

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, JULY 23, 2012
REGULAR MEETING**

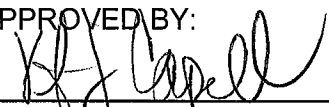
**HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS
CITY HALL/200 EAST KLEBERG AVENUE
5:00 P.M.**

I. Preliminary Proceedings.

OPEN MEETING

**CONVENE INTO PUBLIC HEARING – (REQUIRED BY LAW) -
ITEM II- PROPOSED ANNEXATION OF 39.03 ACRES OF
LAND LOCATED IN THE SOUTHERN PORTION OF THE
CITY'S EXTRA TERRITORIAL JURISDICTION TO-WIT: KT&I
SUBDIVISION, LOT 9, SECTION 22. (Director of Development
Services).**

APPROVED BY:



Vincent J. Capel
City Manager

6:00 P.M. – Regular Session of the Agenda continues

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law

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

NONE

III. Reports from Commission & Staff.² (City Manager's Staff Report Attached).

"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, Convention and Visitor's Bureau, 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, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects,

Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time.”

IV. Public Comment on Agenda Items³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter V – Public Works, Article 1 – Garbage, Amending the number of days for corrective action after notice of violation to seven. (Director of Development Services).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 General Fund Budget for the City of Kingsville to accept donations for Keep Kingsville Beautiful for various beautification projects. (Finance Director).
3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 6, Traffic Control Devices; Providing for the restriction of parking on the west side of Wilson Street from Ella Ave to Avenue A. (City Engineer/Public Works Director).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the Solid Waste Capital Projects Fund to purchase commercial dumpsters. (City Engineer/Public Works Director).
5. Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund Capital Projects Fund for the Finance Department Accounts Receivable module to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).
6. Motion to approve final passage of an ordinance amending Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add the position of Tourism Services Director and the position of Downtown & Volunteer Manager to the Kingsville Classification and Compensation Plan for Fiscal Year 2011-2012. (Human Resource Director).

7. Motion to approve resolution authorizing the City to submit an application to the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for the State of Texas requesting grant funding for Law Enforcement equipment on behalf of the Kingsville Police Department with no anticipated cash match. (Police Chief).

8. Motion to approve resolution authorizing the City to submit a joint application to the FEMA Assistance to Firefighters Grant requesting grant funding for lead cardiac monitor/defibrillators with telemetry capability on behalf of the Kingsville Fire Department with an anticipated \$6,600 cash match. (Interim Fire Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consider appointing Mr. Ken Moses and Mr. Raymond Perez to the Joint Airport Zoning Board (JAZB) to serve a two year term. (Director of Development Services).

10. Consider resolution authorizing the City Manager to enter into a Consultant Contract for the Certified Local Government Historical Survey & Inventory of the Historic District of Kingsville, Texas. (Downtown/Special Projects Manager).

11. Consider resolution establishing a Kingsville Main Street Downtown Plan for the City of Kingsville, Texas. (Downtown/Special Projects Manager).

12. Consider authorizing Staff to proceed with emergency rehabilitation project at Water Well #20 as per staff recommendation. (City Engineer/Public Works Director).

13. Consider introduction of an ordinance amending the Fiscal Year 2011-2012 Budget for the Utility Fund Capital Projects Fund 054 for the Water Production Department Water Well #20 to Fund 062 CO 2005. (Finance Director).

14. Consider authorizing the Water Extension Agreement between the City of Kingsville and Mr. Steve Childers and Mr. Jimmy Yarborough. (Director of Development Services).

15. Consider authorizing the building repairs and replacement of the sidewalks in front of the Recycling/Community Appearance building as per staff recommendation. (Director of Development Services).

16. Consider introduction of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund Capital Projects Fund for the Recycling Center/Community Appearance Building repairs and the replacement of the sidewalks to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).

17. Consider authorizing for purchase of emergency generators and all associated installation for Water Production facilities from Division 16 Construction Corporation, at a cost of \$419,901 as per staff recommendation. (Bid No.12-38) (Purchasing Director).

18. Consider determination on whether or not to exclude certain property types from the storm water utility fee as allowed by State Statute. (Finance Director).

19. Consider resolution supporting the efforts to preserve the Old H.M. King High School building located at Kleberg Avenue and North 3rd Street and convert it into a new City Hall and making certain commitments regarding same. (Mayor Fugate).

20. Consider requested budget amendment from KCVB for employee compensation. (Downtown/Special Projects Manager).

VII. Adjournment.

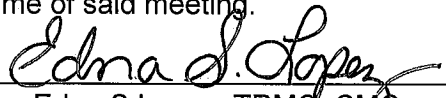
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This facility is 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 citysec@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 in the City Hall, 200 East Kleberg, 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;

July 18, 2012 at 3:20 P.M. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.


Edna S Lopez, TRMO, CMC
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)

JULY 9, 2012

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 9th, 2012 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor
Arturo Pecos, Commissioner
Dianne Leubert, Commissioner

CITY COMMISSION ABSENT:

Al Garcia, Commissioner
Noel Pena, Commissioner

CITY STAFF PRESENT:

Vincent J Capell, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
David Mason, Purchasing Director
Naim Khan, City Engineer/Public Works Director
Mike Kellam, Director of Development Services
Bob Trescott, Downtown/Special Projects Manager
Willie Vera, Task Force Commander
Mark Rushing, Finance Director
Roel Carrion, Interim Fire Chief
Yolanda Cadena, Health Director
Tony Verdin, Information System Technician
Diana Medina, Collections Supervisor
Rose Morrow, Municipal Court Supervisor
Diana Gonzales, Human Resource Director
Caron Vela, Accounting Manager
Ricardo Torres, Police Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chambers at 6:02 P.M. and announced quorum as present, with three members present, and Commissioners Garcia and Pena absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mr. Mark Rushing, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate called for consideration of the minutes of the regular meeting of Monday, June 25th. **Commissioner Pecos made a motion to accept the minutes, as presented, seconded**

by Commissioner Leubert. The motion was passed and approved by the following vote: Fugate, Leubert, Pecos voting “FOR”. Garcia, Pena “ABSENT”.

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

1. Public Hearing regarding condemnation proceeding for structures located at 707 West Warren, 519 North 6th, & 624 West Johnston. (Director of Development Services).

Mayor Fugate opened the public hearing at 6:04 P.M.

Mr. Kellam addressed the Commission, stating that the information on said locations is in their packets, the necessary protocol was followed, inspections were made and photos are enclosed to show the state of the buildings. There's documentation of the attempts to come to a different solution and in some cases they are not available because of the conditions of the building.

Mayor Fugate called for comments from the public.

Mayor Fugate closed the public hearing at 6:07 P.M.

III. Reports from Commission & Staff.² (City Manager's Staff Report Attached).

“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, Convention and Visitor's Bureau, 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, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time.”

City Manager Capell had no comments.

Ms Alvarez reported Friday is the deadline for agenda items for next regularly scheduled meeting on Monday, July 23rd; there will be a special public hearing scheduled to begin at 5:00 P.M. with the regular Commission meeting at 6:00 P.M.; and there will be a special Commission meeting at 5:00 P.M. on Thursday, July 26th to conduct the public hearing for the annexation of the Hawks Landing area which requires two public hearings.

Commissioner Leubert asked if the current landscaping policy addresses maintenance of landscaping after it is put in. Ms Alvarez replied she did not receive a copy of the policy prior to the meeting but her recollection is, yes. Mr. Kellam replied the language in the code is vague and doesn't call it out, but staff is working on code additions to make things clearer.

IV. Public Comment on Agenda Items³

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

Mayor Fugate called for comments on all agenda and non-agenda items.

Dr. Miguel Martin, 723 S 12th, spoke about how good the new taxi service is for the City.

Mr. Lance Hamm, 912 S Creek, spoke about landscaping and other issues at the new RV Park.

Mayor Fugate called for consideration of the items in the Consent Agenda, Items 1-6.

Commissioner Leubert made a motion to accept the Consent Agenda, Items 1-6, as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Pecos, Leubert voting "FOR". Garcia, Pena "ABSENT".

V. Consent Agenda

1. ORDINANCE NO. 2012-30 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the Police Department State Forfeiture Fund for the purchase of computer hardware software for the Crimes Software Program. (Finance Director).
2. RESOLUTION NO. 2012-32 Motion to approve resolution authorizing the City Manager to enter into a CRIMES Law Enforcement Software License & Master Agreement with Sam Houston State University for the Kingsville Police Department. (Police Chief).
3. ORDINANCE NO. 2012-31 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the CO Series 2011- General Fund Capital Projects for the Fire Department expenses of remodeling and upgrading Fire Station 2. (Finance Director).
4. ORDINANCE NO. 2012-32 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund for the Development Services Department Community Appearance Division to fund hauling of debris for nuisance abatement projects. (Finance Director).
5. ORDINANCE NO. 2012-33 Motion to approve final passage of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund for Solid Waste Department Sanitation Collection fuel and vehicle maintenance expenses. (Finance Director).
6. Motion to approve authorizing participation in the activities being planned in support of and building upon the King Ranch – Ranch Hand Breakfast to be held on November 16th – 18th, 2012. (Downtown /Special Project Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

7. Consider condemnation of structure located at 707 West Warren. (Director of Development Services).

Mayor Fugate called for items 7, 8, & 9 to be taken together and posed the question to Ms Alvarez if this could be done. Ms Alvarez replied so long as they note that sufficient findings are in place. List each of the locations and say sufficient findings are in place

for each of the locations and identify them separately they could be done in one motion. She added for their information, 45 days from today is August 23rd.

Mayor Fugate called to take Items #7, 8, & 9 together. Mayor Fugate stated the only location being condemned that bothers him is the old "Apple House" because that is a historical building. Mr. Kellam stated that the walls are buckled and the roof is collapsing. The owner has expressed that due to the economy they don't have the funds to fix it. There is a new owner.

Mayor Fugate called for Ms Toni Curtis who resides at 415 E Henrietta and is the current owner of the building located at 519 North 6th (Old Apple House) to address the Commission. Ms Curtis stated she has done everything asked of her to do per Mr. Abel Carrillo, former Building Official. The last request received was to take down the signage which she has done. She stated the roof doesn't leak and it is not collapsing. The awning was taken down as per Mr. Carrillo's request. She stated she doesn't want the building demolished because she would like to develop it and move her Kleberg Street business to that location.

Mr. Kellam stated he wasn't aware of Mr. Carrillo's statements. The photos and condition report from Mr. Carrillo do state that the roof is collapsing and the walls are buckled, and that the building is in structural disrepair.

Commissioner Leubert asked Ms Curtis, for her timeline. Ms Curtis stated it would be about another year before she could start working on the building, but the yard is clean and mowed. Everything that can fly off has been removed. Mr. Kellam stated he has not been inside this building. The former building official made the inspection and noted that he has not been inside. There's specific deterioration on the outside and would get worse in one year. The building is secured. City Manager Capell stated a concern is someone gaining access or getting injured. Ms Curtis stated that the building is uninsured. Mr. Kellam stated the concern is strong winds could cause a large amount of debris to come off this building. It is understood that the owner has intentions for the building and it is a historical building.

Mayor Fugate asked to pass on this building so that Ms Curtis could allow Mr. Kellam to go inside. Mr. Kellam replied getting inside the building would not change the structural integrity of the building. The walls are buckling which is a serious concern. Mayor Fugate stated what concerns him is that the building official told her if she did certain things she would be okay, so there is some conflict. Ms Curtis stated that the building official indeed did enter the building.

City Manager Capell suggested removing the item from the agenda, so that the owner and the City could enter into some type of repair plan. Mr. Kellam stated the walls can be braced and could give owner a timeline. Mayor Fugate suggested Staff report back to the Commission and that the owner do something to the building and work a little faster on her timeline. Mayor Fugate stated this building has some history to it.

Commissioner Pecos made a motion that the finding is not able to repair 624 W Johnston and 707 West Warren, the structure is unsafe and present condition is a violation of ordinance and cannot be corrected without substantial reconstruction, then declare the building(s) or structure(s) to be a public nuisance and order its demolition by owner/agent/person in charge with a specified time. The city shall abate in any manner it deems necessary and properly, seconded by Commissioner Leubert. Ms Alvarez stated to verify the time period which would be the standard 45 days, August 23rd. Both Commissioners Pecos and Leubert agreed with Ms Alvarez's statement. The motion was passed and approved by the following vote: Fugate, Leubert, Pecos voting "FOR" Garcia, Pena "ABSENT".

8. Consider condemnation of structure located at 519 North 6th. (Director of Development Services).

NO ACTION

9. Consider condemnation of structure located at 624 West Johnston. (Director of Development Services).

10. RESOLUTION NO. 2012-33 Consider resolution authorizing the Mayor to enter into a Tax Abatement Agreement with NSH Fund, LP in accordance with Guidelines and Criteria Governing Tax Abatement for all Taxing Units located within the City of Kingsville. (Director of Development Services).

Mr. Kellam stated this is for the new student housing development near the campus on Seale and Corral. This is for phase one of the development which is two large student housing buildings with phase two & three to come at a later date. This tax abatement agreement is for 10 years, 100% of the city's portion which is only on the improvements and not including the land values. This will increase the housing to meet the needs of the City. This is a partnership between the City, the University and the Newman Student Housing. The economic development aspect of this is that it will increase student population, increase tax base and garner additional sales tax revenue.

Mayor Fugate stated this is a win-win situation for the college. Mr. Kellam stated also for the City because the City gets the private ownership of the land which gives the City some tax revenues. Mayor Fugate stated that University President, Dr. Tallant describes this is a game changer for the University which has the potential of increasing their enrollment. City Manager Capell stated if this doesn't happen the City will not get any tax revenue and the fact that there's a 10 year tax abatement means that the City will not be getting all the taxes, until after ten years. This is still very positive.

Commissioner Leubert made a motion to accept Staff's recommendation to authorize the Mayor to enter into a Tax Abatement Agreement with NSH Fund, LP in accordance with guidelines and criteria governing tax abatement for all taxing units located with the City, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Pecos, Leubert voting "FOR". Garcia, Pena "ABSENT".

11. Consider authorizing the purchase of replacement bar screens at both Wastewater plants. (Purchasing Director).

Mr. Mason stated this authorizes the purchase of replacement bar screens at both Wastewater plants. There were four respondents to the bid. Recommendation is to award the contract to Treatment Equipment Company, Houston, Texas in the amount of \$292,771 which will expend from the North Plant \$161,386 and the South Plant \$131,385 from Fund 054.

Commissioner Pecos made a motion to approve Staff recommendation of replacement of bar screens at both Wastewater Plants, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Fugate, Leubert, Pecos voting "FOR". Garcia, Pena "ABSENT".

12. RESOLUTION NO. 2012-34 Consider resolution of the City of Kingsville approving the Municipal Service Plan for the proposed annexation of Lot 9, Section 22, K.T. & I. Subdivision. (Director of Development Services).

Mr. Kellam stated this is in preparation of the upcoming annexation hearings, presenting to you the municipal service plan outlining how the City intends to serve the newly annexed area as required Section 43 of the Texas Local Government Code. This will be communicated at the July 23rd and 26th public hearings and available for viewing before that, as well. Basically it calls out the fire and police basic services that the City provides which the City is already providing, in most cases because of the proximity of the annexed area in the City. Currently, there is no building inspection for that area which is something that the City will be affording them. They would be brought under the City and the Planning and Zoning ordinances that are established. Additionally, the Health Department which already services that area through the County, but now the City would also become a partner in that. Public Works efforts are, such as streets, storm water, street lighting, traffic, engineering, water, solid waste services all of which are being provided at the present time, except for street lighting. Mr. Kellam called for questions.

Mayor Fugate stated this has been a long time coming and the property in the front can be developed. City Manager Capell stated this would generate an additional annual property taxes estimated at \$33,000.

Mayor Fugate called for Ms Alvarez legal aspect. Ms Alvarez stated the resolution was prepared and publication notices were in the paper, and letters were sent to the school district and other taxing entities.

Commissioner Pecos made a motion to accept the resolution, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Fugate, Leubert, Pecos voting "FOR". Garcia, Pena "ABSENT".

13. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter V – Public Works, Article 1 – Garbage, Amending the number of days for corrective action after notice of violation to seven. (Director of Development Services).

Mr. Kellam stated this is an attempt to make the notice and compliance time lines consistent across the board.

INTRODUCTION ONLY

14. Consider accepting \$500 donation from the Kingsville Historic District Business Association to Keep Kingsville Beautiful for various beautification projects. (Finance Director).

Mr. Rushing stated this donation is from the Kingsville Historic District Business Association for beautification projects for consideration.

Commissioner Leubert made a motion to accept the \$500 donation from the Kingsville Historic District Business Association to Keep Kingsville Beautiful, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Pecos, Leubert voting "FOR". Garcia, Pena "ABSENT".

15. Consider introduction of an ordinance amending the Fiscal Year 2011-2012 General Fund Budget for the City of Kingsville to accept donations for Keep Kingsville Beautiful for various beautification projects. (Finance Director).

Mr. Rushing stated this is an introduction to authorize the acceptance of the donation.

INTRODUCTION ONLY

16. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 6, Traffic Control Devices; Providing for the restriction of parking on the west side of Wilson Street from Ella Ave to Avenue A. (City Engineer/Public Works Director).

Mr. Khan stated several complaints were received from citizens in the neighborhood about the parking of different type of vehicles and commercial trucks on this street. He stated the Police chief and he went to the location and found vehicles parked on the street. After several visits to the location they found vehicles parked every time. The business at that location there is doing work on vehicles that are parked in the street. For the safety of drivers and persons working there the City is proposing to put "No Parking" signs on the west side of the street from Ella to Ave A on Wilson Street. City Manager Capell stated even though the City was not required to notify the residents, letters were sent to everyone within 200 feet,

Commissioner Leubert asked if the trucks parked on the street were commercial trucks. Mr. Khan replied commercial and regular vehicles are parked on the street and the mechanics are working on the vehicles that are parked on the street. If both sides of the street are being used for parking then the garbage trucks and emergency vehicles cannot pass.

City Manager Capell stated City has received several calls and the Police Chief has visited with the business. Promises have been made to keep the vehicles off the streets and a repeated visit has to happen. Enforcement will be an important part. Mayor Fugate suggested doing both sides of the street. City Manager Capell stated initially that was the plan, but it was decided to try only the one side which would hopefully allow true access. Mr. Khan stated the reason for choosing the west side of the street was because Ella, Vela and Ave A Streets are on the west side of that business and this is where the problem was occurring.

INTRODUCTION ONLY

17. Consider introduction of an ordinance amending the Fiscal Year 2011-2012 Budget for the Solid Waste Capital Projects Fund to purchase commercial dumpsters. (City Engineer/Public Works Director).

Mr. Khan stated there was \$320,000 in the Solid Waste Capital fund 087. The City used \$93,440.60 for a front-wheel loader; \$200,283 was spent for the commercial garbage truck, so there's a savings of \$26,276.40. This money will be used to purchase the dumpsters. The City will purchase 20 – 3 cubic yard and 25- 4 cubic yard dumpsters, for a cost of \$26,180.

INTRODUCTION ONLY

18. Consider introduction of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund Capital Projects Fund for the Finance Department Accounts Receivable module to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).

Mr. Rushing stated this would authorize the purchase of specialized receivable software to efficiently and effectively manage Sundry Services. These Sundry Services include, but are not limited to, paving assessments, mowing and vacant lot clearance, abatement and noxious matters, and inter-local agreements with other governments. Staff recommends the purchase of the Incode "Accounts Receivable" software for this purpose. The cost of purchasing and installing this software is \$9,000.

INTRODUCTION ONLY

19. Consider budget amendment request from KCVB for employee severance pay. (Downtown /Special Project Manager).

Mr. Trescott stated he didn't have anything to add beyond what he has already addressed in his memo.

For clarification, Ms Alvarez stated that Mr. Trescott's memo talks about what can and can't be done. With regard to the KCVB by-laws, in Article 3, Section 4, there's a sentence that talks about the KCVB is to comply with the contract between them and the City with Texas Open Meetings Act, the Texas Open Records Act, and Chapter 351 of the Tax Code which controls the Hotel/Motel fund monies. Also, they have to comply with Article 3, Sections 52 & 53 of the Texas Constitution which states that they need to comply with the Texas Nonprofit Corporation Act and the IRS Tax Code and things of that nature. Article 3, Section 53 of the Texas Constitution which talks about how Counties and Cities authorities can or cannot give extra compensation for certain things and unauthorized claims. One of the things pointed out is that unless there is a previously approved policy or plan in place for giving employees, and things that were cited were like Cities, Counties, Housing Authorities and Water Authorities, unless they already have a previously approved plan in place for the award of additional compensation, such as, sick leave and vacation accrual on separation than those are not authorized by the Texas Constitution. Ms Alvarez stated that it wasn't clear to her at the time that the memo was written that such a plan or policy that had been previously approved or was in place by the Board prior to them taking the vote for the particular compensation plan that they voted on. So, if the plan was not in place prior to the vote being taken, then it is in conflict with the Texas Constitution and under their by-laws they are supposed to abide by that particular section of the Constitution.

Mayor Fugate asked Ms Alvarez if she had anything from the KCVB Board. Ms Alvarez replied she had not been in contact with them because Mr. Trescott was designated as the Staff Liaison, but it is her understanding she isn't aware of any such policy or plan. Mr. Trescott stated he wasn't aware of any such policy or plan.

