

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, DECEMBER 9, 2013
REGULAR MEETING**

**HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS
CITY HALL/200 EAST KLEBERG AVENUE
4:00 P.M. Workshop
6:00 P.M. Regular Meeting**


I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

1. Workshop to review and discuss technology projects of the departments of the City of Kingsville for fiscal year 2013-2014. (City Manager).

APPROVED BY:



Vincent J. Capell
City Manager

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

MINUTES OF PREVIOUS MEETING(S) – Required by Law None.

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

1. None.

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

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment

Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor,. No formal action can be taken on these items at this time."

IV. Public Comment on Agenda Items³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedules, amending the location of speed limit zones on FM 3320 (Golf Course Road). (City Engineer/Public Works Director).
2. Motion to approve final passage of an ordinance authorizing the purchase of 2.767 acres of land at 2000 North Armstrong for a new water well (Well #25). (City Engineer/Public Works Director).
3. Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Kingsville Amateur Boxing Club, Inc. (Chief of Police).
4. Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Boys and Girls Club. (Chief of Police).
5. Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Communities in Schools. (Chief of Police).
6. Motion to approve resolution authorizing participation in Local Border Security Program FY2014 with the Texas Department of Public Safety for law enforcement personnel overtime and operational costs, authorizing the Chief of Police to act on the city's behalf with such program. (Chief of Police).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

7. Consider a resolution authorizing the City Manager to enter into an Economic Development Agreement between the City of Kingsville and the South Texas Benevolent Society, LLC, regarding Lake View Villas. (Director of Planning and Development services).

8. Consider a resolution authorizing the City Manager to enter into a Joint Election Agreement between the City of Kingsville and the Kingsville Independent School District, relating to the 2014 General Election. (City Secretary).

9. Consider accepting donation of \$500 from Apache Corporation and \$500 from Kingsville Area Federal Credit Union for purchase of bail out bags for police officers. (Chief of Police).

10. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 General Fund Budget for the City of Kingsville to accept donations for the Kingsville Police Department. (Finance Director).

11. Consider introduction of an ordinance amending the Fiscal Year 2013-2014 Fund 054 Utility Fund Capital Projects Fund to utilize Fiscal Year 2012-2013 fund balance for completion of the water well #19 pump house project. (Finance Director).

12. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 9-10-7 providing for a change to the height of vegetation overhanging streets and public parkways. (Director of Planning and Development Services).

13. Discuss and consider continued participation in the NLC service line warranty program. (Mayor)

VII. Adjournment.

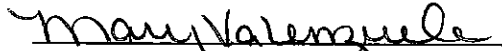
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This City of Kingsville and Commission Chambers 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:

December 2, 2013 at 4:00 P.M. and remained so posted continuously for at least 72 hours preceding the schedule time of said meeting.



Mary Valenzuela
City Secretary
City of Kingsville, Texas

This public notice was removed from the official posting board at the Kingsville City Hall on the following date and time: _____

By: _____
City Secretary's Office
City of Kingsville, Texas

MINUTES OF PREVIOUS MEETING(S)

CONSENT AGENDA

AGENDA ITEM #1

ORDINANCE NO. 2013-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 5, TRAFFIC SCHEDULES, AMENDING THE LOCATION OF SPEED LIMIT ZONES ON FM 3320 (GOLF COURSE ROAD); PROVIDING FOR APPROPRIATE PENALTIES, FINES, AND FEES REGARDING THE REGULATION THEREOF; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the Texas Department of Transportation has performed traffic/speed studies and has requested these changes to the speed limit zones on FM 3320 (Golf Course Road) within the city limits;

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

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

I.

THAT Schedule I of Article 5: Traffic Schedules of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 7-5 SCHEDULE I: SPEED LIMITS.

...

(I) Farm to Market 3320 (Golf Course Road).

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
FM 3320 (Golf Course Road)	Beginning at FM425 (Carlos Truan Blvd.) to General Cavazos Blvd.	40 mph		
FM 3320 (Golf Course Road)	From General Cavazos Blvd. to FM 2090 (the southern city limit)	55 mph		

...

Penalty, see §1-1-99.

II.

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

III.

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

IV.

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

INTRODUCED on this the 25th day of November, 2013.

PASSED AND APPROVED on this the 9th day of December, 2013.

Sam Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Engineering Department

361-595-8005

361-595-8035 Fax

DATE: November 15, 2013
TO: City Commission through City Manager
FROM: Charlie Cardenas, P.E., City Engineer/Director of Public Works
SUBJECT: Reduce the speed limit on FM 3320/Golf Course Road from FM 425/Carlos Truan Blvd. to FM 2090 (southern city limit on that road)

SUMMARY

This item allows the City to approve an ordinance to establish the speed limits on FM 3320/Golf Course Road from FM 425/Carlos Truan Blvd. to General Cavazos Blvd. from 50 mph to 40 mph and on FM 3320/Golf Course Road from General Cavazos Blvd. to FM 2090 from 60 mph to 55 mph.

BACKGROUND

The Engineering Department received a request on November 4, 2013 from the Texas Department of Transportation (TXDOT) to pass an ordinance establishing new speed limits on FM 3320 (Golf Course Road) From FM 425 (Carlos Truan Blvd.) to General Cavazos Blvd. from 50 mph to 40 mph and from General Cavazos Blvd. to FM 2090 from 60 mph to 55 mph. The request is based on a performed a speed study performed by TXDOT in the spring of 2013 on FM 3320 (Golf Course Road). The study showed the 85th percentile of traffic to be at 40 mph and 55 mph respectively.

RECOMMENDATION

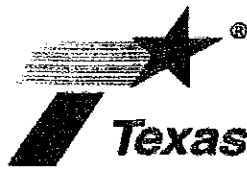
Given the current development and the traffic studies in this area, staff recommends an ordinance be passed to establish the speed limits on FM 3320/Golf Course Road from FM 425 (Carlos Truan Blvd.) to General Cavazos Blvd. at 40 mph and from General Cavazos Blvd. to FM 2090 at 55 mph.

FINANCIAL IMPACT

No financial impact to the City of Kingsville. Establishing this ordinance is in accordance with state and federal guidelines and the Manual of Uniformed Traffic Control Devices (MUTCD). TXDOT will pay for and install the new speed limit signs.

Approved

Vincent Capell, City Manager



125 EAST 11TH STREET | AUSTIN, TEXAS 78701-2483 | (512) 463-8580 | WWW.TXDOT.GOV

November 4, 2013

Corpus Christi District

Control: 3511-01
Highway: FM 3320
City: Kingsville
County: Kleberg

Mr. Charlie Cardenas, P.E.
City Engineer
City of Kingsville
200 E. Kleberg
Kingsville, TX 78363


Dear Mr. Cardenas:

Attached is a copy of a speed zone strip map for Farm to Market 3320 that runs through the City Limits of Kingsville. We have concluded the speed zone study from North city limit of Kingsville (FM 425) to FM 1717. As a result of our study, we are proposing to decrease the existing speed limit (within city limits) from 50mph to 40 mph (from FM 425 To General Cavazos). We also propose to decrease the existing speed from General Cavazos to FM 1717 from 60mph to 55 mph (outside city limits).

If our proposal is satisfactory, please secure city action and return two copies of the City Ordinance to our office. We will then update the speed limit signs on FM 3320.

If you have any questions, please contact Jacob Longoria at (361) 808-2212 or myself at (361) 808-2490

Sincerely,


America B. Garza, P.E.
Transportation Operations

CC: Ismael Soto, P.E. Director of Traffic Operations
Oscar Soliz, P.E. Area Engineer
Mike Flores, Maintenance Supervisor

OUR GOALS

MAINTAIN A SAFE SYSTEM • ADDRESS CONGESTION • CONNECT TEXAS COMMUNITIES • BEST IN CLASS STATE AGENCY
An Equal Opportunity Employer

Courtney Alvarez

From: Derryk Blasig <Derryk.Blasig@txdot.gov>
Sent: Wednesday, October 30, 2013 11:28 AM
To: Adrian Madison; America Garza; Dexter Turner; Ernesto De La Garza; Ismael Soto; Jacob Longoria; Joe Tellez; Kassondra Munoz
Subject: FM 3320 (3511-1) Speed Zone Approval

We have reviewed the following speed zone request:

County: Kleberg
Highway: FM 3320
Control Section: 3511-1
City: Kingsville

We concur with the following speed zones:

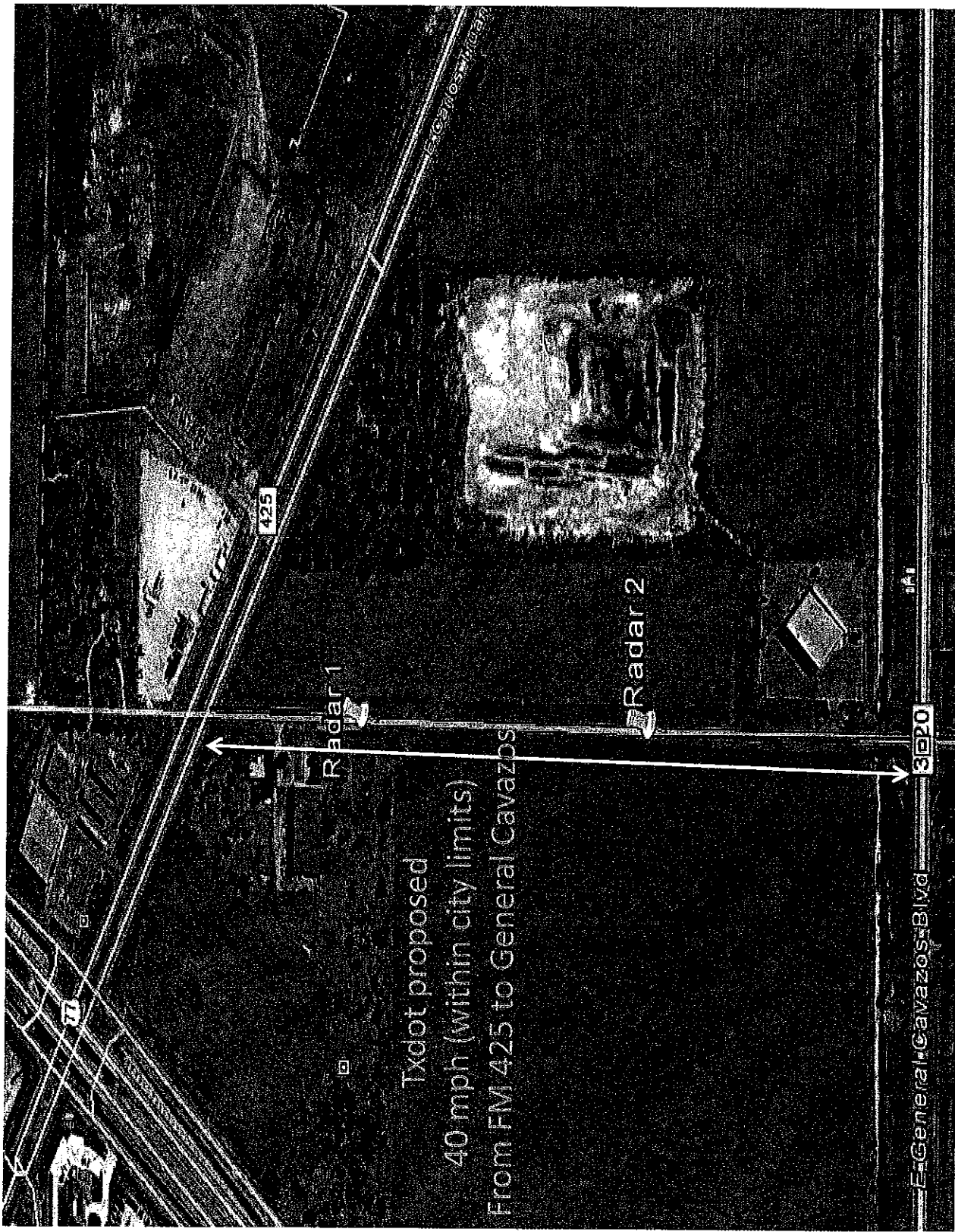
- 1) MP 1.000 to MP 1.412 / 0.412 mile / 40 mph
- 2) MP 1.412 to MP 3.008 / 1.596 miles / 55 mph

Please proceed with city of Kingsville to have a city ordinance passed for zone 1.

