

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, JUNE 24, 2013
REGULAR MEETING**

**HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS
CITY HALL/200 EAST KLEBERG AVENUE
6:00 P.M.**

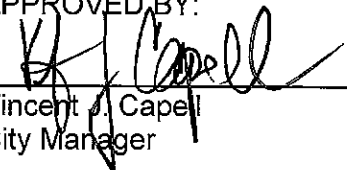
I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

**MINUTES OF PREVIOUS MEETING(S) – Required by Law
Special Meeting – June 4, 2013
Regular Meeting – June 10, 2013**

APPROVED BY:



Vincent J. Capell
City Manager

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, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, 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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Fiscal Year 2012-2013 Budget of the State Forfeiture Fund and Kingsville Law Enforcement Fund for the purchase of vehicles and equipment for the Police Department. (Director of Finance.)
2. Motion to approve resolution authorizing collection fee in the amount of 30% of debts and accounts receivable such as unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid by a municipal court serving the city, and amounts in cases in which the accused has failed to appear: 1) as promised under subchapter A, Chapter 543, Transportation Code, or other law; 2) in compliance with a lawful written notice to appear issued under Article 14.06(b), Texas Code of Criminal Procedure, or other law; 3) in compliance with a lawful summons issued under Article 15.03(b), Texas Code of Criminal Procedure; 4) in compliance with a lawful order of a court serving the city; or 5) as specified in a citation, summons, or other notice authorized by section 682.002, Transportation Code, that charges the accused with a parking or stopping offense, when such debts, accounts receivable and amounts are more than 60 days past due and have been referred to an attorney or other vendor for collection; repealing all conflicting resolutions and providing for an effective date. (City Attorney).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider resolution establishing a Kingsville Main Street Downtown Plan for the City of Kingsville, Texas. (Tourism Director).
4. Consider resolution authorizing City Manager to enter into an Interlocal Agreement for Cooperative Purchasing of Goods, Products and/or Services between the City of Kingsville and the City of Bedford, Texas. (Director of Purchasing and IT).
5. Consider authorizing staff to move forward with improvements for Phase 1 of the Downtown Pavilion Improvement Project. (Director of Purchasing and IT).
6. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 Budget of the General Fund for improvements to the City of Kingsville Downtown Pavilion. (Director of Finance).
7. Consider introduction of an ordinance 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 Accounting Supervisor and Landfill Foreman to the Compensation and Classification Plan for Fiscal Year 2012-2013. (Director of Human Resources).

8. Consider resolution approving cooperation with the Steering Committee of Cities served by AEP TCC to review AEP Texas Central Company's requested approval of an adjustment to its energy efficiency cost recovery factor; hiring legal and consulting services to negotiate with the company and direct any necessary litigation and appeals (with all costs paid by the utility); finding that the meeting at which this resolution is passed is open to the public as required by law; requiring legal notice of this resolution to legal counsel. (City Attorney).

9. Executive Session: Executive Session pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

10. Consider possible action in Mendoza v. City of Kingsville case. (City Attorney).

11. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 Budget of the General Fund for Legal Department Professional Services. (Director of Finance).

12. Consider condemnation order for 1229 E. Avenue B, Kingsville, Texas. (Director of Planning & Development Services).

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 City of Kingsville and Commission Chambers 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 mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security

Devices), 551.086 (Certain Public Power Utilities: Competitive Matters), and 551.087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board 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:

June 20, 2013 at 4:00 P.M. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.



Mary Valenzuela
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)

JUNE 4, 2013

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, JUNE 4, 2013 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 12:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Dianne Leubert, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Vincent J. Capell, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Charlie Cardenas, Public Works Director/Engineer
Bob Trescott, Tourism Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the City Commission Chamber at 12:00 p.m. and announced quorum as present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

Mayor Fugate stated that unless there are any objections, he would like to skip the invocation and pledge of allegiance. No objections were made.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

None.

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

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, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, 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."

Mr. Vince Capell, City Manager announced the appointment of Mr. Robert Isassi to the position of Director of Planning and Development Services. Mr. Isassi will begin his duties with the City of Kingsville on June 18, 2013.

Mrs. Courtney Alvarez, City Attorney announced that she will be out of the office June 5-7, 2013 attending the Texas City Attorneys Association Conference. She further stated that with regards to the item before the Commission today, the County had anticipated voting on it yesterday at their meeting, but due to a death in the family on the developers side, the developer was not able to submit their application to the County on time. Mrs. Alvarez has spoken with the County Attorney to let her know that the City will be moving forward with this item pending their approval.

Commissioner Pecos thanked city staff for working on Saturday, June 1, 2013 repairing potholes.

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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider resolution authorizing the City Manager to enter into an Interlocal Agreement with Kleberg County for Residential Economic Development Assistance for Wildwood Trail Subdivision. (City Manager).

Mr. Capell stated that the City is willing to take over the administration of the benefits for the Wildwood Trail Subdivision. He further stated that the City Finance Director would need to coordinate a meeting with Kleberg County Appraisal District and the County Tax Collector.

Mayor Fugate asked Mrs. Alvarez that if during her conversation with the County Attorney, did the County Attorney anticipate any other changes to the agreement.

Mrs. Alvarez stated that both herself and the County Attorney felt very comfortable with the form and content of the document. She further stated that on page 2 of the

agreement, once the agreement goes to the County for approval, this information would need to be provided with regards to what agenda item it was as well as the date of the meeting.

Mayor Fugate stated that he doesn't anticipate any changes between now and then. He further stated that if Zarsky Development Company, L.L.C. can submit their application to the County, it will be on the County agenda next week for their approval.

Motion made by Commissioner Garcia to authorize the City Manager to enter into an Interlocal Agreement with Kleberg County for Residential Economic Development Assistance for Wildwood Trail Subdivision, second by Commissioner Pecos. The motion was passed and approved by the following vote, Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 12:10 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

JUNE 10, 2013

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JUNE 10, 2013 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Dianne Leubert, Commissioner
Al Garcia, Commissioner
Arturo Pecos, Commissioner

CITY COMMISSION ABSENT:

Sam Fugate, Mayor
Noel Pena, Commissioner

CITY STAFF PRESENT:

Vincent Capell, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
David Mason, Purchasing/IT Director
Willie Vera, Task Force Commander
James Bryson, Accounting Manager
Mark Rushing, Finance Director
Emilio Garcia, Health Director
Ruthie Valdez, Interim Library Director
Charlie Cardenas, Public Works Director/City Engineer
Rose Morrow, Municipal Court Manager
Jennifer Bernal, Community Appearance Supervisor
Diana Medina, Collection Manager
Cynthia Martin, Downtown and Volunteer Manager
Jessica Storck, Administrative Assistant II
Ricardo Torres, Chief of Police
Melissa Perez, Risk Manager
Bill Donnell, Assistant Public Works Director
Joey Reed, Fire Chief
Robert Isassi, Director of Planning & Development Services

I. Preliminary Proceedings.

OPEN MEETING

Mayor Pro-tem Garcia called the meeting to order in the Robert H. Alcorn City Commission Chamber at 6:00 P.M. and announced quorum as present. Mayor Fugate and Commissioner Pena absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Special Meeting – May 17, 2013

Regular Meeting – May 28, 2013

Mayor Pro-tem Garcia asked for a motion from the Commission to approve the minutes as presented. **Commissioner Pecos made a motion to approve the minutes as presented, second by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Fugate voting: "FOR".**

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

1. Public hearing for an alcohol variance application for the Day and Night Club located at 300 E. Richard, Kingsville, TX. (Director of Planning & Development Services).

Mayor Pro-tem Garcia opened this public hearing at 6:03 p.m.

Ms. Jessica Storck, Administrative Assistant II stated that Ms. Veronica Janell Garcia, operator of Day and Nigh Club is requesting an alcohol variance for a Wine and Beer Retailer's Permit and Retail Dealer's On-Premise Late Hours License. This address is located at 300 E. Richard and is within 300ft of a registered daycare. The property in question therefore requires a variance according to City ordinance 2004-20. All required notices have been sent to the property owners within 300ft. Additionally, a public hearing notice was placed in the newspaper on May 19, 2013. As of this point, we have not received any negative feedback from the property owners and or citizens that have been noticed.

Commissioner Leubert stated that this establishment has been at this location for years and sees no problem with granting this variance.

Mayor Pro-tem Garcia closed this public hearing 6:05 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, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, 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."

Mr. Capell introduced Mr. Robert Isassi as the new Director of Planning & Development Services. Mr. Isassi will begin his employment with the City of Kingsville on Tuesday, June 18, 2013. He further reported that he will be out of the office attending the Texas City Manager's Association Conference in San Marcos June 20-23, 2013.

Mrs. Courtney Alvarez, City Attorney reported that the next City Commission meeting is Monday, June 24, 2013. She further reminded staff that the deadline to submit items for the June 24, 2013 agenda is Friday, June 14, 2013.

Mayor Pro-tem Garcia reported that Mr. Steve Alcorn visited City Hall on Wednesday, June 5, 2013 where he presented City staff with a biography and picture of his dad Mr. Robert H. Alcorn to hang in the Robert H. Alcorn City Commission Chamber.

IV. Public Comment on Agenda Items ³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve final passage of an ordinance of the City Commission of the City of Kingsville, Texas amending the fiscal year 2012-2013 General Fund budget for the City of Kingsville to accept donations made for the Keep Kingsville Beautiful program in conjunction with the Community Appearance Department. (Finance Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget for the General Fund Capital Projects Fund for upfront infrastructure costs as per the Economic Development Agreement with Zarsky Development Company, LLC for the Wildwood Trails Subdivision. (Finance Director).

Mayor Pro-tem Garcia asked for a motion to approve the consent agenda.

Motion made by Commissioner Pecos to approve the consent agenda as presented, second by Commissioner Leubert. The motion was passed and approved by the following vote: Pecos, Leubert, Garcia voting "FOR".

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners. ⁴

3. Consider approval of an alcohol variance for the Day and Night Club located at 300 E. Richard, Kingsville, TX. (Director of Planning and Development Services).

Motion made by Commissioner Pecos to approve alcohol variance for the Day and Night Club, second by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Garcia voting "FOR".

4. Consider waiver of interest on weed lien for Lot 8-10, Block 3, Ronning 2 (1104 E. Kenedy) for interest accrued prior to November 2, 2011. (Director of Finance).

Mr. Mark Rushing, Finance Director reported that Mr. Larry Saldana is requesting the City to waive the weed lien interest accrued prior to November 2, 2011 on the property he owns located at Lot 8-10, Block 3, Ronning 2 also known as 1104 E. Kenedy. Current taxes were paid in full on April 1, 2103 in the amount of \$205.55 and no recent code violations have been reported or cited. He further stated that if Commission were to approve the waive of interest, the amount to be waived is \$305.19, with Mr. Saldana required to pay the principal amount of \$1,077.12 plus the outstanding weed bill amount

of \$162.38 for a total of \$1,239.50 within 30 days after the Commission approval date for the waiver of interest to be effective.

Motion made by Commissioner Pecos to approve the waiver of interest, second by Commissioner Leubert. The motion was passed and approved by the following vote: Pecos, Leubert, Garcia voting "FOR".

5. Consider resolution authorizing the City Manager to file liens for expenses incurred for substandard structure nuisance abatements pursuant to Section 15-1-172 of the City of Kingsville Code of Ordinances. (Director of Planning & Development Services).

Ms. Jennifer Bernal, Community Appearance Supervisor reported that the following properties have defaulted on billing and/or payment plans therefore staff is asking for Commission approval to file a lien on the following properties; 1304 E. Kenedy, 523 E. Henrietta, 418 E. Lee, 919 W. Lee and 417 W. Kenedy.

Motion made by Commissioner Pecos to approve resolution authorizing the City Manager to file liens for expenses incurred for substandard structure nuisance abatements, second by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Garcia voting "FOR".

6. Consider authorizing the purchase of vehicles and related equipment for the Kingsville Police Department using Chapter 59 Funds. (Police Chief).

Mr. Ricardo Torres, Chief of Police request for consideration to purchase five Chevy Tahoe's via Chapter 59 Funds. The purchase will be through Caldwell Country, Buy Board #358-10 as well as the on board equipment from Lone Star Products & Equipment, LLC, Buy Board 363-10, Titan M7 Video Cameras from Coban Technologies, DIR-SDD-1361 and graphics from Gulf Coast Graphics and Signs Out of Corpus Christi. The total cost for the five vehicles and equipment is \$216,275.85. He further stated that he will be replacing the 2003 police vehicles in service which include Unit number 2300, 2303, 2304, 2307 and 2311 which have high mileage.

Motion made by Commissioner Leubert to authorize the purchase of vehicles and related equipment for the Kingsville Police Department, second by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Leubert, Garcia voting "FOR".

7. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 Budget of the State Forfeiture Fund and Kingsville Law Enforcement Fund for the purchase of vehicles and equipment for the Police Department. (Director of Finance.)

Mr. Rushing stated that this item is an introduction item that correspondes with agenda item 6 for the purchase of five new vehicles for the Kingsville Police Department.

Introduction item only.

8. Consider authorizing the City Manager to execute a letter agreement with Oscar Fuentes for waiver of irrigation tap fee in exchange for sodding and in-kind services from the Santa Rosa construction project. (City Engineer).

Mr. Charlie Cardenas, Engineer/Public Works Director stated that this item authorizes the City Manager to enter into an agreement with Mr. Oscar Fuentes of 1723 Santa Monica to waive irrigation water tap fee of \$275.00 in exchange for Mr. Fuentes to provide sodding and in kind services that occurred during the Santa Rosa construction project. There is no financial impact to the City.

Motion made by Commissioner Pecos to authorize the City Manager to execute a letter agreement with Oscar Fuentes, second by Commissioner Leubert. The

motion was passed and approved by the following vote: Leubert, Pecos, Garcia voting "FOR".

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:25 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

PUBLIC HEARING(S)

CONSENT AGENDA

AGENDA ITEM #1

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET OF THE STATE FORFEITURE FUND AND KINGSVILLE LAW ENFORCEMENT FUND FOR THE PURCHASE OF VEHICLES AND EQUIPMENT FOR THE POLICE DEPARTMENT.

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 2012-2013 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
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Fund 005 State Forfeiture Fund

Capital

2 Fund Balance	Unreserved Fund Bal.	610.00			<u>\$216,276</u>
					<u>\$216,276</u>

Expenses

5-210.0 Police Dept.	Vehicles	711.00		<u>\$216,276</u>	
				<u>\$216,276</u>	

[To budget for the purchase of 5 Chevy Tahoe's and related equipment from Kingsville Police Department Chapter 59 funds.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 10th day of June, 2013.

PASSED AND APPROVED on this the ___ day of _____, 2013.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2



**CITY OF KINGSVILLE
LEGAL DEPARTMENT**

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

Date: June 19, 2013

To: City Commission Members

From: Courtney Alvarez, City Attorney 

Re: Resolution for Municipal Court Collection Fee

City staff received a resolution from the Linebarger Law Firm to consider and approve a resolution authorizing a collection fee in the amount of 30% of debts and accounts receivable in reference to the contract for fees and fines collection services which was previously approved at a City Commission meeting on March 27, 2013. *Approval of this resolution is a procedural step needed for performance of the contract.*

State law allows for the assessment of the 30% charge for this type of collection service, as cited in the resolution. The resolution is needed so the amount can be assessed and then collected through the collection services contract.

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

ATTORNEYS AT LAW

500 N SHORELINE BLVD, STE 1111
CORPUS CHRISTI, TEXAS 78471-1028

(361) 888-6898
FAX (361) 888-4405

June 19, 2013

Sam Fugate, Mayor
City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364

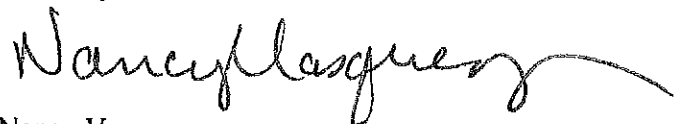
Dear Mayor Fugate:

The purpose of this letter is to request that we be placed on the agenda of the City Council meeting being held on Monday, June 24, 2013 for the following item:

1. Consideration and Approval of a Resolution authorizing Collection Fee in the amount of 30% of debts and accounts receivable in reference to the Contract for Fees and Fines Collection Services which was previously approved on March 27, 2013.

As always, should you have any questions or wish to discuss this matter further, please do not hesitate to contact me at your convenience.

Sincerely,



Nancy Vasquez
Attorney at Law

NV/djm

cc: Vince J. Cappell, City Manager
City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364

Mary Valenzuela, City Secretary
City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364

Courtney Alvarez, City Attorney
City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364

RESOLUTION #2013-_____

RESOLUTION AUTHORIZING COLLECTION FEE IN THE AMOUNT OF 30% OF DEBTS AND ACCOUNTS RECEIVABLE SUCH AS UNPAID FINES, FEES, COURT COSTS, FORFEITED BONDS, AND RESTITUTION ORDERED PAID BY A MUNICIPAL COURT SERVING THE CITY, AND AMOUNTS IN CASES IN WHICH THE ACCUSED HAS FAILED TO APPEAR:

- 1) AS PROMISED UNDER SUBCHAPTER A, CHAPTER 543, TRANSPORTATION CODE, OR OTHER LAW;**
- 2) IN COMPLIANCE WITH A LAWFUL WRITTEN NOTICE TO APPEAR ISSUED UNDER ARTICLE 14.06(b), TEXAS CODE OF CRIMINAL PROCEDURE, OR OTHER LAW;**
- 3) IN COMPLIANCE WITH A LAWFUL SUMMONS ISSUED UNDER ARTICLE 15.03(b), TEXAS CODE OF CRIMINAL PROCEDURE;**
- 4) IN COMPLIANCE WITH A LAWFUL ORDER OF A COURT SERVING THE CITY; OR**
- 5) AS SPECIFIED IN A CITATION, SUMMONS, OR OTHER NOTICE AUTHORIZED BY SECTION 682.002, TRANSPORTATION CODE, THAT CHARGES THE ACCUSED WITH A PARKING OR STOPPING OFFENSE,**

WHEN SUCH DEBTS, ACCOUNTS RECEIVABLE AND AMOUNTS ARE MORE THAN 60 DAYS PAST DUE AND HAVE BEEN REFERRED TO AN ATTORNEY OR OTHER VENDOR FOR COLLECTION ; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville wishes to defray its costs of collection that it incurs under a contract for collection of delinquent court fines and fees between said City and a collection firm as authorized under the provisions of Article 103.0031, Texas Code of Criminal Procedure;

WHEREAS, under said article, the governing body of said City is empowered to authorize the addition of 30% on each debt and account receivable, including fines and fees, and on each amount in cases in which the accused has failed to appear, when each is more than 60 days past due and has been referred for collection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE TEXAS, SITTING AS THE GOVERNING BODY OF SAID CITY, THAT:

Section 1: THE RECITALS SET FORTH IN THIS RESOLUTION ARE TRUE AND CORRECT.

Section 2: (a) A COLLECTION FEE IS HEREBY AUTHORIZED AND IMPOSED, AS PROVIDED BY ARTICLE 103.0031, TEXAS CODE OF CRIMINAL PROCEDURE, IN THE AMOUNT OF 30% OF DEBTS AND ACCOUNTS RECEIVABLE, SUCH AS UNPAID FINES, FEES, COURT COSTS, FORFEITED BONDS, AND RESTITUTION ORDERED PAID BY A MUNICIPAL COURT SERVING THE CITY WHEN SUCH DEBT OR ACCOUNT RECEIVABLE IS MORE THEN 60 DAYS PAST DUE AND HAS BEEN REFERRED TO AN ATTORNEY OR PRIVATE VENDOR FOR COLLECTION; AND

(b) A COLLECTION FEE IS HEREBY AUTHORIZED AND IMPOSED, AS PROVIDED BY ARTICLE 103.0031, TEXAS CODE OF CRIMINAL PROCEDURE, IN THE AMOUNT OF 30% OF AMOUNTS IN CASES IN WHICH THE ACCUSED HAS FAILED TO APPEAR:

(1) AS PROMISED UNDER SUBCHAPTER A, CHAPTER 543, TRANSPORTATION CODE, OR OTHER LAW;

(2) IN COMPLIANCE WITH A LAWFUL WRITTEN NOTICE TO APPEAR ISSUED UNDER ARTICLE 14.06 (b) OR OTHER LAW;

(3) IN COMPLIANCE WITH A LAWFUL SUMMONS ISSUED UNDER ARTICLE 15.03(b), TEXAS CODE OF CRIMINAL PROCEDURE;

(4) IN COMPLIANCE WITH A LAWFUL ORDER OF A COURT SERVING THE CITY; OR

(5) AS SPECIFIED IN A CITATION, SUMMONS, OR OTHER NOTICE AUTHORIZED BY SECTION 682.002, TRANSPORTATION CODE, THAT CHARGES THE ACCUSED WITH A PARKING OR STOPPING OFFENSE,

WHEN SUCH AMOUNTS ARE MORE THAN 60 DAYS PAST DUE AND HAVE BEEN REFERRED TO AN ATTORNEY OR PRIVATE VENDOR FOR COLLECTION.

II.

THAT the City Commission of the City of Kingsville, Texas, convened at a regular meeting of said Commission at the City Hall of said city on the 24th day of June, 2013, when among other business, the forgoing was transacted with a quorum of members present.

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 and after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the
24th day of June, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #3



To: City Manager
From: Tourism Director
Subject: Downtown Plan
Date: 31 May 2013

A downtown work plan, which has been produced each year since 2011, was brought before the City Commission in July of 2012, and was updated and discussed at the Commission Goal Setting Retreat in May of this year.

The City desires to preserve, redevelop and revitalize the Kingsville Historic Downtown District. The City had adopted a City Master Plan in 2008 that endorses such preservation, redevelopment and revitalization. The City had authorized the establishment of a Kingsville Main Street Program in 2011.

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.

After comprehensive research and studies of existing physical and market conditions and possible future trends, a comprehensive Downtown Plan has been prepared.

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.

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.

We request that the Kingsville Main Street Downtown Plan be accepted and approved by the City Commission

RESOLUTION NO. 2013-_____

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.

Whereas, the Kingsville Main Street Downtown Plan was presented and discussed at a City Commission Goal Setting Retreat on May 17, 2013.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 24th day of June, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Downtown Plan

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Forward

Tourism development, economic development, urban planning, and even sociological literature speak about: the authentic, the unique, the historic, pedestrian scale, and the presentation of a compelling story or brand.

All of those disciplines speak to the value of those characteristics and not just as attractive desirables, but also as real and discernible assets for economic vitality, quality of life, sense of place, and civic pride.

Downtown Kingsville has good bones for all of those attributes. Since the earliest days, brand Kingsville has had a certain cachet, due to ties to the Wild Horse Desert, the King Ranch, later to TAMUK, and still later to NAS Kingsville.

But like many historic downtowns it has suffered from changes in our auto-focused society as well as from local economic disruptions over the last generation.

The City has made the commitment to revitalize our downtown, its place in the marketplace, and its place in the minds of its customers and potential customers.

We will review our background and discuss strategies and tactics for re-positioning Historic Downtown Kingsville within the marketplace.

This plan has been written and revised annually since 2010.

Strengths, Weaknesses, Threats & Opportunities

Strengths:

- **Natural**
 - Climate
 - Coast
 - Brush Country
 - Baffin Bay
 - Ground Water
 - Oil & Minerals
- **Infrastructure**
 - Border
 - Port
 - Highways
 - Rails
 - Building Stock
- **Engines**
 - Ranch
 - University
 - College
 - Base
 - People
- **Intangibles**
 - Heritage
 - Ranch
 - Vaquero
 - Bilingual
 - Railroad
 - Navy Air
 - Higher education

Weaknesses:

- **Economic Dislocations of the Past**
 - Railroad
 - Exxon
 - Celanese
 - Ranch
 - Base
 - University
- **A Generation of Deferred Maintenance**
 - Public
 - Private
 - Housing stock
 - Infrastructure and Amenities
- **Schools**
 - Institutions May Not Match the Market
 - Five Districts and Five Private Schools
 - Inefficiencies
- **Brand Identity**
 - Strong, But Could Be Better Focused
 - Market Analysis
- **Demographics**
 - Lost Generation
 - Energy

Threats:

- Do Nothing (or Not Enough)
- BRAC
- Failure to Communicate & Collaborate

Opportunity:

- **Infrastructure**
 - City Engineer
 - Streets, Drainage
 - Water, Sewer, Solid Waste
 - Highway
 - Public Buildings
- **Development**
 - Development Director
 - Planning
 - Zoning
 - Code Enforcement
 - Community Appearance
 - Market Studies
 - Special Districts
 - Infill Strategies
 - Public Buildings
 - Incentives
- **Tourism and Heritage**
 - Downtown Manager
 - Historic Preservation
 - Main Street
 - Tourism
 - Events Management
 - Branding, Define Markets & Communications
 - Destination Marketing & Destination Management
 - Public Spaces Wayfinding
- **University**
 - Service Learning
 - Energy
 - Customers
 - Sports/ Recreation Tourism
 - Bilingual = Bi-Continental
 - Events
 - Volunteers
- **Navy**
 - Events, Markets, Volunteers

Organizational Events

- On April 24, 2008, the City Commission passed an ordinance adopting a City Master Plan that called for ***“Ongoing development of downtown ...establishing special places ...and spurring economic development”*** and for applying for Texas Main Street designation.



- On June 28, 2010, the City Commission of Kingsville adopted a resolution to apply for and support a Texas Main Street application.
- On October 22, 2010, The Texas Historical Commission recertified Kingsville as a 2011 Texas Main Street Community.
- On November 11, 2010, at the meeting of the Texas Downtown Association, Kingsville was welcomed into the network of Texas Main Street Communities.
- On November 19, 2010, Kingsville Main Street held a local kickoff celebrating its upcoming re-entry into Texas Main Street.
- On January 2, 2011, the Kingsville Main Street renaissance was declared a top news story and the Downtown Manager was declared a top newsmaker for the previous year by the *Kingsville Record*.

- On January 24-26, 2011, a delegation from Kingsville attended Texas Main Street training in Georgetown, Texas.



- On April 27, 2011, Texas First Lady visited Kingsville and dedicated Kingsville Main Street as a 2011 Texas Main Street



- Building on a 30-year commitment, the Kingsville Historical Development Board has had vacancies filled, attended training and is increasing its efforts to protect and enhance our city core's historic resources.
- In January of 2012, the Texas Historical Commission awarded a Certified Local Government Grant to Kingsville to survey and inventory historic resources in the downtown Kingsville Historic District.

SEVEN PRINCIPLES FOR DOWNTOWN REDEVELOPMENT

1. Downtown Kingsville as the Heart of Community & Destination District
 - Cultural, Civic & Governmental Heart
 - Market District
 - Destination for college, base, community and visitors
 - Heritage and Eco-Tourism District
2. Enhance Special Places - Anchored by:
 - Courthouse on the East
 - Old HM King School on the West
 - Kleberg Avenue Commercial Building Stock
 - Texas Theater
 - Railroad properties, Post Office, Depot, Pavilion, Pump House & Bandstand
 - Calle Siete & Richard Avenue Cultural District
 - Other Historic Resources & Neighborhoods
 - Preservation Ethic & Regulations
 - Beautification Projects
 - Sensitive Infill and Rehabs
3. Leverage Market-Based Mixed Uses, Clusters & Niches
 - Build on HEB Local Retail Niche
 - Build on King Ranch Saddle Shop, 1904 Depot, King Ranch Museum Cluster
 - Build on Calle Siete Eatertainment District Cluster
 - Add Housing
4. Provide Access, Wayfinding, Parking & Pedestrianization
 - King Avenue as Ceremonial Entrance to Downtown, University & Ranch
 - Community-wide Wayfinding and Visitor Kiosks
 - Parking along Railroad and along Yoakum Avenue
 - Walkability in Safety, Comfort, & Interest
 - Bike/Ped path and Shuttle to University
5. Authentic and Vibrant
 - Historic Ranch and Railroad
 - Tejanos, Vaqueros & Anglo Pioneers Cultures Commingle
 - Joint Event Planning & Marketing
 - Design Elements & Guidelines
6. Communications and Collaboration with:
 - University
 - Navy Base
 - King Ranch
 - Union Pacific
 - Community stakeholders
 - Winter Texans, Eco-Tourists & other Visitor Clusters
7. Be Climate Conscious
 - Xeriscape Plantings & Public Spaces
 - Trees & Canopies for Shade
 - Engineering & Design for Sustainability

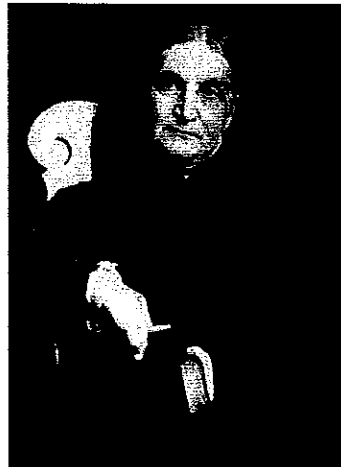
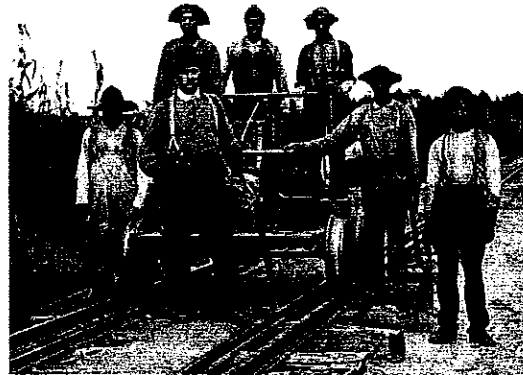


Background

(Taken from 2010 Texas Main Street application)

History and diversity

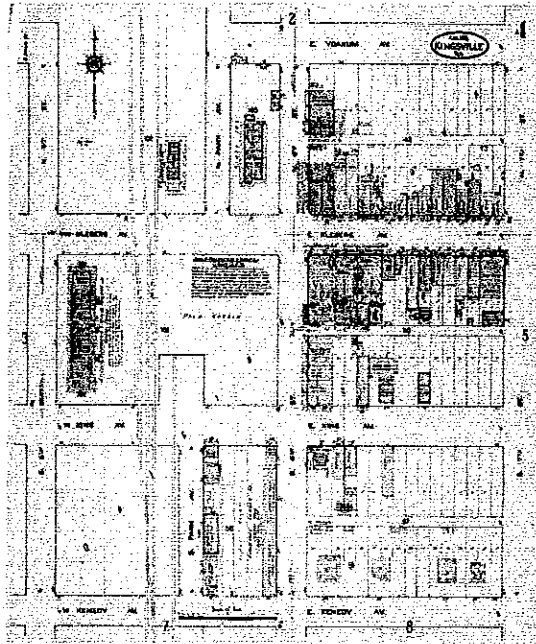
We are a diverse community. We were formed 100+ years ago through the combination of the efforts of Los Kinenos, African-American railroad workers, and "Anglos" who brought capital, industry, business and political framework, and educational institutions. This is, of course, a gross simplification, but the fact remains that the descendants and followers of those Founders are involved and will participate in the Community. There is now even more diversity when we include the international students and other residents.



South Texas Archives

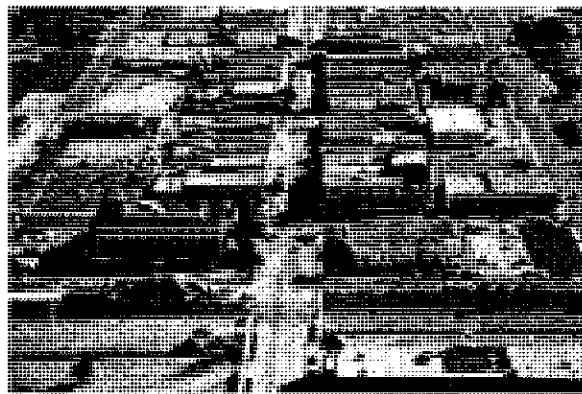
District History

Downtown was laid out in a grid before anything was built. Kingsville was built as a railroad town. The railroad bisects the district and a restored Depot, a Post Office, and an original industrial building, now the King Ranch Museum, remain along the rail bed. 6th Street is an original north-south road and highway, paralleling the rails.



Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Kleberg Avenue from the HM King School to the Courthouse, while needing some tender loving care, still has major anchors – for government, and for tourism and local markets. The shells of former anchors are available for reuse. And our stretch of Kleberg is only 10 blocks long.

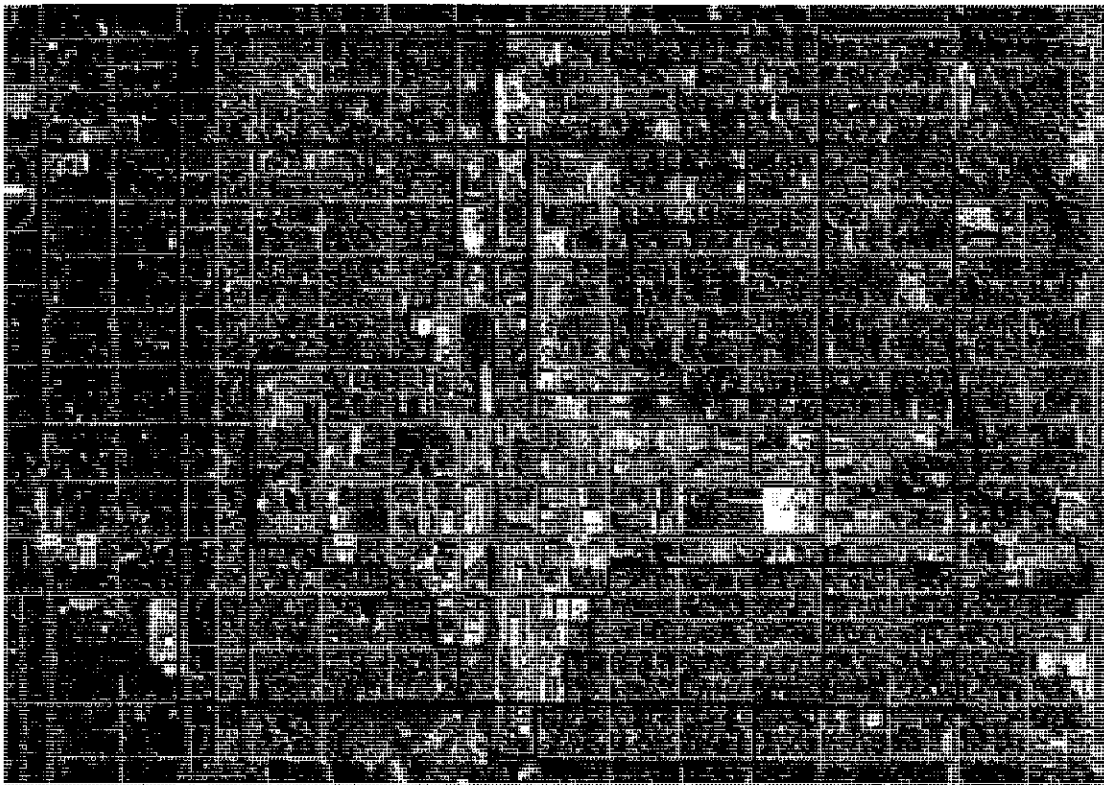


The district is enclosed by small scale, historic residential.

King Avenue is the arterial roadway that brings the traffic - so there is no searching for the district, but it is also a barrier.

The downtown district lies within a local Historic District. There are several buildings within the district that have been documented as contributing in surveys done in the 1980s and 1990s, including:

- Flato Building
- City Hall
- King Ranch Museum
- Post Office
- The Depot
- Kleberg County Courthouse
- John B Ragland Mercantile Company (King Ranch Saddle Shop) Building
- Old H M King School Building
- RJ Kleberg Public Library building



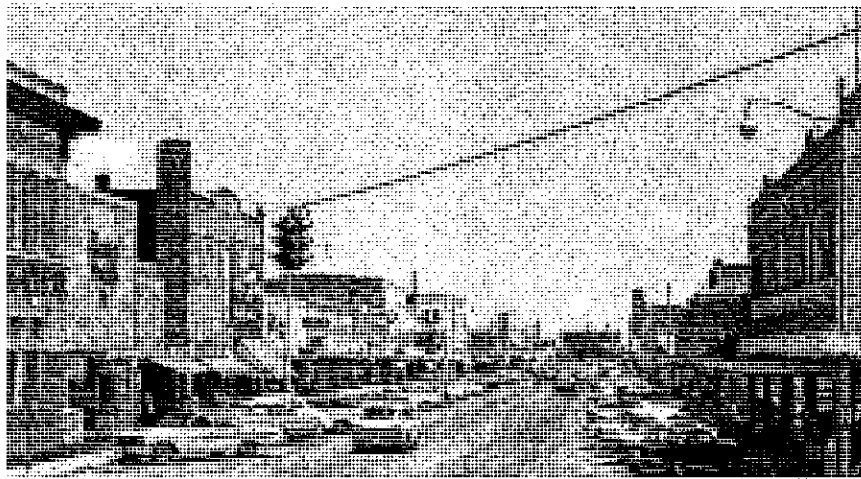
Google maps

District and its Markets

Annual average daily traffic (AADT) counts are:

- 26,000 for US 77 at King Avenue, 1.5 miles from downtown
- 15,000 for 14th Street at King Avenue, 0.5 miles from downtown
- 13,000 on King Avenue at 6th Street – downtown.
- On a related traffic issue, our downtown HEB does 30,000 transactions per week and the Post Office does 8,000 transactions per week

Once, downtown Kingsville was the retail hub for a large swath of South Texas, but we went through changes in travel and shopping habits as did most towns.



Downtown buildings and infrastructure have since been allowed to suffer maintenance neglect. Many stores closed and either remained empty or were replaced with loan stores or other non-retail uses.

Our Main Street district includes the longtime prominent commercial district, the former Hispanic neighborhood commercial district and the governmental and religious center. However, like many small towns, the retail activity followed road and highway development. First outward and along 6th Street; then when 14th Street became US 77, along 14th Street; and when US 77 became a bypass, at the exits from US 77.

Our downtown serves several distinct markets:

- Local market
 - anchored by our HEB
 - Harrell's
 - Domino's

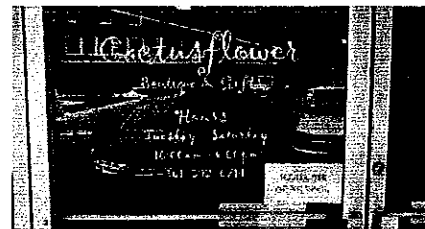


- Others
- Visitor market (King Ranch shop and museum and other destinations):
 - Business
 - Heritage
 - Eco-tourism
 - University
 - Sports
 - Navy
 - Winter Texans
 - Etc.
- University market (largely unserved currently)



At one time, there were more shops that served all of those markets and there as a specific Navy market. However, various economic, sociological, and political issues undermined the vitality of the downtown. We have a significant issue with retail leakage to Corpus Christi.

We need to serve all segments and the market itself will determine the success of each.



Today, there are almost 400 consumer-oriented businesses, 265 in retail trade and 110 in food & drink. Small retailers with little or no staff account for small sales but are more than half of the retail establishments.

Business groups for which we are still a market center for the larger region (no sales leakage or gap)

- ✦ Automotive dealers, parts and accessories
- ✦ Electronics and appliances
- ✦ Building materials, garden and supply
- ✦ groceries, health and personal care
- ✦ Clothes, shoes, luggage and jewelry
- ✦ Sports, hobby and music
- ✦ General merchandise
- ✦ Florists
- ✦ Non-store retailers
- ✦ Internet and catalog
- ✦ Restaurants and bars

(These aggregated numbers don't mean that a lively competitor can't carve out a niche for itself.)

Business groups for which there is leakage from the community and a retail gap that might be served locally. (size of gap in dollars)

RV and boat dealers	(\$2m)
Home furnishings	(\$1m)
Books	(\$300k)
Office supplies	(\$200k)
Used merchandise	(\$125k)
Vending machine operators	(\$1m)
Direct selling	(\$150k)
Specialty food delivery or carts	(\$500k)

These represent niches for which the data suggest that there are very real opportunities to exploit statistically significant market demand.

These statistics are based on actual sales numbers and on resident populations. They neither fully account for the potential for student purchasing power nor for the potential for visitors' purchases.

Much national statistical data on student discretionary income is inaccurate when applied to South Texas, where students are from lower-average family incomes, more dependent on aid and more home- and family-oriented. Our students do, of course, have disposable income; the population is growing in number; and is acquiring more military veterans.

The visitor market can be further exploited through reinforced branding, community and regional collaborations, and increased "exporting" into the "experience economy¹".

Both of these market segments can be more substantially tapped into through increased communications utilizing all media.

Today, there is renewed interest in downtown, but it will take some time and effort to get all aspects of public and private sectors aligned and pulling in the same direction. We are accessing the Main Street Approach™ and Texas Main Street as a support model for action.

Preservation and Planning

Our downtown is 100 years old. There remains a cohesive section of historic building stock arranged in a compact grid that connects the Kleberg County Courthouse to the Old HM King School.



When Kingsville last participated in Texas Main Street, Main Street was a new program and the economy and leadership of Kingsville were those of an era that was soon to end. Kingsville participated for a short time and then withdrew, although preservation projects were set in motion that have had lasting value.

About that time, there were socio-economic and political upheavals that impacted our ranching. Those impacts were inescapable in this community. Our population had peaked at 30,000+ and had dropped to below 25,000. It is now at nearly 27,000 and rising once again. Those upheavals soon affected local retail and local government budgets, priorities, commitments, and will. Main Street and other public/private partnerships were casualties of those times.

We are in South Texas where buildings get weather-beaten. We've have been through a period of deferred maintenance in both public infrastructure and in private property. There had been a breakdown in civic pride and sense of responsibility.

The City had not had Capital Improvement Plans and street and utility investments had not been made. Low returns and resultant low values had deterred private property owners from investments in improvements and even in basic maintenance.

We also have the problem of new employees finding work here but pursuing housing in Corpus Christi. Why would they choose to commute? Deferred maintenance in the housing stock, in public and private infrastructure and the absence of new development have made home ownership in Kingsville unattractive, if not impossible.

Over the past five years, the perception of and commitment to economic progress for the community has changed. The Navy Base is expanding and adding missions. The University is renovating and expanding. The City has stable and progressive leadership, and has been assembling a management

team devoted to responsible planning and execution of master plans, capital improvement plans, and maintenance. The team includes planning, engineering, and downtown redevelopment professionals. Collaborations are being formed with the engineering and business schools at TAMUK. Some building owners have begun renovations.

The City of Kingsville has a Historical Development Board that reviews actions affecting properties within the historic district. They are beginning the review, survey and inventory of our historic district, considering the creation of sub-districts, researching for additional National and State historical markers, as well as creation of local markers, and republishing of local histories.

In 2008, the City developed a Master Plan. Goals for downtown that emerged from that plan and subsequent planning sessions include those related to:

- Redevelopment and beautification of Downtown as a special place – a hub for commerce and culture;
- Review zoning, building codes, Historic Development Board standards and guidelines, and design guidelines for downtown;
- Improve and unify the identity of infrastructure, wayfinding, open space, and streetscape;
- Collaboration with University, County, Navy, and others;
- Create Tax Increment Reinvestment Zone and other tools to expand downtown;
- Increase nearby housing options.

The City Planning Department is pursuing community appearance, the establishment of a reinvestment zones, and selective incentives.

The City has priorities of: beautification, redevelopment, and collaboration.

There are notable private investments being made in revitalization. We hope that Main Street designation will encourage even more private investment. There is, however, a shortage of design and historic preservation expertise, as well as need for a revitalization template

The City Engineering Department is surveying and planning for infrastructure improvements, including paving, lighting, and street trees. Our downtown anchor, HEB, has undertaken interior and exterior facelifts and donated their canopy to the City. The County has rehabbed a vacant building as a State office building. A foundation is working with the city to rehabilitate the Old HM King School. A new law office has been built downtown. A new 200-seat restaurant has opened downtown in a 1924 building. An old theater is being restored for re-use.

Strategy

The Main Street Approach™ addresses downtown redevelopment using a comprehensive approach that includes: Organization, Design, Promotion and Economic Restructuring.

We are addressing those points within the framework of: governance, urban design, and management.

Governance will address structure, communications and collaboration; urban design will address infrastructure, planning and development; and management will address programs and projects, whether implemented by the City, the Downtown Merchants, or others.

Strategic Plan

This paper is not intended to be a complete blueprint, but to give some perspective and to reveal the various and disparate programs, projects, and initiatives that are in planning or implementation.

Herb Kelleher of Southwest Airlines said, "We have a strategic plan. It's called doing things." Right now, we have lots underway and it is jelling; but we do need a process for developing a vision, building consensus, and implementation.

We need to start by soliciting reports from those in the trenches, providing peer review, building on the unique and authentic, and providing broad-based support and coordination.

Governance

- Adopt 2009 Existing Building Code
- Strengthen Historic Preservation Board and Commission
- Strengthen and coordinate Code Enforcement, Building Code, and Historic Preservation
- All public improvements coordinated through City Engineer
- Carrots and sticks--enforcement & incentives
- Community Appearance Priority
- Events Policies
- Media collaborations
- Development incentives
- Integration of Tourism Development, Economic Development, Historic Preservation, and Planning & Development
- Communication and collaboration



Details of Governance

Adopt 2009 Existing Building Code (*Adopted*)

We need to be able to address and to encourage the repair, alteration, change, occupancy, and preservation of our historic building stock.

The 2009 International Existing Building Code is designed to meet this need through model regulations that safeguard public health and safety at appropriate levels without requiring conventional compliance with codes for new construction in the *2009 International Building Code*.

The Existing Building Code provides alternative approaches to remodeling, repair, or alteration of existing buildings.

Strengthen Historic Preservation Board and Commission (*Underway*)

The City of Kingsville has a locally designated historic district and a Historic Development Board. The Board has recently added new members and the City is providing training and policy direction to the board.

The Historic District should be divided into neighborhood districts to give a better sense of identity and value. Markers should be developed. The board is tasked with research and recommendations to the City regarding historic resources.

We are now embarking on a Federal/State/Local government/University funded and collaboratively staffed survey and inventory of all downtown historic sites.

Strengthen and coordinate code enforcement, plan review, building code, and historic preservation (*In Progress*)

The City should promote its commitment to historic preservation; public health & safety; and redevelopment by strengthening communication, coordination, and cooperation among planning officials, building officials, code enforcement officials and the Board. This initiative is well underway.

All public improvements coordinated through City Engineer (*In Progress*)

Cities often have beautification initiatives by individual business and building owners, merchants associations, civic groups and the City. When such efforts are not handled by the City Engineer, they can lack coordination, maintenance, design continuity, or engineering standards. The City should coordinate all such efforts to make sure they are consistent and of adequate grade in design and engineering.

The Women's Club, Keep Kingsville Beautiful, the downtown merchants and others need to subordinate their efforts to the Kleberg Avenue engineering and the other long term planning efforts.

Carrots and sticks (*Being Developed and Reinstated*)

The City may not be in the position to offer a lot of incentives, but the best incentive is the removal of disincentives. There are also tax abatements and façade grants.

Community Appearance Priority (*Implemented*)

Interdepartmental communications and collaboration of all City programs that affect community appearance: development, code enforcement, solid waste, etc.

Events policies (*Program initiated*)

Currently there are traditional events and a growing number of new events that are finding a home in downtown – and that is good!

Procedures for using public resources are currently handled on a pretty ad hoc basis. Sometimes the merchants have no foreknowledge of street closings in front of their stores and therefore can't plan to deal with either limited access by their customers or to do sidewalk sales or otherwise take advantage of the event.

There are also issues of budget impact as the City departments take their expenses for such events "out-of-hide".

Media Collaborations (*Communications and collaborations have begun*)

We have diverse community media outlets: electronic, printed, and social media, but there is no dominant outlet, collaboration, or intelligent segmentation to provide maximum publishing of information across the various resident and visitor markets. We need a branding and communications strategic plan.

Development incentives (*Some implemented, Others pursued*)

In an era of diminished Federal and State grant opportunities, the City is looking into tax relief, development participation and other tools for incentives. But again, the best incentive is clear regulations and the absence of unnecessary disincentives. The City has tax abatement procedures and façade grants.

Integration of Tourism Development, Economic Development, Historic Preservation, and Planning & Development

Tourism development, economic development, urban planning, etc. have synergies and should be coordinated to achieve the best results in brand equity and positive change.

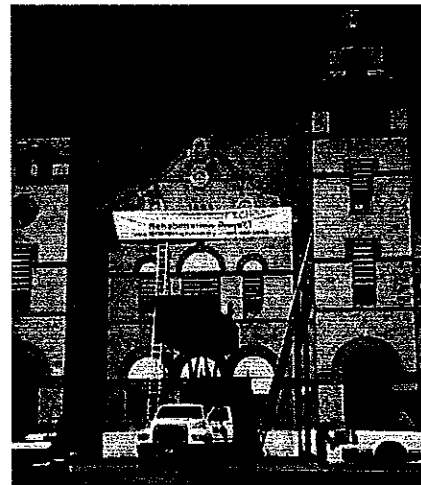
Communications and collaboration

Better cooperation among all entities: City, County, Base, Colleges/University, CVB, C of C, EDC, Service clubs, Schools, Churches, etc. will make more efficient and effective use of resources and shorten program development times.



Urban Design

- Historic Preservation
Wayfinding: Gateways, Directional signs, Parking signs, Markers & Kiosks
- Traffic calming
- Los Kinenos Trail
- Street trees
- Dumpster Appearance and Enclosures
- Post Office property improvements
- HEB Canopy
- Virtual median on King and Santa Gertrudis Avenues
- Coordinate railroad land leases and design/engineering for public spaces and parking
- Courthouse renovation
- Bats relocation
- Handicapped accessibility
- Murals and sculpture
- Renovation of Texas Theater
- Lights and lighting
- Caboose
- Calle Siete
- Community market
- Pump house
- Old H M King School
- Facades
- Connect TAMUK to downtown
- Commercial Buildings
- Union Pacific



Urban Design

Historic Preservation (*Reorganization and New Projects Underway*)

Historic Preservation is a cornerstone of City efforts in appearance, economic development, community development and downtown redevelopment. It is supported by ordinance and in the City Master Plan

Wayfinding (*Planning Underway*)

Wayfinding is a cost effective tool for improving the visitor experience of, and therefore the economic impact to, the City, whether the visitors come for the Base, the University, the Ranch, or are just traveling by. Wayfinding is the comprehensive and deliberate approach to the planning for and use of special local signage in accordance with TexDOT guidelines.



TAMUK implemented a partial wayfinding system a while back but has agreed to allow that system and its fixtures to be folded into a more comprehensive community wide wayfinding program that might include: Gateways, Directional signs, Parking signs, Markers & Directories.

Wayfinding can include kiosks and unmanned visitor centers as well as coordinated monument signs.

Traffic calming (*Research and test projects*)

There are low-cost techniques involving paint and surface textures to calm traffic and to enhance the pedestrian experience.

Los Kinenos Trail (*Research and Support Being Pursued*)

It has been suggested that designating 6th Street, oldest and longest street in the City, Los Kinenos Trail would honor our heritage and be a tourism marketing tool.

Street trees (*Underway*)

We are in South Texas; trees are important to an enjoyable downtown experience. Trees help define the “urban room” that is a downtown street and provide the temperature and glare relief of SHADE. There are a few mature street trees that add a lot to the downtown experience. We have started a program to protect those trees and to add additional ones. So far, 25 new trees have been planted and maintained. More are being planned.

Dumpster Appearance and Enclosures (*Underway*)

The City provides dumpsters and, in many cases, their presence and appearance have become a detrimental, yet accepted part of the urban landscape. The City will refurbish, relocate and screen its dumpsters in consideration of their appearance

Post Office Property (*Research and Support Being Pursued*)

The Post Office property has always been a focal point for the downtown and for the community. It was the site of the original artesian well and attractive vista for those departing the train. It had a water feature, palms, and a distinctive post-and-chain fence. In the 1930s, the Work Progress Administration (WPA) built the post office which coexists with elements of the original park. The entire site needs sprucing-up, the loading dock and dumpster can be screened, gateway and public art features can be added, and the historic elements need repair.



Virtual median on King Avenue and Santa Gertrudis (*Research and Support Being Pursued*)

King Avenue is (or should be) the ceremonial entrance to the City, to downtown, to the university, and to King Ranch. Eventually, it would be nice to have a tree-lined boulevard with a median all the way from US 77 to the King Ranch entrance.

For now, we might paint the median in sections, starting with downtown with the same paint that we used for the crosswalks at the university. Such a program would be a low cost way to: add a design element to the roadway, help define the lanes, give a visual barrier that tends to help to slow traffic, and prepare the way for eventually adding a median.

Santa Gertrudis can be reconfigured to have one lane in each direction, a center turn lane and bike lanes on each side, making the roadway much safer. The bike and turn lanes could be stained for traffic calming and for appearance. The western end of Santa Gertrudis is approved for street trees in the median.

Coordinate railroad land leases and design/engineering for public spaces and parking (*Research and Support Being Pursued*)

Kingsville was once the headquarters for the St Louis, Brownsville, and Mexico Railroad (Union Pacific is the successor rail company.) Because of that past role, Kingsville still has more property than just the immediate rail right-of-way in Union Pacific ownership.

We have started a study of their ownership and we see that there are a number of leases, and areas of potential leasehold, that the City or some other entity might want to exercise blanket leaseholds over to coordinate land use for public use, for parking, etc.

Public Space and Parking (*Research and Support Being Pursued*)

We need a master plan for public space and parking management for downtown. The Xeriscape Park is a great addition and the HEB Canopy has been added to the area north of the park. The pump building further north requires repair. There is now discussion of having the pump house restored and used to house the 1924 fire truck as well as other visitor services.

In addition, the City can have a series of attractive parking lots along Yoakum Avenue and railroad right-of-way that would serve Downtown. There are several property owners and lease holders and a variety of issues related to access, condition, and landscaping.



Courthouse renovation

The Kleberg County Courthouse dates from 1915. The State has had a county courthouse renovation program. The County is exploring that program or look into other sources for courthouse renovation (The Kenedy County Courthouse was recently renovated using private funding.)

Bats relocation (*Underway*)

Many of the commercial storefront canopies on Kleberg Avenue have become bat roosting spots, resulting in noxious liquid and solid droppings all along the entrances to businesses. Construction of bat houses and the sealing of the canopies can keep the insect eaters around while removing the nuisance.

Handicapped accessibility (*Part of Kleberg Redesign*)

In the long term, the downtown needs complete street and sidewalk reconstruction, including the underground utilities. In the meantime, we have immediate issues related to handicapped accessibility and safety that should be addressed. Some tripping hazards can be mitigated with markings, curb cuts, and milling raised sidewalk sections.

Murals and sculpture (*Underway*)

Tourism is working on developing a mural program that would alternate between campus and downtown.

The Old H M King School project design includes a signature sculpture and a sculpture garden.



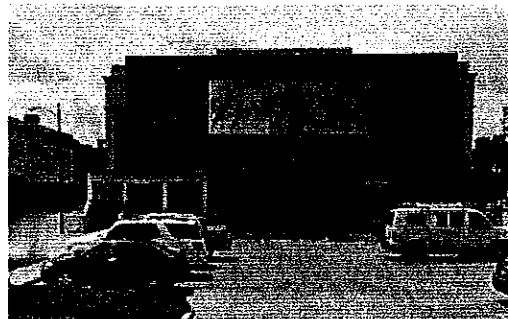
Gerald Lopez



Back in the day

Now

Could be



Renovation of Texas Theater

Renovation of the Texas Theater for live and film theatrical shows is underway.

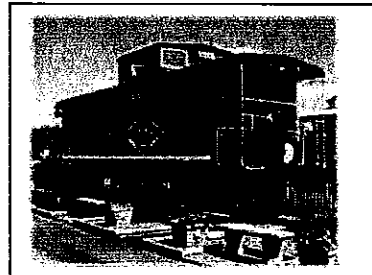


Lights and lighting (*Phase Completed*)

The City worked with Kingsville Historic Downtown District Association and building owners to update holiday building lights. There are additional lighting opportunities.

Caboose (*Research and Support Being Pursued*)

Years ago a caboose was moved to east of the Kings Avenue and US 77 overpass with the objective of its serving as a visitors center. It might be feasible to relocate it to next to the Depot as part of the railroad museum.



Community Market (*Being Pursued*)

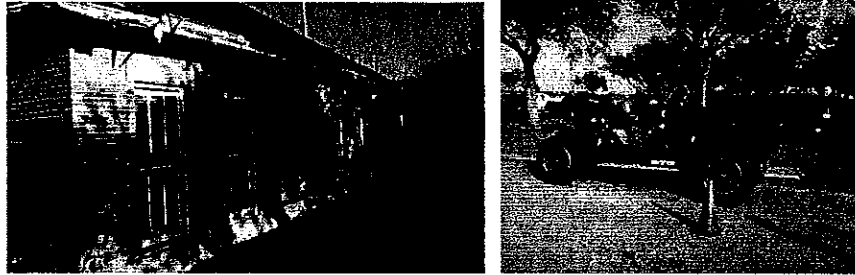
There is the possibility of using the pavilion that is the former HEB Canopy.



There is the longer term possibility of using the Childs Building.

Pump House (*Being Pursued*)

There is interest in restoring and re-using the 1916 City pump house, perhaps to house the old pumper.



Calle Siete (*Being Pursued*)

The Kingsville Hispanic Chamber of Commerce is working on revitalizing the core of the traditional Hispanic commercial and cultural district, centered on Richard Avenue and 7th Street.



Old H M King School (*Being Pursued*)

The 1909 H M King School is being renovated for use as the Kingsville City Hall.



Facades (*Being Pursued*)

There are opportunities for small as well as large improvements to commercial building facades. There are tax abatement programs and façade grants that can be marketed.



Texas Historical Commission

Connect TAMUK to Downtown (*Being Pursued*)

It is 1.5 miles from heart of TAMUK, South on University Blvd, and East on Henrietta to City Hall, which might be a good bike/ped route. There is work being done to add bike lanes to Santa Gertrudis. The Shuttle is very important and expanding in hours and use.

Buildings (*Being Pursued*)

There are a number of important buildings that need some attention to get in adaptive reuse: Exxon, Kingsville Publishing, Childs Ford Dealership, etc.

The Engineering College has acquired the older Wilson building downtown and several Colleges have looked at the Kingsville Publishing Building and some negotiations continue.

There as an opportunity for re-use of the National Guard property and there is a Mifflin Kenedy building being offered to the City.



Management

- Expand Main Street District
- Market Analyses, surveys, and databases
- Clusters and Niches
- Business incubation/assistance
- Hours of operations of visitor facilities and businesses coordinated with Town/Gown/Base/Ranch events and markets
- Wifi, web, social networking
- Community Market
- Partner with KHDDA
- Retain, expand, recruit
- Strategic Approach to Events, Calendar, Media, and Markets
- Events should support businesses
- Better billboards and wayfinding
- Calle Siete
- Texas Theater
- Fill in storefronts
- Cross marketing

Management

Expand Main Street District (*Done*)

The District described in the Texas Main Street Application was kept small and cohesive for simplicity's sake. We have now expanded to include the 1909 HM King School and the Calle Siete District.

Market Analyses, surveys, and databases

There are opportunities to develop, implement, interpret and apply market analyses, surveys, and databases that would support economic restructuring within the downtown and beyond.

We have seen how market analyses should be collaborative and pursued with awareness of the full range of SWOT analyses.

Clusters and Niches (*Being Pursued*)

One area that would benefit from studies is the development of niche and cluster plans for downtown to take advantage of critical mass, joint- and cross-marketing, and target markets.

Business incubation/assistance & Workforce Development (*Being Pursued*)

Assistance from Coastal Bend, the Business School and SBDC

Days and hours of operations of visitor facilities and businesses coordinated with University/City/Base/Ranch events and markets (*Under Discussion*)

We have many events on the base, on the ranch, on the university, and even in the downtown that could be coordinated better with the downtown businesses to allow better access and to allow for extended hours of operations if merchants were able to prepare in advance. Student service learning opportunities abound in visitor services.

Wifi, Web, social networking (*Being Pursued*)

Many other communities and downtowns are making productive use of Internet capabilities. We need a strategic plan that addresses markets, communications infrastructure, brand identity(ies).

Community Market (*Being Pursued*)

There are several groups exploring the development of community markets in the downtown, either as traditional farmers' markets or as a festival marketplace or a Mercado. Locations that are being considered are the old Ford dealership and the area north of the Xeriscape Park at 6th Street and Yoakum Avenue.



Partner with KHDDA (*New Initiative Underway*)

Main Street supports the existence and success of a separate merchants and/or property owners association. Main Street, KHDDA and independent merchants are communicating and collaborating.

Retain, Expand, Recruit (*Being Pursued*)

Main Street seeks to help viable existing businesses to stay and expand and seek to recruit appropriate new businesses. Public money can be an early catalyst but private money will redevelop downtown and the community.

As we proceed, we can begin to explore aspects of centralized retail management and clustering to provide a higher level of performance to our downtown and its service to the several markets it can serve: Locals, Visitors, and Students.

Strategic Approach to Events, Calendar and Media (*Being Pursued*)

Kingsville has the opportunity to better coordinate the events of civic groups, the Navy base, and the university to avoid conflicts and to produce synergies. There are also opportunities to better market events among the various, and shared, constituencies by sharing information and by collaborating on shared media and media buys. We need strategic planning for events that address regional and local calendars as well as the disparate markets and seasons. Every marketing dollar should support every other marketing dollar.

Events should support businesses (*Being Pursued*)

Downtown events, particularly those that result in street closures, should be evaluated for their effect on downtown retail businesses, especially as we have more and larger events.

Billboards and wayfinding (*Being Pursued*)

We have the opportunity to take collaborative effort in upgrading the combination of billboards, TexDOT signs and local wayfinding to vastly improve our communications with visitors as they approach and enter Kingsville and make their way to destinations and parking.

Calle Siete (*Being Pursued*)

The northern section of downtown includes the area that was once the thriving Hispanic neighborhood commercial district. The Hispanic Chamber of Commerce has launched an initiative to support some existing businesses and to redevelop some cultural landmarks, at the same time creating an "Eatertainment" district that can serve neighbors, university students and visitors.



Texas Theater (*Underway*)

There is progress in restoring and reusing the Texas Theater for film and live shows.



Better billboards (*Being Pursued*)

Billboards on US 77 should be evaluated and coordinated with TexDOT guide signs as well as wayfinding signs.



Fill in storefronts (*Discussions Underway; Some being pursued*)

While, of course, the goal is to have attractive, successful businesses in all available retail spaces in the downtown, we can't expect to fill all vacancies immediately. We might, however, be able to place displays or otherwise screen or beautify empty storefronts.



Texas Historical Commission

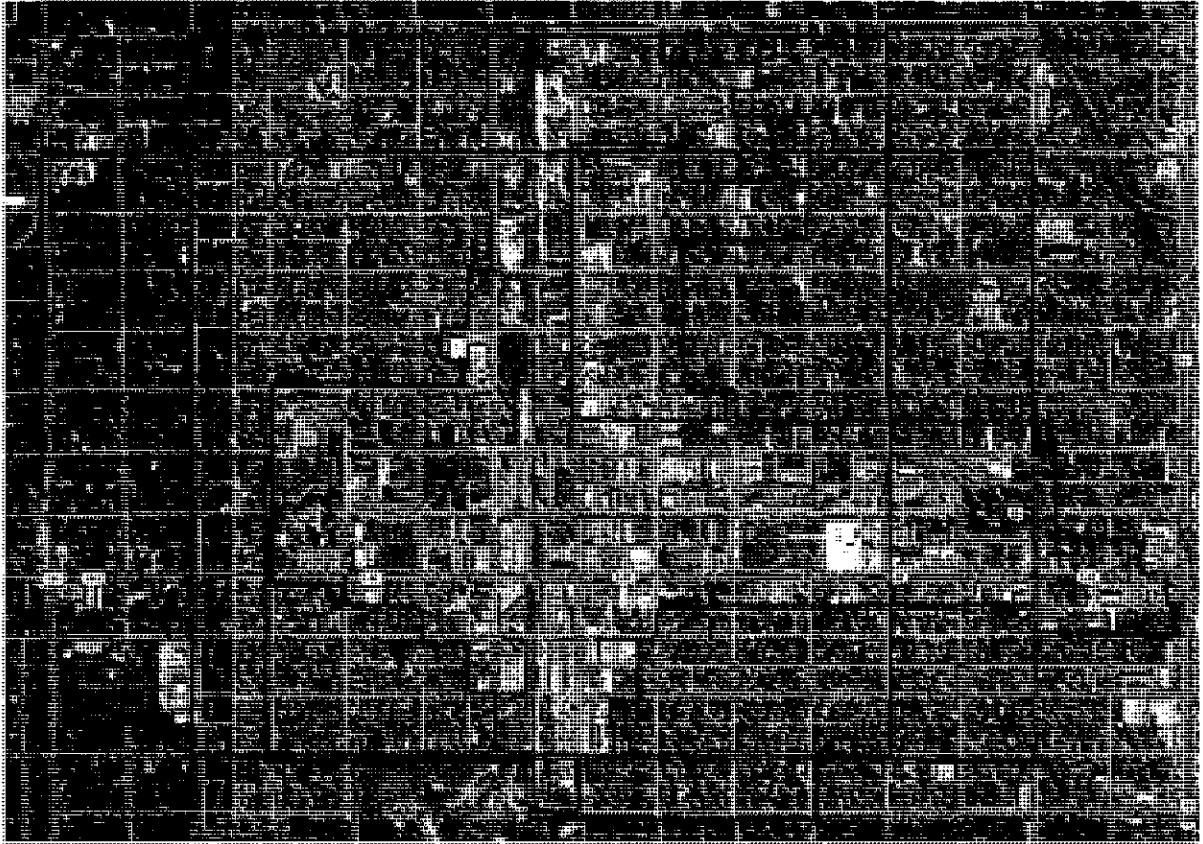
Cross marketing (*Being Pursued*)

The strategic approach to events, calendar and media above should also include the encouragement of cross-marketing and shared-marketing among complementary products and services.

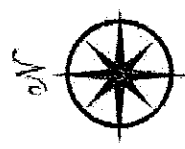


Attachments

**Downtown District for
Kingsville Main Street and
Kingsville Historic Downtown District Association
With Traditional Hispanic Business District**



Google maps

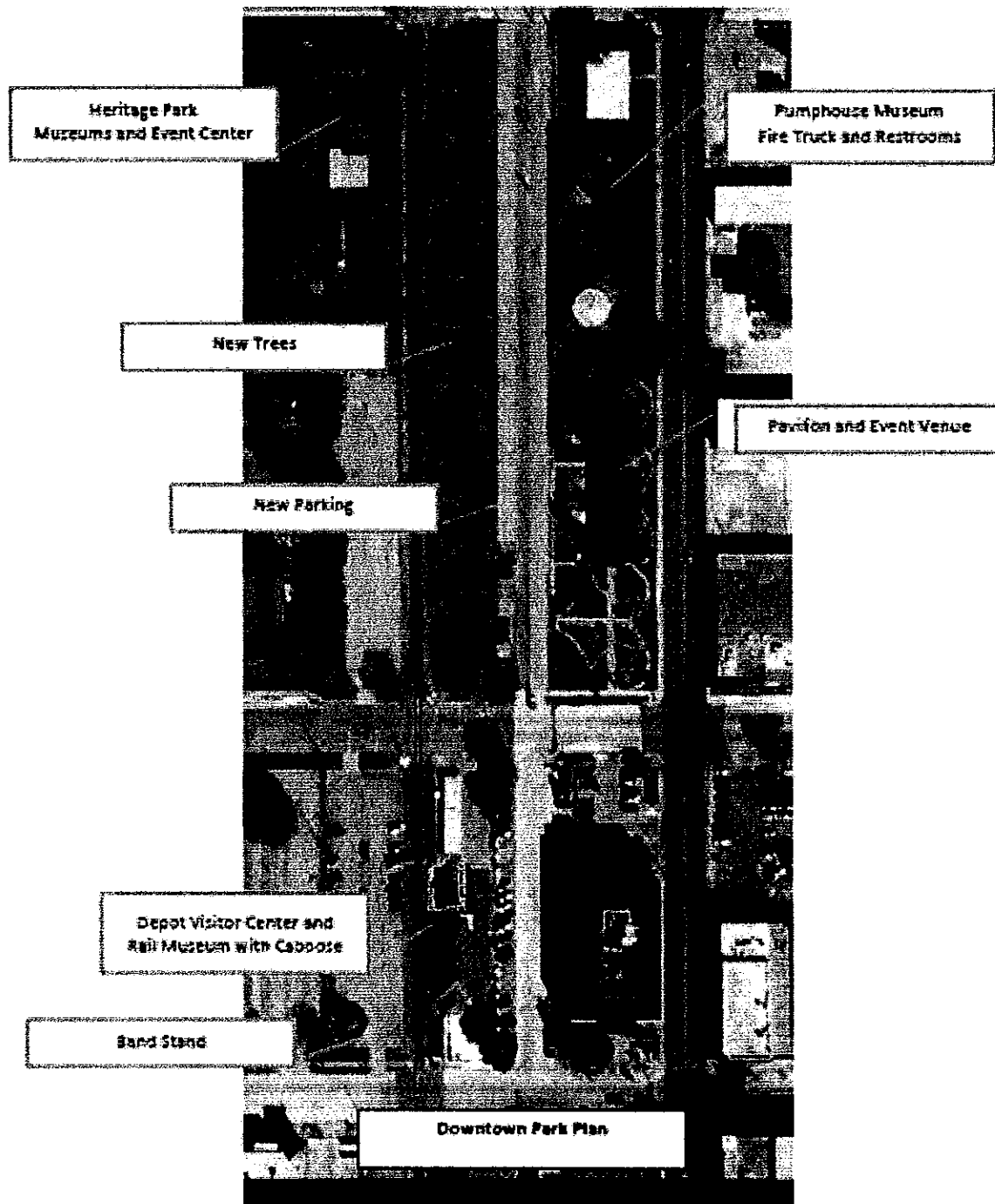


Auto-oriented	Museum
Finance/Office	Personal Services
Food & Beverage	Residential
Government	Retail
Grocery	Vacant



Property Uses

Google maps



Google maps
Downtown Park Plan



Google maps
Downtown 5th & 6th Street Corridors and Park Plan - North

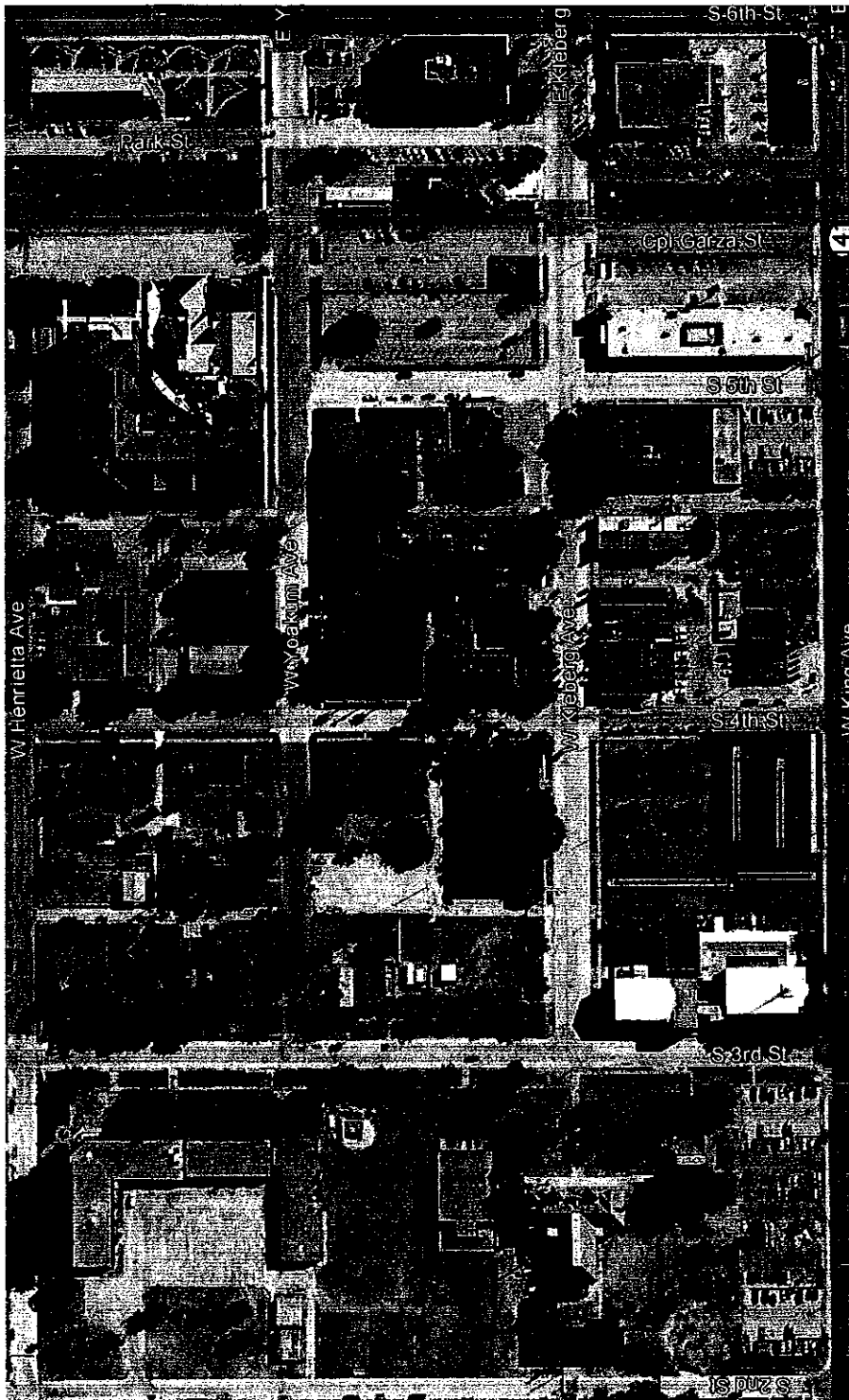


Google maps

Downtown 5th & 6th Street Corridors and Park Plan – South



05/31/2013



Google maps
West End of Downtown



Google maps
Yoakum Avenue



Google maps
Richard Avenue



Google maps
St Martin's



Google maps
Kleberg Avenue Downtown



Google maps
East End



Google maps
Some Ownership



Google maps

Richard Avenue and Seventh Street

AGENDA ITEM #4



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE: June 14, 2013
TO: City Commission through City Manager
FROM: David Mason, Purchasing/IT Director
SUBJECT: Purchasing Coop Agreement with City of Bedford

SUMMARY

This item authorizes an interlocal agreement for cooperative purchasing with the City of Bedford. Chapter 271.1002 subchapter F of the local government code, and the Interlocal Cooperation Act, 791.001 allow cities to enter into agreements with each other to purchase goods and services.

BACKGROUND

Chief Reed is interested in purchasing nomex shirts and pants through GST Public Safety. A substantial discount can be obtained by using the purchasing contract in place from the City of Bedford. The City of Bedford is in agreement with the City of Kingsville using their contract and has provided us with an interlocal agreement.

RECOMMENDATION

It is recommended we are allowed to enter into this interlocal agreement with the City of Bedford for the mutual benefit of all entities.

FINANCIAL IMPACT

There is no specific financial impact of the interlocal agreement itself.

Approved

Vincent Capell, City Manager

David Mason

From: Joey Reed
Sent: Thursday, June 13, 2013 2:15 PM
To: David Mason
Subject: Interlocal Agreement for Purchasing

David,

I am attaching an interlocal agreement from the City of Bedford for your review. The City of Bedford, TX purchases a particular type of fire service station wear at a large discount through GST Public Safety with their coop agreement. They have sent me the interlocal agreement that would allow us to purchase through their agreement. As you can see there are many Texas cities using this same interlocal agreement.

Can you look this over and let me know what you think?

I will be budgeting for different station uniforms this year. Our plan is for an initial issue of 3 sets of the new fire resistive pants and shirts, with 2 sets issued each year after the first, 5-6 Department T-shirts each year, and fire service station/wildland boots as needed.

The initial purchase of nomex shirts and pants will probably cost around \$16,500.

Thank you,

Joey Reed
Fire Chief, City of Kingsville Fire Dept.
119 N. 10th Street
Kingsville, TX 78363
(361) 592-6445
Email: jreed@cityofkingsville.com

RESOLUTION NO. 2013-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT FOR COOPERATIVE PURCHASING OF GOODS, PRODUCTS AND/OR SERVICES BETWEEN THE CITY OF KINGSVILLE AND THE CITY OF BEDFORD, TEXAS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") has previously benefited from cooperative purchasing agreements with other governmental bodies to work for the benefit of our citizenry when able to do so; and

WHEREAS, state laws allows governing bodies, like the City, to enter into agreements like this one to take advantage of those purchasing contracts for the benefit of their city; and

WHEREAS, the City has previously entered into cooperative purchasing agreements with other entities and found them to be useful; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with the terms of the agreement attached hereto.

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 an Interlocal Agreement for Cooperative Purchasing Between the City of Kingsville and the City of Bedford, 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 24th day of June, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AN INTERLOCAL AGREEMENT FOR COOPERATIVE PURCHASING OF GOODS, PRODUCTS AND/OR SERVICES

This agreement is entered into by and between the cities of signatory to this agreement, all being municipal corporations chartered under the Constitution of the State of Texas, hereinafter referred to as "member cities" each acting through their duly authorized representatives.

WHEREAS, the member cities desire to secure for each city the benefits of cooperative purchasing of goods, products and/or services; and

WHEREAS, this agreement is made under the authority granted by and pursuant to Texas Interlocal Corporation Act, Article 791 of the Texas Government Code providing for the cooperation between local governmental bodies, the parties hereto, in consideration of the premise and mutual promises contained herein;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Prior to any collective purchases under this agreement, the cities will designate which city shall be responsible for the bidding process for a particular purchase.
2. Member cities agree that all specifications for said items shall be determined in cooperation with members, with final approval with the city responsible for final bid process.
3. Each member shall be responsible for placing orders directly with and payment to the vendor under each contract entered into pursuant to the cooperative purchasing program, and shall be responsible for the vendors compliance with all conditions of delivery and quality of the purchased items. No member shall be obligated to purchase any item merely by virtue of that member approving specifications for said item, or by requesting to be included in an "open" contract for such items.
4. Members shall designate an official representative to act for member in all matters relating to this cooperative purchasing program, including the designation of specific contracts in which the member desires to participate.
5. This agreement shall take effect upon execution by signatories.
6. This agreement shall be in effect from date of execution until terminated by any party to this agreement by written notice to the other parties stating the date of such termination. A minimum of 30 days written notice must be given to terminate this agreement.
7. Exhibit "A" will constitute a list of Member Cities.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their authorized officers the day and year each member signs agreement.

City of Kingsville

City Manager

Date: _____

Approved as to Form:

City Attorney

Date: _____

Attest:

City Secretary

Date: _____

City of Bedford

City Manager

Date: _____

Approved as to Form:

City Attorney

Date: _____

Attest:

City Secretary

Date: _____

EXHIBIT A

MEMBER CITIES

Aubrey	Sanger	Parker County ESD #1
Bedford	Mineral Wells	Sunnyvale
Cleburne	Decatur	Oak Point
Colleyville	Frisco	Hurst
Crowley	Hudson Oaks	River Oaks
Forest Hill	Van Alstyne	Azle
Grapevine	Paris	Lillian
Haltom City	Farmers Branch	Red Oak
Hutchins	Alverado	Bowie
Keller	Rhome	Greenwood RVFD
Mansfield	Venus	Parker County ESD #7
North Richland Hills	Terrell	Ponder VFD
Pantego	Wylie	Corsicana Fire Rescue
Richland Hills	Celina	City of Allen
Roanoke	Alamo Heights	The Colony
Southlake	Ferris	Briar Fire Department
Texarkana	Bonham	Keene Fire Department
Westlake	Haslet	Travis County ESD #10
Kennedale	Forney	City of Rockwall
Euless	Corinth	Johnson County ESD #1
Sherman	Flower Mound	City of Rowlett
Hopkins County	Wills Point	

Erath County Fire Rescue

Grand Saline

City of Melissa

Westminster Fire Rescue

City of Taylor

Slidell Greenwood VFD

City of Longview

City of Krum

City of Sachse

Waxahachie FD

Somervell County

City of Ennis

Burleson

City of Snyder

Double Oak

City of De Soto

City of Benbrook

City of Duncanville

City of Kingsville

AGENDA ITEM #5



Purchasing/IT Department

361-595-8025

361-595-8035 Fax

DATE: June 14, 2013

TO: City Commission through City Manager

FROM: David Mason, Purchasing/IT Director

SUBJECT Pavilion Improvements Phase 1

SUMMARY

This item will approve Phase 1 improvements to the downtown pavilion and park area.

BACKGROUND

We are providing estimates of work to include grading, clearing, and a concrete slab; power washing, prep and touch up painting to the structure; electrical; and construction of a dumpster enclosure. See attached scope of work.

RECOMMENDATION

We will work with local contractors to ensure maximum value for the dollar expenditures for this project. Its value to the community far outweighs the dollar expenditures.

FINANCIAL IMPACT

Along with the basic estimates amount of \$47,958.75, there are several vendors requesting payment from the original project totaling \$2,105 bringing the subtotal to \$50,063.75. With a ten (10) % contingency fee of \$5,006.38, total project is estimated to be \$55,070.13. These monies will be provided through a budget amendment.

Approved

Vincent Capell, City Manager

Estimates for Phase 1 for
Downtown Pavilion Park

Basic Improvements (see attached)	\$47,958.75
Alpha Engineering	1,130.00
Mendez Welding	<u>975.00</u>
Subtotal	50,063.75
10% Contingency	<u>5,006.38</u>
Total for Budget Amendment	<u>\$55,070.13</u>

To: City Manager

From: Tourism Director

Subject: Downtown Park Pavilion

Date: June 13, 2013

The Downtown Park Pavilion is already usable as a shade structure for events, but we hope to have some enhancements in place by the Fourth of July and there are many other proposals in the works for this important site.

We have received a proposal from several contractors to coordinate and complete the work for those enhancements of the former HEB canopy for use as the Downtown Park Pavilion by the Fourth.

The proposal includes the following:

- Provide an engineering study for the structure including for wind-loading
- Clear, fill and grade the lot
- Power wash the structure
- Grind, sand, fill, prime and touch-up existing paint
- Provide electrical service to existing lighting and outlets – to code.
- Provide a roughly 112 feet by 36 feet stamped and stained concrete deck
- Build a dumpster enclosure

Meeting that date is dependent upon identifying a funding source and getting necessary approvals.

The total cost estimate in the proposal is \$47,458.75

There are many other potential projects in the works that will turn some underutilized, some industrial, and some unconnected parcels and facilities into an overall downtown linear park that will connect from King Avenue, including the Bandstand, the Depot, the Xeriscape Park, the Pavilion, the Pumphouse, and others – that will link to the Henrietta Memorial.

There will be proposals for fencing, street paving, sidewalks, lighting and other park features, such as water fountains, a water feature, etc. as we move forward. There are possibilities for cooperation with the Union Pacific and others. There is coordination needed with other public works projects.

We will be talking about the Caboose and the Petra Kenedy Building separately, with others to follow.

Decisions on those additions are dependent on other entities and other timetables.

**Proposal for a Phase I of Improvements to
City of Kingsville Downtown Park Pavilion**

Provide engineering study and certificate (the deliverable) for wind-loading for the structure and for concrete slab under the structure to the extent required by the City Building Official.

\$ 1250

Power-wash with water and detergent the structure, inside and out including guttering taking care to avoid damaging the paint, bird netting and electrical equipment, to the extent possible. Grind, sand, fill, prime and touch-up existing paint north and south end of pavilion, as needed to treat bare metal, rust and paint blisters.

\$ 2875

Provide and install 200 amp electrical service, provide underground conduit, with oversized, secure, weatherproof panel box, connecting to existing wiring for lighting and outlets.

- 60' underground conduit from electrical pole to structure
- Oversized steel welded electrical distribution box, lockable and waterproof
- 200 amp breaker box
- Repair, wire and bring up to code the 21 outlets currently installed
- Repair, wire and bring up to code the 26 lights currently installed

\$ 2500

Build a dumpster enclosure on the northwest corner of the property in accordance with City specifications (Robert Mendez)

\$ 900

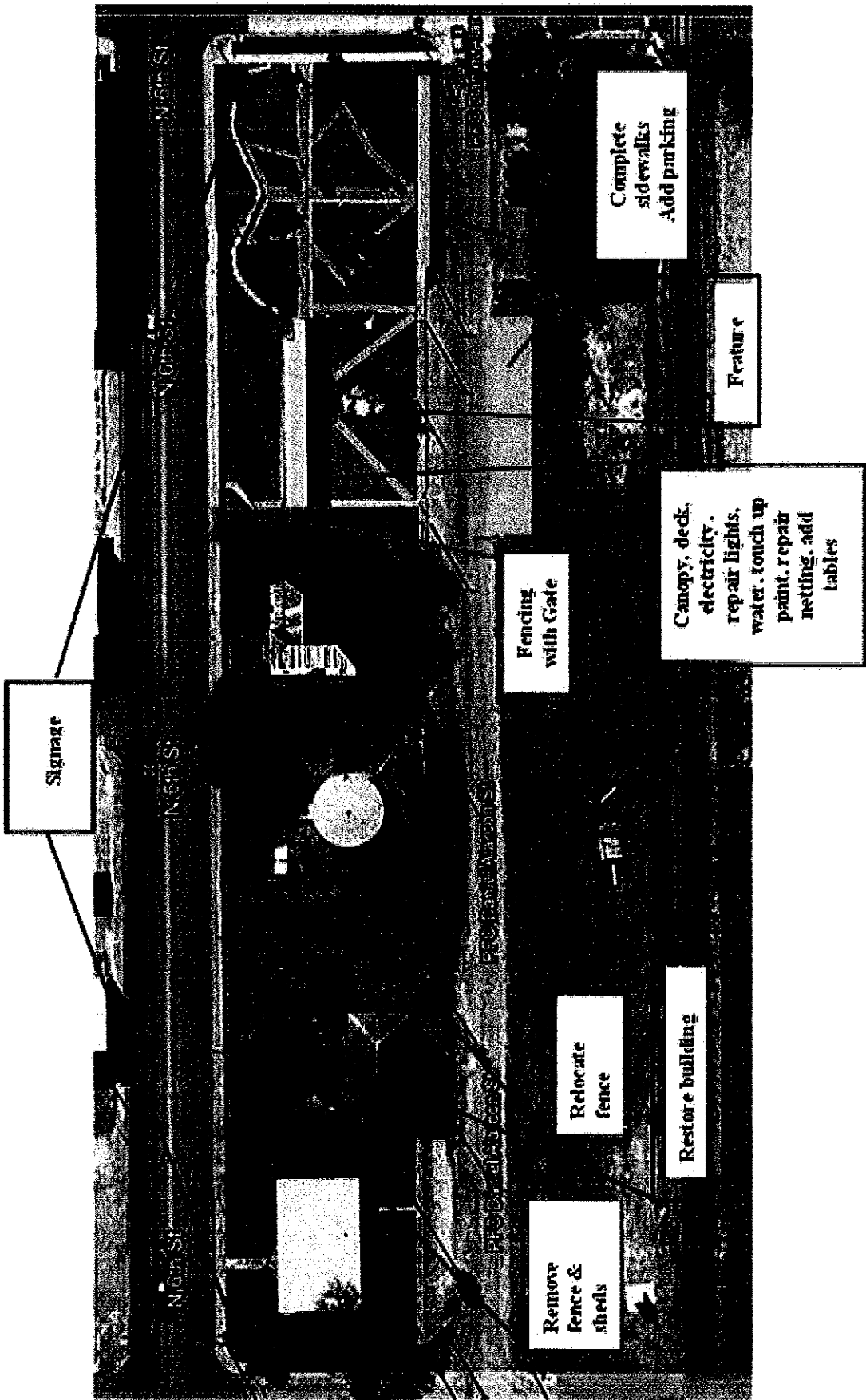
Provide base layer and grading, rebar and footings, for a roughly 112 feet by 36 feet (4032 sq ft) concrete deck under the pavilion, with crown and sloping to finished grade so that deck is high and dry, will shed rain and spills, and will require no ramps, steps or railing. Stamp and stain concrete to give the appearance of terra cotta tile that will complement the paving tiles in the Xeriscape Park.

- Clear, fill, and grade the lot \$2,250
- 95 yards of 3000psi concrete with stain laid at a minimum of 4" \$9,500
- 60 yards of cushion sand \$1,800
- ½ inch steel rebar with ties on 16 inch centers \$5,500
- Perimeter beams with 24 inch depth
- Crossbeams to piers with 18 inch depths
- Beams to have 5/8 inch steel rebar on 16 inch centers
- Slab slopes to grade at 1 inch to 1 foot, avoiding steps, and ADA rails 7 ramps
- Custom and concrete stain and stamping
- Bobcat and equipment rental \$700
- Forms
- Materials \$17,500
- Labor \$14,500

\$34,250

- General Contractor's fees and other Expenses

\$ 6183.75



Signage

Remove
fence &
sheds

Relocate
fence

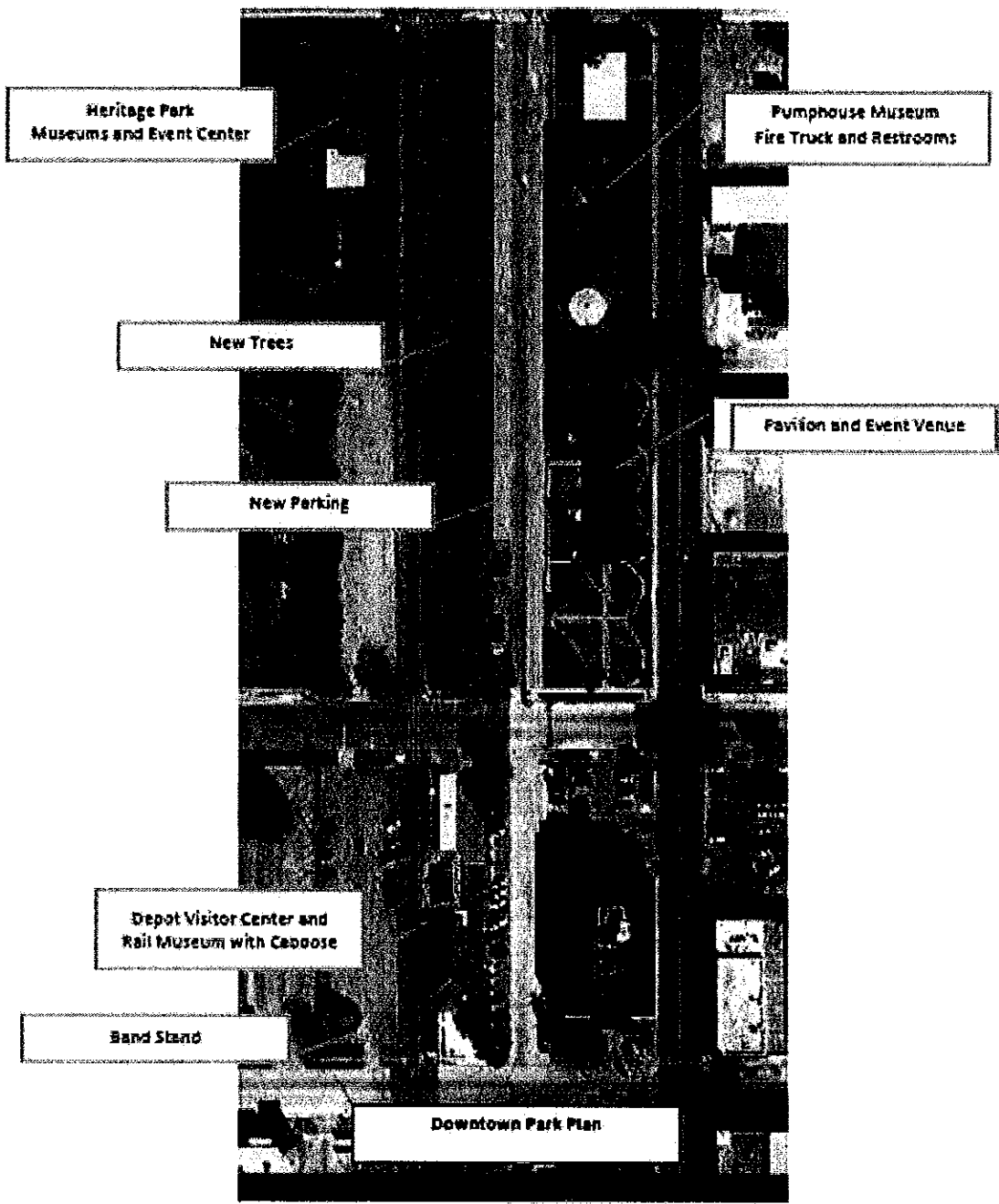
Restore building

Fencing
with Gate

Canopy, deck,
electricity,
repair lights,
water, touch up
paint, repair
netting, add
tables

Feature

Complete
sidewalks
Add parking



Heritage Park
Museums and Event Center

Pumphouse Museum
Fire Truck and Restrooms

New Trees

Pavilion and Event Venue

New Parking

Depot Visitor Center and
Rail Museum with Caboose

Band Stand

Downtown Park Plan

**Proposal for a Phase I of Improvements to
City of Kingsville Downtown Park Pavilion**

Provide engineering study and deliverable (certificate) for wind-loading for the structure and for concrete slab under the structure to the extent required by the City Building Official.

\$ 1250

Power-wash with water and detergent the structure, inside and out including guttering taking care to avoid damaging the paint, bird netting and electrical equipment, to the extent possible. Grind, sand, fill, prime and touch-up existing paint north and south end of pavilion, as needed to treat bare metal, rust and paint blisters.

\$ 2875

Provide and install 200 amp electrical service, provide underground conduit, with oversized, secure, weatherproof panel box, connecting to existing wiring for installed lighting and electrical outlets, meeting code.

- 60' underground conduit from electrical pole to structure
- Oversized steel welded electrical distribution box, lockable and waterproof
- 200 amp breaker box
- Repair, wire and bring up to code the 21 outlets currently installed
- Repair, wire and bring up to code the 26 lights currently installed

\$ 2500

Build a dumpster enclosure on the northwest corner of the property in accordance with City specifications (Robert Mendez)

\$ 900

Provide base layer and grading, rebar and footings, for a roughly 112 feet by 36 feet (4032 sq ft) concrete deck under the pavilion, with crown and sloping to finished grade so that deck is high and dry, will shed rain and spills, and will require no ramps, steps or railing. Stamp and stain concrete to give the appearance of terra cotta tile that will complement the paving tiles in the Xeriscape Park.

- | | |
|---|----------|
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| • Perimeter beams with 24 inch depth | |
| • Crossbeams to piers with 18 inch depths | |
| • Beams to have 5/8 inch steel rebar on 16 inch centers | |
| • Slab slopes to grade at 1 inch to 1 foot, avoiding steps, and ADA rails 7 ramps | |
| • Custom and concrete stain and stamping | |
| • Bobcat and equipment rental | \$ 700 |
| • Forms | |
| • Materials | \$17,500 |
| • Labor | \$14,500 |

\$ 34250

- General Contractor's fees and other Expenses

\$ 6183.75

47,958.75



293 N CR 1040
Kingsville, TX 78363
Phone# 361-228-3485

Invoice

Date	Invoice #
6/13/2013	20298

Bill To
City Of Kingsville Attn: David Mason

P.O. No.	Terms	Project

Description	Qty	Rate	Amount
Scope of Work: Fitting and welding of transport beams to Canopy Legs at HEB Kingsville. 1. Welder and Welder's Helper 2. Equipment Used: Welding Rig and Bobcat 3. Delivery and Pickup of Bobcat 4. Worked performed October 17-20, 2012 Worked was performed for William Bell (Kingsville HEB Canopy) and Invoice was not paid		975.00	975.00

	Subtotal	\$975.00
	Sales Tax (6.75%)	\$0.00
	Total	\$975.00
	Payments/Credits	\$0.00
	Balance Due	\$975.00

INVOICE

Mr. Naim Kahn, P.E., City Engineer
 City of Kingsville
 P.O. Box 1458
 Kingsville, Texas 78364

29 October 2012
 Project No. 1204-03
 HEB Canopy, Kingsville

Invoice No. 1

Ph: 361-595-8004

In accordance with our agreement for professional services rendered through the date of this invoice in connection with the referenced project.

COMPENSATION for services described above is as shown below; payment due upon receipt of invoice.

Design Service	Rate	Hours	Charge	Credit	Balance
Registered Professional Engineer	\$ 120	4.00	\$ 480	\$ -	\$ 480
Engineering CAD Technician, Level 2	\$ 50	6.00	\$ 300	\$ -	\$ 300
	\$ 40	-	\$ -	\$ -	\$ -
	\$ 40	-	\$ -	\$ -	\$ -
Field Technician	\$ 50	1.00	\$ 50	\$ -	\$ 50
Field Crew	\$ 100	3.00	\$ 300	\$ -	\$ 300
Totals			\$ 1,130	\$ -	\$ 1,130

Total Amount Due this Invoice... \$ 1,130

AGENDA ITEM #6

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET OF THE GENERAL FUND FOR IMPROVEMENTS TO THE CITY OF KINGSVILLE DOWNTOWN PAVILION.

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 2012-2013 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
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Fund 01 General Fund

Revenue

4-160 City & Co. Services	Vacant Lot Clearance	621.10	6,161	
4-160 City & Co. Services	Demolition Recovery	621.20	37,510	
4-160 City & Co. Services	Noxious Matter Abatement	621.30	\$ 11,401	
			\$ 55,072	

Expenditures

5-450.0-712.01 Parks Capital Project	712.01	\$ 55,072	
		\$ 55,072	

[To budget for the improvements to the City of Kingsville Downtown Pavilion.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 24th day of June, 2013.

PASSED AND APPROVED on this the ___ day of _____, 2013.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

ORDINANCE NO.2013-_____

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 ACCOUNTING SUPERVISOR AND LANDFILL FOREMAN TO THE CITY OF KINGSVILLE CLASSIFICATION AND COMPENSATION PLAN FOR FISCAL YEAR 2012-2013; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FORM AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the certain changes are proposed to the City of Kingsville Classification and Compensation Plan for FY 2012-2013 are desired so that the plan more accurately reflects the type of position necessary for the effective operation of departments;

WHEREAS, the requested change is to add the position of Accounting Supervisor, ML4, and Landfill Foreman, Range 20 to the City of Kingsville Classification and Compensation Plan for Fiscal Year 2012-2013.

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, 2012 shall be amended to adopt by reference the revised Classification and Compensation Plan for FY 2012-2013 to incorporate the changes stated above as per the document attached hereto.

II.

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

III.

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

IV.

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

INTRODUCED on this the 24th day of June, A. D., 2013.

PASSED AND APPROVED on this the _____ day of _____, A. D., 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

Approved As to Form:

Courtney Alvarez, City Attorney

**CITY OF KINGSVILLE
CLASSIFICATION AND COMPENSATION PLAN
FISCAL YEAR 2012-2013**

Ordinance Introduced: September 10, 2012
Amendment Introduced: June 24, 2013

Ordinance Approved: September 17, 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	\$ 8.38	\$11.05
RANGE 8	Animal Control Officer/Kennel Attendant Children's Services Librarian Equipment Operator I Recycling Technician	\$ 8.57	\$11.30
RANGE 9	Customer Service Representative Municipal Court Deputy Clerk Reference/Information Librarian	\$ 8.91	\$12.04
RANGE 10	Circulation Librarian Technician Services Assistant	\$ 9.32	\$12.15
RANGE 11	Pump Operator	\$ 9.75	\$12.87
RANGE 12	Inventory Clerk Information and Technology Librarian	\$10.21	\$13.32
RANGE 13	-	\$10.67	\$13.77
RANGE 14	Accountant I Customer Billing Specialist Engineering Technician Equipment Operator II GIS Technician Meter Reader Technician Telecommunications Operator	\$11.17	\$14.28
RANGE 15	Administrative Assistant I	\$11.66	\$14.78
RANGE 16	Lead Telecommunications Operator	\$12.21	\$15.87

RANGE 17	Accountant II Administrative Assistant II Assistant Library Administrator Equipment Operator III Maintenance Technician Water/Wastewater Operator Welder/Fabricator	\$12.79	\$15.89
RANGE 18	Lab Technician Legal Assistant/Paralegal	\$13.36	\$16.46
RANGE 19	Code Enforcement Officer	\$14.00	\$17.11
RANGE 20	Meter Reader Foreman Wastewater Construction Foreman Wastewater Plant Foreman <u>Landfill Foreman</u>	\$14.64	\$18.14
RANGE 21	City Marshal Crime Scene Specialist Health Inspector I	\$17.17	\$20.78
RANGE 22	Building Inspector City Marshal – Senior Health Inspector II	\$17.84	\$21.89
OTHER POSITIONS			
	Probationary Firefighters (0-12 months)	\$ 13.52	\$13.52
	Probationary Police Officers (0-12 months)	\$ 13.50	\$17.80

**CLASSIFICATION PLAN
EXEMPT LEVEL SALARY PLAN
FY 2012-2013**

	<u>BEGINNING MIN</u>	<u>BEGINNING MAX</u>
EXECUTIVE OFFICER – 1 City Manager	\$ 91,350	\$121,800
EXECUTIVE OFFICER - 2 City Attorney Municipal Court Judge	\$ 76,125	\$ 98,455
MANAGEMENT LEVEL - 1 Fire Chief Finance Director Police Chief Public Works Director/City Engineer Planning & Development Services Director	\$ 60,900	\$ 91,350
MANAGEMENT LEVEL - 2 Assistant City Attorney Human Resources Director Purchasing and Technology Director Tourism Services Director	\$ 46,183	\$ 78,155
MANAGEMENT LEVEL - 3 Accounting Manager Assistant Public Works Director City Marshal (Commander) Health Director Library Director Risk Manager	\$ 40,600	\$ 68,005
MANAGEMENT LEVEL - 4 <u>Accounting Supervisor</u> Building Official City Marshal - (Assistant Commander) City Secretary Collection's Manager Community Appearance Supervisor Downtown and Volunteer Manager Engineering Technician Garage Supervisor Information System Technician Landfill Supervisor Municipal Court Manager Sanitation Supervisor Street Supervisor Wastewater Supervisor Water Production Supervisor Water Supervisor	\$ 35,525	\$ 55,825

FY 12-13

PAY RANGE Year	A TEMP	B New Hire	C 1	D 3	E 6	F 10	G 15	H 20	I 25
7	\$8.51	\$8.87	\$9.22	\$9.58	\$9.93	\$10.28	\$10.64	\$10.99	\$11.22
8	\$8.70	\$9.07	\$9.59	\$9.94	\$10.29	\$10.65	\$10.99	\$11.35	\$11.47
9	\$8.91	\$9.33	\$9.75	\$10.18	\$10.60	\$11.02	\$11.44	\$11.88	\$12.04
10	\$9.32	\$9.67	\$10.02	\$10.37	\$10.73	\$11.07	\$11.46	\$11.91	\$12.15
11	\$9.75	\$10.15	\$10.53	\$10.91	\$11.31	\$11.70	\$12.09	\$12.47	\$12.87
12	\$10.21	\$10.60	\$10.99	\$11.38	\$11.77	\$12.16	\$12.54	\$12.93	\$13.32
13	\$10.67	\$11.05	\$11.44	\$11.83	\$12.22	\$12.61	\$12.99	\$13.39	\$13.77
14	\$11.17	\$11.55	\$11.94	\$12.33	\$12.72	\$13.10	\$13.50	\$13.91	\$14.28
15	\$11.66	\$12.06	\$12.44	\$12.84	\$13.23	\$13.61	\$14.00	\$14.39	\$14.78
16	\$12.21	\$12.67	\$13.12	\$13.58	\$14.04	\$14.49	\$14.96	\$15.42	\$15.87
17	\$12.79	\$13.18	\$13.56	\$13.96	\$14.34	\$14.74	\$15.11	\$15.50	\$15.89
18	\$13.36	\$13.74	\$14.13	\$14.51	\$14.92	\$15.31	\$15.69	\$16.08	\$16.46
19	\$14.00	\$14.38	\$14.78	\$15.15	\$15.55	\$15.94	\$16.34	\$16.72	\$17.11
20	\$14.64	\$15.42	\$15.81	\$16.19	\$16.59	\$16.97	\$17.36	\$17.75	\$18.14
21	\$17.17	\$17.43	\$18.03	\$18.63	\$19.22	\$19.62	\$20.01	\$20.39	\$20.78
22	\$17.84	\$18.54	\$19.13	\$19.74	\$20.34	\$20.74	\$21.12	\$21.52	\$21.89

*Note: +/- 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	\$ 30.00	\$ 13.85
C	\$ 40.00	\$ 18.47
II or B	\$ 55.00	\$ 25.39
III or A	\$ 85.00	\$ 39.24

*** Rounding up one cent on per pay period amounts**

MANAGEMENT LEVEL STEP PROGRAM INCREASE DUE ON ANNIVERSARY DATE OF MANAGEMENT LEVEL POSITION.

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




MEMORANDUM

From
The Human Resources Department

Date: June 13, 2013

To: Mr. Vincent Capell
City Manager

From: Diana Gonzales, SPHR 
Human Resources Director

Subject: Amendment to Classification and Compensation Plan FY 2012-2013
Agenda Item Information: Part 1 Finance

SUMMARY

The HR office received notification to amend City of Kingsville Classification and Compensation Plan for Fiscal Year 2012-2013 by adding a position title of Accounting Supervisor (Management Level 4) to the positions allotted the Finance Department. With the current vacancy of one of the Accountant II (Range 17) positions, it is proposed to create an Accounting Supervisor instead of filling the existing titled vacancy.

The position of Accounting Supervisor shall oversee the three (3) staff Accountants and be in charge of special revenues/projects. This position shall supervise and participate in the preparation and posting of adjusting journal entries, balancing and reconciliation of the general ledger and subsidiary accounts including but not limited to Municipal Court, Utility Billing, Fixed Assets, Building Licenses & Permits, Purchase Order/Encumbrances, Accounts Payable, Payroll and Accounts Receivable.

Attached is the full job description for this new titled position.

DEPARTMENT STRUCTURE

The Finance Department structure at the beginning of the fiscal year is outlined below with the proposed changes:

Finance Director – Admin Division

Accounting Manager

Accounting Supervisor

Accountant II – (duties of general ledger and admin)

Accountant II – (duties of accounts payable)

Accountant II – (duties of payroll)

~~Accountant II – (duties of special revenue/projects)~~

Collection Manager – Utility Billing Division

Customer Billing Specialist (2)

Customer Service Representatives (2.5)

Meter Reader Foreman (1)

Meter Reader Technician (1)

Municipal Court Manager - Municipal Court Division

Municipal Court Deputy Clerk (2)

Customer Service Representative (.5)

FINANCIAL IMPACT

Fiscal Year 2012-2013 financial impact consists of the difference in the Accountant II position to the Accounting Supervisor position for estimated 7 pay periods in current fiscal year of \$5,721.28 in base wages plus benefits of \$2,365.44 for a total of \$8,086.72. The cost will be absorbed by current department budget.

Staffing levels remain the same with this proposed change.

RECOMMENDATION

The addition of the job title will change the structure of the Finance – Admin Division to better streamline the processes and allow the Finance Director to assign the immediate supervision of the 3 staff accountants to this new position as well as some of the special revenue/projects.

The Human Resource Department has worked with the Finance Director and City Manager on the Finance Department structure to create a more efficient department including updating Finance Administration's job descriptions.

After discussions with the Finance Department and approval of the City Manager's office to proceed, it is recommended to amend City of Kingsville Classification and Compensation Plan for FY 2012-2013 to create a Management Level 4 position of Accounting Supervisor



CITY OF KINGSVILLE

Job Description

Job Title Accounting Supervisor	Department Finance	Effective Date May 1, 2013
Reports to: Accounting Manager	Job Code Salary Range ML4	FLSA Status Exempt
Approved by Finance Director	Signature:	
Approved by Human Resource Director	Signature:	

ORGANIZATIONAL RELATIONSHIPS

1. Reports to: Accounting Manager
2. Directs: Accountant(s)
3. Other: Works closely with all City departments/division and the general public.

ESSENTIAL JOB FUNCTION:

Performs routine accounting work; maintains a variety of financial records and prepares statements, reports, and reconciliations; performs related work as required.

1. Coordinates department workflow to ensure timely completion of all accounting functions
2. Prioritizes and allocates work and provides advice, guidance and training to support staff
3. Recommends and administers policies and procedures
4. Continuously monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures
5. Assesses and monitors work load, administrative and support systems and internal reporting relationships
6. Provides research and documentation for the completions of annual audit and financial statement preparation
7. Audits and maintains reconciliation of significant revenue sources (Taxes: property, sales, franchise, hotel/motel, etc.)
8. Audits and maintains reconciliations of significant expenditure uses (payroll, electricity, gasoline, purchasing credit cards, etc.)
9. Participates in the development and administration of the department's annual budget
10. Answers questions and provides information to the public and other departments including financial reporting, accounts payable and payroll data
11. Supervises processing of City's Payroll, Accounts Payable and General Ledger
12. Supervises and participates in the preparation/posting, adjusting journal entries, balancing and reconciliation of the general ledger and subsidiary accounts including but not limited to Municipal Court, Utility Billing, Fixed Assets, Building Licenses& Permits, Purchase Order/Encumbrances, Accounts Payable, Payroll and Accounts Receivable.
13. Responsible for the City's Fixed Asset program to include posting to subsystems, generating reports, and working with department on annual physical inventory
14. Assists in the development and modification of internal accounting controls, policies, procedures and practices.
15. Conducts performance evaluations of direct reports and reviews depart staff evaluations.

ADDITIONAL DUTIES:

- Perform other duties as assigned

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES:

- Knowledge of governmental accounting principles and practices
- Knowledge of principles of financial administration, including budgeting and reporting
- Knowledge of methods and applications of computerized accounting
- Knowledge of modern office practices, procedures, methods and equipment
- Proficiency in the use of computers and office software to include Microsoft Office Suite – Word and Excel
- Ability to communicate effectively, orally and in writing
- Ability to develop and implement accounting system modifications
- Ability to establish and maintain effective working relationships with internal and external customers

PREFERENCE:

- INCODE software experience

MINIMUM QUALIFICATIONS:

- Bachelor's degree from an accredited college or university in Accounting or Finance
- Two (2) years experience in accounting, finance or related field

Acceptable Equivalency:

- Any combination of experience, education and skills necessary for the performance of duties

Conditions of Employment:

- High School Diploma or Equivalent
- Possession of Valid Driver's License
- Proof of Citizenship and /or eligibility to work in the U.S. legally
- Drug Screen
- Background investigation

- City employees are required in the course and scope of their employment to provide services for the benefit of the general public during emergency situations that threaten the safety of Kingsville citizens. City employees must be able to work immediately before, during, and/or immediately after an emergency in accordance with the City of Kingsville Emergency Services Policy No. 881 effective August 28, 2006.

- City employees are required to conduct themselves in a professional manner and shall exhibit and extend such professional conduct appropriate for the circumstances to those with whom they come into contact both internally and externally during the performance of their duties. Examples of professional conduct include, but are not limited to, being communicative, informative, fair, honest and respectful.

PHYSICAL REQUIREMENTS:

Overall Strength Demands: The following describes the overall strength demand of the functions performed by the incumbent during a typical workday.

X Sedentary ☐ Light ☐ Medium ☐ Heavy ☐ Very Heavy

Physical Demand Codes: The following describes if the incumbent is expected to exert the following physical demands during a typical workday and the overall frequency.

Codes for "how often":

N = No

E = extensive
(100-70%)

M = moderate
(60-30%)

I = infrequent
(20-10%)

A = almost never
(<10%)

Task	Code	Task	Code	Task	Code	Task	Code
1. Standing	M	6. Pushing/Pulling	I	11. Crawling	A	16. Vision	E
2. Sitting	E	7. Overhead Work	A	12. Bending	I	17. Hearing	E
3. Walking	M	8. Fine Dexterity	E	13. Twisting	I	18. Talking	E
4. Lifting	I	9. Kneeling	A	14. Climbing	A	19. Video Display	E
5. Carrying	I	10. Crouching	A	15. Balancing	A	20. Other	

Machines, Tools, Equipment and Work Aids:

The essential functions of this position require the daily use of telephone, Fax machine, PC terminal, printer, calculator, adding machine, copy machine, and various resource materials.

Environmental Factors:

The essential functions of this position are performed in an office environment.

NOTE: The above statements are intended to describe the general nature and level of work performed by an employee in this position. These statements are not to be construed as an exhaustive list of all responsibilities, duties, and skills required of employees in this position. This job description is not an employment agreement, contract agreement, or contract. Management has exclusive right to alter this job description at any time without notice.




MEMORANDUM

From
The Human Resources Department

Date: June 13, 2013

To: Mr. Vincent Capell
City Manager

From: Diana Gonzales, SPHR 
Human Resources Director

Subject: Amendment to Classification and Compensation Plan FY 2012-2013
Agenda Item Information: Part 2 Public Works – Landfill Division

SUMMARY

The HR office received a request to amend City of Kingsville Classification and Compensation Plan for Fiscal Year 2012-2013 by adding a position title of Landfill Foreman (Range 20) to the positions allotted the Public Works Department. With the current vacancy of the Equipment Operator III (Range 17) position, it is proposed to create a Landfill Foreman instead of filling the existing titled vacancy.

The position of Landfill Foreman shall be responsible for the operation of heavy equipment for various projects and assist in the daily management of the work area while supervising employees in the field.

Attached is the full job description for this new titled position.

DIVISION STRUCTURE

The structure of the Landfill Division of Public Works as of the beginning of the fiscal year is outlined below with the proposed changes:

Landfill Supervisor

Landfill Foreman

Equipment Operator III

Equipment Operator II (5 Full-time) (1 Temporary Part-Time)

Maintenance Worker (1)

FINANCIAL IMPACT

Fiscal Year 2012-2013 financial impact consists of the difference in the Equipment Operator III position to the Landfill Foreman position for estimated 7 pay periods in current fiscal year of \$1,355.80 in base wages plus benefits of \$815.58 for a total of \$2,171.38. The cost will be absorbed by the current division budget.

Staffing levels remain the same with this proposed change.

RECOMMENDATION

The addition of the job title will change the structure of the Landfill Division of Public Works to better streamline the operation and allow the Landfill Supervisor to assign the immediate supervision of field personnel to the Landfill Foreman who is out in the field on a continuous basis. This will also allow for the Landfill Supervisor to concentrate on the overall management of the landfill to include managing the operating budget and complying with regulatory requirements.

After discussions with the Public Works Department and approval of the City Manager's office to proceed, it is recommended to amend City of Kingsville Classification and Compensation Plan for FY 2012-2013 to create a Landfill Foreman (Range 20).



CITY OF KINGSVILLE

Job Description

Job Title Landfill Foreman	Department Public Works	Effective Date
Reports to: Landfill Supervisor	Job Code Salary Range Range 20	FLSA Status Non-Exempt
Approved by Department Director	Signature:	
Approved by Human Resource Director	Signature:	

ORGANIZATIONAL RELATIONSHIPS

1. Reports to: Landfill Supervisor
2. Directs: Equipment Operator II's and Maintenance Worker(s)
3. Other: N/A

ESSENTIAL JOB FUNCTIONS:

Definition: Under the direction of the Landfill Supervisor, responsible for the operation of heavy equipment for various projects and including the placement, compacting and covering of solid waste. Performs other duties as required for the daily operation of the division.

Essential Job Functions:

1. Operates all applicable heavy equipment to including, but not limited to, landfill compactors, bulldozer, motor graders, hydraulic excavators, backhoes, loaders, etc.
2. Assists in supervising support personnel
3. Assists in the daily management of daily work area and other operational projects
4. Performs routine preventive maintenance and repairs on equipment
5. May be required to work extended hours and Saturdays

ADDITIONAL DUTIES:

Any other duty as assigned.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES:

- Knowledge of mechanical operation of heavy equipment, proper care and knowledge of skillfully and safely using the equipment.
- Ability to keep written records.
- Ability to communication orally and in writing
- Ability to establish and maintain effective working relationships with internal and external customers

MINIMUM QUALIFICATIONS:

- Possession of a Commercial Driver's License or ability to obtain within three (3) months
- Three (3) years heavy equipment operator experience
- Class A Solid Waste Certification or a Solid Waste Provisional Class A certification within one (1) year of employment

Acceptable Equivalency:

- Any combination of experience, education and skills necessary for the performance of duties

Conditions of Employment:

- High School Diploma or Equivalent
- Possession of Valid Driver's License
- Satisfactory Driving Record
- Proof of Citizenship and /or eligibility to work in the U.S. legally
- Physical Examination
- Drug Screen
- Background investigation

- City employees are required in the course and scope of their employment to provide services for the benefit of the general public during emergency situations that threaten the safety of Kingsville citizens. City employees must be able to work immediately before, during, and/or immediately after an emergency in accordance with the City of Kingsville Emergency Services Policy No. 881 effective August 28, 2006.
- City employees are required to conduct themselves in a professional manner and shall exhibit and extend such professional conduct appropriate for the circumstances to those with whom they come into contact both internally and externally during the performance of their duties. Examples of professional conduct include, but are not limited to, being communicative, informative, fair, honest and respectful.

PHYSICAL REQUIREMENTS:

Must be able to lift and carry up to 100 pounds; push, pull and/or drag up to 150 pounds of equipment and /or materials; climbs, crawls, kneels, squats, stoops, stands, sits, and bends when driving or maintaining equipment; hear and see clearly when working around equipment or in traffic. Works outdoors in extreme temperatures and inclement weather with some exposure to dust, fumes, noise, mechanical, electrical, and chemical hazards while using proper safety precautions.

☐ Sedentary ☐ Light ☐ Medium ☐ Heavy ☒ Very Heavy

Physical Demand Codes: The following describes if the incumbent is expected to exert the following physical demands during a typical workday and the overall frequency.

Codes for "how often":

N = No

E = extensive
(100-70%)

M = moderate
(60-30%)

I = infrequent
(20-10%)

A = almost never
(<10%)

Task	Code	Task	Code	Task	Code	Task	Code
1. Standing	M	6. Pushing/Pulling	E	11. Crawling	M	16. Vision	E
2. Sitting	E	7. Overhead Work	M	12. Bending	M	17. Hearing	E
3. Walking	M	8. Fine Dexterity	E	13. Twisting	M	18. Talking	E
4. Lifting	E	9. Kneeling	M	14. Climbing	M	19. Video Display	I
5. Carrying	E	10. Crouching	M	15. Balancing	M	20. Other	

Machines, Tools, Equipment and Work Aids:

The essential functions of this position require the daily use operation of heavy equipment and utilization of radios, cell phones and office equipment.

Environmental Factors:

The essential functions of this position are performed in an indoor and outdoor work environment; in seasonal heat and cold or adverse weather conditions; and in vehicles.

NOTE: The above statements are intended to describe the general nature and level of work performed by an employee in this position. These statements are not to be construed as an exhaustive list of all responsibilities, duties, and skills required of employees in this position. This job description is not an employment agreement, contract agreement, or contract. Management has exclusive right to alter this job description at any time without notice.

AGENDA ITEM #8

RESOLUTION NO. 2013-_____

RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY AEP TCC TO REVIEW AEP TEXAS CENTRAL COMPANY'S REQUESTED APPROVAL OF AN ADJUSTMENT TO ITS ENERGY EFFICIENCY COST RECOVERY FACTOR; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO LEGAL COUNSEL.

WHEREAS, on or about May 31, 2013, AEP Texas Central Company ("TCC" or "Company"), pursuant to the Public Utility Regulatory Act ("PURA") § 39.905 and Public Utility Commission of Texas ("Commission" or "PUC") Substantive Rule § 25.181(f), filed with the Commission an application for a 2014 Energy Efficiency Cost Recovery Factor ("EECRF"), PUC Docket No. 41538; and

WHEREAS, the City of Kingsville will cooperate with similarly situated city members and other city participants located within the TCC service area in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, working with the Steering Committee of Cities Served by AEP TCC ("Steering Committee") to review the rates charged by TCC allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, the Steering Committee has a history of participation in PUC dockets and projects, as well as court proceedings, affecting transmission and distribution utility rates in TCC's service area to protect the interests of municipalities and electric customers residing within municipal boundaries; and

WHEREAS, PURA § 33.023 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility.

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

1. That the City is authorized to participate in the Steering Committee in Docket No. 41538.

2. That subject to the right to terminate employment at any time, the City of Kingsville hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City

regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

3. That the City's reasonable rate case expenses shall be reimbursed by TCC.

4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

5. A copy of this Resolution shall be sent to Chris Brewster, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this the _____ day of June, 2013.

Sam R. Fugate, Mayor, City of Kingsville

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM- ELECTRIC RATE CASE RESOLUTION

PURPOSE

AEP Texas Central Company ("TCC" or "Company") filed an application on or about May 31, 2013 with the Public Utility Commission of Texas ("PUC" or "Commission"), seeking to adjust its 2014 Energy Efficiency Cost Recovery Factor ("EECRF"). Pursuant to Commission rules, TCC is required to annually apply no later than June 1 of every year to adjust its EECRF in order to reflect changes in program costs and bonuses and to minimize any over- or under-collection of energy efficiency costs resulting from the use of the EECRF.

Last year in Docket No. 40359, the Commission authorized TCC to adjust its 2013 EECRF to recover \$7,593,766. In this filing, TCC is seeking to adjust its EECRF to collect \$9,492,842 for six components: (1) \$7,199,976 in projected 2014 energy efficiency program costs; (2) \$2,071,768 credit for over-recovery of energy efficiency revenues collected in 2012; (3) \$49,134 credit for the November 26, 2012 revision to the April 2012 Energy Efficiency Plan and Report filed in Project No. 40194; (4) \$3,840,680 for TCC's performance bonus; (5) \$567,400 for evaluation, measurement, and verification ("EM&V") costs for 2013 and 2014; and (6) \$5,688 for 2012 EECRF proceeding expenses incurred in Docket No. 40359.

The resolution authorizes the City to join with the Steering Committee of Cities Served by AEP TCC ("Steering Committee") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

DISCUSSION

City groups have long participated in ratemaking proceedings before the PUC, the Courts, and the Legislature on electric utility regulation matters. Participation in a city group such as this Steering Committee allows cities to advocate for the public interest and accomplish more collectively than each city could on its own.

Explanation of "Be It Resolved" Paragraphs:

Section 1. This section authorizes the City to participate in the Steering Committee as a party in the Company's EECRF filing, PUC Docket No. 41538.

Section 2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes the Steering Committee to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. The Company will reimburse the Steering Committee for its reasonable rate case expenses. Legal counsel and consultants of the Steering Committee will submit monthly invoices that will be forwarded to TCC for reimbursement. **No individual city incurs liability for payment of rate case expenses by adopting this resolution.**

Section 4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the resolution was properly noticed.

Section 5. This section provides that the Steering Committee counsel will be notified of the City's action by sending a copy of the approved and signed resolution to certain designated individuals.

AGENDA ITEM #9

AGENDA ITEM #10

AGENDA ITEM #11



**CITY OF KINGSVILLE
LEGAL DEPARTMENT**

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

Date: June 19, 2013

To: City Commission Members

From: Courtney Alvarez, City Attorney *ca*

Re: Budget Amendment for Professional Services

The professional services budget for the Legal Department this year was approved for \$26,000. Two matters being handled by outside counsel (arbitration and Mendoza case) have been very active as they reach conclusion. To date, about \$5,300 has already been incurred and paid on them. Due to recent activity new invoices for both have been received totaling about \$32,000, necessitating the requested budget amendment. The request includes additional funds in estimation of the remaining final bills to be received in these matters.

ORDINANCE NO. 2013-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET OF THE GENERAL FUND FOR LEGAL DEPARTMENT PROFESSIONAL SERVICES.

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 2012-2013 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
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Fund 01 General Fund
Revenue

4-190 Purchasing	Auction Revenue	920.00	\$ <u>19,000</u>	
			\$ <u>19,000</u>	

Expenses

5-140.0 Legal Department - Professional Services	314.00	\$ <u>19,000</u>	
		\$ <u>19,000</u>	

[To budget for additional Legal Department - Professional Services due to litigation.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 24th day of June, 2013.

PASSED AND APPROVED on this the ___ day of _____, 2013.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney

AGENDA ITEM #12



Planning Department

TO: Mayor & Commission Members

Through: Vince Capell, City Manager 

FROM: Robert G. Isassi, Director of Development Services

SUBJECT: 1229 E. AVE B – Request for Condemnation Rescinding

DATE: June 19, 2013

Reference is made to property owner, Mr. & Mrs. Fransisco Resendez' request for rescinding a building condemnation order for their building located at 1229 E. AVE B. The property was approved for condemnation at the May 28th, 2013 City Commissioners' Meeting. Since this ruling, Mr. & Mrs. Resendez are appealing the condemnation based on their belief that the building is able to be repaired; they have further assured the City of their commitment to address all of the deficiencies found in the City Official's Property Condition Report.

The City Official has since re-evaluated the building and found it to remain out of compliance and agrees that the building is able to be repaired. The City Official has listed the building's exterior and interior deficiencies in further detail below. In a meeting with Mr. & Mrs. Resendez on June 18th, 2013, they have assured the City that they will address all of the building's exterior deficiencies to meet the City's requirements within 60 days. The exterior deficiencies and City's Code requirements are as follows:

- The yard condition is fair. City requires: mow, trim and weed the yard.
- The exterior wall is in poor condition with parts of insulation and interior drywall exposed. City requires: new siding on all sides of the exterior wall.
- The roof is structurally sound but a section of the roof is missing and shingles need to be replaced. City requires: new roof covering.
- The building does not have any window or door trim, soffit panels, or fascia boards. City requires: installation following completion of the siding.

Following the exterior work, Mr. & Mrs. Resendez have assured the City that they will address the interior deficiencies before the expiration of the building permit. Note that the permit will be immediately applied for if the Commission has agreed to rescind the condemnation. The interior deficiencies with the City's requirements are as follows:

- Interior walls and ceiling are open with no drywall. City requires: new drywall and electrical outlets on interior walls to meet City Codes.
- Plumbing missing. City requires: the installation of working plumbing.
- No utilities are currently connected. City requires: Installation of electricity and water services before a Certificate of Occupancy can be granted.

Following the Commission's meeting, if rescinded, Mr. Resendez' will then reapply for the building permit with the aforementioned timetable assurances. Furthermore, if the Commission agrees to rescind Mr. Resendez' building condemnation, our Public Works Department will need to return to the property to reconnect the sewer and water taps. It is my recommendation that we afford Mr. Resendez the opportunity to address these issues based on his assurances that he will deliver the exterior repairs within sixty (60) days from the issuance of a building permit. If the exterior is not addressed within the sixty (60) day limit, the City and Mr. & Mrs. Resendez have agreed that we can begin the condemnation process and revoke the existing permit.