Mayor Fugate called for comments or questions. Commissioner Leubert stated what she is hearing from the City Attorney is that, as it stands right now; this is not something that the Commission should or could approve. Ms Alvarez replied the City doesn't have sufficient knowledge. She stated that the contract would technically be in place until the end of August unless, on the next agenda item, the City Commission approves the KCVB request to terminate the contract early. Commissioner Leubert stated that the KCVB could still have a Board meeting to correct this. Ms Alvarez replied they can't do it retroactive. The board could put something in place and then vote on something new, then the City would have to examine whether or not there is still sufficient information to make that compliant with everything.

Mr. Trescott stated he was at the KCVB Board meetings when this was presented. He stated that the City ran into a couple of things on what was submitted, both their method of arriving at and doing a bonus, severance or retirement award seemed arbitrary.

Mayor Fugate called for questions or comments. Ms Alvarez stated if no action is taken on this item that would be the equivalent of not approving. If the Commission decides to table this item, it would have to be brought up at the next Commission meeting and voted on then. The only difference that would make is if they came up with some previously prior to the date the vote was taken by the Board for this particular package, policy in place to show that what they did was in conformance with a previously established policy. Commissioner Leubert asked Mr. Anse Windham, KCVB Board President, if there was anything, bonuses prior to this action by the Board. Mr. Windham

stated he had communication from a representative from the Attorney General's office, stating that Hotel/Motel tax money can be used for bonuses and awards. He stated the representative did not address having a policy in place. Ms Alvarez stated having a policy in place is in the by-laws.

NO ACTION

20. Consider a request from KCVB for 30-day early termination of the Professional Services Contract between the City of Kingsville and the Kingsville Convention & Visitors Bureau. (Downtown /Special Project Manager).

Mr. Trescott stated the City has a contract with KCVB to provide tourism services under the use of the hotel occupancy tax which expires at the end of September. The City was informed that the entire staff was going to retire before that date. The KCVB Board is requesting the contract be mutually terminated early so the termination date of the contract will match the time when staff stops operating. The termination date should be August 3rd.

City Manager Capell stated the contract needs to be extended or rescinded prior to the 60 day window. If Commission approved, tonight, the City would be in compliance with that because the contract would have been terminated prior to 60 days.

Ms Alvarez stated if the Commission were to choose, by mutual agreement of the parties to terminate the contract early, you would not need to go back and have another action item at the July 23rd meeting to provide them notice of the City's desire to terminate the contract when it expires on September 30th. If the parties are not mutually agreeable to the early termination then an agenda item would be needed on July 23rd. Ms Alvarez stated the motion should include the date. Mayor Fugate stated that Mr. Windham had shaken his head that August 3rd would be appropriate.

Commissioner Pecos made a motion to consider the request from KCVB for a 30-day early termination of the Professional Services Contract between the City of Kingsville and the Kingsville Convention & Visitor's Bureau, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Fugate, Leubert, Pecos voting "FOR". Garcia, Pena "ABSENT".

21. Consider introduction of an ordinance amending Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add the position of Tourism Services Director and the position of Downtown & Volunteer Manager to the Kingsville Classification and Compensation Plan for Fiscal Year 2011-2012. (Human Resource Director).

Ms Gonzales stated that the HR office has been asked to coordinate with the Downtown Special Projects Manager in the creation of a new City department, the Tourism Services Department and personnel to support the function of the department. A Director position will be created, a Tourism Service Director and support personnel, a Downtown and Volunteer Manager. The City has different levels of clerical support personnel no additional new titles are being presented.

Commissioner Leubert stated the City is adding a Tourism Services Director, a Downtown Special Projects Manager and a Downtown and Volunteer Manager. City Manager Capell stated only two positions are being added, the current Downtown Special Projects Manager would be converted to the Downtown & Volunteer Manager at a lower pay range.

Ms Alvarez stated that procedurally Mr. Trescott's position, the Downtown Special Projects Manager cannot be eliminated until the new positions are established. The two positions will be created in the Compensation Plan and once created; the current position will be eliminated in new budget year.

INTRODUCTION ONLY

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:12 P.M.

Sam R Fugate, Mayor

ATTEST:

Edna S Lopez, TRMC, CMC
City Secretary

PUBLIC HEARING(S)

NOTICE OF PUBLIC HEARING ON PROPOSED ANNEXATION OF CERTAIN TERRITORY

The City of Kingsville, Texas, proposes to institute annexation proceedings to enlarge and extend the boundary limits of said City to include 39.03 acres of land located in the southeast portion of the City's Extra Territorial Jurisdiction to-wit:

KT&I Subdivision, Lot 9, Section 22

A map depicting the area is available for viewing at City Hall.

Public hearings will be held by and before the City Commission of the City of Kingsville, Texas, on the 23rd day of July, 2012 at 5:00 p.m. and on the 26th day of July, 2012 at 5:00 p.m., in the Alcorn Commission Chambers of the City of Kingsville located in City Hall, 200 E. Kleberg Ave., Kingsville, Texas, for all persons interested in the above proposed annexation. At said time and place all such persons shall have the right to appear and be heard. Of all said matters and things, all persons interested in the things and matters herein mentioned, will take notice.

This Notice is given in accordance with the Texas Local Government Code.

**PETITIONS,
GRIEVANCES, &
PRESENTATIONS**

CONSENT AGENDA

AGENDA ITEM #1

ORDINANCE NO. 2012-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER V-PUBLIC WORKS, ARTICLE 1-GARBAGE, AMENDING THE NUMBER OF DAYS FOR CORRECTIVE ACTION AFTER NOTICE OF VIOLATION TO SEVEN; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City provides citizens seven days to correct a nuisance after receiving a notice of violation in other sections of the Code of Ordinances and the existing ordinance allows for ten days;

WHEREAS, it is better to have uniformity as it makes it easier on the citizens and staff to have consistent time periods for corrective action;

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

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

I.

THAT Section 5-1-19 of Article 1: Garbage of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 5-1-19 UNAUTHORIZED USE OF RECEPTACLES; DUTY OF OWNERS TO REMOVE.

(A)

It shall be unlawful for any person to place, or permit another to place, any garbage or trash in any receptacle, at any refuse collection point or in any refuse container used in the city container collection service, unless the refuse is from the premises served by the container or from the premises at which the receptacle or collection point is located.

(B)

City service containers at several points in city areas are provided for refuse from apartment house areas, businesses and institutions within the city limits, and refuse from outside the city limits, shall not be placed in the city service containers.

(C)

It shall be unlawful for any person to place or deposit, or permit another to place or deposit, prohibited refuse in city service containers or to put anything on the ground at these locations.

(D)

The owner or occupant of any building, house, structure or land shall remove all refuse items that are prohibited from the regular collection service, and that are located, owned or deposited on the property or on the public right-of-way adjacent to the property. The existence of refuse or any other item on the property or the adjacent public right-of-way shall be prima facie evidence that such owner or occupant failed to remove, as provided by this article, at his own expense, the refuse or other item or items so stored or located thereon. Removal within ~~seven~~ ~~ten~~ days notice by the city is required.

(Ord. 93005, passed 4-12-93; Ord. 2001-06, passed 2-26-01)

...

II.

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

III.

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

IV.

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

V.

THAT nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

INTRODUCED on this the 9th day of July, 2012.

PASSED AND APPROVED on this the ____th day of July, 2012.

Sam R. Fugate, Mayor

ATTEST:

Edna S. Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Planning Department

TO: Mayor & Commission Members

THROUGH: Vince Capell, City Manager

FROM: Mike Kellam, Director of Development Services

SUBJECT: Sec. 5-1-19. - Unauthorized use of receptacles

DATE: June 26, 2012

In an effort to better serve the members of our community, needed revisions were identified pertaining to Chapter 5, Article 1, Unauthorized use of receptacles, specifically the language tied to the time given to owners to remove nuisance after notice.

Currently Chapter 5, Article 1, Unauthorized use of receptacles; gives property owners 10 days to abate the nuisance which is not consistent with language provided in the state statute which only allows a maximum of seven days for abatement. Numerous code amendments, in various articles, have been instigated in an effort to mirror the timeline provided by state statute and other city ordinances that require abatement. In the majority of the City's abatement language, such as Chapter 9, Article 7 Nuisances, the ordinance allows the aforementioned timeline, providing the property owner seven (7) days to abate the nuisance. The intent of this revision is to provide a more uniform approach to all abatement cases in that the standard timeline to comply will be seven days.

It is in the best interest of Kingsville citizens, as well as our code enforcement inspectors, to become accustomed to a consistent timeline and a set standard of procedures practiced as far as abatements are handled. We anticipate this will lessen confusion within our organization and for our customers by providing a consistent compliance timeline for abatements.

Cc: Courtney Alvarez, City Attorney
Luke Stevens, Solid Waste Supervisor
Jennifer L. Bernal, Community Appearance Supervisor

AGENDA ITEM #2

ORDINANCE NO. 12-

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 GENERAL FUND BUDGET FOR THE CITY OF KINGSVILLE TO ACCEPT DONATIONS FOR KEEP KINGSVILLE BEAUTIFUL FOR VARIOUS BEAUTIFICATION PROJECTS.

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 2011-2012 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
Fund 001	General Fund				
<u>Assets</u>					
0-		Claim on Pooled Cash	010.00	500	
<u>Liabilities</u>					
1-		Due to KKB	478.00	500	

[To accept donations of \$500 for various beautification projects.]

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.

IV.

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

INTRODUCED on this the __ day of __, 2012.

PASSED AND APPROVED on this the ____ day of _____, 2012.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

KKB Donations
July 2012

Donor	Check #	Amount
Kingsville Historic District Business Assoc.	1122 \$	500.00

Total:	\$	500.00
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AGENDA ITEM #3

ORDINANCE NO .2012-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 6, TRAFFIC CONTROL DEVICES; PROVIDING FOR THE RESTRICTION OF PARKING ON THE WEST SIDE OF WILSON STREET FROM ELLA AVE. TO AVENUE A; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City has received complaints from citizens regarding the parking of different types of vehicles on Wilson Street between Ella Avenue and Avenue A;

WHEREAS, the staff has observed individuals performing mechanical work on vehicles parked along the street in this area which poses a safety concern to both the driver and the person performing repairs;

WHEREAS, the parking of vehicles in this area restricts the vision of drivers in the area which is also a safety concern;

WHEREAS, it is nearly impossible for fire trucks and garbage trucks to pass along the street in this area if vehicles are parked on both sides of the street in this area, posing an immense safety concern for the community;

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

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

I.

THAT Schedule II of Article 6: Parking Schedules of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

Sec. 7-6-2. Schedule II, Parking Restricted on Certain Streets.

SCHEDULE II. PARKING RESTRICTED ON CERTAIN STREETS.

It shall hereafter be unlawful for any person to park or leave standing any vehicle on the following streets:

TABLE INSET:

Street	Location	Side	Time Limit	Ord. No.	Date Passed
Wilson St.	Lying anywhere between its intersection with Ella Ave. and Avenue A	West	All times	--	--

II.

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

III.

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

IV.

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

INTRODUCED on this the 9th day of July, 2012.

PASSED AND APPROVED on this the ____th day of _____, 2012.

Sam Fugate, Mayor

ATTEST:

Edna S. Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Engineering Department

361-595-8007
361-595-8035 Fax

DATE: June 15, 2012
TO: City Commission through City Manager
FROM: Naim Khan, Director of Public Works/City Engineer
SUBJECT: "NO PARKING" on Wilson Street

SUMMARY

This item authorizes staff to install "NO PARKING" signs and enforce parking restrictions on the west side of Wilson Street from Ella Avenue to Avenue A.

BACKGROUND

Staff has received several complaints from the neighboring citizens regarding the parking of different types of vehicles on Wilson Street. Police Chief and the City Engineer have visited the site and found vehicles parked on this street. It has been noticed that sometimes automobile mechanics work on these parked vehicles. It is a safety concern for the mechanics and the drivers. At the same time parked vehicles restrict the vision of the drivers on this street. It is near to impossible for the fire truck and garbage truck to pass the street if vehicles are parked on the both sides of this street.

RECOMMENDATION

Staff recommends the installation of "NO PARKING" signs on the west side of Wilson Street from Ella Ave. to Avenue A.

FINANCIAL IMPACT

Cost for one sign installation including the materials (sign, pole, clamps, wedge, and anchor) plus the labor will be about \$100.00. Total cost for 5 signs will be \$500.00. The money will come from FY 2011-2012 Street Division regular budget: 5-305.0-522.00

Approved

Vincent Capell, City Manager



CITY OF KINGSVILLE

P. O. BOX 1458 – KINGSVILLE, TEXAS 78364



June 25, 2012

Dear Resident/Property Owner:

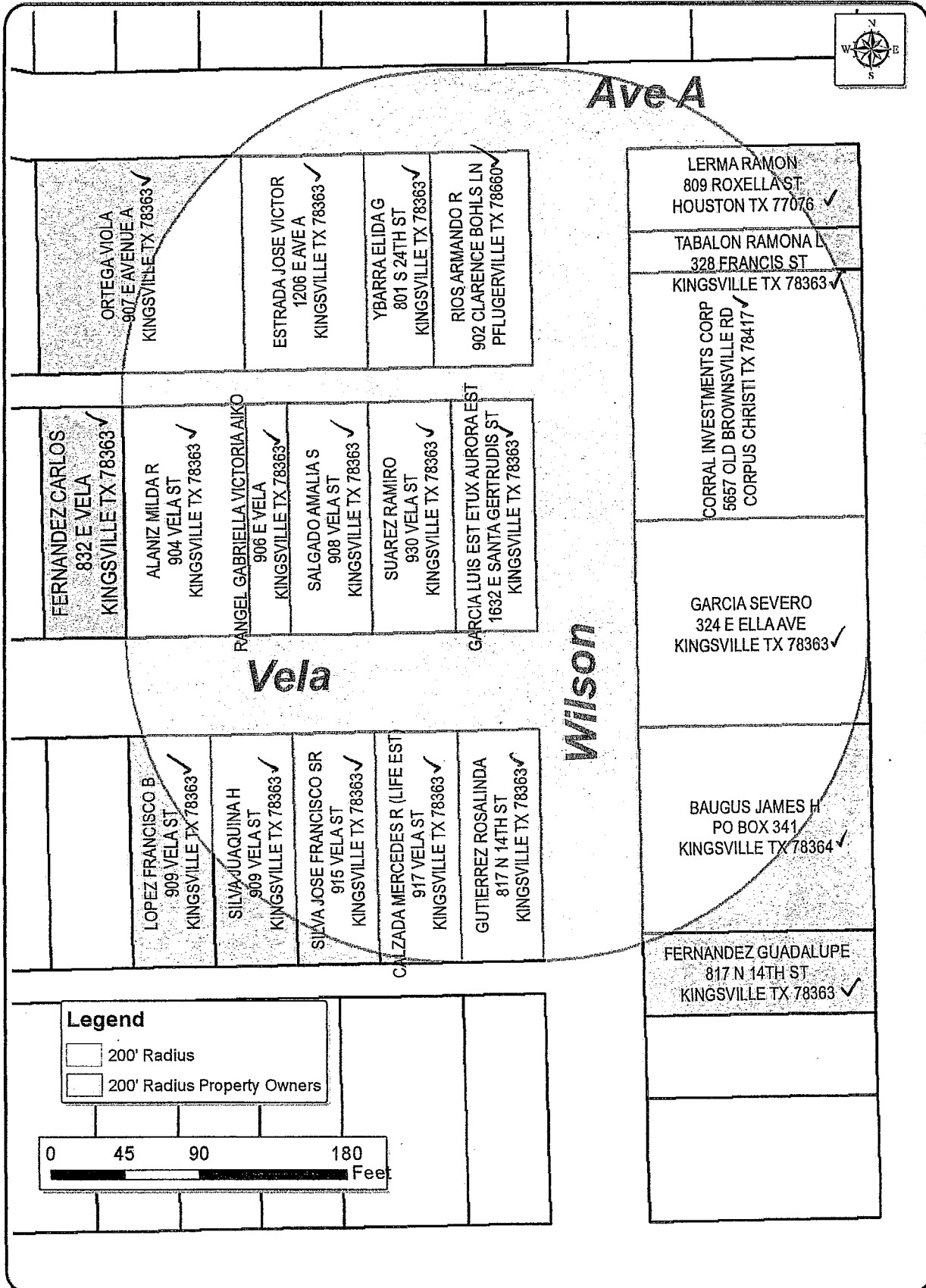
The City has received numerous complaints from residents in your area about commercial truck parking and the lack of adequate vehicle access on Wilson Street from Avenue A to Ella Street. Parking of large commercial trucks on Wilson Street limits traffic to a single, narrow traffic lane barely wide enough for a small passenger vehicle while completely blocking larger vehicles such as fire and sanitation trucks. Also, large commercial truck parking and commercial truck deliveries on Wilson Street will, at times, completely block vehicular traffic. Workers have also been observed working under and around the large commercial truck vehicles, which is a dangerous situation for the workers and not a proper or allowed use of the City's public right of way.

In order to address resident complaints the City Commission will consider implementing "NO PARKING" restrictions on the west side of Wilson Street from Avenue A to Ella. An ordinance implementing this "NO PARKING" restriction is scheduled to be introduced during the regular City Commission meeting to be held at City Hall, 200 E. Kleberg Avenue, at 6 p.m., Monday, July 9, 2012, with final Commission consideration at the regular City Commission meeting to be held on Monday, July 23, 2012 at the same time and location. If you have any questions about this "NO PARKING" restriction, please contact Naim Khan, Public Works Director at 361-595-8004, Ricardo Torres, Chief of Police at 361-593-8880 or Vince Capell, City Manager at 361-595-8002. You are also invited to attend and to make comments, subject to City Commission rules, at one or both of these regularly scheduled City Commission meetings.

Vincent J. Capell
City Manager

200 E. Kleberg
PO Box 1458
Kingsville TX 78364
(361) 595-8002 – Voice
(361) 595-8024 – Fax
citymanager@cityofkingsville.com

City Of Kingsville



AGENDA ITEM #4

ORDINANCE NO. 2012-

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 BUDGET FOR THE SOLID WASTE CAPITAL PROJECTS FUND TO PURCHASE COMMERCIAL DUMPSTERS.

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 2011-2012 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
Fund 087	Solid Waste Capital Projects Fund				
	<u>Expenses</u>				
5-170.2	Sanitation	Rollouts & Dumpsters	220.00	<u>26,276</u>	
5-170.3	Landfill	Equipment	712.00		<u>26,276</u>
				<u>26,276</u>	<u>26,276</u>

[To pay for commercial dumpsters for \$26,276 from the savings on the purchase of a front-end loader.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 9th day of July, 2012.

PASSED AND APPROVED on this the ____ day of _____, 2012.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Engineering Department

361-595-8007
361-595-8035 Fax

DATE: June 29, 2012
TO: City Commission through City Manager
FROM: Naim Khan, Director of Public Works/City Engineer
SUBJECT: Budget amendment for buying new dumpsters.

SUMMARY

This item authorizes the staffs to buy dumpsters for commercial garbage pick-up.

BACKGROUND

We normally repair the rusted/damaged dumpsters until those are not repairable. Replacing old dumpsters with the new one is a part of our regular job so there is always a need for new dumpsters. We had \$200,000 for Commercial Garbage Truck and \$120,000 for Front-wheel Loader in Solid Waste Capital Project Fund (087). We spent 93,440.60 for Front-wheel loader and \$200,283 for the commercial Garbage truck. We have \$26,276.40 savings what we like to spend to buy dumpsters. If the Commission approves, we will have \$26,276.40 to spend on dumpsters. In that case we would purchase 20 - 3 Yarders and 25-4 Yarders. The total cost would be \$26,180.00 (20 X \$544.00 = \$10,880.00 Plus 25 X \$570.00 = \$14,250.00. We would also have a freight fee of \$1050.00).

RECOMMENDATION

Staff recommends proceeding with the approval of proposed budget amendment.

FINANCIAL IMPACT

\$26,180 which will come from Solid Waste Capital Project fund (087)

Approved

Vincent Capell, City Manager

AGENDA ITEM #5

ORDINANCE NO. 2012-

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 BUDGET FOR THE GENERAL FUND CAPITAL PROJECTS FUND FOR THE FINANCE DEPARTMENT ACCOUNTS RECEIVABLE MODULE TO UTILIZE FISCAL YEAR 2010-2011 SURPLUS FUNDS.

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 2011-2012 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
<hr/>					
Fund 001	General Fund				
<u>Capital</u>					
2		Fund Balance (FY 2011)	610.00		<u>9,000</u>
					<u>9,000</u>
<u>Other Sources/Uses</u>					
5-690	Fund Transfers	Transfer to Fund 091	394.91	<u>9,000</u>	
				<u>9,000</u>	

[To draw down and transfer FY 2011 General Fund balance reserves created from FY 2011 fiscal surplus.]

Fund 091	General Fund Capital Projects Fund				
<u>Revenues</u>					
4-000		Transfer from Fund 001	750.15	<u>9,000</u>	
				<u>9,000</u>	
<u>Expenses</u>					
180.1	Finance	Computer & Assoc. Eq	726.00	<u>9,000</u>	
				<u>9,000</u>	

[To pay for the Incode Accounts Receivable Module for better tracking of the City's other billings from Fund 001 General Fund FY11 fund balance surplus.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 9th day of July, 2012.

