

City of Kingsville, Texas

AGENDA CITY COMMISSION

MONDAY, MAY 8, 2017

REGULAR MEETING

CITY HALL

HELEN KLEBERG GROVES COMMUNITY ROOM

400 WEST KING AVENUE

6:00 P.M.

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – March 27, 2017

Regular Meeting – April 24, 2017

APPROVED BY:

Jesús A. Garza by M

Jesús A. Garza

City Manager

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

1. Public hearing for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit for an establishment known as Shrim 6 Groceries, located at 620 N. Armstrong St., Suite A, Kingsville, Texas. (Director of Planning and Development Services).
2. Public hearing for an alcohol variance for a Mixed Beverage Permit & Mixed Beverage Late Hours Permit for the establishment known as Rox Sports Lounge located at 1701 South Brahma, Blvd., Kingsville, Texas. (Director of Planning and Development Services).
3. Public hearing for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Pizza Parlor located at 816 W. King Avenue, Kingsville, Texas. (Director of Planning and Development Services).

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; 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

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. Consider final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to accept and expend a donation from the HM King High School Historical Foundation for the gymnasium demolition project. (City Manager).
2. Consider final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to accept and expend Park donations from Brookshire Foundation for summer programs. (Parks Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit for an establishment known as Shrim 6 Groceries, located at 620 N. Armstrong St., Suite A, Kingsville, Texas. (Director of Planning and Development Services).
4. Consider an alcohol variance for a Mixed Beverage Permit & Mixed Beverage Late Hours Permit (on premise) for the establishment known as Rox Sports Lounge located at 1701 South Brahma, Blvd., Kingsville, Texas. (Director of Planning and Development Services).
5. Consider an alcohol variance for a Wine and Beer Retailer's Permit (on premise) for the establishment known as Pizza Parlor located at 816 W. King Avenue, Kingsville, Texas. (Director of Planning and Development Services).
6. Consider reallocation of Certificate of Obligation 2016 funds. (City Manager).
7. Consider a resolution authorizing the City Manager to enter into a contract for professional services between the City of Kingsville and Kimley-Horn and Associates, Inc. for Engineering Services for a City-wide Master Drainage Plan and an L.E. Ramey Golf Course Improvements Plan (RFQ 17-07). (Purchasing Manager).
8. Consider awarding RFP 17-13 for the asbestos abatement and demolition of the old high school gym, as per staff recommendation. (Facility Manager).

9. Consider authorizing purchase of golf course irrigation parts, as per staff recommendation. (Parks Director).
10. Consider a resolution revising the City of Kingsville Administrative Policy No.890.11-Internet Access and Electronic Mail Policy by replacing it with Policy No.890.11-Acceptable Use Policy. (Human Resources Director).
11. Consider resolution authorizing participation in the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for installation and design of sidewalks. (Capital Improvements Manager).
12. Consider accepting a \$1,910.29 donation from the Coastal Bend Civitan Club for handicap playground equipment for the Parks Department. (Parks Director)
13. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 Budget to accept and expend Park Donations for specialized playground equipment. (Parks Director).

VII. Adjournment.

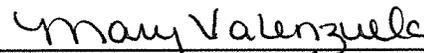
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This City of Kingsville and Community Room 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 located at City Hall, 400 West King Ave, of the City of 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:

May 5, 2017 at 2:00 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule 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)

MARCH 27, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 27, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Susan Ivy, Parks Manager
Robert Rodriguez, Library Director
David Solis, Risk Manager
Cynthia Martin, Downtown Manager
Ricardo Torres, Chief of Police
Bill Donnell, Asst. Public Works Director
Dereck Williams, Systems Specialist
Israel Vasquez, Facilities Manager
Daniel Ramirez, Building Official
Leo Alarcon, Tourism Director
Jennifer Bernal, Community Appearance Supervisor
Austin Jurica, Engineer's Assistant
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Cindy Flores, Patrol Officer
Eric Perez, Patrol Officer

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:02 P.M. with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mrs. 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 regarding condemnation proceeding for structures located at 426 E. Alice, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced the Public Hearing at 6:03 P.M.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

Mr. Tom Ginter, Director of Planning & Development Services, reported that this structure that has been reviewed and inspected. Staff has considered the structure to be substandard and has been approved by the Historical Development Board as a condemned property. In the past couple of weeks, the junk and debris on this site has been picked up. The only thing that is left are two structures that are being presented tonight. This property owes back taxes by the owner and has had no water services since May, 2016.

Mayor Fugate commented that at one point this property did not have power going through the structure.

Mr. Ginter confirmed that this property has not had power for almost two years.

Mayor Fugate asked how many has city staff gone out to this location and cleaned this property.

Mrs. Courtney Alvarez, City Attorney, commented that staff can only speak with regards to the structures only. She stated that she understands that the site has been a need but for purposes of meeting the requirements of the condemnation ordinance, staff needs to concentrate on the substandard on the condition of the property. She further stated that the City Commission has had this property for consideration of condemnation back on January 25, 2016. At that time, the City Commission willing to give the property owner at least 90 days to try and hire some professionals to come and look at the property and advise them on what needed to be done to make repairs and bring the property up to code.

Mr. Jose Flores, property owner, stated that within the last couple of weeks, the City came by and made the property look better. Mr. Flores commented that since the last time, he has gotten in contact with a certified electrician and as of today, the house is sturdy and leveled. It has the proper wiring and plumbing. Flores stated that the electrical part is a little off so he needs to get a certified electrician to come out to the property as he plans on updating the electric meter box. He stated that he has had someone come out and look at each individual part and see what he is lacking on regarding the electric part right now.

Commissioner Garcia asked how many times has this property been cleaned up.

Mayor Fugate responded that as per the City Attorney, this could not be discussed at this time. The only thing that can be discussed is the structures.

Mrs. Alvarez commented that for purposes of condemnation, you need to look at the building and the structures that have been deemed by the Building Official to be substandard.

Mr. Flores commented that he did have someone look at it.

Mayor Fugate asked who looked at it.

Mr. Flores responded that Galvan for the plumbing and David Hickman who will be upgrading the electrical system. He called about two weeks ago to see about permits and what it would take to get a permit. Flores stated that they wouldn't give him any kind of information on this as the certified electrician would need to come in for the permit himself.

Mayor Fugate asked if he had received any estimates or quotes from either the plumber or electrician.

Mr. Flores commented that the electrician told him it would be around \$900.00 for his part as he already has all the components already. Flores stated that his plumbing is in order and all his electrical wiring has been upgraded from when they put the suspended ceiling.

Mayor Fugate asked if this structure had water services now.

Mr. Flores responded that he does not have water now.

Mayor Fugate asked how long has it been since there has been no water service going to this property.

Mr. Flores responded that it's been about half a year.

Mayor Fugate asked about the electricity on the property.

Mr. Flores responded that it's been a year since he has had electricity as it was a matter of having to take care of some city fines, so someone came in and took the meter out and direct wired it. AEP happened to be doing their routine inspection and saw that so they went up and cut the lines at the pole. Because of this, he is having trouble to upgrade all his system as he was going to get an inspector to look at it and he got a certified electrician before this happened to look at it and he told him what he had to do get it done.

Mayor Fugate commented that the problem he has is that the Commission granted him 90 days, but had almost a year, and here you are asking for more time. Staff has worked hard to get this done and Mr. Flores it making them work on projects they shouldn't have to work on. Fugate commented to Mr. Flores that he has had more than enough time to get this house up to code. Fugate further commented that the City has to go out to the property time and time again and the neighbors are complaining and wanting something done.

Mr. Flores commented that he is working off a zero income and it is hard for him but he is trying his best.

Mr. David Flores, resides in Corpus Christi, brother of Mr. Jose Flores, commented that he is the owner of record of the two lots on the corner and is not aware of what cost have been accrued to his property. He stated that he would like to get this information if possible. He further stated that as far as his brother's lack of resources, he needs to know what it will cost and knows that there are issues they need to work out.

Mayor Fugate commented that he is listening but they have had plenty of time. It's the city having to push the property owner. Fugate further commented how Mr. Flores would like this structure to be next door to his home which is located on the island in Corpus Christi.

Mr. Flores commented that he understands where the Mayor's comments. He is aware that this is a nuisance. He further commented that according to his brother, individuals come in and dump trash on the property. Mr. Flores commented that what he is looking for is a solution as well. This house has been in their family for 100 years. Flores commented that the family has allowed enough time for his brother to handle this on his own and has contacted his other siblings, one of which is the owner of the Salazar Building.

Mayor Fugate asked if he received notice on the property. Mr. Flores responded that he never received notice. Mayor Fugate asked that he understood that he was the land owner. Mr. Flores stated that he is the land owner but never received notice.

Mr. Flores stated that he is the owner of the two lots adjacent to this property. Flores further asked if he could receive information that he needs regarding whether there are any liens on the property he may not be aware of. Mr. Flores commented that this is all about money. Mayor Fugate commented that this is not about money. Mr. Flores commented that he would like documentation so that he can be aware of what is going on.

Mrs. Alvarez commented that Mr. Flores can contact her department to make an open records request.

Mr. Flores stated that he is looking for a solution as well. Mayor Fugate asked how often does he visit Kingsville. Mr. Flores responded that he visits once a month. Mayor Fugate

asked if would go by and look at the property while visiting and let the structure get to where it is at now.

Mayor Fugate stated that Mr. Flores stands in front of this Commission and tells them all this stuff, which he feels for him because it is a house that's in their family but they haven't taken care of it. Fugate further commented that this Commission is dedicated to improving the appearance of this community. This property ruins the entire neighborhood. Fugate commented that what aggravates him is that people wait to come to the Commission meeting at the last minute and ask for relief, when all they have to do is go out there and get it done.

Mr. Flores commented that he is here today to find a solution.

Commissioner Lopez asked Mr. Flores, for clarification, if he and his other brother owned the property on the corner. Mr. Flores responded that he is the owner of the property located on the corner. Lopez further asked if he owned the house. Mr. Flores responded no. Lopez further asked whose name was the property under. Mr. Flores responded that it is under his name David and his brother Bobby. Mr. Flores asked for additional time to get this issue rectified.

Mayor Fugate commented that he is very aggravated and having staff work every time this happens which is frustrating to them as well. This is not the first time this property comes before the Commission, it's the second time.

Mr. Flores commented that he and his family will figure this out.

There being no further comments, Mayor Fugate closed this public hearing at 6:19 P.M.

2. Public hearing regarding condemnation proceeding for structures located at 624 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced the Public Hearing at 6:19 P.M.

Mr. Ginter commented that this property is also in the Historical District. This property was heard and approved by the Historical Board for demolition. Property taxes are owed and there has been no water service since November 2010. Ginter stated that it is his understanding that after the Historical Board meeting, there were no complaints or anyone to speak on behalf of this property.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

Mrs. Alvarez commented that for the record, there is no electricity at this location either and based on the photographs, the meter has been pulled.

There being no further comments, Mayor Fugate closed this public hearing at 6:20 P.M.

3. Public hearing for an ordinance granting a special use permit for 1900 S. Brahma Blvd., being a 2.53 acre tract of land out of Lot 11, Block 17, KT&I Subdivision to be named Sanchez Real Estate Subdivision, Lot 1, Block 1, for an animal clinic with outdoor pens. (Director of Planning and Development Services).

Mayor Fugate announced the Public Hearing at 6:20 P.M.

Mr. Ginter reported that approximately 1 year ago, Dr. Eddie Sanchez purchased 2.53 acres from the First Christian Church to build an animal clinic. The rezoning of the property to do that was approved in May 2016. They are now requesting a Special Use Permit to have outdoor pens at this location. Outdoor pens will allow him to continue to provide service to his equine clients. The Planning and Zoning Commission has approved the Special Use Permit. These pens will be primarily for horses. The stables itself will be behind the Vet Clinic and not seen from Brahma Boulevard. The clean the area a couple of hours every evening to eliminate the order from the Veterinarian Clinic. They don't

anticipate a lot of overnight animals at the location. The stable area will have a privacy fence with a double gate for security purposes. The area will also have lighting but only enough not to impact the school or the church.

Commissioner Pena asked for the Planning & Zoning Commission vote. Mr. Ginter responded that they voted 6-0 to approve the recommendation.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

Commissioner Lopez asked if the location for the Vet Clinic is between the High School and the Church on the corner. Mr. Ginter responded that it is between the High School and south of the Church.

Commissioner Garcia asked that with regards to the horses that they plan on leaving overnight, what is the average stay for a horse and how many horses do they plan on housing at this location per month. Also, how high will the fence be.

Mrs. Shelley Sanchez, 290 N. CR 1050, commented that what they are planning on building is a privacy fence that is planning on being 8 foot that will skirt the perimeter of the property. Everything that is behind the building will be behind a privacy fence that will, everything but the parking lot will be perimeter fenced. This is not only for security purpose but it will allow the kids at the High School or if there is people walking on the sidewalk will not be able to see in the backyard if there should be any medical procedure happening on any type of animal. Sanchez commented that the way the clinic will be setup it will be longer and wide facing the street. There will be kennels on half the side of the building, which will be an indoor boarding facility for dogs and cats. All the kennels and the yard will be interior as of the plans right now. The other half of the building will be the Veterinary Clinic and behind that will be the surgery room and operating room for large animals. Sanchez stated that now they do not have a facility to do surgeries on horses. All work for larger animals is done from their home where they have an exam room and if there is an animal that needs to be kept overnight, it is kept on their own property. Only critical cases will be brought to the clinic which will have 24-hour care.

Commissioner Garcia asked that on the pen area, will this area be concrete. Mrs. Sanchez responded that the pens are not planned to be concrete. Commissioner Garcia asked if there was any protection for runoff. Mrs. Sanchez commented that for the pens, they will be sand based with shavings on top of that which will prevent runoff. As per city code, the property owner needs to have control of runoff around the entire property which is two and a half acres, and what they plan on doing is ditches around the exterior of the property that will control their runoff that is on the property itself. This will skirt it to those ditches for flow to city storm water drainage system.

Commissioner Pena asked how far east does this property go.

Someone from the audience responded to Commissioner Pena's question which was not picked up on audio.

Mrs. Sanchez commented that the property will have gated entrances on both driveways that will allow for trailers to drive around the property and will have gates that will be shut close.

Mr. Hector Hinojosa, Supervisor of STARS Restaurant located at 2111 S. Brahma Blvd., commented that their concern is the odor that will be coming from this location. They are an outside drive-in style restaurant where people eat outside or sit in their vehicles and if the winds are coming from the east towards the west, their concern is the odor. Hinojosa stated that they are excited about having new neighbors but their concern is the possible odor that will come from the establishment while their customers are dining out.

Eddie Sanchez commented that they will not have large amounts of livestock at the location. If an animal needs hospital stay, it usually stays on private grounds which is at his home. As for odor, they will have staff cleaning up after the livestock daily.

Commissioner Garcia asked about fly control. Mr. Sanchez responded that they can use different fly control measures, he doesn't think there will be horses housed at this location all the time. If manure is picked up quickly, there shouldn't be a fly problem.

There being no further comments, Mayor Fugate closed this public hearing at 6:32 P.M.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; 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."

Commissioner Lopez introduced the MicroSociety Pantherville City Council. These students are from Perez Elementary School.

Ms. Esperanza DeLeon, Coordinator for Pantherville MicroSociety explained when Pantherville was created and how the students are elected into the position of Mayor, Vice-Mayor, Secretary, Treasurer.

Mr. Jesus Garza, City Manager, presented the February Employee of the Month to Cindy Flores, KPD Patrol Officer.

Mr. Charlie Cardenas, gave a brief update on where the city stands on street projects for the last four to five years. As for the street productivity report for Fiscal Year 2017, with the new propatcher staff was able to repair more potholes. Staff has repaired 449 potholes by zones and 181 by work orders. There are two propatch machines, that works off work orders that citizens submit via online or call in. The Street Department does some patches for the Water Department and Wastewater Department and this is when they go in and do their water line repairs. Staff has also done 22 blocks of street maintenance program this fiscal year alone. Mr. Cardenas showed some photos of streets that staff has recently worked on. He further showed a slide of the street plan completed to date.

Commissioner Pena asked how city streets are selected. This is a question that he receives from citizens.

Mr. Cardenas responded that out of the 100 miles of streets that our city has, there are about 1,000 city blocks. Every street is separated into blocks; the blocks are the units of measure that staff goes by. Staff goes and periodically updates the scoring of the streets, which there are some streets that are deteriorating faster than others which is dependent on different factors such as heavy loads, heavy volumes of traffic, and turning movements.

All the streets were given a grade and a score with 100 being the best to zero being the worst. Those streets that were in the poor category which is a score of under 60, were given preferences as far as when that street will be fixed first.

Commissioner Pecos asked about concrete streets in the city. Mr. Cardenas responded that the city has some concrete streets which is on phase six of the concrete street project. Cardenas stated that city crew is working on a concrete pad in front of Fire Station No. 1 on 10th Street.

Mr. Garza mentioned that the existing street program that Mr. Cardenas has been talking about that was developed in 2013 didn't include concrete streets, was only for asphalt streets. Staff is on the process of figuring out a new program to develop different scoring and evaluation criteria specific for concrete streets. Staff is also in the process of evaluating the concrete streets to determine what the best reconstruction of that street is as there are some concrete streets that may need to be asphalt instead of concrete.

Commissioner Lopez asked what type of work was done on Doddridge between Popeye's and Subway. Mr. Cardenas responded that this street received sealcoating. Seal coating seals the street for moisture and oxidation, which is a maintenance method that should be done every four to five years. Sealcoating a street is less expensive.

Mrs. Courtney Alvarez announced that the next regular meeting is scheduled for Monday, April 10, 2017 with a deadline to submit agendas items for this meeting is March 29th by 5:00 p.m. Reminder that there will be a Trash Off Event on Saturday, April 8th from 8:30 a.m. to 12:00 p.m. Alvarez further announced that agenda item #3 is not needed as staff received word that Mobilitie LLC has decided not proceed with a tower at that location, and so they withdrew their application for the special use permit. Alvarez further mentioned that the second item on this agenda that the City Commission will not need to take any action on is agenda item #7 regarding the Community Festival; the date has changed and there is no determined date as to when this festival will take place.

Mayor Fugate commented that if the city is going to waive these fees, let's just don't the fees to begin with. Fugate further stated that these fees are there for a purpose and he doesn't like to see them on the agenda.

Mr. Garza commented that the fees that staff is referring to are related to street closures. When a private contractor that needs to close the street for specific reason and so obviously in those cases it would make sense to collect some fee for it, but when it's for community wide event it's different.

Commissioner Garcia commented that the MicroSociety Annual Conference will be hosted in Kingsville this summer, July 9-11, 2017.

IV. Public Comment on Agenda Items.³

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

Mr. Roy Adams, 233 CR 1026, stated that he would like to know why food trucks are not allowed in the Park area. He stated that Susan Ivy does not allow his food truck in the parks and would like to know why.

Ms. Katie Shelter, stated that her company, Mobilitie will not be pursuing agenda item #3 at this time, but will be pursuing agenda item #4.

Mrs. Sharon Michalk, 1221 W. Santa Gertrudis, commented that her property is located two houses from where Mobilitie is pursuing in placing a pole. She is asking the

Commission to consider not approving the item. The Planning & Zoning Committee met and voted 6-0 not to approve it. She is asking the Commission to consider that as it is a residential area. There is a University across the street where the pole is can be placed or even where the apartment complex is located.

Mrs. Peggy Hayes, 1213 W. Santa Gertrudis, commented that she is opposed with the Mobilite pole being placed in front of her house. She does believe that there may be a need for some upgrades when it comes to communications in this area, but she is adamantly opposed to having this pole located in her front yard. Hayes further commented that there is no way that a pole this size can be concealed while it sits in front of your house.

Dawn Shunamann, 519 Seale Street, commented that she would like to ask the Commission to abide by the golden rule of doing to others. She further commented that the Commission would not want this in their front yard or the apartments in their backyard. What the Commission needs to understand that was not mentioned here but was mentioned in the Planning & Zoning meeting, is there was a citizen that stepped forward that works for telecommunications and talked about if it was in a different location not in residential property it could be a taller pole. By having it at a taller height, it creates a flashlight affect which encompasses a grader area of service for our community. She further commented that she is asking for the City Commission to vote no.

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider condemnation of structures located at 426 E. Alice, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate asked that agenda item #1 be moved to the end after agenda item #8. No objections were made on this request.

Commissioner Pena asked if anyone was living in this property.

Mr. Flores stated that he lived in the property. He is buying water and operating electricity through a generator.

Commissioner Pena further asked that if the City Commission voted to condemn this property, would Mr. Flores have any place to live.

Mr. Flores responded that he would have no place to live.

Commissioner Garcia asked Mr. Flores how long has he been living under the conditions of supplying his own water and electricity?

Mr. Flores responded that he's been living under these conditions for about nine months. Prior to that he was a prepaid CPL customer prior to the meter being removed from the property.

Commissioner Garcia asked if this information was verifiable.

Mrs. Alvarez stated that staff can confirm the water service through the Collections Department which staff has verified that it had been since May 2016 since this location has been without water service.

Commissioner Pecos motioned that because staff now has other members of the family coming forward and asking the City Commission for an extension for the present person that was living there and not taking care of business, maybe with the other family member that has come forward and states that they are willing to fix the property according to ordinance of the city, he would move that this Commission gives them an extension of three months and see if they really will do what they say they are going to do.

Mayor Fugate asked Mrs. Alvarez that the Commission has two options, making a motion finding repairable, what does this do and instead of saying to give them an extension can the Commission make that motion to where the Commission does make the finding that the structure is unsafe and is in violation of ordinances, which he thinks everyone agrees with that, but steps can be taken to correct these conditions and specify when they get this house up to code and don't give them 90 days. Fugate commented that 90 days was too long of an extension. As he is concerned, they should be working day and night on this property to get any kind of a chance. Mayor Fugate further commented that he does not want to give the property owner another chance and the neighbors around this location deserve better than this.

Mrs. Alvarez responded to Mayor Fugate's questions that because there is differentiation if the Commission wanted to extend it beyond a certain period of time, she would need to double check this. Alvarez commented that if the Commission wanted to give them up to 90 days' extension the Commission could. The Commission could not give them, to the State Statue more than 90 days unless they were to submit a detail plan and a time schedule for the work at the hearing and establish at the hearing that the work can't reasonably be completed within 90 days because of scope and complexity of the work with regards to the time, therefore it would have to be less than.

Mr. Garza commented that nothing was presented at the hearing tonight.

Mayor Fugate asked less than 90 days to bring it up to code? Mrs. Alvarez responded that the Commission could say that they will be on a timetable making substantial progress or the Commission could say that they are going to have it up to code within that period of time which may or may not be reasonable we don't know as we don't have the detail plan from the electrician.

Commissioner Pena asked if the motion was for 90 days and can it be revised to 59 days? Mrs. Alvarez responded that he could amend his motion to reduce the time frame technically which may or may not provide them the time they need in order to get the work done. Commissioner Pena commented that just for the record, the last time the Commission dealt with the property there were no other family members that were present as there is this time and maybe they can work together and bring the property up to code.

Seconded by Commissioner Lopez to allow 426 E. Alice 90 days to be in compliance with the ordinance of the City of Kingsville. The motion was passed and approved by the following vote: Lopez, Pena, Pecos voting "FOR". Garcia and Fugate voting "AGAINST".

Mayor Fugate commented that he wants this item back on the agenda if they are not in compliance on the first meeting after the 90 days. Fugate further commented that this staff has tons of other things to do for work to be done. To dedicate as much time and energy as staff has had to do to this property is totally unacceptable. Fugate commented that as soon as 90 days and if it's not done he wants this item back on the agenda.

2. Consider condemnation of structures located at 624 E. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).

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

3. Consider final passage of an ordinance granting a special use permit to install a wireless telecommunications pole for Mobilitie LLC at Ronning 1, Block 1, Lot 24, 25 also known as 1018 E. King Avenue. (Director of Planning & Development Services).

No discussion or action taken.

4. Consider final passage of an ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue. (Director of Planning and Development Services).

Motion made by Commissioner Lopez NOT to approve the ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue, seconded by Commissioner Pena and Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

5. Consider introduction of an ordinance granting a special use permit for 1900 S. Brahma Blvd., being a 2.53 acre tract of land out of Lot 11, Block 17, KT&I Subdivision to be named Sanchez Real Estate Subdivision, Lot 1, Block 1, for an animal clinic with outdoor pens. (Director of Planning and Development Services).

Commissioner Garcia asked what will be the duration of this permit.

Mrs. Alvarez commented that in the ordinance it states that the special permit is good for the duration of the business from the date of this ordinance unless (a) the property is not being used for the purpose outlined in Condition 1, or (b) any other conditions have not been complied with, or (c) there is a change in ownership of the business.

Introduction item.

6. Consider final passage of an ordinance adopting the Kingsville Parks Master Plan. (City Manager).

Motion by Commissioner Pena to approve this ordinance, seconded by Commissioner Lopez and Commissioner Garcia. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

7. Consider City participation in the Kingsville United Community Festival via waiver of certain fees for this spring downtown festival. (Downtown Manager).

No discussion or action taken on this item.

8. Consider a resolution authorizing the Police Chief to enter into an Operating Agreement between Naval Air Station Kingsville and the City of Kingsville Police Department relating to force protection. (Chief of Police).

Chief Torres stated that this item is for an operating agreement between Naval Air Station Kingsville and the City of Kingsville Police Department relating to force protection. The last operating agreement between the two entities was done in 2011 and is ready for an update as there has been a change of command at Naval Air Station Kingsville.

Motion made by Commissioner Garcia to approve this resolution, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez Pena, Fugate voting "FOR".

9. 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. (City Manager).

Mayor Fugate announced both Executive Session items (agenda item 10 and 11) and convened the meeting into closed session at 7:21 P.M.

Mayor Fugate reconvened the meeting into open session at 7:46 P.M.

10. Consider authorizing staff to negotiate economic development incentives with a food establishment in a value not to exceed a certain amount, which would be brought back for Commission approval. (City Manager).

Motion made by Commissioner Pena to authorizing staff to negotiate economic development incentives with a food establishment in a value not to exceed \$450,000.00, seconded by Commissioner Lopez.

Commissioner Pecos asked that if this item only authorizes the negotiation and will come back to the City Commission for approval.

Mr. Garza responded yes, only authorizing staff to negotiate an economic development incentive.

The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:47 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

APRIL 24, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 24, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Diana Gonzales, Human Resources Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Susan Ivy, Parks Manager
Sharam Santillan, Capital Projects Manager
Cynthia Martin, Downtown Manager
Israel Vasquez, Facility Maintenance Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Leo Alarcon, Tourism Director
Derek Williams, Systems Specialist
Adrian Garcia, Fire Chief
Robert Rodriguez, Library Director

I. Preliminary Proceedings.

OPEN MEETING

WORKSHOP: Presentation of J.K. Northway Expo Center and Fairgrounds Master Plan. (City Manager).

Mr. Garza announced that this presentation will focus on the JK Northway Expo Center and Fairgrounds Master Plan. This was a process that began in January. At the time the City hired a firm named Populous that did a joint bid with Halff Associates. Garza stated that the process began by having stakeholder meetings as well as stakeholder and community input. There was also a public workshop that consisted of individuals from the surrounding neighborhoods around the JK Northway. The stakeholder groups were very engaged and involved which is important for this endeavor because staff wanted to make sure that what was looked at by Populous and Halff Associates met the expectations the need requirements of the users. The current facility doesn't meet certain standards regarding electrical, plumbing, restrooms, etc., but also doesn't meet some of the needs for some of the events that are going on there and what we want to happen in the future. This endeavor was much broader than simply looking at what can be fixed from the existing facility but rather looking at how the city could expand the facility and provide new opportunities for new events converting the facility to be normal for those purposes as oppose to not. Mr. Garza stated that tonight's presentation will have two options, one that keeps the front of the JK Northway facing North and an alternate option that transforms the facility and turns the entrance facing Hwy 77. Also, presented will be some cost associated each option. Garza further

stated that tonight's conversation will not be to discuss how this project will be funded but more so focused on the options and the improvements that would come if the City went down on this venture of pursuing either one of these options. Garza commented that at a second meeting, staff can consider how to go about phasing in the improvements and how we can potentially fund these improvements. Whatever portion the City does contribute towards this effort, would come from the Hotel Occupancy tax dollars. Funds from the general fund will go to parks and streets and everything associated with this endeavor will come from the Hotel Occupancy Tax in terms of what the city's contribution will be. This will require public/private partnerships to make the whole vision a reality which is something that staff will get into at a separate meeting.

Mr. Todd Gralla of Populous gave an overview of the JK Northway Expo Center Master Plan. He stated that one of the first things they did was visited the JK Northway during the Livestock Show in February to give them a better understanding of how the building is used in its most intensive event. They also observed the conditions of the facility and did some shadowing with individuals in the stock show to better understand their challenges and ideas they may have related to the Coliseum. Mr. Gralla spoke about two options, one having the entrance to the JK Northway facing north and the second option with the entrance facing Hwy 77. He continued by showing pictures of the grounds as to how they are now and what it would look like show both options. He stated that after reviewing the area during the Livestock Show, it's been noted that the Livestock space is short and limits their ability to keep the show at its former size as they were turning away some animals. This will require rebuilding the livestock holding area. Mr. Gralla stated that they also met with others event user's individuals that attend events in this area. The site plan shows a renovated JK Northway, new covered livestock pavilion area, which will be a flexible use space to be used for both horses, livestock and small animals. The plan also shows a covered arena and a potential horse stalling barn, if events were to grow such capacity, it would need additional stalling. On the side of the building, RV spaces would be added with full hookups, ample trailer parking, and lots of great circulation. Mr. Gralla stated that one key thing related to this master plan was the discussion about what will happen once the highway improvement were made. There's plan for a side road or access road next to Hwy 77 which gives the opportunity to have a new primary entry into the Dick Kleberg Park and the JK Northway Coliseum, which is indicated on the master plan as a split entry for the public. Regarding parking, the full site parking which is next to the soccer fields has about 1,323 parking spaces for cars. On the JK Northway side only there is about 850 parking spaces, 53 RV spaces and within that mix between 60 to 80 parking spaces, which will fluctuate depending the size of the trailer and many they can pack onto that site. The renovation of the JK Northway will include seating equipment.

Mayor Fugate asked Mr. Gralla that when it comes to both options, the interior of the JK Northway will be the same.

Mr. Gralla responded no. There are some significant differences. Mr. Todd continued to state that one of the things to update is the seating in the JK Northway. The retractable seating that in place now needs to be updated and doesn't meet today's standards when it comes to rise and height and other safety standards. This seating will be replaced with a new retractable seating system which is included in the budget. They also are proposing to remove the permanent wall on the north end of the arena which will open views into the arena when people walk through the main entrance. He stated that it is being proposed to remove the existing entrance on the Northside and rebuild a new entrance vestibule. Taking the small concession and making it into a ticketing office. The JK Northway also needs some office related to staff, sales, marketing event, and management. This would be built and connected to the existing meeting room. The plan also has for an expansion of bathrooms. Bathroom counts are based on current code requirements and available seating in the arena. With the new retractable seating, it would consist of 1,508 including accessible seating and Including floor which is another 2,200 there would be a total of 3,708 capacity in this building. The code research on the bathroom count is based on that number. It is being recommended that two concessions capabilities be built. One should be at least a cooking size with the ability to have grill hood where you would be able to cook food on location. The

concession on the east side could be a package service only. Also needed is substantial storage area as well as a meeting room space. Populous also showed a slide for a basketball layout. Should the Coliseum ever meet this type of event as well as a concert configuration.

The projected cost for the renovation of the JK Northway Expo Center as presented by Populous is listed below.

BASE PROJECT PHASE ONE - COLISEUM RENOVATION AND LIVESTOCK BARN

<i>Element</i>	<i>Est. Cost Low</i>	<i>Est. Cost High</i>
Coliseum Renovation/Expansion	\$5,693,372	\$6,447,253
Livestock Barn Addition (NIC connector)	\$1,842,361	\$2,041,133
Site Development (approx 70%)	\$1,004,156	\$1,128,831
Total Phase One	\$8,539,890	\$9,617,217

BASE PROJECT PHASE TWO - COVERED ARENA

<i>Element</i>	<i>Est. Cost Low</i>	<i>Est. Cost High</i>
Covered Arena	\$4,056,067	\$4,446,652
Connector	\$179,989	\$199,408
Site Development (approx 15%)	\$215,176	\$241,892
Total Phase Two	\$4,451,232	\$4,887,952

BASE PROJECT PHASE THREE - COVERED HORSE BARN

<i>Element</i>	<i>Est. Cost Low</i>	<i>Est. Cost High</i>
Covered Horse Barn	\$3,061,766	\$3,380,029
Site Development (approx 15%)	\$215,176	\$241,892
Total Phase Three	\$3,276,943	\$3,621,921

BASE PROJECT PHASE FOUR - MAINTENANCE & STORAGE BUILDINGS

<i>Element</i>	<i>Est. Cost Low</i>	<i>Est. Cost High</i>
Maintenance & Storage Buildings	\$597,582	\$658,011
Total Phase Four	\$597,582	\$658,011
TOTAL PROJECT	\$16,865,646	\$18,785,102

SOUTH ENTRY PHASE ONE - COLISEUM RENOVATION AND LIVESTOCK BARN

<i>Element</i>	<i>Est. Cost Low</i>	<i>Est. Cost High</i>
Coliseum Renovation/Expansion	\$7,340,216	\$8,168,427
Livestock Barn Addition	\$1,787,749	\$1,972,798
Site Development (approx 60%)	\$1,340,047	\$1,488,340
Total Phase One	\$10,468,013	\$11,629,565

SOUTH ENTRY PHASE TWO - COVERED HORSE BARN

<i>Element</i>	<i>Est. Cost Low</i>	<i>Est. Cost High</i>
Covered Horse Barn	\$2,262,645	\$2,502,623
Site Development (approx 15%)	\$335,012	\$372,085
Total Phase Two	\$2,597,657	\$2,874,708

SOUTH ENTRY PHASE THREE - COVERED ARENA

<i>Element</i>	<i>Est. Cost Low</i>	<i>Est. Cost High</i>
Covered Arena	\$4,056,067	\$4,446,652
Site Development (approx 25%)	\$558,353	\$620,142
Total Phase Three	\$4,614,420	\$5,066,793

SOUTH ENTRY PHASE FOUR - MAINTENANCE & STORAGE BUILDINGS *Element*

<i>Est. Cost Low</i>	<i>Est. Cost High</i>	Maintenance & Storage Buildings	\$597,582	\$658,011
		Total Phase Four	\$597,582	\$658,011
		TOTAL PROJECT	\$18,277,672	\$20,229,078

Commissioner Pena commented that this is an ambitious project and rendering, but comments that the proposed renovation is very nice. Pena then questioned that throughout all the presentation on the JK Northway renovation, was there a resounding preference of the two options.

Mr. Gralla responded yes. The preference was the option that had the entrance located on the south side of the building. This was the most preferable option.

Mr. Garza commented that this is just transformative with the highway expanding with the frontage road it gives us the opportunity to do something more grandiose in terms of a new entrance for both the JK Northway and Dick Kleberg Park.

Mayor Fugate commented that he has seen a lot of studies, but this plan is a plan that fits Kingsville and the JK Northway. Fugate further commented that the stakeholders that were in the room and had a preference are the same people the city will be asking for private/public partnerships.

Mayor Fugate called the meeting into recess at 5:45 P.M.

Mayor Fugate reconvened into the regular session of the meeting at 6:00 P.M. with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – April 10, 2017

~~Motion made by Commissioner Garcia to approve the minutes of April 10, 2017 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Fugate voting “FOR”. Lopez “ABSTAINED”.~~

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

None.

III. Reports from Commission & Staff.²

*“At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, **Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; 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. Jesús Garza, City Manager presented the Fiscal Year 2016-2017 Quarterly Budget Report and the Fiscal Year 2016-2017 Second Quarter Investment Report. The Budget Report shows that revenues for the second quarter Fiscal Year 2016-2017 from all sources are on target for budget at 59.35%. Overall expenditures are on target for the first quarter Fiscal Year 2016-2017 at 41.91%. As for interdepartmental transfers, Resolution 2016-62, allows transfers between departments in the same fund without Commission approval as long as those transfers do not increase a department's appropriation by more than 10%. Interdepartmental transfers below 10% must be documented and provided to Commissioners on a quarterly basis through the Quarterly Budget Report. There are currently no transfers that meet this requirement. Intradepartmental transfers between account codes within a department but requires transfers greater than \$5,000 to be documented and provided to Commissions on a quarterly basis through the Quarterly Budget Report. At this time the City Commission was provided with a list of those budget transfers. For General fund balance and Utility Fund, the City established a Fund Balance Policy in 2008 and amended it by Resolution 2011-54 on September 26, 2011. The resolution dictates that the City will maintain a minimum unassigned fund balance in its General Fund and Utility Fund of 25% of the subsequent year's budgeted expenditures and outgoing transfers. Garza reported on the Second Quarter Investment Report for Fiscal Year 2016-2017. Garza stated that the Investment Committee which consist of City Manager Jesús Garza, Finance Director Deborah Balli, City Commissioner Arturo Pecos, and City Attorney Courtney Alvarez have met today on this report. Garza stated that there are no major changes on this report but do anticipate some major changes on the Third Quarter Report as there are funds being moved around to receive a greater return. The report shows that for total cash and investments is \$30,010,996.25. The comparison between last year and this year shows an increase due to the CO Funds that have been received this year. The appropriate percentages in cash that are required are being met. Non-Investment cash accounts totals to \$1,803,611.17, which has no change from the first quarter. Certificates of Deposit show the principal total of \$7,162,217.73 with interest earned through March 31, 2017 of an amount of \$11,753.37. The Debt Service Fund, staff is in the process of evaluating some options for the city with the ending fund balance. Staff has been having conversations with the City's Auditor to understand the City's options. Garza stated that the City could utilize to pay off the debt early or utilize this money for onetime expenses. Staff is in the process of evaluating this specific fund balance and how it can possibly be utilized. Garza stated that for this debt service there is no legal requirement to keep a certain percentage in a reserve, although it would be smart to have some money for that, but to what degree or extent. These are conversations staff is having internally now and if staff makes a recommendation on the required specific percentage or amount for reserves in that fund, staff will figure out what to recommend with the difference.

Mrs. Courtney Alvarez, City Attorney announced that the next regular scheduled meeting is on May 8th, with agenda item deadline Friday, April 28th. She further stated that agenda item #5, which is on the consent agenda, Brian Coufal did not need to be included on that list.

Mayor Fugate asked if this item needs to be removed from the consent agenda. Mrs. Alvarez responded that the item would need to be removed to exclude him when the motion is made.

Commissioner Lopez stated that Mr. Lance Hamm emailed all the City Commission concerning the speed limit on Hwy 77. Lopez stated that she had the opportunity to speak with him and stated to her that he is very concerned about all accidents that have occurred. Lopez stated that Mr. Hamm understands that they will be building an overpass in 2020, but he's also concerned about, as she is aware that TXDOT has performed two surveys in that area and did the 85% rule. She stated that Mr. Hamm is wanting to inform the city that Senator Lucio's office called him and they will be calling the city and the county to meet sometime the week of May 1st through May 5th regarding that location. Lopez stated that Mr. Hamm has asked her to retrieve some information for him, copy of the last accident report that occurred in that area as well for the last two years of how many citations or warnings have been given at that location, Bypass and FM 77.

Mrs. Alvarez asked that on the request for the information, is this something that Lopez was requesting, because he's done request before and he knows to go through the Open Record Request.

Commissioner Lopez responded that she needs that information as Mr. Hamm isn't available, therefore she will make the request.

Mrs. Alvarez responded that this was fine. It was just to make sure that staff gets exactly what it is she is looking for and understanding that since none of them are parties that understand State law there are certain things that would need to be redacted.

Commissioner Lopez commented that this was fine. She further asked if someone from staff could make themselves available to meet with Senator Lucio's office, County and Mr. Hamm.

Mr. Garza commented that staff will be ready to meet and discuss the issue.

Commissioner Lopez stated that she has located the resolution and asked if anything ever happened with that as it was listed on the minutes that TXDOT was not in favor so all they did was the blinking yellow light.

Mr. Garza responded that from his understanding, yes.

Mr. Charlie Cardenas, Public Works Director/Engineer commented that they also place rumble strips as well.

IV. Public Comment on Agenda Items.³

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

Mr. Jeff Trinker, 1118 Macino Lane, Richmond, TX, TML IRP Members Services Manager, commented that TML has greatly appreciated having the opportunity to serve as a partner with the City of Kingsville for the last 23 years. Mr. Trinker further commented that during that period they have had a very strong relationship and have paid out close to \$9 Million dollars to the City during that period. Last year there was a wind loss of approximately \$2.3 Million dollars. He stated that TML staff had some concerns regarding the proposals but they have provided those proposals concerns to City staff in the form of a letter.

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 Pena to approve the consent agenda as presented with the exception of Brian Coufal's name, seconded by Commissioner Pecos.

Mayor Fugate asked Mrs. Alvarez if this is a proper motion or withdraw the motion and take the item out of consent and place under the regular section of the agenda.

Mrs. Alvarez commented that she was trying to understand the motion fully. Alvarez asked for clarification on the motion as being Motion to approve 1 through 4 or was the motion to approve items 1 through 5 without Mr. Coufal.

Commissioner Pena commented that he stated with the exception of number 5.

Mrs. Alvarez commented that then the motion that was stated is for items 1 through 4.

Commissioner Pena responded yes.

The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

1. Consider final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to include proceeds from the final supplemental insurance claim for the May 31, 2016 storm event. (Finance Director).

2. Consider final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to purchase additional water meters. (Finance Director).

3. Consider resolution authorizing the Chief of Police to enter into a Memorandum of Understanding with Houston High Intensity Drug Trafficking Area (HIDTA) for law enforcement data sharing, at no cost to the City. (Chief of Police).

4. Consider reappointment of Zoning Board of Adjustment members Ricki Cunningham, John Garza, Albert Garcia, and Wayne Quandt to two year terms. (Director of Planning and Development Services).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider reappointment of Planning & Zoning Commission members Steve Zamora, Lupe Alvarez, Debbie Tiffie, Bill Aldrich, Brian Coufal and Ramon Perez to two year terms. (Director of Planning and Development Services).

Motion made by Commissioner Lopez to approve the reappointments of Steve Zamora, Lupe Alvarez, Debbie Tiffie, Bill Aldrich, and Ramon Perez to two year terms to the Planning & Zoning Commission and excluding Brian Coufal, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

6. Consider awarding the All-Risk Property Insurance Policy coverages (RFQ 17-011), as per staff recommendation. (Risk Manager).

Mr. David Solis, Risk Manager, reported that this item authorizes the award of the City's All-Risk Property Insurance Coverages for the period May 1, 2017 through September 30, 2018 covering perils of Fire, Flood, Earthquake, Lightening, Windstorm/Named Storm and equipment breakdown. The City of Kingsville advertised for proposals for All-Risk Property Insurance Policy on Marcy 19th and March 26, 2017. Two proposals containing various options were received. Proposers included TML-IRP, Victor O Schinnerer, and Carlisle Insurance. Each proposal was judged to have met the current policy's terms and conditions. Cost of the coverage is \$213,607.75 for the period of May 1, 2017 to September 30, 2018. The proposed minimum is \$44,454.85 less than the current policy premium. This award will not impact the City's policies of General Liability, Auto Liability, Auto Physical Damage, Crime and Animal Mortality and Workers' Compensation coverages. Those coverages will still be maintained by TML-IRP. Solis further commented that it is staff's recommendation to award the All-Risk Property Insurance Policy coverage to Carlisle Insurance for the period of May 1, 2017 through September 2018.

Motion made by Commissioner Pecos to award the All-Risk Property Insurance Policy coverages (RFQ 17-011), as per staff recommendation, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

7. Consider a resolution authorizing the City Manager to enter into Amendment Two of an Interlocal Cooperation Agreement between the City of Kingsville and the University of Texas-San Antonio relating to a Sponsored Research Agreement for the downtown area. (City Manager).

Mr. Garza reported that this item is an amendment to the agreement the City has with UTSA who completed our Downtown Vision Plan. In a prior meeting, it was mentioned that the city was going to undertake additional work from UTSA to develop some additional options that didn't completely shift the parking to parallel parking. What this amendment does is that it extends the time of our partnership with UTSA and includes an additional \$2,500 fee which is intended to cover the continuation of them providing renderings and options for the City to bring back forth to the Commission as a presentation which includes the mid-block bow bouts and things of that sort.

Motion made by Commissioner Pena to approve this resolution, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

8. Consider accepting a \$25,000 donation from the HM King High School Historical Foundation for the gymnasium demolition project. (City Manager).

Mr. Garza announced that the next two items are in relation to receiving funding assistance from the HM King High School Historical Foundation for the gymnasium demolition project. Staff is in the process of finalizing an RFP process for this demolition that was closed last week. Staff is in the process in reviewing those proposals with the anticipation of the award to occur on the first meeting in May, 2017 which is at the same time the second reading will take place for the next two items would occur.

Motion made by Commissioner Pena to approve the acceptance of \$25,000 donation from the HM King High School Historical Foundation for the gymnasium demolition project, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

9. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 Budget to accept and expend a donation from the HM King High School Historical Foundation for the gymnasium demolition project. (City Manager).

Introduction item.

10. Consider accepting a \$9,000 donation from the Brookshire Foundation for Parks Department summer recreational programs. (Parks Director).

Motion made by Commissioner Garcia to accept a \$9,000 donation from the Brookshire Foundation for Parks Department summer recreational programs, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

11. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 Budget to accept and expend Park donations from Brookshire Foundation for summer programs. (Parks Director).

Introduction item.

12. Consider a resolution finding that AEP Texas Inc.'s Application to amend its Distribution Cost Recovery Factors to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. (City Attorney).

Mayor Fugate asked if the Commission does not respond, would it be considered as a denial.

Mrs. Alvarez stated that if the Commission takes no action then the rates will automatically go up as much as they want. Alvarez further commented that for utilities that operate in the city limits, the city still retains original jurisdiction with regards to looking at those. There has been some erosion of authority to review and challenge certain rate increases and those were successfully obtained by utility lobbyist a few years ago in the Legislature because use to be anytime there was a rate increase that can be challenged. Alvarez stated that they are bifurcated into two different types of rate increases, some of which the city has the original jurisdiction to challenge and others that we do not. This is one area that the city still has original jurisdiction to still challenge it and not to say that they shouldn't have any increase but just to have the opportunities for all the cities to look at rates and hire experts to review them and make sure that they are accurate and not excessive. About a year ago they brought forward a different rate case and at that time the city denied it and joined a group of other cities to review that and where there was some shaving off of the requested rate increase. Lots of other cities that affected by this impact are also considering these resolutions and hiring the experts together so that one city isn't out of pocket, you join into a group and it doesn't cost the city anything.

Mayor Fugate asked if the company must pay for all the expenses. Mrs. Alvarez responded yes, they are responsible to pay for the experts and attorneys that are hired.

Motion made by Commissioner Garcia to approve this resolution, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

13. Consider a resolution revising the City of Kingsville Administrative Policy No. 881.00-Emergency Services Policy. (Risk Manager).

Mr. Solis stated that the attached document includes the revisions to the policy. Items to note include: adding the title Emergency Management Coordinator as the primary

individual responsible to ensure the provisions of the policy are carried out before, during and after the emergency event or disaster; the title of Department Head was revise to Department Director; language was added to include that the Police Chief may set a higher readiness phase condition in matters involving Law Enforcement; language related to sheltering City employees was revised to state that the City shall take the necessary steps to safely accommodate on-duty personnel during the emergency event or disaster as needed; language was added to note that Fire and Police civil service personnel investigations and disciplinary actions are governed by Texas Local Government Code Chapter 143 and by any collective bargaining agreements; removal of five out of the six circumstances described allowing for automatic waivers. All waiver requests except for employees on illness or injury leave shall be presented to a three-member panel; language was added indicating that upon activation, exempt employees who exceed 40 actual hours of work per week shall be eligible for overtime at the rate of one and one-half times of the employee's hourly rate or by compensatory time at the rate of one and one-half hours for each actual hour worked over 40 hours per week. This provision for exempt employees will be enacted only upon written notification to Department Directors by the City of Manager.; policy acknowledgement and waiver forms revised.

Motion made by Commissioner Pecos to approve this resolution, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:47 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: April 28, 2017

SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit for a grocery/market known as Shrim 6 Groceries at 620 N. Armstrong, Suite A

Summary: The authorized agent/applicant Radha Bikkina is requesting an alcohol variance for this location which is at 620 N. Armstrong Suite A.

Background: This location is the site of a grocery/market store that has changed ownership and is within the 1,000 foot boundary of a church. Due to the change in ownership the new owner is required to apply for a permit.

Financial Impact: The store at this location has had a variance approved in the past to sell alcohol.

Recommendation: Approve the alcohol variance as requested.



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

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 620 N. Armstrong St. St. A, 78363 Nearest Intersection Armstrong & Sautagalews

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: SHRIM 6 Groceries

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent RADHA BIKKINA Phone 361-406-9018 FAX _____

Email Address (for project correspondence only): SHRIM6G1@GMAIL.COM

Mailing Address 620 N ARMSTRONG ST, A City KINGSVILLE State TX Zip 78363

Property Owner _____ Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project:

Alcohol and Beer license \$250⁰⁰

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

Applicant's Signature [Signature] Date: 04/13/17
 Property Owner's Signature _____ Date: _____
 Accepted by: _____ Date: _____



OFF-PREMISE PREQUALIFICATION PACKET

received
4-12-17

L-OFF
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original

Reinstatement

License/Permit Number _____

Change of Licensed Location

License/Permit Number _____

2. Type of Off-Premise License/Permit

BQ Wine and Beer Retailer's Off-Premise Permit

LP Local Distributor's Permit

BF Beer Retail Dealer's Off-Premise License

E Local Cartage Permit

P Package Store Permit

ET Local Cartage Transfer Permit

Q Wine Only Package Store Permit

PS Package Store Tasting Permit

3. Indicate Primary Business at this Location

Grocery/Market

Convenience Store without Gas

Liquor Store

Miscellaneous _____

Convenience Store with Gas

4. Trade Name of Location

SHRIM 6 GROCERIES

5. Location Address

620 N ARMSTONG ST, SUITE A

City

KINGSVILLE

County

KLEBERG

State

TX

Zip Code

78363

6. Mailing Address

4009 GIANTS DR

City

CORPUS CHRISTI

State

TX

Zip Code

78414

7. Business Phone No.

361-406-9018

Alternate Phone No.

361-453-5076

E-mail Address

SHRIM6G@GMAIL.COM

OWNER INFORMATION

8. Type of Owner

Individual

Corporation

City/County/University

Partnership

Limited Liability Company

Other _____

Limited Partnership

Joint Venture

Limited Liability Partnership

Trust

9. Business Owner/Applicant

RADHA BIKKINA



CITY OF
KINGSVILLE
MEMORANDUM

DATE	Friday, April 12, 2017
TO	Mary Valenzuela, City Secretary
FROM	Engineering Department
SUBJECT	Alcohol License for 620 N Armstrong St, Suite A

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 620 N Armstrong St, Suite A, we have concluded that the property in question does fall within the 1,000 ft boundary of a church; therefore, it will require a variance according to City Ordinance sections 11-3-4&5. Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

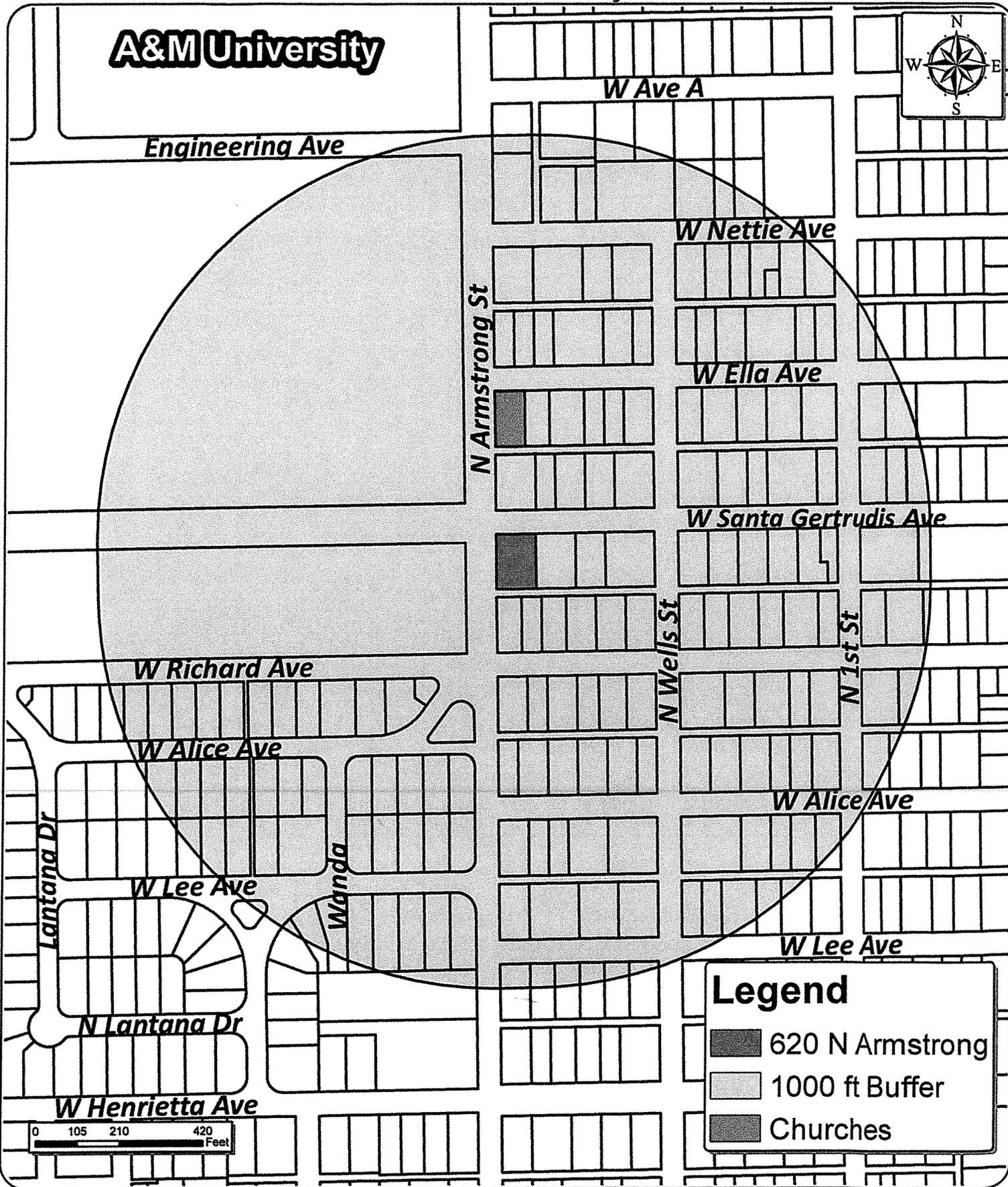
Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the church; suspected to be close to the property. TAMUK Baptist Student Ministry is within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

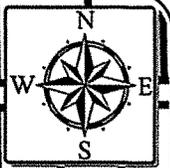
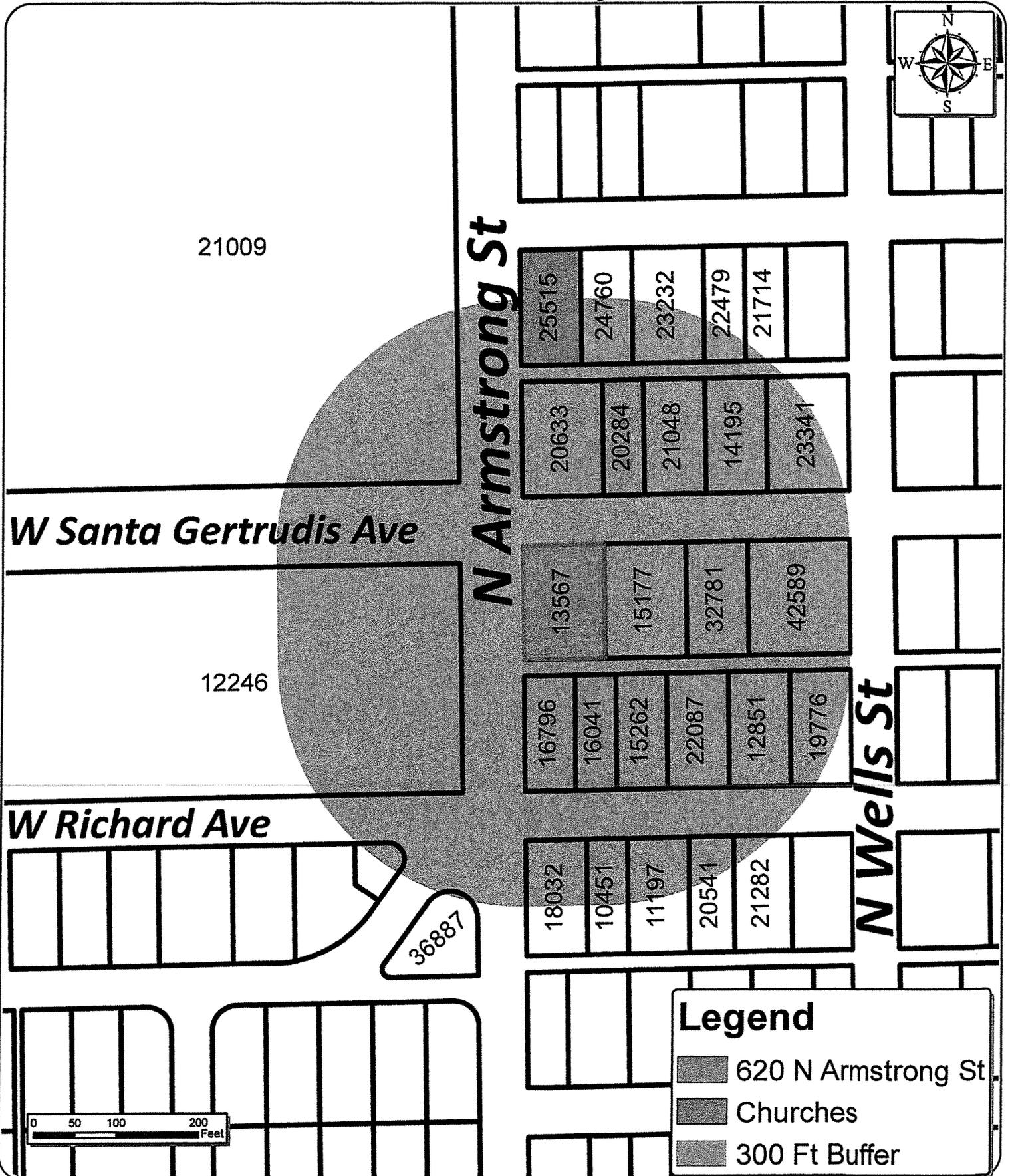
Alcohol Permit - 1000 ft. Radius



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

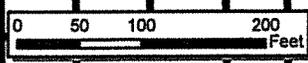
Page 1/1	Drawn By: Engineering Dept.	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	
	Last Update: 4/12/2017		
	Note: Please see attached documents.		
CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035			

Alcohol Permit - 300 ft. Radius



Legend

- 620 N Armstrong St
- Churches
- 300 Ft Buffer



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

1 / 1 Page	Drawn By: Engineering Dept.	<p>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.</p>	 <p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Last Update: 4/12/2017		
	Note: Please see attached documents.		

TEXAS A&M UNIVERSITY
ATTN: SYSTEM REAL ESTATE
301 TARROW STREET, 6TH FLOOR
COLLEGE STATION, TX 77840-7896
#21009

ROBERTO OBREGON
ETUX ZONIA GARCIA
1727 W SAGE RD
KINGSVILLE, TX 78363-2696
#24760

MITCHELL MILLEDGE B JR
PO BOX 5627
KINGSVILLE, TX 78364-5627
#21714

CHERYL ANN DROWN NIX
2000 EASTSIDE DR
AUSTIN, TX 78704-4327
#20284

INTERNATIONAL BANK OF
COMMERCE
PO BOX 1030
ZAPATA, TX 78076-1030
#15177

RAJAB CHALLOO
LINDA CHALLOO
PO BOX 867
KINGSVILLE, TX 78364-0867
#16796

TOM WALTER HUNTER JR
ETUX RITA C
716 W RICHARD AVE
KINGSVILLE, TX 78363-4270
#22087

BARBARA L CHRISTOPHER
EST
2411 E AILSIE AVE
KINGSVILLE, TX 78363-8823
#18032

STEPHEN MALLON
7715 PONOMA TRL
AUSTIN, TX 78749-2923
#20541

TEXAS A&M UNIVERSITY
ATTN: SYSTEM REAL ESTATE
301 TARROW STREET, 6TH FLOOR
COLLEGE STATION, TX 77840-7896
#12246

ABEL BALBOA JR
PO BOX 5963
KINGSVILLE, TX 78364-5963
#23232

KAY IRBY NIX
629 W ALICE AVE
KINGSVILLE, TX 78363-4356
#20633

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#14195

INTERNATIONAL BANK OF
COMMERCE
% INDUSTRY CONSULTING GROUP,
INC
PO BOX 810490
DALLAS, TX 75381-0490
#32781

MARICELA ARELLANO
24302 MARLIN ROOST ST
KATY, TX 77494
#16041

ARNOLD P LEAL
ETUX YOLANDA G
5206 PONDEROSA LN
CORPUS CHRISTI, TX 78415-3125
#12851

KIMBERLY A NIELSEN WEBB
511 NATCHEZ
CONROE, TX 77302
#10451

JOYCE MOONEY
709 W RICHARD AVE
KINGSVILLE, TX 78363-4269
#21282

BAPTIST CHURCH
A&I BAPTIST STUDENT CENTER
702 N ARMSTRONG AVE
KINGSVILLE, TX 78363
#25515

MITCHELL MILLEDGE B JR
PO BOX 5627
KINGSVILLE, TX 78364-5627
#22479

CHERYL ANN DROWN NIX
2000 EASTSIDE DR
AUSTIN, TX 78704-4327
#20284

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#23341

LEILA M SAMADI
700 S 14TH ST STE A
KINGSVILLE, TX 78363
#42589

ANGELA R NAIR
ETVIR KRISHNA
724 W RICHARD AVE
KINGSVILLE, TX 78363-4270
#15262

JARNAIL DHALLA
916 MADISON DR
MOUNTAIN VIEW, CA 94040-
4027
#19776

SALVADOR FLORES JR
ETUX TERI
719 W RICHARD AVE
KINGSVILLE, TX 78363-4269
#11197

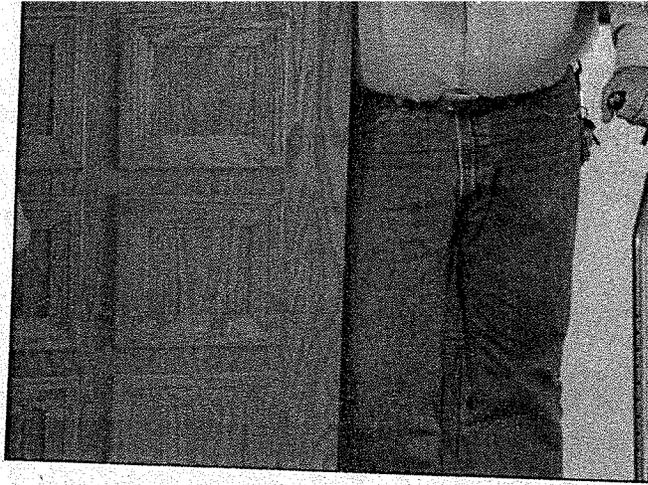
CITY OF KINGSVILLE
ETAL
PO BOX 1458
KINGSVILLE, TX 78363-1458
#36887

Museum.

The department toured the Kenedy Ranch Museum, located in the restored Kenedy Pasture Company office building, which also originally housed an apartment for the Kenedy family while they waited for the railroad train when beginning and ending their travels.

The department members also viewed a video featuring the Kenedeños (vaqueros and other employees of the Kenedy Ranch).

Vera and the department members



Homero S. Vera speak to the AWARE Department of the Woman's Club of Kingsville. (Submitted photo)

were served a brown bag meal prepared by Jan Becker, Patricia Cypher, Renee Garcia, Norma Alvarez and Diana Guererro-Pena.

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Beer & Wine Retail's Off- Premise Permit for the establishment known as Shrim 6 Groceries, located at 620 N Armstrong St, Suite A, Kingsville, Texas.

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

2
1:
3:
3:
2:
1:
G
1:
B:
1:
K:
1:
T:
1:
6:

Easter Tr

Join us Easter Sunday



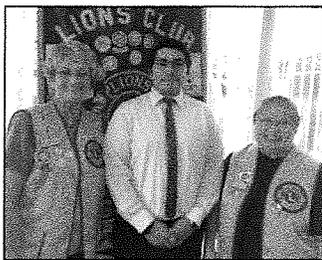
St. Paul Lutheran Church

10th Street & Doddridge
Kingsville, TX

361.592
www.st

New Lion in the pride

Cristian Villa was recently inducted as a new member of the Kingsville Noon Lions Club. Pictured, from left, are President Joanie Rumfield, Villa and Mary-Lou Pena. (Submitted item)



Speaker promotes Sexual Assault Awareness



Jennifer Radcliffe-Jones, right, was the guest speaker at the Kingsville Noon Rotary Club last week. Radcliffe-Jones is a representative of the Coordinated Community Response Coalition of Kingsville. The group sponsored a Teal Ribbon Campaign for Sexual Assault Awareness on April 12 at Coastal Bend College. She is pictured with Rotary member Dolores Guerrero. (Submitted photo).

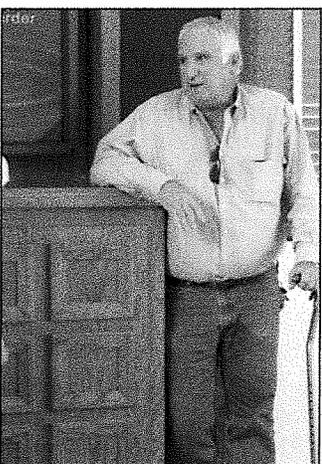
AWARE Department tours Kenedy Ranch Museum

Submitted Item
Homero S. Vera, museum coordinator for the Kenedy Ranch Museum in Sarita, presented a program to the AWARE Department of The Woman's Club of Kingsville regarding Mifflin and Petra Vela de Vidal Kenedy and their descendants, the Kenedeños, the Kenedy Pasture Company and the Kenedy Ranch Museum.

The department toured the Kenedy Ranch Museum, located in the restored Kenedy Pasture Company office building, which also originally housed an apartment for the Kenedy family while they waited for the railroad train when beginning and ending their travels.

The department members also viewed a video featuring the Kenedeños (vaqueros and other employees of the Kenedy Ranch).

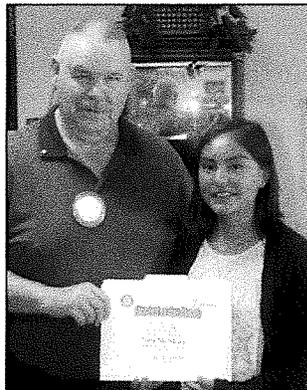
Vera and the department members



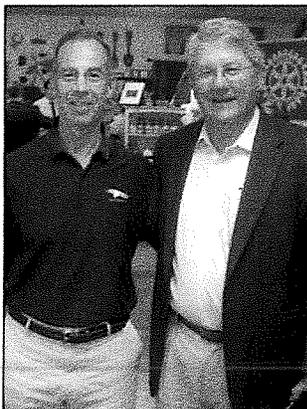
Homero S. Vera speak to the AWARE Department of the Woman's Club of Kingsville. (Submitted photo)

were served a brown bag Renee Garcia, Norma meal prepared by Jan Alvarez and Diana Becker, Patricia Cypher, Guerrero-Pena.

Noon Rotary Club recognizes April student of the month



Sara Mendoza was recognized as the Noon Rotary Club student of the month for April at this week's meeting of the organization. She is a student at Presbyterian Pan American School and plans to attend Texas A&M-Kingsville after graduation. She received a certificate and a scholarship to attend TAMUK. The scholarship will be matched by the university. At left is Rotarian Mike Desiderio. (Pictured below) Kingsville mayor Sara Fugate, right, was the guest speaker at the Noon Rotary Club this week. He spoke on projects currently underway and plans for the future in the city. At left is Rotarian Buster Crabbe. (Submitted item)



WHAT'S FOR LUNCH

Come join us today for this week's specials!

EL BOCAZO RESTAURANT

Additional Locations: Fort Johnson Blvd & Seaton

DAILY LUNCH SPECIALS
\$5.99

Wednesday Special
Caldobazo con Pollo or Texas Plate

HAPPY HOUR
2:00pm - 6:00pm

704 N. 14th Street • (361) 516-1459

EL CORRAL TEX-MEX RESTAURANT

1415 N. 14th Street, Kingsville
(361) 592-7622

NEW DAILY LUNCH SPECIALS

Breakfast served all day
CONFERENCE ROOM AVAILABLE

YOUNG'S PIZZA



Come by and join us for lunch!

626 W. Santa Gertrudis
(361) 692-9179



DINE LOCAL

TO ADVERTISE YOUR DELICIOUS LUNCH SPECIALS

CALL TRACY PEÑA AT 221-0245 OR CHRISTY CANTU AT 221-0241

Thanks for Supporting Our Local Restaurants!

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Beer & Wine Retail's Off-Premise Permit for the establishment known as Shrim 6 Groceries, located at 620 N Armstrong St, Suite A, Kingsville, Texas.

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

RIO 7 CINEMAS

SATURDAY APRIL 15 - MONDAY APRIL 17	TUESDAY APRIL 18 - THURSDAY APRIL 20
20 - Smurfs: The Lost Village (PG) 12:00pm - 4:00pm 3:25pm - 9:00pm	20 - Smurfs: The Lost Village (PG) 6:00pm
20 - Boss Baby (PG) 12:40pm - 3:45pm - 6:30pm - 9:25pm	20 - Boss Baby (PG) 3:40pm - 6:30pm - 9:25pm
Going in Style (PG-13) 12:10pm - 3:00pm - 6:15pm - 9:00pm	Going in Style (PG-13) 3:00pm - 6:15pm - 9:00pm
Beverly and the Beanie (PG) 12:15pm - 3:15pm - 6:10pm - 9:15pm	Beverly and the Beanie (PG) 3:15pm - 6:10pm - 9:15pm
Kang: Skull Island (PG-13) 12:25pm - 3:20pm - 6:20pm - 9:05pm	Kang: Skull Island (PG-13) 3:20pm - 6:20pm - 9:05pm
The Fate of the Furious (PG-13) 11:55am - 12:10pm - 3:00pm - 3:15pm - 6:05pm - 6:20pm - 9:10pm - 9:20pm	The Fate of the Furious (PG-13) 3:00pm - 3:15pm - 6:05pm - 6:20pm - 9:10pm - 9:20pm

Easter Truth

Join us Easter Sunday April 16th 9am

St. Paul Lutheran Church of Kingsville
LCMS

10th Street & Doddridge
Kingsville, TX

361.592.6531
www.stpaulkingsville.com

PUBLIC HEARING #2

City of Kingsville
Department of Planning and Development services

To: City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: February 3, 2017

SUBJECT: Request for an alcohol variance for a Mixed Beverage Permit and a Mixed Beverage Late Hours Permit at Rox Sports Lounge at 1701 South Brahma Blvd.

Summary: The applicant/authorized agent Joanna Alaniz is requesting an alcohol variance for the Rox Sports Lounge at 1701 South Brahma Blvd.

Background: This location is the site of the Rox Sports Lounge that is currently there and has been operating with an alcohol variance. 3 schools, 2 churches and 1 daycare fall within the 1,000 foot boundary. Due to a change in ownership, the new owner is required to apply for a variance.

Financial Impact: As stated earlier this business currently has an alcohol variance.

Recommendation: Approve alcohol variance as requested.



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

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1701 S. Brahma Blvd Nearest Intersection _____

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Joanna Alaniz Phone 361-522-2141 FAX _____

Email Address (for project correspondence only): _____

Mailing Address 425 E. St. Albert City Kingsville State TX Zip 78303

Property Owner _____ Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project:
Alcohol and Beer license - Rox Sports Lounge

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

Applicant's Signature [Signature] Date: 4-17-17
 Property Owner's Signature _____ Date: _____
 Accepted by: _____ Date: _____



CITY OF
KINGSVILLE
MEMORANDUM

DATE	Friday, April 14, 2017
TO	Mary Valenzuela, City Secretary
FROM	Engineering Department
SUBJECT	Alcohol License for 1701 S Brahma Blvd

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1701 S Brahma Blvd, we have concluded that the property in question does fall within the 1,000 ft boundary of 3 schools, 2 churches, and 1 daycare; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the 3 schools, 2 churches, and 1 daycare; suspected to be close to the property. Jesus R. Perez Elementary School, H.M. King High School, Coastal Bend College, First Christian Church, Bay Area Fellowship, and The Tot Spot daycare are within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

received
4-13-17

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website, www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number _____

Reinstatement License/Permit Number _____

Change of Licensed Location License/Permit Number _____

2. Type of On-Premise License/Permit

- BG Wine and Beer Retailer's Permit
- LB Mixed Beverage Late Hours Permit
- BE Beer Retail Dealer's On-Premise License
- MI Minibar Permit
- BL Retail Dealer's On-Premise Late Hours License
- CB Caterer's Permit
- BP Brewpub License
- FB Food and Beverage Certificate
- V Wine & Beer Retailer's Permit for Excursion Boats
- PE Beverage Cartage Permit
- Y Wine & Beer Retailer's Permit for Railway Dining Car
- RM Mixed Beverage Restaurant Permit with FB
- MB Mixed Beverage Permit
- O Private Carrier's Permit - For Brewpubs (BP) with a BG only

3. Indicate Primary Business at this Location

- Restaurant
- Sporting Arena, Civic Center, Hotel
- Bar
- Grocery/Market
- Sexually Oriented
- Miscellaneous _____

4. Trade Name of Location

Rox Sports Lounge

5. Location Address

1701 South Brahma Blvd, STE C

City Kingsville

County Kleberg

State TX Zip Code 78363

6. Mailing Address

425 E. Santa Gertrudis

City Kingsville

State TX Zip Code 78363

7. Business Phone No.

361-595-7699

Alternate Phone No.

361-522-2141

E-mail Address

joanna07@sbcglobal.net

OWNER INFORMATION

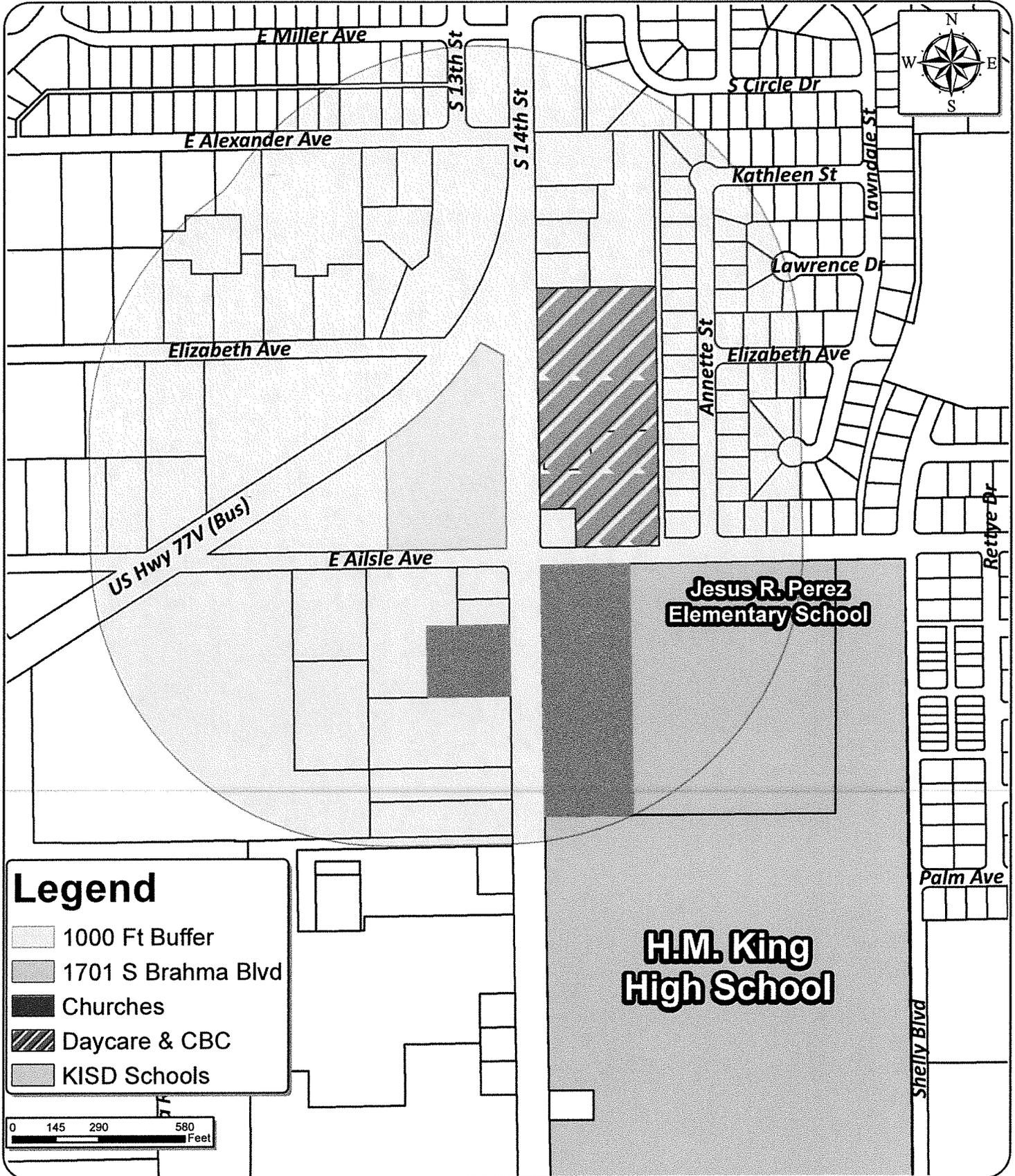
8. Type of Owner

- Individual
- Corporation
- City/County/University
- Partnership
- Limited Liability Company
- Other _____
- Limited Partnership
- Joint Venture
- Limited Liability Partnership
- Trust

9. Business Owner/Applicant

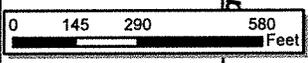
Joanna Lee Alaniz

Alcohol Permit - 1000 ft. Radius



Legend

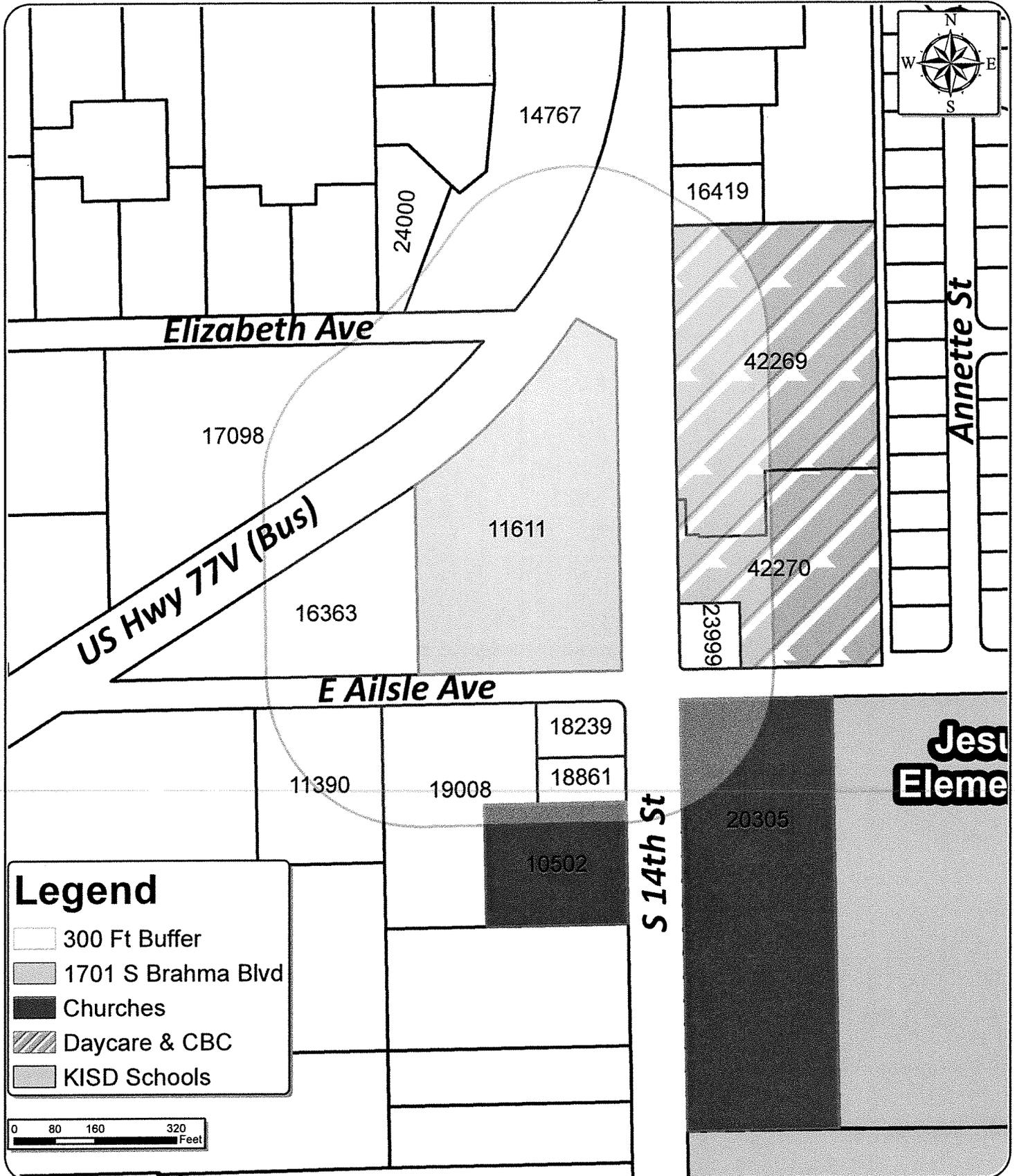
- 1000 Ft Buffer
- 1701 S Brahma Blvd
- Churches
- Daycare & CBC
- KISD Schools



Document Path: N:\Engineering\GIS Techs\WAPSWAP_DOCUMENTS\Alcohol_Permit.mxd

Page 1 / 1	Drawn By: Engineering Dept.	<small>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.</small>	
	Last Update: 4/13/2017 Note: Please see attached documents.		

Alcohol Permit - 300 ft. Radius



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

Page 1 / 1	Drawn By: Engineering Dept.	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.	
	Last Update: 4/13/2017 Note: Please see attached documents.		

MARJORIE E HARRELL EST
WILLIAM R HARRELL (IND EXEC)
236 OTIS ST
KINGSVILLE, TX 78363-7027
#24000

ALPHA LAKE LTD
A TEXAS LIMITED PARTNERSHIP
1700 GEROGUE BUSH DR E
STE 240
COLLEGE STATION, TX 77840-3351
#42269

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#10502

COASTAL BARCELONA LLC
PO BOX 6502
SAN ANTONIO, TX 78205
#19008

TERESA A MAYORGA
ETVIR MACARIO R
729 ELIZABETH AVE
KINGSVILLE, TX 78363-6745
#17098

ROEL NUNEZ
PO BOX 5741
KINGSVILLE, TX 78364-5741
#14767

COASTAL BEND COLLEGE
3800 CHARCO RD
BEEVILLE, TX 78102
#42270

HERMAN H OHLENBUSCH
926 S 1TH ST, STE 103
KINGSVILLE, TX 78363
#18861

PREMIER SAN PALM LLC
PO BOX 25
PORTLAND, TX 78374-0025
#11390

FIRST CAPITAL BANK
% PROSP BANK ATTN ACCTNG
DEPT
PO BOX G
EL CAMPO, TX 77437-1470
#23999

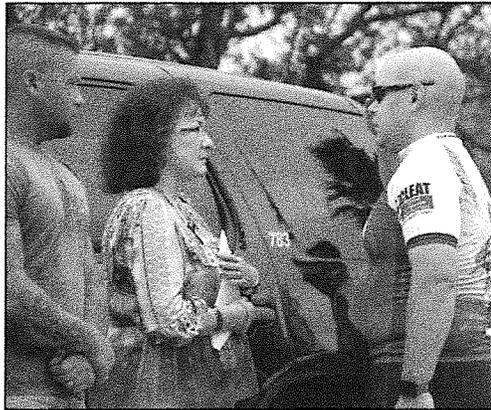
FRIS CHKN LLC%CAJUN OPERATING
CO
ATTN: PROP.TAXES KATHY BOEHME
980 HAMMOND DR NE
STE 1100
ATLANTA, GA 30328-8187
#16419

FIRST CHRISTIAN CHURCH
PO BOX 848
KINGSVILLE, TX 78364-0848
#20305

HARBUR & HARBUR LP
% ROBERT W HARMAN
3279 FM 1540
SANDIA, TX 78383
#18239

JESUS J JAIME
ETUX GRACIELA M
PO BOX 769
KINGSVILLE, TX 78364-0769
#16363

Memorial flag presented to wife of Ken Starrs



J.D. Garza, a member of the Combined Law Enforcement Association of Texas, salutes Karen Starrs following a ceremony in Kleberg County on Monday. Members of the CLEAT's Memorial Bike Trek stopped in Kleberg County to present a memorial flag and other items to Starrs and agents with the South Texas Specialized Crimes and Narcotics Task Force in memory of the late Ken Starrs. (Photo by Tim Acosta)

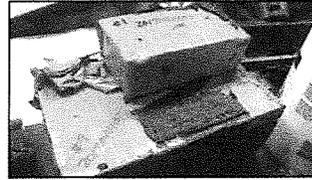
Traffic stop nets \$1.5M in heroin

By Tim Acosta
Managing Editor

Deputies with the Kleberg County Sheriff's Office arrested three people and seized about \$1.5 million in black tar heroin that was hidden in a sport utility vehicle following a traffic stop along U.S. Highway 77 on Wednesday.

Kleberg County Sheriff Richard Kirkpatrick, in a prepared statement on Thursday, said the stop occurred just before 8:30 p.m. near the intersection of Highway 77 and Sage Road. A 2010 Mazda CX SUV was pulled over for speeding, Kirkpatrick said, and after a field interview was conducted with the vehicle's driver - Julia Lopez, 24 - consent was given to search the vehicle.

The search revealed four bundles of heroin concealed in the SUV's battery, officials said. Deputies arrested Lopez



Black tar heroin with a street value of \$1.5M was seized on Thursday. (Submitted photos)



19-year-old Samantha Garza and 21-year-old Wilbur Isaac Espinoza, were also arrested on federal charges, though Kirkpatrick offered no further details. The case was reported to investigators with the U.S. Department of Homeland Security, he added, and the investigation is ongoing.

The heroin carried an estimated street value of \$1.5 million, Kirkpatrick said.

Tim Acosta can be contacted at tacosta@king-ranch.com or (361) 221-0243.

RIO 7 CINEMAS
Kingsville Show Times

WEDNESDAY, APRIL 19 - THURSDAY, APRIL 20	FRIDAY, APRIL 21
2D - Smurfs: The Lost Village (PG) 6:00pm	Phoenix Forgotten 3:15pm - 6:15pm - 9:15pm (PG-13)
2D - Smurfs: The Lost Village 7:25pm - 9:00pm (PG)	Going In Style 3:00pm - 6:15pm - 9:05pm (PG-13)
2D - Boss Baby 3:40pm - 6:30pm - 9:25pm (PG)	Fate of the Furious 4:30pm - 7:45pm (PG-13)
Going In Style 3:00pm - 6:15pm - 9:00pm (PG)	Fate of the Furious 4:45pm - 8:00pm (PG-13)
Beauty and the Beast 3:15pm - 6:15pm - 9:15pm (PG)	Kong: Skull Island 6:00pm - 8:50pm (PG-13)
Kong: Skull Island 3:20pm - 6:20pm - 9:05pm (PG-13)	Smurfs: The Lost Village 3:25pm (PG)
The Fate of the Furious 3:00pm - 6:15pm - 9:00pm (PG-13)	Boss Baby 3:30pm - 6:15pm - 9:00pm (PG)
Beauty and the Beast 6:20pm - 9:15pm - 9:25pm (PG)	Beauty and the Beast 4:30pm - 7:30pm (PG)
SATURDAY, APRIL 22 - SUNDAY, APRIL 23	MONDAY, APRIL 24 - THURSDAY, APRIL 27
Phoenix Forgotten 12:45pm - 3:15pm - 6:15pm - 9:15pm (PG-13)	Phoenix Forgotten 3:15pm - 6:15pm - 9:15pm (PG-13)
Going In Style 12:45pm - 3:15pm - 6:05pm - 9:05pm (PG-13)	Going In Style 3:00pm - 6:15pm - 9:05pm (PG-13)
Fate of the Furious 1:15pm - 4:30pm - 7:45pm (PG-13)	Fate of the Furious 4:30pm - 7:45pm (PG-13)
Showing on 2 screens!	Showing on 2 screens!
Fate of the Furious 1:30pm - 4:45pm - 8:00pm (PG-13)	Fate of the Furious 4:45pm - 8:00pm (PG-13)
Kong: Skull Island 6:00pm - 8:50pm (PG-13)	Kong: Skull Island 6:00pm - 8:50pm (PG-13)
Smurfs: The Lost Village 12:50pm - 3:25pm (PG)	Smurfs: The Lost Village 3:25pm (PG)
Boss Baby 12:40pm - 3:30pm - 6:10pm - 9:00pm (PG)	Boss Baby 3:30pm - 6:10pm - 9:00pm (PG)
Beauty and the Beast 1:30pm - 4:30pm - 7:30pm (PG)	Beauty and the Beast 4:30pm - 7:30pm (PG)

Food inspection scores released

Staff Report
The City of Kingsville City-County Health Department has released food inspection scores for the period of March 27-April 7.

Food service inspections are conducted on a quarterly schedule per year based on the risk category with the Texas Food Service Establishment Regulations and local food sanitation ordinances.

Risk levels include low, moderate and high risk. Establishment scoring is based on a demerit system, as per The Texas Food Establishment Rules.

There are two types of

violations. Critical violations are five and four points demerits per violation and non-critical violations are three points demerit violations.

Critical violations are improper practices and actions that directly contribute to food contamination and temperature abuse that may pose a potential risk to the public health, resulting in food borne illness.

Critical violations must be corrected immediately or as directed by the Health Department.

Non-critical violations are unacceptable practices that normally relate to the physical condition of an establishment, including

- equipment, cleaning and storage.
- Non-critical violations must be corrected before the next routine inspection or as directed by the Health Department.
- Big Events Cakes & More - 100
- Papa John's Pizza - 100
- Holiday Inn Express - 100
- Young's Pizza - 100
- Wing Stop - 99
- VIP Adult Daycare - 99
- Ricardo School - 99
- Granny's Tamales - 99
- La Famosa Tortilla Factory - 99
- Hampton Inn - 98
- Rio 7 Cinema - 98
- Superette - 98
- Spice Station - 98
- Shrim 6 Groceries - 97
- Linda's Main Street Cafe - 96
- Boat n Net - 96
- Whataburger (Hwy 77) - 96
- Pan Am School - 96
- Church's Fried Chicken - 95
- Kentucky Fried Chicken - 95
- El Tapatio - 95
- Pepe's Patio - 95
- Asian Buffet (Complaint) - 95
- El Pastel Bakery - 93
- Kingsville Bakery - 92
- Burger King - 91
- Agave Jalisco - 89
- Star's Drive Inn - 88
- Taiwan Restaurant - 88
- Casa de Tacos - 84
- Brinks Seafood Hut - 75

GET OUTTA THE HAMSTER WHEEL

Jump behind the wheel and get your wheels going somewhere. Don't sit back and spit your wheels aimlessly. Drive your truck, your career and your life forward with purpose as a respected member of the Schneider team.

SCHNEIDER

Get traction in your career
schneiderjobs.com 800-44-PRIDE

COME ON IN AFTER WORK, RELAX AND ENJOY YOUR RECOVERY

Open Monday - Thursday 8:00 am - 6:30 pm Friday 8:00 am - 5:00 pm

OLIVER
PHYSICAL THERAPY & SPORTS MEDICINE

SERVING KINGSVILLE SINCE 2013

1028 S. 14th Street
Specialty Plaza • Kingsville, Texas
361-488-6335

MOST INSURANCES ACCEPTED
- Now accepting Medicaid Insurance
- Humana Military/icare
- BCBS
- Humana Plans
- Medicare
- LIRC

Sports Injuries
Motor Vehicle Accidents
Occupational Injuries
Worker's Comp
Pre/Post Op
Total Knees/Hips
Men's/Women's Health

Visit our website oliverpt.com

Like us on Facebook

Add us on Snapchat
KRBNNNEWS

or go to Kingsville Record.com

New Braunfels Area Car Club
Swap Meet & Sunday Car Show
April 21-23, 2017
Comal County Fairgrounds
801 E. Common Street • New Braunfels
www.newbraunfelscarclub.com • No Dogs Please

2017 BUDA LIONS COUNTRY FAIR and WIENER DOG RACES 2017

APRIL 29-30 AT THE BUDA CITY PARK IN BUDA, TX (JUST SOUTH OF AUSTIN)

FOR MORE INFO, VISIT OUR WEBSITE:
www.BUDALIONS.com

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Mixed Beverage Permit & Mixed Beverage Late Hours Permit for the establishment known as Rox Sports Lounge located on 1701 South Brahma Blvd, Kingsville, Texas.

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

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Pizza Parlor located on 816 W King, Kingsville, Texas.

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

PUBLIC HEARING #3

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: February 3, 2017

SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's ~~Off~~ Premise Permit, for the establishment known as Pizza Parlor at 816 W. King

Summary: The applicant/authorized agent Red Zone Construction LLC. DBA Pizza Parlor is requesting an alcohol variance for this location which is at 816 W. King

Background: This location is the site of the Pizza Parlor a long time restaurant here in Kingsville. The property is under new ownership and desires to continue with the Wine and Beer Retailer's Permit. Due to the change in ownership the new owner is required to apply for a permit. There is a church within 1,000 ft.

Financial Impact: As mentioned the Pizza Parlor is a landmark for Kingsville and its location near the campus. The continual operation of this food establishment is a positive.

Recommendation: Approve the alcohol variance as requested.



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

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 816 W King Nearest Intersection King & Armstrong
 (Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Red Zone Construction LLC. DBA Pizza Parlor Phone 522-4888 FAX _____

Email Address (for project correspondence only): _____

Mailing Address PO Box 6033 City Kingsville State TX Zip 78363

Property Owner Steve Dembski Phone 592-8842 FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project:

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

Applicant's Signature [Signature] Date: 4/17/2017
 Property Owner's Signature _____ Date: _____
 Accepted by: _____ Date: _____



CITY OF
KINGSVILLE
MEMORANDUM

DATE	Friday, April 13, 2017
TO	Mary Valenzuela, City Secretary
FROM	Engineering Department
SUBJECT	Alcohol License for 816 W. King Ave.

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 816 W. King Ave., we have concluded that the property in question does fall within the 1,000 ft boundary of a church; therefore, it will require a variance according to City Ordinance sections 11-3-4&5. Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,
Engineering Department

Attachment 1 shows the property and the relative location of the church; suspected to be close to the property. "The Cross" is within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website: www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number

Reinstatement License/Permit Number

Change of Licensed Location License/Permit Number

2. Type of On-Premise License/Permit

- BG Wine and Beer Retailer's Permit
- BE Beer Retail Dealer's On-Premise License
- BL Retail Dealer's On-Premise Late Hours License
- BP Brewpub License
- V Wine & Beer Retailer's Permit for Excursion Boats
- Y Wine & Beer Retailer's Permit for Railway Dining Car
- MB Mixed Beverage Permit
- O Private Carrier's Permit - For Brewpubs (BP) with a BG only
- LB Mixed Beverage Late Hours Permit
- MI Minibar Permit
- CB Caterer's Permit
- FB Food and Beverage Certificate
- PE Beverage Cartage Permit
- RM Mixed Beverage Restaurant Permit with FB

3. Indicate Primary Business at this Location

- Restaurant
- Bar
- Sexually Oriented
- Sporting Arena, Civic Center, Hotel
- Grocery/Market
- Miscellaneous _____

4. Trade Name of Location

Pizza Parlor

5. Location Address

816. W King Ave.

City
Kingsville

County
Kleberg

State
Tx

Zip Code
78363

6. Mailing Address

City

State

Zip Code

7. Business Phone No.

361-592-8842

Alternate Phone No.

592-7817

E-mail Address

BCSabala@gmail.com

OWNER INFORMATION

8. Type of Owner

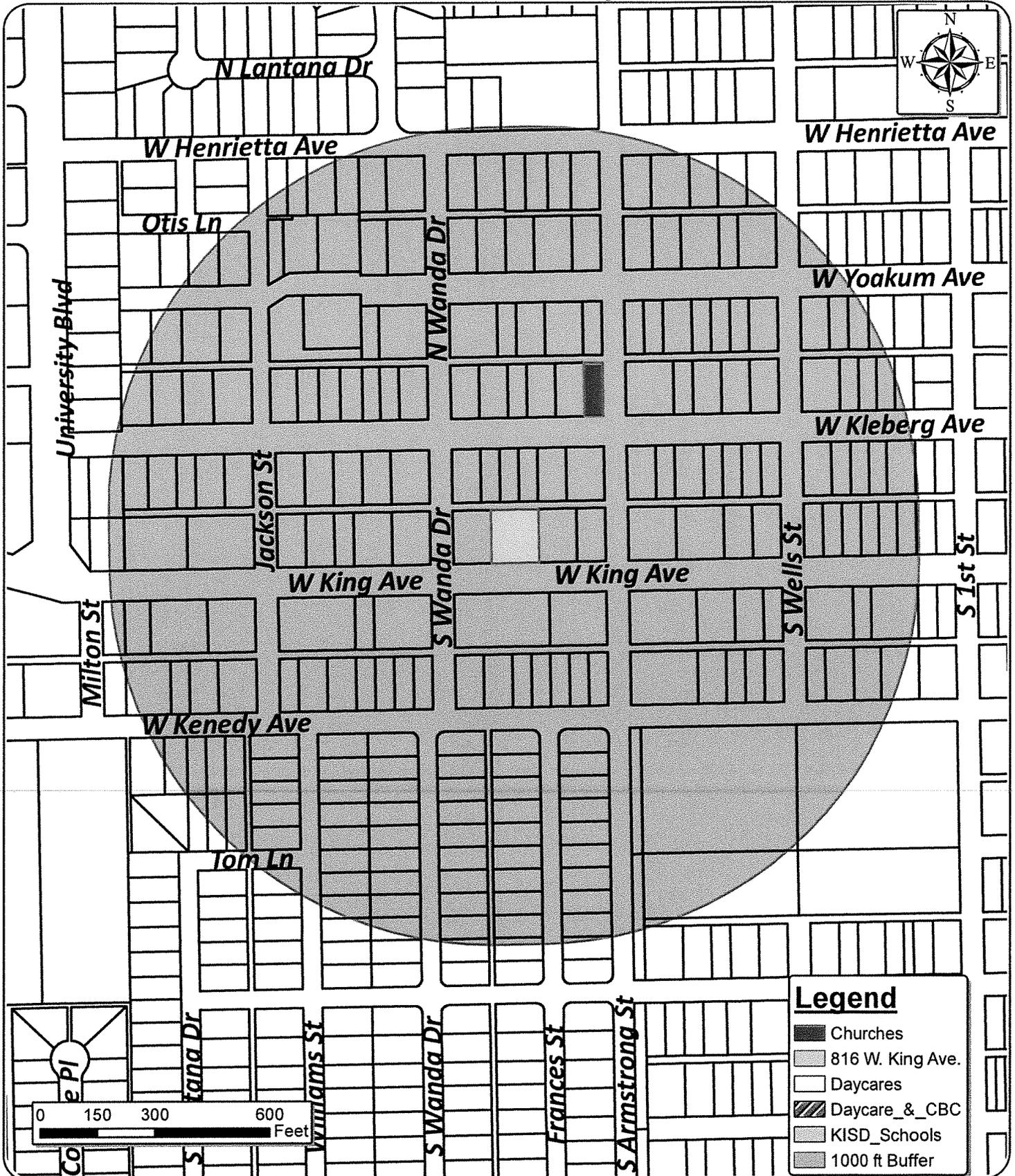
- Individual
- Partnership
- Limited Partnership
- Limited Liability Partnership
- Corporation
- Limited Liability Company
- Joint Venture
- Trust
- City/County/University
- Other _____

9. Business Owner/Applicant

Red Zone Construction / DBA PIZZA PARLOR

Brian Sabala

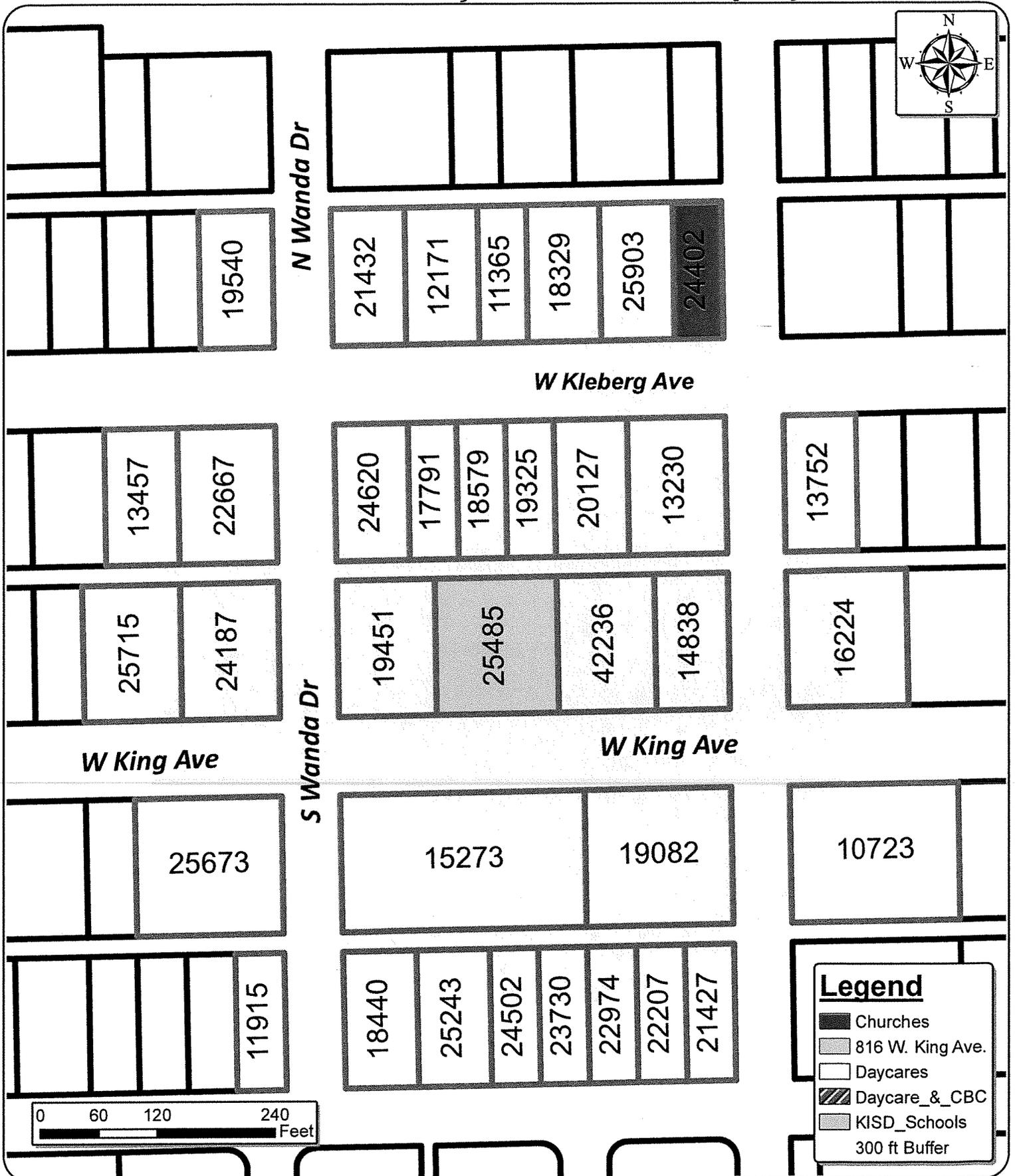
Alcohol Permit - 1000 ft. Radius



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

Page 1 / 1	Drawn By: Engineering Dept.	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.		
	Last Update: 4/13/2017			CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Note: Please see attached documents.			

Alcohol Permit - 300 ft. Radius with Property ID's



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

Page 1/1	Drawn By: Engineering Dept.	 <p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Last Update: 4/13/2017	
	Note: Please see attached documents.	
<p style="font-size: small;">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.</p>		

ROY L BEATY
5130 GRAFORD PL
CORPUS CHRISTI, TX 78413
#19540

RICARDO G VEGA
ETUX GLORIA B
805 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#11365

RODNEY LIGHT
RIVIERA PRAISE & WORSHIP
CHURCH
PO BOX 126
RIVIERA, TX 78379
#24402

CELSO ABUNDEZ JR
ZOLIA VITA ABUNDEZ
829 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#24620

JUAN LINO ESCAMILLA
1201 N SMITH
HEBBRONVILLE, TX 78361
#19325

BEVERLY ANNE NIELSEN
REVOCABLE TRUST % RANDAL E
NIELSEN
403 S 6TH ST
KINGSVILLE, TX 78363
#13752

GILBERTO & OLGA URESTI
FAMILY LIMITED PARTNERSHIP
830 W KING AVE
KINGSVILLE, TX 78363-4943
#19451

TXEZP LLC
2130 E CAMINO EL GANADO
TUCSCON, AZ 85718
#16224

C T ALLEN LTD
289 W CO RD 2140
KINGSVILLE, TX 78363
#19082

YOLANDA B FLORES
828 W KENEDY AVE
KINGSVILLE, TX 78363-4933
#18440

RAMON M RODRIGUEZ III
830 W KELBERG
KINGSVILLE, TX 78363-4905
#21432

HELEN RODRIGUEZ
806 W KLEBERG AVE
KINGSVILLE, TX 78363-4219
#18329

AGUEDA GONZALES
909 W KLEBERG
KINGSVILLE, TX 78363
#13457

MARY L VILLARREAL
823 W KLEBERG AVE
KINGSVILLE, TX 78363
#17791

RICARDO G VEGA
805 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#20127

BRIAN C SABALA
PO BOX 6033
KINGSVILLE, TX 78364-6033
#25715

D & B ENVIRONMENTAL
SERVICES INC
810 W KING AVE
KINGSVILLE, TX 78363-4943
#42236

STEPHAN J DEMBSKI
ETUX BETH A
PO BOX 176
KINGSVILLE, TX 78364-0176
#25673

DICK & LUCRESS WATSON
CHILDREN'S FOUNDATION
PO BOX 577
FRANKLIN, TX 77856
#10723

WILLIAM P ROGERS
ETUX MELINDA R
818 W KENEDY AVE
KINGSVILLE, TX 78363-4933
#25243

JOSE Z FIGARELLI
ETAL JOSEPH A FIGARELLI
736 SANTA CLARA DR
KINGSVILLE, TX 78363-3430
#12171

WALTER SHARP
800 W KLEBERG AVE
KINGSVILLE, TX 78363-4219
#25903

CYNTHIA ANN GONZALES
907 W KLEBERG AVE
KINGSVILLE, TX 78363-4220
#22667

MCELHANEY PATRCIA
DELEON
821 W KLEBERG
KINGSVILLE, TX 78363
#18579

GENE M JONES
PO DRAWER A
KINGSVILLE, TX 78363-1603
#13230

GILBERTO & OLGA URESTI
FAMILY LIMITED PARTNERSHIP
830 W KING AVE
KINGSVILLE, TX 78363-4943
#24187

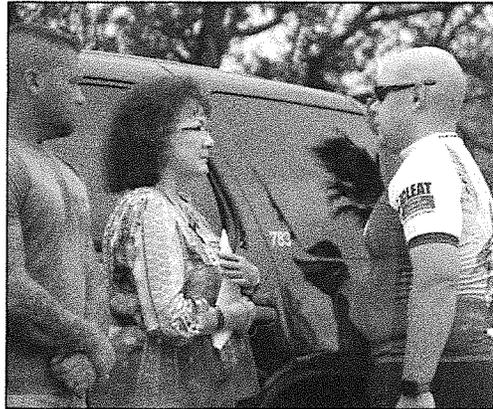
LUIS HUMBERTO MARQUEZ
1918 JOHN ST
KINGSVILLE, TX 78363
#14838

C T ALLEN LTD
289 W CO RD 2140
KINGSVILLE, TX 78363
#15273

JOSE LUIS DE LEON
ETUX ISABEL L
221 S WANDA DR
KINGSVILLE, TX 78363-4993
#11915

WILLIAM P ROGERS
818 W KENEDY AVE
KINGSVILLE, TX 78363-4933
#24502

Memorial flag presented to wife of Ken Starrs



J.D. Garza, a member of the Combined Law Enforcement Association of Texas, salutes Karan Starrs following a ceremony in Kleberg County on Monday. Members of the CLEAT's Memorial Bike Trek stopped in Kleberg County to present a memorial flag and other items to Starrs and agents with the South Texas Specialized Crimes and Narcotics Task Force in memory of the late Ken Starrs. (Photo by Tim Acosta)

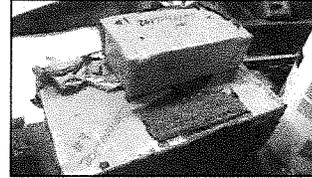
Traffic stop nets \$1.5M in heroin

By Tim Acosta
Managing Editor

Deputies with the Kleberg County Sheriff's Office arrested three people and seized about \$1.5 million in black tar heroin that was hidden in a sport utility vehicle following a traffic stop along U.S. Highway 77 on Wednesday.

Kleberg County Sheriff Richard Kirkpatrick, in a prepared statement on Thursday, said the stop occurred just before 8:30 p.m. near the intersection of Highway 77 and Sage Road. A 2010 Mazda CX SUV was pulled over for speeding. Kirkpatrick said, and after a field interview was conducted with the vehicle's driver - Julia Lopez, 24 - consent was given to search the vehicle.

The search revealed four bundles of heroin concealed in the SUV's battery officials said. Deputies arrested Lopez



Black tar heroin with a street value of \$1.5M was seized on Thursday. (Submitted photos)



and transported her to the Kleberg County Jail on one count of possession of a controlled substance, greater than or equal to 400 grams. She was still being held at the jail without bond as of press time, according to online jail records.

Two other individuals in the vehicle with Lopez,

19-year-old Samantha Garza and 21-year-old Wilbur Isaac Espinoza, were also arrested on federal charges, though Kirkpatrick offered no further details. The case was reported to investigators with the U.S. Department of Homeland Security, he added, and the investigation is ongoing.

The heroin carried an estimated street value of \$1.5 million, Kirkpatrick said.

Tim Acosta can be contacted at tacosta@king-ranch.com or (361) 221-0243.

RIO 7 CINEMAS Kingsville Show Times

WEDNESDAY, APRIL 19 - THURSDAY, APRIL 20	FRIDAY, APRIL 21
3D - Smurfs: The Lost Village 6:00pm (PG)	Phoenia Forgotten 3:15pm - 6:15pm - 9:15pm (PG-13)
3D - Smurfs: The Lost Village 3:25pm - 6:00pm (PG)	Going In Style 3:05pm - 6:05pm - 9:05pm (PG-13)
2D - Boes Baby 3:40pm - 6:30pm - 9:25pm (PG)	Fate of the Furious 4:30pm - 7:45pm (PG-13)
Going In Style 3:00pm - 6:15pm - 9:00pm (PG-13)	Showing on 2 screens: Fate of the Furious 4:30pm - 7:45pm (PG-13)
Beauty and the Beast 3:15pm - 6:10pm - 9:15pm (PG)	Kong: Skull Island 6:00pm - 8:50pm (PG-13)
Kong: Skull Island 2:25pm - 5:20pm - 8:15pm (PG-13)	Smurfs: The Lost Village 3:25pm (PG)
Fate of the Furious 3:00pm - 6:05pm - 9:05pm (PG-13)	Boes Baby 3:30pm - 6:15pm - 9:00pm (PG)
Beauty and the Beast 4:30pm - 7:30pm (PG)	Beauty and the Beast 4:30pm - 7:30pm (PG)
SATURDAY, APRIL 22 - SUNDAY, APRIL 23	MONDAY, APRIL 24 - THURSDAY, APRIL 27
Phoenia Forgotten 12:45pm - 3:15pm - 6:15pm - 9:15pm (PG-13)	Phoenia Forgotten 3:15pm - 6:15pm - 9:15pm (PG-13)
Going In Style 12:35pm - 3:05pm - 6:05pm - 9:05pm (PG-13)	Going In Style 3:05pm - 6:05pm - 9:05pm (PG-13)
Fate of the Furious 1:15pm - 4:30pm - 7:45pm (PG-13)	Fate of the Furious 4:30pm - 7:45pm (PG-13)
Showing on 2 screens: Fate of the Furious 6:00pm - 8:50pm (PG-13)	Showing on 2 screens: Fate of the Furious 6:00pm - 8:50pm (PG-13)
Smurfs: The Lost Village 12:50pm - 3:25pm (PG)	Smurfs: The Lost Village 3:25pm (PG)
Boes Baby 12:40pm - 3:30pm - 6:10pm - 9:00pm (PG)	Boes Baby 3:30pm - 6:10pm - 9:00pm (PG)
Beauty and the Beast 1:30pm - 4:30pm - 7:30pm (PG)	Beauty and the Beast 4:30pm - 7:30pm (PG)

Food inspection scores released

Staff Report
The City of Kingsville City-County Health Department has released food inspection scores for the period of March 27-April 7.

Food service inspections are conducted on a quarterly schedule per year based on the risk category with the Texas Food Service Establishment Regulations and local food sanitation ordinances.

Risk levels include low, moderate and high risk. Establishment scoring is based on a demerit system, as per The Texas Food Establishment Rules.

There are two types of

violations. Critical violations are five and four points demerits per violation and non-critical violations are three points demerit violations.

Critical violations are improper practices and actions that directly contribute to food contamination and temperature abuse that may pose a potential risk to the public health, resulting in food borne illness.

Critical violations must be corrected immediately or as directed by the Health Department.

Non-critical violations are unacceptable practices that normally relate to the physical condition of an establishment, including

equipment, cleaning and storage.

Non-critical violations must be corrected before the next routine inspection or as directed by the Health Department.

- Big Events Cakes & More - 100
- Papa John's Pizza - 100
- Holiday Inn Express - 100
- Young's Pizza - 100
- Wing Stop - 99
- VIP Adult Daycare - 99
- Ricardo School - 99
- Granny's Tamales - 99
- La Famosa Tortilla Factory - 99
- Hampton Inn - 98
- Rio 7 Cinema - 98
- Superette - 98

- Spice Station - 98
- Shrim 6 Groceries - 97
- Linda's Main Street Cafe - 96
- Boat n Net - 96
- Whataburger (Hwy 77) - 96
- Pan Am School - 96
- Church's Fried Chicken - 95
- Kentucky Fried Chicken - 95
- El Tapatio - 95
- Pepe's Patio - 95
- Asian Buffet (Complaint) - 95
- El Pastel Bakery - 93
- Kingsville Bakery - 92
- Burger King - 91
- Agave Jalisco - 89
- Star's Drive Inn - 88
- Taiwan Restaurant - 88
- Casa de Tacos - 84
- Brinks Seafood Hut - 75

GET OUTTA THE HAMSTER WHEEL

Jump behind the wheel and get your wheels going somewhere

Don't sit back and spin your wheels aimlessly. Drive your truck, your car and your life forward with purpose as a respected member of the Schneider team.

SCHNEIDER

Get traction in your career
schneiderjobs.com 800-44-PRIDE

COME ON IN AFTER WORK, RELAX AND ENJOY YOUR RECOVERY

Open Monday - Thursday 8:00 am - 6:30 pm Friday 8:00 am - 5:00 pm

NO WAITING!

OLIVER
PHYSICAL THERAPY & SPORTS MEDICINE

SERVING KINGSVILLE SINCE 2013

1028 S. 14th Street
Sundial Plaza • Kingsville, Texas
361-488-6335

MOST INSURANCES ACCEPTED
• Now accepting Medicaid Insurance
• Humana Military/Vicare
• BCBS
• Humana Plans
• Medicare
• UHC

Visit our website oliverpt.com

Sports Injuries
Motor Vehicle Accidents
Occupational Injuries
Worker's Comp
Pre/Post Op
Total Knees/Hips
Men's/Women's Health

Visit our website oliverpt.com

Like us on Facebook

Add us on Snapchat
KRBNNWS

or go to
Kingsville Record.com

New Braunfels Area Car Club Swap Meet & Sunday Car Show

April 21-23, 2017
Comal County Fairgrounds
801 E. Common Street • New Braunfels
www.newbraunfelscarclub.com • No Dogs Please

BUDA LIONS COUNTRY FAIR AND WIENER DOG RACES 2017

APRIL 29-30 AT THE BUDA CITY PARK (IN BUDA, TX JUST SOUTH OF AUSTIN)

FOR MORE INFO, VISIT OUR WEBSITE: www.BUDALIONS.COM

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Mixed Beverage Permit & Mixed Beverage Late Hours Permit for the establishment known as Rox Sports Lounge located on 1701 South Brahma Blvd, Kingsville, Texas.

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

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Pizza Parlor located on 816 W King, Kingsville, Texas.

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

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Deborah Balli, Finance Director
DATE: April 17, 2017
SUBJECT: HM King High School Foundation Donation-Gym Demolition

Summary:

This budget amendment is to accept and expend a donation of \$25,000 from the HM King High School Historical Foundation.

Background:

On February 27th, 2017 the City Commission approved Resolution 2017-14 supporting the rehabilitation of the old Chamberlain Park on the city hall complex area, and authorized staff to demolish the old gymnasium located on a portion of the property. The HM King High School Historical Foundation has donated \$25,000 to assist with the demolition costs.

Financial Impact:

This budget amendment will increase the General Fund Donations 001-4-0000-75013 by \$25,000 and increase CO Series 2016-City Hall Complex-Gym Demolition 033-5-1030-71317 by \$25,000 through fund transfers.

Recommendation:

Staff is recommending the FY 16-17 budget be amended to include the acceptance and appropriation of the \$25,000 donation from the HM King High Historical Foundation.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO ACCEPT AND EXPEND A DONATION FROM THE HM KING HIGH SCHOOL HISTORICAL FOUNDATION FOR THE GYMNASIUM DEMOLITION PROJECT.

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 2016-2017 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

<u>Dept No.</u>	<u>Dept Name</u>	<u>Account Name</u>	<u>Account Number</u>	<u>Budget Increase</u>	<u>Budget Decrease</u>
Fund 001 General Fund					
Revenue					
4-0000		Donations	72030	<u>\$25,000</u>	
Expenses					
5-6900	Fund Trsfrs	Transfer To Fund 033	80033	<u>\$25,000</u>	
Fund 033 CO Series 2016					
Revenue					
4-0000		Transfer From Fund 001	75001	<u>\$25,000</u>	
Expenses					
5-1030	City Special	City Hall Complex-Gym Demolition	71317	<u>\$25,000</u>	

[To amend the City of Kingsville FY 16-17 Budget to include a \$25,000 donation from the HM King High School Historical Foundation for the gymnasium demolition project as per the attached memo from the Director of Finance.]

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 April, 2017.

PASSED AND APPROVED on this the ____ day of _____, 2017.

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
Parks & Recreation Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Jason Alfaro, Parks Director
DATE: April 12, 2017
SUBJECT: Agenda Request – Receipt of \$9,000.00 Donation from Brookshire Foundation

Summary:

The Parks & Recreation Department would like approval from City Commission to receive a \$9,000.00 donation from the B.C. & Addie Brookshire Foundation. These funds would be spent on the 2017 summer recreation programming.

Background:

The Brookshire Foundation has continued to generously provide financial assistance upon request from the Parks & Recreation Department for various capital improvement projects and recreational programming. Earlier this year Parks staff submitted an application to the Foundation requesting assistance in the amount of \$9,000. Of the requested amount, \$6,000 would be used for transportation during our Summer 2017 "Take It Outside" Adventure Camps for kids ages 6-12 years old, allowing the kids to enjoy various South Texas nature-based outdoor activities. The remaining \$3,000 would support our Summer Track and Summer Swim League activities. The requests that were made totaled \$9,000 and were approved for funding as indicated via email from Brookshire Foundation Board Member Sylvia Woelfel.

Financial Impact:

This donation will provide \$9,000 in additional recreational programming funds to the 2017 Parks Budget.

Recommendation:

We recommend that the City Commission authorize the receipt of this donation in the amount of \$9,000 from the Brookshire Foundation, and amend the budget to record the acceptance of these funds into the park budget.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO ACCEPT AND EXPEND PARK DONATIONS FROM BROOKSHIRE FOUNDATION FOR SUMMER PROGRAMS.

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 2016-2017 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 General Fund					
Revenue					
4-4503	Parks & Recreation	Park Donations	58003	\$9,000	
				<u>\$9,000</u>	
Expenses					
5-4503	Parks & Recreation	Recreational Programs	31499	\$9,000	
				<u>\$9,000</u>	

[To amend the City of Kingsville FY 16-17 Budget to accept and expend park donations from the B.C & Addie Brookshire Foundation for summer recreational programs as per the attached memo from the Parks Manager.]

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 April, 2017.

PASSED AND APPROVED on this the 8th day of May, 2017.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #3

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: April 28, 2017

SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit for a grocery/market known as Shrim 6 Groceries at 620 N. Armstrong, Suite A

Summary: The authorized agent/applicant Radha Bikina is requesting an alcohol variance for this location which is at 620 N. Armstrong Suite A.

Background: This location is the site of a grocery/market store that has changed ownership and is within the 1,000 foot boundary of a church. Due to the change in ownership the new owner is required to apply for a permit.

Financial Impact: The store at this location has had a variance approved in the past to sell alcohol.

Recommendation: Approve the alcohol variance as requested.



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

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 620 N. Armstrong St. St. A, 78363 Nearest Intersection Armstrong & Sautagallus

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: SHRIM 6 Groceries

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent RADHA BIKKINA Phone 361-406-9018 FAX _____

Email Address (for project correspondence only): SHRIM667@GMAIL.COM

Mailing Address 620 N ARMSTRONG ST, A City KINGSVILLE State TX Zip 78363

Property Owner _____ Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project:
Alcohol and Beer license \$250⁰⁰

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

Applicant's Signature [Signature] Date: 04/13/17
 Property Owner's Signature _____ Date: _____
 Accepted by: _____ Date: _____



OFF-PREMISE PREQUALIFICATION PACKET

received
4-12-17

L-OFF
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original

Reinstatement

License/Permit Number _____

Change of Licensed Location

License/Permit Number _____

2. Type of Off-Premise License/Permit

BQ Wine and Beer Retailer's Off-Premise Permit

LP Local Distributor's Permit

BF Beer Retail Dealer's Off-Premise License

E Local Cartage Permit

P Package Store Permit

ET Local Cartage Transfer Permit

Q Wine Only Package Store Permit

PS Package Store Tasting Permit

3. Indicate Primary Business at this Location

Grocery/Market

Convenience Store without Gas

Liquor Store

Miscellaneous _____

Convenience Store with Gas

4. Trade Name of Location

SHRIM 6 GROCERIES

5. Location Address

620 N ARMSTONG ST, SUITE A

City

KINGSVILLE

County

KLEBERG

State

TX

Zip Code

78363

6. Mailing Address

4009 GIANTS DR

City

CORPUS CHRISTI

State

TX

Zip Code

78414

7. Business Phone No.

361-406-9018

Alternate Phone No.

361-453-5076

E-mail Address

SHRIM6G@GMAIL.COM

OWNER INFORMATION

8. Type of Owner

Individual

Corporation

City/County/University

Partnership

Limited Liability Company

Other _____

Limited Partnership

Joint Venture

Limited Liability Partnership

Trust

9. Business Owner/Applicant

RADHA BIKKINA



CITY OF
KINGSVILLE
MEMORANDUM

DATE	Friday, April 12, 2017
TO	Mary Valenzuela, City Secretary
FROM	Engineering Department
SUBJECT	Alcohol License for 620 N Armstrong St, Suite A

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 620 N Armstrong St, Suite A, we have concluded that the property in question does fall within the 1,000 ft boundary of a church; therefore, it will require a variance according to City Ordinance sections 11-3-4&5. Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the church; suspected to be close to the property. TAMUK Baptist Student Ministry is within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

Alcohol Permit - 1000 ft. Radius

A&M University



Engineering Ave

W Ave A

W Nettie Ave

W Ella Ave

W Santa Gertrudis Ave

W Richard Ave

W Alice Ave

W Alice Ave

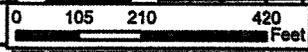
W Lee Ave

W Lee Ave

N Lantana Dr

Legend

-  620 N Armstrong
-  1000 ft Buffer
-  Churches



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

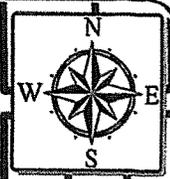
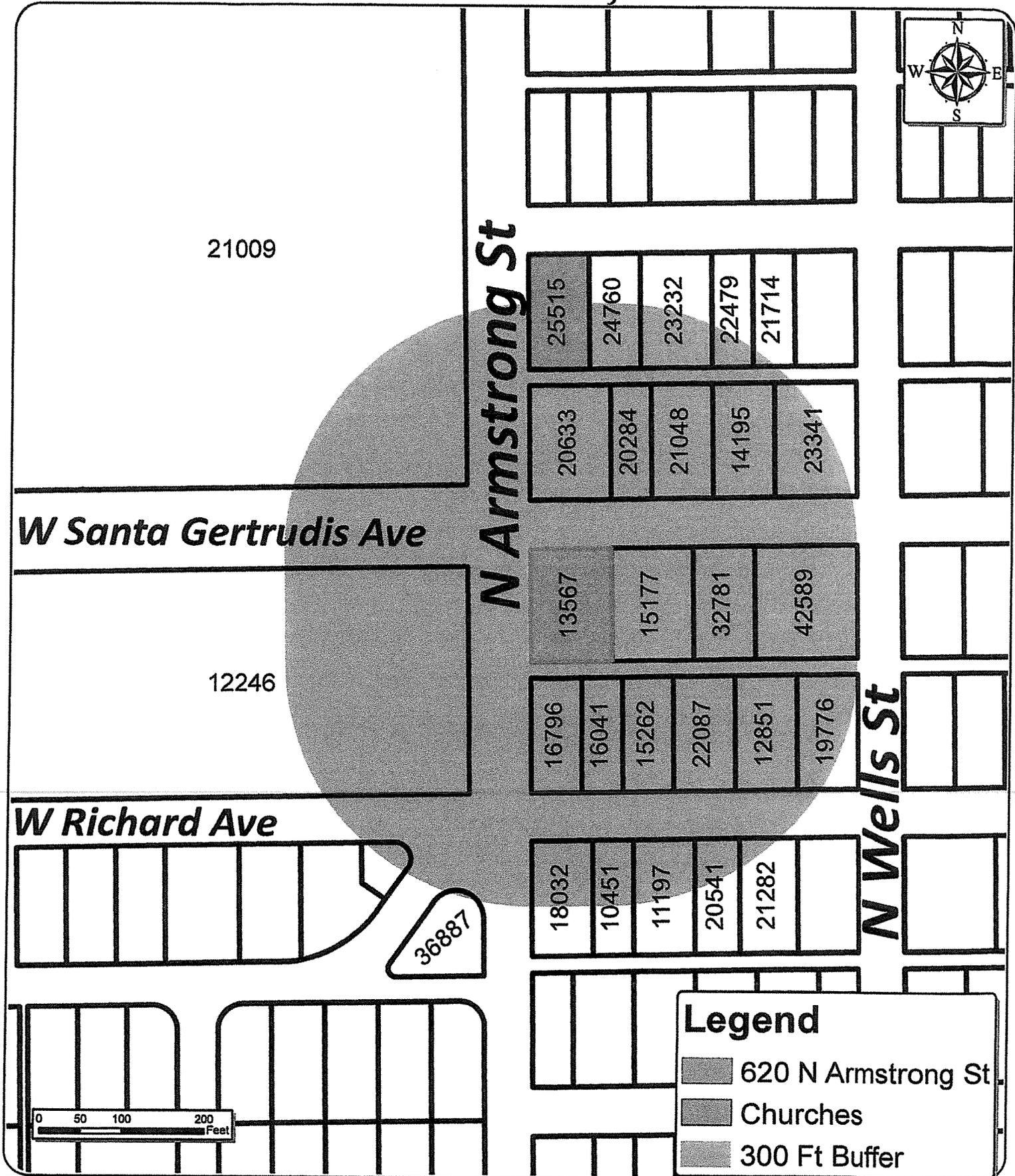
Drawn By: Engineering Dept.
 Last Update: 4/12/2017
 Note: Please see attached documents.

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.



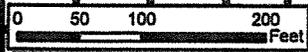
CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 200 East Kleberg
 Kingsville, Texas 78363
 Office: 361-595-8005
 Fax: 361-595-8035

Alcohol Permit - 300 ft. Radius



Legend

- 620 N Armstrong St
- Churches
- 300 Ft Buffer



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

Page 1/1	Drawn By: Engineering Dept.	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 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Last Update: 4/12/2017		
Note: Please see attached documents.			

TEXAS A&M UNIVERSITY
ATTN: SYSTEM REAL ESTATE
301 TARROW STREET, 6TH FLOOR
COLLEGE STATION, TX 77840-7896
#21009

ROBERTO OBREGON
ETUX ZONIA GARCIA
1727 W SAGE RD
KINGSVILLE, TX 78363-2696
#24760

MITCHELL MILLEDGE B JR
PO BOX 5627
KINGSVILLE, TX 78364-5627
#21714

CHERYL ANN DROWN NIX
2000 EASTSIDE DR
AUSTIN, TX 78704-4327
#20284

INTERNATIONAL BANK OF
COMMERCE
PO BOX 1030
ZAPATA, TX 78076-1030
#15177

RAJAB CHALLOO
LINDA CHALLOO
PO BOX 867
KINGSVILLE, TX 78364-0867
#16796

TOM WALTER HUNTER JR
ETUX RITA C
716 W RICHARD AVE
KINGSVILLE, TX 78363-4270
#22087

BARBARA L CHRISTOPHER
EST
2411 E AILSIE AVE
KINGSVILLE, TX 78363-8823
#18032

STEPHEN MALLON
7715 PONOMA TRL
AUSTIN, TX 78749-2923
#20541

TEXAS A&M UNIVERSITY
ATTN: SYSTEM REAL ESTATE
301 TARROW STREET, 6TH FLOOR
COLLEGE STATION, TX 77840-7896
#12246

ABEL BALBOA JR
PO BOX 5963
KINGSVILLE, TX 78364-5963
#23232

KAY IRBY NIX
629 W ALICE AVE
KINGSVILLE, TX 78363-4356
#20633

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#14195

INTERNATIONAL BANK OF
COMMERCE
% INDUSTRY CONSULTING GROUP,
INC
PO BOX 810490
DALLAS, TX 75381-0490
#32781

MARICELA ARELLANO
24302 MARLIN ROOST ST
KATY, TX 77494
#16041

ARNOLD P LEAL
ETUX YOLANDA G
5206 PONDEROSA LN
CORPUS CHRISTI, TX 78415-3125
#12851

KIMBERLY A NIELSEN WEBB
511 NATCHEZ
CONROE, TX 77302
#10451

JOYCE MOONEY
709 W RICHARD AVE
KINGSVILLE, TX 78363-4269
#21282

BAPTIST CHURCH
A&I BAPTIST STUDENT CENTER
702 N ARMSTRONG AVE
KINGSVILLE, TX 78363
#25515

MITCHELL MILLEDGE B JR
PO BOX 5627
KINGSVILLE, TX 78364-5627
#22479

CHERYL ANN DROWN NIX
2000 EASTSIDE DR
AUSTIN, TX 78704-4327
#20284

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#23341

LEILA M SAMADI
700 S 14TH ST STE A
KINGSVILLE, TX 78363
#42589

ANGELA R NAIR
ETVIR KRISHNA
724 W RICHARD AVE
KINGSVILLE, TX 78363-4270
#15262

JARNAIL DHALLA
916 MADISON DR
MOUNTAIN VIEW, CA 94040-
4027
#19776

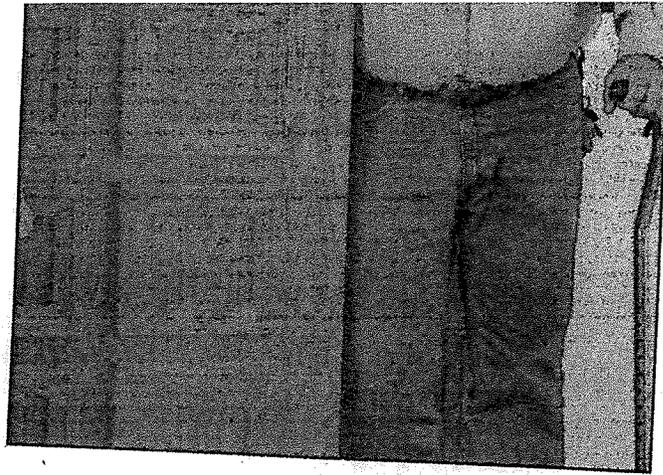
SALVADOR FLORES JR
ETUX TERI
719 W RICHARD AVE
KINGSVILLE, TX 78363-4269
#11197

CITY OF KINGSVILLE
ETAL
PO BOX 1458
KINGSVILLE, TX 78363-1458
#36887

The department toured the Kenedy Ranch Museum, located in the restored Kenedy Pasture Company office building, which also originally housed an apartment for the Kenedy family while they waited for the railroad train when beginning and ending their travels.

The department members also viewed a video featuring the Kenedeños (vaqueros and other employees of the Kenedy Ranch).

Vera and the department members



Homer S. Vera speak to the AWARE Department of the Woman's Club of Kingsville. (Submitted photo)

were served a brown bag meal prepared by Jan Becker, Patricia Cypher, Renee Garcia, Norma Alvarez and Diana Guererro-Pena.

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Beer & Wine Retail's Off-Premise Permit for the establishment known as Shrim 6 Groceries, located at 620 N Armstrong St, Suite A, Kingsville, Texas.

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

2
1:
31
3:
21
1:
G
11
B
12
K
12
T
11
63

Easter Tr

Join us Easter Sunday



St. Paul Lutheran Church

10th Street & Doddridge
Kingsville, TX

361.592
WWW

New Lion in the pride

Cristian Villa was recently inducted as a new member of the Kingsville Noon Lions Club. Pictured, from left, are President Joanie Rumfield, Villa and Mary-Lou Pena. (Submitted item)



Noon Rotary Club recognizes April student of the month



Sara Mendoza was recognized as the Noon Rotary Club student of the month for April at this week's meeting of the organization. She is a student at Presbyterian Pan American School and plans to attend Texas A&M-Kingsville after graduation. She received a certificate and a scholarship to attend TAMUK. The scholarship will be matched by the university. At left is Rotarian Mike Desiderio. (Pictured below) Kingsville mayor Sam Fugate, right, was the guest speaker at the Noon Rotary Club this week. He spoke on projects currently underway and plans for the future in the city. At left is Rotarian Buster Crabbe. (Submitted Item)

Speaker promotes Sexual Assault Awareness



Jennifer Radcliffe-Jones, right, was the guest speaker at the Kingsville Noon Rotary Club last week. Radcliffe-Jones is a representative of the Coordinated Community Response Coalition of Kingsville. The group sponsored a Teal Ribbon Campaign for Sexual Assault Awareness on April 12 at Coastal Bend College. She is pictured with Rotary member Dolores Guerrero. (Submitted photo).

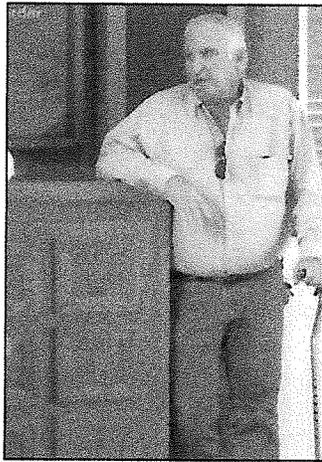
AWARE Department tours Kenedy Ranch Museum

Submitted Item
Homero S. Vera, museum coordinator for the Kenedy Ranch Museum in Sarita, presented a program to the AWARE Department of The Woman's Club of Kingsville regarding Mifflin and Petra Vela de Vidal Kenedy and their descendants, the Kenedeños, the Kenedy Pasture Company and the Kenedy Ranch Museum.

The department toured the Kenedy Ranch Museum, located in the restored Kenedy Pasture Company office building, which also originally housed an apartment for the Kenedy family while they waited for the railroad train when beginning and ending their travels.

The department members also viewed a video featuring the Kenedeños (vaqueros and other employees of the Kenedy Ranch).

Vera and the department members



Homero S. Vera speak to the AWARE Department of the Woman's Club of Kingsville. (Submitted photo)

were served a brown bag meal prepared by Jan Alvarez and Diana Becker, Patricia Cypher, Renee Garcia, Norma Guerrero-Pena.

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Beer & Wine Retail's Off-Premise Permit for the establishment known as Shrim 6 Groceries, located at 620 N Armstrong St, Suite A, Kingsville, Texas.

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

RIO 7 CINEMAS

SATURDAY APRIL 15 MONDAY APRIL 17	TUESDAY APRIL 18 THURSDAY APRIL 20
20 - Smurf: The Lost Village (PG) 12:45pm - 6:00pm	20 - Smurf: The Lost Village (PG) 6:00pm
3D - Smurf: The Lost Village (PG) 3:00pm - 9:00pm	3D - Smurf: The Lost Village (PG) 3:00pm - 9:00pm
20 - Boos Baby (PG) 12:45pm - 3:45pm - 6:30pm - 9:25pm	20 - Boos Baby (PG) 3:45pm - 6:30pm - 9:25pm
Going in Style (PG-13) 12:15pm - 3:00pm - 6:15pm - 9:00pm	Going in Style (PG-13) 3:00pm - 6:15pm - 9:00pm
Beauty and the Beast (PG) 12:15pm - 3:15pm - 6:10pm - 9:10pm	Beauty and the Beast (PG) 3:15pm - 6:10pm - 9:10pm
Kong: Skull Island (PG-13) 12:25pm - 3:20pm - 6:20pm - 9:05pm	Kong: Skull Island (PG-13) 3:20pm - 6:20pm - 9:05pm
The Fate of the Furious (PG-13) 11:55am - 12:10pm - 3:00pm - 3:15pm - 6:05pm - 6:20pm - 9:10pm - 9:20pm	The Fate of the Furious (PG-13) 3:00pm - 3:15pm - 6:05pm - 6:20pm - 9:10pm - 9:20pm

Easter Truth
Join us Easter Sunday April 16th 9am

St. Paul Lutheran Church of Kingsville
LCMS

10th Street & Doddridge
Kingsville, TX | 361.592.6531
www.stpaulkingsville.com

WHAT'S FOR LUNCH

Come join us today for this week's specials!

DAILY LUNCH SPECIALS

\$5.99

Wednesday Special
Cajunaze con Pollo or Texas Plate

HAPPY HOUR
2:00pm - 5:00pm

704 N. 1st Street • (361) 516-1459

E. COUL
TEXAS RESTAURANT

1415 N. 14th Street, Kingsville
(361) 592-7622

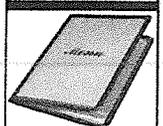
NEW DAILY LUNCH SPECIALS

Breakfast served all day
CONFERENCE ROOM AVAILABLE

YOUNG'S PIZZA

Come by and join us for lunch!

626 W. Santa Gertrudis
(361) 692-9179



DINE LOCAL

TO ADVERTISE YOUR DELICIOUS LUNCH SPECIALS

CALL TRACY PEÑA AT 221-0245 OR CHRISTY CANTU AT 221-0241

Thanks for Supporting Our Local Restaurants!

AGENDA ITEM #4

City of Kingsville
Department of Planning and Development services

To: City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Tom Ginter, Director
DATE: February 3, 2017
SUBJECT: Request for an alcohol variance for a Mixed Beverage Permit and a Mixed Beverage Late Hours Permit at Rox Sports Lounge at 1701 South Brahma Blvd.

Summary: The applicant/authorized agent Joanna Alaniz is requesting an alcohol variance for the Rox Sports Lounge at 1701 South Brahma Blvd.

Background: This location is the site of the Rox Sports Lounge that is currently there and has been operating with an alcohol variance. 3 schools, 2 churches and 1 daycare fall within the 1,000 foot boundary. Due to a change in ownership, the new owner is required to apply for a variance.

Financial Impact: As stated earlier this business currently has an alcohol variance.

Recommendation: Approve alcohol variance as requested.



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

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1701 S. Brahma Blvd Nearest Intersection _____

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Joanna Alaniz Phone 361-522-2141 FAX _____

Email Address (for project correspondence only): _____

Mailing Address 425 E. STA. APT City KINGSVILLE State TX Zip 78303

Property Owner _____ Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project:

Alcohol and Beer license - Rox Sports Lounge

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

Applicant's Signature [Signature] Date: 4-17-17
 Property Owner's Signature _____ Date: _____
 Accepted by: _____ Date: _____



CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, April 14, 2017

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for 1701 S Brahma Blvd

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1701 S Brahma Blvd, we have concluded that the property in question does fall within the 1,000 ft boundary of 3 schools, 2 churches, and 1 daycare; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the 3 schools, 2 churches, and 1 daycare; suspected to be close to the property. Jesus R. Perez Elementary School, H.M. King High School, Coastal Bend College, First Christian Church, Bay Area Fellowship, and The Tot Spot daycare are within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.



received
4-13-17

ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11-37, 11-39, 11-46(b), 61-37, 61-38, 61-42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11-391 and 61-381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website: www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number _____

Reinstatement License/Permit Number _____

Change of Licensed Location License/Permit Number _____

2. Type of On-Premise License/Permit

- BG Wine and Beer Retailer's Permit
- LB Mixed Beverage Late Hours Permit
- BE Beer Retail Dealer's On-Premise License
- MI Minibar Permit
- BL Retail Dealer's On-Premise Late Hours License
- CB Caterer's Permit
- BP Brewpub License
- FB Food and Beverage Certificate
- V Wine & Beer Retailer's Permit for Excursion Boats
- PE Beverage Cartage Permit
- Y Wine & Beer Retailer's Permit for Railway Dining Car
- RM Mixed Beverage Restaurant Permit with FB
- MB Mixed Beverage Permit
- O Private Carrier's Permit - For Brewpubs (BP) with a BG only

3. Indicate Primary Business at this Location

- Restaurant
- Sporting Arena, Civic Center, Hotel
- Bar
- Grocery/Market
- Sexually Oriented
- Miscellaneous _____

4. Trade Name of Location

Rox Sports Lounge

5. Location Address

1701 South Brahma Blvd, STE C

City Kingsville

County Kleberg

State TX

Zip Code 78363

6. Mailing Address

425 E. Santa Gertrudis

City Kingsville

State TX

Zip Code 78363

7. Business Phone No.

361-595-7699

Alternate Phone No.

361-522-2141

E-mail Address

joanna.d7@sbcglobal.net

OWNER INFORMATION

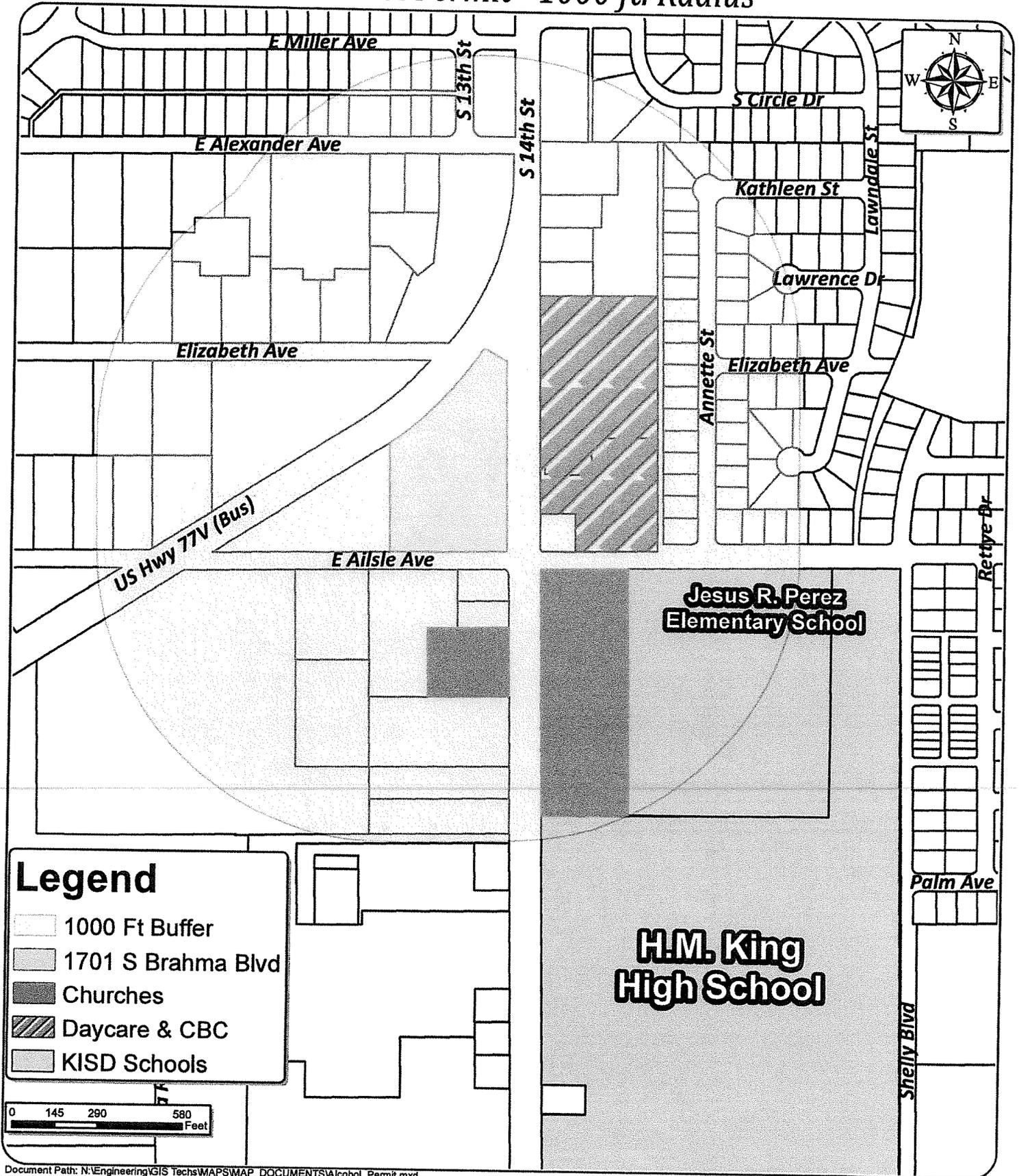
8. Type of Owner

- Individual
- Partnership
- Limited Partnership
- Limited Liability Partnership
- Corporation
- Limited Liability Company
- Joint Venture
- Trust
- City/County/University
- Other _____

9. Business Owner/Applicant

Joanna Lee Alaniz

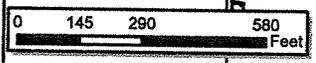
Alcohol Permit - 1000 ft. Radius



Document Path: N:\Engineering\GIS Techs\WAPSWAP_DOCUMENTS\Alcohol_Permit.mxd

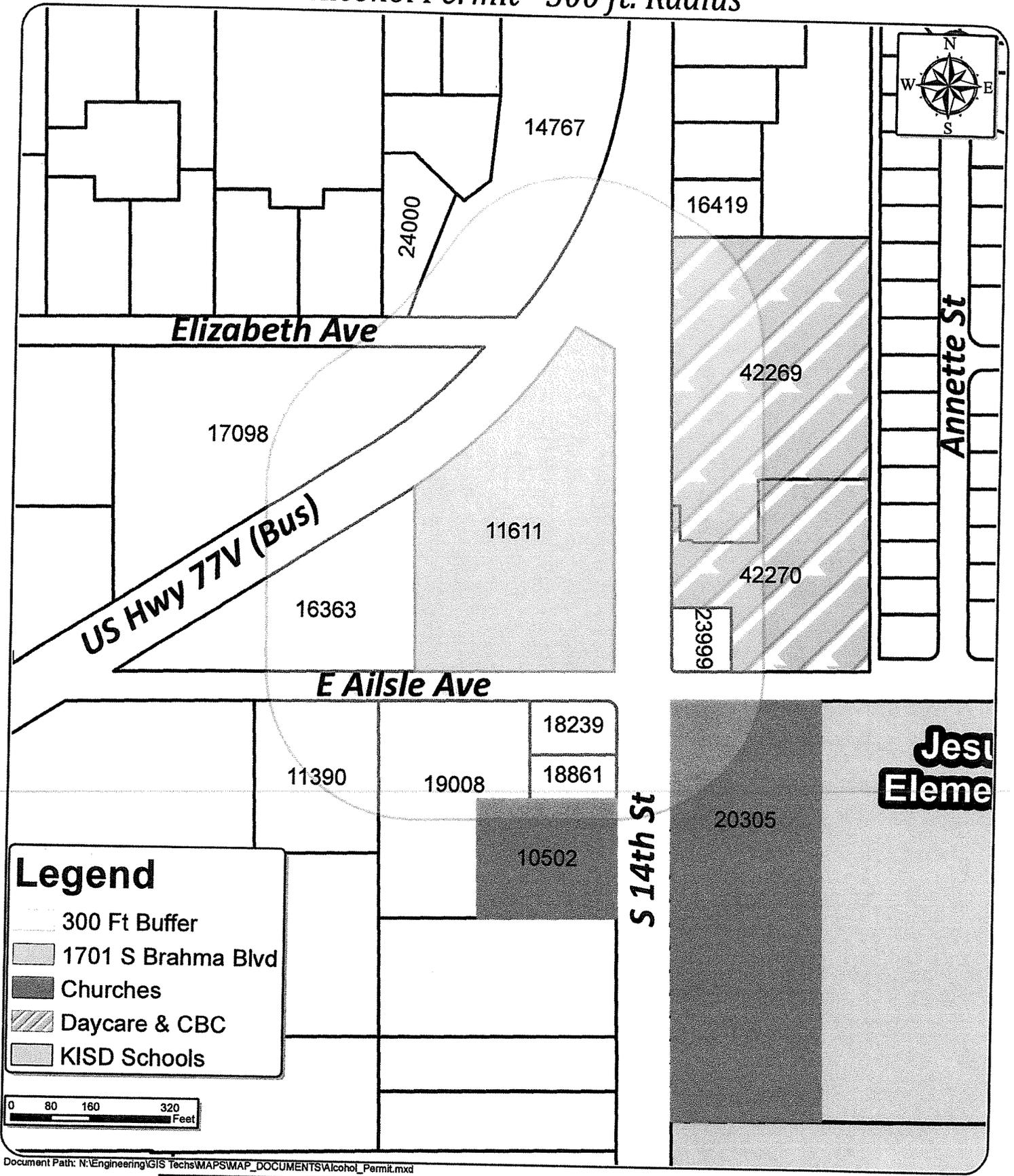
Legend

-  1000 Ft Buffer
-  1701 S Brahma Blvd
-  Churches
-  Daycare & CBC
-  KISD Schools



Page 1/1	Drawn By: Engineering Dept.	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.	
	Last Update: 4/13/2017		

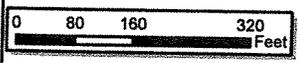
Alcohol Permit - 300 ft. Radius



Document Path: N:\Engineering\GIS Techs\WAPSWAP_DOCUMENTS\Alcohol_Permit.mxd

Legend

- 300 Ft Buffer
- 1701 S Brahma Blvd
- Churches
- Daycare & CBC
- KISD Schools



Drawn By: Engineering Dept.
 Last Update: 4/13/2017
 Note: Please see attached documents.

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
 200 East Kleberg
 Kingsville, Texas 78363
 Office: 361-595-8005
 Fax: 361-595-8035

Page
1 / 1

MARJORIE E HARRELL EST
WILLIAM R HARRELL (IND EXEC)
236 OTIS ST
KINGSVILLE, TX 78363-7027
#24000

ALPHA LAKE LTD
A TEXAS LIMITED PARTNERSHIP
1700 GEROGUE BUSH DR E
STE 240
COLLEGE STATION, TX 77840-3351
#42269

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#10502

COASTAL BARCELONA LLC
PO BOX 6502
SAN ANTONIO, TX 78205
#19008

TERESA A MAYORGA
ETVIR MACARIO R
729 ELIZABETH AVE
KINGSVILLE, TX 78363-6745
#17098

ROEL NUNEZ
PO BOX 5741
KINGSVILLE, TX 78364-5741
#14767

COASTAL BEND COLLEGE
3800 CHARCO RD
BEEVILLE, TX 78102
#42270

HERMAN H OHLENBUSCH
926 S 1TH ST, STE 103
KINGSVILLE, TX 78363
#18861

PREMIER SAN PALM LLC
PO BOX 25
PORTLAND, TX 78374-0025
#11390

FIRST CAPITAL BANK
% PROSP BANK ATTN ACCTNG
DEPT
PO BOX G
EL CAMPO, TX 77437-1470
#23999

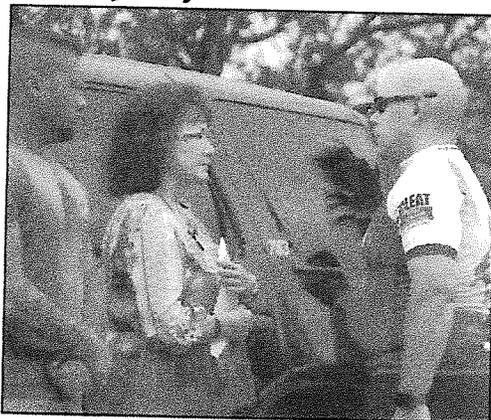
FRIS CHKN LLC%CAJUN OPERATING
CO
ATTN: PROP.TAXES KATHY BOEHME
980 HAMMOND DR NE
STE 1100
ATLANTA, GA 30328-8187
#16419

FIRST CHRISTIAN CHURCH
PO BOX 848
KINGSVILLE, TX 78364-0848
#20305

HARBUR & HARBUR LP
% ROBERT W HARMAN
3279 FM 1540
SANDIA, TX 78383
#18239

JESUS J JAIME
ETUX GRACIELA M
PO BOX 769
KINGSVILLE, TX 78364-0769
#16363

Memorial flag presented to wife of Ken Starrs



J.D. Garza, a member of the Combined Law Enforcement Association of Texas, salutes Karen Starrs following a ceremony in Kleberg County on Monday. Members of the CLEAT's Memorial Bike Trek stopped in Kleberg County to present a memorial flag and other items to Starrs and agents with the South Texas Specialized Crimes and Narcotics Task Force in memory of the late Ken Starrs. (Photo by Tim Acosta)

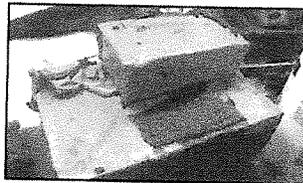
Traffic stop nets \$1.5M in heroin

By Tim Acosta
Managing Editor

Deputies with the Kleberg County Sheriff's Office arrested three people and seized about \$1.5 million in black tar heroin that was hidden in a sport utility vehicle following a traffic stop along U.S. Highway 77 on Wednesday.

Kleberg County Sheriff Richard Kirkpatrick, in a prepared statement on Thursday, said the stop occurred just before 8:30 p.m. near the intersection of Highway 77 and Sage Road. A 2010 Mazda CX SUV was pulled over for speeding, Kirkpatrick said, and after a field interview was conducted with the vehicle's driver - Julia Lopez, 24 - consent was given to search the vehicle.

The search revealed four bundles of heroin concealed in the SUV's battery, officials said. Two other individuals in the vehicle with Lopez



Black tar heroin with a street value of \$1.5M was seized on Thursday. (Submitted photos)

19-year-old Samantha Garza and 21-year-old Wilburt Isaac Espinoza, were also arrested on federal charges, though Kirkpatrick offered no further details. The case was reported to investigators with the U.S. Department of Homeland Security, he added, and the investigation is ongoing. The heroin carried an estimated street value of \$1.5 million, Kirkpatrick said.

Two other individuals in the vehicle with Lopez, *Tim Acosta can be contacted at tacosta@kingranch.com or (361) 221-0243.*

Food inspection scores released

Staff Report
The City of Kingsville City-County Health Department has released food inspection scores for the period of March 27-April 7. Food service inspections are conducted on a quarterly schedule per year based on the risk category to ensure compliance with the Texas Food Service Establishment Regulations and local food sanitation ordinances. Risk levels include low, moderate and high risk. Establishment scoring is based on a merit system, as per The Texas Food Establishment Rules. There are two types of

violations. Critical violations are five and four points demerits per violation and non-critical violations are three points demerit violations. Critical violations are improper practices and actions that directly contribute to food contamination and temperature abuse that may pose a potential risk to the public health, resulting in food borne illness. Critical violations must be corrected immediately or as directed by the Health Department. Non-critical violations are unacceptable practices that normally relate to the physical condition of an establishment, including

equipment, cleaning and storage. Non-critical violations must be corrected before the next routine inspection or as directed by the Health Department. **More - 100**
• Papa John's Pizza - 100
• Holiday Inn Express - 100
• Wing Stop - 99
• VIP Adult Daycare - 99
• Ricardo School - 99
• Granny's Tamales - 99
• La Famosa Tortilla Factory - 99
• Hampton Inn - 98
• Rio 7 Cinema - 98
• Superette - 98

• Spice Station - 98
• Shrim 6 Groceries - 97
• Linda's Main Street Cafe - 96
• Boal n Net - 96
• Whalaburger (Hiwy 77) - 96
• Pan Am School - 96
• Church's Fried Chicken - 95
• Kentucky Fried Chicken - 95
• El Tapatio - 95
• Pepe's Patio - 95
• Asian Buffet (Complaint) - 95
• El Pastel Bakery - 93
• Kingsville Bakery - 92
• Burger King - 91
• Agave Jalisco - 89
• Star's Drive Inn - 88
• Taiwan Restaurant - 88
• Casa de Tacos - 84
• Brinks Seafood Hut - 75

RIO 7 CINEMAS Kingsville Show Times

WEDNESDAY APRIL 19 THURSDAY APRIL 20

2D - Smurfs: The Lost Village 6:00pm (PG)
3D - Smurfs: The Lost Village 3:25pm - 6:00pm (PG)

2D - Boos Baby 3:00pm - 6:30pm - 9:25pm (PG)
3D - Boos Baby 3:00pm - 6:30pm - 9:25pm (PG13)

Beauty and the Beast 3:15pm - 6:10pm - 9:15pm (PG)
Kong: Skull Island 3:25pm - 6:10pm - 9:05pm (PG13)

The Fate of the Furious 3:00pm - 5:30pm - 8:00pm - 9:25pm (PG13)

FRIDAY APRIL 21

Phoenix Forgotten 3:15pm - 6:10pm - 9:15pm (PG13)
Gang in Style 3:00pm - 6:30pm - 9:05pm (PG13)
Fate of the Furious 3:30pm - 7:45pm (PG13)

Showing on 2 screens!
Fate of the Furious 4:30pm - 8:00pm (PG13)
Kong: Skull Island 4:00pm - 7:00pm (PG13)

Smurfs: The Lost Village 3:25pm (PG)
Boos Baby 3:30pm - 6:10pm - 9:00pm (PG)
Beauty and the Beast 4:30pm - 7:30pm (PG)

SATURDAY APRIL 22 SUNDAY APRIL 23

Phoenix Forgotten 12:45pm - 3:15pm - 6:15pm - 9:15pm (PG13)
Gang in Style 12:30pm - 3:00pm - 6:05pm - 9:05pm (PG13)

Fate of the Furious 1:15pm - 4:30pm - 7:45pm (PG13)

Showing on 2 screens!
Fate of the Furious 4:45pm - 8:00pm (PG13)
Kong: Skull Island 6:00pm - 8:50pm (PG13)

Smurfs: The Lost Village 12:50pm - 3:25pm (PG)
Boos Baby 12:40pm - 3:30pm - 6:10pm - 9:00pm (PG)
Beauty and the Beast 1:30pm - 4:30pm - 7:30pm (PG)

MONDAY APRIL 24 THURSDAY APRIL 27

Phoenix Forgotten 3:15pm - 6:10pm - 9:15pm (PG13)
Gang in Style 3:00pm - 6:30pm - 9:05pm (PG13)

Fate of the Furious 4:30pm - 7:45pm (PG13)

Showing on 2 screens!
Fate of the Furious 4:45pm - 8:00pm (PG13)
Kong: Skull Island 6:00pm - 8:50pm (PG13)

Smurfs: The Lost Village 3:25pm (PG)
Boos Baby 3:30pm - 6:10pm - 9:00pm (PG)
Beauty and the Beast 4:30pm - 7:30pm (PG)

GET OUTTA THE HAMSTER WHEEL

Jump behind the wheel and get your wheels going somewhere.

Apply to track and get your wheels going somewhere. Jump your truck, your car and your life forward and purchase as a regular member of the Schneider team.

SCHNEIDER

Get traction in your career. schneiderjobs.com 800-4A-PRIDE

OLIVER PHYSICAL THERAPY & SPORTS MEDICINE

SERVING KINGSVILLE SINCE 2013

1028 S. 14th Street
Soudal Plaza - Kingsville, Texas
360 488-6335

Most Insurances Accepted:
• New concept physical therapists
• Veterans Military/Tricare
• BCBS
• Humana Plans
• Medicare
• UHC

Sports Injuries
Motor Vehicle Accidents
Occupational Injuries
Worker's Comp
Pre/Post Op
Total Knees/Hips
Men's/Women's Health

Visit our website oliverpt.com

Like us on Facebook

Add us on Snapchat
KRBNNNEWS

or go to Kingsville Record.com

New Braunfels Area Car Club Swap Meet & Sunday Car Show

April 21-23, 2017
Comal County Fairgrounds
801 E. Common Street • New Braunfels
www.newbraunfelscarclub.com • No Dogs Please

BUDA LIONS COUNTRY FAIR and WIENER DOG RACES 2017

APRIL 29-30 AT THE BUDA CITY PARK IN BUDA, TX (JUST SOUTH OF AUSTIN)

FOR MORE INFO, VISIT OUR WEBSITE: www.BUDALIONS.com

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:
Request for an alcohol variance for a Mixed Beverage Permit & Mixed Beverage Late Hours Permit for the establishment known as Rox Sports Lounge located on 1701 South Brahma Blvd, Kingsville, Texas.

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

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:
Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Pizza Parlor located on 816 W King, Kingsville, Texas.

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

AGENDA ITEM #5

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: February 3, 2017

SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit, for the establishment known as Pizza Parlor at 816 W. King

Summary: The applicant/authorized agent Red Zone Construction LLC. DBA Pizza Parlor is requesting an alcohol variance for this location which is at 816 W. King

Background: This location is the site of the Pizza Parlor a long time restaurant here in Kingsville. The property is under new ownership and desires to continue with the Wine and Beer Retailer's Permit. Due to the change in ownership the new owner is required to apply for a permit. There is a church within 1,000 ft.

Financial Impact: As mentioned the Pizza Parlor is a landmark for Kingsville and its location near the campus. The continual operation of this food establishment is a positive.

Recommendation: Approve the alcohol variance as requested.



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

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 816 W King Nearest Intersection King & Armstrong

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Red Zone Construction LLC, DBA Pizza Parlor Phone 522-4888 FAX _____

Email Address (for project correspondence only): _____

Mailing Address PO Box 6033 City Kingsville State Tx Zip 78363

Property Owner Steve Dembski Phone 592-8842 FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project:

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

Applicant's Signature [Signature] Date: 4/17/2017

Property Owner's Signature _____ Date: _____

Accepted by: _____ Date: _____



CITY OF
KINGSVILLE
MEMORANDUM

DATE
TO
FROM
SUBJECT

Friday, April 13, 2017
Mary Valenzuela, City Secretary
Engineering Department
Alcohol License for 816 W. King Ave.

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 816 W. King Ave., we have concluded that the property in question does fall within the 1,000 ft boundary of a church; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the church; suspected to be close to the property. "The Cross" is within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.45(b), 61.37, 61.38, 61.42 and Rule 533.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website: www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number _____

Reinstatement License/Permit Number _____

Change of Licensed Location License/Permit Number _____

2. Type of On-Premise License/Permit

BG Wine and Beer Retailer's Permit LB Mixed Beverage Late Hours Permit

BE Beer Retail Dealer's On-Premise License MI Minibar Permit

BL Retail Dealer's On-Premise Late Hours License CB Caterer's Permit

BP Brewpub License FB Food and Beverage Certificate

V Wine & Beer Retailer's Permit for Excursion Boats PE Beverage Cartage Permit

Y Wine & Beer Retailer's Permit for Railway Dining Car RM Mixed Beverage Restaurant Permit with FB

MB Mixed Beverage Permit

O Private Carrier's Permit - For Brewpubs (BP) with a BG only

3. Indicate Primary Business at this Location

Restaurant Sporting Arena, Civic Center, Hotel

Bar Grocery/Market

Sexually Oriented Miscellaneous _____

4. Trade Name of Location
PIZZA PARLOR

5. Location Address
816. W King Ave.

City <u>Kingsville</u>	County <u>Kleberg</u>	State <u>Tx</u>	Zip Code <u>78363</u>
6. Mailing Address		City	State Zip Code

7. Business Phone No. <u>361-592-8842</u>	Alternate Phone No. <u>592-7817</u>	E-mail Address <u>BCSabala@gmail.com</u>
--	--	---

OWNER INFORMATION

8. Type of Owner

Individual Corporation City/County/University

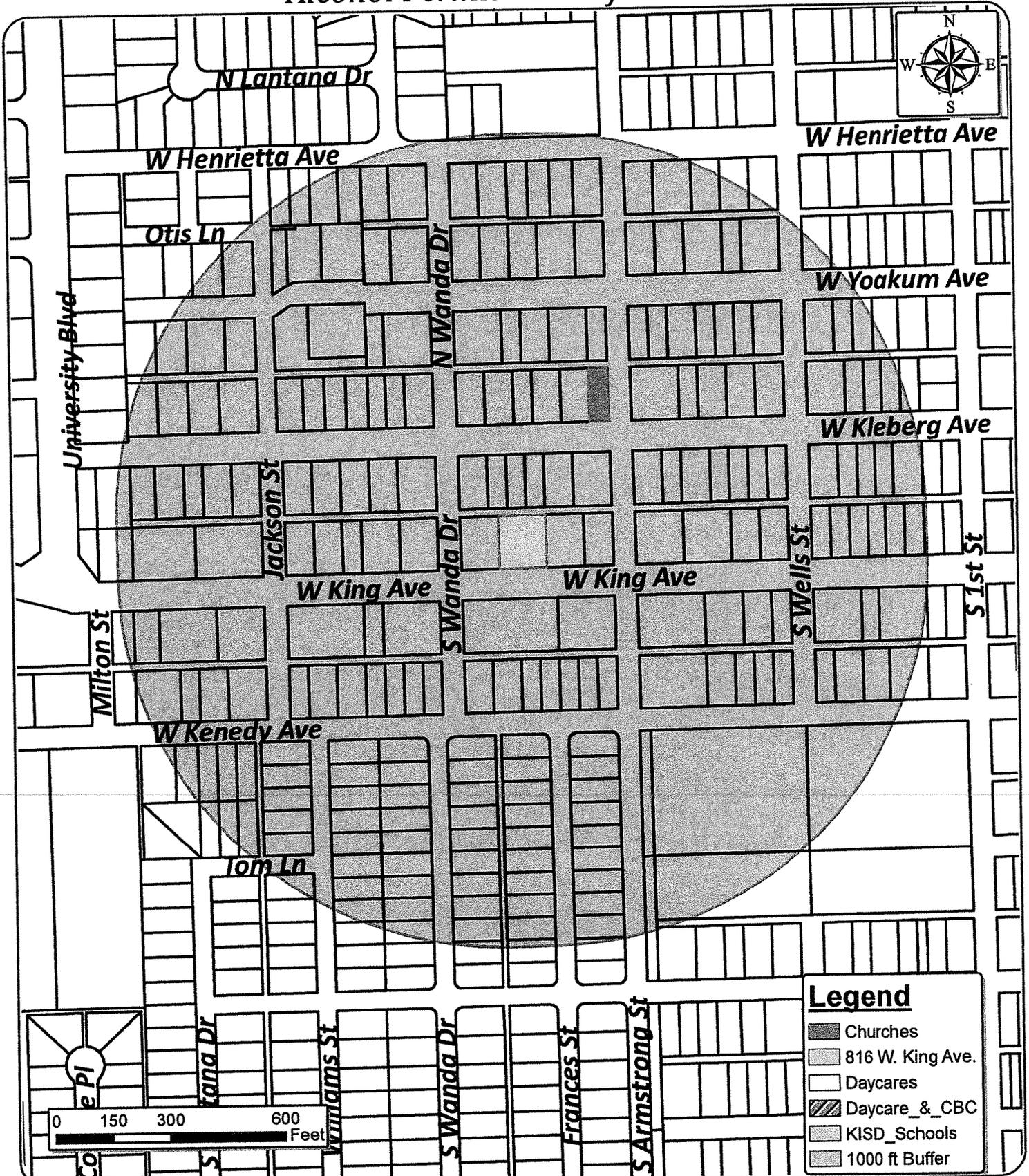
Partnership Limited Liability Company Other _____

Limited Partnership Joint Venture

Limited Liability Partnership Trust

9. Business Owner/Applicant
Red Zone Construction / DBA PIZZA PARLOR Brian Sabala

Alcohol Permit - 1000 ft. Radius



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

Drawn By: Engineering Dept.
 Last Update: 4/13/2017
 Note: Please see attached documents.

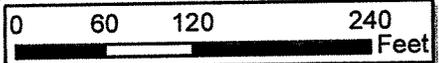
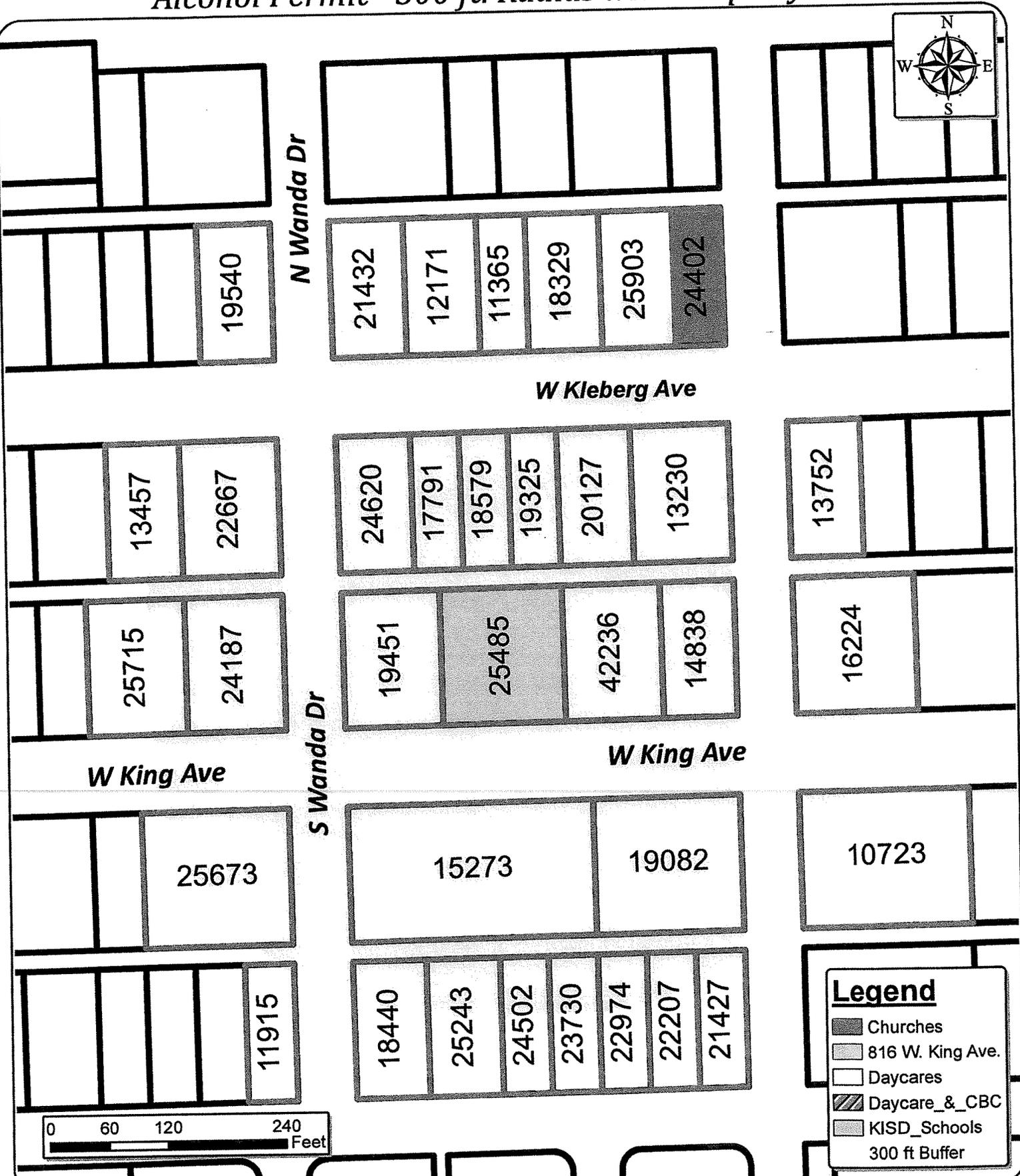
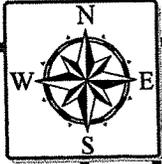
Page
1/1

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
 200 East Kleberg
 Kingsville, Texas 78363
 Office: 361-595-8005
 Fax: 361-595-8035

Alcohol Permit - 300 ft. Radius with Property ID's



Legend

- Churches
- 816 W. King Ave.
- Daycares
- Daycare_&_CBC
- KISD_Schools
- 300 ft Buffer

Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

1/1 Page	Drawn By: Engineering Dept.	<small>DISCLAIMER</small> 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.	
	Last Update: 4/13/2017		
	Note: Please see attached documents.		
CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035			

ROY L BEATY
5130 GRAFORD PL
CORPUS CHRISTI, TX 78413
#19540

RICARDO G VEGA
ETUX GLORIA B
805 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#11365

RODNEY LIGHT
RIVIERA PRAISE & WORSHIP
CHURCH
PO BOX 126
RIVIERA, TX 78379
#24402

CELSO ABUNDEZ JR
ZOLIA VITA ABUNDEZ
829 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#24620

JUAN LINO ESCAMILLA
1201 N SMITH
HEBBRONVILLE, TX 78361
#19325

BEVERLY ANNE NIELSEN
REVOCABLE TRUST % RANDAL E
NIELSEN
403 S 6TH ST
KINGSVILLE, TX 78363
#13752

GILBERTO & OLGA URESTI
FAMILY LIMITED PARTNERSHIP
830 W KING AVE
KINGSVILLE, TX 78363-4943
#19451

TXEZP LLC
2130 E CAMINO EL GANADO
TUCSCON, AZ 85718
#16224

C T ALLEN LTD
289 W CO RD 2140
KINGSVILLE, TX 78363
#19082

YOLANDA B FLORES
828 W KENEDY AVE
KINGSVILLE, TX 78363-4933
#18440

RAMON M RODRIGUEZ III
830 W KELBERG
KINGSVILLE, TX 78363-4905
#21432

HELEN RODRIGUEZ
806 W KLEBERG AVE
KINGSVILLE, TX 78363-4219
#18329

AGUEDA GONZALES
909 W KLEBERG
KINGSVILLE, TX 78363
#13457

MARY L VILLARREAL
823 W KLEBERG AVE
KINGSVILLE, TX 78363
#17791

RICARDO G VEGA
805 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#20127

BRIAN C SABALA
PO BOX 6033
KINGSVILLE, TX 78364-6033
#25715

D & B ENVIRONMENTAL
SERVICES INC
810 W KING AVE
KINGSVILLE, TX 78363-4943
#42236

STEPHAN J DEMBSKI
ETUX BETH A
PO BOX 176
KINGSVILLE, TX 78364-0176
#25673

DICK & LUCRESS WATSON
CHILDREN'S FOUNDATION
PO BOX 577
FRANKLIN, TX 77856
#10723

WILLIAM P ROGERS
ETUX MELINDA R
818 W KENEDY AVE
KINGSVILLE, TX 78363-4933
#25243

JOSE Z FIGARELLI
ETAL JOSEPH A FIGARELLI
736 SANTA CLARA DR
KINGSVILLE, TX 78363-3430
#12171

WALTER SHARP
800 W KLEBERG AVE
KINGSVILLE, TX 78363-4219
#25903

CYNTHIA ANN GONZALES
907 W KLEBERG AVE
KINGSVILLE, TX 78363-4220
#22667

MCELHANEY PATRCIA
DELEON
821 W KLEBERG
KINGSVILLE, TX 78363
#18579

GENE M JONES
PO DRAWER A
KINGSVILLE, TX 78363-1603
#13230

GILBERTO & OLGA URESTI
FAMILY LIMITED PARTNERSHIP
830 W KING AVE
KINGSVILLE, TX 78363-4943
#24187

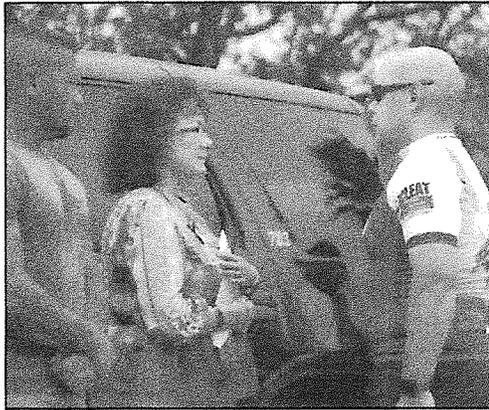
LUIS HUMBERTO MARQUEZ
1918 JOHN ST
KINGSVILLE, TX 78363
#14838

C T ALLEN LTD
289 W CO RD 2140
KINGSVILLE, TX 78363
#15273

JOSE LUIS DE LEON
ETUX ISABEL L
221 S WANDA DR
KINGSVILLE, TX 78363-4993
#11915

WILLIAM P ROGERS
818 W KENEDY AVE
KINGSVILLE, TX 78363-4933
#24502

Memorial flag presented to wife of Ken Starrs



J.D. Garza, a member of the Combined Law Enforcement Association of Texas, salutes Karen Starrs following a ceremony in Kleberg County on Monday. Members of the CLEAT's Memorial Bike Trek stopped in Kleberg County to present a memorial flag and other items to Starrs and agents with the South Texas Specialized Crimes and Narcotics Task Force in memory of the late Ken Starrs. (Photo by Tim Acosta)

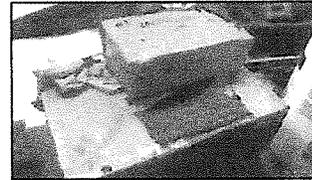
Traffic stop nets \$1.5M in heroin

By Tim Acosta
Managing Editor

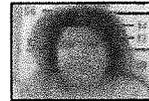
Deputies with the Kleberg County Sheriff's Office arrested three people and seized about \$1.5 million in black tar heroin that was hidden in a sport utility vehicle following a traffic stop along U.S. Highway 77 on Wednesday.

Kleberg County Sheriff Richard Kirkpatrick, in a prepared statement on Thursday, said the stop occurred just before 8:30 p.m. near the intersection of Highway 77 and Sage Road. A 2010 Mazda CX SUV was pulled over for speeding. Kirkpatrick said, and after a field interview was conducted with the vehicle's driver - Julia Lopez, 24 - consent was given to search the vehicle.

The search revealed four bundles of heroin concealed in the SUV's battery, officials said. Two other individuals in the vehicle with Lopez,



Black tar heroin with a street value of \$1.5M was seized on Thursday. (Submitted photos)



19-year-old Samantha Garza and 21-year-old Wilburt Isaac Espinoza, were also arrested on federal charges, though Kirkpatrick offered no further details. The case was reported to investigators with the U.S. Department of Homeland Security, he added, and the investigation is ongoing.

The heroin carried an estimated street value of \$1.5 million, Kirkpatrick said.

Tim Acosta can be contacted at tacosta@king-ranch.com or (361) 221-0243.

RIO 7 CINEMAS Kingsville Show Times

WEDNESDAY APRIL 19 THURSDAY APRIL 20	FRIDAY APRIL 21
2D - Starz: The Last Village 8:00pm (PG)	Phantom Furguson 3:15pm - 6:15pm - 8:15pm (PG13)
3D - Starz: The Last Village 3:25pm - 9:00pm (PG)	Going in Style 3:00pm - 6:00pm - 9:00pm (PG13)
2D - Boss Baby 3:00pm - 4:30pm - 6:25pm (PG)	Fate of the Furious 4:30pm - 7:40pm (PG13)
Going in Style 3:00pm - 6:15pm - 9:00pm (PG13)	Fate of the Furious 4:30pm - 7:40pm (PG13)
Beauty and the Beast 3:15pm - 6:15pm - 9:15pm (PG)	Kong: Skull Island 8:00pm - 9:50pm (PG13)
Kong: Skull Island 3:25pm - 6:20pm - 9:05pm (PG13)	Starz: The Last Village 3:25pm (PG)
The Fate of the Furious 3:00pm - 6:00pm - 9:00pm (PG13)	Boss Baby 3:30pm - 6:15pm - 9:00pm (PG)
Beauty and the Beast 4:30pm - 7:30pm (PG)	Beauty and the Beast 4:30pm - 7:30pm (PG)
SATURDAY APRIL 22 SUNDAY APRIL 23	MONDAY APRIL 24 THURSDAY APRIL 27
Phantom Furguson 12:45pm - 3:15pm - 6:15pm - 8:15pm (PG13)	Phantom Furguson 3:15pm - 6:15pm - 8:15pm (PG13)
Going in Style 12:30pm - 3:00pm - 6:00pm - 9:00pm (PG13)	Going in Style 3:00pm - 6:00pm - 9:00pm (PG13)
Fate of the Furious 1:15pm - 4:30pm - 7:45pm (PG13)	Fate of the Furious 4:30pm - 7:45pm (PG13)
Showing on 2 screens!	Showing on 2 screens!
Fate of the Furious 1:30pm - 4:45pm - 8:00pm (PG13)	Fate of the Furious 4:45pm - 8:00pm (PG13)
Kong: Skull Island 6:00pm - 8:00pm (PG13)	Kong: Skull Island 8:00pm - 9:50pm (PG13)
Starz: The Last Village 12:50pm - 3:25pm (PG)	Starz: The Last Village 3:25pm (PG)
Boss Baby 12:40pm - 3:30pm - 6:10pm - 9:00pm (PG)	Boss Baby 3:30pm - 6:10pm - 9:00pm (PG)
Beauty and the Beast 1:30pm - 4:30pm - 7:30pm (PG)	Beauty and the Beast 4:30pm - 7:30pm (PG)

Food inspection scores released

Staff Report
The City of Kingsville Health Department has released food inspection scores for the period of March 27-April 7.

Food service inspections are conducted on a quarterly schedule per year based on the risk category to ensure compliance with the Texas Food Service Establishment Regulations and local food sanitation ordinances.

Risk levels include low, moderate and high risk. Establishment scoring is based on a merit system, as per the Texas Food Establishment Rules.

There are two types of

violations. Critical violations are five and four points demerits per violation and non-critical violations are three points demerit violations.

Critical violations are improper practices and actions that directly contribute to food contamination and temperature abuse that may pose a potential risk to the public health, resulting in food borne illness.

Critical violations must be corrected immediately or as directed by the Health Department.

Non-critical violations are unacceptable practices that normally relate to the physical condition of an establishment, including

- Spice Station - 98
- Shrim 6 Groceries - 97
- Linda's Main Street Cafe - 96
- Boat n Net - 96
- Whataburger (Hwy 77) - 96
- Pan Am School - 96
- Church's Fried Chicken - 95
- Kentucky Fried Chicken - 95
- El Tapatio - 95
- Pepe's Patio - 95
- Asian Buffet (Complaint) - 95
- El Pastel Bakery - 93
- Kingsville Bakery - 92
- Burger King - 91
- Agave Jalisco - 89
- Star's Drive Inn - 88
- Taiwan Restaurant - 88
- Casa de Tacos - 84
- Brinks Seafood Hut - 75

GET OUTTA THE HAMSTER WHEEL

Jump behind the wheel and get your wheels going somewhere.

Don't let work and your wheels get in the way. Find your truck, your car and your life back on wheels. Become a member of the Schnneider team.

SCHNEIDER

Get traction in your career. rchtidajobs.com 800-44-PRIDE

COME ON IN AFTER WORK, RELAX AND ENJOY YOUR RECOVERY

Open Monday - Thursday 8:00 am - 6:30 pm Friday 8:00 am - 5:00 pm

OLIVER

PHYSICAL THERAPY & SPORTS MEDICINE

SERVING KINGSVILLE SINCE 2013

1028 S. 14th Street
361 488-6335

Most Insurances Accepted:
• Blue Cross of Texas
• Mutual Military/Tricare
• Aetna
• Humana Plus
• Medicare
• UHC

Sports Injuries
Motor Vehicle Accidents
Occupational Injuries
Worker's Comp
Pre/Post Op
Total Knees/Hips
Men's/Women's Health

Visit our website oliverpt.com

Like us on Facebook

Add us on Snapchat

KRBNNWS

or go to Kingsville Record.com

New Braunfels Area Car Club
Swap Meet & Sunday Car Show

April 21-23, 2017

Comal County Fairgrounds

801 E. Common Street • New Braunfels
www.newbraunfelscarclub.com • No Dogs Please

BUDA LIONS COUNTRY FAIR and WIENER DOG RACES 2017

APRIL 29-30 AT THE BUDA CITY PARK IN BUDA, TX (JUST SOUTH OF AUSTIN)

FOR MORE INFO, VISIT OUR WEBSITE: www.BUDALIONS.com

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Mixed Beverage Permit & Mixed Beverage Late Hours Permit for the establishment known as Rox Sports Lounge located on 1701 South Brahma Blvd, Kingsville, Texas.

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

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 8, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Pizza Parlor located on 816 W King, Kingsville, Texas.

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

AGENDA ITEM #6

**City of Kingsville
City Manager's Office**

TO: Mayor and City Commissioners
FROM: Jesus A. Garza, City Manager
DATE: May 5, 2017
SUBJECT: Re Allocation of CO 2016 Funds

In Spring 2016 the City Commission was presented a list of projects to be paid for by the CO 2016 Series funds. Since that time, there has been some changes along the way where some projects have been paid out by other means such as insurance proceeds, additional garbage fund or other. This has resulted in some additional funds being available. Furthermore, there has been some shifting in priorities and some completed projects have resulted in savings. Consequently, all the aforementioned necessitates a holistic conversation to summarize all the changes and make a recommendation of how the funds can be utilized moving forward.

It is important to have this conversation on May 8th since there are agenda items for consideration on the May 8th agenda that will be funded out of the CO 2016 Series Re Allocation Recommendation.

Details will be distributed and presented at the meeting along with a brief overview of the status of all the original projects approved in Spring 2016.



AGENDA ITEM #7

**City of Kingsville
Engineering/Public Works**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Charlie Cardenas, P.E., City Engineer/Director of Public Works

DATE: May 3, 2017

SUBJECT: Award of RFQ 17-07 Kingsville Drainage Master Plan (City Wide & Golf Course)

Summary: This item authorizes the approval of award for RFQ 17-07 Kingsville Drainage Master Plan to Kimley Horn for professional services in the total amount of \$139,150.00 which consists of work at the Golf Course and City Wide Drainage Master Plan.

Background:

In 2016 after the May 31st rain events, it was determined that the City of Kingsville was in need of a Citywide Drainage Master plan to address drainage issues and needs throughout the city and for the L.E. Ramey Golf Course as well. However, due to the ongoing Parks Master Plan we waited until FY 2017 to begin the procurement process. In December 11th and December 18th of 2016 the city advertised in the Kingsville Record and the City of Kingsville website a request for qualifications (RFQ) for a drainage master plan. The following engineering firms submitted a request for qualifications: ICE International Consulting Engineers, Halff and Associates, Kimley Horn, LJA Engineering, Hanson Inc., and HDR Engineering. The review committee consisted of Jesus Garza, City Manager, Charlie Cardenas, City Engineer/Director of Public Works, Charlie Sosa, Street Services Supervisor, Bill Donnell, Assistant Director of Public Works and Richard Flores, Golf Course Supervisor. On February 8th, 9th, and 10th of 2017, the review committee decided to interview and listen to presentations from a qualification short list from, Halff and Associates, Kimely Horn and HDR Engineering respectively. In early March the Commission approved staff to begin contract negotiations with Kimley Horn for both Golf Course and City Wide Drainage Master Plans.

Financial Impact:

The total amount of \$139,150.00 will be divided into two phases. Phase I in the amount of \$37,850.00 and is funded through the CO 2016 Series. Phase II is related to the citywide drainage system, in the amount of \$101,300.00 and is funded through the budgeted drainage capital program (CO 2013). \$100,000 was allocated towards the City Wide Drainage Master Plan, the balance will simply come from Professional Services.

Recommendation:



**City of Kingsville
Engineering/Public Works**

Staff recommends that the City enter into contract for RFQ 17-07 with Kimley Horn, 12750 Merit Drive, Suite 1000, Dallas, TX 75251, for a total amount of \$139,150.00.



RESOLUTION #2017-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES BETWEEN CITY OF KINGSVILLE AND KIMLEY-HORN AND ASSOCIATES FOR ENGINEERING SERVICES FOR A CITY-WIDE MASTER DRAINAGE PLAN & L.E. RAMEY GOLF COURSE IMPROVEMENTS PLAN; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville desires to have engineering work done to have a City-wide Master Drainage Plan and an L.E. Ramey Golf Course improvements plan performed; and

WHEREAS, the City Commission on February 27, 2017 awarded RFQ 17-07 to Kimley-Horn and Associates (“Kimley-Horn”) and authorized staff to negotiate a contract for a fair and reasonable price under the Professional Services Procurement Act;

WHEREAS, the City and Kimley-Horn have worked to prepare a Contract for Professional Services between the City of Kingsville and Kimley-Horn and Associates for a City-wide Master Drainage Plan and an L.E. Ramey Golf Course Improvements Plan.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Contract for Professional Services between the City of Kingsville and Kimley-Horn and Associates for engineering services for a City-wide Master Drainage Plan and an L.E. Ramey Golf Course Improvements Plan in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
8th day of May, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Kimley»»Horn

May 3, 2017

Mr. Charlie Cardenas, P.E.
City Engineer/Public Works Director
City of Kingsville
400 W. King Avenue
P.O. Box 1458
Kingsville, TX 78363

Re: Professional Services Agreement for the City-wide Master Drainage Plan and L.E. Ramey Golf Course Improvements

Dear Mr. Cardenas:

Kimley-Horn and Associates, Inc. ("KH" or "Consultant") is pleased to submit this letter agreement (the "Agreement") to the City of Kingsville ("Client") for providing professional engineering services related to performing a City-wide Master Drainage Plan and preparing schematic-level drainage improvements for the L.E. Ramey Golf Course.

Project Understanding

KH understands the Client desires a City-wide Master Drainage Plan, as well as schematic-level drainage improvements for the L.E. Ramey Golf Course. This proposal includes tasks to include aerial survey, schematic level improvements for up to nine (9) locations within the City of Kingsville (City) limits identified by the City, and other items discussed with the City. The scope of services has been split into phases to account for the funding available to the City. KH understands individual phases of the contract may be authorized individually.

Scope of Services

Consultant will provide the services specifically set forth below, separated by phase.

Phase I Tasks

Task 1 – L.E. Ramey Golf Course: Aerial Topography **\$9,000**

United Geo Technologies, LLC (UGT) will fly and produce color aerial photography covering the attached area shown on **Exhibit "A"**. UGT will use the field control data prepared by KH in **Task 2** for this task.

Upon completion of the aerial photography and receipt of the field control, UGT will perform aerotriangulation of the project.

UGT will compile features visible from the aerial imagery as well as topographic data for 1"=50' scale mapping of the boundary shown in **Exhibit "A"**. DTM points and breaklines will be collected to develop

the one-foot contours interval (6" accuracy). The deliverable for this task is one (1) electronic AutoCAD map to be used to perform other tasks in this Agreement. Paper deliverables are not included.

Task 2 – L.E. Ramey Golf Course: Ground Control **\$4,500**

KH will perform the placement and measurement of horizontal and vertical control required for **Task 1**. This will include the setting of eight (8) 6" x 84" aerial panels and the collection of the horizontal (X and Y) coordinates and vertical (Z) values for each of the eight (8) points. These point values will be included in one (1) electronic AutoCAD map to be used by UGT to perform **Task 1** in this Agreement. The approximate locations of the eight (8) point locations are shown on **Exhibit "A"**.

Task 3 – L.E. Ramey Golf Course: Existing Condition Analysis **\$11,250**

The City has stated existing storm sewer pipes located near the southeastern portion of the L.E. Ramey Golf Course property (System A) adequately convey runoff from the golf course south to Santa Gertrudis Creek. Locations of the existing onsite inlets and storm sewer infrastructure associated with System A are unknown at this time.

1. Using the aerial topographic information prepared in **Task 1**, KH will prepare one (1) 24" x 36" drainage area map for the watershed draining to the L.E. Ramey Golf Course by delineating up to ten (10) subbasins in the watershed.
2. KH will prepare 10-year and 100-year fully developed hydrologic parameters using the Unit Hydrograph Method. Hydrologic parameters for each subbasin will include:
 - a. Subbasin acreages;
 - b. Curve Numbers;
 - c. Times of concentration.
3. KH will prepare hydrologic modeling links between the upstream offsite subbasins based on the information provided by the City in **Task 7**.
4. KH will prepare a two-dimensional XPSWMM model of the L.E. Ramey Golf Course, which will assume fully developed offsite conditions. The model will use the topographic and record drawing information obtained from the City in **Task 7** and information collected by KH during **Task 1**. The downstream extent of the model will be the eastern boundary shown on **Exhibit "A"**. An analysis of the existing storm sewer pipes within System A is not included as part of this scope.
5. KH will provide one (1) digital (pdf) copy of drainage area map, modeling results and a copy of the model to the City via email and discuss assumptions with the City via conference call. One (1) hard copy of the drainage area map will also be submitted to the City.

Task 4 – L.E. Ramey Golf Course: Conceptual Drainage Improvements **\$7,000**

1. KH will recommend up to three (3) conceptual improvements to reduce golf course flooding. The improvements will be based on the results of the modeling prepared in **Task 3**. The improvements will not be modeled using XPSWMM or any other hydraulic modeling software.
2. KH will prepare one (1) 11" x 17" exhibit to illustrate the conceptual proposed improvements.

3. KH will prepare Opinion of Probable Construction Costs (OPCCs) for the improvements identified in this task. KH has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs are based on the information known to KH at the time and represent only KH's judgment as a design professional familiar with the construction industry. KH cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from the OPCC.
4. KH will submit one (1) hard copy and one (1) digital (pdf) copy of the 11" x 17" exhibit and OPCC document to the City.

Task 5 – L.E. Ramey Golf Course: Planting Recommendations **\$1,300**

KH will provide planting recommendations for planting updates around the pond edges in report format. Each sheet will contain a separate entry for each plant recommended, with information including species botanical and common names, wetland indication, general size, form, and other botanically appropriate information, and full color plant photographs.

Deliverables for this task include one (1) full-color, bound hard copy and one (1) digital (pdf) copy of the plant manual.

Task 6 – Phase I Meetings and Site Visit **\$3,400**

This task includes the following meetings:

1. May 8, 2017 Commission Meeting at City Hall.
2. May 9, 2017 Kickoff Meeting at City Hall.

This task includes up to four and a half (4.5) hours of site visits of the L.E. Ramey Golf Course to occur the same day as the May 9, 2017 Kickoff meeting.

Phase II Tasks

Task 7 – City-wide Master Drainage Plan: Site Visits and Existing Condition Observation **\$9,500**

1. KH anticipates the City will provide the following information. Additional items may be requested.
 - a. Previous channel studies and documentation;
 - b. City's drainage design ordinance;
 - c. City's GIS layer of parcels and existing storm sewer infrastructure (obtained April 6, 2017);
 - d. City's GIS layers of all other utilities and infrastructure;
 - e. Hydrologic and hydraulic models;
 - f. Available survey data, including topographic information for the City;
 - g. Available aerial data, including high resolution aerial information for the City;
 - h. Existing and ultimate land use mapping in digital format for the City;
 - i. Current thoroughfare plan for City;
 - j. Available documentation of flooding history in the watershed; and
 - k. Record plans for existing development and storm sewer infrastructure in the City.

2. KH will review information provided by the City.
3. KH will perform up to seven (7) hours of site visits to the nine (9) areas of interest.
4. KH will prepare one (1) 24" x 36" exhibit showing the base topographic information to be used for the project and will submit one (1) hard copy to the City along with the digital topographic files.

Task 8 – City-wide Master Drainage Plan: Conceptual Drainage Improvements **\$60,500**

KH understands the Client desires preparation of schematic-level drainage improvements for up to nine (9) locations within the City limits that have experienced inadequate drainage performance in recent years.

KH will analyze the flows and capacity of the existing drainage infrastructure in the 10-year fully developed event at the locations by performing the following services:

1. KH will prepare hydrologic calculations using the Rational Method to determine peak flows at each area of interest.
2. KH will prepare existing and proposed hydraulic computations using the Manning's equation to determine conceptual improvements.
3. KH will prepare up to nine (9) 11" x 17" exhibits to illustrate the analyzed locations and conceptual improvements.
4. KH will prepare Opinion of Probable Construction Costs (OPCCs) for each location. KH has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs are based on the information known to KH at the time and represent only KH's judgment as a design professional familiar with the construction industry. KH cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from the OPCC.
5. KH will develop a scoring criteria to prioritize the improvements.
6. KH will submit one (1) hard copy and one (1) digital (pdf) copy of the 11" x 17" exhibits and OPCC documents to the City.
7. KH will respond to one (1) round of comments from the City Public Works Department.

KH will make assumptions on the elevations of the existing infrastructure during the analysis performed under this task based on information provided by the City.

The downstream limit of analysis will vary for each improvement's location. The maximum extent of analysis is one thousand (1,000) linear feet (LF) downstream of the location identified by the City. KH assumes a maximum of eight (8) inlets and two thousand (2,000) LF of drainage path will be analyzed at each location.

Task 9 – Planting Standards and Maintenance Recommendations **\$13,300**

KH will develop planting standards for typical drainage best management practices (BMPs) by selecting plant species appropriate to the macroclimate and microclimate of the Kingsville area. Conceptual sections will also be provided to illustrate general construction concepts for hardscape, grading, planting

and soil needs for each BMP type. Planting standards and conceptual sections will be provided for the following BMP types:

1. Open Swales
2. Bioswales
3. Rain gardens
4. Constructed wetlands
5. Increased urban tree canopy
6. Native plantings

Plant maintenance recommendations will be provided in report format to care for the plant material in each BMP type.

The deliverable to the City for this task will be the following:

- One (1) bound hard copy and one (1) digital (pdf) copy of the Plant standards manual (one (1) plant list for each BMP type listed above with conceptual sections and up to two (2) sections for each BMP type listed above);
- Plant maintenance recommendations in digital (pdf) format as needed for each BMP type listed above.

Task 10 – Phase II Meetings and City Commission Presentation

\$13,000

This task includes the following meetings:

1. One (1) Public Involvement and Commission Meeting at City Hall.
2. One (1) City Workshop meeting at City Hall.
3. One (1) wrap up meeting at City Hall at the completion of the project.

This task includes the following:

1. Preparation and delivery of presentation to the City for the one (1) Public Involvement and Commission Meeting.
2. Preparation and delivery of presentation to the City for the one (1) City Workshop meeting.

Phase III Tasks

Task 11 – City-wide Master Drainage Plan: Overall Hydrologic Model

\$70,000

KH will prepare one (1) hydrologic model of areas within the City boundary by performing the following services:

1. Using the base map and City-provided information from **Task 7**, prepare a drainage area map for the City limits. KH anticipates a maximum of two hundred (200) subbasins. The downstream extent of the analysis will be the location where runoff from the watershed either:
 - a. Exits the City limits; or
 - b. Enters Tranquitas Creek, Santa Gertrudis Creek, or Escondido Creek.The drainage area mapping and modeling will not include the entire watersheds of the above referenced creeks. Modeling of areas outside of the City limits is not included in this analysis.
2. Establish fully developed hydrologic conditions for each subbasin in the watershed, including:

- a. Subbasin acreages;
- b. Curve Numbers;
- c. Times of concentration.

Curve Numbers and time of concentration values will be estimated using the Technical Release 55 (TR-55) Manual by the Natural Resources Conservation Service (NRCS) dated 1986.

3. Establish routing through basins. Routing will be determined using the Muskingum-Cunge methodology.
4. Prepare HEC-HMS modeling of the watershed to calculate flows in the 2-, 10-, 25-, 50-, and 100-year events in fully developed conditions. Modeling will be based on the SCS Unit Hydrograph Method.
5. Prepare one (1) drainage area map along with hydrologic calculations and modeling output for submittal to the City.

Task 12 – FEMA Effective Modeling Review

\$3,000

1. KH will obtain and perform a cursory review of FEMA effective hydrologic and hydraulic modeling for Tranquitas Creek, Santa Gertrudis Creek, and Escondido Creek.
2. KH will prepare a summary of KH's findings and submit the findings electronically to the City via email.

Task 13 – City's Drainage Design Ordinance Review

\$4,000

1. KH will perform a cursory review of the drainage design ordinance provided by the City as part of Task 7.
2. KH will provide one (1) electronic (pdf) annotated copy of the ordinance to the City incorporating the review comments and submit to the City via email.

Task 14 – Funding Mechanism Review

\$5,500

KH will perform a cursory review of the City's Stormwater utility ordinance and other funding opportunities to fund future drainage Capital Improvement Projects.

KH will provide a summary of KH's findings following the review and will submit the findings electronically to the City via email. The deliverable will not include applications for funding or modifications to the stormwater fee ordinance.

Additional Services

Any services not specifically provided for in the above scope will be billed as additional services and performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Survey not specifically identified in the scope;
- Additional meetings other than those identified above;
- Preparation of construction documents;
- Preparation of permitting documents;
- Design of recommended improvements;
- Preparing applications and supporting documents for government grants, loans, or planning

- advances, and providing data for detailed applications;
- Updates to the drainage utility fee;
- Any other item not specifically noted in the Scope of Services.

Information Provided By Client

We shall be entitled to rely on the completeness and accuracy of all information provided by the Client or the Client's consultants or representatives.

Schedule

We will provide our services as expeditiously as practicable with the goal of meeting the following schedule, assuming KH will receive authorization on Phase I and II Tasks no later than May 8, 2017. KH understands Client authorization for Phase III Tasks may not occur until a later date; therefore, the schedule for these tasks are not included below.

Task	Title of Task	Date Complete
Phase I Tasks		
Task 1	L.E. Ramey Golf Course: Aerial Topography	June 13, 2017
Task 2	L.E. Ramey Golf Course: Ground Control	May 16, 2017
Task 3	L.E. Ramey Golf Course: Existing Condition Analysis	June 22, 2017
Task 4	L.E. Ramey Golf Course: Conceptual Drainage Improvements	July 14, 2017
Task 5	L.E. Ramey Golf Course: Planting Recommendations	July 14, 2017
Phase II Tasks		
Task 7	City-Wide Master Drainage Plan: Site Visits and Existing Condition Observation	August 14, 2017
Task 8	City-Wide Master Drainage Plan: Conceptual Drainage Improvements	October 20, 2017
Task 9	Planting Standards and Maintenance Recommendations	October 20, 2017

Certain circumstances such as inclement weather, response times and participation by other project members not under KH's direct control, and other things may impede KH's ability to deliver work products at the dates identified above. KH shall receive no penalties for delays from the above schedule.

Fee and Expenses

KH will perform the Phase I and II services (Tasks 1 – 10) for the total lump sum labor fee below. Individual task amounts are informational purposes only. In addition to the lump sum labor fee, direct reimbursable expenses such as express delivery services, fees, air travel, and other direct expenses will be billed at 1.0 times cost. Estimated travel expenses for each phase are below. This estimate is for budgeting purposes only; actual travel expenses will be determined when the expenses are incurred. All permitting, application, and similar project fees will be paid directly by the Client. No submittals to regulatory agencies other than the City are assumed for this project.

KH understands Client authorization for Phase III Tasks may not occur until a later date.

Phase I Tasks

Task 1	L.E. Ramey Golf Course: Aerial Topography	\$9,000
Task 2	L.E. Ramey Golf Course: Ground Control	\$4,500
Task 3	L.E. Ramey Golf Course: Existing Condition Analysis	\$11,250
Task 4	L.E. Ramey Golf Course: Conceptual Drainage Improvements	\$7,000
Task 5	L.E. Ramey Golf Course: Planting Recommendations	\$1,300
Task 6	Phase I Meetings and Site Visit	\$3,400
Estimated Phase I Expenses		\$1,400
Estimated Phase I Total Project Fee		\$37,850

Phase II Tasks

Task 7	City-Wide Master Drainage Plan: Site Visits and Existing Condition Observation	\$9,500
Task 8	City-Wide Master Drainage Plan: Conceptual Drainage Improvements	\$60,500
Task 9	Planting Standards and Maintenance Recommendations	\$13,300
Task 10	Phase II Meetings and City Commission Presentation	\$13,000
Estimated Phase II Expenses		\$5,000
Estimated Phase II Total Project Fee		\$101,300

Phase III Tasks

Task 11	City-Wide Master Drainage Plan: Overall Hydrologic Model	\$70,000
Task 12	FEMA Effective Modeling Review	\$3,000
Task 13	City's Drainage Ordinance Review	\$4,000
Task 14	Funding Mechanism Review	\$5,500
Estimated Phase III Total Project Fee		\$82,500

Total Lump Sum Labor Fee	\$215,250
Estimated Expenses	\$6,400
Estimated Grand Total Project Fee	\$221,650

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Reimbursable expenses will be invoiced based upon expenses incurred. Payment will be due within 30 days of your receipt of the invoice and should include the invoice number and Kimley-Horn and Associates, Inc. project number. If additional services are requested, KH will perform that work on an hourly basis using the attached rate schedule in addition to the fees included in Tasks 1-14.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the attached Standard Provisions, which are incorporated by reference. As used in the Standard Provisions, "Consultant" shall refer to Kimley-Horn and Associates, Inc., and "Client" shall refer to City of Kingsville.

KH, in an effort to expedite invoices and reduce paper waste, submits invoices via email in an Adobe PDF format. We can also provide a paper copy via regular mail if requested. Please provide the following information:

Please email all invoices to _____

Please copy _____

If you concur in all the foregoing and wish to direct us to proceed with the services, please have authorized persons execute both copies of this Agreement in the spaces provided below, retain one copy, and return the other to us. We will commence services only after we have received a fully-executed agreement. Fees and times stated in this Agreement are valid for sixty (60) days after the date of this letter.

Remainder of this page intentionally blank.

We appreciate the opportunity to provide these services to you. Please contact me if you have any questions.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



Kate Ploetzner, P.E., CFM
Project Manager



Steven Galloway, P.E., CFM
Vice President

Attachments – Standard Rate Schedule
Exhibit "A"
Standard Provisions

Agreed to by:
CITY OF KINGSVILLE

A Municipality

(Date)

(Print or Type Name and Title)

(Email Address)

_____, Witness

(Print or Type Name)

Official Seal:

EXHIBIT "A"



(NOT TO SCALE)

KIMLEY-HORN AND ASSOCIATES, INC.

STANDARD PROVISIONS

(1) **Consultant's Scope of Services and Additional Services.** The Consultant's undertaking to perform professional services extends only to the services specifically described in this Agreement. However, if requested by the Client and agreed to by the Consultant, the Consultant will perform Additional Services, which shall be governed by these provisions. Unless otherwise agreed to in writing, the Client shall pay the Consultant for any Additional Services an amount based upon the Consultant's then-current hourly rates plus an amount to cover certain direct expenses including telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Other direct expenses will be billed at 1.0 times cost.

(2) **Client's Responsibilities.** In addition to other responsibilities described herein or imposed by law, the Client shall:

- (a) Designate in writing a person to act as its representative with respect to this Agreement, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.
- (b) Provide all information and criteria as to the Client's requirements, objectives, and expectations for the project including all numerical criteria that are to be met and all standards of development, design, or construction.
- (c) Provide to the Consultant all previous studies, plans, or other documents pertaining to the project and all new data reasonably necessary in the Consultant's opinion, such as site survey and engineering data, environmental impact assessments or statements, upon all of which the Consultant may rely.
- (d) Arrange for access to the site and other private or public property as required for the Consultant to provide its services.
- (e) Review all documents or oral reports presented by the Consultant and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of the Consultant.
- (f) Furnish approvals and permits from governmental authorities having jurisdiction over the project and approvals and consents from other parties as may be necessary for completion of the Consultant's services.
- (g) Cause to be provided such independent accounting, legal, insurance, cost estimating and overall feasibility services as the Client may require.
- (h) Give prompt written notice to the Consultant whenever the Client becomes aware of any development that affects the scope, timing, or payment of the Consultant's services or any defect or noncompliance in any aspect of the project.
- (i) Bear all costs incidental to the responsibilities of the Client.

(3) **Period of Services.** Unless otherwise stated herein, the Consultant will begin work timely after receipt of a properly executed copy of this Agreement and any required retainer amount. This Agreement is made in anticipation of conditions permitting continuous and orderly progress through completion of the services. Times for performance shall be extended as necessary for delays or suspensions due to circumstances that the Consultant does not control. If such delay or suspension extends for more than six months (cumulatively), Consultant's compensation shall be renegotiated.

(4) **Method of Payment.** Compensation shall be paid to the Consultant in accordance with the following provisions:

- (a) Invoices will be submitted periodically for services performed and expenses incurred. Payment of each invoice will be due within 30 days of receipt. The Client shall also pay any applicable sales tax. All retainers will be held by the Consultant for the duration of the project and applied against the final invoice. Interest will be added to accounts not paid within 30 days at the rate of 12% per annum beginning on the 31st day. If the Client fails to make any payment due to the Consultant under this or any other agreement within 35 days after the Consultant's transmittal of its invoice, the Consultant may, after giving notice to the Client, suspend services and withhold deliverables until all amounts due are paid in full and may commence proceedings, including filing liens, to secure its right to payment under this Agreement.
- (b) If the Client relies on payment or proceeds from a third party to pay Consultant and Client does not pay Consultant's invoice within 60 days of receipt, Consultant may communicate directly with such third party to secure payment.
- (c) If the Client objects to an invoice, it must advise the Consultant in writing giving its reasons within 14 days of receipt of the invoice or the Client's objections will be waived, and the invoice shall conclusively be deemed due and owing. If the Client objects to only a portion of the invoice, payment for all other portions remains due within 30 days of receipt.
- (d) If the Consultant initiates legal proceedings to collect payment, it may recover, in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at the Consultant's normal hourly billing rates, of the time devoted to such proceedings by its employees.

(e) The Client agrees that the payment to the Consultant is not subject to any contingency or condition. The Consultant may negotiate payment of any check tendered by the Client, even if the words "in full satisfaction" or words intended to have similar effect appear on the check without such negotiation being an accord and satisfaction of any disputed debt and without prejudicing any right of the Consultant to collect additional amounts from the Client.

(5) **Use of Documents.** All documents, including but not limited to drawings, specifications, reports, and data or programs stored electronically, prepared by the Consultant are related exclusively to the services described in this Agreement, and may be used only if the Client has satisfied all of its obligations under this Agreement. They are not intended or represented to be suitable for use, partial use or reuse by the Client or others on extensions of this project or on any other project. Any modifications made by the Client to any of the Consultant's documents, or any use, partial use or reuse of the documents without written authorization or adaptation by the Consultant will be at the Client's sole risk and without liability to the Consultant, and the Client shall indemnify, defend and hold the Consultant harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. The Consultant's electronic files and source code developed in the development of application code remain the property of the Consultant and shall be provided to the Client only if expressly provided for in this Agreement. Any electronic files not containing an electronic seal are provided only for the convenience of the Client, and use of them is at the Client's sole risk. In the case of any defects in the electronic files or any discrepancies between them and the hardcopy of the documents prepared by the Consultant, the hardcopy shall govern. Because data stored in electronic media format can deteriorate or be modified without the Consultant's authorization, the Client has 60 days to perform acceptance tests, after which it shall be deemed to have accepted the data.

(6) **Opinions of Cost.** Because the Consultant does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to opinions as to the costs of construction and materials, shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, familiar with the industry. The Consultant cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Consultant's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.

(7) **Termination.** The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party, or upon thirty days' written notice for the convenience of the terminating party. If any change occurs in the ownership of the Client, the Consultant shall have the right to immediately terminate this Agreement. In the event of any termination, the Consultant shall be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by the Consultant as a result of such termination. If the Consultant's compensation is a fixed fee, the amount payable for services will be a proportional amount of the total fee based on the ratio of the amount of the services performed, as reasonably determined by the Consultant, to the total amount of services which were to have been performed.

(8) **Insurance.** The Consultant carries Workers' Compensation insurance, professional liability insurance, and general liability insurance. If the Client directs the Consultant to obtain increased insurance coverage, the Consultant will take out such additional insurance, if obtainable, at the Client's expense.

(9) **Standard of Care.** The standard of care applicable to Consultant's services will be the degree of care and skill ordinarily exercised by consultants performing the same or similar services in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by the Consultant's undertaking herein or its performance of services, and it is agreed that the Consultant is not a fiduciary with respect to the Client.

(10) **LIMITATION OF LIABILITY.** In recognition of the relative risks and benefits of the Project to the Client and the Consultant, the risks have been allocated such that the Client agrees, to the fullest extent of the law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, that the total liability, in the aggregate, of the Consultant and the Consultant's officers, directors, employees, agents, and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs or damages whatsoever arising out of, resulting from or in any way related to the services under this Agreement from any cause or causes, including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of the Consultant or the Consultant's officers, directors, employees, agents, and subconsultants, shall not exceed twice the total compensation received by the Consultant under this Agreement or \$50,000, whichever is greater. Higher limits of liability may be negotiated for additional fee. Under no circumstances shall the Consultant be liable for extra costs or other consequences due to changed conditions, or for costs related to the failure of contractors to perform work in accordance with the plans and specifications. This Section 10 is intended solely to limit the remedies available to the Client or those claiming by or through the Client, and nothing in this Section 10 shall require the Client to indemnify the Consultant.

(11) **Mutual Waiver of Consequential Damages.** In no event shall either party be liable to the other for any consequential, incidental, punitive, or indirect damages including but not limited to loss of income or loss of profits.

(12) **Certifications.** The Consultant shall not be required to execute certifications or third-party reliance letters that are inaccurate, that relate to facts of which the Consultant does not have actual knowledge, or that would cause the Consultant to violate applicable rules of professional responsibility.

(13) **Dispute Resolution.** All claims by the Client arising out of this Agreement or its breach shall be submitted first to mediation in accordance with the Construction Industry Mediation Procedures of the American Arbitration Association as a condition precedent to litigation. Any mediation or civil action by Client must be commenced within one year of the accrual of the cause of action asserted but in no event later than allowed by applicable statutes.

(14) **Hazardous Substances and Conditions.** In no event shall Consultant be a custodian, transporter, handler, arranger, contractor, or remediator with respect to hazardous substances and conditions. Consultant's services will be limited to professional analysis, recommendations, and reporting, including, when agreed to, plans and specifications for isolation, removal, or remediation. The Consultant shall notify the Client of hazardous substances or conditions not contemplated in the scope of services of which the Consultant actually becomes aware. Upon such notice by the Consultant, the Consultant may stop affected portions of its services until the hazardous substance or condition is eliminated.

(15) **Construction Phase Services.**

(a) If the Consultant's services include the preparation of documents to be used for construction and the Consultant is not retained to make periodic site visits, the Client assumes all responsibility for interpretation of the documents and for construction observation, and the Client waives any claims against the Consultant in any way connected thereto.

(b) If the Consultant provides construction phase services, the Consultant shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, sequence, schedule, safety programs, or safety practices, nor shall Consultant have any authority or responsibility to stop or direct the work of any contractor. The Consultant's visits will be for the purpose of endeavoring to provide the Client a greater degree of confidence that the completed work of its contractors will generally conform to the construction documents prepared by the Consultant. Consultant neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.

(c) The Consultant is not responsible for any duties assigned to the design professional in the construction contract that are not expressly provided for in this Agreement. The Client agrees that each contract with any contractor shall state that the contractor shall be solely responsible for job site safety and for its means and methods; that the contractor shall indemnify the Client and the Consultant for all claims and liability arising out of job site accidents; and that the Client and the Consultant shall be made additional insureds under the contractor's general liability insurance policy.

(16) **No Third-Party Beneficiaries; Assignment and Subcontracting.** This Agreement gives no rights or benefits to anyone other than the Client and the Consultant, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole benefit of the Client and the Consultant. The Client shall not assign or transfer any rights under or interest in this Agreement, or any claim arising out of the performance of services by Consultant, without the written consent of the Consultant. The Consultant reserves the right to augment its staff with subconsultants as it deems appropriate due to project logistics, schedules, or market conditions. If the Consultant exercises this right, the Consultant will maintain the agreed-upon billing rates for services identified in the contract, regardless of whether the services are provided by in-house employees, contract employees, or independent subconsultants.

(17) **Confidentiality.** The Client consents to the use and dissemination by the Consultant of photographs of the project and to the use by the Consultant of facts, data and information obtained by the Consultant in the performance of its services. If, however, any facts, data or information are specifically identified in writing by the Client as confidential, the Consultant shall use reasonable care to maintain the confidentiality of that material.

(18) **Miscellaneous Provisions.** This Agreement is to be governed by the law of the State of Texas. This Agreement contains the entire and fully integrated agreement between the parties and supersedes all prior and contemporaneous negotiations, representations, agreements or understandings, whether written or oral. Except as provided in Section 1, this Agreement can be supplemented or amended only by a written document executed by both parties. Provided, however, that any conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by the Consultant. Any provision in this Agreement that is unenforceable shall be ineffective to the extent of such unenforceability without invalidating the remaining provisions. The non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

AGENDA ITEM #8

**City of Kingsville
Engineering/Public Works**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Sharam Santillan, Capital Improvements Manager
DATE: May 8, 2017
SUBJECT: RFP 17-13 Asbestos Abatement and Demolition of Old High School Gym

Summary:

This item authorizes the award of contract for RFP 17-13 Asbestos Abatement and Demolition of Old High School Gym

Background:

We advertised for bids on April 5, 2017 and April 12, 2017. A non-mandatory pre-bid was held April 12, 2017 with fifteen (15) potential bidders attending. Four (4) responsive bids were received by the deadline of Wednesday, April 19, 2017 at 1:30 p.m.

Company	Evaluation Score	Bid Amount
Tasman Geosciences		\$134,000.00
J.R. Ramon & Sons, Inc.		\$87,277.00
JPD		\$77,750.00
Coastal Bend Demolition, Inc.		\$50,000.00

Financial Impact:

Funding sufficient to cover the recommended bid is available through account 033-5-1030-71317-City Hall Complex-Gym Demolition with the approval of the budget amendment accepting the donation from the Old HM King High School Foundation of \$25,000, the line item balance is \$58,488.



**City of Kingsville
Engineering/Public Works**

Recommendation:

It is recommended the City contracts with the low bidder Coastal Bend Demolition, Inc., 606 Tulip Street, Corpus Christi, TX 78408 for RFP 17-13 Asbestos Abatement and Demolition of Old High School Gym in the amount of \$50,000.00.



AGENDA ITEM #9

City of Kingsville
Golf Course at L.E. Ramey Park

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Jason Alfaro, Parks & Recreation Director
DATE: May 2, 2017
SUBJECT: Golf Course Irrigation Parts – Rainbird Irrigation

Summary:

This item will authorize the purchase of materials for a patented two wire irrigation system built by Rainbird Irrigation. Rainbird is the sole manufacturer for these type of irrigation components and are currently on Buy Board.

Back Ground:

Our current irrigation system is not watering the course sufficiently creating dry patches around the greens and fairways. In the past, sections of the irrigation line and irrigation heads were replaced by quick couplers making the staff water those areas with impact sprayers. The Rainbird irrigation system that we are requesting to install is equipment that Rainbird has patented. This system will line us up with other golf course irrigation systems, and will allow us to control the watering schedule via computer or hand held devices. The Rainbird system will alert staff when there are leaks or when an irrigation head is inoperable. Moving to this new technology will allow us to water more efficiently and will enable us to create a proper turf management schedule. As Rainbird is a BuyBoard vendor, state purchasing laws are satisfied through use of that purchasing cooperative.

Financial Impact:

The irrigation parts will cost \$150,000. This money has been allocated through our certificate of obligation funds (CO2016).

Recommendation:

It is recommended that the City purchase the Rainbird Irrigation parts through BuyBoard. Purchasing these components through Rainbird will provide uniform watering throughout the entire golf course.



04/14/17

Richard Flores
L.E. Ramey Golf Course
2522 E. Escondido Road
Kingsville, TX 78363

RE: L E Ramey Golf Course Irrigation Material

Please note the following clarifications to questions about purchase of materials for the irrigation renovation at L E Ramey Golf Course.

- 1) Warranty** – All manufacturer’s warranties are in full effect.
 - a. 5 Year Warranty on IC Rotors When Installed w/Rain Bird Swing Joints.
(See Attached Warranty Declarations Page)
 - b. 1 Year Warranty on Central Control w/ ICI Interface. Extended warranty/ Support Plan (GSP) can be purchased in 1, 3, or 5 year increments.
- 2) Takeoff Not Guaranteed, Non-Cancellable, Non-Returnable, Terms**
 - a. Quantities quoted were based on survey data provided by L E Ramey and a measurement from satellite imagery. While we believe the material takeoff to be accurate, based on the scale of the project and no knowledge of modifications made underground by the previous management company, we cannot guarantee the material takeoff. Some additional items may be needed to complete the project.
 - b. Rain Bird Golf items are custom built with specific pressure, nozzle, and control mechanisms for each project and cannot be cancelled or returned once we place the order.
 - c. Items such as, full spools of wire or miscellaneous items that are unused and unopened may be returned for credit.
 - d. Our payment terms are **NET 30 Days** by check or wire transfer. No Credit Card Payments on Golf Orders.

3) What are you purchasing for \$137,197.92?

- a. We provided a detailed material takeoff for the necessary items needed to install a Rain Bird IC System at L E Ramey. Material list to include a total of (150) Part Circle IC Rotors w/Swing Joint for Greens, (277) Full Circle IC Rotors w/Swing Joint for Tees and Fairways, Central Control Computer w/ICI Interface, Grounding and Surge Protection, 42,500' of IC Cable, and Miscellaneous Wire Splices and Splice Boxes.
(See Attached IC Brochure)

4) Pricing

- a. Keeling is the only authorized distributor for the patented Rain Bird IC System in South Texas. The Rain Bird Integrated Control System (IC) offers unique advantages that do not exist in decoder systems that others manufacture. (i.e., Internal Voltage Test, 64K On Board Memory, 750 Units per Wire Path, System Status Poll, etc.)
(See Attached Sole Source Letter)
- b. The Rain Bird IC System uses up to 90% less buried wire than conventional control systems which makes it cheaper to install due to reduction in buried Copper and reduced labor costs.
- c. Keeling Company provided pricing in September of 2016 for this project. Rain Bird had a price increase in February of 2017. The latest quote that we provided had the same total cost that was provided in September of 2016 despite the price increase from the manufacturer.

If you have any further questions or need additional clarifications please don't hesitate to contact Tim Telles at 210-284-9059 or myself at 662-891-7399.

Sincerely,

Clay Witcher

Clay Witcher
Golf Sales Manager





Rain Bird will repair or replace at no charge any Rain Bird professional product that fails in normal use within the warranty period stated below. You must return it to the dealer or distributor where you bought it. Product failures due to acts of God including without limitation, lightning and flooding, are not covered by this warranty. This commitment to repair or replace is our sole and total warranty.

Implied Warranties of Merchantability and Fitness, if Applicable, are Limited to One Year from the Date of Sale. We will not, under any circumstances be liable for incidental or consequential damages, no matter how they occur.

I. Landscape Irrigation Products

1800° Series Pop-Up Spray Heads, U-Series Nozzles, Brass MPR Nozzles, A-8S and PA-8S-PRS Shrub Adapters, and 1300 and 1400 Bubblers, 5000 Series Rotors, 5500 Series Rotors, 7005/8005 Rotors, Falcon® 6504 Series Rotors, PEB and PESB Plastic Valves – **5 Years**

All other Landscape Irrigation products – **3 years**

II. Golf Products

Golf Rotors: EAGLE™ Series and EAGLE IC™ Series, Rain Bird® Series and Rain Bird IC™ Golf rotors – **3 years**. Additionally, EAGLE Series and EAGLE IC Series, Rain Bird Series and Rain Bird IC Golf Rotor sold and installed in conjunction with a Rain Bird swing joint – **5 years**. Proof of concurrent installation is required.

Swing Joints – **5 years**

Brass Remote Control Valves and Brass Quick Coupling and Keys – **3 years**

Filtration system controllers – **3 years**

LINK™ Radios – **3 years**

TSM-3 SDI12 Soil Sensor (ISS) – **3 years**

All other golf products – **1 year**

III. Agricultural Products

LF Series Sprinklers – **5 years**

Other Impact Sprinklers – **2 years**

All other AG products – **1 year**

IV. Pump Stations

Rain Bird guarantees that its pump station will be free of manufacturer defects for three years from the date of start-up but not beyond forty months from the date of purchase by the original customer with a copy of the seller's invoice required for coverage under this Policy. Start-up or service by anyone other than a Rain Bird authorized representative, when required, will void these terms and conditions.

Provided that all installation, start-up, operation responsibilities, and recommended maintenance procedures have been properly executed and performed by authorized Rain Bird representatives, when required, Rain Bird will replace or repair, at Rain Bird's option, any Rain Bird part found to be defective under normal recommended use during the effective period of this Policy, such evaluation to be solely determined by Rain Bird. Rain Bird's only obligation and customer's exclusive remedy under this Policy is limited to repair or replacement, at Rain Bird's option, of the parts or the products the defects of which are reported to Rain Bird within the applicable Policy period, which prove to be defective and such evaluation will be solely determined by Rain Bird.

In no case will Rain Bird cover labor costs associated with repair or replacement of parts beyond one year from date of start-up. Repairs performed and parts used at Rain Bird's expense must be authorized by Rain Bird, in writing, prior to repairs being performed. Product repairs or replacement under this Policy will not extend this Policy. Coverage for repaired or replaced product shall end when this Policy terminates. Rain Bird's sole obligation and customer's exclusive remedy under this Policy shall be limited to such repair or replacement.

Upon request, Rain Bird may provide advice on trouble-shooting a defect during the effective period of this Customer Satisfaction Policy. Repair service must be performed by a Rain Bird authorized representative regardless of whether the labor is covered by Rain Bird or is at the owner's expense during the effective period of this Policy. However, no service, replacement or repair under this Customer Satisfaction Policy will be rendered while the customer is in default of any payments due to Rain Bird.

Rain Bird will not accept responsibility for costs associated with the removal, replacement or repair of equipment in difficult-to-access locations and such evaluation will be solely determined by Rain Bird. Difficult-to-access locations include (but are not limited to) locations where any of the following are required:

- 1) Cranes larger than 15 tons
- 2) Divers
- 3) Barges
- 4) Helicopters
- 5) Dredging
- 6) Roof removal or other such construction/deconstruction requirements
- 7) Any other unusual means or requirements

Such extraordinary cost associated with difficult-to-access locations shall be the sole responsibility of the customer, regardless of the reason requiring removal, repair or replacement of the equipment.

The terms and conditions of this Customer Satisfaction Policy do not cover damage, loss or injury caused by or resulting from the following:

- 1) Misapplication, abuse, or failure to conduct routine maintenance (to include winterization / winter lay-up procedures).
- 2) Pumping of liquids other than fresh water as defined by the U.S. Environmental Protection Agency, unless the pump station quoted by Rain Bird specifically lists these other liquids and their concentrations.
- 3) Use of pesticides (to include insecticides, fungicides and herbicides), free chlorine or other strong biocides.
- 4) Exposure to electrolysis, erosion, or abrasion.
- 5) Use or presence of destructive gases or chemicals unless these materials and their concentrations are specified in the Rain Bird quotation.
- 6) Electrical supply voltages above or below those specified for correct pump station operation.
- 7) Electrical phase loss or reversal.
- 8) Use of a power source other than that specified in the original quotation.
- 9) Non-WYE configured power supplies such as open delta, phase converters or other forms of unbalanced three phase power supplies.
- 10) Improper electrical grounding or exposure to incoming power lacking circuit breaker or fused protection.
- 11) Using the control panel as a service disconnect.
- 12) Lightning, earthquake, flood, windstorm or other Acts of Nature.
- 13) Failure of pump packing seal (unless the failure occurs on initial start-up).
- 14) Any damage or loss to plants, equipment or groundwater or injury to people caused by the failure of or improper use of an injection system or improper concentration of chemicals or plant nutrients introduced into the pump station by an injection system.
- 15) Any failure of nutrient or chemical storage or spill containment equipment or facilities associated with the pump station location.

The foregoing terms and conditions constitute Rain Bird's entire pump station customer satisfaction policy. This policy is exclusive and in lieu of any other warranties whatsoever, whether express, implied, or statutory including the implied warranties of merchantability and fitness for a particular purpose, which are all hereby expressly disclaimed. The sole remedy under this policy shall be limited to the repair or replacement of the pump station or its components pursuant to the terms and conditions contained herein. In the case of any components or injection systems manufactured by others (as noted on the pump station quotation), there is no warranty provided by Rain Bird and these items are covered solely by and to the extent of the warranty if any, offered by those other manufacturers.

Rain Bird shall not be liable to the customer or any other person or entity for any liability, loss, delay or damage caused or alleged to be caused, directly or indirectly, by any use, defect, failure or malfunction of the pump station or by any injection system whether a claim for such liability, loss, delay or damages is based upon warranty, contract, tort or otherwise. Rain Bird shall not be liable for incidental, consequential, collateral or indirect damages or delay or loss of profit or loss of use or any damages related to the customer's business operations, nor for those caused by acts of nature. In no case and under no circumstances shall Rain Bird's liability exceed the Rain Bird Corporation's net sale price of the pump station.

Laws concerning customer warranties and disclaimers vary from state to state, jurisdiction to jurisdiction, province to province or country to country and therefore some of the foregoing limitations may not apply to you. The exclusions and limitations set out above are not intended to, and should not be construed so as to contravene mandatory provisions of applicable law. If any part or term of this policy is held to be illegal, unenforceable or in conflict with applicable law by a court of competent jurisdiction, the validity of the remaining portions of this policy shall not be affected, and all rights and obligations shall be construed and enforced as if this policy did not contain the particular part or term held to be invalid.

V. All other products – 1 year

Keeling Co - San Antonio

SAN ANTONIO, TX 78220
501-945-4511 Fax 501-945-2766

Quotation

QUOTE DATE	QUOTE NUMBER
09/12/16	S3078110
ORDER TO:	
Keeling Co - San Antonio SAN ANTONIO, TX 78220 501-945-4511 Fax 501-945-2766	
PAGE NO	1

QUOTE TO:
--- L.E. RAMIE GOLF COURSE
2522 E. ESCONDIDIO RD.
KINGSVILLE, TX 78363

SHIP TO:
--- L.E. RAMIE GOLF COURSE
2522 E. ESCONDIDIO RD.
KINGSVILLE, TX 78363

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON	
31707	IC System			
WRITER	SHIP VIA	TERMS	SHIP DATE	FREIGHT ALLOWED
CLAY WITCHER 10	PK PICK-UP	Net Due On Invoice	09/12/16	No
ORDER QTY	PART NO	DESCRIPTION	UNIT PRICE	NET PRICE
1ea	50967	H92001G1 STRATUS LT CENTRAL SOFTWARE AND COMPUTER ASSY 1YR GSP	4419.138	4419.14
1ea	37837	HS6000 ICI750120 ICI INTERFACE	7488.288	7488.29
1ea	7296	Z-2 ZAP TRAP SURGE ARRESTOR	200.000	200.00
1ea	8395	APC 750VA SMART UPS BACKUP	733.000	733.00
46ea	35851	ICSD IC SURGE DEVICE HS1000	54.425	2503.55
150ea	65992	A751IC8048 751IC FC / PC ROTOR ACME W/48 NOZZLE #GRC141848	237.513	35626.95
150ea	20903	RB 11/4" 12" LAY REDUCING INLET SWING JOINT SJ12125R3 JE0000-R3	15.125	2268.75
75ea	13052	305-015 LASCO DOUBLE SERVICE TEE ACME	5.617	421.28
75ea	15192	G330-000 11/2" LASCO SWING JOINT REPLACEMENT NIPPLE MIPT X ACME	5.646	423.45
277ea	35855	A900IC8060 900 IC ROTOR 80PSI J0010060IC	226.125	62636.63
277ea	3499	RB 11/2" 12" LAY NPT X ACME SWING JOINT SJ1215013 JH000013	18.600	5152.20
1ea	2618	11/2 NPT x 11/2 Acme Swing Joint MSP-1 MAXI SURGE PIPE	172.125	172.13
1ea	2614	MGP-1 MAXI GROUNDING PLATE ASSY	102.513	102.51
1100ea	57049	DBRY100 RAIN BIRD DIRECT BURY RED/YELLOW WIRE CONNECTOR 100 PACK	0.894	983.40
47ea	2040	5/8 X 8' GROUND ROD 182000	21.250	998.75
1ea	7371	4" X 96" COPPER GROUND PLATE W/ LEAD 182199IC	136.250	136.25
1ea	18236	CGT1161GPLUS CADWELD ONE SHOT CONNECTOR	12.900	12.90

*** Continued on Next Page ***

Keeling Co - San Antonio

SAN ANTONIO, TX 78220
501-945-4511 Fax 501-945-2766

Quotation

QUOTE DATE	QUOTE NUMBER
09/12/16	S3078110
ORDER TO: Keeling Co - San Antonio SAN ANTONIO, TX 78220 501-945-4511 Fax 501-945-2766	PAGE NO. 2

QUOTE TO:
--- L.E. RAMIE GOLF COURSE
2522 E. ESCONDIDIO RD.
KINGSVILLE, TX 78363

SHIP TO:
--- L.E. RAMIE GOLF COURSE
2522 E. ESCONDIDIO RD.
KINGSVILLE, TX 78363

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON	
31707	IC System			
WRITER	SHIP VIA	TERMS	SHIP DATE	FREIGHT ALLOWED
CLAY WITCHER 10	PK PICK-UP	Net Due On Invoice	09/12/16	No
ORDER QTY	PART NO	DESCRIPTION	Unit Price	Net Price
48ea	2049	5/8 GROUND ROD CLAMP 182005	3.750	180.00
4ea	14769	POWERSET 25# BAG	43.750	175.00
1ea	14275	VBSTD RAIN BIRD 11X16 VALVE BOX & GREEN COVER	26.008	26.01
50ea	15066	VB-7RND 7" RB ROUND VALVE BOX W/GREEN LID	9.960	498.00
50ea	39833	IDSTDYB CHRISTY IDENTIFICATION TAG STANDARD BLANK TAG YELLOW	4.267	213.35
17ea	52124	2500' 14-2 BLUE MAXI COM CABLE	690.625	11740.63
250ft	13035	#6 AWG SOLID BARE COPPER WIRE \$\$\$ FOR ORDER BY 09/23/16 MATERIAL LIST ONLY NOT A GUARANTEED TAKEOFF YOU VERIFY MATERIAL, SPECS, QUANTITIES, BRAND BID BASED ON COMPLETE ORDER ONE RELEASE - ONE DESTINATION NON-CANCELLABLE/NON-RETURNABLE BID BASED ON PAYMENT IN FULL WITHIN OUR TERMS BY CASH, CHECK OR WIRE TRANSFERS. NO CREDIT CARDS.	0.343	85.75

*** This is a quotation ***

Prices are subject to change without notice.
Applicable taxes extra!

Subtotal	137197.92
S&H CHGS	0.00
Amount Due	137197.92

RAIN BIRD[®]

Rain Bird[®] IC System[™]



*Elite courses like Pebble Beach Golf Links
have discovered the power of IC Systems.*



PEBBLE BEACH
RESORTS

Pebble Beach Golf Links[®] Hole 8. Photo by Evan Schiller.

The easiest path to world-class conditions.

Take an easier path.

With an intelligent control module built into every rotor, a Rain Bird® IC System™ gives you an innovative option for field control—one that eliminates the challenges of satellites and decoders and lets you communicate directly with every single rotor on your course. Because achieving elite playing conditions isn't about working harder—it's about working smarter.



Rain Bird® IC Systems™



Pinpoint Control
and Diagnostics



Simplified Design



Streamlined
Installation



Easy Expandability



A Rain Bird IC System combines the rotor and controller into one device, directly linking your rotors to central control with less wire and fewer components.

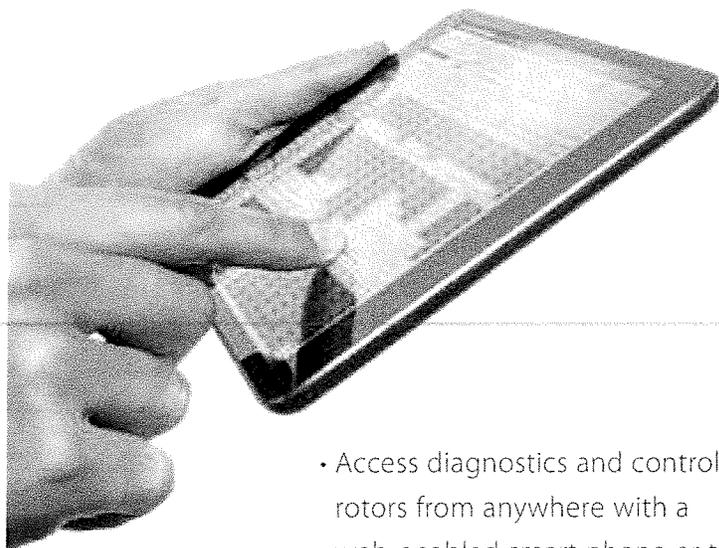
A Revolutionary Approach.

With an innovative design that removes unneeded decoders, satellites and wires from your irrigation system, Rain Bird® IC Systems™ offer big time- and money-saving advantages on the way to world-class results.



PINPOINT CONTROL AND DIAGNOSTICS.

With a control module built into every rotor you can quickly narrow in on problems and make precise adjustments from anywhere.



- Access diagnostics and control rotors from anywhere with a web-enabled smart phone or tablet.
- Check the status of up to 1,500 individual rotors in 90 seconds or less.
- Manage all troubleshooting through diagnostics built into the central control software.

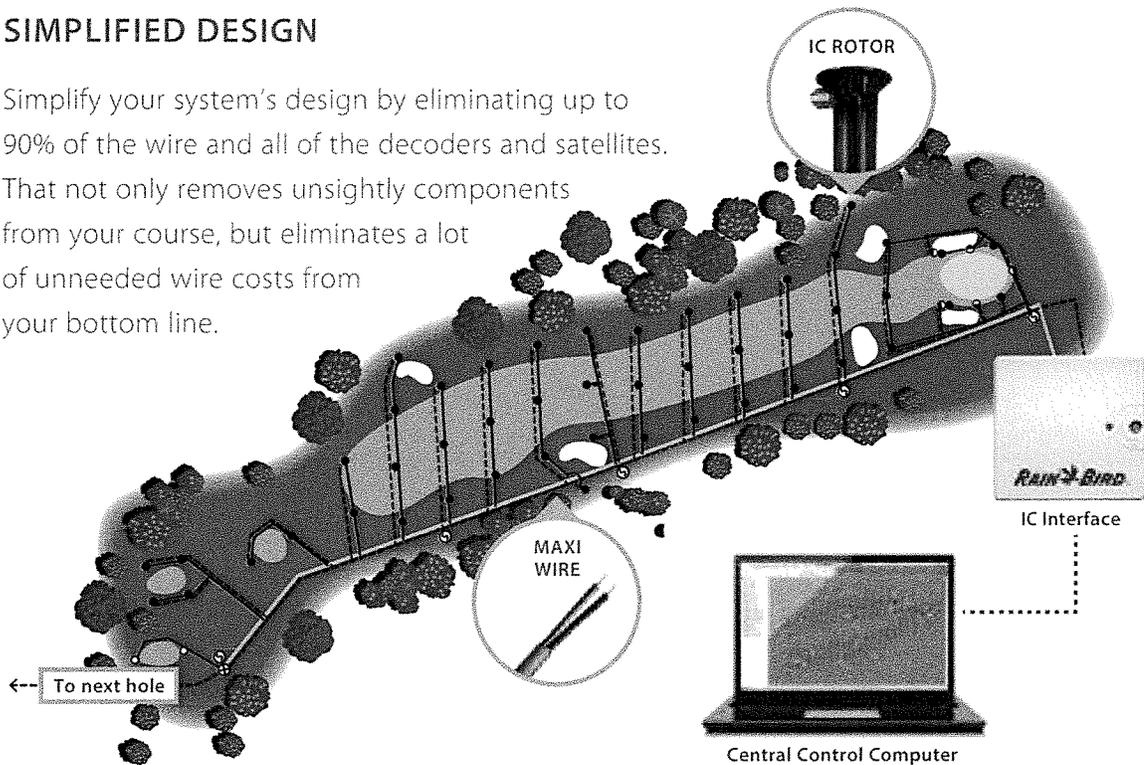


Integrated Control Module



SIMPLIFIED DESIGN

Simplify your system's design by eliminating up to 90% of the wire and all of the decoders and satellites. That not only removes unsightly components from your course, but eliminates a lot of unneeded wire costs from your bottom line.

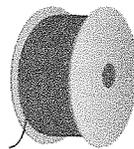


STREAMLINED INSTALLATION

Dramatically cut installation cost and time by eliminating most of the wire and many of the vulnerable splices.



NO Satellites
or Decoders



UP TO
90%
Less Wire



UP TO
50%
Less Splices



EASY EXPANDABILITY

IC Systems are built with your future in mind. If your irrigation system ever needs to be expanded, you can add additional IC rotors anywhere there is a Maxi Wire. IC Systems have a total capacity of 36,000 individual IC modules.

Tested by Golf's Toughest Critics. Proven Around the World.



Pebble Beach Golf Links | Pebble Beach, CA

"We are always adding rotors, so the ability to simply tie into the nearest sprinkler allows us to have maximum flexibility with minimal course and player disruption."

Chris Dalhamer
Director of Golf Course Maintenance, CGCS



Tollygunge Club | Kolkata, India

"The Rain Bird IC System is unlike any other control system in the industry. It gives us ultimate control over our entire course irrigation while helping us save water and costs. Being able to quickly check the status of each station gives us complete peace of mind. The ICS product is a superior control system and the Rain Bird service is second to none."

Gaurav Pundir
Superintendent



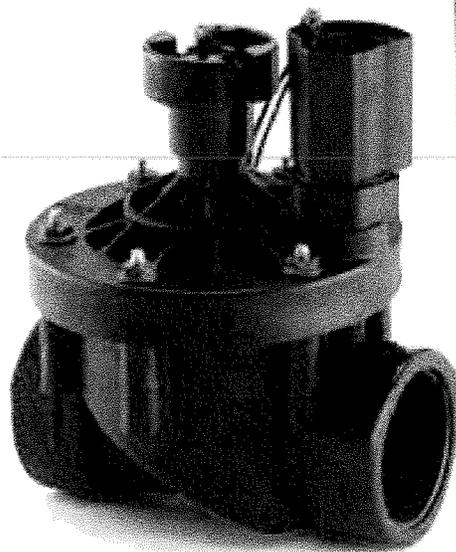
Bonita Bay Club | Bonita Springs, FL

"After a lot of research I chose the Rain Bird IC System because I considered it the most technologically advanced and proven system. And we have been extremely happy with our choice. I tell folks that the system is 'simple yet sophisticated' – the components of the system are few and simple, yet its capabilities are very sophisticated."

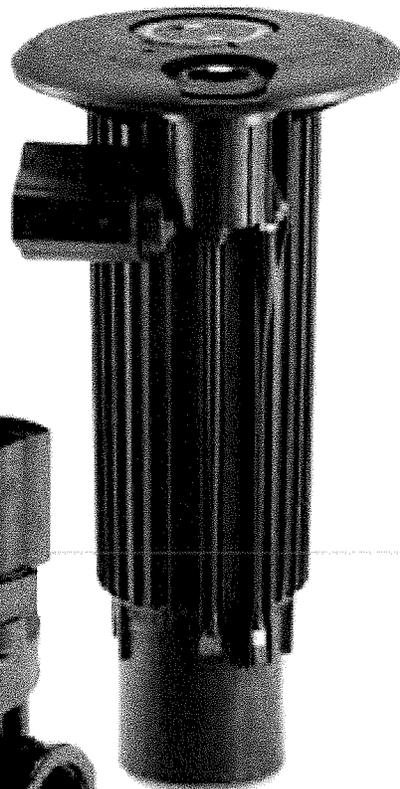
Hal Akins
Director of Golf Course Operations

The Simple Choice

With fewer components and less wire required, IC Systems streamline the design, installation and operation of golf irrigation systems.



Rain Bird®
PESB ICM valve



Rain Bird®
7511C rotors

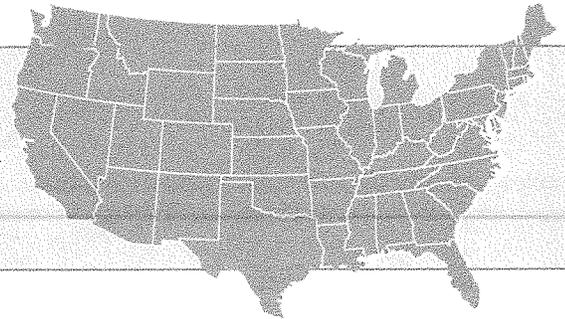
Rain Bird® IC System™ outperforms satellite and decoder systems.

	Rain Bird Satellite Control System	Rain Bird Decoder Controller System	Rain Bird Decoder System	Rain Bird IC System
Amount of Wire	–	Up to 35% Less	Up to 60% Less	Up to 90% Less
System Capacity	32,256	32,256	6,000	36,000
Wire Connections Per Station	4	4-6	4-6	2
Aesthetics	Good	Good	Best	Best
Ease of Design	Better	Better	Better	Best
Installation Flexibility & Labor	Good	Good	Better	Best
System Expansion	Good	Good	Better	Best
Vandal Resistant	Good	Good	Best	Best
Maintenance	Better	Better	Better	Best
Troubleshooting	Good	Good	Better	Best
MI Series Mobile Control	Yes*	Yes*	Yes*	Yes*
Real-Time Decision Making	Yes*	Yes*	Yes*	Yes*
Average Total System Cost	–	Up to 10% Less	Up to 15% Less	Up to 25% Less

*With Rain Bird Central Control (Cirrus®, Nimbus® II, Stratus® and Stratus LT)

7 of the top 10 golf courses in the U.S. trust Rain Bird for their irrigation needs.*

*According to the Golf Digest 2015-16 Ranking: America's 100 Greatest Courses.



Rain Bird Corporation
970 West Sierra Madre Avenue
Azusa, CA 91702
Phone: (626) 812-3400
Fax: (626) 812-3411

Rain Bird Corporation
6991 East Southpoint Road
Tucson, AZ 85756
Phone: (520) 741-6100
Fax: (520) 741-6522

Rain Bird International, Inc.
1000 West Sierra Madre Avenue
Azusa, CA 91702
Phone: (626) 963-9311
Fax: (626) 852-7343

Rain Bird Technical Services
(800) RAINBIRD (U.S. and Canada)

Specification Hotline
(800) 458-3005 (U.S. and Canada)

www.rainbird.com

The Intelligent use of Water™ | Visit www.rainbird.com to learn about our efforts.

*Registered Trademark of Rain Bird Corporation ©2015 Rain Bird Corporation 2/15

Rain Bird is the official irrigation supplier of Pebble Beach Resorts®.

Pebble Beach®, Pebble Beach Golf Links®, Pebble Beach Resorts®, The Lone Cypress™, The Heritage logo and their underlying distinctive images are trademarks, service marks and trade dress of Pebble Beach Company. Used by permission.

D37496

AGENDA ITEM #10

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: April 13, 2017

SUBJECT: Proposed Resolution to Replace Policy 890.11 Internet Access and Electronic Mail

Summary: A resolution is presented to replace Policy 890.11 Internet Access and Electronic Email policy with the updated Acceptable Use Policy.

With ever changing technology, subject matter experts are required to assist in developing policies. Information Technology (IT) Manager, Kyle Benson, has requested an update to the City's existing policy to address and clarify current technology issues.

The updated policy clarifies and simplifies for employees what is required for access and to utilize City technology and equipment including but not limited to software, computer, laptops, and phones. The Acceptable Use Policy contains the following topics:

- General Use and Ownership
 - Security and Proprietary Information
 - Unacceptable Use
-

Background: The last update to a technology policy was the implementation of the Internet Access and Electronic Mail policy on August 28, 2006. The proposed updated policy will now coincide with current IT internal protocols to safeguard the City's technology systems.

Financial Impact: None

Recommendation: To replace Policy 890.11 Internet Access and Electronic Mail with 890.11 Acceptable Use Policy as per staff recommendation.



Policy No. 890.11 ~~INTERNET ACCESS AND ELECTRONIC MAIL (E-MAIL)~~

~~The City of Kingsville relies on its computer resources to conduct business efficiently through access to information and communication via Internet and electronic mail (e-mail).~~

A. ~~No Expectation of Privacy~~

- ~~1. There is no expectation of privacy in the use of the City's computer system or anything created, stored, sent or received by the user.~~
- ~~2. All Internet and e-mail communications sent through, received, or stored in the City-owned system are the property of the City. Additionally, the City has the unilateral right to access all stored electronic communications. Access to the Internet with the assistance of City-owned equipment is a City privilege. All Internet and e-mail activity must be in compliance with this policy and other applicable policies, procedures and rules.~~
- ~~3. In order to protect its interest, the City retains the right to monitor all of its electronic communications system at its discretion and as allowed by law. By using these systems, employees consent to monitoring by the City. Any information transmitted, received or stored on the City's equipment is public property and subject to disclosure and public access.~~
- ~~4. The City's right to access e-mail messages, including sites reviewed on the Internet, may occur under the following circumstances:

 - ~~a. Upon an employee's departure or absence from the City, the user's mail may be accessed to save or review those messages that pertain to City business and as necessary to locate information.~~
 - ~~b. If required by law;~~
 - ~~c. When information is present which indicates improper use of the Internet or e-mail;~~
 - ~~d. When necessary to investigate a possible violation of a City policy or a breach of the security of the electronic mail system;~~
 - ~~e. Monitoring may be done for mechanical and service quality control as well as for compliance with this policy;~~
 - ~~f. For all stored communications.~~~~
- ~~5. The contents of electronic mail/Internet files or data may be disclosed without the permission of the user. Any individual using the City's e-mail system has no expectation of privacy in any e-mail message that the individual may generate or receive, including personal messages (if any). At any time an employee's Department or Division Manager or any other appropriate person selected by the City Manager or his designee may review an individual's messages or sites.~~
- ~~6. The City reserves the right to monitor all traffic on the network, including sites accessed, content examined and time spent. Individuals must not use computers or networks in such a way that would disrupt or impair the use by others or be contrary to any City policy. No employee shall use the Internet or e-mail to present his or her views, ideals, questions, or actions as representing the City unless doing so in an official capacity and authorized by the City Manager or his designee.~~

B. ~~Inappropriate Use~~

- ~~1. Users shall not use the City's computer resources for personal use that interferes with job performance.~~
- ~~2. Users are prohibited from the creation, transmission, review, or storage of inappropriate e-mail or internet content, including but not limited to:

 - ~~a. Material that is of a sexual or offensive nature.~~
 - ~~b. Material that promotes hatred, harassment, illegal activity, or discrimination that may be related, but not limited to gender, sexual orientation, race, religion, national origin, age, political belief, physical attributes, disability, or information regarding an employee's health status without their permission.~~
 - ~~c. Material that is fraudulent, embarrassing, profane, obscene, intimidating, defamatory, or otherwise inappropriate.~~
 - ~~d. Material that causes interference to the network such as viruses or hacking.~~~~

Note: ~~The above items do not apply to storage for spam control.~~

3. ~~Users shall not use the City's computer resources for activities including, but not limited to the following:~~
 - a. ~~Downloading software and/or other electronic files from Internet sources unless necessary for City business.~~
 - b. ~~Downloading software in violation of copyright law.~~
 - c. ~~Downloading music.~~
 - d. ~~Downloading games, playing computer games, playing interactive Internet games, or introducing or playing software via CD or diskette.~~
 - e. ~~Downloading, logging on, and/or utilizing any Instant Messaging or Chat Room programs.~~
 - f. ~~Dissemination of confidential or legally protected information.~~
 - g. ~~Communications that compromise the integrity of the City and its business in any way.~~
 - h. ~~Non-City, commercial or personal advertisements.~~
 - i. ~~On-line gambling.~~
 - j. ~~Re-posting personal communications, including the sender's e-mail address, without the author's prior consent.~~
 - k. ~~Looking or applying for work or business opportunities other than internal City postings.~~
 - l. ~~Jokes, chain letters, personal business operations, or political material.~~
 - m. ~~Frivolous messages.~~
 - n. ~~Communications that use someone else's name.~~
 - o. ~~Communications sent City-wide that do not directly relate to the administrative processes of the City.~~
 - p. ~~Accessing personal use e-mail accounts on City time.~~
4. ~~Users encountering or receiving any material information in violation of this policy shall report the incident to their immediate supervisor. Any questions regarding the use of Internet access or the e-mail system shall be discussed with a supervisor, who may obtain further information from the City's Computer Information Technician.~~

~~C. Internet Use~~

1. ~~Security — The Internet is not a secure network; thus, employees shall assume that all Internet activities are public. The City is not responsible for material viewed by users.~~
2. ~~Accessing the Internet via Modem — To ensure security and avoid the spread of viruses, accessing the Internet directly by modem is strictly prohibited unless the computer in use is not connected to the City's network. Internet access through a computer attached to the City's network is through an approved Internet firewall and thereby authorized.~~

~~D. Electronic Mail Use~~

1. ~~Communicating Information — The content of all e-mails shall be prepared with the same level of accuracy and professionalism as other official City communications. Users must use the same care in drafting e-mails and other electronic documents as they would for any other written communication.~~
1. ~~Public records and E-Mail Retention — Employees are responsible for deleting unnecessary mail items from the e-mail system. Employees are also responsible for retaining e-mails of enduring value in accordance with the City's retention schedule. Any e-mail items that need to be saved should be moved to another folder or saved as a file. An alternative to the above is to archive e-mails of enduring value on the employee's hard disk. If this approach is taken, employees become responsible for ensuring that backup copies are made on a regular basis. A second alternative is to print a copy of the e-mail of enduring value and file it in an appropriate folder. Employees that have subscribed to list services should request to be removed from such lists before terminating employment with the City. Messages sent to all e-mail users should be restricted to information that will have a direct impact on employees and/or the employee work area (i.e., power outages, interruption of service, etc.).~~

~~2. Non-City Property~~

~~The contents of City related electronic mail, files, or data may be viewed, copied or disclosed by the City without the permission of the user. Any individual, using a non-City owned computer or electronic device for City business has no expectation of privacy in any e-mail message or other document that the individual may generate or receive if the e-mail message or document relates to City business.~~

~~3. Disciplinary Action~~

~~Computer access is a privilege that may be revoked at any time. Employees violating this policy will be subject to disciplinary action up to and including termination of employment. It is every user's duty to utilize the City's computer resources responsibly, professionally and ethically.~~

Approved: August 28, 2006

RESOLUTION NO. 2017-_____

A RESOLUTION REVISING THE CITY OF KINGSVILLE ADMINISTRATIVE POLICY NO. 890.11 -INTERNET ACCESS AND ELECTRONIC MAIL POLICY BY REPLACING IT WITH POLICY NO. 890.11 -ACCEPTABLE USE POLICY.

WHEREAS, the City Commission previously adopted an administrative policy handbook for employees and it is now being proposed that Policy No. 890.11-Internet Access and Electronic Mail Policy be replaced with Policy No. 890.11-Acceptable Use Policy as noted in the attached document; and

WHEREAS, this policy was last updated on August 28, 2006;

WHEREAS, staff proposes revisions to clarify and update the existing policy for acceptable use of City technology;

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

I.

THAT Policy No. 890.11-Acceptable Use Policy, attached as Exhibit A, is hereby approved.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 8th day of May, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Policy No. 890.11 Acceptable Use Policy	Area <i>General - Information Technology</i>	Subject: Authority and Adoption (Replaced Internet Access and Electronic Mail, August 28, 2006)
Affected Departments <i>All Departments</i>	Effective Date <i>May 8, 2017</i>	Original August 28, 2006 Revision May 8, 2017
Approved By: Jesús A. Garza, City Manager	Signature:	
Approved By: Courtney Alvarez, City Attorney	Signature:	

1. Overview

Internet/Intranet/Extranet-related systems, including but not limited to electronic and computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and File Transfer Protocol (FTP), are the property of City of Kingsville. These systems are to be used for business purposes in serving the interests of the city and of our citizens in the course of normal operations.

Effective security is a team effort involving the participation and support of every City of Kingsville employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

2. Purpose

The purpose of this policy is to outline the acceptable use of electronic and computing equipment at the City of Kingsville. These rules are in place to protect the employee and the City. Inappropriate use exposes the City of Kingsville to risks including virus attacks, compromise of network systems and services, and legal issues.

3. Scope

This policy applies to the use of information, electronic and computing devices, and network resources to conduct City of Kingsville business or interact with internal networks and business systems, whether owned or leased by City of Kingsville, the employee (to the extent the employee uses their personal device for City business), or a third party (to the extent the third party uses their personal device for City business). All employees (full-time, part-time and temporaries; hereinafter "employees"), contractors, consultants, and other workers at City of Kingsville are responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with City of Kingsville policies and standards, and local laws and regulation. Exceptions to this policy are documented in section 5.2

This policy applies to employees, contractors, consultants, and other workers at the City of Kingsville, including all personnel affiliated with third parties. This policy applies to all equipment owned or leased by City of Kingsville.

4. Policy

4.1 General Use and Ownership

- 4.1.1 City of Kingsville proprietary information stored on electronic and computing devices whether owned or leased by the City of Kingsville, the employee, contractor, consultant or a third party, remains the sole property of City of Kingsville. Employees contractors, and consultants must ensure through legal or technical means that proprietary information is protected in accordance with generally accepted data protection standards.
- 4.1.2 Employees contractors, and consultants have a responsibility to promptly report the theft, loss or unauthorized disclosure of City of Kingsville proprietary information.
- 4.1.3 Employees contractors, and consultants may access, use or share City of Kingsville proprietary information only to the extent authorized and necessary to fulfill assigned job duties.
- 4.1.4 Employees contractors, and consultants are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should be guided by departmental policies on personal use, and if there is any uncertainty, employees should consult their supervisor or manager. Contractors and consultants should contact the City's IT Department with any questions.
- 4.1.5 For security and network maintenance purposes, authorized individuals within the City of Kingsville may monitor equipment, systems, and network traffic at any time
- 4.1.6 City of Kingsville reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

4.2 Security and Proprietary Information

- 4.2.1 All mobile and computing devices connecting to the internal network must abide by generally accepted baseline security standards (ie., Current anti-virus software, application of good judgement when downloading files or opening attachments from unknown sources).
- 4.2.2 System level and user level passwords must comply with the standard operating procedures (SOP's) and guidelines as set forth by the City's IT Department. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.

- 4.2.3 All electronic and computing devices must be secured as per IT Department SOP's and guidelines with a password-protected screensaver with the automatic activation feature. You must lock the screen or log off when the device is unattended.
- 4.2.4 Postings by employees from a City of Kingsville email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of City of Kingsville, unless posting is in the course of business duties.
- 4.2.5 Employees must use extreme caution when opening e-mail attachments received from unknown senders, as they may contain malware.
- 4.2.6 Working Off-Site
 - 1. It is accepted that laptops and mobile devices will be taken off-site.
 - 2. Working away from the office must be in line with City of Kingsville policies.
 - 3. Equipment and media taken off-site must not be left unattended in public places and not left in sight in a car.
 - 4. Laptops must be carried as hand luggage when travelling.
 - 5. Information should be protected against loss or compromise when working remotely (for example at home or in public places). Laptop encryption must be used.
 - 6. Particular care should be taken with the use of mobile devices such as laptops, mobile phones, smartphones, and tablets. They must be protected at least by a password or a PIN and, where available, encryption.
- 4.2.7 Mobile Storage Devices
 - 1. Mobile devices such as memory sticks, CDs, DVDs and removable hard drives must be used only in situations when network connectivity is unavailable or there is no other secure method of transferring data.
 - 2. Only City of Kingsville authorized mobile storage devices with encryption enabled (when applicable) must be used, when transferring sensitive or confidential data.
- 4.2.8 Software
 - 1. Employees contractors, and consultants must use only software that is authorized by the City of Kingsville on City computers and electronic devices.
 - 2. Authorized software must be used in accordance with the software supplier's licensing agreements.
 - 3. All software on City of Kingsville computers must be approved and installed by the City of Kingsville IT Department unless an exception is provided under Section 5.2.

4. Individuals must not store personal files such as music, video, photographs or games on City of Kingsville equipment.

4.3 Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., IT staff may have a need to disable the network access of a host if that host is disrupting production services).

Under no circumstances is an employee of City of Kingsville authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing City of Kingsville resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

4.3.1 System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or city protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by City of Kingsville.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which City of Kingsville or the end user does not have an active license is strictly prohibited.
3. Accessing data, a server or an account for any purpose other than conducting City of Kingsville business, even if you have authorized access, is prohibited.
4. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
5. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
6. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
7. Using a City of Kingsville computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws.
8. Making fraudulent offers of products, items, or services originating from any City of Kingsville account.

9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
10. Port scanning or security scanning is expressly prohibited unless prior notification to City of Kingsville IT Department is made.
11. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network or account.
13. Introducing honeypots, honeynets, or similar technology on the City of Kingsville network.
14. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
15. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
16. Providing information about, or lists of, City of Kingsville employees to parties outside the City of Kingsville.

4.3.2 Email and Communication Activities

When using city resources to access and use the Internet, users must realize they represent the City. Whenever employees state an affiliation to the City, they must also clearly indicate that "the opinions expressed are my own and not necessarily those of the City of Kingsville". Questions may be addressed to the Legal Department regarding content of email communications.

1. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.
3. Unauthorized use, or forging, of email header information.
4. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.

6. Use of unsolicited email originating from within City of Kingsville 's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by City of Kingsville or connected via City of Kingsville 's network.
7. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

4.3.3 Blogging and Social Media

1. Blogging or social media use by employees contractors, and consultants, whether using City of Kingsville's property and systems or personal computer systems, is also subject to the terms and restrictions set forth in this Policy. Limited and occasional use of City of Kingsville 's systems to engage in blogging is acceptable, if it is done in a professional and responsible manner, does not otherwise violate the City of Kingsville's policy, is not detrimental to City of Kingsville's best interests, and does not interfere with an employee's regular work duties. Blogging from City of Kingsville's systems is also subject to monitoring.
2. City of Kingsville's Confidential Information policy also applies to blogging. As such, Employees are prohibited from revealing any City of Kingsville confidential or proprietary information, trade secrets or any other material covered by City of Kingsville's confidentiality policies or procedures when engaged in blogging.
3. Employees, contractors, and consultants shall not engage in any blogging that may harm or tarnish the image, reputation and/or goodwill of City of Kingsville and/or any of its employees. Employees, contractors, and consultants are also prohibited from making any discriminatory, disparaging, defamatory or harassing comments when blogging or otherwise engaging in any conduct prohibited by City of Kingsville's No Harassment Policy.
4. Employees, contractors, and consultants may also not attribute personal statements, opinions or beliefs to City of Kingsville when engaged in blogging. If an employee, contractor, or consultant is expressing his or her beliefs and/or opinions in blogs, they may not, expressly or implicitly, represent themselves as an employee or representative of the City of Kingsville. Employees, contractors, and consultants assume any and all risk associated with blogging.
5. Apart from following all laws pertaining to the handling and disclosure of copyrighted or export controlled materials, City of Kingsville's trademarks, logos and any other City of Kingsville intellectual property may also not be used in connection with any blogging activity

5. Policy Compliance

5.1 Compliance Measurement

The City of Kingsville IT Department is tasked with the responsibility of conducting testing to verify compliance with this policy. Various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner may be utilized.

5.2 Exceptions

Any exception to the policy in order to conduct City business must receive approval by the City of Kingsville IT Department in advance.

5.3 Non-Compliance

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. A contractor or consultant found to have violated this policy may be subject to suspension of service or other action, up to and including termination of relationship with the City.

6. Related Departmental Standard Operating Procedures (SOP's) and Guidelines

The City of Kingsville IT Department shall issue further clarification by way of departmental standard operating procedures and guidelines to assist employees in complying with this Acceptable Use Policy.

- Password Protection SOP
- Password Construction Guidelines

7. Definitions and Terms

- Blogging- website containing a writer's or group of writers' own experiences, observations, opinions, etc., and often having images and links to other websites.
- Honey-pot- Programs that simulate one or more network services that you designate on your computer's ports. An attacker assumes you're running vulnerable services that can be used to break into the machine. A honey pot can be used to log access attempts to those ports including the attacker's keystrokes. This could give you advanced warning of a more concerted attack.
- Honeynet- a network set up with intentional vulnerabilities; its purpose is to invite attack, so that an attacker's activities and methods can be studied and that information used to increase network security. A honeynet contains one or more honey pots.
- Proprietary Information- Proprietary information is that information unique to a company and its ability to compete, such as customer lists, technical data, product costs, and trade secrets.
- Spam- Electronic junk mail or junk newsgroup postings.

8. Revision History

Date of Change	Responsible	Summary of Change

AGENDA ITEM #11

**City of Kingsville
Engineering/Public Works**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Charlie Cardenas, P.E., City Engineer/Director of Public Works

DATE: April 28, 2017

SUBJECT: Transportation Alternatives Set-Aside Program (TASAP) to fund sidewalks in the City of Kingsville.

Summary:

This item authorizes a resolution for support from the City of Kingsville to apply for the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation (TXDOT) for the installation and design of sidewalks and hike and bike trails on several roadways leading to area schools and parks.

Background:

In March 2017, TXDOT called for projects from cities under a population of 200,000 for transportation alternatives such as sidewalks and hike and bike trails. A workshop was conducted in March 2017 at the Corpus Christi TXDOT District office describing the process for selection. The funding can be used for projects that are "off system" from TXDOT roadways on local streets. The Engineering Department feels that the City of Kingsville has several projects that can be candidates for this type of funding:

- A. Sidewalk along the west side of Armstrong Street from King Street to Johnston Street.
- B. Sidewalks along both sides Lott Street from 14th Street to 20th Street (Some sections of this stretch have existing sidewalks).
- C. Sidewalk on the west side of 20th Street from Lott Street to Kenedy Street.
- D. Sidewalks along both sides of Kenedy Street from 14th Street to 20th Street (Some sections of this stretch have existing sidewalks).
- E. Sidewalk along the north side of 17th Street from Henrietta to Kenedy Street.

Financial Impact:

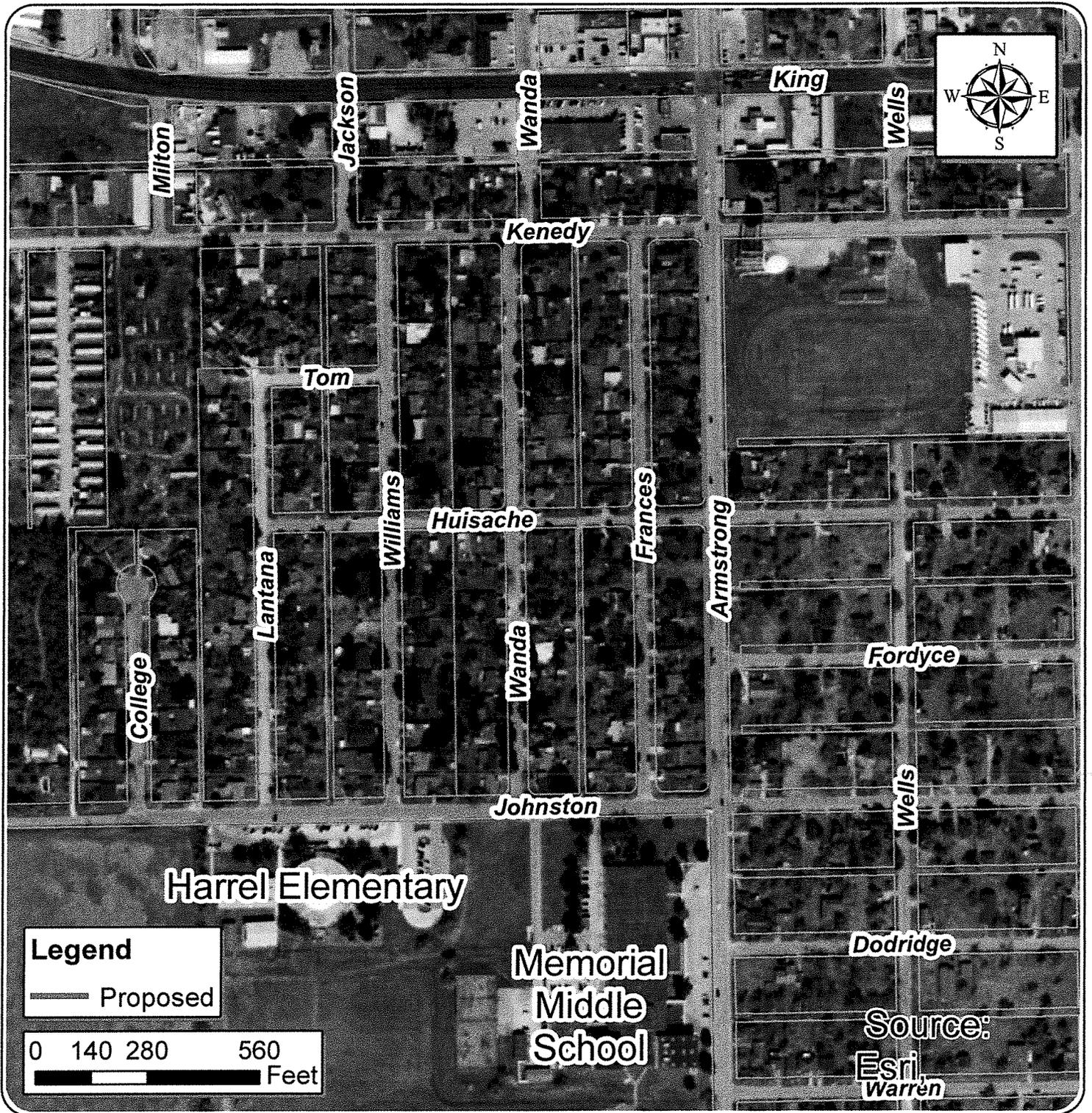
This grant is an 80/20 match. The total estimate construction cost is \$939,300.00, of which the city will be responsible for \$187,860.00.

Recommendation:

Staff recommends that the city supports this initiative so that staff can proceed with the application process.



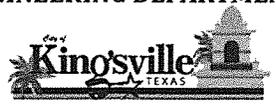
Proposed Sidewalk Armstrong From King to Johnston



Page 1 / 1	Drawn By: Engineering Department	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	200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Last Update: 5/1/2017			
	Note:			

Proposed Sidewalk 17th From Henrietta to Kenedy



Page 1 / 1	Drawn By: Engineering Department	<p>DISCLAIMER</p> <p>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.</p>	<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT</p> <p>200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p> 
	Last Update: 5/1/2017		
	Note:		

Proposed Sidewalk Lott From 14th to 20th Both Sides



Page 1 / 1	Drawn By: Engineering Department	<p>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.</p>	<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT</p> <p>200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Last Update: 5/1/2017		
	Note:		

Proposed Sidewalk 17th From Henrietta to Kenedy



Page 1 / 1	Drawn By: Engineering Department	<p>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.</p>	<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT</p> <p>200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Last Update: 5/1/2017		
	Note:		

Proposed Sidewalk 20th From Kenedy to Lott



Page 1 / 1	Drawn By: Engineering Department	<small>DISCLAIMER</small> 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 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035 
	Last Update: 5/1/2017		
	Note:		

RESOLUTION #2017-_____

A RESOLUTION AUTHORIZING PARTICIPATION IN THE FEDERAL TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND DESIGN OF SIDEWALKS; AUTHORIZING THE MAYOR TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") seeks to apply to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for the installation and design of sidewalks; and

WHEREAS, the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation provides for the installation and design of sidewalks and hike and bike trails on several roadways leading to area schools and parks; and

WHEREAS, the City has several areas in town near local schools and parks that it believes would be good candidates for this program, as per the memo and exhibits attached hereto; and

WHEREAS, it appears this program requires an 80/20 percent grant match; and

WHEREAS, the estimated total construction cost is \$939,300, of which the City would be responsible for an estimated \$187,860 (from CO 2016 funds); and

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

I.

THAT the City authorizes the Mayor, or his designee, to apply to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for the installation and design of sidewalks with any matching funds to come from the CO2016.

II.

THAT the Mayor, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation including any certifications, amendments or representations stipulated therein and that the Mayor, or his designee, will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 8th
day of May, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Jason Alfaro, Parks Director
DATE: April 28, 2017
SUBJECT: Agenda Request – Receipt of \$1,910.29 Donation from Coastal Bend Civitan Club

Summary:

The Parks & Recreation Department would like approval from City Commission to receive a \$1,910.29 donation from the Coastal Bend Civitan Club. These funds would be spent on the purchase of specialized swing set equipment.

Background:

The Civitan International organization is a volunteer service club that dedicates their time and resources to communities, placing a special emphasis on helping people with developmental disabilities. Kingsville's local Civitan club learned about park improvement plans through a presentation made by Susan Ivy. After the presentation was made, the club voted to contribute funds for playground equipment. The funds would be used for purchasing one handicap accessible swing and one expression swing.

Financial Impact:

This donation will provide funding for the purchase of one handicap accessible swing and one expression swing.

Recommendation:

We recommend that City Commission authorize the receipt of this donation in the amount of \$1,910.29 from the Coastal Bend Civitan Club, and amend the budget to record the acceptance of these funds into the park budget.





Coastal Bend Civitan Club
419 W. Trant Rd.
Kingsville, TX 78363

Dear Kingsville City Manager,

Civitan International is an organization of volunteer service clubs established in 1917. We dedicate our time and resources to our communities, placing special emphasis on helping people with developmental disabilities.

Our local club learned about plans to make park improvements in a presentation by Susan Ivy at one of our meetings. We voted to contribute by providing some equipment that would be accessible to people with special needs. Susan put us in touch with Park Place Recreation Designs, Inc., and we have now raised funds to provide two accessible swings for Dick Kleberg Park (see attached quote). We would like to meet with the appropriate city department as soon as possible to present these funds and get the swings ordered and installed.

Thank you for your time. I have enclosed some information about Civitan, and look forward to hearing from you soon.

Sincerely,

Janelle Nix

President, Coastal Bend Civitan club

Please respond below:

Yes! I want to help with projects to benefit people with special needs.

Here is my donation of \$_____

I would like to volunteer/join/sponsor a member for the Coastal Bend Civitan Club. _____

Name _____

Address _____

Contact number _____

(Checks should be made out to Coastal Bend Civitan, 419 W. Trant Rd., Kingsville, TX 78363)



AGENDA ITEM #13

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Jason Alfaro, Parks Director

DATE: April 28, 2017

SUBJECT: Agenda Request – Receipt of \$1,910.29 Donation from Coastal Bend Civitan Club

Summary:

The Parks & Recreation Department would like approval from City Commission to receive a \$1,910.29 donation from the Coastal Bend Civitan Club. These funds would be spent on the purchase of specialized swing set equipment.

Background:

The Civitan International organization is a volunteer service club that dedicates their time and resources to communities, placing a special emphasis on helping people with developmental disabilities. Kingsville's local Civitan club learned about park improvement plans through a presentation made by Susan Ivy. After the presentation was made, the club voted to contribute funds for playground equipment. The funds would be used for purchasing one handicap accessible swing and one expression swing.

Financial Impact:

This donation will provide funding for the purchase of one handicap accessible swing and one expression swing.

Recommendation:

We recommend that City Commission authorize the receipt of this donation in the amount of \$1,910.29 from the Coastal Bend Civitan Club, and amend the budget to record the acceptance of these funds into the park budget.





Coastal Bend Civitan Club
419 W. Trant Rd.
Kingsville, TX 78363

Dear Kingsville City Manager,

Civitan International is an organization of volunteer service clubs established in 1917. We dedicate our time and resources to our communities, placing special emphasis on helping people with developmental disabilities.

Our local club learned about plans to make park improvements in a presentation by Susan Ivy at one of our meetings. We voted to contribute by providing some equipment that would be accessible to people with special needs. Susan put us in touch with Park Place Recreation Designs, Inc., and we have now raised funds to provide two accessible swings for Dick Kleberg Park (see attached quote). We would like to meet with the appropriate city department as soon as possible to present these funds and get the swings ordered and installed.

Thank you for your time. I have enclosed some information about Civitan, and look forward to hearing from you soon.

Sincerely,

Janelle Nix

President, Coastal Bend Civitan club

Please respond below:

Yes! I want to help with projects to benefit people with special needs.

Here is my donation of \$ _____

I would like to volunteer/join/sponsor a member for the Coastal Bend Civitan Club. _____

Name _____

Address _____

Contact number _____

(Checks should be made out to Coastal Bend Civitan, 419 W. Trant Rd., Kingsville, TX 78363)



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO ACCEPT AND EXPEND PARK DONATIONS FOR SPECIALIZED PLAYGROUND EQUIPMENT.

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 2016-2017 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 General Fund					
Revenue					
4-4503	Parks & Recreation	Park Donations	58003	\$1,910.29	
				<u>\$1,910.29</u>	
Expenses					
5-4503	Parks & Recreation	Grounds & Perm Fixtures	59100	\$1,910.29	
				<u>\$1,910.29</u>	

[To amend the City of Kingsville FY 16-17 Budget to accept and expend park donations from the Coastal Bend Civitan Club for the purchase of specialized swing set equipment as per the attached memo from the Parks Director.]

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 8th day of May, 2017.

PASSED AND APPROVED on this the _____ day of _____, 2017.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney