

City of Kingsville, Texas

AGENDA CITY COMMISSION

**THURSDAY, MARCH 20, 2014
SPECIAL MEETING**

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

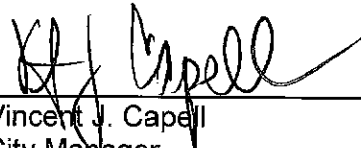
I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

**MINUTES OF PREVIOUS MEETING(S) – Required by Law
NONE**

APPROVED BY:



Vincent J. Capell
City Manager

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 zoning ordinance by changing the zoning map in reference to Lots 17-26, (Mobile Home Park), Block 7, Hoffman Subdivision known as 210 E. Miller from R1-Single Family Residential District to C4-Commercial Business District, applicant Bill Cumberland. (Director of Planning & Economic Development).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2013-2014 General Fund Budget for the City of Kingsville to accept a donation made from ExxonMobile to the Kingsville Fire Department. (Director of Finance).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2013-2014 Fund 017 PD Grant Border Star (LBSP) for the City of Kingsville to accept a grant award from the Texas Department of Public Safety to the Kingsville Police Department. (Director of Finance).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2013-2014 budget for the General Fund to finance professional service fees for the Planning Department to make improvements to the City website. (Director of Finance).
5. Motion to approve final passage of an ordinance amending the Fiscal Year 2013-2014 Budget for the General Fund to finance the contracting costs of removing a nuisance, abandoned sign structure. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. Consideration and approval of a resolution authorizing the commencement of proceedings relating to the issuance of refunding bonds and other matters related thereto. (Director of Finance).
7. Consider a resolution authorizing the City Manager to enter into an Amended Collective Bargaining Agreement between the City of Kingsville, Texas and the International Association of Firefighters Local #2390 for fiscal years 2013-2016. (Director of Human Services).

8. Consider a resolution appointing Election Judges and the Early Voting Ballot Board Judge for the City of Kingsville and Kingsville Independent School District Joint General Election and for the Kingsville Independent School District Special Election on May 10, 2014. (City Secretary).

(CONSIDERE UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y EL JUEZ DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES CONJUNTAS DE LA CIUDAD DE KINGSVILLE Y DEL DISTRITO ESCOLAR INDEPENDIENTE DE KINGSVILLE Y LA ELECCIONES ESPECIAL DEL DISTRITO ESCOLAR INDEPENDIENTE DE KINGSVILLE, QUE SE LLEVARÁN A CABO EL 10 DE MAYO DE 2014.) (SECRETARIA MUNICIPAL).

9. Consider a resolution authorizing the City Manager to enter into a First Amended Joint Election Agreement between the City of Kingsville and the Kingsville Independent School District, relating to the 2014 General Joint Election and the KISD Special Election. (City Attorney).

10. Consider a resolution authorizing the City Manager to enter into the First Amended 2014 Election Services Agreement between the City of Kingsville and Kleberg County Clerk, relating to the 2014 General Joint Election between the City and KISD and the KISD Special Election. (City Attorney).

11. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 8, Traffic Control Devices, providing for the installation of a stop sign at the Naval Air Station Kingsville Gate. (City Engineer/Public Works Director).

12. Consider authorizing the purchase of an asphalt paver for the Street Department from Closner Equipment Co. via BuyBoard as per staff recommendation. (Director of Purchasing & IT).

13. Consider introduction of an ordinance amending the fiscal year 2013-2014 budget for Community Appearance to purchase five (5) benches and fifteen (15) litter/recycling receptacles for the downtown area. (Director of Finance).

14. Workshop to discuss the proposed changes to City Planning ordinances regarding accessory use buildings, fence code, schedule of permit fees, land use chart, definitions, planned unit developments, solar energy systems and wind energy systems. (Director of Planning & Development Services).

VII. Adjournment.

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

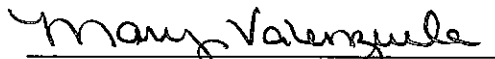
NOTICE

This City of Kingsville and Commission Chambers 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:

March 17, 2014 at 3:40 P.M. and remained so posted continuously for at least 72 hours proceeding 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 2014-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO LOTS 17-26, (MOBILE HOME PARK), BLOCK 7, HOFFMAN SUBDIVISION KNOWN AS 210 E. MILLER FROM R1-SINGLE FAMILY RESIDENTIAL DISTRICT TO C4-COMMERCIAL BUSINESS DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

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

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, February 26, 2014 during a meeting of the Planning and Zoning Commission, and on Monday, March 10, 2014 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

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

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Hoffman Subdivision, Block 7, Lots 17-26, known as 210 E. Miller (a Mobile Home Park) from R1-Single-Family Residential District to C4 Commercial District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 10th day of March, 2014.

PASSED AND APPROVED on this the 24th day of March, 2014.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

PLANNING & ZONING COMMISSION AGENDA

Wednesday, February 26th, 2014, 6:00 p.m.

Regular Meeting

Honorable Robert H. Alcorn Commission Chambers,
1st Floor – City Hall, 200 E. Kleberg Ave., Kingsville, Texas

PLANNING & ZONING COMMISSION SEATING ARRANGEMENT

COMMISSION MEMBERS

Robert McCreight
Rudy Galvan
Debbie Tiffie
Bill Aldrich

Steve Zamora,

Chairman

COMMISSION MEMBERS

Lupe Alvarez
Albert Garcia
Raymond Perez
Tom Dock

CITY STAFF

Jessica Storck,
Secretary

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

The following rules of conduct have been adopted by this Commission:

1. Give your name and complete address.
2. No one may speak more than twice on the same item.
3. No one may speak more than 5 minutes at a time without permission from the Chairman.
4. No one may speak a second time on a question until every person who wants to speak has done so.
5. All submissions of evidence, i.e., photos, drawings, will be retained by the Planning & Zoning Commission and will become a part of the permanent file.

A COPY OF CHAPTER 15 "LAND USAGE", FROM THE CITY OF KINGSVILLE CODE OF ORDINANCES, IS AVAILABLE.

AGENDA

- CALL TO ORDER
- ROLL CALL
- APPROVAL OF MINUTES OF REGULAR MEETING – February 12, 2014
- PUBLIC COMMENTS FOR ALL AGENDA & NON-AGENDA ITEMS
- POSTPONEMENTS/ADJUSTMENTS TO THE AGENDA
- OLD BUSINESS – *None*
- NEW BUSINESS

ITEM #1 Bill Cumberland, Owner - Requesting the approval of a rezoning from single-family residential (R1) to a commercial district (C4) of property located at Hoffman, Block 7, Lot 17-26, (Mobile Home Park), also known as 210 E Miller.

- **MISCELLANEOUS:** Any topic may be discussed but no action may be taken at this time;
- **ADJOURNMENT**

Please call the CITY SECRETARY at 595-8003 to obtain definitive and final City Commission Hearing Date.

It is the intention of the City of Kingsville to comply in all aspects with the Americans with Disabilities Act (ADA). If you plan on attending a meeting to participate or to observe and need special assistance beyond what is routinely provided, the city will attempt to accommodate you in every reasonable manner. Please contact the Planning Secretary, 361-595-8055, at least two business days prior to the meeting to inform the City of your specific needs and to determine if accommodation is feasible.

I certify that this agenda was posted at least seventy-two (72) hours before the commencement of the Planning and Zoning Commission Meeting scheduled for Wednesday, February 26th, 2014.



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

Posted	•
@	_____
On	_____
By	_____

Staff Report to the PLANNING & ZONING COMMISSION and CITY COMMISSION

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

Request: **CONSIDER APPROVAL OF A CHANGE IN ZONING REQUEST
OF THE HOFFMAN SUBDIVISION, BLOCK 7, LOTS 17-26 FROM
SINGLE FAMILY RESIDENTIAL (R1) DISTRICT TO
COMMERCIAL (C4) DISTRICT.**

Petitioner & Agent: Bill Cumberland, Property Owner
Date of P&Z Hearing: February 26th, 2014.

Comprehensive Plan Land Use:	C4 Requested <i>*Public Notice mislabeled the request to C2*</i>
Existing Zoning Classification:	R1
Adjacent Zoning:	North: R1 South: C4 East: R1 West: C4

EXISTING INFRASTRUCTURE

Transportation:	Property is between adjacent to existing residential streets Miller & 7 th St.
Community Facilities:	Services provided
Capital Improvements:	Existing empty lot, pending sale with adjacent owner.
Fire Station Proximity:	1.3 driving miles
100 Year Floodplain:	The property is not within the 100-year floodplain. The subject site is located within Flood Zone "C". The areas of minimal flood hazard, which are the areas outside the Special Flood Hazard Area (SFHA) and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X.

EXHIBITS PRESENTED

- Chapter 15 of the Kingsville Code of Ordinances (present at the meeting)
- City of Kingsville Master Plan (present at the meeting)
- City of Kingsville Comprehensive Housing Plan
- Site Plan
- Application for major preliminary subdivision plat
- Mailing list of owners within 200 feet

BACKGROUND AND HISTORY

The petitioner is requesting a zoning district change from R1 to C4 to facilitate the sale of the property to the adjacent property owner located directly west of Lot 26 for the purpose of increasing the lot size of the adjacent auto sale business. In order for the auto sale business to expand, these lots would be required to change from the existing R1 to C4. The existing property

has traditionally been utilized as a mobile home park which was grandfathered in when zoned as R1.

FIELD INSPECTION AND PERTINENT DATA

These lots were traditionally a mobile home park for 30+ years. The lots were more recently noticed by code enforcement to be abated. The owner subsequently decided to demolish the remaining mobile homes and level the lots. Now that these lots have been cleared, Mr. Cumberland has agreed to the potential sale of the property to his neighbor on the west with the condition that it is rezoned to C4, prior to sale, to ensure that the property use of an auto sales lot will meet the allowable land use.

STAFF REVIEW AND RECOMMENDATION

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

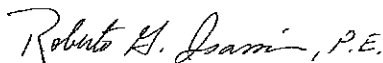
1. Whether the proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan.
2. Whether the proposal is in keeping with the purpose of the zoning districts.
3. Whether the proposal is detrimental to the public health, safety and welfare.
4. Whether the proposal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

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

1. The proposal is in conformance with the goals and policies contained in all elements of the 2008 Master Plan. The Master Plan's Growth Strategy and Policies on Chapter 2 – Growth Capacity, Page 10, states that “development should be encouraged first within the City Limits” so as to minimize costs to utility growth so that public infrastructure is not extended until there is a net fiscal benefit for doing so.
2. The proposal is in keeping with the purpose of the zoning districts. The rezone will simply extend the existing C4 commercial district to 7th Street, identical to the C4 area across Miller Avenue.
3. The proposal is not detrimental to the public health, safety, and welfare.
4. The proposal is not detrimental to existing or potential adjacent land uses.
5. The proposal will not generate inappropriate, hazardous, or detrimental traffic levels in the existing or nearby area.

The Planning Department has evaluated the request and can find no issues with it. It is within the Master Plan concept and will allow for the growth of business along 6th Street.

Prepared by:



Robert G. Isassi, P.E.

Director of Planning & Development Services

Feb. 26, 2014

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 210 E. Miller Nearest Intersection 7th & Miller
(Proposed) Subdivision Name _____ Lot 17-26 Block 7
Legal Description: Hoffman, Block 7, Lot 17-26
Existing Zoning Designation R1 Future Land Use Plan Designation C4

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent WA Cumberland JR Phone 228-2104 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 1029 Hall City Kingsville State Tx Zip 78363
Property Owner WA Cumberland Phone 228-2104 FAX _____
Email Address (for project correspondence only): _____
Mailing Address _____ City _____ State _____ Zip _____

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

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

Please provide a basic description of the proposed project: Request to Rezone
from R1 to C4

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

Applicant's Signature: WA Cumberland JR Date: 1-16-14

Property Owner(s) Signature: WA Cumberland JR Date: 1-16-14

Accepted by: Jessica Fox Date: 1-16-14

Application Check List for a Re-Zoning

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

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

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

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

#1. Requesting rezone from R1 to C2 for the purpose of constructing a car parking lot.

08/11

#2. see attached.

#3. see attached. (Hoffman Addition)

#4. Land Use

To the West. - C2 - commercial auto sales

To the North - C2 commercial printing co.

(behind this lot)

Air Serve Printing

To East. - R1 Homes

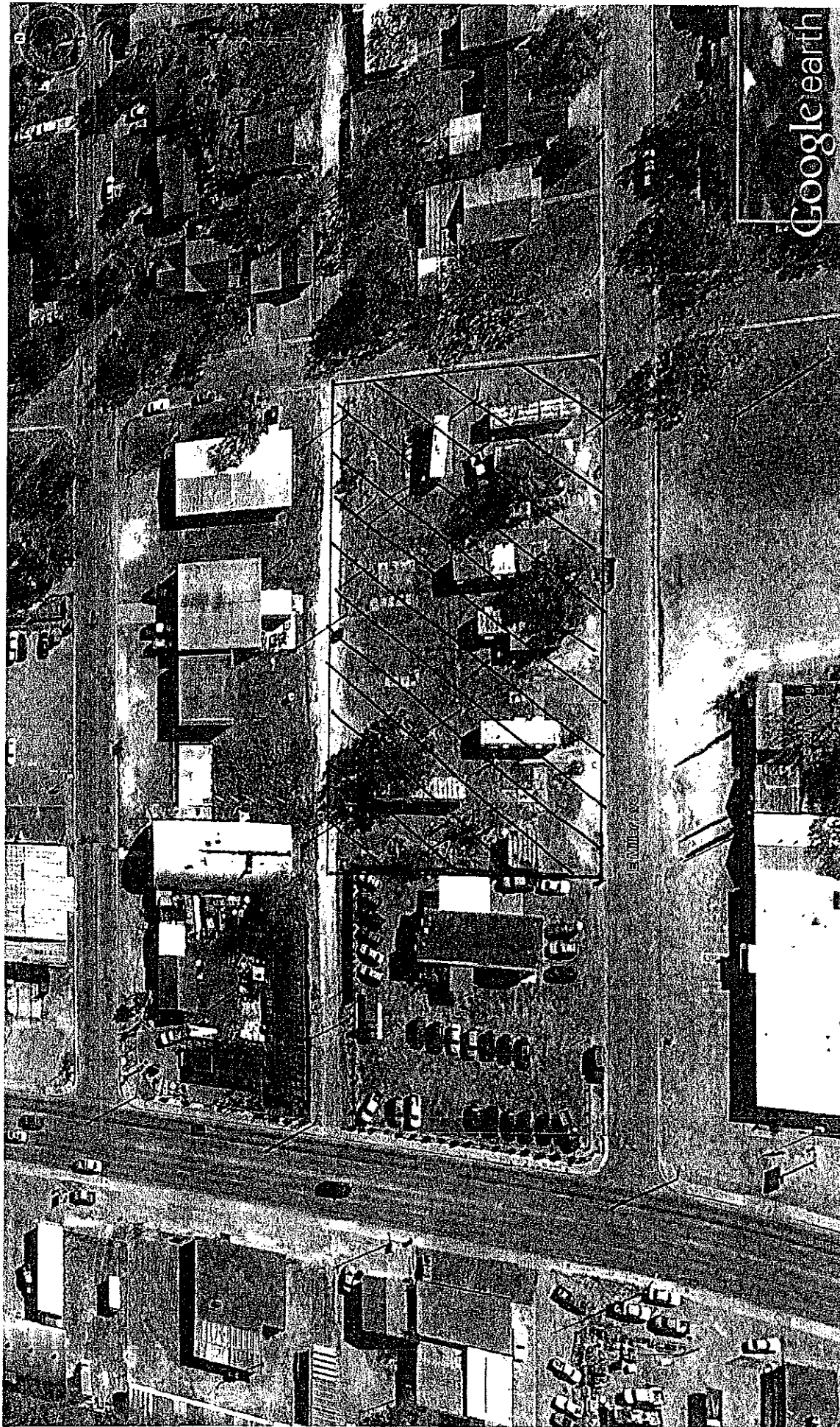
Ibrey & Son's

(across street)

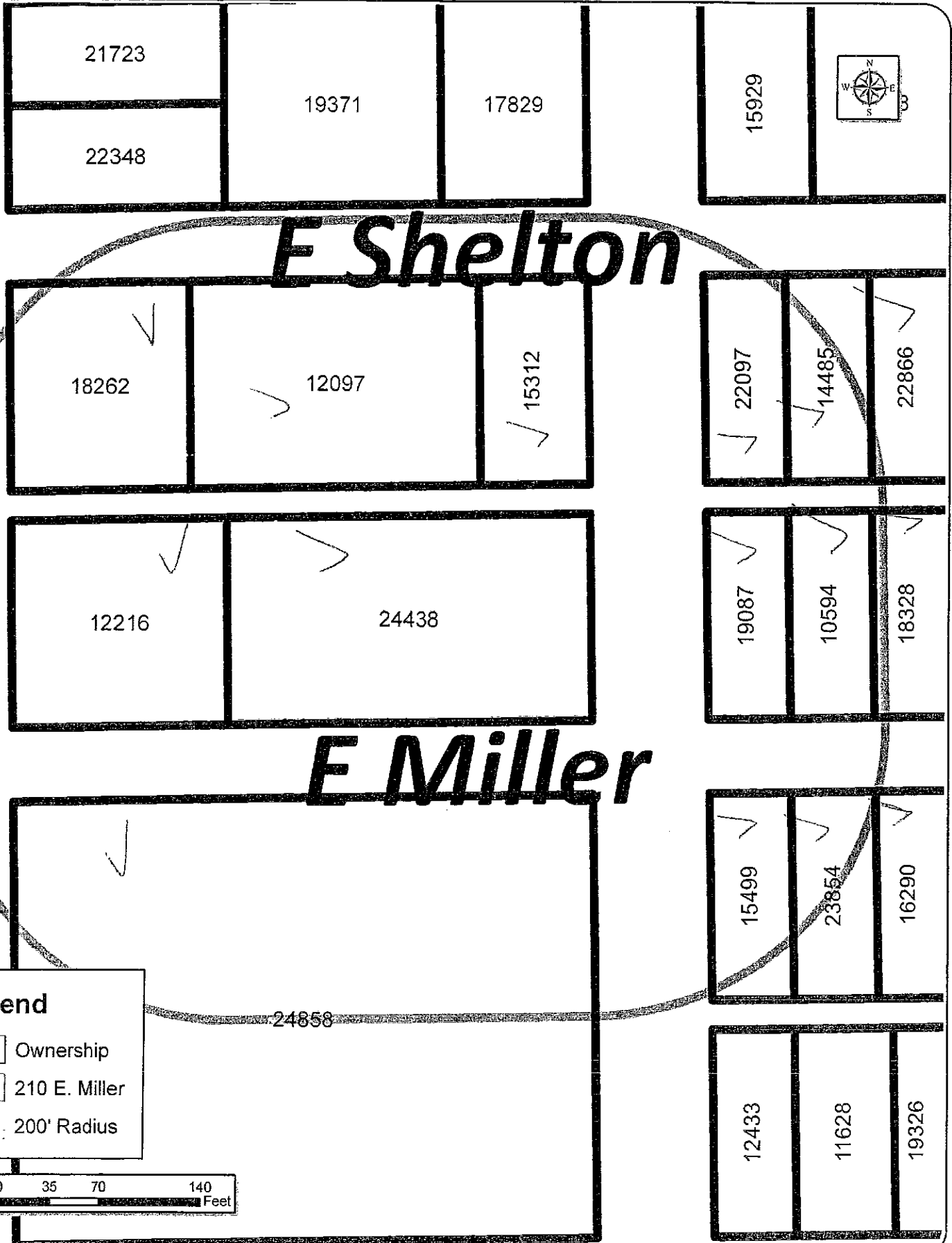
To South. - Elk's Lodge (rear parking lot) (C2)

#5. see #4.

#6. N/A



200 ft. radius of 210 E. Miller



Legend

- Ownership
- 210 E. Miller
- 200' Radius

0 35 70 140 Feet

Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Arc_City_Base_Map_8.5x11.mxd

Page
1/1

Drawn By: D. Herrera

Last Update: 1/17/2014

Note:

DISCLAIMER
THIS MAP IS FOR VISUAL PURPOSES ONLY.
THE INFORMATION ON THIS SHEET MAY
CONTAIN INACCURACIES OR ERRORS.
THE CITY OF KINGSVILLE IS NOT
RESPONSIBLE IF THE INFORMATION CONTAINED
HEREIN IS USED FOR ANY DESIGN,
CONSTRUCTION, PLANNING, BUILDING,
OR ANY OTHER PURPOSE.



**CITY OF KINGSVILLE
ENGINEERING DEPARTMENT**

200 East Kleberg
Kingsville, Texas 78363
Office: 361-595-8005
Fax: 361-595-8025



Planning Department

TO: Vince Capell, City Manager

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

SUBJECT: Rezone Approval Request – 210 E. Miller

DATE: March 3, 2014

Reference is made to a request for approval of a change in zoning request of Lots 17-26, Block 7 of the Hoffman subdivision addressed as 210 E Miller. The owner, Bill Cumberland, is requesting a zoning district change from Single-Family Residential (R1) to Commercial (C4) District in order to facilitate the sale of property to the adjacent property owner zoned as C4. The adjacent property owner plans to purchase the property after Mr. Cumberland has finalized the rezone to C4 and expand his car sales business.

A field inspection of these lots shows that this property was traditionally a mobile home park, and had been for over 30 years. The lots were more recently noticed by code enforcement and required them to be abated. The owner subsequently decided to demolish the remaining mobile homes and level the lots.

This rezone request was reviewed by the Director of Planning and Development Services as well as reviewed and recommended for approval by the Planning and Zoning Commission at a meeting on February 26th, 2014. The Planning Director recommended approval of the rezone based on the adjacent zoning around the area and noted that a majority of the property, east of 7th St. was either already C4 or other commercial businesses. The proposed future use of expanding the adjacent car lot would not be detrimental to nearby businesses nor residents and is in conformance with the Master Plan's growth strategies.

In the meeting, it was conveyed that there was no opposition to the rezone request and the Planning and Zoning Commission voted to approve the request by a vote of 5-0. City Staff agrees with the Planning & Zoning Commission's findings and recommends APPROVAL of this request by City Commission.

AGENDA ITEM #2

ORDINANCE NO. 2014-

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 GENERAL FUND BUDGET FOR THE CITY OF KINGSVILLE TO ACCEPT A DONATION MADE FROM EXXONMOBILE TO THE KINGSVILLE FIRE 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
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Fund 001 General Fund

Revenue

4-220	Donations		720.30	<u>\$2,000</u>	
				<u>\$2,000</u>	

Expenditures

5-220	Employee Recognition Supplies		211.10	<u>\$2,000</u>	
				<u>\$2,000</u>	

[To accept a donation totaling \$2,000 from the ExxonMobile Corporation for the Kingsville Fire Department to be used for employee recognition.]

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 be effective on and after adoption and publication as required by law.

INTRODUCED on Monday this the 10 day of May, 2014.

PASSED AND APPROVED on this the ____ day of _____, 2014.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



KINGSVILLE FIRE DEPARTMENT

Joey Reed
Fire Chief
119 N. 10th Street
Kingsville, Texas 78363
(361) 592-6445

February 28, 2014

TO: VINCENT J. CAPELL, CITY MANAGER

FROM: JOEY REED, FIRE CHIEF

SUBJECT: **DONATION FROM EXXONMOBILE TO FIRE DEPARTMENT**

The ExxonMobile Corporation would like to donate \$2000 to the City of Kingsville Fire Department for its participation in the recent refinery fire that occurred at the King Ranch facility. ExxonMobile is providing donations to the various organizations that were involved in that emergency incident.

I responded to the refinery fire as a Department liaison and assisted the County Fire Chief during the first 12 hours of the event. During the three day event, the Kingsville Fire Department covered the Kleberg County Fire District while their firefighters were working to contain the refinery fire.

It is my recommendation that these donated funds be used to purchase items for an employee recognition program. The program will include recognition for exemplary work efforts, recent retirements, and community involvement.

Thank you for your consideration.

AGENDA ITEM #3

ORDINANCE NO. 2014-

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 FUND 017 PD GRANT BORDER STAR (LBSP) FOR THE CITY OF KINGSVILLE TO ACCEPT A GRANT AWARD FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY TO 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
<hr/>					
Fund 017	PD Border Star Grant Fund				
<u>Revenue</u>					
4-000	State Grants		720.10	<u>\$66,125</u>	
				<u>\$66,125</u>	
 <u>Expenditures</u>					
5-210.0	Overtime-PD		112.00	<u>\$66,125</u>	
				<u>\$66,125</u>	

[To accept a Grant award totaling \$66,125 from the Department of Public Safety for the Kingsville Police Department to be used for overtime and operational costs for increased patrol and investigative capacity for certified peace officers along with other law enforcement support personnel.]

II.

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

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of

competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 10th day of March, 2014.

PASSED AND APPROVED on this the ____ day of _____, 2014.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4

ORDINANCE NO. 2014-

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 BUDGET FOR THE GENERAL FUND TO FINANCE PROFESSIONAL SERVICE FEES FOR THE PLANNING DEPARTMENT TO MAKE IMPROVEMENTS TO THE CITY WEBSITE.

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
<hr/>					
Fund 001	General Fund				
<u>Capital</u>					
2		Fund Balance	610.00		<u>\$16,166</u>
					<u>\$16,166</u>
<u>Expenses</u>					
5-690.0		Fund Exp/Trsfrs Fund 091	394.93	<u>\$16,166</u>	
				<u>\$16,166</u>	
Fund 091	General Fund Capital Projects Fund				
<u>Revenues</u>					
4-000.0		Transfer from Fund 001	750.13	<u>\$16,166</u>	
				<u>\$16,166</u>	
<u>Expenses</u>					
5-160.1	Planning Department	Professional Serv.	314.00	<u>\$16,166</u>	
				<u>\$16,166</u>	

[Planning Department is in need of additional funds to make improvements to the City's website.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 10th day of March, 2014.

PASSED AND APPROVED on this the ___ day of _____, 2014.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Planning Department

TO: Mayor and Commission Members

THROUGH: Vince Capell, City Manager

FROM: Robert G. Isassi – Planning & Development Services Department Director

SUBJECT: Budget Amendment – Design Improvements to Existing Website

DATE: March 3, 2014

In an effort to increase user traffic to the City of Kingsville's website as well as incorporate a better content strategy, City staff has contacted a web developer to evaluate the City's website and propose a cost for optimizing the site. Hi-Res Creative, a proven local web design company, used web analytics to understand where users were going and what they needed most. After gathering this data, they have proposed a cost to better improve the City's website by utilizing these key elements:

- Ensuring feature/plugin capability. With the implementation of WebQA as well as Kingsville GIS, they will make sure that these new features will work with the website layout.
- Improving the Calendar System. Using existing Outlook calendars to show City schedules as well as highlighting important events as well as sharing calendars with interested web users. Use pictures, assign locations
- User Interface / User Experience Redesign. Using heat maps from web analytics, the webpages will be reorganized for maximum optimization.
- Updating the WordPress website platform from 3.5 to 3.8. WordPress is web software that is used to format and update web content. This update patches security permissions as well as upgrades WordPress features.
- Monthly Support. Every month the City will be provided analytics of how many users came to the site, where they went, and how they used the site. With this information, the City can continue to best optimize the website experience.
- Additional Departmental Pages. Hi-Res Creative visited with each Department head and listened to their needs on website presence. The details of what each Department wanted ranged from additional web pages for the many commissions and boards to informational videos to make citizens more aware of safety topics.

As further detailed at the March 10th, 2014 City Commission Tech Workshop, the overhaul and Department webpage additions will keep the City's website updated and fresh. The cost for this this work is \$16,166.00. The Planning Department is requesting a budget amendment to the Professional Services budget to contract this work.



QUOTE
#1403040012

To: City of Kingsville
P.O. Box 1458, Kingsville, Texas, 78364
TEL: 361-595-8055 EMAIL: jstorck@cityofkingsville.com

Date: 2014-03-05
Expires: 2014-04-05

ITEM	QTY	PRICE	NET SUBTOTAL
Emergency Notification Bar At the request of Risk Management. Must be prominent on front page. Need access to post alerts from website administration (cost included in permissions line item).	1.00	430.00	430.00
Engineering/Public Works Reorganization of content based on citizen's needs. 7 departments overall, streets and sanitation need proper pages and sub level information. Removal of duplicate information and blank pages. Integrate forms with WebQA (GovQA) system. New pictures of buildings, update information on several pages including sanitation schedule and add zoning information to proper areas.	1.00	938.00	938.00
Privacy Policy/Terms of Use Create a new attorney drafted privacy policy and terms of use. Will be submitted to City Attorney for reviewal. May be an immediate update prior to website launch due to importance of legal policies being in place.	1.00	215.00	215.00
Animal Control Postings - Directory of Top 20 Available Animals in System Requested by Health Department. A need for the ability to post top 10 dogs and top 10 cats in the system up for adoption. Postings will be set to expire after 72 hours +1 day. Custom fields such as vaccinations, sterilization, and tags information will be needed. Also needs a directory of 7-8 lost and found animal postings.	1.00	615.00	615.00
Purchasing/IT IT does not currently have a page and needs to be generated. Recommendation that the page be merged with Purchasing as it has been on other department pages. Open/Closed bid information needs to be updated and a web portal for employees locked with a password will be needed. Various forms will need to be replaced with WebQA (GovQA) ticketing system.	1.00	575.00	575.00
Finance Dept. Transparency page with a searchable directory of files. May be integrated with Laserfiche if there is support from the system and APIs. Price quoted is for a publication system that allows for tagging of documents and searchable PDFs. Must be broken down by year and month so that information may be easily found and archived. Also a request to embed payment system for water and tickets to the website for reduced confusion by citizens. Login portal will be embedded and styled accordingly. If the system allows for full embedded information this will also be accommodated.	1.00	930.00	930.00
City Manager/Admin Election information need a prominent location on the front page every 2 years. Real estate will be saved for this and page layout will be optimized for notices, posts, and resolutions. Scheduling of content is needed so that posts may expire on certain times and days as chosen. Wordpress currently supports for posting of content but not expiration (cost adjusted accordingly). Agenda system needs to be rebuilt to allow a full reporting directory of all reports added to the system (update of current publication system necessary). Contact forms need to be updated on contact page to request phone # and automated confirmation emails will be drafted. Conditional logic will be included based on department contacted.	1.00	1305.00	1,305.00

Planning Dept.	1.00	513.00	513.00
JAZB board information and sub level pages with content. Planning & zoning committee information with sub level pages and content. Zoning board of adjustment needs information and sub level pages.			
Usability Testing and Feedback	1.00	260.00	260.00
After new site launch random citizens will be selected during site use for feedback of redesign. Information will be reported to tech team and used to readjust design and information as needed.			
User Permissions and Roles	1.00	475.00	475.00
User accounts must be developed to provide access to certain systems as needed by departments. Roles will be set with permissions to each user account and set by specific departments. This prevents potential to break the website and excessive access or abuse.			
Fire Department	1.00	1,430.00	1,430.00
Several pages with sub level content need to be added. WebQA (GovQA) system will be developed to allow for requests of incident reports by citizens pending approval of their residence. Smoke detector program request form needs to be digitized and available online. Fire Chief would like access to edit pages (cost included in permissions line item). Volunteer Fire Dept. information needs to be separated and own page (should not be sub levels of Fire Dept.). Special burn permit form needs to be digitized and available online. Fire chief would like to include information about requesting medical reports from the responsible party (awaiting approval from legal). A documents directory and custom post type for fire dept. specific articles is needed.			
HR Department	1.00	700.00	700.00
Digital Application for jobs, 2 year min requirement for storing then can expire applications from system. Need support for PDF printable applications as well. Fillable forms with e-sig for the digital application. Need to remove "I want to..." menu from their area (will be addressed as part of redesign). Job board with ability to upload resume, certifications, documents and cover letter. (May be supported by WebQA). Applications should be sent to HR assistant. Would like access to make changes to job postings (cost included in permissions).			
Ensure Feature/Plugin Compatibility	1.00	1,300.00	1,300.00
Work will be performed to integrate the current website's features and plugins with the new site build. This line item ensures that no issues are present upon site launch with the older systems.			
The Wordpress CMS is currently 3.5. The system will be updated to the latest 3.8.1 to correct security vulnerabilities that have been found in addition to any issues corrected. Older plugins may not work with the new CMS update and may need to be updated. This is included in the cost of this line item.			
Responsive Administrative Back-End	1.00	100.00	100.00
The administration back-end of the website will be recoded for responsive support allowing on the go website maintenance with tablets and smartphones.			
Permissions and Login Process Relocations (Security)	1.00	300.00	300.00
Due to the content management system being open source the CMS will have scripting recoded to hide vital information necessary for compromising the website's systems. The login forms and system will be moved from wp-admin and recoded into the website itself. Plugin and file locations will be rerouted to hide their actual location on the file directory.			
New Calendar System	1.00	1,100.00	1,100.00
Feature rich calendar system with social media support, iCal and Google feeds, agenda creation and location search. Support for exporting your events from WordPress into Google Calendar & iCal. Event venue, organizer & description data will be carried over,			

as well as event recurrence settings. The calendar system is built on AJAX (the same technology used by Google Maps) to support on to go information access. Post syndication will be used to automate calendar items between other website calendars, including the tourism calendar. This helps populate information based on policies set in place at the time of the website launch.

Season Full Screen Background Imagery 1.00 80.00 80.00
Support for transitional background images using previously developed pictures of the community.

Navigation Menu Layout (Column Support) I want to... 1.00 850.00 850.00
Website will be redesigned to support the relocation of the I want to... menu. Information will no longer be based on which page you are currently on. Main menu navigation items will be given columns and broken into better categories for end-user use. Support for tablets and smartphones is integrated.

Website Redesign (Front-end and Back-end) 1.00 4050.00 4,050.00
The entire website will be redesigned using feedback from analytics, heat mapping, and input from the city staff. Many elements of the current site will be reused to reduce cost and retain investment. Site will be entirely responsive with support for smartphones and tablets.

NET TOTAL: \$16,166.00

TAX: \$0.00

TOTAL: \$16,166.00

Notes

The above quote is for department updates, features and the website redesign. A 50% deposit of the build total is required to begin work.

AGENDA ITEM #5

ORDINANCE NO. 2014-

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 BUDGET FOR THE GENERAL FUND TO FINANCE THE CONTRACTING COSTS OF REMOVING A NUISANCE, ABANDONED SIGN STRUCTURE.

WHEREAS, the abandoned sign located at 201 South US77 has been declared a nuisance and in violation of City ordinance Section 15-6-131; and

WHEREAS, the City needs to contract for the abatement of the nuisance; and

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

Capital

2		Fund Balance	610.00		<u>\$5,500</u>
					<u>\$5,500</u>

Expenses

5-690.0		Fund Exp/Trsfrs Fund 091	394.93	<u>\$5,500</u>	
				<u>\$5,500</u>	

Fund 091 General Fund Capital Projects Fund

Revenues

4-000.0		Transfer from Fund 001	750.13	<u>\$5,500</u>	
				<u>\$5,500</u>	

Expenses

5-160.3	Community Appearance	Sign Removal.	345.01	<u>\$5,500</u>	
				<u>\$5,500</u>	

[Community Appearance is in need of additional funds for the contracting costs of nuisance abatement, removing an abandoned double sign pole structure located at 201 S. US 77. The request is in compliance with City Ordinance Sec 15-6-131, Unsafe and Obsolete Signs, Article D, Removal.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 10th day of March. 2014.

PASSED AND APPROVED on this the ____ day of _____, 2014.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Planning Department

TO: Mayor and Commission Members

THROUGH: Vince Capell, City Manager

FROM: Robert G. Isassi – Planning & Development Services Department Director

SUBJECT: Budget Amendment – Abandoned Pole Sign Removal

DATE: March 3, 2014

Planning Department, Community Appearance Division, is requesting a budget amendment to the Community Appearance – Sign Removal budget (5-160.3-345.01) to add \$5,328.07 for the contracting cost of removing an abandoned double sign pole structure located at 201 S. US0077, on the SW corner of E. King Ave. and US0077 Southbound Frontage Rd, also known as KT&I CO, BLOCK 10, LOT PT 8.

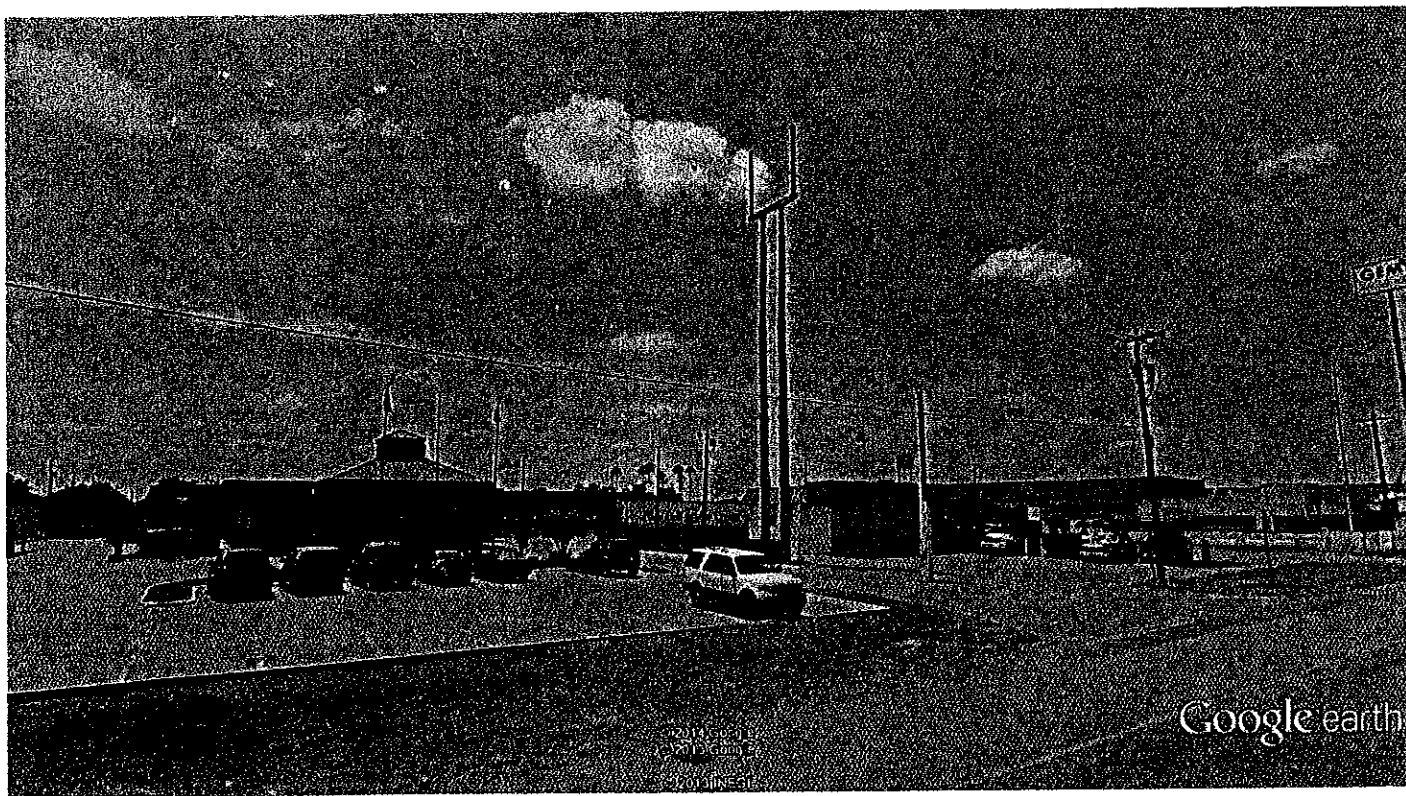
Per City Ordinance **Sec. 15-6-131, Unsafe and Obsolete Signs, Article B, Obsolete or Abandoned Signs and Sign Structures** which defines the existing double pole sign with no identifier as, *“Any sign or sign support structure, whether existing on or installed after the effective date of this sign code: (1) which, for at least 90 consecutive days, has not identified or advertised a bona fide business, lessor, service, owner, product, or activity, or advertised a time which has passed or an event which has occurred; or (2) which has been dilapidated for 30 days or more; or (3) for which the city cannot determine the identity of a legal owner.”*

Per City Ordinance **Sec. 15-6-131, Unsafe and Obsolete Signs, Article D, Removal** which states that, *“The owner, agent, or person in control of any premises on which there is displayed or maintained an unsafe, abandoned, obsolete or dilapidated sign or supporting structure, or the owner or person in control of an unsafe, abandoned or dilapidated sign or supporting structure shall comply with the following requirements:*

- a. Any sign that is unsafe, abandoned, obsolete or dilapidated shall be removed.*
- b. If a supporting structure used or designed to be used with a sign is unsafe, abandoned, obsolete or dilapidated, the supporting structure shall be removed.*
- c. If an unsafe, abandoned, obsolete or dilapidated supporting structure does not have a can, frame, or similar part of the supporting structure that would hold the sign or to which the sign would be attached, the supporting structure shall be removed.*

Failure to remove shall be a violation of this ordinance. It shall be a rebuttable presumption that a sign is abandoned if it meets the definition of a dilapidated, abandoned or obsolete sign.”

Per City Ordinance, **Sec. 15-6-131, Unsafe and Obsolete Signs, Article E, Process**, which states that if the sign is not properly maintained that it shall be declared as a nuisance and shall be given written notice via hand delivery or certified mail. All required notices have been given to the property owner. Attached please find previous correspondence beginning in April of 2013 as well as additional backup information. Per this article, **subsection c.**, *“the Director of Development Services, or other designated representative, may issue citations or pursue any other administrative or legal remedy in order to abate any sign which is in violation of this code or any other law.”* The Director has selected to pursue contracting a sign company to abate the abandoned sign pole and is requesting this budget amendment to compensate the contractor for this work.





CITY OF KINGSVILLE

P.O. Box 1458 - Kingsville, TX 78364

Date: April 01, 2013

Property Owner:

E Z STOP INC

5014 CROSSTOWN EXPRESS

CORPUS CHRISTI, TX 78415

RE: NOTICE OF ALLEGED VIOLATION

For the property at:

201 South US HWY 77 BYPASS

Kingsville, TX

CERTIFIED MAIL - RETURN RECEIPT # 70101670000096557002 REQUESTED

This department has performed a routine proactive inspection on your premise to identify code violations. During our inspection the following, not limited to, were detected on your premises: **FOUND AN OBSOLETE SIGN POLE**

This is in direct violation of City of Kingsville Ordinance:

Code: 15-6-131

Description: Unsafe And Obsolete Signs

Full Violation: (A) Unsafe Signs. If, in the opinion of the director of development services, building official, or other designated representative any sign is or has become dangerous or unsafe in any manner whatsoever, the director, building official, or designated representative shall issue an order to the real property owner directing that the sign shall be immediately repaired and made safe, or taken down and removed.

(B) Obsolete or abandoned signs and sign structures. Any sign or sign support structure, whether existing on or installed after the effective date of this sign code:

- a. Which, for at least ninety (90) consecutive days, has not identified or advertised a bona fide business, lessor, service, owner, product, or activity, or advertised a time which has passed or an event which has occurred; or
- b. Which has been dilapidated for thirty (30) days or more; or
- c. For which the city cannot determine the identity of a legal owner.

(C) Dilapidated sign. A sign which is decayed, deteriorated, or which has fallen into partial ruin that:

- a. Has any portion of the finished material or surface of the message portion of the sign that is visibly faded, flaked, broken off, missing, cracked, splintered, or defective or that is otherwise visibly deteriorated or in a state of disrepair so as not to substantially appear as it was intended or designed to appear when originally constructed; or
- b. Has an element, structural support, or frame member that is visibly bent, broken, dented, torn, twisted, leaning, or at angles other than those at which it was originally erected.

(D) Removal. The owner, agent, or person in control of any premises on which there is displayed or maintained an unsafe, abandoned, obsolete or dilapidated sign or supporting structure or the owner or person in control of an unsafe, abandoned or dilapidated sign or supporting structure shall comply with the following requirements:

- a. Any sign that is unsafe, abandoned, obsolete or dilapidated shall be removed.
- b. If a supporting structure used or designed to be used with a sign is unsafe, abandoned, obsolete or dilapidated, the supporting structure shall be removed.
- c. If an unsafe, abandoned, obsolete or dilapidated supporting structure does not have a can, frame, or similar part of the supporting structure that would hold the sign or to which the sign would be attached, the supporting structure shall be removed.

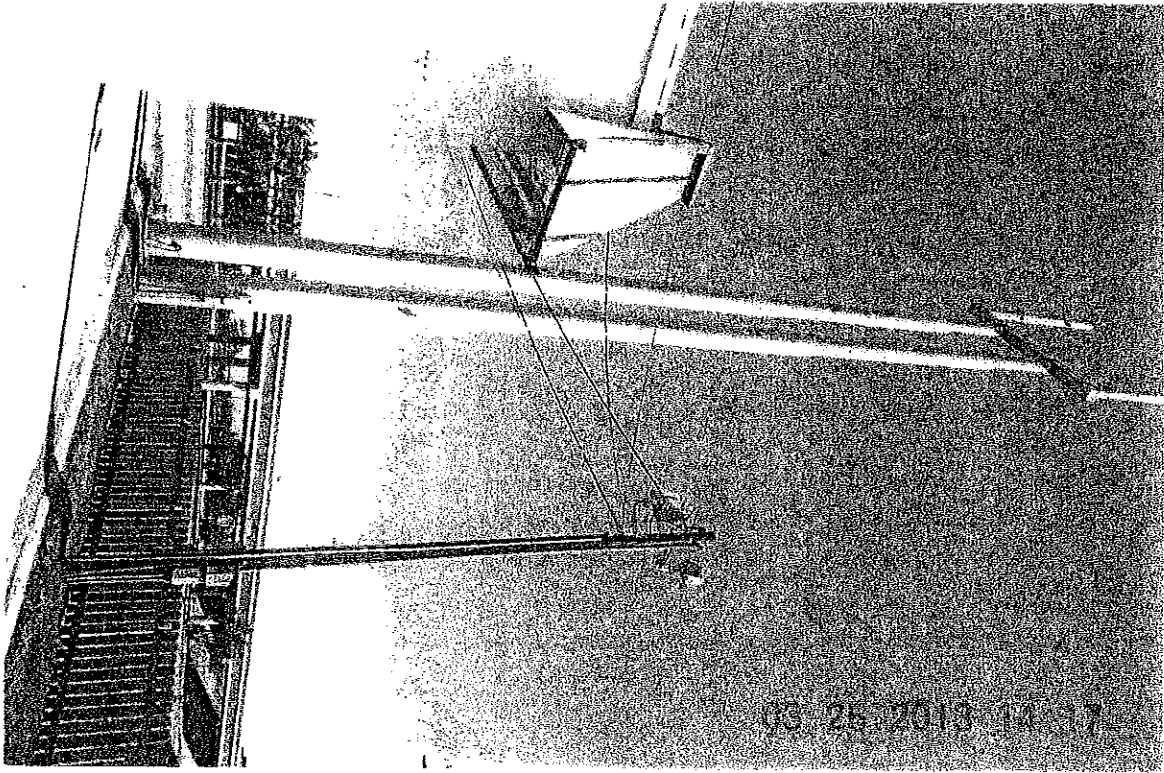
Failure to remove shall be a violation of this ordinance. It shall be a rebuttable presumption that a sign is abandoned if it meets the definition of an abandoned or obsolete sign.

(E) Process. Should the director of development services, building official, or other designated representative, determine that any sign is not properly maintained, is unsafe or insecure or has otherwise been constructed, erected or maintained in violation of the provisions of this code, he shall declare it to be a public nuisance and give written notice of same via hand delivery or certified mail return receipt requested to the real property owner of record.

- a. Such notice and order shall contain substantially the following: (1) location, type, and business name of the sign that is sufficient for identification of such sign; (2) a statement that the designated city employee has found such sign to be in violation of this code or other laws, together with a general description of such violation; (3) the amount of time required to bring the sign into compliance with this code or any other law, said time not to exceed seven (7) days, which may be

Copy of Notice of Violation - R. Lassi

+



361-548-7643 Amman

201 S Hwy 77

COMMUNITY APPEARANCE WORK ORDER

Received: 3-27-13 Proactive Inspection

Referred to: ☐ Health Dept. ☐ Building Dept. ☐ Police Dept. ☐ Fire Dept. ☐ Street Dept. ☐ Not Referred

Inspector: Maryann

Complainant: _____

Telephone #: _____ Address: _____

Contact Complainant: YES _____ NO _____

Address: 201 S. US HWY 77

Location of Nuisance: ☐ Alley ☐ ROW ☒ Easement ☐ Private Property

☐ In relation to Complainant _____ ☐ Other: _____

NOTE: _____

COMPLAINT/ CONCERN

____ High Weeds ____ Junk ____ Illegal Dumping ____ Overhanging Tree Branch(es)

☐ Furniture ☐ Household Trash ☒ Sign ☐ Noxious Matter ☐ Construction Debris

___ Brush ___ Dilapidated Fence ___ Other: _____

NOTE:

FINDINGS/ RESULTS

☒ Valid ☐ Invalid

NOTE:

13-000252

15-1-161

* Typical inspection form/worksheet ^{by code officer.} that goes to file - R. Iassari

2012 PRELIMINARY ROLL

CKI - CITY OF KINGSVILLE

Geo ID Order

06/07/2012 08:31AM

Prop ID	Owner	% Legal Description	Values
400466	56317	100.00 R Geo: 290001008205192	Effective Acres: 0.000000
HAUNSCHILD KENNETH M EST K T & I CO, BLOCK 10, LOT PT 8, (SYM PT C, D-E, SE PT H)			Imp HS: 0 Market: 15,680
CATHERINE HAUNSCHILD EST			Imp NHS: 0 Prod Loss: 0
JANIS & JERRY HAUNSCHILD			Land HS: 0 Appraised: 15,680
717 ARROYO DRIVE			Land NHS: 15,680 Cap: 0
KINGSVILLE, TX 78363			Prod Use: 0 Assessed: 15,680
State Codes: C			Prod Mkt: 0 Exemptions:
Situs:			
Acres: 0.0000			
Map ID:			
Mtg Cd:			
DBA:			

Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable	Tax Rate	Est. Tax
CKI	CITY OF KINGSVILLE				15,680	0	15,680	0.842200	132.06