PASSED AND APPROVED on this the ____ day of _____, 2012.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE



P. O. BOX 1458 – KINGSVILLE, TEXAS 78364

June 29, 2012

Vincent Capell
City Manager
City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364

Re: Accounts Receivable Software Purchase Request

Mr. Capell,

The City of Kingsville currently has specialized accounting software for Utility Services receivables for Water Services, Sewer Services, and Solid Waste Services. In addition, the City has specialized receivables software for Permits and Business Licenses. But there is a significant need for specialized receivables software to efficiently and effectively manage Sundry Services. These Sundry Services include, but are not limited to, Paving Assessments, Mowing and Vacant Lot Clearance, Abatement and Noxious Matters, and Inter-Local Agreements with other governments.

After a review of the Sundry Services accounting needs, I am recommending the purchasing of the Incode "Accounts Receivable" software designed for this purpose. The cost of purchasing and installing this software is \$9,000.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Rushing". The signature is written in a cursive, slightly slanted style.

Mark A. Rushing

CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE

Agenda Item #	Date of Commission Meeting	GL Account #	Department	Project	FUND 091 General Fund Amount	FUND 054 Utility Fund Amount	FUND 065 CO Series 2011 - GF	Amount Available for Total Projects
Total of FY11 Surplus					1,530,216.00			\$ 1,530,216.00
Deduct: Adjustment FY11 Surplus-FY11 Ambulance Billing correction					(137,726.00)			(137,726.00)
Add: Adjustment FY11 Surplus-FY11 Property Taxes correction					43,260.00			43,260.00
Add: Tentative Arbitrage Contingent Liability Savings					3,453.00	99,803.00		103,256.00
Add: FY11 Inventory Adjustment (Note E)					(49,753.00)	56,735.00		6,982.00
Add: Funding from Fund 062 CO 2005						50,000.00		50,000.00
Add: Funding from Fund 054 Fund Balance						12,987.00		12,987.00
Adjusted Total Funding Sources					1,389,450.00	219,525.00	-	1,608,975.00
#1								
18	02/13/2012	091-5-101.0-314.00	City Manager	City Match for Certified Local Government (CLG) app	6,250.00			
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - fence slats	1,500.00			
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - exterior repairs	11,750.00			
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - landscaping	3,500.00			
13	02/13/2012	091-5-210.0-212.00	Police	Body armor replacement	80,453.00			
12	02/13/2012	091-5-210.0-511.00	Police	Building repairs	17,000.00			
14	02/13/2012	091-5-210.0-591.00	Police	Beautification project	36,445.00			
11	02/13/2012	091-5-220.0-226.00	Fire	2 laptops	4,616.00			
11	02/13/2012	091-5-220.0-712.00	Fire	2 power stretchers	17,591.00			
17	02/13/2012	091-5-301.0-217.00	Engineering	GIS equipment and server - GPS units	2,200.00	2,200.00		
17	02/13/2012	091-5-301.0-314.00	Engineering	GIS equipment and server - GIS software installation	2,500.00	2,500.00		
17	02/13/2012	091-5-301.0-726.00	Engineering	GIS equipment and server - GIS software	3,825.00	3,825.00		
17	02/13/2012	091-5-301.0-726.00	Engineering	GIS equipment and server - GIS server	11,000.00	11,000.00		
16	02/13/2012	091-5-305.0-521.01	PW - Street	Street repaving - Allsite	269,378.00			
16	02/13/2012	091-5-305.0-521.02	PW - Street	Street repaving - Armstrong	237,770.00			
Total of Projects Presented at 2/13/12					(705,778.00)	(19,525.00)	-	(725,303.00)
#2								
25	02/27/2012	091-4-000-720.30	Revenue	Donations - KCVB	6,250.00			
9	03/08/2012	091-4-000-394.00	Revenue	Intergovernmental Revenue - Kleberg County	1,750.00			
Total Additional Revenue					8,000.00			8,000.00
9	02/27/2012	091-5-101.0-314.00	City Manager	KCVB March for Certified Local Government (CLG) app	6,250.00			
14	02/27/2012	091-5-301.0-314.00	Engineering	Kleberg Ave engineering design-\$30K for TAMUK assistance	29,825.00			
15	02/27/2012	001-5-220.0-212.00	Fire	Bunker gear (Note B)	45,971.00			
16	02/27/2012	001-5-440.0-712.00	Health	Scag mower (Note B and Note D)	3,500.00			
Total of Projects Presented at 2/27/12					(85,546.00)			(85,546.00)
#3								
19	03/08/2012	091-5-160.1-314.00	Development Services	City contribution for KKB landscaping at Yoakum St.	10,000.00			
16	03/08/2012	091-5-160.3-591.00	Development Services	Dumpster enclosure pilot program (Note D)	24,850.00			
18	03/08/2012			Total of Projects Presented at 3/08/12	(34,850.00)			(34,850.00)

**CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE**

#	Agenda Item #	Date of Commission Meeting	GL Account #	Department	Project	FUND 091			FUND 054		FUND 065		Amount Available for Total Projects
						General Fund	Utility Fund	CO Series	2011 - GF	2011 - GF	2011 - GF	2011 - GF	
#4	25												
	24	03/26/2012	091-5-160.1-591.00	Development Services	Corridor landscaping pilot program (Note D)		47,432.00						
	22	03/26/2012	091-5-170.2-711.00	PW - Sanitation	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)		18,000.00						
	22	03/26/2012	091-5-170.2-711.00	PW - Sanitation	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)		18,000.00						
	22	03/26/2012	091-5-303.0-711.00	PW - Garage	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)		18,000.00						
	22	03/26/2012	091-5-303.0-711.00	PW - Garage	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)		18,000.00						
	23	03/26/2012	091-5-303.0-711.00	PW - Street	Public Works 3/4 ton Utility Truck incl light bars, etc. (Note B)		33,616.00						
	14	03/26/2012	091-5-302.0-713.00	PW - Service Center	Public Works yard - welding shed (Note D)		23,080.00						
	15	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - auto gate opener (Note D)		5,490.00						
	16	03/26/2012	091-5-302.0-217.00	PW - Service Center	Public Works yard - pressure washer (Note D)		4,919.00						
	17	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - catwalk (Note D)		4,620.00						
	18	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - gas pump canopy (Note D)		28,519.00						
#5	19	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - fence slats (Note D)		8,440.00						
	20	03/26/2012	091-5-170.1-591.00	PW - Recycling Center	Fence slats, additional amount from original amount (Note D)		500.00						
	21	03/26/2012	091-5-170.1-591.00	PW - Recycling Center	Fence enclosure for after-hours recycling (Note B)		3,270.00						
					Total of Projects Presented at 3/26/12		(231,886.00)						(231,886.00)
	10												
	9	04/09/2012	091-5-180.1-726.00	Purchasing/Finance	Upgrade time "clock" and attendance management system		67,408.00						
					Total of Projects Presented at 4/09/12		(67,408.00)						(67,408.00)
#6	5	04/23/2012	091-5-450.0-591.00	Parks	Brookshire Pool renovations (Note B)		5,000.00						
	10	04/23/2012	054-5-600.2-720.19	PW-Water Production	Water Well #19 pump house rehab (Note A)		200,000.00						
					Total of Projects Presented at 4/23/12		(5,000.00)						(205,000.00)
	1												
	17	05/14/2012	091-5-160.1-314.00	Development Services	City contribution for KKB landscaping at Yoakum St. (Note D)		5,000.00						
					Total of Projects Presented at 5/14/12		(5,000.00)						(5,000.00)
	3	06/25/2012	002-2-610.00	Sources-Fund Balance	Funding from FY11 Surplus transfer to Fund 065		(100,000.00)						
					Total Additional Revenue		(100,000.00)						-
	8	06/25/2012	065-5-220.0-713.01	Fire	Sta 2 remodeling, electrical upgrades, new roof, exterior repairs (Notes B & C)		-						
					Total of Projects Presented at 6/25/12		(100,000.00)						(100,000.00)
#7	5												
	18	07/09/2012	091-5-180.1-726.00	Finance	Incode Accounts Receivable Module (Note B)		9,000.00						
					Total of Projects Presented at 7/09/12		(9,000.00)						(9,000.00)
	16	07/23/2012	091-5-170.1-591.00	PW - Recycling Center	Sidewalk (Note B)		6,222.00						
					Total of Projects Presented at 7/23/12		(6,222.00)						(6,222.00)
					Total Remaining Net Surplus		146,760.00						146,760.00
#8	10												
	9	04/09/2012	091-5-180.1-726.00	Purchasing/Finance	Upgrade time "clock" and attendance management system		67,408.00						
					Total of Projects Presented at 4/09/12		(67,408.00)						(67,408.00)
	5	04/23/2012	091-5-450.0-591.00	Parks	Brookshire Pool renovations (Note B)		5,000.00						
	10	04/23/2012	054-5-600.2-720.19	PW-Water Production	Water Well #19 pump house rehab (Note A)		200,000.00						
					Total of Projects Presented at 4/23/12		(5,000.00)						(205,000.00)
	1												
	17	05/14/2012	091-5-160.1-314.00	Development Services	City contribution for KKB landscaping at Yoakum St. (Note D)		5,000.00						
					Total of Projects Presented at 5/14/12		(5,000.00)						(5,000.00)
	3	06/25/2012	002-2-610.00	Sources-Fund Balance	Funding from FY11 Surplus transfer to Fund 065		(100,000.00)						
					Total Additional Revenue		(100,000.00)						-
	8	06/25/2012	065-5-220.0-713.01	Fire	Sta 2 remodeling, electrical upgrades, new roof, exterior repairs (Notes B & C)		-						
					Total of Projects Presented at 6/25/12		(100,000.00)						(100,000.00)
#9	5												
	18	07/09/2012	091-5-180.1-726.00	Finance	Incode Accounts Receivable Module (Note B)		9,000.00						
					Total of Projects Presented at 7/09/12		(9,000.00)						(9,000.00)
	16	07/23/2012	091-5-170.1-591.00	PW - Recycling Center	Sidewalk (Note B)		6,222.00						
					Total of Projects Presented at 7/23/12		(6,222.00)						(6,222.00)
					Total Remaining Net Surplus		146,760.00						146,760.00
#10	10												
	9	04/09/2012	091-5-180.1-726.00	Purchasing/Finance	Upgrade time "clock" and attendance management system		67,408.00						
					Total of Projects Presented at 4/09/12		(67,408.00)						(67,408.00)
	5	04/23/2012	091-5-450.0-591.00	Parks	Brookshire Pool renovations (Note B)		5,000.00						
	10	04/23/2012	054-5-600.2-720.19	PW-Water Production	Water Well #19 pump house rehab (Note A)		200,000.00						
					Total of Projects Presented at 4/23/12		(5,000.00)						(205,000.00)
	1												
	17	05/14/2012	091-5-160.1-314.00	Development Services	City contribution for KKB landscaping at Yoakum St. (Note D)		5,000.00						
					Total of Projects Presented at 5/14/12		(5,000.00)						(5,000.00)
	3	06/25/2012	002-2-610.00	Sources-Fund Balance	Funding from FY11 Surplus transfer to Fund 065		(100,000.00)						
					Total Additional Revenue		(100,000.00)						-
	8	06/25/2012	065-5-220.0-713.01	Fire	Sta 2 remodeling, electrical upgrades, new roof, exterior repairs (Notes B & C)		-						
					Total of Projects Presented at 6/25/12		(100,000.00)						(100,000.00)

CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE

Agenda Item #	Date of Commission Meeting	GL Account #	Department	Project	FUND 091 General Fund Amount	FUND 054 Utility Fund Amount	FUND 065 CO Series 2011 - GF	Amount Available for Total Projects
Total Remaining Net Surplus					146,760.00	-	-	146,760.00
Other Projects to be Considered								
N/A	N/A	TBD	City Manager	City Match for Post Office Lot Upgrade	30,000.00			
N/A	N/A	TBD	City Manager	HEB Canopy Relocation, Installation & Site Development	23,500.00			
N/A	N/A	TBD	Fire - Volunteer	City Match for new garage bay adjacent to existing fire station	20,000.00			
N/A	N/A	TBD	Library	Fix longstanding plumbing and A/C problems	56,040.00			
N/A	N/A	TBD	PW - Street	Parking lot 7th & Yoakum (Note D)	17,220.00			
Total of Other Possible Projects					(146,760.00)	-	-	(146,760.00)
Net Total FY2011 Surplus (Deficit)					-	-	-	-

Note A: Research Pending - (1) rolling stock/equipment replacement reserve, (2) technology equipment replacement reserve,

and (3) the cost to rehab the existing and/or build a new pump house for Water Well #19.

Note B: Projects Added - (1) Fire bunker gear (\$45,971) and (2) Health Dept. Scag lawnmower repairs (\$3,500-1/2 paid by County and 1/2 paid by City).

These are supplemental projects requested after the 1/23/12 workshop communicated to the City Commission in an e-mail dated 2/1/12.

(4) Purchase of 4 1/2 ton pick up trucks and 1 utility truck for a total of \$106,000 for Public Works departments and the Recycling Center fence enclosure

for after-hours recycling (\$3,270) requested on an email dated 2/14/12. (6) Parks Dept. request from the City for 1/4 of the Brookshire Pool renovations.

(8) Fire Department Station 2 remodeling, electrical upgrades, new roof and exterior repairs (\$100,000). (9) Incode A/R Module (\$9,000)

(10) Side walk at the Recycling Center.

Note C: Projects Removed - (1) Honorary alternative naming of 6th Street (\$10,000), (2) Human Resources Information System (HRIS) personnel management (\$34,354), and

(3) Exterior repairs to Recycling Center which was double counted (\$19,780), (4) Recycling Center trailer (\$90,000), (5) Way finding (\$30,000) for Fire Station 2.

Note D: Project Cost Changes - (1) lower dumpster enclosure pilot program from \$60,000 to \$24,850 (\$35,150), (2) lower corridor landscaping pilot program from \$60,000

to \$47,432 (\$12,568), (3) Health Dept. Scag mower from \$10,710 (new) to \$3,500 (repair existing one) (\$7,210) and (4) lower Public Works projects of the welding shed,

auto gate opener, pressure washer, catwalk, gas pump canopy, and fence slats for a total of \$82,210 (\$12,090) and (5) additional amount for the fence slats at the

Recycling Center from #1 above, since the quote was \$2,000; (6) Lower time clock and attendance management system for a total of \$67,408 (\$12,592);

(7) Additional funds needed for the beautification project at Yoakum St. (8) Parking lot 7th & Yoakum reduced to \$32,442 (\$60,000-27,558).

(9) Parking lot 7th & Yoakum reduced to \$23,442 (\$32,442-9,000). (10) Parking lot 7th & Yoakum reduced to \$17,220 (\$23,442-6,222).

Note E: The inventory adjustment is due to a physical year-end inventory taken September 30, 2011, in connection with year end audit.

AGENDA ITEM #6

ORDINANCE NO. 2012-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III, ARTICLE 7, PERSONNEL POLICIES, SECTION 1 CLASSIFICATION AND COMPENSATION PLAN TO ADD THE POSITION OF TOURISM SERVICES DIRECTOR AND THE POSITION OF DOWNTOWN AND VOLUNTEER MANAGER TO THE CITY OF KINGSVILLE CLASSIFICATION AND COMPENSATION PLAN FOR FISCAL YEAR 2011-2012; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the certain changes are proposed to the City of Kingsville Classification and Compensation Plan for FY 2011-2012 are desired so that the plan more accurately reflects the type of position necessary for the efficient operation of a new Tourism Services Department due to the end of the contract for tourism services with the Kingsville Convention and Visitors Bureau;

WHEREAS, the requested change is to add the position of Tourism Services Director, ML2, and Downtown and Volunteer Manager, ML4, to the City of Kingsville Classification and Compensation Plan for Fiscal Year 2011-2012;

WHEREAS, the positions for the new Tourism Services Department will fall under the direction of the City Manager and be financed with hotel occupancy tax dollars that the City collects pursuant to Texas Tax Code Chapter 351 to enhance and promote tourism and the hotel and convention hotel industry;

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

I.

THAT Section 3-7-1 Adoption of the Job Classification and Compensation Plan of Article 7: Personnel Policies of Chapter III: Administration of the Code of Ordinances of the City of Kingsville, Texas, which adopts by reference the City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2011 shall be amended to adopt by reference the revised Classification and Compensation Plan for FY 2011-2012 to incorporate the change stated above as per the document attached hereto.

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 will become effective on and after adoption and publication as required by law.

INTRODUCED on this the ____ day of ____, A. D., 2012.

PASSED AND APPROVED on this the ____ day of ____, A. D., 2012.

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

Approved As to Form:

Courtney Alvarez, City Attorney

**CITY OF KINGSVILLE
CLASSIFICATION AND COMPENSATION PLAN
FISCAL YEAR 2011-2012**

Ordinance Introduced: August 22, 2011
Ordinance Approved: September 26, 2011
Ordinance Effective Date: October 1, 2011

Ordinance Amendment Introduced: February 13, 2012
Ordinance Amendment Approved: February 27, 2012

Ordinance Amendment Introduced: July 9, 2012

NON-EXEMPT / NON-CIVIL SERVICE			MIN/HOURLY	MAX/HOURLY
RANGE 7	Custodian Equipment Service Worker Library Assistant FT/PT	Maintenance Worker Plant Helper Utility Worker	\$ 8.04	\$10.83
RANGE 8	Animal Control Officer/ Kennel Attendant Children's Services Librarian Equipment Operator I	Pump Operator Recycling Technician	\$ 8.39	\$11.18
RANGE 9	Crime Intelligence Analyst Customer Service Representative Municipal Court Deputy Clerk	Reference/Information Librarian	\$ 8.78	\$11.86
RANGE 10	Circulation Librarian Plant Mechanic	Technical Services Assistant	\$ 9.18	\$11.96
RANGE 11	Meter Reader Technician Secretary Water Production Operator		\$ 9.62	\$12.68
RANGE 12	Equipment Operator II Inventory Clerk Information and Technology Librarian	Lab Technician Plant Operator	\$10.06	\$13.12
RANGE 13	Assistant Accountant I		\$10.51	\$13.57
RANGE 14	Crime Scene Specialist Customer Billing Specialist Engineering Technician Executive Secretary	GIS Technician Human Resources Coordinator Telecommunications Operator	\$11.00	\$14.07
RANGE 15	Administrative Assistant I Assistant Accountant II	Equipment Operator III Meter Reader Foreman	\$11.49	\$14.56
RANGE 16	Lead Telecommunications Operator		\$12.03	\$15.64
RANGE 17	Administrative Assistant II Assistant Library Administrator	Maintenance Technician Welder/Fabricator	\$12.60	\$15.66
RANGE 18	Legal Assistant/Paralegal Litter Abatement Technician		\$13.16	\$16.22
RANGE 19	Code Enforcement Officer		\$13.79	\$16.86
RANGE 20	Water Foreman Wastewater Construction Foreman Wastewater Plant Foreman Garage Foreman	Street Foreman	\$14.42	\$17.87
RANGE 21	City Marshal Health Inspector I		\$16.92	\$20.47
RANGE 22	Building Inspector City Marshal - Senior	Health Inspector II	\$17.57	\$21.57
OTHER POSITIONS				
	Probationary Firefighters (0-12 months)		\$ 8.37	\$13.19
	Probationary Police Officers (0-12 months)		\$ 11.43	\$17.53

**CLASSIFICATION PLAN
EXEMPT LEVEL SALARY PLAN
FY 2011-2012**

	MIN ANNUAL	MAX ANNUAL
EXECUTIVE OFFICER – 1 City Manager	\$ 90,000	\$120,000
EXECUTIVE OFFICER - 2 City Attorney Municipal Court Judge	\$ 75,000	\$ 97,000
MANAGEMENT LEVEL - 1 Fire Chief Finance Director Police Chief Public Works Director/City Engineer	\$ 60,000	\$ 90,000
MANAGEMENT LEVEL - 2 Assistant City Attorney Director of Development Services Human Resources Director Purchasing and Technology Director <u>Tourism Services Director</u>	\$ 45,500	\$ 77,000
MANAGEMENT LEVEL - 3 Assistant Public Works Director City Marshal (Commander) Downtown/Special Projects Manager Health Director Library Director Risk Manager	\$ 40,000	\$ 67,000
MANAGEMENT LEVEL - 4 Accounting Manager Building Official City Marshal -(Assistant Commander) City Secretary Collection's Manager Community Appearance Supervisor <u>Downtown and Volunteer Manager</u> Garage Supervisor Information System Technician Landfill Supervisor Municipal Court Manager Sanitation Supervisor Street Supervisor Wastewater Supervisor Water Production Supervisor Water Supervisor	\$ 35,000	\$ 55,000

PAY RANGE										
	Year	A TEMP	B New Hire	C 1	D 3	E 6	F 10	G 15	H 20	I 25
7		\$8.04	\$8.38	\$8.74	\$9.08	\$9.44	\$9.78	\$10.13	\$10.48	\$10.83
8		\$8.39	\$8.74	\$9.09	\$9.45	\$9.79	\$10.14	\$10.49	\$10.83	\$11.18
9		\$8.78	\$9.19	\$9.61	\$10.03	\$10.43	\$10.86	\$11.27	\$11.70	\$11.86
10		\$9.18	\$9.53	\$9.87	\$10.22	\$10.57	\$10.91	\$11.29	\$11.73	\$11.96
11		\$9.61	\$10.00	\$10.37	\$10.75	\$11.14	\$11.53	\$11.91	\$12.29	\$12.68
12		\$10.06	\$10.43	\$10.83	\$11.21	\$11.60	\$11.97	\$12.35	\$12.74	\$13.12
13		\$10.51	\$10.89	\$11.27	\$11.66	\$12.04	\$12.42	\$12.80	\$13.19	\$13.57
14		\$11.00	\$11.38	\$11.76	\$12.15	\$12.53	\$12.91	\$13.30	\$13.70	\$14.07
15		\$11.49	\$11.88	\$12.26	\$12.65	\$13.03	\$13.41	\$13.79	\$14.18	\$14.56
16		\$12.03	\$12.47	\$12.93	\$13.38	\$13.83	\$14.28	\$14.74	\$15.19	\$15.64
17		\$12.60	\$12.98	\$13.36	\$13.75	\$14.13	\$14.51	\$14.89	\$15.27	\$15.66
18		\$13.16	\$13.54	\$13.92	\$14.30	\$14.70	\$15.08	\$15.46	\$15.84	\$16.22
19		\$13.79	\$14.17	\$14.56	\$14.93	\$15.32	\$15.70	\$16.10	\$16.47	\$16.86
20		\$14.42	\$15.19	\$15.58	\$15.95	\$16.34	\$16.72	\$17.10	\$17.49	\$17.87
21		\$16.92	\$17.17	\$17.76	\$18.35	\$18.94	\$19.33	\$19.71	\$20.09	\$20.47
22		\$17.57	\$18.27	\$18.85	\$19.45	\$20.04	\$20.43	\$20.81	\$21.20	\$21.57

****Note: +/-1 cent(s) due to rounding

HOURLY CHART

- STEP A -** City discretion for part-time and temporary positions.
- STEP B -** New Hire – Orientation Period
- STEP C -** Step following completion of one (1) year of employment.
- STEP D -** Step for eligible employees with three (3) years of current uninterrupted City service.
- STEP E -** Step for eligible employees with six (6) years of current uninterrupted City service.
- STEP F -** Step for eligible employees with ten (10) years of current uninterrupted City service.
- STEP G -** Step for eligible employees with fifteen (15) years of current uninterrupted City service.
- STEP H -** Step for eligible employees with twenty (20) years of current uninterrupted City service.
- STEP I -** Step for eligible employees with twenty-five (25) years of current uninterrupted City service.