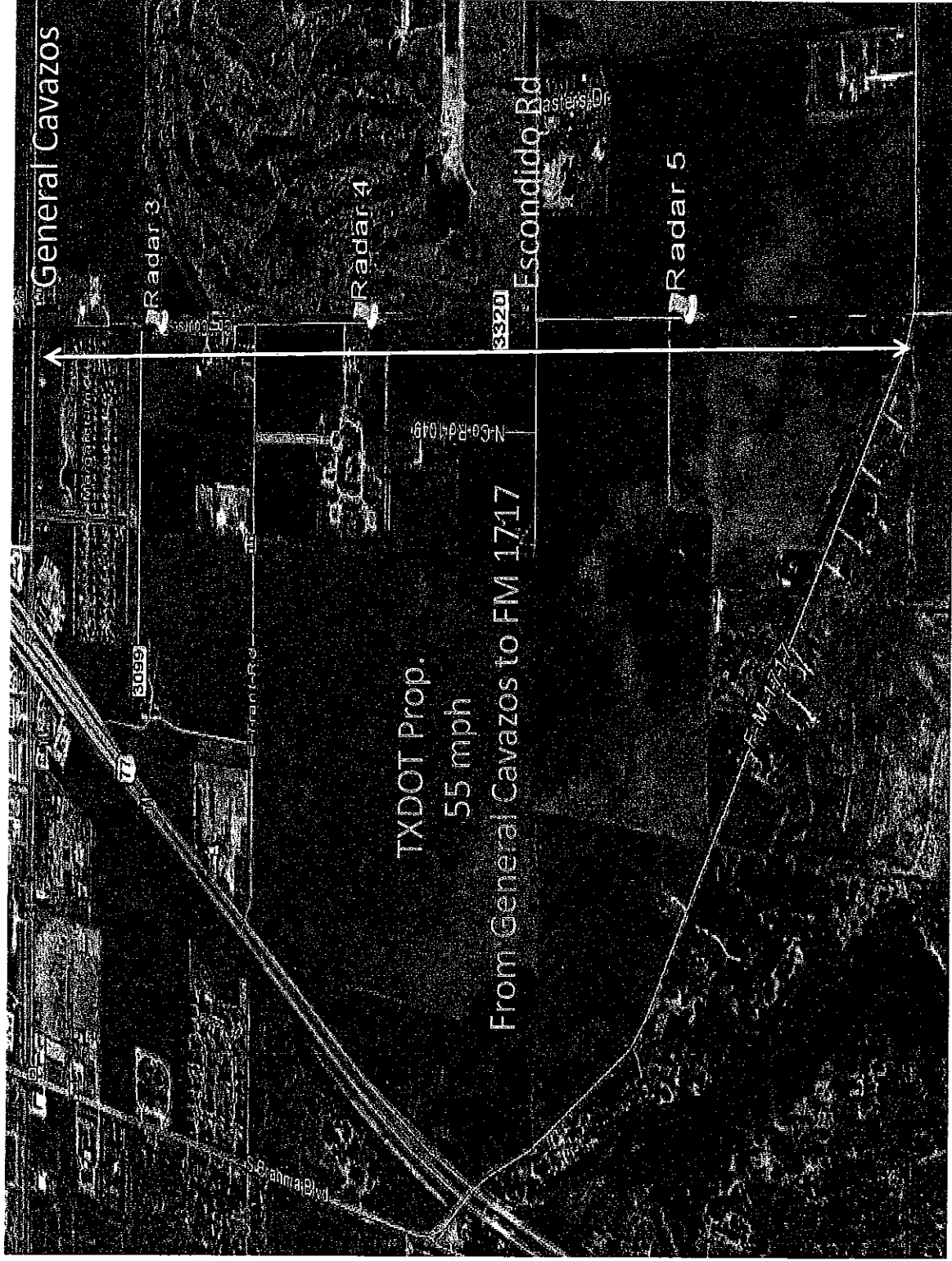
We will include zone 2 in the December 2013 commission minute order.

The proper portion of MO 110257 (9/29/2005) will be superseded.

Proposed Speed Study at FM 3320
Kleberg County



Proposed Speed Study at FM 3320
Kleberg County



AGENDA ITEM #2

ORDINANCE NO. 2013-_____

**AUTHORIZING THE PURCHASE OF 2.767 ACRES OF LAND AT 2000
NORTH ARMSTRONG FOR A NEW WATER WELL (WELL #25);
PROVIDING FOR PUBLICATION.**

WHEREAS, the City Commission previously designated funds for the purchase of land on which to build a new water well (well #25);

WHEREAS, staff has been working with the hydrologist to locate a suitable site for the new water well, has located a site, and has negotiated a proposed agreement with the land owner for the acquisition of the land; and

WHEREAS, the parties propose to purchase 2.767 acres of land from Manuel Ugues on a tract of land located at 2000 North Armstrong, Kingsville, Texas for \$48,825.00 and for in-kind services in the form of an irrigation water meter (\$265 estimated value), a driveway (\$1,500 estimated value) and 100 tons of reclaimed road material (\$3,500 estimated value); and

WHEREAS, the City Commission has determined that this acquisition 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 staff is authorized to purchase 2.7 acres of land from Manuel Ugues on a tract of land located at 2000 North Armstrong, Kingsville, Texas, as more specifically described on the survey attached as "Exhibit A", which is made a part of this ordinance.

SECTION 2. That staff is authorized to purchase the land for \$48,825.00 and for in-kind services in the form of an irrigation water meter (\$265 estimated value), a driveway (\$1,500 estimated value), and 100 tons of reclaimed road material (\$3,500 estimated value).

SECTION 3. The City Manager is authorized, as an act of the City of Kingsville, to execute any and all documents necessary to complete this land acquisition.

SECTION 4. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 5. 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. Codification is not required.

INTRODUCED on this the 25th day of November, 2013.

PASSED AND APPROVED on this the 9th day of December, 2013.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

"Exhibit A"

LVN, Inc.
Engineers & Consultants
801 Navigation Blvd., Suite 200
Corpus Christi, Texas 78408

2.767 Acres

Field note description for a 2.767 acre tract of land being out of the west 126.3 feet of Track 7 of the T.C. Moore subdivision and Track 8 North of Tranquitas Creek of the T.C. Moore subdivision described in a deed to Albert H. Dean, Sr. as recorded in Vol. 338, Pgs. 376-380, Deed Records, Kleberg County, Texas. Said 2.767 acre tract of land being more particularly described by metes and bounds as follows:

Beginning at a 5/8" iron rod found on the North side of Tranquitas Creek being the Southeast corner of the tract herein described, said corner having Texas State Plane, Zone 4205, NAD 83 Coordinates of X=1186290.31 and Y=17083773.03, and also being the **Point of Beginning**.

Thence **North 69° 40' 17" West**, a distance of **452.56** feet to a 5/8" iron rod set for the Southwest corner of the tract herein described;

Thence **North 00° 57' 34" West**, a distance of **203.69** feet to a 5/8" iron rod set for the Northwest corner of the tract herein described;

Thence **North 89° 02' 26" East**, a distance of **421.68** feet to a 5/8" iron rod set for the Northeast corner of the tract herein described;

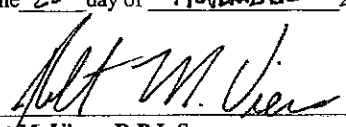
Thence **South 00° 57' 34" East**, a distance of **368.00** feet to a 5/8" iron rod found for the Southeast corner of the tract herein described and the **Point of Beginning**.

Containing more or less **2.767** acres of land (120,536.53 sq. ft.).

State of Texas
County of Nueces

I, **Robert M. Viera**, a Registered Professional Land Surveyor of LVN, Inc., hereby certify that the foregoing field notes were prepared from information of record and a survey made on the ground under my direction and is true and correct and that I have been engaged under contract to complete such operation with due and reasonable diligence consistent with sound professional practice.

This the th 20 day of NOVEMBER 2013.


Robert M. Viera, R.P.L.S.
State of Texas Lic. No. 6178

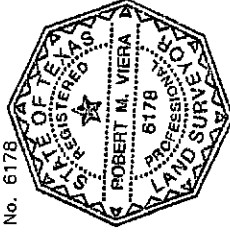


State of Texas
County of Kleberg

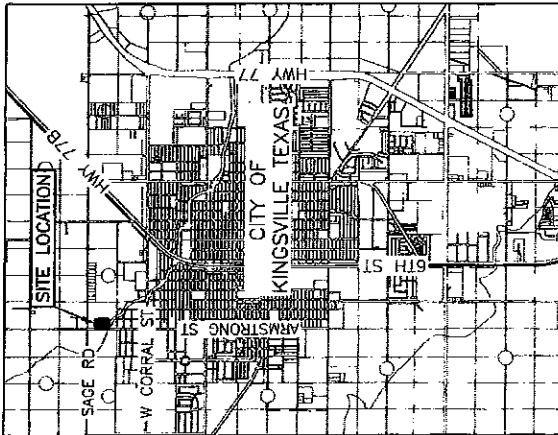
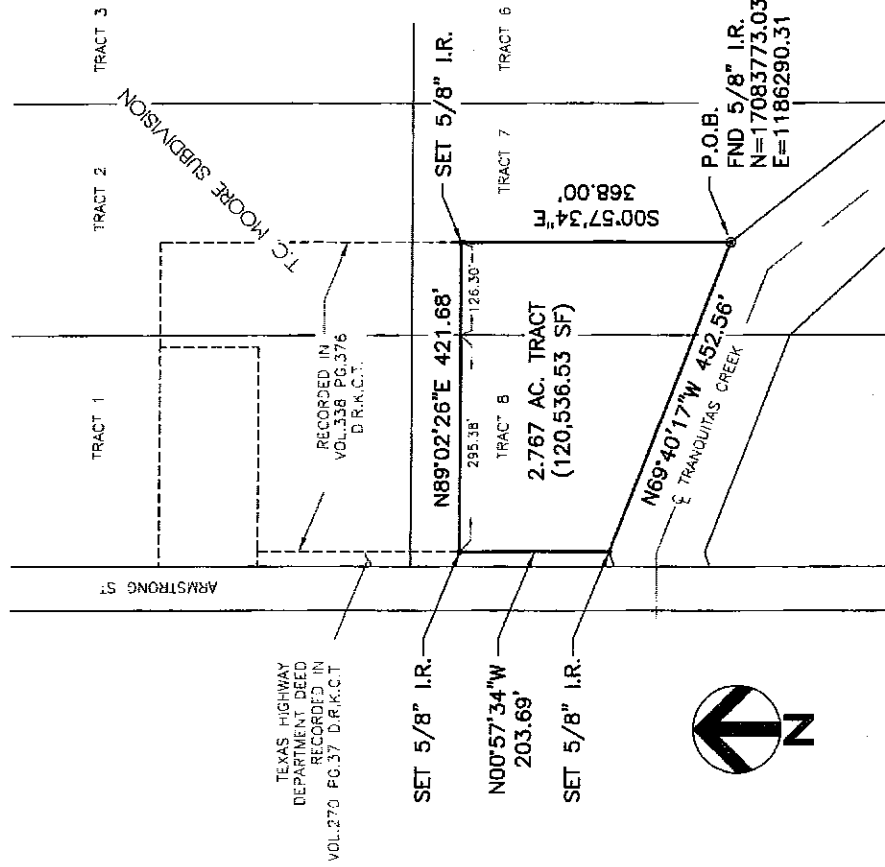
I, ROBERT VIERA, a Registered Professional Land Surveyor, of LNV Inc., do hereby certify that the foregoing map was prepared from information of record and under my direction and supervision.

