

City of Kingsville, Texas

AMENDED AGENDA CITY COMMISSION

**MONDAY, AUGUST 26, 2013
REGULAR MEETING**

**HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS
CITY HALL/200 EAST KLEBERG AVENUE
3:30 P.M.**

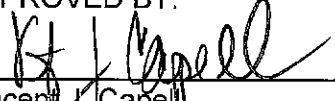
I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

1. Review and discuss proposed fiscal year 2013-2014 budget for departments of the City of Kingsville. (City Manager).

APPROVED BY:



Vincent J. Capel
City Manager

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

**MINUTES OF PREVIOUS MEETING(S) – Required by Law
Regular Meeting – August 12, 2013**

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

1. Public Hearing to consider rezone of 1.43 acres of Lot 1-10, Block 1 of the Escondido Park 4 Subdivision from R3-Multi-Family District to R1-Single-Family District, also known as 800 Escondido Road, Robert Garza applicant. (Director of Planning & Development Services).
2. Public Hearing to consider rezone of 2.0 acres of Farm Lot 10, Block 2 of the Kleberg Town & Improvement Co. Subdivision from AG-Agricultural to R1-Single-Family District, also known as 102 W. Sage Road, Hoss Castillo applicant. (Director of Planning & Development Services).
3. Public Hearing to consider rezone of Lot 1, Block 7, Retama Park Subdivision from R2-Two Family District to C2-Retail District, also known as 808 S. 13th, Linda Franklin applicant. (Director of Planning & Development Services).
4. Public hearing on a proposed tax rate increase from \$.084220 to \$0.90060 for Fiscal Year 2013-2014. (Finance Director).*

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 for the Water Department to purchase production generators. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

2. Consider awarding bid for City's self-funded group health insurance (RFP 13-14). (Director of Purchasing and IT).
3. Consider a resolution supporting the Kingsville Independent School District's Proposed Tax Ratification Election on August 29, 2013. (City Manager).

4. Consider a resolution authorizing the City Manager to execute a Software Maintenance and Support Agreement between the City of Kingsville and Timmons Group relating to GIS hosting services. (Director of Purchasing & IT).
5. Consider a resolution authorizing the City Manager to enter into a Third Revised Water Utility Supply Contract (Gov. Contract #N69450-12-C-0011) between the City of Kingsville, Texas and the Federal Government for Naval Air Station-Kingsville for emergency water line connection. (City Engineer/Public Works Director).
6. Consider authorization of a change order for E-Tech Construction to build an extension and a meter vault bypass for the NASK emergency water line connection. (City Engineer/Public Works Director).
7. Consider participation in and waiver of expenses for the Kleberg County 100th anniversary parade and events. (Director of Tourism).
8. Consider a resolution authorizing the City Manager to enter into an Interlocal Agreement between Kleberg County and the City of Kingsville for Road Improvement. (City Engineer/Public Works Director).
9. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.43 acres of Lot 1-10, Block 1 of the Escondido Park 4 Subdivision known as 800 Escondido Road from R3-Multi-Family District to R1-Single-Family District. (Director of Planning & Development Services).
10. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 2.0 acres of Lot 10, Block 2 of the Kleberg Town & Improvement Co. Subdivision known as 102 W. Sage Road from AG-Agricultural to R1-Single-Family District. (Director of Planning & Development Services).
11. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Lot 1, Block 7, Retama Park Subdivision known as 808 S. 13th from R2-Two Family District to C2-Retail District. (Director of Planning & Development Services).
12. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 budget for Fund 067 CO Series 2013 GF Streets and Fund 068 CO Series 2013 Drainage for the CO2013 debt issuance costs net of refund. (Director of Finance).
13. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 budget for the transfer of fund balance from Fund 001 General Fund to the Solid Waste Capital Projects Fund 087. (Director of Finance).
14. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 budget for the transfer of fund balance from Fund 065 CO Series 2011 to Fund 039 CO Series 2002-2002A. (Director of Finance).
15. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 budget for the reallocation of funds initially budgeted for a drainage project to be used for a water line project along Seale Street. (Director of Finance).
16. Consider a resolution authorizing the City Manager to enter into an Agreement between the City of Kingsville and the Ed Rachal Foundation relating to the Petra Vela Kenedy House. (Director of Tourism).
17. Executive Session: Pursuant to Section 551.072, Texas Open Meetings Act: The City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a

detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

VII. Adjournment.

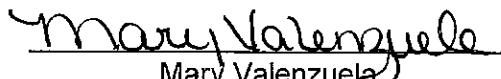
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative Commission votes. The speaker must identify himself by name and address.
4. Items being considered by the Commission for action except citizens comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.
*Amendment of Agenda to add item that was duly published in the newspaper and inadvertently omitted from original agenda, whose delay could detrimentally impact the public health and safety of the City.

NOTICE

This City of Kingsville and Commission Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

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

August 26, 2013 at 8:45 A.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)

AUGUST 12, 2013

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 12, 2013 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Vince Capell, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
James Bryson, Accounting Manager
Bob Trescott, Downtown Director
Charlie Cardenas, Public Works Director/Engineer
Bill Donnell, Asst. Public Works Director
Mark Rushing, Finance Director
Emilio Garcia, Health Director
Ruthie Valdez, Interim Library Director
Robert Isassi, Director of Planning & Development Services
Diana Gonzales, Human Resources Director
Melissa Perez, Risk Manager
Cynthia Martin, Downtown & Volunteer Manager
Jennifer Bernal, Community Appearance Supervisor
Joey Reed, Fire Chief
Ken Starrs, Assistant Task Force Commander
Ricardo Torres, Chief of Police
Diana Medina, Collections Manager
Tony Verdin, Information Systems Technician
Manuel Buentello, Inspector

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Robert H. Alcorn Commission Chamber at 6:00 p.m. and announced quorum as present.

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
Regular Meeting – July 22, 2013**

Mayor Fugate asked for a motion from the Commission to approve the minutes as presented.

Motion made by Commissioner Pecos to approve minutes as presented, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".

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

1. Public hearing regarding condemnation proceeding for structures located at 618 W. Fordyce, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 6:02 p.m.

Robert Isassi, Director of Planning & Development Services reported that the building official has inspected the structure which is in severe disrepair. The walls are leaning with the roof and ceiling sinking. There are also signs of water damage and the wood support structure is rotting. The structure has had no utilities or power as of today. This structure was inspected in March, 2013 with a re-inspection on July, 2013 in which the inspector noticed no improvements made. A twenty day pre-notification letter was sent to property owner notifying them of this public hearing. All proper notices were mailed to the property owner as well as all necessary notices published in the newspaper and a placard has been placed on property. The property owner is behind seven years in taxes.

Mayor Fugate closed this public hearing at 6:04 p.m.

2. Public hearing regarding condemnation proceeding for structures located at 626 ½ W. Kenedy, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 6:04 p.m.

Mr. Isassi reported that this structure has been signed over to the City of Kingsville on a voluntary demolition.

Mayor Fugate closed this public hearing at 6:06 p.m.

3. Public hearing regarding condemnation proceeding for structures located at 816 E. Doddridge, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 6:06 p.m.

Mr. Isassi reported that this structure is unsecured and is in disrepair with dilapidated walls and roof and ceiling sinking. The structure was inspected in May, 2012 to which a notice of violation was mailed to the property owner in May, 2012 with a second notice mailed in June, 2012. A third notice was mailed in April 2013 and July 2013. The structure has not had utility services since September, 2008. The property owner is behind thirteen years in taxes. All proper notices were mailed to the property owner as well as all necessary notices published in the newspaper and placards were posted on property.

Mayor Fugate closed this public hearing at 6:08 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.”

Representatives of the Kingsville Independent School District (KISD) made a presentation to the City Commission regarding the Tax Ratification Election (TRE) on August 29, 2013. Ms. Karen Griffith, Assistant Superintendent for Support Services Kingsville Independent School District, 207 N. 3rd Street. Mr. Ed Blaha, Kingsville Independent School District Superintendent, 207 N. 3rd Street. Selind Sanchez, Public Relations Specialist, 207 N. 3rd Street.

Ms. Griffith and Mr. Blaha stated that Kingsville ISD wants to do a Tax Ratification Election (TRE). A TRE is where the voters are asked to authorize a tax rate set by the Board of Trustees. An election is required because the Board is proposing to raise the Maintenance & Operation (M&O) portion of the total tax rate. There will be no increase in the total tax rate proposed by the Board. The Board is proposing this action in order to maximize its revenues from the State under the Texas school finance system. The Board is attempting to meet student needs at the lowest possible cost to KISD taxpayers. She further explained why a TRE. She stated that the state cut approximately \$1.6 million for the 2012-2013 biennium. The state cut approximately \$433,840 in special programs, including funding for pre-kindergarten program, technology, pregnancy services and student success initiative programs. In return, Kingsville ISD cut library allocations, supply allocations, athletic expenditures, increased class size from 18/1 to 22/1 and in some cases 24/1. It has reduced elementary special area teachers (music, art & PE), reduced transportation expenditures, curtailed maintenance repairs and froze salaries. The possible uses are for employee salary increase, campus capital improvements, upgrade replacements for worn out buses, curriculum enhancements required by Legislature, dual credit – college/career readiness and technology upgrades such as using iPads. This election will not increase the current tax rate. KISD is proposing to increase the M&O rate while reducing the I&S tax rate. Voting “FOR” the TRE will earn an additional estimated \$1.2 million dollars for Kingsville Independent School District per year without any additional tax burden to the KISD taxpayers.

Ms. Selinda Sanchez stated that the Kingsville Independent School District will be hosting its 2nd annual Community Fair Friday, August 16, 2013 from 6:00 p.m. to 8:00 p.m. in front of the KISD School Administration Building.

Mrs. Courtney Alvarez, City Attorney reported that the next Commission meeting is scheduled for August 26, 2013 with a prior budget workshop before the 6:00 p.m. meeting. She further reminded staff that the deadline for agenda items is Friday, August 16, 2013. Mrs. Alvarez also reported that there will be a budget workshop on August 27, 2013 and on September 3, 2013.

Mayor Fugate stated that there is a group in Kingsville that involves the County, City, KISD and other local industries that are looking into a campaign on how to market Kingsville. He further stated that he would like to see more families not only work in Kingsville but live in Kingsville.

Commissioner Pecos stated that with the new housing development coming into Kingsville, this may attract more citizens to our City.

IV. Public Comment on Agenda Items ³

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

Doris Pate, 242 Candlewood, stated that in August 2, 2013, she received a city citation for parking within 16 feet of a fire hydrant. The fire hydrant is located in her parent's front yard at 2001 S. 4th Street. She further stated that she, family and friends have been parking in the same location for the past 43 years. She feels that the citizens of the City should receive a warning that the City has decided to enforce citing citizens with a \$50.00 fine for parking within feet of a fire hydrant. She suggested to the Commission that a notice go out in everyone's water bill notifying them about the new enforcement of parking 16 feet within a fire hydrant.

Alfred Isassi, 213 W. Sage Road, stated that there will be a citizen group meeting within the next two weeks and would like to extend the invitation to the City Commission to hear citizens' concerns regarding street repairs. He further stated that the groups concern is the patching of a portion of Sage Road where there are potholes developing. He further stated that Young Drive is also as bad as Sage Road therefore they would like to see both streets repaved.

Jackie Guerrero, 321 W. Sage Road thanked the Commission and staff for patching up the potholes on W. Sage Road but would like to see the entire street repaved.

Joey Muniz, 203 W. Kenedy, stated that he is here today as a representative of his grandpa's estate located at 1221 E. Huisache. He is requesting for the City of Kingsville to rescind the order of demolition that was approved by Commission on July 22, 2013 for 1221 E. Huisache. He further stated that this property has been in his family for over two generations. He is asking for an opportunity to bring the house up to normal conditions where he can live and possibly raise a family of his own. He has already spoken to a contractor who is willing to work with him to bring the property back to livable conditions. He stated that the roof, walls and windows would be the first thing to be worked on. He further stated that if given the opportunity, he could have this home done within a year. He further apologized to the Commission on behalf of his family for not taken care of the situation at an early time.

Jesse Rodriguez, 221 W. Sage Road, stated that he moved from Corpus Christi to Kingsville and decided to purchase property on W. Sage Road. Mr. Rodriguez stated that he pays high taxes and would like to see his tax dollars spent on repairing roads.

Benjamin Barker, 1602 E. Huisache, stated that he is requesting for the City Commission to rescind the order of demolition that was approved by Commission on July 22, 2013 for property located 422 S. 18th Street. He stated that when this property came to Commission for condemnation, he was unable to attend the meeting as he was working out of town. Mr. Barker has spoken to contractors and has secured bids and would like to pull permits to start repairs.

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)

Mayor Fugate asked for a motion to approve the consent agenda as presented.

Motion made by Commissioner Leubert to approve consent agenda items #1-7 & 9, removing item #8 from consent agenda and placing it on the regular agenda, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund for the City of Kingsville for the First Amendment to the Interlocal Agreement with Texas A&M University-Kingsville for engineering design work for Kleberg Avenue. (Director of Finance).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund for City Secretary Certification and City Manager Travel and Training. (Director of Finance).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund for City Commission Travel and Training. (Director of Finance).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 Certificate of Obligation 2013 & 2011 Fund Budgets and Storm Water Utility Fund Budget for Street and Drainage Projects. (Director of Finance).

5. Motion to approve final passage of an ordinance amending the fiscal year 2012-2013 General Fund Budget for the City of Kingsville to accept a grant from the Union Pacific Foundation for Keep Kingsville Beautiful Program in conjunction with the Community Appearance Department. (Director of Finance).

6. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 General Fund Budget for Community Appearance to fund demolition projects through the remaining fiscal year. (Director of Finance).

7. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 Budget for the General Fund to assist with repair costs to the Equipment Barn at the L.E. Ramey/County Golf Course. (Director of Finance).

8. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 General Fund budget for Community Appearance to purchase benches and litter/recycling receptacles for the downtown area. (Director of Finance).

Commissioner Leubert stated that she is not convinced about the litter/recycling receptacles that will be purchased if this ordinance is approved. Her concern is the amount of space that is needed for the existing cans already located downtown which fill up quickly. She further stated that with the new receptacles, having a section for recycling and a section for garbage, this container would not be adequate. She further stated that the double receptacle which has two attached containers would be more adequate for the downtown area. One container would be for garbage and the other for recycling items.

Motion made by Commissioner Leubert to amend the ordinance to fund benches only and wait on the litter/recycling receptacles for the downtown area, seconded by Commissioner Garcia.

Commissioner Pecos asked Commissioner Leubert why she states that there will be more garbage than recycling materials. Commissioner Leubert responded that if the City is serious about recycling, the City has to provide the containers for recycling.

Mrs. Cynthia Martin, Downtown & Volunteer Manager, stated that the city is going from eight receptacles to twenty-three receptacles which will give more capacity. She further stated that she thought about using the split units first, which will take up less space on sidewalks. Mrs. Martin stated that by using these containers, for a small cost these containers can be converted for all trash or recycling by just purchasing a new liner. Commissioner Leubert stated that she feels that these containers would become all trash containers. She further stated that one of the reasons recycling doesn't work curbside is because citizens are given recycling containers, and the ones that do work are those that are given a 95 gallon container.

Mayor Fugate asked Mrs. Martin what staff would like to see purchased. Mrs. Martin stated that she would like to try the split and if this doesn't work then go to the other receptacles. Mayor Fugate asked Mrs. Martin if she would like to keep the ordinance for the purchase of benches and receptacles as proposed by staff. Mrs. Martin responded yes.

Commissioner Garcia asked if it would setback the City if only the benches were to be purchased and wait on the receptacles. Mrs. Martin responded it would be a problem.

Mr. Capell stated that he keeps hearing from the Commission about staff not making progress in the downtown area and feels that this is responsible proposal.

Commissioner Pecos asked what the cost will be for the receptacles. Mrs. Martin stated that an individual receptacle for trash only will cost \$725. The receptacle with the split liner with a special lid will cost \$925 and the double units are \$1335.

Motion "FAILED" by the following vote: Pecos, Pena, Fugate voting "AGAINST". Leubert, Garcia voting "FOR".

Mayor Fugate asked for a second motion to this item.

Motion made by Commissioner Pecos to approve this ordinance amending the Fiscal Year 2012-2013 General Fund budget for Community Appearance to purchase benches and litter/recycling receptacles for the downtown area, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pena, Pecos, Fugate voting "FOR". Leubert, Garcia voting "AGAINST".

9. Motion to approve certification of 2012 excess debt collections and the certification of 2013 anticipated collection rate, pursuant to Section 26.04(b) of the Texas Property Tax Code. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

10. Consider condemnation of structures located at 618 W. Fordyce, Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Pecos to condemn 618 W. Fordyce finding not able to repair building or structure is unsafe; and present condition is a violation of ordinances; and cannot be corrected without substantial reconstruction; then declare the building or structure to be a public nuisance and order its demolition by owner/agenda/person in charge within 30 days. (City shall abate in any manner it deems necessary and proper), seconded by Commissioner Garcia and Commissioner Pena. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".

11. Consider condemnation of structures located at 626 ½ W. Kenedy, Kingsville, Texas. (Director of Planning and Development Services).

No action taken due to voluntary demolition signed by property owner.

12. Consider condemnation of structures located at 816 E. Doddridge, Kingsville, Texas. (Director of Planning and Development Services).

Motion made by Commissioner Pecos to condemn 816 E. Doddridge finding not able to repair building or structure is unsafe; and present condition is a violation of ordinances; and cannot be corrected without substantial reconstruction; then declare the building or structure to be a public nuisance and order its demolition by owner/agenda/person in charge within 30 days. (City shall abate in any manner it deems necessary and proper), seconded by Commissioner Garcia and Commissioner Pena. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".

13. Consider resolution abandoning and vacating all rights and interests within Farm Lot 15, Section 17 of the KT&I Co. Subdivision. (Director of Planning and Development Services).

Mayor Fugate stated that this item has been approved in the past by the Commission but the developer did not like the language that was used in the prior resolution. The developer has prepared a resolution which was submitted it to the City Attorney for review. Mrs. Alvarez, City Attorney has reviewed the resolution and has approved it for Commission's consideration. This easement is located directly behind IHOP.

Motion made by Commissioner Pecos to approve this resolution, seconded by Commissioner Pena.

Commissioner Garcia asked for clarity from the Mrs. Alvarez on the difference in both resolutions. Mrs. Alvarez stated that in the prior resolution it spoke about drainage easement as this was conveyed to staff. Once it was done and approved, the seller did not have problem with it but the buyer and their attorney had some concerns and basically wanted more of a blanket stating that any right that may potentially have been

conveyed by the 1905 easement, for drilling or anything else, would be a way for taking away but the City would still have every other right, either by code, regulation or any other statute or anything else.

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

14. Consider out-of-state travel for the Mayor to travel to Washington, D.C. from September 8-10, 2013 for city business related to legislative and military issues. (Mayor Fugate).

Mayor Fugate stated that this trip is to meet and speak to new individuals that are at the Pentagon regarding NAS Kingsville. With BRAC round in 2015 and 2017, it is important to keep our name visible in Washington, DC.

Motion made by Commissioner Pecos to approve out-of-state travel for the Mayor to travel to Washington, DC from September 8-10, 2013 for city business related to legislative and military issues, seconded by Commissioner Garcia and Commissioner Pena. The motion was passed and approved by the following vote: Pena, Garcia, Leubert, Pecos voting "FOR". Fugate "ABSTAIN".

15. Consider resolution nominating certain person(s) as candidate(s) for election to the Board of Directors for the Kleberg County Appraisal District. (City Manager).

Motion made by Commissioner Pecos to nominate Commissioner Al Garcia as candidate for election to the Board of Directors for the Kleberg County Appraisal District, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting "FOR".

16. Consider accepting 2013 certified total appraised, assessed, and taxable values of all property and total taxable values of new property in the City of Kingsville as certified by the Kleberg County Appraisal District. (Director of Finance).

Mr. Mark Rushing, Finance Director reported that the appraised value this year has gone up to \$20,815,163. He further stated that if you average the past 6-7 years, the average is about a \$13 million increase sometimes up to \$15 million. He further stated that there was one year where it only increased by \$854,000 which was in the certified values that came out July 25, 2011.

Motion made by Commissioner Pecos to accept 2013 certified total appraised, assessed, and taxable values of all property and total taxable value of new property in the City of Kingsville as certified by the Kleberg County Appraisal District, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".

17. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewer, providing for an increase in sewer rates. (Director of Finance).

Mr. Rushing reported that surveys that were performed by HDR of the surrounding areas which show the City of Kingsville in the middle of the pact as far as the charges that is charged for sewer and water rates. The proposed increase which is in accordance to the model and rate study that was performed, it calls for an increase of 1% in water and 3% in wastewater.

Commissioner Pena stated that he has some concerns with regards to raising these fees especially with those families on a fixed income. This increase will only making it harder

for a family to live comfortably. He further stated that he is not in support of these increases at this time.

Commissioner Leubert stated that she agrees with Commissioner Pena and feels that the water and sewer rates should not be increased.

Commissioner Garcia stated that yes it is a burden to increase these rates, but if the increase is not done in small steps, the City will eventually have to increase the rates at a later time with at higher rate which could be more devastating to our citizens. He further stated that this is the third year for these types of increases and the model has kept the City where it needs to be.

Mr. Rushing reported that initially in the model, there were 14 months operating expenses and the design of the model is to pull down fund balance which is already scheduled in. Each year that fund balance gets pulled down to about 6 months operating, which was the target within the operation.

Mayor Fugate asked how much annually is pulled down from fund balance. Mr. Rushing responded around \$760,000, which is how much is subsidized for the 054 fund, Capital Projects.

Commissioner Pecos asked if this was the third year for this model. Mr. Rushing responded that this is the third year of a five year plan. He further stated that a moratorium on increasing between the previous model and the current model was factored in as well.

Commissioner Leubert asked what the total of increases amounted too. Mr. Rushing responded that 19% in wastewater with water not increasing too much.

Motion made by Commissioner Pecos to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewer, providing for an increase in sewer rates, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Pecos, Fugate voting "FOR". Leubert, Pena voting "AGAINST".

18. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Water, providing for an increase in water rates. (Director of Finance).

Motion made by Commissioner Pecos to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 3, Water, providing for an increase in water rates, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Pecos, Fugate voting "FOR". Leubert, Pena voting "AGAINST".

19. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 budget for the Water Department to purchase production generators. (Director of Finance).

Mr. Rushing stated that this was originally budget in FY 2012 out of CO 2011 Utility Fund portion for \$480,000. In fiscal year 2012 only \$36,900 was expended with the remainder to be expended this year at \$375,000 which is for the six generators that have already been purchased and installed and the seventh would be for FY 2014 at \$68,100.

Introduction item only.

20. Consider a resolution authorizing the Mayor to enter into an Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-

Kingsville relating to usage of facilities and signage and economic development. (Mayor Fugate).

Mayor Fugate stated that the City is very fortunate in having the University here for many reasons. He further stated that it is time to do more for the University and feels that by given this money to the University it will improve our city.

Commissioner Leubert stated that she agrees with the Mayor, although not all students enrolled in the University are involved in athletics. She further stated that she understands that the University brings in lots of visitors to our community who spend their money in our stores and even in our hotels. But after speaking to citizens, she feels that this money can be utilized in other areas of the City.

Mayor Fugate stated that he feels that this is a great start in getting the City to work with the University because of what they do for us economically. Mayor Fugate asked for Mr. Scott Gines of Texas A&M University-Kingsville to speak to the Commission.

Mr. Scott Gines stated that sports are one of the three largest industries in all 50 states. He further stated that the University has filed for the intend to bid for four National Championships between 2015-2018 by last Friday. He further stated that the \$25,000 to be donated by the city will help pay of an amortization schedule that will be a perpetual payment on synthetic surfaces on track and field. He further stated that there are four partners in this agreement which make up of two school public districts along with the institution, UIL and NCAA with only one partner missing, that being the City of Kingsville.

Commissioner Leubert stated that she is not here on her personal note as she is here on behalf of the citizens of the City.

Motion made by Commissioner Pecos to approve this resolution authorizing the Mayor to enter into an Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to usage of facilities and signage and economic development, seconded Commissioner Pena. The motion was passed and approved by the following vote: Garcia, Pecos, Pena, Fugate voting "FOR". Leubert "AGAINST".

21. Consider a resolution authorizing the Police Chief to enter into an Operating Agreement between Commander, Navy Region Southeast and Naval Air Station Kingsville and the Kingsville Police Department Communications Bureau, Kleberg County, Texas relating to Managing Emergency ("911") calls for service at Naval Air Station Kingsville. (Chief of Police).

Mr. Ricardo Torres, Chief of Police stated that in the efforts to continue to work with the local Navy installation, an agreement is being proposed to work with the Commander of Navy Region Southeast. He further stated that NAS Kingsville will be moving their dispatch center to Jacksonville, FL. This is an agreement that if a 911 call originates within NAS Kingsville, and for some reason it gets transferred to the Kingsville Police Department, we will have the capability to move it over to Jacksonville, FL so they may respond to calls. He further stated that in the meantime if 911 should go down and receive calls, they can be directed to the local services security and fire department of NAS Kingsville.

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

22. Consider a resolution authorizing the City Manager to enter into an Agreement between the City of Kingsville and the Ed Rachal Foundation relating to the Petra Vela Kenedy House. (Director of Tourism).

Mr. Bob Trescott, Tourism Director stated that this item has been discussed at a previous meeting of the Commission. The City of Kingsville has been offered the Petra Vela Kenedy House from the Ed Rachal Foundation and has offered to pay the cost of moving the structure to Kingsville in amount of \$75,000. Mr. Trescott has proposed two possible sites where this structure can be located to, one being on 6th street next to the canopy and the second site being on the property located on 3rd & King Street near the proposed new City Hall. The Ed Rachal Foundation would like to close this agreement before the end of August as their budget year ends in August. Mr. Trescott reported that the value of this structure is \$10,000.

Commissioner Pena stated that he has some concerns with the historical ties of this structure with Kingsville. He further stated that the one location that has been proposed is not a good location. He further stated that he doesn't see this project as appropriate as we have some unfinished projects pending. He further stated that he is not in support of the structure to be moved to Kingsville.

Commissioner Pecos asked Mr. Trescott if he felt that the Ed Rachal Foundation will give any additional funding. Mr. Trescott stated that after meeting with the Ed Rachal Foundation they may want to work with the City.

Commissioner Garcia asked that if there is a time limit that this project would need to be completed. Mrs. Alvarez stated that there is no time limit.

Mayor Fugate stated that this is a great project but the timing is not right with all other projects that the City has pending.

Motion made by Commissioner Garcia to authorize the City Manager to enter into an Agreement between the City of Kingsville and the Ed Rachal Foundation relating to the Petra Vela Kenedy House, seconded by Commissioner Pecos. Motion "FAILED" by the following vote: Leubert, Pena, Fugate "AGAINST". Garcia, Pecos voting "FOR".

23. Consider a proposed tax rate; if proposed tax rate will exceed the effective tax rate or the rollback rate (whichever is lower), take record vote and schedule public hearings. (Director of Finance).

Mr. Rushing stated that the Commission will be setting the maximum amount of the tax rate.

Mayor Fugate explained to members of the audience that you set the tax rate below rollback and then come back and set the rate at to what it will be for the next year.

Mr. Rushing stated that right underneath rollback, the tax rate would be .90060.

Mayor Fugate stated that this will not be the adopted tax rate, but if it is set at .84220 and something happens between now and October, the City is pretty much stuck with this rate. This is why you set it just below rollback.

Mrs. Alvarez stated that this will allow the City to keep their options open until it's time to finalize the adopted tax rate. She further stated that once you set something too low, you can't go back to change it according to the Tax Code.

Mr. Rushing stated that I&S would be at the rate of .18816 that's if \$116,810 is utilized in Interest & Sinking fund balance. That would drop the rate down which will allow us more M&O rate. If the I&S fund balance \$116,810 would drop the projected fund balance to \$425,690 which will be 29.4% of the schedule for the next year. The range the City should be operating by which is recommended by the financial advisors is that the City operate between 25% which is the floor that the City can't go underneath based on its policy and about 1/3 of the schedule for next year's debt service.

Motion made by Commissioner Pecos to consider a proposed tax rate if the proposed tax rate will exceed the effective tax rate or the rollback rate whichever is lower, take record vote and schedule public hearings, seconded by Commissioner Pena.

Mrs. Alvarez stated that the rate would be .90060 that the Finance Director spoke of. Commissioner Pecos stated that this was correct.

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

Mrs. Alvarez asked the Commission to vote on scheduled dates for the public hearings. Staff recommends the following dates and times, August 26, 2013 at 6:00 p.m. and September 4, 2013 at 6:00 p.m. Both public hearings are to be heard in the Robert H. Alcorn Commission Chambers.

Motion made Commissioner Pecos to approve the hearings as proposed by the City Attorney, seconded by Commissioner Garcia. 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 8:23 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

ORDINANCE 2013-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 1.43 ACRES OUT OF LOT 1-10, BLOCK 1, ESCONDIDO PARK 4 SUBDIVISION KNOWN AS 800 ESCONDIDO ROAD FROM R-3 MULTI-FAMILY DISTRICT TO R-1 SINGLE-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Robert Garza, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, July 17, 2013 during a meeting of the Planning and Zoning Commission, and on Monday, August 26, 2013 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the Planning & Zoning Commission by a 5-0 vote approved the requested rezone; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 1.43 acres out of Escondido Park 4, Block 1, Lot 1-10, Lot PT common ground with lots 11-17, known as 800 Escondido Road from R-3 Multi-Family District to R-1 Single Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 3. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 4. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 26th day of August, 2013.

PASSED AND APPROVED on this the ____th day of September, 2013.