The hourly chart shall be relevant to all full-time non-civil service, non-management employees maintaining a position in the same range. Part-time employees (less than 32 hours per week) shall be paid at the beginning hourly rate of the hourly chart or at the federal minimum wage rate, unless otherwise approved by the City Manager.

CERTIFICATION PAY HOURLY NON-EXEMPT EMPLOYEES (EXCLUDES CIVIL SERVICE PERSONNEL)

Hourly personnel in the Solid Waste Management divisions, Water Department, Water Production Department and Wastewater divisions are eligible for the following certification pay:

Class/Grade/Unit	Monthly	Per Pay Period Basis
I or D	\$ 15.00	\$ 6.92
C	\$ 25.00	\$ 11.54
II or B	\$ 35.00	\$ 16.15
III or A	\$ 50.00	\$ 23.08

MANAGEMENT LEVEL STEP PROGRAM

INCREASE DUE ON ANNIVERSARY DATE OF MANAGEMENT LEVEL POSITION.

1 ST YEAR	3%
3 RD YEAR	3%
6 TH YEAR	3%
10 TH YEAR	2%
15 TH YEAR	2%
20 TH YEAR	2%
25 TH YEAR	2%

AGENDA ITEM #7

RESOLUTION NO.2012-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAG) FOR THE STATE OF TEXAS REQUESTING GRANT FUNDING FOR LAW ENFORCEMENT EQUIPMENT ON BEHALF OF THE KINGSVILLE POLICE DEPARTMENT WITH NO ANTICIPATED CASH MATCH.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to apply for grant monies from the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for law enforcement personnel equipment; and

WHEREAS, the JAG Grant will provide up to \$11,337.11 for law enforcement equipment; and

WHEREAS, the JAG Grant has no anticipated cash match; and

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

WHEREAS, the City had previously approved this grant through resolution #2012-09 on March 08, 2012 and has since learned from the State that certain additional language is now required regarding the loss or misuse of funds, as stated in the following paragraph, thereby necessitating the need for this resolution at a lower funding amount;

WHEREAS, the City Commission of the City of Kingsville agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City Commission assures that the funds will be returned to the Criminal Justice Division in full.

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

I.

THAT the City Commission approves the submission of the grant application for the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for law enforcement personnel equipment on the City's behalf with no anticipated cash.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the JAG Grant including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the

program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

IV.

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

PASSED AND APPROVED by a majority vote of the City Commission the 23rd day of July, 2012.

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

Edna Lopez

From: Ricardo Torres <chief@kingsvillepd.us>
Sent: Monday, July 09, 2012 9:23 AM
To: Vincent J. Capell; Courtney Alvarez
Cc: Edna Lopez; Mary Valenzuela
Subject: FW: Grant Application 2608901
Attachments: Resolution No.2012-09 JAG Local Recon Robot.pdf

Mr. Capell
Ms. Alvarez

I have been notified via e-mail that the additional wording below needs to be added to the original resolution for the Resolution #2012-09 that is attached to this e-mail. Please place on the next available agenda for consideration.

Thank you for your assistance.

Ricardo Torres
Chief of Police
Kingsville Police Department
Kingsville, Texas 78363
PH# (361) 592-4311 Option #5
Fax# (361) 593-1714
e-mail: chiefofpolice@kingsvillepd.us

From: Toni Kanetzky [<mailto:tkanetzky@governor.state.tx.us>]
Sent: Friday, July 06, 2012 3:51 PM
To: 'chiefofpolice@kingsvillepd.us'
Subject: Grant Application 2608901

Dear Chief:

Please note that the following condition of funding has been added to your grant application:

Other Condition of Funding. Revised Resolution: Please upload a REVISED RESOLUTION that includes a clause regarding loss/misuse. Sample - WHEREAS, _____ (Governing Body) agrees that in the event of loss or misuse of the Criminal Justice Division funds, _____ (Governing Body) assures that the funds will be returned to the Criminal Justice Division in full. A sample resolution can be accessed under "Updates" and then "Forms" at the welcome webpage in the eGrants system. 7/6/2012

Thank you,
Toni Kanetzky
Program Specialist
OOG/CJD
tkanetzky@gov.texas.gov
Please make a note of the new email address
(512) 463-8228

Reed

RESOLUTION NO.2012- 09

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAG) FOR THE STATE OF TEXAS REQUESTING GRANT FUNDING FOR LAW ENFORCEMENT EQUIPMENT ON BEHALF OF THE KINGSVILLE POLICE DEPARTMENT WITH NO ANTICIPATED CASH MATCH.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to apply for grant monies from the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for law enforcement personnel equipment; and

WHEREAS, the JAG Grant will provide up to \$37,089.00 for law enforcement equipment; and

WHEREAS, the JAG Grant has no anticipated cash match; and

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

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

I.

THAT the City Commission approves the submission of the grant application for the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for law enforcement personnel equipment on the City's behalf with no anticipated cash.


II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the JAG Grant including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

II.

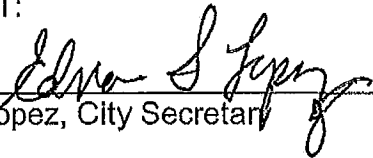
THAT this Resolution shall be and become effective on or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission the 8th day of March, 2012.



Sam R. Fugate, Mayor

ATTEST:



Edna Lopez, City Secretary

APPROVED AS TO FORM



Courtney Alvarez, City Attorney

AGENDA ITEM #8

RESOLUTION # 2012-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT A JOINT APPLICATION TO THE FEMA ASSISTANCE TO FIREFIGHTERS GRANT REQUESTING GRANT FUNDING FOR LEAD CARDIAC MONITOR/DEFIBRILLATORS WITH TELEMETRY CAPABILITY ON BEHALF OF THE KINGSVILLE FIRE DEPARTMENT WITH AN ANTICIPATED \$6,600 CASH MATCH.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Fire Department participate in a joint application for grant monies from the FEMA Assistance to Firefighters Grant for Lead Cardiac Monitor/Defibrillators with Telemetry capability; and

WHEREAS, the Lead Cardiac Monitor/Defibrillators with Telemetry capability transmit vital patient data to the receiving treatment center prior to arrival and is a requirement for retention of Advanced Life Support (ALS) certifications; and

WHEREAS, the Kingsville Fire Department has partnered with Nueces County ESD #4 and the City of Taft EMS for a regional FEMA Assistance to Firefighters Grant to acquire seven such monitors, with 3 designated for Kingsville, and 2 each designated for the City of Taft EMS and Nueces County ESD #4; and

WHEREAS, the FEMA Assistance to Firefighters Grant has a cash match and the City's anticipated portion of the cash match is \$6,600, which will come from the Department's equipment line item; and

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

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

I.

THAT the City Commission approves the submission of a grant application to the FEMA Assistance to Firefighters Grant for Lead Cardiac Monitor/Defibrillators with Telemetry capability on behalf of the City of Kingsville Fire Department, with an anticipated cash match of \$6,600 from the City.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 23rd day of July, 2012.

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney



KINGSVILLE FIRE DEPARTMENT

P.O. Box 1458
Kingsville, Texas 78364
(361) 592-6445
FAX (361) 595-4798

Date: July 12, 2012
To: City Commission through the City Manager
From: Roel Carrion Interim Fire Chief
Subject: FEMA AFG Grant for Cardiac Monitors

This proposal is for the authorization to set aside funds to pay for our part of shared costs associated with a Regional FEMA Assistance to Firefighters Grant submitted to acquire three 12 Lead Cardiac Monitor/Defibrillators with Telemetry capability.

Receiving favorable approval of this grant is considerably higher if submitted as a regional grant. Therefore, it has been submitted jointly with Nueces County ESD #4 Bluntzer EMS, the City of Taft EMS and the City of Kingsville Fire Department as a regional grant thus increasing our opportunity to be awarded this grant.

BACKGROUND

The 12 lead monitors currently on the market are equipped with the most up-to-date technology, such as pulse oximetry, carbon dioxide monitoring, automatic blood pressure monitoring, patient data and electrocardiogram transmission, and are critical components necessary for early identification and treatment of patients presented with ST-segment elevation myocardial infarction (STEMI), as well as multiple other medical and traumatic cardiac conditions. Unfortunately the devices currently in service throughout our region have become obsolete due to advances in technology and an increase in the standard of care.

There are several issues with the current 12 lead monitors' reliability, as well as their capabilities, which are affecting patient care and which will be removed once we have the new units. The ECG can identify a STEMI; however, to activate the cardiac catheter lab at the STEMI receiving centers, a 12 lead ECG needs to be transmitted.

Our units do not have and cannot be upgraded to be able to transmit such information. This transmission capability is now required by the Texas Department of State Health Services for all STEMI and stroke patients as part of treatment protocols, so the ability to send patient data through multiple mediums to the hospital prior to arrival is a requirement for us to retain Advanced Life Support (ALS) certifications.

The early confirmation of a STEMI has a tremendous impact on treatment and significantly improves what is known as door to balloon time (D2B). A shortened D2B has been proven to reduce damage to the cardiac muscle, resulting in a faster recovery. In addition, process that is required for the current 12 lead monitors to transmit data to the Patient Care Report (PCR) system is complex and prone to failure. The new 12 lead monitors are equipped with Bluetooth capabilities and search for a wireless connection upon return to quarters. At that time the device will connect to the PCR program and automatically upload the data obtained on the last call, reducing out of service time or missed report uploads because of subsequent runs.

Another issue is the age of the current devices. A recent article in the Journal of the American Medical Association determined that the safety and efficacy of cardiac 12 lead monitors significantly deteriorates 5 to 8 years from the date of purchase. The study included 12 lead monitors utilized in both hospital and pre-hospital environments, and all the devices that are targeted to be replaced under this AFG fall into the 5 to 10 year range. The new 12 lead monitors will improve scene operations, save restock costs, and allow the district and its partners to share loaners if necessary.

Our departments are fully committed to quality care and documentation. Ongoing audits of patient care reports for cardiac arrest and STEMI patients, and patients with shortness of breath, chest pain, dizziness and other related symptoms will be greatly aided by these new 12 lead monitors with their enhanced data capabilities.

In order to raise our level of care to an upgraded level, we need to purchase a total of 7 of the 12 lead monitors for our region; 3 would be designated for Kingsville and 2 each going to the City of Taft and Nueces County ESD #4.

FINANCIAL IMPACT

Each 12 lead monitor will cost \$44,000 thus bringing our total grant proposal to the amount of \$308,000. The cost if awarded would be a 95/5 sharing cost of:

Federal Share : \$292,600

Applicant Share : \$ 15,400 divided by Kingsville, Taft and Nueces County ESD#4

Total: \$308,000

Thus, City of Kingsville: \$6,600 (or, $3/7 \times \$15,400$)

We ask that these funds be set aside from the general fund line item 001-5-220.0-712.00 Equipment. Thank You for your consideration and support of this grant proposal.

(REGULAR AGENDA)


AGENDA ITEM #9



Planning Department

TO: Mayor & Commission Members

THROUGH: Vince Capell, City Manager

FROM: Mike Kellam, Director of Development Services 

SUBJECT: Appointment to the Joint Airport Zoning Board

DATE: July 18, 2012

Ken Moses has expressed an interest in serving a two year term on the Joint Airport Zoning Board, thereby filling a vacancy on the board. Mr. Moses is a Kingsville resident and also a retired Senior Chief Air Traffic Controller. Currently, he serves as the air field manager for Naval Air Station Kingsville.

If there are any questions for Mr. Moses, he can be reached at 361-595-9950.

Thank you for taking the time to consider this request. With this appointment the City's two seats will be filled for the next two years. The County is also re-appointing their final seat and all involved entities will have adequate representation.

May 21, 2012

Re: Appointment to the Planning and Zoning Commission and Airport Zoning Board

Dear Mayor & City Commission Members;

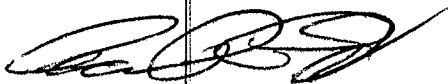
My name is Raymond Perez and I am writing to request to serve a two year term on the Planning and Zoning Board and the Airport Zoning Board. I had previously served on both boards so I understand the dedication and commitment needed for both boards.

I am a lifelong resident of Kingsville, Texas. I retired from the Celanese Corporation of 35 years. I helped build and design the Santa Gertrudis Arroyo subdivision that has brought more living spaces for the City of Kingsville. I am currently a contractor remodeling homes in the Kingsville area.

I can be contacted by cell phone anytime at 361-779-4218.

Thank you for taking the time to consider my request, and I will be in touch with you soon.

Sincerely,

A handwritten signature in black ink, appearing to read 'Raymond Perez', with a stylized, cursive script.

Raymond Perez

AGENDA ITEM #10

RESOLUTION #2012-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSULTANT CONTRACT FOR A CERTIFIED LOCAL GOVERNMENT HISTORICAL SURVEY & INVENTORY OF THE HISTORIC DISTRICT OF KINGSVILLE, TEXAS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has obtained a Certified Local Government grant via the Texas Historical Commission, grants from the City and the Kingsville Convention and Visitors Bureau, as well as in-kind staff-time matches from TAMUK Kleberg Avenue from the City for a historical survey and inventory of the historic district of Kingsville, Texas; and

WHEREAS, the hiring of a trained and experienced historic preservation professional, such as Cynthia M. Martin, is key to the successful completion of the historical survey and inventory; and

WHEREAS, the City has financing in place to proceed with this project and contract; and

NOW THEREFOR, 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 Consultant Contract with Cynthia M. Martin for a Certified Local Government Historical Survey and Inventory of the Historical District of Kingsville, Texas 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
23rd day of July, 2012.

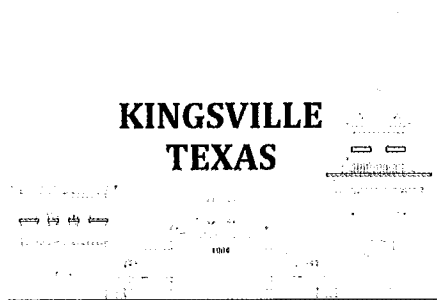
Sam R. Fugate, Mayor

ATTEST:

Edna S. Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



July 11, 2012

From: R. Rodgers Trescott, Downtown & Special Projects

To: City Manager

Subject: Consultant Contract for CLG Grant-funded Historic Survey

Attached is a contract for planning and planning supervision services from Cynthia Martin to act as project manager and subject matter expert for the Historic District Survey and Inventory that is already funded.

The City of Kingsville has a longstanding commitment to historic preservation, having instituted an historic district, an historical development board, design review, a Certified Local Government program and a Texas Main Street Program. We also recently adopted the International Existing Building Code to facilitate building rehabilitations.

The City Commission approved the application for a Texas Historical Commission Certified Local Government grant for the purpose of re-surveying and re-inventorying this community's historic resources.

The City Commission has approved the expenditure of a sum of \$6,250 as a partial cash match for that grant

The Kingsville Convention and Visitors Bureau contributed a sum of \$6,250 to the City as a partial cash match for that grant and the City Commission accepted that contribution.

The City Commission authorized execution of the Texas Historical Commission \$25,000 grant contract and that has been accomplished.

The City Commission also authorized execution of a services contract with Texas A&M University and that has been accomplished.

We now request that the City Commission authorize the execution of a contract with Ms. Cynthia M Martin, of Kingsville, to begin the work of re-surveying our historic resources.

We are extremely lucky to have Ms. Martin in our community where she is the Executive Director of the Texas Tropical Trail and a member of the City Historical Development Board. Ms. Martin has a Master's degree in Historic Preservation from the School of Architecture, University of Texas at Austin and other training related to historic preservation and certified local governments. She is designated as an architectural historian and certified for sustainable "green" buildings. She has worked on restoration, maintenance, regulation and guideline

development, heritage tourism and public education in this field as well as previously having done historic district survey work.

Her experience, training, familiarity with our city and university, and her residence within our community makes her an appropriate choice as a qualified, available, interested, and affordable provider of services required under this contract and the grant umbrella.

Our investments, those of the university, combined with the grant funds will allow us to use an innovative, town/gown approach to Historic Preservation Surveys and Inventories – that will fill an important need in our community as well as build capacity in the University.

Updating our Historic District inventory is a foundation step for our downtown and historic district redevelopment.

This project will be coordinated with other work by the City, TAMUK and others that together advance our documentation, understanding, protection, and celebration of our heritage and historic resources – to the advantage of our quality of life, tourism development and economic development.

The contract requires the City Manager signature.

CONSULTANT CONTRACT FOR A CLG SURVEY & INVENTORY

CONSULTANT CONTRACT FOR A CERTIFIED LOCAL GOVERNMENT HISTORICAL SURVEY & INVENTORY OF THE HISTORIC DISTRICT OF THE CITY OF KINGSVILLE TEXAS

THIS AGREEMENT is made by and between the City of Kingsville, Texas and Cynthia M. Martin; 723 South 12th Street, Kingsville, TX 78363 (may be referred to elsewhere in this document as "consultant").

WHEREAS, the City of Kingsville has received a grant from the Texas Historical Commission; and

WHEREAS, the scope of work includes producing an historical survey and inventory of the buildings and sites within the historic district in the City of Kingsville Texas; and

WHEREAS, the City of Kingsville has entered into a contract with Texas A & M University – Kingsville to engage their staff and students to perform some of the work required for this project; and

WHEREAS, the scope of work requires the supervision of a trained and experienced historic preservation professional; and

WHEREAS, the Consultant is both qualified and capable of providing the professional assistance required and is willing to make those services available;

NOW THEREFORE, the parties hereto mutually agree as follows;

I. Scope of Services

The scope of services covered by this contract shall include supervision of and cooperation with the efforts of Texas A & M University Kingsville that are being pursued under a separate contract and which are subject to the supervision of this contracted consultant.

Services and deliverables shall include the following:

- 1. Archival Research and Preparation** (Existing historic district - roughly Santa Gertrudis to Huisache Avenues and Armstrong to 12th Streets)
 - a. Collect paper reports and data from previous surveys and inventories
 - b. Determine data standards for the Texas Historical Commission
 - c. Collect other historical materials and photographs
 - d. Train students for data entry and for field work
 - e. Develop input forms/screens that show old data and allow new data entry

CONSULTANT CONTRACT FOR A CLG SURVEY & INVENTORY

- f. Input extant data into proper format that will later populate the Texas Historical Commission expected products as well as the City's and the University's products.
- g. Public participation

2. Initial Preparatory Field Work

- a. Create data presentation protocol that will display old survey data along with draft updates
- b. Using the data from above and the field input forms/screens, make an initial current survey of study area to further populate the databases
- c. Take digital color and black and white photographs in approved formats with approved labeling
- d. Capture observations about changes to site since last survey and inventory.
- e. Public participation

3. Draft Documentation

- a. An amalgamation of historic data and data from initial preparatory field work prepared in a way that displays historic information and current information in a format that includes:
 - i. Property ID
 - ii. Property description
 - iii. Architectural information
 - iv. Historical information
 - v. Assessments
 - vi. Recommendations
- b. Texas Historic Site Inventory Forms for properties in the survey area
- c. Photo documentation for properties in the survey area
- d. Mapping and satellite/aerial imaging to show all sites and properties, coded as to status: non-contributing, contributing, standalone eligibilities, etc.
- e. Draft Report including:
 - i. Purpose and methodology
 - ii. Background, history, trends and distribution
 - iii. Analyses, implications, and recommendations

4. Professional Review and Coordination

- a. Review work product of 1 through 3, making critiques and recommendations
- b. Corrections as needed

5. Field Survey utilizing product output of #3 above

- a. Review work product of #3 above, from vehicle, correcting, supplementing, replacing as needed.

CONSULTANT CONTRACT FOR A CLG SURVEY & INVENTORY

6. Detailed Field Survey of properties, as needed

- a. Entering properties as needed to document
- b. Level of effort to determine if additional documentation is needed for any listings or designations

7. Review and Update Mapping

8. Final report:

- a. Summary
- b. Purpose & methodology
- c. Observations about the history of the area, patterns of settlement, development trends, context
- d. Resource summaries and distributions
- e. SWOT analyses (strengths, weaknesses, opportunities and threats). Including analyses and recommendations for the Kingsville Historical Development Board and for the Kingsville City Commission. Assign priorities for further actions in support of preservation

9. Final Formatting and Submission

II. Time of Performance

The services of the Consultant shall commence on the signing of this agreement and shall be completed so that all final products are completed and accepted by the City of Kingsville Texas and the Texas Historical Commission by June 30, 2013.

III. Compensation and Method of Payment

The City of Kingsville shall pay the consultant for all work performed in accordance with this agreement on the basis of a fixed fee of **\$5,000.00** to be paid in installments based on the following schedule:

Archival Research and Preparation	10% of the total contracted amount
Initial Preparatory Field Work	10% of the total contracted amount
Draft Documentation	5 % of the total contracted amount
Professional Review and Coordination	5 % of the total contracted amount
Field Survey utilizing product output of #3 above	20% of the total contracted amount
Detailed Field Survey of properties, as needed	20% of the total contracted amount

CONSULTANT CONTRACT FOR A CLG SURVEY & INVENTORY

Review and Update Mapping	10% of the total contracted amount
Final report	10% of the total contracted amount
Final Formatting and Submission	10% of the total contracted amount

To be paid upon completion of products for each phase as described in the Services and deliverables listed above.

Total project cost \$ 5, 000.00

Payment of the above shall be made to the Consultant upon completion of tasks and deliverables, as listed above, and after submission of an invoice(s) to the City of Kingsville. Invoices shall specify the tasks performed and the work product completed. The City of Kingsville will then make prompt payment to consultant.

IV. Changes

The City of Kingsville may, from time to time, request changes in the scope of services to be performed hereunder. Such changes, including any increase or decrease in the amount of the consultant's compensation, which are mutually agreed by and between the City of Kingsville and Consultant, shall be incorporated in written amendments to this agreement.

V. Compliance with Federal, State and Local Laws

Consultant shall comply with all federal and state laws and regulations concerning equal opportunity, affirmative action and fair employment opportunities. Consultant further agrees to comply with all applicable regulations, laws, ordinances and codes to the State and local government and policies, guidelines and requirements of grant program.

VI. Interest of the Consultant

The consultant covenants that it now has no personal interest, direct or indirect, in any property or business of any kind, and shall not acquire any such interest, which would conflict in any manner or degree with the performance of services under this contract.

VII. Indemnification

Consultant agrees to indemnify, defend and hold harmless the City of Kingsville and its agents from and against all loss or expense (including costs and attorney's fees) by reason of any claim or suit arising out of the acts or omissions of Consultant its employees, agents or assigns Consultant from liability imposed by law upon Consultant or its agents or employees for damages because of bodily injury , including death at any time resulting therefrom, sustained by any person or person or on any account of damages to property , including loss of use thereof, whether caused by or contributed to by the Consultant or its agents or employees.

CONSULTANT CONTRACT FOR A CLG SURVEY & INVENTORY

VIII. Termination of Contract for Cause

If, through any cause, the Consultant shall fail to fulfill in timely and proper manner its obligations under this contract, or if the Consultant shall violate any of the covenants, agreements or stipulations of the Agreement, the City of Kingsville shall thereupon have the right to terminate this contract by giving notice to the Consultant of such termination and specifying the effective date of such termination. In such event, all finished or unfinished documents, data, studies, reports, or other materials prepared by the Consultant under this contract shall, at the option of the City of Kingsville, become the property of the City of Kingsville and the Consultant shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

IX. Termination to Contract for Convenience

The City of Kingsville or the Consultant may terminate this agreement at any time by giving at least thirty (30) days' notice in writing to the other party. If the contract is terminated as provided herein, the Consultant will be paid for the time and expenses incurred up to the termination date.

X. Records and Audits

The Consultant shall maintain records, adequate to identify and account for all costs pertaining to this contract and such other records as may be deemed necessary to assure proper accounting for all project funds. These records will be made available for audit purposes to the City of Kingsville or its authorized representative.

XI. Independent Contractor

As between the City of Kingsville and the Consultant this is intended as, and is, an independent contract. The Consultant and no partner or employee of the Consultant shall, by reason of this contract become an employee of the City of Kingsville.

XII. Ownership of Documents

All of the reports, forms, information, data, images, etc., prepared or assembled by the Consultant under this contract are the property of the City of Kingsville, and the Consultant agrees that they shall not be made available to any individual or organization at any time without prior written approval of the City of Kingsville.

CONSULTANT CONTRACT FOR A CLG SURVEY & INVENTORY

IN WITNESS THEREOF, parties hereto have caused this agreement to be executed the year and date written below by their proper officers and representatives.

_____ Date: _____

Cynthia M. Martin, Historic Preservation Consultant

_____ Date: _____

Vincent J. Capell, City Manager, City of Kingsville

AGENDA ITEM #11

RESOLUTION NO. 2012-_____

A RESOLUTION ESTABLISHING A KINGSVILLE MAIN STREET DOWNTOWN PLAN FOR THE CITY OF KINGSVILLE, TEXAS.

WHEREAS, the City desires to preserve, redevelop and revitalize the Kingsville Historic Downtown District; and

WHEREAS, the City had adopted a City Master Plan in 2008 that endorses such preservation, redevelopment and revitalization; and

WHEREAS, the City had authorized the establishment of a Kingsville Main Street Program in 2011; and

WHEREAS, the Kingsville Main Street Program and the Kingsville Historic Downtown Association are partnering with each other, with City departments and boards and with others on projects and programs that advance downtown district preservation, redevelopment and revitalization; and

WHEREAS, after comprehensive research and studies of existing physical and market conditions and possible future trends, a comprehensive Downtown Plan has been prepared; and

WHEREAS, the Downtown Plan was developed with the purpose of: reviewing the background, enumerating guiding principles, providing a strategic framework, and listing projects and programs that advance downtown district preservation, redevelopment and revitalization; and

WHEREAS, the Kingsville Main Street Downtown Plan was developed in accordance with the City of Kingsville Master Plan, wherein "Ongoing development of downtown...establishing special places...and spurring economic development" were identified as goals and wherein action was recommended to develop a downtown plan.

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

I.

THAT the Kingsville Main Street Downtown Plan (attached hereto as Exhibit A) is hereby approved as of the effective date of this resolution.

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 or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the 23rd day of July, 2012.

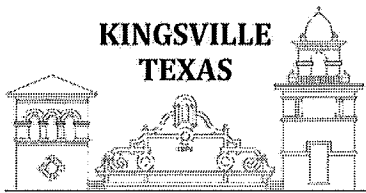
Sam R. Fugate, Mayor

ATTEST:

Edna S. Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Date: 11 July 2012
From: Downtown & Special Projects Manager
To: City Commission
Via: City Manager
Subject: Request for Acceptance & Approval of the Kingsville Main Street Downtown Plan
Attached: Kingsville Texas Main Street Program Downtown Plan

The City Master Plan Of 2008 recommends the preparation of a downtown plan. As part of our participation in the Texas Main Street Program, we have conducted various reviews, studies, and planning efforts. The attached is a composite document reflecting those various efforts and represents a multifaceted review and set of recommendations for the Kingsville Main Street downtown district, based on my experience, support from the State, from City staff, and the contributions of our volunteers.

The Plan includes:

1. An analysis based on strengths, weaknesses, threats as well as opportunities for revitalization. This is a very common urban planning analysis and is usually referred to as **SWOT** analysis, but I like to end with opportunities so I modify the order.
2. A review of the organizational events tied back to the development in 2008 of the **City Master Plan**.
3. The presentation of some principles which are useful to apply to our downtown redevelopment.
4. A summary of history, conditions, and efforts affecting the community and the district.
5. Brief summary of the strategic approach that includes what is called the **Main Street Four Point Approach™: Organization, Design, Promotion & Economic Restructuring** and which, in this report, is divided into Governance, Urban Design, and Management.
6. **Governance** includes many actions that are ultimately endorsed by the City Commission and which establish the framework and enable the funding, code and policy tools required by the Planning Department, the City Engineer and others. Many of these efforts are already accomplished and others are in the works.
7. **Urban Design** includes implementation of programs and projects, including those specifically authorized as outlined in #6, above, and programs and projects that may be encouraged in the private sector. All such programs and projects involve improvements to public infrastructure and/or private property.
8. **Management** involves centralizing planning for retail make-up, operations, and marketing among other forms of communications and cooperation.
9. Some **Maps** are attached

Note that this is intended to be a living document and an evolving framework for action; some items will have been completed and other will be added when opportunities are presented.

AGENDA ITEM #12



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: July 13, 2012
TO: City Commission through City Manager
FROM: Naim Khan, Director of Public Works/City Engineer
SUBJECT: Recommendation for Well #20 Emergency Repairs & Budget Amendment

SUMMARY

This item authorizes the staffs to complete the water well #20 emergency rehabilitation project and to allocate adequate funding via a budget amendment.

BACKGROUND

During the pump testing after the well screens were cleaned, the well began producing packing gravel and sand. The well had to be reduced from 8" to 6" based on Hydrologist, Joe Vickers recommendation. This was due to a failure of the blank liner. This part of the emergency rehab was done utilizing Certificate of Obligation 2005 funds (062).

RECOMMENDATION

Staff is requesting authorization (1) to proceed with emergency repairs to water well #20 and (2) for approval of a budget amendment for the additional funding to complete the well emergency rehab. This work includes a new pump, oil tubing pipe, bearings, spider couplings and installation.

FINANCIAL IMPACT

\$100,000 was initially allocated in CO2005 fund for water well rehabilitation. As per the cost estimate from AISay Inc, an additional \$31,926.25 is needed to complete this project. We normally add 10% contingency with the contractor's cost estimate because of lot of unseen items can arise in groundwater exploration projects. With a 10% contingency, we need an additional \$35,119 ($31,926.25 + 3192.63$) to rehabilitate this water well. The additional money will come from Utility Fund Capital Outlay fund (054).

Approved

Vincent Capell, City Manager



ALSAY
INCORPORATED

GROUNDWATER EXPLORATION & DEVELOPMENT

REPLY TO: 3359 S.E. LOOP 410
SAN ANTONIO, TEXAS 78222
PHONE: 210-628-1090
FAX: 210-628-1505

Summary of Well No.20 Rehabilitation
For
City of Kingsville

Well Cleaning:

1. Mobilize drill pipe, casing scratcher, air compressor and service rig
2. Scratch 10" casing/screen from 513'-700'
3. Airlift accumulated debris from bottom of well
4. Scratch 10" casing/screen from 700'-T.D.
5. Airlift additional accumulated debris
6. Perform TV survey
7. Insert & agitate 2000 gallons of 28% HCL w/ inhibitor
8. Insert & agitate 1000 ppm chlorine solution into screened sections
9. Agitate and airlift screens

Total Cost: \$32,750.00

Well Liner Installation:

1. Mobilize 6" screen, blank liner, gravel & tubing
2. Airlift any accumulated debris from bottom of well
3. Install 160' of 6" Rod-base screen, 130' of 6" Blank liner (500'-790')
4. Run gravel tubing and install gravel from T.D. to top of lap
5. Develop screens with agitator while airlifting
6. Sonar Jet existing 10" screens through new 6" liner
7. Add gravel as necessary to maintain full lap
8. Airlift any accumulated debris from inside 6" liner
9. Perform TV survey
10. Install test pump
11. Perform 24 Hour production test
12. Remove test pump
13. De-mobilize all equipment

Total Cost: \$52,925.00

Recommended Pump Repairs:

1. Pull pump & televise: \$4,000.00
2. New 12 WAHC, 5 stage bowl assembly (750 GPM@390 TDH): \$10,144.00
3. (440') of 1 11/16"x 2 1/2" Inner column assembly (no shafts): \$12,859.00
4. (440') of 8" T&C Column Pipe: \$13,975.00
5. Clean & Straighten existing line-shafts: \$600.00
6. (11) 2 1/2"x 8" Tube centralizers: \$173.25
7. Assemble repaired pump, trucking and installation: \$4,500.00

Total Cost: \$46,251.25

Total Water Well No.20 Rehabilitation: \$131,926.25



ALSAY
INCORPORATED
GROUNDWATER EXPLORATION & DEVELOPMENT

REPLY TO: 3359 S.E. LOOP 410
SAN ANTONIO, TEXAS 78222
PHONE: 210-628-1090
FAX: 210-628-1505

June 27, 2012

City of Kingsville
P.O. Box 1458
Kingsville, TX. 78364

Attn: Joe Casillas

Re: Water Well No.20 Pump Recommendations

Joe,

This letter is confirming the results of the test pumping provided on the above referenced water well after the liner installation.

As approved, the well was mechanically and chemically treated in an effort to eliminate the significant build-up on the existing 10" screens and improve production. The new 6" screened liner was installed and a test pump provided for a 24 hour production test. Based on the information obtained from the production test we feel we can utilize some of the existing pumping equipment that was originally slated for repairs or replacement which were outlined in our letter dated 3/12/12. We would, however, recommend that we only set 440' of pump instead of the original 460'. This is due to the close proximity of the top of the new lap on the 6" liner and the suction on the pump's bowl assembly. We do not want to pull any of the gravel from the lap section during the operation of the pump.

The new pump will be designed for 750 GPM at 390 TDH instead of the originally recommended 468 TDH. It will also be a 5 stage pump instead of the 6 stage pump. Anticipated pumping level at 750 GPM is to be approximately 360 feet which would give the City approximately 80 feet of pump submergence during operation.

Pump Repair recommendations:

1. New 12 WAHC, 5 stage Bowl Assembly (750 GPM@390 TDH): **\$10,144.00**
2. (440') of 1 11/16"x 2 1/2" Inner Column Assembly (no shafts): **\$12,859.00**
3. (440') of 8" T&C, .277 Wall Column Pipe: **\$13,975.00**
4. Clean & straighten existing 1 11/16"x 20' line-shafts: **\$600.00**
5. (11) 2 1/2"x 8" Tube Centralizers: **\$173.25**
6. Labor to Pull Pump & Televise: **\$4,000.00**
7. Labor to assemble, trucking and Installation of Pump: **\$4,500.00**

The above scope of work would take approximately 7-10 days to complete. Please give me a call if you have any questions. I am waiting on pricing for the pump repairs, will forward as soon as received from George.

Sincerely

Steve Bell
General Manager

AGENDA ITEM #13

ORDINANCE NO. 2012-

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 BUDGET FOR THE UTILITY FUND CAPITAL PROJECTS FUND 054 FOR THE WATER PRODUCTION DEPARTMENT WATER WELL #20 TO FUND 062 CO 2005.

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 2011-2012 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
-----------	------------------	---------------	-----------------	-----------------	-----------------

Fund 054 Utility Fund Capital Projects Fund

Capital

2 Fund Balance			610.00		<u>35,127</u>
					<u>35,127</u>

Other Sources/Uses

690 Fund Transfers	Transfer to Fund 062-066	394.00		<u>35,127</u>	
				<u>35,127</u>	

[To pay for the Water Well #20 rehab.]

Fund 062 Certificate of Obligation 2005 – Utility Fund

Other Sources/Uses

6-000 Fund Transfers	Transfer from Fund 054	750.00		<u>35,127</u>	
				<u>35,127</u>	

Expenses

600.2 Water Production	Water Well #20	720.20		<u>35,127</u>	
				<u>35,127</u>	

[To pay for the Water Well #20 rehab.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 23rd day of July, 2012.

PASSED AND APPROVED on this the ____ day of _____, 2012.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: July 13, 2012

TO: City Commission through City Manager

FROM: Naim Khan, Director of Public Works/City Engineer

SUBJECT: Recommendation for Well #20 Emergency Repairs & Budget
Amendment

SUMMARY

This item authorizes the staffs to complete the water well #20 emergency rehabilitation project and to allocate adequate funding via a budget amendment.

BACKGROUND

During the pump testing after the well screens were cleaned, the well began producing packing gravel and sand. The well had to be reduced from 8" to 6" based on Hydrologist, Joe Vickers recommendation. This was due to a failure of the blank liner. This part of the emergency rehab was done utilizing Certificate of Obligation 2005 funds (062).

RECOMMENDATION

Staff is requesting authorization (1) to proceed with emergency repairs to water well #20 and (2) for approval of a budget amendment for the additional funding to complete the well emergency rehab. This work includes a new pump, oil tubing pipe, bearings, spider couplings and installation.

FINANCIAL IMPACT

\$100,000 was initially allocated in CO2005 fund for water well rehabilitation. As per the cost estimate from AlSay Inc, an additional \$31,926.25 is needed to complete this project. We normally add 10% contingency with the contractor's cost estimate because of lot of unseen items can arise in groundwater exploration projects. With a 10% contingency, we need an additional \$35,119 ($31,926.25 + 3192.63$) to rehabilitate this water well. The additional money will come from Utility Fund Capital Outlay fund (054).

Approved

Vincent Capell, City Manager



ALSAY
INCORPORATED

GROUNDWATER EXPLORATION & DEVELOPMENT

REPLY TO: 3359 S.E. LOOP 410
SAN ANTONIO, TEXAS 78222
PHONE: 210-628-1090
FAX: 210-628-1605

Summary of Well No.20 Rehabilitation
For
City of Kingsville

Well Cleaning:

1. Mobilize drill pipe, casing scratcher, air compressor and service rig
2. Scratch 10" casing/screen from 513'-700'
3. Airlift accumulated debris from bottom of well
4. Scratch 10" casing/screen from 700'-T.D.
5. Airlift additional accumulated debris
6. Perform TV survey
7. Insert & agitate 2000 gallons of 28% HCL w/ inhibitor
8. Insert & agitate 1000 ppm chlorine solution into screened sections
9. Agitate and airlift screens

Total Cost: \$32,750.00

Well Liner Installation:

1. Mobilize 6" screen, blank liner, gravel & tubing
2. Airlift any accumulated debris from bottom of well
3. Install 160' of 6" Rod-base screen, 130' of 6" Blank liner (500'-790')
4. Run gravel tubing and install gravel from T.D. to top of lap
5. Develop screens with agitator while airlifting
6. Sonar Jet existing 10" screens through new 6" liner
7. Add gravel as necessary to maintain full lap
8. Airlift any accumulated debris from inside 6" liner
9. Perform TV survey
10. Install test pump
11. Perform 24 Hour production test
12. Remove test pump
13. De-mobilize all equipment

Total Cost: \$52,925.00

Recommended Pump Repairs:

1. Pull pump & televise: \$4,000.00
2. New 12 WAHC, 5 stage bowl assembly (750 GPM@390 TDH): \$10,144.00
3. (440') of 1 11/16"x 2 1/2" Inner column assembly (no shafts): \$12,859.00
4. (440') of 8" T&C Column Pipe: \$13,975.00
5. Clean & Straighten existing line-shafts: \$600.00
6. (11) 2 1/2"x 8" Tube centralizers: \$173.25
7. Assemble repaired pump, trucking and installation: \$4,500.00

Total Cost: \$46,251.25

Total Water Well No.20 Rehabilitation: \$131,926.25



ALSAY
INCORPORATED
GROUNDWATER EXPLORATION & DEVELOPMENT

REPLY TO: 3359 S.E. LOOP 410
SAN ANTONIO, TEXAS 78222
PHONE: 210-628-1090
FAX: 210-628-1505

June 27, 2012

City of Kingsville
P.O. Box 1458
Kingsville, TX. 78364

Attn: Joe Casillas

Re: Water Well No.20 Pump Recommendations

Joe,

This letter is confirming the results of the test pumping provided on the above referenced water well after the liner installation.

As approved, the well was mechanically and chemically treated in an effort to eliminate the significant build-up on the existing 10" screens and improve production. The new 6" screened liner was installed and a test pump provided for a 24 hour production test. Based on the information obtained from the production test we feel we can utilize some of the existing pumping equipment that was originally slated for repairs or replacement which were outlined in our letter dated 3/12/12. We would, however, recommend that we only set 440' of pump instead of the original 460'. This is due to the close proximity of the top of the new lap on the 6" liner and the suction on the pump's bowl assembly. We do not want to pull any of the gravel from the lap section during the operation of the pump.

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Pump Repair recommendations:

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6. Labor to Pull Pump & Televis: **\$4,000.00**
7. Labor to assemble, trucking and Installation of Pump: **\$4,500.00**

The above scope of work would take approximately 7-10 days to complete. Please give me a call if you have any questions. I am waiting on pricing for the pump repairs, will forward as soon as received from George.

Sincerely

Steve Bell
General Manager


AGENDA ITEM #14



Planning Department

TO: Mayor & Commission Members

THROUGH: Vince Capell, City Manager

FROM: Mike Kellam, Director of Development Services 

SUBJECT: Waterline Extension Agreement for Steve Childers & Jimmy Yarborough

DATE: July 12, 2012

Mr. Steve Childers approached the City Commission during a regular Commission meeting in the Spring of 2012 with a request for City assistance with the extension of a city waterline to his property due to a failing water well. Mr. Childers' property is located in the north part of Kingsville on W. Private Road 2006 (an unimproved road) located approximately 800 feet east of Armstrong Street. This property was constructed and septic and water systems established prior to a 1997 City annexation, therefore the existing system was grandfathered as is. Mr. Childers' well has continued to fail to a point where water service is sporadic with days where no water is available. In addition to Mr. Childers, Mr. Jimmy Yarborough, who neighbors to the west of Mr. Childers on Private Road 2006, was served by the same water well and is also without water at times. Both gentlemen would like to gain access to City water as the water well is less and less dependable.

Since Mr. Childers' plea to the City Commission in the spring, at the direction of the City Commission to explore a cost sharing agreement, City staff has been working with Mr. Childers and Mr. Yarborough to research possibilities in which a public water main could be constructed that will be accessible to both parties. Upon research by City staff an existing 10 foot public utility easement abutting Private Road 2006 was found, wherein the waterline will be able to be extended to provide access to service to the above mentioned properties.

Utilizing the existing public utility easement, the City will install an eight inch water line for water service and fire protection to the identified parties' property off of North Armstrong & Private Road 2006, with the City paying 50% of the cost and Mr. Childers and Mr. Yarborough each splitting the other 50% of the costs. The waterline extension has been estimated to cost \$23,306.08, with Mr. Childers and Mr. Yarborough each paying their portion, totaling approximately \$5,826.52. This is an estimated project cost. So, if the actual cost comes in at an amount over the estimated project cost, then each party will be responsible for 25% of the overage as well. Should the project come in at an amount less than the estimated project cost, then each party would receive a refund for 25% of the amount of the underage. This project will be funded utilizing existing funds in the water utility account 051-5-600.1-541.00.

Cc: Naim Kahn, Director of Public Works
Courtney Alvarez, City Attorney

Attachments: Memorandum & Minutes Authorizing Negotiations
Project Area Map(s)

MEMORANDUM

TO: Mayor and City Commission
FROM: Vince Capell, City Manager *Vic*
DATE: March 13, 2012
SUBJECT: Request for City Utility Extension – Mr. Steve Childers

Over the years the City has annexed residential properties into its borders and allowed residential properties to develop without requiring owners to plat the property and/or establish direct access to improved roads. These properties, which are predominantly in outlying locations close to the perimeter of the city limits, are most often served by on-site septic and ground water systems. Legal ownership for these properties is by metes and bounds description. The lack of improved public roads to these properties leaves them stranded and distant from the nearest City utility connections. The stranded effect is made worse when there are multiple intervening lots and long distances between the property-in-question and the closest available utility connection.

The conditions described are difficult to overcome when the affected resident requests city sewer and water services. It is the City's general practice not to extend utility services to un-platted properties that lack direct access to improved roads. Furthermore, the City would be precluded from extending its utilities to these properties without first obtaining one or both of the following: (1) utility easements on all properties along the intended path of the utilities and/or (2) donated and/or purchased right-of-way through which a fully improved road could be constructed and next to which city utilities could be placed. These conditions represent very real and expensive obstacles for City residents wanting to access City utilities.

Mr. Steve Childers recently approached the City Commission during a regular Commission meeting requesting that the City extend a waterline to his property in the north part of Kingsville on W. Private Road 2006 (unimproved dirt road) located approximately 800 feet east of Armstrong Street. Mr. Childers' property was constructed and septic and water systems established prior to a 1997 City annexation. Mr. Childers indicates that he would like to gain access to City water because he believes that his water well is failing. Prior to Mr. Childers' attendance at the Commission meeting he met twice with City planning, public works and legal staff who told him what I have relayed to you, principally that the City has no obligation to run a water line to his property and that even if it did, it lacks the legal authority (utility easements and/or property right-of-way) and the financing to accomplish it.

I have had an opportunity to speak with Mr. Childers and City staff at greater length about this and related issues and would like to offer the following options and recommendation to the City Commission for its consideration.

one fire hydrant for limited fire protection in that immediate area as well as the aforementioned utility services to Mr. Childers property. This option is less costly than option (3) but more costly than Option (2). This option also offers up the possibility of completing the loop at some future date, but to be assured of this the remaining loop right-of way should be obtained.

Other Considerations:

The City of Kingsville has many needs and a limited amount of funds to satisfy those needs. One of the Commission's considerations when deciding these types of infrastructure spending and policy issues is the number of residents served by that infrastructure now and in the immediate future. Other factors include, but are not limited to, whether the infrastructure is for residential or commercial purposes and, if commercial, the number of existing and/or new jobs to be preserved or created. Having pointed this out, there is nothing wrong for the City to assist individual property owners when it has the resources and means to do so. As is the nature of so many policy decisions, there is no right or wrong answer.

Recommendation:

All things considered including the availability of funds, or lack thereof, I would recommend option (2) under an acceptable cost sharing arrangement with Mr. Childers and any other property owners who wish to access City water in that immediate area. The City's cost for this could, if desired, be recovered over time through water fees.

I look forward to Commission input and direction on this matter.

Attachment: Aerial map of the subject property

cc: Naim Khan, Director of Public Works and City Engineer
Mike Kellam, Director of Development Services
Courtney Alvarez, City Attorney

County Road 2006 ~ Water Line



City Limits

14362
TEXAS A & I UNIVERSITY
KT & I CO, BLOCK 1,
LOT 1-12, (EXEMPT)

23372
TORRES SERVANDO JR
KT & I CO, BLOCK 2, LOT 5 ACS OF SW PT 5, ACRES 5.0

22517
NILGUY LLC
KT & I CO, BLOCK 2,
LOT E PT S/2 5, ACRES 6.8

20242
MERRIMAN PENNY J
KT & I CO, BLOCK 2, LOT SW PT 5, NW PT 12, ACRES 5.0

16347
LEONARD D KEMP
FAMILY TRUST
KT & I CO, BLOCK 2,
LOT 2.5 AC OF E PT 12,
ACRES 2.5

22644
SAN MIGUEL GILBERTO JR
W
KT & I CO, BLOCK 2,
LOT 2.5 AC OF N/4 12,
ACRES 2.5

23280
NILGUY LLC
W
KT & I CO, BLOCK 2,
LOT SE/4 N/4 12, ACRES 2.5

17090
CHILDERS STEVE A
KT & I CO, BLOCK 2,
LOT PT NE/4 12, ACRES 5.0

Road 2006

Armstrong

37086
SCHOECH MELVIN
& GENELL TRUST
SERENTIY EST #2,
LOT 4, ACRES 1.18

37085
SCHOECH MELVIN & GENELL TRUST
N
SERENTIY EST #2, LOT 3, ACRES 2.72

37084
GUERRERO VICTORIA A
N
SERENITY EST #2,
LOT 2, ACRES 2.99

37087
SCHOECH MELVIN
& GENELL TRUST
SERENTIY EST #2,
LOT 5, ACRES 1.17

37088
PRADO NICOLAS JR
NE
SERENITY EST #2,
LOT 6, ACRES 1.17

Sage

0 150 300 450 Feet

Drawn By: Lisa McLaughlin &
Juan Cavazos

Date: 3/13/2012

Note: City Limit Line is approximate

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

MARCH 26, 2012

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 26, 2012 IN HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL/200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam R Fugate, Mayor
Al Garcia, Commissioner
Charles Wilson, Commissioner
Stanley Laskowski, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Vincent Capell, City Manager
Edna S Lopez, City Secretary
Courtney Alvarez, City Attorney
Naim Khan, City Engineer/Public Works Director
Mike Kellam, Director of Development Services
David Mason, Purchasing Director
Robert Rodriguez, Library Director
Bill Donnell, Asst. Public Works Director
Diana Gonzales, Human Resource Director
Mark Rushing, Finance Director
Willie Vera, Task Force Commander
Yolanda Cadena, Health Director
Frank Garcia, Wastewater Supervisor
Robert Trescott, Downtown Manager
Joe Casillas, Water Production Supervisor
Roel Carrion, Interim Fire Chief
John Garcia, Risk Manager
Caron Vela, Accounting Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Commission Chambers at 6:00 P.M. and announced quorum as present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Mr. Mark Rushing, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Mayor Fugate called for consideration of the minutes of the special meeting of Thursday, March 8th, 2012. **Commissioner Laskowski made a motion to accept the minutes as presented, seconded by Commissioner Wilson and Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Wilson, Pecos, Laskowski voting "FOR".**

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

Public hearing to consider amending the zoning ordinance by changing the zoning map in reference to 1.63 acres out of KT&I Subdivision, Block 22, Lot Pt 13 from C2 Retail District to C4 Commercial District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan, location also known as 4111 South Brahma Blvd, applicant Mr. E.R. Cantwell, III. (Director of Development Services).

Mayor Fugate opened the public hearing at 6:02 P.M.

Director of Development Services Mike Kellam stated this is to allow for a proposed ambulance service building at this location. There was a public hearing was held with P&Z on March 8th, at that meeting it was recommended this request be approved. Staff has done the research and given the Commission the Staff report for this application. This is a commercially designated area and is fitting with the location being close to Hwy 77.

Mayor Fugate called for questions or comments. He announced anyone wanting to speak on this issue can come to the podium and announce their name, address, and they have 5 minutes or less to speak on this subject.

Mayor Fugate closed the public hearing at 6:04 P.M.

III. Reports from Commission & Staff²

"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, Convention and Visitor's Bureau, 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, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works – Building Maintenance, Construction Updates; Park Services – grant(s) update, miscellaneous park projects, Administration – Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time."

City Manager Capell reported on corrections to the agenda, Items #25 – the cross references on the spreadsheet were corrected to coincide with the agenda item numbers. Item 28 – page 2 of memorandum was omitted from the packet, but the Commission has been provided the copy of that page.

City Attorney Courtney Alvarez reported the next regular meeting is Monday April 9th, and agenda items deadline is Friday, March 30th.

Commissioner Laskowski reported on the Bigger Event held on Saturday, March 24th. He congratulated the student at TAMUK for their participation. The event was a great success!

Commissioner Garcia asked for information about the pilot program. City Manager Capell stated it is in the notification period and no properties have been entered for cleanup.

IV. Public Comment on Agenda Items³

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

Mayor Fugate called for comments on all agenda and non-agenda items. There were no comments.

Mayor Fugate called for consideration of the items in the Consent Agenda, Items 1-8. Commissioner Laskowski made a motion to accept the consent agenda, as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Pecos, Garcia, Laskowski voting "FOR".

V.

Consent Agenda

1. ORDINANCE NO. 2012-17 Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending the Fiscal Year 2011-2012 Budget for the General Fund Capital Projects Fund for beautification projects for various departments to utilize Fiscal Year 2010-2011 Surplus Funds. (Finance Director).
2. Motion to approve appointment of Ms. Gabrielle Ganther to the Kingsville Historical Development Board to fill a vacancy from resignation of James Glusing. (Downtown and Special Projects Manager).
3. Motion to approve appointment of Margarito Gonzalez to the Kingsville Police Department Reserve Force. (Chief of Police).
4. RESOLUTION NO. 2012-10 Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Boy Scouts of America Venado District. (Chief of Police).

5. RESOLUTION NO 2012-11 Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Boy Scouts of America Venado District. (Task Force Commander).
6. RESOLUTION NO. 2012-12 Motion to approve resolution authorizing the Mayor to enter into an interlocal cooperation agreement between the City of Kingsville-Kingsville Specialized Crimes and Narcotics Task Force and Brooks County for Brooks County Sheriff's Office for law enforcement services. (Task Force Commander).
7. RESOLUTION NO. 2012-13 Motion to approve resolution authorizing the City Manager to enter into an agreement between the City of Kingsville and Rio Bravo RC&D for administration of the SEP from TCEQ Agreed Order on 2010 Wastewater discharge. (City Engineer/Public Works Director).
8. Motion to approve out-of-state travel to Washington, D.C. for Mayor Fugate on April 16th – 19th, 2012 to discuss military and legislature issues. (City Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.63 acres out of KT&I Subdivision, Block 22, Lot Pt 13 from C2 Retail District to C4 Commercial District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan, location also known as 4111 South Brahma Blvd, applicant Mr. E.R. Cantwell, III. (Director of Development Services).

Mayor Fugate stated this has been explained in the public hearing and it's an introduction item. Mayor Fugate called for comments or questions. Commissioner Garcia asked if the landscaping ordinance is to be applied. Mr. Kellam replied that with any new redevelopment done on a property it would be brought up to code if improvements are done to the building.

INTRODUCTION ONLY

10. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 5-1-3, revising the amounts and times when residents can use the landfill without charge, revising proof of residency and providing for waivers. (City Engineer/Public Works Director).

City Engineer Naim Khan stated that Staff is proposing some changes on the free dumping at the landfill. Currently, residences can dump 300 lbs per load from Monday thru Friday, free of cost; and up to 1,000 lbs on the 1st and 3rd Saturday. The proposed change is free dumping from Monday thru Saturday up to 1000 lbs per load two times per month. Language added to Section (B) (In order to deposit without charge); and Section (C) – (Unless approved by Public Works Director (or other city designee)). The change to Section (E) - is that the Solid Waste Management Superintendent was deleted and added was the Community Appearance and Health Departments. Also, new is that the waiver of fee permit shall only be issued with proof of residence or domicile, and never for a period of more than 14 calendar days. Residents will be notified of these changes by posting information on the City's website, publishing in the local newspaper, and putting information in the water bills.

INTRODUCTION ONLY

11. Consider introduction of an ordinance amending the City of Kingsville FY2011-2012 budget for the Utility Fund Capital Projects Fund 054 for the Waste Water South Plant Department secondary clarifier to Fund 066-CO2011 (\$224,600). (Finance Director).

Finance Director Mark Rushing stated an excel sheet is enclosed showing the causes for the budget amendment that's needed. He stated that the amounts of \$132,500 and \$20,500 relates to the LNV for engineering; there was an additional amount needed of \$92,000 which relates to 30% increase in supplies. The initial pricing was for a primary clarifier instead of a secondary clarifier which equaled to \$92,500. Some savings were found in some of the projects: \$21,500 from the bar screens; \$10,250 from the backhoe;

\$5,000 from mobile jetter; and \$3,785 from the equipment shed. \$184,064 was pulled from Fund 054 Fund balance, total sources of funding was \$224,600 to finance the clarifier project.

INTRODUCTION ONLY

12. Consider awarding bid for South Wastewater Treatment Plant Secondary Clarifier to CSA Construction, Inc. of Houston as per staff and consultants recommendations. (City Engineer/Public Works Director).

Mr. Khan stated the project was bid out and 4 bids were received. CSA was the lowest bidder. Staff requests approval.

Mayor Fugate called for questions or comments. Commissioner Laskowski asked the reason for the almost a two month delay in bringing this item before the Commission, if bids were opened in February. Mr. Khan replied the bid tabulation shows the bidding of A-1 thru E-1 and Staff had to make a decision on what was most important. Commissioner Laskowski voiced his concern about putting a need for these items and then not everything is done. City Manager Capell stated he wanted to take some time to find savings on other projects rather than always looking for new money.

Commissioner Laskowski made a motion to award the bid to CSA Construction, Inc from Houston for \$1,284,000, seconded by Commissioner Wilson and Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Pecos, Wilson, Garcia, Laskowski voting "FOR".

13. Consider authorizing Alsay Incorporated to make emergency repairs to Water Well No. 20 as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated this water well has vibration problems on the pump. It was thought that it would be minor repair work but instead it was major rehabilitation work. Staff recommends the rehabilitation of this water well and request that Alsay Inc from San Antonio, Texas do the work.

Commissioner Laskowski made a motion to authorize Alsay Incorporated to make the emergency repairs to Water Well No. 20 as per Staff's recommendation, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

14. Consider authorizing the purchase of a welding shed for the Public Works Department from Mueller, Inc. for up to \$23,080 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated during workshops this was presented and the Welder needs this area to work.

Commissioner Garcia made a motion to approve purchase, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Pecos, Garcia voting "FOR".

15. Consider authorizing the purchase of an automatic gate opener for the Public Works Department from D&C Fence Co for up to \$5,490 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated this item was also presented at the workshop. This is for the security of the yard.

Commissioner Laskowski commented that all these items are expending monies from the surplus funds. He then asked how many pickups are needed. He stated his reason for asking that question is that the Commission is approving the purchase of four pickups and when added up the City can purchase another four or five pickups. He stated that historically the city has had to borrow money to purchase pickups and the City is spending money to purchase things that are not as important as being able to get out and service the customers. Mr. Khan responded the gate is very heavy and needs to be replaced. He stated that Staff did research on the importance of making all of these purchases.

Commissioner Laskowski stated the City needs to focus on what is needed to provide services to the citizens and an automatic gate is not as important.

City Manager Capell stated the city hasn't taken a physical inventory for quite some time but have recorded assets not verified by physical inventory. The physical inventory will be done this summer. The City is in a fortunate position now because of how the City has budgeted in the past to buy equipment that is used from day to day. Mayor Fugate stated some of the items on this agenda are things that we put off for years. He likes the idea that the City is improving the infrastructure at the public works. City Manager Capell stated the City should establish some kind of reserve for major pieces of equipment.

Commissioner Garcia made a motion to approve expenditure as per Staff recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Pecos, Garcia voting "FOR".

16. Consider authorizing the purchase of a pressure washer for the Public Works Department from Washing Equipment of Texas for up to \$4,919 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated this is something that is professional to help clean the vehicles.

Commissioner Garcia made a motion to approve expenditure as per Staff recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Pecos, Garcia voting "FOR".

17. Consider authorizing the purchase of materials to build a catwalk for the Public Works Department using city staff for up to \$4,620 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated this authorization is for purchasing of materials for the catwalk which will be built by the welder.

Commissioner Wilson made a motion to approve expenditure as per Staff recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".

18. Consider authorizing the purchase of a gas pump canopy for the Public Works Department from Petroleum Solutions, Inc. for up to \$28,519 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated this will look like a regular gas station.

Commissioner Garcia made a motion to approve the expenditure as per Staff recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Pecos, Garcia voting "FOR".

19. Consider authorizing the purchase of fence slats for the Public Works Department from D&C Fence Co. for up to \$8,440 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated the fence slats will be placed on the Corral side and also on the east and west side of the warehouse about 1500 linear feet.

Commissioner Pecos made a motion to approve expenditure as per Staff recommendation, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Garcia, Pecos voting "FOR".

20. Consider authorizing the purchase of fence slats for the Recycling Center from D&C Fence Co. for up to \$500 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Commissioner Wilson made a motion to approve expenditure as per Staff recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".

21. Consider authorizing the purchase of a fence enclosure for the Recycling Center from D&C Fence Co. for up to \$3,270 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated this is for afterhours recycling. The fence will be located on 5th Street; the fence will be 6 feet all around and will have a gate. There will be a gate on both sides.

Commissioner Laskowski asked several questions regarding the plan. Commissioner Wilson stated it appeared this needed a little more thought. He stated he isn't opposed to the fence but it appears that the process hasn't been thought about, if simple questions can't be answered. Mr. Donnell stated that there will be rollouts containers set up in the area. If rollouts are full residents will just dump the item on the ground.

Commissioner Garcia made a motion to approve expenditure as per Staff recommendation, seconded by Commissioner Pecos. Mayor Fugate called for further questions or comments. The motion was passed and approved by the following vote: Fugate, Wilson, Laskowski, Pecos, Garcia voting "FOR".

22. Consider authorizing the purchase of four 1/2 ton pick-up trucks with outfitting for various Public Works Department via BuyBoard for up to \$72,000 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Commissioner Laskowski made a motion to approve the purchase of these four pickups, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

23. Consider authorizing the purchase of one 3/4 ton pick-up truck with outfitting for the Street Division at Public Works via BuyBoard for up to \$33,616 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (City Engineer/Public Works Director).

Commissioner Laskowski made a motion to authorize the purchase of one 3/4 ton pickup, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Pecos, Garcia, Laskowski voting "FOR".

24. Consider authorizing a corridor landscaping project for up to \$47,432 with funding from FY2010-2011 Surplus Funds as per staff recommendation. (Director of Development Services).

Mr. Kellam stated this was discussed in a prior workshop. In the agenda packet detailed information was provided as to the design plan. The original request was \$60,000; the current request is \$47,432. The original request included 150 trees based on linear feet divided by 40 feet intervals. However when they got into design with inclusion of driveways and other obstructions it knocked the number of tree down to 121. The trees will be true date palm trees.