This the 2nd day of November 2013.

Robert M. Viera
Robert M. Viera, R.P.L.S.
State of Texas License No. 6178



LEGEND:
D.R.K.C.T. DEED RECORDS, KLEBERG COUNTY, TEXAS
FND FOUND
I.R. IRON ROD
P.O.B. POINT OF BEGINNING
--- PROPERTY LINE
--- DEED LIMITS
--- TRACT BOUNDARY LIMITS



LOCATION MAP
SCALE: NTS

EXHIBIT OF A
2.767 AC. TRACT
(120,536.53 SQ. FT)
CITY OF KINGSVILLE, TEXAS

REFERENCES:

DEED RECORD VOL. 270 PG. 37 D.R.K.C.T.
DEED RECORD VOL. 338 PG. 376 D.R.K.C.T.

0 200 300 350 400

DATE: NOVEMBER, 2013

LNVI

engineers | architects | contractors
ALL SURVEYING, MAPPING AND
CONSULTING SERVICES
KINGSVILLE, TEXAS

DRAWN BY: ACJ

CHECKED BY: DO

DATE: 11-20-13



Engineering Department

361-595-8007

361-595-8035 Fax

DATE: November 15, 2013
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, P.E., Director of Public Works/City Engineer
SUBJECT: Land for New Water Well #25 (Fund 066)

SUMMARY

This item authorizes the purchase of 2.7 acres of land for proposed Water Well #25.

BACKGROUND

Engineering and Public Works have been working to acquire a location suitable for a proposed Water Well #25. It has been difficult to find a location where adequate existing utilities are located. We have been in contact with several property owners toward the north side of the city and have located a property that meets the requirements for a potential new well location. Manuel Ugues owns a tract of land at 2000 N. Armstrong. This land is adjacent to the north side of Tranquitas Creek and the east side of N. Armstrong with access from N. Armstrong. This land is a good location with connection ability to a new 8" pvc waterline running parallel on the east side of N. Armstrong. During negotiations in addition to the land purchase price (\$48,825.00), Mr. Ugues requested in-kind services from the City in the form of an irrigation water meter (\$265), a driveway (\$1,500) and 100 tons of reclaimed road material (\$3,500) on the remaining 3 acres. The hydrologist, Joe Vickers, believes this location to be a good site for water production.

Fund (066) – CO Series 2011 Utility:

Original Adopted Budget FY14: (600.2-714.00) \$50,000.00

Purchase amount FY14: \$48,825.00

Budget Remaining FY14: (600.2-714.00) \$1,175.00

RECOMMENDATION

Staff recommends proceeding with approval of the negotiated land purchase from Manuel Ugues for Water Well #25.

FINANCIAL IMPACT

This transaction will expend budgeted funds and some in-kind services for the purchase of land for a new water well.

Approved

Vincent Capell, City Manager

AGENDA ITEM #3

RESOLUTION #2013-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO THE KINGSVILLE AMATEUR BOXING CLUB, INC.

WHEREAS, the Texas Code of Criminal Procedure, Article 59.06(h) allows for the release of Chapter 59 funds for nonprofit programs for the prevention of drug abuse;

WHEREAS, the Kingsville Amateur Boxing Club, Inc. is a non-profit organization that provides anti-drug programs to the youths of the city and the area by providing athletic programs and other activities with a drug-free message that have a positive impact on the children of Kingsville;

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

I.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000 donation to the Kingsville Amateur Boxing Club, Inc., to help educate young people about living a drug-free and alcohol-free lifestyle. The Kingsville Amateur Boxing Club, Inc. will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support the Kingsville Amateur Boxing Club, Inc. in their efforts for the benefit of the community through drug abuse prevention programs.

PASSED AND APPROVED by a majority vote of the City Commission on the 9th day of December, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**KINGSVILLE POLICE DEPARTMENT
INTER-OFFICE MEMORANDUM**

November 20, 2013

TO : Vince Capell, City Manager

FROM : Ricardo Torres, Chief of Police

SUBJECT : **Chapter 59 Donation to Kingsville Boxing Club**

The Texas Code of Criminal Procedure, allows for Chapter 59 funds to be used for nonprofit programs for the prevention of drug abuse. I request that the Kingsville Police Department be allowed to make monetary donations in the amount of \$5,000.00 from Chapter 59 proceeds to the entity described below:

The Kingsville Boxing Club of Kingsville is a non-profit organization that provides anti-drug programs to the youths of the city and the area by providing educational studies opportunities, athletic programs, field trips and other activities with a drug-free message that have a positive impact on the children of Kingsville. This donation will assist them in implementing their program to assist in the prevention of Alcohol, tobacco, and other drugs for our youth.

We also ask that this entity applying for Chapter 59 donations be required to submit the attached reporting forms for our own internal auditing process and to insure strict compliance with standards set forth related to the expenditure of these funds.

We request that this item be placed on the next City of Kingsville, City Council agenda for approval. Thank you for your assistance regarding this matter.

FYI:

Kingsville Police Dept.
Fund 005

Cc: Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
QUARTERLY CHARITABLE CONTRIBUTION REPORTING

In order to insure that all Chapter 59 funds are used within the scope of the Texas Code of Criminal Procedure Chapter 59, the City of Kingsville is requiring any entity awarded Chapter 59 funds will provide a report on a quarterly basis to the Kingsville Police Department. The reporting periods will be as follows:

- Period 1
 - October 1st until December 31st
- Period 2
 - January 1st to March 30th
- Period 3
 - April 1st to June 30th
- Period 4
 - July 1st to September 30th

- Types of programs provided

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

- Number of participants served _____
- A module on abuse of methamphetamine in its different forms will be taught at least once annually to all participants of any program receiving funds.
 - I, _____ certify that _____(Number) students
(Printed or typed name of instructor)
were provided a module on the abuse of methamphetamine in its different forms.

(Signature of instructor)

(Notary Public

(Date)

(Date)

❖ Instructional material is available from the Kingsville Police Department.

- List all supplies and equipment that were purchased with Chapter 59 funds.

Item Description	Model No.	Serial No.	Cost	Location

This data is necessary for performance measurements reporting of all or the Kingsville Police Department's Federal and State grants such as JAG, BVP and Recovery Grants.

**CITY OF KINGSVILLE
POLICE DEPARTMENT
APPLICATION FOR CHAPTER 59 DONATIONS**

1. APPLICANT'S

NAME: Jaime Cantu

ADDRESS: 627 E. Miller Ave. Kingsville, Texas 78363

PHONE: 361-728-3955

2. ORGANIZATION'S

NAME: Kingsville Amateur Boxing Club Inc.

ADDRESS: 525 S. 12th St. Kingsville, Texas 78363

PHONE: Same

3. The Kingsville Boxing Club (a federally recognized 501(c) (3) Non Profit Organization) is applying for a grant to help and assist the club with its program. The club was formed with the intent of offering our youth an alternative from the streets. The club has grown considerable since its organization back in 1997. Currently the club allows all members of this community to attend and utilize its facilities with the purpose of getting fit and staying healthy. Members of the Kingsville Boxing Club who are registered with USA boxing are required to attend various classes throughout the year that teach and lecture on subjects such as; Drug and Alcohol Abuse, Dealing with Teen Pressure, Building one's Self Esteem, Nutrition and The United States Anti Doping Agency policy on drug use. Our instructor for those classes is a licensed and registered drug and alcohol counselor for the state of Texas. Speakers are invited to come in and share their experience with our athletes to help them better understand the consequences of abusing drugs and alcohol as well as giving motivational speeches to help our participants succeed. Pamphlets are located on site in the gym and are used to help educate our athletes in these various areas.

Our club is a very unique program that offers so many different types of character building programs (See List of Additional Programs). Our program has not only impacted the "At Risk" student but has also impacted those who want to volunteer and make a difference in our community.

Our club currently has no major sponsor and relies solely on the support of our community and organizations such as yours to continue our existence. The average cost per year to operate our club is \$15,000.00 (last 5 years).

We are requesting that a \$5,000.00 grant be awarded to our program to be used in the following manner:

1. Money will be used to help our program continue to spread our Drug Free Message to members of our community (primarily our youth).
2. A portion of this grant will be used to purchase additional equipment needed to ensure that all participants are properly equipped to conduct their physical training.
3. All money will be used to directly impact our program. Our program has no paid staff and all money will be used to help operate our program.

Approval of this grant is very important to our program. Without your organizations support, this program could not function in the manner that it has. Our program has received high praise from community leaders and members of our community. In addition, leaders from different communities have stated that they are very impressed with our program and believe that our community is fortunate to have a program like ours. It is directly because of your organization that we are as successful as we have been.

APPROVED: _____
RICARDO TORRES
CHIEF OF POLICE

DATE: _____ TIME: _____

List of additional programs run by the Kingsville Boxing Club

- **Drug, Alcohol and Substance abuse education** – Twice a month, a certified Drug and Alcohol Abuse Counselor conducts classes for all individuals.
- **Drug Awareness Information Give Away** – The Kingsville Boxing Club gives away for free, Educational Activity books and other items that focus on Drug Awareness and City Leadership.
- **Anti-Bullying Campaign** – This past year, the boxing club initiated our Anti Bullying Campaign by handing out activity books, book markers and other items that talk about bullying. In addition, pamphlets about Sexting are also given out.
- **Knock Out HomeWork/Tutoring Program** – Once a week (Wednesdays) the Kingsville Boxing Club opens its doors and allows students from throughout the community to come in and get assistance with their homework or for tutoring. Additional days are made available at the students' request. (Most volunteers and tutors are from our local University)
- **Camp of Champs** – This program was established in 2008 and is a cost free camp that is geared towards children ages 8-14 and focuses on the importance of health, fitness, discipline and faith. (The same type of training is given on a daily basis and if there aren't enough participants, the program is run during normal training hours).
- **Training Facility** – Our facility has opened its doors to Law Enforcement Personnel as well as Military Personnel to use as a fitness center or an instructional facility.
- **Community Service** – Members of the Kingsville Boxing Club volunteer once a month to assist Senior Citizens whose alley ways are in violation of our city codes and they must be cleaned up. The club contacts the local enforcement office for a list of addresses. In addition, our club assisted with the city wide clean up program.
- **Community Involvement** – The Kingsville Boxing club members volunteered for several different community events to include: National Night Out, Christmas present drive to assist needy families (Angels on Assignment Org), Motivational Speaking for different organizations and supported a "Back to School" School Supply Drive. All of these events were free to the public to include food and drinks.