THE CITY OF KINGSVILLE

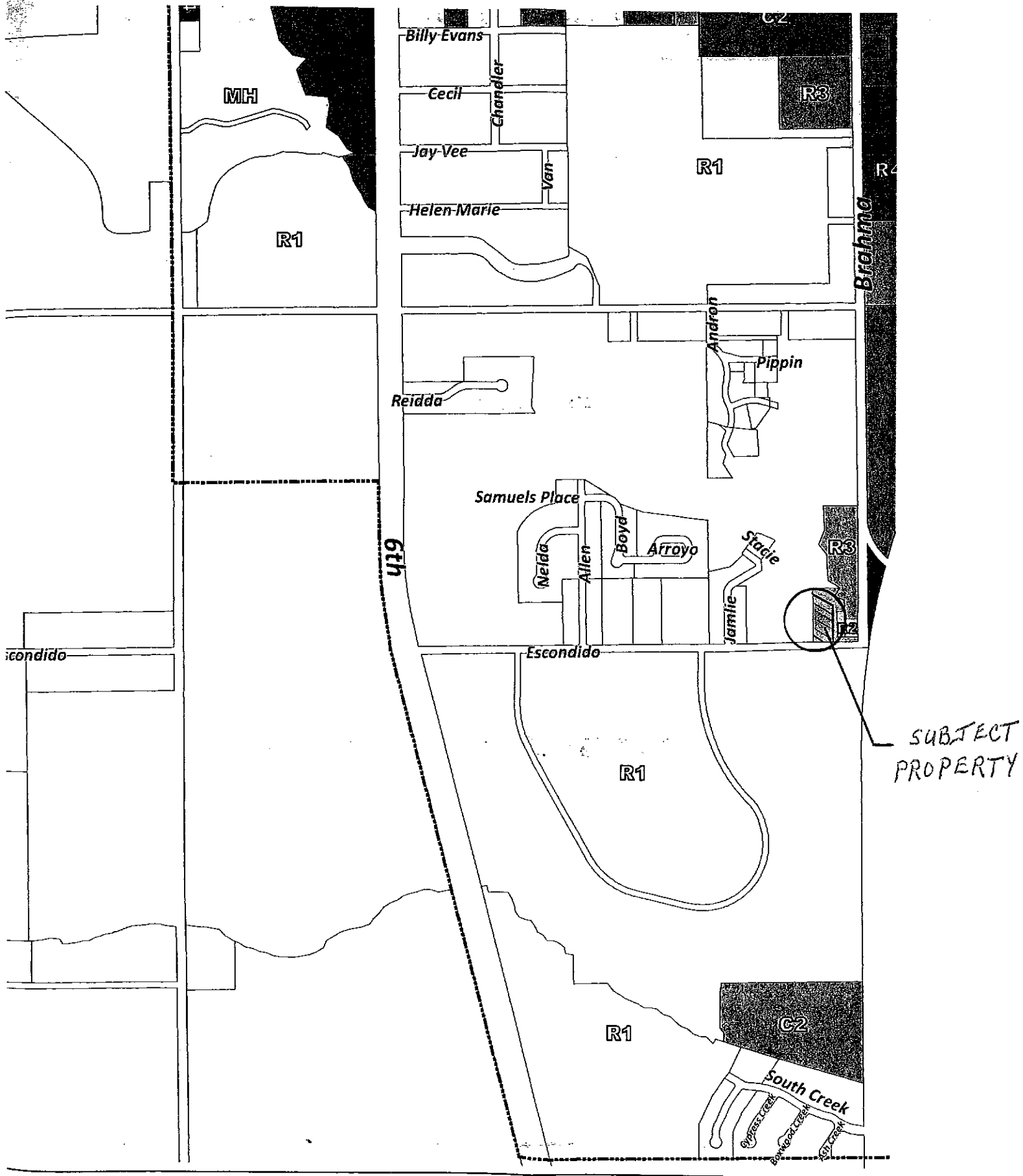
Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

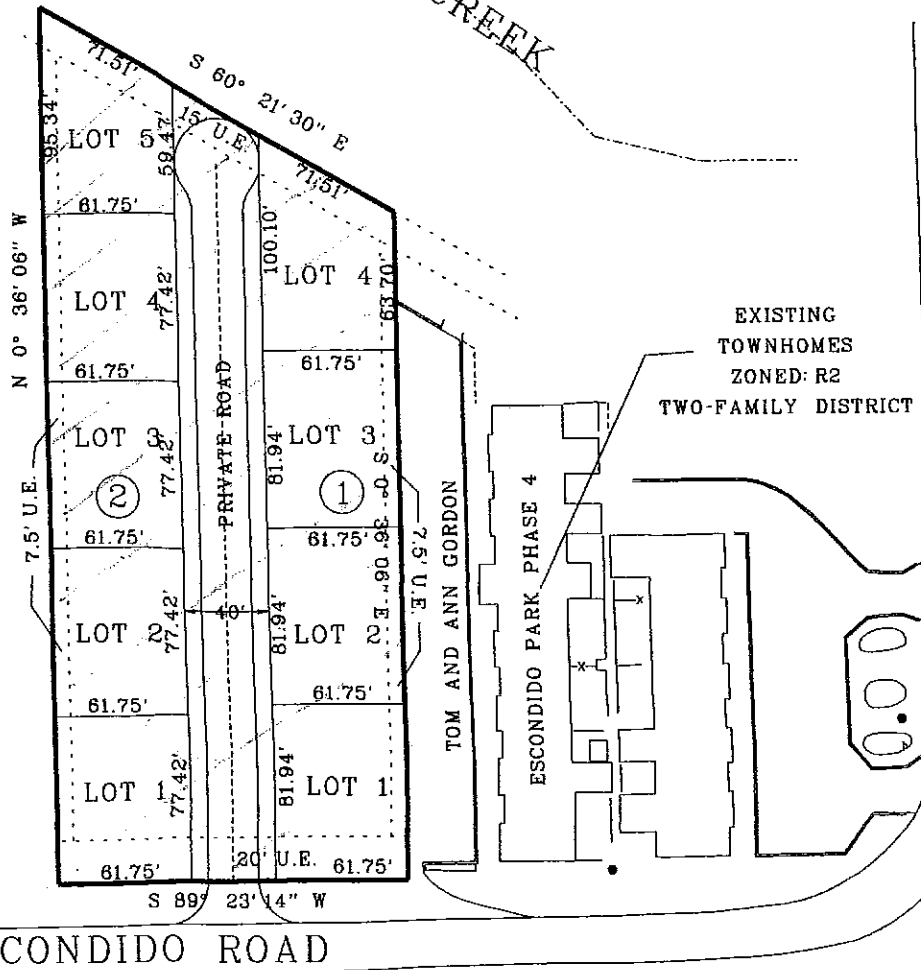


SOUTH CREEK ESTATES
SUBDIVISION
KINGSVILLE, TEXAS

SANTA GERTRUDIS CREEK

VACANT LAND
AGRICULTURAL USE
ZONED: R1
SINGLE-FAMILY DISTRICT

KLEBERG TOWN
AND
IMPROVEMENT COMPANY
SECTION 21
LOT 13



PROPOSED SUBDIVISION ZONING REQUEST

CURRENT ZONING: R3- MULTI-FAMILY DISTRICT

PREPARED BY: APEX SURVEYING AND MAPPING

LAND SURVEYORS



Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Vincent Capell, City Manager

FROM: Robert G. Isassi, P.E., Director of Planning & Development Services

SUBJECT: **Request to Re-zone 800 Escondido Rd. from R3 to R1**

DATE: August 16, 2013

This is a request from Robert A. Garza to re-zone the 1.43 acres of Lot 1, Block 10 of the Escondido Park 4 Subdivision from a Multi-family R3 District to a Single-Family R1 District.

This request was unanimously approved by Planning & Zoning Commission at the latest meeting on July 17th, 2013. The petitioner is requesting the zoning change to construct nine (9) single-family garden homes with a gated entrance and privately-maintained cul-de-sac road. The developer will be working with the City on the construction and layout of these homes to meet City Ordinances once the subdivision is re-zoned.

Staff recommends approval of this request based on its conformance with the goals & policies contained in all of the elements of the current Master Plan, the proposal is not detrimental to the public health, safety, and welfare, it will not generate inappropriate or hazardous traffic levels in the area, nor is it detrimental to existing or potential adjacent land uses.

Staff Report to the PLANNING & ZONING COMMISSION and CITY COMMISSION

By the Planning & Development Services Department, Planning Division
for the City of Kingsville, Texas

Request: **APPROVAL OF REZONING A 1.43 ACRE TRACT OF LOT 1,
BLOCK 10 OF ESCONDIDO PARK 4 SUBDIVISION LOCATED
AT 800 ESCONDIDO ROAD; FROM R-3, MULTI-FAMILY
DISTRICT TO AN R-1, SINGLE FAMILY DISTRICT.**

Petitioner & Agent: Robert A. Garza
Date of P&Z Hearing: July 17th, 2013

Comprehensive Plan Land Use: Private / Housing
Existing Zoning Classification: R-3, Multi-Family District
Adjacent Zoning: North: Santa Gertrudis Creek
South: R-1: City / County Dick Kleberg Park
East: R-2: Two-Family District & R-3: Multi-Family Dist.
West: R-1: Single-Family District

EXISTING INFRASTRUCTURE

Transportation: Escondido Rd. – Local
Community Facilities: Services provided
Capital Improvements: Services provided
Fire Station Proximity: 2.4 driving miles
100 Year Floodplain: The property is not within a floodplain.

EXHIBITS PRESENTED

- Chapter 15 of the Kingsville Code of Ordinances (present at the meeting)
- City of Kingsville Master Plan (present at the meeting)
- Site Plan
- Mailing list of owners within 200 feet

BACKGROUND AND HISTORY

The petitioner is requesting a zoning district change in order to facilitate the construction of a 2 block, 9 lot, single-family residential district subdivision with a private, gated road. The historical use of this property has been brush and open field with no development history. Lots in the surrounding area have been developing single-family homes to the west and townhouse apartments to the east. The surveyor has stated that the gated road will be privately owned and maintained after construction.

FIELD INSPECTION AND PERTINENT DATA

Existing condition of the land is as parking lot with minor brush land. A minor strip of land deeded to Tom & Ann Gordon serves at the west side parking for the townhome apartments.

STAFF REVIEW AND RECOMMENDATION

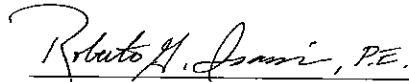
In general, Planning and Zoning Commission considers the following factors when making a recommendation on Zoning District Changes:

1. Whether the proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. Whether the proposal is in keeping with the purpose of the zoning districts.
3. Whether the proposal is detrimental to the public health, safety and welfare.
4. Whether the proposal is detrimental to existing or potential adjacent land uses.
5. Whether the proposal will generate traffic levels inappropriate, hazardous, or detrimental to the existing or potential nearby land uses.

Staff recommends **APPROVAL** of this request with the following findings:

1. The proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. The proposal is in keeping with the purpose of the zoning districts.
3. The proposal is not detrimental to the public health, safety, and welfare.
4. The proposal is not detrimental to existing or potential adjacent land uses.
5. The proposal will not generate inappropriate, hazardous, or detrimental traffic levels in the existing or nearby area.

Prepared by:



Robert G. Isassi, P.E.

Director of Planning & Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 800 Escondido RD Nearest Intersection ESCONDIDO + JAMLIE

(Proposed) Subdivision Name SOUTH CREEK ESTATES Lot 1-10 Block _____

Legal Description: ESCONDIDO PARK PHASE 4

Existing Zoning Designation R3 (MULTI-FAMILY) Future Land Use Plan Designation R1 (SINGLE-FAMILY)

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent ROBERT A. GARZA Phone 361-522-4868 FAX 361-592-3031

Email Address (for project correspondence only): ROB GARZA @ PEOPLE PC. COM

Mailing Address 345 DANA City KINGSVILLE State TX. Zip 78363

Property Owner ROBERT A. GARZA
RIEL NUNEZ Phone 361-522-4868 FAX 361-592-3031

Email Address (for project correspondence only): ROB GARZA @ PEOPLE PC. COM

Mailing Address 345 DANA City KINGSVILLE State TX. Zip 78363

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

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

Please provide a basic description of the proposed project:

SINGLE-FAMILY SUBDIVISION (9 LOTS)
SMALL GARDEN STYLE HOMES

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

Applicant's Signature Robert A. Garza Date: 6-27-13
Property Owner's Signature Robert A. Garza Date: 6-27-13
Accepted by: Jessica Ford Date: _____

Application Check List for a Re-Zoning

The following must be submitted prior to the application deadline. Otherwise, the application will be deemed incomplete and may result in unnecessary delays: (Please ✓ when complete)

Site and landscape plans: 1 full size and 15 - 11"x17" reductions (copies from PMT reduction)

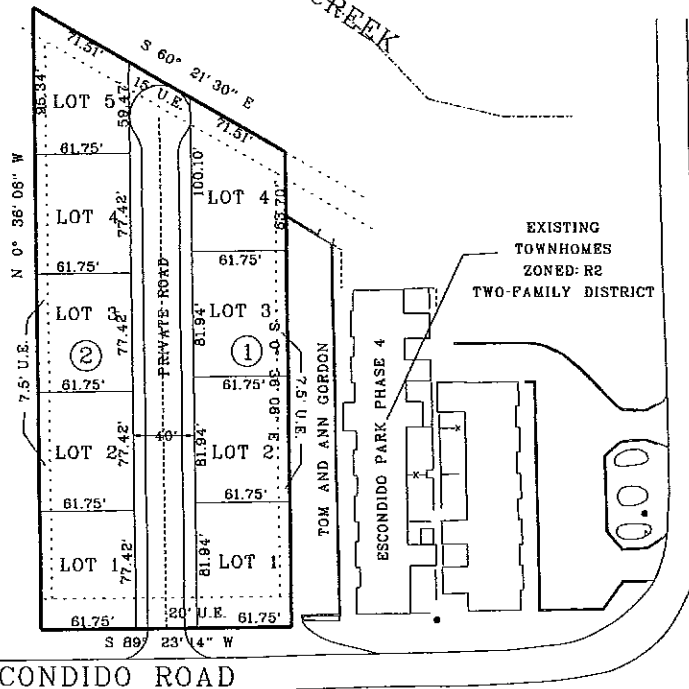
- ☒ 1. A written description of the requested zoning district and the proposed use. (REFERENCE SITE PLAN)
- ☒ 2. A site plan showing the location, dimension, material and configuration of all existing buildings, structures and other improvements.
- ☒ 3. The lot size in square feet and the dimensions thereof.
- ☒ 4. The land uses surrounding the lot(s) for which site plan approval is being sought.
- ☒ 5. The zoning on the lots and parcels surrounding the lot(s) for which site plan approval is being sought.
- ☒ 6. Such additional information as the city planner may deem pertinent and essential to the application.

Please note that this process can take up to 100 days.

SOUTH CREEK ESTATES
SUBDIVISION
KINGSVILLE, TEXAS

VACANT LAND
AGRICULTURAL USE
ZONED: R1
SINGLE-FAMILY DISTRICT

KLEBERG TOWN
AND
IMPROVEMENT COMPANY
SECTION 21
LOT 13



PROPOSED SUBDIVISION ZONING REQUEST

CURRENT ZONING: R3- MULTI-FAMILY DISTRICT
PROPOSED ZONING: R1- SINGLE-FAMILY DISTRICT

PROPOSED PROJECT IS THE CREATION OF A 2 BLOCK, 9 LOT SIBDIVISION
OF GARDEN HOMES FOR THOSE DESIRING SMALL YARDS IN A GARDEN
STYLE HOME SETTING. THERE WILL BE A PRIVATE GATED ROAD FROM
THE EXISTING ESCONDIDO ROAD.

BLOCK 1, LOTS 1-4: 5059.80 S.F.

BLOCK 2, LOTS 1-5: 4780.89 S.F.

HOMES WILL BE CONSTRUCTED OF WOOD FRAME WITH MASONRY EXTERIOR.
THEY WILL RANGE IN SIZE FROM 1400 S.F. TO 2200 S.F. AND WILL BE
PRICED FROM THE LOW \$100,000.00 TO THE \$200,00.00 RANGE

PREPARED BY: APEX SURVEYING AND MAPPING
LAND SURVEYORS

4737 KOSAREK DRIVE
CORPUS CHRISTI, TEXAS 78415

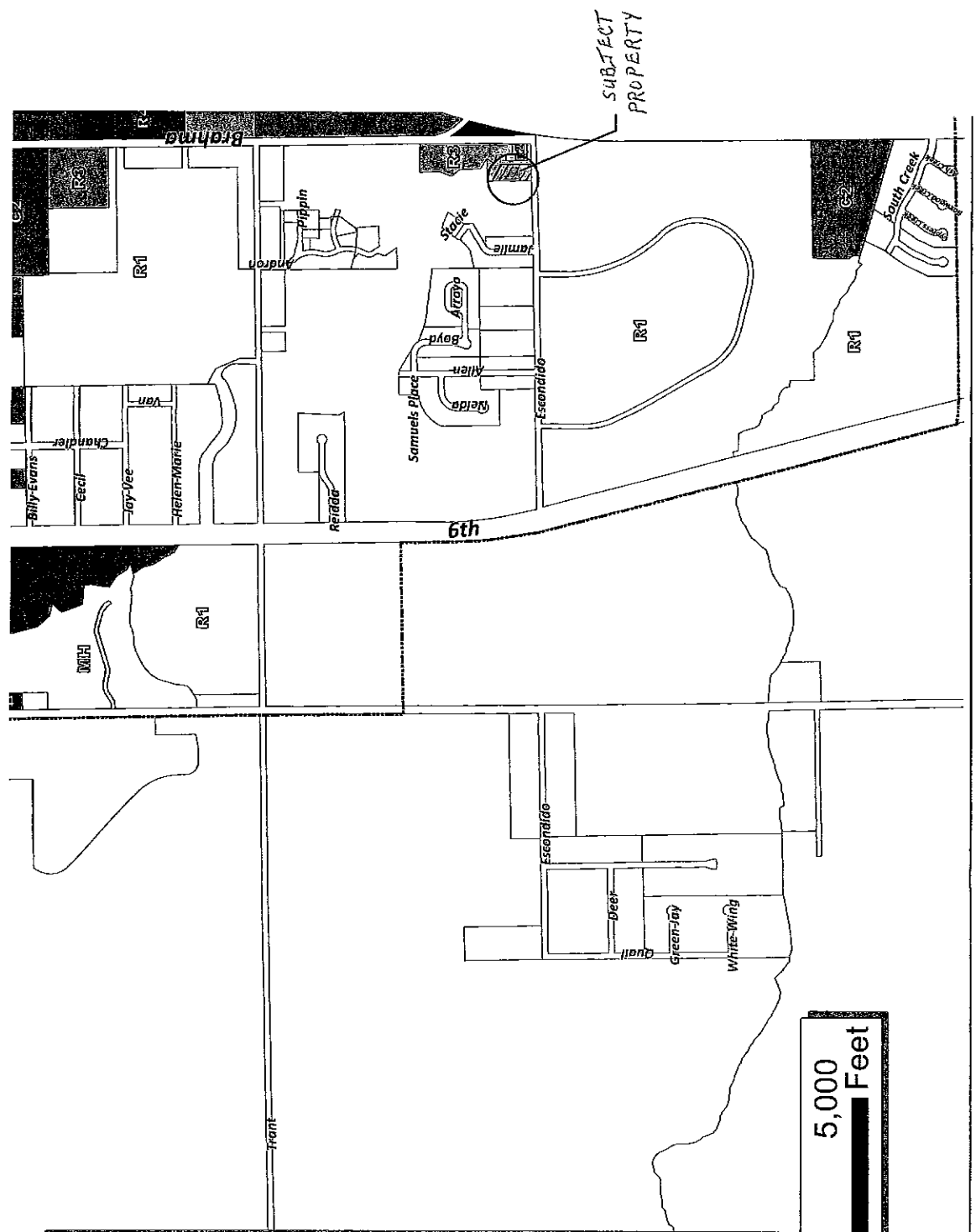
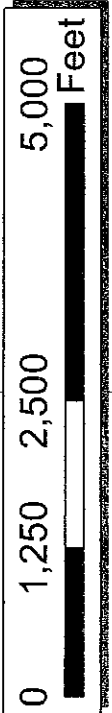
DRAWN BY: J. A. W. DATE: 6/18/13

NOTE: ALL BEARINGS ARE NAD-83 GRID

SCALE: 1" = 80'

Legend

Zone	
TAMUK - Texas A&M University - Kingsville	
R4 - General Residential District	
R3 - Multi-Family District	
R2 - Two-Family District	
R1 - Single-Family District	
MH - Mobile Home District	
I2 - Heavy Industrial District	
I1 - Light Industrial District	
C4 - Commercial District	
C3 - Central Business District	
C2 - Retail District	
C1 - Neighborhood Service District	
AG - Agricultural District	
City Limits	



PUBLIC HEARING #2

ORDINANCE 2013-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 2.0 ACRES OUT OF LOT 10, BLOCK 2, KLEBERG TOWN & IMPROVEMENT CO. SUBDIVISION KNOWN AS 102 W. SAGE ROAD FROM AG- AGRICULTURE DISTRICT TO R-1 SINGLE-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Robert Garza, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, July 17, 2013 during a meeting of the Planning and Zoning Commission, and on Monday, August 26, 2013 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the Planning & Zoning Commission by a 5-0 vote approved the requested rezone; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 2.0 acres out of Kleberg Town & Improvement Co., Block 2, Lot 10, known as 102 W. Sage Road from AG-Agriculture District to R-1 Single Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 3. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 4. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 26th day of August, 2013.

PASSED AND APPROVED on this the ____th day of September, 2013.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

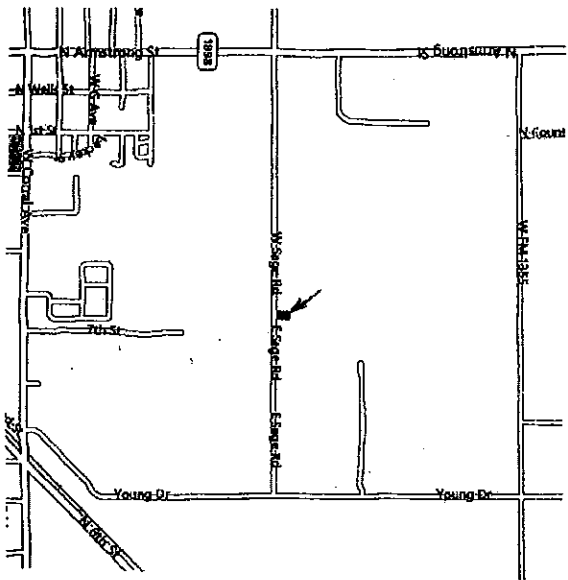
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

Proposed Tract for Re-Zoning:
 A 2.0 ACRE TRACT OF LAND, PART OF
 FARM LOT 10, BLOCK 2, KLEBERG TOWN
 & IMPROVEMENT CO. SUBDIVISION OF
 KLEBERG COUNTY, TEXAS



**RE-ZONING REQUEST
 FROM ZONE "AG" TO ZONE "R1"**

**102 West Sage Road
 Kingsville, TX**

**102 WEST SAGE ROAD
 KINGSVILLE, TX**



CASTILLO
 119 NORTH 7TH STREET
 KINGSVILLE, TEXAS 78363
 (361)-592-6744 FAX (361)-592-6744

SHEET:
 JOB NO.:
 DRAWN BY:
 SCALE: 1/8" = 1'
 DATE:

196.9'

R. H. Christian
41.7 Ac.

(AG)

Vacant
Brush

J. Rouse, Jr.
2.0 Ac.

(AG)

Vacant
Brush

A. Zaragoza
2.0 Ac.
(87,128 sf)

(AG)

Vacant
Brush

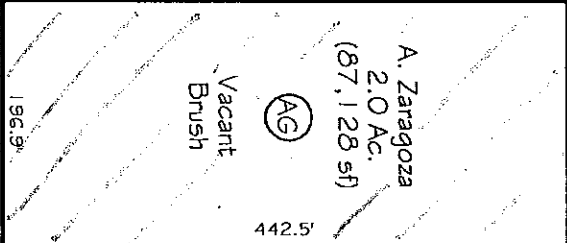
A. Alcala
5.0 Ac.

(AG)

Vacant
Brush

442.5'

442.5'



West Sage Road

Lot 9

(R1)

Resid.
House

Lot 10

(R1)

J.
DeLaPaz
1.2 Ac.
Resid.
House

Lot 11

(R1)

R.
Dominguez
1.2 Ac.
Vacant

Lot 12

(R1)

L. T.
Garcia
1.2 Ac.
Resid.
House

(AG)

Nolan Farms
60.0 Ac.
Active
Cropland

SERENITY ESTATES

ROW

60'

M. Schoech
31.5 Ac.

(R1)

Vacant



Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Vincent Capell, City Manager

FROM: Robert G. Isassi, P.E., Director of Planning & Development Services

SUBJECT: **Request to Re-zone 102 W Sage Rd. from AG to R1**

DATE: August 16, 2013

This is a request from agent Hoss Castillo to re-zone a 2.0 acre tract of Farm Lot 10, Block 2 of the Kleberg Town & Improvement Co. Subdivision located at 102 W Sage Rd. from Agricultural, AG, to a Single-Family R1 District.

This request was unanimously approved by Planning & Zoning Commission at the latest meeting on July 17th, 2013. The petitioner is requesting the zoning change so that the owner, Alejandro Zaragoza, can construct his single-family home on the lot. The proposed re-zone is on the North side of Sage Rd. and will be the second R1 home on the North side of Sage, between Armstrong St. and Young Dr.

Staff recommends approval of this request based on its conformance with the goals & policies contained in all of the elements of the current Master Plan, the proposal is not detrimental to the public health, safety, and welfare, it will not generate inappropriate or hazardous traffic levels in the area, nor is it detrimental to existing or potential adjacent land uses.

Staff Report to the PLANNING & ZONING COMMISSION and CITY COMMISSION

By the Planning & Development Services Department, Planning Division
for the City of Kingsville, Texas

Request: **APPROVAL OF REZONING A 2.0 ACRE TRACT OF FARM LOT 10, BLOCK 2 OF KLEBERG TOWN & IMPROVEMENT (KT&I) CO. SUBDIVISION LOCATED AT 102 WEST SAGE ROAD; FROM AG, AGRICULTURE, TO R-1, SINGLE FAMILY RESIDENTIAL.**

Petitioner & Agent: Hoss Castillo
Date of P&Z Hearing: July 17th, 2013

Comprehensive Plan Land Use:	Private / Housing
Existing Zoning Classification:	AG: Agriculture
Adjacent Zoning:	North, East & West: AG: Agriculture South: R-1: Single Family Residential District

EXISTING INFRASTRUCTURE

Transportation:	West Sage Road – Local
Community Facilities:	Services provided
Capital Improvements:	Services provided with the exception of wastewater
Fire Station Proximity:	1.7 driving miles
100 Year Floodplain:	The property is not within a floodplain

EXHIBITS PRESENTED

- Chapter 15 of the Kingsville Code of Ordinances (present at the meeting)
- City of Kingsville Master Plan (present at the meeting)
- Site Plan
- Mailing list of owners within 200 feet

BACKGROUND AND HISTORY

The petitioner is requesting a zoning district change in order to facilitate the construction of a single-family residential home for Mr. Alejandro Zaragoza. The historical use of this property has been for ranching. Lots in the surrounding area, most notably on the south side of Sage Road, have been developing single-family homes. There is one other single-family residential home on the north side of Sage Rd. which is located on the Sage Rd. / North Armstrong intersection.

FIELD INSPECTION AND PERTINENT DATA

Existing condition of the land is as brush land. On the north side of Sage Rd., neighboring property is also brush land. On the south side of Sage Rd., there are newly constructed (3-4 years old) single family homes.

STAFF REVIEW AND RECOMMENDATION

In general, Planning and Zoning Commission considers the following factors when making a recommendation on Zoning District Changes:

1. Whether the proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. Whether the proposal is in keeping with the purpose of the zoning districts.
3. Whether the proposal is detrimental to the public health, safety and welfare.
4. Whether the proposal is detrimental to existing or potential adjacent land uses.
5. Whether the proposal will generate traffic levels inappropriate, hazardous, or detrimental to the existing or potential nearby land uses.

Staff recommends **APPROVAL** of this request with the following findings:

1. The proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. The proposal is in keeping with the purpose of the zoning districts.
3. The proposal is not detrimental to the public health, safety, and welfare.
4. The proposal is not detrimental to existing or potential adjacent land uses.
5. The proposal will not generate inappropriate, hazardous, or detrimental traffic levels in the existing or nearby area.

Prepared by: Robert G. Isassi, P.E.
Robert G. Isassi, P.E.
Director of Planning & Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 102 W. Sage Road Nearest Intersection 2000' West of Sage Road & Young Drive
(Proposed) Subdivision Name KT&I Co. Farm Lot 10 Block 2
Legal Description: 2.0 Ac. tract out of Farm Lot 10, Block 2, KT&I Co.
Existing Zoning Designation AG Future Land Use Plan Designation R1

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Hoss Castillo Phone 361-592-6744 FAX _____
Email Address (for project correspondence only): hcastillo6744@sbcglobal.net
Mailing Address 119 N. 7th St. City Kingsville State TX Zip 78363
Property Owner Alejandro Zaragoza Phone 361-516-1655 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 630 W. Santa Gertrudis City Kingsville State TX Zip 78363

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

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

Please provide a basic description of the proposed project:

Re-Zone a 2.0 Acre Tract of Land on W. Sage Road from
Zone "AG" to Zone "R1", to construct new residential
home for the property owner.

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

Applicant's Signature Hoss Castillo Date: 6-26-13
Property Owner's Signature Alejandro Zaragoza Date: 6-26-2013
Accepted by: _____ Date: _____

Application Check List for Re-Zoning

Applicant: Alejandro Zaragoza
Property Address: 102 West Sage Road
Kingsville, TX 78363

Application Check List for a Re-Zoning

The following must be submitted prior to the application deadline. Otherwise, the application will be deemed incomplete and may result in unnecessary delays: (Please ✓ when complete)

Site and landscape plans: 1 full size and 15 - 11"x17" reductions (copies from PMT reduction)

- ☒ 1. A written description of the requested zoning district and the proposed use.
- ☒ 2. A site plan showing the location, dimension, material and configuration of all existing buildings, structures and other improvements.
- ☒ 3. The lot size in square feet and the dimensions thereof.
- ☒ 4. The land uses surrounding the lot(s) for which site plan approval is being sought.
- ☒ 5. The zoning on the lots and parcels surrounding the lot(s) for which site plan approval is being sought.
- ☒ 6. Such additional information as the city planner may deem pertinent and essential to the application.

Please note that this process can take up to 100 days.

Application Check List for Re-Zoning

Applicant: Alejandro Zaragoza

Property Address: 102 West Sage Road
Kingsville, TX 78363

1. Written Description of the requested zoning district and proposed use.
Re-Zone a 2.0 acre tract of land located at 102 W. Sage Road, Kingsville, TX, from Zone "AG" to Zone "R1," in order to construct a new residential home for the property owner. This 2.0 Acre tract of land is located out of Farm Lot 10, Block 2, Kleberg Town & Improvement Co. Subdivision, City of Kingsville, Kleberg County, Texas.
2. Site Plan showing location, dimension, material and configuration of all existing buildings, structures and other improvements.
A site plan for the tract of land is attached. Currently, the tract of land has no existing buildings, structures, nor any other improvements. The site consists of only scattered Mesquite brush and native grasses.
3. Lot Size in square feet and dimensions thereof.
The lot size is 87,128 square feet with dimensions of 196.9 feet wide (East and West) and 442.5 feet long (North and South).
4. Land Uses surrounding the lot for which site plan approval is being sought.
The tracts of land surrounding the lot on the North, East, and West boundaries are all vacant, idle brush land. The tracts of land on the South boundary of the lot, directly across Sage Road, are either residential homes (Lots 9, 10, & 12, Serenity Estates) or vacant brush land (Lot 11). The large tract of land located Southeast of the lot is currently an active cropland.
5. Zoning on the lots and parcels surrounding the lot for which site plan approval is being sought.
The tracts of land surrounding the lot on the North, East, and West boundaries are all Zone "AG," Agriculture. The tracts of land along the South boundary of the lot, across Sage Road, are all Zone "R1," Residential.
6. Such Additional Information as the City Planner may deem pertinent and essential to the application.
There is no additional information requested by the City.

TaxNetUSA - TX : Kleberg : 2013 Preliminary : Detail Report

Page 1 of 1

TaxNetUSA

The Source for Property Tax Information

*Total
Pages - 4*

TaxNetUSA > Texas > Kleberg County > Detail Report

PIDN: 34166 GEO: 290000210006192

Owner Name ROUSE JIMMY JR

Mailing Address
ETUX LETICIA
413 LEMONWOOD
KINGSBVILLE, TX 78363-7542

Location SAGE RD

Legal KT & I CO, BLOCK 2, LOT PT 10, ACRES 4.0

Value Information

2013 Preliminary

Land Value	\$80,000.00
Improvement Value	\$0.00
AG Market Value	\$0.00
Timber Market Value	\$0.00
Total Market Value	\$80,000.00
AG Productivity Value	\$0.00
Timber Productivity Value	\$0.00
Appraised Value	\$80,000.00
Ten Percent Cap Loss Value	\$0.00
Assessed Value	\$80,000.00
Previous Appraised Value	\$80,000.00
Percent Change	0.00%

View 2012 Certified Value

Data up to date as of May 22, 2013 including 2013 Preliminary values.

A Property Detail report appears to be available. You must have an account with TaxNetUSA to view Property Detail reports.

Sign in or sign up for free to access:

Property Details
Taxing Jurisdictions
Estimated Property Taxes
Improvement Details

View Sample Report

To: Jessica -
Planning

the East 1/2 sold to A. Zaragoza in May 2013

Hess C.

GF# 20131779

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

DATE: MAY _____, 2013

GRANTOR: JIMMY ROUSE, JR. and wife, LETICIA ROUSE

GRANTOR'S MAILING ADDRESS (including County):

413 Lemonwood
Kingsville, Texas 78363
County: Kleberg County, Texas

GRANTEE: MARIA GUADALUPE MARQUEZ and ALEJANDRO ZARAGOZA

GRANTEE'S MAILING ADDRESS (including County):

1803 Margaret Lane
Kingsville, Texas 78363
County: Kleberg County, Texas

CONSIDERATION: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration.

PROPERTY:

PROPERTY DESCRIPTION IS CONTAINED ON EXHIBIT "A" ATTACHED HERETO, MADE A PART HEREOF AND INCORPORATED BY REFERENCE HEREIN.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

The conveyance recited above is made and accepted subject to all presently valid restrictions, reservations, covenants, conditions, rights-of-way, easements, mineral leases and royalty and mineral conveyances now outstanding and of record, if any, in Kleberg County, Texas, affecting the above described **PROPERTY.**

TAX PRORATION AGREEMENT

To: Kleberg County Title Co.

RE: GF No. 20131779

Date: May 15, 2013

✓ Property: The East One-Half (E ½) of a 4.00+/- acre tract of land out of Farm Lot 10, Section 2, The Kleberg Town & Improvement Co., Kleberg County, Texas as described in the attached Exhibit A.

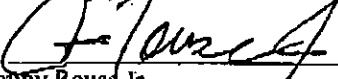
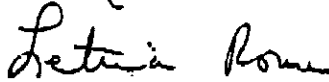
NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Therefore, the Company does not represent that the acreage or square footage calculations are correct. References to quantity are for informational purposes only.

This indicates our understanding of the handling of the property taxes in the referenced transaction. Since the property taxes for the current year cannot be determined at this time, the purchasers will be given credit for their share of the current year's taxes, in consideration of which purchaser will pay the full tax for the year when taxes are due. This amount is based on an estimate only, since current figures are not yet available. The purchasers have also been made aware that they must take a copy of their recorded deed when received to the Central Appraisal District in order to have the taxes changed into their names and file for any exemptions which apply.

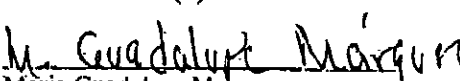
If the actual tax assessment exceeds the estimated amount prorated at closing, seller agrees to immediately reimburse the purchaser the additional sum owed for the period from January 1 up to the closing date. Should the actual tax assessments be less than the estimated amount prorated at closing, purchaser agrees to immediately reimburse the seller the excess amount prorated/credited at closing.

All parties understand that Kleberg County Title Co. will not be responsible for, nor will they be involved in, this tax proration settlement. It is agreed that Seller and Purchaser will contact each other directly, and the refund will be paid immediately upon written notification (with supporting documentation) from the other party that same is due.

SELLER(S):


Jimmy Rouse Jr.
Leticia Rouse

PURCHASER(S):


Maria Guadalupe Marquez
Alejandro Zaragoza

Field notes for a 4.00 ± acre tract of land out of Farm Lot 10, Section 2, The Kleberg Town & Improvement Co., Kleberg County, Texas.

... X ...

Being all that certain tract or parcel of land situated in Kleberg County, Texas, and being a part of Farm Lot 10, Section 2, The Kleberg Town & Improvement Co., a subdivision to the said Kleberg County described by map or plat recorded in Envelope 18, Plat Cabinet 1, Map and Plat Records, Kleberg County, Texas, and being a part of that tract of land conveyed by deed to R. H. Christian recorded in Volume 236, Pages 312-315, Official Records, Kleberg County, Texas, more particularly described by metes and bounds as follows to wit:

BEGINNING at an iron rod found in the ground and taken for the Southeast corner of Farm Lot 9 of the aforementioned Section 2, said corner being in the intersection of the North line of the 60 foot Right-of-Way of Kleberg County Road 2010 W (Sage Road) with the West line of the 60 foot Right-of-Way of Kleberg County Road 1038 N;

THENCE, with the South line of the aforementioned Farm Lot 9 and with the aforementioned North Right-of-Way line of Kleberg County Road 2010 W, WEST, (at a distance of 1262.5 feet pass the Southwest corner of the aforementioned Farm Lot 9 same being the Southeast corner of the aforementioned Farm Lot 10), for a total distance of 1968.7 feet to an iron rod, with cap, found in the ground for a corner, said corner being THE POINT OF BEGINNING and the Southeast corner of the tract herein described;

THENCE, continuing with the aforementioned North Right-of-Way line of Kleberg County Road 2010 W and with the South line of the aforementioned Farm Lot 10, WEST, a distance of 393.8 feet to an iron rod, with cap, set in the ground for a corner, said corner being the Southwest corner of the tract herein described;

THENCE, NORTH, a distance of 442.55 feet to an iron rod, with cap, set in the ground for a corner, said corner being in the South line of a tract of land conveyed by deed to Jose Gus Carrales and John G. Carrales recorded in Volume 80, Pages 659-662, Official Records, Kleberg County, Texas, said corner being the Northwest corner of the tract herein described;

THENCE, with the aforementioned South line of the Carrales tract of land, EAST, a distance of 393.8 feet to an iron rod, with cap, found in the ground for a corner, said corner being the Northeast corner of the tract herein described;

THENCE, SOUTH, a distance of 442.55 feet to RETURN TO AND CLOSE AT THE POINT OF BEGINNING, containing within said bounds 4.00 ± acres of land.

... X ...

The above field notes were prepared from data obtained from a survey made, on the ground, under my supervision in the month of April 2007 for R. H. Christian.

By: T. Joe Boehm
T. Joe Boehm, P.E., R.P.L.S.



KLEBERG COUNTY APPRAISAL DISTRICT
 PROPERTY 34166 R 01/25/2008
 Legal Description
 C & I CO, BLOCK 2, LOT PT 10, ACRES 4.0
 Ref ID: R34166
 Map ID G-4
 190000210006192
 STATUS SAGE RD TX
 OWNER ID 55785
 OWNERSHIP 100.00%
 ACRES: 4.0000
 EFF. ACRES:
 APPR VAL METHOD: Cost
 PROPERTY APPRAISAL INFORMATION 2013
 ROUSE JIMMY JR
 ETUX LETICIA
 413 LEMONWOOD
 KINGSVILLE, TX 78363-7542
 Values
 IMPROVEMENTS 0
 LAND MARKET + 60,000
 MARKET VALUE = 60,000
 PRODUCTIVITY LOSS - 0
 APPRAISED VALUE = 60,000
 HS CAP LOSS - 0
 ASSESSED VALUE = 60,000
 EXEMPTIONS

GENERAL
 UTILITIES
 TOPOGRAPHY
 ROAD ACCESS
 ZONING
 NEXT REASON
 LAST APPR. IE
 LAST APPR. YR 2012
 LAST INSP. DATE 03/12/2012
 NEXT INSP. DATE
 REMARKS
 FOR '12 CHG LAND TABLE - \$15,000/AC PER
 SALES IN AREA PER APPR IE 3/12/12 3/27/12
 MMG -- FOR 2011 NO VAL CHG ON ACCT PER
 APPR LR 3/16/11 4/15/11 VG -- NEW FOR 2008 --
 SKETCH COMMANDS

BUILDING PERMITS
 ISSUE DT PERMIT TYPE PERMIT AREA ST PERMIT VAL
 SALE DT PRICE GRANTOR DEED INFO
 25/17/2010 ***** ECHARTEA MAX WDVL / 432 / 571
 24/09/2007 ***** CHRISTIAN R H WDVL / 359 / 758
 SUBD: S2900 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE/UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNG COMP ADJ ADJ VALUE
 IMPROVEMENT INFORMATION
 IMPROVEMENT FEATURES

LAND INFORMATION
 DIMENSIONS 4.0000 AC
 UNIT PRICE 15,000.00
 GROSS VALUE 60,000
 IRR Wells: 0
 Capacity: 0
 ADJ MASS ADJ VAL SRC 1.00 A
 IRR Acres: 0
 MKT VAL 60,000
 AG APPLY NO
 AG CLASS AG-RB5
 AG TABLE AG-RB5
 AG UNIT PRC 44.00
 AG VALUE 0
 SUBD: S2900 100.00% NBHD:
 # DESCRIPTION CLS TABLE P98
 I: RB5 (BRUSH LAND)
 LAND INFORMATION
 DIMENSIONS 4.0000 AC
 UNIT PRICE 15,000.00
 GROSS VALUE 60,000
 IRR Wells: 0
 Capacity: 0
 ADJ MASS ADJ VAL SRC 1.00 A
 IRR Acres: 0
 MKT VAL 60,000
 AG APPLY NO
 AG CLASS AG-RB5
 AG TABLE AG-RB5
 AG UNIT PRC 44.00
 AG VALUE 0

PUBLIC HEARING #3



Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Vincent Capell, City Manager

FROM: Robert G. Isassi, P.E., Director of Planning & Development Services

SUBJECT: **Request to Re-zone 808 S 13th St. from R2 to C2**

DATE: August 16, 2013

This is a request from Linda Franklin to re-zone the Southeast corner lot of 13th and Doddridge from a two-family R2 District to a Commercial C2 District at Retama Park, Block 7, Lot 1 located at 808 S 13th St.

This request was approved by Planning & Zoning Commission on March 9th, 2008 and was not immediately submitted to Commission for approval. The owner may be selling the property soon and wishes for the re-zoning to be finalized. The lot is currently a vacant lot next to Homesmart and Remco (old Hollywood Video). The Planning & Zoning Commission unanimously approved the rezoning.

The Planning Department has evaluated the request and can find no issues with it. It is within the Master Plan concept and should continue to promote commercial growth in the area.

ORDINANCE #2013-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO LOT 1, BLOCK 7 OF RETAMA PARK, KNOWN AS 808 SOUTH 13TH STREET FROM R2 TWO-FAMILY DISTRICT TO C2 RETAIL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Linda Franklin, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 19, 2008 during a meeting of the Planning and Zoning Commission, and on Monday, August 26, 2013 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by an 5-0 vote APPROVED the requested rezone; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Lots 1, Block 7 of Retama Park, known as 808 South 13th Street from R2 Two-Family District to C2 Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 3. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 4. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 26th day of August, 2013.

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

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

**PLANNING AND ZONING COMMISSION
MEETING - MINUTES
MARCH 19, 2008 AT 7:00 P.M.
CITY OF KINGSVILLE COMMISSION CHAMBERS
200 E. KLEBERG AVE
KINGSVILLE, TX 78363**

Planning & Zoning Members Present

Robert McCreight

Steve Zamora

Bill Aldrich

Ramon Perez

John Howe

Citizens Present

Linda Franklin

Elbert W. Franklin III

Planning & Zoning Members Absent

Leo Alarcon

Lupe Alvarez

Armando Martinez

Staff Present

Jennifer Trevino, Planning Secretary

Armando Gutierrez, City Engineer

1. **The meeting was called to order at 7:00 p.m.**
2. **Public comments on items on or off the agenda;**
There were no public comments at this time.
3. **Discuss and take action on minutes of February 20, 2008;**
Mr. McCreight made a motion to accept the minutes as presented; it was seconded by Mr. Aldrich. The motion passed 5/0.
4. **Discuss and consider a request to rezone from R2 Two Family District to C4 Commercial District, Retama Park Block 7, Lot 1, property also known as 808 S. 13th, Linda Franklin is the applicant;**

Mr. Gutierrez stated he wanted to mention that is property is at 13th & Doddridge and it was a vacant lot and he thought at one time it was a duplex that burned down sometime in the ladder part of last year. In October of last year and it was cleaned up and the property is already in commercial zoning. They sent out notices and have not received any

opposition. The block to the east is also C2, so rezoning this property to C2 is consistent with the overall plans that exist in the area. He had no objections to getting this property rezoned to C2. Robert McCreight said, "as opposed to a C4" and he said yes. Mr. Gutierrez said he thought C4 was put in there as a matter of allowing the commission to work the discretion of deciding if they want to go C2,3, or 4., but really C2 is what is appropriated and what the other properties along the area are.

The code recommended we stay with the C2. Steven Zamora then said, "basically the item then would be to approve it but instead of going C4 we would be approving C2 in lieu of C4". That is correct. Jennifer Trevino then asked if she could mention something. Mr. Zamora told her to do a motion, and then she said "they didn't ask for a C4, they just asked for a commercial so we advertised it as C4." Mr. Zamora then said the applicant doesn't have a particular need for a C4. Jennifer then said no. Mr. Gutierrez then explained that a C2 was a retail district and that was what they learned about and a C4 is more of an open area and allows welding shops and mechanics shop, etc. Mr. Zamora then made a motion to be continued or, then Mr. Aldrich made a motion to change it from a C4 to a C2. It was seconded by Mr. Howe. Motion passed 5/0.

5. **Miscellaneous: Items not on the agenda may be discussed but no action may be taken at this time;**

Mr. Gutierrez mentioned that he received a call on Monday from Land Mark Valley Homes that had the plans ready and wanted to submit to the counties and he requested they submit one set so he could have the opportunity to review it before they made all the copies. He received them yesterday afternoon and didn't get a chance to review them today, but will be looking at them tomorrow. He took a quick glance and it and nothing caught his attention. He received the construction plans with recommendation to move on to the construction phase (subdivision infrastructure, not whole construction) if they met all the requirements.

There was discussion on JLUS meeting that was held on Tuesday night (4/18/08). Mr. Gutierrez said it wasn't creating any more restrictions and what already existed was what was falling into place. It gives a level of comfort for anyone coming from outside to know the plan and knows what is allowed or not allowed and they can invest more in the city with more confidence. Once JLUS does the preliminary draft, the final should be followed shortly. There were additional recommendations that the JLUS will identify

issues and then make recommendations. Once all recommendations have been included in the plan, then we can ask city commission for approval, and then we can go into the implementation phase. Furthermore, the master plan is on hold until the JLUS can be finalized just in case something comes up that might affect the master plan. They are estimating that the master plan should be finished by April 14, 2008. Once the commission has adopted the JLUS study then we can go into the implementation phase before we start reviewing ordinances and changing the ordinances and coming up with new requirements or new policies.

6. **Adjourn**

Mr. Howe made a motion to adjourn; it was seconded by Mr. Aldrich. The motion passed 5/0. The meeting was adjourned at 7:10 p.m.

CONSENT AGENDA

AGENDA ITEM #1

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET FOR THE WATER DEPARTMENT TO PURCHASE PRODUCTION GENERATORS.

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
Fund 066 C.O. Series 2011 Utility Fund					
<u>Capital</u>					
2	Fund Balance	Unassigned Fund Bal.	610.00		<u>\$375,000</u>
					<u>\$375,000</u>
<u>Expenses</u>					
5-600.2	Water Production	Equipment	712.00	<u>\$375,000</u>	
				<u>\$375,000</u>	

[To budget for Water Department generators to be paid from C.O. Series 2011 Utility Fund Certificates of Obligation 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 12th day of August, 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



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: August 7, 2013
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer
SUBJECT: C. O. Series 2011 Utility Fund Budget Amendment (Funds 066)

SUMMARY

This item authorizes a budget amendment to the C.O. Series 2011 Utility funds (066) for expenditures occurring this fiscal year for the purchase and installation of seven (7) emergency generators at the city's water production wells as per requirement of the Texas Commission of Environmental Quality (TCEQ).

BACKGROUND

In FY 2012, \$480,000.00 was budgeted with \$36,900.00 expended during that fiscal year for the project's mobilization cost. Funds were not carried over during the FY 2013 budget process because it was assumed at budget preparation time that all remaining generator purchases would be made in FY2012. In FY 2013 \$375,000.90 had been expensed for the purchase and installation of six (6) generators at wells #19, #20, #21, #22, #23 and #24 (each generator cost approximately \$69,983.50, including installation) . The seventh generator is planned for FY 2014 for well #25 at an estimated cost of \$68,100.00. The total for this budget amendment is \$375,000.00

The generators purchased and installed in FY2013 were charged against the prior year (FY2012) purchase order. Because the generators were not delivered and made usable until FY2013, the amounts charged to the prior year purchase order must be reclassified as a FY2013 expenditure, necessitating the need for this proposed budget amendment of \$375,000.

Fund (066) CO 2011 – Utility Fund:

Original Adopted Budget: \$480,000.00

Spent until September 2013: \$411,900.90)

(=\$36,900.00 in FY 2012, \$375,000.90 in FY 2013)

Budget Amend Decrease for CO 2011 Utility Fund: \$375,000.90

RECOMMENDATION

The proposed budget amendment is necessary to finish out the purchase of six (6) generators as designated in the Commission approved 2011 Series C.O. Staff recommends proceeding with approval of the proposed budget amendment.

FINANCIAL IMPACT

Detail of the Budget Amendment is mentioned above.

Approved

Vincent Capell, City Manager

REGULAR AGENDA

AGENDA ITEM #2



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE: August 19, 2013
TO: City Commission through City Manager
FROM: David Mason, Purchasing/IT Director
SUBJECT: RFP 13-14 Self Funded Group Health

SUMMARY

This item authorizes renewing a contract for the services of a TPA (Third Party Administrator) to administer a self-insured program for the City of Kingsville.

BACKGROUND

We advertised the proposal on June 24 and July 10, 2013, as well as posting the information on the City of Kingsville website and the Public Purchase website. Three (3) potential vendors submitted proposals. All proposals received by the deadline of July 16, 2013 at 1:30 p.m. were opened and vendor names read aloud. Proposals were received from ENTRUST, Inc., GPA and Humana.

The City's consultants, Carlisle Insurance Agency, Inc. reviewed all proposals submitted in response to RFP 13-14. Each proposal was broken down for easier review and comparison. A copy of the document is attached. On August 5, 2013, a recommendation was submitted for the City of Kingsville to continue with ENTRUST, Inc. as the Third Party Administrator using Security Standard as the stop-loss carrier. A detailed summary of the renewal submitted by ENTRUST, Inc. is also attached.

FINANCIAL IMPACT

This action will incur \$436,717.80 in Stop Loss Premiums and \$93,513.60 in Administration Costs (including Plan Administration, Stop-Loss Underwriting Fees and ACA Compliance Fees) and Annual Fees of \$4,000 totaling \$534,231.40 in total Annual Fixed Costs.

Total Expected Plan Costs is \$2,680,746.60 which includes the above Fixed Costs of \$534,231.40, Pre-paid Claims Expenses totaling \$258,150.60, Variable Expected Claims totaling \$1,823,364.60 and \$65,000 Aggregating Specific.

Funds for these insurance costs are included in the annual budget under each department's (116) line item.

RECOMMENDATION

It is recommended the contract be awarded to ENTRUST, Inc. of Houston, Texas.

Carlisle Insurance Since 1925

8/6/13 D

August 5, 2013

City of Kingsville
P O Box 1458
Kingsville, TX 78363

Re: Medical Insurance Renewal Recommendation

Mark Rushing; Diana Gonzales:

The employee benefits department at Carlisle Insurance Agency, Inc., on behalf of the City of Kingsville, has analyzed the group medical proposals submitted by Entrust, Humana, and GPA for the following criteria: benefit plan design, service and reputation of the vendor, overall cost benefit to the employee and the City of Kingsville.

Our recommendation is that the City of Kingsville renew their group medical insurance policy with Entrust using Security Standard as the stop-loss carrier.

This recommendation is based on the following:

Entrust

1. Lower overall cost
2. Unique cost containing policy features (Spohn network per diem, Prepaid drug card)
3. Benefit plan design of \$200 monthly family deductible which limits out of pocket expenses paid by employees

GPA

1. Greater overall cost
2. No proposed plan design with the assumption that a mirroring amendment / endorsement is included
3. Large claimant data has not been analyzed; lasers may be applied
4. Large amount of assumptions, contingencies and additional fees

Humana

1. Greater overall cost
2. Laser applied to large claimant
3. Benefit plan design which would drastically increase the maximum out of pocket expenses paid by employees

We further recommend that the City of Kingsville meet with the vendor to customize plan benefits and to maximize cost savings options that may be available.

Sincerely,
CARLISLE INSURANCE AGENCY, INC.


Jerry Bravenec
Melanie Fugate

INSURANCE ■ FINANCIAL SERVICES ■ RISK MANAGEMENT

611 S. 14th Street, Suite 100 ■ Kingsville, TX 78363-5846 ■ (361) 595-5611 ■ Fax (361) 595-5815

www.carlisleins.com

Carrier Name	Aetna				Emblem				Genesys				GPA				GPA				Humana			
Plan Name	Current Plan				Plan A Option 1				Plan A Option 2				Plan A Option 1				Plan A Option 2				NPOS 11 CopayF/10070			
Benefit Details																								
Stop Loss Carrier	Standard Security				Standard Security				OBE				SunLife				Arbor				Humana			
Annualized Plan Costs																								
Fixed Cost	\$699,737.52				\$786,859.20				\$773,319.72				\$602,715.92				\$519,191.36				\$887,870.16			
Claim Reserve Level	\$2,427,589.08				\$2,370,092.88				\$2,395,088.52				\$2,600,969.28				\$2,791,728.84				\$2,426,591.52			
Maximum Cost (*Subject to Enrolment)	\$3,089,990.20				\$3,160,952.08				\$3,172,408.24				\$3,217,389.20				\$3,324,624.20				\$3,328,165.68			
A. Stop Loss Rates																								
Employee Only	\$69.59				\$77.05				\$72.36				\$84.60				\$65.92				\$128.06			
Employee & Spouse	\$166.32				\$183.75				\$179.81				\$192.64				\$164.58				\$320.54			
Employee & Child(ren)	\$166.32				\$183.75				\$179.81				\$192.64				\$164.58				\$320.54			
Employee & Family	\$166.32				\$183.75				\$179.81				\$192.64				\$164.58				\$320.54			
B. Administration																								
Administration Fee	EO	ES	EC	EF	EO	ES	EC	EF	EO	ES	EC	EF	EO	ES	EC	EF	EO	ES	EC	EF	EO	ES	EC	EF
	\$22.75	\$23.00	\$23.00	\$23.25	\$22.75	\$23.00	\$23.00	\$23.25	\$22.75	\$23.00	\$23.00	\$23.25	\$28.70	\$28.70	\$28.70	\$28.70	\$28.82	\$28.82	\$28.82	\$28.82	\$29.99	\$29.99	\$29.99	\$29.99
Claims Expense Reserve Funding	\$12.85	\$12.95	\$12.85	\$12.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PPD Network Fee	\$3.25	\$3.25	\$3.25	\$3.25	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$4.50	\$4.50	\$4.50	\$4.50	\$4.50	\$4.50	\$4.50	\$4.50	\$0.00	\$0.00	\$0.00	\$0.00
RX Carve Out	\$28.00	\$85.00	\$85.00	\$85.00	\$40.15	\$93.00	\$93.00	\$93.00	\$40.15	\$93.00	\$93.00	\$93.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ACA Compliance Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$2.25	\$2.25	\$2.25	\$2.25	\$2.25	\$2.25	\$2.25	\$2.25	\$0.00	\$0.00	\$0.00	\$0.00
Utilization Review Fee	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$0.00	\$0.00	\$0.00	\$0.00
Start-Up Fee - First Year Only	\$0 - 1st Year Only				\$0 - 1st Year Only				\$0 - 1st Year Only				\$3,300.00 - 1st Year				\$3,300.00 - 1st Year				\$0 - 1st Year			
Annual Maintenance Fee	\$4,000 - Each Year Thereafter				\$4,000 - Each Year Thereafter				\$4,000 - Each Year Thereafter				\$500 - Each Year Thereafter				\$500 - Each Year Thereafter				\$0 - Each Year Thereafter			
C. Aggregate Claim Factors																								
Employee Only	\$364.99				\$379.01				\$367.42				\$814.84				\$436.76				\$400.44			
Employee & Spouse	\$1,013.24				\$987.13				\$1,008.03				\$814.84				\$1,169.25				\$1,002.32			
Employee & Child(ren)	\$1,013.24				\$987.13				\$1,008.03				\$814.84				\$1,169.25				\$1,002.32			
Employee & Family	\$1,013.24				\$987.13				\$1,008.03				\$814.84				\$1,169.25				\$1,002.32			
Annual Total	\$2,427,589.08				\$2,370,092.88				\$2,395,088.52				\$2,600,969.28				\$2,791,728.84				\$2,426,591.52			
Quoted Enrollment																								
Employee Only	107				107				107				107				107				107			
Employee & Spouse	29				29				29				29				29				29			
Employee & Child(ren)	34				34				34				34				34				34			
Employee & Family	96				96				96				96				96				96			
Fixed Cost																								
Employee Only	\$139.04				\$150.90				\$146.21				\$123.05				\$102.49				\$160.71			
Employee & Spouse	\$273.02				\$310.70				\$306.76				\$231.09				\$201.15				\$357.19			
Employee & Child(ren)	\$273.02				\$310.70				\$306.76				\$231.09				\$201.15				\$357.19			
Employee & Family	\$273.27				\$310.95				\$307.01				\$231.09				\$201.15				\$357.19			
Annual Total (Includes Set-Up Fee)	\$699,737.52				\$786,859.20				\$773,319.72				\$602,715.92				\$519,191.36				\$887,870.16			
A+B+C= Maximum Cost																								
Employee Only	\$524.03				\$529.91				\$513.63				\$937.88				\$539.25				\$561.15			
Employee & Spouse	\$1,286.26				\$1,297.83				\$1,314.79				\$1,045.93				\$1,370.40				\$1,359.51			
Employee & Child(ren)	\$1,286.26				\$1,297.83				\$1,314.79				\$1,045.93				\$1,370.40				\$1,359.51			
Employee & Family	\$1,286.51				\$1,298.08				\$1,315.04				\$1,045.93				\$1,370.40				\$1,359.51			
Annual Total	\$3,131,326.60				\$3,160,952.08				\$3,172,408.24				\$3,203,685.20				\$3,310,820.20				\$3,314,461.68			
Total Plan Cost Breakdown																								
Stop Loss Premium A	\$406,692.12				\$449,527.20				\$435,987.72				\$476,183.52				\$398,659.92				\$776,019.36			
TPA Administration Fees B	\$73,383.00				\$73,383.00				\$73,383.00				\$91,610.40				\$85,609.44				\$95,728.08			
Consulting Fees B	Included				Included				Included				\$13,704.00				\$13,704.00				\$13,704.00			
RPO Access Fees B	\$10,374.00				\$11,172.00				\$11,172.00				\$14,364.00				\$14,364.00				\$0.00			
RX Carve Out Fees B. **	\$159,972.00				\$228,996.60				\$228,996.60				\$0.00				\$0.00				\$0.00			
ACA Compliance Fees B	\$0.00				\$15,800.40				\$15,800.40				\$7,182.00				\$7,182.00				\$0.00			
Utilization Review Fees B	\$7,980.00				\$7,980.00				\$7,980.00				\$9,576.00				\$9,576.00				\$16,122.72			
Total Fixed Costs A+B	\$662,401.12				\$790,859.20				\$777,319.72				\$616,419.92				\$532,895.36				\$901,574.16			
Claim Reserve Level C	\$2,427,589.08				\$2,370,092.88				\$2,395,088.52				\$2,600,969.28				\$2,791,728.84				\$2,426,591.52			
Total Maximum Costs A+B+C	\$3,089,990.20				\$3,160,952.08				\$3,172,408.24				\$3,217,389.20				\$3,324,624.20				\$3,328,165.68			

Carrier Name		Entris		GPA		GPA					
Plan Name		Standard Security		QBE		SunLife		Arbor		Humana	
Stop Loss Policy Provisions											
Specific Deductible		\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
Specific Contract Term		12/15	12/15	12/15	12/15	12/15	12/15	12/15	12/15	15/12	15/12
Benefits Covered Under Specific		Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX
Aggregate Contract Term		12/12	12/12	12/12	15/12	15/12	15/12	15/12	15/12	15/12	15/12
Benefits Covered Under Aggregate		Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX	Medical & RX
Aggregate Run-In Limit		\$0	\$0	\$0	10% of paid claims	\$431,816.00	16% of the actual annual aggregate deductible	\$2,431,346.80	\$1,000,000 Per policy period	\$65,000	\$300,000
Minimum Claims Attachment Point		\$2,370,093	\$2,395,089	\$2,808,056.00	\$2,796,970.00	\$1,000,000 Per policy period	\$1,000,000 Per policy period	\$1,000,000 Per policy period	\$1,000,000 Per policy period	\$1,000,000 Per policy period	\$1,000,000 Per policy period
Maximum Aggregate Benefit		\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000
Aggregating Specific Deductible											
Unique Annual Stop Loss Deductible											
Stop-Loss Qualification		Quotes contingent upon updated large claims & aggregate claims through the 11th month of the current contract period	Quotes contingent upon updated large claims & aggregate claims through the 11th month of the current contract period	Large claims data has not been evaluated. Additional information may be requested and/or individual lasers may be applied	Proposal assumes a large claim review analysis will be completed and provided as an addendum to the proposal by Arbor prior to coverage being bound.	This proposal was developed with the information provided and is subject to change based on updated claim experience, corresponding enrollment, and large claimant information to within 30 days of the proposed effective date.					
* See contingencies / assumptions included in proposal											
Additional Fees not Included on Cost Detail Comparison											
Transaction Fee		\$7.50	\$7.50	incl.	incl.	incl.	incl.	incl.	incl.	incl.	incl.
Summary Plan Description		incl.	incl.	incl.	incl.	incl.	incl.	incl.	incl.	\$4.00 per SPD for print and batch mail to client or \$5.00 per SPD for print and mail to EE's home.	
Summary of Benefit Coverage		incl.	incl.	incl.	\$500.00	\$500.00	Cost of Printing	Cost of Printing	Cost of Printing	Fee for creation no schedule provided	
Printing - Booklets, Enrollment Packets		incl.	incl.	incl.	\$500.00	\$500.00				incl.	
Run In / Run Out Set up Fee		incl.	incl.	incl.	\$500.00	\$500.00				Separate fee no schedule provided	
Mid Year Plan changes		incl.	incl.	incl.	\$1,000.00	\$1,000.00				incl.	
Re-Statement of Plan Document		incl.	incl.	incl.							