17931	12426	100.00 R Geo: 290001008209192	Effective Acres: 0.000000	Imp HS: 0	Market: 43,610
HUNTER PERCY A K T & I CO, BLOCK 10, LOT PT 8, (SYM L), ACRES 13.3				Imp NHS: 0	Prod Loss: -41,240
ETAL				Land HS: 0	Appraised: 2,370
1701 W SAGE ROAD				Land NHS: 1,600	Cap: 0
KINGSVILLE, TX 78363				G-5 Prod Use: 770	Assessed: 2,370
State Codes: D1,D2				Prod Mkt: 42,010	Exemptions:
Situs: HWY 77					
Acres: 13.3000					
Map ID:					
Mtg Cd:					
DBA:					

Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable	Tax Rate	Est. Tax
CKI	CITY OF KINGSVILLE				2,370	0	2,370	0.842200	19.96

15957	13779	100.00 R Geo: 290001008307192	Effective Acres: 0.000000	Imp HS: 0	Market: 8,540
SCHMIDT & SONS INC K T & I CO, BLOCK 10, LOT PT 8, ACRES 3.56, (208.7X730.45) (SYM K)				Imp NHS: 0	Prod Loss: 0
PO BOX 232				Land HS: 0	Appraised: 8,540
GONZALES, TX 78629-0232				Land NHS: 8,540	Cap: 0
State Codes: C				G-5 Prod Use: 0	Assessed: 8,540
Situs:				Prod Mkt: 0	Exemptions:
Acres: 3.5600					
Map ID:					
Mtg Cd:					
DBA:					

Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable	Tax Rate	Est. Tax
CKI	CITY OF KINGSVILLE				8,540	0	8,540	0.842200	71.92

16550	13779	100.00 R Geo: 290001008308192	Effective Acres: 0.000000	Imp HS: 0	Market: 10,580
SCHMIDT & SONS INC K T & I CO, BLOCK 10, LOT PT 8, (W PT SYM I) (60 X 391.6)				Imp NHS: 0	Prod Loss: 0
PO BOX 232				Land HS: 0	Appraised: 10,580
GONZALES, TX 78629-0232				Land NHS: 10,580	Cap: 0
State Codes: C				G-5 Prod Use: 0	Assessed: 10,580
Situs: 1824 E KING TX				Prod Mkt: 0	Exemptions:
Acres: 0.0000					
Map ID:					
Mtg Cd:					
DBA:					

Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable	Tax Rate	Est. Tax
CKI	CITY OF KINGSVILLE				10,580	0	10,580	0.842200	89.10

15367	32740	100.00 R Geo: 290001008382192	Effective Acres: 0.000000	Imp HS: 0	Market: 987,700
RESTWELL CORP K T & I CO, BLOCK 10, LOT PT 8, (PT SYM G-J), (QUALITY INN)				Imp NHS: 861,620	Prod Loss: 0
221 S US HIGHWAY 77 BYP				Land HS: 0	Appraised: 987,700
KINGSVILLE, TX 78363-4827				Land NHS: 126,080	Cap: 0
Agent: THOMAS FRANK L				G-5 Prod Use: 0	Assessed: 987,700
State Codes: F1				Prod Mkt: 0	Exemptions:
Situs: 221 S US HWY 77 BYPASS TX					
Acres: 0.0000					
Map ID:					
Mtg Cd:					
DBA:					

Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable	Tax Rate	Est. Tax
CKI	CITY OF KINGSVILLE				987,700	0	987,700	0.842200	8,318.41

4005289	50864	100.00 R Geo: 290001008383192	Effective Acres: 0.000000	Imp HS: 0	Market: 462,380
CHANDAN HOSPITALITY LLC K T & I CO, BLOCK 10, LOT PT 8, (ECONO LODGE), ACRES .588				Imp NHS: 431,640	Prod Loss: 0
% NAINESH GANDHI ETUX				Land HS: 0	Appraised: 462,380
2203 E KING AVE				Land NHS: 30,740	Cap: 0
KINGSVILLE, TX 78363-4810				G-5 Prod Use: 0	Assessed: 462,380
State Codes: F1				Prod Mkt: 0	Exemptions:
Situs: E KING TX					
Acres: 0.5880					
Map ID:					
Mtg Cd:					
DBA:					

Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable	Tax Rate	Est. Tax
CKI	CITY OF KINGSVILLE				462,380	0	462,380	0.842200	3,894.16

13884	46007	100.00 R Geo: 290001008405192	Effective Acres: 0.000000	Imp HS: 0	Market: 184,080
E Z STOP INC K T & I CO, BLOCK 10, LOT PT 8, (PT SYM G & S PT SYM J) (AMAN'S				Imp NHS: 82,830	Prod Loss: 0
5014 CROSSTOWN EXPRESS FOOD MART #4)				Land HS: 0	Appraised: 184,080
CORPUS CHRISTI, TX 78415				Land NHS: 101,250	Cap: 0
State Codes: F1				G-5 Prod Use: 0	Assessed: 184,080
Situs: 201 S US HWY 77 BYPASS				Prod Mkt: 0	Exemptions:
Acres: 0.0000					
Map ID:					
Mtg Cd:					
DBA:					

Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable	Tax Rate	Est. Tax
CKI	CITY OF KINGSVILLE				184,080	0	184,080	0.842200	1,550.32

Used for owner ID

Copy of Return Receipt
 Verifying that they
 got the Notice letter
 dated April 1st, 2013.

R. Passi

SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		COMPLETE THIS SECTION ON DELIVERY A. Signature <input checked="" type="checkbox"/> Agent B. Received by (Printed Name) <input type="checkbox"/> Addressee C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input checked="" type="checkbox"/> No	
1. Article Addressed to: E Z STOP INC 5014 CROSSTOWN EXPRESS CORPUS CHRISTI, TX 78415 201 S US Hwy 17		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label) PS Form 3811, February 2004		7010 1670 0000 9655 7002 Domestic Return Receipt 102505-02-M-1540	

SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		COMPLETE THIS SECTION ON DELIVERY A. Signature <input checked="" type="checkbox"/> Agent B. Received by (Printed Name) <input type="checkbox"/> Addressee C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input checked="" type="checkbox"/> No	
1. Article Addressed to: E Z STOP INC 5014 CROSSTOWN EXPRESS CORPUS CHRISTI, TX 78415 201 S Hwy 17		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)		7010 1670 0000 9654 7574	



CAMACHO



Demolition * Recycling * Container Service
Asbestos & Lead Abatement / Mold Remediation

November 18, 2013

Proposal # 13-1116

Proposal Submitted To:

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

Work to be Performed at:

Abandoned Signs
King Avenue @ Hwy 77
Kingsville, Tx

Sent Via Email: cflores@cityofkingsville.com

Page 1 of 1

Attention: Cyndi Flores

Camacho Demolition & Recycling is pleased to offer this proposal to you for demolition services located at the aforementioned address. We will perform all work in accordance with local, state & federal regulations. This price includes all labor, equipment, materials & supervision to perform the job to the Owners satisfaction. Price is good for 90 Days from date of Proposal.

If you have any questions or comments concerning this proposal, please contact Mr. Vernon Carr at (361) 442-1776, or vernon@camachorecycling.net

Removal of 2 Abandoned Elevated Sign Pedestals

1. Single Mobilization
2. Lower Signs to ground and cut up for recycling disposal
3. Camacho Will need Access to the Property the signs are on for a total of 1 day for both
4. Remove & Dispose of all Demolition Debris to Approved Landfill or Recycling Facility

Total Price :

Ten Thousand Dollars and Zero Cents

\$10,000.00

5113 Agnes Street
Corpus Christi, TX 78405

VERNON CARR
BUSINESS DEVELOPMENT MANAGER
Cell 361.442.1776

Office 361.289.1095
Fax 361.882.1944

Copy of a 2nd Quote. * Not USED. /conic was cheaper. R. Iassri

Iconic Sign Group, LLC.
P.O.Box 271483
Corpus Christi, TX, 78427- USA
Phone: (361)-883-7446 Fax: (361)-883-7447

iconic

SIGN GROUP LLC.

Contractor Quote

Quote Submitted To:

CITYOFK001
Cyndi Flores
City Of Kingsville
202 West Lee
Kingsville, TX 78363- USA

Phone: (361) 595-8079 Ext.
Fax:
Email cflores@cityofkingsville.com

Job Name and Location
City Of Kingsville
202 West Lee
Kingsville, TX 78363- USA

Quotation Number
015233

Quote Date
1/24/2014

Payment Terms
50 DEP/BAL COD

Contact
DAVID D

Page
Page 1 of 2

Quantity	Description	Unit Price	Extended Price
----------	-------------	------------	----------------

- 1 Iconic Sign Group LLC. will provide labor and material for the completion of the following :

Job site Highway 77 and King, Kingsville Texas *for 201 S. US77*

Remove one double pipe structure

- 1 Structures will cut down to grade
- 2 Steel plates will be welded to cap holes
- 3 Pipes and sign will be transported back to IGS warehouse
- 4 Pipes and sign cabinet to become property of IGS for recycling

\$4,922.00

\$4,922.00

- X 1 Iconic Sign Group LLC. will provide labor and material for the completion of the following :

Job site Highway 77 and King, Kingsville Texas

Remove one single pipe structure with sign cabinet (GEM'S)

- 1 Structures will cut down to grade
- 2 Steel plates will be welded to cap holes
- 3 Pipes and sign will be transported back to IGS warehouse
- 4 Pipes and sign cabinet to become property of IGS for recycling

*BigHouse has submitted plans
for the installation of a sign
to replace the old Hem's sign.*

** Additional time has been
granted to schedule
the work.*

\$4,922.00

~~\$4,922.00~~

- 1 General terms and condition:
Sales tax will be additional where applicable.
A) 50% DOWN ,50% ON COMPLETION 3% paid with cash or check
B) 5% DISCOUNT ON PRE-PAY ORDERS paid with cash or Check
NO discounts when Paid Via CC

50% of project cost is non refundable when production begins.

By signing this proposal you:

1. Authorize Iconic Sign Group LLC to perform the above work as specified in this contract.
2. Agree Iconic Sign Group LLC terms and general conditions.
3. Aware of Iconic Sign Group LLC limited warranty.

Date: _____
BY: _____

Applicable Discounts: All applicable discounts must be taken at time of purchase.

Quotation Number

015233

Quote Date

1/24/2014

Payment Terms

50 DEP/BAL COD

Contact

DAVID D

Page

Page 2 of 2

Quantity	Description	Unit Price	Extended Price
----------	-------------	------------	----------------

Ownership: All signage shall remain property of Iconic Sign Group LLC and shall not become a fixture to real property until such time as Iconic Sign Group LLC is Paid In Full for all sums owed

\$0.00

\$0.00

General terms and condition apply
Sales tax will be additional where applicable.
50% of project cost is non refundable when production begins.

Customer is responsible for providing electrical power to the sign location. Per National and local City ordinance, a dedicated circuit, including neutral wire with ground is required for all sign locations.

By signing this proposal you:

1. Authorize DeLaGroup LLC, dba S&G SIGNS to perform the above work as specified in this contract.
2. Agree to DeLaGroup LLC, dba S&G SIGNS terms and general conditions.
3. Aware of DeLaGroup LLC, dba S&G SIGNS limited warranty.

*Ask your sales rep. for a complete copy of your General condition, and limited warranty

Taxable:	\$9,844.00
NonTaxable:	\$0.00
SalesTax:	\$812.13
Freight:	\$0.00
Misc:	\$0.00
Total:	\$10,656.13

Ownership: All signage shall remain property of DeLaGroup LLC, dba S&G SIGNS and shall not become a fixture to real property until such time as DeLaGroup LLC, dba S&G SIGNS is Paid In Full for all sums owed to it by Customer. Ownership of all signage shall likewise not transfer to Customer until DeLaGroup LLC is Paid in Full and Customer hereby grants

Thank You

For: City Of Kingsville

Signature _____ Date: _____

10/22/13 - Made Contact with ^{owner.} Mr. Aman @ 361-548-7643 in regards to the obsolete pole sign. - Mr. Aman stated he had contacted a sign company who advised him there were bees in the pole & that they could do nothing more until bees were removed. - ~~of~~ I contacted Health Dept who stated he would need to hire a pest control company to have bees removed -

10/22/13 - 11:31pm - Called Mr. Aman back and advised him that he would need to contact a pest control ~~for~~ company - He asked if I could call him back next week (10-28/13 - 11/1/13) for an ~~update~~ update - ~~of~~

11/5/13 - left message for Mr. Aman @ 548-7643 in reference to obsolete pole sign on property @ 2015 US Hwy 77. - ~~of~~

11/19/13 - Spoke w/ David from S & G Signs in Corpus in reference to obsolete pole sign on the property. David stated he will be getting an estimate for the removal of the pole sign, and will be in contact with me when he gets it. - ~~of~~

Code Enforcement Officer Notes

REGULAR AGENDA

AGENDA ITEM #6

RESOLUTION # 2014-_____

A RESOLUTION AUTHORIZING THE COMMENCEMENT OF PROCEEDINGS RELATING TO THE ISSUANCE OF REFUNDING BONDS AND OTHER MATTERS RELATED THERETO.

WHEREAS, the City Commission ("the Commission") of the City of Kingsville, Texas (the "City") has determined that it is in the best interest of the City to issue refunding bonds in the approximate amount of \$9,345,000 (the "Bonds") for the purpose of refunding certain obligations of the City; and

WHEREAS, the Commission desires to authorize its consultants to assist the City with the issuance of the Bonds.

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

Section 1. The following firms serve as consultants to the City with respect to the Bonds as follows: First Southwest Company, as Financial Advisor, and Windstead PC, as Bond Counsel (the "Consultants").

Section 2. The Commission hereby authorizes its Consultants and the City's staff members to do all things necessary to move forward with and accomplish the issuance of the Bonds at the earliest feasible time.

Section 3. This Resolution shall be and become effective on or after adoption.

PASSED AND APPROVED by a majority vote of the City Commission on the 20th day of March, 2014.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

(City Seal)

AGENDA ITEM #7

RESOLUTION # 2014-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KINGSVILLE, TEXAS AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL #2390 FOR FISCAL YEARS 2013-2016; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 11, 2014 the City and Association renegotiated Article 16 and Article 25, regarding the method utilized to calculate compensation for firefighters working on holidays and the holidays observed by firefighters on 40 hour week schedules; and,

WHEREAS, on March 14, 2014 the Association held a meeting of its members and voted to ratify the proposed changes to those articles; and,

WHEREAS, the City Commission needs to vote to ratify the proposed changes as well in order for them to become effective from this point forward; and,

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

I.

THAT the City Manager is authorized and directed on behalf of the City of Kingsville, Texas to enter into an amendment to the collective bargaining agreement for the period covering October 1, 2013 to September 30, 2016 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
20th day of March, 2014.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS FORM:

Courtney Alvarez, City Attorney



MEMORANDUM

From
The Human Resources Department

Date: March 14, 2014

To: Mr. Vincent Capell
City Manager

From: Diana Gonzales, SPHR
Human Resources Director

Subject: Proposed Amendment to Collective Bargaining Agreement
City of Kingsville and Kingsville Professional Firefighter's Association,
Local # 2390 Collective Bargaining Agreement
(October 1, 2013-September 30, 2014)

SUMMARY

The City of Kingsville (City) and the Kingsville Professional Firefighters Association, IAFF Local # 2390 (Association) entered into a collective bargaining agreement on November 18, 2013.

On March 11, 2014 the City and the Association entered into a renegotiation of Article 16 and Article 25 regarding the method utilized to calculate compensation for firefighters working on holidays and the holidays observed by firefighters on 40 hour week schedules. The sections of the following articles are proposed to be modified as indicated:

ARTICLE 16 OVERTIME AND CALLBACK

SECTION 1 OVERTIME

24 HOUR SHIFT MEMBERS OVERTIME CALCULATION

Members assigned to twenty four (24) hour shifts shall be paid overtime for authorized hours in excess of one hundred and six (106) hours of actual hours, holiday hours and vacations hours worked for each fourteen (14) day work period.

(added language)

Hours worked on an actual holiday will be counted as overtime and paid one and half (1 ½) times regular rate of pay. Each twenty-four (24) hour member on duty at 8:00 a.m. when a holiday occurs shall be paid one and a half (1 ½) times their hourly rate of pay.

40 HOUR WORK WEEK MEMBERS OVERTIME CALCULATION

Members assigned to a forty (40) hour a week position shall be paid overtime for authorized hours in excess of forty (40) hours of actual hours, holiday hours and vacation hours worked for each seven (7) day work period.

ARTICLE 25 HOLIDAYS

(modified language)

B. Members assigned to a forty (40) hour work week shall ~~not report for duty during any of the department's holidays or sell back any holidays. Forty (40) hour work week members are~~ be entitled to observe the holidays authorized under ~~this Agreement~~ City policy.

BACKGROUND INFORMATION

On December 17, 2013 the Kingsville Professional Firefighters Association submitted a grievance to the Fire Chief regarding the compensation of hours worked on designated holidays. The Fire Chief responded on January 3, 2014 with the allowable time period. The Association received the Fire Chief's response and continued with the next step of the grievance process.

The City Manager received the unresolved grievance on January 14, 2014 and responded within the allowable time period. The City Manager concurred with the Fire Chief response. As the agreement was restructured to include updated language, the ramifications of the changes may not have been realized by members of the negotiating teams. The City Manager directed the Human Resource Department to initiate a discussion with the Association regarding the areas of the agreement in which all parties involved may need additional clarification. As a result sections of Article 16 and 25 were reopened for discussion.

FINANCIAL IMPACT

For the remainder of Fiscal Year 2013-2014

Department estimated additional overtime	\$ 6,586
Plus 20.9% benefits	\$ 1,376
	<hr/>
	\$ 7,962

The \$ 7,962 covers the half time cost, including benefits, for firefighters scheduled to work on a contract approved holiday.

The current contract allows 8 holidays during the course of the fiscal year of which five (5) have already occurred. Three (3) holidays remain in FY 2013-2014. Ten (10) positions are assigned per shift (Shift A, B and C).

For the remaining of this fiscal year, the number of holidays for which the shifts are scheduled to work holidays are as follows:

Shift A Employees	1
Shift B Employees	2
Shift C Employees	0

3 total holidays remaining FY 2013-2014

The number of actual holidays may vary per employee depending on call-in and utilization of sick, vacation, etc.

There is no projected monetary increase for allowing the utilization of City holidays to civil service Firefighters working on a forty (40) hour work week schedule. At this time there is only one position on a 40 hour work week schedule (Fire Marshal).

RECOMMENDATION

The tentative agreement reached by both negotiating teams was for civil service firefighters working on holidays to receive the additional half time for the hours worked as all other City employees (both civil service police officers and non-civil service employees) in addition to allowing 40 hour work week firefighters to utilize City holidays.

AGENDA ITEM #8

RESOLUTION #2014-_____

A RESOLUTION APPOINTING ELECTION JUDGES AND THE EARLY VOTING BALLOT BOARD JUDGE FOR THE CITY OF KINGSVILLE AND KINGSVILLE INDEPENDENT SCHOOL DISTRICT JOINT GENERAL ELECTION AND FOR THE KINGSVILLE INDEPENDENT SCHOOL DISTRICT SPECIAL ELECTION ON MAY 10, 2014.

BE IT RESOLVED, by the City Commission of the City of Kingsville (City) and the Kingsville Independent School District (KISD) that the following named persons are hereby appointed as Election Judges for the City and KISD Joint Election and Special Election to be conducted on Saturday, May 10, 2014.

<u>City & KISD POLLING PLACE</u>	<u>PRESIDING JUDGE</u>	<u>ALTERNATE JUDGE</u>
1 - McRoberts Elementary School	Dalila Mascorro	Monica Mascorro
2 - KISD Administration Bldg.	Bonnie Gonzales	Crystal Alaniz
3 - Kleberg County Annex Bldg.	Yolanda Vasquez	Nora Cisneros
4 - Gillett Intermediate School	Alicia Tijerina	Selina Tijerina
5 - Harvey Elementary School	Margarita Suarez	Juanita Lara
6 - Perez Elementary School	John Quesada	Esther Quesada

BE IT FURTHER RESOLVED that each Presiding Judge is authorized to appoint one clerk to assist him/her with the election and that each Presiding Judge and each Alternate Judge shall be compensated twelve dollars (\$12.00) per hour for each hour worked and that the judge delivering the election returns and supplies to the central counting station shall be compensated an additional twenty-five dollars (\$25.00) for that service, and that Clerks shall be compensated ten dollars (\$10.00) per hour for each hour worked.

BE IT FURTHER RESOLVED that Frances Garcia be appointed as the Presiding Judge of the Early Voting Ballot Board. That said Presiding Judge is authorized to appoint two clerks to assist him/her and the members shall be paid the same wage as regular election judges. If the Board concludes its work in less than 10 hours, the compensation paid may exceed that regularly payable for the amount of time worked, but cannot exceed the amount payable for ten hours' work.

PASSED AND APPROVED by the majority vote of the City Commission of the City of Kingsville, Texas this the ____ day of _____, 2014.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

RESOLUCIÓN #2014-_____

UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y EL JUEZ DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES CONJUNTAS DE LA CIUDAD DE KINGSVILLE Y DEL DISTRITO ESCOLAR INDEPENDIENTE DE KINGSVILLE Y LA ELECCION ESPECIAL DEL DISTRITO ESCOLAR INDEPENDIENTE DE KINGSVILLE QUE SE LLEVARÁN A CABO EL 10 DE MAYO DE 2014.

SE HA RESUELTO, por parte de la Comisión Municipal de la Ciudad de Kingsville (Ciudad) y del Distrito Escolar Independiente de Kingsville (KISD), que las personas mencionadas a continuación sean nombradas como Jueces Electorales para las Elecciones Conjuntas y la elecciones especial de la Ciudad y del Distrito Escolar, que se realizarán el sábado 10 de mayo de 2014.

<u>SITIO DE VOTACIÓN EN LA CIUDAD Y KISD</u>	<u>JUEZ PRESIDENTE</u>	<u>JUEZ SUPLENTE</u>
1 - Escuela Primaria McRoberts	Dallia Mascorro	Monica Mascorro
2 - Edificio de Administración del KISD	Bonnie Gonzales	Crystal Alaniz
3 - Edificio anexo del condado de Kleberg	Yolanda Vasquez	Nora Cisneros
4 - Escuela Intermedia Gillett	Alicia Tijerina	Selinda Tijerina
5 - Escuela Primaria Harvey	Margarita Suarez	Juanita Lara
6 - Escuela Primaria Perez	John Quesada	Esther Quesada

SE RESUELVE ADEMÁS QUE: Cada Juez Presidente está autorizado para nombrar un secretario que le ayudará en las elecciones, y que cada Juez Presidente y cada Juez Suplente deberán recibir un pago de doce dólares (\$12.00) por hora, por cada hora trabajada, y que el juez que entrega los resultados electorales y los materiales de las elecciones a la estación central de conteo debe recibir un pago adicional de veinticinco dólares (\$25.00) por ese servicio, y que los Secretarios deben recibir un pago de diez dólares (\$10.00) por hora, por cada hora trabajada.

SE RESUELVE ADEMÁS QUE: Frances Garcia es nombrado Juez Presidente de la Junta de Votación Anticipada. Que dicho Juez Presidente está autorizado para nombrar dos secretarios que le ayudarán, y que los miembros deberán recibir el mismo pago que los jueces electorales regulares. Si la Junta termina su trabajo en menos de 10 horas, la remuneración pagada puede exceder la remuneración pagada regularmente por la cantidad de tiempo trabajado, pero no puede sobrepasar la suma pagada por diez horas de trabajo.

APROBADA por voto mayoritario de la Comisión Municipal de la Ciudad de Kingsville, Texas, este día _____ de _____ de 2014.

Sam R. Fugate, Alcalde

DA FE:

Mary Valenzuela, Secretaria Municipal

APROBADA RESPECTO A FORMA:

Courtney Álvarez, Abogado Municipal

AGENDA ITEM #9

RESOLUTION #2014-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIRST AMENDED JOINT ELECTION AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND THE KINGSVILLE INDEPENDENT SCHOOL DISTRICT, RELATING TO THE 2014 GENERAL ELECTION AND KISD SPECIAL 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, the City had approved a resolution on December 9, 2013 to enter into a Joint election with KISD;

WHEREAS, on March 14, 2014 KISD accepted the resignation of a School Board Trustee and voted to hold a special election to fill the vacant position, the KISD Board of Trustees now plans to hold a Board of Trustees Special Election on May 10, 2014, in Kleberg County voting precincts for the purpose of electing a School Trustee to Place No. 7;

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, except items that are attributable to the KISD Special Election; 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 First Amended Joint Election Agreement between the City of Kingsville and Kingsville Independent School District relating to the 2014 General Election and KISD Special 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 10th day of March, 2014.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

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

This agreement is made and entered into this _____ day of March, 2014, between the City of Kingsville ("City") and the Kingsville independent School District ("KISD") to conduct a joint General Election and a KISD Special 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. The KISD Board of Trustees also plans to hold a Special Board of Trustees Election on May 10, 2014, in Kleberg County voting precincts for the purpose of electing a School Trustee to Place No. 7.

II. ADMINISTRATION

The City of Kingsville City Secretary/Elections Administrator agrees to coordinate, supervise and handle all aspects of administering the Joint General Election and Special 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 M100 & AutoMark 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 Voting System and software 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 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 Kleberg County Early Voting Annex, 720 E. King @ 12th St., 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 Alcorn Commission Chambers, City Hall, 200 E. Kleberg Ave., 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 General Election and Special 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. Each party agrees to pay for 100% of the election expenses attributable solely to their Election, if any. 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

Kleberg County Early Voting Annex
720 E. King @12th St.
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
KISD Administration Bldg, 207 N. 3rd 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 _____, 2014.

Executed on _____, 2014.

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 _____, 2014.

Kingsville Independent School District

BY: _____
Melissa Windham, Board President

ATTEST:

Dora Martinez, Secretary

APPROVED AS TO FORM:

EXHIBIT A
POLLING PACES

<u>CITY POLLING PLACE</u>	<u>COUNTY VOTING PRECINCT</u>
1	23 & 24
2	22, 32, & 44
3	21, 43, & 45
4	14, 41, & 42
5	13
6	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 #10

RESOLUTION # 2014-

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO THE FIRST AMENDED 2014 ELECTION SERVICES AGREEMENT BETWEEN CITY OF KINGSVILLE AND KLEBERG COUNTY CLERK; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

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 2014 Election Services Agreement between City of Kingsville and Kleberg County Clerk relating to the 2014 General Municipal Election/Joint Election between the City of Kingsville and Kingsville Independent School District and the Kingsville Independent School District Special 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 _____th day of _____ March, 2014.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**First Amended
2014 Election Services Agreement
between
City of Kingsville
And
Kleberg County Clerk**

This AGREEMENT is made and entered into by and between the City of Kingsville and the Kleberg County Clerk for the leasing and supervision of the Election System & Software Corp. (ES&S) Direct Recording Electronic Voting Machines and providing services associated with the Election Reporting Manager/Central Counting Station and the tabulation of ballots for the Joint General Election between the City of Kingsville and Kingsville Independent School District and for the Kingsville Independent School District Special Election.

This AGREEMENT is entered into in consideration of the mutual covenants and agreements hereinafter set out. IT IS AGREED AS FOLLOWS:

I. ADMINISTRATION

Under the legislative Help America Vote Act (HAVA) compliancy requirement for Texas School and City elections, ES&S has set standard requirements implementing new procedures. Kleberg County having ownership of the HAVA required voting machines, ES&S has requested that when under contract with other county jurisdictions that Kleberg County coordinate all of the City of Kingsville and Kleberg County school districts elections through the entire election information process cycle, including ballot and programming needs with ES&S. The Kleberg County Clerk and/or the Staff designee are assigned to be the point of contact for Kleberg County with ES&S during all election cycles. Kleberg County Clerk agrees to lease equipment for the election and tabulating the election with the Central Counting Station aka Election Reporting Manager located in the Kleberg County Clerk's office and in accordance with the provisions of the Texas Election Code and as outlined in this agreement. City of Kingsville agrees to pay ES&S for all costs associated with this election including supplies, programming and ballot production costs and to pay the Kleberg County Clerk for the lease of equipment, services, administrative fees and other costs. Kleberg County Clerk and staff will only serve as administrators for the Central Counting Station and the supervision of the Direct Recording Electronic Voting Machines and Poll Pads; however, the City of Kingsville remains responsible for the lawful conduct of their election.

II. LEGAL DOCUMENTS

City of Kingsville will provide copies of pertinent orders and/or resolutions to Kleberg County Clerk. City of Kingsville will be responsible for preparation and adoption and publication of all required election orders, resolutions, notices and any other pertinent

documents required by their respective governing body.

The City of Kingsville will be responsible for making any submission(s) to the U.S. Department of Justice required by the Federal Voting Rights Act of 1965, as amended, with regards to the Joint General Election and KISD Special Election.

III. DIRECT RECORDING ELECTRONIC VOTING MACHINES

Paper ballots are used as the primary way of voting in Kleberg County. Votes from hand-marked paper ballots are entered into precinct electronic voting devices. City of Kingsville agrees that voting will be by use of paper ballots and a direct recording electronic voting system will be used for tabulation. The system was previously approved by the Secretary of State in accordance with the Texas Election Code.

Kleberg County Clerk will be responsible for the preparation of the programming and City of Kingsville will be responsible for testing of the direct recording electronic system for tabulating the ballots with the assistance of the Kleberg County Clerk.

City of Kingsville will be responsible for the delivery of the voting equipment to each polling place before the Election Day and the pickup of the voting equipment on the next business day after the Election Day.

- a. Kleberg County will offer to lease the KnowInk Poll Pads to other county jurisdictions. The Poll Pads are used to qualify voters by electronic means and will replace the manual method of using the yellow combination sheets and registered voter rosters. The City of Kingsville agrees to lease and use the Poll Pads at each polling location under the supervision of the Kleberg County Clerk and/or the Kleberg County Voter Registrar.

IV. VOTING LOCATIONS

City of Kingsville will solely select and arrange for the use of and payment for all voting locations.

V. ELECTION JUDGES, CLERKS AND OTHER ELECTION PERSONNEL

City of Kingsville will solely be responsible for the appointment of the presiding judge and alternate for each polling location. City of Kingsville shall arrange for the training and compensation of all presiding judges and clerks. City of Kingsville will compensate the Kleberg County Clerk staff individually for time worked on the Joint General Election and KISD Special Election after normal business hours.

The election judges are responsible for picking up election supplies at the time and place determined by the City of Kingsville.

VI. RETURNS OF ELECTIONS

Kleberg County Clerk will be responsible for establishing and operating the Central Counting Station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.

The participating authorities hereby, in accordance with Section 127.002, 127.003 and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Manager:	<u>Stephanie Garza or Pattie Garcia</u> Kleberg County Clerk/Staff Deputy
Tabulating Supervisor:	<u>Sonja Reyna or Leo Alarcon</u> Kleberg County Clerk/Staff Deputy
Presiding Judge:	<u>Mary Valenzuela or Cindy Hiebert</u> City of Kingsville Secretary or designee

The manager or his/hers representative will deliver timely cumulative reports of the election results as polling locations are tabulated. The manager will be responsible for releasing cumulative totals and polling locations returns from the election to the Presiding Judge appointed by the City of Kingsville.

Kleberg County Clerk will prepare the unofficial canvass report after all polling locations have been counted, and will provide a copy of the unofficial canvass to the City of Kingsville as soon as possible after all returns have been tabulated, but not later than 10:00 a.m. the 3rd day following the election. City of Kingsville will be responsible for the official canvass of their respective election.

VII. ELECTION EXPENSES

Costs incurred for paper ballots and programming will be paid to ES&S by the City of Kingsville. The Kleberg County Commissioners Court set the leasing of the DRE (Direct Recording Electronic) voting equipment cost at \$250 per machine for leasing to any and other county jurisdictions. City of Kingsville shall pay to Kleberg County Clerk the rental fee set forth for voting equipment. And in the event that staff is needed to complete the job during early voting, election-day, and any required recount of votes for this election, together with an additional administrative fee not to exceed ten percent (10%) of the total amount of the contract, as allowed by Texas Election Code, Section 31.100(d).

- a. KnowInk Poll Pad Lease Cost: The cost to lease each Poll Pad, as set by the Kleberg County Commissioner's Court is \$100 per machine for each election. Any non-maintenance repairs are to be paid by the other county jurisdictions that damaged the Poll Pad.

A final bill will be provided to the City of Kingsville as soon as all invoices are collected from ES&S and copies given to the Kleberg County Clerk or within thirty (30) days following election-day.

VIII. PAYMENT OF FUNDS

City of Kingsville agrees to pay the Kleberg County Clerk within thirty (30) days of receipt of the final bill from the Kleberg County Clerk.

Final payment should be delivered within the mandatory time frames to:

Leo H. Alarcon
County Clerk
Kleberg County
PO Box 1327
Kingsville, Texas 78364

IX. CONTRACT WITHDRAWAL

If City of Kingsville certifies their election in accordance with Section 2.051, 2.052 and 2.053 of the Texas Election Code, they may withdraw from this contract. Any share of their expenditures incurred prior to withdrawal shall be billed to City of Kingsville.

X. NOTICE

Whenever this agreement requires any consent, approval notice, request or demand, it must be in writing to be effective and shall be delivered to the party intended to receive it. Any notice required to be given by the terms of this Agreement shall be deemed to have been given when the same is received by the receiving party via certified mail - return receipt requested, facsimile, or hand-delivery with signature confirmation of receipt by an authorized employee of the receiving party. The parties to this contract are as follows:

If to the COUNTY:

Leo H. Alarcon
County Clerk
Kleberg County
PO Box 1327
Kingsville, Texas 78364
361.595.8548

If to the CITY OF KINGSVILLE:

Mary Valenzuela
City Secretary

City of Kingsville
200 E. Kleberg Ave.
Kingsville, TX 78363
361.595.8002

RECOMMENDED FOR APPROVAL BY:
LEO H. ALARCON
KLEBERG COUNTY CLERK

ACCEPTED AND AGREED TO BY CITY OF KINGSVILLE:
APPROVED:

SIGNATURE, TITLE

ATTEST:

SIGNATURE, TITLE

ACCEPTED AND AGREED TO BY THE KLEBERG COUNTY CLERK:
APPROVED:

SIGNATURE, TITLE

ATTEST:

SIGNATURE, TITLE

AGENDA ITEM #11

ORDINANCE NO. 2014-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 8, TRAFFIC CONTROL DEVICES; PROVIDING FOR THE INSTALLATION OF A STOP SIGN ON GENERAL CAVAZOS BLVD. AT THE NAVAL AIR STATION KINGSVILLE GATE; 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 7-8-3 of Article 8: Traffic Control Devices of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 7-8-3 TRAFFIC CONTROL AREAS.

...

(B)

...

AREA O		
Intersection	Direction	Device
...		
44. <u>General Cavazos Blvd. at Naval Air Station Kingsville Gate</u>	<u>Eastbound</u>	<u>Install stop sign</u>

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 20th day of March, 2014.

PASSED AND APPROVED on this the ____th day of _____, 2014.

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: March 12, 2014

TO: City Commission through City Manager

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

SUBJECT: Placement of a stop sign on General Cavazos at Naval Air Station – Kingsville gate.

SUMMARY

This item authorizes the city to place a permanent stop sign on General Cavazos at the Naval Air Station – Kingsville (NAS-K) guard station inside the city limits.

BACKGROUND

The Engineering Department received a request on March 7, 2014 from a NAS-K to place a permanent stop sign on General Cavazos at the guard station. Currently, there is a temporary stop sign that has been set up by NAS-K. The temporary stop sign has exceeded its limitations as per the Manual of Uniform Traffic Control Devices (MUTCD) and is not as visible as a permanent approved stop sign. The location for the stop sign is within the city limits. The permanent stop sign will make current traffic control conditions safer.

RECOMMENDATION

Staff recommends that a permanent stop sign be placed on General Cavazos at the NAS-K gate.

FINANCIAL IMPACT

No financial impact to the City of Kingsville. Changing this condition is in accordance with state and federal guidelines and the Manual of Uniformed Traffic Control Devices (MUTCD).

Approved

Vincent Capell, City Manager

AGENDA ITEM #12



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE: March 12, 2014
TO: City Commission through City Manager
FROM: David Mason, Purchasing/IT Director
SUBJECT: Asphalt Paver

SUMMARY

This item authorizes the purchase of one Roadtec Asphalt Paver for the Street Department from Closner Equipment Co.

BACKGROUND

This approval relates to the Notice to Proceed with leasing funds available from Capital City Leasing. It is available as a BuyBoard purchase.

RECOMMENDATION

We believe the best value for the City is a Roadtec RP170-8 for \$300,500.00. This unit is a 2013 demo model with approximately 85 hours. It is fully equipped with an extendable rear screed which gives it a total width capacity of 15'6". It also comes with a TOPCON Sonic Grade and Slope Control, Road Light Package, Release Agent Spray Down System, and Truck Hitch in lieu of Oscillating Push Rollers. An extended warranty of 3-years, 3,000hour "bumper to bumper" and 5-years 6,000 hour engine warranty are also included in the package.

FINANCIAL IMPACT

Leasing funds are available as \$80,000 is budgeted for FY 14, 001-5-305.0-641.00.



SAN ANTONIO MAIN OFFICE
21910 FM 2252 ~ SCHERTZ, TX 78154
210.732.2131 ~ FAX 210.732.0706

AUSTIN BRANCH OFFICE
13800 FM 973 N. ~ MANOR, TX 78653
512.272.8200 ~ FAX 512.272.8285

DALLAS ~ FT. WORTH BRANCH OFFICE
1819 LACY DR. ~ FT. WORTH, TX 76177
817.708.9108 ~ FAX 817.708.9118

March 11, 2014

Mr. William Donnell
City of Kingsville

via email: wdonnell@cityofkingsville.com

ASPHALT PAVER PROPOSAL

**One – Roadtec RP-170 – 8' Rubber Tire Asphalt Paver, 2013 Demo Model, SN 177,
Approx 85 hrs (first use August 2013)**

Caterpillar C6.6, 6.6 L, 6 Cylinder, 174 HP Diesel, Tier III
1/2" (12.5 mm) Thick Continuous Side Sheet Frame Construction
4" (50 mm) Thick Front Cross Frame Member
Hydraulically Driven Fan
Oscillating Push Rollers (see option for truck hitch below)
Direct Hydraulic Planetary Drive
Three Brake System; Hydrodynamic, Disc Calipers, Parking
11 Ton (11.2 MT) Capacity/202 ft³ (5.7 m³) Self Dumping Hopper
Electric Flow Gates
Independently Driven Variable Speed Feeder Conveyors with 3/8" (9.5 mm)
Thick 400 BHN Liners
14" (355 mm) Cast Ni-hard Augers
Hydraulically Raise, Lower and Tilting Auger Assembly
16:00 x 24" (610 mm) Hydroflated High Flotation Sand Rib Drive Tires
Dual 12" (304 mm) x 22" (559 mm) Front Bogies
Two (2) Comfort Drive Operators Stations with Tilt Steering Wheel and Finger Tip
Paver Control
Operator's stations slide out past edge of machine for increased visibility
Steering Assist Provides Inside Turning Radius of 30" (.8 m)
12 Volt Starting System with Master Disconnect Switch
90 Amp Alternator
Clearview FXS Fume Extraction System
Amber Warning Beacon, Back Up Alarm and Fire Extinguisher
One (1) Operators Umbrella
Remote Central Point Tractor Lubrication
Retractable Wash-down System with 30' (9.1 m) Hose Length
105 Gallon (397 L) Fuel Tank Capacity
Conveyor By-Pass Permits Independent Operation of Feeders
Electrical wiring and hydraulic hoses for connection to screed

Eagle-8 Rear Extendable Screed

8' (2.4 m) to 15'-6" (4.7 m) Hydraulically Extendable Screed with Integral Rear Mounted Extensions

3'-9" (1.1m) Long Rear Extensions with 20" (508 mm) Wide U-Shaped Plate Extension Plates are ½" (12.5 mm) Thick, 400 BHN Material

Extensions Move on Dual 5" (127 mm) Guide Tubes & Teflon Bushings

Extensions Include Pre Strike-offs, Independent Sub-Frames, Electric Heat, Vibration, and Angle of Attack Adjustment

Extensions Provide 14% Positive Slope, 5% Negative Slope

Electric Valves Control In/Out, Slope & Vertical Height

Main Screed Plate is 20" (508 mm) Long, ½" (12.5 mm) Thick 400 BHN Material

Main Screed Includes Adjustable Pre Strike-off, Independent Sub-Frames, Electric Heat, and Angle of Attack Adjustment

Hydraulic Driven Vibrators, Adjustable 0-3000 VPM

Reversible U-Shaped Main Screed Plate for Extended Wear Life

Power Crown, 3" (75 mm) Positive to 1" (25mm) Negative

All Electric Screed Heat Provided by Continuous Duty

34 kW Generator and Dedicated Hydraulic Pump

Heating Elements Are Replaced Without Removing the Screed Plate

Thermostatically Controlled Screed Plate Temperature

4 KW @ 120 Volts Available for Accessory Use in Outlets

Lighted Dual Screed Control Stations with Detachable Remote, Material Height Control and Lockable Vandal Covers

Full Length Spring Loaded Two Piece End Gates

Swivel End Gates for Reduced Shipping Width

18" (457 mm) Wide Full Width Heavy Duty Walkway

Sonic Feeder Control System

Tow arms with mounting locations for automatic grade controls

TOPCON Sonic Grade And Slope Control

Features Dual Sonic Grade Sensors And Single Slope Sensor

Options Included in Our Price

Road Light Package - Includes Six 12 V Road Lights (2 Hopper - 2 Tunnel - 2 Screed)

Release Agent Spray Down System - Includes 20 Gallon (75 L) Tank, Pump, Retractable Hose Reel with 30' (9.1 m) Hose Length (Replaces Standard Wash-down)

Plumbing and Electrical for Truck Hitch

Truck Hitch, in lieu of Oscillating Push Rollers

Includes EDGE Extended Equipment Warranty

- 3 year, 3000 hour "bumper-to-bumper" machine warranty expires
8/27/2016

- 5 year, 6000 hour engine warranty expires 8/27/2018

BuyBoard Price F.O.B. Schertz, TX,	\$298,500.00
(A New 2014 model similarly equipped \$329,000.00)	
Freight and additional Training	\$2,000.00
Total BuyBoard Price F.O.B. Kingsville, TX,	\$300,500.00

PROPOSAL NOTES:

- Subject to availability and prior sale.
- 1 ½ days of training is included.
- Quote is valid for 30 days.

We reserve the right to correct any quotation or verbal errors.

Sincerely,

CLOSNER EQUIPMENT CO., INC.

Chad Linahan

Area Manager

Cell: (210) 410-6825



TECHNICAL SPECIFICATIONS AND OPTIONS



The RP-170 is a rubber-tire asphalt paver with a compact wheelbase for great maneuverability. The RP-170 can achieve a 30" (76cm) turning radius for managing those tight spots around barriers and drains. Fume extraction, adjustable seats, and quiet operation. Quick and easy transportation between job locations.

ROADTEC

ROADTEC

SPECIFICATIONS

RP-170 Asphalt Paver

ENGINE	CAT® 6.6 L, 6 Cylinder Tier III, One year engine warranty standard. 174 HP (130 kW) Diesel @ 2,200 rpm
CHASSIS	5" (13mm) thick continuous side sheets 4" (102 mm) thick front cross frame member Oscillating push rollers
ELECTRICAL SYSTEM	Two 40 batteries, 115 Amp alternator 12 Volt system with master disconnect switch Electric-over-hydraulic solenoids with manual override
COOLING SYSTEM	Low noise, variable speed, hydraulically-driven fan Variable-displacement hydraulic pumps
PROPEL SYSTEM	Two-speed hydraulic motor, Direct hydraulic, single speed planetary final drives. Feed/minute meter (or meters/minute) Paving speed: 0-260 fpm (79.25 m/min)
SPEED	Travel speed 0-8.8 mph (14 k/h)
BRAKE SYSTEM	Hydrodynamic disc caliper brakes, and parking brake (2) hydroflared high flotation 16.00-24 sand rib drive tires
TIRES	Dual 12" (304 mm) x 22" (559 mm) front bogies (2) Comfort Drive™ operator stations. Operator stations can slide out past edge of machine for increased visibility. Deluxe four-way adjustable, ride-control tension seats Comfort Drive™ finger tip paver function control and tilt steering wheel
OPERATOR STATIONS	Welder hood holder. Operator sunshade.
FUME EXTRACTION SYSTEM	Clearview FRS™ fume extraction system with one blower. Fold down exhaust stack.
FRONT HOPPER CAPACITY	11 ton (10 MT) / 202 Cu. Ft. (5.7 cu. m.) Self-dumping Independently-driven, variable-speed feeder conveyors with 400 BHN liners Electric flow gates for proper material distribution behind paver Sonic feeder control system Cast, 14" (355 mm) dia. 0.25" (1.9mm) thick, n-hard augers. Hydraulically raise, lower and tilt auger assembly. Rear augers can be controlled independent of feeders.
FEED SYSTEM	90 gal (340 L)
FUEL TANK	5 gal (19 L)
COOLING SYSTEM	49 gal (185 L)
HYDRAULIC FLUID TANK	Remote, central point tractor lubrication
LUBRICATION SYSTEM	Amber warning beacon. Back-up alarm. Horn switch at each operator station.
WARNING SYSTEM	Included
FIRE EXTINGUISHER	Retractable hose reel with 30' (9.1 m) hose length.
WASH-DOWN SYSTEM	Electrical wiring and hydraulic hoses included
CONNECTIONS TO SCREED	

ROADTEC

OPTIONS

RP-170 Asphalt Paver

LIGHTING	Road Light Package – (6) 12 V Lights (2 Hopper, 2 Tunnel, 2 Screed) Premium Light Package – (5) 500W halogen lights, (2) 150W lights, (4) 120 V outlets at machine corners Airstar Balloon Light Assembly – (2) 500W halogen bulbs, fan, telescoping pole, two brackets & case. Additional amber beacon
FRONT WHEEL ASSIST	Additional hydraulic motors on both rear bogies. Also available as retrofit.
TUNNEL EXTENSIONS	12" (305mm) tunnel extensions 12" (305mm) hydraulic tunnel extensions
AUGER EXTENSIONS	6" (152mm) AUGER & TUNNEL EXTENSION PACKAGE 36" (914mm) auger and tunnel extensions for each side. Comes with all necessary hardware including outboard auger bearing supports and tunnel extension braces. Additional 12" (305mm) auger and tunnel extension segments can be added to each side. Does not include any screed extensions.
REVERSING DISTRIBUTION AUGERS	Retrieve material when bringing extensions in
REAR BALLAST KIT	Use to increase traction
TRUCK HITCH	Control rollers that engage to truck's wheels (replaces push rollers)
HOPPER INSERT	For use with Shuttle Buggy KIT
LUBRICATION	Automated lubrication system
RELEASE ASBEST SPRAY DOWN SYSTEM	(16) Galon (60 L) tank, pump. Used with standard 30' (9.1 m) retractable hose on reel.
ADDITIONAL SUN SHADE	Includes mounting hardware.

SCREEDS*

ROADTEC S-8	Standard, fixed-width 8' (2.4 m) electrically-heated, vibratory screed, 26" (660 mm) long screed plate.	Paves up to 16' (4.8m) wide with optional extensions
CARLSON EZIM-8	Front extendable 8' (2.4 m), electrically heated, vibratory screed, 26" (660mm) long screed plate.	Paves up to 13'-6" (4.1m) wide and up to 20' (6 m) wide with optional extensions.
CARLSON EZIM-8	Front extendable 8' (2.4 m), electrically-heated, vibratory screed, 26" (660mm) long screed plate.	Paves up to 19' (5.8m) wide and up to 13'-6" (4.1m) wide and up to 24' (7.3m) with optional extensions.
ROADTEC EAGLE® 8	Rear extendable 8' (2.4m) electrically-heated, vibratory screed, 20" (508mm) long screed plate.	Paves up to 15'-6" (4.7m) wide and up to 24' (7.3m) with optional extensions.
ALL SCREED PLATES FOR ABOVE	0.5" (12.7mm) thick 400 Brinell wearing surface.	Replaceable and reversible.

SCREED OPTIONS

HYDRAULIC SCREED ASSIST PACKAGE	For Eagle screed. Constant up pressure on screed while in paver mode (forward and neutral). Also available as retrofit.
HYDRAULIC SCREED BOOST PACKAGE	Pressurizes screed lift cylinders when paver is stopped in neutral to prevent depression in mat. Adjustable lifting pressure. Adjustable time for pressure release with forward motion (0.3 or 5 seconds). Also available as retrofit.

CONTACTING SCREED AUTOMATION

Single Sundstrand® grade control with hardware (Use as joint matcher or for additional grade sensor with dual grade operation)
Sunderland grade & slope control with hardware, (1) grade sensor for longitudinal grade and (1) slope sensor for transverse slope.
Sunderland grade w/ jack assembly as spare
Available averaging skis, 30' multi-foot, 40' multi-foot. Over-the-screed front-to-rear.