More information on the above subjects can be found in our website:
www.12thstreetgym.org

AGENDA ITEM #4

RESOLUTION 2013- _____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO THE BOYS & GIRLS CLUB OF KINGSVILLE.

WHEREAS, the Texas Code of Criminal Procedure, Article 59.06(h) allows for the release of Chapter 59 funds for nonprofit programs for the prevention of drug abuse;

WHEREAS, the Boys & Girls Club of Kingsville is a non-profit organization that provides anti-drug programs (including the SMARTMoves program which will assist in the prevention of alcohol, tobacco, and other drugs) to the youths of the city and the area by providing educational study opportunities, athletic programs, field trips and other activities with a drug-free message that have a positive impact on the children of Kingsville;

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

I.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000 donation to the Boys & Girls Club of Kingsville, to help educate young people about living a drug-free and alcohol-free lifestyle. The Boys & Girls Club of Kingsville will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support the Boys & Girls Club of Kingsville in their efforts for the benefit of the community through drug abuse prevention programs.

PASSED AND APPROVED by a majority vote of the City Commission on the 9th day of December, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**KINGSVILLE POLICE DEPARTMENT
INTER-OFFICE MEMORANDUM**

TO : Vince Capell, City Manager

FROM : Ricardo Torres, Chief of Police

DATE : November 20, 2013

SUBJECT : **Chapter 59 Donation to Boys and Girls Club**

The Texas Code of Criminal Procedure, allows for Chapter 59 funds to be used for nonprofit programs for the prevention of drug abuse. I request that the Kingsville Police Department be allowed to make monetary donations from Chapter 59 proceeds to the entity described below:

The Boys & Girls Club of Kingsville is a non-profit organization that provides anti-drug programs to the youths of the city and the area by providing educational studies opportunities, athletic programs, field trips and other activities with a drug-free message that have a positive impact on the children of Kingsville. This donation will assist them in implementing the SMARTMoves program to assist in the prevention of Alcohol, tobacco, and other drugs for our youth.

We also ask that entities applying for Chapter 59 donations be required to submit the attached reporting forms for our own internal auditing process and to insure strict compliance with standards set forth related to the expenditure of these funds.

We would request that this item be placed on the next City of Kingsville, City Council agenda for approval. We request the approval of a donation in the amount of **\$5,000.00** to assist Kingsville Boys & Girls Club with our mission to help young people and families recover from chemical abuse and addiction. Thank you for your assistance regarding this matter.

FYI:

Kingsville Police Dept.
Fund 005

Cc: Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
QUARTERLY CHARITABLE CONTRIBUTION REPORTING

In order to insure that all Chapter 59 funds are used within the scope of the Texas Code of Criminal Procedure Chapter 59, the City of Kingsville is requiring any entity awarded Chapter 59 funds will provide a report on a quarterly basis to the Kingsville Police Department. The reporting periods will be as follows:

- Period 1
 - October 1st until December 31st
- Period 2
 - January 1st to March 30th
- Period 3
 - April 1st to June 30th
- Period 4
 - July 1st to September 30th

- Types of programs provided

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

- Number of participants served _____
- A module on abuse of methamphetamine in its different forms will be taught at least once annually to all participants of any program receiving funds.
 - I, _____ certify that _____ (Number) students
(Printed or typed name of instructor)
were provided a module on the abuse of methamphetamine in its different forms.

(Signature of instructor)

(Notary Public

(Date)

(Date)

❖ Instructional material is available from the Kingsville Police Department.

- List all supplies and equipment that were purchased with Chapter 59 funds.

Item Description	Model No.	Serial No.	Cost	Location

This data is necessary for performance measurements reporting of all or the Kingsville Police Department's Federal and State grants such as JAG, BVP and Recovery Grants.

**CITY OF KINGSVILLE
POLICE DEPARTMENT
APPLICATION FOR CHAPTER 59 DONATION**

1. APPLICANT'S

NAME John Perez

ADDRESS 1238 E. Kenedy, Kingsville, TX PHONE 361-592-2100

2. ORGANIZATION'S

NAME Boys & Girls Club of Kingsville

ADDRESS 1238 E. Kenedy, Kingsville, TX PHONE 361-592-2100

- 3. NARRATIVE:** Explain what will be done with the contribution to insure compliance with the disposition of forfeited property under Chapter 59 of the Texas Code of Criminal Procedure and the number of citizens it will affect in our community.

The funding would be used to help support our SMARTMoves and Fitness Authority programs with needed supplies to enhance and continue our core programs. Our SMARTMoves program is a Skills Mastery and Resistance training program that focuses on prevention and education on drug and alcohol use and premature sexual activity. Most of our programs are run only through either the summer, like Ultimate Journey, or school year, like POWERHour. But we have such a large need for our youth to be educated in prevention of drugs and alcohol that we run our SMARTMoves year-round.

Another area in need is our mentoring program that consists of College of Pharmacy students assisting our youth in life skills and decision making.

The program is well on its way and is making an impact on lives today.

We need your help to continue with our programs and to continue to provide the training and material needed to promote such a program.

We are honored to have had you as a supporter in the past and would like to continue with this plan.

APPROVED: _____

RICARDO TORRES
CHIEF OF POLICE

DATE: _____ TIME: _____

AGENDA ITEM #5

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO COMMUNITIES IN SCHOOLS FOR A DRUG AND ALCOHOL PREVENTION PROGRAM.

WHEREAS, the Texas Code of Criminal Procedure, Article 59.06(h) allows for the release of Chapter 59 funds for nonprofit programs for the prevention of drug abuse;

WHEREAS, Communities in Schools is a non-profit organization working to (1) turn the tide against drug and alcohol abuse in the Kingsville community and (2) make a positive statement to our young people about living a drug-free and alcohol-free lifestyle by implementing a drug and alcohol prevention program for students attending schools in the Kingsville Independent School District, the community and their families; and

WHEREAS, Communities in Schools has developed a program called FOCUS (Focusing On Children Uniting against Substances) to educate students ages 5-17 and their families on short and long term effects of alcohol, tobacco and other drugs;

WHEREAS, the FOCUS program will also disseminate information at health fairs, PTA meetings, Red Ribbon Kick-off, etc.

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

I.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000 donation to the Communities in Schools to help educate young people about living a drug-free and alcohol-free lifestyle. Communities in Schools will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support Communities in Schools for the benefit of the community.

PASSED AND APPROVED by a majority vote of the City Commission on the ____ 9th ____ day of December, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**KINGSVILLE POLICE DEPARTMENT
INTER-OFFICE MEMORANDUM**

TO : Vincent J. Capell, City Manager
FROM : Chief R. Torres
DATE : November 21, 2013
SUBJECT : Communities In Schools, Chapter 59 Donation

The Texas Code of Criminal Procedure under Chapter 59 allows awarded funds to be used to assist in the funding of nonprofit programs for the prevention of drug abuse. Communities In Schools is a tax-exempt organization and due to funding shortfalls has become more dependent upon support from individuals, corporations, and private foundations in our community.

I am in receipt of an application from the Communities In Schools soliciting a donation for the Kingsville, Texas program. The drug and alcohol prevention programs being proposed provide a proactive means to address our continued battle against the abuse of chemicals and their addiction.

As directed by the City Council for the City of Kingsville a procedure has been implemented for a person/entity seeking a donation via Chapter 59 Forfeiture Funds. I have reviewed the information provided by Communities in Schools and deemed that they meet or exceed the criteria required by the application process.

We request that this item be placed on the next City of Kingsville, City Council agenda for approval. We request the approval of a donation in the amount of **\$5,000.00** to assist Communities In Schools with our mission to help young people and families recover from chemical abuse and addiction. Thank you for your assistance regarding this matter.

CITY OF KINGSVILLE
QUARTERLY CHARITABLE CONTRIBUTION REPORTING

In order to insure that all Chapter 59 funds are used within the scope of the Texas Code of Criminal Procedure Chapter 59, the City of Kingsville is requiring any entity awarded Chapter 59 funds will provide a report on a quarterly basis to the Kingsville Police Department. The reporting periods will be as follows:

- Period 1
 - October 1st until December 31st
- Period 2
 - January 1st to March 30th
- Period 3
 - April 1st to June 30th
- Period 4
 - July 1st to September 30th

- Types of programs provided

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

- Number of participants served _____
- A module on abuse of methamphetamine in its different forms will be taught at least once annually to all participants of any program receiving funds.
 - I, _____ certify that _____ (Number) students
(Printed or typed name of instructor)
were provided a module on the abuse of methamphetamine in its different forms.

(Signature of instructor)

(Notary Public

(Date)

(Date)

❖ Instructional material is available from the Kingsville Police Department.

- List all supplies and equipment that were purchased with Chapter 59 funds.

Item Description	Model No.	Serial No.	Cost	Location

This data is necessary for performance measurements reporting of all or the Kingsville Police Department's Federal and State grants such as JAG, BVP and Recovery Grants.

**KINGSVILLE POLICE DEPARTMENT
APPLICATION FOR CHAPTER 59 DONATIONS**

1. **APPLICANT'S**
NAME _____ ADDRESS _____ PHONE _____
2. **ORGANIZATION'S**
NAME Communities In Schools ADDRESS P.O. Box 331203 PHONE 361-696-4057
3. **NARRATIVE:** explain what will be done with the contribution to insure compliance with the disposition of forfeited property under Chapter 59 of the Texas Code of Criminal Procedure and the number of citizens it will affect in our community.

Every nine seconds a young person in America drops out of school, losing his or her path to a better future. Because education and prosperity are inextricably linked, this crisis affects all of us. These are all our children.

For over 27 years Communities In Schools of the Coastal Bend has been helping students stay in school and achieve in life. We believe that every student can succeed in school if given the opportunity, support and resources.

Communities In Schools is the nation's leading dropout prevention organization – the only one with measurable proof that its efforts decrease dropout rates and increase the likelihood of graduation. Our case managers work in the schools, directly addressing the risks that confront many students even before they reach the school doors. CIS connects students and their families to critical community resources and services tailored to meet their needs.

The young people we serve can't wait for the economy to improve – they have one chance to do well in school and prepare for life. We believe in them, bring them caring relationships that help remove barriers, meet their needs and create the expectation and conditions for success, no matter their life circumstance.

Our work has never been more important and relevant. Please join us as we strive to keep our young leaders of tomorrow in school today. CIS respectfully request to be a partner with the Kingsville Police Department Chapter 59 fund through the award of \$5,000. This would allow CIS to coordinate drug free services to at-risk students in hopes they will stay drug free and stay in school and succeed.

Communities In Schools proposes to implement a drug and alcohol prevention program through the support of the City of Kingsville Police Department Force Chapter 59 Donation to students attending schools in Kingsville Independent School District. The goal of the FOCUS (Focusing On Children Uniting against Substances) program is to educate participants ages 5-17 and their families on short and long term effects of alcohol, tobacco and other drugs. The activities proposed offers various methods such as but not limited to small groups, wide school events and curriculums The CIS program will also disseminate information at health fairs, PTA meetings, Red Ribbon week, week without violence, Child Abuse Month etc

APPROVED: _____
Chief of Police

DATE: _____ TIME: _____

AGENDA ITEM #6

RESOLUTION #2013-_____

A RESOLUTION AUTHORIZING PARTICIPATION IN LOCAL BORDER SECURITY PROGRAM FY2014 WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR LAW ENFORCEMENT PERSONNEL OVERTIME AND OPERATIONAL COSTS; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Local Border Security Program FY2014 has funding to provide additional manpower by local law enforcement agencies for state led border security enhancement operations for improved border security via a grant to local law enforcement agencies for payment of overtime and operational costs for local law enforcement officers (commissioned peace officers & dispatchers); and

WHEREAS, the Texas Department of Public Safety is providing grants through funding from Local Border Security Program FY2014; and

WHEREAS, the City of Kingsville has previously applied for similar grants for the reimbursement of overtime for law enforcement personnel and operational costs that will assist with improved border security through enhanced patrolling of the roadways through our city, especially US 77.

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

I.

THAT the City authorize the Kingsville Police Department through the Chief of Police to participate in Local Border Security Program FY2014 and to seek reimbursement for the allowed expenses of law enforcement personnel overtime and operational costs necessary to assist with improved border security in our area in conformance with this program.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to Local Border Security Program FY2014 including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 9th day of December, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**KINGSVILLE POLICE DEPARTMENT
INTER-OFFICE MEMORANDUM**

November 25, 2013

TO : Vincent J Capell, City Manager
FROM : Ricardo Torres, Chief of Police
SUBJECT : Local Border Security Program (LBSP-14)

The Local Border Security Program FY2014 (LBSP-14), hereinafter referred to as LBSP-14 for fiscal year ending August 31, 2014 *to provide additional manpower by local law enforcement agencies for state led border security enhanced operations for improved border security. Using these funds, the Texas Department of Public Safety provides grants to local law enforcement agencies for payment of overtime and operational costs for local law enforcement officers (commissioned peace officers).*

The Texas Legislature has appropriated funds for overtime and operational costs for increased patrol and investigative capacity for certified peace officers. It further directed that the Department of Public Safety's Overtime Policy should be used to define overtime. Certain operational costs incurred as part of these overtime patrols and investigations, such as fuel/mileage and additional cost for minor emergency repairs may also be funded.

The LBSP-14 is a *reimbursement program of actual costs for eligible activities.*

The State of Texas has an urgent security challenge caused by the increased threat from organized crime, terrorism, and their allies that is exacerbated by the continued flow of illegal immigrants. These security challenges require a unified strategy to provide the State of Texas with a framework to respond. These threats will continue to threaten the security of Texas and the United States for the foreseeable future. Organized criminal, drug trafficking, and illegal immigration activities originating and transiting from Mexico to the United States and Texas will continue until the air, land, and sea transit areas are secured. These criminal elements also use these air, land, and sea transit areas and routes from the United States and Texas to Mexico for the movement of funds, weapons, and stolen vehicles.

Criminal activities, including drugs and human smuggling, are extensive in the border regions and within the transportation corridors from the borders to major metropolitan areas. Relatively small groups of substantially financed illegal immigrants or potential terrorist often can infiltrate the United States and adversely impact population centers, critical infrastructure, and citizens.

The State of Texas will facilitate the conduct of sustained interagency law enforcement operations from *January 1, 2014 through August 31, 2014* to dominate the Texas-Mexico Border area at points and times of its choosing and thereby deny criminal actions therein; provide a safe and secure environment where Texas citizens can prosper; contribute to the reduction of potential acts of terror within Texas and the United States; and promote regional stability.

The Kingsville Police Department as a member of the South Texas Sheriffs Coastal Alliance will be applying for overtime and fringe benefits as well as operational costs for fuel & maintenance to assist us in our target goals. Our City Attorney Courtney Alvarez has drafted a resolution in support of this project for consideration by our city commission. Please place this item on the next available City of Kingsville Commission agenda for consideration.

Thank you for your assistance regarding this matter.

REGULAR AGENDA

AGENDA ITEM #7

RESOLUTION #2013-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE SOUTH TEXAS BENEVOLENT SOCIETY, LLC; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City passed and approved Guidelines and Criteria for Stimulating Economic Development within the City of Kingsville (EDA Guidelines) on January 28, 2013;

Whereas, a need for economic development, especially single-family residential development, exists within the City based on current demand and new job creation and the City desires to increase the amount of new residential single-family units built within the city, thereby increasing the sales tax and ad valorem tax base of the City to the benefit of citizens and other local taxing entities;

Whereas, the City believes the offering of local economic incentives will stimulate new residential single-family development within the city and stimulate economic activity and development within the city;

Whereas, additional single-family residential units will benefit the citizens, expand the tax base, and increase the population by capturing a larger share of the workforce that may be living elsewhere due to lack of adequate local housing stock;

Whereas, the City desires to approve qualifying applications for Economic Development Assistance to stimulate residential and economic development within the city as a local incentive to create additional housing, a higher level of employment, economic activity and stability within the City of Kingsville, which serves a public purpose;

Whereas, the approved EDA Guidelines provide for the administration of a program that provides personnel and services and/or money of the city to promote local economic development and to stimulate business and commercial activity in the city, pursuant to authority found in section 380.001 of the Local Government Code;

Whereas, the City has received an application, pursuant to the EDA Guidelines, from Mark Dizdar on behalf of the South Texas Benevolent Society, LLC ("STBS") for monetary assistance for a residential subdivision to create 24 new garden homes each with a minimum square footage living space of 1,300 square feet and with a two car garage within "Lake View Villas";

Whereas, the City believes providing economic incentives through this agreement with STBS will further its objectives of stimulating business and commercial activity through the expansion of the housing stock and tax base

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 Economic Development Agreement between the City of Kingsville and the South Texas Benevolent Society, LLC 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
____ 9th day of _____ December _____, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**CITY OF KINGSVILLE
ECONOMIC DEVELOPMENT AGREEMENT
WITH
SOUTH TEXAS BENEVOLENT SOCIETY
FOR LAKE VIEW VILLAS**

THIS ECONOMIC DEVELOPMENT AGREEMENT (this "Agreement") is made and entered into by and between the City of Kingsville, a municipal corporation situated in Kleberg County, Texas (the "City") and South Texas Benevolent Society, LLC, a limited liability corporation created and operating in the State of Texas.

Whereas, the City passed and approved Guidelines and Criteria for Stimulating Economic Development within the City of Kingsville (EDA Guidelines) on January 28, 2013;

Whereas, a need for economic development, especially single-family residential development, exists within the City based on current demand and new job creation and the City desires to increase the amount of new residential single-family units built within the city, thereby increasing the sales tax and ad valorem tax base of the City to the benefit of other local taxing entities;

Whereas, the City believes the offering of local economic incentives will stimulate new residential single-family development within the city and stimulate economic activity and development within the city;

Whereas, additional single-family residential units will benefit the citizens, expand the tax base, and increase the population by capturing a larger share of the workforce that may be living elsewhere due to lack of adequate local housing stock;

Whereas, the City desires to approve qualifying applications for Economic Development Assistance to stimulate residential and economic development within the city as a local incentive to create additional housing, a higher level of employment, economic activity and stability within the City of Kingsville;

Whereas, the approved EDA Guidelines provide for the administration of a program that provides personnel and services and/or money of the city to promote local economic development and to stimulate business and commercial activity in the city, pursuant to authority found in section 380.001 of the Local Government Code;

Whereas, the City has received an application, pursuant to the EDA Guidelines, from Mark Dizdar on behalf of the South Texas Benevolent Society, LLC ("STBS") for monetary assistance for a residential subdivision to create 24 new garden homes each with a minimum square footage living space of 1,300 square feet and a two-car garage within "Lake View Villas";

Whereas, the City will be adopting Isabella Drive (a 36 foot wide roadway) and 2-12 foot wide parkways with sidewalks for a 60 foot City Right-of-Way;

Whereas, the City believes providing economic incentives through this agreement with STBS will further its objectives of stimulating business and commercial activity through the expansion of the housing stock and tax base.

Therefore, in consideration of the respective representations and agreements herein contained, the parties hereto agree as follows:

1. Authorization. This Agreement is authorized by the Guidelines and Criteria for Stimulating Economic and Residential Development within the City of Kingsville pursuant to authority found in section 380.001 of the Texas Local Government Code. The City of Kingsville has determined that the request for Economic Development Assistance presented by STBS conforms with the criteria established in the EDA Guidelines.

2. Defined Terms. As used in this Agreement, the following terms shall have the meanings set forth below:

A. "Certified Appraised Value" means the appraised value, for property tax purposes as certified by the Kleberg County Appraisal District.

B. "Economic Incentives" means the total money incentive for infrastructure (water &/or sewer or street) that are to be located on real property within the city limits of the City of Kingsville, Texas for single family residential development purposes as designated in the EDA Guidelines.

C. "Improvements" means the twenty-four (24) single family residential garden houses each with a minimum square footage of living space of 1,300 square feet and a two-car garage square feet within "Lake View Villas," and road construction which are all to be done by STBS in Lake View Villas, Kingsville, Texas.

3. Administration Agreement. This Agreement shall be administered by the Kingsville City Manager or his designee.

4. Term. Unless terminated earlier as provided elsewhere herein, this Agreement shall be effective after approval by the Kingsville City Commission and executed by both parties and shall run for a term not to exceed five (5) years from the date the last party signs this Agreement and provided the terms of the EDA Guidelines and the Agreement have been met, unless any extensions of up to five (5) additional years are granted by the City (not to exceed a total term of 10 consecutive years). If the completion of the project is delayed due to the fault of the City, then the Agreement term limit will be extended by an equivalent

amount of time as the City-caused delay. This Agreement is subject to early termination as per Section VII – Recapture of the EDA Guidelines.

5. Economic Incentive. The City of Kingsville and STBS agree and acknowledge that this Agreement shall provide for economic incentives, under the conditions set forth herein. For the duration of this agreement, the City will provide assistance with up to \$81,000 in economic incentives [through reimbursements of money (no more than \$81,000) equal to the M&O portion of the ad valorem city tax paid on real property covered by this agreement].

5.1 The reimbursement monetary incentives will be disbursed once each year on March 1st for the term of the agreement with payments to be equal to an amount of half of the generated M&O portion of city paid ad valorem taxes each year provided by the new homes constructed within the development area with the total cumulative incentives disbursed never to exceed \$81,000.

5.2. Reimbursement monetary incentives may also include up to an additional \$81,000 in economic incentives over time that is to be provided by Kleberg County, to be disbursed in the same manner as per the City's reimbursement monetary incentives, for infrastructure assistance pursuant to the City's Agreement with the County for economic development assistance.