* Monthly accounting fee not included in detailed rates but no fee schedule was provided.

Carrier Name	Prudential				MetLife				Humana			
Plan Name	Plan B Option 1				Plan B Option 2				NPOS			
Benefit Details												
Stop Loss Carrier	Standard Security				QBE				Humana			
Annualized Plan Costs												
Fixed Cost	\$1,810.80				\$1,754.52				\$1,928.52			
Claim Reserve Level	\$5,230.32				\$5,511.36				\$5,998.32			
Maximum Cost (*Subject to Enrollment)	\$7,041.12				\$7,265.88				\$7,956.84			
A. Stop Loss Rates												
Employee Only	\$77.05				\$72.36				\$128.06			
Employee & Spouse	\$183.75				\$179.81				\$320.54			
Employee & Child(ren)	\$183.75				\$179.81				\$320.54			
Employee & Family	\$183.75				\$179.81				\$320.54			
B. Administration												
	EO	ES	EC	EF	EO	ES	EC	EF	EO	ES	EC	EF
Administration Fee	\$22.75	\$23.00	\$23.00	\$23.25	\$22.75	\$23.00	\$23.00	\$23.25	\$29.99	\$29.99	\$29.99	\$29.99
Broker Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PPO Network Fee	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$3.50	\$0.00	\$0.00	\$0.00	\$0.00
RX Carve Out	\$40.15	\$93.00	\$93.00	\$93.00	\$40.15	\$93.00	\$93.00	\$93.00	\$0.00	\$0.00	\$0.00	\$0.00
ACA Compliance Fee	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$4.95	\$0.00	\$0.00	\$0.00	\$0.00
Utilization Review Fee	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.68	\$6.68	\$6.68	\$6.68
Start-Up Fee- First Year Only	\$0 - 1st Year Only				\$0 - 1st Year Only				\$0 - 1st Year			
Annual Maintenance Fee	\$4,000 - Each Year Thereafter				\$4,000 - Each Year Thereafter				\$0 - Each Year Thereafter			
C. Aggregate Claim Factors												
Employee Only	\$435.86				\$459.28				\$498.86			
Employee & Spouse	\$1,135.20				\$1,260.04				\$1,251.17			
Employee & Child(ren)	\$1,135.20				\$1,260.04				\$1,251.17			
Employee & Family	\$1,135.20				\$1,260.04				\$1,251.17			
Annual Total	\$5,230.32				\$5,511.36				\$5,998.32			
Quoted Enrollment												
Employee Only	1				1				1			
Employee & Spouse	0				0				0			
Employee & Child(ren)	0				0				0			
Employee & Family	0				0				0			
Fixed Cost												
Employee Only	\$150.90				\$146.21				\$160.71			
Employee & Spouse	\$310.70				\$306.76				\$357.19			
Employee & Child(ren)	\$310.70				\$306.76				\$357.19			
Employee & Family	\$310.95				\$307.01				\$357.19			
Annual Total (Includes Set-Up Fee)	\$1,810.80				\$1,754.52				\$1,928.52			
A+B+C= Maximum Cost												
Employee Only	\$586.76				\$605.49				\$660.57			
Employee & Spouse	\$1,445.90				\$1,566.80				\$1,608.36			
Employee & Child(ren)	\$1,445.90				\$1,566.80				\$1,608.36			
Employee & Family	\$1,446.15				\$1,567.05				\$1,608.36			
Annual Total	\$7,041.12				\$7,265.88				\$7,926.84			
Total Plan Cost Breakdown												
Stop Loss Premium A.	\$924.60				\$868.32				\$1,536.72			
TPA Administration Fees B.	\$273.00				\$273.00				\$359.88			
Broker Fees B.	Included				Included				\$30.00			
PPO Access Fees B.	\$42.00				\$42.00				\$0.00			
RX Carve Out Fees B. **	\$481.80				\$481.80				\$0.00			
ACA Compliance Fees B.	\$59.40				\$59.40				\$0.00			
Utilization Review Fees B.	\$30.00				\$30.00				\$31.92			
Total Fixed Costs A+B	\$1,810.80				\$1,754.52				\$1,958.52			
Claim Reserve Level C	\$5,230.32				\$5,511.36				\$5,998.32			
Total Maximum Costs A+B+C	\$7,041.12				\$7,265.88				\$7,956.84			

** Pre-paid Generic RX carve out not included in other carrier quotes

Proposed For: City of Kingsville

Effective Date: 10/01/2013

Carrier Name	Employee		GPA		NPOS 11 Copay/F/10070
Plan Name	Plan A Option 1 Standard Security	Plan A Option 2 QBE	Plan A Option 1 SunLife	Plan A Option 2 Arbor	
Benefit Details					
Individual Deductible	\$200 Family Monthly	\$200 Family Monthly	No Summary Provided. Quote based on current plan of benefits. This proposal assumes the mirroring amendment / endorsement is included. Mirroring of the employer's plan document is subject to review and approval by SunLife and may impact the quoted rates. The employer plan document must be submitted within 90 days of the policy effective date and must include executed signature page.	No Summary Provided. Carrier assumes that the employer will use the current plan design through the Cost Plus network(s).	\$5000 In / \$15000 Out
	\$200 Family Monthly	\$200 Family Monthly			\$15000 In / \$45000 Out
Coinsurance	100% / Not Covered	100% / Not Covered			100% In / 70% Out
Out-Of-Pocket Maximum Individual	\$0 Per Individual	\$0 Per Individual			\$0 In / \$9000 Out
	\$0 Per Family	\$0 Per Family			\$0 In / \$27000 Out
Office Visit	\$15 In / Not covered	\$15 In / Not covered			\$25 In / Subject to deductible
Specialty Doctor Office Visit	\$15 In / Not covered	\$15 In / Not covered			\$25 In / Subject to deductible
Preventative Services	100% deductible does not apply	100% deductible does not apply	GPA Physician Only PPO Network - IMS Physician network Only PPO will be used for the DFW area and PHCS Physician Only PPO will be used for all other areas.		100% deductible does not apply (In Network)
	100% after \$15 Copay / Not covered	100% after \$15 Copay / Not covered			100% In / 70% out after deductible
Lifetime Maximum	Unlimited	Unlimited			Unlimited
Annual Maximum	\$2,000,000	\$2,000,000			
Inpatient Hospital Services	100% after deductible / Not Covered	100% after deductible / Not Covered			100% In / 70% out after deductible
Outpatient Hospital Services	100% after deductible / Not Covered	100% after deductible / Not Covered			100% In / 70% out after deductible
Urgent Care Facility	100% after deductible / Not Covered	100% after deductible / Not Covered			100% after \$100 copay
Emergency Room	100% after deductible / Not Covered	100% after deductible / Not Covered			100% after \$250 copay
RX	\$5 generic / 25% Brand	\$5 generic / 25% Brand			\$10 / \$35 / \$55 / 25%
Rate Details					
Employee Only (107)	Firm Rate	Firm Rate	Firm Rate	Firm Rate	Firm Rate
Employee & Spouse (29)	\$529.91	\$613.63	\$937.05	\$639.25	\$561.15
Employee & Child(ren) (34)	\$1,297.83	\$1,314.79	\$1,045.09	\$1,370.40	\$1,359.51
Employee & Family (96)	\$1,297.83	\$1,314.79	\$1,045.09	\$1,370.40	\$1,359.51
	\$1,297.83	\$1,315.04	\$1,045.09	\$1,370.40	\$1,359.51

Proposed For: City of Kingsville

Effective Date: 10/01/2013

Carrier Name	Employee Security		GPA		NPOS 11 Copay/F/8050	
Plan Name	Plan B Option 1 Standard Security	Plan B Option 2 QBE	Plan B Option 1 SunLife	Plan B Option 2 Arbor		
Benefit Details						
Individual Deductible	N/A In / \$750 Out	N/A In / \$750 Out	No Summary Provided.	No Summary Provided	\$250 In / \$500 Out	
Family Deductible	N/A In / \$1500 Out	N/A In / \$1500 Out			\$500 In / \$1000 Out	
Coinurance	80% In / 60% Out	80% In / 60% Out			80% In / 50% Out	
Out-Of-Pocket Maximum Individual	\$3,000 In / \$6,000 Out	\$3,000 In / \$6,000 Out			\$3000 In / \$6000 Out	
Out-Of-Pocket Maximum Family	\$6,000 In / \$12,000 Out	\$8,000 In / \$12,000 Out			\$6000 In / \$12000 Out	
Office Visit	\$20 In / 60% after deductible	\$20 In / 60% after deductible			\$20 In / Subject to deductible	
Specialty Doctor Office Visit	\$20 In / 60% after deductible	\$20 In / 60% after deductible			\$35 In / Subject to deductible	
Preventative Services	100% after \$15 Copay / 60% after deductible	100% after \$15 Copay / 60% after deductible			100% deductible does not apply (In Network)	
Major Diagnostics (MRI, MRA, PET, CT)	100% after \$20 Copay / 60% after deductible	100% after \$20 Copay / 60% after deductible			80% In / 50% out after deductible	
Lifetime Maximum	Unlimited	Unlimited			Unlimited	
Annual Maximum	\$2,000,000	\$2,000,000			Unlimited	
Inpatient Hospital Services	80% after deductible / 60% after deductible	80% after deductible / 60% after deductible			80% In / 50% out after deductible	
Outpatient Hospital Services	80% after deductible / 60% after deductible	80% after deductible / 60% after deductible			80% In / 50% out after deductible	
Urgent Care Facility	100% after \$10 copay up to a maximum of \$100 per visit	100% after \$10 copay up to a maximum of \$100 per visit			100% after \$100 copay	
Emergency Room	100% after \$75 copay to \$300 then 80% after deductible / 60% after deductible	100% after \$75 copay to \$300 then 80% after deductible / 60% after deductible			100% after \$250 copay	
RX	\$5 Generic / 25% Brand Names	\$5 Generic / 25% Brand Names			\$10 / \$35 / \$55 / 25%	
Rate Details						
Employee Only (107)	Firm	Firm	Firm Rate	Firm Rate	Firm Rate	
Employee & Spouse (29)	\$586.76	\$605.49			\$660.57	
Employee & Child(ren) (34)	\$1,445.90	\$1,566.80			\$1,608.36	
Employee & Family (96)	\$1,446.15	\$1,567.05			\$1,608.36	

CITY OF KINGSVILLE
BREAKDOWN OF PLAN EXPENSES
 Plan Effective Date: **October 1, 2013**

RENEWAL PLAN A -- Standard Security

Plan Option:	Benefit Highlights	
Plan Year Maximum:	\$2,000,000	
Deductible (Individual)	\$200 FMD	Not Covered N/A
Deductible (Family)	\$200 FMD	Not Covered N/A
Type of Service:	Network	Non-Network
Consurance	100%	Not Covered
Annual OOP (Excludes Ded)	\$0 Per Family	Not Covered Per Family
Physician Office Services	\$15 Co-pay	Not Covered Not Covered
Diagnostic Testing	\$15 Co-pay	Not Covered Not Covered
Inpatient	Deductible then 100%	Not Covered Not Covered
Outpatient	Deductible then 100%	Not Covered Not Covered
Emergency Room	\$75 Co-pay	Not Covered Not Covered
Urgent Care Center	Deductible then 100%	Not Covered Not Covered
Prescription Drug Benefits	\$5 Generic	25% Brand Names

Stop-Loss Policy Provisions:	Standard Security
Stop-Loss Carrier	\$75,000
Specific Deductible	12/15
Specific Contract Term	MEDICAL & RX
Benefits Covered Under Specific	12/12
Aggregate Contract Term	NO
Monthly Aggregate Accommodation	MEDICAL & RX
Benefits Covered Under Aggregate	\$0
Aggregate Run-In Limit	\$2,370,093
Minimum Claims Attachment Point	
Additional Risk Considerations:	
Aggregating Specific	\$65,000
Named Aggregating Specific	N/A
Higher Individual Specific Deductible:	\$0
Higher Individual Specific Deductible:	N/A
Additional Risk Liability:	\$65,000

	Employee Only	Employee & Spouse	Employee & Children	Employee & Family
Proposed Enrollment	107	29	34	96
Funding to Fixed Cost:	\$ 101.95	\$ 208.65	\$ 208.65	\$ 208.65
Funding to Maximum Exposure:	\$ 529.91	\$ 1,297.83	\$ 1,297.83	\$ 1,298.08
Funding to Expected Cost:	\$ 441.80	\$ 1,068.34	\$ 1,068.34	\$ 1,068.59

CONFIDENTIAL

	Employee Only	Employee & Spouse	Employee & Children	Employee & Family
Premium Breakdown:				
Aggregate Premium:	\$ 5.83	\$ 5.83	\$ 5.83	\$ 5.83
Aggregate Advance:	\$ -	\$ -	\$ -	\$ -
Specific Premium:	\$ 68.72	\$ 172.42	\$ 172.42	\$ 172.42
Total Stop-Loss Premium:	\$ 74.55	\$ 178.25	\$ 178.25	\$ 178.25
Stop-Loss Underwriting Fee:	\$ 2.50	\$ 5.50	\$ 5.50	\$ 5.50
Premium Allocation:	\$ 77.05	\$ 183.75	\$ 183.75	\$ 183.75
Administration Breakdown:				
Plan Administration:	\$ 16.00	\$ 16.00	\$ 16.00	\$ 16.00
COBRA / MED D / HIPAA:	\$ 3.95	\$ 3.95	\$ 3.95	\$ 3.95
Brokerage Compensation	\$ -	\$ -	\$ -	\$ -
ACA Compliance Fee:	\$ 4.95	\$ 4.95	\$ 4.95	\$ 4.95
Administration Allocation:	\$ 24.90	\$ 24.90	\$ 24.90	\$ 24.90
Claims Expense Breakdown:				
Aggregate Stop-Loss Factors:	\$ 379.01	\$ 987.13	\$ 987.13	\$ 987.13
PPO Network:	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50
Interface EAP	\$ 2.55	\$ 2.55	\$ 2.55	\$ 2.55
Outlook Vision	\$ 0.25	\$ 0.50	\$ 0.50	\$ 0.75
Ask-A-Nurse/Utilization Review	\$ 2.50	\$ 2.50	\$ 2.50	\$ 2.50
Rx Carve-Out:	\$ 40.15	\$ 93.00	\$ 93.00	\$ 93.00
Claims Expense Reserve Funding:	\$ -	\$ -	\$ -	\$ -
Claims Expense Allocation:	\$ 427.96	\$ 1,089.18	\$ 1,089.18	\$ 1,089.43

Special Considerations: QUOTES ARE CONTINGENT UPON A SIGNED & APPROVED CARRIER DISCLOSURE STATEMENT ALONG WITH AGGREGATE & LARGE CLAIMS THROUGH THE 11TH MONTH OF THE CURRENT CONTRACT PERIOD.

Annual Maintenance Fee:	\$4,000.00
Implementation/Set Up Fee:	\$0.00
Transaction Fee:	\$7.50

BREAKDOWN OF PLAN EXPENSES

Plan Effective Date:

October 1, 2013

RENEWAL - PLAN B

Plan Option:	Benefit Highlights			
Plan Year Maximum:	\$2,000,000			
Deductible (Individual)	N/A	CYD	\$750	CYD
Deductible (Family)	N/A	CYD	\$1,500	CYD
Type of Service:	Non-Network			
Coinsurance	80%	60%		
Annual OOP (Excludes Ded)	\$3,000	Per Individual	\$6,000	
Physician Office Services	\$20	Co-pay	Deductible then 60%	
Diagnostic Testing	\$20	Co-pay	Deductible then 60%	
Inpatient		Deductible then 80%	Deductible then 60%	
Outpatient		Deductible then 80%	Deductible then 60%	
Emergency Room	\$75	Co-pay	Deductible then 60%	
Urgent Care Center		Deductible then 80%	Deductible then 60%	
Prescription Drug Benefits	\$5	Generic	25% Brand Names	

Stop-Loss Policy Provisions:	STANDARD SECURITY			
Stop-Loss Carrier	\$75,000			
Specific Deductible	12/15			
Specific Contract Term	MEDICAL & RX			
Benefits Covered Under Specific Aggregate Contract Term	12/12			
Monthly Aggregate Accommodation	NO			
Benefits Covered Under Aggregate	MEDICAL & RX			
Aggregate Run-In Limit	\$0			
Minimum Claims Attachment Point	\$5,230			
Additional Risk Considerations:	\$65,000			
Aggregating Specific	N/A			
Named Aggregating Specific	N/A			
Higher Individual Specific Deductible:	\$0			
Higher Individual Specific Deductible:	N/A			
Additional Risk Liability:	\$65,000			

	Employee Only	Employee & Spouse	Employee & Children	Employee & Family
Proposed Enrollment	1	0	0	0
Funding to Fixed Cost:	\$ 101.95	\$ 208.65	\$ 208.65	\$ 208.65
Funding to Maximum Exposure:	\$ 586.76	\$ 1,445.90	\$ 1,445.90	\$ 1,446.15
Funding to Expected Cost:	\$ 482.89	\$ 1,175.37	\$ 1,175.37	\$ 1,175.62

	Employee Only	Employee & Spouse	Employee & Children	Employee & Family
Premium Breakdown:	\$ 5.83	\$ 5.83	\$ 5.83	\$ 5.83
Aggregate Premium:	\$ -	\$ -	\$ -	\$ -
Aggregate Advance:	\$ 68.72	\$ 172.42	\$ 172.42	\$ 172.42
Specific Premium:	\$ 74.55	\$ 178.25	\$ 178.25	\$ 178.25
Total Stop-Loss Premium:	\$ 2.50	\$ 5.50	\$ 5.50	\$ 5.50
Stop-Loss Underwriting Fee:	\$ 77.05	\$ 183.75	\$ 183.75	\$ 183.75
Premium Allocation:	\$ 2.50	\$ 5.50	\$ 5.50	\$ 5.50

Administration Breakdown:

Plan Administration:	\$ 16.00	\$ 16.00	\$ 16.00	\$ 16.00
COBRA / MED D / HIPAA:	\$ 3.95	\$ 3.95	\$ 3.95	\$ 3.95
Brokerage Compensation	\$ -	\$ -	\$ -	\$ -
ACA Compliance Fee:	\$ 4.95	\$ 4.95	\$ 4.95	\$ 4.95
Administration Allocation:	\$ 24.90	\$ 24.90	\$ 24.90	\$ 24.90

Claims Expense Breakdown:

Aggregate Stop-Loss Factors:	\$ 435.86	\$ 1,135.20	\$ 1,135.20	\$ 1,135.20
PPO Network:	\$ 3.50	\$ 3.50	\$ 3.50	\$ 3.50
Interface EAP	\$ 2.55	\$ 2.55	\$ 2.55	\$ 2.55
Outlook Vision	\$ 0.25	\$ 0.50	\$ 0.50	\$ 0.75
Ask-A-Nurse/Utilization Review	\$ 2.50	\$ 2.50	\$ 2.50	\$ 2.50
Rx Carve-Out:	\$ 40.15	\$ 93.00	\$ 93.00	\$ 93.00
Claims Expense Reserve Funding:	\$ -	\$ -	\$ -	\$ -

Claims Expense Allocation:

	\$ 484.81	\$ 1,237.25	\$ 1,237.25	\$ 1,237.50
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Special Considerations: QUOTES ARE CONTINGENT UPON A SIGNED & APPROVED CARRIER DISCLOSURE STATEMENT ALONG WITH AGGREGATE & LARGE CLAIMS THROUGH THE 11TH MONTH OF THE CURRENT CONTRACT PERIOD.

Annual Maintenance Fee:	\$4,000.00
Implementation/Set Up Fee:	\$0.00
Transaction Fee:	\$7.50

City of Kingsville

Summary of Proposed Medical Insurance Plan Changes

2013-2014

Overview: Over the past twelve years, the City of Kingsville has maintained a very competitive benefit offering for employees and their eligible dependents. The current plan, as well as, the slight changes being recommended will continue to provide employees significantly better benefits and costs for coverage than what appears will be offered through health plan exchanges in the near future. Last year in 2012, slight benefit changes were presented in an attempt to control rising costs of out-of-area medical claims, generic and brand prescription expense, and stop-loss insurance premium costs. The approved changes in prescription drugs resulted in claims savings of approximately \$202,449 this year and should continue to offer annual savings of around \$88,079. All other changes that were presented were delayed for consideration at a later date.

The main reason we continue to be able to offer an attractive benefit program is the stability of medical expenses when utilizing Christus Spohn Health Network providers. Over the past four years, the plan has experienced a trend increase in costs when utilizing providers outside the Christus Spohn Health Network service area. Out-of-area claims were a savings consideration last year; but, would have resulted in benefit changes that could adversely affect plan participants. In an attempt to manage future plan expenses, Entrust and Carlisle Insurance Agency are suggesting that the City of Kingsville consider slight changes to our current program.

<u>Financial Highlights:</u>	<u>2011/2012 Actual</u>	<u>2012/2013 Actual</u>	<u>2013/2104</u>
<u>Projected</u>			
Premium Costs	\$ 313,881	\$ 341,036	\$ 436,717
Administrative Costs	\$ 61,217	\$ 56,491	\$ 64,998
Compliance Services	\$ 11,933	\$ 11,291	\$ 28,516
Medical Claims	\$1,794,300	\$1,404,102	\$1,626,766
Prescription Claims	\$ 539,216	\$ 336,767	\$ 451,137
Vision Claims	\$ 3,339	\$ 3,151	\$ 3,612
Projected Total:	\$2,723,886	\$2,152,838	\$2,611,746
Plus – Large Dollar Reserve:	\$ 265,000	\$ 65,000	\$ 65,000
Plus – Annual Fee:	\$ 4,000	\$ 4,000	\$ 4,000
Adjusted Plan Total:	\$2,992,886	\$2,221,838	\$2,680,746

Plan Options for Out-of-Area Providers Only:

130% of Medicare Plan Allowable – Outside of local EPO networks, many employers are starting to define what their benefit plans allow as a reimbursement to providers for services received. Since local providers represent approximately 97% of the services rendered and approximately 78% of medical costs, limiting the amount that the plan will pay only impacts a small number of plan participants. Pro – Greater cost controls over outrageous charges. Con – Providers are not required to accept reimbursement of payment in full resulting in balance billing to patient. ***The projected savings to the plan by implementing this change totals \$137,532 annually assuming the current increased usage of out-of-area providers.***

Cash-Pay Incentive – This option is intended to encourage plan participants to inquire about the cost of services received in or out of the area in an attempt to determine if the provider being utilized offers a better price for “Cash Payment” over the PPO. The City of Kingsville would offer a savings on the deductible in the event the “Cash Price” achieved a savings over a pre-determined benchmark price. Important Note! Since a PPO is utilized, individuals and providers do not have to agree to a lower price option even if available. Pro – Plan Participants could save on deductibles. Con – Providers may not agree to the price. ***The projected savings to the plan by implementing this change totals \$46,886 annually assuming the current increased usage of out-of-area providers.***

Change to a \$10 Copay for Generic Prescriptions: Due to the fact the City of Kingsville has been able to maximize steerage to Generic Prescriptions, the plan has seen an increase in prescription utilization over the years. Changing the copay could result in lower utilization in excess prescription patterns. ***The projected capitation savings totals \$23,900 based on the renewal offered.***

Elimination of Plan B: Currently, the City of Kingsville has one individual on Plan B. Plan B has been offered since inception to allow employees to purchase a benefit option that is traditional in design and similar to what was offered twelve years ago. Since inception, Plan A has been the preferred plan with very little participation, if any, on Plan B. To simplify administration and communication to staff, as well as, obtain slight savings the City may want to consider eliminating this plan option. ***The projected annual savings totals \$457 based on the renewal offered.***

Premium Savings: In addition to the claims savings offered with the 130% of Medicare Plan Allowable Option, the stop-loss premium expense would reduce by approximately 10% if this option was selected. ***The projected premium savings totals \$43,672 based on renewal premiums offered.***

Patient Support Services: In order to assist plan participants with the medical claims cost-savings option being presented, the use of a Patient Support Program is recommended. Patient Support Services would vary in cost based on whether the program was voluntary or mandatory. ***The projected additional cost on a voluntary basis totals \$4,500 annually and on a mandatory basis totals \$13,500 annually.***

Submitted By:

David L. Jacobson

Vice President of Sales & Marketing

AGENDA ITEM #3

RESOLUTION #2013-_____

A RESOLUTION OF THE CITY OF KINGSVILLE SUPPORTING THE KINGSVILLE INDEPENDENT SCHOOL DISTRICT'S PROPOSED TAX RATIFICATION ELECTION ON AUGUST 29, 2013.

WHEREAS, the Kingsville Independent School District (KISD) is an integral part of the success of the City of Kingsville; and,

WHEREAS, the State of Texas cut approximately \$1.6 million from the KISD 2012-2013 biennium budget, which resulted in a loss of \$433,840 in funding for special programs like pre-kindergarten, technology, and student access initiatives; and,

WHEREAS, additional cuts in the KISD budget included library allocations, curtailed maintenance repairs, eliminating 30 positions, and reduced elementary special area teachers in music, art and physical education; and,

WHEREAS, the KISD Board of Trustees have found a way to restore \$1.2 million in funding WITHOUT increasing the current tax rate; and

WHEREAS, voters in the Kingsville Independent School District are being asked to approve an ad valorem tax rate for Maintenance & Operations in the amount of \$1.17 per \$100 valuation for the tax year 2013-2014 without raising the current total tax rate; and

WHEREAS, the KISD Board of Trustees, with voter approval of the Proposed Tax Ratification Election (TRE) proposal, has committed to reduce the Interest and Sinking (I&S) rate from 47-cents to 34-cents which will bring the total effective tax rate to the current \$1.51; and

WHEREAS, the extra revenue will be used for employee salary increases, campus capital improvements, curriculum enhancements, dual credit-college/career readiness, and technology upgrades; and

WHEREAS, on August 29th, 2013, KISD voters will vote on the Tax Ratification Election; and

WHEREAS, voting "yes" for the Proposed Tax Ratification Election on August 29th will improve the quality of education available to students in the Kingsville Independent School District without increasing the tax rate;

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

I.

Section 1: The City of Kingsville supports KISD's Proposed Tax Ratification Election.

Section 2: This Resolution shall be in effect immediately upon its adoption.

II.

PASSED AND APPROVED by a majority vote of the City Commission on the 26th day of August, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE: August 16, 2013
TO: City Commission through City Manager
FROM: David Mason, Purchasing/IT Director
SUBJECT RFP 13-11 GIS Hosting Services

SUMMARY

This item will approve the negotiated contract for GIS hosting services with Timmons Group.

BACKGROUND

Authorization to proceed with contract negotiations was approved at the July 8, 2013 meeting. Previously, we advertised the proposal on April 24, 2013 and May 1, 2013, as well as posting the information on the City of Kingsville website.

FINANCIAL IMPACT

Funds are budgeted through Professional Services in the Technology budget, 001-5-190.2-314.00, made available through a budget amendment with readings on July 8, 2013 and July 22, 2013.

Approved

Vincent Capell, City Manager

RESOLUTION # 2013-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SOFTWARE MAINTENANCE AND SUPPORT AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND TIMMONS GROUP RELATING TO GIS HOSTING SERVICES; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") advertised for proposals for GIS Hosting Services (RFP #13-11) on April 24, 2013 and May 1, 2013, as well as on the City's website; and

WHEREAS, the City Commission at a meeting on July 8, 2013 authorized staff to negotiate a contract for such services with Timmons Group; and

WHEREAS, the City and Timmons Group desire to work together to create a better, more functional website for the City for the benefit of our citizenry and others wanting to use GIS maps off of the City's website; and

WHEREAS, Timmons Group has the skills to create an improved section of the website regarding mapping access that will allow for greater efficiencies by staff and will enhance online services and information for the public, who may want to develop here; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to work together in accordance with these terms;

NOW THEREFORE, 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 execute the Software And Maintenance Support Agreement Between the City of Kingsville and Timmons Group Relating to GIS Hosting Services 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
26th day of August, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

This is an Software Maintenance and Support Agreement (the "Software Support Agreement") dated <DATE> by and between Timmons Group, a Virginia corporation having its principal place of business at 1001 Boulders Parkway, Suite 300, Richmond, Virginia 23225 ("CONSULTANT") and City of Kingsville, TX ("CUSTOMER") with an address of 200 E. Kleberg Ave, Kingsville, TX 78363

This software maintenance and support agreement is for the following software, (the "Software") in this agreement:

Web LoGISTICS

The following are the terms and conditions under which CONSULTANT provides Maintenance and Support (the "Support") for the Software indicated above.

1. Maintenance

- A. **Hours of Support Availability.** Payment of the standard Support Charges (as defined in Section 5) entitles CUSTOMER to Support during the Principal Period of Maintenance ("PPM"). The PPM is an eight hour continuous daily time period between the hours of 9:00 AM and 5:00 PM, Eastern Standard Time, Monday through Friday, excluding holidays or such holidays as observed locally by CONSULTANT. All Support subsequently added shall have the same PPM.
- B. **Scope of Support.** Support includes the response to and resolution of CUSTOMER-encountered problems with the Software as reported to CONSULTANT by CUSTOMER. Resolution of CUSTOMER-encountered problems shall, at CONSULTANT's option, consist of (1) maintenance provided through telephone or electronic support as described on the Order Form; (2) correction of any defect in the Software program that materially and adversely affects the use of the Software as described in CONSULTANT's documentation; or (3) delivery of bug fixes or workarounds limited to the current or immediate prior Software release. CONSULTANT will only support licensed copies of Software. CONSULTANT will use commercially reasonable efforts to respond to CUSTOMER calls according to the priority level of the call described in the Order Form. CONSULTANT will resolve the CUSTOMER's call typically in 10 business days. Support may include the use of upgraded underlying technologies releases, as deemed appropriate by CONSULTANT. Any rendering of supplemental maintenance Support by CONSULTANT that is not provided for in the Order Form, including extended coverage, upgrade of underlying or dependent Software releases and consulting will be performed at CONSULTANT's discretion upon receipt of a Work Order or appropriate payment, and, if performed, will be charged to CUSTOMER at current prices and terms then in effect.
- C. **Future Product Releases.** The CONSULTANT will be responsible for installing future product updates within the CONSULTANT's hosting environment as they become available. These updates will include both modifications to support compatibility with underlying technologies as well as feature changes. These updates will be covered as part of the hosting fee being paid to the CONSULTANT.
- D. **Support Limitations.** Any Support is dependent upon the use by CUSTOMER of unmodified Software (except as authorized by CONSULTANT pursuant to a Professional Services Agreement) operated in accordance with CONSULTANT's documentation. Software Support specifically excludes the following: (1) Support to a version of Software other than the current or immediate prior release; (2) efforts to restore a release of the Software beyond the current or immediate prior release; and (3) efforts to restore CUSTOMER data beyond the most recent back-up.
- E. **End of Support Life.** CONSULTANT periodically announces the End of Support Life (EOSL) for Software. CONSULTANT will notify the CUSTOMER signatory or designee in writing or by electronic mail a minimum of Sixty(60) days prior to the Support discontinuance. After the EOSL announcement, support renewal will no longer be possible. Fully paid support contracts will be honored for current contract term. After contract term has expired telephone and or web-based support limited to current available fixes will be available on a commercially reasonable efforts, on a time and materials basis at prevailing rates.

- 2. **CUSTOMER's Responsibilities.** CUSTOMER is responsible for maintenance and installation of any common carrier equipment or communication Support related to the operation of the Software and not furnished by CONSULTANT.

CUSTOMER is also responsible for charges incurred for communication facilities at CUSTOMER's facilities, whether incurred by CUSTOMER or by CONSULTANT Support representatives while performing Support on the Software.

CUSTOMER will contact CONSULTANT using the Timmons GIS Support Portal, timmons.helpserve.com/WebLogistics via email at gissupport@timmons.com or via phone at (804) 433-2980.

3. **Limit of Liability.** CONSULTANT will not be responsible to CUSTOMER for loss of use of the Software or data or for any other liabilities arising from the use, alterations, additions, adjustments or repairs which are made to the Software by third parties other than authorized representatives of CONSULTANT, or at the direction of CONSULTANT. CONSULTANT reserves the right to terminate this Software Support Agreement upon written notice to CUSTOMER if any such alteration, addition, adjustment or repair adversely affects CONSULTANT's ability to render maintenance Support to the Software.

4. **Term and Applicability to Other Agreements**

The initial term of this Agreement shall commence <DATE> and shall continue for 1 years. Thereafter, unless CUSTOMER notifies CONSULTANT in writing at least Thirty (30) days in advance of each scheduled expiration date that CUSTOMER elects not to renew, this Agreement shall automatically renew for a period of twelve months. Notwithstanding the preceding, CONSULTANT may terminate by giving at least thirty (30) days written notice that CONSULTANT cannot meet the Maintenance and Support requirements described herein. **Notwithstanding anything to the contrary in this Section, this Agreement shall terminate immediately upon termination of the Software License Agreement.**

5. **Maintenance and Support Fees**

Definition. "Maintenance and Support Fees" are the total annual charges for the Support Program set forth on the Order Form. After the initial term and upon forty-five (45) days written notice, CONSULTANT may change its Support Charges then in effect. If the Support Charges are increased, CUSTOMER may terminate Support as of the effective date of such increase, upon fifteen (15) days written notice to CONSULTANT. If CUSTOMER does not terminate Support as provided for herein, the new Support Charge shall become effective on the date specified in the notice.

Fees. CUSTOMER agrees to pay those fees specified herein.

Annual Maintenance: **\$7,200 (600/Month)**

Invoices. Support Charges will be invoiced annually in advance, and any one-time charge will be invoiced as incurred. Partial invoicing will be prorated on the basis of a thirty-day (30-day) month. CUSTOMER shall pay all invoices in full within thirty (30) days of receipt of the invoice regardless of whether or not CUSTOMER utilizes Support every month during the term. All amounts payable under this Software Support Agreement shall be paid in United States dollars.

Default. CUSTOMER will be in default if amounts due within forty-five (45) days after receipt of invoice have not been paid or CUSTOMER fails to perform any of its obligations hereunder. CUSTOMER's default will constitute sufficient cause for CONSULTANT to suspend or terminate Support under this Software Support Agreement.

6. **Limited Warranty.** The support obligations set forth in this software support agreement are in lieu of all warranties, express or implied, including, without limitation, any warranties of merchantability or fitness for a particular purpose. Support provided under this software support agreement does not assure the uninterrupted operation of the software.
7. **Sole and Exclusive Remedy.** In the event that consultant is unable after reasonable efforts to provide a correction or workaround, customer may terminate this agreement.

By executing this agreement, customer acknowledges that it has reviewed the terms and conditions listed above agrees to be legally bound by each such agreement.

Customer, by its signature, acknowledges that this agreement contains certain limitations of liability and certain warranty disclaimers.

Timmons Group

By _____
(Type or print name)

(Signature)

Title _____

Date _____

<CUSTOMER NAME>

By _____
(Type or print name)

(Signature)

Title _____

Date _____

CUSTOMER Support Subscription Order Form

CUSTOMER:		
CUSTOMER		
CUSTOMER Phone:		
CUSTOMER Fax:		
CUSTOMER E-mail Address:		
Address:		
City, State or Province, Zip Code or Postal Code:		
<u>Description</u>	<u>Response Time</u>	<u>Means of Contact</u>
<u>Support</u>		
Level 1: Severe problems rendering software application substantially inoperable	Response** within 4 hours, without regard to PPM	Telephone, e-mail, pager/mobile phone
Level 2: Problems significantly affecting operability, but which do not render application inoperable	Response** within 8 hours	Telephone, e-mail
Level 3: Problems preventing application from functioning as designed, but which do not significantly affect operability or render application substantially inoperable	Response** within 24 hours	Telephone, e-mail
Level 4: Less critical problems for which an acceptable work around is developed	Will be considered and addressed as part of normal product enhancement cycle	Telephone, e-mail, letter
	**Response means begin actively working on solution	

CUSTOMER Authorized Contact Information Form

General Information		
CUSTOMER:		E-mail Address:
Primary Technical Contact:	Phone:	Fax:
Address:	City, State or Province:	
Zip Code or Postal Code:	Country:	

Authorized Contacts must be CONSULTANT trained for your installed product configuration. Validation of training may be required by CONSULTANT. Only the Trained Contacts listed below or as modified in writing by the CUSTOMER will be eligible for telephone or web support. ***YOUR COMPLETE E-MAIL ADDRESS IS NECESSARY FOR THIS SUPPORT.***

Trained Contact	
Name:	Title:
Phone Number:	Fax Number:
E-mail or Internet Addr:	Pager Number:

Trained Contact	
Name:	Title:
Phone Number:	Fax Number:
E-mail or Internet Addr:	Pager Number:

Trained Contact	
Name:	Title:
Phone Number:	Fax Number:
E-mail or Internet Addr:	Pager Number:



LETTER OF AGREEMENT

Client: City of Kingsville
Address: 200 E Kleberg Ave/P.O. Box 1458
Contact: Antonio Verdin
Phone: (361) 595-8014
Fax: (361) 846-0689
Email: averdin@cityofkingsville.com

Date: July 17, 2013
Project Name: Web Logistics Implementation
PIC: Chris Gerecke
PM: Chad Phillips
Phone: (804) 200-6968
Email: Chad.Phillips@timmons.com

Thank you for allowing Timmons Group to provide professional services for your project. Timmons Group will provide the requested services in compliance with established industry standards, while being mindful of the costs to the client.

SCOPE OF WORK & SCHEDULE OF SERVICES

Timmons Group will provide the services outlined in the Scope of Services, Attachment A. The services will be performed for the fee shown in Project Fee, Attachment B.

Services will be provided in a timely and efficient manner. Timmons Group will keep you informed of the job status and any necessary modifications/addendums. Acknowledgement and acceptance of this Letter of Agreement within seven (7) working days of the above date constitutes SOW and fee schedule acceptance by the (City of Kingsville) and Timmons Group.

The attached SOW generally defines the work to be performed in support of the defined Project. It is understood by Timmons Group and the (City of Kingsville) that a variety of modifications / addendums / revisions to the defined SOW may be required, at various times during the performance of the SOW, to achieve desired Project results. Such modifications / addendums / revisions will be agreed to by both Timmons Group and the (City of Kingsville) and incorporated into the SOW. Significant alterations / deviations from the SOW will be incorporated by written addendum.

Timmons Group shall submit invoices monthly for products and services provided during the previous month in order for those invoices to be processed within the thirty-day period. Timmons Group reserves the right to stop work on any client account that becomes sixty (60) days past due.

In the event of non-payment by Client, Timmons Group shall be entitled to recover all attorneys' fees related to the collection of all amounts due, whether at the trial or appellate level, if a court of competent jurisdiction renders a ruling for Timmons Group. Client also agrees that it shall be liable for the costs of litigation, including court costs, court reporter expenses, and expert witness fees if a court of competent jurisdiction renders a ruling adverse to the client.

Timmons Group will proceed upon receipt of this signed agreement.

Acknowledged & Accepted:

CLIENT

DATE

TIMMONS GROUP

DATE

117 S. 14th Street, Suite 303 | Richmond, VA 23219

TEL 804.521.1065 FAX 804.521.1068

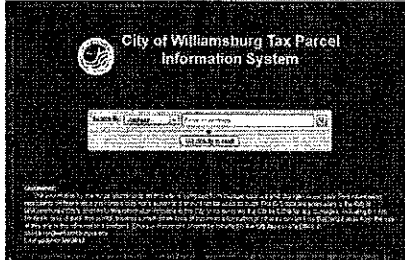
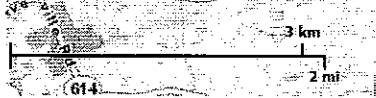

Site Development | Residential | Infrastructure | Technology

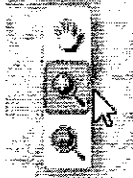


www.timmons.com

Scope of Work

As a basis for the City's new geospatial application, Timmons Group proposes developing a new application for the City based on our Web LoGISTICS product framework. Web LoGISTICS is a web-based geospatial application specifically developed for local government entities to provide mapping of real estate data and attributes.

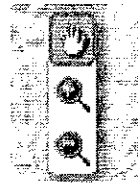
Standard functionality included in Web LoGISTICS is provided below, and customization and additional services are also included. Further customization can be determined with the City at the time of a formal functional requirement definition session.

Map Features	Screenshot	Description
Splash Page Disclaimer		When initially trying to access the site, the user will first encounter a splash page with a parcel boundary disclaimer, search options, and customized Title. The client will provide the text for the disclaimer. User will have the option to perform a search or go directly to the map.
Map Graphic Scale Display		Map displays will include a scale bar. The client will provide scale bar specifications based on candidate styles available through ESRI technologies.
Map North Arrow Display		Map displays will include a north arrow. The client will provide north arrow specifications based on candidate styles available through ESRI technologies.

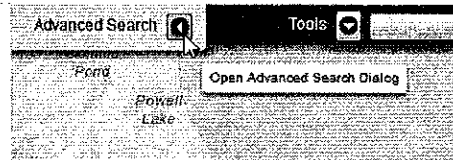
Map Tools	Screenshot	Description
Zoom In		Users will be provided a button on the user interface to allow for zooming in on the map. Users will be able to zoom in using one of two methods. The user can either perform a single left-mouse click operation on the map which will re-center the map at the location of the user's click and zoom in by a factor of 2 or left-drag a box to define a new map extent. Upon releasing the mouse, the map will refresh to the defined box extent.
Zoom Out		The user can either perform a single left-mouse click operation on the map which will re-center the map at the location of the user's click and zoom out by a factor of 2 or left-drag a box to define the new map extent. The new map extent will be calculated as a proportion of the user-defined box and the current map extent. The larger the rectangle drawn, the less zoomed out the new map will be.
Zoom Full Extent		Users will be provided a button on the user interface to allow zoom to the full extent of the map. The full extent of the map is defined by the data contained in the map.

Attachment A

Pan



Tool Tips



Navigation
Zoom to Lat/Long

Enter the coordinates

Longitude (X) *

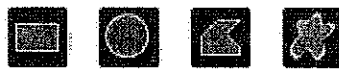
Latitude (Y) *

Graphical Search:



Selection - Select
by Polygon

Graphical Search:



Selection - Select
by Rectangle

Sketch - Sketch
Point on Map

Draw and Measure

Marker Color Style

Size Alpha

Outline Color Width

Sketch - Sketch
Line on Map

Draw and Measure

Line Color Style

Width Alpha

☒ Show Measurements

Distance Units

Users will be provided a button on the user interface to allow for panning the map. The pan button, once selected, will allow the user to either single left click on the map to re-center the map to that point or left mouse drag to move the entire map a certain direction. The map will be refreshed to the new extent once the left mouse button is released.

User will be provided with tool tips. Tool tips are explanations that appear for tool buttons when the user 'hovers' over the tool.

Users will be provided an area to enter Lat and Long coordinates. Once valid coordinates are entered, users will be able to zoom directly to the coordinate on the map.

Users will be presented with a button on the user interface that allows polygon-based selections. As a user creates inflection points, the map will display the polygon dynamically. The map will not be regenerated for each inflection point created. The users will complete the polygon by double-clicking the map. This tool will operate only against the Active Layers defined.

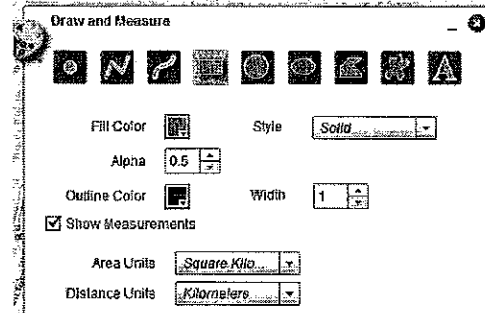
Users will be presented with a button on the user interface that allows for the drawing of a "box" or "rectangle" that "touches" the features they want to select. This tool will allow for feature selection by either clicking a single point or left-dragging the mouse to create a rectangle/box. Selected features will be highlighted on the map. If the user chooses to drag a box, this tool will dynamically show a preview of the selection area as the user drags/moves the mouse.

Users will be provided a tool that allows adding point graphics to the map. Once the tool has been selected, single left mouse clicks will overlay new point graphics as defined by the user.

Users will be provided a tool that allows adding line graphics to the map. Once the tool has been selected, a series of single left mouse clicks will draw a line as defined by the user. A double click will complete the line sketch.

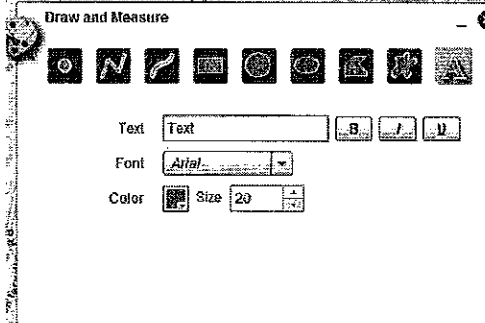
Attachment A

Sketch - Sketch
Polygon on Map



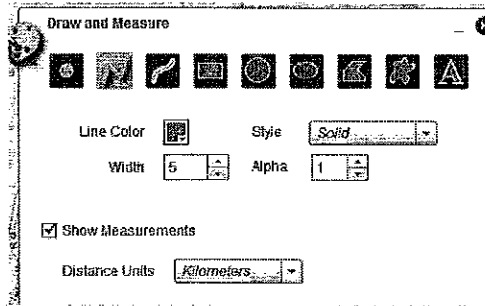
Users will be provided a tool that allows adding polygon graphics to the map. Once the tool has been selected, a series of single left mouse clicks will draw the boundaries of the polygon as defined by the user. A double click will complete the polygon sketch.

Sketch - Add Text
to Map



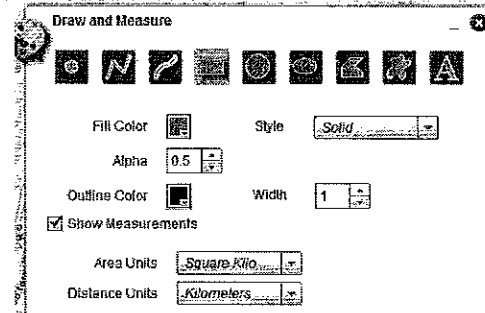
Users will be provided a tool that allows adding text label graphics to the map. Once the tool has been selected, a single left mouse click will open a white text box for the user to type into. The text will be centered where the user makes the initial left mouse click.

Sketch - Clear
Sketches/Text



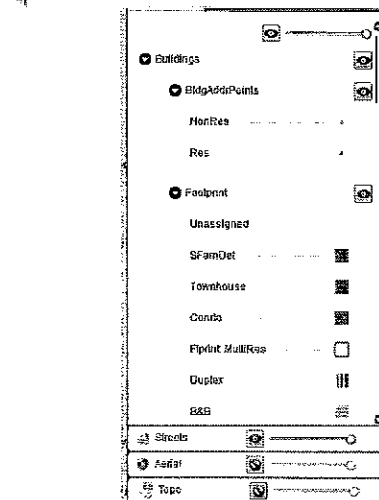
Users will be provided a tool that allows clearing added sketches from the map.

Analysis -
Calculates Line
Distance



Users will be provided a button on the map that will allow for linear measurements. As the user creates inflection points, the map display will reflect the last segment length and total line length dynamically. A double click will complete the measurement.

Analysis -
Calculates
Polygon Area

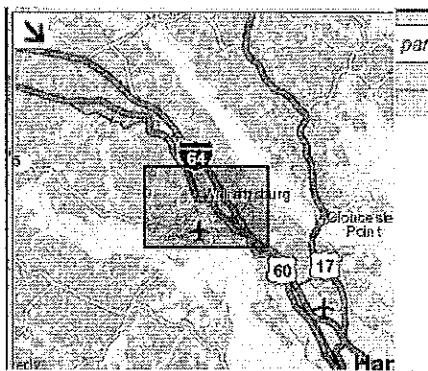


Users will be provided a button on the map that will allow for area measurements. As the user creates inflection points, the map display will reflect the last segment length, total perimeter and area dynamically. A double click will complete the area measurement.

Table of Content
Control

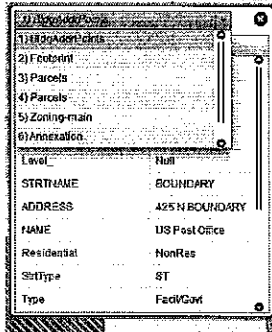
The map will have a table of content which displays all of the layers on the map. From this table, layers may be turned on and off and active layers chosen.

Attachment A



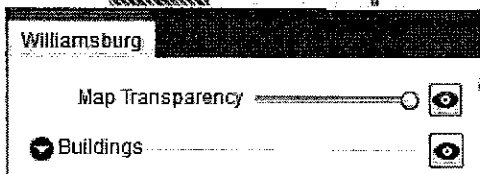
Overview Map

The map will contain a smaller, overview map that displays a smaller scale view of the area surrounding the main map.



Identify

Users will be provided a button on the map that will allow for identifying a point on the map to return all information for features at that underlying point. This is a standard feature that returns all information. This can be customized at an additional cost.



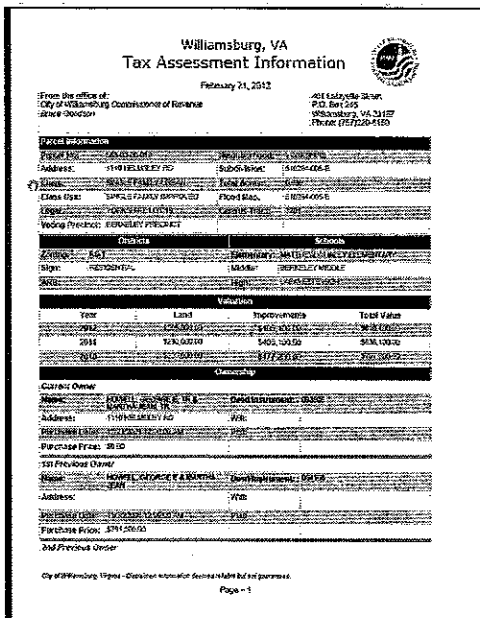
Transparency

Users will have the ability to set transparency for the entire map service using a slider bar in the Layer Control. Client will also be able to determine transparencies on individual layers within the mxid map service.



Bookmarks

User will have the ability to create bookmarks while interacting with the site. Client can have up to 3 predefined bookmarks set during configuration of the site



Report

A customized report will be created based on mock-ups provided by the client. The reports will be tied to a parcel id, and must contain data that can be digitally joined to the existing parcel data set.

Integration Tools

Screenshot



Google Street View

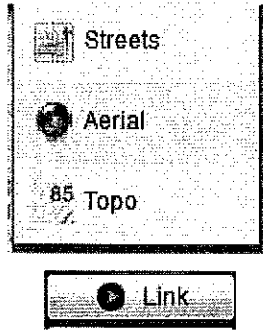
Description

Users will have access to Google Maps through the application. For the given extent of the map, selecting the Google Maps hyperlink will open a new window displaying the extent in Google

Attachment A

Maps.

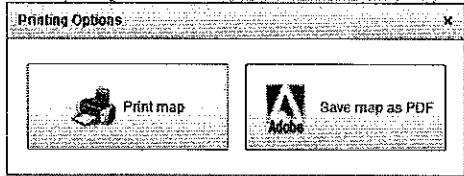
ArcGIS Online Services




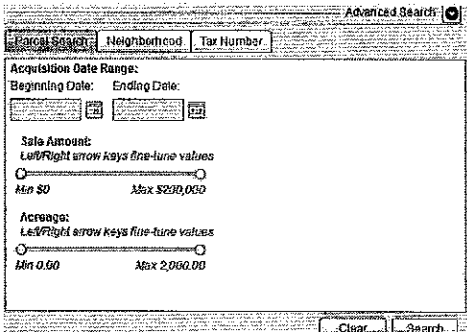


Links

Users will have access to ArcGIS online services including Streetmap view and satellite imagery - this will require data to be displayed in WGS Web Mercator.

A Link page will be provided for users to link to external websites. Website url's will be provided by the client.

Print Settings	Screenshot	Description
Printing		Users will be presented with a print widget that will allow the user to print the map directly to the printer or saving the map to pdf format.

Parcel Search Settings	Screenshot	Description
Search By Address		Users will be provided a tool to search for parcels by address. The field(s) available to search by the user will be defined by the client.
Search By Owner (lname / fname)		Users will be provided a tool to search for parcels by the owner name. The field(s) available to search by the user will be defined by the client.
Search By Parcel ID		Users will be provided a tool to search for parcels by the parcel identifier. The field(s) available to search by the user will be defined by the client.
Advanced Sales Search		Users will be provided a tool to search for parcels by sale date range and/or sale price. The field(s) available to search by the user will be defined by the client.

Attachment A

Search By
Neighborhood/Subdivi
sion

Users will be provided a tool to search for parcels by neighborhood/subdivision. The field(s) available to search by the user will be defined by the client.

Export Data	Screenshot	Description
-------------	------------	-------------

Export to Excel (Parcel data only)

Users will be provided with an export tool. This tool will provide the option to export attribution from selected parcel or parcels to an Excel format. The user will be notified of the path to retrieve the data.

Export Mailing Labels to Excel (Parcel data only)

Users will be provided with an export tool. This tool will provide the option to export attribution from selected parcel or parcels to an Excel format. The user will be notified of the path to retrieve the data. The mailing label data can then be imported to word.

Query Options	Screenshot	Description
---------------	------------	-------------

Adjacent/Buffered
Parcels

Users will be provided with a tool to enable selection of adjoining parcels and selection of parcels buffered from a user-chosen distance.

Caching	Description
---------	-------------

1 Cached Service

One data layer will be cached to provide better map drawing speed.

Help	Screenshot	Description
------	------------	-------------

Adjacent/Buffered
Parcels



.Help icon on toolbar will take users to a selection of narrated help videos displaying how-to directions on how to pan a map, use the query tools, use map layers, how to navigate the map, and how to use the drawing tools.

Project Timeline

The following represents a high-level project timeline that Timmons Group proposes in order to meet the City's desired schedule and deliverables for documentation, development, deployment, and project management.

PROJECT WORK PLAN	MONTH FROM AWARD			
TASK	1	2	3	4
Project Management				
Kickoff Meeting(s) Via Webex (no travel included)				
Weekly Reports, Regular meetings, Daily scrums, and Communication				
Delivery of detailed Project Plan (Microsoft Project format)				
Task 2 – Requirements Definition				
Architecture Requirements				
Data Requirements				
Task 2 – System Design and Analysis				
High Level Functional Requirements / User Stories				
Detailed Functional Requirements (refinement)				
Task 3 – Geospatial Application Development				
Application Development				
Bi-weekly version release reviews				
Test Plan Development				
Task 4 – System Testing				
Deployment to Test environment				
Manual test plan execution				
Resolution of defects produced from system testing				
Task 5 - User Acceptance Testing				
Deployment to UAT environment				
Manual test plan execution and verification by client and Timmons Group				
Resolution of defects produced from UAT				
Task 6 – Implementation				
Phase 1 Deployment to Production environment				

Attachment A

Validation of all functional tests in Production environment				
Task 7 - Final Documentation				
User manual delivered				
Task 8 - WebGIS Go-Live / Release to Users				
Geospatial application released to all users				

AGENDA ITEM #5



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: August 16, 2013
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer
SUBJECT: 16" Emergency Waterline for NAS Kingsville

SUMMARY

This item authorizes a contract amendment between the City of Kingsville and the Federal Government for Naval Air Station Kingsville regarding the Emergency 16" Waterline Extension along General Cavazos Blvd. The amendment includes a 16" bypass to allow for emergency services during meter testing or repairs.

BACKGROUND

On January 14, 2013 City Commission approved the original contract to extend a 16" emergency waterline 1275' along General Cavazos to NAS Kingsville not to exceed \$256,363.00.

Fund (051) – Utility Fund:

Original Contract not to exceed: \$256,363.00
Contract Amendment reduction: (\$21,276.00)
Amended Contract Amount: \$235,087.00

RECOMMENDATION

Staff recommends proceeding with approval of the proposed contract amendment.

FINANCIAL IMPACT

This action will expend \$235,087.00 from fund 051-5-600.1-717.00 Cavazos Water Line Extension and be reimbursed from 051-4-000-940.00.

Approved

Vincent Capell, City Manager

RESOLUTION # 2013-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THIRD REVISED WATER UTILITY SUPPLY CONTRACT (GOV. CONTRACT #N69450-12-C-0011) BETWEEN THE CITY OF KINGSVILLE, TEXAS AND THE FEDERAL GOVERNMENT FOR NAVAL AIR STATION-KINGSVILLE FOR EMERGENCY WATER LINE CONNECTION; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville recognizes that the continued operation of Naval Air Station Kingsville (NAS Kingsville) is important to the economy of the City of Kingsville, Kleberg County, and the region and that its future operational capacity should be protected because it fulfills an essential community purpose; and

WHEREAS, the NAS Kingsville desires to continue purchasing water from the City of Kingsville and the parties recently approved a new ten (10) year water utility supply contract in 2012; and

WHEREAS, in January 2013, the parties approved an amendment to the agreement to install an emergency water line connection from the City's main water line to the new base wide water distribution system on Naval Air Station Kingsville; and

WHEREAS, the parties now desire to amend the agreement to include a 16" bypass to allow for emergency services during meter testing or repairs; and

WHEREAS, the parties believe the contract amendment to be in the best interest of both parties;

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Third Revised Water Utility Supply Contract with the federal government to supply water to Naval Air Station-Kingsville 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
26th day of August, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE J		PAGE OF PAGES 1 5		
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE 13-Aug-2013		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO. (If applicable)	
6. ISSUED BY NAVFAC SOUTHEAST ACQ CORE UTILITIES BLDG 903, PO BOX 30 JACKSONVILLE FL 32212-0030		CODE N69450		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) KINGSVILLE, CITY OF 1700 E KING ST KINGSVILLE TX 78363-5628				9A. AMENDMENT OF SOLICITATION NO.			
				9B. DATED (SEE ITEM 11)			
				X 10A. MOD. OF CONTRACT/ORDER NO. N69450-12-C-0011			
				X 10B. DATED (SEE ITEM 13) 01-Jun-2012			
CODE 5VBDB8		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
X C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 52.243-1 Alt I Changes - Fixed Price							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Modification Control Number: jacada55132787 Prepared by: Garske, Robert B. This Modification will accomplish the following: - Finalize price and scope to finish emergency water line connection to on base water system - Update Cage Code as requested by Contractor - Change funding document (for Government purposes only) - Change address where monthly invoices are to be sent - Provide guidance for submission of connection invoices Acceptance of this modification by the contractor constitutes an accord and satisfaction and represents payment in full for both time and money and for any and all costs, impact effect, and for delays and disruptions arising out of, or incidental to, the work as herein revised. Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: EMAIL:			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
(Signature of person authorized to sign)				BY		(Signature of Contracting Officer)	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

P00003

Statement of Work

This modification will add a 16" bypass line around the City installed water meter located in the vicinity of the new connection location for NAS Kingsville and to change the terminal point of the extension to be located on Navy property.

