

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, APRIL 13, 2015
REGULAR MEETING**

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

I. Preliminary Proceedings.

OPEN MEETING


INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Special Meeting – March 16, 2015

Regular Meeting – March 23, 2015

APPROVED BY:


Courtney Alvarez
Interim City Manager

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

1. Public hearing for the adoption of a Conceptual Development Plan for the Torres Estate Development located at 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott, Isaac & Norma Torres owners. (Director of Planning and Development Services).

2. Public hearing for an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from R2- Two Family Residential District to RP2- Planned Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan, Isaac & Norma Torres owners. (Director of Planning and Development Services).

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 Items.³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve out-of-state travel for the Mayor to travel to Washington, D.C. from April 12-14, 2015 for city business related to legislative and military issues. (Mayor Fugate).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

2. Consider revision to Corral Park Improvement Project. (Parks & Recreation Manager).
3. Consider request to Brookshire Foundation for annual financial assistance with Brookshire Pool and Summer Parks Programs. (Parks & Recreation Manager).
4. Consider proposal for an Adult Softball League. (Parks & Recreation Manager).
5. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Fund 091-General Fund Capital Projects budget to transfer funds from 6th Street Tree project to Parks Department for Park improvements. (Director of Finance).
6. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Fund 051-Utility Fund Fund Balance for South Wastewater Treatment Plant repairs. (Director of Finance).
7. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Fund 091-General Fund Capital Projects budget to transfer four capital projects back to general fund. (Director of Finance).
8. Consider approval of the Conceptual Development Plan for Torres Estates. (Director of Planning & Development Services).

9. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from R2-Two Family Residential District to RP2- Planned Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan, Isaac & Norma Torres owners. (Director of Planning and Development Services).

10. Consider approval of preliminary plat of 1.44 acres Eva Addition, Block 1, Lot 1-9 and Clyde Addition, Block 2, Lot 1-3 on south side of Kennedy Ave. between 15th and 16th Streets for residential housing. (Director of Planning and Development Services).

11. Consider approval of final plat of 1.44 acres Eva Addition, Block 1, Lot 1-9 and Clyde Addition, Block 2, Lot 1-3 on south side of Kennedy Ave. between 15th and 16th Streets for residential housing. (Director of Planning and Development Services).

12. Consider approval of preliminary plat of 3.783 acres being all of Lakeview Villas Subdivision out of Farm Lot 1, Sect 22, KT&I Co. Subdivision for residential housing. (Director of Planning & Development Services).

13. Consider approval of final plat of 3.783 acres being all of Lakeview Villas Subdivision out of Farm Lot 1, Sect 22, KT&I Co. Subdivision for residential housing. (Director of Planning & Development Services).

14. Consider a resolution authorizing the Mayor to enter into an agreement for executive search services with Waters & Company for the City Manager position. (Director of Purchasing and Technology).

15. Consider authorizing payment of half of the cost for new carpet and its installation at the Robert J. Kleberg Library, using funds leftover from HVAC replacement/upgrades in an amount not to exceed \$20,000 contingent on the County funding the other half of the expenses. (Director of Purchasing and Technology).

VII. Adjournment.

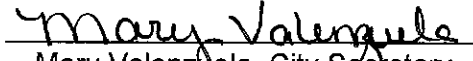
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

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

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board in the City Hall, 200 East Kleberg, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

April 9, 2015 at 3:00 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)

MARCH 16, 2015

A SPECIAL JOINT MEETING BETWEEN THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION AND THE KLEBERG COUTNY COMMISSIONERS' COURT ON MONDAY, MARCH 16, 2015 AT THE COURTHOUSE ANNEX, LAW ENFORCEMENT CENTER, 1500 E. KING, KINGSVILLE, TEXAS.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Noel Pena, Commissioner

CITY STAFF PRESENT:

Courtney Alvarez, Interim City Manager/City Attorney
Mary Valenzuela, City Secretary
Deborah Balli, Finance Director
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Sam Fugate opened the meeting at 3:14 P.M. and announced quorum with four Commission members present. Commissioner Pena not in attendance.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Kleberg County Commissioner David Rossi, followed by the Pledge of Allegiance and the Texas Pledge by Kleberg County Commissioner Joe Hinojosa.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

II. Public Comment on Agenda Items³

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

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

No comments made at this time.

Mayor Fugate recessed the meeting at 3:15 P.M. to allow the set up for the workshop.

Mayor Fugate reconvened the meeting into open session at 3:20 P.M.

III. Items for consideration by Commissioners.⁴

2. Discuss in joint session with the Kleberg County Commissioners' Court proposal for possible merger of the two employee pools for health insurance purposes, while retaining separate plans. (Interim City Manager).

The above matter coming on for consideration, members of both entities discussed proposals for possible merger of their self-funded health insurance plans in an effort to lower costs. Below is a brief summary of the discussion that took place.

Kleberg County Judge Madrid stated that after taking office in January, 2015, he began his research regarding Health Insurance Plans for both the City of Kingsville and Kleberg County. He further stated that he would like for both entities to work together as one, since

both entities work for the same community. Judge Madrid stated that both entities have a self-funded insurance program to which both entities have suffered some loss in the past. Madrid announced that in attendance at this meeting are Entrust Representative David Jacobson and Kleberg County Health Insurance Agent Filemon Esquivel. Judge Madrid commented that after doing his research regarding health insurance provided for both entities, he thought it would be good for both entities to merge together into a health insurance plan. Madrid further commented that he would like to have both entities working together as it would be good for the community. By merging health insurance plans together with both entities it would bring savings to both entities as well as the taxpayers.

Mr. David Jacobson, Entrust Representative reported that there are two fixed components, that being the administrative expense and the premium expense. Jacobson further explained to both entities the cost between both expenses. Jacobson also explained the pros and cons between merging both entities insurance. He stated that it would depend on whether both entities plan on taking similar actions or steps to control cost. The City of Kingsville runs a significant amount per head on prescriptions at this time than Kleberg County by about 35%. The City has taken more steps to push generic medications and offers the Wellness Health Fairs to its employees. Taking a list of brand name drugs, educating the employees on the value of generics verses brand name drugs could bring the cost down significantly. The City of Kingsville has begun educating their employees on the value of these drugs more aggressively than Kleberg County.

Mr. Filemon Esquivel commented that due to the County's past experiences, the County has run in to some problems with claims going to high. This prompted the County to begin making some changes and placing caps on places that employees can go to seek medical attention.

Mr. Jacobson stated that there is room for improvements to be made but the thing to keep in mind is that the employees have faced higher deductibles in the past, which is not an option. Both the City and County have around \$200 to \$300 deductibles that each employee must meet. Jacobson stated that deductibles need to remain low, so that employees can afford it. A focus on education is most needed. After doing a 16 year analysis on the City of Kingsville, from 16 years ago, the average spent on medical claims in the greater Corpus Christi area was about \$800,000 on medical, which has grown to about \$1.1 million on City of Kingsville. Mr. Jacobson stated that his guess would be that it was the same in Kleberg County. Not a lot of growth was seen in Kleberg County in local medical claims when the evaluation was being done. When employees seek medical attention outside of Corpus Christi to Houston, San Antonio or down in the Valley, claims have been seen where if here they could cost from \$15,000 to \$20,000 be \$140,000 to \$180,000 claims. He further commented that employees can go to San Antonio or Dallas to get the referral-out care at a lower cost. There are things that both entities can do either independently or together, that is to negotiate rates with the hospitals. He further stated that 83% is primarily claims filed. Jacobson stated that encouraging doctors to participate in Health Fairs to represent themselves would be beneficial to both the City and County. He continued to say that the City of Kingsville cut \$150,000 out of the prescription expense in the last two years. Kleberg County can probably do the same thing by providing education to their employees regarding prescriptions.

Mr. Jacobson commented that it could be difficult in doing a cooperative agreement between both entities. Both entities have to agree and understand that when a cooperative is in place, one has the potential to save verses the other. This could be an issue as the other entity would have to help out the other, and that's when the entity helping the other

pulls out of the agreement. Jacobson further stated that the smallest savings will be in administration fees as they are 5% of the cost. The premium stop loss insurance side there is a little leverage for example the City of Kingsville has a 0% stop loss ratio on their premiums, Kleberg County doesn't because of a large claim. When you take two sets of \$400,000 premium and put those together as \$800,000, a \$300,000 claim will look better on a \$800,000 premium than it does on one standalone \$400,000. Programs have been done where they pull the risk to try and get the insurance margin down.

Mayor Fugate asked if there were any other entities merging their self-funded insurance plans in the State of Texas.

Mr. Jacobson responded that there are a lot of school districts that are doing this, but they are mandated programs. So everyone has to have the same program. Cities and Counties that go into mergers, usually last about four years. It is easier to do a merger when everyone is mandated to have the same benefit. Jacobson stated that the cost outside the area on emergency room and prescription drugs for both entities is what has driven cost up over the years. If control is gained over these items, both entities will have their reserves back which is what the city has been experiencing lately.

Judge Madrid asked the City how the City is educating their employees. Commissioner Garcia responded that the City has Health Fairs for the employees.

Mayor Fugate commented that he has no expertise in this and a lot of this discussion is quite confusing. He stated that the real issue is that both entities are a unique situation as they represent the same people. Fugate further commented that if both entities can save the taxpayers some money by merging the self-funded health insurance, it would be a good thing.

Commissioner Leubert commented that both entities need to educate their employees on the use of emergency rooms, generic prescription drugs and to use primary physicians within our region.

Mr. Jacobson stated that both entities need to understand that if both entities are going to merge into one policy, this means one policy. One entity may hit a high claim that may affect the other. Jacobson will be providing both entities with numbers for both merging the health plan and standalone numbers if each entity decides to stay on their own.

Mayor Fugate thanked the County Commissioners' Court for hosting this meeting and further commented that the City of Kingsville is willing to participate if it means saving taxpayers' dollars.

No action was taken, although both the City of Kingsville City Commission and Kleberg County Commissioners agreed to revisit the proposal at a future meeting.

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 4:12 P.M.

ATTEST:

Sam R. Fugate, Mayor

Mary Valenzuela, City Secretary

MARCH 23, 2015

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 23, 2015 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Sam Fugate, Mayor

CITY STAFF PRESENT:

Courtney Alvarez, Interim City Manager/City Attorney
David Mason, Purchasing/IT Director
Tony Verdin, Systems Specialist
Deborah Balli, Finance Director
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
Willie Vera, Task Force Commander
Susan Ivy, Parks & Recreation Manager
Charlie Cardenas, Public Works Director/City Engineer
Bill Donnell, Asst. Public Works Director/Golf Course Manager
Joey Reed, Fire Chief
Leo Alarcon, Tourism Director
Melissa Perez, Risk Manager
Frank Garcia, Wastewater Supervisor
Robert Rodriguez, Library Director
Ricardo Torres, Chief of Police

I. Preliminary Proceedings.

OPEN MEETING

Mayor Pro-tem Luebert called the meeting to order in the Robert H. Alcorn Commission Chamber at 6:00 p.m. and announced quorum with four Commission members present. Mayor Fugate not present as he was attending meeting in Austin testifying before the Legislature for TML.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

The invocation was delivered by Courtney Alvarez, Interim City Manager/City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Regular Meeting – March 9, 2015

No action taken. Minutes for March 9, 2015 will be brought back for approval on April 13, 2015.

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

1. Public Hearing regarding request for an alcohol variance for a Wine and Beer Retailer's Permit, a Retail Dealer's On-Premise Late Hours License and a Mixed

Beverage Late Hours Permit for the establishment known as Tequila's located at 1406 N. 14th Street. (Director of Planning & Development Services).

Mayor Pro-tem Leubert announced and opened this public hearing at 6:03 P.M.

Mrs. Alvarez reported that she will be presenting this item to the Commission as Mr. Ginter is out ill. Mrs. Alvarez reported that Mr. Warlito Paradero, Jr., operator of Tequila's, is requesting an alcohol variance for a Wine and Beer Retailer's Permit, Retail Dealer's on-Premise Late Hours License and a Mixed Beverage Late Hours Permit. This address is located at 1406 N. 14th and is within 300ft of a church. The property in question therefore requires a variance according to City ordinance 2004-20. All required notices have been sent to property owners within 300ft. A public hearing notice was placed in the newspaper on February 28, 2015. Staff has not received any feedback from the property owners or citizens that have been noticed.

Mayor Pro-tem Leubert closed this hearing at 6:05 P.M.

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

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time."

Mrs. Alvarez reported that Mrs. Deborah Balli, Finance Director will be making a presentation on the first quarter budget report that was provided to the Commission earlier.

Mrs. Balli stated that reports have been provided to the City Commission for their review. She further asked the Commission if there was any particular reports they would like to see reported to them on a quarterly basis that is not included within this report.

Mrs. Alvarez reported that the next meeting is scheduled for April 13, 2015 with agenda items and staff reports are due on April 1, 2015.

Commissioner Pecos reported that he and Commissioner Garcia attended the National League of Cities in Washington, DC where they had the opportunity to meet with Congressmen and Senators serving our district regarding Naval Air Station-Kingsville. They also met with Homeland Security representatives regarding the Task Force and their efforts on interdiction of drugs. Commissioner Pecos stated that this was a very productive conference.

Commissioner Garcia commented that the continuing presence of the City Commission at these Conferences is very important.

Commissioner Pena thanked Melissa Perez, Risk Manager for bringing in inmates to work on the recreation building located at Dick Kleberg Park. He would like to secure their assistance for other projects in the City. Pena further stated that he has received several calls from citizens regarding potholes throughout the city.

Commissioner Leubert thanked Commissioner Pecos and Commissioner Garcia for attending the National League of Cities. Leubert commented that these trips are very important to our city.

IV. Public Comment on Agenda Items.³

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

Commissioner Leubert opened the public comments section of the agenda to anyone who would like to speak on behalf on any agenda or non-agenda items. Each will have a limit of three minutes to speak.

Melissa Garcia, 4340 Masters Drive, stated that her concern is raw sewage within her yard that she has been dealing with since June of 2014. She further commented that dirt has been dumped over the manhole located on her yard. She has requested for the manhole to be removed from her property as her children are unable to play on their property.

Commissioner Leubert asked Mrs. Alvarez if Commission is allowed to make brief comments to citizens who speak during public comments.

Mrs. Alvarez responded that brief comments from the Commission are allowed.

Manuel Cano, 4329 Masters Drive, commented that his main concern is that they are unable to flush or use toilets due to water being all the way to the top. Raw sewage can be seen and is causing a bad odor.

Orlando Garza, 4301 Masters Drive, commented that when it rains, toilets get filled to the top. He would like to see something done about this issue.

Anna Carbajal, 4320 Masers Drive, commented that she has the same problem as mentioned above. She further asked how the system works. Is the sewage separate from the run-off, and what size is the drainage in that area? She further commented that manholes should be placed on the street and not on private property.

Commissioner Leubert asked Mrs. Alvarez and Mr. Charlie Cardenas, Public Works Director to look into this issue.

Larry Lee, 342 Anthony Lane, representative of the Kingsville Golf Association. Want to brief the Commission on the purpose of the Golf Association. The Association is to promote golf in the immediate area on a non-profit basis and aide in a development through a physical and financial aid, to help improve L.E. Ramey Golf Course. He stated that their main focus is promoting junior golf. They would like to have free junior golf clinics to get people interested in junior golf. The Association would like to host monthly golf tournaments to interest more individuals in the sport. There is no money making for the association by doing these tournaments. Mr. Lee further commented that there is a \$100 membership fee that is required and is asking the City Commission to waive this fee. Mr. Lee gave a brief history on the doings of the Kingsville Golf Association.

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)

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

- 1. Motion to approve final passage of an ordinance amending Chapter IX-General Regulations, Article 8-Parks and Recreation, Section 9-8-41, providing for the revision of fees for school teams at the L.E. Ramey Golf Course. (Golf Course Manager).**
- 2. Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 General Fund budget to provide matching funds for FEMA Assistance to Firefighters Grant for the Fire Department vehicle exhaust removal systems. (Director of Finance).**
- 3. Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Boy Scouts of America-South Texas Council for Drug Abuse Prevention Programs. (Task Force Commander).**
- 4. Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Palmer Drug Abuse Program (PDAP) of Kingsville for Drug Abuse Prevention Programs. (Task Force Commander).**
- 5. Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Palmer Drug Abuse Program of Kingsville for Drug Abuse Prevention Programs. (Chief of Police).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

- 6. Consider request for an alcohol variance for a Wine and Beer Retailer's Permit, a Retail Dealer's On-Premise Late Hours License and a Mixed Beverage Late Hours Permit for the establishment known as Tequila's located at 1406 N. 14th Street. (Director of Planning & Development Services).**

Mrs. Alvarez reported that this item was noticed in the newspaper. No comments from citizens for or against the item. This location, for a number of years, has always housed a liquor establishment.

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

7. Consider selection of an executive search firm for the position of City Manager (RFP 15-06) and authorize staff to negotiate a contract with the firm. (Director of Purchasing & Technology).

Mr. David Mason reported that this item authorizes the award of the contract with an Executive Search Firm for the City Manager Candidate search. Advertisement was done in the Kingsville Record on February 15 and February 22, 2015 as well as emailing the proposal to five potential respondents. Staff received two responsive proposals by the due date and time of 1:30 p.m. on March 4, 2015. One proposal was received late and was returned unopened as provided in the specifications. The RFP committee is recommending Waters and Company as the preferred vendor. Once the vendor is selected, staff will negotiate a contract with them that will be brought back to the City Commission for approval at a future meeting.

Motion made by Commissioner Garcia to approve this item, seconded by Commissioner Pena.

Commissioner Pena asked if this was the lowest bidder.

Mr. Mason responded that financial impact was part of the evaluation process but it wasn't an actual bid. There were four different items that the RFP Committee evaluated each proposal. Mason further stated that there was some preliminary cost information, which is all negotiable, which one of the reasons to do a request for proposal as opposed to a bid.

Commissioner Pena asked what were the top priorities that taken into consideration.

Mr. Mason responded that the priorities were price, timeline, and experience in recruiting City Manager's in executive level personnel within the State of Texas.

Commissioner Garcia asked if staff had a cycle matrix assessment with the firm.

Mr. Mason responded that the committee did not look at this specifically with the individual proposals. Mason further commented that they do different management style evaluations but is not sure if there was a cycle matrix assessment done, but could inquire about one.

Commissioner Garcia stated that he would like for staff to inquire about it.

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

8. Consider authorizing the purchase of a Bobcat Compact Track Loader with accessories for use at the Landfill, as per staff recommendation. (Director of Purchasing and Technology).

Mr. Mason reported that this item is to award the purchase of a Bobcat Compact Track Loader with accessories for the Landfill. The Landfill is in need of a Track Loader with a bucket, angle broom, mower, and auger for ground maintenance at the Landfill. Using the BuyBoard pricing under Contract 424-13, staff believes the T650 Compact Track Loader with accessories is the best value for the City of Kingsville. Under contract terms it will be delivered in no more than 90 days and will be ordered directly from Clarke Equipment Company dba Bobcat Company of West Fargo, ND and with Valley Equipment of Corpus Christi, as the delivering dealer. This purchase will expend no more than \$63,842.41 from account 001-5-170.3-712.00 of which \$65,000 was budgeted for Fiscal Year 2015.

Commissioner Pena asked if this was a replacement item or a new one.

Mr. Mason responded it would be a new item.

Commissioner Pecos asked if this item was built in the United States. Mr. Mason responded yes.

Motion made by Commissioner Garcia to authorize the purchase of a Bobcat Compact Track Loader with accessories for the Landfill Department, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena voting "FOR".

9. Consider authorizing the purchase of a sludge dewatering system for the Wastewater Department, as per staff recommendation (Bid 15-05). (Director of Purchasing and Technology).

Mr. Mason reported that this item authorizes the contract for purchase of a sludge dewatering system for the Wastewater Department. Advertisement for sealed bids was done on February 7 and February 14, 2015 and proposals were accepted until 1:30 p.m. on February 25, 2015. A total of four responsive bids were submitted. Staff recommends the contract to be awarded to Global Wet, LLC, of Austin, TX. This action will expend \$547,000 from 054-5-700.1-712.00 Capital Projects Utility Fund of which \$547,000 was budgeted.

Commissioner Leubert asked what the capacity for this watering system was. Representative of Global Wet, LLC, responded that it is about 200 gallons per minute on the average.

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

Commissioner Garcia asked what is being done with the sludge now, without this apparatus. Mr. Mason responded that the sludge goes into a drying bed and wait for it to dry then dumped into the landfill.

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

10. Consider a resolution of the City of Kingsville, Texas to urge the 84th Texas Legislature to recommend the creation of a Unified Procurement Code (UPC) for Texas. (Director of Purchasing and Technology).

Mr. Mason reported that this item request a supporting resolution for the Texas Public Purchasing Association goal of establishing a Unified Procurement Code for the State of Texas. A single unified code exists in 16 other states would do much to create greater efficiencies and transparency in public purchasing.

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

11. Consider accepting donation of canine parvovirus vaccines and syringes for the Animal Control Division of the Health Department. (Director of Health).

Mr. Emilio Garcia reported that his department has been contacted by a group who is willing to donate some medical supplies, specifically canine parvovirus vaccinations and syringes to the Animal Control Center. The vaccinations will be administered by staff that will follow certain protocols developed by the Health Department. There is no training or licensing requirements to administer the vaccinations. The vaccinations come premeasured so staff would not over vaccinate an animal. If the donation is approval by City Commission, this would help continue the efforts to improve the vet care provided to the sheltered animals.

Motion made by Commissioner Pena to accept this donation, seconded by Commissioner Pecos.

Commissioner Garcia asked what the shelf-life of this vaccine is. Mr. Garcia responded that he is not certain of the shelf-life for this vaccination, but as long as it's kept in a cool location, it should last a while.

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

12. Consider waiver of tournament administration fee for the Kingsville Golf Association's fundraiser tournaments for golf course improvements. (Interim Golf Course Manager).

Mr. Bill Donnell reported that the Kingsville Golf Association was formed to raise money with the intention of making donations for needed improvements to the golf course as funding is available. Donations will be presented to the City Commission for their approval. The Kingsville Golf Association plans to hold one golf tournament each month as a fundraiser for golf course improvements and is requesting the \$100 tournament administration fee be waived for each tournament fund raiser they have this year.

Motion made by Commissioner Pena to waive the tournament administration fee for the Kingsville Golf Association's fundraiser tournaments, seconded by Commissioner Garcia.

Commissioner Garcia commented that he hopes that this waiver approved tonight does not filter into other tournaments.

Mr. Donnell commented that this organization is designed only to fundraise for this golf course.

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

13. Discuss and consider Corral Park Improvement Project plan. (Parks & Recreation Manager).

Mrs. Susan Ivy explained to the City Commission regarding the project proposed expenditures for the Corral Park improvement project.

Representative of the Texas A&M University-Kingsville College of Pharmacy commented that the City Commission has been presented with their presentation at an earlier meeting. Due to bad weather, they weren't able to clean up the park as proposed last month. The park cleanup has been rescheduled for Saturday, March 28th and they will also make some improvements they would like to see done.

Commissioner Garcia asked about the liability for the usage of park equipment.

Representative stated that each exercise equipment comes with a sign that is provided by the manufacture which instructs the proper use of such equipment. He further stated that they will be working with the City Engineering Department for proper installation of equipment.

Mrs. Ivy commented that his will fall within the same line as the equipment used in our Parks.

Commissioner Pecos asked about lighting. Mrs. Ivy responded that this wasn't part of the original plan, but however, she was contacted by Mayor Fugate stating that the City will be looking into adding security lighting.

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

14. Discuss and consider reallocation of capital project funds from 6th Street Tree Project. (Director of Planning & Development Services).

Mrs. Alvarez reported that Mr. Ginter was supposed to be the presenter of this item. Alvarez further reported that she was contacted by Mr. Ginter in February that he had some discussion with other staff members that had a project that was originally allocated for some trees along 6th Street. Alvarez stated that the former City Manager had planned to plant 179 trees along the corridor from the North to the South end of town which would have been budgeted out of the general fund balance for the amount of \$88,500.00 for this project. Request for proposals went out but no proposals were received. After this occurred, staff began to look into other projects that would be beneficial for these funds. Mrs. Alvarez reported that presently there are two park improvement projects that were proposing to reallocate part of the funds for Corral Park improvements for an amount of \$10,000 of the money that was allocated for the 6th Street Project. Another \$15,000 will be requested for needed repairs for the J.K. Northway and Dick Kleberg Park to get the ball fields ready as well as air conditioning repairs at the J.K. Northway. With the reallocation of funds, it would leave a balance of \$62,700 remaining that could be used for things that come up throughout the fiscal year. If approved by the City Commission, a budget amendment will be brought to the City Commission at a later meeting.

Motion made by Commissioner Pena to approve the reallocation of funds, seconded by Commissioner Pecos. The motion was approved by the following vote: Pena, Pecos, Leubert, Garcia voting "FOR".

15. Discuss relocation of the Tourism Department and matters related thereto. (Interim City Manager).

Mrs. Alvarez reported that the Texas Department of Transportation is creating a new overpass along the US 77 Bypass on the north side of town. The result of this overpass is restricted access to an existing local automobile dealership with a need for a back road to connect Corral Avenue and Sage Road which would also open this area up for future development. The proposed back road would run through a large portion of the City's property where the Tourism Department is currently located. This has caused staff to explore the viability of moving the existing structure to a new location, buying a prefabricated structure, renting a portable structure, or building a new structure. Currently, the City owns 2.124 acre tract of land at the southeast intersection of US 77Bypass and King Ave which staff has determined that it would be an optimal location for the Tourism relocation. Staff is working on finalizing numbers and timetables for the various options mentioned. The option to move the existing structure and make some additions/improvements to it looks the most feasible. Regardless of the main structure, a request for a garage/storage building has been made to house the new Tourism van and seasonal items. A windstorm certified engineer will need to design the foundations and certify the buildings for insurance purposes. Staff has a draft design for a site layout, which is subject to change, to provide an idea of the possibilities at this location. As for financial impact, as items come up, they will be expended from the Tourism Department Budget for Fiscal Year 2015 & 2016. Staff will move forward with finalizing numbers and timetables and bring back action items in the near future.

Commissioner Pena stated that he would like to see a schematic as the process moves forward for the relocation of the Tourism Department.

Commissioner Leubert asked if staff is looking into parking for visitors with RV's.

Mr. Alarcon stated that this is something that staff would need to look into.

Commissioner Garcia asked if the City is working on a fair market value for the property that the city is giving up for the overpass.

Mr. Cardenas stated that there will be a monetary value for the property which will be brought to the Commission in the near future.

Discussion item only.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:26 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

To: Courtney Alvarez, Interim City Manager

From: Tom Ginter, Director of Planning and Development Services

Date: April 9, 2015

Subject: Planning and Zoning Agenda Items for April 8, 2015

Item #1: Requesting the rezone of 1.44 acres (Torres Estates) from R2 Two Family District to RP2 Planned Two Family Residential District. **This item was recommended for Approval by a 5 to 0 vote.**

Item #2: Discussion and Consider Adopting the Conceptual Development Plan for Torres Estates Development for 1.44 acres. **This item was recommended for Approval by a 5 to 0 vote.**

Item#3: Discussion and Consider Action pertaining to the submittal of a preliminary subdivision plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

Item#4: Discussion and Consider Action pertaining to the submittal of the final plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Conceptual Development Plan – Torres Estate

1. Planned Unit Development

In April of 2014 the Planned Unit Development (PUD) was amended to have a planned district for each zoning district. The purpose of the equivalent district provides for and encourages latitude and flexibility in the location of buildings, structures which would be approved by local officials. Variations and departures from normal requirements may be permitted.

2. History of Torres Estates Development

This particular project I believe started in the summer of 2014. When I came on board in October 2014 the project was presented as an R1 project. This project doesn't meet the lot size minimum so it was submitted as an R2 development. This is reflected in the January minutes which are in the packet. The memo dated March 13, 2014 brings the project up to this point. As a part of the RP2 zoning a Conceptual Development Plan is required to be submitted.

3. Torres Estates

As has previously been discussed this project is an infill development that would have a positive impact for the community and that neighborhood. As noted in the site plan and other minutes the developer Mark Dizdar has agreed to the following:

- A. Build an 18 foot wide driveway which will have room for 2 cars for each house
- B. Plant 2 trees in the front yard of the property of each lot where a home is being built
- C. Install a sprinkler system on each lot where a home is going to be built
- D. Build a 6 foot sidewalk on the perimeter of the property
- E. Build a fence on the frontage of the property

In return Mr. Dizdar will not be building garages with these homes.

Staff recommendation:

Approve the Conceptual Development Plan for the following reasons:

- A. This development takes advantage of the utilities that are already in place
- B. It is an housing option that is believed to be affordable for a significant number of the population

- C. It redevelops property that at one time a mobile home park which is not conducive for the neighborhood, while this project is compatible with the surrounding uses
- D. This development could initiate development to the south

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Special Public Hearing Wednesday, April 8, 2015 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Isaac & Norma Torres, owner – On the adoption of a Conceptional Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.

Isaac & Norma Torres, owner – Requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott rezoned from (R2) Two Family District 2 to (RP2) Planned Two Family Residential District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the item on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, April 13, 2015 at 6:00 p.m. wherein the City Commission will discuss the following item and at which time all interested persons will be heard:

Isaac & Norma Torres, owner – On the adoption of a Conceptional Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.

Isaac & Norma Torres, owner – Requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott rezoned from (R2) Two Family District 2 to (RP2) Planned Two Family Residential District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8003.



HELDT & HUNT, INC.
 REAL ESTATE
 10000 N. DALLAS STREET
 DALLAS, TEXAS 75243
 (214) 343-1111

Drawn by: J.H.H. Date: 10/2/81
 Checked by: J.H.H. Date: 10/2/81
 Title: Subdivision Plat

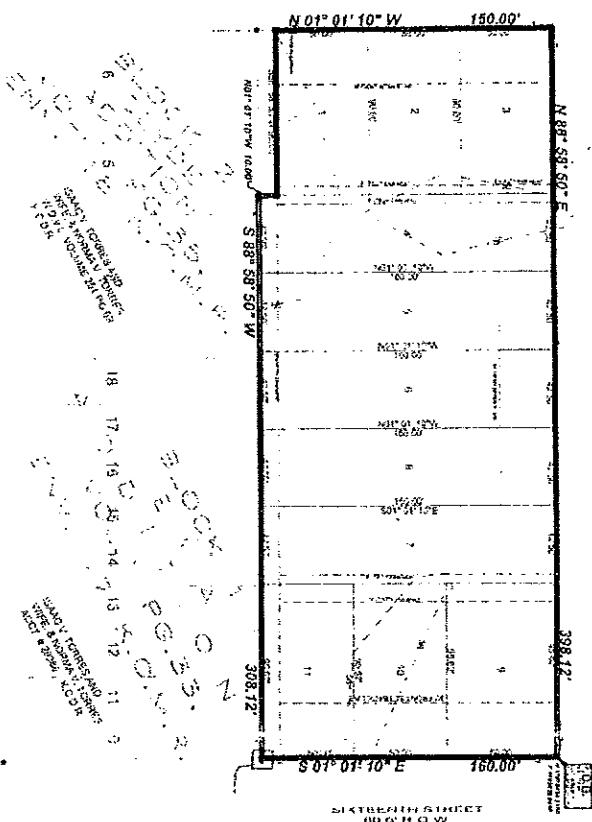
Scale: 1" = 100'
 North Arrow: [Symbol]
 Survey: [Symbol]

FLOOD ZONE
 Zone 1 - 100 Year Flood
 Zone 2 - 500 Year Flood
 Zone 3 - 1000 Year Flood
 Zone 4 - 2000 Year Flood



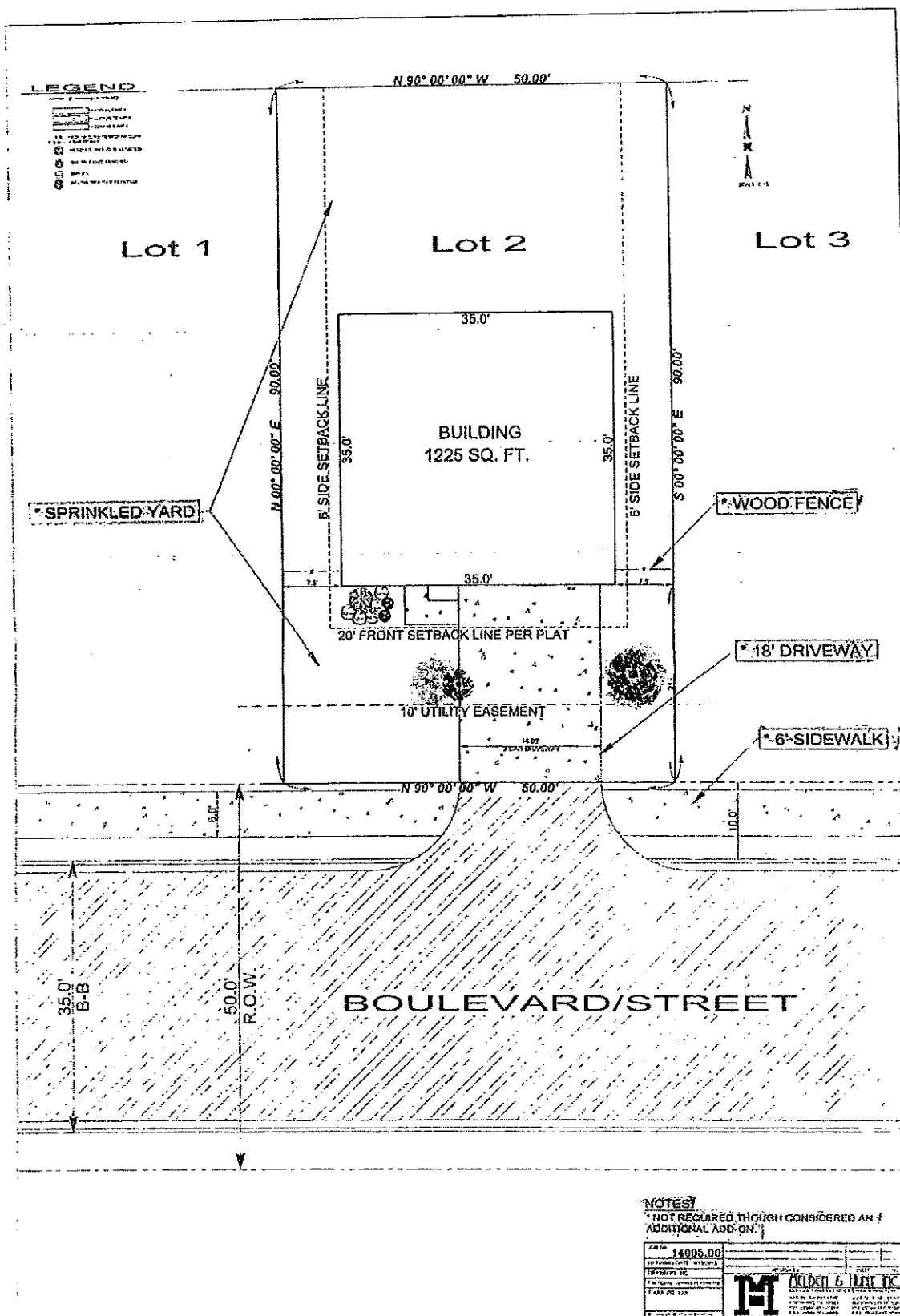
VICINITY MAP Scale: 1" = 100'

TORRES ESTATES
 BEING A SUBDIVISION OF 1.44 ACRES SITUATED IN THE CITY OF KINGSVILLE,
 KLEBERG COUNTY, TEXAS, OUT OF LOTS 1, 2, AND 3, BLOCK 2, CL-ONE ADDITION TO THE
 CITY OF KINGSVILLE VOLUME 1, PAGE 35, ENVELOPE 18, K.C.L.R.
 AND
 ALL OF LOTS 1, 2, 3, 4, 5, 7, 8, AND 9, BLOCK 1, SW ADDITION TO THE CITY OF KINGSVILLE
 VOLUME 1, PAGE 33, ENVELOPE 17, K.C.L.R.
 KLEBERG COUNTY, TEXAS



BLOCK 2
 CL-ONE ADDITION TO THE
 CITY OF KINGSVILLE
 VOLUME 1, PAGE 35, ENVELOPE 18, K.C.L.R.

WITNESSES:
 I, the undersigned, County Clerk of Kleberg County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record of the same as the same appears in the public records of this county.



PUBLIC HEARING #2

To: Courtney Alvarez, Interim City Manager

From: Tom Ginter, Director of Planning and Development Services

Date: April 9, 2015

Subject: Planning and Zoning Agenda Items for April 8, 2015

Item #1: Requesting the rezone of 1.44 acres (Torres Estates) from R2 Two Family District to RP2 Planned Two Family Residential District. **This item was recommended for Approval by a 5 to 0 vote.**

Item #2: Discussion and Consider Adopting the Conceptual Development Plan for Torres Estates Development for 1.44 acres. **This item was recommended for Approval by a 5 to 0 vote.**

Item#3: Discussion and Consider Action pertaining to the submittal of a preliminary subdivision plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

Item#4: Discussion and Consider Action pertaining to the submittal of the final plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

ORDINANCE #2015-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 1.44 ACRES LOTS 1-9, BLOCK 1, EVA SUBDIVISION, KNOWN AS 1100 EAST KENEDY AND LOTS 1-3, BLOCK 2, CLYDE SUBDIVISION, KNOWN AS 1116 EAST LOTT FROM R2- TWO FAMILY RESIDENTIAL DISTRICT TO RP2- PLANNED TWO FAMILY RESIDENTIAL 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 Isaac & Norma Torres, 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, April 8, 2015 during a meeting of the Planning and Zoning Commission, and on Monday, April 13, 2015 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by 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 Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from R2- Two Family Residential District to RP2- Planned Two Family Residential 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 13th day of April, 2015.

PASSED AND APPROVED on this the 27th day of April, 2015.

EFFECTIVE DATE: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

To: City Commission

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Agenda Memo – April 13, 2015

1. Items for Torres Estate:

The packet of information should explain what has occurred up to this point. While the process hasn't been smooth, I believe we have it right this time. As I have mentioned in previous memos while this project isn't perfect it is good for the location and for the community. The Planning and Zoning will be meeting on Wednesday, April 8th to make a recommendation on these agenda items. This is a good infill project that is good for the neighborhood. The Master Plan does recognize the importance of infill projects and that should be a priority for this community.

As stated in the memo to the Planning and Zoning Commission this project has the following positives to it:

- A. Uses existing utilities
- B. Compatible with the neighborhood
- C. Provides housing that is affordable for most residents
- D. Adds items that will bring value to the development
- E. Could initiate development to the south

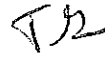
There will be no garages with this project. The driveway will be wide enough for two cars.

Also on your agenda is the approval of the preliminary and final plat. The Planning and Zoning Commission recommended approval of both plats at their January meeting. The vote was unanimous for both items.

Staff recommendation is to approve all the agenda items.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services



Date: March 13, 2015

Subject: Rezoning request – Torres Estate

Attached are a number of documents that lay the framework and provide information for this rezoning request. They are:

- a. The rezoning request with notice in the newspaper and 200ft. radius
- b. A copy of a memo from me date February 13, 2015 which gives you a status report of this project
- c. A copy of the planned unit development ordinance which is an integral part to this request
- d. A copy of Section 15-6-4

Currently the property is rezoned R2 because of the lot size. Due to the fact that Mr. Dizdar wants to develop the property without garages the property needs to be rezoned to RP2. The attached planned unit development ordinance will allow that property to be developed in that manner. Another important part of this process is the Conceptual Development Plan. While the ordinance does state that a city initiated PUD doesn't need this document I believe that for this event a Conceptual Development Plan would be helpful. While one is being developed it is not quite ready for approval. By approving the rezoning this will allow us to finish the document knowing that our work will not be in vain. The ordinance also states that a public hearing has to be held for a Conceptual Development Plan according to Section 15-6-4 of the code. Included in the packet is a copy of that section of the code.