5.4 All of the afore-mentioned economic incentives are subject to certain conditions. The conditions are that:

(1) STBS will pay for compaction and core sample testing of the roads in Lake View Villas and STBS will provide all of the materials needed for infrastructure assistance,

(2) The City Engineer will determine the location for all of the road testing done in Lake View Villas,

(3) The City Engineer will be provided a copy of the core sample testing and compaction testing results,

(4) The City Engineer must be satisfied that the subgrade and base meet the City's road construction standards before the any final overlay is placed on the roads in Lake View Villas,

(5) Caliche base is allowed ONLY IF a geotechnical engineering report states the acceptable specifications for use of a caliche base, instead of the preferred limestone base, and those specifications are followed,

(6) If the geotechnical report does not allow for a caliche base, or if the report does allow for a caliche base but the specifications are not followed, then in either case a limestone base will be used for roadways in the subdivision,

(7) A homeowners association must be created to carry out the codes, covenants, and restrictions throughout the subdivision, which must include but not be limited to maintenance of the common areas, boulevard landscape/trees, and the detention pond. STBS shall be responsible for carrying out the codes, covenants, and restrictions until the homeowners association is established and is the owner of record of the common areas and detention pond. Codes, covenants, and restrictions shall be submitted to the City for review and approval prior to application for final plat and/or recording of the plat,

(8) City will look into possible methods of ensuring conformance with maintenance of the common areas that are to be addressed in the codes,

covenants, and restrictions in the event the homeowners association fails to perform them,

(9) Should Kleberg County decide not to participate in any economic incentives with STBS for the Lake View Villas subdivision, then the City will also not provide any incentives for the project,

(10) STBS will construct and maintain a six foot (6") high privacy fence along the back and sides of the "Lake View Villas" development such that fence totally restricts visibility, AND

(11) Isabella Drive (a 36 foot wide roadway) and 2-12 foot wide parkways with sidewalks for a 60 foot City Right-of-Way will be developed by STBS in Lake View Villas.

6. Improvements. STBS agrees to construct approximately twenty-four (24) single family houses each with a minimum square footage of living space of 1,300 square feet and a two-car garage square feet within "Lake View Villas" off of General Cavazos Blvd. in Kingsville, Texas during the term of this Agreement. The base year assessed value of the property for which economic incentives are sought is the valuation determined by the Kleberg County Appraisal District as of January 1, 2013. The improvements to be made are set out more fully in the Application for economic incentives.

7. Representations.

A. STBS represents and agrees that (i) it will have a taxable interest with respect to real property where the Improvements are to be made; and (ii) it will develop twenty-four (24) single family residential garden homes each with a minimum square footage of living space of 1,300 square feet and a two-car garage square feet within "Lake View Villas" during the term of this Agreement.

B. The City represents that (i) the EDA Guidelines have been created pursuant to authority in Chapter 380 of the Texas Local Government Code; and (ii) that the property where the Improvements are to be located is within the corporate limits of the City.

C. STBS and the City each represent that no interest in Improvements is held or subleased by a member of the Kingsville City Commission or any employee or official of the City.

D. STBS represents that all work to be done shall comply with all existing City of Kingsville codes and ordinances, and in compliance with state and federal laws.

E. STBS represents that the appropriate permits and plans will be obtained prior to the beginning of any work.

F. Ineligible property as described in Section IV, Subsection 4 of the EDA Guidelines is not subject to this Agreement.

G. The City will provide economic incentives to the extent it has sufficient resources to do so.

H. The estimated value of all the Improvements to be made is as per STBS's Application.

8. Access To and Inspection of Property by City Employees. STBS shall allow the City's employees access to the Improvements for the purpose of inspecting any Improvements erected to ensure that such Improvements are completed and maintained in accordance with the specifications and conditions of this Agreement and to ensure that all terms and conditions of this Agreement are being met. Such inspections may be made with one (1) or more representatives of STBS in accordance with all applicable safety standards.

9. Default.

A. The City Manager may declare a default hereunder if STBS (i) violates any of the terms or conditions of this Agreement or the EDA guidelines, including but not limited to Section XII - Recapture; or (ii) allows any ad valorem taxes owed to the City to become delinquent and fails to timely and properly follow the legal procedures for their protest and contest. If the City Manager declares a default of this Agreement, this Agreement shall terminate as provided in Section VII – Recapture of the EDA Guidelines and the City in such event, shall be entitled to recapture any economic incentives provided in this Agreement as per Section VII of the EDA Guidelines.

B. The City Manager shall notify STBS of any default in writing in the manner prescribed in Section VII – Recapture of the EDA Guidelines.

C. The City and County shall be reimbursed through any means as necessary, as set out in Section VII of the EDA Guidelines.

10. Compliance with State and Local Regulations. Nothing in this Agreement shall be constructed to alter or affect the obligations of STBS to comply with any ordinance, rule, or regulation of the City or laws of the State of Texas.

11. Assignment of Agreement. This Agreement may be assigned only with the approval by resolution of the Kingsville City Commission, subject to the financial capacity of the assignee and provided that all conditions and obligations in this Agreement are guaranteed by the execution of a new Agreement with the City. No assignment shall be approved if the parties to this Agreement or the new owner are liable to any jurisdiction for outstanding taxes or other obligations.

The Kingsville City Commission shall not unreasonably withhold approval of an assignment.

12. Notice. All notices shall be in writing and mailed by certified or registered mail. Any notice of communications shall be deemed to be received three (3) days after the date of deposit in the United States mail. Unless otherwise provided in this Agreement, all notices shall be mailed to the following addresses:

To the Owner: Mark Dizdar
South Texas Benevolent Society
1101 Vine Ave., Suite B
McAllen, TX 78501

To the City: City of Kingsville
C/O City Manager Vincent J. Capell
P.O. Box 1458
Kingsville, TX 78364

Any party may designate a different address by giving the other party ten (10) days written notice in the manner prescribed above.

13. Entire Agreement. This Agreement along with any design standards attached hereto, the EDA Guidelines, the application submitted by STBS, along with any Subdivision Improvement Agreements that have been or may be entered into for the land covered by this agreement, contain the entire agreement among the parties and supersedes all other negotiations and agreements, whether written or oral.

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the City of Kingsville as authorized by the City Commission on the _____ day of _____, 2013; by Mark Dizdar on behalf South Texas Benevolent Society, LLC on the _____ day of _____, 2013 and effective upon the execution of both parties hereto.

CITY OF KINGSVILLE

SOUTH TEXAS BENEVOLENT
SOCIETY

By: _____
Name: Vincent J. Capell
Title: City Manager

By: _____
Name: Mark Dizdar
Title: President

AGENDA ITEM #8

RESOLUTION #2013-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO JOINT ELECTION AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE KINGSVILLE INDEPENDENT SCHOOL DISTRICT, RELATING TO THE 2014 GENERAL ELECTION; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City plans to hold a City General Election on May 10, 2014, in Kleberg County voting precincts for the purpose of electing a Mayor and four (4) City Commissioners; and

WHEREAS, the KISD Board of Trustees plans to hold a Board of Trustees Election on May 10, 2014, in Kleberg County voting precincts for the purpose of electing School Trustees to Place No. 1, Place No.2, and Place No.3;

WHEREAS, this agreement was enacted to reduce duplicitous services and expenses from having each entity provide the same services; and

WHEREAS, the School District and the City desire to share one-half of the cost of conducting the May 10, 2014 General Election for each of their entities; and

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 Joint Election Agreement between the City of Kingsville and Kingsville Independent School District relating to the 2014 General Election 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 9th day of _____ December _____, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

JOINT ELECTION AGREEMENT
BETWEEN THE CITY OF KINGSVILLE
AND THE KINGSVILLE INDEPENDENT SCHOOL DISTRICT

DRAFT

This agreement is made and entered into this _____ day of December, 2013, between the City of Kingsville ("City") and the Kingsville independent School District ("KISD") to conduct a joint election.

I. JURISDICTION

The City plans to hold a City General Election on May 10, 2014, in Kleberg County voting precincts for the purpose of electing a Mayor and four (4) City Commissioners.

The KISD Board of Trustees plans to hold a Board of Trustees Election on May 10, 2014, in Kleberg County voting precincts for the purpose of electing School Trustees to Place No. 1, Place No. 2, and Place No. 3.

II. ADMINISTRATION

The City of Kingsville City Secretary/Elections Administrator agrees to coordinate, supervise and handle all aspects of administering the Joint Election in accordance with the provisions of the TEXAS ELECTION CODE as outlined in this agreement. The KISD agrees to pay the City for equipment, supplies, services and administrative costs as outlined in this agreement. The City of Kingsville Elections Administrator will serve as administrator for this election; however, each participating authority remains responsible for the lawful conduct of their respective election.

III. LEGAL DOCUMENTS

Each participating authority will be responsible for preparation, adoption and publication of all required election orders, resolutions, notices and any other pertinent documents required by their respective governing bodies.

If needed, the City of Kingsville will be responsible for making the submission required by the Federal Voting Rights of 1965, as amended, with regard to administration of the joint election. A copy of the submission will be furnished to the KISD. Any other changes which require preclearance by the U.S. Department of Justice will be the responsibility of each participating authority. Preparation of necessary bilingual materials for notices and preparation of the text for the official ballot will also be the responsibility of each participating authority.

IV. VOTING SYSTEM

Each participating authority agrees that voting at the election is expected to be of use of the iVotronic Voting System (Direct Recording Electronic {DRE}) equipment approved by the Secretary of State in accordance with the TEXAS ELECTION CODE. Electronic tabulating devices and equipment is expected to be used to tabulate the ballots. It is further agreed that the City will provide transfer cases for use during the early voting process and for use at each of the regular polling places located within the City on Election Day. Election Systems & Software is expected to be responsible for the parathion of programs and the Kleberg County Voter Registration Department is expected to be responsible for the testing of the iVotronic Voting System used for tabulating the ballots. Testing of the equipment is expected to be conducted at the Kleberg County Voter Registration Department, 700 Kleberg Avenue, Kingsville, Texas on May 7, 2014 at 1:00 p.m.

The City of Kingsville expects to lease iVotronic voting devices from Kleberg County for the election.

V. VOTING LOCATIONS

It is agreed by the participating authorities that early voting for the May 10, 2014 election will be held at the Kingsville City Hall, 200 E. Kleberg Avenue, Kingsville, Texas, 78363 and during four consecutive days at mobile voting sites to be designated in coordination with the KISD.

VI. ELECTION JUDGES, CLERKS AND OTHER ELECTION PERSONNEL.

The City will be responsible for the appointment of the presiding judge and alternate for each polling location, and also for the appointment of the Early Voting Ballot Board. It is agreed by the participating authorities to employ the number of election judges and clerks as the need determines, and that presiding election judges shall be paid \$12.00 per hour and the alternate judges and election clerks shall be paid \$10.00 per hour. The presiding election judge will receive an additional \$25.00 for picking up the election supplies prior to Election Day and for delivering returns and supplies to their designated drop-off site.

It is further agreed by the participating authorities to employ up to seven (7) early voting clerks, during the early voting period (April 28, 2014-May 6, 2014).