Commissioner Laskowski asked if the City had TXDOT's approval. Mr. Kellam replied he has received comments back from TXDOT and he has supplied them all the information that they requested. Most utterly what they cared about was inclusion of the storm sewer in the drawings, which was done. The City has made sure no trouble is being caused with their storm sewer locations. The other was the maintenance agreement that the City would supply them with a written document that stated that the City would be responsible for full maintenance of these trees. All information was sent to TXDOT last week, and they have not replied. Commissioner Laskowski stated "so we don't have approval". Mr. Kellam replied no we don't have approval but all information has been supplied. Commissioner Laskowski stated that the Commission is being asked to approve an expenditure project that the City doesn't even know that TXDOT is going to approve. Mr. Kellam stated that he doesn't see why they would not. The City will water the trees every day for six months until they can get established. The quotes have not been sent out but the quote will include adequate bracing around the trees until they are strong enough to hold themselves up. Upon a question from Commissioner Laskowski, Mr. Kellam replied the \$350.00 per tree installed includes the bracing. Mr. Kellam stated he called to get phone bids, the price included typical tree and it was indicated the cost was \$120 - \$150 per tree based on the height that the City is looking at. The City can spend anywhere from \$300 to \$400 to go with a taller tree. The lady he spoke to regarding the trees told him for any installation on a palm tree to double the price.

Mayor Fugate called for comments or questions. Commissioner Laskowski commented it is unusual that there is not a fixed price that can be proposed to the Commission showing if 120 trees are installed this is what the cost will be. He stated there's no firm bid for the project. Mayor Fugate stated there are a lot of projects that have been approved tonight that have been approved saying up to a certain amount of dollars. City Manager Capell stated this is similar to approving the budget you have to guesstimate so you can to approve the budget.

Commissioner Pecos made a motion to approve this project as recommended by Staff, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos voting "FOR". Laskowski, Wilson "AGAINST".

25. Consider introduction of an ordinance amending the Fiscal Year 2011-2012 Budget for the General Fund Capital Projects Fund for various projects at Public Works and Recycling Center and for the purchase of five trucks for various divisions at Public Works utilizing Fiscal Year 2010-2011 Surplus Funds. (Finance Director).

Mr. Rushing stated this is for the utilization of the surplus for FY 2010-2011 as presented in agenda items 14 – 24 which were previously approved for a subtotal of \$231,886.

INTRODUCTION ONLY

26. Consider authorizing the purchase of a steel roller with outfitting for the Street Department through HGAC BuyBoard for up to \$51,992 with funding from CO2011 Funds as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated there's \$76,027 in this CO monies and they are requesting to make this purchase. This will be used for the hot mix.

Commissioner Laskowski made a motion to approve the purchase of the steel roller, \$51,992, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Wilson, Pecos, Garcia, Laskowski voting "FOR".

27. Consider authorizing staff to perform a sewer line extension project to the L.E. Ramey Golf Course for under \$9,000 as per staff recommendation. (City Engineer/Public Works Director).

Mr. Khan stated there's a need of about 460 linear feet of 8 inch sewer line from the club house to the nearest manhole, at a total cost is \$9,000, which \$4,380 is for labor and \$4,620 for materials. Commissioner Wilson stated he doesn't see anything being contributed by the County. City Manager Capell replied there is a situation at the landfill. Mr. Khan explained there is SEP money that Rio Bravo has from a source. A County Commissioner has said that money can be used for this sewer project. Commissioner Wilson stated that the backup material did not provide information that there would be contributor to this project. Mr. Khan stated the dollar amount for the SEP is \$5,600 and this project will cost \$9,000.

Commissioner Laskowski asked if there has been discussion that the County is willing to connect to the sewer line. Golf Course Manager Al Gala addressed the Commission and stated the County is willing to tie into the sewer line. The reason for the request is that there's a lot of backlash odor from the septic tank that's getting into the entire building.

Commissioner Pecos made a motion to approve this project, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Laskowski, Garcia, Pecos voting "FOR". Wilson "AGAINST".

28. Consider authorizing staff to move forward with preliminary work to negotiate an agreement for the installation of a water line extension off of North Armstrong using a 50-50 cost splitting arrangement with the requestor, Steve Childers, with the project being contingent on the necessary easements being obtained for said project and the funding being secured. (City Manager).

City Manager Capell stated he spoke to Mr. Childers and provided information on what and where it could go. Nothing is certain at this point. Mr. Childers wishes to tie into the water service, this land is not platted and there are a lot of issues to work out, the

potential cost is about \$24,000. City Manager Capell added which he hopes this can be split 50/50 with Mr. Childers and anybody else that wants to tie into the water line when it is extended. He stated what he is asking of the Commission at this point is there enough interest on their part to at least pursue this knowing that the City may not be able to resolve all the problems. What he would like to do is to work with Mr. Childers and area property owners and try to get water lines to Mr. Childers's property. Structurally a 50/50 cost sharing arrangement seems fair. The city is not under any obligation, but the City would potentially gain two water service customers. He stated that his proposal is that the City pay 50% and the property owners split the other 50%. He stated he can see this coming up more frequently so he would like to establish a policy for a cost sharing relationship. The City could possibly do one or two per year due to the cost. This is not all that significant in terms of total water revenues per year but would help out a resident.

Mayor Fugate stated this is the north side of the city and this area is no encroachment to the Navy and getting utilities to that area would be great.

Commissioner Garcia regarding the plat issue, if this was being included. City Manager Capell stated the city can't plat the property without an improved road but the ideal solution recommended comes with a high price tag.

Commissioner Laskowski made a motion to authorize Staff to move forward with the preliminary work to negotiate an agreement for the installation of a water line extension of North Armstrong using a 50/50 cost split arrangement with the requestor, Steve Childers, any different agreement has to be brought before the Commission in the future and that Steve Childers is responsible for obtaining all necessary easements for this project in order for it to proceed, seconded by Commissioner Wilson. For clarification, City Manager Capell stated whatever the agreement it will be brought back to the City Commission for approval. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

29. Consider making a monetary contribution of \$2,500 to the 2012 Wings Over South Texas Air Show at NAS-Kingsville. (Downtown and Special Projects Manager).

Commissioner Wilson made a motion to approve the contribution, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Pecos, Wilson voting "FOR".

30. Consider a resolution opposing the construction of industrial wind turbines (wind farms) in the City of Kingsville and in Kleberg County. (Mayor Fugate).

Mayor Fugate stated a Texas Wind Farm group is proposing a wind farm in the Rivera area. These wind farms encroach on our route radar at NAS-Kingsville. There are four other wind farm developments that could potentially encroach our Base. As of now, there is no technical abatement or procedure to prevent these wind farms from affecting this radar. There are certain things that wind farms can do to elevate some of the problems, for instance, by aligning them behind others so that they are not seen as far from radar. There is a proposal that at certain times the Navy will be able to ask these wind farms to shut down because of the interference. There has been a Navy expert that has looked at this and told the powers-at-be at the Defense Department that anything outside 15 miles he thinks he can cure. This wind farm is well within 15 miles, it is particularly a dangerous situation because it affects the glide slope for the young pilots when they are having to come in to our Base. This could affect our southeast runway. The Administration is asking for BRAC round and this could be an encroachment issue for this Base. Mayor Fugate stated that he respectfully disagrees with Congressman Farenthold when he says our bases are not subject to closure. NAS-Kingsville is in really good shape right now and NAS-Corpus Christi has some serious problems that they have to deal with. The Department of Defense has felled to purchase the T6 trainer; the T34 which is the trainer that they use now is finishing its life. What the Navy has done here to improve the infrastructure is really state of the art facility and you can't beat the air space within the City and the lack of encroachment up to this time. It is incumbent upon this Commission to step up and tell these people through a resolution that we don't want a Dru Steubing, who is the developer of this project, who said that if we don't want him, he won't come and that he is a true Texan and Texans when they say something they mean it. If he is a true Texan, then he is true to his word and will leave us alone. This resolution sends a strong message to him.

Mayor Fugate made a motion to approve this resolution opposing construction industrial wind turbines not only in the City of Kingsville but also Kleberg County, seconded by Commissioner Wilson and Commissioner Pecos. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski, Wilson, Pecos voting "FOR".


31. Consider resolution appointing Election Judges and the Early Voting Ballot Board Judge for the City of Kingsville. (City Secretary).
(CONSIDERE UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y LA JUEZA DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES DE LA CIUDAD, QUE SE LLEVARÁN A CABO EL 12 DE MAYO DE 2012. (SECRETARIA MUNICIPAL).

City Secretary Edna S Lopez read the Spanish version of the agenda item.

Commissioner Laskowski made a motion to make appointment of Election Judges and Early Voting Clerks, seconded by Commissioner Wilson. The motion was passed and approved by the following vote: Fugate, Garcia, Pecos, Wilson, Laskowski voting "FOR".

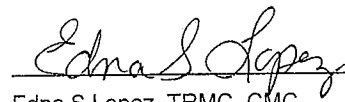
VI. Adjournment.

There being no further business to come before the City Commission the meeting was adjourned at 7:20 P.M.



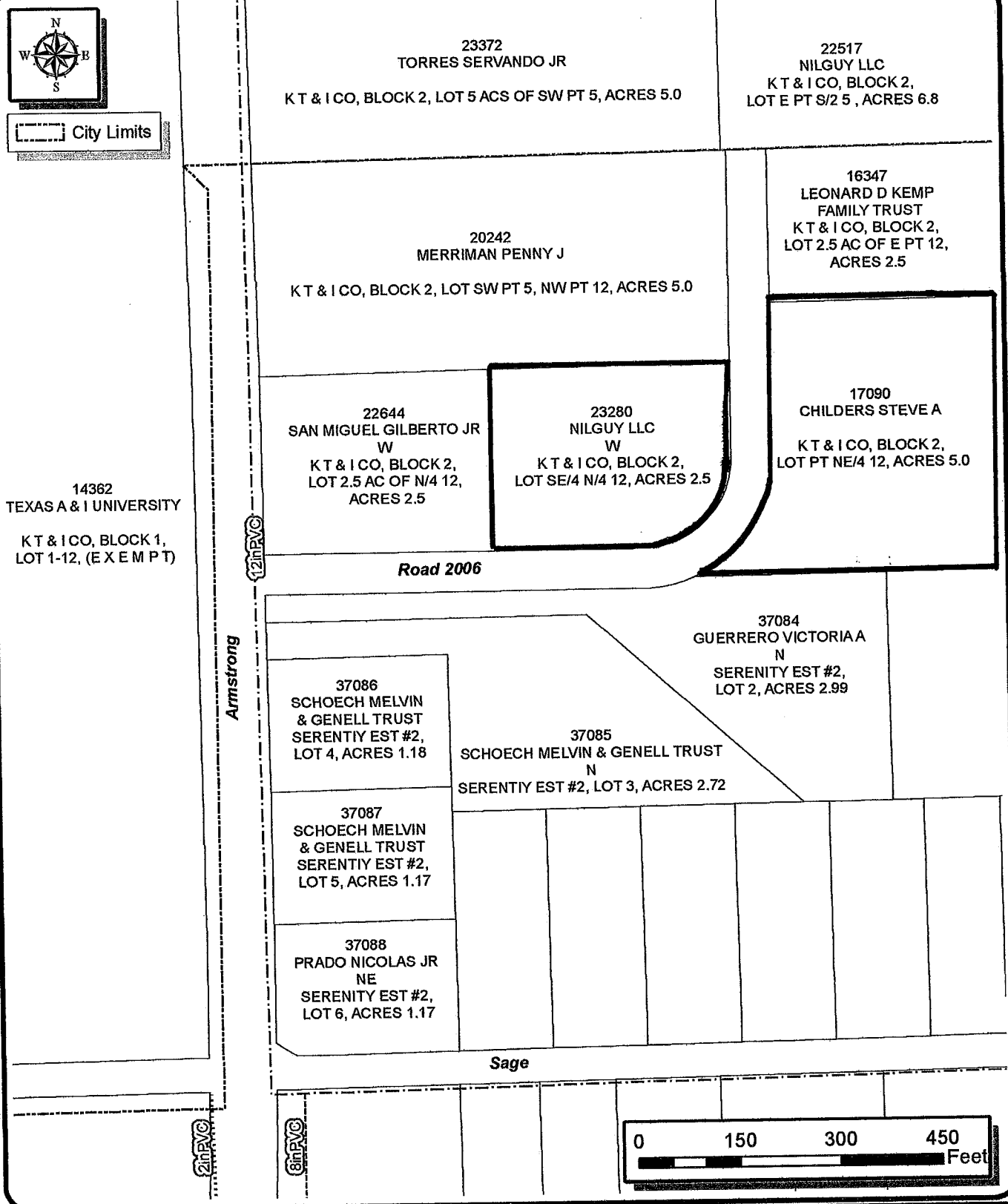
Sam R Fugate, Mayor

ATTEST:



Edna S Lopez, TRMC, CMC
 City Secretary

County Road 2006 ~ Water Line



<p>Drawn By: Lisa McLaughlin & Juan Cavazos</p>	<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 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
<p>Date: 3/13/2012</p>		
<p>Note: City Limit Line is aproximate</p>		

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Project Cost Estimate	
Project Location: N. Armstrong & Private Rd 2006	
Project Title Childers Line Extension	
Material Estimates	Quantity
Item Description	Amount Unit Unit Cost Total
12"x8" Tapping Sleeve	1 ea. \$ 540.57 \$ 540.57
8" Flng x M.J. Gate Valve	1 ea. \$ 631.90 \$ 631.90
8" PVC Pipe C-900	760 ft \$ 7.55 \$ 5,738.00
Sand	100 yds \$ 20.00 \$ 2,000.00
Fire Hydrants	2 ea. \$ 1,609.90 \$ 3,219.80
8" x 6" MJ Tees	2 ea. \$ 93.00 \$ 186.00
6" Valve MJ x MJ	2 ea. \$ 408.52 \$ 817.04
6" x 13" Swivel Adapter	2 ea. \$ 138.89 \$ 277.78
8" x 2" Tapped Plug	1 ea. \$ 42.85 \$ 42.85
8" MJ Acc Packs	5 ea. \$ 46.98 \$ 234.90
6" MJ Acc PKs belt, gasket	6 ea. \$ 7.75 \$ 46.50
Material Total:	
	\$ 13,735.34

Equipment Estimates	Quantity	Material Cost	
Item Description	Amount	Unit/hr	Total
Back hoe	40	hrs. \$ 35.00	\$ 1,400.00
Dump Truck	15	hrs. \$ 35.00	\$ 525.00
Utility Truck	50	hrs. \$ 25.00	\$ 1,250.00
1/2 ton Truck	50	hrs. \$ 50.00	\$ 2,500.00
			\$ -
			\$ -
			\$ -
Equipment Total:			\$ 5,675.00

Estimated By Marco Jimenez	Approved by:	Date Prepared March 20, 2012		
Water Dept				
Labor Estimates	Quantity	Labor Cost		
Job Description	Amount	Unit/Hr	Unit Cost	Total
Operator III	1	50	\$ 16.83	\$ 841.50
Operator II	1	50	\$ 15.74	\$ 787.00
Utility Worker	2	50	\$ 12.55	\$ 1,255.00
Water Foreman	1	4	\$ 20.56	\$ 82.24
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Other Services	Quantity	Material Cost	
Description	Amount	Unit	Total
Sample	1		\$ 200.00 \$ 200.00
Water Tap	2		\$ 365.00 \$ 730.00
Other Services Total:			\$ 565.00

Grand Totals	Quantity	Material Cost	
	Amount	Unit	Total
Material			\$ 13,735.34
Labor			\$ 2,965.74
Equipment			\$ 5,675.00
Total			\$ 22,376.08
SUB-TOTAL			\$ 565.00
Other Services			\$ -
Grand Total:			\$ 22,941.08

\$ 23,306.08



CITY MANAGER'S OFFICE

City of Kingsville
Phone: 361-595-8002 Fax: 361-595-8035

July 6, 2012

Steve Childers
P.O. Box 961
Kingsville, TX 78364

Re: Installation of 8-inch water line to your property at N. Armstrong & Private Rd 2006

Dear Mr. Childers,

It is my understanding you have been in discussions with staff about a cost sharing arrangement between yourself, your neighbor Jimmy Yarborough, and the City to install an eight inch water line for water service and fire protection to your property off of North Armstrong & Private Road 2006, with the City paying half the cost and you and Mr. Yarborough each splitting the other half of the costs. Please be advised that the request will be presented to the Kingsville City Commission for their approval at a meeting on July 23, 2012.

The project has been estimated to cost \$23,306.08, with you and Mr. Yarborough each party paying your half of half that amount (ie, 25% of total amount, which is \$5,826.52 each). This is an estimated project cost. So, if the actual cost comes in at an amount over the estimated project cost, then each of you will be responsible for 1/4 of the overage as well. Should the project come in at an amount less than the estimated project cost, then each of you would receive a refund for 1/4 of the amount of the underage.

The City would like to cap the potential overage at 10% of the estimated project cost, with each party being responsible for no more than 1/4 of that amount (estimated project cost + overage of no more than 10% of estimated project cost ÷ 4).

Please provide written acknowledgement if you understand and agree to these terms. If this arrangement is no longer acceptable, please contact me at (361) 595-8002, or City Engineer Naim Khan at (361) 595-8004.


Sincerely,

Vincent J. Capell
City Manager

The terms set out above are acceptable and agreed to by me. Signed on this the 7th day of July, 2012.


Steve Childers

Thank you for putting
this together.
Also, according to staff
the commission would
have to approve to waive
tap fees + meter fees. Can
this request be added
since the cost is so
high on running the line?


7/7/12



CITY MANAGER'S OFFICE

City of Kingsville
Phone: 361-595-8002 Fax: 361-595-8035

July 6, 2012

Jimmy Yarborough
c/o Michel E. Curry, esq.
Cotton, Bledsoe, Tighe & Dawson, P.C.
500 W. Illinois Ste. 300
Midland, TX 79701

Re: Installation of 8-inch water line to your property at N. Armstrong &
Private Rd 2006

Dear Mr. Yarborough,

It is my understanding you have been in discussions with staff about a cost sharing arrangement between yourself, your neighbor Steve Childers, and the City to install an eight inch water line for water service and fire protection to your property off of North Armstrong & Private Road 2006, with the City paying half the cost and you and Mr. Childers each splitting the other half of the costs. Please be advised that the request will be presented to the Kingsville City Commission for their approval at a meeting on July 23, 2012.

The project has been estimated to cost \$23,306.08, with you and Mr. Childers each party paying your half of half that amount (ie, 25% of total amount, which is \$5,826.52 each). This is an estimated project cost. So, if the actual cost comes in at an amount over the estimated project cost, then each of you will be responsible for 1/4 of the overage as well. Should the project come in at an amount less than the estimated project cost, then each of you would receive a refund for 1/4 of the amount of the underage. .

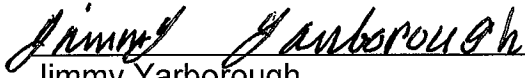
The City would like to cap the potential overage at 10% of the estimated project cost, with each party being responsible for no more than 1/4 of that amount (estimated project cost + overage of no more than 10% of estimated project cost ÷ 4).

Please provide written acknowledgement if you understand and agree to these terms. If this arrangement is no longer acceptable, please contact me at (361) 595-8002, or City Engineer Naim Khan at (361) 595-8004.

Sincerely,

Vincent J. Capell
City Manager

The terms set out above are acceptable and agreed to by me. Signed on this the
____ day of July, 2012.


Jimmy Yarborough


AGENDA ITEM #15



Planning Department

TO: Mayor & Commission Members

THROUGH: Vince Capell, City Manager

FROM: Mike Kellam, Director of Development Services 

SUBJECT: Community Appearance Building Site Improvements

DATE: July 13, 2012

In an effort to continue the improvements to the appearance of the Community Appearance office building, staff has noted and researched the replacement of the deteriorated sidewalks that run along the perimeter of the site. The sidewalks are cracked and broken in many places hindering the appearance and also causing a tripping hazard to patrons due to vegetation and uneven surfaces. As you know, many improvements have been and/or are being made to the site including the completion of exterior repairs to the building, installation of fence slats to obscure the storage area, and eventually landscaping in the street yard area. To address the entire site, and fully improve the appearance to meet the City's own expectations, staff views this sidewalk replacement project as an integral piece to the site. This building was and is intended to be a "lead by example" reference point in our community appearance initiative and this will carry on that mission.

To establish a cost estimate for the project, staff began requesting quotes from local contractors to replace the sidewalks and to also include ADA ramps to bring the site up to code in that respect. Additionally, the sidewalks will be widened from four feet to five feet to meet current standards for sidewalk widths. Again, this will be a case of the City leading by example in providing a reference point to current standards in design and functionality of pedestrian sidewalks. Based on the attached specifications, the local contractors provided quotes ranging from \$6221.05 to \$9500.00. Staff is hereby requesting funding from the remaining FY11 surplus funds to perform this improvement, thereby furthering the community appearance effort and allowing for the completion of the transformation of this property as a positive example.

Staff recommends that the proposal given by Complete Customs totaling \$6221.05 be accepted and work be allowed to proceed upon approval of the associated budget amendment to cover the proposed expense and a small contingency for overages.

