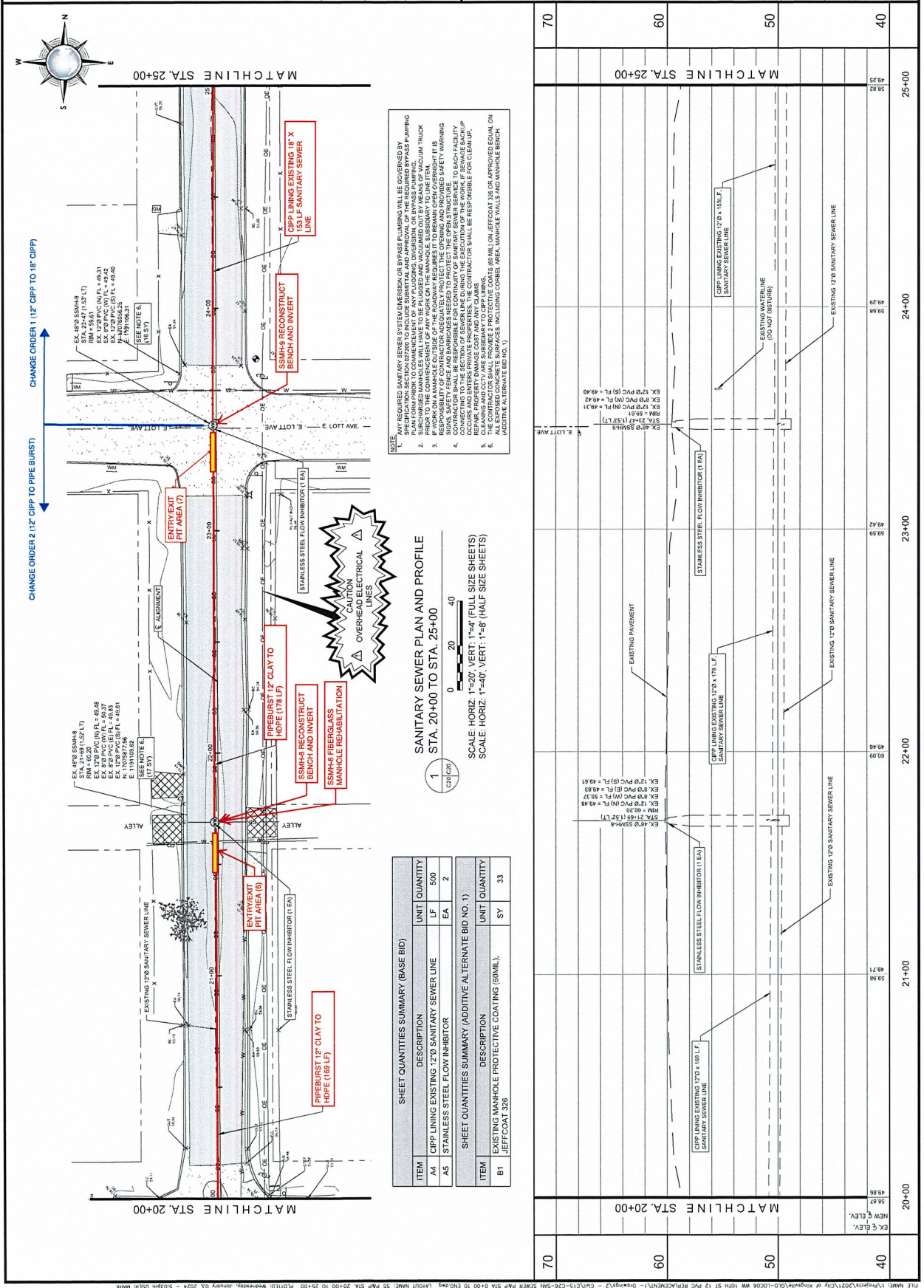
If you have any questions or need additional information, please contact me at (361) 826-5805 or charlie@icengineers.net

Sincerely,

A handwritten signature in blue ink, appearing to read 'Juan Carlos Cardenas'.