NON-CONTACTING SCREED AUTOMATION

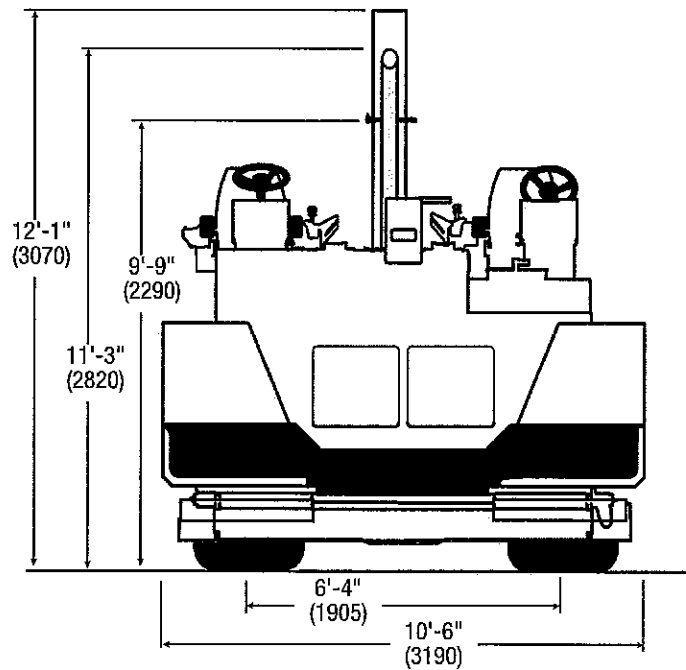
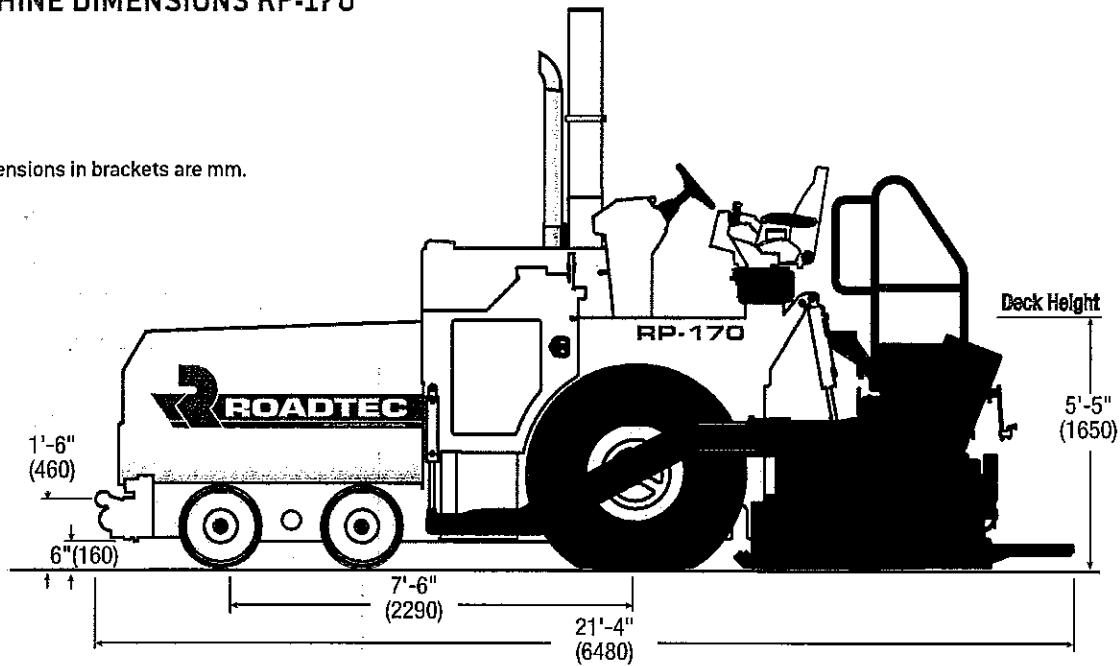
TOPCON® sonic grade & slope control. Dual sonic grade sensors & single slope sensor.
MOBA® sonic grade & slope control. Dual sonic grade sensors & single slope sensor.
TOPCON sonic averaging ski with hardware. (3) Additional sonic trackers. (TOPCON sonic grade & slope system required.)
MOBA sonic averaging ski with hardware. (2) Additional sonic trackers. (MOBA sonic grade & slope system required.)

* See screed specification sheet for complete screed descriptions.

ROADTEC

MACHINE DIMENSIONS RP-170

Dimensions in brackets are mm.



SHIPPING WEIGHTS (APPROXIMATE)

TRACTOR ONLY	31,000 lbs (14,061kg)
S-8	5,300lbs [2,400kg]
CARLSON EZIII-8	5,500lbs [2,495kg]
CARLSON EZIV-8	6,350lbs [2,880kg]
EAGLE 8	7,500lbs [3,400kg]

AGENDA ITEM #13

ORDINANCE NO. 2014-

AN ORDINANCE AMENDING THE FISCAL YEAR 2013-2014 BUDGET FOR COMMUNITY APPEARANCE TO PURCHASE FIVE (5) BENCHES AND SEVENTEEN (17) LITTER/RECYCLING RECEPTACLES FOR THE DOWNTOWN AREA.

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>Capital</u>					
2		Fund Balance	610.00		<u>\$14,775</u>
					<u>\$14,775</u>
<u>Expenses</u>					
5-690.0		Fund Exp/Trsfrs Fund 091	394.93	<u>\$14,775</u>	
				<u>\$14,775</u>	
Fund 091	General Fund Capital Projects Fund				
<u>Revenues</u>					
4-000.0		Transfer from Fund 001	750.13	<u>\$14,775</u>	
				<u>\$14,775</u>	
<u>Expenses</u>					
5-160.3	Community Appearance	Equipment	712.00	<u>\$14,775</u>	
				<u>\$14,775</u>	

[The total proposal is \$21,175 of which \$6,400 is being contributed for the purchase of 5 benches. The request is for the City to contribute the remaining \$14,775. The purchase will have an immediate impact on the downtown by beautifying the streetscape and reducing the amount of trash blowing around the area. This amendment was previously approved in the prior year's budget but due to various issues the purchase and billing did not occur until the current year.]

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 20th day of March, 2014.

PASSED AND APPROVED on this the __ day of _____, 2014.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Date: March 12, 2014

To: Deborah Balli; James Bryson

From: Cynthia Martin, Downtown Manager

CC: Vince Capell; David Mason; Robert Isassi; Robert R. Trescott

Re: Budget Amendment for the Purchase of Benches and Litter/Recycling Receptacles for the Downtown Area

In July of 2013, the Tourism Department proposed the purchase of new benches and litter receptacles for the downtown area to beautify the streetscape and reduce the amount of windblown trash. Keep Kingsville Beautiful stepped forward and offered to donate money for the purchase of five benches for the Downtown area. It was proposed that the City of Kingsville purchase fifteen litter/recycling receptacles.

On August 12, 2013, the City Commission approved an ordinance amending the Fiscal Year 2013-2014 General Fund Budget for Community Appearance to purchase benches and litter/recycling receptacles for the downtown area. The total proposal was for \$21,175 of which \$6,500 was being contributed for the purchase of five benches. The request was for the City to contribute the remaining \$14,775.

The benches and trash/recycling receptacles were ordered in September of 2013 but were not received and invoiced until after the end of the 2013-2014 Fiscal Year necessitating a budget amendment for the Fiscal Year 2014-2015 General Fund Budget for this purchase.



Kingsville, TX

Budget Report

Account Summary

For Fiscal: Current Period Ending: 03/31/2014

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 091 - GF CAPITAL PROJECTS							
Expense							
<u>091-5-1030-31430</u>	PrfServ-KC Golf Course	35,000.00	35,000.00	0.00	4,714.13	30,285.87	86.53%
<u>091-5-1030-71300</u>	Building	2,700,000.00	2,700,000.00	0.00	0.00	✓ 2,700,000.00	100.00%
<u>091-5-1601-31400</u>	Professional Services	35,000.00	35,000.00	0.00	23,904.50	11,095.50	31.70%
<u>091-5-1602-71100</u>	Vehicle	25,000.00	25,000.00	0.00	22,199.00	2,801.00	11.20%
<u>091-5-1603-21700</u>	Minor Eq/Furniture	0.00	0.00	0.00	14,775.00	✓ -14,775.00	0.00%
<u>091-5-1603-34500</u>	Community Appearance City/KWO	190,000.00	190,000.00	0.00	650.00	189,350.00	99.66%
<u>091-5-1701-59100</u>	Grounds & Perm Fixtures	20,000.00	20,000.00	0.00	0.00	20,000.00	100.00%
<u>091-5-1702-71100</u>	Vehicle	231,000.00	231,000.00	0.00	86,349.00	144,651.00	62.62%
<u>091-5-1803-71200</u>	Furniture/Equipment	6,100.00	6,100.00	0.00	6,006.52	93.48	1.53%
<u>091-5-1902-72602</u>	Computers & Associated Eqp.	67,614.00	67,614.00	0.00	43,870.41	23,743.59	35.12%
<u>091-5-2200-71200</u>	Furniture/Equipment	44,850.00	44,850.00	0.00	0.00	44,850.00	100.00%
<u>091-5-2200-71300</u>	Building	124,210.00	124,210.00	0.00	1,763.88	122,446.12	98.58%
<u>091-5-3010-31461</u>	PrfSvcs-TAMUK-Kleberg Ave	35,000.00	35,000.00	0.00	-2,442.72	37,442.72	106.98%
<u>091-5-3010-71200</u>	Furniture/Equipment	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00%
<u>091-5-3020-71300</u>	Building	0.00	9,101.00	0.00	9,100.00	1.00	0.01%
<u>091-5-3050-52126</u>	Street & Bridge-Wildwood	300,000.00	300,000.00	0.00	0.00	300,000.00	100.00%
Total Expense:		3,823,774.00	3,832,875.00	0.00	210,889.72	3,621,985.28	94.50 %
Total Fund: 091 - GF CAPITAL PROJECTS:		3,823,774.00	3,832,875.00	0.00	210,889.72	3,621,985.28	94.50 %
Report Total:		3,823,774.00	3,832,875.00	0.00	210,889.72	3,621,985.28	94.50 %



PURCHASE ORDER

City of Kingsville
PO Box 1458
Kingsville, TX 78264
(361) 595-8025

P.O. NO. 132346

9/04/2013

SHIP TO:

Main Street Tourism
1501 N. Hwy 77
Kingsville, TX 78363
Bob Trascott

Keystone Ridge
01-4529
670 Mercer Road
Butler, PA 16001-1640

132346

NO BACK ORDERS WILL BE ACCEPTED. *PREPAID FREIGHT ON ALL SHIPMENTS REQUIRED

0.00	Benches & Receptacles	091-5-160.3-217.00	0.00	14,775.00
0.00	Benches & Receptacles	001-5-160.3-344.00	0.00	6,400.00
5-Lampighter Benches				
5- Customised Sand Cast Bronze Plaque Trays				
1-Cast Name Plate Annon For Lamp Bench				
15-PN3-32Rts PENN 32 Gallon Litter Receptacles				
5- Plaques				

21,175.00

Received by: _____
Received Date: _____

NOTE: THE CITY OF KINGSVILLE WILL NOT BE RESPONSIBLE FOR ANY GOODS
DELIVERED WITHOUT A P.O. #. ALL CORRESPONDENCE, INVOICES, SHIPPING
TAGS, SHIPMENTS, AND PACKAGES MUST BEAR THE ABOVE P.O. #.

ORDERED BY: _____

APPROVED BY:  9/5

RECEIVED BY: _____

INSTRUCTIONS:

All charges MUST be covered by a Purchase Order. Render one copy of Invoice at time of delivery. Submit itemized monthly statement accompanied by duplicate copy of each invoice covering charges for prepaid or express charges. Indicate on invoice Discount for monthly or ten day payment. Ship cheapest way unless otherwise specified. Purchase Order number MUST be shown on all invoices.

PURCHASING DEPT. COPY



670 Mercer Road • Butler, PA 16001-1840
 Toll-free: 1-800-284-8208 • Phone: 724-284-1213 • Fax: 724-284-1253
 www.keystoneridgedesigns.com

DATE:	9/4/2013	ATTN:	DAVID MASON
QUOTATION #:	027775-03	EMAIL:	dmason@cityofkingsville.com
PROJECT NAME:	KINGSVILLE, TX	CUSTOMER #:	013265
QUOTE VALID TO:	12/31/2013	SELL TO:	CITY OF KINGSVILLE
PAYMENT TERMS:	NET 30		PO BOX 1458
EST. LEAD TIME:	10 - 12 WEEKS		
FAX NUMBER:	(361) 595-8035		KINGSVILLE, TX 78364-1458
SALES REP:	Justin Maskal	SHIP TO:	Public Works Bldg
EMAIL:	JustinM@keystoneridgedesigns.com		1300 E Corral
EXTENSION:	243		KINGSVILLE, TX 78363

Please confirm the ship to location listed on the top portion of this quote and complete the following when placing your order.

24 Hour Advance Shipment Notification

To: _____ Phone: _____

QUOTE SUMMARY:

Total Quotation Amount:	\$21,175.00
Payment Required to Activate Order:	\$0.00
Remaining Balance Due Net 30	\$21,175.00

SPECIAL CONSIDERATIONS:

Terms of Sale: Net 30

- * Terms and discounts under TXMAS-12-78010 have been included.
- * Cast nameplate to read: KINGSVILLE, TEXAS
- * Plaque to include logo and read: This bench donated by Keep Kingsville Beautiful 2013

LINE ITEMS:

Line	Part #	Description	Qty	Unit Price	Extended Price
1	OLL02-4000000-0000	L24 - LAMPLIGHTER BENCH 4' WITH BACK - PLEASE ADVISE COLOR	5	\$1,230.00	\$6,150.00
2	CEPLQ-5X50001-0000	CUSTOMIZED ETCHED ZINC PLAQUE AND PLAQUE TRAY HOLDER, 5" X 5", LOGO TO BE: KEEP KINGSVILLE BEAUTIFUL, LOGO TO BE IN 2 COLORS.	5	\$220.00	\$1,100.00
3	ALCST-0000000-0000	CAST NAME PLATE ADD-ON FOR LAMPLIGHTER BENCH LEGS. UP TO 21 CHARACTERS (INCLUDING SPACES), CUSTOMIZED TO CLIENT'S SPECIFICATIONS. NAMEPLATE AFFIXED TO EACH END CASTING ON LAMPLIGHTER BENCH. (THIS IS A ONE-TIME CHARGE.)	1	\$350.00	\$350.00
4	OPN03-3E11RTS-0000	PN3-32RTS - PENN 32 GALLON LITTER RECEPTACLE WITH ELEVATED LEGS AND DUAL RECYCLE/TRASH FLAT LID, LID TO HAVE (1) 5" ROUND RECYCLE HOLE FOR RECYCLABLES AND (1) HALF MOON HOLE FOR TRASH, 2 HALF LINERS IN LITTER TO SEPARATE RECYCLABLES AND TRASH, DECAL ON LID TO DESIGNATE RECYCLE WITH LOGOS AND TRASH - PLEASE ADVISE COLOR	15	\$905.00	\$13,575.00

Total Material Costs:	\$21,175.00
Freight & Packaging:	\$0.00
Quotation Total:	\$21,175.00

accept all of Keystone Ridge Designs' Terms and Conditions as outlined on this page and all proceeding and subsequent pages of the quotation. See following page for complete terms and conditions.



Authorized Signature

STANDARD PAYMENT TERMS

Products and quantities needed are the responsibility of the customer. All products are produced to individual customer specification and unless otherwise stated, require a 50% down payment before manufacturing along with a sign off on this quotation. Balance of materials, freight and packaging and sales tax (if applicable) is due before products ship. This payment method is an effective and efficient system to ensure timely production and scheduling, ultimately providing greater cost savings to the client. MasterCard®, Visa®, American Express® and Discover® are accepted payment methods.

- A 50% down payment of total costs is required to activate an order with an approved credit card, check or money order. Check or money order payment orders will be activated upon receipt. Credit card orders will be immediately activated. Client may pay balance C.O.D. with a cashiers check. C.O.D. also requires an additional fee to the trucking company, payable with a second cashiers check. Please note that full truck shipments cannot be sent C.O.D.

- The remaining 50% of total costs is due before the products will ship from the factory. Upon notification from Client Services, the remaining balance is payable by approved credit card, check or money order.

- If payment in full is received along with order activation, a 2% discount will be applied. Credit card purchases are excluded.

- On the day your products ship, Client Services will contact you with pertinent shipping information.

FREIGHT & PACKAGING

Freight and packaging charges to stated shipping address are based on quantities listed on quotation. If the scope of project changes, freight and packaging will be revised accordingly.

Unless otherwise indicated, freight charges do not include unloading and placement. If you require lift gate service (lowering the products to ground level if there is no loading dock), please call for pricing before placing an order.

24-hour advance notification is including with your freight quote. You will receive a call from the shipping company prior to delivery.

DISCOUNTS

Discounts are applied based on a tiered sales volume structure. If products or quantities change, discount will be revised accordingly.

TAX

Sales tax will be assessed only to products shipping to or picked up within Pennsylvania and will be listed as a line item on the quotation.

CANCELLATIONS & RETURNS

A 25% restocking fee will be assessed on returned orders and orders cancelled more than two weeks after placement.

STORAGE

Storage fees will begin to accrue after one month from the date that the client is notified that the products are ready to ship, or one month after the estimated delivery date (whichever is later).

LEAD TIME

Delivery dates are estimated dates only and vary, but are usually estimated for 8-12 weeks. Final ship date notification will be coordinated through our Client Services.

HARDWARE

Keystone Ridge Designs utilizes high-quality stainless steel assembly hardware where applicable. Anchoring hardware, due to specialization required for each installation, is not supplied. Stainless steel hardware is recommended.

DELIVERY

The bill of lading is considered the client receipt and should be compared to each delivery for discrepancy. Products should be carefully examined for damage incurred during shipment. Keystone Ridge Designs, Inc.® is not responsible for product damage or shortage once the bill of lading is signed by the client. Inconsistency between order and shipment quantities, as well as product damage, must be indicated on the bill of lading upon delivery and before the freight company leaves the delivery site in order to file a damage claim with Keystone Ridge Designs, Inc. If damage is found or if there are any concerns regarding delivery, immediately notify Client Services at 1-800-284-8208.

WARRANTY

Keystone Ridge Designs, Inc.® is committed to product quality as well as client satisfaction. Therefore, all products are covered against material and workmanship defects for THREE YEARS from the date of purchase. "Material" is defined by all metal substrates that create the structure of the site furniture and the powder coat finish that coats the product. "Workmanship" refers to the welding, material bending and finishing. Any defect to our product that is a failure of the product within the normal wear and tear of product usage is covered under the warranty. Product damaged by abnormal use, vandalism or acts of nature are not eligible for this factory warranty.

To apply for the three-year warranty, products must be installed according to the manufacturer's recommendations. Products are recommended to be bolted to the surface to avoid theft, damage or movement. Umbrellas must be anchored in an 80 lb. or heavier base to apply for the three-year warranty. For questions concerning proper installation of our products, please call Client Services. Keystone Ridge Designs, Inc.® will repair or replace any part found defective upon written notification and inspection by Client Services.

Wood table/seat tops, fiberglass planters, gypsum planters and other products, as noted, are guaranteed for indoor use only.

PROPRIETARY STATEMENT

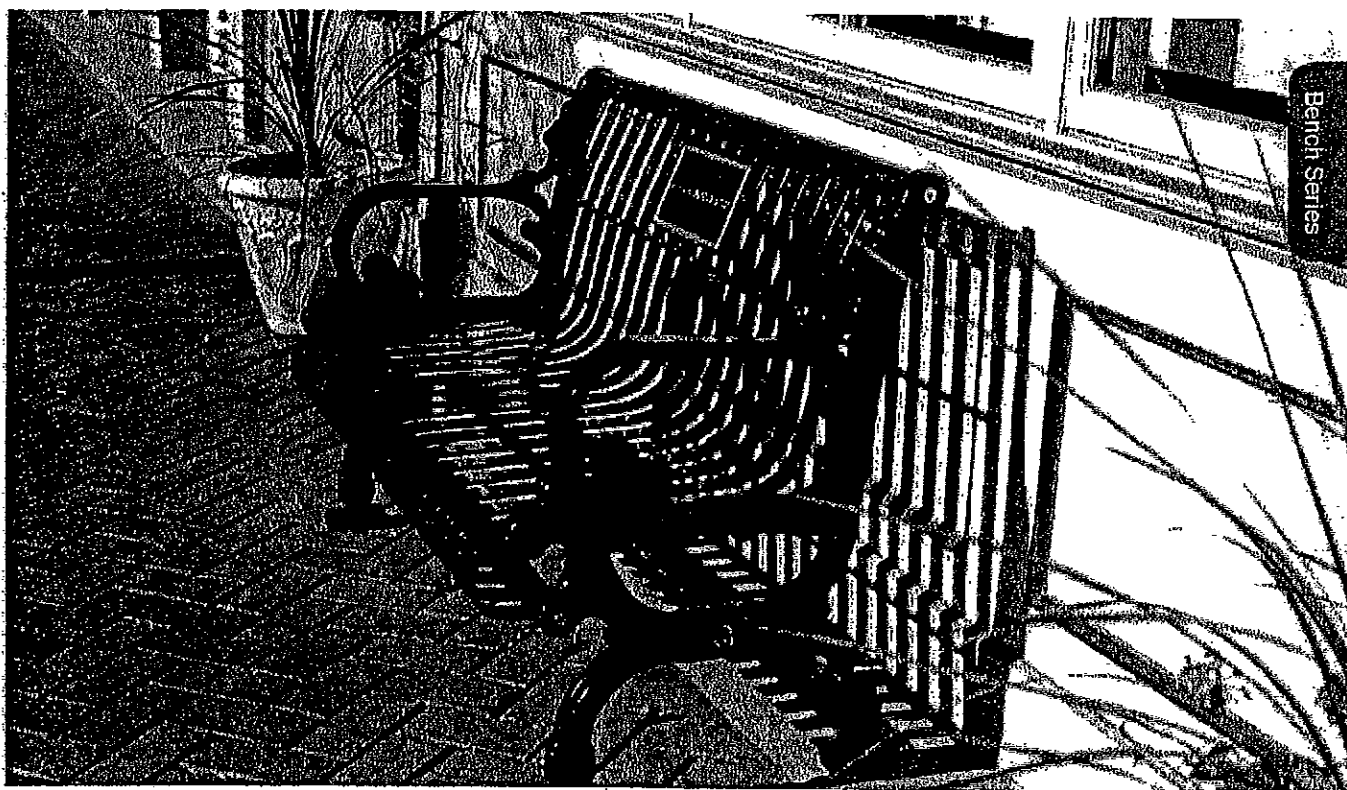
Keystone Ridge Designs, Inc.® is proud to offer the design community exceptional site amenities. Due to the time and resources invested in designing, manufacturing and marketing Keystone Ridge Designs™ products and services, we pursue design patents, copyrights, trademarks and service marks whenever possible. Any unlawful duplication or misrepresentation of Keystone Ridge Designs™ products or promotional materials will be rigorously protected.

Keystone Ridge Designs reserves the right to alter pricing, product design, materials or construction without notice.

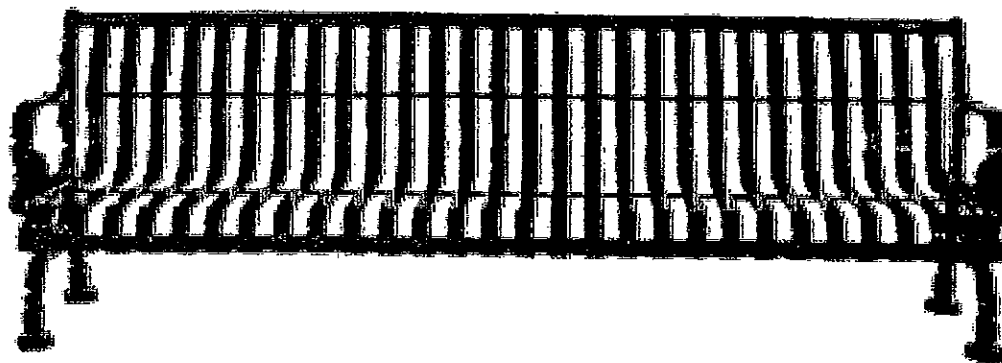
Keystone Ridge Designs' products are covered by one or more of the following patent numbers: United States Des. 372,133; 376,270; 380,313; 406,700; 406,701; 413,449; 413,738; 414,952; 418,652; 420,814; 421,515; 421,824; 423,166; 423,239; 424,769; 440,060; 446,399; 449,745; 454,674; 456,579; 457,334; 457,701; 457,738; 457,741; 457,742; 458,044; 459,563; 461,336; 465,679; 465,936; 465,952; 466,318; 466,729; 467,104; 471,368; 474,618; 474,619; 481,890; 506,339; 510,216; 515,856; patents pending or Exclusive By Design™.

Keystone Ridge Designs, Inc. designs, manufactures and markets an original and exclusive line of site furniture. In accordance with the United States patent process, our products are officially marked with the designated descriptive numbers and required labeling. We strictly prohibit any other labeling which interferes, mutilates or restricts the legal requirements of product identification.

City of Kingsville
Street Furnishings – Phase 1



Downtown



4' benches @ \$1,230 ea
One time set up fee for cast name plate on benches @ \$350
32 gal litter/recycling receptacles @ \$905 ea
Optional 10" x 5" plaque holder @ \$ 30 ea

City of Kingsville
Proposed/Possible Expenditure of Additional FY 2012 Budget Savings
7/22/13

Additional Budget Savings from FY2012	\$600,000
(1) Agenda Items No. 15 & 16 at 2/25/13 Commission Meeting– Equipment for Community Appearance Division of the Planning and Development Services Dept. (Approved)	<u>(42,480)</u>
Amount Remaining 2/25/13	\$557,520
(2) Agenda Items No. 9 & 10 at 3/25/13 Commission Meeting – Trees on West Santa Gertrudis Median (Pending)	(40,623)
(3) Agenda Items No. 12 & 13 at 3/25/13 Commission Meeting – Dumpster Enclosures	<u>(70,124)</u>
Amount Remaining 3/25/13	\$446,773
(4) Agenda Item No. 2 at 6/10/13 Commission Meeting – Economic Development (Cash Portion) Incentive to Zarsky Development Company, LLC for Wildwood Trails Subdivision	<u>(300,000)</u>
Amount Remaining 6/10/13	\$146,773
(5) Agenda Item No. 3 at 7/22/13 Commission Meeting (Adoption) – G.I.S. Server Hosting Services	(14,980)
(6) Agenda Item No. 12 at 7/22/13 Commission Meeting (Introduction) - Amend Interlocal Agreement with TAMUK School of Engineering for additional design services on Kleberg Street	(6,000)
(7) Agenda Item No. 23 at 7/22/13 Commission Meeting (Introduction) – Additional demolition activity by Community Appearance Office	(35,830)
(8) Agenda Item No. 26 at 7/22/13 Commission Meeting (Introduction) – Purchase of Downtown Streetscape Furniture in partnership with Keep Kingsville Beautiful (KKB)	<u>(14,775)</u>
Amount Remaining 7/22/13	<u>\$75,188</u>

General Ledger Account Manager: 091-5-1603-71200

Save and Close | Save and New | Delete Item | Print Screen

091-5-1603-71200 Fiscal 10/01/2012 - 09/30/2013 Balance: 45,694.12
 Furniture/Equipment Pending: 0.00

General
 Segmentation
 Report Groups
 Notes
 Budget
 Summary
 Detail
 Period Distributi
 Adjustments
 Budget Notes
 History
 Detail
 Period Activity
 Fiscals
 Journal Entries
 Encumbrances
 Documents

Number	Date	Description	Adjustment	Budget
Original Budget				
1638-00002	04/30/2013	purchase jd loader mower	22,694.00	22,694.00
1689-00009	08/06/2013	Budget Amend 07/22	35,830.00	73,299.00
1689-00005	08/06/2013	Budget Amend 07/22	14,775.00	73,299.00
1703-00001	08/08/2013	Correct Budget Amm 7/22	-35,830.00	37,469.00
1758-00002	09/12/2013	for downtown benches	14,775.00	37,469.00
1747-00002	09/12/2013	Reverse BudgetAmend 7/22	-14,775.00	37,469.00
1821-00001	09/30/2013		-14,775.00	22,694.00

General Ledger Account Manager: 091-5-1603-21700

Save and Close | Save and New | Delete Item | Print Screen

091-5-1603-21700 Fiscal 10/01/2012 - 09/30/2013 Balance: 0.00

Minor Eq/Furniture Pending: 0.00

General	Number	Date	Description	Adjustment	Budget
Segmentation					
Report Groups			Original Budge		0.00
Notes	1821-00000	09/30/2013		14,775.00	14,775.00
Budget					
Summary					
Detail					
Period Distributi					
Adjustments					
Budget Notes					
History					
Detail					
Period Activity					
Fiscals					
Journal Entries					
Encumbrances					
Documents					

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

IV. Public Comment on Agenda Items³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund for the City of Kingsville for the First Amendment to the Interlocal Agreement with Texas A&M University-Kingsville for engineering design work for Kleberg Avenue. (Director of Finance).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund for City Secretary Certification and City Manager Travel and Training. (Director of Finance).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund for City Commission Travel and Training. (Director of Finance).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 Certificate of Obligation 2013 & 2011 Fund Budgets and Storm Water Utility Fund Budget for Street and Drainage Projects. (Director of Finance).
5. Motion to approve final passage of an ordinance amending the fiscal year 2012-2013 General Fund Budget for the City of Kingsville to accept a grant from the Union Pacific Foundation for Keep Kingsville Beautiful Program in conjunction with the Community Appearance Department. (Director of Finance).
6. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 General Fund Budget for Community Appearance to fund demolition projects through the remaining fiscal year. (Director of Finance).
7. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 Budget for the General Fund to assist with repair costs to the Equipment Barn at the L.E. Ramey/County Golf Course. (Director of Finance).
8. Motion to approve final passage of an ordinance amending the Fiscal Year 2012-2013 General Fund budget for Community Appearance to purchase benches and litter/recycling receptacles for the downtown area. (Director of Finance).

AGENDA ITEM #8

ORDINANCE NO. 2013-

AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 GENERAL FUND BUDGET FOR COMMUNITY APPEARANCE TO PURCHASE BENCHES AND LITTER/RECYCLING RECEPTACLES FOR THE DOWNTOWN AREA.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2012-2013 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
Fund 001	General Fund				
<u>Capital</u>					
2		Fund Balance	610.00		<u>\$14,775</u>
					<u>\$14,775</u>
<u>Expenses</u>					
5-690.0		Fund Exp/Trsfrs Fund 091	394.93	<u>\$14,775</u>	
				<u>\$14,775</u>	
Fund 091	General Fund Capital Projects Fund				
<u>Revenues</u>					
4-000.0		Transfer from Fund 001	750.13	<u>\$14,775</u>	
				<u>\$14,775</u>	
<u>Expenses</u>					
5-160.3	Community Appearance	Equipment	712.00	<u>\$14,775</u>	
				<u>\$14,775</u>	

[The total proposal is \$21,175 of which \$6,400 is being contributed for the purchase of 5 benches. The request is for the City to contribute the remaining \$14,775 for the purchase of 17 litter/recycling receptacles. The purchases will have an immediate impact on the downtown area by beautifying the streetscape and reducing the amount of windblown trash.]

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

INTRODUCED on this the 22nd day of July, 2013.

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

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

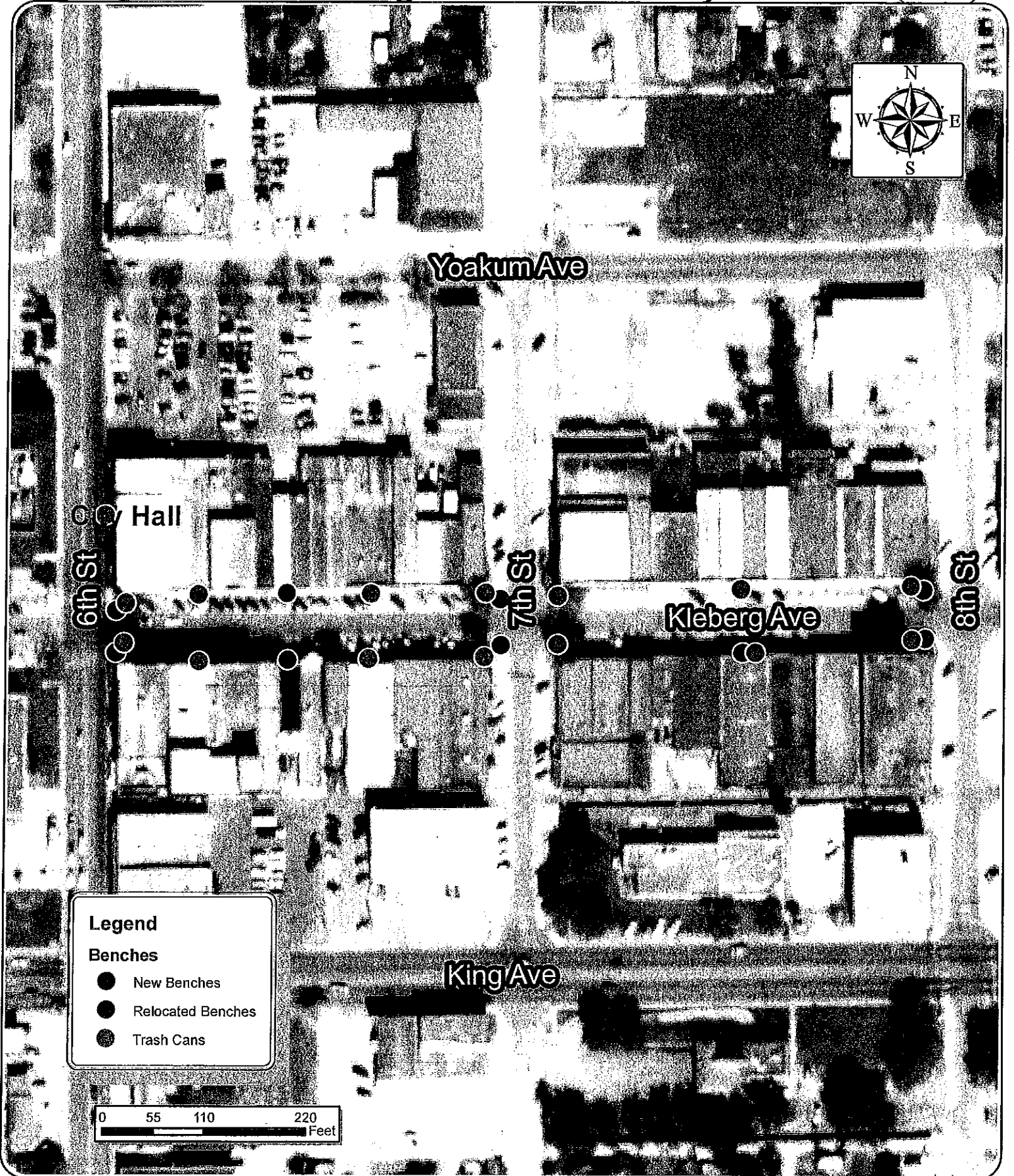
Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Kleberg Street Bench Project

(1D)



Document Path: N:\GIS Techs\MAPS\MAP_DOCUMENTS\Mini_Projects\Bench_Project.mxd

Page 1 / 1	Drawn By: Engineering	<p>DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Last Update: 2/4/2014		
	Note:		