Item 1: Bypass line

The off base portion of the 16" water main to be constructed on Texas Department of Transportation (TxDOT) right of way along General Cavazos Blvd shall include a 16" bypass line and 16" gate valve routed around the 8'x6' South Master Meter Vault as shown on sheet 01C□047 of the construction plan sheets for the Potable Water System Replacement Project.

Item 2: relocate connection point

The City of Kingsville will relocate the 16" gate valve currently serving as the termination from the TxDOT right of way to a location on Navy property on the south side of the NAS Kingsville perimeter fence to serve as the connection point for the Navy□constructed continuation of the water line onto NAS Kingsville.

Invoice Submission for Connection ONLY

Submit invoice(s) to the following email inbox for timely processing;

NAVFACSEUTINVOICES@NAVY.MIL

SECTION A - SOLICITATION/CONTRACT FORM

The total cost of this contract was decreased by \$21,276.00 from \$1,756,363.00 (EST) to \$1,735,087.00 (EST).

The contractor organization has changed from
KINGSVILLE, CITY OF
200 E KLEBERG AVE
KINGSVILLE TX 78363-4573
to
KINGSVILLE, CITY OF
1700 E KING ST
KINGSVILLE TX 78363-5928

SECTION B - SUPPLIES OR SERVICES AND PRICES

CLIN 0001

The unit price amount has decreased by \$21,276.00 from \$1,756,363.00 to \$1,735,087.00.

The total cost of this line item has decreased by \$21,276.00 from \$1,756,363.00 (EST) to \$1,735,087.00 (EST).

SUBCLIN 000102 is added as follows:

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
000102	FUND ACRN AB FFP Funding Doc. No.: N6945013RCK3328 Customer ACRN:AA FOB: Destination MILSTRIP: N6945013RCK3328				\$0.00
NET AMT					\$0.00
ACRN AB CIN: 00000000000000000000000000000000					\$235,087.00

SECTION E - INSPECTION AND ACCEPTANCE

The following Acceptance/Inspection Schedule was added for SUBCLIN 000102:

INSPECT AT	INSPECT BY	ACCEPT AT	ACCEPT BY
Destination	Government	Destination	Government

SECTION F - DELIVERIES OR PERFORMANCE

The following Delivery Schedule item for CLIN 0001 has been changed from:

DELIVERY DATE	QUANTITY	SHIP TO ADDRESS	UIC
POP 01-JUN-2012 TO 31-MAY-2022	N/A	N/A FOB: Destination	

To:

DELIVERY DATE	QUANTITY	SHIP TO ADDRESS	UIC
POP 01-JUN-2012 TO 01-MAR-2022	N/A	N/A FOB: Destination	

The following Delivery Schedule item has been added to SUBCLIN 000102:

DELIVERY DATE	QUANTITY	SHIP TO ADDRESS	UIC
POP 02-JUL-2013 TO 15-OCT-2013	N/A	NAVFAC SOUTHEAST JACK R KOPATZ PWD KINGSVILLE 201 NIMITZ AVE, BLDG 4711 KINGSVILLE TX 78363-5103 361-516-6044 FOB: Destination	N69450

SECTION G - CONTRACT ADMINISTRATION DATA

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was decreased by \$21,276.00 from \$256,363.00 to \$235,087.00.

SUBCLIN 000101:

AA: 97X4930 NE1K 000 77777 0 069450 2F 000000 69450RCK2400 (CIN 00000000000000000000000000000000) was decreased by \$256,363.00 from \$256,363.00 to \$0.00

SUBCLIN 000102:

Funding on SUBCLIN 000102 is initiated as follows:

ACRN: AB

CIN: 00000000000000000000000000000000

Acctng Data: 97X4930 NE1K 000 77777 0 069450 2F 000000

Increase: \$235,087.00

Total: \$235,087.00

Cost Code: 69450RCK3328

The following have been modified:

PAYMENT AND BILLING

G.2. Payment

The contractor shall be paid by the designated disbursing office for service furnished hereunder at the rates specified. The Government shall be liable for the minimum monthly charge, if any, commencing with the billing period in which service is initially furnished and continuing until this contract is terminated, except that the minimum monthly charge shall be equitably prorated for the billing period in which commencement and termination of this contract shall become effective.

Payments shall not be made in advance of the service rendered.

The Government shall be entitled to any discounts customarily applicable to payment of bills by all customers of the Contractor.

Invoices for service rendered hereunder shall contain statements of the meter readings at the beginning of the billing period, meter constants, consumption during the billing period, and such other pertinent data as shall be required by the Government.

The contractor hereby declares that rates are not in excess of the lowest rates now available to any existing or prospective customer under like conditions of service, or of the same classification, and agrees that during the life of this contract the Government shall continue to be billed at the lowest available rate for similar conditions of service.

G.3. Billing Information

Navy bills are to be mailed directly from the vendor/utility provider to the Navy's vendor (SourceNet) for processing at the address shown below. Therefore, the "Bill To" and/or "Mail To" Should be addressed as follows:

For account #04400151000:

Utility Invoice Processing Center
Box 159 SE_16_FW_00001
9226 Third Avenue
Norfolk, VA 23511-2313

Submission of invoices to another location/address will result in a rejection of the invoice.

(End of Summary of Changes)

AGENDA ITEM #6



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: August 16, 2013
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer
SUBJECT: Bid 13-04 16" Emergency Water Line Extension, (Change Order)

SUMMARY

This item authorizes a Change Order between the City of Kingsville and E-Tech Construction for the addition of the 16" bypass Emergency 16" Waterline Extension along General Cavazos Blvd. The amendment includes an extension to NAS Kingsville property and a 16" bypass to allow for emergency services during meter testing or repairs.

BACKGROUND

On January 14, 2013 City Commission approved Bid 13-04 to extend a 16" emergency waterline 1275' along General Cavazos to E-Tech Construction for the installation of the waterline in the amount of \$188,686.25; this phase of the project is complete. The Navy has requested additional work consisting of 120' of 16" waterline to include a meter vault bypass and extension of the project to NAS property.

Fund (051) – Utility Fund:

Original Contract E-Tech \$188,686.25

Change Order \$46,400

Total Contract \$235,086.25

RECOMMENDATION

Staff recommends proceeding with approval of the proposed Change Order.

FINANCIAL IMPACT

Budget neutral. This action will expend \$235,086.25 from fund 051-5-600.1-717.00 Cavazos Water Line Extension and be reimbursed from 051-4-000-940.00.

Approved

Vincent Capell, City Manager

AGENDA ITEM #7



Date: August 21, 2013

To: City Commission via City Manager

From: Cynthia Martin, Downtown Manager

Re: Request for City Support for Downtown Events

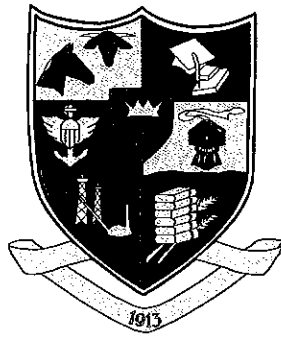
We have attended meetings with the Kleberg County Centennial Celebration Committee and conveyed our support for the centennial celebration. The Committee has applied for sponsorship of this event from the City of Kingsville in terms of waiver of fees and support from City departments for this event. The event will be held Friday, August 30, 2013, 5 – 10 PM and Saturday, August 31, 2013 9 AM – 10 PM with a Friday evening concert at the JK Northway on the 30th; on Saturday, a parade and ceremony downtown in the morning; activities Saturday afternoon at the JK Northway and a Saturday evening concert at the JK Northway on August 31st.

The Committee is requesting City support in the form of street closing, parade permit, speaker permit, vendor fees, the participation of staff and vehicles from the Police, Health and Public Works departments, barricades, trash cans and a waiver of fees. Estimated cost is \$4,672. We request that these waivers and services be considered an in-kind sponsorship.

Cost for City support for the Kleberg County Centennial Celebration
Aug. 30-31, 2013

Police	\$3,395
KPD asked to provide security for the event Aug 30-31	
Public Works – Set up and remove barricades for the parade and ceremony at the Courthouse; provide out trash cans and trash pick up services for the events at JK Northway	612
Health Department	350
Waiver of health permit fees	
Other – waiver of fees for street closing and vendor fees	<u>315</u>
Total	\$4,672

Juan M. Escobar
County Judge



Kleberg County
P. O. Box 72
Kingsville, TX 78364
Phone (361)595-8526
Fax (361)595-8536

COUNTY of KLEBERG
KINGSVILLE, TEXAS

Let's Celebrate Like It's 1913

In August of this year, Kleberg County will become 100 years old. This is a special opportunity for us to come together as a community to celebrate our heritage and honor its legacy.

A Centennial Event Committee has been formed by the Kleberg County Commissioner's Court and members will be working directly with the community, its organizations, and schools in planning events that will commemorate Kleberg County's 100th birthday. This celebration is scheduled for August 30 & 31, 2013.

The main function during this celebration will be the Pinto Bean & BBQ Cook-Off. We would be honored if you would help us celebrate this historic event by making a monetary contribution. We are in the preliminary stages of planning and your donations will help fund this event. All net proceeds will benefit the Kleberg County Scholarship Fund. Also, keep in mind that Kleberg Bank has graciously volunteered to match up to \$25,000 in donations for the Kleberg County Scholarship Fund, so every dollar counts! Special recognition will be given to all who contribute toward the success of this function.

Sponsorship Levels: (VIP area will serve food and adult beverages for VIP guest only during the event.)

Diamond Sponsorship:

\$5,000 includes being the Event Sponsor, a Booth, 16 VIP Passes, 2 entries to The Pinto Bean BBQ Cook-off, a Banner and Stage Recognition.

Platinum Sponsorship:

\$2,000 includes a Booth, 8 VIP Passes, 1 entry to The Pinto Bean BBQ Cook-off, a Banner and Stage Recognition.

Gold Sponsorship:

\$1,000 includes 1 entry to The Pinto Bean BBQ Cook-off, 4 VIP Passes, a Banner and Stage Recognition

Silver Sponsorship:

\$500 includes 4 VIP Passes Stage Banner Recognition and Stage Recognition.

Bronze Sponsorship:

\$250 includes 2 VIP passes and Stage Recognition.

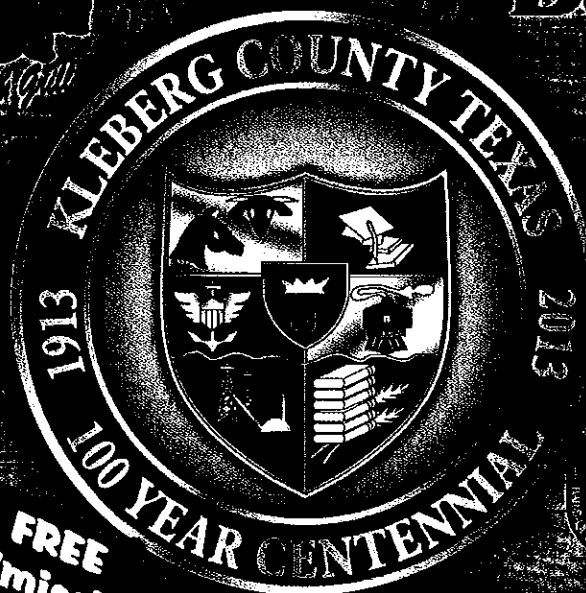
We greatly appreciate your consideration of our request. Donations should be made out to Kleberg County Centennial. Please mail this donation to P.O. Box 1327, Kingsville, Texas 78364. If you have any questions, please feel free to contact committee members Daniel Morales (361)219-0410 or Noe Ortiz (210)381-7175.

We look forward to a successful day, and we look forward to seeing you there. Let's make this day an unforgettable one!



Ainsworth
TRUCKING

Kleberg
Since 1905
Bank



FREE
Admission



FREE
FOOD

Friday, August 30, 2013

J.K. Northway Expo Center Grounds - Escondido Road at Dick Kleberg Park

1pm - Pinto Bean & BBQ Cook-Off Entries Check-In

8pm - Live Band Concert Retono

Musical Guests

Main Events
Saturday, August 31, 2013

Downtown Kingsville - Kleberg Avenue

10am - Parade Begins at Pfc Daniel Alarcon Street and Ends at the Court House

11am - Flag Raising Ceremony on the grounds of Kleberg County Courthouse

11:30am - Rededication of the Kleberg County Courthouse, West Side Steps

12pm Noon - Reception inside the corridor of the Kleberg County Courthouse

Event Moves to the J.K. Northway Expo Center at Dick Kleberg Park

1pm - Vendors, Taste of Kleberg County, Pinto Bean & BBQ Cook-Off, Music, Historian Events,

Free Food, Children's Play area, Health Fair, and Many More Activities.

5pm - BBQ Awards Presentation

6pm - Live Bands Concert - Reverend's Daughter / Jesse and The Texas Image Band.

Please Call Daniel Morales at 361-219-0410 Or Noe Ortiz @ 210-331-7175
for information regarding Pinto Bean BBQ Cook-Off or Centennial events.

Bring Your
Lawn Chairs



RETONO



REVEREND'S DAUGHTER



\$7500
BBQ Cash Prizes

AGENDA ITEM #8



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: Monday August 19, 2013
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer
SUBJECT: Interlocal Agreement between Kleberg County and City of Kingsville for Road Improvement

SUMMARY

This item authorizes the City Manager to enter into an agreement with Kleberg County to accept assistance from Kleberg County to repair Franklin Adams Road, from County Road 1030 to Trant Road within the Kingsville city limits.

BACKGROUND

One of the roadways scheduled on the City of Kingsville's 2013 Street Reconstruction program is Franklin Adams Road, from General Cavazos to Trant Road. Franklin Adams Road is a direct route out of the City of Kingsville's city limits. The majority of the end users of this portion of the roadway are county residents (Escondido Estates, Ricardo, etc.). Therefore, the Kleberg County Commissioner of Precinct #3 approached the City of Kingsville offering equipment and manpower assisting in this portion of the roadway. The County's assistance will consist of prepping the roadway for the new pavement, saving the City over a week of production time.

RECOMMENDATION

The proposed agreement would be beneficial in completing the 2013 Street reconstruction program in a timely manner. Staff recommends proceeding with approval of the proposed Interlocal Agreement.

FINANCIAL IMPACT

There is no financial impact to accepting this interlocal Agreement.

Approved

Vincent Capell, City Manager

RESOLUTION # 2013-__

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN KLEBERG COUNTY AND THE CITY OF KINGSVILLE FOR ROAD IMPROVEMENT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of the Texas Transportation Code, Section 253.012 and the Texas Local Government Code Chapter 791 (Interlocal Cooperation Act), a local governmental body may contract or agree with one or more local government bodies for the performance of governmental functions in which the contracting parties are mutually interested; and

WHEREAS, the parties desire to enter into an Agreement for improving a road (Franklin Adams from General Cavazos Blvd. to Trant Road) pursuant to an order or resolution approved by each of the governing bodies;

WHEREAS, the County approved an order or resolution authorizing the Interlocal Agreement whereby the County will assist in improving Franklin Adams Road as it is in need of repair and serves a county purpose;

WHEREAS, the improvement of this stretch of Franklin Adams Road is on the City's 2013 Street Reconstruction Program and the County's assistance with prepping the roadway will save the City over a week of production time;

WHEREAS, the County and the City desire to use their resources to improve the health, safety, and quality of life of the residents of their jurisdictions.

NOW THEREFORE, 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 Cooperation Agreement Between Kleberg County and the City of Kingsville for Road Improvement 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
____ 26th day of _____ August _____, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

INTERLOCAL AGREEMENT BETWEEN KLEBERG COUNTY AND CITY OF KINGSVILLE FOR ROAD IMPROVEMENT

This Interlocal agreement is made, entered into and executed by and between the County of Kleberg, a body corporate and politic under the laws of the State of Texas, referred to as "Kleberg County" and City of Kingsville a municipal corporation under the laws of the State of Texas, hereinafter referred to as "City"; pursuant to the Texas Transportation Code, Section 253.012, and the Texas Government Code Chapter 791 (Interlocal Cooperation Act).

WHEREAS, pursuant to the provisions of the Texas Transportation Code, Section 253.012, and the Texas Government Code Chapter 791 (Interlocal Cooperation Act), a county and a municipality may, pursuant to order or resolution of its governing body, enter into an Agreement for improving a road located in the City of Kingsville;

WHEREAS, the City desires that the County assist in improving Franklin Adams Road located in the City;

WHEREAS, Franklin Adams Road located between County Road 1030 and County Road 2070 is in need of repair, and the County desires to assist the City in improving said road;

WHEREAS, the governing body of the County find that the improvement of the road serves a county purpose and;

NOW THEREFORE, for and in consideration of the premises and the mutual promises, covenants and agreements set forth in this agreement, the parties enter into this agreement under the following terms and conditions:

1. RESPONSIBILITIES.

- a. The County will provide equipment and manpower for the improvement of Franklin Adams Road.
- b. Commissioner, Precinct #3 will be responsible for coordinating with the City, the date and time of assistance;
- b. City will be responsible for furnishing all materials for the improvement of the said road.

2. **APPROVAL BY GOVERNING BODIES.** Each party represents that this Agreement has been duly passed and approved by the governing body of the party as required by the Texas Transportation Code, Section 253.012.

3. **TERM .**

- a. This Agreement shall terminate upon completion of the improvements to Franklin Adams Rd.
- b. This Agreement may be terminated at any time by any party with or without cause upon advance written notice.
- c. Any notice of termination shall be sent to the other party to this agreement at the address listed in paragraph 6 of this agreement.

4. **SEVERABILITY.** If any portion of this agreement, or its application to any person or circumstance, is held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this agreement shall not be affected and shall continue to be enforceable under the terms of this agreement.

5. **NOTICES.** Notices under this Agreement shall be addressed to the parties as indicated below, unless changed by written notice to such effect, and shall be effected when delivered or when deposited in the U.S. mail, postage prepaid, certified, return receipt requested.

City of Kingsville
Attn: City Manager
P.O. Box 1458
Kingsville, Texas 78364
Telephone: (361) 595-8002
Facsimile: (361) 595-8035

Kleberg County
Attn: County Judge
P.O. Box 752
Kingsville, TX 78363
Telephone: 361-595-8585
Facsimile: 361-595-8035

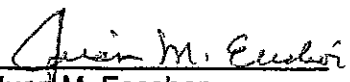
6. **PERFORMANCE/GOVERNING LAWS.** This agreement shall be performed in Kleberg County, Texas, and shall be governed by the laws of the State of Texas.

7. **VENUE.** Venue for an action arising under this Agreement is in Kleberg County, Texas.


8. **ASSIGNMENT.** This Agreement is binding upon and inures to the benefit of the parties to this Agreement and their respective successors and permitted assigns. This Agreement may not be assigned by any party without the written consent of all of the parties.

- 9. NOT FOR THE BENEFIT OF THIRD PARTIES.** This Agreement and all activities under this Agreement are solely for the benefit of the parties and not the benefit of any third party.
- 10. WARRANTY.** The individuals executing this agreement on behalf of each party represent and warrant that they are each the duly authorized representatives of such party on whose behalf the individuals are signing, each with full power and authority to bind said party to each term and condition set forth in this agreement.
- 11. IMMUNITIES NOT WAIVED.** Nothing in this Agreement waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Agreement and the performance of the covenants contained in this Agreement.
- 12. MUTUAL INDEMNIFICATION.** To the extent allowed by the Constitution and Laws of the State of Texas, County and City agree that each party assumes any and all risks of liability, loss, damages, claims, or causes of action and related expenses, including attorney fees, caused or asserted to have been caused directly or indirectly by or as the result of the negligent acts or omissions of that party and the officers, employees, and agents thereof.
- 13. INTERLOCAL COOPERATION ACT APPLIES.** The parties enter into this Interlocal Agreement under the Texas Government Code Chapter 791 (Interlocal Cooperation Act). The parties agree that activities under this Agreement are "governmental functions and services" and that the parties are a "local government" as that term is defined in this Agreement and in the Interlocal Cooperation Act.
- 14. ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the parties and supersedes any and all agreements previously entered into by these same parties pertaining to the improvement of Franklin Adams Rd. Any amendments must be made in writing and signed by all parties, as provided in paragraph 5 of this agreement.
- 15. EFFECTIVE DATE.** This Agreement is effective on the date when the last party executes this agreement.
- 16. MULTIPLE ORIGINALS.** Two (2) copies of this Agreement are executed; each shall be deemed an original.

EXECUTED by the County of Kleberg on the ____ day of August, 2013.


Juan M. Escobar
County Judge

ATTEST:


Leo Alarcon
Kleberg County Clerk

APPROVED AS TO FORM:


Delma Rios Salazar
Kleberg County Attorney

EXECUTED by the City of Kingsville on the _____ day of _____, 2013.

City Manager

ATTEST:

City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

AGENDA ITEM #9

ORDINANCE 2013-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 1.43 ACRES OUT OF LOT 1-10, BLOCK 1, ESCONDIDO PARK 4 SUBDIVISION KNOWN AS 800 ESCONDIDO ROAD FROM R-3 MULTI-FAMILY DISTRICT TO R-1 SINGLE-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Robert Garza, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, July 17, 2013 during a meeting of the Planning and Zoning Commission, and on Monday, August 26, 2013 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the Planning & Zoning Commission by a 5-0 vote approved the requested rezone; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 1.43 acres out of Escondido Park 4, Block 1, Lot 1-10, Lot PT common ground with lots 11-17, known as 800 Escondido Road from R-3 Multi-Family District to R-1 Single Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 3. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 4. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 26th day of August, 2013.

PASSED AND APPROVED on this the ____th day of September, 2013.

THE CITY OF KINGSVILLE

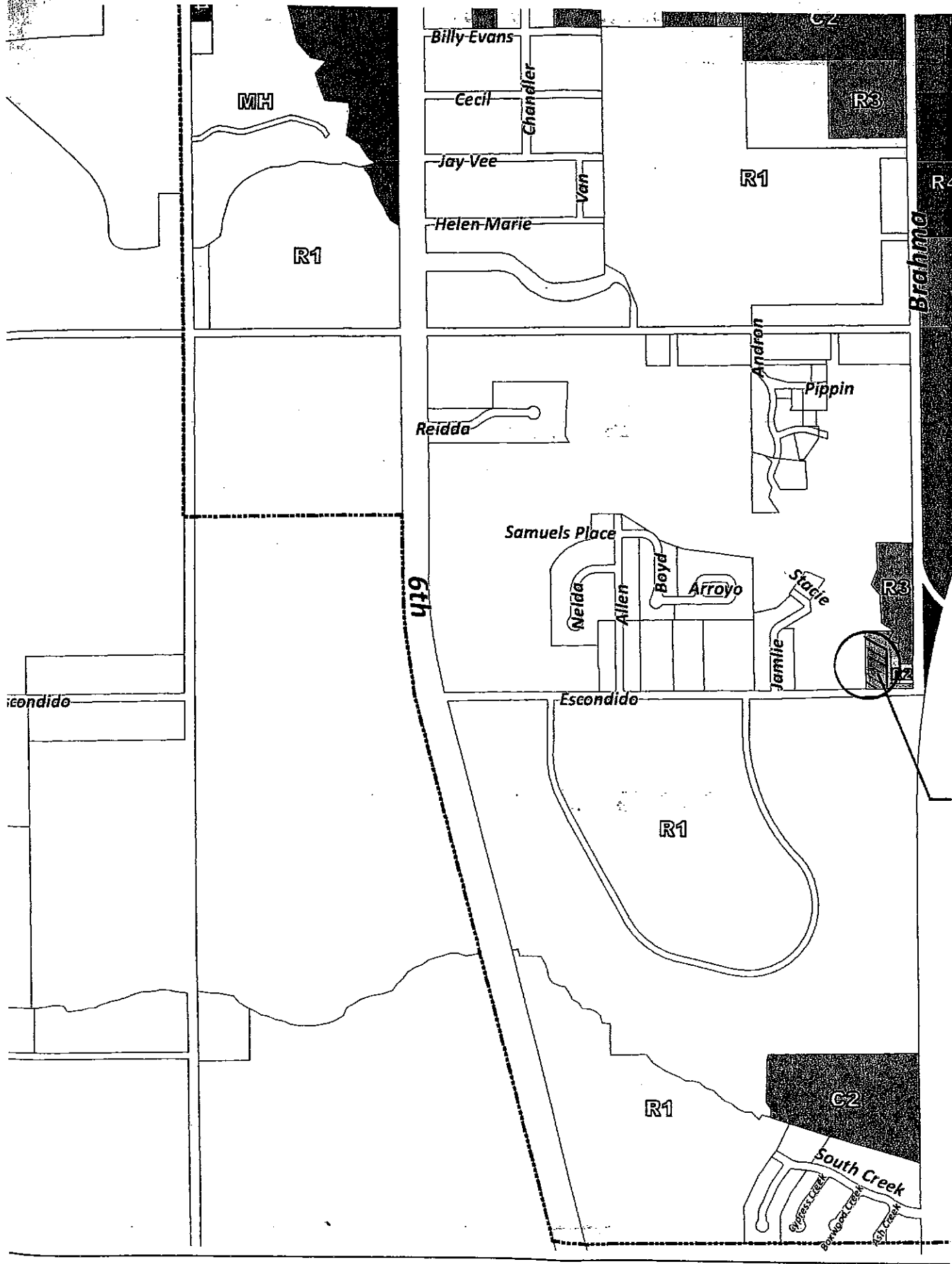
Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

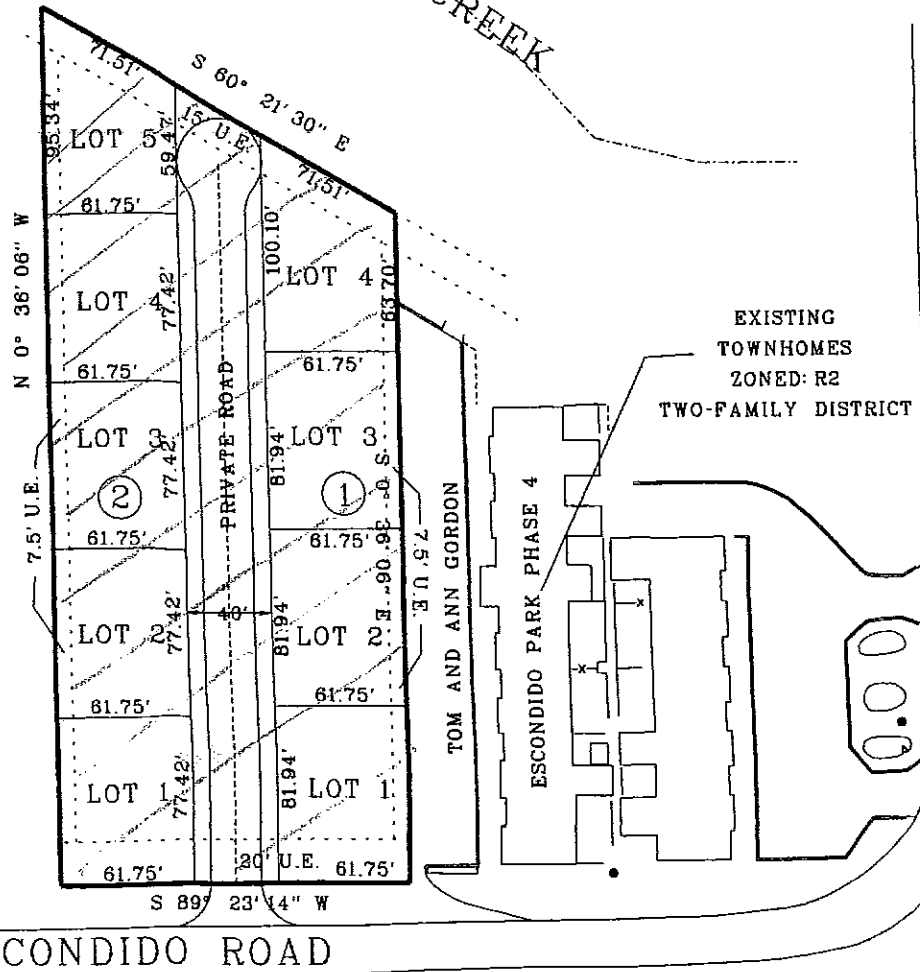


SOUTH CREEK ESTATES
SUBDIVISION
KINGSVILLE, TEXAS

SANTA GERTRUDIS CREEK

VACANT LAND
AGRICULTURAL USE
ZONED: R1
SINGLE-FAMILY DISTRICT

KLEBERG TOWN
AND
IMPROVEMENT COMPANY
SECTION 21
LOT 13



ESCONDIDO ROAD

PROPOSED SUBDIVISION ZONING REQUEST

CURRENT ZONING: R3- MULTI-FAMILY DISTRICT

PREPARED BY: APEX SURVEYING AND MAPPE

— LAND SURVEYORS —



Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Vincent Capell, City Manager

FROM: Robert G. Isassi, P.E., Director of Planning & Development Services

SUBJECT: **Request to Re-zone 800 Escondido Rd. from R3 to R1**

DATE: August 16, 2013

This is a request from Robert A. Garza to re-zone the 1.43 acres of Lot 1, Block 10 of the Escondido Park 4 Subdivision from a Multi-family R3 District to a Single-Family R1 District.

This request was unanimously approved by Planning & Zoning Commission at the latest meeting on July 17th, 2013. The petitioner is requesting the zoning change to construct nine (9) single-family garden homes with a gated entrance and privately-maintained cul-de-sac road. The developer will be working with the City on the construction and layout of these homes to meet City Ordinances once the subdivision is re-zoned.

Staff recommends approval of this request based on its conformance with the goals & policies contained in all of the elements of the current Master Plan, the proposal is not detrimental to the public health, safety, and welfare, it will not generate inappropriate or hazardous traffic levels in the area, nor is it detrimental to existing or potential adjacent land uses.

Staff Report to the PLANNING & ZONING COMMISSION and CITY COMMISSION

By the Planning & Development Services Department, Planning Division
for the City of Kingsville, Texas

**Request: APPROVAL OF REZONING A 1.43 ACRE TRACT OF LOT 1,
BLOCK 10 OF ESCONDIDO PARK 4 SUBDIVISION LOCATED
AT 800 ESCONDIDO ROAD; FROM R-3, MULTI-FAMILY
DISTRICT TO AN R-1, SINGLE FAMILY DISTRICT.**

Petitioner & Agent: Robert A. Garza
Date of P&Z Hearing: July 17th, 2013

Comprehensive Plan Land Use: Private / Housing
Existing Zoning Classification: R-3, Multi-Family District
Adjacent Zoning: North: Santa Gertrudis Creek
South: R-1: City / County Dick Kleberg Park
East: R-2: Two-Family District & R-3: Multi-Family Dist.
West: R-1: Single-Family District

EXISTING INFRASTRUCTURE

Transportation: Escondido Rd. – Local
Community Facilities: Services provided
Capital Improvements: Services provided
Fire Station Proximity: 2.4 driving miles
100 Year Floodplain: The property is not within a floodplain.

EXHIBITS PRESENTED

- Chapter 15 of the Kingsville Code of Ordinances (present at the meeting)
- City of Kingsville Master Plan (present at the meeting)
- Site Plan
- Mailing list of owners within 200 feet

BACKGROUND AND HISTORY

The petitioner is requesting a zoning district change in order to facilitate the construction of a 2 block, 9 lot, single-family residential district subdivision with a private, gated road. The historical use of this property has been brush and open field with no development history. Lots in the surrounding area have been developing single-family homes to the west and townhouse apartments to the east. The surveyor has stated that the gated road will be privately owned and maintained after construction.

FIELD INSPECTION AND PERTINENT DATA

Existing condition of the land is as parking lot with minor brush land. A minor strip of land deeded to Tom & Ann Gordon serves at the west side parking for the townhome apartments.

STAFF REVIEW AND RECOMMENDATION

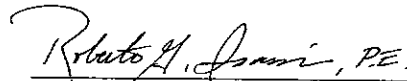
In general, Planning and Zoning Commission considers the following factors when making a recommendation on Zoning District Changes:

1. Whether the proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. Whether the proposal is in keeping with the purpose of the zoning districts.
3. Whether the proposal is detrimental to the public health, safety and welfare.
4. Whether the proposal is detrimental to existing or potential adjacent land uses.
5. Whether the proposal will generate traffic levels inappropriate, hazardous, or detrimental to the existing or potential nearby land uses.

Staff recommends **APPROVAL** of this request with the following findings:

1. The proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. The proposal is in keeping with the purpose of the zoning districts.
3. The proposal is not detrimental to the public health, safety, and welfare.
4. The proposal is not detrimental to existing or potential adjacent land uses.
5. The proposal will not generate inappropriate, hazardous, or detrimental traffic levels in the existing or nearby area.

Prepared by:



Robert G. Isassi, P.E.

Director of Planning & Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 800 Escondido RD Nearest Intersection ESCONDIDO + JAMLIE

(Proposed) Subdivision Name SOUTH CREEK ESTATES Lot 1-10 Block _____

Legal Description: ESCONDIDO PARK PHASE 4

Existing Zoning Designation R3 (MULTI-FAMILY) Future Land Use Plan Designation R1 (SINGLE-FAMILY)

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent ROBERT A. GARZA Phone 361-522-4868 FAX 361-592-3031

Email Address (for project correspondence only): ROB GARZA @ PEOPLE PC. COM

Mailing Address 345 DANA City KINGSVILLE State TX. Zip 78363

Property Owner ROBERT A. GARZA
ROEL NUNEZ Phone 361-522-4868 FAX 361-592-3031

Email Address (for project correspondence only): ROB GARZA @ PEOPLE PC. COM

Mailing Address 345 DANA City KINGSVILLE State TX. Zip 78363

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

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

Please provide a basic description of the proposed project:

SINGLE-FAMILY SUBDIVISION (9 LOTS)
SMALL GARDEN STYLE HOMES

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

Applicant's Signature Robert A. Garza Date: 6-27-13
Property Owner's Signature Robert A. Garza Date: 6-27-13
Accepted by: Jessica Ford Date: _____

Application Check List for a Re-Zoning

The following must be submitted prior to the application deadline. Otherwise, the application will be deemed incomplete and may result in unnecessary delays: (Please ✓ when complete)

Site and landscape plans: 1 full size and 15 - 11"x17" reductions (copies from PMT reduction)

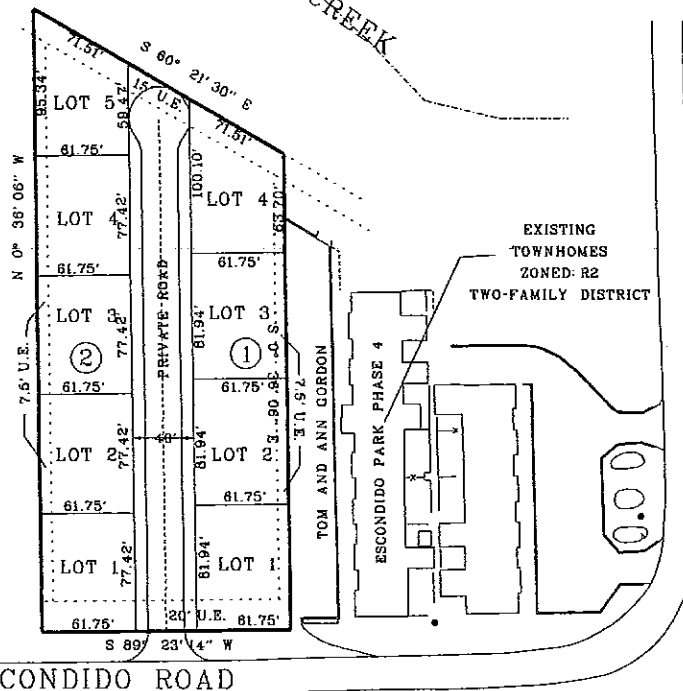
- ☒ 1. A written description of the requested zoning district and the proposed use. (REFERENCE SITE PLAN)
- ☒ 2. A site plan showing the location, dimension, material and configuration of all existing buildings, structures and other improvements.
- ☒ 3. The lot size in square feet and the dimensions thereof.
- ☒ 4. The land uses surrounding the lot(s) for which site plan approval is being sought.
- ☒ 5. The zoning on the lots and parcels surrounding the lot(s) for which site plan approval is being sought.
- ☒ 6. Such additional information as the city planner may deem pertinent and essential to the application.

Please note that this process can take up to 100 days.

SOUTH CREEK ESTATES
SUBDIVISION
KINGSVILLE, TEXAS

VACANT LAND
AGRICULTURAL USE
ZONED: R1
SINGLE-FAMILY DISTRICT

KLEBERG TOWN
AND
IMPROVEMENT COMPANY
SECTION 21
LOT 13



EXISTING
TOWNHOMES
ZONED: R2
TWO-FAMILY DISTRICT

ESCONDIDO ROAD

PROPOSED SUBDIVISION ZONING REQUEST

CURRENT ZONING: R3- MULTI-FAMILY DISTRICT
PROPOSED ZONING: R1- SINGLE-FAMILY DISTRICT

PROPOSED PROJECT IS THE CREATION OF A 2 BLOCK, 9 LOT SIBDIVISION
OF GARDEN HOMES FOR THOSE DESIRING SMALL YARDS IN A GARDEN
STYLE HOME SETTING. THERE WILL BE A PRIVATE GATED ROAD FROM
THE EXISTING ESCONDIDO ROAD.

BLOCK 1, LOTS 1-4: 5059.80 S.F.

BLOCK 2, LOTS 1-5: 4780.89 S.F.

HOMES WILL BE CONSTRUCTED OF WOOD FRAME WITH MASONRY EXTERIOR.
THEY WILL RANGE IN SIZE FROM 1400 S.F. TO 2200 S.F. AND WILL BE
PRICED FROM THE LOW \$100,000.00 TO THE \$200,00.00 RANGE

PREPARED BY: APEX SURVEYING AND MAPPING
LAND SURVEYORS

4737 KOSAREK DRIVE
CORPUS CHRISTI, TEXAS 78415

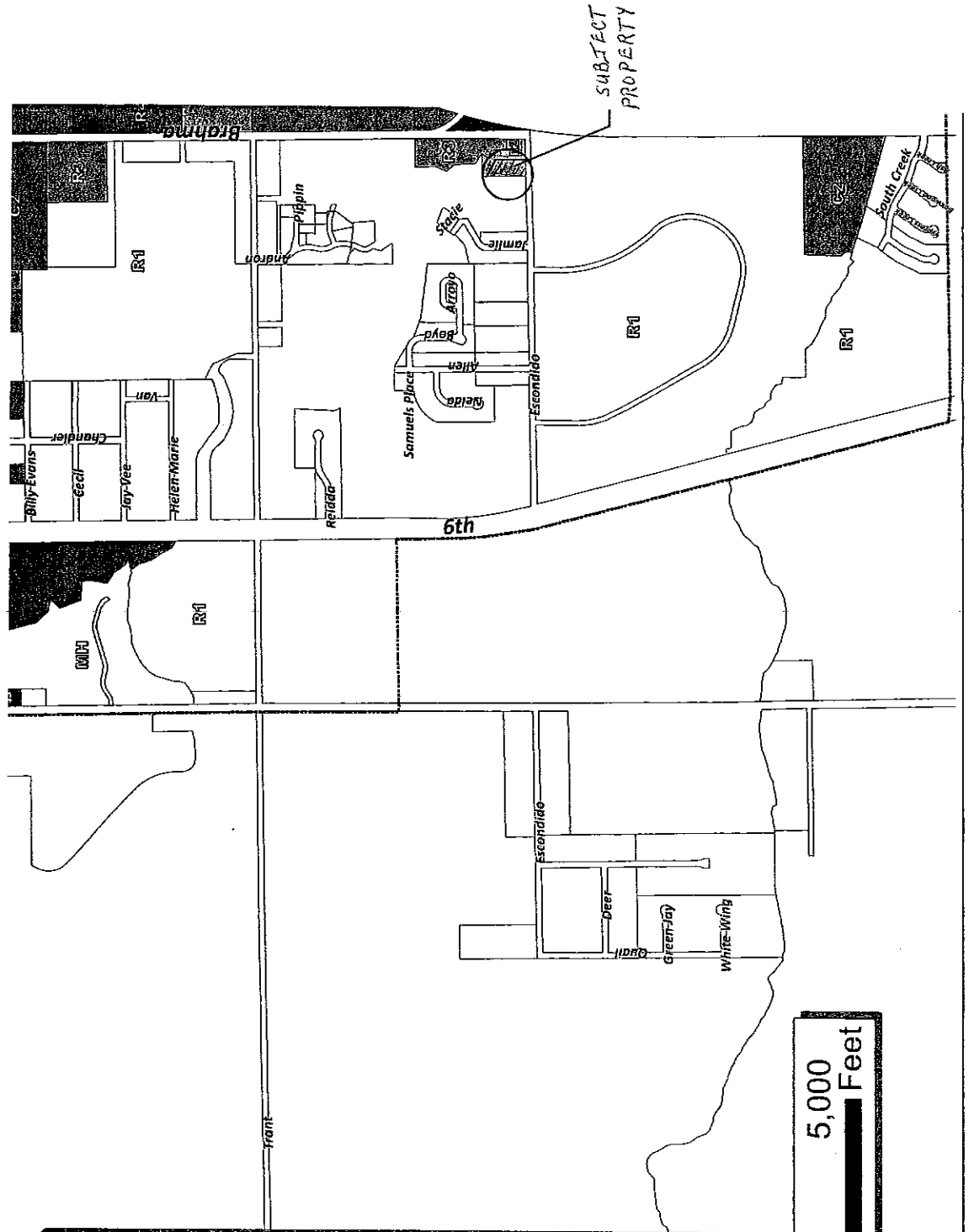
DRAWN BY: J.A.W. DATE: 6/18/13

NOTE: ALL BEARINGS ARE NAD-83 GRID

SCALE: 1" = 80'

Legend

Zone	
TAMUK - Texas A&M University - Kingsville	
R4 - General Residential District	
R3 - Multi-Family District	
R2 - Two-Family District	
R1 - Single-Family District	
MH - Mobile Home District	
I2 - Heavy Industrial District	
I1 - Light Industrial District	
C4 - Commercial District	
C3 - Central Business District	
C2 - Retail District	
C1 - Neighborhood Service District	
AG - Agricultural District	
City Limits	



AGENDA ITEM #10

ORDINANCE 2013-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 2.0 ACRES OUT OF LOT 10, BLOCK 2, KLEBERG TOWN & IMPROVEMENT CO. SUBDIVISION KNOWN AS 102 W. SAGE ROAD FROM AG- AGRICULTURE DISTRICT TO R-1 SINGLE-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Robert Garza, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, July 17, 2013 during a meeting of the Planning and Zoning Commission, and on Monday, August 26, 2013 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the Planning & Zoning Commission by a 5-0 vote approved the requested rezone; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 2.0 acres out of Kleberg Town & Improvement Co., Block 2, Lot 10, known as 102 W. Sage Road from AG-Agriculture District to R-1 Single Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 3. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 4. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 26th day of August, 2013.

PASSED AND APPROVED on this the ____th day of September, 2013.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

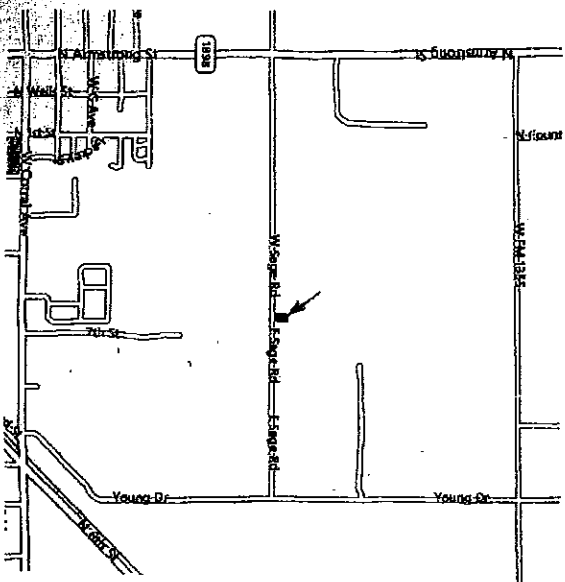
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

Proposed Tract for Re-Zoning:
 A 2.0 ACRE TRACT OF LAND, PART OF
 FARM LOT 10, BLOCK 2, KLEBERG TOWN
 & IMPROVEMENT CO. SUBDIVISION OF
 KLEBERG COUNTY, TEXAS



**RE-ZONING REQUEST
 FROM ZONE "AG" TO ZONE "R1"**

**102 West Sage Road
 Kingsville, TX**

**102 WEST SAGE ROAD
 KINGSVILLE, TX**

SHEET

JOB NO.

DRAWN BY:

SCALE:

1/8" = 1'

DATE:

CASTILLO
 119 NORTH 7TH STREET
 KINGSVILLE, TEXAS 78363
 (361)-592-6744 FAX (361)-592-6744

196.9'

R. H. Christian
41.7 Ac.

(AG)

Vacant
Brush

J. Rouse, Jr.
2.0 Ac.

(AG)

Vacant
Brush

442.5'

A. Zaragoza
2.0 Ac.
(87,128 sf)

(AG)

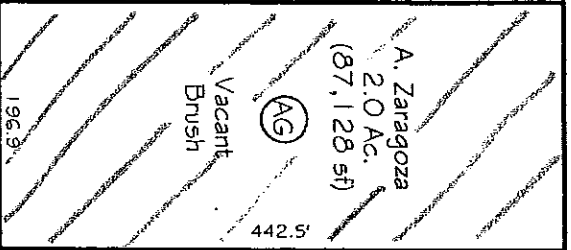
Vacant
Brush

442.5'

A. Alcalá
5.0 Ac.

(AG)

Vacant
Brush



West Sage Road

Lot 9

Lot 10

Lot 11

Lot 12

J. DelaPaz
1.2 Ac.

(RI)

Resid.
House

(RI)

Resid.
House

R. Dominguez
1.2 Ac.

(RI)

Vacant

L. T. Garcia
1.2 Ac.

(RI)

Resid.
House

Nolan Farms
60.0 Ac.

(AG)

Active
Cropland

ROW
60'

SERENITY ESTATES

M. Schoech
31.5 Ac.

(RI)

Vacant



Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Vincent Capell, City Manager

FROM: Robert G. Isassi, P.E., Director of Planning & Development Services

SUBJECT: **Request to Re-zone 102 W Sage Rd. from AG to R1**

DATE: August 16, 2013

This is a request from agent Hoss Castillo to re-zone a 2.0 acre tract of Farm Lot 10, Block 2 of the Kleberg Town & Improvement Co. Subdivision located at 102 W Sage Rd. from Agricultural, AG, to a Single-Family R1 District.

This request was unanimously approved by Planning & Zoning Commission at the latest meeting on July 17th, 2013. The petitioner is requesting the zoning change so that the owner, Alejandro Zaragoza, can construct his single-family home on the lot. The proposed re-zone is on the North side of Sage Rd. and will be the second R1 home on the North side of Sage, between Armstrong St. and Young Dr.

Staff recommends approval of this request based on its conformance with the goals & policies contained in all of the elements of the current Master Plan, the proposal is not detrimental to the public health, safety, and welfare, it will not generate inappropriate or hazardous traffic levels in the area, nor is it detrimental to existing or potential adjacent land uses.

Staff Report to the PLANNING & ZONING COMMISSION and CITY COMMISSION

By the Planning & Development Services Department, Planning Division
for the City of Kingsville, Texas

Request: **APPROVAL OF REZONING A 2.0 ACRE TRACT OF FARM LOT 10, BLOCK 2 OF KLEBERG TOWN & IMPROVEMENT (KT&I) CO. SUBDIVISION LOCATED AT 102 WEST SAGE ROAD; FROM AG, AGRICULTURE, TO R-1, SINGLE FAMILY RESIDENTIAL.**

Petitioner & Agent: Hoss Castillo
Date of P&Z Hearing: July 17th, 2013

Comprehensive Plan Land Use:	Private / Housing
Existing Zoning Classification:	AG: Agriculture
Adjacent Zoning:	North, East & West: AG: Agriculture South: R-1: Single Family Residential District

EXISTING INFRASTRUCTURE

Transportation:	West Sage Road – Local
Community Facilities:	Services provided
Capital Improvements:	Services provided with the exception of wastewater
Fire Station Proximity:	1.7 driving miles
100 Year Floodplain:	The property is not within a floodplain

EXHIBITS PRESENTED

- Chapter 15 of the Kingsville Code of Ordinances (present at the meeting)
- City of Kingsville Master Plan (present at the meeting)
- Site Plan
- Mailing list of owners within 200 feet

BACKGROUND AND HISTORY

The petitioner is requesting a zoning district change in order to facilitate the construction of a single-family residential home for Mr. Alejandro Zaragoza. The historical use of this property has been for ranching. Lots in the surrounding area, most notably on the south side of Sage Road, have been developing single-family homes. There is one other single-family residential home on the north side of Sage Rd. which is located on the Sage Rd. / North Armstrong intersection.

FIELD INSPECTION AND PERTINENT DATA

Existing condition of the land is as brush land. On the north side of Sage Rd., neighboring property is also brush land. On the south side of Sage Rd., there are newly constructed (3-4 years old) single family homes.

STAFF REVIEW AND RECOMMENDATION

In general, Planning and Zoning Commission considers the following factors when making a recommendation on Zoning District Changes:

1. Whether the proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. Whether the proposal is in keeping with the purpose of the zoning districts.
3. Whether the proposal is detrimental to the public health, safety and welfare.
4. Whether the proposal is detrimental to existing or potential adjacent land uses.
5. Whether the proposal will generate traffic levels inappropriate, hazardous, or detrimental to the existing or potential nearby land uses.

Staff recommends **APPROVAL** of this request with the following findings:

1. The proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. The proposal is in keeping with the purpose of the zoning districts.
3. The proposal is not detrimental to the public health, safety, and welfare.
4. The proposal is not detrimental to existing or potential adjacent land uses.
5. The proposal will not generate inappropriate, hazardous, or detrimental traffic levels in the existing or nearby area.

Prepared by:

Robert G. Isassi, P.E.

Robert G. Isassi, P.E.

Director of Planning & Development Services

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 102 W. Sage Road Nearest Intersection 2000' West of Sage Road & Young Drive
(Proposed) Subdivision Name KT&I Co. Farm Lot 10 Block 2
Legal Description: 2.0 Ac. tract out of Farm Lot 10, Block 2, KT&I Co.
Existing Zoning Designation AG Future Land Use Plan Designation R1

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Hoss Castillo Phone 361-592-6744 FAX _____
Email Address (for project correspondence only): hcastillo6744@sbcglobal.net
Mailing Address 119 N. 7th St. City Kingsville State TX Zip 78363
Property Owner Alejandro Zaragoza Phone 361-516-1655 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 630 W. Santa Gertrudis City Kingsville State TX Zip 78363

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

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

Please provide a basic description of the proposed project:

Re-Zone a 2.0 Acre Tract of Land on W. Sage Road from
Zone "AG" to Zone "R1", to construct new residential
home for the property owner.

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

Applicant's Signature Hoss Castillo Date: 6-26-13
Property Owner's Signature Alejandro Zaragoza Date: 6-26-2013
Accepted by: _____ Date: _____

Application Check List for Re-Zoning

Applicant: Alejandro Zaragoza
Property Address: 102 West Sage Road
Kingsville, TX 78363

Application Check List for a Re-Zoning

The following must be submitted prior to the application deadline. Otherwise, the application will be deemed incomplete and may result in unnecessary delays: (Please ✓ when complete)

Site and landscape plans: 1 full size and 15 - 11"x17" reductions (copies from PMT reduction)

- ☒ 1. A written description of the requested zoning district and the proposed use.
- ☒ 2. A site plan showing the location, dimension, material and configuration of all existing buildings, structures and other improvements.
- ☒ 3. The lot size in square feet and the dimensions thereof.
- ☒ 4. The land uses surrounding the lot(s) for which site plan approval is being sought.
- ☒ 5. The zoning on the lots and parcels surrounding the lot(s) for which site plan approval is being sought.
- ☒ 6. Such additional information as the city planner may deem pertinent and essential to the application.

Please note that this process can take up to 100 days.

Application Check List for Re-Zoning

Applicant: Alejandro Zaragoza

Property Address: 102 West Sage Road
Kingsville, TX 78363

1. Written Description of the requested zoning district and proposed use.
Re-Zone a 2.0 acre tract of land located at 102 W. Sage Road, Kingsville, TX, from Zone "AG" to Zone "R1," in order to construct a new residential home for the property owner. This 2.0 Acre tract of land is located out of Farm Lot 10, Block 2, Kleberg Town & Improvement Co. Subdivision, City of Kingsville, Kleberg County, Texas.
2. Site Plan showing location, dimension, material and configuration of all existing buildings, structures and other improvements.
A site plan for the tract of land is attached. Currently, the tract of land has no existing buildings, structures, nor any other improvements. The site consists of only scattered Mesquite brush and native grasses.
3. Lot Size in square feet and dimensions thereof.
The lot size is 87,128 square feet with dimensions of 196.9 feet wide (East and West) and 442.5 feet long (North and South).
4. Land Uses surrounding the lot for which site plan approval is being sought.
The tracts of land surrounding the lot on the North, East, and West boundaries are all vacant, idle brush land. The tracts of land on the South boundary of the lot, directly across Sage Road, are either residential homes (Lots 9, 10, & 12, Serenity Estates) or vacant brush land (Lot 11). The large tract of land located Southeast of the lot is currently an active cropland.
5. Zoning on the lots and parcels surrounding the lot for which site plan approval is being sought.
The tracts of land surrounding the lot on the North, East, and West boundaries are all Zone "AG," Agriculture. The tracts of land along the South boundary of the lot, across Sage Road, are all Zone "R1," Residential.
6. Such Additional Information as the City Planner may deem pertinent and essential to the application.
There is no additional information requested by the City.

TaxNetUSA - TX : Kleberg : 2013 Preliminary : Detail Report

Page 1 of 1



*Total
Pages - 4*

TaxNetUSA > Texas > Kleberg County > Detail Report

PIDN: 34166 GEO: 290000210006192

Owner Name ROUSE JIMMY JR

Mailing Address
ETUX LETICIA
413 LEMONWOOD
KINGSVILLE, TX 78603-7542

Location SAGE RD

Legal KT 61 CO, BLOCK 2, LOT PT 10, ACRES 4.0

View 2012 Certified Value

Value Information

2013 Preliminary

Land Value	\$80,000.00
Improvement Value	\$0.00
AG Market Value	\$0.00
Timber Market Value	\$0.00
Total Market Value	\$80,000.00
AG Productivity Value	\$0.00
Timber Productivity Value	\$0.00
Appraised Value	\$80,000.00
Ten Percent Cap Loss Value	\$0.00
Assessed Value	\$80,000.00
Previous Appraised Value	\$80,000.00
Percent Change	0.00%

Data up to date as of May 22, 2013 including 2013 Preliminary values.

A Property Detail report appears to be available. You must have an account with TaxNetUSA to view Property Detail reports.

Sign in or sign up for free to access:

Property Details
Taxing Jurisdictions
Estimated Property Taxes
Improvement Details

View Sample Report

*To: Jessica -
Planning*

the East 1/2 sold to A. Zaragoza in May 2013

Hoss C.

GF# 20131779

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

DATE: MAY _____, 2013

GRANTOR: JIMMY ROUSE, JR. and wife, LETICIA ROUSE

GRANTOR'S MAILING ADDRESS (including County):

413 Lemonwood
Kingsville, Texas 78363
County: Kleberg County, Texas

GRANTEE: MARIA GUADALUPE MARQUEZ and ALEJANDRO ZARAGOZA

GRANTEE'S MAILING ADDRESS (including County):

1803 Margaret Lane
Kingsville, Texas 78363
County: Kleberg County, Texas

CONSIDERATION: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration.

PROPERTY:

PROPERTY DESCRIPTION IS CONTAINED ON EXHIBIT "A" ATTACHED HERETO, MADE A PART HEREOF AND INCORPORATED BY REFERENCE HEREIN.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

The conveyance recited above is made and accepted subject to all presently valid restrictions, reservations, covenants, conditions, rights-of-way, easements, mineral leases and royalty and mineral conveyances now outstanding and of record, if any, in Kleberg County, Texas, affecting the above described **PROPERTY.**

TAX PRORATION AGREEMENT

To: Kleberg County Title Co.

RE: GF No. 20131779

Date: May 15, 2013

Property: The East One-Half (E 1/2) of a 4.00+/- acre tract of land out of Farm Lot 10, Section 2, The Kleberg Town & Improvement Co., Kleberg County, Texas as described in the attached Exhibit A.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Therefore, the Company does not represent that the acreage or square footage calculations are correct. References to quantity are for informational purposes only.

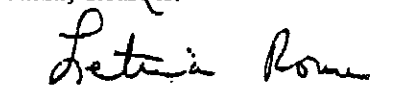
This indicates our understanding of the handling of the property taxes in the referenced transaction. Since the property taxes for the current year cannot be determined at this time, the purchasers will be given credit for their share of the current year's taxes, in consideration of which purchaser will pay the full tax for the year when taxes are due. This amount is based on an estimate only, since current figures are not yet available. The purchasers have also been made aware that they must take a copy of their recorded deed when received to the Central Appraisal District in order to have the taxes changed into their names and file for any exemptions which apply.

If the actual tax assessment exceeds the estimated amount prorated at closing, seller agrees to immediately reimburse the purchaser the additional sum owed for the period from January 1 up to the closing date. Should the actual tax assessments be less than the estimated amount prorated at closing, purchaser agrees to immediately reimburse the seller the excess amount prorated/credited at closing.

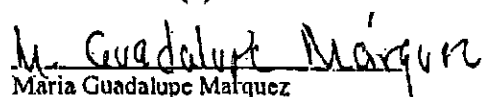
All parties understand that Kleberg County Title Co. will not be responsible for, nor will they be involved in, this tax proration settlement. It is agreed that Seller and Purchaser will contact each other directly, and the refund will be paid immediately upon written notification (with supporting documentation) from the other party that same is due.

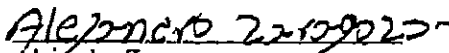
SELLER(S):


Jimmy Rouse Jr.


Leticia Rouse

PURCHASER(S):


Maria Guadalupe Marquez


Alejandro Zaragoza

Field notes for a 4.00 ± acre tract of land out of Farm Lot 10, Section 2, The Kleberg Town & Improvement Co., Kleberg County, Texas.

• • • X • • •

Being all that certain tract or parcel of land situated in Kleberg County, Texas, and being a part of Farm Lot 10, Section 2, The Kleberg Town & Improvement Co., a subdivision to the said Kleberg County described by map or plat recorded in Envelope 18, Plat Cabinet 1, Map and Plat Records, Kleberg County, Texas, and being a part of that tract of land conveyed by deed to R. H. Christian recorded in Volume 236, Pages 312-315, Official Records, Kleberg County, Texas, more particularly described by metes and bounds as follows to wit:

BEGINNING at an iron rod found in the ground and taken for the Southeast corner of Farm Lot 9 of the aforementioned Section 2, said corner being in the Intersection of the North line of the 60 foot Right-of-Way of Kleberg County Road 2010 W (Sage Road) with the West line of the 60 foot Right-of-Way of Kleberg County Road 1038 N;

THENCE, with the South line of the aforementioned Farm Lot 9 and with the aforementioned North Right-of-Way line of Kleberg County Road 2010 W, WEST, (at a distance of 1262.5 feet pass the Southwest corner of the aforementioned Farm Lot 9 same being the Southeast corner of the aforementioned Farm Lot 10), for a total distance of 1968.7 feet to an iron rod, with cap, found in the ground for a corner, said corner being THE POINT OF BEGINNING and the Southeast corner of the tract herein described;

THENCE, continuing with the aforementioned North Right-of-Way line of Kleberg County Road 2010 W and with the South line of the aforementioned Farm Lot 10, WEST, a distance of 393.8 feet to an iron rod, with cap, set in the ground for a corner, said corner being the Southwest corner of the tract herein described;

THENCE, NORTH, a distance of 442.55 feet to an iron rod, with cap, set in the ground for a corner, said corner being in the South line of a tract of land conveyed by deed to Jose Gus Carrales and John G. Carrales recorded in Volume 80, Pages 659-662, Official Records, Kleberg County, Texas, said corner being the Northwest corner of the tract herein described;

THENCE, with the aforementioned South line of the Carrales tract of land, EAST, a distance of 393.8 feet to an iron rod, with cap, found in the ground for a corner, said corner being the Northeast corner of the tract herein described;

THENCE, SOUTH, a distance of 442.55 feet to RETURN TO AND CLOSE AT THE POINT OF BEGINNING, containing within said bounds 4.00 ± acres of land.

• • • X • • •

The above field notes were prepared from data obtained from a survey made, on the ground, under my supervision in the month of April 2007 for R. H. Christian.

By: T. Joe Boehm
T. Joe Boehm, P.E., R.P.L.S.



KLEBERG COUNTY APPRAISAL DISTRICT
PROPERTY 34166 R 01/25/2008
Legal Description
C & I CO, BLOCK 2, LOT PT 10, ACRES 4.0

OWNER ID
55785
OWNERSHIP
100.00%

PROPERTY APPRAISAL INFORMATION 2013
ROUSE JIMMY JR
ETUX LETICIA
413 LEMONWOOD
KINGSVILLE, TX 78363-7542

Ref ID: R34166
Map ID G-4

2900000210006192

ACRES: 4.0000
EFF. ACRES:

APPR VAL METHOD: Cost

SITUS SAGE RD TX

GENERAL

JTILITIES
TOPOGRAPHY
ROAD ACCESS
ZONING
NEXT REASON

LAST APPR. IE
LAST APPR. YR 2012
LAST INSP. DATE 03/12/2012
NEXT INSP. DATE

REMARKS
FOR '12 CHG LAND TABLE - \$15,000/AC PER
SALES IN AREA PER APPR IE 3/12/12 3/27/12
MMG - FOR 2011 NO VAL CHG ON ACCT PER
APPR LR 3/16/11 4/15/11 VG - NEW FOR 2008 -

BUILDING PERMITS

ISSUE DT PERMIT TYPE PERMIT AREA ST PERMIT VAL

SALE DT PRICE GRANTOR DEED INFO
05/17/2010 ***** ECHARTEA MAX WDWL / 432 / 571
04/09/2007 ***** CHRISTIAN R H WDWL / 359 / 758

SUBD: S2900 100.00% NBHD:

TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE/UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE

IMPROVEMENT INFORMATION

IMPROVEMENT FEATURES

Values
IMPROVEMENTS 0
LAND MARKET + 60,000
MARKET VALUE = 60,000
PRODUCTIVITY LOSS - 0
APPRAISED VALUE = 60,000
HS CAP LOSS - 0
ASSESSED VALUE = 60,000

Entities
CAD 100%
CKI 100%
GKL 100%
SKI 100%
WST 100%

EXEMPTIONS

SKETCH COMMANDS

SUBD: S2900
DESCRIPTION
1. R85 (BRUSH LAND)

100.00% NBHD:
CLS TABLE
P98

DIMENSIONS
4.0000 AC

METH
A

LAND INFORMATION
UNIT PRICE 15,000.00
GROSS VALUE 60,000.00

IRR Wells: 0 Capacity: 0
ADJ MASS ADJ VAL SRC
1.00 A

IRR Acres: 0
MKT VAL 60,000
AG APPLY NO

Oil Wells: 0
AG CLASS AG TABLE AG UNIT PRG AG VALUE
AG-RB5 44.00

0

AGENDA ITEM #11



Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Vincent Capell, City Manager

FROM: Robert G. Isassi, P.E., Director of Planning & Development Services

SUBJECT: **Request to Re-zone 808 S 13th St. from R2 to C2**

DATE: August 16, 2013

This is a request from Linda Franklin to re-zone the Southeast corner lot of 13th and Doddridge from a two-family R2 District to a Commercial C2 District at Retama Park, Block 7, Lot 1 located at 808 S 13th St.

This request was approved by Planning & Zoning Commission on March 9th, 2008 and was not immediately submitted to Commission for approval. The owner may be selling the property soon and wishes for the re-zoning to be finalized. The lot is currently a vacant lot next to Homesmart and Remco (old Hollywood Video). The Planning & Zoning Commission unanimously approved the rezoning.

The Planning Department has evaluated the request and can find no issues with it. It is within the Master Plan concept and should continue to promote commercial growth in the area.

ORDINANCE #2013-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO LOT 1, BLOCK 7 OF RETAMA PARK, KNOWN AS 808 SOUTH 13TH STREET FROM R2 TWO-FAMILY DISTRICT TO C2 RETAIL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Linda Franklin, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 19, 2008 during a meeting of the Planning and Zoning Commission, and on Monday, August 26, 2013 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by an 5-0 vote APPROVED the requested rezone; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Lots 1, Block 7 of Retama Park, known as 808 South 13th Street from R2 Two-Family District to C2 Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 3. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 4. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 26th day of August, 2013.

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

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

**PLANNING AND ZONING COMMISSION
MEETING - MINUTES
MARCH 19, 2008 AT 7:00 P.M.
CITY OF KINGSVILLE COMMISSION CHAMBERS
200 E. KLEBERG AVE
KINGSVILLE, TX 78363**

Planning & Zoning Members Present

Robert McCreight

Steve Zamora

Bill Aldrich

Ramon Perez

John Howe

Citizens Present

Linda Franklin

Elbert W. Franklin III

Planning & Zoning Members Absent

Leo Alarcon

Lupe Alvarez

Armando Martinez

Staff Present

Jennifer Trevino, Planning Secretary

Armando Gutierrez, City Engineer

1. **The meeting was called to order at 7:00 p.m.**
2. **Public comments on items on or off the agenda;**
There were no public comments at this time.
3. **Discuss and take action on minutes of February 20, 2008;**
Mr. McCreight made a motion to accept the minutes as presented; it was seconded by Mr. Aldrich. The motion passed 5/0.
4. **Discuss and consider a request to rezone from R2 Two Family District to C4 Commercial District, Retama Park Block 7, Lot 1, property also known as 808 S. 13th, Linda Franklin is the applicant;**

Mr. Gutierrez stated he wanted to mention that is property is at 13th & Doddridge and it was a vacant lot and he thought at one time it was a duplex that burned down sometime in the ladder part of last year. In October of last year and it was cleaned up and the property is already in commercial zoning. They sent out notices and have not received any

opposition. The block to the east is also C2, so rezoning this property to C2 is consistent with the overall plans that exist in the area. He had no objections to getting this property rezoned to C2. Robert McCreight said, "as opposed to a C4" and he said yes. Mr. Gutierrez said he thought C4 was put in there as a matter of allowing the commission to work the discretion of deciding if they want to go C2,3, or 4., but really C2 is what is appropriated and what the other properties along the area are.

The code recommended we stay with the C2. Steven Zamora then said, "basically the item then would be to approve it but instead of going C4 we would be approving C2 in lieu of C4". That is correct. Jennifer Trevino then asked if she could mention something. Mr. Zamora told her to do a motion, and then she said "they didn't ask for a C4, they just asked for a commercial so we advertised it as C4." Mr. Zamora then said the applicant doesn't have a particular need for a C4. Jennifer then said no. Mr. Gutierrez then explained that a C2 was a retail district and that was what they learned about and a C4 is more of an open area and allows welding shops and mechanics shop, etc. Mr. Zamora then made a motion to be continued or, then Mr. Aldrich made a motion to change it from a C4 to a C2. It was seconded by Mr. Howe. Motion passed 5/0.

5. **Miscellaneous: Items not on the agenda may be discussed but no action may be taken at this time;**

Mr. Gutierrez mentioned that he received a call on Monday from Land Mark Valley Homes that had the plans ready and wanted to submit to the counties and he requested they submit one set so he could have the opportunity to review it before they made all the copies. He received them yesterday afternoon and didn't get a chance to review them today, but will be looking at them tomorrow. He took a quick glance and it and nothing caught his attention. He received the construction plans with recommendation to move on to the construction phase (subdivision infrastructure, not whole construction) if they met all the requirements.

There was discussion on JLUS meeting that was held on Tuesday night (4/18/08). Mr. Gutierrez said it wasn't creating any more restrictions and what already existed was what was falling into place. It gives a level of comfort for anyone coming from outside to know the plan and knows what is allowed or not allowed and they can invest more in the city with more confidence. Once JLUS does the preliminary draft, the final should be followed shortly. There were additional recommendations that the JLUS will identify

issues and then make recommendations. Once all recommendations have been included in the plan, then we can ask city commission for approval, and then we can go into the implementation phase. Furthermore, the master plan is on hold until the JLUS can be finalized just in case something comes up that might affect the master plan. They are estimating that the master plan should be finished by April 14, 2008. Once the commission has adopted the JLUS study then we can go into the implementation phase before we start reviewing ordinances and changing the ordinances and coming up with new requirements or new policies.

6. **Adjourn**

Mr. Howe made a motion to adjourn; it was seconded by Mr. Aldrich. The motion passed 5/0. The meeting was adjourned at 7:10 p.m.

AGENDA ITEM #12

CITY OF KINGSVILLE



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

August 16, 2013

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

Re: Budget Amendment - CO 2013 Debt Issuance (net of issuance cost refund)

Mr. Capell,

The attached budget amendment will provide for the CO 2013 debt issue in January / February 2013 net of the \$15,343.29 refund by First Southwest our Financial Advisors. The initial issuance cost fees paid to First Southwest was \$76,194.55. The refund pulls the net issuance down to \$60,851.26 which is a very reasonable issuance cost amount considering the issue dollar amounts. The CO 2013 issue consisted of new debt in the amount of \$4,265,000 for drainage projects and \$965,000 for street projects (stated at par amounts) totaling \$5,230,000. In addition, the CO 2013 refunding of the CO 2002A existing debt in the amount of \$1,260,000 was issued at the same time reducing our overall issuance cost.

This Budget Amendment, given you approval, would be on the Commission Meeting agenda August 26, 2013 for first reading.

Sincerely,

Mark A. Rushing

Mark A. Rushing

CC: Courtney Alvarez, City Attorney

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET FOR FUND 067 CO SERIES 2013 GF STREETS AND FUND 068 CO SERIES 2013 DRAINAGE FOR THE CO 2013 DEBT ISSUANCE COSTS NET OF REFUND.

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 067 CO Series 2013 GF Street Projects

Revenues

4-000.0	Bond Proceeds	995.00	\$994,391		
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4-000.0	Bond Insurance Premium	996.00	\$39,554		
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Expenses

5-000.0	PrfSrv Bond Issue Costs	314.04	\$22,905		
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\$1,056,850

Fund 068 CO Series 2013 Drainage

Revenues

4-000.0	Bond Proceeds	995.00	\$4,325,000		
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4-000.0	Bond Insurance Premium	996.00	\$174,818		
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Expenses

5-000.0	PrfSrv Bond Issue Costs	314.04	\$121,233		
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\$4,621,051

[This budget amendment will provide for the CO 2013 debt issue in January/February 2013 net of the \$15,343.29 refund by First Southwest. The CO 2013 issue consisted of new debt in the amount of \$4,265,000 for drainage projects and \$965,000 for street projects.]

II.

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

III.

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

IV.

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 26th day of August, 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 #13

CITY OF KINGSVILLE



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

August 16, 2013

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

Re: Budget Amendment - Budget Transfer from General Fund 001 to Fund 087 Additional Sanitation / Solid Waste Fees.

Mr. Capell,

The City completed a study in FY 2007-2008 and found that the City of Kingsville sanitation fee needed to be increased to stay comparable to fees charged in surrounding cities. These fees were subsequently implemented starting April 2008, but only half of the overall consultant recommended increase was implemented in the 1st year. In FY 2008-2009, the second year of implementation, the full amount of the consultant recommended increase was implemented. At that time Fund 087 Solid Waste Capital Projects was created for the purpose of financing related sanitation debt service and any residual revenue collected amount above the debt service payments could be used to purchase capital items in the sanitation department. As a result, the 1st half year of collected revenues in the amount of \$114,247 still resides in reserves in the Fund 001 General Fund - "Committed" Fund Balance. This budget amendment would move the money to Fund 087 Solid Waste Capital Projects - "Committed" Fund Balance to be used for this intended purpose.

This Budget Amendment, given your approval, would be on the Commission Meeting agenda August 26, 2013 for first reading.

Sincerely,

Mark A. Rushing

Mark A. Rushing

CC: Courtney Alvarez, City Attorney

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET FOR THE TRANSFER OF FUND BALANCE FROM FUND 001 GENERAL FUND TO THE SOLID WASTE CAPITAL PROJECTS FUND 087.

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
Fund 01 General Fund					
<u>Capital</u>					
2 000.00	Fund Balance	Reserved For Cap. Proj	684.00		<u>\$114,248</u>
					<u>\$114,248</u>
<u>Expenses</u>					
5-690.00	Transfer To	Fund Exp/Trsfers Out	394.87	<u>\$114,248</u>	
				<u>\$114,248</u>	
Fund 087 Solid Waste Capital Projects					
<u>Revenues</u>					
4-000.00	Transfer from Fund 01	Transfer In	750.01	<u>\$114,248</u>	
				<u>\$114,248</u>	
<u>Capital</u>					
2 000.00	Fund Balance	Reserved for Cap. Proj	610.00	<u>\$114,248</u>	
				<u>\$114,248</u>	

[To transfer Solid Waste revenues that exceed what is needed for debt service payments to Capital Projects Fund 087 for the purchase of capital items for the sanitation department]

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 26th day of August, 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 #14

CITY OF KINGSVILLE



P. O. BOX 1458 – KINGSVILLE, TEXAS 78364

August 16, 2013

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

Re: Budget Amendment - CO 2002 & CO 2002A

Mr. Capell,

Attached are work papers on the analysis of the CO 2002 and CO 2002A. As a result of the arbitrage review by 1st Southwest and resolution with the IRS the following transfer of \$203,646 from Fund 061 CO 2002 Utility Fund to Fund 039 CO 2002 General Fund is needed. The CO 2002 debt issue was initially stated as General Fund (GF) 70.202% and Utility Fund (UF) 29.798% split. This held constant on the CAFR's from the initial issuance through FY 2004-2005. Then in FY 2005-2006 the % split went to GF 84.80% and UF 15.20% which is the correct percentage split. Other factors contributing to the misstatement of the ending FD 039 GF portion and FD 061 UF portion Fund Balances at 09/30/12 was the fact that pooled cash in the FD 061 was not reimbursing the General Fund in a timely manner over the years and resulted in an overstatement of interest earned in the MBIA (which is now Cutwater) investments accounts.

This Budget Amendment, given you approval, would be on the Commission Meeting agenda August 26, 2013 for first reading.

Sincerely,

Mark A. Rushing

Mark A. Rushing

CC: Courtney Alvarez, City Attorney

FISCAL YEAR	NOTES	FUND 039 EXPENDITURES	FUND 039 Interest Earned
FY 2002-2003		(\$2,183,493.52)	\$35,902.00
FY 2003-2004		(\$1,402,629.26)	\$16,036.50
FY 2004-2005		(\$438,169.88)	\$13,075.69
FY 2005-2006		(\$646,997.48)	\$22,272.28
FY 2006-2007		(\$531,015.28)	\$26,882.95
FY 2007-2008		(\$102,188.53)	\$18,102.82
FY 2008-2009		(\$291,599.43)	\$4,321.77
FY 2009-2010		(\$91,464.05)	\$679.31
FY 2010-2011		(\$922.25)	\$479.72
FY 2011-2012		(\$196,454.03)	\$316.50
FY 2012-2013		\$0.00	\$0.00

(\$5,884,933.71) = \$138,069.54

Arbitrage refund to the IRS (little more than 1/2 is interest)

(\$17,667.13) (\$34,960.01)

In addition, this was paid from Contingent Liability
so as a result we shouldn't be charged to spend interest
we didn't residually keep.

(\$5,902,600.84) =

FY12 CAFR - FD 039 Balance 09/30/12	General Fund	(\$125,096.97)
FY12 CAFR - FD 061 Balance 09/30/12	Utility Fund	\$203,645.67
Combined - FD 039 & FD 061		<u><u>\$78,548.70</u></u> =

FUND 039

CO 2002 GF 84.8% \$3,358,080.00

Note: Initially split was GF 70.202% UF 29.798 ; **FY05 CAFR** pg 51
Split changed to GF 70.202% UF 29.798 ; **FY06 CAFR** pg 52

<<<< reference Page

CO 2002 A GF 100.0% \$2,485,000.00

Interest Earned through FY12 \$138,069.54

Total \$5,981,149.54 =

Balance after transfer FD 039 after Transfer Budget Amendment \$78,548.70

FD 039 Deficit Balance 9/30/12 \$125,096.97

Amount of transfer needed from FD 061 to FD 039 - Budget Amend 8/26/13 \$203,645.67 =

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET FOR THE TRANSFER OF FUND BALANCE FROM FUND 065 CO SERIES 2011 TO FUND 039 CO SERIES 2002-2002A.

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
Fund 65 CO Series 2011					
<u>Capital</u>					
2 000.00	Fund Balance	Committed Fund Balance	740.00		<u>\$203,646</u>
					<u>\$203,646</u>
<u>Expenses</u>					
5-690.0	Transfer To	Fund Exp/Trsfrs Fund	394.39	<u>\$203,646</u>	
				<u>\$203,646</u>	
Fund 039 CO Series 2002-2002A					
<u>Revenues</u>					
4-000.00	Transfer from Fund 061	Transfers	750.61	<u>\$203,646</u>	
				<u>\$203,646</u>	
<u>Capital</u>					
2-000.00	Fund Balance	Committed Fund Balance	610.00	<u>\$203,646</u>	
				<u>\$203,646</u>	

[As a result of the arbitrage review by First Southwest and resolution with the IRS the following transfer is needed.]

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 26th day of August, 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 #15



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: August 16, 2013
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer
SUBJECT: FY2013 Utility Fund Budget Amendment (Fund 051)

SUMMARY

This item authorizes a budget amendment to the FY2013 Utility Fund (051) for expenditures occurring this fiscal year for the installation of an 8" waterline along Seale Street from Corral Ave to Ave "B".

BACKGROUND

In FY 2013, \$70,000.00 was budgeted in CO Series 2011 General Fund (065) to be expensed in partnership with TAMUK to improve drainage for the north side of Santa Gertrudis Estates Subdivision and the intersection of Ave "B" & Seale Street. When city staff was performing a cost benefit analysis of a water connection along Seale Street with the University and of drainage improvements needed in the area of the University, TAMUK requested the City reallocate the drainage funds (065-5-305.0-531.00 \$70,000) for the installation of a waterline and service connection along Seale Street between Corral Ave & Ave "B" and that TAMUK would pay the drainage improvement expenses for the north side of Santa Gertrudis Estates Subdivision and Ave "B" & Seale Street intersection.

Fund (051) – Utility Fund:

Requested Budget Amend: \$70,000.00 from Utility Fund Balance

Add to Water Line Extension Budget FY13: (600.1-541.00) \$70,000.00

RECOMMENDATION

The proposed budget amendment is very important to complete the waterline project this fiscal year. Staff recommends proceeding with approval of the proposed budget amendment.

FINANCIAL IMPACT

Detail of the Utility Fund Budget Amendment request is mentioned above and noted in the budget amendment ordinance.

Approved

Vincent Capell, City Manager

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 BUDGET FOR THE REALLOCATION OF FUNDS INITIALLY BUDGETED FOR A DRAINAGE PROJECT TO BE USED FOR A WATER LINE PROJECT ALONG SEALE STREET.

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
Fund 051 Utility Fund					
<u>Capital</u>					
2-000.00	Fund Balance	Unreserved Fund Balance	610.00		<u>\$70,000</u>
					<u>\$70,000</u>
<u>Expenses</u>					
5-601.10	Water	Water Line Ext.	541.00	<u>\$70,000</u>	<u>\$70,000</u>

[Texas A&M University-Kingsville requested that the \$70,000 initially budgeted for a drainage project on the North Side of Santa Gertrudis Estates Suddivision be used for a water line along Seale Street from Corral to Ave B.]

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 26th day of August, 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 #16



DATE: August 20, 2013

TO: City Commission, via Vince Capell, City Manager

FROM: RR Trescott, Tourism Director

SUBJECT: Petra Vela Kenedy House

On August 12, 2013 the City Manager provided a memo to the City Commission presenting the proposal, dated July 18, 2013, from the Ed Rachal Foundation in which they offered to donate the Petra Vela Kenedy House structure along with the sum of \$75,000 for the transport and placement of the structure.

A Value Estimate by Flato Realty Advisors LLC dated August 5, 2013 put a value of \$10,000 on the structure, as is, where is.

In the City Manager's memo, it was estimated that it would cost \$75,000 - \$150,000 additional dollars to put the building into service.

The Commission voted to turn down that proposal and questions were raised about availability of additional funds from the foundation as well as other issues.

Communications with the Ed Rachal Foundation suggests that we present their board with a counter-offer as a continuation of negotiations.

I recommend the reconsideration of the resolution and agreement presented at the August 12, 2013 City Commission Meeting with the substitution of \$150,000 for \$75,000 as their dollar donation and that the City Manager be authorized to pursue and enter into the specified agreement at the modified funding level.

The Ed Rachal Foundation would present the amendment to their Board for its approval.

Staff has presented several options for suitable location:

- Downtown Park
- New City Hall Grounds
- City Property on King Avenue near US 77

Commissioners had made other suggestions for permanent location. All can be considered.

RESOLUTION #2013-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE ED RACHAL FOUNDATION RELATING TO THE PETRA VELA KENEDY HOUSE; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") tries to work with others for their mutual benefit whenever able to do so and has been approached by the Ed Rachal Foundation ("Foundation") to take the Petra Vela Kenedy house; and

WHEREAS, the Foundation believes the City may be a suitable location for the structure based on its history and its significance with the history, heritage and plans of the City of Kingsville, which would benefit the lives of those who live, work, and visit here; and

WHEREAS, the Petra Kenedy was married to Captain Mifflin Kenedy, longtime partner to Captian Richard King, founder of the King Ranch and namesake for the City; and

WHEREAS, the Kings and Kenedys were neighbors and both couples lived on what is now the King Ranch, with the Kenedys living in this structure on the Laureles Ranch (now Division); and

WHEREAS, the City of Kingsville was founded from within the King Ranch and along a railroad that was financed by King, Kenedy and others; and

WHEREAS, the Foundation is willing to grant and donate title to the Petra Vela Kenedy house to the City, along with a sum of \$150,000 to prepare, transport, secure the structure, and assist with rehab subject to certain conditions; and

WHEREAS, the City plans for the Petra Vela Kenedy house, once relocated, to be re-used for public purposes, interpreting the history and heritage of South Texas as it was lived in that house; 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 Agreement Between the City of Kingsville and

the Ed Rachal Foundation relating to the Petra Vela Kenedy House 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
26th day of August, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**AN AGREEMENT
BETWEEN THE CITY OF KINGSVILLE
AND THE ED RACHAL FOUNDATION
RELATING TO
THE PETRA VELA KENEDY HOUSE**

WITNESSETH:

WHEREAS, the City of Kingsville ("City") tries to work with others for their mutual benefit whenever able to do so and has been approached by the Ed Rachal Foundation ("Foundation") to take the Petra Vela Kenedy house; and

WHEREAS, the Foundation believes the City may be a suitable location for the structure based on its history and its significance with the history, heritage and plans of the City of Kingsville, which would benefit the lives of those who live, work, and visit here; and

WHEREAS, the Petra Kenedy was married to Captain Mifflin Kenedy, longtime partner to Captian Richard King, founder of the King Ranch and namesake for the City; and

WHEREAS, the Kings and Kenedys were neighbors and both couples lived on what is now the King Ranch, with the Kenedys living in this structure on the Laureles Ranch (now Division); and

WHEREAS, the City of Kingsville was founded from within the King Ranch and along a railroad that was financed by King, Kenedy and others; and

WHEREAS, the Foundation is willing to grant and donate title to the Petra Vela Kenedy house to the City, along with a sum of \$150,000 to prepare, transport, secure the structure, and assist with rehab subject to certain conditions; and

WHEREAS, the City plans for the Petra Vela Kenedy house, once relocated, to be re-used for public purposes, interpreting the history and heritage of South Texas as it was lived in that house; 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 these terms; and

NOW, THEREFORE, the City of Kingsville and the Ed Rachal Foundation, in consideration of these mutual covenants and agreements, agree as follows:

1. **PARTIES**. The parties to this Agreement ("Agreement") are the City of Kingsville ("City"), a Texas home rule municipality, and the Ed Rachal Foundation ("the

Foundation”), a corporation for the benefit of charitable, scientific, literary and educational purposes within the State of Texas.

2. PURPOSE.

- A. The Foundation will grant and donate to the City title to the Petra Vela Kenedy house.
- B. The Foundation will grant and donate a sum of \$150,000 to prepare, transport, secure on suitable foundations, and assist with rehab the Petra Vela Kenedy house subject to the following:
 - a. An agreed-upon schedule for removing the structure from Foundation property;
 - b. A plan that describes how the building will be used in a way that satisfies the mission statement of the Foundation;
 - c. An acknowledgment of the receipt of the fair market value of the house when the appraisal that the Ed Rachal Foundation has commissioned is completed; and
 - d. The opportunity to apply for further assistance from the Foundation when architectural and programming plans are developed.
- C. The City will accept the grant and donation of the structure and money subject to the foregoing conditions.

3. TERM.

- A. This Agreement shall be for a term of one year, August 26, 2013 through August 25, 2014.
- B. This Agreement may be terminated at any time by any party with or without cause upon thirty (30) days advance written notice.
- C. Any notice of termination shall be sent to the other party to this agreement at the address listed in paragraph 4 of this agreement.

4. MISCELLANEOUS PROVISIONS.

A. Notice. Notice required by this Agreement may be given or served by depositing the notice in the United States Mail, in certified or registered form, postage prepaid, addressed to the other party, or by delivering the notice in person to the other party. Notice deposited in the United States Mail in the manner prescribed in this subsection is effective upon deposit. The addresses of the parties are:

City of Kingsville, Texas
Attention: City Manager
P.O. Box 1458
Kingsville, Texas 78364
Telephone: (361) 595-8002
Facsimile: (361) 595-8035

The Ed Rachal Foundation
Attention: CEO, Paul D. Altheide
500 N. Shoreline Blvd., Suite 606
Corpus Christi, Texas 78401
Telephone: (361) 881-9040
Facsimile: (361) 881-9885

B. Effect of Waivers. No waiver by either party of any default, violation, or breach of the terms, provisions, and covenants contained in this Agreement may be deemed or construed to constitute a waiver of any other violation or breach of any of the terms, provisions, and covenants of this Agreement.

C. Amendment of Agreement. This Agreement may be amended at any time. Any amendment to this Agreement must be in writing and agreed to by the governing bodies of the parties. No officer or employee of any of the parties has authority to waive or otherwise modify the limitations in this Agreement, without the express action of the governing body of the party.

D. Not For Benefit of Third Parties. This Agreement and all activities under this Agreement are solely for the benefit of the parties and not the benefit of any third parties.

E. Exercise of Police Powers. This Agreement and all activities under this Agreement are undertaken solely as an exercise of the police power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.

F. Immunities Not Waived. Nothing in this Agreement waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Agreement and the performance of the covenants contained in this Agreement.

G. Mutual Indemnification: To the extent allowed by the Constitution and Laws of the State of Texas, the Foundation and City agree that each party assumes any and all risks of liability, loss, damages, claims, or causes of action and related expenses, including attorney fees, caused or asserted to have been caused directly or indirectly by or as the result of the negligent acts or omissions of that party and the officers, employees, and agents thereof.

H. Captions. Captions to provisions of this Agreement are for convenience and shall not be considered in the interpretation of the provisions.

I. Fiscal Obligations. Each party which performs services or furnishes aid under this Agreement must do so with funds available from current revenues of the party, which are subject to annual appropriations.

J. Approval by Governing Bodies. Each party represents that this Agreement has been duly passed and approved by the governing body of the party or that proper power and authority has been delegated by the governing body.

K. Entirety of Agreement. No other oral or written commitments of the parties with respect to the usage of facilities or signage may have any force or effect if not contained in this Agreement or any amendments thereto.

L. Severability. If any provision contained in this Agreement is held invalid for any reason, the invalidity does not affect other provisions of the Agreement that can be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.

M. Validity and Enforceability. If any current or future legal limitations affect the validity or enforceability of a provision of this Agreement, then the legal limitations are made a part of this Agreement and operate to amend this Agreement to the minimum extent necessary to bring this Agreement into conformity with the requirements of the limitations, and so modified, this Agreement continues in full force and effect.

N. Warranty. The individuals executing this agreement on behalf of each party represent and warrant that they are each the duly authorized representatives of such party on whose behalf the individuals are signing, each with full power and authority to bind said party to each term and condition set forth in this agreement.

O. Governing Laws. This Agreement shall be governed by the laws of the State of Texas.

P. Venue. Venue for an action arising under this Agreement is in Kleberg County, Texas.

Q. Effective Date. This Agreement is effective on the date when the last party executes this agreement.

R. Multiple Originals. Two (2) copies of this Agreement are executed; each shall be deemed an original.

EXECUTED by the Ed Rachal Foundation on the _____ day of _____, 2013.

Paul D. Altheide
CEO
Ed Rachal Foundation

ATTEST:

(Name)
(Title)

EXECUTED by the City of Kingsville on the _____ day of _____, 2013.

Vincent J. Capell
City Manager

ATTEST:

Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

AGENDA ITEM #17