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 the 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 existing or potential adjacent land uses
4. Whether the proposal will generate traffic levels inappropriate, hazardous or detrimental to the existing or potential nearby land uses

Staff recommends APPROVAL of the request.

Since you already have approved the preliminary and final plats here is the process if your recommendation is an approval of the rezoning and the City Commission also approves the rezoning.

1. Consider re zoning request March 18th , if approved
2. Consider the submittal of the Conceptual Development Plan, this meeting may be held prior to the next meeting of April 15th

Then the Conceptual Development Plan, the preliminary plat and the final plat would then go to the City Commission for approval.

CITY OF KINGSVILLE

200 E. Kleberg Avenue
Planning & Development Services Dept.
Planning & Zoning Division

Kingsville, Texas 78363
Phone: (361) 595-8055
Fax: (361) 595-8065

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1.25 acres Eva, Block 1, LOT 1-9 + CLYDE, BLOCK 2 LOT 1-3 Located in the City ✓ ETJ ✓

(Proposed) Subdivision Name _____ Total number of Lots _____

Legal Description: 1.44 acres Eva, Block 1, LOT 1-9 + CLYDE, BLOCK 2, LOT 1-3

Existing Zoning Designation R2-Two Family District Future Land Use Designation RP2-Planned Two Family Residential District

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mark Dizdar Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

Property Owner Isaac + Norma Torres Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address 1116 East LOH City Kingsville State TX Zip 78363

Select appropriate request(s) for which approval is sought. Attach appropriate checklist(s) 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.....\$200.00
<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"/> Conceptual Development Plat.....\$100.00
<input type="checkbox"/> PUD Request.....\$250.00	<input type="checkbox"/> Subdivision Variance Request.....\$25.00 ea
<input type="checkbox"/> Lot Line Adjustment Plat.....\$100.00	<input type="checkbox"/> Amending Plat.....\$100.00

Please provide a basic description of the proposed project:

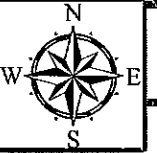
I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature: _____ Date: _____

Property Owner's Signature: _____ Date: _____

Application and Fee Accepted by: Adela Barrient Date: 12/26/14

200 ft. Buffer 1116 E. Lott - Torres



E King Ave

E Kenedy Ave

E Lott Ave

E Huisache Ave

S 14th St

S 15th St

S 16th St

Legend



1116 E. Lott

200 Ft. Buffer

22588

24107

24876

20824

13139

25977

18414

19173

20746

22363

12259

16172

16932

25267

21219

11037

18458

26035

18946

21219

34355

28386

28385

41025

12267

11712

12518

15017

24116





E King Ave

S 16th St



E Kenedy Ave

S 15th St

E Lott Ave

E Huisache Ave

Legend

-  1100 E. Kenedy
-  200 ft. Buffer



TORRES ISAAC
ETUX NORMA
1116 E LOTT AVE
KINGSVILLE, TX 78363
#21219

TORRES ISAAC
ETUX NORMA
1116 E LOTT AVE
KINGSVILLE, TX 78363
#11037

ALDOPE ISMAEL
ETUX MARTA ELENA
1205 E KENEDY AVE
KINGSVILLE, TX 78363
#10802

PENDLETON HOLDINGS LLC
312 N PASADENA
KINGSVILLE, TX 78363
1014 E KENEDY
#22588

AMBRIZ MARGARITA C
AND OCTAVIO C AMBRIZ JR
1247 1/2 E KING AVE
KINGSVILLE, TX 78363
#24107

CRUZ JOSE L
1247 E KING AVE
KINGSVILLE, TX 78363
1026 E KENEDY
#24876

ORTEGON OLGA
1102 E KENEDY AVE
KINGSVILLE, TX 78363
#20824

SALDANA LARRY
ETUX MARY SALDANA
1245 E NETTIE AVE
KINGSVILLE, TX 78363
#13139

HERNANDEZ GREGORIA V
FLORINDA HERNANDEZ MARLER
9548 VICTORIA DR
UPPR MARLBORO, MD 20772
1108 E KENEDY
#22363

SAENZ MARGARITA SALINAS
560 N COUNTY ROAD 1050
KINGSVILLE, TX 78363
1114 E KENEDY
#25977

JIMENEZ LAURO
MARCELO JIMENEZ JR
899 S COUNTY ROAD 1120
RIVIERA, TX 78379
1120 E KENEDY
#18414

CANALES MARIA ELENA
1126 E KENEDY AVE
KINGSVILLE, TX 78363
#19173

LEDESMA ADELITA
1128 E KENEDY
KINGSVILLE, TX 78363
#12259

DE LEON DELFINO G
1132 E KENEDY AVE
KINGSVILLE, TX 78363
#20746

DEHNER WILLIAM
SNAP AUTO PARTS
PO BOX 4006
BEEVILLE, TX 78104
1018 E LOTT
#18458

PEREZ ERNEST
310 E 23RD ST
KINGSVILLE, TX 78363
1026 E LOTT
(THE PIT STOP)
#26035

FIRST COMMUNITY BANK
5406 EVERHART RD
CORPUS CHRISTI, TX 78411
1030 E LOTT
#18946

TORRES ISAAC
ETUX NORMA
1116 E LOTT AVE
KINGSVILLE, TX 78363
1116 E LOTT #22-41
#21219

TORRES ISAAC
PO BOX 1813
KINGSVILLE, TX 78364
1116 E LOTT
#28386

TORRES ISAAC
PO BOX 1813
KINGSVILLE, TX 78364
Location E LOTT
#34355

AMBRIZ FRANCISCO R
ETUX CECILIA G
2501 BOLIVAR
CORPUS CHRISTI, TX 78415
1120 E LOTT AVE
#28385

FERNANDEZ IRENE
ALLÉN MARTINEZ
1116 E LOTT
KINGSVILLE, TX 78363
1126 E LOTT
#41025

GARCIA JOSE
PO BOX 1431
LA JOYA, TX 78560
1204 N 16TH
#4000268

GARCIA JOSE
PO BOX 1431
LA JOYA, TX 78560
1208 E LOTT
#4000271

GARCIA JOSE
PO BOX 1431
LA JOYA, TX 78560
1212 E LOTT
#4000276

RIOS ESTEVAN
1015 E KENEDY AVE
KINGSVILLE, TX 78363
1015 E KENEDY
#16172

GARZA PEDRO
1029 E KENEDY
KINGSVILLE, TX 78363
#16932

MARTINEZ GRACE C
1031 E KENEDY AVE
KINGSVILLE, TX 78363
#25267

ALANIS ARGELIO D
523 E ANGLE ROAD
KINGSVILLE, TX 78363
216 S 16TH ST
#10449

CALZADA JULIAN
2401 GREEN OAK DRIVE
ROOM #207
KINGWOOD, TX 77339
1208 E KENEDY
#19728

GUTIERREZ EMMA
1201 1/2 E KENEDY AVE
KINGSVILLE, TX 78363
#17761

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services



Date: February 13, 2015

Subject: Torres Estates – Status Report

There have been bumps in the process for Mark Dizdar to get the Torres Estates project moving forward. This memo is meant to give information on that and where it is headed. Prior to the City Commission meeting on January 26, 2015, language was found in the code that has an impact on the Torres Estate development. The language is in Section 15-6-107: Special off Street Parking Regulations. It reads (B) Parking in R1 and R2 Districts shall be provided only in areas properly located for a future garage. Consequently at the January 26th commission meeting the City Commission took no action on the plat items. There was the first reading of the rezoning to R2. The interpretation of the language to staff means that has to be space for a garage to be built at some point in the future.

Because of language in the Local Government Code that necessitates action to be taken by the City Commission for it would be approved it was placed on the February 9th agenda for denial. The reasoning was that the Commission couldn't knowingly break the code by approving the plat agenda items. Prior to the February 9th meeting Mark Dizdar, Vince Capell and I met and discussed the situation and possible solutions. One proposal that came up was that the city could buy two lots, one on either side and make them to on site communal parking areas. This solution was mentioned at the City Commission meeting but in the end, the Commission approved the rezoning, but denied the plat agenda items.

That leaves Mark Dizdar with 3 options:

1. Change the plat himself to meet the code
2. Explore the solution with the City purchasing the ground for communal parking lots
3. Change the zoning to RP-2 which would make the development negotiable

It seems that Mark Dizdar wants to change the zoning to RP-2 which would allow him to develop the project as he desires. Because of the previous rezoning work that was done, I believe that we could have it ready for your March meeting which will be on the 18th.

Included in the packet is a copy of the Planned Unit Development ordinance for your review. If you have any questions, please feel free to ask.

PLANNED UNIT DEVELOPMENTS (PUD)

FOOTNOTE(S):

--- (5) ---

Editor's note— Ord. 2014-23, § 1, passed April 23, 2014, amended the Planned Unit Developments (PUD) division in its entirety to read as herein set out. The former Planned Unit Development (PUD) division, §§ 15-6-55—15-6-61, pertained to similar subject matter. See Code Comparative Table for complete derivation.

Sec. 15-6-55. - Planned unit development districts.

- (A) *Statement of intent*—Each of the zoning districts set forth and permitted in the Land Use Chart shall have a separate and distinct counterpart known and herein referred to as a "planned district". A "planned district" shall be for the purpose of permitting and regulating the uses permitted in the "equivalent district" and further provide for and encourage latitude and flexibility in the location of buildings, structures, roads, drives, variations in yards, open spaces, etc., which are subsequent to approval by local officials. The result is to allow development of tracts of land to their fullest extent and at the same time observe the general intent and spirit of these regulations. The purpose of this district is to also provide for and encourage the appropriate grouping of buildings to reduce vehicle trips, maximize open space, and for the beautification of the district. In general, (1) the height and bulk of buildings, (2) the amount of open space, (3) the concentration of people and traffic, and (4) the parking and loading requirements shall be equal to those in the corresponding district. The uses permitted shall be the same as in the "equivalent district".

Variations and departures from normal requirements may, however, be permitted. Each building face need not face a public street and more than one main building may be located on a lot. Buildings may be constructed on platted tracts which are smaller than the minimum lot size requirements where other adjacent permanent open space is provided. Buildings may be grouped in clusters or around courts and may be served by private drives in lieu of public streets. Buildings may be located closer to lot lines than otherwise permitted provided such buildings are architecturally suitable for such a relationship to adjoining buildings or property. The Planned Unit Development Districts shall be as follows:

Planned District	Equivalent District
RP-1	R-1
RP-2	R-2
RP-3	R-3
RP-4	R-4
CP-1	C-1
CP-2	C-2

CP-3	C-3
CP-4	C-4
IP-1	I-1
IP-2	I-2

(Ord. 2014-23, § I, passed 4-23-2014)

Sec. 15-6-56. - Procedure for rezoning property to a planned unit development.

(A) A tract of land may be zoned to a Planned Unit Development by the City as provided in Section 15-6-4, or upon application by the owner or his/her agent with approval of a Conceptual Development Plan for the tract. A City-initiated Planned Unit Development zone need not be accompanied by a Conceptual Development Plan. The applicants, other than the City, for a Planned Unit Development zone change, or a developer intending to build on a tract of land zoned as a Planned Unit Development shall prepare and submit to the Planning and Zoning Commission a Conceptual Development Plan containing the following elements:

- (1) The boundaries of the tract to be zoned and the area adjacent for a distance of not less than 500 feet.
- (2) The existing and proposed topography. Contours shall not exceed ten foot intervals and shall be on a plan at a scale of one inch equals 100 feet or larger. The proposed topography shall be clearly delineated on the plan.
- (3) The proposed location and arrangements of buildings, structures, lots, parking areas, open space, recreational space, existing and proposed streets, drives and other public ways, public property, drainage, landscaping and other features of the proposed development.
- (4) Sufficient approximate dimensions to indicate the relationship between buildings, streets, drives and property lines.
- (5) A draft of conditions, covenants and restrictions (CC&R's), easements, associations, and maintenance agreements as well as specifications for ingress/egress to the property and any other legal requirements which will run with the property.
- (6) Preliminary elevation and plan drawings of proposed buildings which sufficiently depict the architectural theme of the development.
- (7) Preliminary sign program for nonresidential developments identifying common materials, sizes, heights and locations to be used on signs within the development. The materials used shall be consistent with the architectural theme of the buildings.
- (8) Other design elements and/or development standards consistent with current trends and regulations as determined by the Director of Planning and Development Services.

(Ord. 2014-23, § I, passed 4-23-2014)

Sec. 15-6-57. - Site plan approval required prior to permitting.

(A) No permit shall be issued for construction in a Planned Unit Development area unless there has been a site plan approved by the City Commission and a subdivision plat thereof recorded in the

county plat records. Three (3) 24 × 36 and fifteen (15) 11 × 17 prints of the site plan shall be submitted for review by the Director of Planning and Development Services.

(B) The requirement for a new site plan may be waived when:

- (1) The site has been platted for record after receiving the zoning classification which will be utilized for Planned Unit Development; and
- (2) The proposed development is in full compliance with all other Planned Unit Development requirements.

(Ord. 2014-23, § I, passed 4-23-2014)

Sec. 15-6-58. - Submission, hearing and approval.

(A) The City Planning and Zoning Commission shall hold a public hearing on the Conceptual Development Plan and after such public hearing, the Commission shall either approve, approve with conditions, or disapprove the Conceptual Development Plan. At such time as the Conceptual Development Plan is approved, approved with conditions or disapproved by the City Planning and Zoning Commission, the same plan shall be duly endorsed and forwarded to the City Commission for final action. The procedures for noticing and holding a public hearing for a Conceptual Development Plan shall be the same as specified in Section 15-6-4 of this code. The Conceptual Development Plan is in addition to, not in substitution of, the required statutory rezoning process.

(B) In reviewing Conceptual Development Plans for a Planned Unit Development district, the City Planning and Zoning Commission shall consider the following:

- (1) Topography; to ensure the site is suitable for development, and buildings are located and arranged in appropriate areas.
- (2) Parking; to ensure the proposed development contains an adequate amount of parking and is located in an appropriate area. Generally, the parking should conform to the required number of parking appropriate to the development type as contained in Section 15-6-106 and 15-6-107. The City Planning and Zoning Commission may allow a deviation from these parking requirements should the applicant show an adequate amount of parking exists.
- (3) Setbacks; to ensure buildings provide for adequate light, air, and privacy protection by providing appropriate proportion between buildings, and adequate separation between buildings and adjoining properties.
- (4) Architecture; to ensure the architectural theme is compatible and consistent throughout the project and is reasonably compatible with surrounding developments.
- (5) Landscaping; to ensure the development provides adequate landscaping to provide a pleasant environment, to enhance the building's appearance and to ensure existing significant trees are adequately protected.
- (6) Site plan; to ensure the location and arrangement of buildings, signs and other structures are appropriate for the site, existing and proposed streets, drives and public ways are arranged appropriately and to ensure site drainage has been adequately addressed.
- (7) Any other feature or issue associated with the state zoning and planning enabling legislation or the comprehensive/master plan for the City of Kingsville for which the City Planning and Zoning Commission feels is appropriate and relevant to the development of the site to ensure appropriate and attractive development of the proposed site.

(C) Prior to approving a Conceptual Development Plan for the purposes of this section, the City Commission shall make the following findings:

- (1) that the Planning and Zoning Commission and the City Commission have reviewed the Conceptual Development Plan with consideration of the issues contained in Subsection (B) of this section; and

- (2) that the Conceptual Development Plan is in conformance with the Master Plan and other plans adopted by the city and/or appropriate sections of the Code of Ordinances; and
 - (3) that the Conceptual Development Plan provides for an organized and unified system of land use intensities which are compatible with the surrounding areas; and
 - (4) that the proposed development adequately protects the health, safety and general welfare of future and existing residents and property owners in and around the development.
- (D) Upon final approval of the Conceptual Development Plan and the zoning (or rezoning) of the tract by the City Commission, as required by law, building permits may be issued. Conformance with the approved Conceptual Development Plan and all supporting documentation is mandatory. Substantial deviation from the Plan shall require resubmittal to the City Planning and Zoning Commission and City Commission in the same manner as the original zoning procedure.
- (Ord. 2014-23, § 1, passed 4-23-2014)

Cross reference— Penalty, see § 15-6-999.

Sec. 15-6-59. - Coordination of planned unit development application with subdivision approval.

- (A) In order to fully implement flexible zoning techniques such as Planned Unit Development and cluster zoning, applicants shall be required to submit applications for subdivision review simultaneously with applications for zoning approval. Depending upon the size and location of the proposed development, such applications shall conform to either the administrative or major subdivision application requirements of the subdivision regulations (Section 15-3-1 through 15-3-109).
- (B) Where the zoning ordinance authorizes Planned Unit Developments, which:
 - (1) permits the use of land and density of structures to differ from that allowed as of right, and;
 - (2) involves the subdivision of land, whether residential or non-residential;

such development shall obtain subdivision approval by the City Planning and Zoning Commission and City Commission in addition to all other procedures and approvals required by the zoning ordinance. Regardless of whether applicable zoning procedures also require City Planning and Zoning Commission and City Commission approval, review or recommendation.

(C) *Procedure.*

- (1) When a Planned Unit Development application is submitted that also involves the subdivision of land, the application shall first be submitted to the Director of Planning and Development Services or his/her designee.
- (2) The application for subdivision approval shall be made in the form of a sketch plat, containing, in addition to all of the requirements of the zoning ordinance, the following information:
 - a. Legal description of the property proposed to be subdivided;
 - b. Name of the proposed subdivision and shall be clearly labeled "Planned Unit Development Site Plan.";
 - c. Date, scale, North arrow;
 - d. Property owner's name and address;
 - e. Description of all existing covenants, liens and encumbrances;
 - f. Name, address and seal or registration number of licensed engineer, architect or surveyor who has prepared the sketch plat;
 - g. Location of property lines;
 - h. Existing or platted easements, rights-of-way, streets or other public ways;

- i. Masses of trees or individual trees of eight inches or more in diameter, measured four feet above ground level;
 - j. Names of adjoining landowners within 200 feet of any perimeter boundary of the proposed subdivision;
 - k. Location, sizes, elevations and slopes of existing sewers, water mains, culverts and other underground structures within the boundaries of the proposed subdivision and immediately adjacent thereto;
 - l. Existing permanent buildings;
 - m. Utility poles and utility rights-of-way on or immediately adjacent to the property proposed to be subdivided;
 - n. Approximate topography, at the same scale as required for a preliminary plat;
 - o. Approximate location and width of all proposed streets within and abutting the proposed subdivision;
 - p. Preliminary proposals for connections with existing water supply and sanitary sewerage systems and preliminary proposals for collecting and discharging surface water drainage;
 - q. Approximate location, dimensions and area of all proposed or existing lots;
 - r. Approximate location, dimensions and area of all parcels of land proposed to be set aside for park or playground use or other public use;
 - s. Vicinity map showing all streets and the general development pattern and land uses of the surrounding area at a scale of 1" = 100';
 - t. Zoning district boundaries of all property 200 feet of the proposed subdivision;
 - u. If the sketch plat covers only a part of the applicant's contiguous holdings, the applicant shall submit, at a scale of no more than 1" = 200', a sketch in pen or pencil of the proposed subdivision area, together with its proposed street systems and an indication of the probable future street, drainage and utility system for the remaining portion of the tract.
- (3) The Planning and Development Services Director shall refer the application and sketch plat to the City Planning and Zoning Commission for preliminary review and approval. The City Planning and Zoning Commission shall review all aspects of the application as are required by these regulations and the zoning ordinance.
- (4) The City Planning and Zoning Commission shall forward its recommendation on the application to the City Commission. Action shall first be taken on the zoning application. If the zoning request is granted, the applicant shall prepare a preliminary plat as described in Section 15-3-16 of the subdivision regulations and shall then follow the remaining subdivision procedures described therein, including review by the City Planning and Zoning Commission and the City Commission.

(Ord. 2014-23, § I, passed 4-23-2014)

Cross reference— Penalty, see § 15-6-999.

Sec. 15-6-60. - Emergency provisions within planned unit development districts.

(A) Emergency provisions and access shall be provided to each principal building by:

- (1) A street or public alley; or
- (2) A private way, alley or paved place, delineated on an approved subdivision plat conforming to the requirements of Tex. Loc. Gov't Code, §§ 212.001 et seq. Access may also be provided by an emergency access easement approved by the City Planning and Zoning Commission and

recorded in the Kleberg County Deed Records, provided that where access is not available by a street, alley, place or recorded easement; and recorded easement access is planned, construction permits may be issued and construction may proceed but certificate of occupancy shall not be issued until the required emergency access easements are approved by the City Planning and Zoning Commission and filed for record in the Kleberg County Deed Records. Emergency access easements shall be not less than 50 feet in width, the boundaries shall be distinctly and permanently marked on the ground and the entrances shall be permanently marked by signs not less than two square feet nor more than four square feet in face area.

(B) The paved width of any emergency access easement may be reduced to, but not below, 30 feet provided that curbs shall not exceed five inches in height and further provided that there shall be no obstructions which will interfere with the use of the full 50 foot width of the easement by emergency vehicles and their appurtenances. Turnarounds with a radius of 50 feet and paved diameter of at least 60 feet shall be provided on all dead-ends.

(C) Fire hydrants shall be provided and placed to city specifications.

(Ord. 2014-23, § I, passed 4-23-2014)

Cross reference—Penalty, see § 15-6-999.

Sec. 15-6-61. - Requests not scheduled for hearing.

Requests for Planned Unit Development status that fail to supply the site plan information required (§ 15-6-56(A)) shall not be scheduled for a hearing.

(Ord. 2014-23, § I, passed 4-23-2014)

Secs. 15-6-62—15-6-69. - Reserved.

Sec. 15-6-4. - Changes and amendments; application fee.

- (A) This zoning article, including boundaries of districts and regulations, may be amended, supplemented or changed by ordinance of the City Commission. The City Commission shall receive the report of the Planning and Zoning Commission prior to adopting any change or amendment to the zoning ordinance.
- a. The Planning and Zoning Commission shall conduct a public hearing, announcement of which shall be published once in a newspaper of local circulation fifteen (15) days prior to such hearing before acting upon any zoning matter.
 - i. All property owners within 200 feet of the property on which the change is proposed shall be sent written notice not less than ten (10) days before the hearing date. The list of property owners shall be prepared from the last city tax roll listing all property owners who have rendered their property for city taxes. Notice is adequately served by depositing properly addressed and postage paid notice with the city post office. Property owners whose names do not appear on the city tax roll are adequately notified by the publication in a newspaper of local circulation.
 - b. Following the Planning and Zoning Commission public hearing and report, the City Commission shall conduct a public hearing, announcement of which shall be published once in a newspaper of local circulation fifteen (15) days prior to such hearing before acting upon any zoning matter.
 - i. Three-fourths ($\frac{3}{4}$) vote of the members of the City Commission shall be necessary to make any change should a petition opposed to such change be presented by the owners of 20% of either the area of the lots or land included in such proposed change, or of the lots or land immediately adjoining the same and extending 200 feet therefrom.
 - ii. Three-fourths ($\frac{3}{4}$) vote of the members of the City Commission shall be necessary to overrule a recommendation of the Planning and Zoning Commission that a proposed amendment, supplement, or change be denied.
 - c. Applications for Special Use permits, changes of districts (rezones), or other applications which require notification or publication shall be accompanied by a fee of \$250.00.
- (B) The fee for processing appeals to the Board of Adjustment shall be based on the actual costs of materials used, mailing, and publication costs as determined by the Planning Division of the Management Services Department, the fee to be payable prior to the scheduling of any hearing or appeal.

(1962 Code, § 11-1-4; Ord. 84009, passed 6-18-84; Ord. 90027, passed 6-25-90; Ord. 2014-44, passed 8-11-2014)

PLANNING AND ZONING COMMISSION
MEETING MINUTES
January 14, 2015

Planning and Zoning Members Present

Steve Zamora, Chairman

Albert Garcia

Robert McCreight

Lupe Alvarez

Citizens Present

Mark Dizdar

Staff Present

Tom Ginter, Director of Planning & Development Services

Adela Barrientes, Administrative Assistant II

Base Representative

1. **The meeting was called to order at 6:04 p.m.**
2. **Discuss and take action on the meeting minutes of December 10, 2014.**
Mr. Lupe Alvarez made a motion to approve the minutes. Mr. Robert McCreight seconds. All in favor none opposed.
3. **Miscellaneous/Public Comments on or off the agenda.**
N/A
4. **Old Business/Postponements.**
N/A
5. **Discuss and take action on — Isaac & Norma Torres, owner – requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3 rezoned from (C1) Neighborhood Service District to (R2) Two Family District 2.**

Mr. Dizdar presented the committee with some pictures of present homes that are in the neighbor where he plans to build. The first picture was of 1014 1/2 Kenedy this home is the closet in comparison to what Mr. Dizdar plans to build, the permit for this home was done on January 9, 2013 it has one and half car parking, no sidewalk, no sprinkle system, one carport and no fence. A picture of house on 325 East 16th according to the city there

was no permit on file it has no driveway, no sidewalks, no fence and no sprinkler system. Picture of home on 1114 Kenedy was shown according to city records there is no permit on file, one car driveway, two car parking, no sidewalk, and part of a metal fence. Picture of home on 1126 Kenedy according to city records there is no permit on file, one car driveway, two car parking, no sidewalk, no sprinkler system. Mr. Dizdar stated to the committee that he plans to build frame homes about 1,000 to 1,200 square foot that will include 18 foot driveway, 6 foot sidewalks, sprinkler systems, two oak trees and a side wood fence and will be affordable in this area. Mr. Dizdar advised the committee that history has proven that none of these homes have requested the building of carports and/or garages. Mr. Dizdar advised the committee that Mr. Torres still owns the corner on Lott and 15th where currently about 10 or 11 trailers are housed at, his future plans are to purchase that property and continue to build.

Mr. Garcia asked if the fence would be built around the property and if not, would the home owner have the option to include the completion of the fence into their home loans. Mr. Dizdar advised that he plans to build the fences in back of the homes and the builder can have that option.

Mr. Ginter made a recommendation to the Planning and Zoning Committee to consider rezoning to equivalent district from R-2 to RP-2, RP-2 opens possible negotiations for future possibilities. Mr. Ginter advised that R2 has strict lot guidelines and RP2 is negotiable and the city can assist with that. The Committee agreed the zoning of RP2 is a great idea for later projects but with this project currently in process, the Committee decided to move forward with the request of C1 to R2.

Mr. Alvarez made a motion to approve the rezoning of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3 from (C1) Neighborhood Service District to (R2) Two Family District 2. Mr. McCreight second. All approved none opposed.

6. Discuss and take action on — Isaac & Norma Torres, owner – Requesting approval for the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

Mr. Ginter recommended that the preliminary plat be approved with the understanding two trees will be planting, a springer system, 18 foot driveway, 6 foot sidewalk and a fence that would enclose the perimeter be included.

Mr. Garcia made a motion to approve the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE BLOCK 2, LOT 1-3 with the amendment of the two trees, springler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot. Mr. McCreight seconded. All in favor none opposed.

7. Discuss and take action on — Isaac & Norma Torres, owner – Requesting approval for the final plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

This item on the agenda is the same as item number six.

Mr. McCreight made a motion to approve the final plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE BLOCK 2, LOT 1-3 with the amendment of the two trees,

sprinkler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot Mr. Alvarez seconded. All in favor none opposed.

8. Report From Director of Planning and Development Services

There is no report presented from Mr. Ginter at this time.

9. Adjourn

Meeting adjourned at 6:50 p.m.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Special Public Hearing Wednesday, April 8, 2015 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Isaac & Norma Torres, owner – On the adoption of a Conceptional Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.

Isaac & Norma Torres, owner – Requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott rezoned from (R2) Two Family District 2 to (RP2) Planned Two Family Residential District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the item on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, April 13, 2015 at 6:00 p.m. wherein the City Commission will discuss the following item and at which time all interested persons will be heard:

Isaac & Norma Torres, owner – On the adoption of a Conceptional Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.

Isaac & Norma Torres, owner – Requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott rezoned from (R2) Two Family District 2 to (RP2) Planned Two Family Residential District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8003.

CONSENT AGENDA

AGENDA ITEM #1

Mary Valenzuela

From: Dick Messbarger <edc@kingsville.org>
Sent: Thursday, April 02, 2015 4:27 PM
To: Mary Valenzuela
Subject: DC Trip

Mayor Sam Fugate and EDC Director Dick Messbarger have a series of meetings scheduled for Monday and Tuesday, April 13-14.

* Meetings in the Pentagon include:

RADM Mike Manazir, Director of Navy Air Programs (OPNAV98)
Navy Assistant Secretary for Installations Denny McGinn
ADM Michelle Howard, Vice Chief of Naval Operations
Navy Assistant Secretary Juan Garcia (currently being vetted and going through hearings for appointment as Assistant Secretary of Defense)

**Meetings on Capitol Hill include:

Dave Hanke, Military Legislative Assistant to Sen. Cornyn
Matt Sterling, Military Legislative Assistant to Sen. Cruz
Perry Broady, Congressman Vela's chief of staff

Primary talking points include:

Maintaining all depot work on the T-45 at NAS Kingsville is critical issue. There is an effort by some defense contractors to take some of the work currently and planned here on the T-45 that include installation of the Virtual Mission Training System (synthetic radar in the backseat), Inlet Mod (addresses engine surge on T-45), Service Life Extension Analysis and Service Life Extension Program (major modification to the T-45 airframe and avionics that will keep the plane flying until 2035). Each of those projects represent jobs at L-3 and Rolls-Royce, and need to be protected.

There are also issues dealing with budget cuts and downsizing of pilot training for all services. With the reduced PTR, a competitive base like NAS Meridian is getting closer to handling the entire jet pilot production for the Navy and Marine Corps. It is critical that Navy leadership understand the unique training opportunities in South Texas. There are a number of new personnel in Pentagon leadership positions that need the NAS Kingsville brief.

Dick Messbarger
Executive Director
Greater Kingsville EDC
Phone: 361-592-6438
Fax: 361-592-0866
www.kingsvilleedc.org

REGULAR AGENDA

AGENDA ITEM #2



Parks & Recreation

P. O. Box 1458
Kingsville, Texas 78364
361-595-8591
361-595-8596 (fax)
sivy@cityofkingsville.com

**To: Courtney Alvarez, Interim City Manager,
Mayor and City Commissioners**

From: Susan Ivy, Parks Manager

Re: Item for Consideration – Additional funding for Corral Park

Date: April 13, 2015

A presentation was recently made to and approved by the City Commission at the March 23rd City Commission meeting regarding proposed improvements to Corral Park by the City and the University Pharmacy School PATH Project. The presentation included a funding request to the City in the amount of \$10,000.00 for which approval was granted. During the presentation, there was discussion about adding a pet watering station to the water fountain that is to be placed in the park. I responded that we were re-allocating some of the funding for signage and landscaping and that we could apply those funds toward adding the pet watering station.

I have attached for your consideration a revised budget with two options. Both options include reductions to bench costs, signage and landscaping. One option includes the addition of a pet watering station to the water fountain which increases the budget to \$18,884.37. The second option includes the addition of a pet watering station and an arm that provides a water fountain for handicap accessibility which would increase the budget to \$19,525.72.

I am requesting that you approve an additional City contribution of \$2,000.00 which increases the total City contribution to \$12,000.00 in cash and approve the installation of the water fountain with accessibility for standing, doggie and handicap service. Also, \$474.28 would also be added to assist with materials to install the water line for fountain and in ground water faucet.

Your kind consideration of this request is appreciated.

Susan Ivy

Corral Park Improvement Project

		w/dog water	w/dog/handicap
Proposed Project Funds			
Walmart Grant - must include work on	\$2,500.00		
TAMSNPhA	\$1,000.00		
College of Pharmacy - must use for Health	\$1,000.00		
Keep Kingsville Beautiful	\$1,500.00		
City of Kingsville	\$10,000.00		
Additional Donations & Park Budget	\$2,000.00		
Total Project Funds	\$18,000.00		
Project Proposed Expenditures			
* Opening Day and Health Fair in May	\$1,000.00	\$1,000.00	\$1,000.00
* Exercise Equipment			
Pommel Horse	\$881.00		
Two Sided Ro	\$691.00		
Sit Up Board	\$771.00		
Push Up Stand	\$544.00		
Balance Beam	\$599.00		
Horizontal Lat	\$1,290.00		
Dual Exercise	\$696.00		
Signage	\$1,344.00		
Shipping	\$923.00		
Total Exercise Equipment total	\$7,739.00	\$7,739.00	\$7,739.00
* Concrete for installation of exercise equipment	\$200.00	\$200.00	\$200.00
Signage.			
* Picnic Tables X 3 Park Place	\$3,363.00	\$3,363.00	\$3,363.00
3 bbq grills			
* Benches Global Ind. X 2 Incl ship	\$729.22	\$509.90	\$509.90
* Water Fountain metal pedestal		w/doggie	w/dog/handicap
\$1625.00 plus 166.85 shipping	\$1,791.85	\$3,065.65	\$3,707.00
* Doggie Cleanup Station	\$225.00	\$250.00	\$250.00
shipping		\$443.32	\$443.32
	\$2,746.07	\$4,249.77	\$4,891.12
* Concrete materials for framing			
Done by Park Carpenter & staff			
Concrete 1-1/2 yard at \$90 12 x 12 x 4"			
\$135.00 x 3 = 405.00			
Framing materials wire & 2/4	\$605.00	\$605.00	\$605.00
* Water line materials	Charlie?		\$474.28
* Round up for Trail - Initial Application plus	\$500.00	\$500.00	\$500.00
* Signage 1 aluminum double sided 4x1	\$519.33	\$200.00	\$200.00
1 sign with PATH Project info	\$250.00	\$250.00	\$250.00
* Landscaping with sign	\$500.00	\$200.00	\$200.00
* Contingency			
	\$577.60	\$577.60	\$577.60
Total Project Budget for Expenditures	\$18,000.00	\$18,884.37	\$20,000.00



2505 MILL CENTER PARKWAY SUITE 100
BUFORD, GA 30518

Sales Quote

Account #: 40103	Quote #: 3036535	Quote Issued: 03/26/2015
CITY OF KINGSVILLE	sivy@cityofkingsville.com	*Quote Expires 30 Days from Issue
SUSAN IVY	Phone: (361) 595-8591	
501 EAST ESCONDIDO RD	Fax: (361) 595-8042	
KINGSVILLE, Texas 78363		

Part#	Description	Quantity	Price	Extended
240126	6'L Park Bench With Backrest - Green	2	\$254.95	\$509.90
M1410224	Dog Waste Station Sign - Leash and Curb †	1	\$15.95	\$15.95
M1424300	Pet Waste Station Sign - Arch Symbol Dog Waste Station Sign -Black †	1	\$15.95	\$15.95
M1344854	Sentry Station Roll Bag System- Black †	1	\$199.00	\$199.00
SPECIAL	OUTDOOR FOUNTAIN, PET BUBBLER, ADA BUBBLER (ON ARM) AND STANDARD BUBBLER ON PEDESTAL. * Please Note: This Item Is Not Returnable.	1	\$3,707.00	\$3,707.00
Item Total:				\$4,447.80
Freight:				\$443.32
PLEASE BE SURE TO REVIEW OUR TERMS AND CONDITIONS			*Total:	\$4,891.12

Notes INCLUDES LIFTGATE ON DELIVERY	Thank you for the opportunity to help with your needs. To place your order or for further assistance please contact me. Name: DANIEL HIMELICK Email: DHIMELICK@GLOBALINDUSTRIAL.COM Phone: (678) 969-6676 Fax: (678) 969-6834
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*Applicable taxes and shipping charges will be added to invoice. Global's standard terms and conditions apply. Please see our website www.globalindustrial.com for details. † Sold in the Global Industrial Marketplace



2505 MILL CENTER PARKWAY SUITE 100
BUFORD, GA 30518

Sales Quote

Account #: 40103	Quote #: 3036393	Quote Issued: 03/26/2015
CITY OF KINGSVILLE	sivy@cityofkingsville.com	*Quote Expires 30 Days from Issue
SUSAN IVY	Phone: (361) 595-8591	
501 EAST ESCONDIDO RD	Fax: (361) 595-8042	
KINGSVILLE, Texas 78363		

Part#	Description	Quantity	Price	Extended
240126	6'L Park Bench With Backrest - Green	2	\$254.95	\$509.90
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Walking Jogging Biking Baseball Softball Soccer Picnicking Birding Rodeo Festivals

CITY OF KINGSVILLE

TO: COURTNEY ALVAREZ, INTERIM CITY MANAGER
FROM: DEBORAH BALLI, FINANCE DIRECTOR
DATE: 03/24/2015
SUBJECT: Re-Allocation of 6th Street Tree Project

This budget amendment is a request to transfer \$27,800 from the Fund 091 General Fund Capital Projects Planning Department budget to the Fund 091 Parks Department budget. In the FY14-15 budget, \$88,500 was originally allocated to the Planning Department for the 6th Street Tree Planting Project. At the March 23, 2015 City Commission meeting, the Planning Department and Parks Department suggested a portion of these funds be re-allocated to the Parks Department in the amount of \$25,800. Of this amount, \$10,000 is to be used for Corral Park Improvements and \$15,800 is to be used for JK Northway/Parks Improvements.

At the March 23rd meeting, it was discussed to possibly upgrade the water drinking fountain to a dual fountain that would serve both humans and animals. The Parks & Recreation Manager advises that an additional \$2,000 is needed to upgrade to this type of fountain. If the Commission allows, the revised reallocation recommended would be \$27,800.

This budget amendment, given your approval, would be on the Commission Meeting agenda April 13th for first reading.

AGENDA ITEM #3



Parks & Recreation

P. O. Box 1458
Kingsville, Texas 78364
361-595-8591
361-595-8596 (fax)
sivy@cityofkingsville.com

**To: Courtney Alvarez, Interim City Manager, Mary Valenzuela,
City Secretary
Mayor and City Commissioners**

From: Susan Ivy, Parks Manager

Re: Item for Consideration – Request to Brookshire Foundation

Date: April 13, 2015

The Brookshire Foundation was formed by the Estate of B.C. and Addie Brookshire to provide and assist with Youth Recreation and Enrichment for the communities of Kingsville and Kleberg County.

Over the years, when Kleberg County managed the Parks, they received thousands of dollars in contribution for the construction, improvement and organization of youth and family oriented facilities and programming. The Brookshire Pool was constructed and is maintained with large sums of money from the Foundation.

I have made requests to the Brookshire Foundation each year for some 20 years for assistance with getting the Pool up for the summer with improvements, supplies and swim league assistance. They have also provided assistance with other summer programming such as our Summer Track program, Cinema Summer Outdoor Movie Series, and our Summer Recreation Program.

Our Summer Swim Team is coached by one of our Lifeguards each year and is a program that we took over when KISD eliminated the program. It is a growing program and we have had kids compete at the State level each year. It is funded by entry fees, donations, and minimal Park Budget funds.

Our Summer Track Program is coached by Reili Cantu and staff from TAMUK Athletics. We have been offering this program for about 20 years and it is really growing now that the University is involved. Participants advance to State Competition in this program as well. It is funded by entry fees, donations, and minimal Park Budget funds.

In both of these programs, we limit our involvement with the kids to a certain level depending on funding and advise parents that if the kids advance to higher levels of competition, then they must pay for the expense of that; and, if individual coaching is desired that has to be hired privately. The teams do at times assist with fundraising to help send the kids to competition.

I have provided my request to the Brookshire Foundation for your review and ask that you authorize the submittal and support the projects and programs it will fund.

Your kind consideration of my request is appreciated.

**Susan Ivy
Parks Manager**

Walking Jogging Biking Baseball Softball Soccer Picnicking Birding Rodeo Festivals



Parks & Recreation

P. O. Box 1458
Kingsville, Texas 78364
361-595-8591
361-595-8596 (fax)
sivy@cityofkingsville.com

March 25, 2015

**Brookshire Foundation
c/o Sylvia Woelfel
Kingsville, Texas 78363**

As many of you know, the Kleberg County Parks Department has been split into two entities. Kleberg County Parks now consist of only the rural parks outside of the City Limits of Kingsville. All of the park properties within the city limits and including the L.E. Ramey Park (including the golf course and the now defunct Skeet Range) are now under the operation of the City of Kingsville. Kleberg County still contributes to the funding of the Parks Department through an inter-local agreement with the City of Kingsville.