The City of Kingsville Elections Administrator is responsible for notifying all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the TEXAS ELECTION CODE, and will take the necessary steps to ensure that all election judges appointed for the joint election are eligible to serve. The presiding judges, with

the Elections Administrator's assistance, will be responsible for ensuring the eligibility of each appointed clerk hired to assist the judge in the conduct of the election.

The City of Kingsville's Elections Administrator will conduct a training call for the election workers on the election laws and procedures. The instructional class will be held at KISD Administration Building, 207 N. 3rd Street, Kingsville, Texas, on date(s) to be determined by the Kingsville Elections Administrator.

The election judges are responsible for picking up election supplies at the time and place determined by the Elections Administrator (which will be set forth in the election judge letter requesting service for this election).

VII. SUPPLIES AND PRINTING

The City of Kingsville Elections Administrator will arrange for all election supplies and election printing, including, but not limited to, all forms, signs and other materials used by the election judges at the voting locations.

The KISD will furnish to the City of Kingsville's Elections Administrator a list of candidates showing the order and the exact manner in which their names are to appear on the official ballot. This will be done as soon as possible after ballot positions have been determined by the KISD.

VIII. BALLOT TABULATION AND RETURNS OF ELECTION

The City will be responsible for the tabulation of ballots and the tabulation of early votes at the central counting station, Kleberg County Courthouse, 700 Kleberg Avenue, Kingsville, Texas. Following the tabulation of the ballots on Saturday, May 10, the KISD is responsible for obtaining the unofficial results from the Elections Administrator. The Elections Administrator will prepare the following election records to be returned to the KISD no later than 5:00 p.m. May 16, 2014: [1] precinct-by-precinct returns in early voting and on Election Day; and [2] copy of the Combination Form (Poll List/Signature Roster) from each polling location, and for early voting.

The KISD will be responsible for securing these records from the City by the date and time specified above.

IX. RECORDS OF ELECTION

Mary Valenzuela, City of Kingsville City Secretary/Elections Administrator, is hereby appointed general custodian of the voted ballots and all records of the Joint Election, as authorized by Section 271.010 of the TEXAS ELECTION CODE.

Access to the election records will be available to each participating authority as well as to the public, in accordance with the Texas Election Code, Texas Public Information Act, Chapter 552, GOVERNMENT CODE, at the City of Kingsville, City Clerk's Office, 200 Kleberg Avenue, at any time during normal business hours. The Elections Administrator shall ensure that the records are maintained in an orderly manner, so that records are clearly identifiable and retrievable per records storage container.

Records of the election will be retained and disposed of in accordance with the provisions of Title 6, Subtitle C, Chapters 201 through 205, TEXAS LOCAL GOVERNMENT CODE, including the minimum retention requirements established by the Texas State Library and Archives Commission. If records of the election are involved in any pending election contest, investigation, litigation, or Texas Public Information Act, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of any participating authority to bring to the attention of the Elections Administrator any notice of any pending election contest, investigation, litigation, or Texas Public Information Act request which may be filed with a participating authority.

On the first business day which follows the date that the records of the election are eligible for destruction, the Elections Administrator will notify in writing each participating authority of the planned destruction of any records of the election. Within fifteen days of the receipt of the Elections Administrator's notice of intent to destroy the records, each participating authority will provide the Elections Administrator with written authorization to proceed with destruction or written instructions to withhold destruction.

X. ELECTIONS EXPENSES

The participating authorities agree the costs of administering the May 10, 2014 election shall be born 50% by the KISD and 50% by the City. The KISD agrees to remit to the City of Kingsville, no later than April 25, 2014, a sum of \$10,000 to be allocated for part of their 50% of the total estimated cost of election expenses. Final election expenses will be determined within thirty (30) days after the canvass of the election returns, and the City will provide the KISD with a final accounting. It is agreed that the remaining balance owed will be remitted to the City no later than thirty (30) days after receipt of the final accounting.

In addition to payment of 50% of the election expenses, the KISD agrees:

(1) No charges or expenses will be assessed by Kingsville Independent School District for janitorial services or HVAC expenses incurred by KISD on Election Day for school premises.

(2) To pay the costs incurred for one person to assist the City Secretary during the Election preparation period of February 11, 2014 – May 10, 2014. The KISD

shall provide an employee experienced in elections to assist during this period and absorb the cost of their salary and benefits. In the event the KISD does not provide such an employee, then the KISD agrees to pay the cost incurred by the City to hire an assistant who shall be paid an hourly rate not to exceed \$12.00 per hour, not to exceed 300 hours. The expense for this assistant shall not be included as an election expense in determining the 50%/50% division of expenses between the parties.

XI. EARLY VOTING

Mary Valenzuela, City Secretary, will be appointed as joint early voting clerk in compliance with Section 271.006 of the TEXAS ELECTION CODE. Other deputy early voting judges/clerks will be appointed as needed to process early voting mail and to conduct early voting at the main location and mobile sites. The City Secretary/Elections Administrator will designate two days of early voting as twelve-hour early voting days. The KISD will conduct four consecutive days of early voting utilizing its mobile voting sites, after coordination with the City Secretary/Elections Administrator.

Early voting by personal appearance will be conducted in accordance with the election order of the participating authorities.

MAIN EARLY VOTING POLLING PLACE

Kingsville City Hall
200 E. Kleberg Avenue
Kingsville, Texas 78363

TEMPORARY BRANCH/MOBILE POLLING PLACES

Harrel Elementary School, 925 W. Johnston, Kingsville, TX 78363
Memorial Middle School, 915 S. Armstrong, Kingsville, TX 78363
Gillett Intermediate School, 1007 N. 17th St., Kingsville, TX 78363
Perez Elementary School, 1111 E. Ailsie Ave., Kingsville, TX 78363
H.M. King Fine Arts Building, 2210 Brahma Blvd., Kingsville, TX 78363
Harvey Elementary School, 1301 E. Kenedy, Kingsville, TX 78363
Kleberg Elementary School, 900 N. 6th St., Kingsville, TX 78363

All requests for early voting ballots by mail that are received by participating authorities will be delivered by the most efficient means on the day of receipt to the City of Kingsville, City Secretary's Office, 200 E. Kleberg Avenue, Kingsville, Texas 78363. Persons voting by mail will send their voted ballots to the City of Kingsville, City Secretary's Office, P.O. Box 1458, Kingsville, Texas 78364.

All early voting ballots will be prepared for counting by an Early Voting Ballot Board appointed in accordance with Chapter 87 of the TEXAS ELECTION CODE.

XII. CONTRACT WITHDRAWAL

Any participating authority that certifies their election in accordance with Section 2.051 2.052, and 2.053 of the TEXAS ELECTION CODE, may withdraw from the joint election contract. Any expenditure incurred prior to withdrawal shall be billed separately and that contracting authority shall be removed from the contract. In the event of election cancellation by the City, KISD agrees to conduct its election at its own expense.

Approved by the Kingsville City Commission on the _____ day of _____, 2013.

Executed on _____, 2013.

City of Kingsville, Texas

BY: _____
Vincent J. Capell, City Manager

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Accepted and Agreed to by the Kingsville Independent School District on the _____ day of _____, 2013.

Kingsville Independent School District

BY: _____
Melissa Windham, Board President

ATTEST:

Dora Martinez, Secretary

APPROVED AS TO FORM:

EXHIBIT A
POLLING PACES

CITY POLLING PLACE

1
2
3
4
5
6

COUNTY VOTING PRECINCT

23 & 24
22, 32, & 44
21, 43, & 45
14, 41, & 42
13
11, 12, & 31

Polling Place #1	McRoberts Elementary School, 400 West Corral, Kingsville, TX
Polling Place #2	School Admin. Bldg., 207 North 3 rd Street, Kingsville, TX
Polling Place #3	Kleberg County Human Services, 720 East Lee, Kingsville, TX
Polling Place #4	Gillett Intermediate School, 1007 North 17 th , Kingsville, TX
Polling Place #5	Harvey Elementary School, 1305 East Kenedy, Kingsville, TX
Polling Place #6	Perez Elementary School, 1111 East Ailsie, Kingsville, TX

AGENDA ITEM #9

KINGSVILLE POLICE DEPARTMENT
INTER-OFFICE MEMORANDUM
November 21st, 2013

TO : Vincent J. Capell, City Manager
Courtney Alvarez, City Attorney

FROM : Ricardo Torres, Chief of Police

SUBJECT : Request to Accept \$500 Donation from Apache Corporation and \$500 Donation from Kingsville Area Educators Federal Credit Union for Purchase of Bail Out Bags for Officers

The City of Kingsville Police Department is in receipt of a donation from Apache Corporation in the amount of \$500.00. Last year I made contact with Faron Griffin, District Production Manager, who informed me that his company had sent the check and made similar donations to police departments near their facilities around the state. Mr. Griffin explained that Apache Corporation has a facility on FM70 between Kingsville and Agua Dulce to explain why we were a recipient. Mr. Griffin indicated that his company would prefer that the funds be spent on equipment that would assist our department.

Some of our KPD officers have been providing information to some of our local banks and credit unions with regards to crime prevention. The Kingsville Area Educators Federal Credit Union has donated \$500.00 to the Kingsville Police Department to show their appreciation for the assistance provided by the officers. These funds are also to be spent on equipment for our officers of the department.

Over the last several years due to multiple national tragedies involving active shooters professional law enforcement personnel are being outfitted with custom rapid response tactical field tools. The initial element is the bailout bags which we are ordering that were designed from the ground up to be the ultimate personal gear carry/last resort bailout bag. The bailout bags can then be filled with additional ammunition for rifles and handguns during an active shooter scenario. Additional items can be included such as water, energy bars, self aid and buddy aid medical kits, additional flashlights, as well as a myriad of other tools to assist officers when dealing with these types of scenarios.

We would request that this be placed on the next available City of Kingsville Commission Agenda for consideration to accept the donations for the equipment mentioned. Thank you for your assistance regarding this matter.

[http://www.galls.com/galls-gtac-active-shooter-bag](#)
[Galls GTAC Active Shooter Bag](#)

[Email Sign Up](#) | [Catalog Request](#) | [Customer Support](#) | [Track Order](#) | [Create Account](#) | [Sign In](#)

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Galls GTAC Active Shooter Bag
 Item # BG621 BLK / 899 * SH-GT150
 Galls
 was \$49.99
 sale \$40.00

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17 ☐ 18 ☐ 19 ☐ 20 ☐ 21 ☐ 22 ☐ 23 ☐ 24 ☐ 25 ☐ 26 ☐ 27 ☐ 28 ☐ 29 ☐ 30 ☐ 31 ☐ 32 ☐ 33 ☐ 34 ☐ 35 ☐ 36 ☐ 37 ☐ 38 ☐ 39 ☐ 40 ☐ 41 ☐ 42 ☐ 43 ☐ 44 ☐ 45 ☐ 46 ☐ 47 ☐ 48 ☐ 49 ☐ 50 ☐ 51 ☐ 52 ☐ 53 ☐ 54 ☐ 55 ☐ 56 ☐ 57 ☐ 58 ☐ 59 ☐ 60 ☐ 61 ☐ 62 ☐ 63 ☐ 64 ☐ 65 ☐ 66 ☐ 67 ☐ 68 ☐ 69 ☐ 70 ☐ 71 ☐ 72 ☐ 73 ☐ 74 ☐ 75 ☐ 76 ☐ 77 ☐ 78 ☐ 79 ☐ 80 ☐ 81 ☐ 82 ☐ 83 ☐ 84 ☐ 85 ☐ 86 ☐ 87 ☐ 88 ☐ 89 ☐ 90 ☐ 91 ☐ 92 ☐ 93 ☐ 94 ☐ 95 ☐ 96 ☐ 97 ☐ 98 ☐ 99 ☐ 100

You May Also Like...

5.11 Tactical Push Pack
 \$61.99

Galls BDU Pocket Patch
 \$24.99

Galls Tactical Briefcase
 \$89.99

Haxpedition Jumbo K.I.S.S. Bag
 \$69.99

Product Info | **Rating & Reviews** | **Product Videos**

Be ready in an instant for any active shooter situation with this bag.

- 1000D nylon construction
- Interior lined with loop-sided Velcro and MOLLE
- Front mag pockets hold up to 6 AR magazines
- Adjustable strap with quick-release
- 5'11 x 15" W x 9" D (675 cubic inches of storage)

Sign up for Email Specials!

AGENDA ITEM #10

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 GENERAL FUND BUDGET FOR THE CITY OF KINGSVILLE TO ACCEPT DONATIONS FOR THE KINGSVILLE POLICE DEPARTMENT.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2013-2014 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
Fund 001	General Fund				
<u>Revenues</u>					
4-210	Police Dept.	Miscellaneous Income	990.00	<u>\$1,000.</u>	<u>\$1,000.</u>
<u>Expenditures</u>					
5-210.2	Police Dept.	Supplies	211.00	<u>\$1,000.</u>	<u>\$1,000.</u>

[To accept a donation of \$500 from the Apache Corporation and a second donation of \$500 from the Kingsville Area Educators Federal Credit Union both to be used towards the purchase of Bail Out Bags for law enforcement officers of the Kingsville Police 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 not become effective on and after adoption and publication as required by law.

INTRODUCED on this the 9th day of December, 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

KINGSVILLE POLICE DEPARTMENT

INTER-OFFICE MEMORANDUM

November 21st, 2013

TO : Vincent J. Capell, City Manager
Courtney Alvarez, City Attorney

FROM : Ricardo Torres, Chief of Police

SUBJECT : Request to Accept \$500 Donation from Apache Corporation and \$500 Donation from Kingsville Area Educators Federal Credit Union for Purchase of Bail Out Bags for Officers

The City of Kingsville Police Department is in receipt of a donation from Apache Corporation in the amount of \$500.00. Last year I made contact with Faron Griffin, District Production Manager, who informed me that his company had sent the check and made similar donations to police departments near their facilities around the state. Mr. Griffin explained that Apache Corporation has a facility on FM70 between Kingsville and Agua Dulce to explain why we were a recipient. Mr. Griffin indicated that his company would prefer that the funds be spent on equipment that would assist our department.

Some of our KPD officers have been providing information to some of our local banks and credit unions with regards to crime prevention. The Kingsville Area Educators Federal Credit Union has donated \$500.00 to the Kingsville Police Department to show their appreciation for the assistance provided by the officers. These funds are also to be spent on equipment for our officers of the department.

Over the last several years due to multiple national tragedies involving active shooters professional law enforcement personnel are being outfitted with custom rapid response tactical field tools. The initial element is the bailout bags which we are ordering that were designed from the ground up to be the ultimate personal gear carry/last resort bailout bag. The bailout bags can then be filled with additional ammunition for rifles and handguns during an active shooter scenario. Additional items can be included such as water, energy bars, self aid and buddy aid medical kits, additional flashlights, as well as a myriad of other tools to assist officers when dealing with these types of scenarios.

We would request that this be placed on the next available City of Kingsville Commission Agenda for consideration to accept the donations for the equipment mentioned. Thank you for your assistance regarding this matter.

http://www.galls.com/galls-gtac-active-shooter-bag

Galls GTAC Active Shooter Bag

The Authority in Tactical Gear, Clothing and Supplies

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Keyword or Item Number: 866.673.7643

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Bags | Gear | Tactical Bags | Cases | Galls GTAC Active Shooter Bag



Galls GTAC Active Shooter Bag
Item# BG021 BLK | Mfg# SH-G159
Galls
~~was \$49.99~~
sale \$40.00
4.0/5 (1 Review) | Write a Review
BLACK
1 QTY **ADD TO CART** + Wishlist
Share this Page: Email, Print, Facebook, Twitter, More...

You May Also Like...

- S.I.I. Tactical Push Pack \$61.99
- Galls BDU Pocket Pouch \$24.99
- Galls Tactical Briefcase \$89.99
- Expedition Jumbo K.I.S.S. Bag \$59.99

Product Info | Rating & Reviews | Product Videos

Be ready in an instant for any active shooter situations with this bag.

- 1000D nylon construction
- Interior lined with loop-sided Velcro and MOLLE
- Front map pockets hold up to 6 AR magazines
- Adjustable strap with quick-release
- 5"W x 15"W x 9"D (675 cubic inches of storage)

Sign up for Email Specials

12:21 PM

AGENDA ITEM #11

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 FUND 054 UTILITY FUND CAPITAL PROJECTS FUND TO UTILIZE FISCAL YEAR 2012-2013 FUND BALANCE FOR COMPLETION OF THE WATER WELL #19 PUMP HOUSE PROJECT.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 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
<hr/>					
Fund 054	Utility Fund Capital Projects				
<u>Capital</u>					
2		Fund Balance (FY 2013)	610.0		<u>\$223,960</u>
					<u>\$223,960</u>
<u>Expenses</u>					
5-600.2 Water		Water Well #19 Pump House	720.20	\$213,965	
5-600.2 Water		Water Well #19 Pump House	720.19	<u>\$ 9,995</u>	
				<u>\$223,960</u>	

[To amend FY14 Fund 054 Utility Fund Capital Projects Fund as per the attached memo provided by the Engineering Department for the Pump House Project.]

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 __ day of _____, 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: November 22, 2013
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer
SUBJECT: Utility Fund Capital Projects Budget Amendment (Fund 054)

SUMMARY

This item authorizes a budget amendment for the Utility Fund Capital Projects (Fund 054) for expenditures occurring this fiscal year 2014 for the completion of constructing Water Well #19 and pump house.

BACKGROUND

In FY 2013, \$287,400.00 was budgeted with \$73,435.00 expensed. Funds were not carried over during the FY 2014 budget process. Due to the late start and changes in the well and pump house, the project was not able to be completed in FY 2013. The total requested for this budget amendment is \$223,960.00 to complete the project in FY 2014.

Fund (054) Utility Fund Capital Projects:

Original Adopted Budget: \$287,400.00

Spent until September 2013: \$73,435.00

Budget Amend Increase for 2014 Utility Fund Capital Projects: \$223,960.00

RECOMMENDATION

The proposed budget amendment is very important to finish the projects in a timely manner. 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

AGENDA ITEM #12

ORDINANCE NO. 2013-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING SECTION 9-10-7 PROVIDING FOR A CHANGE TO THE HEIGHT OF VEGETATION OVERHANGING STREETS AND PUBLIC PARKWAYS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

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

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

I.

THAT Section 9-10-7 of Article 10: Streets and Sidewalks of Chapter IX, General Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 9-10-7 TREES AND SHRUBBERY.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Alley. That narrow public way for the accommodation of the property it reaches which serves as a property dividing line within each block.

Parkways. All of that realty between the private property line and the public street line or boundary which belongs to the public or city by prescription, easement, dedication, deed or otherwise.

(B) *Unlawful planting.*

(1) It shall be unlawful to plant, sow or otherwise cultivate plants, trees, hedges, shrubs or related things upon any alley within the city limits.

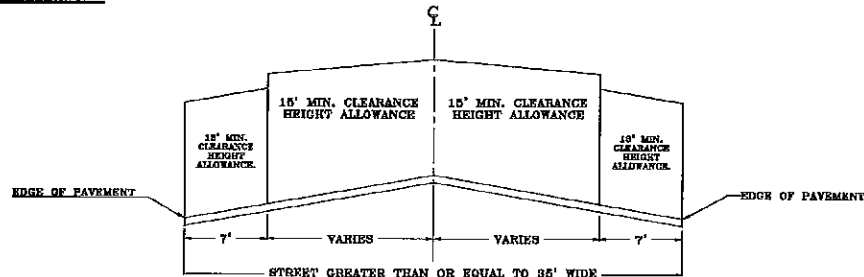
(2) Hereafter it shall be unlawful to plant, sow or otherwise cultivate plants, trees, shrubs, hedges or related things in parkways in such a manner that will constitute a hazard to vehicles and passenger traffic by obstructing passage or vision. Particular attention will be paid to street intersections.

(3) Trees, limbs, shrubs or other vegetation overhanging public parkways and streets shall be trimmed by the property owner concerned so that the lowest branch or twig shall be at least 13 feet above the sidewalk or street as follows:

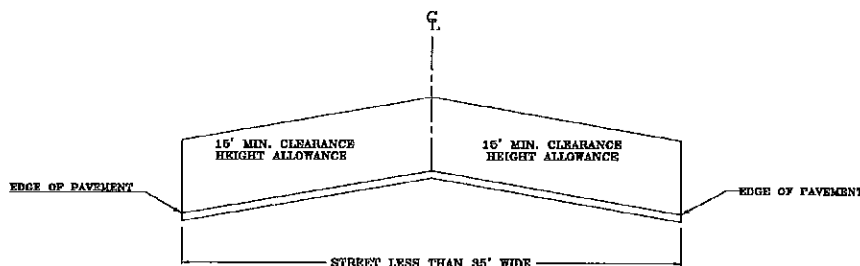
(a) for streets greater than or equal to 35 feet in width, the lowest branch or twig shall be at least 13 feet above the roadway from the edge of the

pavement to 7 feet into the roadway and at least 15 feet above the roadway for areas beyond 7 feet from the edge of the pavement into the roadway (see top illustration in diagram below); or (b) for streets 35 feet or less in width, the lowest branch or twig shall be at least 15 feet above the roadway (see bottom illustration in diagram below).

Example:



CROSS-SECTION OF TYPICAL GREATER THAN OR EQUAL TO 35' ROAD



CROSS-SECTION OF TYPICAL LESS THAN 35' ROAD

(C) *Obstructions to vision.* All trees, shrubs, hedges or related things now in existence upon obstruction of passage or blocking of vision, are hereby declared to be public nuisances and will be abated by the adjoining property owner or in the alternative by employees of the city. All hedges or similar vision blocking vegetation within 30 feet of intersection will be abated or trimmed so as to eliminate vision obstruction to vehicle traffic. If the nuisance is abated by city employees the property owner will be billed for the labor, equipment and any disposal fees. Failure to pay for the abatement will result in a lien being filed against the property.

(1962 Code, §§ 9-5-1—9-5-3; Ord. 77-29, passed 8-22-77; Ord. 2004-26, passed 9-13-04)

Cross reference— *Penalty, see § 1-1-99.*

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

III.

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

IV.

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

INTRODUCED on this the 28th day of October, 2013.

PASSED AND APPROVED on this the 9th day of December, 2013.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13