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

REVISION NO.	DATE	DESCRIPTION



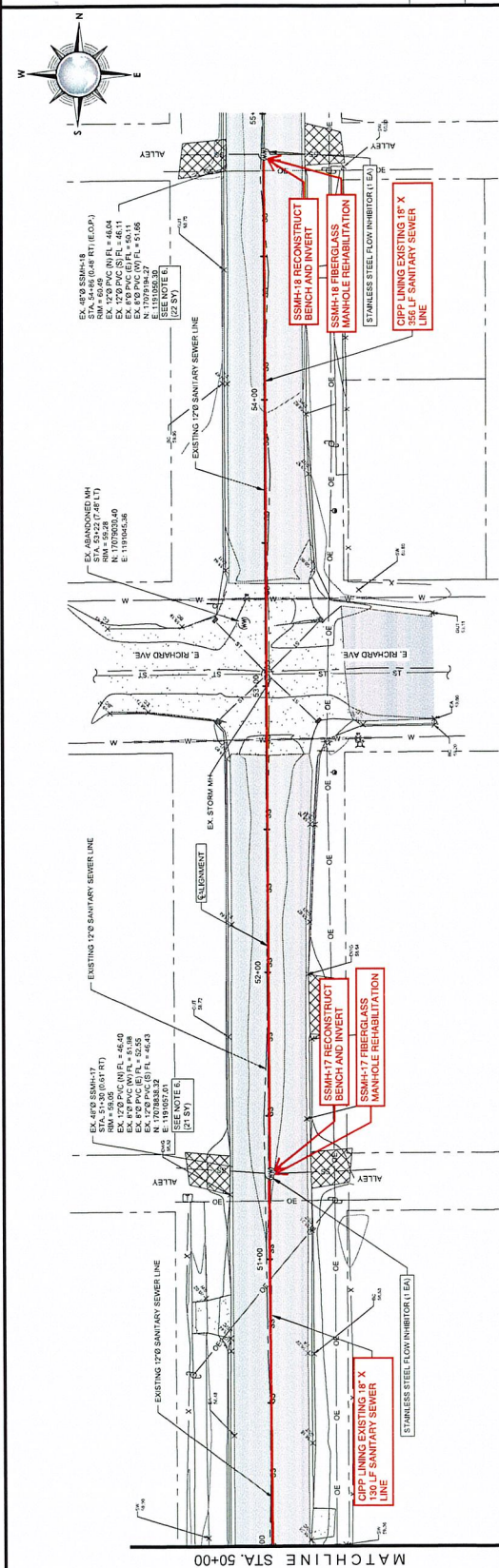
ITEM	DESCRIPTION	UNIT	QUANTITY
A4	CIPP LINING EXISTING 12\"/>		

ITEM	DESCRIPTION	UNIT	QUANTITY
B1	EXISTING MANHOLE PROTECTIVE COATING (60MIL), JEFFCOAT 325	SY	33

SCALE: HORIZ. 1"=40', VERT. 1"=4' (FULL SIZE SHEETS)
 SCALE: HORIZ. 1"=40', VERT. 1"=8' (HALF SIZE SHEETS)

NOTE: 1. ANY REQUIRED SANTARY SEWER SYSTEM OVERHAUL OR BYPASS PUMPING WILL BE GOVERNED BY SPECIFICATION SECTION 02750 TO INCLUDE SUBMITTAL AND APPROVAL OF THE REQUIRED BYPASS PUMPING. 2. SURCHARGE MANHOLES WILL HAVE TO BE PLUGGED AND VACUUMED OUT BY MEANS OF VACUUM TRUCK PRIOR TO THE COMMENCEMENT OF ANY WORK ON THE MANHOLE. 3. RESPONSIBILITY OF CONTRACTOR ADEQUATELY PROTECT THE OPENINGS AND PROVIDED SAFETY MARKING TO PREVENT ACCIDENTS. 4. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTINUITY OF SANTARY SEWER SERVICE TO EACH FACILITY OCCASION AND SHALL PROVIDE PROTECTIVE COATING TO ALL EXISTING MANHOLES. 5. REPAIR, PROPERTY DAMAGE COST AND ANY CLAIMS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. 6. THE CONTRACTOR SHALL PROVIDE 2 PROTECTIVE COATS (60 MIL) ON JEFFCOAT 325 OR APPROVED EQUAL ON ALL EXISTING MANHOLES. 7. ALL JEFFCOAT 325 INCLUDING CORREL AREA, MANHOLE WALLS AND MANHOLE BENCH, ADDITIONAL LEADWATER BE NO. 1.

REVISION NO.	DATE	DESCRIPTION



NOTE:

- ANY REQUIRED SANITARY SEWER SYSTEM DIVERSION OR BYPASS PUMPING WILL BE COVERED BY A PLAN FORM PRIOR TO COMMENCEMENT OF ANY FLOODING, DIVERSION, OR BYPASS PUMPING.
- IF WORK ON A MANHOLE OUTSIDE OF THE ROADWAY REQUIRES IT TO REMAIN OPEN OVERNIGHT IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ADEQUATE SAFETY WARNING SIGNS, SAFETY FENCE AND BARRICADES NEEDED TO PROTECT THE OPEN STRUCTURE.
- CONNECTING TO THE SECTION OF SEWER LINE DURING THE EXECUTION OF THE WORK, IF SEWER BACKUP OCCURS AND ENTERS PRIVATE PROPERTIES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEAN UP, CLEANING AND CATCH ARE SUBSIDIARY TO CIPP LINING.
- ALL CLOSED CONCRETE SURFACES, INCLUDING CORBEL AREA, MANHOLE WALLS AND MANHOLE BECK, (ADDITIVE ALTERNATE BID NO. 1)

SANITARY SEWER PLAN AND PROFILE
 STA. 50+00 TO STA. 55+00 (E.O.P.)

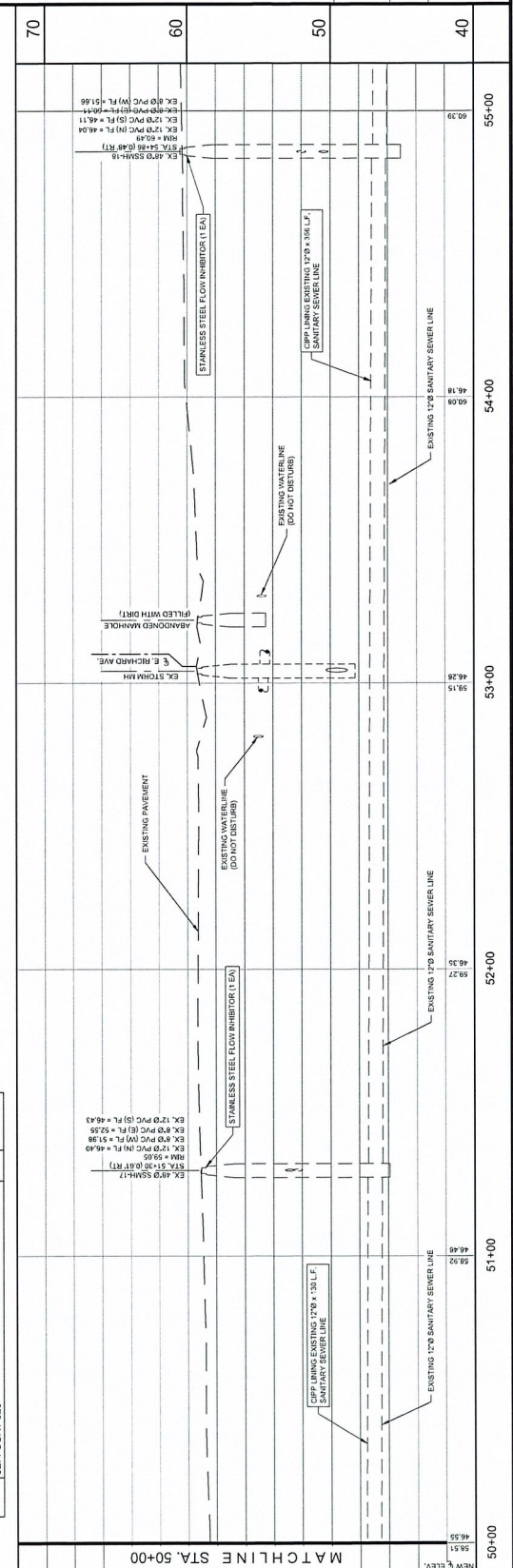
SCALE: HORIZ. 1"=20', VERT. 1"=4' (FULL SIZE SHEETS)
 SCALE: HORIZ. 1"=40', VERT. 1"=8' (HALF SIZE SHEETS)

SHEET QUANTITIES SUMMARY (BASE BID)

ITEM	DESCRIPTION	UNIT	QUANTITY
A4	CIPP LINING EXISTING 12"Ø SANITARY SEWER LINE	LF	486
A5	STAINLESS STEEL FLOW INHIBITOR	EA	2

SHEET QUANTITIES SUMMARY (ADDITIVE ALTERNATE BID NO. 1)

ITEM	DESCRIPTION	UNIT	QUANTITY
B1	EXISTING MANHOLE PROTECTIVE COATING (60MIL. JEFFCOAT 236)	SY	43





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

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

Subrecipient: GLO Contract Number: Date:

Engineer Name Address & Phone International Consulting Engineers 261 Saratoga Blvd. Corpus Christi, TX 78417 361-826-5805	Subrecipient Name, Address, & Phone Number: City of Kingsville 400 W. King Ave. Kingsville, TX 78363 361-595-8040	Contractor Name, Address & Phone Number: PM Construction & Rehab, LLC 131 North Richey Street Pasadena, TX 77506 832-252-4800
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Project #: Bid Package #: Change Order #:
 Contract Origination Date: Project Description:

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

Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion Schedule etc.	Decrease in Contract Price	Increase in Contract Price
B1	Existing Manhole Protective Coating (60 MIL), \$554.00/SY, -314 SY	173,956	
B2	Point Repair, \$19,000/EA, -6 EA	114,000	
CO 2-1	16" Pipebursting Existing 12" VCP with HDPE SDR 17, \$108.00/LF, +2,339 LF		252,612
CO 2-2	Fiberglass Manhole Rehabilitation, \$14,000/EA, +8 EA		112,000.00
CO 2-3	Reconstruct Bench and Invert, \$1,900/EA, +18 EA		34,200
CO 2-4	Mobilization of Pipebursting Crew, \$16,000/LS, +1 LS		16,000

See sheet 2 to add additional entries

Change in Construction Contract Price

Change in Contract Time (Calendar Days)

Original Contract Price: <input type="text" value="836,495.00"/>	Original Contract Time in Days: <input type="text" value="180"/>
Cumulative Previous Change Order(s) Total: <input type="text" value="72,261.00"/>	Net Change from Previous Change Order(s) in Days: <input type="text" value="85"/>
Contract Price Prior to this Change Order: <input type="text" value="908,756.00"/>	Contract Time Prior to this Change Order in Days: <input type="text" value="265"/>
Net Increase/Decrease of this Change Order: <input type="text" value="126,856"/>	Net Increase/Decrease of this Change Order in Days: <input type="text" value="60"/>

RESOLUTION #2025-_____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH PM CONSTRUCTION & REHAB LLC FOR THE GLO CDBG-MIT CONTRACT 22-082-016-D218 PROJECT 6: 10TH STREET SANITARY SEWER IMPROVEMENTS PROJECT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville (City) intends to make some sanitary sewer improvements through a General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-082-016-D218 for Project 6: 10th Street Sanitary Sewer Improvements and went out for bids via BID #24-02 which was advertised in 2023 but no bids were received, so the project was readvertised;

WHEREAS, the three were bids received on February 20, 2024 that were responsive to BID #24-02 and after reviewing the bid submittals staff and the outside engineer (ICE) recommended the bid be awarded to the low bidder, which was Texas Pride Utilities, LLC, from Houston, Texas (Vendor);

WHEREAS, the City awarded BID#24-02 to Vendor at a Commission meeting on March 11, 2024 for a total amount of \$714,814.00 and subsequently awarded the construction contract via resolution on March 25, 2024;

WHEREAS, the Vendor then became non-responsive and never returned an executed contract causing the City on May 13, 2024 to rescind the award and the unexecuted construction contract with that Vendor, and then award the bid to the next lowest bidder PM Construction & Rehab LLC for a total amount of \$836,495.00;

WHEREAS, the City and PM Construction & Rehab LLC worked to prepare a contract for GLO CDBG-MIT Contract No. 22-082-016-D218 Project 6: 10th Street Sanitary Sewer Improvements and the parties both agreed to the terms of the proposed contract for the base bid and for alternates, which together were a total amount of \$836,495.00 with a contract time of 180 days via Resolution #2024-50 on May 28, 2024;

WHEREAS, staff and the contract engineer ICE recommended approval of Change Order #1 that added \$72,261.00 and 85 contract days, which the City Commission approved on January 13, 2025;

WHEREAS, certain conditions of pipe and manholes were discovered during a CCTV inspection that have caused a change to the proposed plan for repair of those items, resulting in the need for this Change Order #2;

WHEREAS, staff and the contract engineer ICE are recommending the City Commission approve Change Order #2 to the Construction Contract with PM Construction & Rehab LLC as presented which will add \$126,856 and 60 contract days to the project, resulting in a new total contract amount of \$1,035,612.00 with a total contract time of 325 calendar day;

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

I.

THAT the City Commission approves and the Mayor is authorized and directed as an act of the City of Kingsville, Texas to execute Change Order No.2 to the Construction Contract for General Land Office (GLO) Community Development Block Grant (CDBG) -Mitigation (MIT) program via Contract No. 22-082-016-D218 for Project 6: 10th Street Sanitary Sewer Improvements between the City of Kingsville, Texas and PM Construction & Rehab LLC as per staff recommendation and in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
10th day of February, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



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

Contract Price with All Approved Change Orders:	1,035,612.00	Contract Time with All Approved Change Orders in Days:	325
Cumulative Percent Change in Contract Price (+/-)	23.80%	Subrecipient Contract End Date:	1/31/2025
Construction Contract Start Date:	6/17/2024	Construction Contract End Date:	5/8/2025

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

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

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

Justification for Change Order

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

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

Total LMI

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

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

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

If "no", explain:

New contract items are added due to unforeseen items discovered during pre-installation televised inspection.

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

If "yes", is an environmental assessment required?



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

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

If "no", explain:

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

AGENDA ITEM #12

**City of Kingsville
Public Works**

TO: Mayor and City Commissioners
CC: Charley Sosa, Interim City Manager
FROM: William Donnell, Public Works Director
DATE: January 29, 2025
SUBJECT: Drought Contingency Plan Update

Summary:

This update brings public awareness of possible actions/restrictions during water shortages to protect public health, safety and welfare. This plan is a requirement as part of TCEQ compliance and TWDB funding.

Background:

The Drought Contingency Plan (DCP) was last modified by Ordinance 2023-35. This plan identifies the criteria for initiation and termination, drought response stages and potential impacts to water customers. TCEQ requires new language to be added to the plan.

- In every wholesale water contract entered into or renewed after the adoption of this drought contingency plan, including contract extensions, that in case of a shortage or water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.
- The drought contingency plan must include the specific water supply or water demand management measures to be implemented during each stage of the plan including, but not limited to, the following:
 - pro rata curtailment of water deliveries to or diversions by wholesale water customers as provided in Texas Water Code, §11.039; and
 - utilization of alternative water sources with the prior approval of the executive director as appropriate (e.g., interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

Financial Impact:

The Drought Contingency Plan has no financial impact to the City.

Recommendation:

Staff recommends approval of this drought contingency plan.



ORDINANCE #2025-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V-PUBLIC WORKS, ARTICLE 3- WATER, BY ADOPTING SECTIONS 82 AND 83, PROVIDING REQUIRED STATUTORY LANGUAGE IN WATER SUPPLY CONTRACTS AND THE DROUGHT CONTINGENCY PLAN; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, staff for the Texas Commission on Environmental Quality has reviewed the City's Drought Contingency Plan and made two suggested revisions in accordance with Title 30 Texas Administrative Code §288.20 and §288.22, which are incorporated in the amendments proposed below;

WHEREAS, the City needs to maintain an updated Drought Contingency Plan as part of TCEQ compliance and TWDB funding compliance;

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 5-3-82 and 5-3-83 of Article 3: Water of Chapter V, Public Works of the Code of Ordinances of the City of Kingsville, Texas, shall be adopted to read as follows:

...

§ 5-3-82 WHOLESALE WATER CONTRACT LANGUAGE REQUIRED

In every wholesale water contract entered into or renewed after the adoption of this drought contingency plan (approval date of February 24, 2025), including contract extensions, that in case of a shortage or water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

§ 5-3-83 STATUTORY PLAN REQUIREMENTS

- (A) Pro rata curtailment of water deliveries to or diversions by wholesale water customers shall be as provided in Texas Water Code, §11.039; and,**
- (B) Utilization of alternative water sources shall be with the prior approval of the executive director as appropriate (e.g.,**

interconnection with another water system, temporary use of a non-municipal water supply, use of reclaimed water for non-potable purposes, etc.).

...

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 10th day of February, 2025.

PASSED AND APPROVED on this the 24th day of February, 2025.

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
Police Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: John Blair, Chief of Police

DATE: January 28, 2025

SUBJECT: OOG Solicitation Bullet-Resistant Shield Grant Program, FY2026

Summary:

The Police Department seeks approval from the Commission through resolution to apply for funding under the FY2026 Office of the Governor Solicitation for Bullet-Resistant Shield Grant Program. This funding opportunity is designed to provide resources that strengthen transparency and improve public safety by equipping officers with advanced tools to respond effectively and safely in critical situations.

Background:

Across the country, law enforcement faces increasing challenges in ensuring community safety while maintaining public trust. These challenges underscore the need for modern, efficient tools that support transparency and enhance the effectiveness of our officers. While our department has invested in critical safety equipment, this grant offers an opportunity to expand and modernize these resources. Specifically, this grant will enable the acquisition of an additional 10 bullet-resistant shields, ensuring that officers have access to protective equipment during high-risk scenarios. This equipment not only safeguards our personnel but also reassures the public of our commitment to swift, responsible action in dangerous situations. Moreover, this initiative reflects our department's dedication to adopting best practices in transparency and accountability, further strengthening the trust between the community and law enforcement.

Financial Impact:

The Police Department is requesting through this grant to purchase 10 Bullet-Resistant Shields. The cost of the shield's breakdown is as follows:
10 Shields- \$5,610.45 ea. for a total of \$56,104.50.

There is no cash match for this grant.



**City of Kingsville
Police Department**

Recommendation:

The Police Department respectfully requests approval to apply for funding under the FY2026 OOG Solicitation Bullet-Resistant Shield Grant Program. Supporting this initiative aligns with our shared values of public safety and transparency, equipping officers with the tools necessary to respond effectively while reinforcing community trust.



Name:

Bullet-Resistant Shield Grant Program, FY2026

Available
12/16/2024

Due Date
02/13/2025

Purpose:

The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with bullet-resistant shields.

Available Funding:

State funds for these projects are authorized by a Budget Execution Order proposed by the Legislative Budget Board and ratified by Governor Abbott on June 28, 2022, pursuant to Texas Government Code, Section 317.002 and Section 317.005(b). All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make \$250,000 for FY2026.

Eligible Organizations:

Applications may be submitted by independent school districts that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

Application Process:

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

Key Dates:

Event	Date
Funding Anouncement Release	12/16/2024
Online System Opening Date	12/16/2024

Final Date to Submit and Certify an Application	02/13/2025 at 5:00PM CST
Earliest Project Start Date	09/01/2025

Project Period:

Projects must begin on or after 09/01/2025 and may not exceed a 12-month project period.

Funding Levels

Minimum: None

Maximum: None

Match Requirement: None

Standards

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards (TxGMS), Federal Uniform Grant Guidance, and all statutes, requirements, and guidelines applicable to this funding.

Eligible Activities and Costs

Funds may only be used for obtaining bullet-resistant shields compliant with the National Institute of Justice (NIJ) Level III, III+, or IV.

Applicants are encouraged to consider the reasonable cost of their request. PSO will evaluate applications based on the number of frontline peace officers and the average cost per shield.

Program-Specific Requirements

Eligible officers. Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant.

Active Shooter Policy. All eligible organizations that apply for grant funds will ensure its law enforcement agency adopts a Critical Incidents In-Progress (Active Shooter) policy implementing, at a minimum, protocols for assessing an active threat or violent encounter and immediately responding in order to stop the killing, stop the dying, and provide rapid casualty evacuation. The policy should include procedures that address:

- Concepts and Principles
- Community/First Responder Agency Notifications
- Mutual Aid Implementation

- Solo Officer Deployment
- Officer Team Deployment
- Follow-On Responders (Rescue Task Force)
- Incident Command - Unified Command Considerations
- Incident Debriefing
- Training

ALERRT Training. All officers provided with a grant-funded ballistic shield must have either attended 16 hours of ALERRT (Advanced Law Enforcement Rapid Response Training) training within the last 24 months or commit to attend within the next 24 months. ALERRT's upcoming course schedule can be found here: <https://alerrt.org/Upcoming>.

Note: Funding is available through the Public Safety Office to offset travel expenditures associated with attending ALERRT Training. Please refer to the [ALERRT Travel Assistance Funding Announcement](#) for more information on how to apply for these funds.

Eligibility Requirements

1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered

eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2026 or the end of the grant period, whichever is later.

5. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's [Sexual Assault Evidence Tracking Program](#) website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>).



Failure to comply with program or eligibility requirements may cause funds to be withheld and/or the suspension or termination of grant funds.

Prohibitions

Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Any costs ancillary to the purchase of eligible ballistic shields, such as policy development, training costs, and staff; and
2. Any other prohibition imposed by federal, state or local law or regulation.

Selection Process

PSO will screen all applications to ensure that they meet the requirements included in the funding announcement.

Applications will then be reviewed by PSO staff members or a review group selected by the executive director. PSO will make all final funding decisions based on eligibility, reasonableness, availability of funding, and cost-effectiveness.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

Contact information

For more information, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

Total Funds

\$250,000

RESOLUTION #2025-_____

A RESOLUTION AUTHORIZING APPLICATION TO, ADMINISTRATION OF, AND ACCEPTANCE OF OFFICE OF THE GOVERNOR, BULLET-RESISTANT SHIELD GRANT PROGRAM, FY2026; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department apply for and, if awarded, accept and administer the Office of the Governor, Public Safety Office, Criminal Justice Division's Bullet-Resistant Shield Grant Program, FY2026 (9/01/25-8/31/26), which provides funding to enable law enforcement agencies to equip peace officers with bullet-resistant shields; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project, if any, though none are currently required; and

WHEREAS, to support the safety of officers and citizens, the City would like to use grant funds to purchase bullet-resistant shields for its law enforcement personnel; and

WHEREAS, the City agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full;

WHEREAS, the City of Kingsville has previously applied for similar grants that assist with improved officer and citizen safety; and

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

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

I.

THAT the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the Office of the Governor, Bullet-Resistant Shield Grant Program, FY2026.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Office of the Governor, Bullet-Resistant Shield Grant

Program, FY2026, including but not limited to any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 10th day of February, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Charlie Sosa, Interim City Manager

FROM: John Blair, Chief of Police

DATE: January 13, 2025

SUBJECT: OOG Solicitation Body-Worn Camera Grant Program, FY2026

Summary:

The Police Department seeks approval through resolution to apply for funding through the FY2026 Office of the Governor Solicitation Body-Worn Camera Grant Program. This grant will continue to support our advanced body-worn camera technology and associated digital evidence management systems. These tools are essential to enhancing public safety, ensuring officer accountability and safety, and promoting transparency within our community.

Background:

Body-worn cameras have become a best practice for modern law enforcement, providing a critical tool to document interactions between officers and the public. The current body-worn camera system employed by KPD has significantly improved the efficiency and reliability of evidence collection, management, and sharing. The Axon Body Camera platform and its integrated evidence management system, Evidence.com, provide secure, CJIS-compliant storage with features such as real-time uploads, full audit trails, and seamless sharing with the prosecutor's office. Body-worn cameras represent a vital step forward in modern policing, bridging the gap between law enforcement and the community by fostering trust and accountability. This grant opportunity underscores our commitment to adopting best practices in public safety while responsibly managing city resources.

This program reflects our commitment to community trust by providing documentation of police activities while reducing the time and resources required for manual evidence handling.

Financial Impact:

The total project cost is \$83,088, which includes the following components:

- **42 Body-Worn Camera Packages with Technology Support Plan:** \$62,874 (\$1,497 each)
- **Software Licensing Fees:** \$14,595



**City of Kingsville
Police Department**

- **Professional Services:** \$5,619

The grant requires a 25% cash match of \$20,773. These funds will be sourced from the Un-appropriated Fund Balance of General Fund, pending a budget amendment upon grant approval.

Recommendation:

The Police Department respectfully requests approval to apply for funding under the FY2026 OOG Solicitation Body-Worn Camera Grant Program. This initiative is critical for enhancing officer accountability and public trust, aligning with our department's commitment to safety, transparency, and operational efficiency.



Name:

Body-Worn Camera Grant Program, FY2026

Available
12/16/2024

Due Date
02/13/2025

Purpose:

The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with body-worn cameras.

Available Funding:

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 35 for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make available \$10M for FY2026.

Eligible Organizations:

Applications may be submitted by the Texas Department of Public Safety, municipalities, and counties that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

Application Process:

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

Key Dates:

Funding Anouncemtent Release	12/16/2024
Online System Opening Date	12/16/2024

Final Date to Submit and Certify an Application	02/13/2025 at 5:00PM CST
Earliest Project Start Date	09/01/2025

Project Period:

Projects must begin on or after 09/01/2025 and may not exceed a 12 month project period.

Funding Levels

Minimum: None

Maximum: None

Match Requirement: 25%

Standards

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards (TxGMS), Federal Uniform Grant Guidance, and all statutes, requirements, and guidelines applicable to this funding.

Eligible Activities and Costs

Funds may be used for obtaining body-worn cameras, digital video storage, and retrieval systems or cloud-based services. Subscriptions and/or leasing services that fall within the 12-month performance period are eligible.

Program-Specific Requirements

Eligible officers. Pursuant to Article 2B.0102, Texas Code of Criminal Procedure, grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) who:

1. Engage in traffic or highway patrol or otherwise regularly detain or stop motor vehicles; or
2. Primary responders who respond directly to calls for assistance from the public.

Policy. Pursuant to Article 2B.0102, Texas Code of Criminal Procedure, a law enforcement agency that receives a grant to provide body worn cameras to its peace officers or that otherwise operates a body worn camera program shall adopt a policy for the use of body worn cameras. The policy must ensure that a body worn camera is activated only for a law enforcement purpose and must include:

1. Guidelines for when a peace officer should activate a camera or discontinue a recording currently in progress, considering the need for privacy in certain situations and at certain

locations.

2. Provisions relating to data retention, including a provision requiring the retention of video for a minimum period of 90 days.
3. Provisions relating to storage of video and audio, creation of backup copies of the video and audio, maintenance of data security, and the collection of a body worn camera, including the application video and audio recorded by the camera, as evidence.
4. Guidelines for public access, through open records requests, to recordings that are public information.
5. Provisions entitling an officer to access any recording of an incident involving the officer before the officer is required to make a statement about the incident.
6. Procedures for supervisory or internal review.
7. The handling and documenting of equipment and malfunctions of equipment.
8. Consistent with the Federal Rules of Evidence and Texas Rules of Evidence.

The policy may not require a peace officer to keep a body worn camera activated for the entire period of the officer's shift.

Training. Pursuant to Article 2B.0102, Texas Code of Criminal Procedure, a law enforcement agency must provide training to:

1. Peace officers who will wear the body worn cameras.
2. Any other personnel who will come into contact with video and audio data obtained from the use of body worn cameras.

Reporting. Pursuant to Article 2B.0102, Texas Code of Criminal Procedure, a law enforcement agency shall annually report to the Texas Commission on Law Enforcement (TCOLE) regarding the costs of implementing a body worn camera program, including all known equipment costs and costs for data storage.

Eligibility Requirements

1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's Sexual Assault Evidence Tracking Program website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant.

5. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising

authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2026 or the end of the grant period, whichever is later.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>).

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

Prohibitions

Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Any costs ancillary to the purchase of body-worn cameras, video storage, and retrieval systems or cloud-based services such as policy development, training costs, and staff;
2. Any in-car cameras and/or service agreements for in-car camera software; and
3. Any other prohibition imposed by federal, state or local law or regulation.

Selection Process

PSO will screen all applications to ensure that they meet the requirements included in the funding announcement.

Applications will then be reviewed by PSO staff members or a review group selected by the executive director. PSO will make all final funding decisions based on eligibility, reasonableness, availability of funding, geographic distribution, cost effectiveness, or other relevant factors.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

Contact Information

For more information, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

\$10 Million

RESOLUTION #2025-_____

A RESOLUTION AUTHORIZING APPLICATION TO, ADMINISTRATION OF, AND ACCEPTANCE OF OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION'S BODY-WORN CAMERA GRANT PROGRAM, FY2026; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department apply for and, if awarded, accept and administer the Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2026 (9/01/25-8/31/26), which provides funding to enable police agencies to purchase body-worn cameras, data, software, digital video storage, and technology; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project as required by the grant application, which are expected to be a 25% match and will specify the exact budgetary line item when an award is made; and

WHEREAS, to support the safety of officers and citizens through the use of body-worn cameras the City would like to use grant funds to purchase body-worn cameras, software, technology, and storage for its law enforcement personnel; and

WHEREAS, the City agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full;

WHEREAS, the City of Kingsville has previously applied for similar grants that assist with improved officer and citizen safety; and

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

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

I.

THAT the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2026.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Office of the Governor, Public Safety Office, Criminal Justice Division's Body-Worn Camera Grant Program, FY2026, including but not limited to any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 10th day of February, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners
CC: Charles Sosa, Interim City Manager
FROM: Diana Gonzales, Human Resource Director
DATE: February 3, 2025
SUBJECT: Proposed Change to Policy # 890.05 Firearms and Other Weapons

Summary:

This revision to Policy 890.05 Firearms and Other Weapons (previously Guns and Firearms) is to provide clarification and exceptions to existing policy.

Background:

The current version of Policy 890.05 was approved on 08/28/2006 by the City Commission with no subsequent revisions as of date.

This will provide an opportunity for employees to be able to carry items of protection while at work.

Financial Impact:

No additional costs.

Recommendation:

Amend Policy 890.05 and rename to Firearms and Other Weapons.



RESOLUTION NO. 2025-_____

A RESOLUTION AMENDING THE CITY OF KINGSVILLE ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL FOR POLICY NO. 890.05 – FIREARMS AND OTHER WEAPONS.

WHEREAS, the City Commission previously adopted an administrative policy handbook for employees which included Policy No. 890.05-Guns and Firearms, which was approved on 8/28/2006 and has had no revisions since that time;

WHEREAS, Policy No. 890.057-“Guns and Firearms” is now being renamed to “Firearms and Other Weapons” as well as having other revisions made;

WHEREAS, the City is now proposing an amendment to provide clarification and exceptions to an existing policy for employees to be able to carry certain personal items of protection while at work; and

WHEREAS, there is no additional cost to the City by approving this policy amendment;

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

I.

THAT Policy No. 890.05 – Firearms and Other Weapons, attached as Exhibit A, is hereby approved;

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 10th day of February, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

POLICY NO. 890.05 FIREARMS AND OTHER WEAPONS

1. Definition

In this policy, "Firearm" has the meaning assigned by Texas Penal Code sec. 46.01(3), and means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

2. Authorized Personnel

The possession of firearms on the City's premises during work hours is prohibited. Any Employee, other than a licensed peace officer, found to be in possession of a firearm on City property during work hours may be subject to disciplinary action up to and including termination of employment.

3. City Property

This policy does not prohibit a City employee who holds a license to carry a handgun under Subchapter H, Chapter 411, Texas Government Code, who otherwise lawfully possesses a firearm, or who lawfully possesses ammunition, from transporting or storing a firearm or ammunition the employee is authorized by law to possess in a locked, privately owned motor vehicle in a City parking lot, parking garage, or other parking area provided for City employees.

4. City Commission Meetings

On-duty employees, including on-duty peace officers, may not carry firearms to a City Commission meeting unless the employee is designated or duly appointed as a security officer by the City Manager.

5. Weapons Other Than Firearms

The City prohibits employees from possessing, on the City's premises during work hours, any device designed or intended to be used as an implement of combat or to inflict harm upon another including clubs, sharp and/or pointed objects, explosive or incendiary devices, and noxious, caustic, or toxic chemicals.

6. Exclusions and Exceptions

The City does not prohibit Employees from possessing personal handheld mace containers and dry-stun devices during working hours. Utilization of these weapons in a threatening manner when not involved in a confrontational situation or having items on display is not allowed and may subject the employee to disciplinary actions up to and including termination of employment.

Exceptions to any of the sections above may only be granted by the City Manager, if allowed by existing laws. Written documentation shall be required to record the exception and placed in the employee's file.

Date Submitted to City Commission:

02/10/2025

AGENDA ITEM #16