The operation of the Parks Department remains pretty much the same as far as programming at this time. We will be looking to expand our programming through the next few years.

We are asking for assistance with funding for the Brookshire Pool in the Amount of \$27,110.00 and for \$3000.00 for the Summer Track and Summer Swim Team programs making our total request for your consideration at \$30,110.00.

Our concentration for this year has been the improvement of the Brookshire Pool. City and County entities agreed to place \$50,000.00 in the Park Budget for Capital Improvements. We have committed those funds first to the Brookshire Pool. Bids were taken and a bid was awarded to Gonzalez Steel to replace the roof on the pool building and chemical building with a new metal roof that will match the roof on Harvey School. The cost of this project is \$34,577.00 plus an additional \$2700.00 to add on covering the restroom part of the building and another \$1000.00 for additional woodwork needing to be replaced on the framing. I am currently waiting on electrical estimates to replace the fluorescent lighting that had to be removed to replace the roofing. Once the roofing job is complete we will begin work on draining and cleaning the pool to prepare for the summer. We would like to demolish the old awnings and replace them with new shade structures that are pictured in one of the attachments we have provided. We also need to add new chairs and tables around the deck and some non-slip matting in the restroom area.

In the budget proposal for next year we will address replacing the tiles around the edge of the pool along with any structural work that needs to be addressed. Once the pool has been drained in the next couple of weeks we will make that assessment but will not have time or funds to do major repairs this year.

We are asking for assistance in the amount of \$27,110.00 for the following:

purchase and installation of 4 new shade structures	\$20,610.00 quote x 2
Poolside picnic tables and chairs	3,000.00
Rubberized pool paint	<u>3,500.00</u>
Total request for Brookshire Pool	\$27,110.00

We will also be continuing our Summer Swim Team and Summer Track Program. Both of these programs have been very successful thanks to your contribution over the years. Each year we have had kids advance to State Competitions in various events in their sport. Summer Track last year had over 80 participants while Swim Team is growing into the 30-40 participants. Team shirts and gear and registration fees get expensive as the numbers grow.

We are asking your assistance for these programs as follows:

Swim Team registration with Texas Amateur Athletic Fed	- \$400.00
Tshirts, goggles, caps	600.00
Swim Coach travel expenses to meets	<u>\$500.00</u>
	\$1500.00

Summer Track registration with TAAF or AAU	- \$1000.00
Tshirts	<u>500.00</u>
	\$1500.00

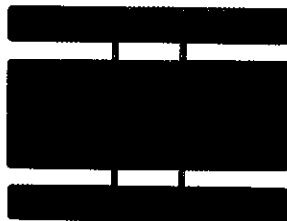
We will be hosting our Annual Cinema Summer series but will be soliciting sponsors for those events from the community.

I must express my sincere gratitude to the Brookshire Foundation Board of Directors for your constant dedication and contribution to the enrichment of youth programs and facilities in our community and County and for making my job just a little easier each year.

Sincerely,

**Susan Ivy,
City of Kingsville
Parks Manager**

Return to Category List Home Outdoor & Grounds Maintenance Benches & Picnic Tables Picnic Tables - Plastic/Recycled Plastic Plastic/Recycled



Click Image to enlarge

prev See all 56 items in product family next

Lifetime® Fold-Away Picnic Table 72" x 30" - Green

Item #: WC506396GN

Sold By: globalindustrial.com

Email Print

Usually ships in 7-10 days

2 reviews Write a review

List Price: ~~\$259.99~~ Save up to 27%

Qty	Price
1-2	\$204.95 ea.
3+	\$189.95 ea.

Calculate Shipping

Quantity:

ADD TO CART

Add to list

Customers Who Viewed This Also Viewed

- Lifetime® 44" Round Picnic Table
- Lifetime® 44" Round Picnic Table
- Lifetime® 44" Round Picnic Table

Frequently Purchased Together

- | | | |
|--|--|--|
| Standard In-Ground Black Enamel Grill
Not Yet Rated | Lifetime® 44" Round Picnic Table
(11) | 6' Aluminum Park Bench Without Back, Portable
Not Yet Rated |
| Add \$140.95 | Add \$188.95 | Add \$123.95 |





Park Place Recreation
Designs, Inc.

OFFICE
P.O. Box 18186
San Antonio, TX 78218

PHONE
800-626-0238
210-821-5878

FAX
210-832-0115

EMAIL
fun@miracleparkplace.com

WEB
www.miracleparkplace.com
www.the-art-of-play.com

Approved BuyBoard Vendor
Contract #423-13:
Park Place Recreation Designs



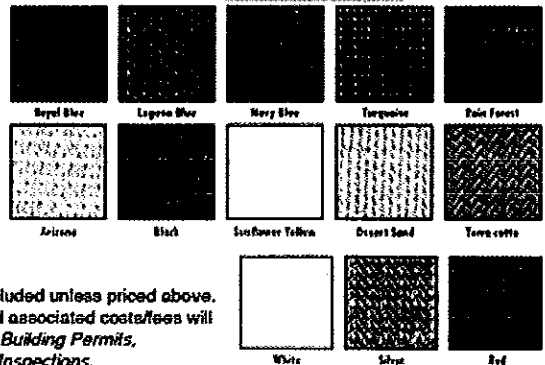
Date: 2015-01-14

Customer: Kleberg County

Parks and Recreation

Project: Brookshire Pool
Shade Structure Proposal

ITEM DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
14x22 Two Post Hip Shade Structure - Roofline = 14' x 22' installed on 2 columns	2	\$ 2,761.00	\$ 5,522.00
BuyBoard Discount (Contract #423-13)			(277.00)
Installation			4,100.00
Freight			960.00
		Subtotal	\$ 10,305.00
		Tax 0%	\$ 0.00
		GRAND TOTAL	\$ 10,305.00



*Pricing is for materials/delivery only. Installation is not included unless priced above.

*If not priced above and if required, the following items and associated costs/fees will be the responsibility of the customer: *Sealed Drawings, Building Permits, Payment/Performance Bonds, TDLR Registration/Review/Inspections.*

*Prices are valid for 30 days after which they are subject to change. Any work not specifically mentioned in this proposal as being included shall be considered excluded. The customer will be responsible for any taxes owed.

Authorized By: _____
Printed Name Signature Date

AGENDA ITEM #4



Parks & Recreation

P. O. Box 1458
Kingsville, Texas 78364
361-595-8591
361-595-8596 (fax)
sivy@cityofkingsville.com

**To: Courtney Alvarez, Interim City Manager, Deborah Balli, Finance Director
Mayor and City Commissioners**

From: Susan Ivy, Parks Manager

Re: Item for Consideration – City Adult Softball League

Date: April 13, 2015

For many years the Parks & Recreation Department has sponsored the Adult Softball League. With the exception of the regular maintenance of the fields, the league generates enough revenue to pay the league manager, scorekeepers, umpires, insurance, supplies and the awards for each session with some funds remaining to assist with the electrical usage at the fields. I cannot say that the fees covered all of the electrical cost of operating the Adult Softball Complex due to demand charges initiated by energy companies and programs rarely cover cost of maintenance of facilities. Concession revenue is minimal at this time due to the number of families and players that BBQ behind the outfield and bring their own refreshments. We are researching options that we can put in place to bring in increased revenue for this Program.

In the past, entry fees have been \$325 per team with a 10 game schedule. There has been an average number of teams of 14 which would generate revenues of \$4,550 ($\325×14) per season. There would be 70 games ($14 \text{ teams} / 2 \times 10$). Expenditures per game are \$33 which breaks down to \$5 manager, \$8 scorekeeper, \$20 umpires for a total expenditures of \$2,310 ($70 \text{ games} \times \33). The difference of \$2,240.00 (revenues \$4,550 less expenditures \$2,310) is used to offset the cost for insurance, supplies and awards.

The league is one of a very few recreational sports programs offered to Adults in our community and I feel it is important to continue the program. It is probably necessary to make some changes to the operation of the league in order for it to be more self-sustaining and we are examining our options to assist with that goal.

I hope this discussion will be a positive step toward implementing a new Kingsville Adult Softball League for our community.

AGENDA ITEM #5

ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 FUND 091-GENERAL FUND CAPITAL PROJECTS BUDGET TO TRANSFER FUNDS FROM 6TH STREET TREE PROJECT TO PARKS DEPARTMENT FOR PARK IMPROVEMENTS.

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 2014-2015 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 091 General Fund Capital Projects

Expenses

5-1601 Planning Dept.	Grounds & Perm Fixtures	59100			\$27,800
5-4503 Parks Dept.	Grounds & Perm Fixtures	59100	\$27,800		
			<u>\$27,800</u>		<u>\$27,800</u>

[To amend the FY15 General Fund Capital Projects budget to transfer \$27,800 from the 6th Street Tree Project to the Parks Department for Corral Park Improvements and JK Northway/Parks Improvements as per attached memo from Finance Director.]

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 13th day of April, 2015.

PASSED AND APPROVED on this the ___ day of _____, 2015.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE

TO: COURTNEY ALVAREZ, INTERIM CITY MANAGER
FROM: DEBORAH BALLI, FINANCE DIRECTOR
DATE: 03/24/2015
SUBJECT: Re-Allocation of 6th Street Tree Project

This budget amendment is a request to transfer \$27,800 from the Fund 091 General Fund Capital Projects Planning Department budget to the Fund 091 Parks Department budget. In the FY14-15 budget, \$88,500 was originally allocated to the Planning Department for the 6th Street Tree Planting Project. At the March 23, 2015 City Commission meeting, the Planning Department and Parks Department suggested a portion of these funds be re-allocated to the Parks Department in the amount of \$25,800. Of this amount, \$10,000 is to be used for Corral Park Improvements and \$15,800 is to be used for JK Northway/Parks Improvements.

At the March 23rd meeting, it was discussed to possibly upgrade the water drinking fountain to a dual fountain that would serve both humans and animals. The Parks & Recreation Manager advises that an additional \$2,000 is needed to upgrade to this type of fountain. If the Commission allows, the revised reallocation recommended would be \$27,800.

This budget amendment, given your approval, would be on the Commission Meeting agenda April 13th for first reading.



Parks & Recreation

P. O. Box 1458
Kingsville, Texas 78364
361-595-8591
361-595-8596 (fax)
sivy@cityofkingsville.com

**To: Courtney Alvarez, Interim City Manager,
Mayor and City Commissioners**

From: Susan Ivy, Parks Manager

Re: Item for Consideration – Additional funding for Corral Park

Date: April 13, 2015

A presentation was recently made to and approved by the City Commission at the March 23rd City Commission meeting regarding proposed improvements to Corral Park by the City and the University Pharmacy School PATH Project. The presentation included a funding request to the City in the amount of \$10,000.00 for which approval was granted. During the presentation, there was discussion about adding a pet watering station to the water fountain that is to be placed in the park. I responded that we were re-allocating some of the funding for signage and landscaping and that we could apply those funds toward adding the pet watering station.

I have attached for your consideration a revised budget with two options. Both options include reductions to bench costs, signage and landscaping. One option includes the addition of a pet watering station to the water fountain which increases the budget to \$18,884.37. The second option includes the addition of a pet watering station and an arm that provides a water fountain for handicap accessibility which would increase the budget to \$19,525.72.

I am requesting that you approve an additional City contribution of \$2,000.00 which increases the total City contribution to \$12,000.00 in cash and approve the installation of the water fountain with accessibility for standing, doggie and handicap service. Also, \$474.28 would also be added to assist with materials to install the water line for fountain and in ground water faucet.

Your kind consideration of this request is appreciated.

Susan Ivy

Corral Park Improvement Project

		w/dog water	w/dog/handicap
Proposed Project Funds			
Walmart Grant – must include work on	\$2,500.00		
TAMSNPHA	\$1,000.00		
College of Pharmacy – must use for Health	\$1,000.00		
Keep Kingsville Beautiful	\$1,500.00		
City of Kingsville	\$10,000.00		
Additional Donations & Park Budget	\$2,000.00		
Total Project Funds	\$18,000.00		
Project Proposed Expenditures			
* Opening Day and Health Fair in May	\$1,000.00	\$1,000.00	\$1,000.00
* Exercise Equipment			
Pommel Horse	\$881.00		
Two Sided Ro	\$691.00		
Sit Up Board	\$771.00		
Push Up Stand	\$544.00		
Balance Beam	\$599.00		
Horizontal Lat	\$1,290.00		
Dual Exercise	\$686.00		
Signage	\$1,344.00		
Shipping	\$923.00		
Total Exercise Equipment total	\$7,739.00	\$7,739.00	\$7,739.00
* Concrete for installation of exercise equipment	\$200.00	\$200.00	\$200.00
* Signage.			
* Picnic Tables X 3 Park Place	\$3,363.00	\$3,363.00	\$3,363.00
3 bbq grills			
* Benches Global Ind. X 2 Incl ship	\$729.22	\$509.90	\$509.90
* Water Fountain metal pedestal		w/doggie	w/dog/handicap
\$1625.00 plus 166.85 shipping	\$1,791.85	\$3,065.65	\$3,707.00
* Doggie Cleanup Station	\$225.00	\$250.00	\$250.00
shipping		\$443.32	\$443.32
	\$2,746.07	\$4,249.77	\$4,891.12
* Concrete materials for framing			
Done by Park Carpenter & staff			
Concrete 1-1/2 yard at \$90 12 x 12 x 4"			
\$135.00 x 3 = 405.00			
Framing materials wire & 2/4	\$605.00	\$605.00	\$605.00
* Water line materials	Charlie?		\$474.28
* Round up for Trail - Initial Application plus	\$500.00	\$500.00	\$500.00
* Signage 1 aluminum double sided 4x8	\$519.33	\$200.00	\$200.00
1 sign with PATH Project info	\$250.00	\$250.00	\$250.00
* Landscaping with sign	\$500.00	\$200.00	\$200.00
* Contingency			
	\$577.60	\$577.60	\$577.60
Total Project Budget for Expenditures	\$18,000.00	\$18,884.37	\$20,000.00



2505 MILL CENTER PARKWAY SUITE 100
BUFORD, GA 30518

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SPECIAL	OUTDOOR FOUNTAIN, PET BUBBLER, ADA BUBBLER (ON ARM) AND STANDARD BUBBLER ON PEDESTAL. * Please Note: This Item Is Not Returnable.	1	\$3,707.00	\$3,707.00
Item Total:				\$4,447.80
Freight:				\$443.32
PLEASE BE SURE TO REVIEW OUR TERMS AND CONDITIONS			*Total:	\$4,891.12

Notes

INCLUDES LIFTGATE ON DELIVERY

Thank you for the opportunity to help with your needs.
To place your order or for further assistance please contact me.

Name: DANIEL HIMELICK

Email: DHIMELICK@GLOBALINDUSTRIAL.COM

Phone: (678) 969-6676

Fax: (678) 969-6834

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2505 MILL CENTER PARKWAY SUITE 100
BUFORD, GA 30518

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KINGSVILLE, Texas 78363		

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Item Total:				\$3,806.45
Freight:				\$443.32
PLEASE BE SURE TO REVIEW OUR TERMS AND CONDITIONS			*Total:	\$4,249.77

Notes

Includes Liftgate on Delivery

Thank you for the opportunity to help with your needs.
To place your order or for further assistance please
contact me.

Name:DANIEL HIMELICK

Email:DHIMELICK@GLOBALINDUSTRIAL.COM

Phone:(678) 969-6676

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Walking Jogging Biking Baseball Softball Soccer Picnicking Birding Rodeo Festivals

AGENDA ITEM #6

ORDINANCE NO. 2015-_____

**AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 FUND 051-UTILITY FUND
FUND BALANCE FOR SOUTH WASTE WATER TREATMENT PLANT REPAIRS.**

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 2014-2015 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

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

Fund 051 Utility Fund

Capital

2		Unreserved Fund Balance	61002		\$27,500
					<u>\$27,500</u>

Expenses

5-7002 WW South Plant	Utility Plant	54300	\$27,500	
			<u>\$27,500</u>	

[To amend the FY15 Utility Fund budget for repairs to the South Waste Water Treatment Plant to rehab the blower as per attached memo provided by the City Engineering/Public Works Director.]

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 13th day of April, 2015.

PASSED AND APPROVED on this the __ day of _____, 2015.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Public Works Department

361-595-8007
361-595-8035 Fax

DATE: April 1, 2015
TO: City Commission through City Manager
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer
SUBJECT: Budget Amendment for South Wastewater Blower Rehab

This item authorizes a budget amendment to the FY15 Utility Fund (Fund 051) for unexpected maintenance this fiscal year for the Turblex blower at the South Treatment plant. Currently, the plant is operating on the backup blower. Turblex is the main blower that was installed in 2006. It is in need of Class II maintenance rehab. The blower is being shut down by the computer due to high amperage signals. Preventive maintenance of this blower has been done on schedule; however, due to the high number of hours and the high amperage readings the Terblex technicians have recommended a Class II maintenance be done which involves a total rehab of all bearing and seals for the motor and blower. The price for the Class II maintenance rehab is in the amount of \$27,436.00. It is proposed that these funds would come from the Utility Fund's fund balance.

AGENDA ITEM #7

ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 FUND 091-GENERAL FUND CAPITAL PROJECTS BUDGET TO TRANSFER FOUR CAPITAL PROJECTS BACK TO GENERAL FUND.

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 2014-2015 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		Unreserved Fund Balance	61002	\$266,920	
<u>Revenues</u>					
4-0000		Transfer from Fund 091	75091	<u>\$266,920</u>	
Fund 091 General Fund Capital Projects					
<u>Expenses</u>					
5-0000		Transfer Out to Fund 001	39401	\$266,920	
5-2200	Fire Dept.	Equipment/Machinery	71200		\$182,920
5-2200	Fire Dept.	Building	71200		\$49,000
5-2200	Fire Dept.	Computers & Equipment	72600		\$35,000
				<u>\$266,920</u>	<u>\$266,920</u>

[To amend the FY15 General Fund Capital Projects budget to transfer four Capital Projects back to General Fund to increase the fund balance as per the Fund Balance Policy passed and approved on September 26, 2011 and as per attached memo from the Director of Finance.]

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

CITY OF KINGSVILLE

TO: COURTNEY ALVAREZ, INTERIM CITY MANAGER
FROM: DEBORAH BALLI, FINANCE DIRECTOR
DATE: 03/24/2015
SUBJECT: Transfer of Four Capital Projects Back to General Fund

The City of Kingsville has a Fund Balance Policy that states the City will maintain a minimum unassigned fund balance in its General Fund of 25% of the subsequent year's budgeted expenditures and outgoing transfers. This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.

To verify the ending fund balance for General Fund 001, budgeted expenditures and transfers out for FY 14-15 were used:

- Budgeted Expenditures and Transfers Out for FY 14-15 were \$18,669,357 x 25% = required minimum of \$4,667,339
- Based on what we know today, the ending fund balance of \$4,699,357 for FY 14-15 has a surplus reserve of \$32,018.

Currently there have been budget amendments of \$28,265 which essentially wipes out the surplus reserve of \$32,018. This budget amendment is to take capital projects not yet started and delay them in an effort to build up the excess reserve in the General Fund fund balance.

Four Fire Department capital projects that have not been expended as of yet include:

Apparatus Intercoms	\$25,000
Radio/Comm Upgrades	\$157,920
Fire Station I Improvements	\$49,000
Computer Aided Dispatch	\$35,000
Total	<u>\$266,920</u>

A transfer of \$266,920 from the Fund 091 General Fund Capital Projects back to General Fund Fund Balance will ensure minimum fund balance requirements are met.

This budget amendment, given your approval, would be on the April 13th Commission Meeting agenda for first reading.

AGENDA ITEM #8

To: Courtney Alvarez, Interim City Manager

From: Tom Ginter, Director of Planning and Development Services

Date: April 9, 2015

Subject: Planning and Zoning Agenda Items for April 8, 2015

Item #1: Requesting the rezone of 1.44 acres (Torres Estates) from R2 Two Family District to RP2 Planned Two Family Residential District. **This item was recommended for Approval by a 5 to 0 vote.**

Item #2: Discussion and Consider Adopting the Conceptual Development Plan for Torres Estates Development for 1.44 acres. **This item was recommended for Approval by a 5 to 0 vote.**

Item#3: Discussion and Consider Action pertaining to the submittal of a preliminary subdivision plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

Item#4: Discussion and Consider Action pertaining to the submittal of the final plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Conceptual Development Plan – Torres Estate

1. Planned Unit Development

In April of 2014 the Planned Unit Development (PUD) was amended to have a planned district for each zoning district. The purpose of the equivalent district provides for and encourages latitude and flexibility in the location of buildings, structures which would be approved by local officials. Variations and departures from normal requirements may be permitted.

2. History of Torres Estates Development

This particular project I believe started in the summer of 2014. When I came on board in October 2014 the project was presented as an R1 project. This project doesn't meet the lot size minimum so it was submitted as an R2 development. This is reflected in the January minutes which are in the packet. The memo dated March 13, 2014 brings the project up to this point. As a part of the RP2 zoning a Conceptual Development Plan is required to be submitted.

3. Torres Estates

As has previously been discussed this project is an infill development that would have a positive impact for the community and that neighborhood. As noted in the site plan and other minutes the developer Mark Dizdar has agreed to the following:

- A. Build an 18 foot wide driveway which will have room for 2 cars for each house
- B. Plant 2 trees in the front yard of the property of each lot where a home is being built
- C. Install a sprinkler system on each lot where a home is going to be built
- D. Build a 6 foot sidewalk on the perimeter of the property
- E. Build a fence on the frontage of the property

In return Mr. Dizdar will not be building garages with these homes.

Staff recommendation:

Approve the Conceptual Development Plan for the following reasons:

- A. This development takes advantage of the utilities that are already in place
- B. It is an housing option that is believed to be affordable for a significant number of the population

- C. It redevelops property that at one time a mobile home park which is not conducive for the neighborhood, while this project is compatible with the surrounding uses
- D. This development could initiate development to the south

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Special Public Hearing Wednesday, April 8, 2015 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Isaac & Norma Torres, owner – On the adoption of a Conceptional Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.

Isaac & Norma Torres, owner – Requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott rezoned from (R2) Two Family District 2 to (RP2) Planned Two Family Residential District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the item on the agenda, please contact the Planning Department at (361) 595-8055.

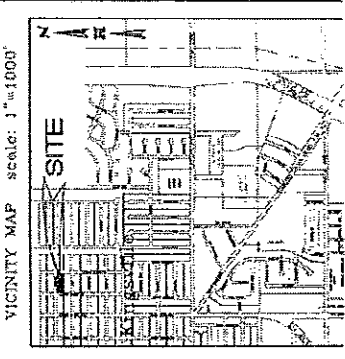
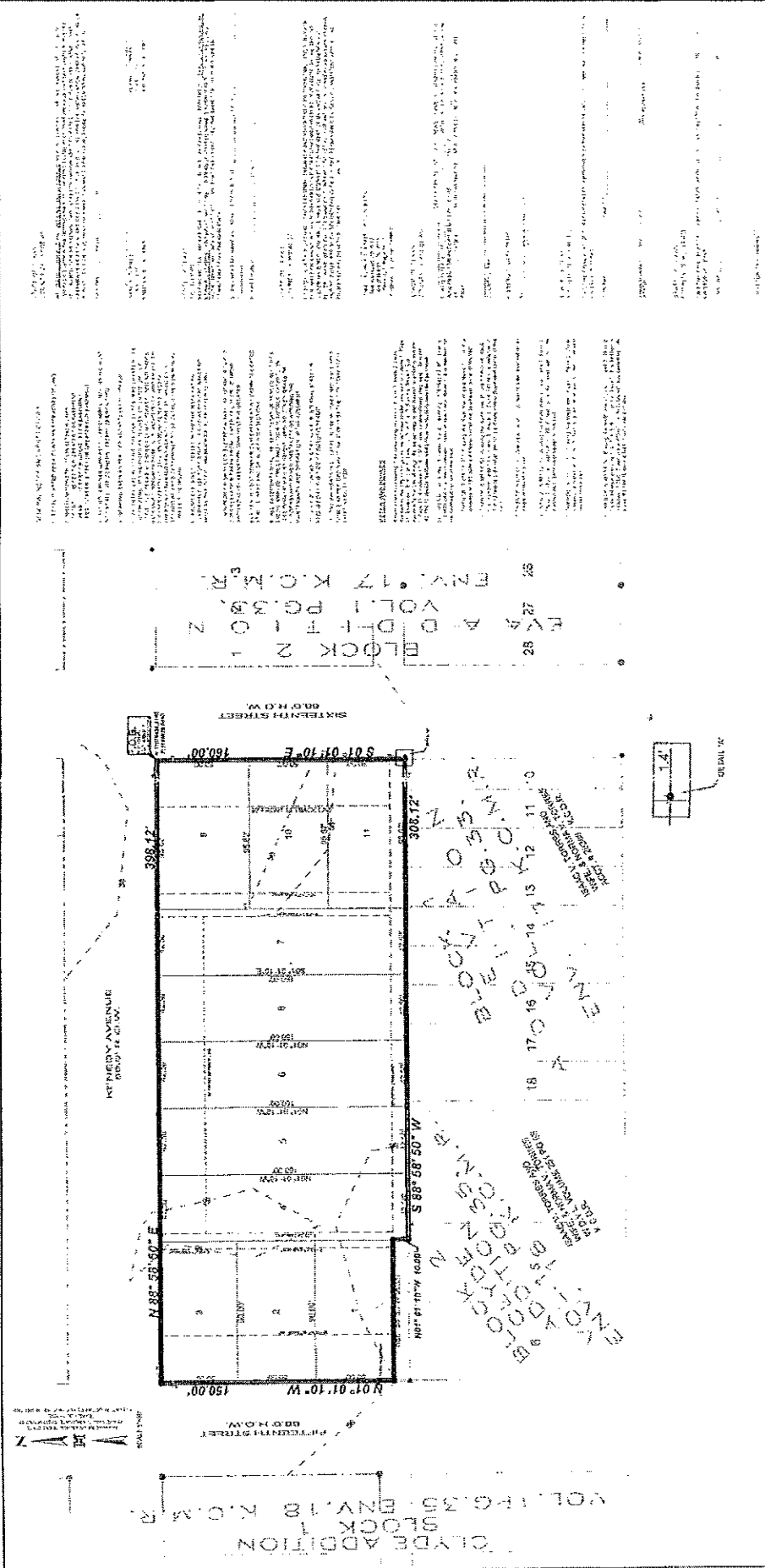
PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, April 13, 2015 at 6:00 p.m. wherein the City Commission will discuss the following item and at which time all interested persons will be heard:

Isaac & Norma Torres, owner – On the adoption of a Conceptional Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.

Isaac & Norma Torres, owner – Requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott rezoned from (R2) Two Family District 2 to (RP2) Planned Two Family Residential District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8003.



VICINITY MAP SCALE: 1"=1000'

SITE

FLOOR PLANS

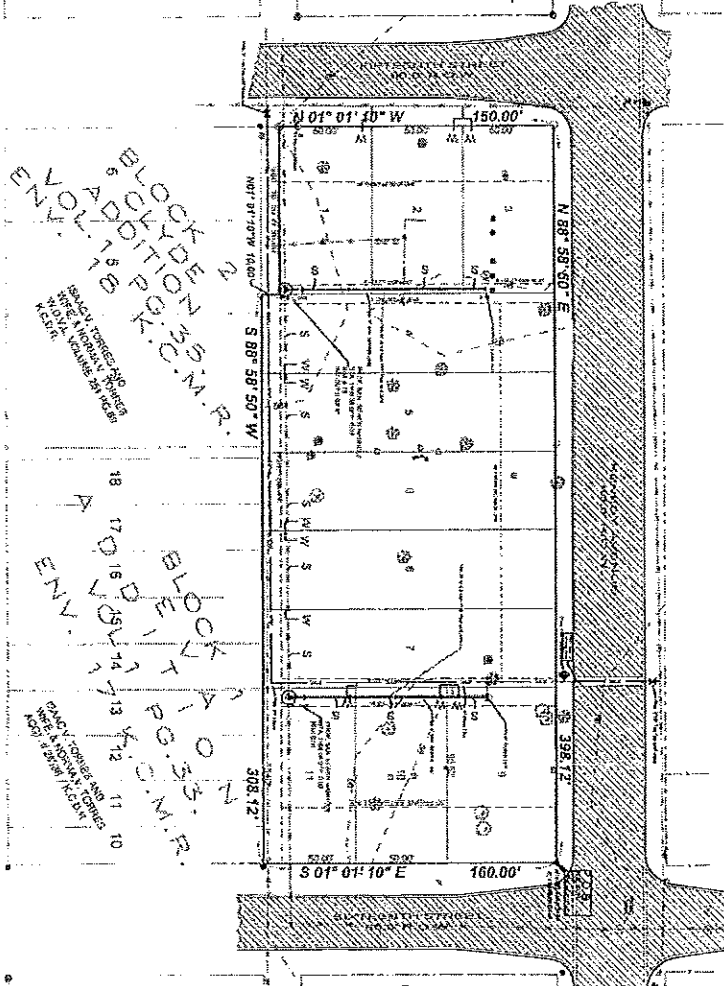
FOR THE PROPOSED 20
AND 21-UNIT APARTMENT BUILDING
AND 22-UNIT APARTMENT BUILDING
LOCATED IN BLOCK 1, CLYDE ADDITION
KLEBERG COUNTY, TEXAS

FINAL PLAT OF
TORRESESTATES

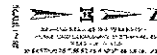
BEING A SUBDIVISION OF 1.44 ACRES SITUATED IN THE CITY OF KINGSVILLE,
KLEBERG COUNTY, TEXAS, OUT OF LOTS 1, 2, AND 3, BLOCK 2 CLYDE ADDITION TO THE
CITY OF KINGSVILLE VOLUME 1, PAGE 35, ENVELOPE 18, K.C.M.R.
AND
ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9, BLOCK 1 ENVELOPE 17, K.C.M.R.
VOLUME 1, PAGE 33, ENVELOPE 17, K.C.M.R.
KLEBERG COUNTY, TEXAS

Prepared by: **REIDEN & HUNT, INC.**
Surveyor
Kingsville, Texas
Date: **11/11/2011**
Book: **111**
Page: **111**
Clerk of Court: **11/11/2011**
County Clerk: **11/11/2011**
Final Check: **11/11/2011**

CLYDE ADDITION
BLOCK 1
VOL. 1 PG. 35 ENV. 18 K.C.M.R.



BLOCK 2
EVA-A D-D I T I O N
VOL. 1 PG. 38,
ENV. 17 K.C.M.R.



UTILITY LAYOUT

TORRES ESTATES
KINGSVILLE, TEXAS

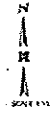


M. WILSON & SONS, INC.
1000 N. WILSON ST.
KINGSVILLE, TEXAS 78640
TEL: 546-1234 FAX: 546-1234

14825 01

LEGEND

- 1. LOT LINES
- 2. LOT CORNERS
- 3. LOT AREA
- 4. LOT DIMENSIONS
- 5. LOT SETBACKS
- 6. LOT EASEMENTS
- 7. LOT ENCLOSURES
- 8. LOT UTILITIES
- 9. LOT SURFACES
- 10. LOT ADJACENT TO LOT



Lot 1

Lot 2

Lot 3

N 90° 00' 00" W 50.00'

N 00° 00' 00" E 90.00'

6' SIDE SETBACK LINE

BUILDING
1225 SQ. FT.

35.0'

20' FRONT SETBACK LINE PER PLAT

10' UTILITY EASEMENT

18.00'

18.00'

35.0'

6' SIDE SETBACK LINE

S 00° 00' 00" E 90.00'

SPRINKLED YARD

WOOD FENCE

18' DRIVEWAY

6' SIDEWALK

N 90° 00' 00" W 50.00'

50.0' R.O.W.

BOULEVARD/STREET

NOTES

* NOT REQUIRED, THOUGH CONSIDERED AN
ADDITIONAL ADD-ON

DATE	14005.00		
SUBMITTER'S ADDRESS			
PROJECT NO.			
PROJECT NAME			
PROJECT LOCATION			
PROJECT DESCRIPTION			
PROJECT CONTACT			
PROJECT PHONE			
PROJECT FAX			
PROJECT EMAIL			
PROJECT WEBSITE			
PROJECT SOCIAL MEDIA			
PROJECT OTHER			



MELDEN & PLATT INC.
 1000 N. 10th St.
 Suite 100
 Minneapolis, MN 55412
 (612) 338-1111
 www.meldenplatt.com

AGENDA ITEM #9

ORDINANCE #2015-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 1.44 ACRES LOTS 1-9, BLOCK 1, EVA SUBDIVISION, KNOWN AS 1100 EAST KENEDY AND LOTS 1-3, BLOCK 2, CLYDE SUBDIVISION, KNOWN AS 1116 EAST LOTT FROM R2- TWO FAMILY RESIDENTIAL DISTRICT TO RP2- PLANNED TWO FAMILY RESIDENTIAL 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 Isaac & Norma Torres, 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, April 8, 2015 during a meeting of the Planning and Zoning Commission, and on Monday, April 13, 2015 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by 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 Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from R2- Two Family Residential District to RP2- Planned Two Family Residential 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 13th day of April, 2015.

PASSED AND APPROVED on this the 27th day of April _____, 2015.

EFFECTIVE DATE: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

To: Courtney Alvarez, Interim City Manager

From: Tom Ginter, Director of Planning and Development Services

Date: April 9, 2015

Subject: Planning and Zoning Agenda Items for April 8, 2015

Item #1: Requesting the rezone of 1.44 acres (Torres Estates) from R2 Two Family District to RP2 Planned Two Family Residential District. **This item was recommended for Approval by a 5 to 0 vote.**

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Item#4: Discussion and Consider Action pertaining to the submittal of the final plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

To: City Commission

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Agenda Memo – April 13, 2015

1. Items for Torres Estate:

The packet of information should explain what has occurred up to this point. While the process hasn't been smooth, I believe we have it right this time. As I have mentioned in previous memos while this project isn't perfect it is good for the location and for the community. The Planning and Zoning will be meeting on Wednesday, April 8th to make a recommendation on these agenda items. This is a good infill project that is good for the neighborhood. The Master Plan does recognize the importance of infill projects and that should be a priority for this community.

As stated in the memo to the Planning and Zoning Commission this project has the following positives to it:

- A. Uses existing utilities
- B. Compatible with the neighborhood
- C. Provides housing that is affordable for most residents
- D. Adds items that will bring value to the development
- E. Could initiate development to the south

There will be no garages with this project. The driveway will be wide enough for two cars.

Also on your agenda is the approval of the preliminary and final plat. The Planning and Zoning Commission recommended approval of both plats at their January meeting. The vote was unanimous for both items.

Staff recommendation is to approve all the agenda items.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services

TJ

Date: March 13, 2015

Subject: Rezoning request – Torres Estate

Attached are a number of documents that lay the framework and provide information for this rezoning request. They are:

- a. The rezoning request with notice in the newspaper and 200ft. radius
- b. A copy of a memo from me date February 13, 2015 which gives you a status report of this project
- c. A copy of the planned unit development ordinance which is an integral part to this request
- d. A copy of Section 15-6-4

Currently the property is rezoned R2 because of the lot size. Due to the fact that Mr. Dizdar wants to develop the property without garages the property needs to be rezoned to RP2. The attached planned unit development ordinance will allow that property to be developed in that manner. Another important part of this process is the Conceptual Development Plan. While the ordinance does state that a city initiated PUD doesn't need this document I believe that for this event a Conceptual Development Plan would be helpful. While one is being developed it is not quite ready for approval. By approving the rezoning this will allow us to finish the document knowing that our work will not be in vain. The ordinance also states that a public hearing has to be held for a Conceptual Development Plan according to Section 15-6-4 of the code. Included in the packet is a copy of that section of the code.

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 the 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 existing or potential adjacent land uses
4. Whether the proposal will generate traffic levels inappropriate, hazardous or detrimental to the existing or potential nearby land uses

Staff recommends APPROVAL of the request.

Since you already have approved the preliminary and final plats here is the process if your recommendation is an approval of the rezoning and the City Commission also approves the rezoning.

1. Consider re zoning request March 18th , if approved
2. Consider the submittal of the Conceptual Development Plan, this meeting may be held prior to the next meeting of April 15th

Then the Conceptual Development Plan, the preliminary plat and the final plat would then go to the City Commission for approval.

CITY OF KINGSVILLE

200 E. Kleberg Avenue
Planning & Development Services Dept.
Planning & Zoning Division

Kingsville, Texas 78363
Phone: (361) 595-8055
Fax: (361) 595-8065

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1.25 acres Eva, Block 1, LOT 1-9 + CLYDE, BLOCK 2 LOT 1-3 Located in the City ✓ ETJ ✓

(Proposed) Subdivision Name _____ Total number of Lots _____

Legal Description: 1.44 acres Eva, Block 1, LOT 1-9 + CLYDE, BLOCK 2, LOT 1-3

Existing Zoning Designation R2-Two Family District Future Land Use Designation RP2-Planned Two Family Residential District

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mark Dizdar Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

Property Owner Isaac + Norma Torres Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address 1116 East LOH City Kingsville State TX Zip 78363

Select appropriate request(s) for which approval is sought. Attach appropriate checklist(s) 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.....	\$200.00
<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"/> Conceptual Development Plat.....	\$100.00
<input type="checkbox"/> PUD Request.....	\$250.00	<input type="checkbox"/> Subdivision Variance Request.....	\$25.00 ea
<input type="checkbox"/> Lot Line Adjustment Plat.....	\$100.00	<input type="checkbox"/> Amending Plat.....	\$100.00

Please provide a basic description of the proposed project:

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: _____ Date: _____

Property Owner's Signature: _____ Date: _____

Application and Fee Accepted by: Adela Barrios Date: 12/26/14

200 ft. Buffer 1116 E. Lott - Torres



E King Ave

E Kenedy Ave

E Lott Ave

E Huisache Ave

S 14th St

S 15th St

S 16th St

Legend

1116 E. Lott
200 Ft. Buffer

Document Path: N:\Austin JWork Projects\1100 E. Kenedy.mxd

Page 1/1

Drawn By: Engineering Department

Last Update: 3/20/2015

Note:

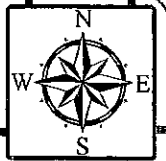
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**CITY OF KINGSVILLE
ENGINEERING DEPARTMENT**

200 E. Kleberg
Kingsville, Texas 78363
Office: 361 595 8005
Fax: 361 595 8035

200 ft. Buffer 1100 E. Kleberg - Torres



E King Ave

S 16th St



E Kenedy Ave

E Lott Ave

E Huisache Ave

S 15th St

Legend

-  1100 E. Kenedy
-  200 ft. Buffer

20824 22363 12259
13139 25977 18414 19173 20746

10449 19728

21219

17761 10802

21219 34355 28386 28385 41025

4000268 4000271 4000276

Document Path: Z:\Engineering\Austin_JWork Projects\1100 E. Kenedy.mxd

Page
1 / 1

Drawn By: Engineering
Department

Last Update: 3/20/2015

Note:

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HEREIN IS USED FOR ANY DESIGN,
CONSTRUCTION, PLANNING, BUILDING,
OR ANY OTHER PURPOSE.



**CITY OF KINGSVILLE
ENGINEERING DEPARTMENT**

200 E. Kleberg
Kingsville, Texas 78363
Office: 361 595 8005
Fax: 361 595 8035

TORRES ISAAC
ETUX NORMA
1116 E LOTT AVE
KINGSVILLE, TX 78363
#21219

TORRES ISAAC
ETUX NORMA
1116 E LOTT AVE
KINGSVILLE, TX 78363
#11037

ALDOPE ISMAEL
ETUX MARTA ELENA
1205 E KENEDY AVE
KINGSVILLE, TX 78363
#10802

PENDLETON HOLDINGS LLC
312 N PASADENA
KINGSVILLE, TX 78363
1014 E KENEDY
#22588

AMBRIZ MARGARITA C
AND OCTAVIO C AMBRIZ JR
1247 1/2 E KING AVE
KINGSVILLE, TX 78363
#24107

CRUZ JOSE L
1247 E KING AVE
KINGSVILLE, TX 78363
1026 E KENEDY
#24876

ORTEGON OLGA
1102 E KENEDY AVE
KINGSVILLE, TX 78363
#20824

SALDANA LARRY
ETUX MARY SALDANA
1245 E NETTIE AVE
KINGSVILLE, TX 78363
#13139

HERNANDEZ GREGORIA V
FLORINDA HERNANDEZ MARLER
9548 VICTORIA DR
UPPR MARLBORO, MD 20772
1108 E KENEDY
#22363

SAENZ MARGARITA SALINAS
560 N COUNTY ROAD 1050
KINGSVILLE, TX 78363
1114 E KENEDY
#25977

JIMENEZ LAURO
MARCELO JIMENEZ JR
899 S COUNTY ROAD 1120
RIVIERA, TX 78379
1120 E KENEDY
#18414

CANALES MARIA ELENA
1126 E KENEDY AVE
KINGSVILLE, TX 78363
#19173

LEDESMA ADELITA
1128 E KENEDY
KINGSVILLE, TX 78363
#12259

DE LEON DELFINO G
1132 E KENEDY AVE
KINGSVILLE, TX 78363
#20746

DEHNER WILLIAM
SNAP AUTO PARTS
PO BOX 4006
BEEVILLE, TX 78104
1018 E LOTT
#18458

PEREZ ERNEST
310 E 23RD ST
KINGSVILLE, TX 78363
1026 E LOTT
(THE PIT STOP)
#26035

FIRST COMMUNITY BANK
5406 EVERHART RD
CORPUS CHRISTI, TX 78411
1030 E LOTT
#18946

TORRES ISAAC
ETUX NORMA
1116 E LOTT AVE
KINGSVILLE, TX 78363
1116 E LOTT #22-41
#21219

TORRES ISAAC
PO BOX 1813
KINGSVILLE, TX 78364
1116 E LOTT
#28386

TORRES ISAAC
PO BOX 1813
KINGSVILLE, TX 78364
Location E LOTT
#34355

AMBRIZ FRANCISCO R
ETUX CECILIA G
2501 BOLIVAR
CORPUS CHRISTI, TX 78415
1120 E LOTT AVE
#28385

FERNANDEZ IRENE
ALLÉN MARTINEZ
1116 E LOTT
KINGSVILLE, TX 78363
1126 E LOTT
#41025

GARCIA JOSE
PO BOX 1431
LA JOYA, TX 78560
1204 N 16TH
#4000268

GARCIA JOSE
PO BOX 1431
LA JOYA, TX 78560
1208 E LOTT
#4000271

GARCIA JOSE
PO BOX 1431
LA JOYA, TX 78560
1212 E LOTT
#4000276

RIOS ESTEVAN
1015 E KENEDY AVE
KINGSVILLE, TX 78363
1015 E KENEDY
#16172

GARZA PEDRO
1029 E KENEDY
KINGSVILLE, TX 78363
#16932

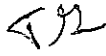
MARTINEZ GRACE C
1031 E KENEDY AVE
KINGSVILLE, TX 78363
#25267

ALANIS ARGELIO D
523 E ANGLE ROAD
KINGSVILLE, TX 78363
216 S 16TH ST
#10449

CALZADA JULIAN
2401 GREEN OAK DRIVE
ROOM #207
KINGWOOD, TX 77339
1208 E KENEDY
#19728

GUTIERREZ EMMA
1201 1/2 E KENEDY AVE
KINGSVILLE, TX 78363
#17761

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services 

Date: February 13, 2015

Subject: Torres Estates – Status Report

There have been bumps in the process for Mark Dizdar to get the Torres Estates project moving forward. This memo is meant to give information on that and where it is headed. Prior to the City Commission meeting on January 26, 2015, language was found in the code that has an impact on the Torres Estate development. The language is in Section 15-6-107: Special off Street Parking Regulations. It reads (B) Parking in R1 and R2 Districts shall be provided only in areas properly located for a future garage. Consequently at the January 26th commission meeting the City Commission took no action on the plat items. There was the first reading of the rezoning to R2. The interpretation of the language to staff means that has to be space for a garage to be built at some point in the future.

Because of language in the Local Government Code that necessitates action to be taken by the City Commission or it would be approved it was placed on the February 9th agenda for denial. The reasoning was that the Commission couldn't knowingly break the code by approving the plat agenda items. Prior to the February 9th meeting Mark Dizdar, Vince Capell and I met and discussed the situation and possible solutions. One proposal that came up was that the city could buy two lots, one on either side and make them to on site communal parking areas. This solution was mentioned at the City Commission meeting but in the end, the Commission approved the rezoning, but denied the plat agenda items.

That leaves Mark Dizdar with 3 options:

1. Change the plat himself to meet the code
2. Explore the solution with the City purchasing the ground for communal parking lots
3. Change the zoning to RP-2 which would make the development negotiable

It seems that Mark Dizdar wants to change the zoning to RP-2 which would allow him to develop the project as he desires. Because of the previous rezoning work that was done, I believe that we could have it ready for your March meeting which will be on the 18th.

Included in the packet is a copy of the Planned Unit Development ordinance for your review. If you have any questions, please feel free to ask.

PLANNED UNIT DEVELOPMENTS (PUD)

FOOTNOTE(S):

-- (5) --

Editor's note— Ord. 2014-23, § I, passed April 23, 2014, amended the Planned Unit Developments (PUD) division in its entirety to read as herein set out. The former Planned Unit Development (PUD) division, §§ 15-6-55—15-6-61, pertained to similar subject matter. See Code Comparative Table for complete derivation.

Sec. 15-6-55. - Planned unit development districts.

- (A) *Statement of intent*—Each of the zoning districts set forth and permitted in the Land Use Chart shall have a separate and distinct counterpart known and herein referred to as a "planned district". A "planned district" shall be for the purpose of permitting and regulating the uses permitted in the "equivalent district" and further provide for and encourage latitude and flexibility in the location of buildings, structures, roads, drives, variations in yards, open spaces, etc., which are subsequent to approval by local officials. The result is to allow development of tracts of land to their fullest extent and at the same time observe the general intent and spirit of these regulations. The purpose of this district is to also provide for and encourage the appropriate grouping of buildings to reduce vehicle trips, maximize open space, and for the beautification of the district. In general, (1) the height and bulk of buildings, (2) the amount of open space, (3) the concentration of people and traffic, and (4) the parking and loading requirements shall be equal to those in the corresponding district. The uses permitted shall be the same as in the "equivalent district".

Variations and departures from normal requirements may, however, be permitted. Each building face need not face a public street and more than one main building may be located on a lot. Buildings may be constructed on platted tracts which are smaller than the minimum lot size requirements where other adjacent permanent open space is provided. Buildings may be grouped in clusters or around courts and may be served by private drives in lieu of public streets. Buildings may be located closer to lot lines than otherwise permitted provided such buildings are architecturally suitable for such a relationship to adjoining buildings or property. The Planned Unit Development Districts shall be as follows:

Planned District	Equivalent District
RP-1	R-1
RP-2	R-2
RP-3	R-3
RP-4	R-4
CP-1	C-1
CP-2	C-2

CP-3	C-3
CP-4	C-4
IP-1	I-1
IP-2	I-2

(Ord. 2014-23, § I, passed 4-23-2014)

Sec. 15-6-56. - Procedure for rezoning property to a planned unit development.

(A) A tract of land may be zoned to a Planned Unit Development by the City as provided in Section 15-6-4, or upon application by the owner or his/her agent with approval of a Conceptual Development Plan for the tract. A City-initiated Planned Unit Development zone need not be accompanied by a Conceptual Development Plan. The applicants, other than the City, for a Planned Unit Development zone change, or a developer intending to build on a tract of land zoned as a Planned Unit Development shall prepare and submit to the Planning and Zoning Commission a Conceptual Development Plan containing the following elements:

- (1) The boundaries of the tract to be zoned and the area adjacent for a distance of not less than 500 feet.
- (2) The existing and proposed topography. Contours shall not exceed ten foot intervals and shall be on a plan at a scale of one inch equals 100 feet or larger. The proposed topography shall be clearly delineated on the plan.
- (3) The proposed location and arrangements of buildings, structures, lots, parking areas, open space, recreational space, existing and proposed streets, drives and other public ways, public property, drainage, landscaping and other features of the proposed development.
- (4) Sufficient approximate dimensions to indicate the relationship between buildings, streets, drives and property lines.
- (5) A draft of conditions, covenants and restrictions (CC&R's), easements, associations, and maintenance agreements as well as specifications for ingress/egress to the property and any other legal requirements which will run with the property.
- (6) Preliminary elevation and plan drawings of proposed buildings which sufficiently depict the architectural theme of the development.
- (7) Preliminary sign program for nonresidential developments identifying common materials, sizes, heights and locations to be used on signs within the development. The materials used shall be consistent with the architectural theme of the buildings.
- (8) Other design elements and/or development standards consistent with current trends and regulations as determined by the Director of Planning and Development Services.

(Ord. 2014-23, § I, passed 4-23-2014)

Sec. 15-6-57. - Site plan approval required prior to permitting.

(A) No permit shall be issued for construction in a Planned Unit Development area unless there has been a site plan approved by the City Commission and a subdivision plat thereof recorded in the

county plat records. Three (3) 24 × 36 and fifteen (15) 11 × 17 prints of the site plan shall be submitted for review by the Director of Planning and Development Services.

(B) The requirement for a new site plan may be waived when:

- (1) The site has been platted for record after receiving the zoning classification which will be utilized for Planned Unit Development; and
- (2) The proposed development is in full compliance with all other Planned Unit Development requirements.

(Ord. 2014-23, § I, passed 4-23-2014)

Sec. 15-6-58. - Submission, hearing and approval.

(A) The City Planning and Zoning Commission shall hold a public hearing on the Conceptual Development Plan and after such public hearing, the Commission shall either approve, approve with conditions, or disapprove the Conceptual Development Plan. At such time as the Conceptual Development Plan is approved, approved with conditions or disapproved by the City Planning and Zoning Commission, the same plan shall be duly endorsed and forwarded to the City Commission for final action. The procedures for noticing and holding a public hearing for a Conceptual Development Plan shall be the same as specified in Section 15-6-4 of this code. The Conceptual Development Plan is in addition to, not in substitution of, the required statutory rezoning process.

(B) In reviewing Conceptual Development Plans for a Planned Unit Development district, the City Planning and Zoning Commission shall consider the following:

- (1) Topography; to ensure the site is suitable for development, and buildings are located and arranged in appropriate areas.
- (2) Parking; to ensure the proposed development contains an adequate amount of parking and is located in an appropriate area. Generally, the parking should conform to the required number of parking appropriate to the development type as contained in Section 15-6-106 and 15-6-107. The City Planning and Zoning Commission may allow a deviation from these parking requirements should the applicant show an adequate amount of parking exists.
- (3) Setbacks; to ensure buildings provide for adequate light, air, and privacy protection by providing appropriate proportion between buildings, and adequate separation between buildings and adjoining properties.
- (4) Architecture; to ensure the architectural theme is compatible and consistent throughout the project and is reasonably compatible with surrounding developments.
- (5) Landscaping; to ensure the development provides adequate landscaping to provide a pleasant environment, to enhance the building's appearance and to ensure existing significant trees are adequately protected.
- (6) Site plan; to ensure the location and arrangement of buildings, signs and other structures are appropriate for the site, existing and proposed streets, drives and public ways are arranged appropriately and to ensure site drainage has been adequately addressed.
- (7) Any other feature or issue associated with the state zoning and planning enabling legislation or the comprehensive/master plan for the City of Kingsville for which the City Planning and Zoning Commission feels is appropriate and relevant to the development of the site to ensure appropriate and attractive development of the proposed site.

(C) Prior to approving a Conceptual Development Plan for the purposes of this section, the City Commission shall make the following findings:

- (1) that the Planning and Zoning Commission and the City Commission have reviewed the Conceptual Development Plan with consideration of the issues contained in Subsection (B) of this section; and

- (2) that the Conceptual Development Plan is in conformance with the Master Plan and other plans adopted by the city and/or appropriate sections of the Code of Ordinances; and
 - (3) that the Conceptual Development Plan provides for an organized and unified system of land use intensities which are compatible with the surrounding areas; and
 - (4) that the proposed development adequately protects the health, safety and general welfare of future and existing residents and property owners in and around the development.
- (D) Upon final approval of the Conceptual Development Plan and the zoning (or rezoning) of the tract by the City Commission, as required by law, building permits may be issued. Conformance with the approved Conceptual Development Plan and all supporting documentation is mandatory. Substantial deviation from the Plan shall require resubmittal to the City Planning and Zoning Commission and City Commission in the same manner as the original zoning procedure.
- (Ord. 2014-23, § I, passed 4-23-2014)

Cross reference—Penalty, see § 15-6-999.

Sec. 15-6-59. - Coordination of planned unit development application with subdivision approval.

- (A) In order to fully implement flexible zoning techniques such as Planned Unit Development and cluster zoning, applicants shall be required to submit applications for subdivision review simultaneously with applications for zoning approval. Depending upon the size and location of the proposed development, such applications shall conform to either the administrative or major subdivision application requirements of the subdivision regulations (Section 15-3-1 through 15-3-109).
- (B) Where the zoning ordinance authorizes Planned Unit Developments, which:
- (1) permits the use of land and density of structures to differ from that allowed as of right, and;
 - (2) involves the subdivision of land, whether residential or non-residential;

such development shall obtain subdivision approval by the City Planning and Zoning Commission and City Commission in addition to all other procedures and approvals required by the zoning ordinance. Regardless of whether applicable zoning procedures also require City Planning and Zoning Commission and City Commission approval, review or recommendation.

(C) Procedure.

- (1) When a Planned Unit Development application is submitted that also involves the subdivision of land, the application shall first be submitted to the Director of Planning and Development Services or his/her designee.
- (2) The application for subdivision approval shall be made in the form of a sketch plat, containing, in addition to all of the requirements of the zoning ordinance, the following information:
 - a. Legal description of the property proposed to be subdivided;
 - b. Name of the proposed subdivision and shall be clearly labeled "Planned Unit Development Site Plan.";
 - c. Date, scale, North arrow;
 - d. Property owner's name and address;
 - e. Description of all existing covenants, liens and encumbrances;
 - f. Name, address and seal or registration number of licensed engineer, architect or surveyor who has prepared the sketch plat;
 - g. Location of property lines;
 - h. Existing or platted easements, rights-of-way, streets or other public ways;

- i. Masses of trees or individual trees of eight inches or more in diameter, measured four feet above ground level;
 - j. Names of adjoining landowners within 200 feet of any perimeter boundary of the proposed subdivision;
 - k. Location, sizes, elevations and slopes of existing sewers, water mains, culverts and other underground structures within the boundaries of the proposed subdivision and immediately adjacent thereto;
 - l. Existing permanent buildings;
 - m. Utility poles and utility rights-of-way on or immediately adjacent to the property proposed to be subdivided;
 - n. Approximate topography, at the same scale as required for a preliminary plat;
 - o. Approximate location and width of all proposed streets within and abutting the proposed subdivision;
 - p. Preliminary proposals for connections with existing water supply and sanitary sewerage systems and preliminary proposals for collecting and discharging surface water drainage;
 - q. Approximate location, dimensions and area of all proposed or existing lots;
 - r. Approximate location, dimensions and area of all parcels of land proposed to be set aside for park or playground use or other public use;
 - s. Vicinity map showing all streets and the general development pattern and land uses of the surrounding area at a scale of 1" = 100';
 - t. Zoning district boundaries of all property 200 feet of the proposed subdivision;
 - u. If the sketch plat covers only a part of the applicant's contiguous holdings, the applicant shall submit, at a scale of no more than 1" = 200', a sketch in pen or pencil of the proposed subdivision area, together with its proposed street systems and an indication of the probable future street, drainage and utility system for the remaining portion of the tract.
- (3) The Planning and Development Services Director shall refer the application and sketch plat to the City Planning and Zoning Commission for preliminary review and approval. The City Planning and Zoning Commission shall review all aspects of the application as are required by these regulations and the zoning ordinance.
- (4) The City Planning and Zoning Commission shall forward its recommendation on the application to the City Commission. Action shall first be taken on the zoning application. If the zoning request is granted, the applicant shall prepare a preliminary plat as described in Section 15-3-16 of the subdivision regulations and shall then follow the remaining subdivision procedures described therein, including review by the City Planning and Zoning Commission and the City Commission.

(Ord. 2014-23, § I, passed 4-23-2014)

Cross reference— Penalty, see § 15-6-999.

Sec. 15-6-60. - Emergency provisions within planned unit development districts.

- (A) Emergency provisions and access shall be provided to each principal building by:
- (1) A street or public alley; or
 - (2) A private way, alley or paved place, delineated on an approved subdivision plat conforming to the requirements of Tex. Loc. Gov't Code, §§ 212.001 et seq. Access may also be provided by an emergency access easement approved by the City Planning and Zoning Commission and

recorded in the Kleberg County Deed Records, provided that where access is not available by a street, alley, place or recorded easement; and recorded easement access is planned, construction permits may be issued and construction may proceed but certificate of occupancy shall not be issued until the required emergency access easements are approved by the City Planning and Zoning Commission and filed for record in the Kleberg County Deed Records. Emergency access easements shall be not less than 50 feet in width, the boundaries shall be distinctly and permanently marked on the ground and the entrances shall be permanently marked by signs not less than two square feet nor more than four square feet in face area.

- (B) The paved width of any emergency access easement may be reduced to, but not below, 30 feet provided that curbs shall not exceed five inches in height and further provided that there shall be no obstructions which will interfere with the use of the full 50 foot width of the easement by emergency vehicles and their appurtenances. Turnarounds with a radius of 50 feet and paved diameter of at least 60 feet shall be provided on all dead-ends.
- (C) Fire hydrants shall be provided and placed to city specifications.

(Ord. 2014-23, § I, passed 4-23-2014)

Cross reference—Penalty, see § 15-6-999.

Sec. 15-6-61. - Requests not scheduled for hearing.

Requests for Planned Unit Development status that fail to supply the site plan information required (§ 15-6-56(A)) shall not be scheduled for a hearing.

(Ord. 2014-23, § I, passed 4-23-2014)

Secs. 15-6-62—15-6-69. - Reserved.

Sec. 15-6-4. - Changes and amendments; application fee.

- (A) This zoning article, including boundaries of districts and regulations, may be amended, supplemented or changed by ordinance of the City Commission. The City Commission shall receive the report of the Planning and Zoning Commission prior to adopting any change or amendment to the zoning ordinance.
- a. The Planning and Zoning Commission shall conduct a public hearing, announcement of which shall be published once in a newspaper of local circulation fifteen (15) days prior to such hearing before acting upon any zoning matter.
 - i. All property owners within 200 feet of the property on which the change is proposed shall be sent written notice not less than ten (10) days before the hearing date. The list of property owners shall be prepared from the last city tax roll listing all property owners who have rendered their property for city taxes. Notice is adequately served by depositing properly addressed and postage paid notice with the city post office. Property owners whose names do not appear on the city tax roll are adequately notified by the publication in a newspaper of local circulation.
 - b. Following the Planning and Zoning Commission public hearing and report, the City Commission shall conduct a public hearing, announcement of which shall be published once in a newspaper of local circulation fifteen (15) days prior to such hearing before acting upon any zoning matter.
 - i. Three-fourths ($\frac{3}{4}$) vote of the members of the City Commission shall be necessary to make any change should a petition opposed to such change be presented by the owners of 20% of either the area of the lots or land included in such proposed change, or of the lots or land immediately adjoining the same and extending 200 feet therefrom.
 - ii. Three-fourths ($\frac{3}{4}$) vote of the members of the City Commission shall be necessary to overrule a recommendation of the Planning and Zoning Commission that a proposed amendment, supplement, or change be denied.
 - c. Applications for Special Use permits, changes of districts (rezones), or other applications which require notification or publication shall be accompanied by a fee of \$250.00.
- (B) The fee for processing appeals to the Board of Adjustment shall be based on the actual costs of materials used, mailing, and publication costs as determined by the Planning Division of the Management Services Department, the fee to be payable prior to the scheduling of any hearing or appeal.

(1962 Code, § 11-1-4; Ord. 84009, passed 6-18-84; Ord. 90027, passed 6-25-90; Ord. 2014-44, passed 8-11-2014)

**PLANNING AND ZONING COMMISSION
MEETING MINUTES
January 14, 2015**

Planning and Zoning Members Present

Steve Zamora, Chairman
Albert Garcia
Robert McCreight
Lupe Alvarez

Citizens Present

Mark Dizdar

Staff Present

Tom Ginter, Director of Planning & Development Services
Adela Barrientes, Administrative Assistant II

Base Representative

1. **The meeting was called to order at 6:04 p.m.**
2. **Discuss and take action on the meeting minutes of December 10, 2014.**
Mr. Lupe Alvarez made a motion to approve the minutes. Mr. Robert McCreight seconds. All in favor none opposed.
3. **Miscellaneous/Public Comments on or off the agenda.**
N/A
4. **Old Business/Postponements.**
N/A
5. **Discuss and take action on — Isaac & Norma Torres, owner – requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3 rezoned from (C1) Neighborhood Service District to (R2) Two Family District 2.**

Mr. Dizdar presented the committee with some pictures of present homes that are in the neighbor where he plans to build. The first picture was of 1014 1/2 Kenedy this home is the closet in comparison to what Mr. Dizdar plans to build, the permit for this home was done on January 9, 2013 it has one and half car parking, no sidewalk, no sprinkle system, one carport and no fence. A picture of house on 325 East 16th according to the city there

was no permit on file it has no driveway, no sidewalks, no fence and no sprinkler system. Picture of home on 1114 Kenedy was shown according to city records there is no permit on file, one car driveway, two car parking, no sidewalk, and part of a metal fence.

Picture of home on 1126 Kenedy according to city records there is no permit on file, one car driveway, two car parking, no sidewalk, no sprinkler system. Mr. Dizdar stated to the committee that he plans to build frame homes about 1,000 to 1,200 square foot that will include 18 foot driveway, 6 foot sidewalks, sprinkler systems, two oak trees and a side wood fence and will be affordable in this area. Mr. Dizdar advised the committee that history has proven that none of these homes have requested the building of carports and/or garages. Mr. Dizdar advised the committee that Mr. Torres still owns the corner on Lott and 15th where currently about 10 or 11 trailers are housed at, his future plans are to purchase that property and continue to build.

Mr. Garcia asked if the fence would be built around the property and if not, would the home owner have the option to include the completion of the fence into their home loans. Mr. Dizdar advised that he plans to build the fences in back of the homes and the builder can have that option.

Mr. Ginter made a recommendation to the Planning and Zoning Committee to consider rezoning to equivalent district from R-2 to RP-2, RP-2 opens possible negotiations for future possibilities. Mr. Ginter advised that R2 has strict lot guidelines and RP2 is negotiable and the city can assist with that. The Committee agreed the zoning of RP2 is a great idea for later projects but with this project currently in process, the Committee decided to move forward with the request of C1 to R2.

Mr. Alvarez mad a motion to approve the rezoning of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3 from (C1) Neighborhood Service District to (R2) Two Family District 2. Mr. McCreight second. All approved none opposed.

6. Discuss and take action on — Isaac & Norma Torres, owner – Requesting approval for the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

Mr. Ginter recommended that the preliminary plat be approved with the understanding two trees will be planting, a springer system, 18 foot driveway, 6 foot sidewalk and a fence that would enclose the perimeter be included.

Mr. Garcia made a motion to approve the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE BLOCK 2, LOT 1-3 with the amendment of the two trees, springler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot. Mr. McCreight seconded. All in favor none opposed.

7. Discuss and take action on — Isaac & Norma Torres, owner – Requesting approval for the final plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

This item on the agenda is the same as item number six.

Mr. McCreight made a motion to approve the final plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE BLOCK 2, LOT 1-3 with the amendment of the two trees,

sprinkler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot Mr. Alvarez seconded. All in favor none opposed.

8. Report From Director of Planning and Development Services

There is no report presented from Mr. Ginter at this time.

9. Adjourn

Meeting adjourned at 6:50 p.m.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Special Public Hearing Wednesday, April 8, 2015 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Isaac & Norma Torres, owner – On the adoption of a Conceptional Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.

Isaac & Norma Torres, owner – Requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott rezoned from (R2) Two Family District 2 to (RP2) Planned Two Family Residential District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the item on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, April 13, 2015 at 6:00 p.m. wherein the City Commission will discuss the following item and at which time all interested persons will be heard:

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The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8003.

AGENDA ITEM #10

To: City Commission

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Agenda Memo – April 13, 2015

1. Items for Torres Estate:

The packet of information should explain what has occurred up to this point. While the process hasn't been smooth, I believe we have it right this time. As I have mentioned in previous memos while this project isn't perfect it is good for the location and for the community. The Planning and Zoning will be meeting on Wednesday, April 8th to make a recommendation on these agenda items. This is a good infill project that is good for the neighborhood. The Master Plan does recognize the importance of infill projects and that should be a priority for this community.

As stated in the memo to the Planning and Zoning Commission this project has the following positives to it:

- A. Uses existing utilities
- B. Compatible with the neighborhood
- C. Provides housing that is affordable for most residents
- D. Adds items that will bring value to the development
- E. Could initiate development to the south

There will be no garages with this project. The driveway will be wide enough for two cars.

Also on your agenda is the approval of the preliminary and final plat. The Planning and Zoning Commission recommended approval of both plats at their January meeting. The vote was unanimous for both items.

Staff recommendation is to approve all the agenda items.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES
January 14, 2015**

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Mr. Ginter made a recommendation to the Planning and Zoning Committee to consider rezoning to equivalent district from R-2 to RP-2, RP-2 opens possible negotiations for future possibilities. Mr. Ginter advised that R2 has strict lot guidelines and RP2 is negotiable and the city can assist with that. The Committee agreed the zoning of RP2 is a great idea for later projects but with this project currently in process, the Committee decided to move forward with the request of C1 to R2.

Mr. Alvarez made a motion to approve the rezoning of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3 from (C1) Neighborhood Service District to (R2) Two Family District 2. Mr. McCreight second. All approved none opposed.

→ 6. **Discuss and take action on — Isaac & Norma Torres, owner – Requesting approval for the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.**

Mr. Ginter recommended that the preliminary plat be approved with the understanding two trees will be planting, a springer system, 18 foot driveway, 6 foot sidewalk and a fence that would enclose the perimeter be included.

Mr. Garcia made a motion to approve the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE BLOCK 2, LOT 1-3 with the amendment of the two trees, springler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot. Mr. McCreight seconded. All in favor none opposed.

7. **Discuss and take action on — Isaac & Norma Torres, owner – Requesting approval for the final plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.**

This item on the agenda is the same as item number six.

Mr. McCreight made a motion to approve the final plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE BLOCK 2, LOT 1-3 with the amendment of the two trees,

sprinkler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot Mr. Alvarez seconded. All in favor none opposed.

8. Report From Director of Planning and Development Services

There is no report presented from Mr. Ginter at this time.

9. Adjourn

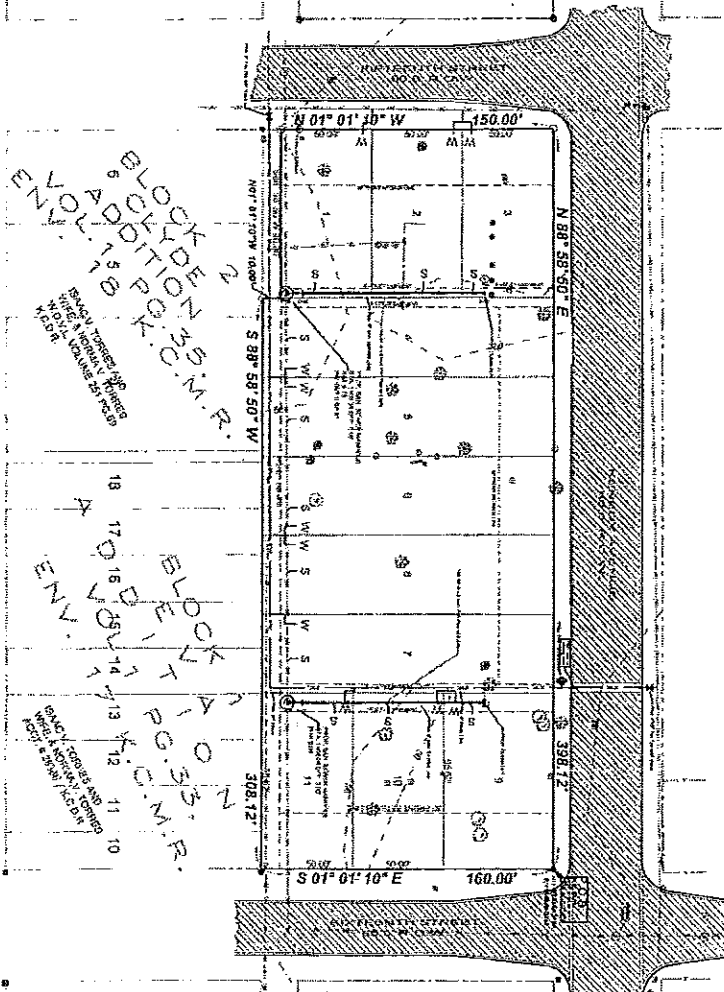
Meeting adjourned at 6:50 p.m.

VICINITY MAP scale: 1"=1000'

VICINITY MAP scale: 1"=1000'

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100. BLOCK 100

CLYDE ADDITION
BLOCK 1
VOL. 1 PG. 35 ENV. 18 K.C.M.R.



BLOCK 2
EVA A D D I T I O N
VOL. 1 PG. 33
ENV. 17 K.C.M.R.

1/14/2018 10:00:00 AM

UTILITY LAYOUT

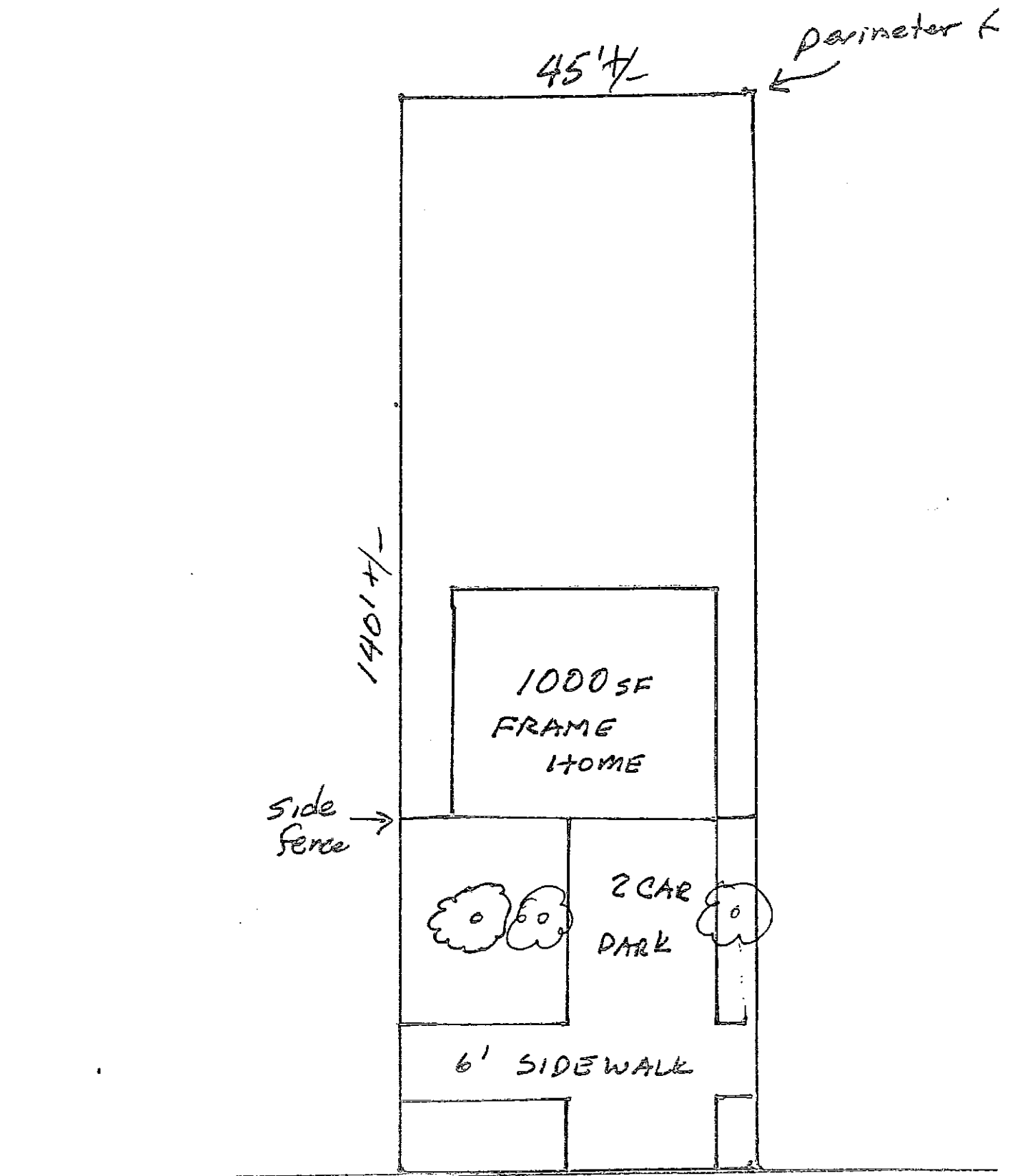
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KINGSVILLE, TEXAS



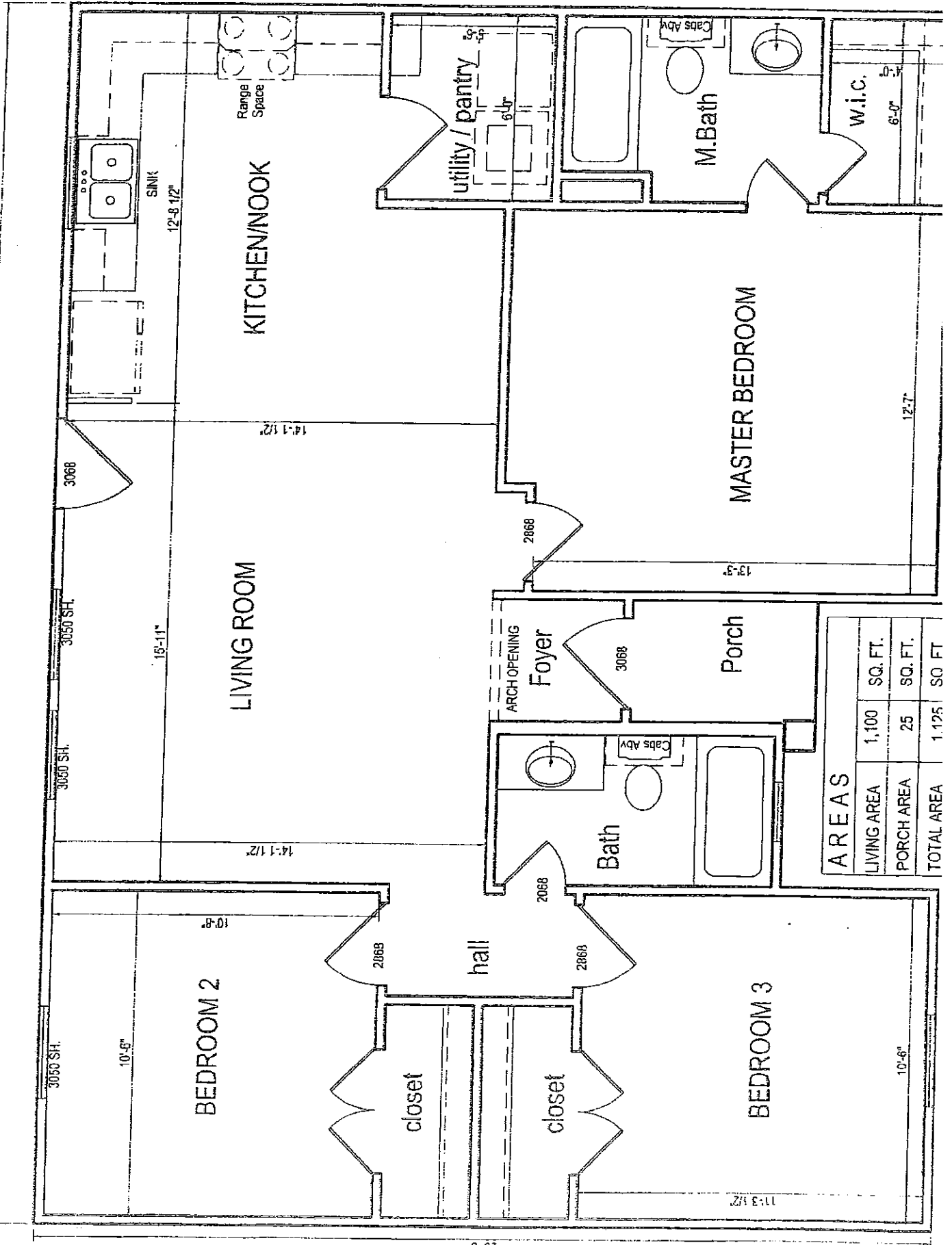
1/14/2018 10:00:00 AM

M ALDEN & HUNT PC
11111 W. 111TH ST.
SUITE 100
OVERLAND PARK, KS 66211
TEL: 913.241.1111 FAX: 913.241.1112

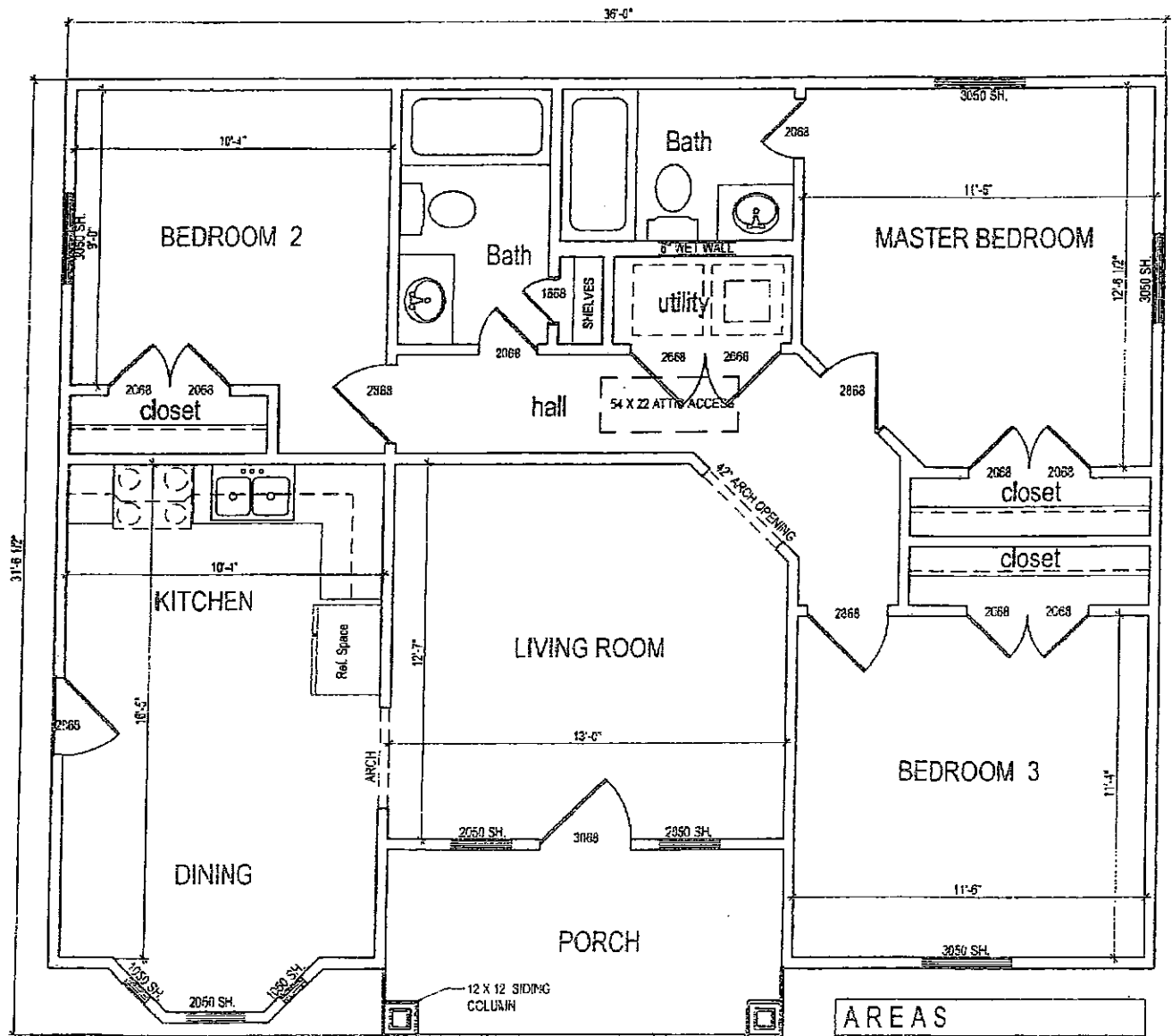
1/14/2018 10:00:00 AM



40'-0"



29'-3"



AREAS		
Living	1,000	SQ. FT.
Porch	79	SQ. FT.
TOTAL	1,079	SQ. FT.

AGENDA ITEM #11

To: City Commission

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Agenda Memo – April 13, 2015

1. Items for Torres Estate:

The packet of information should explain what has occurred up to this point. While the process hasn't been smooth, I believe we have it right this time. As I have mentioned in previous memos while this project isn't perfect it is good for the location and for the community. The Planning and Zoning will be meeting on Wednesday, April 8th to make a recommendation on these agenda items. This is a good infill project that is good for the neighborhood. The Master Plan does recognize the importance of infill projects and that should be a priority for this community.

As stated in the memo to the Planning and Zoning Commission this project has the following positives to it:

- A. Uses existing utilities
- B. Compatible with the neighborhood
- C. Provides housing that is affordable for most residents
- D. Adds items that will bring value to the development
- E. Could initiate development to the south

There will be no garages with this project. The driveway will be wide enough for two cars.

Also on your agenda is the approval of the preliminary and final plat. The Planning and Zoning Commission recommended approval of both plats at their January meeting. The vote was unanimous for both items.

Staff recommendation is to approve all the agenda items.

**PLANNING AND ZONING COMMISSION
MEETING MINUTES
January 14, 2015**

Planning and Zoning Members Present

Steve Zamora, Chairman
Albert Garcia
Robert McCreight
Lupe Alvarez

Citizens Present

Mark Dizdar

Staff Present

Tom Ginter, Director of Planning & Development Services
Adela Barrientes, Administrative Assistant II

Base Representative

1. **The meeting was called to order at 6:04 p.m.**
2. **Discuss and take action on the meeting minutes of December 10, 2014.**
Mr. Lupe Alvarez made a motion to approve the minutes. Mr. Robert McCreight seconds. All in favor none opposed.
3. **Miscellaneous/Public Comments on or off the agenda.**
N/A
4. **Old Business/Postponements.**
N/A
5. **Discuss and take action on — Isaac & Norma Torres, owner – requesting the rezone of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3 rezoned from (C1) Neighborhood Service District to (R2) Two Family District 2.**

Mr. Dizdar presented the committee with some pictures of present homes that are in the neighbor where he plans to build. The first picture was of 1014 1/2 Kenedy this home is the closet in comparison to what Mr. Dizdar plans to build, the permit for this home was done on January 9, 2013 it has one and half car parking, no sidewalk, no sprinkle system, one carport and no fence. A picture of house on 325 East 16th according to the city there

was no permit on file it has no driveway, no sidewalks, no fence and no sprinkler system. Picture of home on 1114 Kenedy was shown according to city records there is no permit on file, one car driveway, two car parking, no sidewalk, and part of a metal fence.

Picture of home on 1126 Kenedy according to city records there is no permit on file, one car driveway, two car parking, no sidewalk, no sprinkler system. Mr. Dizdar stated to the committee that he plans to build frame homes about 1,000 to 1,200 square foot that will include 18 foot driveway, 6 foot sidewalks, sprinkler systems, two oak trees and a side wood fence and will be affordable in this area. Mr. Dizdar advised the committee that history has proven that none of these homes have requested the building of carports and/or garages. Mr. Dizdar advised the committee that Mr. Torres still owns the corner on Lott and 15th where currently about 10 or 11 trailers are housed at, his future plans are to purchase that property and continue to build.

Mr. Garcia asked if the fence would be built around the property and if not, would the home owner have the option to include the completion of the fence into their home loans. Mr. Dizdar advised that he plans to build the fences in back of the homes and the builder can have that option.

Mr. Ginter made a recommendation to the Planning and Zoning Committee to consider rezoning to equivalent district from R-2 to RP-2, RP-2 opens possible negotiations for future possibilities. Mr. Ginter advised that R2 has strict lot guidelines and RP2 is negotiable and the city can assist with that. The Committee agreed the zoning of RP2 is a great idea for later projects but with this project currently in process, the Committee decided to move forward with the request of C1 to R2.

Mr. Alvarez mad a motion to approve the rezoning of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3 from (C1) Neighborhood Service District to (R2) Two Family District 2. Mr. McCreight second. All approved none opposed.

6. Discuss and take action on -- Isaac & Norma Torres, owner -- Requesting approval for the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

Mr. Ginter recommended that the preliminary plat be approved with the understanding two trees will be planting, a springer system, 18 foot driveway, 6 foot sidewalk and a fence that would enclose the perimeter be included.

Mr. Garcia made a motion to approve the preliminary plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE BLOCK 2, LOT 1-3 with the amendment of the two trees, springler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot. Mr. McCreight seconded. All in favor none opposed.

7. Discuss and take action on -- Isaac & Norma Torres, owner -- Requesting approval for the final plat of 1.44 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

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sprinkler system, 6 foot sidewalks, 18 foot drive wood a front winged fence per lot Mr. Alvarez seconded. All in favor none opposed.

8. **Report From Director of Planning and Development Services**

There is no report presented from Mr. Ginter at this time.

9. **Adjourn**

Meeting adjourned at 6:50 p.m.

STATE OF TEXAS
COUNTY OF KLEBERG
CITY OF KINGSVILLE

GENERAL NOTES AND RESTRICTIONS:
1. THIS PLAT AND COVENANTS ARE MADE IN FULL COMPLIANCE WITH THE CITY OF KINGSVILLE, TEXAS, CHARTER AND ORDINANCES.
2. THE PLAT AND COVENANTS ARE SUBJECT TO THE CITY OF KINGSVILLE, TEXAS, CHARTER AND ORDINANCES.
3. THE PLAT AND COVENANTS ARE SUBJECT TO THE CITY OF KINGSVILLE, TEXAS, CHARTER AND ORDINANCES.

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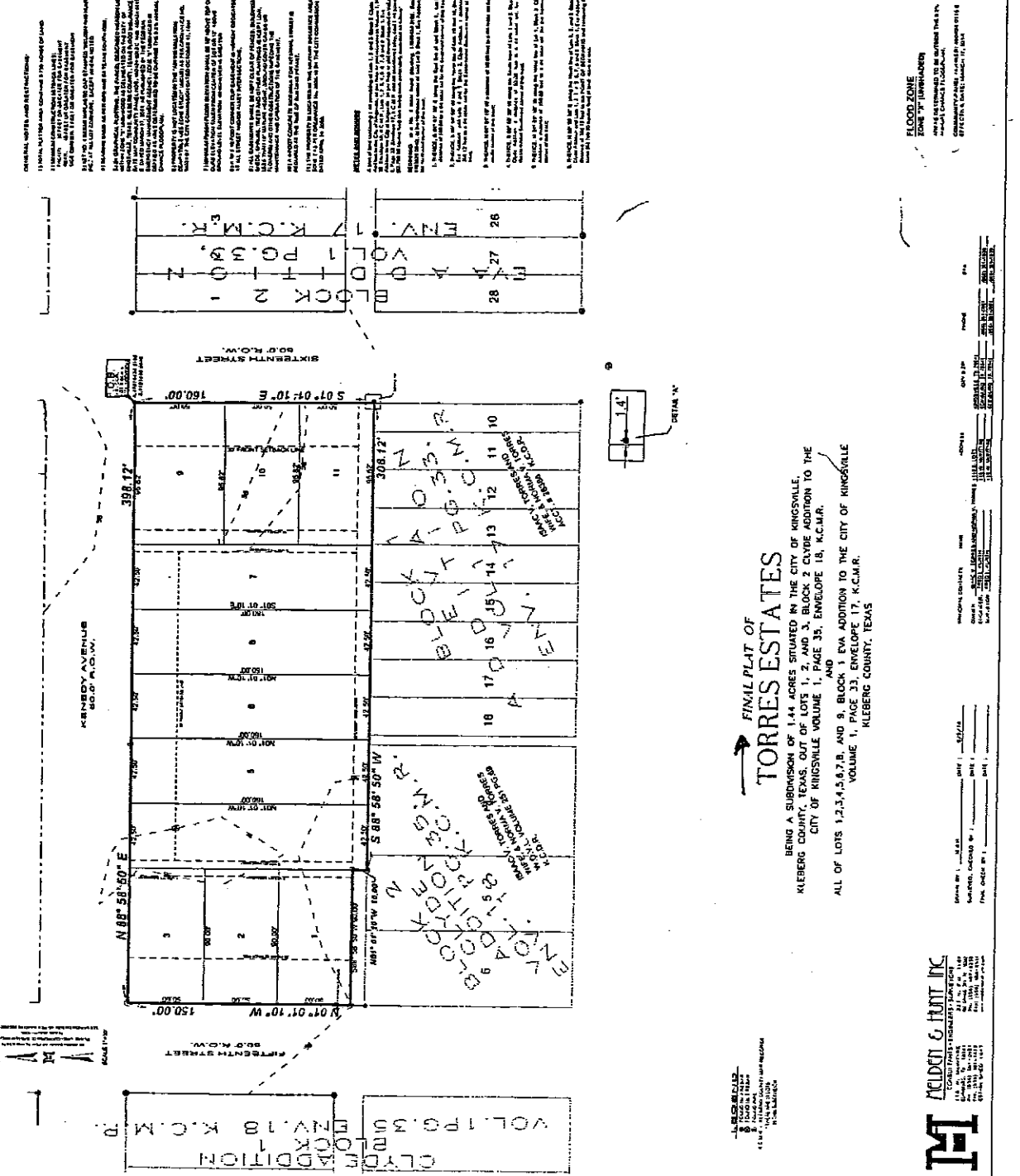
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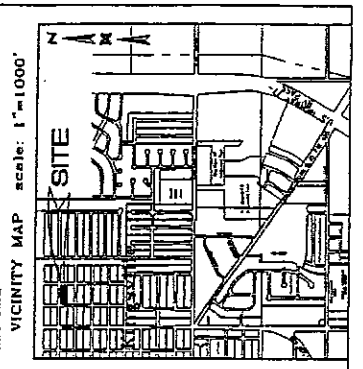
STATE OF TEXAS
COUNTY OF KLEBERG
CITY OF KINGSVILLE



**FINAL PLAT OF
TORRES ESTATES**
BEING A SUBDIVISION OF 1.44 ACRES SITUATED IN THE CITY OF KINGSVILLE,
KLEBERG COUNTY, TEXAS, OUT OF LOTS 1, 2, AND 3, BLOCK 2 CLYDE ADDITION TO THE
CITY OF KINGSVILLE VOLUME 1, PAGE 33, ENVELOPE 18, K.C.M.R.
AND
ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9, BLOCK 1 ENVELOPE ADDITION TO THE CITY OF KINGSVILLE
VOLUME 1, PAGE 33, ENVELOPE 17, K.C.M.R.
KLEBERG COUNTY, TEXAS

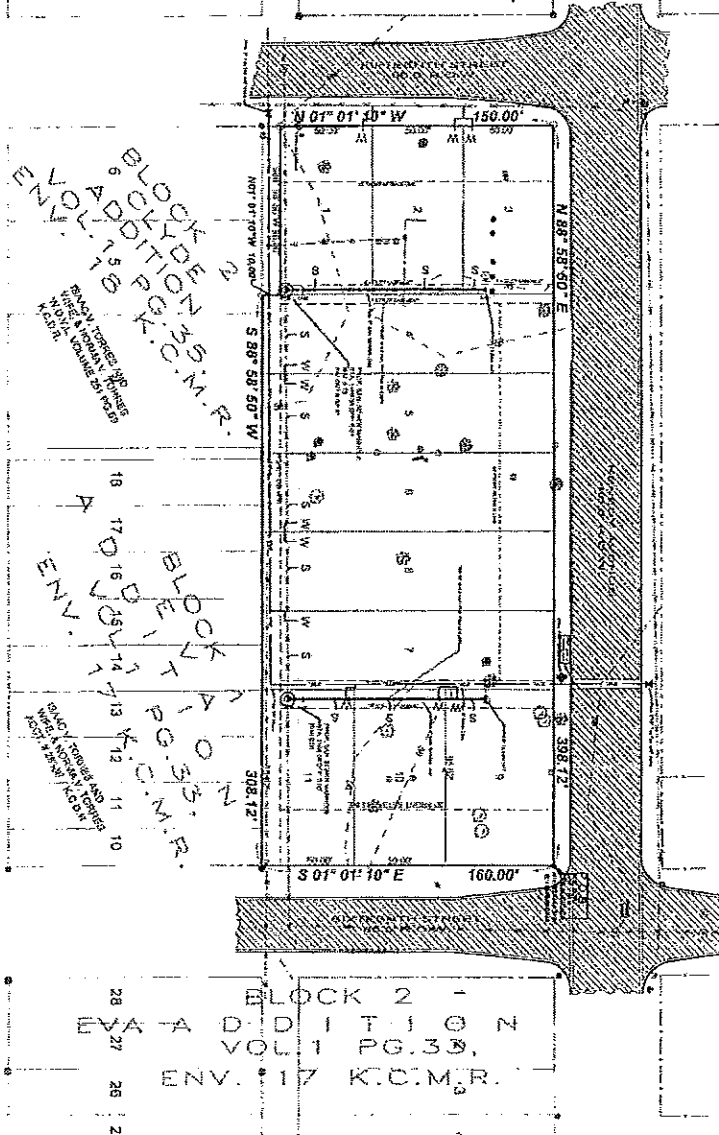
WELCH & HUNT, INC.
SURVEYORS
1100 N. 10TH ST.
SUITE 100
KINGSVILLE, TEXAS 78401
PHONE (361) 544-1111
FAX (361) 544-1112
WWW.WELCHANDHUNT.COM

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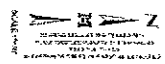
CLYDE ADDITION
BLOCK 1
VOL. 1 PG. 35 ENV. 18 K.C.M.R.



BLOCK 1
CLYDE ADDITION
VOL. 1 PG. 35 K.C.M.R.
BLOCK 2
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VOL. 1 PG. 36 K.C.M.R.

BLOCK 1
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VOL. 1 PG. 35 K.C.M.R.
BLOCK 2
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VOL. 1 PG. 36 K.C.M.R.

BLOCK 2
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VOL. 1 PG. 36 K.C.M.R.



UTILITY LAYOUT

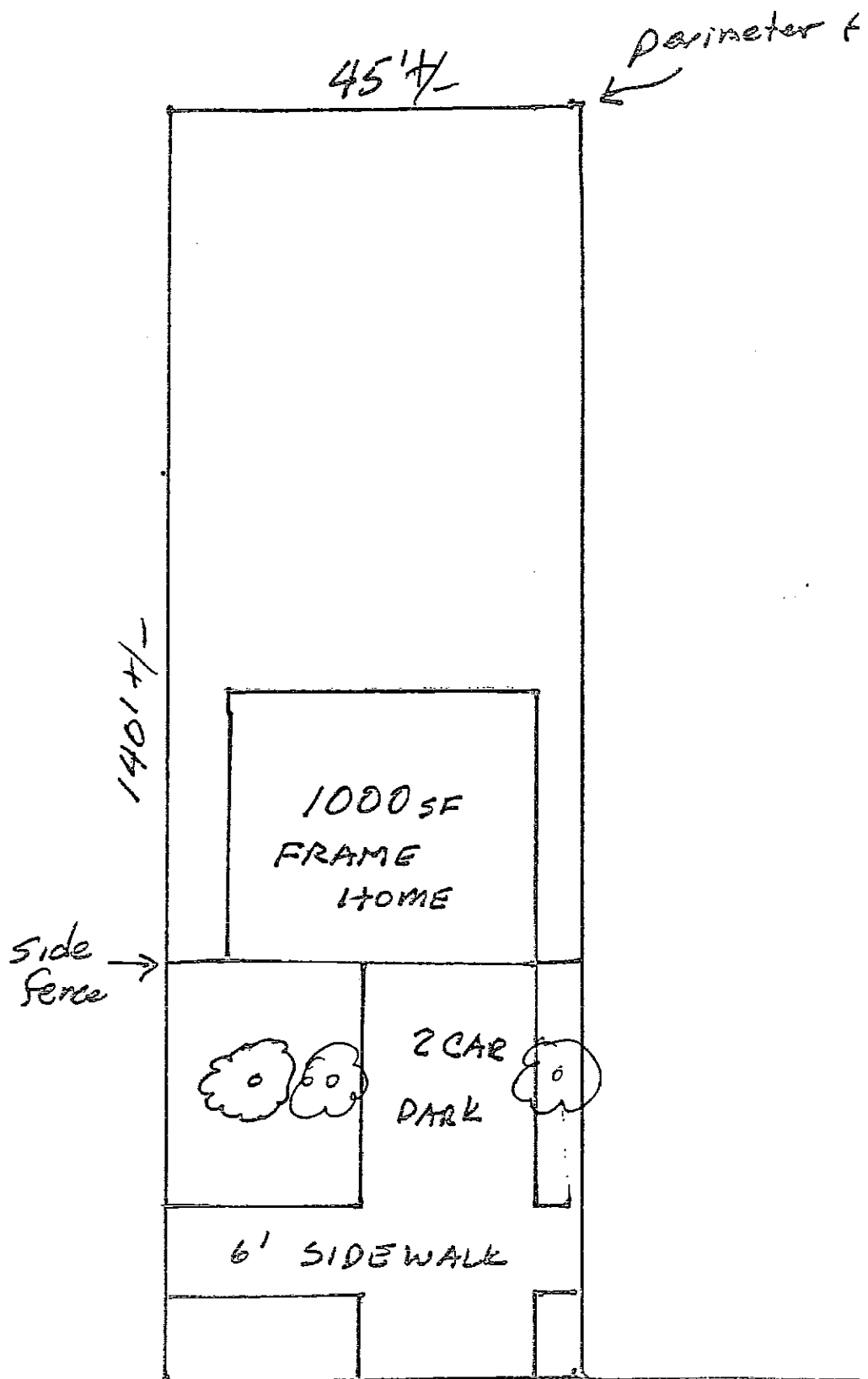
TORRES ESTATES
KINGSVILLE, TEXAS

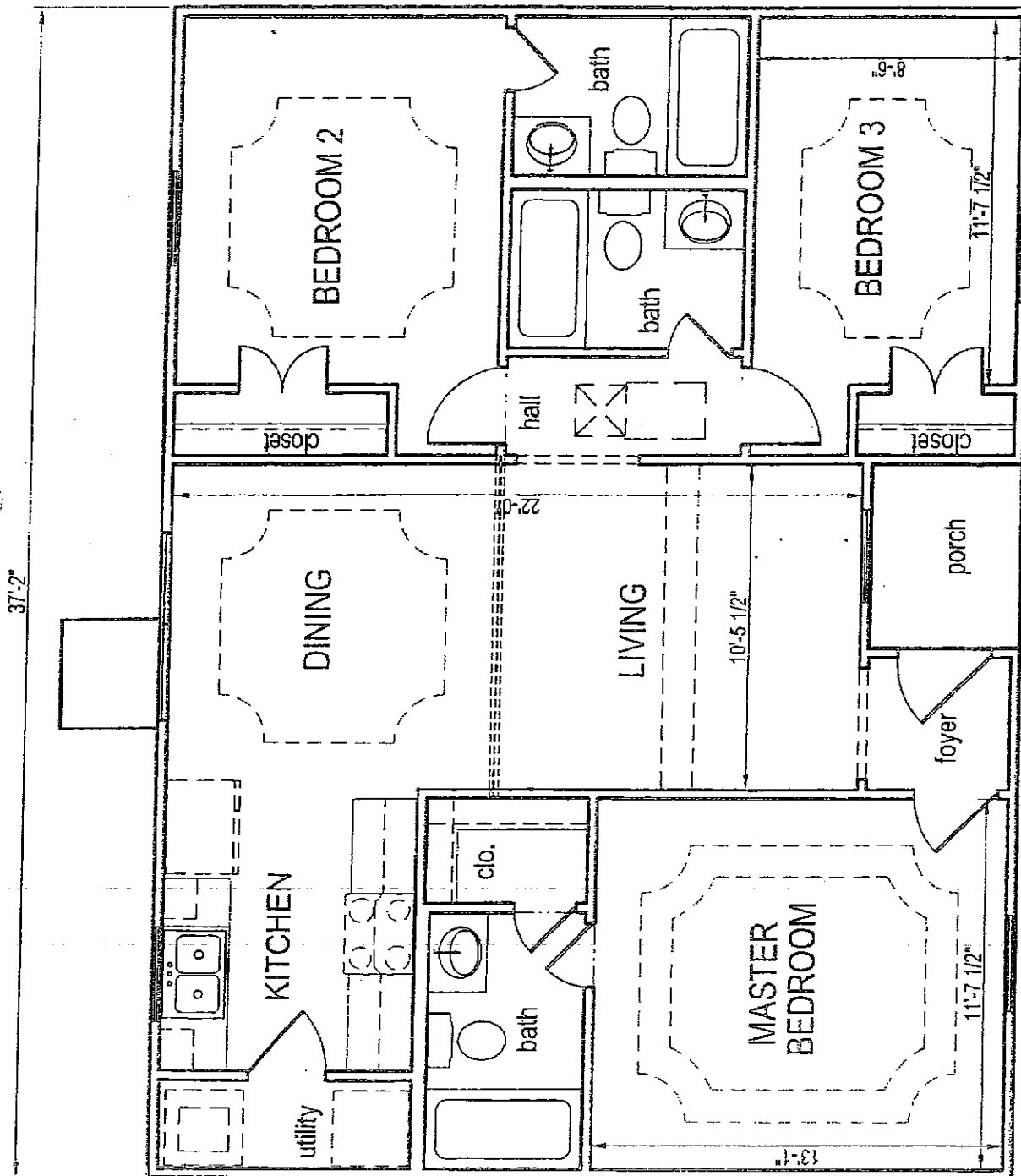


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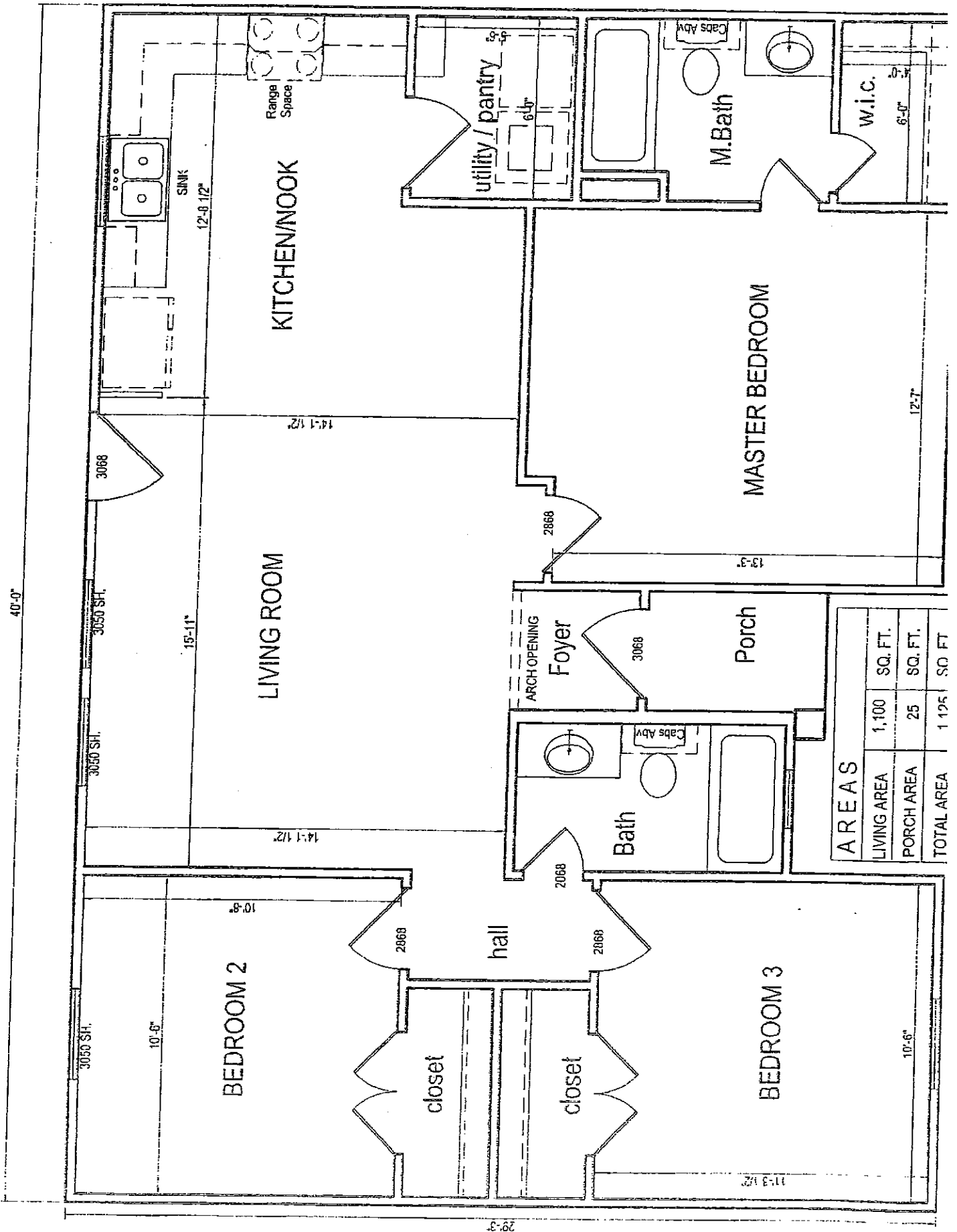
M ALDEN & HUNT INC.
ENGINEERING & SURVEYING
200 N. W. 10th St.
KINGSVILLE, TEXAS 77834
TEL: (361) 581-1111 FAX: (361) 581-1112

30 ESD/11





AREAS	A
LIVING	990
PORCH	29
TOTAL	1019



AGENDA ITEM #12

To: Courtney Alvarez, Interim City Manager

From: Tom Ginter, Director of Planning and Development Services

Date: April 9, 2015

Subject: Planning and Zoning Agenda Items for April 8, 2015

Item #1: Requesting the rezone of 1.44 acres (Torres Estates) from R2 Two Family District to RP2 Planned Two Family Residential District. **This item was recommended for Approval by a 5 to 0 vote.**

Item #2: Discussion and Consider Adopting the Conceptual Development Plan for Torres Estates Development for 1.44 acres. **This item was recommended for Approval by a 5 to 0 vote.**

Item#3: Discussion and Consider Action pertaining to the submittal of a preliminary subdivision plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

Item#4: Discussion and Consider Action pertaining to the submittal of the final plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

To: City Commission

From: Tom Ginter, Director of Planning and Development Services

Date: April 7, 2015

Subject: Agenda Memo Lake view villas – April 13, 2015

The attached documents explain the position that the City Commission has been put in. At this point the street has been in and the plats are up for approval to the Planning and Zoning Commission. The items are on their April 8th agenda. It would seem at this point unless other information comes to light that staff would recommend approval of the preliminary and final plats. I believe the plats have not changed. The developer just missed the timetable to submit the final plat.

CITY OF KINGSVILLE

200 E. Kleberg Avenue
Planning & Development Services Dept.
Planning & Zoning Division

Kingsville, Texas 78363
Phone: (361) 595-8055
Fax: (361) 595-8060

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address SEC Paulson Falls Blvd. & F.M. 1356 Located in the City ☒ ETJ

(Proposed) Subdivision Name preliminary & final plat of Lakeview Villas Total number of Lots 24
3,783 acres being all of Lakeview Villas Subdivision (Cab. II, Env. 113)

Legal Description: out of Farm Lot 1, Sect. 22 Kleberg Town & Imprv. Co. Subd.
Ord. 1, Pg. 34, Envelope 18, K.C.M.R.

Existing Zoning Designation _____ Future Land Use Designation Residential

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent South Texas Benevolence Society, Inc. (982) 330-6000 Phone (956) 682-8511 FAX

Email Address (for project correspondence only): mdizdar@firstcompasshomes.com

Mailing Address 1101 Vine St., Ste. "B" City McAllen State TX Zip 78501

Property Owner Same as Applicant Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

Select appropriate request(s) for which approval is sought. Attach appropriate checklist(s) with this application.

<input type="checkbox"/> Annexation Request.....	No Fee	<input checked="" type="checkbox"/> Preliminary Plat.....	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA).....	\$250.00	<input checked="" type="checkbox"/> Final Plat.....	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request.....	\$250.00	<input type="checkbox"/> Minor Plat.....	\$100.00
<input type="checkbox"/> Re-zoning Request.....	\$250.00	<input type="checkbox"/> Re-plat.....	\$200.00
<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"/> Conceptual Development Plat.....	\$100.00
<input type="checkbox"/> PUD Request.....	\$250.00	<input type="checkbox"/> Subdivision Variance Request.....	\$25.00 ea
<input type="checkbox"/> Lot Line Adjustment Plat.....	\$100.00	<input type="checkbox"/> Amending Plat.....	\$100.00

Please provide a basic description of the proposed project:

Preliminary & Final Lakeview Villas (Cabinet II, Envelope 113, KCMR) of 37 Residential

lots to 24 Residential lots property is located @ southeast corner
of Paulson Falls Blvd. & General Calzadas Blvd. (F.M. 1356)

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: _____ Date: _____

Property Owner's Signature: _____ Date: _____

**PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
June 26, 2013**

Planning and Zoning Members Present

Steve Zamora, Chairman
Robert McCreight
Raymond Perez
Lupe Alvarez
Bill Aldrich
Albert Garcia
Bill Aldrich
Debbie Tiffiee

Citizens Present

Léon Garcia
Steve Martinez
Leland Adams
Victor Rodriguez
Steve Solis
Fred Kurth

Staff Present

Robert Isassi, Director of Planning & Development
Services
Jessica Storck, Planning Secretary

Base Representative

Glenn Jones

1. **The meeting was called to order at 7:00 p.m.**
2. **Discuss and take action on the meeting minutes of March 13, 2013.**
Mr. Lupe Alvarez made a motion to accept the minutes as circulated. Ms. Debbie Tiffiee seconds. All in favor/ none oppose.
3. **Public comments on items on and not on the agenda.**
There were four citizens that spoke against the rezoning of the special use permit to allow Club/Bar La Cupula's request. One citizen that was present was in favor.
4. **Discuss and take action on --- City of Kingsville -- Requesting approval of an amendment to change Article VI "Sign Regulations" of Chapter 15 "Zoning", specifically Section 15-6-117 "Owner Identification Signs Permitted", Section 15-6-121 "Prohibited Signs" and Section 15-6-126 "Permits" dealing with needed updates pertaining to recommended amendments per the adopted Master Plan & needed language pertaining to exempt signage and prohibited signage. Staff recommendation: Approval**

Mr. Isassi stated that this is a request to propose an ordinance change regarding certain sign regulations needing revisions and/or additional language to exempt signage, temporary signage and prohibited signage. Particularly, section Owner Identification Signs Permitted, Prohibited Signs, and Permits. The current code is unclear as to timelines for certain exempt and temporary signs. This ordinance change would allow for the city to make the code clearer. Also, included would be the approval of expanding the signage square footage for multi-tenant shopping centers or office buildings.

There was a slight confusion regarding pole signs and the act of them being disallowed. That ordinance was changed when the Master Use Plan was adopted and monumental signs would now be in effect. The pole signs that are currently up would be considered grandfathered in.

Mr. Alvarez stated if these ordinances would affect signs on the highway.

Mr. Isassi stated that in the ordinance it is applied to the highway signs as well.

Mr. Alvarez made a motion to accept the sign ordinance changes. Mr. McCreight second. Seven in favor/ one abstained. Item passes.

5. Discuss and take action on --- LEON GARCIA- Requesting approval of a Special Use Permit to allow Club/Bar La Cupula, Inc, at 1601 S. Hwy 77 Suite P, on property currently zoned C-2 Retail District. Staff recommendation: Conditional Approval

Mr. Isassi stated this is a request for a Special Use Permit in a C-2 Retail District to allow Club/Bar La Cupula, Inc. Currently the suite is unoccupied and it was historically used as a furniture store. Staff recommends conditional approval for the following reasons: to avoid spot zoning for commercial properties and that this Special Use Permit shall expire if the approved use cease or in the case of a change of ownership. Also, the business shall obtain all required licenses and permits for the planned construction activity and improvements meeting all adopted codes to operate said business.

Mr. Aldrich stated what is the legal requirements on footage from a school or a church and is it from the front door or the property line. Mr. Isassi responded it is 300ft from the front door and that it had nothing to do with the property line. Mr. Alvarez stated how far the location to the school is and how far was it from the church lot. Mr. Isassi responded that it was not in the school zone but the church zone and that is was in the 300ft radius. He also stated if there were any residential properties within the 200ft radius and did any of the residents responded to the letter they received. Ms. Storck responded that there were residents within the 200ft and that no one responded to the letter.

Mr. Aldrich had some concerns that the residents and the church were closer than 200ft. Ms. Storck stated that according to the City Attorney that the Texas Alcoholic Beverage Commission measures from store front to store front. Ms. Storck also stated that this was not a request for a variance from the Zoning Board of Adjustment but for a Special Use Permit from the Planning and Zoning Board.

Mr. Albert Garcia stated that this business has been a very reputable/respectable business that is already in Kingsville, it has been in town for several years and all Mr. Leon Garcia is requesting is to move locations. Mr. McCreight stated that the Masonic lodge is next door to the church and school and addressed if they served alcohol. Mr. Albert Garcia responded he was not a member.

MS. Tiffie made a motion to approve the request for a special use permit along with the conditions stated. Mr. Albert Garcia seconds.

Four were in favor/three voted against. Item passes.

6. **Discuss and take action on --- Melden & Hunt, Inc. by Fred L. Kurth, agent -- Requesting approval of a major preliminary subdivision plat to be known as Lake View Villas, between the 1900 block and 2000 block of East General Cavazos Blvd.; proposes 24 lots on property currently zoned R-1 Single Family Residential District.Staff Recommendation: Conditional Approval.**

Mr. Isassi stated that the petitioner is requesting approval for a major subdivision plat that will contain twenty-four lots and one street. The development is not within the Controlled Compatible Land Use Area it is also outside of the noise and accident potential zones.

Mr. Aldrich stated there were concerns about the street width and if two cars would fit on a single street with the allowance of passing cars. Mr. Kurth stated that the road measured 36ft and that the standard is 32ft. Mr. Aldrich asked if there were going to be underground utilities and Mr. Kurth replied yes. Chairman Zamora requested the length of the turnaround at the end of the street. Mr. Kurth stated it was 15ft wide and 40ft long. Ms. Tiffe and Mr. Aldrich did have some concerns regarding what type of fencing that would be put up since the street the homes are being built on is a major road. Mr. Kurth stated that the decision would be made in the construction phase. Mr. Perez stated that there a landscaping ordinance that would need to be followed and several board members agreed.

Ms. Tiffe made a motion to approve the request the preliminary plat. Mr. Alvarez seconds. All in favor. None opposed.

Mr. Isassi allowed Ms. Storck to give information on the upcoming events. Ms. Storck stated we were happy to have to Mr. Isassi on board. There were requests for rezoning and we would be meeting next month with the Planning and Zoning Board again.

7. **Adjourn**

Meeting adjourned at 7:52 p.m.

City Com.

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

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

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

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

1. Consider approving final passage of an ordinance amending the Fiscal Year 2012-2013 Budget of the General Fund for improvements to the City of Kingsville Downtown Pavilion. (Director of Finance).
2. Consider approving final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add the position of Accounting Supervisor and Landfill Foreman to the Compensation and Classification Plan for Fiscal Year 2012-2013. (Director of Human Resources).
3. Consider approving final passage of an ordinance amending the fiscal year 2012-2013 budget of the General Fund for Legal Department Professional Services. (Director of Finance).
4. Consider appointing John Garza, III to the City Zoning Board of Adjustment to fill a vacancy for a 2 year term. (Director of Planning and Development Services).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider introduction of an ordinance amending the zoning ordinance by granting a special use permit at 1601 S. Hwy 77, Suite P (Kingsville Industrial Park 2, Lot 14.84 AC Tract) for a sports bar/club; amending the comprehensive plan to account for any deviations from the existing comprehensive plan; providing for publication. (Director of Planning and Development Services).

Commissioner Leubert stated that the Commission has heard some concerns during the public hearing regarding this item, but she would like some questions answered. One is being security on the outside of the establishment and will someone be hired at this location daily, nightly, weekly or as necessary to make sure the parking lot is kept clean. She further stated that having security on the outside of this establishment would probably help with some of the concerns voiced today.

Mayor Fugate stated that this will be an on premise establishment which will not allow any alcohol outside the premise.

Mr. Robert Isassi, Director of Planning and Development Services stated that Code Enforcement will be out monitoring the area for any trash.

Mrs. Alvarez stated that there is no ordinance in place that requires any security for the outside of any establishments.

Commissioner Pecos asked if this establishment meets all distance requirements.

Mrs. Alvarez stated that the Alcohol Beverage Code specifies how the measurement is done which is from the entrance of the establishment to the entrance of the church or school. The distance for this establishment meets all statutory requirements.

Mr. Isassi stated that the Planning and Zoning Commission reviewed and approved the special use permit by a 4-3 vote on June 26, 2013. There were some concerns on its proximity to the movie theatre, church and a charter school. Their concerns were similar to those voiced during tonight's public hearing.

Introduction item only.

6. Consider preliminary subdivision plat for Lake View Villas, containing 24 lots, located in the 1900 block and 2000 block of East General Cavazos Blvd with conditions, as per staff recommendation. (Director of Planning and Development Services).

Mr. Isassi stated that this is a request for approval of a major preliminary subdivision plat containing 24 lots on 3.78 acres. The subdivision is located on the 1900 and 2000 block of East General Cavazos Boulevard. The preliminary plat has been reviewed meets all requirements according to City Ordinance 15-3-1. The preliminary plat has been reviewed and approved by the Planning & Zoning Commission on June 26, 2013. Staff

recommends the approval of the plat based on its benefit to the community with its generally safe location and its adherence to the Ordinance regulations.

Commissioner Leubert asked if there will ever be a lake view.

Mr. Fred Kurth, Meldon & Hunt, Inc. responded that this actual layout shrinks out the north side. He further stated that he has spoken to the city about building a well and possible effluent water if it became available as they would like to have a lake view.

Commissioner Pecos stated that effluent water is available.

Mr. Isassi stated that one of the concerns that were brought up during the Planning & Zoning Commission meeting was the lack of fencing of the backyards facing General Cavazos. He further stated that he will be talking to the developer regarding installing a consistence fence on the back end.

Motion made by Commissioner Pena to accept the preliminary plat, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Fugate voting "FOR".

7. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Sections 15-6-115 through 15-6-131, providing for substantial revisions to the sign ordinance. (Director of Planning and Development Services).

Mr. Isassi stated that this is an introduction item to amend Chapter XV, Land Usage, Article 6, Sign Regulations, Section 15-6-115 through 15-6-131. These sections are being updated to meet the City's currently adopted 2008 Master Plan in which it was recommended the signing ordinance be amended to require monument signing in lieu of pole signing, and to clarify exempt and prohibited sign usage. The Planning & Zoning Commission has reviewed this ordinance and has approved the changes during a meeting on June 26, 2013.

Commissioner Pena asked if this would address the issues with memorial sites on the side of the roads. He further stated that he has received an email regarding the memorial sites on the side of roads within the City limits.

Mrs. Alvarez stated that this ordinance does not address this particular issue.

Mr. Isassi stated that he can speak with the City Manager and see if this is something he would like to include in this ordinance or it can be addressed as a separate issue.

Mayor Fugate stated that it would probably be best if Mr. Isassi would address the issue with the City Manager and then bring back the item for approval sometime in August.

Introduction item only.

8. Consider resolution abandoning an easement within Farm Lot 15, Section 17 of the KT&I Co. Subdivision. (Director of Planning and Development Services).

Mr. Isassi stated that this is a request from Ms. Alana Logue who represents the owner of the property located along East General Cavazos Boulevard between US 77 and Golf Course Road. They are requesting that a blanket City easement, referenced in a 1905 deed be released. The Engineering Department has researched the deed history and discovered a 2007 deed for the property which does not mention any such easement. It is the City's belief that this easement was either previously released or abandoned in the time between 1905 and 2007 without any documentation. The owner is requesting a full release of this easement based on engineering drainage improvements done along East General Cavazos Boulevard and Golf Course Road which does not require additional drainage running through an arbitrary location within the property. The owner will still have to get with King Ranch to approve their water line easement.

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

9. Consider resolution authorizing participation in the Community-Oriented Connectivity Broadband Grant sponsored by the U.S. Department of Agriculture (USDA) Rural Utilities Service (RUS); authorizing City Staff and the Director of Telecommunications at Texas A&M University in College Station to act on the City's behalf with such Program. (Director of Purchasing/IT).

Mayor Fugate stated that it was his understanding that agenda item #9, the City of Kingsville is not eligible for this grant. Therefore Commission will not take any action on this item.

10. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund Information Technology Department for G.I.S. Server Hosting Services. (Director of Finance).

- (13) AICUZ boundaries where applicable and identified by the Department of Planning and Development Services.
- (14) Staff reserves the right to request additional information to adequately enforce the intent of the preliminary plat requirements.
- (15) A final plan for the proposed fills or other structure-elevating techniques, levees, channel modifications, retaining walls and other methods to overcome flood or erosion-related hazards (see § 15-3-65(B)(3) of this article).
- (16) Notice: This property is located within an area that is one-quarter mile outside of the Naval Air Station (NAS) Kingsville 65 dB DNL noise contours and may be impacted by noise, odors, flight safety hazards, and other potential compatibility issues relating to installation operations. This property may also be subject to additional development regulations relative to the property's proximity to the installation.

sec.
5-3-18
(D) *Processing the preliminary plat.*

- (1) On receipt of the preliminary plat and other required information, the Planning and Zoning Commission shall render a decision thereon within 30 days. Such decision may consist of approval, disapproval or conditional approval. Conditional approval shall be considered to be the approval of a plat or replat subject to conformity with prescribed conditions, but shall be deemed to be a disapproval of such plat or replat until such conditions are complied with. All objections made to the preliminary plat, or conditions imposed, shall be furnished to the subdivider in writing.
- X(2) When a preliminary plat and other required information has been approved, the subdivider may thereafter file a final plat or plats of sections of the subdivision upon which approval of the preliminary plat has been obtained, and upon the filing of the final plat or plats, preliminary plat shall be considered approved or conditionally approved as in subdivision (1) above; provided, however, that such approval or conditional approval of the remainder of the preliminary plat shall be limited to a one year period; provided further, however, that the Planning and Zoning Commission may, at its discretion, extend such period of validity. When a preliminary plat has been approved and thereafter the subdivider fails to file with the Planning and Zoning Commission a final plat of the subdivision or a section thereof within a period of six months, the approval of the preliminary plat shall be void except, however, the Planning and Zoning Commission may, in its discretion, extend such period of validity.


(Ord. 2014-65, passed 10-13-2014)

Sec. 15-3-19. - Final plat; decision of commission.

The final plat, for both major and minor plats, and accompanying data shall conform to the preliminary plat as approved or conditionally approved by the Planning and Zoning Commission or the Director of Planning and Development Services in the case of a minor plat. The plat incorporate any and all changes, modifications, alterations, corrections and conditions required by the Planning Commission or the Director.

- (A) *The original and ten copies of the final plat.* This plat shall be drawn on mylar, a minimum scale of one inch to 100 feet or larger in ink with all figures and letters legible, and the whole proper for filing for record in the office of the Kleberg County Clerk with the following information given:
 - (1) The title or name by which the subdivision is to be identified, north point, the scale of the map and the name of the state-registered professional engineer and/or state-licensed or registered land surveyor responsible.
 - (2) A definite legal description and identification of the tract being subdivided. This description shall be sufficient for the requirements of title examination. The plat shall be a descriptive diagram drawn to scale. The plat shall show by reference that the subdivision is a particular portion or part of the previously filed plat; recognized grant or partition.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services 

Date: March 13, 2015

Subject: Preliminary and Final Plat for Lake View Villas

On June 26, 2013 the Planning and Zoning Commission approved the preliminary plat for Lake View Villas. On July 8, 2013 the City Commission approved the preliminary plat for Lake View Villas. Since that time the final plat was never submitted to the Planning and Zoning Commission for approval. While that in itself is not a problem the time period that has elapsed is an issue with the code. Attached is a copy of the code that refers to this time table. I have identified the paragraph but to get to the point a final plat has to be submitted within 6 months of the preliminary plat or an extension has to be granted. We find neither of those actions has been done.

It is also my understanding that the improvements have been completed. The most significant was the street, Isabella Drive that is completed. A copy of the subgrade test results is attached. An economic development agreement was a part of this project which is attached.

Staff Recommendation

In the big picture of housing projects that have been started in Kingsville this seems to be a positive one. While not here when it was started, reviewing the file and the notes it seem that while there were concerns both bodies approved it unanimously. The recommendation would be to approve the preliminary and final plat.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. Representations.

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

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

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

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

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

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

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

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

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

9. Default.

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

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

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

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

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

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

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

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

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

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

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

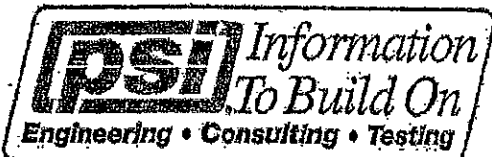
IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the City of Kingsville as authorized by the City Commission on the 9 day of December, 2013; by Mark Dizdar on behalf South Texas Benevolent Society, LLC on the 18th day of DECEMBER, 2013 and effective upon the execution of both parties hereto.

CITY OF KINGSVILLE

By: [Signature]
Name: Vincent J. Capell
Title: City Manager

SOUTH TEXAS BENEVOLENT
SOCIETY

By: [Signature]
Name: Mark Dizdar
Title: President



Professional Service Industries, Inc.
810 S. Padre Island Drive
Corpus Christi, TX 78416
Texas Firm Registration No. F-03307
Phone: (361) 854-4801
Fax: (361) 854-8049

Summary Daily Field Report

Client: STBS 1901 Kelly Lane Kingsville, TX 78363 Project: LAKEVIEW VILLA ROADWAYS KINGSVILLE, TX	CC:	Report No: SDFR:0325717-1/1 Issue No: 1 <small>These test results apply only to the specific locations and materials noted and may not represent any other locations or elevations. This report may not be reproduced, except in full, without written permission by Professional Service Industries, Inc. If a non-compliance appears on this report, to the extent that the reported non-compliance impacts the project, the resolution is outside the PSI scope of engagement.</small> Approved Signatory: Mark Wolf, P.E. (Project Manager) Date of Issue: 8/11/2014
---	------------	--

Date: 6/9/2014

WEATHER: Clear
TEMPERATURE RANGE: 80° F TO 90° F
PSI REPRESENTATIVE: Brett Ewing

TYPE OF INSPECTION BEING PERFORMED

SOILS

- ☐ FOUNDATIONS
- ☐ CONTROLLED FILL (COMPACTION)
- ☒ SAMPLE PICK UP

ASPHALT

- ☐ BATCH PLANT
- ☐ PLACEMENT (JOB SITE)
- ☐

CONCRETE

- ☐ BATCH PLANT
- ☐ PLACEMENT (JOB SITE)
- ☐ SPECIMEN TRANSPORT

OTHER

- ☐
- ☐
- ☐
- ☐

BRIEF RESUME OF WORK ACCOMPLISHED THIS DATE:

As requested, a PSI, Inc. representative arrived at the above referenced project site to obtain a sample of the material described below for laboratory testing. The results will be reported on a succeeding report.

Material Description: Lime Treated Clay
Application: Roadway
Sample Lab No.: 0325717-1-S1

Test Methods:

X ASTM-D698 = STANDARD PROCTOR



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78418
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-8049

Proctor Report

Client: STBS CC
 1901 Kelly Lane
 Kingsville, TX 78363

Project: LAKEVIEW VILLA ROADWAYS
 • KINGSVILLE, TX

Report No: PTR-0325717-1-S1

Issue No: 1

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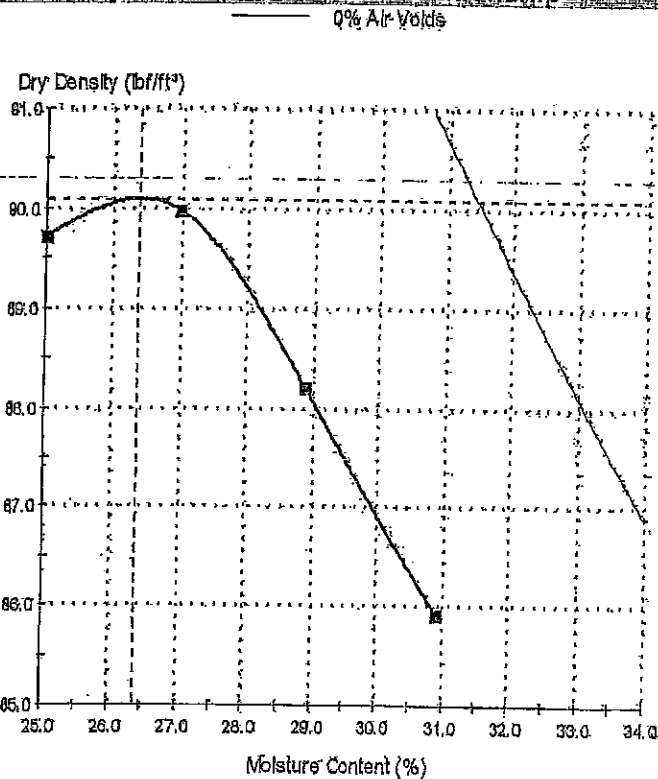
Mark Wolf

Approved Signatory: Mark Wolf, P.E. (Project Manager)
 Date of Issue: 6/11/2014

Sample Details

Sample ID:	0325717-1-S1	Client Sample ID:	N/A
Date Sampled:	6/9/2014	Sampled By:	Brett Ewing
Specification:	96 (-3/+3)	Supplier:	N/A
Source:	On Site	Material:	Lime Treated Clay
Sampling Method:	Roadway base/sub - AASHTO T 2 - 5.3.4	General Location:	On-Site Stockpile
Location:	Lake View Dr., Subgrade	Tested By:	Felix Ovalle

Dry Density - Moisture Content Relationship



Test Results

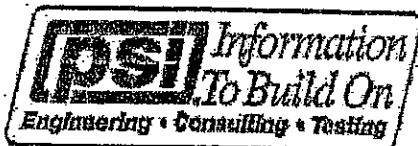
ASTM D 698

Maximum Dry Density (lb/ft³):	90.1
Optimum Moisture Content (%):	26.4
Method:	A
Preparation Method:	Dry
Specific Gravity (Fines):	2.65
Retained Sieve No 4 (4.75mm) (%):	0
Passing Sieve No 4 (4.75mm) (%):	100

ASTM D 4718

Corrected Maximum Dry Density (lb/ft³):	90.1
Corrected Optimum Moisture Content (%):	26.4

Comments



Professional Service Industries, Inc.
 010 S. Padre Island Drive
 Corpus Christi, TX 78418
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-3049

Field Density Test Report

Report No: FDR-0326717-2
 Issue No: 1

Client: STBS
 1901 Kelly Lane
 Kingsville, TX 78363

Project: LAKEVIEW VILLA ROADWAYS
 KINGSVILLE, TX

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Mark Wolff

Approved Signatory: Mark Wolff, P.E. (Project Manager)
 Date of Issue: 8/11/2014

Testing Details

Tested By: Felix Ovalle
 Date Tested: 6/10/2014
 Field Methods: ASTM D 6938
 Gauge Type: Troxler
 Model Number:
 Serial Number:
 Test Mode: Direct Transmission
 Standard Count: Density: 1793
 Standard Count: Moisture: 650

Proctor Information

Sample ID	Material	Method	MDD (lb/ft ³)	OMC (%)
0325717-1-S1	Lime Treated Clay	ASTM D 698 (A)	90.1	26.4

Test Results

Test No.	Proctor Sample ID	Probe Depth (in.)	Wet Density (lb/ft ³)	Moisture Content (%)	OMC Var	OMC Var Spec	Dry Density (lb/ft ³)	Comp (%)	Comp Spec	Results
1	0325717-1-S1	8	109.7	34.8	+8.4	-3 to +3	81.4	90.3	≥95	B, C
2	0325717-1-S1	8	113.2	27.4	+1.0	-3 to +3	88.9	98.7	≥95	A
3	0325717-1-S1	6	114.1	31.6	+6.2	-3 to +3	86.7	96.2	≥95	C

Location

General Location: Lake View Drive

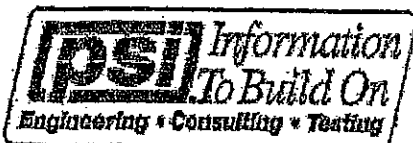
Test No.	Location	Material/Layer
1	West end of roadway.	L.T. Subgrade
2	Center of roadway.	L.T. Subgrade
3	East end of roadway.	L.T. Subgrade

Comments

Specifications were provided by on-site representative of Momentum, LLC

Legend

OMC = Optimum Moisture Content
 MDD = Maximum Dry Density
 A = TEST RESULTS COMPLY WITH SPECIFICATION
 B = COMPACTION PERCENTAGE DOES NOT COMPLY WITH SPECIFICATIONS
 C = MOISTURE DOES NOT COMPLY WITH SPECIFICATIONS



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78416
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-8049

Field Density Test Report

Client: STBS CC
 1901 Kelly Lane
 Kingsville, TX 78363
 Project: LAKEVIEW VILLA ROADWAYS
 KINGSVILLE, TX

Report No: FDR-0325717-3

Issue No: 1

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Mark Wolf

Approved Signatory: Mark Wolf, P.E. (Project Manager)
 Date of Issue: 6/19/2014

Testing Details

Tested By: Jack Rackley
 Date Tested: 6/11/2014
 Field Methods: ASTM D 6938
 Gauge Type: Troxler
 Model Number: 3430
 Serial Number: 36162
 Test Mode: Direct Transmission
 Standard Count: Density: 2346
 Standard Count: Moisture: 646

Proctor Information

Sample ID	Material	Method	MDD (lb/ft ³)	OMC (%)
0325717-1-S1	Lime Treated Clay	ASTM D 698 (A)	90.1	26.4

Test Results

Test No.	Proctor Sample ID	Probe Depth (In.)	Wet Density (lb/ft ³)	Moisture Content (%)	OMC Var	OMC Var Spec	Dry Density (lb/ft ³)	Comp (%)	Comp Spec	Results
1	0325717-1-S1	4	113.1	26.8	+0.4	-3 to +3	89.2	99.0	≥95	A
2	0325717-1-S1	4	113.7	25.9	-0.5	-3 to +3	90.3	100.2	≥95	A

Location

General Location: Lake View Drive

Test No.	Location	Material/Layer
1	West end of roadway., Retest, originally tested 6/10/2014	L.T. Subgrade
2	East end of roadway., Retest, originally tested 6/10/2014	L.T. Subgrade

Comments

Specifications were provided by on-site representative of Momentum, LLC

Legend

OMC = Optimum Moisture Content
 MDD = Maximum Dry Density
 A = TEST RESULTS COMPLY WITH SPECIFICATION



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78418
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-8049

Concrete Field Report

Client: STBS
 1901 KELLY LANE
 KINGSVILLE, TX 78363

Project: LAKE VIEW VILLA ROADWAYS
 KINGSVILLE, TX

CC:

Report No: FC-0325734-1

Issue No: 1

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Mark Wolf

Approved Signatory: Mark Wolf, P.E. (Project Manager)
 Date of Issue: 8/24/2014

General Field Data

Technician: Jonathan Cavazos

Test Date: 8/13/2014

Weather: Cloudy

Test Results

Set No.	Specimens Made	Ticket	Time Batched	Time Unloaded	Cubic Yards Placed	Slump (in)	Air Content (%)	Air Temp. (°F)	Concrete Temp. (°F)
0325734-1-C1	5	355022	11:42	13:00	20.0	2.75		95	96

Location & Remarks

General Location:

Set No.	Location	Remarks
0325734-1-C1	Isabell Drive STA 4+75, South Side	

Mix Data

Set No.	Supplier	Mix	Design Strength (psi)
0325734-1-C1	J-III Concrete		3000

Notes

Applicable ASTM standards unless otherwise indicated: Making Samples: C31 (except sec. 10.1.2); Slump: C143; Air Content: C231 (except sec. 6); Temperature: C1064; Sampling: C172.

Sampled from Revolving Drum Truck Mixer (ASTM C 172, 6.2.3)

Remarks



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78416
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-8049

Summary Daily Field Report

Client: STBS 1901 KELLY LANE KINGSVILLE, TX 78363	CC:	<div style="border: 1px solid black; padding: 2px;"> Report No: SDFR0325734-2/1 Issue No: </div> <p style="font-size: small;">These test results apply only to the specific locations and materials noted and may not represent any other locations or elevations. This report may not be reproduced, except in full, without written permission by Professional Service Industries, Inc. If a non-compliance appears on this report, to the extent that the reported non-compliance impacts the project, the resolution is outside the PSI scope of engagement.</p> <div style="text-align: center; margin-top: 10px;"> </div> <div style="border-top: 1px solid black; font-size: x-small; margin-top: 5px;"> Approved Signatory: Mark Wolf, P.E. (Project Manager) Date of Issue: 8/24/2014 </div>
Project: LAKE VIEW VILLA ROADWAYS KINGSVILLE, TX		

Date: 8/14/2014

WEATHER: Cloudy
TEMPERATURE RANGE: 80° F TO 88° F
PSI REPRESENTATIVE: Jonathan Cavazos

TYPE OF INSPECTION BEING PERFORMED

SOILS

- ☐ FOUNDATIONS
☐ CONTROLLED FILL (COMPACTION)
☐

ASPHALT

- ☐ BATCH PLANT
☐ PLACEMENT (JOB SITE)
☐

CONCRETE

- ☐ BATCH PLANT
☐ PLACEMENT (JOB SITE)
☒ SPECIMEN TRANSPORT
☐

OTHER

- ☐
☐
☐

BRIEF RESUME OF WORK ACCOMPLISHED THIS DATE:

A PSI representative arrived at the above referenced project site to pick up one (1) set of five (5) compressive strength test specimens molded on 8-13-14 and returned them to the laboratory for further processing and testing.



Professional Service Industries, Inc.
810 S. Padre Island Drive
Corpus Christi, TX 78416
Texas Firm Registration No. F-03307
Phone: (361) 864-4801
Fax: (361) 864-8049

Concrete Test Report

Report No: CON-0326734-1-C1

Issue No: 3

Client: STBS
1901 KELLY LANE
KINGSVILLE, TX 78383

CO: MARK DIZDAR

Project: LAKE VIEW VILLA ROADWAYS
KINGSVILLE, TX

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Approved Signatory: Randy Brown, E.I.T. (Branch Manager)
Date of Issue: 9/12/2014

Mix Data

Supplier J-III Concrete
Plant J-III Concrete
Mix Identification
Specified Design Strength (psi) 3000 at age 28 days

Details of Sample

Date Sampled	8/13/2014	Date Received		Measured	Specified
Sample Location	Isabell Drive STA 4+75, South Side	Slump (in) ASTM C 143	2.75		
		Slump w/ plasticizer (in)	N/A		
		Air Temp (°F)	95		
Curing Method		Concrete Temp (°F) ASTM C 1064	95		
Field Sample No		Air Content (%) ASTM C 231			
		Unit Weight (pcf) ASTM C 138			
Contractor		Volume of Density Measure (ft³)			
Truck No.	174	Batch Size (yd³)	10		
Sampled By	Jonathan Cavazos	Water Added (gal) Before			
Submitted By	Jonathan Cavazos	After			
Weather	Cloudy	Time Batched	11:42		
Est. Wind (mph)		Time Sampled	13:00		
Est. Rh (%)		Time Placed	13:00		
		Time in Truck (mins)	78		

Compressive Strength of Concrete Cylinders

ASTM C 39

Specimen ID	Date Tested	Age (Days)	Dimensions (in) Diameter Height	Area (in²)	Type of Cap	Ultimate Load (lb)	Fracture Type/Remark	Compressive Strength (psi)	Required Strength (psi)
0325734-1-C11	08/20/14	7	4.00 8.00	12.57		44220	3	3520	
0325734-1-C12	09/10/14	28	4.03 8.00	12.76		56570	5	4430	3000
0325734-1-C13	09/10/14	28	4.02 8.00	12.69		56590	3	4460	3000
0325734-1-C14	09/10/14	28	4.03 8.00	12.76		55220	2	4330	3000
0325734-1-C15		Hold							3000

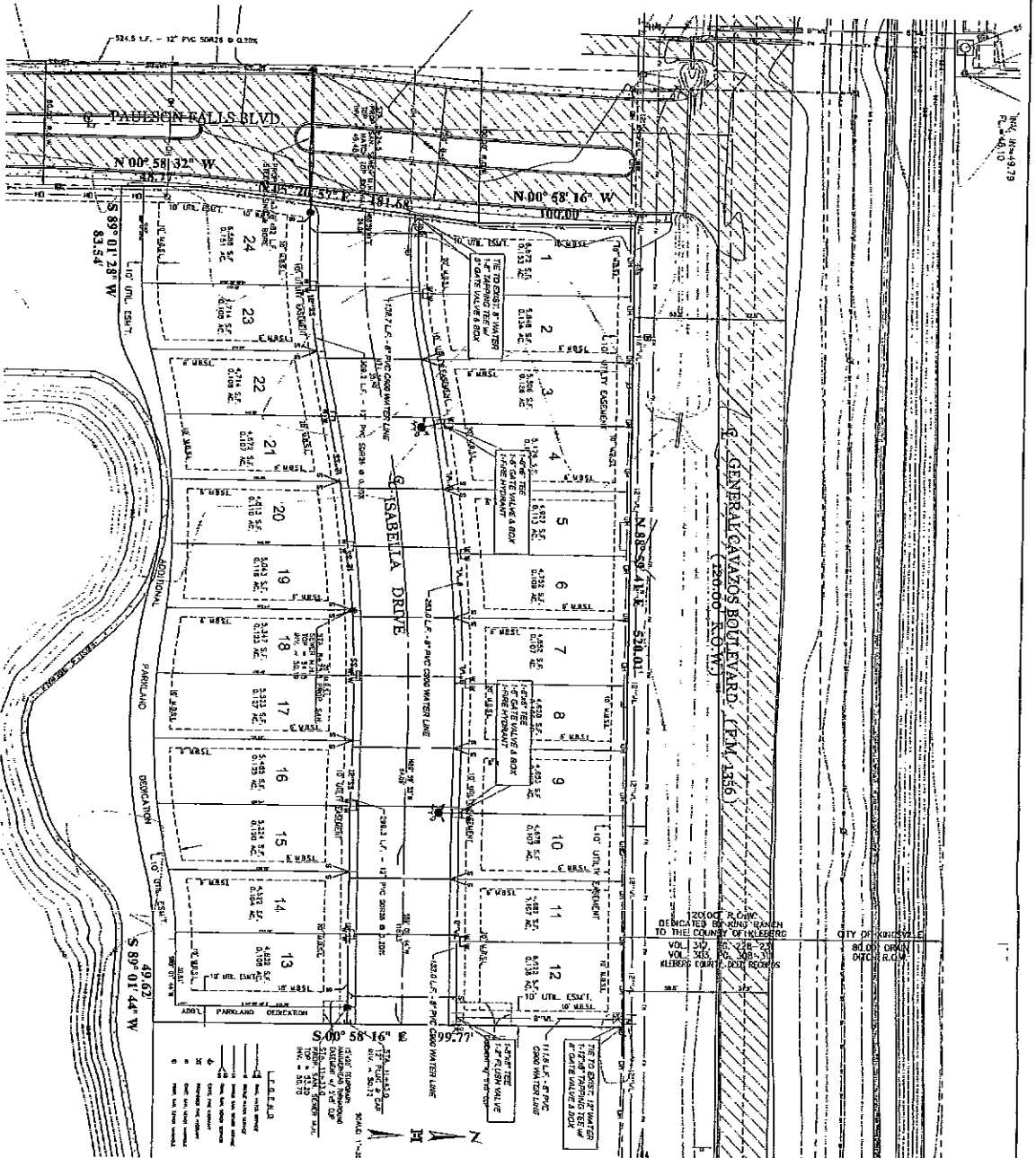
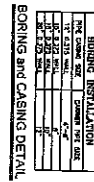
Average 28 Day Compressive Strength (psi) 4410

Notes

1. Sampling to ASTM C 172
2. Specimen(s) Prepared to ASTM C 31
3. Capping B=Bonded ASTM C 617, U=Unbonded ASTM C 1231, C = Combined

Remarks

Fracture Type: 2 = C38: Vert crack/ cone opposite end; C1314: Cone & Shear, 3 = C38: Vert cracking/no cones; C1314: Cone & Split, 5 = C38: Side fracture-opposite ends; C1314: Semi-Conical Break

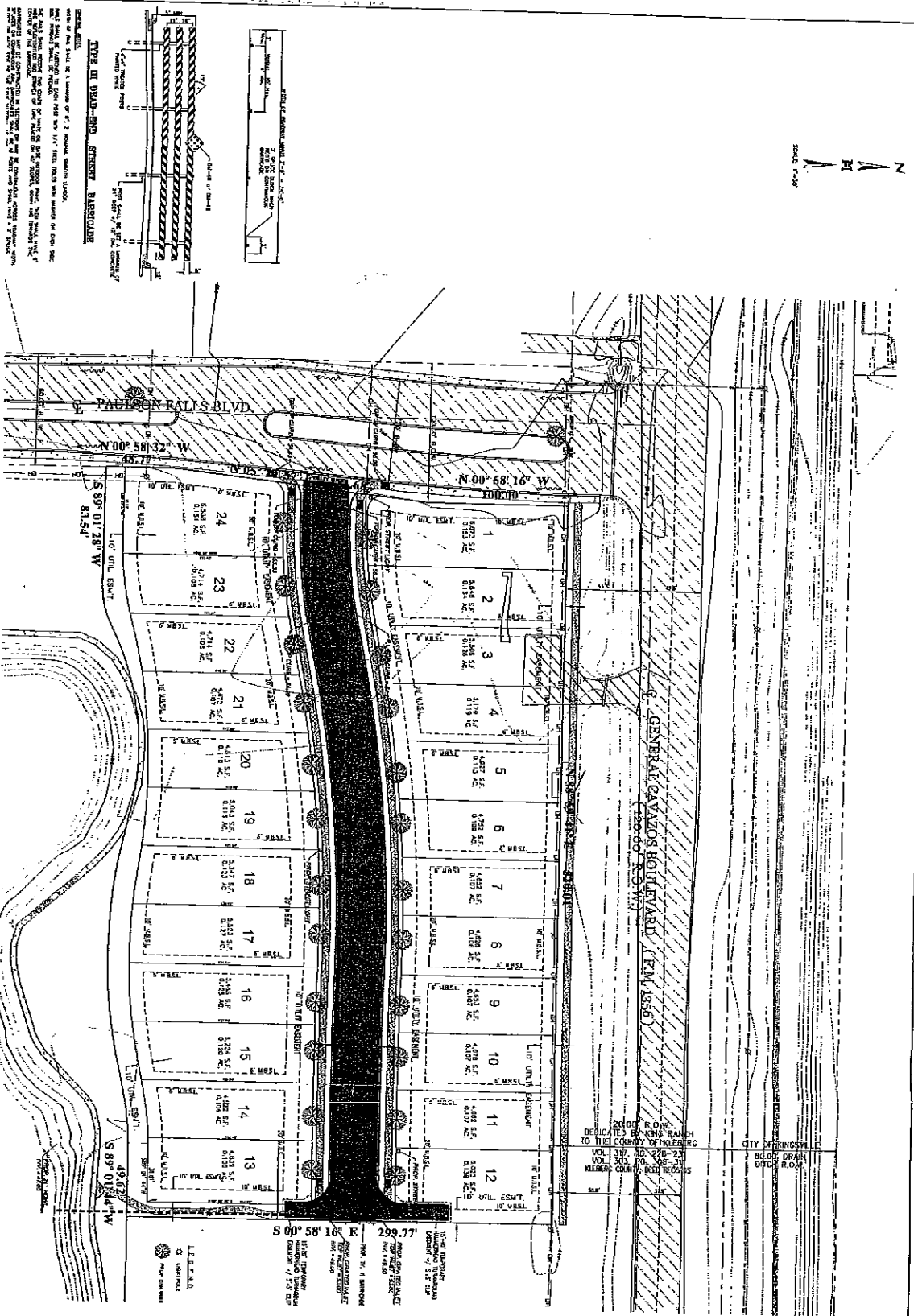
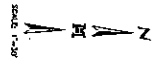


DRAWING DATE:	09/04/2010
RELEASE DATE:	
DESIGNED BY:	J. H. Z.
DRAWN BY:	J. H. Z.
CHECKED BY:	E. L. K.
GPS DATA YTD	
SCALE: 1"=30'	

M

SESSION	DATE	Gr
MELDEN & HUNT INC. GROUNDANTS • EXHIBITS • SURVEYORS 515 W. MAINSTREET 227 N. W. 31ST CORPUS CHRISTI, TX 78401 HOUSTON, TX 77002 PH (512) 347-2540 FAX (512) 347-2554		

Job No.
12038.01



PAVING & DRAINAGE LAYOUT

LAKEVIEW VILLAS
Kingsville, Texas.

DESIGNED BY: J. E. L.
DRAWN BY: J. E. L.
CHECKED BY: J. E. L.
DATE: 12/03/01

SCALE: 1" = 40'

1203 No. 12039-01

M MELDEN & HUNT, INC.
CONSULTANTS - ENGINEERS - DRAINAGE
145 W. WHEATLAND ST. SUITE 100
KINGSVILLE, TEXAS 77834
TEL: 361-231-1111 FAX: 361-231-1112
WWW.MELDENHUNT.COM

AGENDA ITEM #13

To: Courtney Alvarez, Interim City Manager

From: Tom Ginter, Director of Planning and Development Services

Date: April 9, 2015

Subject: Planning and Zoning Agenda Items for April 8, 2015

Item #1: Requesting the rezone of 1.44 acres (Torres Estates) from R2 Two Family District to RP2 Planned Two Family Residential District. **This item was recommended for Approval by a 5 to 0 vote.**

Item #2: Discussion and Consider Adopting the Conceptual Development Plan for Torres Estates Development for 1.44 acres. **This item was recommended for Approval by a 5 to 0 vote.**

Item#3: Discussion and Consider Action pertaining to the submittal of a preliminary subdivision plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

Item#4: Discussion and Consider Action pertaining to the submittal of the final plat to be known as Lake View Villas. **This item was recommended for Approval by a 5 to 0 vote.**

To: City Commission

From: Tom Ginter, Director of Planning and Development Services

Date: April 7, 2015

Subject: Agenda Memo Lake view villas – April 13, 2015

The attached documents explain the position that the City Commission has been put in. At this point the street has been in and the plats are up for approval to the Planning and Zoning Commission. The items are on their April 8th agenda. It would seem at this point unless other information comes to light that staff would recommend approval of the preliminary and final plats. I believe the plats have not changed. The developer just missed the timetable to submit the final plat.

CITY OF KINGSVILLE

200 E. Kleberg Avenue
Planning & Development Services Dept.
Planning & Zoning Division

Kingsville, Texas 78363
Phone: (361) 595-8055
Fax: (361) 595-8066

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address SEC Paulson Falls Blvd. E.F.M. 1356 Located in the City ✓ ETJ _____

(Proposed) Subdivision Name of Lakeview Villas Total number of Lots 24
3.783 acres being all of Lakeview Villas Subdivision (Cab. II, Env. 113)

Legal Description: out of Farm Lot 1, Sect. 22 Kleberg Town & Imprv. Co. Subd.
Tr. 1, Pg. 34, Envelope 18, K.C.M.R.

Existing Zoning Designation _____ Future Land Use Designation Residential

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent South Texas Benevolence Society, Inc. (986) 956
Phone 330-6000 FAX 682-8511

Email Address (for project correspondence only): mdizdar@firstcompasshomes.com

Mailing Address 1101 Vine St., Ste. "B" City McAllen State TX Zip 78501

Property Owner Same as Applicant Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

Select appropriate request(s) for which approval is sought. Attach appropriate checklist(s) with this application.

<input type="checkbox"/> Annexation Request.....	No Fee	<input checked="" type="checkbox"/> Preliminary Plat.....	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA).....	\$250.00	<input checked="" type="checkbox"/> Final Plat.....	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request.....	\$250.00	<input type="checkbox"/> Minor Plat.....	\$100.00
<input type="checkbox"/> Re-zoning Request.....	\$250.00	<input type="checkbox"/> Re-plat.....	\$200.00
<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"/> Conceptual Development Plat.....	\$100.00
<input type="checkbox"/> PUD Request.....	\$250.00	<input type="checkbox"/> Subdivision Variance Request.....	\$25.00 ea
<input type="checkbox"/> Lot Line Adjustment Plat.....	\$100.00	<input type="checkbox"/> Amending Plat.....	\$100.00

Please provide a basic description of the proposed project:

Preliminary + Final Lakeview Villas (Cabinet II, Envelope 113, KCMR) of 37 Residential

lots to 2nd Residential lots property is located @ southeast corner
of Paulson Falls Blvd. & General Calazas Blvd. (F.M. 1356)

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: _____ Date: _____

Property Owner's Signature: _____ Date: _____

Application and Fee Accepted by: Adrian B Date: 3-9-15

PLANNING AND ZONING COMMISSION
SPECIAL MEETING MINUTES
June 26, 2013

Planning and Zoning Members Present

Steve Zamora, Chairman
Robert McCreight
Raymond Perez
Lupe Alvarez
Bill Aldrich
Albert Garcia
Bill Aldrich
Debbie Tiffie

Citizens Present

Léon Garcia
Steve Martinez
Leland Adams
Victor Rodriguez
Steve Solis
Fred Kurth

Staff Present

Robert Isassi, Director of Planning & Development
Services
Jessica Storck, Planning Secretary

Base Representative

Glenn Jones

1. **The meeting was called to order at 7:00 p.m.**
2. **Discuss and take action on the meeting minutes of March 13, 2013.**
Mr. Lupe Alvarez made a motion to accept the minutes as circulated. Ms. Debbie Tiffie seconds. All in favor/ none oppose.
3. **Public comments on items on and not on the agenda.**
There were four citizens that spoke against the rezoning of the special use permit to allow Club/Bar La Cupula's request. One citizen that was present was in favor.
4. **Discuss and take action on --- City of Kingsville -- Requesting approval of an amendment to change Article VI "Sign Regulations" of Chapter 15 "Zoning", specifically Section 15-6-117 "Owner Identification Signs Permitted", Section 15-6-121 "Prohibited Signs" and Section 15-6-126 "Permits" dealing with needed updates pertaining to recommended amendments per the adopted Master Plan & needed language pertaining to exempt signage and prohibited signage. Staff recommendation: Approval**

Mr. Isassi stated that this is a request to propose an ordinance change regarding certain sign regulations needing revisions and/or additional language to exempt signage, temporary signage and prohibited signage. Particularly, section Owner Identification Signs Permitted, Prohibited Signs, and Permits. The current code is unclear as to timelines for certain exempt and temporary signs. This ordinance change would allow for the city to make the code clearer. Also, included would be the approval of expanding the signage square footage for multi-tenant shopping centers or office buildings.

There was a slight confusion regarding pole signs and the act of them being disallowed. That ordinance was changed when the Master Use Plan was adopted and monumental signs would now be in effect. The pole signs that are currently up would be considered grandfathered in.

Mr. Alvarez stated if these ordinances would affect signs on the highway.
Mr. Isassi stated that in the ordinance it is applied to the highway signs as well.

Mr. Alvarez made a motion to accept the sign ordinance changes. Mr. McCreight second. Seven in favor/ one abstained. Item passes.

5. Discuss and take action on --- LEON GARCIA- Requesting approval of a Special Use Permit to allow Club/Bar La Cupula, Inc, at 1601 S. Hwy 77 Suite P, on property currently zoned C-2 Retail District. Staff recommendation: Conditional Approval

Mr. Isassi stated this is a request for a Special Use Permit in a C-2 Retail District to allow Club/Bar La Cupula, Inc. Currently the suite is unoccupied and it was historically used as a furniture store. Staff recommends conditional approval for the following reasons: to avoid spot zoning for commercial properties and that this Special Use Permit shall expire if the approved use cease or in the case of a change of ownership. Also, the business shall obtain all required licenses and permits for the planned construction activity and improvements meeting all adopted codes to operate said business.

Mr. Aldrich stated what is the legal requirements on footage from a school or a church and is it from the front door or the property line. Mr. Isassi responded it is 300ft from the front door and that it had nothing to do with the property line. Mr. Alvarez stated how far the location to the school is and how far was it from the church lot. Mr. Isassi responded that it was not in the school zone but the church zone and that is was in the 300ft radius. He also stated if there were any residential properties within the 200ft radius and did any of the residents responded to the letter they received. Ms. Storck responded that there were residents within the 200ft and that no one responded to the letter.

Mr. Aldrich had some concerns that the residents and the church were closer than 200ft. Ms. Storck stated that according to the City Attorney that the Texas Alcoholic Beverage Commission measures from store front to store front. Ms. Storck also stated that this was not a request for a variance from the Zoning Board of Adjustment but for a Special Use Permit from the Planning and Zoning Board.

Mr. Albert Garcia stated that this business has been a very reputable/respectable business that is already in Kingsville, it has been in town for several years and all Mr. Leon Garcia is requesting is to move locations. Mr. McCreight stated that the Masonic lodge is next door to the church and school and addressed if they served alcohol. Mr. Albert Garcia responded he was not a member.

MS. Tiffie made a motion to approve the request for a special use permit along with the conditions stated. Mr. Albert Garcia seconds.
Four were in favor/three voted against. Item passes.

6. **Discuss and take action on --- Melden & Hunt, Inc. by Fred L. Kurth, agent --
Requesting approval of a major preliminary subdivision plat to be known as Lake
View Villas, between the 1900 block and 2000 block of East General Cavazos Blvd.;
proposes 24 lots on property currently zoned R-1 Single Family Residential
District. Staff Recommendation: Conditional Approval.**

Mr. Isassi stated that the petitioner is requesting approval for a major subdivision plat that will contain twenty-four lots and one street. The development is not within the Controlled Compatible Land Use Area it is also outside of the noise and accident potential zones.

Mr. Aldrich stated there were concerns about the street width and if two cars would fit on a single street with the allowance of passing cars. Mr. Kurth stated that the road measured 36ft and that the standard is 32ft. Mr. Aldrich asked if there were going to be underground utilities and Mr. Kurth replied yes. Chairman Zamora requested the length of the turnaround at the end of the street. Mr. Kurth stated it was 15ft wide and 40ft long. Ms. Tiffe and Mr. Aldrich did have some concerns regarding what type of fencing that would be put up since the street the homes are being built on is a major road. Mr. Kurth stated that the decision would be made in the construction phase. Mr. Perez stated that there a landscaping ordinance that would need to be followed and several board members agreed.

Ms. Tiffe made a motion to approve the request the preliminary plat. Mr. Alvarez seconds. All in favor. None opposed.

Mr. Isassi allowed Ms. Storck to give information on the upcoming events. Ms. Storck stated we were happy to have to Mr. Isassi on board. There were requests for rezoning and we would be meeting next month with the Planning and Zoning Board again.

7. **Adjourn**

Meeting adjourned at 7:52 p.m.

City Com.

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

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

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

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

1. Consider approving final passage of an ordinance amending the Fiscal Year 2012-2013 Budget of the General Fund for improvements to the City of Kingsville Downtown Pavilion. (Director of Finance).
2. Consider approving final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add the position of Accounting Supervisor and Landfill Foreman to the Compensation and Classification Plan for Fiscal Year 2012-2013. (Director of Human Resources).
3. Consider approving final passage of an ordinance amending the fiscal year 2012-2013 budget of the General Fund for Legal Department Professional Services. (Director of Finance).
4. Consider appointing John Garza, III to the City Zoning Board of Adjustment to fill a vacancy for a 2 year term. (Director of Planning and Development Services).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider introduction of an ordinance amending the zoning ordinance by granting a special use permit at 1601 S. Hwy 77, Suite P (Kingsville Industrial Park 2, Lot 14.84 AC Tract) for a sports bar/club; amending the comprehensive plan to account for any deviations from the existing comprehensive plan; providing for publication. (Director of Planning and Development Services).

Commissioner Leubert stated that the Commission has heard some concerns during the public hearing regarding this item, but she would like some questions answered. One is being security on the outside of the establishment and will someone be hired at this location daily, nightly, weekly or as necessary to make sure the parking lot is kept clean. She further stated that having security on the outside of this establishment would probably help with some of the concerns voiced today.

Mayor Fugate stated that this will be an on premise establishment which will not allow any alcohol outside the premise.

Mr. Robert Isassi, Director of Planning and Development Services stated that Code Enforcement will be out monitoring the area for any trash.

Mrs. Alvarez stated that there is no ordinance in place that requires any security for the outside of any establishments.

Commissioner Pecos asked if this establishment meets all distance requirements.

Mrs. Alvarez stated that the Alcohol Beverage Code specifies how the measurement is done which is from the entrance of the establishment to the entrance of the church or school. The distance for this establishment meets all statutory requirements.

Mr. Isassi stated that the Planning and Zoning Commission reviewed and approved the special use permit by a 4-3 vote on June 26, 2013. There were some concerns on its proximity to the movie theatre, church and a charter school. Their concerns were similar to those voiced during tonight's public hearing.

Introduction item only.

- X 6. Consider preliminary subdivision plat for Lake View Villas, containing 24 lots, located in the 1900 block and 2000 block of East General Cavazos Blvd with conditions, as per staff recommendation. (Director of Planning and Development Services).

Mr. Isassi stated that this is a request for approval of a major preliminary subdivision plat containing 24 lots on 3.78 acres. The subdivision is located on the 1900 and 2000 block of East General Cavazos Boulevard. The preliminary plat has been reviewed meets all requirements according to City Ordinance 15-3-1. The preliminary plat has been reviewed and approved by the Planning & Zoning Commission on June 26, 2013. Staff

recommends the approval of the plat based on its benefit to the community with its generally safe location and its adherence to the Ordinance regulations.

Commissioner Leubert asked if there will ever be a lake view.

Mr. Fred Kurth, Meldon & Hunt, Inc. responded that this actual layout shrinks out the north side. He further stated that he has spoken to the city about building a well and possible effluent water if it became available as they would like to have a lake view.

Commissioner Pecos stated that effluent water is available.

Mr. Isassi stated that one of the concerns that were brought up during the Planning & Zoning Commission meeting was the lack of fencing of the backyards facing General Cavazos. He further stated that he will be talking to the developer regarding installing a consistence fence on the back end.

Motion made by Commissioner Pena to accept the preliminary plat, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Pena, Leubert, Pecos, Fugate voting "FOR".

7. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Sections 15-6-115 through 15-6-131, providing for substantial revisions to the sign ordinance. (Director of Planning and Development Services).

Mr. Isassi stated that this is an introduction item to amend Chapter XV, Land Usage, Article 6, Sign Regulations, Section 15-6-115 through 15-6-131. These sections are being updated to meet the City's currently adopted 2008 Master Plan in which it was recommended the signing ordinance be amended to require monument signing in lieu of pole signing, and to clarify exempt and prohibited sign usage. The Planning & Zoning Commission has reviewed this ordinance and has approved the changes during a meeting on June 26, 2013.

Commissioner Pena asked if this would address the issues with memorial sites on the side of the roads. He further stated that he has received an email regarding the memorial sites on the side of roads within the City limits.

Mrs. Alvarez stated that this ordinance does not address this particular issue.

Mr. Isassi stated that he can speak with the City Manager and see if this is something he would like to include in this ordinance or it can be addressed as a separate issue.

Mayor Fugate stated that it would probably be best if Mr. Isassi would address the issue with the City Manager and then bring back the item for approval sometime in August.

Introduction item only.

8. Consider resolution abandoning an easement within Farm Lot 15, Section 17 of the KT&I Co. Subdivision. (Director of Planning and Development Services).

Mr. Isassi stated that this is a request from Ms. Alana Logue who represents the owner of the property located along East General Cavazos Boulevard between US 77 and Golf Course Road. They are requesting that a blanket City easement, referenced in a 1905 deed be released. The Engineering Department has researched the deed history and discovered a 2007 deed for the property which does not mention any such easement. It is the City's belief that this easement was either previously released or abandoned in the time between 1905 and 2007 without any documentation. The owner is requesting a full release of this easement based on engineering drainage improvements done along East General Cavazos Boulevard and Golf Course Road which does not require additional drainage running through an arbitrary location within the property. The owner will still have to get with King Ranch to approve their water line easement.

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

9. Consider resolution authorizing participation in the Community-Oriented Connectivity Broadband Grant sponsored by the U.S. Department of Agriculture (USDA) Rural Utilities Service (RUS); authorizing City Staff and the Director of Telecommunications at Texas A&M University in College Station to act on the City's behalf with such Program. (Director of Purchasing/IT).

Mayor Fugate stated that it was his understanding that agenda item #9, the City of Kingsville is not eligible for this grant. Therefore Commission will not take any action on this item.

10. Consider introduction of an ordinance amending the Fiscal Year 2012-2013 budget of the General Fund Information Technology Department for G.I.S. Server Hosting Services. (Director of Finance).

- (13) AICUZ boundaries where applicable and identified by the Department of Planning and Development Services.
- (14) Staff reserves the right to request additional information to adequately enforce the intent of the preliminary plat requirements.
- (15) A final plan for the proposed fills or other structure-elevating techniques, levees, channel modifications, retaining walls and other methods to overcome flood or erosion-related hazards (see § 15-3-65(B)(3) of this article).
- (16) Notice: This property is located within an area that is one-quarter mile outside of the Naval Air Station (NAS) Kingsville 65 dB DNL noise contours and may be impacted by noise, odors, flight safety hazards, and other potential compatibility issues relating to installation operations. This property may also be subject to additional development regulations relative to the property's proximity to the installation.

Sec.
15-3-18
(D) *Processing the preliminary plat.*

- (1) On receipt of the preliminary plat and other required information, the Planning and Zoning Commission shall render a decision thereon within 30 days. Such decision may consist of approval, disapproval or conditional approval. Conditional approval shall be considered to be the approval of a plat or replat subject to conformity with prescribed conditions, but shall be deemed to be a disapproval of such plat or replat until such conditions are complied with. All objections made to the preliminary plat, or conditions imposed, shall be furnished to the subdivider in writing.
- X(2) When a preliminary plat and other required information has been approved, the subdivider may thereafter file a final plat or plats of sections of the subdivision upon which approval of the preliminary plat has been obtained, and upon the filing of the final plat or plats, preliminary plat shall be considered approved or conditionally approved as in subdivision (1) above; provided, however, that such approval or conditional approval of the remainder of the preliminary plat shall be limited to a one year period; provided further, however, that the Planning and Zoning Commission may, at its discretion, extend such period of validity. When a preliminary plat has been approved and thereafter the subdivider fails to file with the Planning and Zoning Commission a final plat of the subdivision or a section thereof within a period of six months, the approval of the preliminary plat shall be void except, however, the Planning and Zoning Commission may, in its discretion, extend such period of validity.

(Ord. 2014-65, passed 10-13-2014)

Sec. 15-3-19. - Final plat; decision of commission.

The final plat, for both major and minor plats, and accompanying data shall conform to the preliminary plat as approved or conditionally approved by the Planning and Zoning Commission or the Director of Planning and Development Services in the case of a minor plat. The plat incorporate any and all changes, modifications, alterations, corrections and conditions required by the Planning Commission or the Director.

- (A) *The original and ten copies of the final plat.* This plat shall be drawn on mylar, a minimum scale of one inch to 100 feet or larger in ink with all figures and letters legible, and the whole proper for filing for record in the office of the Kleberg County Clerk with the following information given:
 - (1) The title or name by which the subdivision is to be identified, north point, the scale of the map and the name of the state-registered professional engineer and/or state-licensed or registered land surveyor responsible.
 - (2) A definite legal description and identification of the tract being subdivided. This description shall be sufficient for the requirements of title examination. The plat shall be a descriptive diagram drawn to scale. The plat shall show by reference that the subdivision is a particular portion or part of the previously filed plat; recognized grant or partition.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services



Date: March 13, 2015

Subject: Preliminary and Final Plat for Lake View Villas

On June 26, 2013 the Planning and Zoning Commission approved the preliminary plat for Lake View Villas. On July 8, 2013 the City Commission approved the preliminary plat for Lake View Villas. Since that time the final plat was never submitted to the Planning and Zoning Commission for approval. While that in itself is not a problem the time period that has elapsed is an issue with the code. Attached is a copy of the code that refers to this time table. I have identified the paragraph but to get to the point a final plat has to be submitted within 6 months of the preliminary plat or an extension has to be granted. We find neither of those actions has been done.

It is also my understanding that the improvements have been completed. The most significant was the street, Isabella Drive that is completed. A copy of the subgrade test results is attached. An economic development agreement was a part of this project which is attached.

Staff Recommendation

In the big picture of housing projects that have been started in Kingsville this seems to be a positive one. While not here when it was started, reviewing the file and the notes it seem that while there were concerns both bodies approved it unanimously. The recommendation would be to approve the preliminary and final plat.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

this is
still
to
be
done

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

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

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

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

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

7. Representations.

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

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

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

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

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

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

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

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

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

9. Default.

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

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

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

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

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

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

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

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

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

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

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

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the City of Kingsville as authorized by the City Commission on the 9 day of December, 2013; by Mark Dizdar on behalf South Texas Benevolent Society, LLC on the 18th day of DECEMBER, 2013 and effective upon the execution of both parties hereto.

CITY OF KINGSVILLE

By: [Signature]
Name: Vincent J. Capell
Title: City Manager

SOUTH TEXAS BENEVOLENT
SOCIETY

By: [Signature]
Name: Mark Dizdar
Title: President



Summary Daily Field Report

Professional Service Industries, Inc.
810 S. Padre Island Drive
Corpus Christi, TX 78418
Texas Firm Registration No. F-03307
Phone: (361) 854-4801
Fax: (361) 854-8049

Report No. SDFR-0325717-1/1

Issue No. 1

Client: STBS
1901 Kelly Lane
Kingsville, TX 78363

CC:

Project: LAKEVIEW VILLA ROADWAYS
KINGSVILLE, TX

These test results apply only to the specific locations and materials noted and may not represent any other locations or elevations. This report may not be reproduced, except in full, without written permission by Professional Service Industries, Inc. If a non-compliance appears on this report, to the extent that the reported non-compliance impacts the project, the resolution is outside the PSI scope of engagement.

Approved Signatory: Mark Wolff, P.E. (Project Manager)
Date of Issue: 6/11/2014

Date: 6/9/2014

WEATHER: Clear
TEMPERATURE RANGE: 80° F TO 90° F
PSI REPRESENTATIVE: Brett Ewing

TYPE OF INSPECTION BEING PERFORMED

SOILS

- ☐ FOUNDATIONS
☐ CONTROLLED FILL (COMPACTION)
☒ SAMPLE PICK UP

ASPHALT

- ☐ BATCH PLANT
☐ PLACEMENT (JOB SITE)
☐

CONCRETE

- ☐ BATCH PLANT
☐ PLACEMENT (JOB SITE)
☐ SPECIMEN TRANSPORT

OTHER

- ☐
☐
☐

BRIEF RESUME OF WORK ACCOMPLISHED THIS DATE:

As requested, a PSI, Inc. representative arrived at the above referenced project site to obtain a sample of the material described below for laboratory testing. The results will be reported on a succeeding report.

Material Description: Lime Treated Clay
Application: Roadway
Sample Lab No.: 0325717-1-S1

Test Methods:

X ASTM-D698 = STANDARD PROCTOR



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78416
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-8049

Proctor Report

Report No: PTR-0325717-1-S1

Issue No: 1

Client: STBS CC
 1901 Kelly Lane
 Kingsville, TX 78363

Project: LAKEVIEW VILLA ROADWAYS
 KINGSVILLE, TX

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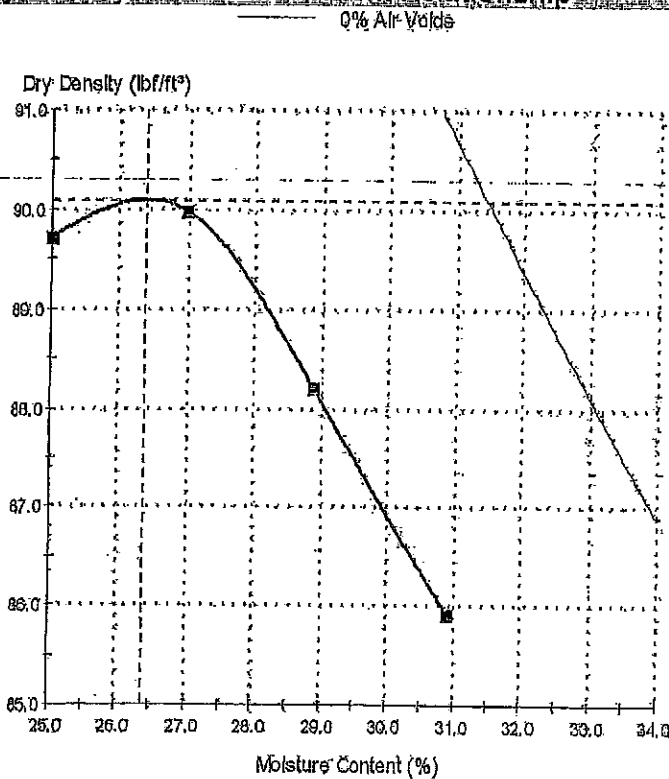
Mark Wolf

Approved Signatory: Mark Wolf, P.E. (Project Manager)
 Date of Issue: 6/11/2014

Sample Details

Sample ID:	0325717-1-S1	Client Sample ID:	N/A
Date Sampled:	6/9/2014	Sampled By:	Brett Ewing
Specification:	95 (-3/+3)	Supplier:	N/A
Source:	On Site	Material:	Lime Treated Clay
Sampling Method:	Roadway base/sub - AASHTO T 2 - 5.3.4	General Location:	On-Site Stockpile
Location:	Lake View Dr., Subgrade	Tested By:	Felix Ovalle

Dry Density - Moisture Content Relationship



Test Results

— ASTM D 698 —

Maximum Dry Density (lb/ft³):	90.1
Optimum Moisture Content (%):	26.4
Method:	A
Preparation Method:	Dry
Specific Gravity (Fines):	2.65
Retained Sieve No 4 (4.75mm) (%):	0
Passing Sieve No 4 (4.75mm) (%):	100

— ASTM D 4718 —

Corrected Maximum Dry Density (lb/ft³):	90.1
Corrected Optimum Moisture Content (%):	26.4

Comments



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78418
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-8049

Field Density Test Report

Client: STBS
 1901 Kelly Lane
 Kingsville, TX 78363

Project: LAKEVIEW VILLA ROADWAYS
 KINGSVILLE, TX

CC: ---

Report No: PDR-0326717-2

Issue No: 1

These test results apply only to the specific locations and materials noted and may not represent any other locations or elevations. This report may not be reproduced, except in full, without written permission by Professional Service Industries, Inc. If a non-compliance appears on this report, to the extent that the reported non-compliance impacts the project, the resolution is outside the PSI scope of engagement.

Mark Wolf

Approved Signatory: Mark Wolf, P.E. (Project Manager)
 Date of Issue: 8/11/2014

Testing Details

Tested By: Felix Ovalle
 Date Tested: 6/10/2014
 Field Methods: ASTM D 6938
 Gauge Type: Troxler
 Model Number:
 Serial Number:

Test Mode: Direct Transmission
 Standard Count: Density: 1793
 Standard Count: Moisture: 650

Proctor Information

Sample ID	Material	Method	MDD (lb/ft ³)	OMC (%)
0325717-1-S1	Lime Treated Clay	ASTM D 698 (A)	90.1	26.4

Test Results

Test No.	Proctor Sample ID	Probe Depth (In.)	Wet Density (lb/ft ³)	Moisture Content (%)	OMC Var	OMC Var Spec	Dry Density (lb/ft ³)	Comp (%)	Comp Spec	Results
1	0325717-1-S1	6	109.7	34.8	+8.4	-3 to +3	81.4	90.3	≥95	B, C
2	0325717-1-S1	6	113.2	27.4	+1.0	-3 to +3	88.9	98.7	≥95	A
3	0325717-1-S1	6	114.1	31.6	+6.2	-3 to +3	86.7	96.2	≥95	C

Location

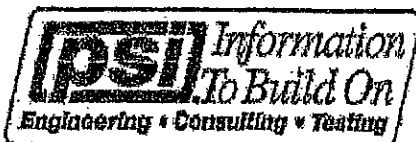
Test No.	Location	Material/Layer
1	West end of roadway.	L.T. Subgrade
2	Center of roadway.	L.T. Subgrade
3	East end of roadway.	L.T. Subgrade

Comments

Specifications were provided by on-site representative of Momentous, LLC

Legend

OMC = Optimum Moisture Content
 MDD = Maximum Dry Density
 A = TEST RESULTS COMPLY WITH SPECIFICATION
 B = COMPACTION PERCENTAGE DOES NOT COMPLY WITH SPECIFICATIONS
 C = MOISTURE DOES NOT COMPLY WITH SPECIFICATIONS



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78416
 Texas Firm Registration No. F-03307
 Phone: (361) 854-4801
 Fax: (361) 854-8049

Field Density Test Report

Report No. FDR/0325717-3

Issue No. 11

Client: STBS CC
 1901 Kelly Lane
 Kingsville, TX 78363

Project: LAKEVIEW VILLA ROADWAYS
 KINGSVILLE, TX

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Mark Wolf

Approved Signatory: Mark Wolf, P.E. (Project Manager)
 Date of Issue: 6/19/2014

Testing Details

Tested By: Jack Rackley
 Date Tested: 6/11/2014
 Field Methods: ASTM D 6938
 Gauge Type: Troxler
 Model Number: 3430
 Serial Number: 36162
 Test Mode: Direct Transmission
 Standard Count: Density: 2346
 Standard Count: Moisture: 648

Proctor Information

Sample ID	Material	Method	MDD (lb/ft³)	OMC (%)
0325717-1-S1	Lime Treated Clay	ASTM D 698 (A)	90.1	26.4

Test Results

Test No.	Proctor Sample ID	Probe Depth (in.)	Wet Density (lb/ft³)	Moisture Content (%)	OMC Var	OMC Var Spec	Dry Density (lb/ft³)	Comp (%)	Comp Spec	Results
1	0325717-1-S1	4	113.1	26.8	+0.4	-3 to +3	89.2	99.0	≥95	A
2	0325717-1-S1	4	113.7	25.9	-0.5	-3 to +3	90.3	100.2	≥95	A

Location

General Location: Lake View Drive

Test No.	Location	Material/Layer
1	West end of roadway., Retest, originally tested 6/10/2014	L.T. Subgrade
2	East end of roadway., Retest, originally tested 6/10/2014	L.T. Subgrade

Comments

Specifications were provided by on-site representative of Momentus, LLC

Legend

OMC = Optimum Moisture Content
 MDD = Maximum Dry Density
 A = TEST RESULTS COMPLY WITH SPECIFICATION



Professional Service Industries, Inc.
 810 S. Padre Island Drive
 Corpus Christi, TX 78418
 Texas Firm Registration No. F-03307
 Phone: (361) 864-4801
 Fax: (361) 864-8049

Concrete Field Report

Client: STBS
 1901 KELLY LANE
 KINGSVILLE, TX 78363

CC:

Project: LAKE VIEW VILLA ROADWAYS
 KINGSVILLE, TX

Report No: FC-0325734-1

Issue No: 1

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Mark Wolf

Approved Signatory: Mark Wolf, P.E. (Project Manager)
 Date of Issue: 8/24/2014

General Field Data

Technician: Jonathan Cavazos

Test Date: 8/13/2014

Weather: Cloudy

Test Results

Set No.	Specimens Made	Ticket	Time Batched	Time Unloaded	Cubic Yards Placed	Slump (in)	Air Content (%)	Air Temp. (°F)	Concrete Temp. (°F)
0325734-1-C1	5	356022	11:42	13:00	20.0	2.75		96	98

Location & Remarks

General Location:

Set No.	Location	Remarks
0325734-1-C1	Isabell Drive STA 4+75, South Side	

Mix Data

Set No.	Supplier	Mix	Design Strength (psi)
0325734-1-C1	J-III Concrete		3000

Notes

Applicable ASTM standards unless otherwise indicated: Making Samples: C31 (except sec. 10.1.2); Slump: C143; Air Content: C231 (except sec. 6); Temperature: C1064; Sampling: C172.

Sampled from Revolving Drum Truck Mixer (ASTM C 172, 6.2.3)

Remarks



Summary Daily Field Report

Professional Service Industries, Inc.
810 S. Padre Island Drive
Corpus Christi, TX 78416
Texas Firm Registration No. F-03307
Phone: (361) 864-4801
Fax: (361) 864-8049

Report No. SDFR:0325734-2/1

Issue No.

Client: STBS
1901 KELLY LANE
KINGSVILLE, TX 78363

CC:

Project: LAKE VIEW VILLA ROADWAYS
KINGSVILLE, TX

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Approved Signatory: Mark Wolf, P.E. (Project Manager)
Date of Issue: 8/24/2014

Date: 8/14/2014

WEATHER: Cloudy
TEMPERATURE RANGE: 80° F TO 88° F
PSI REPRESENTATIVE: Jonathan Cavazos

TYPE OF INSPECTION BEING PERFORMED

SOILS

- ☐ FOUNDATIONS
- ☐ CONTROLLED FILL (COMPACTION)
- ☐

ASPHALT

- ☐ BATCH PLANT
- ☐ PLACEMENT (JOB SITE)
- ☐

CONCRETE

- ☐ BATCH PLANT
- ☐ PLACEMENT (JOB SITE)
- ☒ SPECIMEN TRANSPORT

OTHER

- ☐
- ☐
- ☐

BRIEF RESUME OF WORK ACCOMPLISHED THIS DATE:

A PSI representative arrived at the above referenced project site to pick up one (1) set of five (5) compressive strength test specimens molded on 8-13-14 and returned them to the laboratory for further processing and testing.



Professional Service Industries, Inc.
810 S. Padre Island Drive
Corpus Christi, TX 78416
Texas Firm Registration No. F-03307
Phone: (361) 854-4801
Fax: (361) 854-8049

Concrete Test Report

Report No: CON-0325734-1-C1

Issue No: 3

Client: STBS
1901 KELLY LANE
KINGSVILLE, TX 78363

CC: MARK DIZDAR

Project: LAKE VIEW VILLA ROADWAYS
KINGSVILLE, TX

These test results apply only to the specific locations and materials noted and may not represent any other locations or elevations. This report may not be reproduced, except in full, without written permission by Professional Service Industries, Inc. If a non-compliance appears on this report, to the extent that the reported non-compliance impacts the project, the resolution is outside the PSI scope of engagement.

Approved Signatory: Randy Brown, E.I.T. (Branch Manager)
Date of Issue: 9/12/2014

Mix Data

Supplier J-III Concrete
Plant J-III Concrete
Mix Identification
Specified Design Strength (psi) 3000 at age 28 days

Details of Sample

Date Sampled	8/13/2014	Date Received		Measured	Specified
Sample Location	Isabell Drive STA 4+75, South Side	Slump (In) ASTM C 143	2.75		
		Slump w/ plasticizer (In)	N/A		
		Air Temp (°F)	95		
Curing Method		Concrete Temp (°F) ASTM C 1064	95		
Field Sample No		Air Content (%) ASTM C 231			
	Field Cure Temp (°F) High	Unit Weight (pcf) ASTM C 138			
	Low	Volume of Density Measure (ft³)			
Contractor		Batch Size (yd³)	10		
Truck No.	174	Ticket No.	355022		
Sampled By	Jonathan Cavazos	Water Added (gal) Before			
Submitted By	Jonathan Cavazos	After			
Weather	Cloudy	Time Batched	11:42		
Est. Wind (mph)		Time Sampled	13:00		
Est. Rh (%)		Time Placed	13:00		
	Yd³ Placed	Time In Truck (mins)	78		
	20.0				

Compressive Strength of Concrete Cylinders

ASTM C 39

Specimen ID	Date Tested	Age (Days)	Dimensions (In) Diameter Height	Area (In²)	Type of Cap	Ultimate Load (lbf)	Fracture Type/Remark	Compressive Strength (psi)	Required Strength (psi)
0325734-1-C11	08/20/14	7	4.00 8.00	12.57		44220	3	3520	
0325734-1-C12	09/10/14	28	4.03 8.00	12.78		56570	5	4430	3000
0325734-1-C13	09/10/14	28	4.02 8.00	12.69		56590	3	4460	3000
0325734-1-C14	09/10/14	28	4.03 8.00	12.76		55220	2	4330	3000
0325734-1-C16		Hold							3000

Average 28 Day Compressive Strength (psi) 4410

Notes

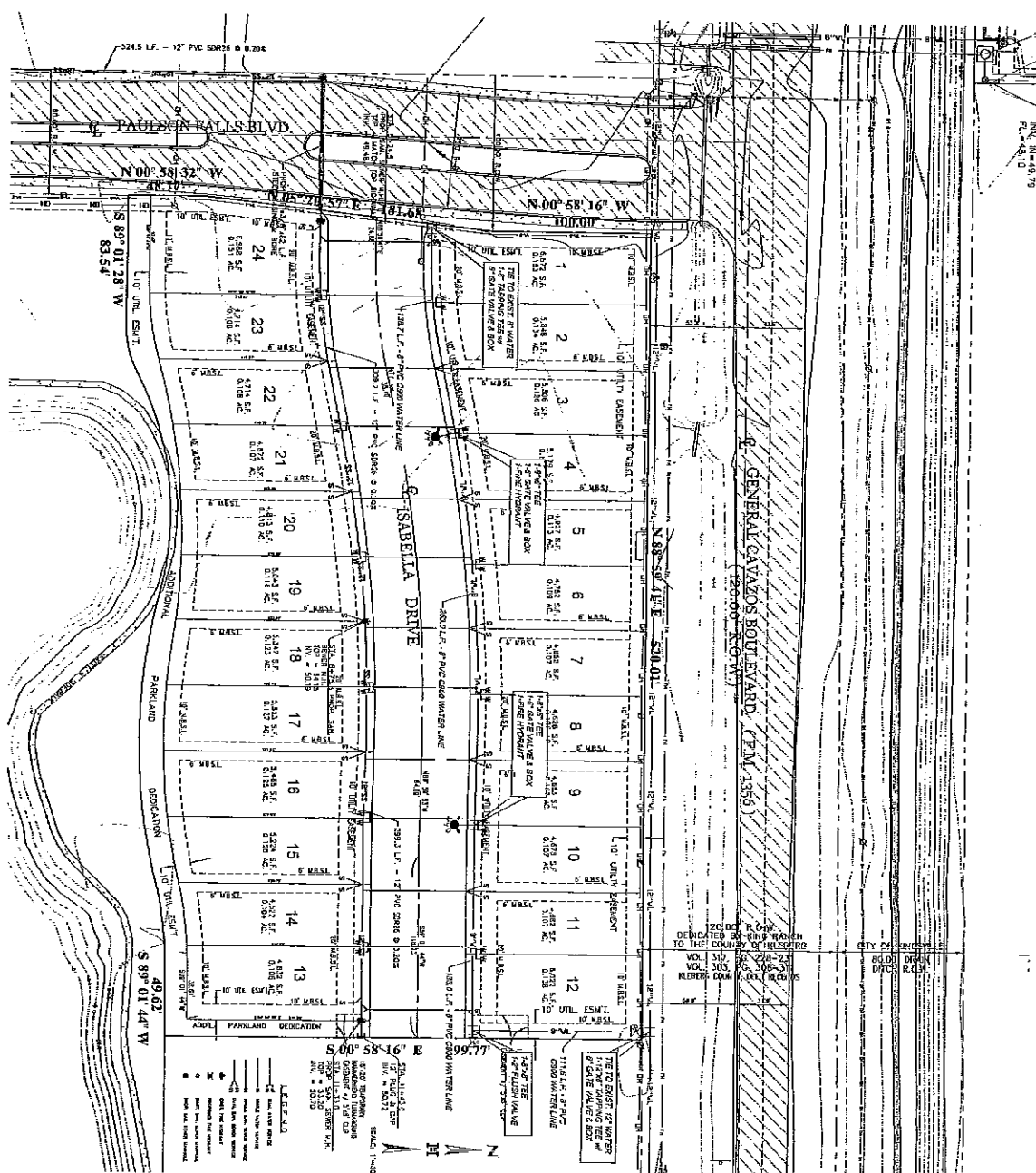
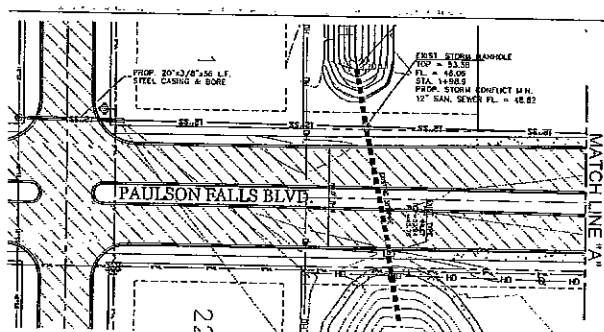
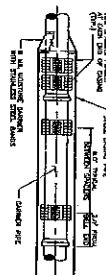
1. Sampling to ASTM C 172
2. Specimen(s) Prepared to ASTM C 31
3. Capping B=Bonded ASTM C 817, U=Unbonded ASTM C 1231, G=Combined

Remarks

Fracture Type: 2 = C39; Vert crack/ cone opposite end; C1314: Cone & Shear, 3 = C39; Vert cracking/no cones; C1314: Cone & Split, 5 = C39; Side fracture-opposite ends; C1314: Semi-Conical Break

STORM CONFLICT MANHOLE

BORING INSTALLATION	
POD Casing Size	Casing Per Foot
1" 0.295 WGL	4'-0"
1" 0.375 WGL	8"
1" 0.515 WGL	16"
1" 0.715 WGL	12"



WATER and SANITARY SEWER LAYOUT

LAKEVIEW VILLAS
Kingsville, Texas.

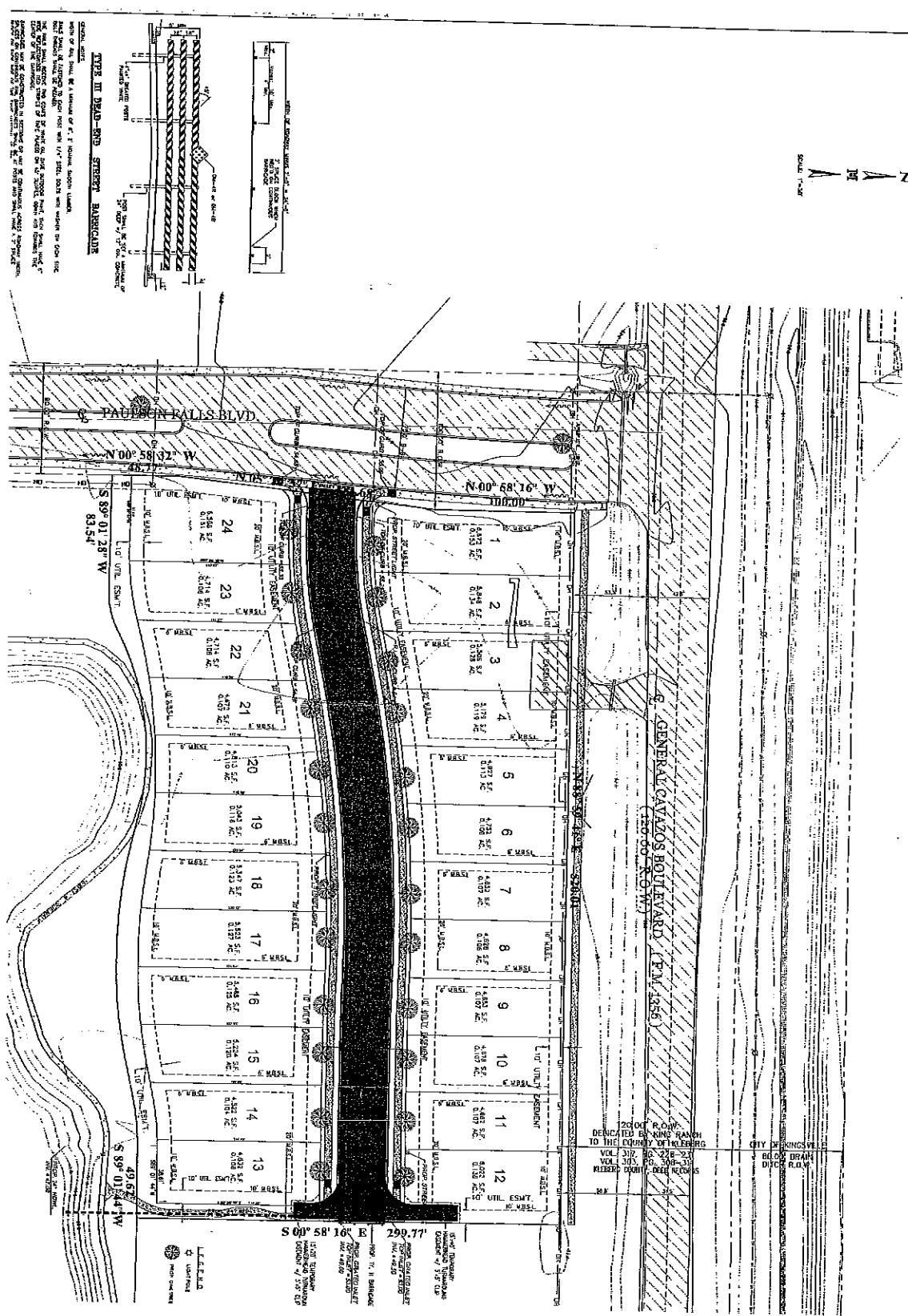
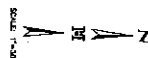


DRAWING DATE:	02/04/2001
PLEASE DATE:	
DESIGNED BY:	A. G. T.
CHECKED BY:	A. G. T.
APPROVED BY:	F. L. K.
SPS DATA INFO	
SCALE: 1"=30'	

M

PERSON	DATE
MELDEN & HUNT INC CONSULTANTS • ENGINEERS • SURVEYORS 1102 W. BARNHARTT 227 N. F.A. AVE. COVINGTON, LA 70341 NO SOURCE CXL IN WIS TEL (504) 381-0881 PO (504) 481-8216 FAX (504) 381-1829 FAX (504) 474-1829	

12039.01



PAVING & DRAINAGE LAYOUT

LAKEVIEW VILLAS
Kingsville, Texas.

12039.01

MELDEN & HUNT INC.
CONSULTANTS • DESIGNERS • SURVEYORS
1115 W. 11th St., Suite 100
Kingsville, TX 77603
Phone: (361) 584-1111
Fax: (361) 584-1112
Cell: (361) 584-1113

DATE: 05/04/2012
RELEASED BY: J. H. L.
CHECKED BY: J. H. L.
DESIGN: J. H. L.

12039.01

AGENDA ITEM #14

RESOLUTION #2015-_____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR EXECUTIVE SEARCH SERVICES WITH WATERS & COMPANY FOR THE CITY MANAGER POSITION; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has a vacancy in the City Manager position and desires to have an executive search firm assist with locating a person for the position; and,

WHEREAS, the City advertised for requests for proposal (RFP15-06) for an executive search firm on February 15 & 22, 2015 as well as emailed five potential respondents, received proposals on March 5, 2015, and authorized staff on March 23, 2015 to negotiate a contract with the selected firm, Waters & Company; and

WHEREAS, Waters & Company shall provide executive search services to the City with respect to its City Manager position pursuant to the agreement and the scope of services set forth in the firm's Proposal to the City, dated March 5, 2015.

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to enter into an Agreement for Executive Search Services by and between Waters & Company and the City of Kingsville in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of April, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Purchasing/Technology Department

361-595-8025
361-595-8035 Fax

DATE: April 7, 2015
TO: City Commission through City Manager
FROM: David Mason, Purchasing/Technology Director
SUBJECT: Contract Approval for Executive Search Firm

SUMMARY

This item authorizes the award of the contract for the Executive Search Firm for the City Manager Candidate Search

BACKGROUND

City Commission gave approval to negotiate with highest ranked firm from RFP 15-06, Executive Search Firm at the March 23, 2015 meeting. After review of original contract several changes were suggested by the City of Kingsville and accepted by Waters and Company.

RECOMMENDATION

The contract appears to be in the best interest of the City of Kingsville, therefore we are recommending acceptance of the contract with Waters and Company, 14285 Midway Road, STE 340, Addison, TX 75254 as presented.

FINANCIAL

We will be using account 001-5-103.0-314.00 Professional Services for funding.

AGREEMENT FOR EXECUTIVE SEARCH SERVICES

THIS AGREEMENT is made as of the 13th day of April, 2015, by and between the City of Kingsville, Texas ("Client") and Waters & Company ("Consultant").

WHEREAS, the Client wishes to retain the services of the Consultant on the terms and conditions set forth herein, and the Consultant wishes to provide such services;

NOW, THEREFORE, the parties hereto agree as follows:

1. Services. Consultant shall provide executive search services to the Client with respect to its City Manager position. The scope of services to be provided is set forth in the Consultant's Proposal to the Client, dated March 5, 2015, which is included as Appendix A to this Agreement (hereafter Exhibit A).
2. Compensation. The Client shall compensate the Consultant at the rates set forth in Exhibit A.
3. Term and Termination. This Agreement shall commence as of the date hereof, and shall continue until terminated by either party by written notice given at least 30 days before the effective date of such termination, provided that no such termination shall affect or terminate the rights and obligations of each of the parties hereto with respect to any project, whether or not complete, for which the Consultant has provided services prior to the date that it received such notice.
4. Indemnification; The Consultant agrees that it will save and protect, hold harmless, indemnify, and defend the City and its members, elected officials, agents, and employees against any and all claims, expenses (including attorneys' fees), losses, damages, or lawsuits for damage or injury arising out of or resulting from the Consultant's performance of the contract, including acts or omissions of its employees, subcontractors, representatives, or agents.
5. Confidentiality; Disclosure of Information.
 - 5.1 Client Information. All information, files, records, memoranda and other data of the Client which the Client provides to the Consultant or which the Consultant becomes aware of in the performance of its duties hereunder ("Client Information") shall be deemed by the parties to be the property of the Client. The Consultant acknowledges that all Client Information, except reports prepared by the Client for the Consultant, is confidential and proprietary to the Client, and agrees that the Consultant will not, directly or indirectly, disclose the same or any part thereof to any person or entity except upon the express written consent of the Client.
 - 5.2 Consultant Information. The Client acknowledges that in connection with the performance by the Consultant of its duties hereunder, the Client may become aware of internal files, records, memoranda and other data, including without limitation computer programs of the Consultant ("Consultant Information"). The Client acknowledges that all Consultant Information, except reports prepared by the Consultant for the Client, is confidential and proprietary to the Consultant, and agrees that the Client will not, directly or indirectly, disclose the same or any part thereof to any person or entity except upon the express written consent of the Consultant.
6. Miscellaneous.

- 6.1 Delegation of Duties. The Consultant shall not delegate its duties hereunder to any third party without the prior express written consent of the Client.
- 6.2 No Third Party Beneficiary. No third party shall have any rights or remedies under this Agreement.
- 6.3 Entire Contract; Amendment. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and supersedes all prior written or oral negotiations, understandings or agreements with respect hereto. This Agreement may be amended in whole or in part by mutual written consent of the parties, and this Agreement shall not preclude the Client and the Consultant from entering into separate agreements for other projects.
- 6.4 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the venue for any action arising from this agreement will be in Kleberg County, Texas.
- 6.5 Severability. To the extent any provision of this Agreement shall be determined invalid or unenforceable, the invalid or unenforceable portion shall be deleted from this Agreement, and the validity and enforceability of the remainder shall be unaffected.
- 6.6 Notice. All notices required hereunder shall be in writing and shall be deemed to have been given when delivered, transmitted by first class, registered or certified mail, postage prepaid and addressed as follows:

If to the Client:

City of Kingsville

Attn: City Attorney

200 East Kleberg Avenue

Kingsville, Texas 78363-4573

If to the Consultant:

Waters & Company

380 Jackson Street

Suite 300

St. Paul, MN 55101-2887

Attention: Managing Principal

The foregoing Agreement is hereby entered into on behalf of the respective parties by signature of the following persons each of whom is duly authorized to bind the parties indicated.

FOR CLIENT

Waters & Company

Mayor

Title

Senior Vice President

Title

APPENDIX A OF AGREEMENT BETWEEN

City of Kingsville, TX

AND

Waters & Company

Effective as of April 13, 2015

PROPOSAL TO CLIENT (CITY OF KINGSVILLE, TEXAS)

This Appendix is acknowledged to be a part of the Agreement, effective as of the date shown above, between the Client and the Consultant.

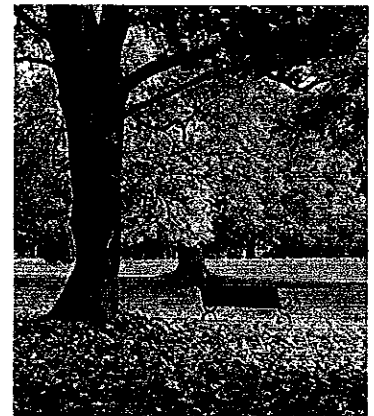
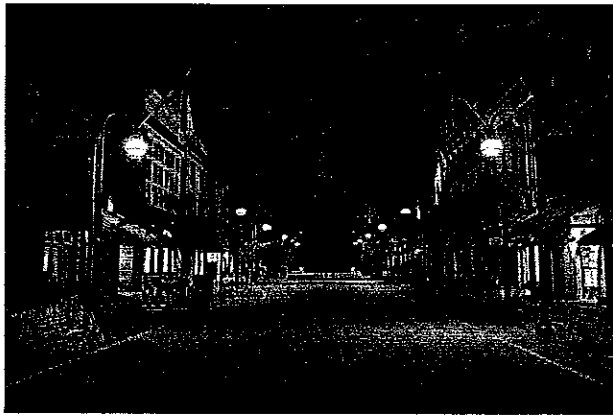
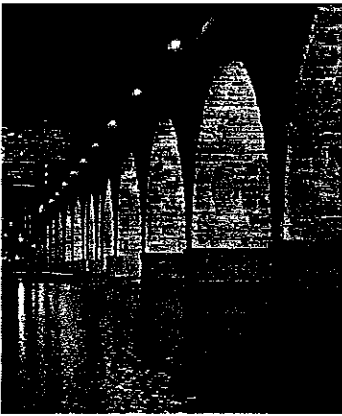
FOR CLIENT

Waters & Company

Mayor
Title

Senior Vice President
Title

APPENDIX A



Proposal

City of Kingsville, Texas

Proposal to Provide Executive Search Firm – City Manager Candidate Search, RFP 15-06

March 4, 2015

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	SAMPLE BROCHURE.....	APPENDIX I

LETTER OF TRANSMITTAL

March 4, 2015

Mr. David Mason, Director of Purchasing and Technology
City of Kingsville
Purchasing Department
200 East Kleberg Avenue
Kingsville, Texas 78363

**Re: Request for Proposal to Provide Executive Search Firm – City Manager Candidate Search,
RFP 15-06**

Dear Mr. Mason,

I appreciate the opportunity to submit our proposal for executive recruitment services for the City of Kingsville's next City Manager. Our extensive experience in providing executive recruitment services to cities, counties and other public sector organizations nationwide will be beneficial for this recruitment and allow us to find the ideal candidate for the City of Kingsville. Chuck Rohre, the Project Team Leader, served as the Team Leader for the Kingsville City Manager recruitment in 2010.

We know that you have options for using other recruitment firms. However, we believe that our approach sets us apart from our competitors in the following unique ways:

1. If requested, our web-based survey can be used to determine the key attributes considered essential for the City Manager. This survey is completed by the organization's employees, community leaders and citizens. The results of the survey will provide the Human Resource Department and City Commission with important feedback for development of the profile for the ideal candidate;
2. Management Style Assessment Analysis completed by the candidates to determine if a candidate's management style matches the approved profile for the ideal candidate;
3. Video candidate interviews that can be made available to the Human Resource Department and City Commission to assist in the selection process; and
4. Utilization of a proprietary online application system exclusively licensed to Waters & Company Executive Recruitment, a *Springsted Company* (WCER) to facilitate talent management. The

system has been designed by WCER to customize applicant flow and tracking. It allows ease of communication with applicants and the ability to conduct database inquiries for candidates based on characteristics important to the City such as geographic location and specific experience, expertise and qualifications.

WCER is national in scope, with offices across the country, including Saint Paul, Los Angeles, Denver, Dallas, Milwaukee, Kansas City, Richmond, Des Moines and Cleveland. The proposal document will provide you the details about our approach, expertise, client references and pricing for this executive recruitment. If you have any questions, please contact me at 214-466-2436 or by email at crohre@waters-company.com. Our Team would consider it a professional privilege to provide these services to the City of Kingsville.

Respectfully submitted,

Chuck Rohre, Senior Vice President
Consultant

sml

City of Kingsville, Texas
Proposal to Provide
Executive Search Firm – City Manager Candidate Search, RFP 15-06

1. Firm Overview

- a. Brief profile of the firm, and the qualifications and resumes of the professionals who will work directly on this recruitment.**

Brief Profile of the Firm

Waters & Company Executive Recruitment (WCER) recently merged with Springsted Incorporated, establishing one of the largest public sector executive recruitment and organizational management firms in the United States. Springsted Incorporated, the parent corporation, is a certified WBE. Three employee-owners lead the firms and their 70-member staff. Our headquarters are located in Saint Paul, Minnesota, with regional offices strategically located throughout the United States. Specifically, our regional offices include Dallas, Texas; Milwaukee, Wisconsin; Cleveland, Ohio; Des Moines, Iowa; Kansas City, Missouri; Richmond, Virginia; Denver, Colorado and Los Angeles, California.

WCER has a team of seven primary recruitment consultants available to meet your executive recruitment needs. Each consultant assigned to this recruitment has experience working with cities and the many different disciplines that comprise the City of Kingsville organization. Our consultants bring an experienced, participatory and energetic perspective to each engagement; our unique approach and personal touch are reflected in our internal standard to provide outstanding services that exceed the City's expectations. Since 2010 our combined consultant team has conducted more than 350 executive recruitments.

The WCER Recruitment Project Team will partner with the Human Resource Department, City Commission and designated staff as your technical advisor to ensure that the recruitment process for your next City Manager is conducted in a thorough and professional manner. Our objective is to generate high-quality candidates and assist you with the screening and evaluation of these candidates.

We have structured the WCER Recruitment Project Team to draw upon Springsted's 50-plus years of service to the public sector, including the City of Kingsville, and to leverage WCER's experience and capacity to focus nationwide to find the most qualified candidates.

Physical Address

Waters & Company Executive Recruitment, *a Springsted Company*
14285 Midway Road, Suite 340
Addison, Texas 75254
Office: 972-481-1950
Fax: 972-481-1951

Respectfully submitted,

Rollie Waters, Executive Vice President
Consultant

Qualifications and resumes of the professionals who will work directly on this recruitment

Mr. Rollie Waters, Executive Vice President

Direct Phone: (214) 466-2424

Email: rwaters@waters-company.com

Recruitment Project Team Leader

Mr. Chuck Rohre, Senior Vice President,

Direct Phone: (214) 466-2436

Email: crohre@waters-company.com

Mr. Chuck Anderson, Senior Vice President

Direct Phone: (817) 965-3911

Email: canderson@waters-company.com

Ms. Regan Brown, Project Coordinator

Direct Phone: (214) 466-2445

Email: rbrown@waters-company.com

Rollie Waters

Executive Vice President

Rollie O. Waters is an Executive Vice President of Waters & Company Executive Recruitment, a *Springsted Company*. Since 1976, Rollie has been a management consultant to private and public sector clients. He has consulted with national and international clients in the area of HR Management system design and strategic management. He has given various lectures and seminars for organizations in the areas of compensation as it relates to performance management. He is viewed on a national level as one of the foremost authorities in succession planning and performance management system design for the public sector. He has spoken before such organizations as the International City/County Managers Association, American Management Association, The Alliance for innovation, Southern Methodist University, the University of Maryland, National Forum of Black Public Administrators, California Institute of Technology, the Texas Municipal League (TML), the International Personnel Management Association (IPMA-HR), several international companies in Great Britain and various other U.S. public and private sector agencies and organizations.

Rollie has been actively involved in the development of competency-based knowledge selection and development tools over the past twenty years. He has been instrumental in ensuring the proprietary profiles that he has designed attract the right candidates that fit the organization's needs. In addition, Rollie's extensive knowledge of performance management solidifies matching the management style most compatible with the organization's success. His research on succession planning has led him and his team to be able to help shape the future of organizations through their executive recruitment activities.

Rollie has been widely published in national journals and magazines focusing on human resource challenges. His publications include a research article in the Public Personnel Management Journal titled "The Impact of Behavioral Traits on Performance Appraisal." Prior to founding W&C, Rollie held an executive position with Dun & Bradstreet Co., Inc., and a management position with Owens Corning Fiberglass.

Areas of Expertise

- Executive Recruitment
- Web- Based Compensation Support
- Management Development
- Organizational Strategy
- Mentoring Programs
- Performance Management
- Competency-based Systems and Development Systems
- Succession Planning

Professional Accomplishments and Education

Rollie is a member of Mensa, a Strategic Partner with the International City/County Managers Association, International Management Consultants, and Alliance for Innovation, a member of the National Corporation Advisory Council of the National Forum for Black Public Administrators, and numerous other professional groups. He has also appeared in several professional directories such as Who's Who in the World, Who's Who in Finance and History, and many others. Rollie has an extensive background in the behavioral sciences and strategic planning. He received his MBA at Pepperdine University and his Bachelor of Science degree in Psychology from the University of South Carolina. In addition, he is a Certified Management Consultant (CMC); CMC is a certification mark awarded by the Institute of Management Consultants USA and represents evidence of the highest standards in consulting and adherence to the ethical canons of the profession.

Chuck Rohre
Senior Vice President

Chuck Rohre is a Senior Vice President of Waters & Company Executive Recruitment, a *Springsted Company*. In this role, he is responsible for managing and conducting executive recruitment engagements for the firm to insure their integrity, timeliness and adherence to budget parameters. Chuck has more than 35 years of experience in managing and consulting in both the private and public sectors. He has served as Police Chief and Director of Public Safety for North Texas municipalities with populations ranging from 9,000 to 200,000 plus. Prior to beginning his consulting career, Mr. Rohre served for three years as Police Chief of Plano, Texas.

Chuck joined the firm in January 2006 following a 13-year engagement with another nationally recognized public sector search firm where he managed the Texas and Southwestern operations. He has an extensive and successful track record of completed recruitments across the nation, especially in the Midwestern and Southwestern states. Among others, he has led recruitment processes for City and Assistant City Managers, Police Chiefs, Fire Chiefs, Library Directors, Chief Information Officers, City/County Attorneys, Parks & Recreation Directors, Finance Directors and Public Works Directors. The clients range from as small as 2,500 to as large as 700,000 in population. He has also conducted management consulting assignments in a number of areas including public safety, career development and strategic planning. He has written and presented training in a variety of subject areas including personnel assessment, leadership and management skills, and career development for public sector employees.

Areas of Expertise

- | | |
|------------------------------|------------------------------|
| 1. Executive Recruitment | 4. Career Development |
| 2. Background Investigations | 5. Strategic Planning |
| 3. Assessment Centers | 6. Organizational Assessment |

Professional Accomplishments and Education

Chuck received his bachelor's degree in Career Development from the Dallas campus of Abilene Christian University and his master's degree in Human Relations and Management from the same institution. He has completed advanced management training at the Institute for Law Enforcement Administration and now serves on its adjunct faculty and advisory board. Chuck completed the Federal Bureau of Investigation's prestigious LEEDS course at Quantico, Virginia. He is a veteran of the United States Army, serving in the United States and the Republic of Viet Nam.

Charles (Chuck) Anderson***Senior Vice President***

Charles (Chuck) S. Anderson is a Senior Vice President of Waters & Company Executive Recruitment, *a Springsted Company*. Prior to joining the Waters & Co., Chuck worked for local governments and non-profit organizations, including City Manager for Dallas, Texas; Executive Director for the Dallas Area Rapid Transit (DART) and Executive Director for the Michigan Education Association.

Chuck also served as Director for Local Government Reform for the International City/County Association (ICMA), managing a U.S. government contract for the planning and delivery of technical assistance to local governments in Central and Eastern Europe. His last assignment in this role with ICMA was to recruit and supervise a team of technical consultants to assist in re-building local governments in Bosnia following agreement on the Dayton Accords.

During his service with the Michigan Education Association, Chuck also served as Senior Consultant for Urban Planning and Management for Michigan State University's Institute for Public Policy and Social Research.

Areas of Expertise

- Executive Recruitment
- Leadership/Management Development
- Organizational Design
- Organizational Development

Professional Accomplishments and Education

Chuck received a Bachelor of Arts degree in political science and human resources management and a Masters of Public Administration degree from the University of Kansas. He received the prestigious L.P. Cookingham Award for Development of Young Professionals from the International City/County Management Association (ICMA) and the Minority and Women Advancement Award from the American Public Transit Association (APTA). He was also recognized as Public Administrator of the Year by the American Society of Public Administration (ASPA) and Outstanding Management Innovator (Honorable Mention) by ICMA. Chuck was recognized in 2007 with the Lifetime Achievement Award from his Public Administration Alumni Association at the University of Kansas.

Regan Brown***Project Coordinator***

Regan Brown is the Project Coordinator at Waters & Company Executive Recruitment, a *Springsted Company*. She is responsible for supporting the lead consultants throughout the entire scope of the recruiting process, as well as providing administrative support to the Executive Vice President, Rollie Waters.

In this role, Regan coordinates communications with candidates, the handling of resumes and the distribution of candidate questionnaires. She is also responsible for providing support to candidates regarding technical and logistic issues. She assists the consultants in scheduling the semifinalist interviews, submitting profiles for background checks and education verifications and notifying the finalists. Her responsibilities extend to editing presentations and proposals, advertisement placements and general office administration.

Professional Accomplishments and Education

Previously, Regan worked in Residential Real Estate and as the Operations Manager for a publically held subprime financial services company. Coordinating between board members, executive staff and operations employees, she implemented executive initiatives at all levels of the company. Regan also served as ISO 9001 Management Representative for Halo Financial Services, LLC.; her attention to detail and her passion for efficiency allowed for a perfect audit record three years in a row. Her service leadership attitude ensures an exceptional customer service experience.

b. Description of the firm's approach to executive recruitment.

Task I: Recruitment Brochure Development and Advertising

The development of a comprehensive recruitment brochure that includes a profile of the ideal candidate is an important first step in the recruitment process. This profile includes the required qualifications, professional experience and leadership, management and personal characteristics related to the success of the candidate in the position of City Manager.

The recruitment brochure will also have a profile that captures the essence of the City as a highly-attractive venue for the successful candidate to live and work. To prepare the recruitment brochure, the Recruitment Project Team Leader will come on site to meet with the Human Resource Department, City Commission and designated staff to discuss the required background, experiences and management and leadership characteristics for your City Manager position. We will also request organizational charts, budgetary information, operational reports and other documentation describing the current issues and responsibilities of the position. We meet individually (or collectively depending upon your preference) with the Human Resource Department and City Commission to broaden our understanding of the position's leadership and management requirements, current issues, strategic priorities and to identify expectations for the City Manager. We also obtain input from department leaders to increase our understanding of the City's strengths and needs. [See example of a recruitment brochure in Appendix I.]

Information obtained from these meetings, coupled with our review of the job description and other City documents, is used to prepare a position and candidate profile. The completed profiles will be approved by the Human Resource Department and City Commission before recruitment begins. The position and candidate profile will be central to our recruitment strategy and outreach to candidates.

The Recruitment Project Team will also work with the City of Kingsville to develop an advertising and marketing strategy to notify potential candidates about the vacancy and conduct an open recruitment that encourages applications from a talented and diverse pool of candidates. Our Team will place ads in appropriate professional publications, websites and local print media. Additionally, WCER has a highly-accessed website that has a special location attracting many potential candidates to upload their resumes. The aggressive advertising and marketing campaign for top talent will include national, state, regional and local elements as determined during our initial meetings with the City's representatives. Our customized mailing list, selected from our extensive database and contacts collected at appropriate public sector conferences, will be utilized to further promote the position.

Project Milestone	Deliverables	Proposed Date
Position profile and recruitment brochure development.	1. Onsite interview with the City. 2. WCER will receive information regarding the City's budgets, organizational charts, images, logos, etc. 3. Develop draft documents (Recruitment Brochure, Advertisement, Marketing Letter and Timeline).	March 9 – 10
Approve brochure, commence advertising and distribute marketing letter.	4. Brochure sent to the City for final approval. 5. Commence advertising and distribution of recruitment brochure.	March 17

Task II: Execution of Recruitment Strategy and Identification of Quality Candidates

Utilizing the information developed in Task I, WCER will identify and reach out to individuals who will be outstanding candidates for the position of City Manager. Often, well-qualified candidates are not actively seeking new employment and will not necessarily respond to an advertisement. However, if a potential candidate is presented with the opportunity directly and in the proper manner, he or she may apply. We take pride in our ability to locate highly qualified candidates across the nation based on the professional contacts and relationships we have developed and maintained over many years.

Our recruitment outreach emphasizes personal contacts with prospective candidates. We also contact ICMA-credentialed managers and managers who demonstrate an ongoing commitment to professional leadership development. Finally, we draw upon our knowledge of qualified local government managers from our database and from the professional network of our Team.

These efforts will be supplemented by the creation of an appropriate database utilizing our extensive, interactive applicant database for the City Manager position. This will provide the WCER Team with the ability to customize applicant flow and tracking, communication with applicants and the ability to conduct database inquiries for candidates based on characteristics important to the City such as geographic location, particular experience, expertise and credentials. WCER's commitment to customer service extends to the candidate as well as the client.

During this part of the process the Recruitment Project Team will work with the Human Resource Department, City Commission and designated staff to reach consensus on the leadership and management style for the ideal candidate. Our research will determine the key competencies, work values and leadership/management style for the position and match the candidates to each attribute. Each candidate submitting a resume is sent a timely acknowledgement by our Team, including an approximate schedule for the recruitment. Throughout the recruitment process, communications are maintained with each candidate regarding information about the recruitment progress and their status in the process. We take pride in the many complimentary comments made by candidates regarding the level of communication and the professional manner in which they are treated during our recruitments.

Project Milestone	Deliverables	Proposed Date
Execution of recruitment strategy and candidate outreach.	<ol style="list-style-type: none">1. Online data collection and profile development.2. Development of interactive searchable applicant database for recruitment of the City Manager.3. WCER performs direct outreach to prospective candidates identified in the recruitment strategy.4. Utilization of extensive applicant database to identify applications and review applicant pool for competencies/demographics.	March 18 – April 20

Task III: Screening of Applicants and Recommendation of Semi-Finalists

Our recruiting efforts in Task II are directed towards the quality of the candidates we contact, not the quantity. The minimum qualifications for the candidate will include the requisite experience and skills needed to successfully perform the position's duties. In Task III the Recruitment Project Team, under the direction of the Recruitment Project Team Leader, will screen the candidates against the criteria within the position and candidate profiles and develop a list of semi-finalists for recommendation to the Human Resource Department and City Commission.

The most promising applicants will receive a candidate essay questionnaire to complete that will provide additional information about the candidates' background and experience. We will then narrow the list to a group of 10-15 semifinalists for your review and to select finalists.

Another unique aspect of our recruitment process is our use of online recorded interviews for the screening process. Responses are timed and questions are not provided in advance. This tool allows our Team to develop a more comprehensive understanding of the candidate's ability to think "on their feet" as well as their personal and professional demeanor.

Our Team will provide an online link for the Human Resource Department, City Commission and others designated, who have input into the hiring decision, allowing them to review and rate the recorded responses. This provides the organization with additional candidate assessments that can be customized to fit the unique needs of your City.

Throughout the process, you will have access to our Master Applicant List (MAL), which will provide pertinent data about each applicant.

Project Milestone	Deliverables	Proposed Date
Applicant screening and recommendation of semi-finalists.	<ol style="list-style-type: none">5. WCER compares applications to the approved candidate profile developed in our searchable applicant database.1. WCER develops customized candidate questionnaire & due diligence questionnaire to provide to applicants who most closely meet the candidate profile.1. Top 10-15 candidates identified as semi-finalists.2. Semi-Final Report is prepared, including the brochure, master applicant list, cover letter, resume and completed questionnaire of candidates to be considered.3. WCER and the City review and rate video interviews.4. WCER sends links to City to review the aggregate responses and ratings.5. Semi-finalists complete candidate management style assessment, responses are reviewed and interview questions are developed.6. Recruitment Project Team Leader meets with Human Resource Department and City Commission to review recommended semi-finalists. Human Resource Department and City Commission select finalists for on-site interviews.	April 21 – May 4

Task IV: Conducting Background Checks, Reference Checks and Academic Verifications

When the Human Resource Department and City Commission approve of a group of finalists for on-site interviews, WCER will begin the process of conducting reference checks, background checks and academic verifications. Contact is then made with references to complete our understanding of the management and leadership characteristics and professional work performance of the finalists.

For the background checks, WCER will develop information on the candidates in the following areas:

- | | |
|---------------------------------|---|
| 1. Consumer Credit | 2. Bankruptcy |
| 3. City/County Criminal | 4. State District Superior Court Criminal |
| 5. City/County Civil Litigation | 6. State District Superior Court Civil Litigation |
| 7. Judgment/Tax Lien | 8. Federal District Criminal |
| 9. Motor Vehicle | 10. Federal District Civil Litigation |

To ensure that our quality standards are maintained, we require a minimum of ten business days between the time that you select the finalists for on-site interviews and when we submit the candidate documentation for your final interview process.

Project Milestone	Deliverables	Proposed Date
Finalists complete supplemental work products.	<ul style="list-style-type: none">Finalists complete narrative of their two most significant professional achievements and a critical problem analysis.	May 13
Design final process with City Commission for on-site interviews with finalists.	<ul style="list-style-type: none">WCER confirms interviews with candidates.Travel logistics are scheduled for the candidates.	May 13 – 14
Background checks, reference checks and academic verification.	<ul style="list-style-type: none">WCER completes background checks, reference checks and academic verifications for finalists.	May 19

Task V: Final Interview Process

Upon completion of Task IV, we will work with you to develop the final interview process. We will provide documentation on each of the finalists which will provide the highlights of their professional experience and leadership/management profile (Gap Analysis) as well as a summary of the results of the reference checks, background checks and academic verifications. In addition, the Final Report will include guidelines for interviewing the candidates, suggested interview questions and a candidate assessment process for your interview panel(s).

The Recruitment Project Team Leader will be available during the final interview process to answer questions about the candidates and, if requested, assist with the final evaluation of the candidates. In addition, if the City requests the service, we will assist you with the development of a compensation package and related employment considerations and assist with the negotiation of an employment agreement.

Project Milestone	Deliverables	Proposed Date
Finalist Report prepared and delivered to City.	<ul style="list-style-type: none"> Final Report is prepared, including brochure, interview schedule, cover letter, resume, candidate questionnaire, two examples of candidates' most significant professional achievements, suggested interview questions, candidate assessment form and management style probing questions. 	May 20
On-site interviews with finalists.	<ul style="list-style-type: none"> Interviews are scheduled. Recruitment Project Team Leader attends client interviews and is available to participate during deliberations of candidates. 	Week of May 25
Offer made / accepted.	<ul style="list-style-type: none"> If requested, WCER participates in candidate employment agreement negotiations. WCER notifies candidates of decision. WCER confirms final process close out items with the City of Kingsville. 	Week of June 1

Strategy for Recruitment of Diverse Candidates

Our corporate core values and work environment reflect our broader social aspirations for a diverse workforce, equal opportunity and cross-cultural respect. We have established strong and credible networks with minority and female leaders nationwide. In addition, we are corporate members of the National Forum for Black Public Administrators (NFBPA) and the Hispanic Network and are on their National Corporate Advisory Council. We participate in their membership events on a regular basis.

To that end, we take responsibility for diversity in our organization, our recruitment strategy and our candidate pools. In this recruitment, we will use our established networks to make direct and personal contacts with prospective minority and female candidates and encourage them to consider the City of Kingsville's City Manager position. Because of our performance record in presenting a diverse applicant pool, these prospective candidates know they will be fairly considered in the process.

Waters & Company Executive Recruitment, a *Springsted Company*, is committed to ensuring equitable participation in our business and employment opportunities without regard to race, color, religion, sex, national origin, age, disability, veteran status, marital status or sexual orientation. As a leader in the executive recruitment industry, we take positive actions to prevent and to remedy any discriminatory effects of business and employment practices.

Springsted Incorporated, our parent company, is a certified WBE.

Timeline

Below is an estimated Timeline for the executive recruitment process. You will be asked during the first on-site meeting to review and approve a Timeline for the recruitment project. It is our intent to conduct the recruitment expeditiously, but not at the expense of finding high-quality candidates for you.

CITY OF KINGSVILLE, TEXAS EXECUTIVE RECRUITMENT PRELIMINARY TIMELINE		
The following Timeline represents a preliminary schedule for your executive recruitment based on a commencement date of March 9, 2015. Actual target dates will be developed in consultation with and approved by the Human Resource Department and City Commission.		
Project Milestone	Deliverables	Target Date
Profile development, advertising and candidate outreach.	11. WCER completes on-site interviews to develop candidate profile and recruitment brochure; the City approves ad placement schedule and timeline. 12. WCER sends draft recruitment brochure to the City. 13. The City returns draft recruitment brochure (with edits) to WCER. 14. WCER commences executive recruitment advertising and marketing. 15. Online data collection and profile development.	March 9 – April 20
Applicant screening and assessment and recommendation of semi-finalists.	16. WCER commences formal review of applications and sends most promising applicants a Candidate Questionnaire to provide additional information about background and experience. Candidates complete recorded interview online. 17. WCER completes formal review of applications and sends selected resumes and questionnaire responses to the City for review. Also candidates' recorded interviews are presented. 18. Semi-finalists complete candidate management style assessment and responses are reviewed and interview questions are developed. 19. WCER meets with the City and recommends semi-finalists; the City selects finalists for on-site interviews.	April 21 – May 4
Comprehensive background check and reference checks completed for finalists.	20. WCER completes reference checks/background checks/ academic verification on finalists.	May 20
On-site Interviews with finalists.	21. WCER sends documentation for finalists to the City. 22. The City conducts on-site interviews with finalists.	Week of May 25

Employment offer made / accepted.	23. The City extends employment offer to selected candidate.	June 1
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- c. A list and descriptions of any lawsuits filed against the firm during the preceding three years and any litigation currently pending or threatened in conjunction with the type of services described herein.

WCER has had no lawsuits filed against the firm during the preceding three years. WCER has no litigation currently pending or threatened in conjunction with the type of services described herein.

2. Qualifications and Experience

References

City of Fort Worth, Texas

Former Mayor Moncrief
mike@moncriefinvestments.com
817-338-1225

Project: Selection of City Manager and Assistant City Manager

New Braunfels, Texas

Ms. Julie O'Connell, *Former Human Resources Director*
Now *Human Resources Director*
City of Huntsville
joconnell@huntsvilletx.gov
936-291-5436

Project: Selection of City Manager and Department Directors

Town of Marana, Arizona

Ms. Suzanne Machain, *Human Resources Director*
snmachain@marana.com
520-382-1920

Project: Deputy Town Manager and Police Chief

City of Denison, Texas

Mr. Robert Hanna, *City Manager*
rhanna@cityofdenison.com
903-464-4400

Project: City Attorney

City of Irving, Texas

Dr. Ike Obi, *Human Resources Director*
iobi@cityofirving.org
972-721-2665

Project: Selection of Assistant City Manager, and Department Directors

City of Charlotte, North Carolina

Ms. Cheryl Brown, *Director of Human Resources*
clbrown@ci.charlotte.nc.us
704-336-5703

Project: Selection of City Manager

City of Westminster, Colorado

Ms. Debbie Mitchell, *Administrative Services Director*
dmitchell@cityofwestminster.us
303-658-2155

Project: Selection of City Manager

City of Denton, Texas

Mr. George Campbell, *City Manager*
george.campbell@cityofdenton.com
940-349-8307 or

Carla Romine-Hagmark, *Human Resources Director*
carla.romine@cityofdenton.com
940-349-8344

Project: Selection of Director of Engineering Services, Assistant City Manager and various department directors

Experience

The following is a list of Administration Executive Recruitments during the previous three years:

List of Administrative Executive Recruitments 2012 – 2014					
Year	Client	State	Executive Recruitment	Entity Type	Population
2012	Becker County	MN	County Administrator	County	32,504
2012	Bedford County	VA	County Administrator	County	67,154
2012	Beltrami County	MN	County Administrator	County	44,442
2012	Botetourt County	VA	County Administrator	County	30,495
2012	City of Albertville	MN	City Administrator	City	7,044
2012	City of Brainerd	MN	City Administrator	City	13,517
2012	City of Charlotte	NC	City Manager	City	792,862
2012	City of Eau Claire	WI	City Manager	City	61,704
2012	City of Fairview	TX	Town Manager	City	8,148
2012	City of Martinsville	VA	City Manager	City	15,416
2012	City of Rockville	MD	City Manager	City	47,388
2012	City of Scandia	MN	City Administrator	City	3,936
2012	City of Sun Prairie	WI	City Administrator	City	29,364
2012	City of Thief River Falls	MN	City Administrator	City	8,661
2012	City of Winchester	VA	City Manager	City	27,216
2012	City of Windsor Heights	IA	City Administrator	City	4,860
2012	Guilford County	NC	County Manager	County	495,279
2012	Hennepin County	MN	County Administrator	County	1,070,709
2012	Kittson County	MN	County Administrator	County	4,552
2012	Nobles County	MN	County Administrator	County	21,397
2012	Polk County	MN	County Administrator	County	31,416
2012	Powhatan County	VA	County Administrator	County	27,964
2012	Quad Cities Community Television	MN	Executive Director	Commission	94,497
2012	Rockbridge County	VA	County Administrator	County	20,808
2012	Sibley County	MN	County Administrator	County	15,072
2012	Swift County	MN	County Administrator	County	9,594
2012	Town of Exmore	VA	Town Manager	Town	1,458
2012	Town of Morehead City	NC	City Manager	City	9,203
2012	Town of Ocean City	MD	City Manager	Town	7,092
2013	Bath County	VA	County Administrator	County	4,652
2013	Brunswick County	NC	County Manager	County	112,257
2013	City of Alexandria	MN	City Administrator	City	11,549
2013	City of Bayport	MN	City Administrator	City	3,496
2013	City of Belle Plaine	MN	City Administrator	City	6,804
2013	City of Burnsville	MN	City Manager	City	60,828
2013	City of Clinton	NC	City Manager	City	8,676
2013	City of East Grand Forks	MN	City Administrator	City	8,602
2013	City of International Falls	MN	City Administrator	City	6,357
2013	City of Irving	TX	City Manager	City	228,653
2013	City of Justin	TX	City Manager	City	3,333
2013	City of Litchfield	MN	City Administrator	City	6,671
2013	City of Manassas	VA	Director of Fin. & Admin.	City	37,821
2013	City of Montgomery	MN	City Administrator	City	2,933
2013	City of Moose Lake	MN	City Administrator	City	2,753
2013	City of Muskegon	MI	City Manager	City	37,213
2013	City of Newport News	VA	City Manager	City	179,611
2013	City of Norwood Young America	MN	City Administrator	City	3,583

List of Administrative Executive Recruitments 2012 – 2014

Year	Client	State	Executive Recruitment	Entity Type	Population
2013	City of Raleigh	NC	City Manager	City	423,179
2013	City of Roseville	MN	City Manager	City	34,666
2013	City of Sherburn	MN	City Administrator	City	1,128
2013	City of Watertown	MN	City Administrator	City	4,239
2013	City of West Saint Paul	MN	City Manager	City	19,708
2013	Cook County	MN	County Administrator	County	5,200
2013	Escambia County	FL	County Manager	County	305,817
2013	Jefferson County	WI	County Administrator	County	83,943
2013	Orange County	VA	County Administrator	County	34,246
2013	Shenandoah County	VA	County Administrator	County	42,583
2013	Village of Bellevue	WI	Village Administrator	Village	14,570
2013	Washington County	VA	County Administrator	County	54,827
2013	Yellow Medicine County	MN	County Administrator	County	10,158
2013	York County	SC	County Manager	County	239,363
2014	Aitkin County	MN	County Administrator	County	15,927
2014	Campbell County	VA	County Administrator	County	55,163
2014	City of Atlantic Beach	FL	City Manager	City	12,864
2014	City of Belle Plaine	MN	City Administrator	City	6,804
2014	City of Bloomington	MN	City Manager	City	86,033
2014	City of Eustis	FL	City Manager	City	19,214
2014	City of Hutchinson	MN	City Administrator	City	13,929
2014	City of Irving	TX	City Manager	City	225,427
2014	City of Lakeville	MN	City Administrator	City	57,342
2014	City of Lexington	VA	City Manager	City	6,998
2014	City of Midlothian	TX	City Manager	City	19,891
2014	City of Novi	MI	City Manager	City	57,960
2014	City of Springfield	MN	City Manager	City	2,114
2014	George C. Marshall Foundation	VA	Director of Fin. & Admin.	Non-Profit	
2014	Minnehaha Creek Watershed Dist.	MN	District Administrator	Authority	1,124,000
2014	Narberth Borough	PA	Borough Manager	Village	4,295
2014	Orange County	NC	County Manager	County	137,941
2014	Roanoke County	VA	County Administrator	County	92,901
2014	Spotsylvania County	VA	County Administrator	County	125,684
2014	Town of Boone	NC	Town Manager	Town	17,774
2014	Town of Cape Charles	VA	Town Manager	Town	990
2014	Township of Lower Merion	PA	Township Manager	Township	59,850
2015	City of Sachse	TX	City Manager	City	22,938

3. Proposed Costs

The all-inclusive professional fee to conduct the recruitment is provided below and includes the cost of professional services by the Recruitment Project Team Leader, the project support staff and all project-related expenses such as advertising, preparation of the recruitment brochure, printing, candidate background, reference and academic verification checks and travel expenses for on-site visits. Travel expenses incurred by candidates for on-site interviews with the client are not the responsibility of WCER and are handled directly by the client organization.

The all-inclusive professional fee will be billed in four installments: 30% of the fee will be billed at the beginning of the recruitment; 30% at the implementation of Phase I; 30% at the implementation of Phase II; and 10% upon acceptance of an offer by the candidate. We are open to negotiate an alternative payment schedule if selected for this recruitment.

If candidates from this recruitment process are selected for another position within your organization within one year of the close of the recruitment, a fee of 50% of the following proposal amount will be due to Waters & Company Executive Recruitment, a Springsted Company.

All questions regarding the professional fees and project-related expenses should be directed to Chuck Rohre, Senior Vice President at crohre@waters-company.com or via phone at 214-466-2436.

PHASE	DESCRIPTION OF PROFESSIONAL SERVICES	FEES
Phase I	Task 1 – Candidate Profile Development/Advertising/Marketing (includes one day on site by Recruitment Project Team Leader) Task 2 – Identify Quality Candidates	
Phase II	Task 3 – Screening of Applications and Submission of Recommended Semi-Finalists to Client (includes one day on site by the Recruitment Project Team Leader) Task 4 – Reference Checks, Background Checks and Academic Verifications	
Phase III	Task 5 – Final Process/On-Site Interviews with Finalists (includes two days on site by Project Team Leader)	
Conclusion	Acceptance of offer by candidate	
	TOTAL ALL-INCLUSIVE PROFESSIONAL FEE	\$21,500

OPTIONAL SERVICES FOR CONSIDERATION	FEES
Additional work related to the search process and as specifically requested by the City that is outside of the scope of this project (i.e. additional onsite meetings) is additional. The fixed professional fee for this recruitment anticipates no more than three onsite consulting days with one consultant. However, we would be pleased to provide additional onsite consulting visits for our standard daily rate of \$1,500 plus expenses.	\$1,500 per day plus expenses

Triple Guarantee

Our Triple Guarantee is defined as: (1) A commitment to remain with the recruitment assignment until you have made an appointment for the fees and tasks quoted in this proposal. If you are unable to make a selection from the initial group of finalists, WCER will work to identify a supplemental group until you find a candidate to hire. (2) Your executive recruitment is guaranteed for 24 months against termination or resignation. The replacement recruitment will be repeated with no additional professional fee, but only for project-related expenses. Candidates appointed from within your organization do not qualify for this guarantee. This guarantee is subject to further limitations and restrictions of your state laws. (3) WCER will not directly solicit any candidates selected under this contract for any other position while the candidate is employed with your organization.

AGENDA ITEM #15



Purchasing/Technology Department

361-595-8025

361-595-8035 Fax

DATE: April 7, 2015
TO: Courtney Alvarez, Interim City Manager
FROM: David Mason, Purchasing/Technology Director
SUBJECT: Library Carpet

Please find attached quotes for carpeting at the Robert J Kleberg Public Library. While not part of the original mold remediation and HVAC replacement, the present would be an excellent time to replace the worn carpet at the Library. The City of Kingsville originally budgeted \$75,000 for HVAC replacement/upgrades. Of this, the following has been committed for improvements:

HVAC from Ramos Refrigeration	\$26,442.06
Dehumidifier System	\$3,256.50
<u>Deductible for mold remediation</u>	<u>\$5,000.00</u>
TOTAL	\$34,698.56

According to these figures, we have \$40,301.44 (75,000-34698.56) of available monies left from the original budgeted amount in 001-5-460.0-713.00.