Cc: Naim Kahn, Director of Public Works
Jennifer Bernal, Community Appearance Supervisor

Attachments: Quote Requisition Specifications for Improvements
Quote for sidewalk construction from Reyes Rivera
Quote for sidewalk construction from Complete Custom
Quote for sidewalk construction from Joe Marin

AGENDA ITEM #16

ORDINANCE NO. 2012-

AN ORDINANCE AMENDING THE FISCAL YEAR 2011-2012 BUDGET FOR THE GENERAL FUND CAPITAL PROJECTS FUND FOR THE RECYCLING CENTER/COMMUNITY APPEARANCE BUILDING REPAIRS AND REPLACEMENT OF THE SIDEWALKS TO UTILIZE FISCAL YEAR 2010-2011 SURPLUS FUNDS.

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 2011-2012 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
-----------	------------------	---------------	-----------------	-----------------	-----------------

Fund 001 General Fund

Capital

2	Fund Balance (FY 2011)	610.00			<u>6,222</u>
					<u>6,222</u>

Other Sources/Uses

5-690 Fund Transfers	Transfer to Fund 091	394.91		<u>6,222</u>	
				<u>6,222</u>	

[To draw down and transfer FY 2011 General Fund balance reserves created from FY 2011 fiscal surplus.]

Fund 091 General Fund Capital Projects Fund

Revenues

4-000	Transfer from Fund 001	750.15		<u>6,222</u>	
				<u>6,222</u>	

Expenses

170.1 Recycling	Grounds & Perm Fixtures	591.00		<u>6,222</u>	
				<u>6,222</u>	

[To pay for the repairs and replacement of the sidewalks in front of the Recycling Center/Community Appearance building from Fund 001 General Fund FY11 fund balance surplus.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 23rd day of July, 2012.

PASSED AND APPROVED on this the ____ day of _____, 2012.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE

Agenda Item #	Commission Meeting	Date of	GL Account #	Department	Project	FUND 091 General Fund Amount	FUND 054 Utility Fund Amount	FUND 065 CO Series 2011 - GF	Amount Available for Total Projects
Total of FY11 Surplus									
					Deduct: Adjustment FY11 Surplus-FY11 Ambulance Billing correction	1,530,216.00			\$ 1,530,216.00
					Add: Adjustment FY11 Surplus-FY11 Property Taxes correction	(137,726.00)			(137,726.00)
					Add: Tentative Arbitrage Contingent Liability Savings	43,260.00			43,260.00
					Add: FY11 Inventory Adjustment (Note E)	3,453.00	99,803.00		103,256.00
					Add: Funding from Fund 062 CO 2005	(49,753.00)	56,735.00		6,982.00
					Add: Funding from Fund 054 Fund Balance		50,000.00		50,000.00
							12,987.00		12,987.00
					Adjusted Total Funding Sources	1,389,450.00	219,525.00	-	1,608,975.00

#1									
18	02/13/2012	091-5-101.0-314.00	City Manager	City Match for Certified Local Government (CLG) app		6,250.00			
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - fence slats		1,500.00			
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - exterior repairs		11,750.00			
15	02/13/2012	091-5-170.1-591.00	PW - Solid Waste	Recycling Center/Community Appearance - landscaping		3,500.00			
13	02/13/2012	091-5-210.0-212.00	Police	Body armor replacement		80,453.00			
12	02/13/2012	091-5-210.0-212.00	Police	Building repairs		17,000.00			
14	02/13/2012	091-5-210.0-511.00	Police	Beautification project		36,445.00			
11	02/13/2012	091-5-220.0-226.00	Fire	2 laptops		4,616.00			
11	02/13/2012	091-5-220.0-712.00	Fire	2 power stretchers		17,591.00			
17	02/13/2012	091-5-301.0-217.00	Engineering	GIS equipment and server - GPS units		2,200.00	2,200.00		
17	02/13/2012	091-5-301.0-314.00	Engineering	GIS equipment and server - GIS software installation		2,500.00	2,500.00		
17	02/13/2012	091-5-301.0-726.00	Engineering	GIS equipment and server - GIS software		3,825.00	3,825.00		
17	02/13/2012	091-5-301.0-726.00	Engineering	GIS equipment and server - GIS server		11,000.00	11,000.00		
16	02/13/2012	091-5-305.0-521.01	PW - Street	Street repaving - Alisie		269,378.00			
16	02/13/2012	091-5-305.0-521.02	PW - Street	Street repaving - Armstrong		237,770.00			
Total of Projects Presented at 2/13/12						(705,778.00)	(19,525.00)	-	(725,303.00)

#2									
25	02/27/2012	091-4-000-720.30	Revenue	Donations - KCVB		6,250.00			
9	03/08/2012	091-4-000-394.00	Revenue	Intergovernmental Revenue - Kleberg County		1,750.00			
Total Additional Revenue						8,000.00			8,000.00
9	02/27/2012	091-5-101.0-314.00	City Manager	KCVB Match for Certified Local Government (CLG) app		6,250.00			
14	02/27/2012	091-5-301.0-314.00	Engineering	Kleberg Ave engineering design-\$30K for TAMUK assistance		29,825.00			
15	02/27/2012	001-5-220.0-212.00	Fire	Bunker gear (Note B)		45,971.00			
16	02/27/2012	001-5-440.0-712.00	Health	Scag mower (Note B and Note D)		3,500.00			
Total of Projects Presented at 2/27/12						(85,546.00)			(85,546.00)

#3									
19	03/08/2012	091-5-160.1-314.00	Development Services	City contribution for KKB landscaping at Yoakum St.		10,000.00			
16	03/08/2012	091-5-160.3-591.00	Development Services	Dumpster enclosure pilot program (Note D)		24,850.00			
18	03/08/2012	091-5-160.3-591.00	Development Services			(34,850.00)			
Total of Projects Presented at 3/08/12						(34,850.00)			(34,850.00)

**CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE**

Agenda Item #	Date of Commission Meeting	GL Account #	Department	Project	FUND 091	FUND 054	FUND 065	Amount Available for Total Projects
					General Fund Amount	Utility Fund Amount	CO Series 2011 - GF	
#4	25	091-5-160.1-591.00	Development Services	Corridor landscaping pilot program (Note D)	47,432.00			
	24	03/26/2012						
	22	03/26/2012	091-5-170.2-711.00	PW - Sanitation	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)	18,000.00		
	22	03/26/2012	091-5-170.2-711.00	PW - Sanitation	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)	18,000.00		
	22	03/26/2012	091-5-303.0-711.00	PW - Garage	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)	18,000.00		
	22	03/26/2012	091-5-303.0-711.00	PW - Garage	Public Works 1/2 ton Pickup incl light bars, etc. (Note B)	18,000.00		
	23	03/26/2012	091-5-305.0-711.00	PW - Street	Public Works 3/4 ton Utility Truck incl light bars, etc. (Note B)	33,616.00		
	14	03/26/2012	091-5-302.0-713.00	PW - Service Center	Public Works yard - welding shed (Note D)	23,080.00		
	15	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - auto gate opener (Note D)	5,490.00		
	16	03/26/2012	091-5-302.0-217.00	PW - Service Center	Public Works yard - pressure washer (Note D)	4,919.00		
	17	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - carwalk (Note D)	4,620.00		
#5	18	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - gas pump canopy (Note D)	28,519.00		
	19	03/26/2012	091-5-302.0-591.00	PW - Service Center	Public Works yard - fence slats (Note D)	8,440.00		
	20	03/26/2012	091-5-170.1-591.00	PW - Recycling Center	Fence slats, additional amount from original amount (Note D)	500.00		
	21	03/26/2012	091-5-170.1-591.00	PW - Recycling Center	Fence enclosure for after-hours recycling (Note B)	3,270.00		
					Total of Projects Presented at 3/26/12	(231,886.00)		(231,886.00)
#6	10	04/09/2012	Purchasing/Finance	Upgrade time "clock" and attendance management system	67,408.00			
	9	04/09/2012						
					Total of Projects Presented at 4/09/12	(67,408.00)		(67,408.00)
#7	5	04/23/2012	Parks	Brookshire Pool renovations (Note B)	5,000.00	200,000.00		
	10	04/23/2012	034-5-600.2-720.19	PW-Water Production		(200,000.00)		
					Total of Projects Presented at 4/23/12	(5,000.00)		(205,000.00)
#8	1	05/14/2012	Development Services	City contribution for KKB landscaping at Yoakum St. (Note D)	5,000.00			
	17	05/14/2012						
					Total of Projects Presented at 5/14/12	(5,000.00)		(5,000.00)
#9	3	06/25/2012	Sources-Fund Balance	Funding from FY11 Surplus transfer to Fund 065	(100,000.00)	100,000.00		
					(100,000.00)	100,000.00		
					Total Additional Revenue			
#10	8	06/25/2012	065-5-220.0-713.01	Fire	-	100,000.00		
						(100,000.00)		
					Total of Projects Presented at 6/25/12	(100,000.00)		(100,000.00)
#10	5	07/09/2012	Finance	Incode Accounts Receivable Module (Note B)	9,000.00			
	18	07/09/2012			(9,000.00)			
					Total of Projects Presented at 7/09/12	(9,000.00)		(9,000.00)
#10	16	07/23/2012	091-5-170.1-591.00	PW - Recycling Center	6,222.00			
					(6,222.00)			
					Total of Projects Presented at 7/23/12	(6,222.00)		(6,222.00)
#10					Total Remaining Net Surplus	146,760.00	-	146,760.00

CITY OF KINGSVILLE
CAPITAL PROJECTS SCHEDULE
FY11 SURPLUS FUNDS - FUND BALANCE

Agenda Item #	Commission Meeting	Date of Meeting	GL Account #	Department	Project	FUND 091 General Fund Amount	FUND 054 Utility Fund Amount	FUND 065 CO Series 2011 - GF	Amount Available for Total Projects
Total Remaining Net Surplus						146,760.00	-	-	146,760.00
Other Projects to be Considered									
N/A	N/A	TBD		City Manager	City Match for Post Office Lot Upgrade	30,000.00			
N/A	N/A	TBD		City Manager	HEB Canopy Relocation, Installation & Site Development	23,500.00			
N/A	N/A	TBD		Fire - Volunteer	City Match for new garage bay adjacent to existing fire station	20,000.00			
N/A	N/A	TBD		Library	Fix longstanding plumbing and A/C problems	56,040.00			
N/A	N/A	TBD		PW - Street	Parking lot 7th & Yoakum (Note D)	17,220.00			
Total of Other Possible Projects						(146,760.00)	-	-	(146,760.00)
Net Total FY2011 Surplus (Deficit)						-	-	-	-

Note A: Research Pending - (1) rolling stock/equipment replacement reserve, (2) technology equipment replacement reserve, and (3) the cost to rehab the existing and/or build a new pump house for Water Well #19.

Note B: Projects Added - (1) Fire bunker gear (\$45,971) and (2) Health Dept. Scag lawnmower repairs (\$3,500-1/2 paid by County and 1/2 paid by City).

These are supplemental projects requested after the 1/23/12 workshop communicated to the City Commission in an e-mail dated 2/1/12.

(4) Purchase of 4 1/2 ton pick up trucks and 1 utility truck for a total of \$106,000 for Public Works departments and the Recycling Center fence enclosure for after-hours recycling (\$3,270) requested on an email dated 2/14/12. (6) Parks Dept. request from the City for 1/4 of the Brookshire Pool renovations.

(8) Fire Department Station 2 remodeling, electrical upgrades, new roof and exterior repairs (\$100,000). (9) Incode A/R Module (\$9,000)

(10) Side walk at the Recycling Center.

Note C: Projects Removed - (1) Honorary alternative naming of 6th Street (\$10,000), (2) Human Resources Information System (HRIS) personnel management (\$34,354), and (3) Exterior repairs to Recycling Center which was double counted (\$19,780), (4) Recycling Center bailer (\$90,000), (5) Way finding (\$30,000) for Fire Station 2.

Note D: Project Cost Changes - (1) lower dumpster enclosure pilot program from \$60,000 to \$24,850 (\$35,150), (2) lower corridor landscaping pilot program from \$60,000 to \$47,432 (\$12,568), (3) Health Dept. Scag mower from \$10,710 (new) to \$3,500 (repair existing one) (\$7,210) and (4) lower Public Works projects of the welding shed, auto gate opener, pressure washer, catwalk, gas pump canopy, and fence slats for a total of \$82,210 (\$12,090) and (5) additional amount for the fence slats at the Recycling Center from #1 above, since the quote was \$2,000; (6) Lower time clock and attendance management system for a total of \$67,408 (\$12,592);

(7) Additional funds needed for the beautification project at Yoakum St. (8) Parking lot 7th & Yoakum reduced to \$32,442 (\$60,000-27,558).

(9) Parking lot 7th & Yoakum reduced to \$23,442 (\$32,442-9,000). (10) Parking lot 7th & Yoakum reduced to \$17,220 (\$23,442-6,222).

Note E: The inventory adjustment is due to a physical year-end inventory taken September 30, 2011, in connection with year end audit.

AGENDA ITEM #17



Purchasing Department

361-595-8025
361-595-8035 Fax

DATE: July 13, 2012
TO: City Commission through City Manager
FROM: David Mason, Purchasing Director
SUBJECT: Generators 12-38

SUMMARY

This authorizes the purchase of emergency generators for water production facilities.

BACKGROUND

We advertised for sealed bids on June 17 and June 24, 2012 and proposals were accepted until 11:00 am on July 3, 2012. Four (4) prospective vendors attended the mandatory pre-bid meeting and site visitation on June 22, 2012 and two (2) responded to the bid.

BID TAB 12-38		
	DIVISION 16	CAMPBELL ELECTRIC
230kw Generators	\$165,531.00	\$161,040.00
	Kohler 230REOZJE	Generac SD230
Installation	\$44,130.00	\$59,850.00
Total	\$209,661.00	\$220,890.00
250kw Generators	\$166,110.00	\$163,537.00
	Kohler 250REOZJE	Generac SD250
Installation	\$44,130.00	\$59,850.00
Total	\$210,240.00	\$223,387.00
Grand Total	\$419,901.00	\$444,277.00

RECOMMENDATION

It is recommended the contract be awarded to Division 16 for turnkey project for generators and all associated installation.

FINANCIAL IMPACT

This action will expend \$419,901.00 from 066-5-600.2-712.00, 2011 C.O. funds.

Approved

Vincent Capell, City Manager

CITY OF KINGSVILLE

P. O. BOX 1458 - KINGSVILLE, TEXAS 78364



June 13, 2012

Bid No. 12-38

CITY OF KINGSVILLE BID FORM

This form must be completed and returned as part of your bid. Do not include Federal Tax or State Sales Tax. The necessary exemption certificates will be issued upon request.

BY SUBMITTING A BID, THE BIDDER AGREES TO ABIDE BY ALL OF THE TERMS AND CONDITIONS OF THE "INVITATION TO BID" PACKAGE.

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>TOTAL PRICE F.O.B. KINGSVILLE, TX</u>
ITEM I		
Option A		
Three (3)	New Current Model Diesel Generator - Rated 230kw <i>including transfer switch</i>	\$ <u>161,040.00</u>
Option B		
	Installation and 3,000 psi concrete pad Including all wiring required	\$ <u>59,850.00</u> <i>Everything else</i>
WARRANTY <u>2 year</u>		
TIME NEEDED FOR DELIVERY <u>8 to 12 weeks</u>		
MANUFACTURER & MODEL NO. <u>GENERAC SD230</u>		

ITEM II		
Option A		
Three (3)	New Current Model Diesel Generators - Rated 250kw <i>including transfer switch</i>	\$ <u>163,537.00</u>
Option B		
	Installation and 3,000 psi concrete pad Including all wiring required	\$ <u>59,850.00</u> <i>Everything else</i>
WARRANTY <u>2 year</u>		
TIME NEEDED FOR DELIVERY <u>8 to 12 weeks</u>		
MANUFACTURER & MODEL NO. <u>GENERAC SD250</u>		

I certify that the above items to be delivered under this bid will meet or exceed all of the minimum specifications and conditions set forth by the City of Kingsville, Texas.

DATED THIS 3 DAY OF July, 2012.

CW Campbell Electric Inc.
BIDDING FIRM

BY: [Signature]

ADDRESS: 802 Cantwell
Corpus Christi

TELEPHONE: 361 887 0760

FAX: 361 887 0767

E-MAIL: RANDALL@CWCAMPBELLELECTRIC.CO

CITY OF KINGSVILLE

P. O. BOX 1458 – KINGSVILLE, TEXAS 78364



June 13, 2012

Bid No. 12-38

CITY OF KINGSVILLE BID FORM

This form must be completed and returned as part of your bid. Do not include Federal Tax or State Sales Tax. The necessary exemption certificates will be issued upon request.

BY SUBMITTING A BID, THE BIDDER AGREES TO ABIDE BY ALL OF THE TERMS AND CONDITIONS OF THE "INVITATION TO BID" PACKAGE.

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>TOTAL PRICE F.O.B. KINGSVILLE, TX</u>
<u>ITEM I</u>		
Option A		
Three (3)	New Current Model Diesel Generator – Rated 230kw	\$ <u>165,531.00</u>
Option B		
	Installation and 3,000 psi concrete pad Including all wiring required	\$ <u>44,130</u>
WARRANTY <u>1 YEAR</u>		
TIME NEEDED FOR DELIVERY <u>10 WEEKS</u>		
MANUFACTURER & MODEL NO. <u>KOHLER 230REQJE</u>		

ITEM II Option A

Three (3)	New Current Model Diesel Generators – Rated 250kw	\$ <u>166,110.00</u>
Option B		
	Installation and 3,000 psi concrete pad Including all wiring required	\$ <u>44,130.00</u>
WARRANTY <u>1 YEAR</u>		
TIME NEEDED FOR DELIVERY <u>10 WEEKS</u>		
MANUFACTURER & MODEL NO. <u>KOHLER 250REQJE</u>		

Bid Form
Pg. 2

Bid No. 12-38

I certify that the above items to be delivered under this bid will meet or exceed all of the minimum specifications and conditions set forth by the City of Kingsville, Texas.

DATED THIS 3 DAY OF JULY, 2012.

DIVISION 16 CONSTRUCTION CORP

BIDDING FIRM

BY: 

ADDRESS: 4402 BIG CYPRUS BAYOU

CORPUS CHRISTI, TX, 78410

TELEPHONE: 361-767-6111

FAX: 361-767-2111

E-MAIL: JUAN@DIVISION.16 CONSTRUCTION.COM

AGENDA ITEM #18

CITY OF KINGSVILLE

P. O. BOX 1458 – KINGSVILLE, TEXAS 78364



To: Vince Capell, City Manager

From: Mark Rushing, Finance Director

A handwritten signature in dark ink, appearing to read "MR", is written over the name "Mark Rushing".

Date: July 12, 2012

Re: Storm Water Rate Study

Mr. Capell,

Based on information provided by HDR at the recent Storm Water Workshop held on June 25th, 2012, it is reasonable and just that the storm water fee is charged to all customers as allowed by State statute. The only exemptions from the proposed storm water fee would be for institutions of higher learning and property owned by the State of Texas, as these parcels of property are exempt by State statute. All remaining classes of property (residential, commercial, religious, city, county and ISD) would be subject to the storm water fee.

I propose that all eligible property (as defined above) be levied the storm water fee with no exceptions, credits or other amendments thereto.

AGENDA ITEM #19

RESOLUTION #2012-_____

A RESOLUTION SUPPORTING THE EFFORTS TO PRESERVE THE OLD H. M. KING HIGH SCHOOL BUILDING LOCATED AT KLEBERG AVENUE AND NORTH 3RD STREET AND CONVERT IT INTO A NEW CITY HALL AND MAKING CERTAIN COMMITMENTS REGARDING SAME.

WHEREAS, the King High Historical Foundation is currently working to preserve the old H. M. King High School building built in 1909 and located at Kleberg Avenue and North 3rd Street here within the city limits of the City of Kingsville; and,

WHEREAS, the King High Historical Foundation has begun to improvement to the building so that it could be used as a new City Hall, while preserving its historical features and history for years to come; and,

WHEREAS, the old H. M. King High School is located in the Historical District of Kingsville and would be a critical asset to the revitalization of the downtown area; and,

WHEREAS, the City is committed to: (1) a contribution of \$2 million toward the restoration project, (2) a long term lease for the building that is the subject of the restoration project, and (3) a commitment from the City to maintain the building that is the subject of the restoration project upon commencement of and for the duration of the lease.

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

I.

THAT the Kingsville City Commission does, by the adoption of this resolution, enthusiastically support the King High Historical Foundation in their efforts to improve and convert the old H. M. King High School building located at Kleberg Avenue and North 3rd Street so that it can be used as a new City Hall.

II.

THAT the City is committed to: (1) a contribution of \$2 million toward the restoration project, (2) a long term lease for the building that is the subject of the restoration project, and (3) a commitment from the City to maintain the building that is the subject of the restoration project upon commencement of and for the duration of the lease.

III.

THAT the Kingsville City Commission authorizes City staff to participate in non-binding discussions with the King High Historical Foundation regarding a long term lease of the building and how the City may further participate in this project.

IV.

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

V.

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

RESOLUTION PASSED AND APPROVED BY CITY COMMISSION OF THE CITY OF KINGSVILLE THIS THE 23rd DAY OF JULY, 2012.

Sam R. Fugate, Mayor

ATTEST:

Edna Lopez, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #20