

City of Kingsville, Texas

AGENDA
CITY COMMISSION
MONDAY, MARCH 10, 2025
REGULAR MEETING
CITY HALL
HELEN KLEBERG GROVES COMMUNITY ROOM
400 WEST KING AVENUE
5:00 P.M. – Regular Meeting

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

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

- Regular Meeting – January 13, 2025.
- Regular Meeting – February 10, 2025.
- Regular Meeting – February 24, 2025.

APPROVED BY:



Charlie Gosa
Interim City Manager

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 amending the Fiscal Year 2024-2025 Budget to accept and expend donation funding from 1PointFive for Fire Department self contained breathing apparatus. (Fire Chief).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to receive and expend grant funds from the Texas Severe Winter Storm Grant for a backup generator at the Water Well No. 14 Pumphouse. (FEMA-DR-4586; contract approved 2/10/25). (City Engineer).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding out of Chapter 59 (Fund 005) for the Lexipol onetime and annual subscription fees for the Police Department. (Police Chief).
4. Motion to approve a resolution authorizing the City of Kingsville to continue participation in the Texas Main Street Program, authorizing the Interim City Manager to execute the Texas Main Street Locally Designated Program 2025 Contract, and designating Downtown Manager Alicia Tijerina as the Main Street Program Manager for the City of Kingsville to coordinate program activities. (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

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

5. Consider donating expired firefighting equipment to a Fire Department in Mexico, as it cannot be used in the USA. (Fire Chief).
6. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for emergency repairs to Water Wells #21 & #24. (Public Works Director).
7. Consider reallocation of ARP Funds to cover the Golf Course water well motor/pump purchase/repairs. (Parks Director).
8. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to reallocate GF ARP Funds from the demos allocation and left-over funds of the IT Firewalls Project to cover Golf Course water well pump purchase. (Parks Director).
9. Consideration and approval of a resolution by the City of Kingsville, Texas suspending the April 19, 2025 effective date of the proposal by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas - Houston, Texas Coast, South Texas, and Beaumont/East Texas geographic rate areas, to implement

Interim GRIP Rate Adjustments for gas utility investment in 2024 and requiring delivery of this resolution to the company and legal counsel. (City Attorney).

10. Consideration and approval of a resolution supporting the competitive housing tax credit application of Casitas Los Ebanos, LP for an affordable rental housing development in Kingsville, Texas. (location off Loop 428). (City Manager/City Attorney).

11. Consideration and approval of a resolution authorizing the City to submit a loan application under the Texas Military Value Revolving Loan Fund to the Texas Military Preparedness Commission for funding Wastewater System Improvements; authorizing the Mayor to submit the application and the City Engineer as the official to act on the City's behalf with such loan program. (City Engineer).

VII. Adjournment.

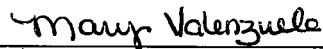
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative 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:

March 6, 2025, at 3:30 P.M. and remained 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)**

JANUARY 27, 2025

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 27, 2025, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Charlie Sosa, Interim City Manager
Courtney Alvarez, City Attorney
Kyle Benson, IT Director
Derek Williams, Systems Administrator
Emilio Garcia, Health Director
Diana Gonzalez, Human Resources Director
Susan Ivy, Park Director
Bill Donnell, Public Works Director
Deborah Balli, Finance Director
Janine Reyes, Tourism Director
Leticia Salinas, Accounting Manager
John Blair, Police Chief
Kobby Agyekum, Senior Planner/HPO
Manny Salazar, Economic Development Director

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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

1. Public hearing to consider 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).

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

Mr. Kobby Agyekum, Senior Planner/HPO stated that the applicant is requesting a special use permit for a day nursery. The daycare already exists on the other side of the city but would like to move it to her present location. This has already been approved by the State and Planning and Zoning Commission. Notice letters were mailed to neighbors within the 200-foot buffer and the city received no feedback from those noticed.

Mayor Fugate asked if staff received any complaints or feedback from those that were noticed. Ms. Alvarez, City Attorney responded no. Mayor Fugate asked how the Planning and Zoning Commission voted. Ms. Alvarez responded that their vote was 6-0 approving the item.

There being no further discussion, Mayor Fugate closed this public hearing at 5:05.

III. Reports from Commission & Staff.²

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

Mr. Charlie Sosa, Interim City Manager, gave a brief report on city streets. He further reported that the Investment Committee met today and all finances for the city are on point.

Ms. Courtney Alvarez, City Attorney, reported that the Investment Committee met today on the 1st quarterly investment report for the current fiscal year, which runs from October through the end of December, which is in compliance with the city’s policy. Alvarez further reported that the next city commission meeting is scheduled for February 10, 2025, which will include a 4:00 p.m. workshop for an executive session item so that the commission can meet with the executive search firm with the regular meeting at 5:00 p.m. If additional time with the consultant is needed, then the commission may resume it at the end of the regular meeting. Ms. Alvarez further reported that the deadline for staff to submit their agenda items for the February 10th meeting is Friday, January 31st.

IV. Public Comment on Agenda Items.³

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

No public comments were made.

V.

Consent Agenda

Notice to the Public

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

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

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

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

- 1. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for Fire Department training. (Fire Chief).**
- 2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 8-Records Management, providing for Section 10-Fingerprint and Background Check Fees and for Section 11-Subpoena Duces Tecum and Zoning Verification Fees. (Police Chief/City Attorney).**
- 3. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate additional funding for City Wide Miscellaneous Concrete and Drainage Improvements-Phase 3. (City Engineer).**
- 4. Motion to approve final passage of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for Planning Department inspection services. (Director of Planning and Development Services).**
- 5. Motion to approve a resolution authorizing the release of Chapter 59 funds of the Kingsville Police Department for donation to the Kingsville Boxing Club for drug and alcohol prevention programs. (Police Chief).**
- 6. Motion to approve reappointment of Nick Harrel to the City of Kingsville Civil Service Commission for another 3-year term. (new term would expire 1/27/2028). (Human Resources Director).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

7. Consider introduction 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).

Mr. Manny Salazar, Economic Development Director stated that this is the project and financing plan that was previously approved by the TIRZ #3 Board earlier today. This project encompasses 200 acres on the southern portion of town, primarily undeveloped land which does include the southwaste water treatment facility.

Ms. Natalee Ayala, Pettit, and Ayala Consulting gave a PowerPoint presentation. She spoke about the concept of increment and financing for TIRZ #3. She stated that Tax Increment Financing is distinctive from public improvement districts and that it is not a new tax on development. It simply redirects a portion of the tax-generated from a new development from within a TIRZ, so any incremental taxes above and beyond the base year taxes a portion will go into a separate fund that is specifically for the benefit of the properties within the TIRZ. The TIRZ creation process is dictated by Chapter 311 of the Texas Tax Code. This chapter outlines two main documents for creating and amending a TIRZ which are the creation ordinance which was approved by the commission on December 9, 2024, and also includes the TIRZ project and financing plan. The creation ordinance establishes five key elements, which are not being discussed for any changes today. It includes the boundary, terms which for this TIRZ is 30 years, the number of the

TIRZ Board which is the commission, city participation level which is 50% of any incremental real property taxes, and the creation ordinance of the preliminary project, and financing plans. After the TIRZ has been created, which has already occurred, the TIRZ Board would need to recommend the approval of the plan, which was done earlier today. It is now being asked that the City Commission consider approval by a separate ordinance. Ms. Ayala shows a map showing the boundaries that encompass the 200 acres, which is non-continuous and does include the wastewater facility. Because this was created in 2024, the base year value is as of January 2024, so this is the first year that any increment will be generated with those taxes to be collected in 2026. This does have a 30-year term, and the city participates at a rate of 50% of its real property increment and it does not touch any of the sales, business, and personal property tax that are generated within the zone.

Commissioner Hinojosa asked if the city would be responsible for notifying the property owners that they are now part of the TIRZ.

Ms. Alvarez responded that the city has had public hearings and public notices and with this meeting now lets people know when developers want to develop any of the properties that are within the TIRZ then they would contact the city to talk about a perspective project they may have and inquire about what type of economic incentives are available within the city to help fund any gaps they may have in their project financing.

Commissioner Hinojosa asked if any notification letters would be mailed. Ms. Alvarez responded no, for someone that would want to develop within that zone, would then approach the city with their proposal or plan and ask what incentives the city may have available.

Mr. Salazar commented that this is not just your average property owner, so they won't get any notification as their tax liability does not change. It's a manner and how the city distributes the money to which a portion will be dedicated to the TIRZ, but their burden does not change. They don't have to do anything different; the process they had two years ago is the process they will have moving forward.

Introduction items.

8. Consider introduction 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).

Ms. Alvarez commented that the way the zoning is, you would have to have a special use permit. The applicant already has one in her previous location, but because special use permits don't transfer from one location to another, it is required for them to apply for a new special use permit for the new location.

Introduction item.

9. Consideration and approval of a resolution approving updates to Appendix B & C of the City of Kingsville Investment Policy and Investment Strategies; designating the Interim City Manager, Director of Finance, and City Accounting Manager as the authorized city representatives with full authority for investment purposes, and providing for disclosure of financial interest. (Finance Director).

Mrs. Deborah Balli, Finance Director, stated that the appendixes need to be updated to indicate that the city has an Interim City Manager and will remain this way until a permanent City Manager is appointed.

Motion made by Commissioner Lopez to approve the resolution approving updates to Appendix B & C of the City of Kingsville Investment Policy and Investment Strategies; designating the Interim City Manager, Director of Finance, and City

Accounting Manager as the authorized city representatives with full authority for investment purposes, and providing for disclosure of financial interest, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarco, Fugate, Lopez voting "FOR".

10. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for TIRZ #2 and TIRZ #3. (Finance Director).

Mrs. Balli stated that this budget amendment is for \$6,500 which is for a TIRZ that was not rolled over as there is still an outstanding balance for TIRZ #2 which was for \$4,000. Mrs. Balli stated that due to not budgeting for reimbursable expenditures there was \$744,000 for reimbursable expenditures for TIRZ #2, \$710 for reimbursable expenditures for TIRZ #3, \$378 for an ad for a public hearing, and \$668 for potential current year reimbursable expenditures.

Introduction item.

11. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for the Interim City Manager stipend. (Finance Director).

Mrs. Balli stated that for the search firm costs funds were moved from the City Manager's budget down to professional services to cover those cost. This budget amendment will cover the additional cost that is needed to pay for the stipend for the Interim City Manager.

Introduction item.

12. Consider introduction 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).

Mrs. Susan Ivy, Parks Director stated that during the presentation of the proposed budget for fiscal year 2024-2025 these fees were adjusted to \$175 without a cart and \$350 with cart. After community input and revised information on area rates, staff would like to lower these rates to \$100 per month without a cart and \$250 with a cart. 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.

Introduction item.

13. Consideration and approval of a resolution authorizing application to, administration of, and acceptance of Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2026 Operation Lone Star Grant Program (OLS); authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Mr. John Blair, Chief of Police stated that this is a request for approval to apply for and if awarded accept and expend FY 2026 Operation Lone Star Grant Program funds. The grant period spans from September 1, 2025 to August 31, 2026. The FY 2026 Operation Lone Star Grant Program is designed to enhance interagency border security operations to support the ongoing objectives of Operation Lone Star. This initiative aims to deter and interdict criminal activity, reduce border-related crimes, and improve intelligence sharing and operational efficiency among law enforcement agencies. Program funding can be used for overtime pay, temporary personnel, equipment, training, and travel costs, among other eligible activities. The Operation Lone Star Grant is a reimbursement-based program requiring no cash match from the city. This grant is a reimbursement grant and does not require any cash match.

Motion made by Commissioner Alvarez to approve the resolution authorizing application to, administration of, and acceptance of Office of the Governor, Public Safety Office, Homeland Security Grants Division's FY2026 Operation Lone Star Grant Program (OLS); authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Fugate, Lopez, Alvarez, voting "FOR"

14. Consideration and approval of a resolution applying for and accepting funds for Operation Stonegarden Grant #3194310 with the Homeland Security Grants Division of the Governor's Office for border security to interdict criminal activity with no anticipated cash match; authorizing the Kingsville Chief of Police to act on the City's behalf with such program. (Police Chief).

Chief Blair stated that the police department has been invited to participate in another year of OPSG and has been conditionally approved for participation during the performance period beginning March 1, 2025, and ending February 28, 2026. The grant is a reimbursement grant and does not require a cash match. Chief Blair further stated that they have been approved for \$136,205.00 to cover overtime, fringe benefits, fuel costs, and equipment for the grant.

Motion made by Commissioner Alarcon to approve the resolution applying for and accepting funds for Operation Stonegarden Grant #3194310 with the Homeland Security Grants Division of the Governor's Office for border security to interdict criminal activity with no anticipated cash match; authorizing the Kingsville Chief of Police to act on the City's behalf with such program, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alarcon, Fugate, Lopez, Alvarez, Hinojosa voting "FOR".

15. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend grant funds from the Stonegarden Grant #3194310. (Police Chief).

Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:29 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

FEBRUARY 10, 2025

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 10, 2025, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Charlie Sosa, Interim City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Director
Derek Williams, Systems Administrator
Emilio Garcia, Health Director
Diana Gonzalez, Human Resources Director
Susan Ivy, Park Director
Bill Donnell, Public Works Director
Deborah Balli, Finance Director
Leticia Salinas, Accounting Manager
John Blair, Police Chief
Kobby Agyekum, Senior Planner/HPO
Alicia Tijerina, Special Events Coordinator
J.J. Adame, Fire Chief
Erik Spitzer, Director of Economic & Development Services
Mike Mora, Capital Improvements Manager
Rudy Mora, City Engineer

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 4:00 p.m. with all five commission members present.

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).

Mayor Fugate announced the executive session and convened the meeting into a closed session at 4:01 p.m.

The Executive Session ended at 4:35 p.m.

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

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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

1. None.

III. Reports from Commission & Staff.²

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

Mr. Charlie Sosa, Interim City Manager, briefly updated the commission on the lift station and street projects.

Ms. Courtney Alvarez, City Attorney, reported that the next city commission meeting is scheduled for February 24, 2025. City offices will be closed on Monday, February 17, 2025, in observance of Presidents Day.

IV. Public Comment on Agenda Items.³

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

Ms. Leslie Copeland, Pastor of Saint Paul AME Church commented that she is working with the Pastor of Kingsville Baptist Church, Douglas Community Center, and Parks & Recreation to host a Black History Event on February 22, 2025. The event will be hosted at the KC Hall from 12:00 p.m. to 6:00 p.m. where there will be an afternoon of cultural, entertainment, and fellowship.

V.

Consent Agenda

Notice to the Public

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

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

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

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

1. Motion to approve final passage of an ordinance 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).

Mr. Rudy Mora, City Engineer, stated that 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: Donald Hubert Construction Co. Inc. (Kingsville, Texas); D & J Utility Services LLC (Sinton, Texas); Bonco LLC (Driscoll, Texas); 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.

Mayor Fugate asked if this company had done work for the city in the past. Mr. Mora responded no, but references have been checked.

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

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).

Motion made by Commissioner Alarcon to approve the 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 Pumhouse at Water Well No. 14, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

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 Pumhouse. (FEMA-DR-4586). (City Engineer).

No discussion or action taken on agenda item #10.

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).

Mr. Mora stated that 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 place 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 manhole discovered CCTV inspection. CO-2 will add an estimated 60 calendar days to the contract time.

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

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).

Mr. Bill Donnell, Public Works Director, stated that 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.

Introduction item.

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).

Mr. John Blair, Chief of Police stated that this resolution is to apply for funding under the Fiscal Year 2026 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. The Police Department is requesting through this grant to purchase 10 Bullet-Resistant Shields. The cost of the shield is \$5,610.45 each for a total of \$56,104.50 for 10 shields.

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

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).

Chief Blair stated that this item is to get approval through a resolution to apply for funding through the Fiscal Year 2026 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. The total project cost is \$83,088.00.

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

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).

Mrs. Diana Gonzales, Human Resources Director, stated that this revision to Policy 890.05 Firearms and Other Weapons is to provide clarification and exceptions to existing policy. This will provide an opportunity for employees to be able to carry items of protection while at work.

Motion made by Commissioner Alvarez to approve the resolution amending the City of Kingsville Administrative Policies and Procedures Manual for Policy 890.05-Firearms and Other Weapons, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

16. Discuss and consider city manager position preferences to develop recruitment tools with Clear Career Professionals. (Mayor Fugate/Human Resources Director).

Motion made by Mayor Fugate to instruct Clear Career Professionals to post for the position of City Manager and set the potential salary between \$180,000.00 to \$220,000.00, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:22 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

FEBRUARY 24, 2025

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 24, 2025, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Charlie Sosa, Interim City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Director
Derek Williams, Systems Administrator
Emilio Garcia, Health Director
Diana Gonzalez, Human Resources Director
Susan Ivy, Park Director
Bill Donnell, Public Works Director
Deborah Balli, Finance Director
Leticia Salinas, Accounting Manager
John Blair, Police Chief
Kobby Agyekum, Senior Planner/HPO
Alicia Tijerina, Special Events Coordinator
J.J. Adame, Fire Chief
Erik Spitzer, Director of Economic & Development Services
Mike Mora, Capital Improvements Manager
Rudy Mora, City Engineer
Joseph Ramirez, Engineer's Assistant
Manny Salazar, Interim Tourism Director

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – January 13, 2025

Motion made by Commissioner Lopez to approve the minutes of January 13, 2025, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting “FOR”.

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

1. None.

III. Reports from Commission & Staff.²

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

Mr. Charlie Sosa, Interim City Manager gave a brief report on street projects.

Ms. Courtney Alvarez, City Attorney, reported that the next city commission meeting is scheduled for March 10, 2025. The deadline for staff to submit their agenda items is February 28, 2025.

Commissioner Lopez asked when the next wine walk was scheduled. Mr. Sosa responded that the March wine walk had been postponed until everything is in line between him and Mr. Manny Salazar, the Interim Tourism Director of the new person hired. Commissioner Lopez asked if this event was going to be paused for March and if the downtown merchants had been made aware of this decision. Mr. Sosa responded that staff would get the word out to the merchants. Commissioner Lopez asked if tickets were not sold for a package of 2 or 3 winewalks as a package. Mr. Sosa responded that no passports have been sold at this time, staff has looked into this already, none have been sold.

Mayor Fugate announced that the next trash-off event has been scheduled for April 12, 2025. Fugate further announced past events that occurred over the past weekend.

Commissioner Alvarez reported that she had attended the Navy League Goshawk Ball this past weekend where Mr. Dick Messbarger was presented with the Honorary Wings of Gold.

Mayor Fugate read and presented a proclamation for Spay & Neuter for the month of February.

IV. Public Comment on Agenda Items.³

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

Ms. Leslie Copelland, 531 W. Warren, thanked the commission and staff for their support and assistance for the Black History Month celebration that took place this past weekend. She further commented that the African community along with Saint Paul AME Church and King Star Baptist with Reverend Miller as the Pastor appreciate the City of Kingsville for the support that has shown in this endeavor.

Lisa Bockholt, 1411 E. FM 1717, commented that she would like to thank staff and commission for always listening when she speaks about animal welfare. She further stated that it warms her heart that Mayor Fugate heeded her call to proclaim Spay and Neuter

Month. Issuing this proclamation sends a clear message that our Mayor and this Commission recognize that our community has a pet overpopulation and overcrowded shelter problem. Now it is time to get to work and implement programs that can and will make a difference. There have been some great strides towards this end and would like to recognize cooperative effort with Corpus Christi PAAC, which she believes the city should also actively pursue innovative live release and rescue coordination opportunities designed to expand partnerships with out-of-state rescue groups while simultaneously reducing the length of time each animal stays in a shelter, which has many benefits especially taxpayers savings. Reducing euthanasia and adhering to the benchmark 90% or above no kill rate also has economic implications, particularly as we grow and expand. In general, people view a community that prioritizes animal welfare as one that cares for its residents and environment and creates a positive image for potential businesses. A community with strong animal welfare policy and spay and neuter initiatives can be seen as progressive and socially responsible, which can be appealing to businesses looking to establish a positive brand image. In reducing the number of strays through community-wide mandatory spay and neuter and breeding ordinances is good for economic growth and development. We should also be going above and beyond to seek and apply for as much of free monies available to the private sector to assist the municipal shelters. We should no longer be using the excuse that there is no money in the budget, especially where a wealth of opportunities are available. She further commented that she would like to applaud this commission for taking the stray problem seriously and it is her hope that this proclamation that will be issued this evening will serve to prioritize this important issue as the city takes a look at the upcoming budget and staffing issues.

Mrs. Mary Valenzuela, City Secretary, read a public comment on behalf of Mr. Bruce Schueneman, 915 W. Ave. G. The comment read as follows: Train stopping and blocking intersections. Within several days, including today, February 19, I have been blocked for an appreciable time by trains. Today the train is stationary for fifteen minutes at a time. This is unacceptable. Can nothing be done? Are there no rules about how long the railroad can bisect Kingsville and prevent access to the hospital, etc.?

Ms. Jessica Hernandez, 440 W. Trant Rd., commented that she would like to thank the commission for their consideration and the proclamation. She further stated that last year she transported a number of animals to Corpus Christi for the PAAC services. She volunteers her time and if people would like to compensate her by taking animals she is willing to do that. She also commented that it would be great if Kingsville would get something going as well.

V.

Consent Agenda

Notice to the Public

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

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

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

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

1. Motion to approve final passage of an ordinance amending the 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).

2. Motion to approve a resolution authorizing application to, administration of, and acceptance of Office of the Governor, Bullet-Resistant Shield Grant Program, FY2026; Grant #4615002; authoring the Chief of Police to act on the City's behalf with such program. (to add grant number as per grant agency request). (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consideration and approval of the appointment of Elaine Jameson to the Main Street Advisory Board to fill an unexpired Main Street Merchant position that will end on February 12, 2026. (Downtown Manager).

Mrs. Alicia Tijerina, Downtown Manager stated that this appointment will fill the Main Street Merchant representative role on the Main Street Advisory Board vacated by Mr. David Thibodeaux. The appointment of Ms. Jameson is to complete the unexpired term of Mr. David Thibodeaux.

Motion made by Commissioner Lopez to approve the appointment of Elaine Jameson to the Main Street Advisory Board to fill an unexpired Main Street Merchant position that will end on February 12, 2026, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

4. Consideration and approval of a resolution of the City of Kingsville Supporting the Competitive Housing Tax Credit Application of Casitas Los Ebanos, LP for an affordable rental housing development in Kingsville, Texas. (Interim City Manager/City Attorney).

Ms. Alvarez stated that this is the same group that approached the city last year. The development is for affordable rental housing on Senator Carlos Truan Blvd and it is projected to build 52 units.

Mayor Fugate asked if it is required to send notices to the surrounding neighbors.

Ms. Alvarez responded that it is not required to send out notices.

Motion made by Commissioner Hinojosa to approve the resolution of the City of Kingsville Supporting the Competitive Housing Tax Credit Application of Casitas Los Ebanos, LP for an affordable rental housing development in Kingsville, Texas, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

5. Consideration and acceptance of a donation from 1PointFive for the Kingsville Fire Department. (Fire Chief).

Mr. Juan J. Adame, Fire Chief, stated that the Kingsville Fire Department received a donation from 1PointFive USA LLC in the amount of \$20,000.00. The donation will be used in the fire department to purchase, repair and maintain firefighting equipment.

Motion made by Commissioner Alvarez to accept the donation from 1PointFive for the Kingsville Fire Department, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

6. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend donation funding from 1PointFive for Fire Department self-contained breathing apparatus. (Fire Chief).

Introduction item.

7. Consideration and award of Bid No. 24-21 for the GLO CDBG Contract No. 22-085-009-D237 Project 8: Alice Ln/Margaret Ln Storm Water Improvements Project, as per outside engineer recommendation. (City Engineer).

Mr. Rudy Mora, City Engineer, stated that the project includes the installation of a 150 linear feet of 24" diameter RCP, and demo/replace concrete and asphalt and other related appurtenances to improve stormwater drainage and minimize future flood risks. This project was advertised in the local newspaper and the city's website on August 22nd and 29th. Sealed bids were received before the deadline on September 17, 2024. The bids received were from R.S. Parker Construction LLC of Corpus Christi; JE Construction Services of Corpus Christi; and PM Construction & Rehab LLC from Pasadena, TX. Base bids ranged from \$84,550.00 to \$278,521.00. After reviewing the bids, staff recommends awarding the project to the lowest bidder, R.S. Construction LLC for \$84,550.00.

Motion made by Commissioner Alarcon to award Bid No. 24-21 for the GLO CDBG Contract No. 22-085-009-D237 Project 8: Alice Ln/Margaret Ln Storm Water Improvements Project, as per outside engineer recommendation, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

8. Consideration and approval of a resolution authorizing the Interim City Manager to execute the Construction Contract with R.S. Parker Construction LLC for GLO CDBG-MIT Contract No. 22-085-009-D237 Project 8: Alice Ln/Margaret Ln Storm Water Improvements Project. (Bid #24-21 awarded 2/24/25). (City Engineer).

Motion made by Commissioner Alarcon to approve the resolution authorizing the Interim City Manager to execute the Construction Contract with R.S. Parker Construction LLC for GLO CDBG-MIT Contract No. 22-085-009-D237 Project 8: Alice Ln/Margaret Ln Storm Water Improvements Project, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

9. Consideration and approval of a resolution authorizing the Interim City Manager to execute Change Order No.1 for the Construction Contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 13: W. Johnston Ave. Storm Water Improvements Project. (Contract approved 10/28/24). (City Engineer).

Mr. Mora stated that this item is for Change Order #1 for the General Land Office (GLO) Community Development Block Grant Mitigation Project 13, W. Johnston Ave. stormwater improvements. The additional cost for Change Order #1 is \$10.00.

Motion made by Commissioner Alvarez to approve the resolution authorizing the Interim City Manager to execute Change Order No.1 for the Construction Contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 13: W. Johnston Ave. Storm Water Improvements Project, seconded by

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

10. Consideration and approval of a resolution authorizing the Interim City Manager to execute Change Order No.1 for the Construction Contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 2: N. 19th Street Storm Water Improvements Project. (Contract approved 10/28/24). (City Engineer).

Mr. Mora stated that this item is for Change Order No. 1 for revising the original contract amount of \$1,630,840.89 and adding \$0.07 for a new contract amount of \$1,630,864.96 and adding 75 days due to delays in receiving the reinforced concrete boxes required for the project.

Motion made by Commissioner Alarcon to approve the resolution authorizing the Interim City Manager to execute Change Order No.1 for the Construction Contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 2: N. 19th Street Storm Water Improvements Project, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

11. Consideration and approval of a resolution authorizing the Mayor to execute Change Order No.1 for the Standard Form of Agreement between City and Contractor, Donald Hubert Construction Co., for City-Wide Misc. Concrete and Drainage Improvements-Phase 3. (Contract approved 11/25/24). (City Engineer).

Mr. Mora stated that this is for Change Order No. 1 for Bid No. 25-05 Phase 3. The change order is to locate the depth and location of the existing waterline which may conflict with the installation of the concrete drainage flume. The revised contract amount and time are \$1,551,039.13 and 194 calendar days.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the Mayor to execute Change Order No.1 for the Standard Form of Agreement between City and Contractor, Donald Hubert Construction Co., for City-Wide Misc. Concrete and Drainage Improvements-Phase 3, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

12. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to receive and expend grant funds from the Texas Severe Winter Storm Grant for a backup generator at Water Well No. 14 Pumphouse. (FEMA-DR-4586; contract approved 2/10/25). (City Engineer).

Introduction item.

13. Consider introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding out of Chapter 59 (Fund 005) for the Lexipol one-time and annual subscription fees for the Police Department. (Police Chief).

Mr. John Blair, Chief of Police, stated that deploying Lexipol as a comprehensive policy solution for the Police Department presents a strategic opportunity to enhance operational efficiency, mitigate liability risks, and ensure compliance with evolving legal standards. By leveraging Lexipol's expertise and proprietary system, we can effectively address the critical need for policy reform and meet the accreditation requirements set forth by the Texas Police Chief's Association.

Introduction item.

14. Consideration and approval of a resolution authorizing the Police Chief for the City of Kingsville, Texas Police Department to execute a Master Services Agreement with Lexipol, LLC. (Police Chief).

Motion made by Commissioner Lopez to approve the resolution authorizing the Police Chief for the City of Kingsville, Texas Police Department to execute a Master Services Agreement with Lexipol, LLC, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

15. Consideration and approval of a resolution authorizing application to, administration of, and acceptance of Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2026 for cameras for the Kingsville Police Department; Grant #5469901 authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Motion made by Commissioner Alarcon to approve the resolution authorizing application to, administration of, and acceptance of Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2026 for cameras for the Kingsville Police Department; Grant #5469901 authorizing the Chief of Police to act on the City's behalf with such program, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

16. Consider and award Third Party Code Inspection Services to Bureau Veritas via the Choice Partners purchasing cooperative, as per staff recommendation. (Purchasing Manager/ICM).

Motion made by Commissioner Hinojosa to award Third Party Code Inspection Services to Bureau Veritas via the Choice Partners purchasing cooperative, as per staff recommendation, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

17. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (Economic Development Director).

Mayor Fugate announced the executive session and convened the meeting into closed session at 5:45 p.m.

Mayor Fugate reconvened the meeting into open session at 6:05 p.m.

VI. Adjournment.

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

Budget Am

**City of Kingsville
Department Name**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Juan J. Adame, Fire Chief
DATE: February 11, 2025
SUBJECT: Accept Donation from 1 PointFive

Summary:

The Kingsville Fire Department is requesting approval to accept a donation from 1 PointFive USA LLC in the amount of \$20,000.00.

Background:

This year 1PointFive has chosen to make a charitable contribution in the amount of \$20,000 to the Kingsville Fire Department.

Financial Impact:

No negative financial impact. This donation will be used in the fire department to purchase, repair and maintain firefighting equipment.

Recommendation:

Accept the donation from the 1 PointFive in the amount of \$20,000.00.





HALEY PARMA
MANAGER, COMMUNITY RELATIONS & EMPLOYEE ENGAGEMENT
1POINTFIVE
HALEY_PARMA@OXY.COM
713.552.8950 OFFICE

December 4, 2024

City of Kingsville Fire Department
Mark McLaughlin
400 W King Ave
Kingsville, TX 78363

We are pleased to enclose 1PointFive charitable contribution to **City of Kingsville Fire Department** in the amount of **\$20,000.00**. It is our intent that this charitable contribution from the **1PointFive First Responder Donation Program** be used for the following purpose:

- **Self contained breathing apparatus & face pieces**

Should you have any questions, please do not hesitate to contact me at 713.552.8950.

Sincerely,

Haley Parma

Haley Parma
Manager, Community Relations & Employee Engagement

hep/ngr

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO ACCEPT AND EXPEND DONATION FUNDING FROM 1POINTFIVE FOR FIRE DEPARTMENT SELF CONTAINED BREATHING APPARATUS.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#28

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues</u>					
2200	Fire	Donations	72030	\$20,000	
<u>Expenditures</u>					
2200	Fire	Machinery & Equipment	71200	\$20,000	

[To amend the City of Kingsville FY 24-25 budget to accept and expend donation funds from 1PointFive for self-contained breathing apparatus. Funding for this request will come from the donation 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 24th day of February 2025.

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

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Rutilio P. Mora Jr, P.E., City Engineer
DATE: February 24, 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 an alternate generator at the Pumphouse 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 from FEMA-DR-4586-Texas Severe Winter Storm Grant for City Fund 130 - Texas Severe Winter Storm Grant – Backup Generator.

Recommendation:

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

Attachments:

Ordinance No. 2025-_____



RESOLUTION NO. 2022- 02

A RESOLUTION AUTHORIZING APPLICATION TO AND ACCEPTANCE OF FEMA-DR-4586 (TEXAS WINTER STORM) FOR A GENERATOR AT WATER WELL #14; AUTHORIZING THE CITY MANAGER 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 City apply for and, if awarded, accept the FEMA-DR-4586 (Texas Winter Storm) grant for a generator at water well #14, which is a capital improvement project for water improvements; and

WHEREAS, the grant deadline has been extended until January 15, 2022 and staff believes the capital improvement request identified for submission should be applied for at this time; and

WHEREAS, the City agrees to provide the applicable matching funds, if any, for the said projects, estimated at 25%, as this program is done through a reimbursement process; and

WHEREAS, the City intends to apply for the project through this grant that has an estimated total of \$100,000 with the City's 25% match, if awarded, to be funded through Fund 051-Utility Fund in the amount of \$25,000; and

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

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

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

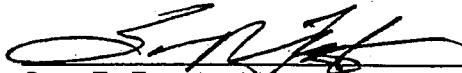
I.

THAT the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the FEMA-DR-4586 (Texas Winter Storm) for water improvements for a generator at Water Well #14.

II.

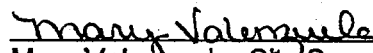
THAT this Resolution shall be and become effective on or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission the 10th day of January, 2022.



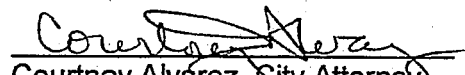
Sam R. Fugate, Mayor

ATTEST:



Mary Valenzuela, City Secretary

APPROVED AS TO FORM



Courtney Alvarez, City Attorney

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 FOR A BACKUP GENERATOR AT THE 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 for a Backup Generator at 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 24th day of February 2025.

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

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

Budget Am.

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Charlie Sosa, City Manager
FROM: John Blair, Chief of Police
DATE: February 12, 2025
SUBJECT: Budget Amendment request for Lexipol Policy and Procedure Solutions

Summary:

Public safety agencies face challenges of keeping personnel safe and healthy, reducing risk and maintaining a positive reputation. Add to that the dynamically changing legislative landscape and evolving best practices, and even the most progressive, forward-thinking departments can struggle to keep up. Lexipol's solutions are designed to save our department time and money while protecting our personnel. Lexipol's team consists of professionals with expertise in public safety law, policy, state and federal accreditation, training, mental and physical wellness and grants. They continually monitor changes and trends in legislation, case law and best practices and use this knowledge to create policies, training, wellness resources and funding services that minimize risk and will help our department effectively serve our community.

Background:

Deploying Lexipol as a comprehensive policy solution for the Police Department presents a strategic opportunity to enhance operational efficiency, mitigate liability risks, and ensure compliance with evolving legal standards. By leveraging Lexipol's expertise and proprietary system, we can effectively address the critical need for policy reform and meet the accreditation requirements set forth by the Texas Police Chiefs Association.

Benefits of Lexipol Policy and Procedure Solution

1. **Legally Sound and Community-Aligned Policies:** Lexipol excels in creating policies grounded in U.S. Constitutional law, Texas statutes, local ordinances, and industry best practices. This ensures our policies are legally sound and tailored to the specific needs and context of our community.
2. **Continuous Monitoring and Updates:** Lexipol's platform offers continuous monitoring and real-time updates, keeping us abreast of legal changes, case law developments, and



City of Kingsville Police Department

emerging best practices. This dynamic approach ensures our policies remain current and effective.

3. Comprehensive Services:

- Policy Manual Review and Update: Ensures all departmental policies are up-to-date and compliant with current laws and standards.
- Daily Training Bulletins: Provides ongoing education to staff, reinforcing policy knowledge and application.
- Local Government Administration Procedures: Tailors procedures to fit our organizational needs, ensuring a cohesive and efficient policy framework.

4. User-Friendly Platform: Accessible through a web-based platform and the KMS mobile application, Lexipol makes policy management straightforward and accessible. This ease of access enhances policy adherence and facilitates ongoing training and knowledge dissemination among department personnel.

Objectives and Justifications

- Reducing Liability Exposure: By ensuring our policies are legally compliant and up-to-date, we minimize the risk of liability arising from outdated or non-compliant practices.
- Improving Operational Effectiveness: Lexipol streamlines policy management, making it easier for staff to follow and implement policies correctly, thereby enhancing overall operational efficiency.
- Enhancing Staff Knowledge and Compliance: Continuous updates and daily training bulletins keep staff informed and compliant with departmental policies, promoting a culture of professionalism and integrity.

Implementation and Impact

The implementation of Lexipol will modernize our policy framework, providing a robust system for monitoring legal updates and best practices. This proactive investment will support our long-term success by:

- Ensuring that all policies are current and reflective of the latest legal and professional standards.
- Facilitating continuous education and training for staff, which is essential for maintaining high standards of service.
- Enhancing our ability to achieve and maintain accreditation from the Texas Police Chiefs Association.

Financial Impact:

The Kingsville Police Department currently has funds available in our Chapter 59 account 005-5-2100-31400 Professional Services to pay for the onetime fee of \$13,486.50 for the Law Enforcement Focused Implementation and Law Enforcement Agency-Specific Content extraction.

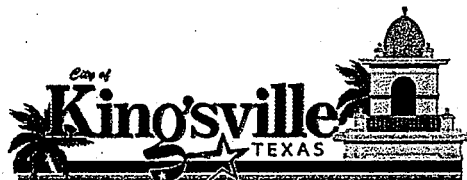


**City of Kingsville
Police Department**

Our agency also has funds in our Chapter 59 account 005-5-2100-33100 Subscriptions to cover the \$19,761.30 annual subscription cost.

Recommendation:

We request a budget amendment to allow for the use of Chapter 59 funds to purchase and utilize Lexipol's services.



ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO APPROPRIATE FUNDING OUT OF CHAPTER 59 (FUND 005) FOR THE LEXIPOL ONETIME AND ANNUAL SUBSCRIPTION FEES FOR THE POLICE DEPARTMENT.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#29**

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 005 – PD Seizure Fund					
<u>Expenditures</u>					
2100	Police	Professional Services	31400	\$13,486.50	
2100	Police	Subscriptions	33100	\$19,761.30	

[To amend the City of Kingsville FY 24-25 budget to appropriate funding out of Chapter 59 (Fund 005) for the Lexipol onetime and annual subscription fees for the Police Department. Funding for this request will come from the unappropriated fund balance of Fund 005-PD Seizure Fund.]

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 24th day of February 2025.

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

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: February 27, 2025

To: City Commission via Interim City Manager Charlie Sosa

CC: Manny Salazar, Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Alicia Tijerina, Downtown Manager/Special Events Coordinator

Summary: The City of Kingsville was re-certified as a Texas Main Street City in 2011 and has participated in the program every year since. Each year the City enters into a contract with the Texas Historical Commission (THC) for continued participation in the program and pays an annual participation fee. It is time to renew Kingsville's annual commitment to the program.

Background: The mission of the Texas Main Street Program is "to provide technical expertise, resources and support for Texas communities in the preservation and revitalization of historic downtowns and commercial neighborhood districts." Local Main Street programs focus on responsibly utilizing a community's historic assets for economic benefit and increased quality of life.

Texas Main Street has a staff of eight dedicated solely to serving the 90 communities that currently participate in the program. These staff members provide a variety of specialized services in the areas of localized economic development, professional design services (architect, project designers); program capacity building and maintenance, planning and small business assistance. In addition, the Texas Historical Commission provides Main Street Managers and Main Street Board members free training opportunities throughout the year. These services come at no cost beyond the program's annual participation fee. Being a Main Street community also opens us up to special grant opportunities.

Financial Impact: The 2025 annual fee for participation in the Texas Main Street Program is \$535. The funding will come from Membership & Dues Tourism Fund already budgeted.

Recommendation: Staff recommends that the City continue to participate in the Texas Main Street Program.

RESOLUTION NO. 2025- _____

A RESOLUTION AUTHORIZING THE CITY OF KINGSVILLE TO CONTINUE PARTICIPATION IN THE TEXAS MAIN STREET PROGRAM, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE TEXAS MAIN STREET LOCALLY DESIGNATED PROGRAM 2025 CONTRACT, AND DESIGNATING DOWNTOWN MANAGER ALICIA TIJERINA AS THE MAIN STREET PROGRAM MANAGER FOR THE CITY OF KINGSVILLE TO COORDINATE PROGRAM ACTIVITIES.

WHEREAS: The Texas Main Street Program of the Texas Historical Commission has been created to assist small cities to develop a public/private effort to revitalize their "Main Street" area, and Kingsville was selected in 2011 to participate in the Texas Main Street Program, has participated since then, and would like to continue to participate in 2025; and,

WHEREAS: The City of Kingsville desires to maintain its designation as a Texas Main Street to assist with the improvement and revitalization of our downtown area; and,

WHEREAS: The Interim City Manager needs to execute the Texas Main Street Locally Designated Program 2025 Contract on behalf of the City to continue participation in this program, as well as the Trademark Sublicense Agreement; and,

WHEREAS: The City of Kingsville has hired Alicia Tijerina as the Downtown Manager to assist the City with overseeing the "Main Street" area and the Texas Main Street Program.

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

SECTION 1. That the City of Kingsville will continue participation in the 2025 Main Street Program with the specific goal of revitalizing the central business district within the context of the preservation and rehabilitation of its historic buildings.

SECTION 2. That the City of Kingsville will provide an adequate budget to employ a full-time Main Street Program Manager for a minimum of three years from its original designation date in 2011, which it has done, and provide funds for the training of the Main Street Program Manager and the operating expenses of the program.

SECTION 3. That the Interim City Manager be authorized to execute the Texas Main Street Locally Designated Program 2025 Contract on behalf of the City of Kingsville as well as the Trademark Sublicense Agreement.

SECTION 4. That Alicia Tijerina, the City's Downtown Manager, be designated to supervise the Main Street Manager activities.

SECTION 5. That this Resolution shall be and become effective on or after adoption.

PASSED, APPROVED, AND ADOPTED by a majority vote of the City Commission this 10th day of March, 2025.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**Texas Main Street Locally Designated Program
2025 Contract**

I. PARTIES TO THE CONTRACT

This contract and agreement concerning Kingsville Main Street Program (“**Agreement**”) is entered into between the City of Kingsville, (hereinafter referred to as “**Participant**”) and the Texas Historical Commission (hereinafter referred to as “**THC**”). Kingsville Main Street Program (hereinafter referred to as “**Local Program**”) is part of a larger program within the Texas Main Street Program (hereinafter referred to as “**TMSP**”), as defined in 13 TAC sec. 19.3(1), wherein the Participant qualifies as a Texas Main Street Small City, as defined in 13 TAC sec. 19.3. The purpose of the Local Program is to assist Participant with the development, revitalization, restoration, and preservation of its historic downtown or commercial neighborhood districts in accordance with the national Main Street Approach. This Agreement shall be governed by Texas Government Code, Section 442.014, and Texas Administrative Code, Title 13, Part 2, Chapter 19.

II. NATIONAL MAIN STREET CENTER BRAND AND NETWORK

This Agreement constitutes a designation of Participant as an official Texas Main Street City (as defined in 13 TAC sec. 19.3(2)) and allows the use of the National Main Street Center, Inc. brand, including MAIN STREET AMERICA™ controlled by National Main Street Center, Inc. 53 West Jackson Blvd., Suite 350 Chicago IL 60604. If Participant’s participation in the TMSP ceases, Participant may no longer use the term ‘Main Street’ to describe its local development, restoration, and preservation program; nor utilize or display the trademarks or branding of the National Main Street Center, Inc. The designation as a Texas Main Street City allows for full participation in the TMSP network, which includes eligibility to receive Texas Main Street publications and participate in Texas Main Street networking opportunities. Designated Texas Main Street Cities, such as Participant, shall execute and submit to the TMSP office the National Main Street Center’s Trademark Sublicense Agreement (“**TM Sublicense Agreement**”), which grants the right to use the registered trademark, logos and brand of National Main Street Center’s membership program - MAIN STREET AMERICA™. Participant hereby agrees to, and shall comply with, all terms and conditions of the TM Sublicense Agreement, which is attached hereto as Exhibit A, and incorporated herein by reference. Additionally, Participant acknowledges and agrees that in the event National Main Street Center develops and/or releases an updated TM Sublicense Agreement (“**Updated TM Sublicense Agreement**”) during the Term of this Agreement, Participant shall be required to execute, and comply with, the Updated TM Sublicense Agreement or otherwise be subjected to termination pursuant to the terms of VII. (B) below. In the event National Main Street Center develops and/or releases an Updated TM Sublicense Agreement, THC will provide Participant with sixty (60) days’ notice for Participant to consider, prepare and execute an updated Sublicense Agreement. Furthermore, the parties acknowledge and agree that the execution of such Updated TM Sublicense Agreement shall not require amendment of this Agreement and shall become part of this Agreement upon its execution. In the event of conflict between multiple TM Sublicense Agreements, the most recently executed version shall control.

III. RESPONSIBILITIES OF THE PARTICIPANT AND LOCAL PROGRAM

A. Local Program Staffing and Leadership.

In operation of the Local Program, Participant shall employ a full-time paid program manager who will attend at least two professional development segments annually as outlined in subsection B below. A Texas Main Street Urban City (as defined by 13 TAC 19.3(4)) shall additionally employ a full-time assistant program manager who shall also participate in the professional development under subsection B below.

If necessary and subject to TMSP approval, a Texas Main Street Small City may, after the first three years of participating in the TMSP, permit the program manager position to also perform specific economic development, tourism, and other relevant duties while remaining as a full-time paid program manager.

For the purposes of this Agreement, full-time employment means that the program manager works at least forty (40) hours per week dedicated toward the Local Program and downtown revitalization. Employees of the Participant shall be subject to the sole control and direction of the Participant. Participant shall move forward in an efficient manner to fill a program manager vacancy. Participant shall notify the TMSP immediately upon vacancy, identify an interim Local Program contact, and keep TMSP apprised monthly of progress in filling vacancies. Lengthy periods of staff vacancies may demonstrate a failure to adequately staff the program per Stipulation E Probation.

Participant shall establish and maintain a Main Street local advisory board to direct priorities of the program, provide human and fiscal support to program planning and activities, and advocate for the livelihood of the local program. The board will have a chair who is the primary spokesperson for the board and the primary point of contact for program manager. Make-up and duties of this board are to be defined locally by Participant with consultation from local program stakeholders.

B. Professional development.

The program manager will attend at least two professional development opportunities in their entirety, per year, from the list below:

Preferred Options (at least one training each year must be from these options):

1. TMSP annual professional development retreat for all program managers.
2. National Main Street Now Conference.
3. TMSP New Manager Training, typically held annually on the day before the TMSP annual professional development retreat
4. Real Places: Preserving Texas History Conference of the THC.

Additional Options (request must be made to TMSP in writing explaining why attendance at one of the preferred options is not possible):

5. Certification programs of MAIN STREET AMERICA™.
6. Texas Downtown Conference of the Texas Downtown organization.
7. PastForward Conference of the National Trust for Historic Preservation.

With prior THC approval, program managers with more than two years' experience as a Main Street Manager may request to substitute an equivalent historic preservation, downtown revitalization, or economic development course, for one of the above opportunities.

New program managers shall complete the TMSP new manager training within their first year of employment. If there is an assistant Main Street employee in addition to the program manager/s referenced above, that person should also attend at least one segment of Main Street professional development annually. In addition to the annual TMSP new manager training, new managers will be provided by TMSP with self-paced information and training when onboarding in their new role. The new manager should complete a review of this information and all tasks within the first three (3) months of hire.

If a replacement program manager is hired during this contract period who has not previously attended TMSP basic training or without significant Main Street knowledge and experience as determined by TMSP, the manager is required to complete one TMSP basic training orientation series. A \$500 training fee shall be charged to the Participant for the training series required under these circumstances.

To help ensure an effective Local Program, board members and volunteers are encouraged to attend TMSP educational opportunities or to contact TMSP for on-site training. No training fee is charged for their participation.

Additional abbreviated Professional Development managers are expected to be involved in, but do not count toward the requirements above, include:

- Quarterly Virtual Network Meetings
- Regional Virtual Meetings
- Monthly New Manager Virtual Trainings
- Regional Design Workshops
- Monthly Virtual Design Check-ins
- Biennial Accreditation Site Visit
- Virtual meetings for Managers offered by Main Street America
- Topic based virtual trainings (i.e. – December 2023's Accreditation Platform Training)

C. Commitment.

Participant agrees to carry out their Local Program work according to the Main Street Approach as promulgated by the National Main Street Center and displayed at <https://www.mainstreet.org/mainstreetamerica/theapproach>. Participant agrees to incorporate into their Local Program work, the following Main Street Community Accreditation Standards:

1. Broad-based Community Commitment
2. Leadership & Organizational Capacity
3. Diverse and Sustainable Funding
4. Strategy-Driven Programming
5. Preservation-Based Economic Development
6. Demonstrated Impact & Result

D. Reporting.

To measure progress, Participant shall track reinvestment statistics and quarterly activity in an approved format submitted to the TMSP office by the 10th of the month following the end of each calendar quarter. If the 10th falls on a holiday or a weekend, the report will be due the first business day after the holiday or weekend. Even if there has not been reinvestment or activity in a quarter, Participant shall still submit a report noting such.

Dates quarterly reports must be submitted by are:

- April 10th – Quarter 1
- July 10th – Quarter 2
- October 10th – Quarter 3
- January 10th – Quarter 4

Additionally, Participant shall submit an annual accreditation report that includes an evaluation of the Local Program implementation of the Main Street Community Accreditation Standards outlined in Section III. C. above for the previous calendar year.

E. Probation.

Participant agrees that their Local Program may be placed on probation, which may result in the suspension of TMSP services or possible removal from the TMSP, for any of the following reasons:

1. Failure to submit an annual accreditation report pursuant to Section III. D above.
2. Failure to achieve accreditation objectives more than two (2) consecutive years.
3. Failure to submit activity/reinvestment reports for more than two (2) consecutive quarters.
4. Failure to employ a full-time Main Street Manager.
5. Failure to adequately staff, per this contract, or fund the program.
6. Failure to hire for a Main Street Manager vacancy within six (6) months of the previous manager's departure.
7. Adding additional roles or titles beyond Main Street responsibilities to a manager without prior Main Street experience before their two (2) year anniversary in the role.
8. Failure of an experienced Main Street Manager (in the role greater than two (2) years) to spend a minimum of 75% of their time on Main Street Program work.
9. Failure to have an active Board that is solely focused on the TMSP approved Main Street District.
10. Failure of a community to employ Historic Preservation Codes and Ordinances or to actively advocate for them.
11. Failure to abide by this Agreement.

THC shall notify Participant in writing prior to implementing probation in accordance with Texas Administrative Code, Title 13, Part 2, Chapter 19. In the case of probation, Participant will work with the THC's State Coordinator or delegate to overcome any deficiencies. THC may terminate the Local Program's participation in the TMSP if Participant fails to remediate identified deficiencies within a reasonable time. No fees will be refunded in cases of probation and any outstanding fees under this Agreement will

remain due. During probationary status, the stipulations called for in sections III and IV of this Agreement may be temporarily altered or suspended upon THC's discretion.

F. National Main Street America™ membership.

Participant shall budget for and maintain membership in the National Main Street Center.

IV. SERVICES TO BE PERFORMED BY TMSP

A. On-site visits and technical expertise.

TMSP services are available to designated Texas Main Street Cities in good standing and will be delivered in accordance with Texas Administrative Code, Title 13, Part 2, Chapter 19 subject to available THC resources. Services may include, but are not limited to consultations, training, or site visits to address design, organization, promotion, economic vitality, and historic preservation.

B. Assistance Securing a Main Street Manager.

Should a replacement program manager be needed, the TMSP office can assist with elements of the hiring process, including job description examples, job posting options, and interview questions. Upon Participant's request, the TMSP office may assist in the hiring process; however, the responsibility for selection, salary, employment and employee-related legal matters will remain with Participant. The Participant is responsible for, and shall hold THC and TMSP harmless from, all the acts and omissions of its managers and all of its employees, agents, representatives, contractors and/or subcontractors.

V. GENERAL TERMS AND RESPONSIBILITIES.

A. Confidentiality and Public Information Act.

Notwithstanding any provisions of this Agreement to the contrary, Participant and THC will comply with the Texas Public Information Act, Texas Government Code, Chapter 552, as interpreted by judicial opinions and opinions of the Attorney General of the State of Texas. THC and Participant agree to notify each other in writing within a reasonable time from receipt of a request for information related to Participant's work under this Agreement. Participant and THC will cooperate in the production of documents responsive to the request. Participant will notify THC within twenty-four (24) hours of receipt of any third-party requests for information that was provided by the State of Texas for use in performing the Agreement. This Agreement and all data and other information generated or otherwise obtained in its performance may be subject to the Texas Public Information Act. Subject to the Texas Public Information Act, Participant agrees to maintain the confidentiality of information received from the State of Texas during the performance of this Agreement, including information which discloses confidential personal information.

B. Dispute Resolution.

The dispute resolution process provided for in Texas Government Code, Chapter 2260, shall be used by THC and Participant to resolve any dispute arising under the Agreement.

If Participant's claim for breach of Agreement cannot be resolved in the ordinary course of business, it shall be submitted to the negotiation process provided in Chapter 2260. To initiate the process, Participant shall submit written notice, as required by Chapter 2260, to the individual identified in the Agreement for receipt of notices. Compliance by Participant with Chapter 2260 is a condition precedent to the filing of a contested case proceeding under Chapter 2260.

The contested case process provided in Chapter 2260 is Participant's sole and exclusive process for seeking a remedy for an alleged breach of Agreement by THC if the parties are unable to resolve their disputes as described above.

Compliance with the contested case process provided in Chapter 2260 is a condition precedent to seeking consent to sue from the Legislature under Chapter 107, Civil Practices and Remedies Code. Neither the execution of the Agreement by Participant and THC nor any other conduct of any representative of the Participant or THC relating to the Agreement shall be considered a waiver of sovereign immunity to suit by THC or any governmental immunity to which Participant is otherwise entitled under Texas law.

C. Indemnification.

TO THE EXTENT ALLOWABLE BY LAW, PARTICIPANT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE STATE OF TEXAS AND THC, AND/OR THEIR OFFICERS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, ASSIGNEES, AND/OR DESIGNEES FROM ANY AND ALL LIABILITY, ACTIONS, CLAIMS, DEMANDS, OR SUITS, AND ALL RELATED COSTS, ATTORNEY FEES, AND EXPENSES ARISING OUT OF, OR RESULTING FROM ANY ACTS OR OMISSIONS OF PARTICIPANT OR ITS AGENTS, EMPLOYEES, SUBCONTRACTORS, ORDER FULFILLERS, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THE AGREEMENT AND THE TM SUBLICENSE AGREEMENT AND/OR UPDATED TM SUBLICENSE AGREEMENT. THE DEFENSE SHALL BE COORDINATED BY PARTICIPANT WITH THE OFFICE OF THE ATTORNEY GENERAL ("OAG") WHEN TEXAS STATE AGENCIES ARE NAMED DEFENDANTS IN ANY LAWSUIT AND PARTICIPANT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM OAG. PARTICIPANT AND THC AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM.

TO THE EXTENT ALLOWABLE BY LAW, PARTICIPANT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE STATE OF TEXAS, THC AND/OR THEIR EMPLOYEES, AGENTS, REPRESENTATIVES, CONTRACTORS, ASSIGNEES, AND/OR DESIGNEES FROM ANY AND ALL THIRD PARTY CLAIMS INVOLVING INFRINGEMENT OF UNITED STATES PATENTS, COPYRIGHTS, TRADE AND SERVICE MARKS, AND ANY OTHER INTELLECTUAL OR INTANGIBLE PROPERTY RIGHTS IN CONNECTION WITH THE PERFORMANCES OR ACTIONS OF PARTICIPANT PURSUANT TO THIS AGREEMENT AND/OR UPDATED TM SUBLICENSE AGREEMENT. PARTICIPANT AND THC AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM. PARTICIPANT SHALL BE LIABLE TO PAY

ALL COSTS OF DEFENSE INCLUDING ATTORNEYS' FEES. THE DEFENSE SHALL BE COORDINATED BY PARTICIPANT WITH THE OAG WHEN TEXAS STATE AGENCIES ARE NAMED DEFENDANTS IN ANY LAWSUIT AND PARTICIPANT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM OAG.

D. Independent Contractor.

Participant or Participant's employees, representatives, agents and any subcontractors shall serve as an independent contractor in providing goods or services. Participant or Participant's employees, representatives, agents and any subcontractors shall not be employees of THC. Should Participant subcontract any of the services required in this Agreement, Participant expressly understands and acknowledges that in entering such subcontract(s), THC is in no manner liable to any subcontractor(s) of Participant. In no event shall this provision relieve Participant of the responsibility for ensuring that the services rendered under all subcontracts are rendered in compliance with this Agreement and the TM Sublicense Agreement or Updated TM Sublicense Agreement.

E. Ownership of Intellectual Property.

For the purposes of this Agreement, the term "Work Product" is defined as all reports, analyses, work papers, work products, materials, approaches, designs, specifications, systems, documentation, methodologies, concepts, knowledge, know-how, ideas, improvements, plans, advice, research, materials, intellectual property or other property developed, produced, or generated in part or in full by THC and/or in cooperation with Participant, in connection with this Agreement. Work Product specifically excludes pre-existing material owned by Participant, or material developed during the Term of this Agreement independently and exclusively by Participant without any THC involvement or contribution, and that does not include or incorporate any Work Product or Work Product components ("Independent Participant Material"). All Work Product generated pursuant to this Agreement is made the exclusive property of THC. All right, title and interest in and to said Work Product shall vest in THC upon creation and shall be deemed to be, and is expressly intended by the parties to be, a work made for hire and made in the course of the services rendered pursuant to this Agreement. To the extent that title to any such Work Product may not, by operation of law, vest in THC, or such Work Product may not be considered a work made for hire, all rights, title and interest therein are hereby irrevocably assigned to THC. THC shall have the right to obtain and to hold in its name any and all patents, copyrights, registrations or such other protection as may be appropriate to the Work Product subject matter, and any extensions and renewals thereof.

Furthermore, if and to the extent THC provides Participant any Work Product and/or other property owned by THC ("THC Property") to assist Participant to further the Local Program and the purpose of this Agreement, THC hereby grants Participant, commencing upon the date that Participant is designated as a Texas Main Street City, a nonexclusive, revocable, worldwide, fully paid, royalty-free, license, for the Term of this Agreement while Participant remains designated as a Texas Main Street City, to reproduce, modify, distribute, publicly perform, publicly display and use the THC Property only to the extent such use is in furtherance of the Local Program. To the extent Participant provides any Independent Participant Material to THC in connection with this Agreement, Participant hereby grants THC, and THC accepts, a nonexclusive, perpetual, irrevocable, worldwide, fully paid,

royalty-free license to use, reproduce, copy, modify distribute, publicly perform, publicly display, store, post on the Internet and creative derivative works of such Independent Participant Material, and to sublicense and transfer such Independent Participant Material to third parties to use in accordance with these license terms for THC purposes.

F. State Auditor.

In addition to and without limitation on the other audit provisions of this Agreement, and to the extent applicable, pursuant to Section 2262.154 of the Texas Government Code, the State Auditor's Office may conduct an audit or investigation of Participant or any other entity or person receiving funds from the State directly under this Agreement or indirectly through a subcontract under this Agreement. The acceptance of funds by Participant or any other entity or person directly under this Agreement or indirectly through a subcontract under this Agreement acts as acceptance of the authority of the State Auditor's Office, under the direction of the Legislative Audit Committee, to conduct an audit or investigation in connection with those funds. Under the direction of the Legislative Audit Committee, Participant or other entity that is the subject of an audit or investigation by the State Auditor's Office must provide the State Auditor's Office with access to any information the State Auditor's Office considers relevant to the investigation or audit. Participant further agrees to cooperate fully with the State Auditor's Office in the conduct of the audit or investigation, including providing all records requested. Participant shall ensure that this paragraph concerning the authority to audit funds received indirectly by subcontractors through Participant and the requirement to cooperate is included in any subcontract it awards. The State Auditor's Office shall at any time have access to and the right to examine, audit, excerpt, and transcribe any pertinent books, documents, working papers, and records of Participant related to this Agreement.

G. Assignment.

Participant may not assign this Agreement, in whole or in part, and may not assign any right or duty required under it, without the prior written consent of THC. Any attempted assignment in violation of this provision is void and without effect.

VI. CONTRACT AMOUNT

In accordance with the Texas Government Code, sec.442.014(d) and 13 TAC sec.19.5(d), Participant shall pay THC a fee in the amount of ** \$535.00 to defray cost of staff time and expenses for services provided under the Local Program. THC shall invoice for the fee and Participant shall tender payment within 60 days.

VII. TERM and TERMINATION

A. Term.

This Agreement begins upon the latest date the Agreement becomes fully executed by individuals who have the authority to bind the party on whose behalf he or she is signing (“Effective Date”) and shall expire on December 31, 2025, unless terminated at an earlier date pursuant to subsection B below.

B. Termination.

1. Either party shall have a right to terminate all performances to be rendered under this Agreement by notifying the other party in writing at least ten (10) days in advance of the termination date.
2. In the event Participant refuses or fails to execute any Updated TM Sublicense Agreement pursuant to the terms of Section II. above within sixty (60) days of receipt thereof, THC shall have the right to immediately terminate this Agreement by written notice to the Participant.
3. Upon termination of this Agreement under subsections 1 and 2 above, Participant will no longer be designated as an official Texas Main Street City (as defined in 13 TAC sec. 19.3(2)), and will no longer be allowed the use of any Work Product or THC Property, as defined herein, or the registered trademark, logos and brand of National Main Street Center’s membership program MAIN STREET AMERICA™. In such event, Participant agrees to return to THC any Work Product and THC Property in its possession.
4. No funds paid under Section VI. The above shall be refunded in any case of termination.

VIII. CHANGES AND AMENDMENTS

Any alterations, additions, or deletions to the terms of this Agreement shall be in writing and signed by both parties.

IX. APPLICABLE LAW AND VENUE; NO WAIVER; SEVERABILITY

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. The venue of any suit arising under this Agreement is fixed in any court of competent jurisdiction of Travis County, Texas.

Nothing in this Agreement shall be construed as a waiver of THC’s sovereign immunity or any governmental immunity to which Participant is entitled under Texas law. This Agreement shall not constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies, or immunities available to Participant, THC or the State of Texas. The failure to enforce, or any delay in the enforcement, of any privileges, rights, defenses, remedies, or immunities available to Participant, THC or the State of Texas under this Agreement or under applicable law shall not constitute a waiver of such privileges, rights, defenses, remedies, or immunities or be considered as a basis for estoppel.

In the event that any provision of this Agreement is later determined to be invalid, void, or unenforceable, then the remaining terms, provisions, covenants, and conditions of this Agreement shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated.

X. PROHIBITED FOREIGN BUSINESSES

In accordance with Texas Government Code, Chapter 2252, Subchapter F, Participant hereby represents and warrants that it is not a company identified on the lists prepared and maintained under Texas Government Code §§ 806.051 (companies with business operations in Sudan), 807.051 (companies with business operations in Iran), or 2252.153 (companies known to have contracts with or provide supplies or services to a foreign terrorist organization).

Notwithstanding the foregoing, a company that the United States government affirmatively declares to be excluded from its federal sanctions' regime relating to Sudan, Iran, or to a foreign terrorist organization, is not subject to contract prohibition under this clause. A company claiming such exemption must submit the official copy of the declaration.

XI. FORCE MAJEURE

THC shall not be responsible for performance under this Agreement should it be prevented from performance by an act of war, order of legal authority, act of God, or other unavoidable cause not attributable to the fault or negligence of THC.

Participant shall not be liable to THC for non-performance or delay in performance of a requirement under this Agreement if such non-performance or delay is due to one of the following occurrences, which occurrence must not be preventable through the exercise of reasonable diligence, be beyond the control of Participant, cannot be circumvented through the use of alternate sources, work-around plans, or other means and occur without its fault or negligence: fire; flood; lightning strike; weather damage; earthquake; tornado; hurricane; snow or ice storms; equipment break down; acts of war, terrorism, riots, or civil disorder; strikes and disruption or outage of communications, power, or other utility.

In the event of an occurrence under the above paragraph, Participant will be excused from any further performance or observance of the requirements so affected for as long as such circumstances prevail, and Participant continues to use commercially reasonable efforts to recommence performance or observance whenever and to whatever extent possible without delay. Participant shall immediately notify the THC's State Coordinator by telephone (to be confirmed in writing within five (5) calendar days of the inception of such occurrence) and describe at a reasonable level of detail the circumstances causing the non-performance or delay in performance.

XII. NOTICES.

Any notices and/or documents required hereunder shall be deemed to have been duly provided if in writing and delivered personally or by pre-paid guaranteed overnight delivery service, or sent postage prepaid by United States certified mail, return receipt requested. Any such notice shall be effective on the date of delivery if delivered personally, on the next business day following delivery to the guaranteed overnight delivery service if the notice was so delivered and the charges were prepaid, or on the date the recipient signed for the notice if sent by certified mail.

Notices shall be addressed as follows, or at such other address as any party hereto shall notify the other of in writing:

If to THC:
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711

If to Participant:

THE UNDERSIGNED PARTIES BIND THEMSELVES TO THE FAITHFUL PERFORMANCE OF THIS AGREEMENT.

Authorized Signature
(City Manager, Mayor, or Board Chair)

Date: _____

Signer title: _____

Signer printed name: _____

Signer address: _____

Signer phone: _____

Amy Hammons, State Coordinator
Texas Main Street Program
P.O. Box 12276 Austin, TX 78711
512-463-5758 amy.hammons@thc.texas.gov

Date: _____

Bradford Patterson, Deputy Executive Director for
Preservation Programs
Texas Historical Commission
P.O. Box 12276 Austin, TX 78711
512-463-6100

Date: _____

REGULAR AGENDA

AGENDA ITEM #5

**City of Kingsville
Department Name**

TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Juan J. Adame, Fire Chief
DATE: February 26, 2025
SUBJECT: Donation of Expired Personnel Protective Equipment (PPE)

Summary:

The Kingsville Fire Department is requesting approval to donate expired PPE that is no longer serviceable. This equipment will be earmarked for firefighters in Mexico.

Background:

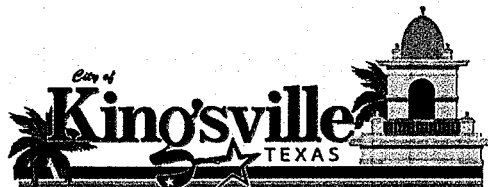
The Fire Department has numerous sets of firefighting coats, pants, boots, and helmets that are expired and cannot be used for firefighting.

Financial Impact:

There is no financial impact.

Recommendation:

Approve the donation of the expired equipment.



AGENDA ITEM #6

City of Kingsville
Public Works

TO: Mayor and City Commissioners

CC: C. Sosa, Interim City Manager

FROM: W. Donnell, Director of Public Works

DATE: February 27, 2025

SUBJECT: Budget Amendment of Unappropriated Budget Reserve Fund 051

Summary:

This item authorizes appropriation of the Unappropriated Budget Amendment Reserve line item for in the Utility Funds for emergency repairs to Water Wells #21 & #24.

Background:

On January 21, 2025, Water Well #24 stopped working. Water Production Supervisor Joe Casillas had a driller come and pull the well. After testing, it was found that the motor had grounded out and needed replacing. A purchase order for \$52,126.00 was generated for the repairs, which depleted the budget in Water Production for repairs. The week of February 13, 2025, Water Well #21 stopped working. This well was pulled and has a grounded motor. Due to similarities with issues, I am estimating this repair will be close in price to the repairs for Well #24. During the budget process, we planned for some maintenance expenses but will need additional funds to cover all the required expenses.

The water wells cannot pump water into the system without properly functioning motors. The repairs must be done promptly to keep the water system functioning correctly. I am requesting a budget amendment of \$75,000 to cover the necessary and critical emergency repairs to the water wells, as the costs exceed the current budget allocations.

Financial Impact:

This will reduce the unappropriated Utility Fund 051 Budget Amendment Reserve balance by \$75,000.00 and increase the Water Production Utility Plant line account 051-5-6002-54300 by \$75,000.00.

Recommendation:

Staff is requesting approval of budget amendment to allocate funds to make needed emergency repairs to Water Wells #21 & #24.

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO APPROPRIATE FUNDING FOR EMERGENCY REPAIRS TO WATER WELLS #21 & #24.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#31

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 051 – Utility Fund					
<u>Expenditures</u>					
6002	Water Prod	Utility Plant	54300	\$75,000	
6001	Water Const	Budget Amend Reserve	86000		\$75,000

[To amend the City of Kingsville FY 24-25 budget to appropriate funding for emergency repairs to water wells #21 and #24 as their continued operation is vital to the City’s water system. Funding will be provided by the Budget Amendment Reserve line item. Currently there is \$75,940 available for this request.]

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 March 2025.

PASSED AND APPROVED on this the 24th day of March 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**

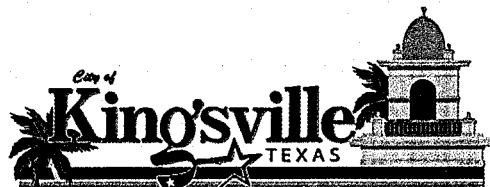
TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Susan Ivy, Director of Parks & Recreation
DATE: February 28, 2025
SUBJECT: Agenda Request – Reallocate ARP Funds & Budget Amendment to Pay for Motor/Pump Replacement in Water Water at the Golf Course

Summary: We are asking for 1) the reallocation of ARP Funds and 2) a budget amendment in the amount of \$30,254.38 to pay Martin Water Wells for replacing the Motor and Pump in the Water Well at the Golf Course.

History: In August of last year, the pump/motor failed in the water well at the Golf Course. The Golf Course manager reported it to the Parks Director and the Purchasing Manager. The Purchasing Manager contacted Martin Water Wells, who came out and replaced the pump. Funding was not readily available for this size of repair. It was discussed with the City Manager that funding was needed and it slipped through the cracks. We did not realize the bill had not been paid as we did not receive the invoice at the golf course or parks offices. Upon receiving a call from Martin Water Wells recently advising us they needed payment, we are now seeking funding to pay the bill.

Financial Impact: Reallocate \$30,254.38 of ARP Funds (from the balance remaining on other projects) to pay for the repairs to the water well at the Golf Course.

Recommendation: We ask that: 1) ARP Funds be reallocated to cover the repairs, and 2) the the Budget Amendment be approved for \$30,254.38 to pay this bill.



MARTIN WATER WELLS

2151 N HWY 77
ROBSTOWN, TX 78380

INVOICE

Invoice Number: 20404
Invoice Date: Aug 14, 2024
Page: 1

Duplicate

Voice: 361-387-2912
Fax: 361-767-1256

Bill To:
CITY OF KINGSVILLE

Ship to:
L. E. RAMEY GOLF COURSE KINGSVILLE, TX

Customer ID	Customer PO	Payment Terms	
CIT103	361-455-7746	Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	LARRY MARTIN	8/6/24	9/13/24

Quantity	Item	Description	Unit Price	Amount
8.00		HOURS LABOR TO MOVE DRILLING RIG TO LOCATION AND PULL 40 HP SUBMERSIBLE PUMP AND MOTOR.	200.00	1,600.00
1.00		40 HP GOULDS CENTRIPRO 6" SUBMERSIBLE PUMP, MN: 320L40, SN: E2441660.	12,017.00	12,017.00
1.00		40 HP 460V/3PH GOULDS CENTRIPRO 6" SUBMERSIBLE MOTOR MN: 6M404, SN: G23C.	10,802.98	10,802.98
1.00		ROLL OF #4/3 JACKETED PUMP CABLE W/GROUND.	2,886.00	2,886.00
5.00		STAINLESS BUCKLES W/BAND-IT.	25.90	129.50
1.00		4" X 12" GALVANIZED NIPPLE	120.57	120.57
1.00		4" GALVANIZED COUPLING	149.15	149.15
6.00		ROLLS OF 2" PIPE WRAP	11.33	67.98
8.00		HOURS LABOR TO GO TO LOCATION, INSTALL PUMP AND MOTOR, AND TEST.	200.00	1,600.00
1.00		PAST DUE INTEREST ACCRUED FROM SEPTEMBER 13, 2024 TO MARCH 13, 2025.	881.20	881.20

Subtotal	30,254.38
Sales Tax	
Total Invoice Amount	30,254.38
Payment/Credit Applied	
TOTAL	30,254.38

Check/Credit Memo No:

AGENDA ITEM #8

Budget Am.

**City of Kingsville
Parks & Recreation Department**

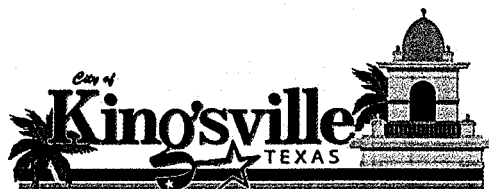
TO: Mayor and City Commissioners
CC: Charlie Sosa, Interim City Manager
FROM: Susan Ivy, Director of Parks & Recreation
DATE: February 28, 2025
SUBJECT: Agenda Request – Reallocate ARP Funds & Budget Amendment to Pay for Motor/Pump Replacement in Water Well at the Golf Course

Summary: We are asking for 1) the reallocation of ARP Funds and 2) a budget amendment in the amount of \$30,254.38 to pay Martin Water Wells for replacing the Motor and Pump in the Water Well at the Golf Course.

History: In August of last year, the pump/motor failed in the water well at the Golf Course. The Golf Course manager reported it to the Parks Director and the Purchasing Manager. The Purchasing Manager contacted Martin Water Wells, who came out and replaced the pump. Funding was not readily available for this size of repair. It was discussed with the City Manager that funding was needed and it slipped through the cracks. We did not realize the bill had not been paid as we did not receive the invoice at the golf course or parks offices. Upon receiving a call from Martin Water Wells recently advising us they needed payment, we are now seeking funding to pay the bill.

Financial Impact: Reallocate \$30,254.38 of ARP Funds (from the balance remaining on other projects) to pay for the repairs to the water well at the Golf Course.

Recommendation: We ask that: 1) ARP Funds be reallocated to cover the repairs, and 2) the Budget Amendment be approved for \$30,254.38 to pay this bill.



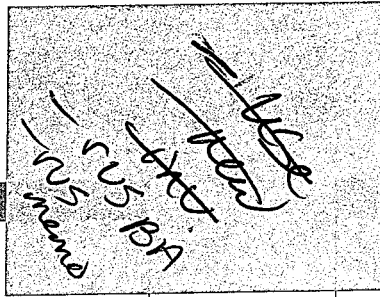
MARTIN WATER WELLS

2151 N HWY 77
ROBSTOWN, TX 78380

INVOICE

Invoice Number: 20404
Invoice Date: Aug 14, 2024
Page: 1
Duplicate

Voice: 361-387-2912
Fax: 361-767-1256



Bill To:	Ship to:
CITY OF KINGSVILLE	E. RAMEY GOLF COURSE KINGSVILLE, TX

Customer ID	Customer PO	Payment Terms	
CIT103	361-455-7746	Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	LARRY MARTIN	8/6/24	9/13/24

Quantity	Item	Description	Unit Price	Amount
8.00		HOURS LABOR TO MOVE DRILLING RIG TO LOCATION AND PULL 40 HP SUBMERSIBLE PUMP AND MOTOR.	200.00	1,600.00
1.00		40 HP GOULDS CENTRIPRO 6" SUBMERSIBLE PUMP, MN: 320L40, SN: E2441660.	12,017.00	12,017.00
1.00		40 HP 460V/3PH GOULDS CENTRIPRO 6" SUBMERSIBLE MOTOR MN: 6M404, SN: G23C.	10,802.98	10,802.98
1.00		ROLL OF #4/3 JACKETED PUMP CABLE W/GROUND.	2,886.00	2,886.00
5.00		STAINLESS BUCKLES W/BAND-IT.	25.90	129.50
1.00		4" X 12" GALVANIZED NIPPLE	120.57	120.57
1.00		4" GALVANIZED COUPLING	149.15	149.15
6.00		ROLLS OF 2" PIPE WRAP	11.33	67.98
8.00		HOURS LABOR TO GO TO LOCATION, INSTALL PUMP AND MOTOR, AND TEST.	200.00	1,600.00
1.00		PAST DUE INTEREST ACCRUED FROM SEPTEMBER 13, 2024 TO MARCH 13, 2025.	881.20	881.20
Subtotal				30,254.38
Sales Tax				
Total Invoice Amount				30,254.38
Payment/Credit Applied				
TOTAL				30,254.38

Check/Credit Memo No:

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2024-2025 BUDGET TO REALLOCATE GF ARP FUNDS FROM THE DEMOS ALLOCATION AND LEFT-OVER FUNDS OF THE IT FIREWALLS PROJECT TO COVER GOLF COURSE WATER WELL PUMP PURCHASE.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2024-2025 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#33

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 121 –GF ARP					
<u>Expenditures</u>					
1030	City Special	Professional Services	31400		\$1,694.72
1603	Planning	Professional Services	31400		\$28,559.66
4502	Golf Course	Machinery & Equipment	71200	\$30,254.38	

[To amend the City of Kingsville FY 24-25 budget to reallocate GF ARP Funding from the demos allocation and left-over funds from the IT Firewalls project to cover the Golf Course water well pump. Budget Amendment Reserve funding is no longer available in General Fund. Golf Course Capital Projects funding is also not available.]

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 March 2025.

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

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #9



**CITY OF KINGSVILLE
LEGAL DEPARTMENT**

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

Date: March 3, 2025

To: City Commission Members

From: Courtney Alvarez, City Attorney

Re: CenterPoint Energy GRIP Filing

AGENDA ITEM: Consider approval of a resolution to temporarily suspending the gas rate increase proposed by CenterPoint Energy due to an Interim Rate Adjustment or "GRIP" filing on February 18, 2025.

ISSUE: The City received notice that CenterPoint Energy filed an Interim Rate Adjustment that would impact customers residing within Kingsville, and it has been recommended that we approve a resolution to delay by 45-days the proposed rate increase.

BACKGROUND: On February 18, 2025, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas (CenterPoint or the Company) made an Interim Rate Adjustment or "GRIP" filing with the City of Kingsville and with the cities in the Company's Houston, Texas Coast, South Texas, and Beaumont/East Texas geographic rate areas.

CenterPoint is seeking recovery of \$654,119,475 in invested capital expended in 2024. The current filing will increase rates for residential customers by \$2.88 per month. This means customers in the South Texas area, like Kingsville, will have their monthly rate of \$25.00 increase to \$27.88. The rate increase is currently scheduled to go into effect on April 19, 2025.

Due to state legislative changes in the last few years, cities may no longer challenge a gas company's GRIP filing. The only action that can be taken is to approve a resolution to suspend the rate increase for 45-days. The City of Kingsville has approved such resolutions in the past.

FUNDING: There is no cost to the City by approving the resolution as presented.

CONCLUSION & RECOMMENDATION: Approve the resolution suspending the proposed gas rate increase for 45-days and have staff notify CenterPoint and legal counsel.

RESOLUTION #2025-_____

A RESOLUTION BY THE CITY OF KINGSVILLE, TEXAS SUSPENDING THE APRIL 19, 2025 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – HOUSTON, TEXAS COAST, SOUTH TEXAS, AND BEAUMONT/EAST TEXAS GEOGRAPHIC RATE AREAS, TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2024 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Kingsville, Texas (“City”) is a gas utility customer of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Houston, Texas Coast, South Texas, and Beaumont/East Texas geographic rate areas (CenterPoint or Company) and is a regulatory authority with an interest in the rates and charges of CenterPoint; and

WHEREAS, CenterPoint made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) on February 18, 2025, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by CenterPoint, effective April 19, 2025; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

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

1. The April 19, 2025 effective date of the GRIP Rate Increases proposed by CenterPoint is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

2. A copy of this Resolution shall be sent to CenterPoint, care of Keith L. Wall at 1111 Louisiana Street, CNP Tower 19th Floor, Houston, Texas 77002, and to Jamie Mauldin, legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Signed this 10th day of March, 2025.

Sam R. Fugate, Mayor

ATTEST:

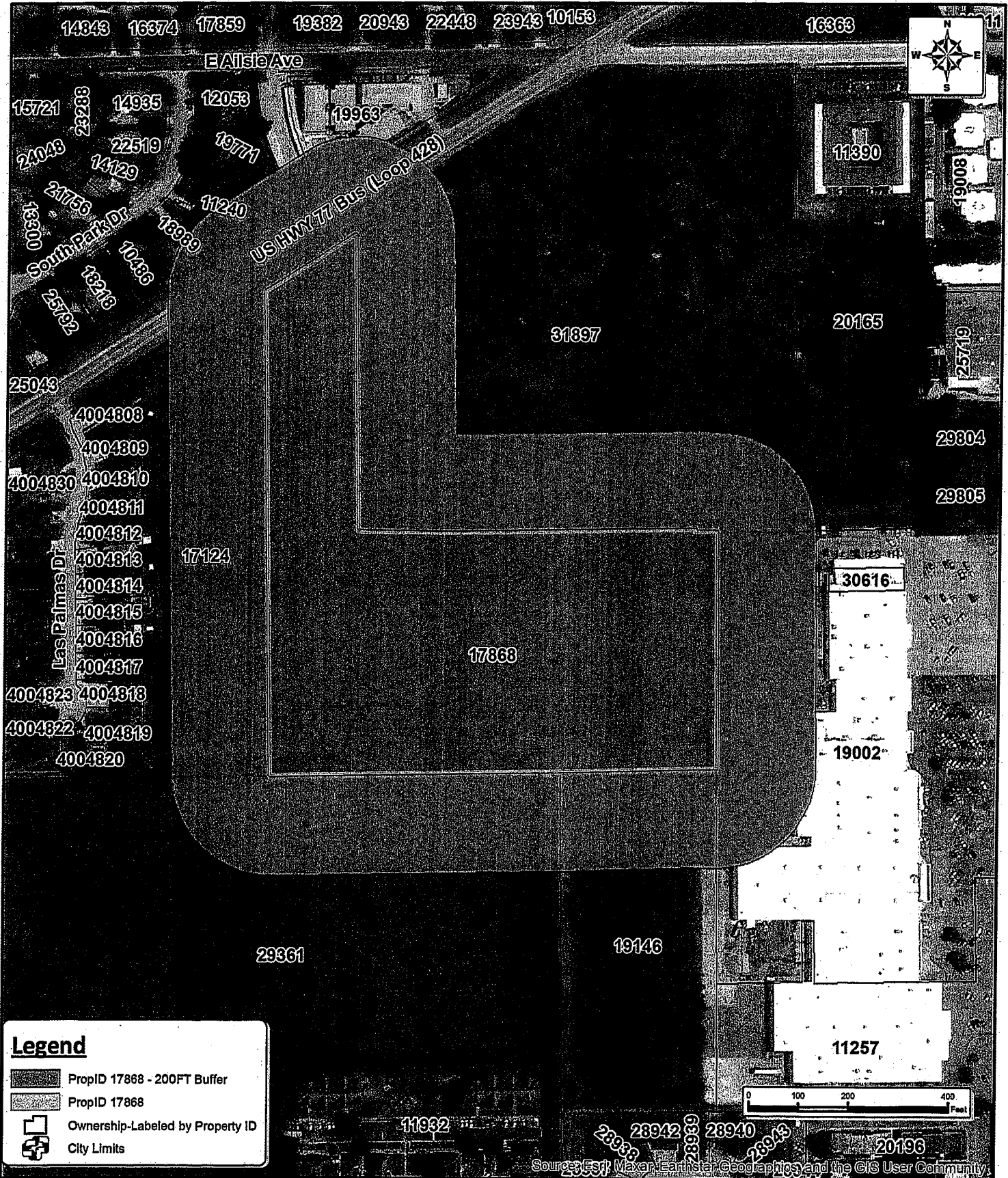
Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #10

200-FT Buffer at Prop ID: 17868



Legend

- PropID 17868 - 200FT Buffer
- PropID 17868
- Ownership-Labeled by Property ID
- City Limits

Source: Esri, Maxar, Earthstar, Geographics, and the GIS User Community

Page: 1 / 1	Drawn By: R. PICK
	Last Update: 2/25/2025
	Note: Ownership is labeled with its Prop ID.

DISCLAIMER:
 THIS MAP IS FOR VISUAL PURPOSES ONLY.
 THE INFORMATION ON THIS SHEET MAY
 CONTAIN INACCURACIES OR ERRORS.
 THE CITY OF KINGSVILLE IS NOT
 RESPONSIBLE IF THE INFORMATION
 CONTAINED HEREIN IS USED FOR ANY
 DESIGN, CONSTRUCTION, PLANNING, BUILDING,
 OR ANY OTHER PURPOSE.



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

Kleberg CAD Property Search

Property Details

Account

Property ID: 17868 Geographic ID: 290001810200192

Type: R Zoning:

Property Use:

Location

Situs Address:

Map ID: A3 Mapsco:

Legal Description: KT & I CO, BLOCK 18, LOT PT 9, PT 10, ACRES 10.98

Abstract/Subdivision: S2900

Neighborhood:

Owner

Owner ID: 61172

Name: PEREZ RAMON P

Agent:

Mailing Address: 317 E SHELTON
KINGSVILLE, TX 78363

% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value: \$0 (+)

Improvement Non-Homesite Value: \$0 (+)

Land Homesite Value: \$0 (+)

Land Non-Homesite Value: \$0 (+)

Agricultural Market Valuation: \$115,980 (+)

Market Value: \$115,980 (=)

Agricultural Value Loss: \$111,830 (-)

Appraised Value: \$4,150 (=)

HS Cap Loss: \$0 (-)

Circuit Breaker: \$0 (-)

Assessed Value:

\$4,150

Ag Use Value:

\$4,150

Information provided for research purposes only. Legal descriptions and acreage amounts are for Appraisal District use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Owner: PEREZ RAMON P %Ownership: 100.0%

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax
GKL	KLEBERG COUNTY	0.771870	\$115,980	\$4,150	\$32.03
CKI	CITY OF KINGSVILLE	0.770000	\$115,980	\$4,150	\$31.96
SKI	KINGSVILLE I.S.D.	1.410400	\$115,980	\$4,150	\$58.53
WST	SOUTH TEXAS WATER AUTHORITY	0.065695	\$115,980	\$4,150	\$2.73
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$115,980	\$4,150	\$0.00

Total Tax Rate: 3.017965

Estimated Taxes With Exemptions: \$125.25

Estimated Taxes Without Exemptions: \$3,500.23

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
DLCP1	DRY LAND CROP LAND	7.02	305,791.20	0.00	0.00	\$74,150	\$2,650
DLCP1	DRY LAND CROP LAND	3.96	172,497.60	0.00	0.00	\$41,830	\$1,500

Property Roll Value History

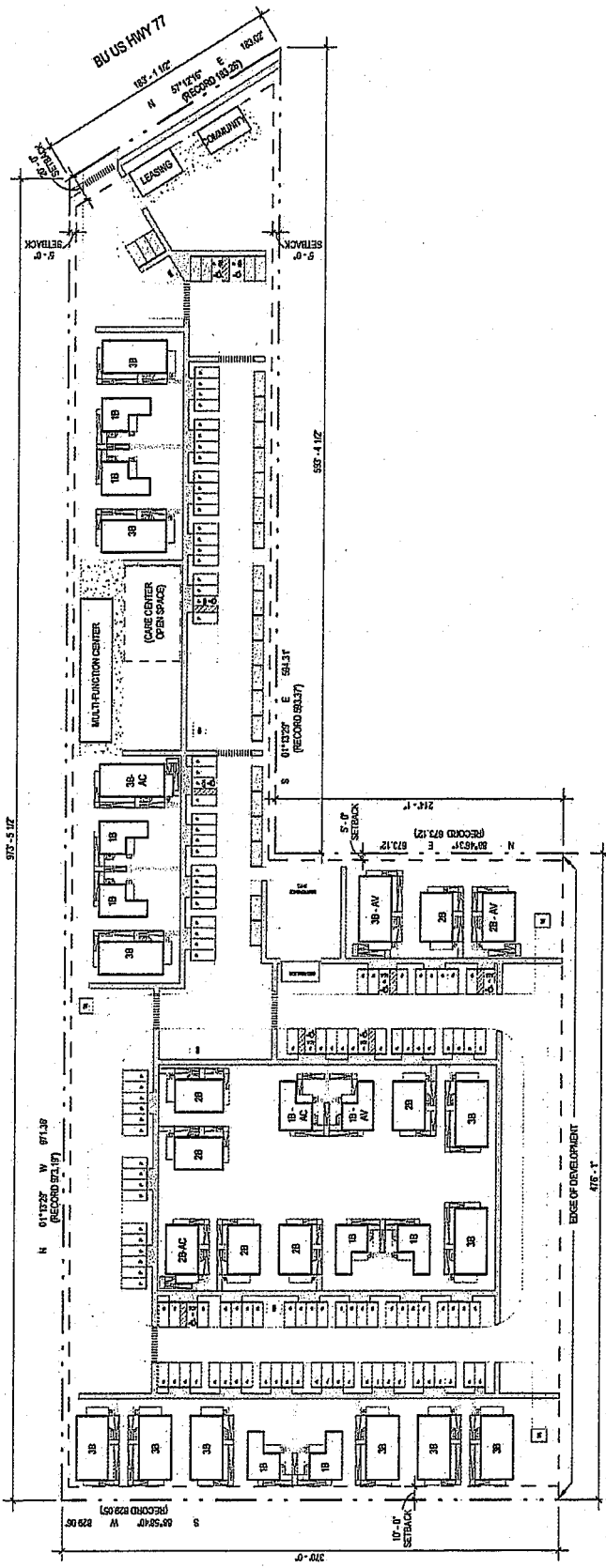
Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2024	\$0	\$115,980	\$4,150	\$4,150	\$0	\$4,150
2023	\$0	\$80,300	\$4,300	\$4,300	\$0	\$4,300
2022	\$0	\$61,580	\$4,300	\$4,300	\$0	\$4,300
2021	\$0	\$65,220	\$4,810	\$4,810	\$0	\$4,810
2020	\$0	\$58,570	\$1,730	\$39,180	\$0	\$39,180
2019	\$0	\$57,100	\$0	\$57,100	\$0	\$57,100
2018	\$0	\$57,100	\$0	\$57,100	\$0	\$57,100
2017	\$0	\$57,270	\$0	\$57,270	\$0	\$57,270
2016	\$0	\$57,270	\$0	\$57,270	\$0	\$57,270

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
6/26/2019	WD	WARRANTY DEED	CITY OF KINGSVILLE	PEREZ RAMON P			318719

SITE PLAN

TDHCA# 25236



2025 APP - SITE PLAN
 SCALE: 1" = 80'-0"

SITE INFORMATION:
 REFER TO PROJECT INFORMATION SHEET FOR ZONING REQUIREMENTS
 AREA: 11.01 ACRES (478,383 SQ FT)
 ZONING: R1 and R3

DETENTION NOTE:
 SITE STORMWATER REQUIREMENTS TO BE SET BY CIVIL ENGINEER. ALL DETENTION TO MEET STORMWATER DESIGN REQUIREMENTS
FLOOD PLAN NOTE:
 THIS SITE IS NOT LOCATED WITHIN ANY DESIGNATED FLOODPLAIN

PARKING:
 PARKING REQUIREMENTS ARE BASED ON CITY OF KINGSVILLE TEXAS CODE OF ORDINANCES, CHAPTER 141, ARTICLE 6, SECTION 15.
 PARKING IS PROVIDED AS FOLLOWS:
 • (A) SPACES/200 SF OF OFFICE OR GENERAL USAGE
 • (B) SPACES/200 SF OF COMMERCIAL RECEPTION (OTHER)
 RESIDENTIAL PARKING
 (C) STANDARD PARKING SPACES/ DWELLING UNIT
 (D) ACCESSIBLE PARKING SPACES/ AC OR AV UNIT
 ADDITIONAL VISITOR PARKING
 AGENCY PARKING
 STANDARD PARKING SPACES
 ACCESSIBLE PARKING
 VAN ACCESSIBLE
 TOTAL PROVIDED PARKING

137	118	6	20	13	10	17	2	1	184
TOTAL PROVIDED PARKING									

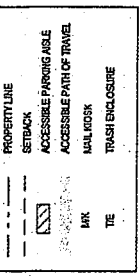
STACKED DUPLEXES (SINGLE FAMILY DWELLING UNITS):
 REFER TO PROJECT INFORMATION SHEET FOR ACCESSIBLE QUANTITIES AND PIRA

UNIT TYPE SUBTOTALS	QUANTITY	FOR ACCESSIBLE QUANTITIES AND PIRA
1 BEDROOM TOTAL INCLUDES 1AC AND 1AV UNIT	20	
2 BEDROOM TOTAL INCLUDES 1AC AND 1AV UNIT	16	
3 BEDROOM TOTAL INCLUDES 1AC AND 1AV UNIT	26	
TOTAL UNIT COUNT	62	

COMMON AREA AMENITIES:
 REFER TO PROJECT INFORMATION SHEET FOR ROOM TYPES AND MAINTENANCE REQUIREMENTS

AMENITY BUILDING	QUANTITY	BUILDING GSF
COMMUNITY ROOM AND LEASING	1	1,465 SF
MULTI-FUNCTION LEARNING CENTER	1	2,544 SF
MAINTENANCE SHED	1	330 SF
BOOP PATIO/UN COVERED PICNIC AREA	1	524 SF

LEGEND:



CASITAS LOS EBANOS
 02/25/23

RESOLUTION NO. 2025- _____

A RESOLUTION OF THE CITY OF KINGSVILLE SUPPORTING THE COMPETITIVE HOUSING TAX CREDIT APPLICATION OF CASITAS LOS EBANOS, LP FOR AN AFFORDABLE RENTAL HOUSING DEVELOPMENT IN KINGSVILLE, TEXAS.

WHEREAS, the City of Kingsville recognizes the importance of housing for low-income citizens and the need for such additional housing in our community;

WHEREAS, the City of Kingsville supports the new construction of affordable rental units in the city;

WHEREAS, Casitas Los Ebanos, LP or their designated affiliate has proposed a development for affordable rental housing off Loop 428 at approximately US-77 Business, Kingsville, Kleberg County, Texas 78363 (Kleberg Appraisal District – Property ID 17868; Geographic ID: 290001810200192) on approximately 10.98 acres;

WHEREAS, Casitas Los Ebanos, LP has advised that it intends to submit an application (#25236) to the Texas Department of Housing and Community Affairs (TDHCA) for 2025 Competitive 9% Housing Tax Credits for the proposed new development stated above;

WHEREAS, Casitas Los Ebanos, LP is requesting a resolution of support and the waiving of \$250.00 in building permit fees to ensure they have a competitive application to submit to TDHCA;

WHEREAS, the City of Kingsville has considered reducing their permit fees by up to \$250 as required by the 2025 QAP for the points and for the benefit of the project to incentive the building of affordable housing in the community;

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

I.

THAT the City of Kingsville, acting through its governing body, hereby supports and endorses the TDHCA application(s) for the proposed Casitas Los Ebanos development located at US-77 Business (application #25236), and that this formal action has been taken to put on record the opinion expressed by the City Commission of the City of Kingsville on February 24, 2025; and;

II.

THAT the City of Kingsville, acting through its governing body, hereby authorizes the Interim City Manager of the City of Kingsville, Texas to grant a permit fee reduction of up to Two hundred-fifty dollars (\$250) for Casitas Los Ebanos to meet program criteria for maximum points, and finds that such financial support for this application satisfies a public purpose; and

III.

THAT for and on behalf of the governing body, City Secretary Mary Valenzuela is hereby authorized, empowered, and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

IV.

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

PASSED AND APPROVED this _____ day of March, 2025.

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: March 10, 2025

SUBJECT: Consider Authorizing a Resolution for the City to submit a Loan Application to the Texas Military Value Revolving Loan Fund (TMVRLF)

Purpose:

The purpose of this memorandum is to present the City Commission with a resolution authorizing the submission of a Texas Military Value Revolving Loan Fund (TMVRLF) application to the Texas Military Preparedness Commission. The loan will be utilized to finance wastewater system improvements that support military-related infrastructure needs within the City of Kingsville.

Summary:

The City of Kingsville is seeking approximately \$20-\$25 million in financial assistance through TMVRLF to implement necessary wastewater system improvements. The TMVRLF program offers low-cost financing to eligible defense communities for infrastructure projects that enhance military value, mitigate the impact of military base realignments and closures, and support economic development initiatives.

Background:

The TMVRLF was established by the 78th Texas Legislature and is managed by the Texas Military Preparedness Commission. The fund provides financial assistance to defense communities for projects that enhance military installations and support infrastructure improvements. The program is financed through the sale of general obligation bonds, with a current available balance of approximately \$204 million. Eligible communities, including Kingsville, can apply for loans to fund up to 100% of project costs, with a minimum loan amount of \$1 million.

The proposed project aims to enhance the City's wastewater infrastructure, ensuring long-term sustainability and efficiency while supporting the needs of nearby military facilities. The project aligns with TMVRLF's objectives of strengthening military-community partnerships and fostering economic development.



**City of Kingsville
Engineering Dept.**

Financial Impact:

There is no financial impact for submitting the loan application. If approved, the TMVRLF loan will provide necessary funding for wastewater system improvements without requiring immediate out-of-pocket expenditures by the city. The loan's interest rate is tied to the Texas Public Finance Authority's bond issuance and prevailing market rates at the time of issuance. Additionally, fees for bond counsel and financial advisors will be included as part of the overall loan structure.

Recommendation:

Staff recommends that the City Commission approve the resolution authorizing the submission of the TMVRLF application. This action will enable the city to secure funding for critical wastewater system improvements, benefiting both the local community and nearby military operations.

Attachments:

TMVRLF Program Flyer
Resolution 2025- _____





Texas Military Value Revolving Loan Fund

OVERVIEW

Created by the 78th Texas Legislature, the Texas Military Value Revolving Loan Fund (TMVRLF) is a comprehensive loan program providing financial assistance to defense communities in Texas. The TMVRLF is financed through the sale of general obligation bonds with a current balance of roughly \$204 million.

PURPOSE

TMVRLF is a low cost source of funding to eligible communities. Lending will be limited to projects that:

- Enhance the military value of area military bases and defense facilities
- Alleviate the adverse impacts of BRAC 1995 or later for an economic development project
- Provide assistance to communities positively impacted by BRAC 1995 or later for an infrastructure project
- Supplement the community economic development value of a closed military base or defense facility

FREQUENTLY ASKED QUESTIONS

WHO IS ELIGIBLE?

Eligible applicants are from a "defense community" meaning a political subdivision, includes a municipality, county or special district, that is adjacent to, is near, or encompasses part of a military base or defense facility per Section 397.001, Local Government Code.

WHAT PERCENT OF A PROJECT MAY BE FUNDED?

Up to 100 percent of a project can be funded. The minimum loan amount is \$1 million.

WHAT IS THE INTEREST RATE?

The interest rate is related to the bond issuance and the prevailing rate at the time. The Texas Public Finance Authority (TPFA) is the entity responsible for the issuance and the Bond Review Board (BRB) must approve the transaction.

WHAT ELSE DO I NEED TO KNOW?

Please pay close attention to collateral and securing revenue streams as they are important aspects to this program. The State's bond rating is used for the transactions. Fees are charged as a cost recovery for Bond Counsel and Financial Advisors for the transaction.



For more information,
please visit
gov.texas.gov/military

RESOLUTION # 2025-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT A LOAN APPLICATION UNDER THE TEXAS MILITARY VALUE REVOLVING LOAN FUND TO THE TEXAS MILITARY PREPAREDNESS COMMISSION FOR FUNDING FOR WASTEWATER SYSTEM IMPROVEMENTS; AUTHORIZING THE MAYOR TO SUBMIT THE APPLICATION AND THE CITY ENGINEER AS THE GRANT OFFICIAL TO ACT ON THE CITY'S BEHALF WITH SUCH GRANT PROGRAM.

WHEREAS, the Texas Military Preparedness Commission ("Commission") has a Texas Military Value Revolving Loan Fund ("TMVRLF"), which is a comprehensive loan program providing assistance to defense communities in Texas; and

WHEREAS, the TMVRLF program offers low-cost financing to eligible defense communities for infrastructure projects that enhance military value, mitigate the impact of military base realignments and closures, and support economic development initiatives; and,

WHEREAS, the program is financed through the sale of general obligation bonds, with a current available balance of approximately \$204 million;

WHEREAS, eligible communities, like Kingsville, can apply for loans to fund up to 100% of project costs, with a minimum loan amount of \$1 million;

WHEREAS, Kingsville is the home of Naval Air Station Kingsville and supports the mission of the base through multiple interlocal support agreements for various things including utilities;

WHEREAS, the City of Kingsville is seeking approximately \$20-\$25 million in financial assistance through TMVRLF to implement necessary wastewater system improvements, which would help support the base, enhance the base's military value, and support growth both at the base and the city;

WHEREAS, the City is eligible to apply for funding under the TMVRLF Program and has a need for wastewater system improvements; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the Mayor as the Executive Officer to submit an application to the Texas Military Preparedness Commission for funding under the Texas Military Value Revolving Loan Fund Program and the City Engineer as the authorized representative to administer the loan and represent the City in this matter.

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

I.

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

II.

THAT the Mayor is the executive officer hereby authorized and directed to sign and act on the City's behalf in all matters pertaining to the Texas Military Preparedness Commission's Texas Military Value Revolving Loan Fund Program, including any certifications, amendments or representations stipulated therein and that the City Engineer, as the authorized representative, to administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

THAT the City Commission approves the submission of the grant application to the Texas Military Preparedness Commission's Texas Military Value Revolving Loan Fund Program for wastewater system improvements on the City's behalf with a loan request of up to \$25,000,000.00.

IV.

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

V.

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

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney