

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION MONDAY, DECEMBER 14, 2020 REGULAR MEETING**

**CITY HALL  
HELEN KLEBERG GROVES COMMUNITY ROOM  
400 WEST KING AVENUE  
5:00 P.M.**

**Conference Line call: 1 (415) 655-0001 and  
when prompted type access code: 126 210 9951 #**

**OR**

**Live Videostream: <http://www.cityofkingsville.com/webex>**

### **I. Preliminary Proceedings.**

#### **OPEN MEETING**

#### **INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

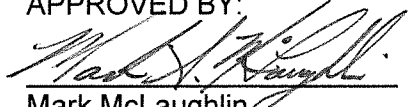
#### **MINUTES OF PREVIOUS MEETING(S)**

Special Meeting - November 16, 2020

Special Meeting - November 19, 2020

Regular Meeting - November 23, 2020

APPROVED BY:

  
Mark McLaughlin  
City Manager

#### **\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.**

To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically

or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

## **II. Public Hearing - (Required by Law).<sup>1</sup>**

1. Public Hearing to consider an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 22, Lot Pt 8, also known as Property ID 20581, located along Golf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville Texas from AG (Agriculture District) to R1 (Single-Family District), applicant/owner Robert D. Coleman Mgt. LLC. (Planning & Economic Development Director).
2. Public Hearing to consider an ordinance amending the zoning ordinance by changing the zoning map in reference to Ronning 2, Block 3, Lot 3, 4, 5, 6 and Lund Addn, Block 7, Lot 1, also known as 1107 E. King, 1113 E. King, Prop ID 12339, 1115 E. King, Kingsville Texas, from R2 (Two-Family District) to C2 (Retail District). (Planning & Economic Development Director).
3. Public Hearing to consider an ordinance amending the zoning ordinance by changing the zoning map in reference to Ronning 2, Block 3, Lot 1, 2, also known as 1103 E. King, Kingsville Texas from R2 (Two-Family District) to C2 (Retail District). (Planning & Economic Development Director).
4. Public Hearing to consider a final plat for Section 20, Lot 25 of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No.4, applicant/owner S&S Kingsville Construction LLC. (Planning & Economic Development Director).

## **III. Reports from Commission & Staff.<sup>2</sup>**

*"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, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

## **IV. Public Comment on Agenda Items.<sup>3</sup>**

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

## **V.**

### **Consent Agenda**

### **Notice to the Public**

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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 Budget to appropriate funding for the rollover project for greens maintenance and repairs. (Parks Director).
2. Motion to reappoint Todd Lucas to the Main Street Advisory Board for a two-year term. (Downtown Manager).

**REGULAR AGENDA**

**CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

**VI. Items for consideration by Commissioners.<sup>4</sup>**

3. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 22, Lot Pt 8, also known as Property ID 20581, located along Golf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville Texas, from AG (Agriculture District) to R1 (Single-Family District). (Planning & Economic Development Director).
4. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Ronning 2, Block 3, Lot 3, 4, 5, 6 and Lund Addn, Block 7, Lot 1, also known as 1107 E. King, 1113 E. King, Prop ID 12339, 1115 E. King, Kingsville Texas, from R2 (Two-Family District) to C2 (Retail District). (Planning & Economic Development Director).
5. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Ronning 2, Block 3, Lot 1, 2, also known as 1103 E. King, Kingsville Texas from R2 (Two-Family District) to C2 (Retail District). (Planning & Economic Development Director).
6. Consider approval of a final plat for Section 20, Lot 25 of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No.4. (Planning & Economic Development Director).
7. Consider accepting a donation from ExxonMobil Pipeline Company for Fire Department. (Fire Chief).
8. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 Budget to accept and expend the donation from ExxonMobil Pipeline for Fire Department's emergency response capabilities. (Fire Chief).
9. Consider authorizing the purchase of two residential garbage trucks through HGAC Buy purchasing cooperative, as per staff recommendation. (Public Works Director).

10. Consider a resolution authorizing the City Manager to enter into an Interlocal Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to the waterline extension on West Escondido Road. (Public Works Director).
11. Consider a resolution approving the City of Kingsville Investment Policy and Investment Strategies; designating the City Manager, Director of Finance, and City Accounting Manager as the Authorized City Representatives with full authority for investment purposes and providing for disclosure of financial interest. (Finance Director).
12. Consider a resolution authorizing the City Manager to enter into a Standard Form of Agreement between the City of Kingsville and Contractor on the Basis of a Stipulated Price for South WWTP Improvements Project. (City Engineer).
13. Discussion on Armstrong Street Improvement Project Plans. (City Engineer).
14. Discuss and consider potential projects for the venue tax to be used at the JK Northway area. (City Engineer).
15. Executive Session: Pursuant to Section 551.074, of the Texas Open Meetings Act, the City Commission shall convene in executive session to deliberate the evaluation & duties of the City Manager. (Mayor Fugate).
16. Executive Session: Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).
17. Consider a resolution authorizing staff to proceed with placing for sale the City's approximately 1.0 acres of land located off Corral Ave. and US77 Bypass (Garcia Farm Tract, Lot A) in Kingsville, Texas. (Tourism Center site). (City Manager).
18. Consider a resolution authorizing the City Manager to enter into a Commercial Real Estate Listing Agreement between the City of Kingsville and Robert R. Linton of Betty Haass Realtors. (for the sale of City Property-Tourism Center site). (City Manager).

## **VII. Adjournment.**

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

### **NOTICE**

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail [mvalenzuela@cityofkingsville.com](mailto: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 located at City Hall, 400 West King Ave, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

December 10, 2020 at 2:15 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

Mary Valenzuela

Mary Valenzuela, TRMC, CMC, 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)**

NOVEMBER 16, 2020

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, NOVEMBER 16, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.**

**CITY COMMISSION PRESENT:**

Sam R. Fugate, Mayor  
Edna Lopez, Commissioner  
Hector Hinojosa, Commissioner

**CITY COMMISSION ABSENT:**

Arturo Pecos, Commissioner  
Dianne Leubert, Commissioner

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Janine Reyes, Tourism Director  
Kyle Benson, IT Manager  
Derek Williams, IT  
Bill Donnell, Public Works Director  
Ricardo Torres, Police Chief  
Uchechukwu Echeozo, Director of Planning & Development Services

**STAFF PRESENT VIA CONFERENCE CALL OR VIDEOSTREAM**

Emilio Garcia, Health Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 p.m. with three Commission members present. Commissioner Leubert and Commissioner Pecos absent.

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

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

**MINUTES OF PREVIOUS MEETING(S)**

**Regular Meeting - November 09, 2020**

**Motion made by Commissioner Lopez to approve the minutes of November 9, 2020 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Fugate voting “FOR”.**

**\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.**

**To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be**

in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

## **II. Public Hearing - (Required by Law).<sup>1</sup>**

1. None.

## **III. Reports from Commission & Staff.<sup>2</sup>**

*"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, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

Mr. Mark McLaughlin, City Manager reported that the new Capital Improvements Manager, Mr. Michael Mora started his first day with the City of Kingsville today. He further updated the Commission on the chip seal of Santa Gertrudis up to University Boulevard. Mr. McLaughlin further thanked the Kingsville Police Department for their hard work on a drug seizure that occurred this past weekend.

Ms. Courtney Alvarez, City Attorney reported that the next City Commission meeting is scheduled for Thursday, November 19<sup>th</sup> at 5:30 p.m. This is a special meeting for the swearing-in of the newly elected officials. The next regular Commission meeting is scheduled for Monday, November 23<sup>rd</sup> at 5:00 p.m. The Commission will also be meeting on December 14<sup>th</sup> at 5:00 p.m. for their regular City Commission meeting. The deadline for staff to submit agenda items for the December 14<sup>th</sup> meeting is Thursday, December 3<sup>rd</sup>. Alvarez further reported that traditionally the second meeting in December is usually cancelled as it comes close to the holidays.

Mayor Fugate thanked staff for their assistance with Chick-fil-A agreements. He further announced that Harbor Freights will be opening soon. Fugate mentioned that there is a

large truck stop interested in coming to Kingsville which will probably be located by Hwy 77.

#### **IV. Public Comment on Agenda Items.<sup>3</sup>**

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

No public comments made or received.

#### **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 Lopez to approve the consent agenda as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Lopez, Fugate voting "FOR".**

**1. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 Budget to accept and expend grant funding from the Patrick Leahy Bulletproof Vest for Police Body Armor, the Coronavirus Emergency Supplemental Funding Program for overtime, the Local Boarder Security Program for operational overtime, and the Enhancement Body Worn Camera Policy and Implementation Program for replacement cameras. (Police Chief).**

**2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 Budget to appropriate funding for the carry-over purchase orders that were for projects started last fiscal year and will be completed in this fiscal year. (Finance Director).**

**3. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 Budget to appropriate funding for the purchase of a narcotics detection K9. (Finance Director).**

##### **REGULAR AGENDA**

##### **CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

#### **VI. Items for consideration by Commissioners.<sup>4</sup>**

**4. Consider a resolution authorizing the Mayor to enter into three Texas Water Code Section 15.005 Memorandums of Understanding between Kleberg County and the City of Kingsville for the shared sub watersheds of Tranquitas, Santa Gertrudis, and Escondido Creeks as needed for TWDB. (City Engineer).**

Mr. McLaughlin stated that these agreements are required by GrantWorks for the Texas Water Development Board applications. Anytime the City works on its portion of the water shed or the County works on their side of the water shed could have an impact on the other.

These agreements say that all parties will work together and report annually together through the course of the project.

Mrs. Alvarez commented that this does not bind either party to the other financially.

**Motion made by Commissioner Lopez to approve the resolution authorizing the Mayor to enter into three Texas Water Code Section 15.005 Memorandums of Understanding between Kleberg County and the City of Kingsville for the shared sub watersheds of Tranquitas, Santa Gertrudis, and Escondido Creeks as needed for TWDB, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Fugate voting "FOR".**

**5. Consider a resolution authorizing the Mayor to execute an Economic Development Agreement between the City of Kingsville, Texas and New Urban Development Corporation, LLC. (Planning & Economic Development Director).**

Mr. McLaughlin stated that this agreement is for Chick-fil-A. The agreement states that the company desires to build a driveway on the easement owned by the City. The City will allow, based on certain conditions. As a condition to allow the driveway in the easement, the Company agrees to pay for the permitting, construction, and maintenance of the driveway and acknowledges and agrees that the City may require at some point in the future for the movement, relocation, removal, and or reconstruction of the driveway at the business owner's expense in order for the City to access the property to inspect, maintain, repair, and or replace the utilities located within the City's easement.

**Motion made by Commissioner Lopez to approve the resolution authorizing the Mayor to execute an Economic Development Agreement between the City of Kingsville, Texas and New Urban Development Corporation, LLC, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Lopez, Fugate voting "FOR".**

**6. Consider a resolution and order canvassing the election returns and declaring the results of the City of Kingsville's General Election conducted on November 3, 2020. (City Secretary).**

Mrs. Mary Valenzuela, City Secretary commented that the reason for having two separate resolutions for the canvassing of the November 3<sup>rd</sup> election is election results for the Charter Amendments are required to be filed with the Texas Secretary of State Office. The General Election is not an election that would need to be filed with the Secretary of State Office.

**Motion made by Commissioner Lopez to approve the resolution and order canvassing the election returns and declaring the results of the City of Kingsville's General Election conducted on November 3, 2020, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Fugate voting "FOR".**

**7. Consider a resolution and order canvassing the election returns and declaring the results of the City of Kingsville's Special Election conducted on November 3, 2020. (City Secretary).**

**Motion made by Commissioner Lopez to approve the resolution and order canvassing the election returns and declaring the results of the City of Kingsville's Special Election conducted on November 3, 2020, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Lopez, Fugate voting "FOR".**

**VI. Adjournment.**



There being no further business to come before the City Commission, the meeting was adjourned at 5:13 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

NOVEMBER 19, 2020

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON THURSDAY, NOVEMBER 19, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:30 P.M.

**CITY COMMISSION PRESENT:**

Sam R. Fugate, Mayor  
Hector Hinojosa, Commissioner  
Norma N. Alvarez, Commissioner  
Edna Lopez, Commissioner  
Ann Marie Torres, Commissioner

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Janine Reyes, Tourism Director  
Kyle Benson, IT Manager  
Derek Williams, IT  
Bill Donnell, Public Works Director  
Ricardo Torres, Police Chief  
Deborah Balli, Finance Director  
Brenda Joyas, Downtown Manager

**STAFF PRESENT VIA CONFERENCE CALL OR VIDEOSTREAM**

Emilio Garcia, Health Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:30 p.m. with all five Commission members present.

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

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

**MINUTES OF PREVIOUS MEETING(S)**

None.

**\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.**

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**Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.**

**II. Public Hearing - (Required by Law).<sup>1</sup>**

None.

**III. Reports from Commission & Staff.<sup>2</sup>**

*"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, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police-Communications Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Landfill Update, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Demolition Update, Planning Development Update, Golf Course Update, Municipal Court Update. No formal action can be taken on these items at this time."*

Mr. Mark McLaughlin, City Manager welcomed the Commission and their guest. He further commented that he looks forward to working with each of the Commission.

Ms. Courtney Alvarez congratulated the Commission on their appointment. She further announced that the next regular meeting is scheduled for Monday, November 23, 2020 at 5:00 p.m.

Commissioner Hinojosa and Commissioner Lopez congratulated the two newly elected City Commissioners and the encumbrance for their return.

Commissioner Alvarez commented that she is happy to be back on the City Commission. She served previously on the Commission back in 1994 to 1998.

Commissioner Torres thanked the voters for their votes and looks forward to working with the Commission and staff.

Mayor Fugate congratulated the Commission on their appointment. He further stated that he looks forward to serving another term. After completion of this term, Mayor Fugate would have served 20 years as Mayor for the City of Kingsville.

**IV. Public Comment on Agenda Items.<sup>3</sup>**

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

V.

**Consent Agenda**

**Notice to the Public**

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

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

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

None.

**REGULAR AGENDA**

**CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

**VI. Items for consideration by Commissioners.<sup>4</sup>**

1. Swearing-in and official oath of newly elected Mayor. (City Commission).
2. Swearing-in and official oath of newly elected City Commissioners. (City Commission).

Mrs. Mary Valenzuela, City Secretary read the Certificate of Election for the record and signed by Mayor Fugate.

The swearing-in of the newly elected Mayor and four City Commission members was officiated by the City of Kingsville Municipal Court Judge, Michael Krueger.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:48 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

NOVEMBER 23, 2020

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, NOVEMBER 23, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.**

**CITY COMMISSION PRESENT:**

Sam R. Fugate, Mayor  
Hector Hinojosa, Commissioner  
Norma N. Alvarez, Commissioner  
Ann Marie Torres, Commissioner

**CITY COMMISSION ABSENT:**

Edna Lopez, Commissioner

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Janine Reyes, Tourism Director  
Kyle Benson, IT Manager  
Derek Williams, IT  
Bill Donnell, Public Works Director  
Ricardo Torres, Police Chief  
Deborah Balli, Finance Director  
Brenda Joyas, Downtown Manager  
Susan Ivy, Director of Parks & Recreation  
Israel Vasquez, Golf Course Manager  
Rudy Mora, Engineer  
Uchechukwu Echeozo, Director of Planning & Development Services

**STAFF PRESENT VIA CONFERENCE CALL OR VIDEOSTREAM**

Emilio Garcia, Health Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 5:00 p.m. with four Commission members present. Commissioner Lopez absent.

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

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

**MINUTES OF PREVIOUS MEETING(S)**

**Special Meeting - November 16, 2020**

No discussion or action taken on the November 16<sup>th</sup> minutes, as only two Commission members that were present at the November 16<sup>th</sup> meeting are present for the November 23<sup>rd</sup> meeting. The two new Commission members would not be able to vote on the November 16<sup>th</sup> minutes as they were not an official Commissioner or present for that meeting. Minutes for November 16<sup>th</sup> will be on for approval on the December 14, 2020 agenda.

**\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.**

**To reduce the chance of COVID-19 transmission, public meetings will be held in a**

manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

## **II. Public Hearing - (Required by Law).<sup>1</sup>**

### **1. Public Hearing to consider an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit (BQ) for the establishment known as Kwik Pantry #1 at 1105 N. 14<sup>th</sup> St., Kingsville, Texas. (Planning & Economic Development Director).**

Mayor Fugate read and opened this public hearing at 5:03 P.M.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

Mayor Fugate asked if there were any complaints received regarding this alcohol variance. Mr. McLaughlin responded no.

There being no further comments, Mayor Fugate closed this public hearing at 5:05 P.M.

## **III. Reports from Commission & Staff.<sup>2</sup>**

*"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, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."*

Mr. Mark McLaughlin, City Manager commented that parking permits for the area near Texas A&M University. Citizens can stop by to submit an application to get their permits. Mr. McLaughlin further mentioned the Reverse Parade taking place on December 12<sup>th</sup> from 6:00 p.m. to 8:00 p.m. at Dick Kleberg Park. The Reverse Parade will be where floats and all other entries will be stationary at that Park and citizens will drive around the Park for viewing of all entries. Mr. McLaughlin mentioned that he has a schedule phone conference with representative from State Representative Eddie Lucio's office. The conference call is scheduled for November 24<sup>th</sup> at 10:00 a.m. and further invited the Commission to join in on the call.

Mrs. Courtney Alvarez, City Attorney announced that the next Commission meeting is scheduled for December 14<sup>th</sup>. The deadline to submit agenda items for this meeting is December 3<sup>rd</sup>.

#### **IV. Public Comment on Agenda Items.<sup>3</sup>**

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

No public comments.

#### **V.**

##### **Consent Agenda**

##### **Notice to the Public**

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

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

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

None.

##### **REGULAR AGENDA**

##### **CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

#### **VI. Items for consideration by Commissioners.<sup>4</sup>**

1. **Consider a resolution appointing Hector M. Hinojosa as Mayor Pro Tempore. (City Attorney).**

Motion made by Commissioner Alvarez to approve the resolution appointing Hector M. Hinojosa as Mayor Pro Tempore, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Torres, Hinojosa, Fugate voting "FOR".

2. **Consider a resolution appointing a Commission Member to the City of Kingsville Investment Committee. (City Attorney).**

Motion made by Commissioner Hinojosa to appoint Commissioner Norma Alvarez to the City of Kingsville Investment Committee, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Fugate voting "FOR".

3. **Consider a resolution appointing two representatives and two alternates to the Coastal Bend Council of Governments. (City Attorney).**

Motion made by Commissioner Hinojosa to appoint Mr. Mark McLaughlin, City Manager and Commissioner Ann Marie Torres to the Coastal Bend Council of Governments and appoint Commissioner Norma Alvarez and Commissioner Edna Lopez as alternates to the Coastal Bend Council of Governments, seconded by Mayor Fugate. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Torres, Fugate voting "FOR".

4. **Consider an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit (BQ) for the establishment known as Kwik Pantry #1 at 1105 N. 14<sup>th</sup> St., Kingsville, Texas. (Planning & Economic Development Director).**

Motion made by Commissioner Hinojosa to approve the alcohol variance for a Wine and Beer Retailer's Off-Premise Permit (BQ) for the establishment known as Kwik Pantry #1 at 1105 N. 14<sup>th</sup> St., Kingsville, Texas, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Torres, Hinojosa, Fugate voting "FOR".

5. **Consider a request for City participation in Kingsville Wine Walk Holiday Sip & Shop event to occur in downtown Kingsville on December 5<sup>th</sup>, 12<sup>th</sup>, and 19<sup>th</sup> from 5pm-8pm. (Downtown Manager/HPO).**

Ms. Janine Reyes, Tourism Director stated that this event will take place on December 5<sup>th</sup>, December 12<sup>th</sup>, and December 19<sup>th</sup> from 5:00 p.m. to 8:00 p.m. Individuals wishing to participate may purchase an event passport. There will be various types of wine and beer for tasting. When purchasing an event passport, an individual would need to determine which day they would like to attend. This is a way in order to limit the attendance for all three days.

Motion made by Commissioner Hinojosa to approve the request for City participation in Kingsville Wine Walk Holiday Sip & Shop event to occur in downtown Kingsville on December 5<sup>th</sup>, 12<sup>th</sup>, and 19<sup>th</sup> from 5pm-8pm, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Fugate voting "FOR".

6. **Consider a resolution declaring intention to reimburse certain expenditures (that allows for ordering of items/projects to be financed). (Finance Director).**

Mrs. Deborah Balli, Finance Director stated that in the current budget it has been budgeted \$1,281,515.00 of Capital Outlay items which include garbage trucks, Fire Command vehicle, backhoe and four police vehicles. This year the plan was to go for a tax anticipation note instead of going out for capital lease. She further stated that the plan is to get into the market around the first part of February and once we get into the market, the city can reimburse itself.

Motion made by Commissioner Torres to approve the resolution declaring intention to reimburse certain expenditures (that allows for ordering of items/projects to be financed), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Torres, Fugate voting "FOR".

7. **Consider a resolution authorizing the City Manager to execute a Professional Services Agreement with Azavar Audit Solutions, Inc. (for sales tax and other revenue audit services). (Finance Director).**

Mrs. Balli commented that as the service contract with Municipal Services has expired, Azavar Audit Solutions, Inc. is a company that does the city's sales tax audits. The prior



company was charging the City 30% to perform this work and Azavar will charge the City 22% which is all contingency based. She further stated that they will not be paid any money unless they discover any discrepancies in the sales tax. This contract will allow them to go back four years. If there is a one time finding there would be a 22% cost on that finding. If there is something on future revenues, they would get 22% for that finding for the next thirty-nine months.

Commissioner Hinojosa asked if this service is only for the sales tax. Mrs. Balli responded for now it's just for the sales tax, but they do other types of audits such as franchise fee audits. If the City decides to do the franchise fee audit, it will be the same type of contingency as for the sales tax audit. For now, it's only the sales tax audit. Commissioner Hinojosa asked if the city was to want other audits done, will staff be bringing that to Commission for approval. Mrs. Balli responded yes. Hinojosa further asked if there would be travel expenses. Mrs. Balli responded that travel expenses would only incur if they were to come down and do an audit on Hotel Occupancy Tax Audit, if the City would to request that service.

**Motion made by Commissioner Alvarez to approve the resolution authorizing the City Manager to execute a Professional Services Agreement with Azavar Audit Solutions, Inc. (for sales tax and other revenue audit services), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Torres, Hinojosa, Fugate voting "FOR".**

**8. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 Budget to appropriate funding for the rollover project for greens maintenance and repairs. (Parks Director).**

Mrs. Susan Ivy, Parks Director stated that in fiscal year 2019-2020, Commission approved \$100,000 to be dedicated to emergency greens repair, fairway improvements and other improvements needed at the golf course. After expenses for repairs there was \$11,584 remaining therefore we are asking that those funds be rolled over so that work can continue with the greens renovation, increase chemical plan, fairway renovations, sand trap fill-in, cleanout, seeding and t-box improvements, as well as other repairs that may come up during the course of time.

Introduction item.

**9. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).**

Mayor Fugate read agenda item #9, Executive Session and convened the meeting into close session at 5:26 p.m.

Mayor Fugate reconvened the meeting into open session at 6:02 p.m.

**10. Consider a resolution authorizing the Mayor to execute an Amended Economic Incentive Agreement between the City of Kingsville, Texas and D'Ville Partners, LLC (for Starbucks Developer). (City Attorney).**

Ms. Alvarez stated that this agreement would amend the agreement that the Commission previously approved. This would cover the second half of the Economic Incentive Agreement that was originally agreed on. This would change the form from a

partial property tax rebate to a partial sales tax rebate and would decrease the amount of incentive from \$30,000 to \$20,000.

**Motion made by Commissioner Hinojosa to approve the resolution authorizing the Mayor to execute an Amended Economic Incentive Agreement between the City of Kingsville, Texas and D'Ville Partners, LLC (for Starbucks Developer), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:04 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

# **PUBLIC HEARING(S)**

# **PUBLIC HEARING #1**

**City of Kingsville**  
**Planning and Development Services Department**

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**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** Robert D. Coleman Mgt. LLC, applicant and owner, requesting the rezoning of KT&I CO., BLOCK 22, LOT PT8, also known as Property ID 20581, located along Gulf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville, Texas from AG (Agricultural) to R1 (Single-Family).

---

**Summary:** The applicant – Robert D. Coleman Mgt. LLC, - seek to re-zone the existing tract of land from AG (Agricultural) to R1 (Single family) to enable them carry out residential housing development within the City of Kingsville.

**Background:** The applicant approached the department because they wanted to re-zone the existing tract of land from Agricultural to R1 (Single-Family) to enable them carry out a subdivision for housing development. With the City experiencing continuous growth, there is a need to encourage good quality housing thus increasing the housing stock within the city. Notices were sent to relevant neighbors and the Planning Department received no feedback. The Planning and Zoning Commission has reviewed the application and voted unanimously (all 5 commissioners) for the re-zoning.

**Financial Impact:** None.

**Recommendation:** Approve the re-zoning as requested.



Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



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## MEMO

**Date:** November 23, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** Robert D. Coleman Mgt. LLC, applicant and owner, requesting the rezoning of KT&I CO., BLOCK 22, LOT PT8, also known as Property ID 20581, located along Gulf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville, Texas from AG (Agricultural) to R1 (Single-Family).

The applicant approached the department because they wanted to re-zone the existing tract of land from Agricultural to R1 (Single-Family) to enable them carry out a subdivision for housing development. With the City experiencing continuous growth, there is a need to encourage good quality housing thus increasing the housing stock within the city.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage housing development within the city of Kingsville.

Thank you.

A handwritten signature in black ink, appearing to read "Uche Echeozo", with a stylized flourish at the end.

**Uche Echeozo**  
Director of Planning and  
Development Services

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address \_\_\_\_\_ Nearest Intersection GENERAL CANAZOS BLVD & GOLF COURSE RD  
(Proposed) Subdivision Name SUMMERFIELD VILLAGE Lot 1-4 Block \_\_\_\_\_  
Legal Description: KT + I CO, Block 22, LOT PT 8 PROPERTY ID 20581  
Existing Zoning Designation A9 Future Land Use Plan Designation SINGLE FAMILY RESIDENCE

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent ROBERT D COLEMAN MET LLC / ROBERT DOLEMAN Phone 956-739-2109 FAX \_\_\_\_\_  
Email Address (for project correspondence only): RDOLE33856@MSN.COM  
Mailing Address 815 ALEXANDER AVE City KINGSVILLE State TX Zip 78363  
Property Owner ROBERT D COLEMAN MET LLC Phone 956-739-2109 FAX \_\_\_\_\_  
Email Address (for project correspondence only): RDOLE33856@MSN.COM  
Mailing Address 815 ALEXANDER AVE City KINGSVILLE State TX Zip 78363

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

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

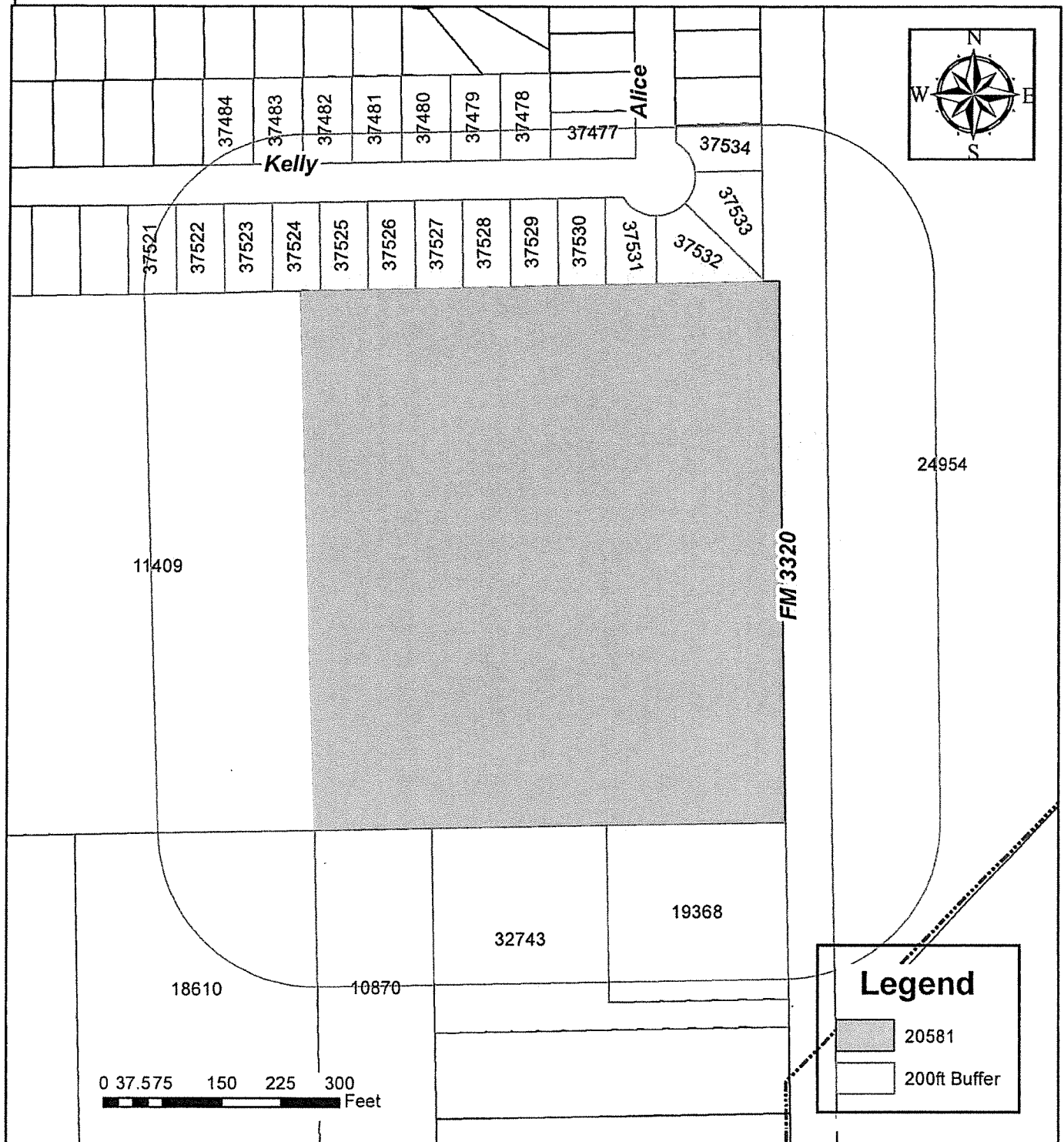
Please provide a basic description of the proposed project:

9.650 ACRES LOT ZONED AG. WOULD LIKE TO REZONE TO SINGLE FAMILY  
RESIDENCE. MINOR SUBDIVISION CONSISTING OF 4 LOTS. LOT 1 201 FT X 630  
LOT 2 155 FT X 630 LOT 3 155 X 630 LOT 4 155 X 630 SEE ATTACHED SKETCH


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 [Signature] Date: 10/13/2020  
Property Owner's Signature [Signature] Date: 10/13/2020  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of PROP ID 20581



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

Page 1 / 1	Drawn By: Planning Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 CITY OF KINGSVILLE PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 10/19/2020		
	Note:		



RANDY R RODRIGUEZ  
ETUX MARY ANN  
2008 KELLY LN  
KINGSVILLE, TX 78363-2880  
#37484

JAMES M HOYSRADT II  
480 SENECA ST  
LEWISTON, NY 14092-1644  
#37481

DANIEL BAIK  
2511 GOLF COURSE RD APT 214  
KINGSVILLE, TX 78363  
#37478

JON-BERNARD ARMAND PRO  
ETUX ERIN ELIZABETH  
2916 ALICE LN  
KINGSVILLE, TX 78363  
#37533

DOLORES MITTAG DAVIS  
2205 KELLY LN  
KINGSVILLE, TX 78363-2885  
#37530

SARA RUTH MIDDLETON  
ETVIR PHILIP MICHAEL  
2203 KELLY LN  
KINGSVILLE, TX 78363  
#37529

JOSE GONZALEZ JR  
2103 KELLY LANE  
KINGSVILLE, TX 78363  
#37524

SAMUEL CHRISTEN  
2005 KELLY LANE  
KINGSVILLE, TX 78363  
#37521

ROEL NUNEZ EST  
ROBERT A GARZA  
MARY G DE LEON (IND EXECUTOR)  
237 CANDLEWOOD  
KINGSVILLE, TX 78363  
#18610

JONATHAN SPATZ  
2102 KELLY LN  
KINGSVILLE, TX 78363  
#37483

ANNE H MURPHY  
720 SOUTHGATE CT  
OCEANSIDE, CA 92057  
#37480

RAY VAN WINKLE  
ETUX TONI  
1058 FRIEDA LN  
MINDEN, NV 89423  
#37477

JOHN M MACKOVJAK  
JAMES M MACKOVJAK  
1093 RED MILL BLVD  
VIRGINIA BCH, VA 23454-5845  
#37532

ADRIAN O REYNA  
2201 KELLY LANE  
KINGSVILLE, TX 78363  
#37528

TOMAS REYES JR  
2107 KELLY LN  
KINGSVILLE, TX 78363-2883  
#37526

PAMELA HILL  
2101 KELLY LN  
KINGSVILLE, TX 78363-2883  
#37523

IVA C REVOCABLE BURRIS  
THE LIVING TRUST  
640 E FM 1118  
KINGSVILLE, TX 78363-2628  
#11409

CESAR SILVA  
4005 S FRANKLIN ADAMS  
KINGSVILLE, TX 78363  
#10870

HECTOR YEVEERINO  
ETUX ZULEMA D HERNANDEZ  
2104 KELLY LN  
KINGSVILLE, TX 78363-2882  
#37482

SLAWOMIR GLOWNIA  
ETUX JENNY  
1583 NW 6<sup>TH</sup> AVE  
OAK HARBOR, WA 98277  
#37479

TYLER CROUSE  
ETUX TANYA  
2914 ALICE LN  
KINGSVILLE, TX 78363  
#37534

ALEJANDRO TREVINO  
2207 KELLY LN  
KINGSVILLE, TX 78363  
#37531

WILLIAM HOPPER  
ETUX CARLY M  
PO BOX 320  
CHAPMAN RANCH, TX 78347  
#37527

RYAN C DAVIDSON  
113 CHERRY ST, STE 93106  
SEATTLE, WA 98104  
#37525

ERIC D MENDEZ  
ERIKA A MENDEZ  
2007 KELLY LN  
KINGSVILLE, TX 78363-2881  
#37522

LINDELL E RAMEY EST  
THOMAS E AYCOCK  
302 JACKSON PL  
CORPUS CHRISTI, TX 78411-1620  
#24954

MIGUEL RAMIREZ  
ETUX BERNICE  
PO BOX 5060  
KINGSVILLE, TX 78364-5060  
#32743, 19368





SCALE 1" = 100'

SURVEY OF  
A 9.650 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN VOLUME 166, PAGE 126,  
DEED RECORDS KLEBERG COUNTY, TEXAS. SAID 9.650 ACRE TRACT ALSO BEING  
OUT OF FARM LOT 8, SECTION 22, "KLEBERG TOWN AND IMPROVEMENT COMPANY'S  
SUBDIVISION" AS SHOWN ON THE PLAT RECORDED IN CABINET 1, ENVELOPE 18,  
PLAT RECORDS KLEBERG COUNTY, TEXAS.

BUYER: ROBERT D. COLEMAN MANAGEMENT, LLC.

GF NO.: 201794 (7-14-2020)

L1 = N00° 57' 02"W  
40.00' (MEAS)

PAULSON FALLS SUBDIVISION PHASE 3  
CABINET II, ENVELOPE 136  
M.R.K.C.T.

REMAINDER OF LOT 8,  
SECTION 22  
KLEBERG TOWN  
& IMPROVEMENT  
COMPANY  
CABINET 1, ENVELOPE 18,  
M.R.K.C.T.

LOT 166 LOT 167 LOT 168 LOT 169 LOT 170 LOT 171 LOT 172 LOT 173 LOT 174

N88° 58' 23"E 630.99' (MEAS)

20.0' STREET DEDICATION AS PER  
VOL. 294, PG. 135, D.R.K.C.T.

9.650 ACRES  
420,364 S.F.

GOLF COURSE ROAD  
(A.K.A. AS FARM TO MARKET 3320)  
100' RIGHT OF WAY

N00° 58' 10"W 666.31' (MEAS)

S00° 57' 02"E 666.31' (MEAS)

S88° 58' 23"W 630.77' (MEAS)

P.O.B.

LOT 2  
HAGGERTON  
ADDITION  
ENVELOPE 164  
M.R.K.C.T.

LOT 3  
HAGGERTON  
ADDITION  
ENVELOPE 164  
M.R.K.C.T.

LOT 4  
HAGGERTON  
ADDITION  
ENVELOPE 164  
M.R.K.C.T.

FOUND 5/8" RE-BAR FOR  
SE CORNER OF LOT 3,  
BEARS S01°01'16"E 670.77'  
(PLAT 670.00')

FOUND 5/8" RE-BAR FOR  
SE CORNER OF  
HAGGERTON ADDITION  
ENVELOPE 164 M.R.K.C.T.  
BEARS S80°57'02"E 670.53'  
(PLAT 670.00')

- ⊙ = SET 5/8" RE-BAR  
⊙ = FOUND 5/8" RE-BAR

NOTES: SCHEDULE "B" ITEMS:

- 1.) VOL. 57, PG. 33 DOES NOT APPLY
- 2.) VOL. 134, PG. 127 BLANKET
- 3.) VOL. 199, PG. 467 DOES NOT APPLY
- 4.) VOL. 294, PG. 133 AS SHOWN
- 5.) VOL. 298, PG. 170 DOES NOT APPLY
- 6.) VOL. 106, PG. 282 APPLIES
- 7.) VOL. 106, PG. 285 APPLIES

NOTES:

- 1.) TOTAL SURVEYED AREA IS 9.650 ACRES.
- 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM.
- 3.) SET 5/8" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.
- 4.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

THIS SURVEY DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS SURVEY OF THE PROPERTY LEGALLY DESCRIBED HEREIN WAS MADE ON THE GROUND THIS DAY AUGUST 19, 2020, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Ronald E. Brister*

RONALD E. BRISTER R.P.L.S. NO. 5407



**Brister Surveying**

4455 South Padre Island Drive Suite 51  
Corpus Christi, Texas 78411  
Office 361-850-1800  
Fax 361-850-1502  
bristersurveying@corpusbrister.com  
Firm Registration No. 10772800

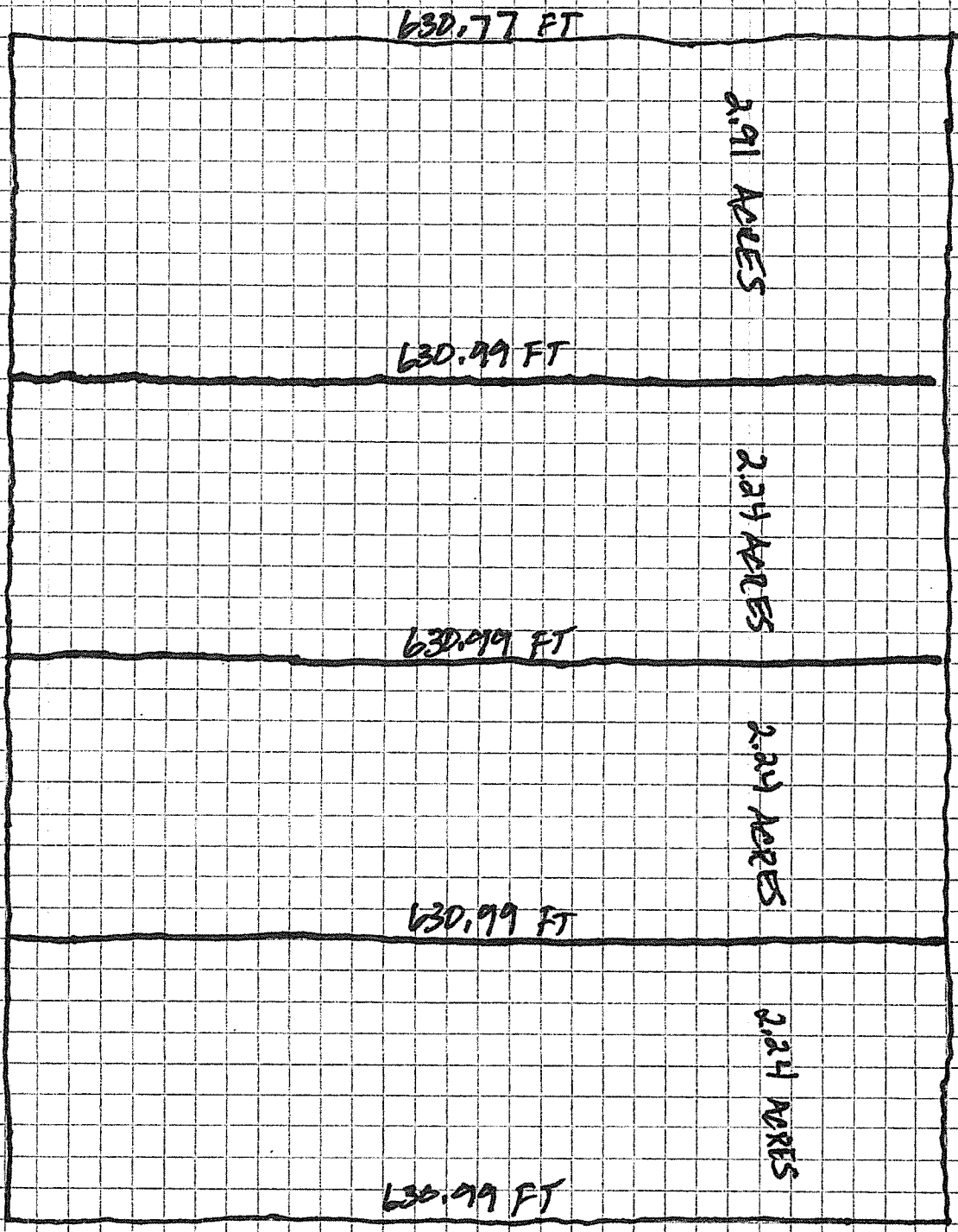
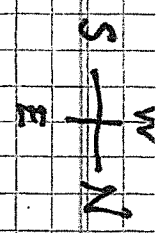
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY  
IS LOCATED WITHIN ZONE X AS DEFINED  
BY THE FEDERAL EMERGENCY MANAGEMENT  
MAPS COMMUNITY PANEL 48273C 0305 E  
DATED MARCH 17, 2014  
AND ☐ IS ☒ IS NOT LOCATED IN A DESIGNATED  
100 YEAR FLOOD ZONE

DATE AUGUST 25, 2020



JOB NO. 201825

SUMMERFIELD VILLAGES



SCHUBERT DR  
(DIRT ROAD)

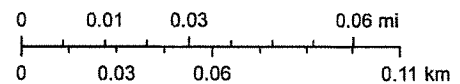
PARSON FALLS SUBDIVISION

# PROP ID 20581



November 25, 2020

1:2,257



x- property to be rezoned  
PROP ID 20581

y- Paulson Falls - Ag zoning

z- R1- Single Family zoned

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**ORDINANCE #2020-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO KT&I CO., BLOCK 22, LOT PT8, ALSO KNOWN AS ID 20581, LOCATED ALONG GOLF COURE ROAD BETWEEN PAULSON FALLS SUBDIVISION AND EAST TRANT ROAD, KINGSVILLE, TEXAS, FROM AG (AGRICULTURE DISTRICT) TO R1 (SINGLE FAMILY DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Robert D. Coleman Mgt. LLC, owner/applicant, 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, December 2, 2020 during a meeting of the Planning and Zoning Commission, and on Monday, December 14, 2020 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; 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 KT&I Co., Block 22, Lot Pt8, also known as Property ID 20581, located along Golf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville, Texas, from AG-Agriculture District to S1-Single Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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



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

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

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

**INTRODUCED** on this the 14th day of December, 2020.

**PASSED AND APPROVED** on this the 15th day of December, 2020.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

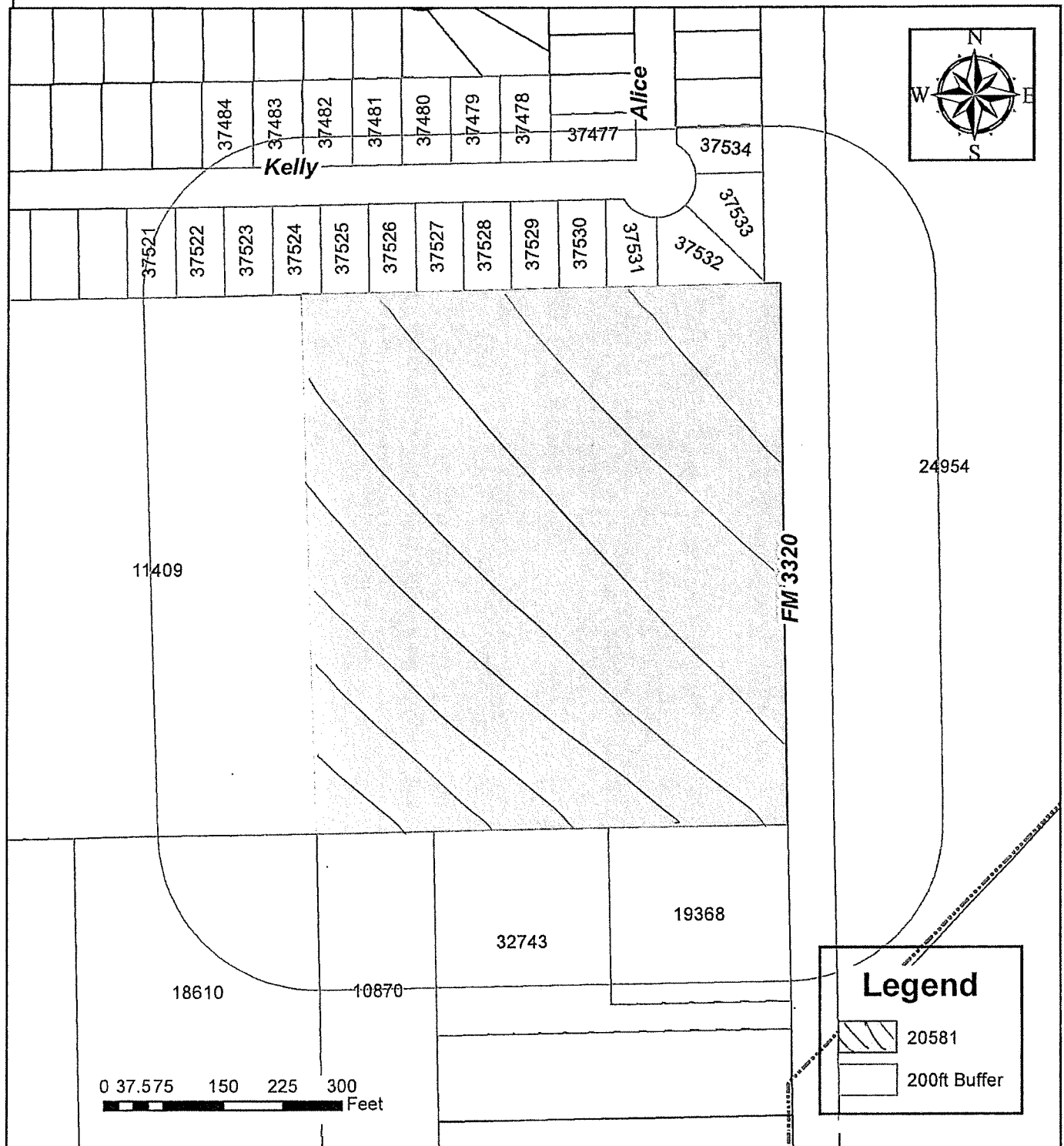
**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary


**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# 200 ft Buffer Map of PROP ID 20581



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

Page 1 / 1	Drawn By: Planning Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b> 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 10/19/2020		
	Note:		



# **PUBLIC HEARING #2**

**City of Kingsville**  
**Planning and Development Services Department**

---

**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** Albert Garcia, authorized agent and applicant, Roy E. Davis, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E. King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

---

**Summary:** The applicant, Albert Garcia, authorized agent for the owner – Roy E. Davis - is requesting a rezoning of RONNING 2 BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

**Background:** The applicant, through their agent, approached the department because they wanted to re-zone the existing number of lots (4 in total). The current zoning for those properties is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with the majority of the commercial land uses on King Avenue. Notices were sent to relevant neighbors and the Planning Department received only one citizen feedback who was against the proposal. The said citizen highlighted increased traffic impacts. The Planning and Zoning Commission has reviewed the application, recognizing that King Avenue is already a major arterial road and voted unanimously (all 5 commissioners) for the rezoning.



**City of Kingsville**  
**Planning and Development Services Department**

**Financial Impact:**     None.

**Recommendation:**    Approve the final plat as requested.





---

## MEMO

**Date:** November 23, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** Albert Garcia, authorized agent and applicant, Roy E. Davis, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E. King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The applicant, through their agent, approached the department because they wanted to re-zone the existing number of lots (4 in total). The current zoning for those properties is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with the majority of the commercial land uses on King Avenue.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since the eventual use would be in conformity with the future land use of the City of Kingsville.

Thank you.

A handwritten signature in black ink, appearing to read "Uche Echeozo", is located below the "Thank you." text.

**Uche Echeozo**  
Director of Planning and  
Development Services

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1107, 1113,  $\frac{1}{2}$ , 1115 E. King Ave. Nearest Intersection King  $\frac{1}{2}$  15<sup>th</sup>  
(Proposed) Subdivision Name PROP ID # 12339 Lot \_\_\_\_\_ Block \_\_\_\_\_  
Legal Description: Rolling Z B3 Lots 3, 4, 5, 6  
Land Addition Block 7 Lot 1  
Existing Zoning Designation R2 Future Land Use Plan Designation C2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Albert Garcia, Agent Phone 341-228-1342 cell 341-592-8226 FAX 355-4016  
Email Address (for project correspondence only): firsttx@shcglobal.net  
Mailing Address 224 W King Ave. Ste #1 City Kingsville State TX Zip 78363  
Property Owner Roy E. Davis Phone \_\_\_\_\_ FAX \_\_\_\_\_  
Email Address (for project correspondence only): Royd319@swbell.net  
Mailing Address 309 W Richard City Kingsville State TX Zip 78363

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

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

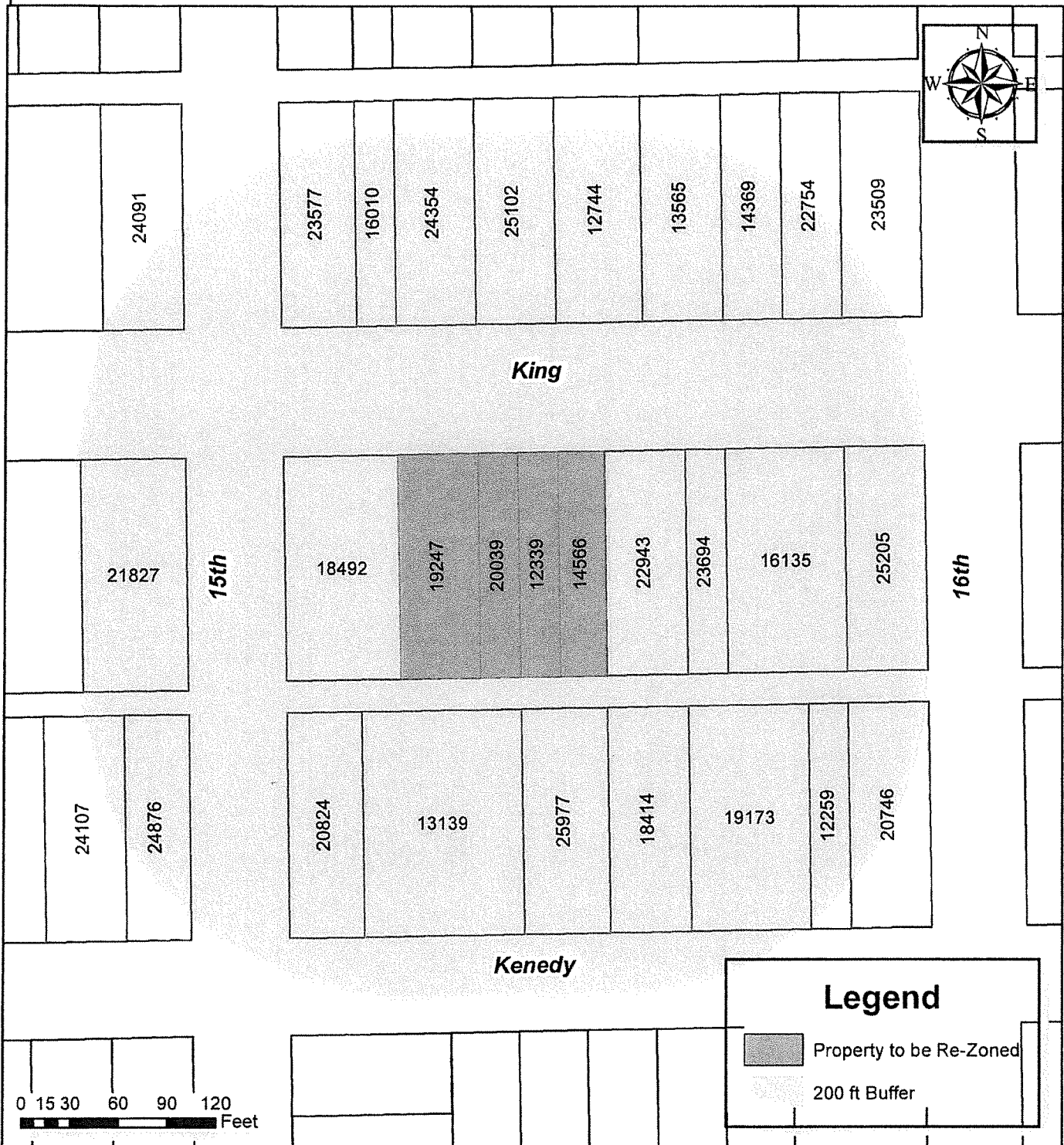
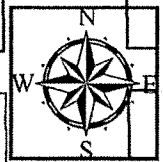
Please provide a basic description of the proposed project:

Commercial Building for a Pediatric Clinic


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 [Signature] Date: 11-9-2020  
Property Owner's Signature [Signature] Date: 11/9/20  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of 1107-1115 E King



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

Page 11 1/1	Drawn By: Planning Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE	 <b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b> 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 11/13/2020		
	Note:		

ZACHARY LLOYD EK  
ETUX TANJA  
342 DANA  
KINGSVILLE, TX 78363-8858  
#24091

CHRISTINA C ESQUIVEL  
1232 E KING  
KINGSVILLE, TX 78363  
#24354

RODOLFO E RAMOS SR  
1418 E KING  
KINGSVILLE, TX 78363-5938  
#13565

GUADALUPE B ALVAREZ  
621 N US HWY 77 BYP  
KINGSVILLE, TX 78363  
#23509

CYNTHIA ANN GONZALES  
907 W KLEBERG AVE  
KINGSVILLE, TX 78363-4220  
#22943

GUADALUPE B ALVAREZ  
621 N US HWY 77 BYP  
KINGSVILLE, TX 78363  
#25205

JESUS LOPEZ  
ETUX JENNIFER ARRIAGA  
1102 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20824

BALDEMAR PEREZ  
ETUX ADELITA  
1126 E KENEDY  
KINGSVILLE, TX 78363  
#19173

ABEL P GARZA  
4117 JAMLIE AVE  
KINGSVILLE, TX 78363-7421  
#23577

FILEMON ESQUIVEL KR  
1232 E KING AVE  
KINGSVILLE, TX 78363-5934  
#25102

RAUL GONZALEZ  
ABEL GONZALEZ  
PO BOX 180  
KINGSVILLE, TX 78364-0180  
#14369

FRANCES C BARRAZA EST  
1600 E AILSIE AVE  
KINGSVILLE, TX 78363-6911  
#21827

FRANCIS CISNEROS  
1119 E KING AVE  
KINGSVILLE, TX 78363-5870  
#23694

MARGARITA C AMBRIZ  
AND OCTAVIO C AMBRIZ  
1247 ½ E KING AVE  
KINGSVILLE, TX 78363-5933  
#24107

MARGARITA SALINAS SAENZ  
560 N COUNTY ROAD 1050  
KINGSVILLE, TX 78363-8833  
#13139, 25977

ALWAYS A WAY LLC  
PO BOX 828  
SEGUIN, TX 78156  
#12259

GUADALUPE R BENAVIDES JR  
915 E SHELTON  
KINGSVILLE, TX 78363-6350  
#16010

SARA SALINAS  
1116 E KING AVE  
UNIT A  
KINGSVILLE, TX 78363-5871  
#12744

ANITA G PENA  
1316 FM 1717  
KINGSVILLE, TX 78363  
#22754

RUBEN RAMIREZ III  
ETAL  
3711 BARBER LANE  
ROBSTOWN, TX 78380  
#18492

RICARDO ALVAREZ  
621 N US HIGHWAY 77 BYP  
KINGSVILLE, TX 78363-4826  
#16135

JOSE L CRUZ  
1247 E KING AVE  
KINGSVILLE, TX 78363-5933  
#24876

LAURA JIMENEZ  
MARCELO JIMENEZ JR  
899 S COUNTY ROAD 1120  
RIVIERA, TX 78379-3524  
#18414

DELFINO G DE LEON  
1132 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20746

## Animal center

CONT'D FROM PAGE 1

McLaughlin has put into place groups such as the Kingsville Animal Advocates feel as though their work is not appreciated, because they provide a lot of support in the rescue process.

"KAA has backed off since the middle of October, because (animal control personnel are) rude, they're not nice to us," Kingsville City Commissioner and President of the KAA Dianne Leubert said. "There have been times—this hasn't happened recently—we'd go in to take pictures and they would say 'we don't have time to deal with you.'"

Leubert said KAA han-

dles a large portion of the rescue process. Members of KAA would go into the shelter twice a week to take pictures on their specific day and time and let the dogs out of the kennel.

When animals are tagged for rescue, the first thing KAA does is set up vet appointments. Dogs and cats go straight from the shelter to the vet.

KAA also provides fosters to help the animals to love, trust and learn how to be social again. They also provide funding to support the animals by giving them a collar, food, a leash, a crate and puppy pads.

Animals must be out

of the shelter by law for no less than two weeks before being transported over state lines. KAA also provides transportation to places such as San Antonio and Corpus Christi, Leubert added.

KAA started up marketing and naming animals that would come through the facility. The animal control center has started to follow the same model, but not every animal is posted.

"They started marketing and when they market, they do a pretty good job," Leubert said. "But here's the problem. If they have 27, 28 or 30 dogs in there, this last week they

only marketed 5 - why aren't they marketing all of them?"

Due to the high volume of animals that move through the animal control center, McLaughlin said it takes time to update the Facebook page with all of the animals. Garcia said that they do not advertise aggressive dogs or dogs that have a history of biting people.

McLaughlin said all of the rescues they work with and KAA's help and support is needed to assist the shelter in moving animals. Since McLaughlin has been the city manager, he said, the shelter has not euthanized a single animal.

The animal control center provides the KAA with an EU list and KAA has helped to keep this facility a low to no kill shelter for the last five years.

"The shelter is currently at 90 percent no kill and that 90 percent is KAA," Leubert said.

"Last year their records show 511 dogs rescued and of the 511 about 483-485 were directly rescued through KAA."

At the City of Kingsville Commission meeting on Monday, Leubert provided McLaughlin with the name of the city manager of San Marcos. Leubert said this city manager has turned around the animal

control center in Austin and now San Marcos.

Leubert hopes to sit down with McLaughlin and come up with a plan to make improvements to the facility. She said the animal control center is a stand-alone department and would be more successful working with a rescue group.

"If you are a stand alone department and you partner with a rescue group, like KAA, and you work together with them, then that's success," she said. "The most successful animal controls are the ones that partner; we can help get funding and grants to help with the animals."

KINGSVILLE SYMPHONY ORCHESTRA

Presenting  
MASON/STERN  
ALBUM

**MEMORABLE MELODIES**

Season Opener  
8

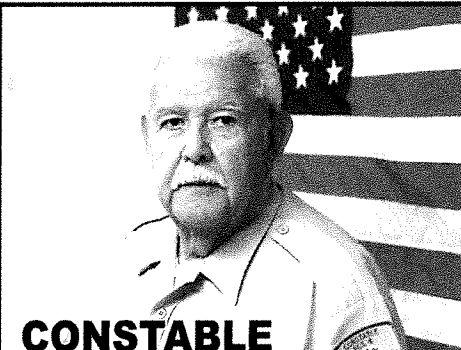
King Ranch Celebration  
Saturday, November 21, 2020  
Texas A&M University Kingsville  
Performance Hall

Sponsored by  
King Ranch Family Trust

Reservations PRE-SALE ONLY at  
www.tamukingsville.org  
Your choice of two reserved seating areas: 1 pm and 3 pm

COVID Precautions Apply, including:  
Face Coverings, Social Distancing, Hand Sanitizing,  
Temperature Checking

TEXAS A&M  
KINGSVILLE



**CONSTABLE**  
**AMANDO O. VIDAL**  
For Pct. 4 Kleberg County

*My sincerest thanks to everyone that voted and supported me in my campaign. I will continue to uphold the values of this community with integrity and respect.*

*Sincerely,*  
**Amando O. Vidal**

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020, 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:

Albert Garcia, authorized agent and applicant, Roy E. Davis, owner, requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Albert Garcia, authorized agent and applicant, Roy E. Davis, owner, requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROP ID 12339, 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020, 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:

Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail). The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

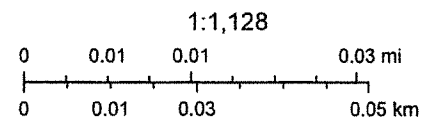


# Roy Davis Property



November 25, 2020

X - R2 - two family zoning



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**ORDINANCE #2020-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO RONNING 2, BLOCK 3, LOTS 3,4,5,6, AND LUND ADDN, BLOCK 7, LOT 1, ALSO KNOWN AS 1107 E. KING, 1113 E. KING, PROPERTY ID 12339, AND 1115 E. KING, KINGSVILLE, TEXAS, FROM R2 (TWO-FAMILY DISTRICT) TO C2 (RETAIL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Albert Garcia, authorized agent and applicant, for Roy E. Davis, owner, 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, December 2, 2020 during a meeting of the Planning and Zoning Commission, and on Monday, December 14, 2020 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; 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 Ronning 2, Block 3, Lots 3,4,5,6, and Lund Addn, Block 7, Lot 1, also known as 1107 E. King, 1113 E. King, PROPERTY ID 12339, and 1115 E. King, Kingsville, Texas, from R2-Two Family District to C2-Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 14th day of December, 2020.

**PASSED AND APPROVED** on this the 15th day of December, 2020.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

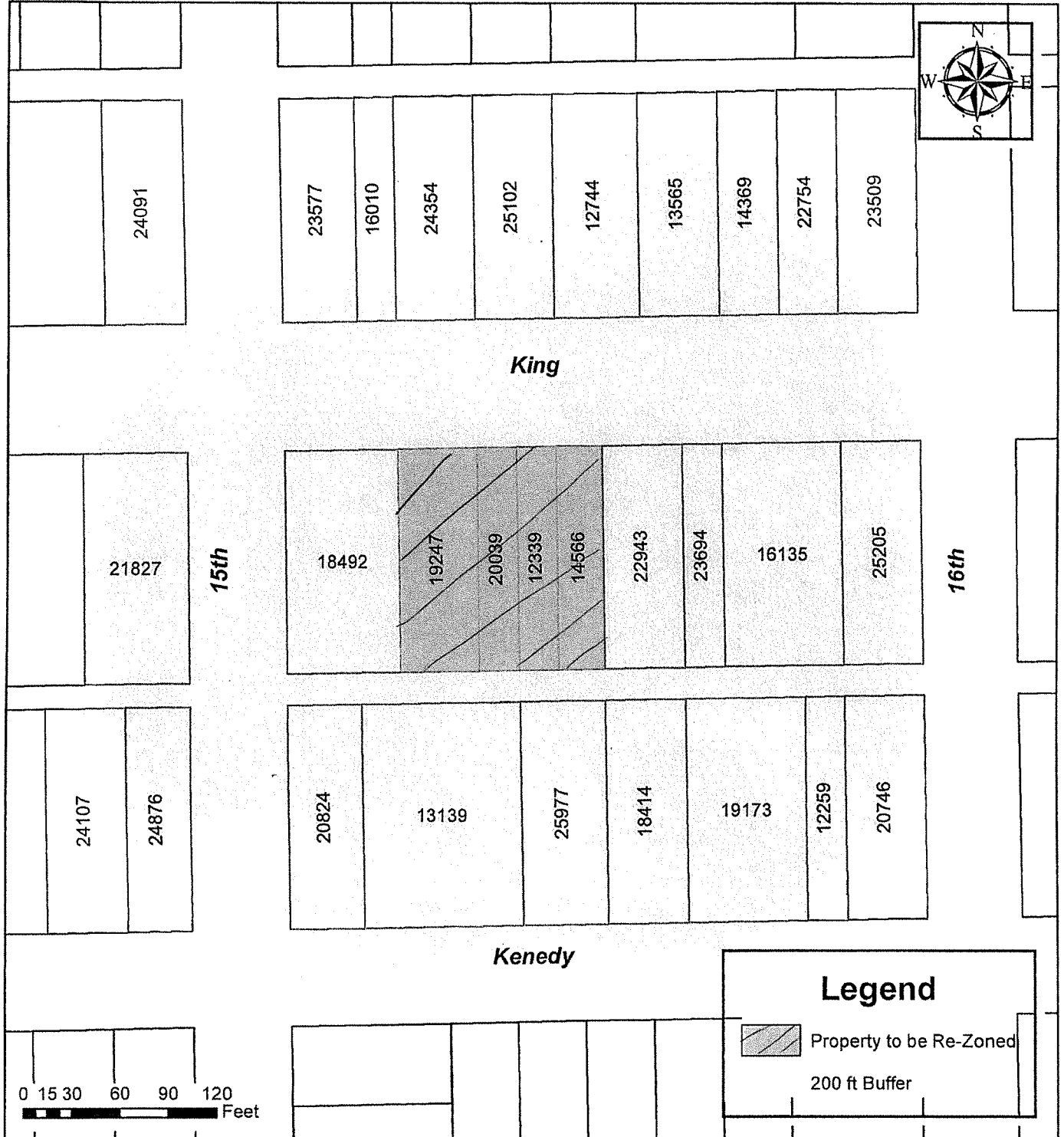
**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary


**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# 200 ft Buffer Map of 1107-1115 E King



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

Page 1 / 1	Drawn By: Planning Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b> 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 11/13/2020		
	Note:		

# **PUBLIC HEARING #3**

**City of Kingsville**  
**Planning and Development Services Department**

---

**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

---

**Summary:** The applicant, Albert Garcia, authorized agent for the owner – Ruben Ramirez - is requesting a rezoning of RONNING 2 BLOCK 3, LOT 1,2 also known as 1103 E King Avenue Kingsville from R2 (Two-Family) to C2 (Retail).

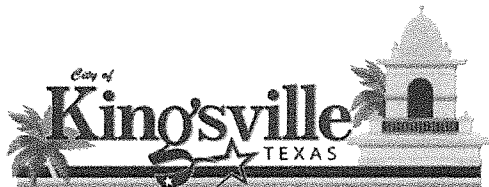
**Background:** The applicant, through their agent, approached the department because they wanted to re-zone the existing corner lot. The current zoning for that property is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with most of the commercial land uses on King Avenue. Notices were sent to relevant neighbors and the Planning Department received only one citizen feedback who was against the proposal. The said citizen highlighted increased traffic impacts. The Planning and Zoning Commission has reviewed the application, recognizing that King Avenue is already a major arterial road and voted unanimously (all 5 commissioners) for the rezoning.

**Financial Impact:** None.



**City of Kingsville**  
**Planning and Development Services Department**

**Recommendation:** Approve the final plat as requested.



Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



---

## MEMO

**Date:** November 23, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The applicant, through their agent, approached the department because they wanted to re-zone the existing corner lot. The current zoning for that property is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with the majority of the commercial land uses on King Avenue.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since the eventual use would be in conformity with the future land use of the City of Kingsville.

Thank you.

A handwritten signature in black ink, appearing to read 'Uche Echeozo'.

**Uche Echeozo**  
Director of Planning and  
Development Services



**CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION**

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address 1103 E. King Ave. Nearest Intersection 15<sup>th</sup> E King  
 (Proposed) Subdivision Name Rowning 2 Lot 1-2 Block 3  
 Legal Description: \_\_\_\_\_  
 Existing Zoning Designation R 2 Future Land Use Plan Designation C2

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent Albert Garcia, Agent Phone (361) 228-1342 FAX (361) 355-4016  
 Email Address (for project correspondence only): firsttx@sbcglobal.net  
 Mailing Address 224 W King St<sup>A</sup> City Kingsville State TX Zip 78363  
 Property Owner Ruben Ramirez III Phone (361) 774-1059 FAX \_\_\_\_\_  
 Email Address (for project correspondence only): rub ram 3@gmail.com  
 Mailing Address 3711 W Barber Ln. City Robstown State TX Zip 78380

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

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

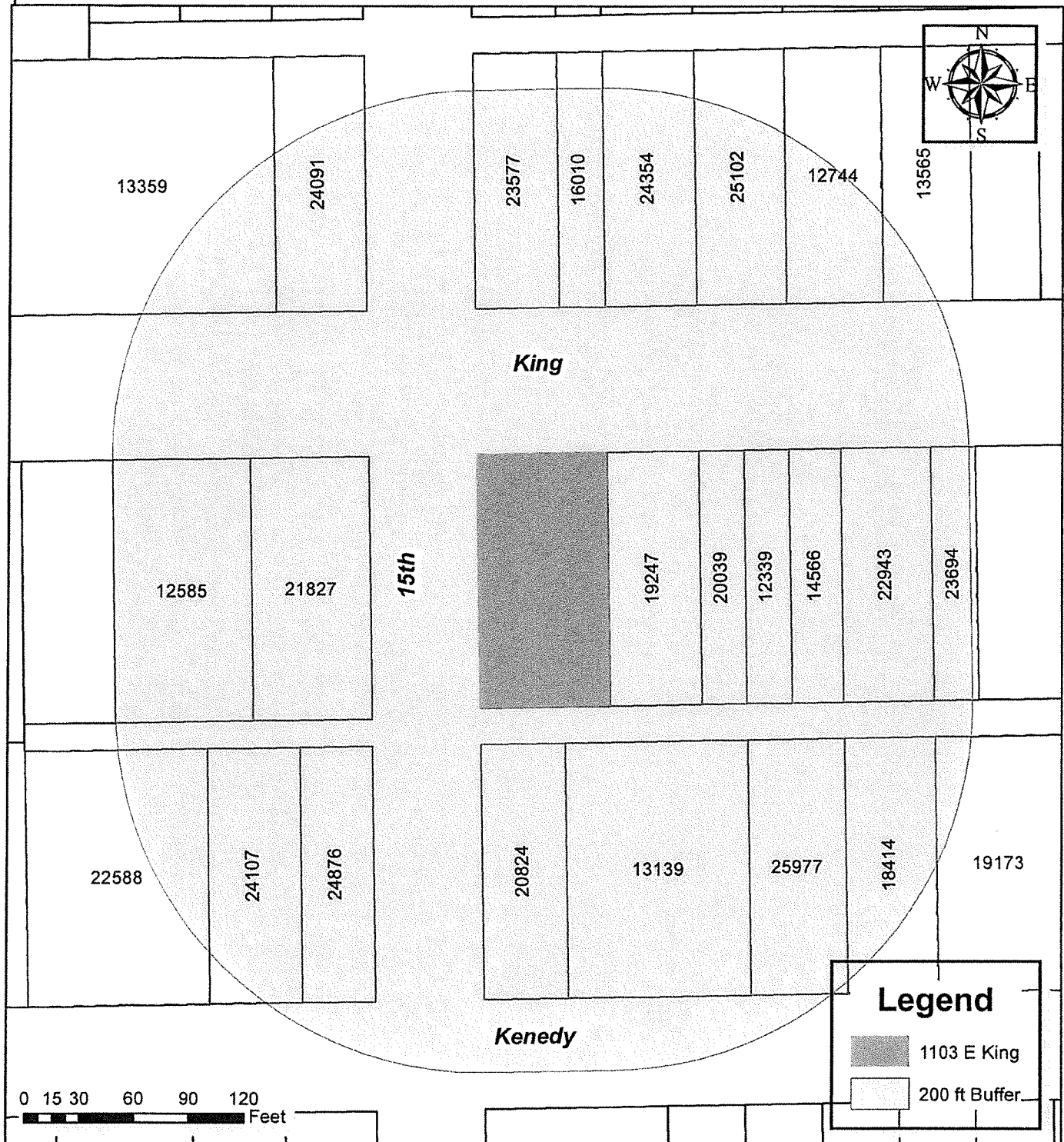
Please provide a basic description of the proposed project:

Commercial Building for a Pediatric Clinic


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: 11-9-2020  
 Property Owner's Signature Ruben Ramirez III Date: 11/9/2020  
 Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of 1103 E. King



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

111 Page 11	Drawn By: Planning Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 CITY OF KINGSVILLE PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 11/13/2020		
	Note:		

GENE M JONES  
PO DRAWER A  
KINGSVILLE, TX 78364-1603  
#13359

GUADALUPE R BENAVIDES  
JR  
915 E SHELTON  
KINGSVILLE, TX 78363-6350  
#16010

SARA SALINAS  
1116 E KING AVE  
UNIT A  
KINGSVILLE, TX 78363-5871  
#12744

FRANCES C BARRAZA EST  
1600 E AILSIE AVE  
KINGSVILLE, TX 78363-6911  
#21827

FRANCIS CISNEROS  
1119 E KING AVE  
KINGSVILLE, TX 78363-5870  
#23694

JOSE L CRUZ  
1247 E KING AVE  
KINGSVILLE, TX 78363-5933  
#24876

LAURO JIMENEZ  
MARCELO JIMENEZ JR  
899 S COUNTY ROAD 1120  
RIVIERA, TX 78379-3524  
#18414

ZACHARY LLOYD EK  
ETUX TANYA  
342 DANA  
KINGSVILLE, TX 78363-8858  
#24091

CHRISTINA C ESQUIVEL  
1232 E KING  
KINGSVILLE, TX 78363  
#24354

RODOLOFO E RAMOS SR  
1418 E KING  
KINGSVILLE, TX 78363-5938  
#13565

ROY E DAVIS  
DIANA  
DELIA MENDOZA (LIFE EST)  
PO BOX 663  
KINGSVILLE, TX 78364-0663  
#19247, 20039, 12339, 14566

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

JESUS LOPEZ  
ETUX JENNFER ARRIAGA  
1102 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20824

BALDEMAR PEREZ  
ETUX ADELITA  
1126 E KENEDY  
KINGSVILLE, TX 78363  
#19173

ABEL P GARZA  
4117 JAMLIE AVE  
KINGSVILLE, TX 78363-7421  
#23577

FILEMON ESQUIVEL JR  
1232 E KING AVE  
KINGSVILLE, TX 78363-5934  
#25102

N & D BARNETT LLC  
% NOLAN BARNETT  
202 FALLS DR  
SUNNYVALE, TX 75182  
#12585

CYNTHIA ANN GONZALES  
907 W KLEBERG AVE  
KINGSVILLE, TX 78363-4220  
#22943

MARGARITA C AMBRIZ  
AND OCTAVIO C AMBRIZ JR  
1247 ½ E KING AVE  
KINGSVILLE, TX 78363-5933  
#24107

MARGARITA SALINAS SAENZ  
560 N COUNTY ROAD 1050  
KINGSVILLE, TX 78363-8833  
#13139, 25977

## Animal center

CONT'D FROM PAGE 1

McLaughlin has put into place, groups such as the Kingsville Animal Advocates feel as though their work is not appreciated, because they provide a lot of support in the rescue process.

"KAA has backed off since the middle of October, because (animal control personnel are) rude, they're not nice to us," Kingsville City Commissioner and President of the KAA Dianne Leubert said. "There have been times—this hasn't happened recently—we'd go in to take pictures and they would say 'we don't have time to deal with you.'"

Leubert said KAA han-

dles a large portion of the rescue process. Members of KAA would go into the shelter twice a week to take pictures on their specific day and time and let the dogs out of the kennel.

When animals are tagged for rescue, the first thing KAA does is set up vet appointments. Dogs and cats go straight from the shelter to the vet.

KAA also provides fosters to help the animals to love, trust and learn how to be social again. They also provide funding to support the animals by giving them a collar, food, a leash, a crate and puppy pads.

Animals must be out

of the shelter by law for no less than two weeks before being transported over state lines. KAA also provides transportation to places such as San Antonio and Corpus Christi, Leubert added.

KAA started up marketing and naming animals that would come through the facility. The animal control center has started to follow the same model, but not every animal is posted.

"They started marketing and when they market, they do a pretty good job," Leubert said. "But here's the problem. If they have 27, 28 or 30 dogs in there, this last week they

only marketed 5 - why aren't they marketing all of them?"

Due to the high volume of animals that move through the animal control center, McLaughlin said it takes time to update the Facebook page with all of the animals. Garcia said that they do not advertise aggressive dogs or dogs that have a history of biting people.

McLaughlin said all of the rescues they work with and KAA's help and support is needed to assist the shelter in moving animals. Since McLaughlin has been the city manager, he said, the shelter has not euthanized a single animal.

The animal control center provides the KAA with an EU list and KAA has helped to keep this facility a low to no kill shelter for the last five years.

"The shelter is currently at 90 percent no kill and that 90 percent is KAA," Leubert said.

"Last year their records show 511 dogs rescued and of the 511 about 483-485 were directly rescued through KAA."

At the City of Kingsville Commission meeting on Monday, Leubert provided McLaughlin with the name of the city manager of San Marcos. Leubert said this city manager has turned around the animal

control center in Austin and now San Marcos.

Leubert hopes to sit down with McLaughlin and come up with a plan to make improvements to the facility. She said the animal control center is a stand-alone department and would be more successful working with a rescue group.

"If you are a stand alone department and you partner with a rescue group, like KAA, and you work together with them, then that's success," she said. "The most successful animal controls are the ones that partner; we can help get funding and grants to help with the animals."

KINGSVILLE SYMPHONY ORCHESTRA  
PRESIDENT  
AGARON CHITTEN  
2019-2021

**MEMORABLE MELODIES**

Season Opener  
8

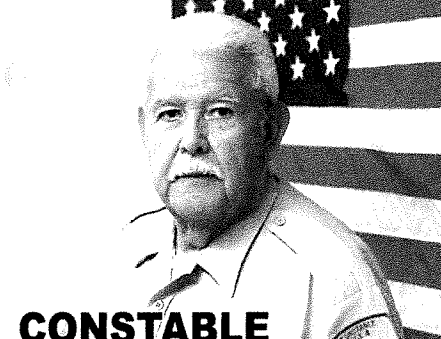
**King Ranch Celebration**  
Saturday, November 21, 2020  
Texas A&M University, Kingsville  
Performance Hall

Sponsored by  
King Ranch Family Trust

Reservations **PRE-SALE ONLY** at  
www.kingsvillesymphony.org  
Your choice of two concert sessions: 1 pm and 3 pm

COVID Precaution Policy, including:  
Mask Coverings, Social Distancing, Hand Sanitizing,  
Temperature Checking

TEXAS A&M  
KINGSVILLE



**CONSTABLE**  
**AMANDO O. VIDAL**  
For Pct. 4 Kleberg County

*My sincerest thanks to everyone that voted and supported me in my campaign. I will continue to uphold the values of this community with integrity and respect.*

*Sincerely,*  
**Amando O. Vidal**

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020, 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:

Albert Garcia, authorized agent and applicant, Roy E. Davis, owner, requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Albert Garcia, authorized agent and applicant, Roy E. Davis, owner, requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROP ID 12339, 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020, 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:

Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

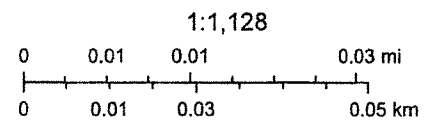
Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail). The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

# 1103 E KING



November 25, 2020

X - 1103 E King - R2 - two family zoning  
Y - R3 - Multi-Family Zoning  
Z - C2 Retail zoning



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



**ORDINANCE #2020-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO RONNING 2, BLOCK 3, LOTS 1 & 2, ALSO KNOWN AS 1103 E. KING, KINGSVILLE, TEXAS, FROM R2 (TWO-FAMILY DISTRICT) TO C2 (RETAIL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Albert Garcia, authorized agent and applicant, for Ruben Ramirez III, owner, 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, December 2, 2020 during a meeting of the Planning and Zoning Commission, and on Monday, December 14, 2020 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; 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 Ronning 2, Block 3, Lots 1 & 2, also known as 1103 E. King, Kingsville, Texas, from R2-Two Family District to C2-Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 14th day of December, 2020.

**PASSED AND APPROVED** on this the 15th day of December, 2020.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

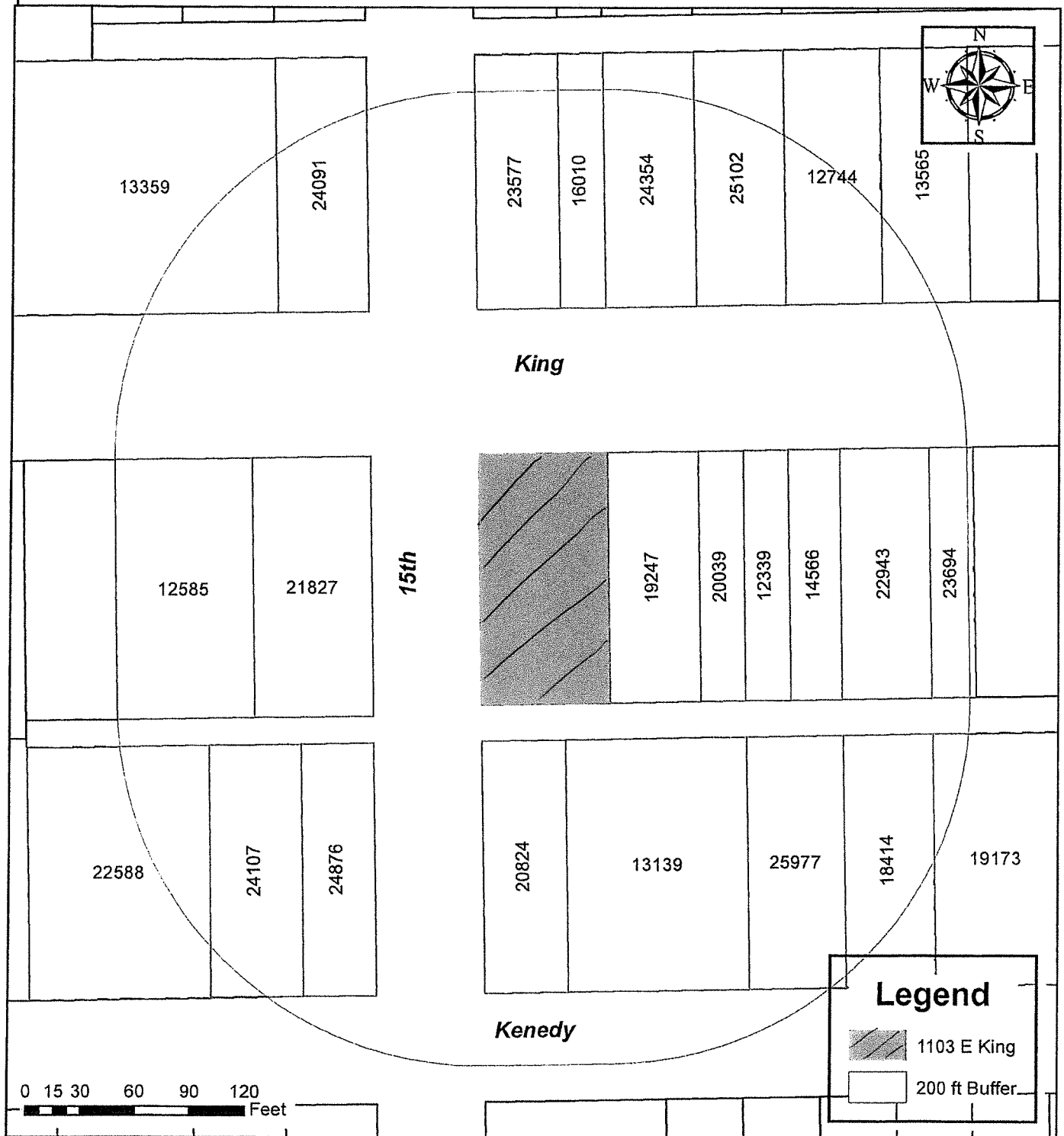
**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# 200 ft Buffer Map of 1103 E. King



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

111 Page	Drawn By: Planning Department	<p>DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE PLANNING DEPARTMENT</p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/13/2020		
	Note:		



# **PUBLIC HEARING #4**

**City of Kingsville**  
**Planning and Development Services Department**

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**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** S&S Kingsville Construction LLC, owner, is requesting the approval of a final plat for Section 20, Lot 25, of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4

---

**Summary:** The applicant – S&S Kingsville Construction LLC, - seek an approval of a final plat for Section 20, Lot 25, of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4. This subdivision is not within the City Limits but within the City's ETJ.

**Background:** The applicant approached the department because they wanted to submit a final plat for the subdivision known as Escondido Ranch No. 4. This is the last portion of the 4 parts of the entire subdivision. The earlier parts have been variously approved over time. They now wish to conclude with the platting process. This subdivision, although not within the City limits, is within the City's ETJ (Extra Territorial Jurisdiction). They are proposing a residential development. The Planning and Zoning Commission has reviewed the application and voted unanimously (all 5 commissioners) for the plat.

**Financial Impact:** None.

**Recommendation:** Approve the final plat as requested.



Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



---

## MEMO

**Date:** November 24, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** S&S Kingsville Construction LLC, owner, is requesting the approval of a final plat for Section 20, Lot 25, of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4

The applicant approached the department because they wanted to submit a final plat for the subdivision known as Escondido Ranch No. 4. This is the last portion of the 4 parts of the entire subdivision. The earlier parts have been variously approved over time. They now wish to conclude with the platting process. This subdivision, although not within the City limits, is within the City's ETJ (Extra Territorial Jurisdiction). They are proposing a residential development.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same to enable them carry out their residential development.

Thank you.

**Uche Echeozo**  
Director of Planning and  
Development Services

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address Esccondido # C121030 Nearest Intersection Same

(Proposed) Subdivision Name Esccondido Ranch IV Lot \_\_\_\_\_ Block \_\_\_\_\_

Legal Description: Block I Esccondido Ranch 182 Plat Cabinet H

Existing Zoning Designation Ag Future Land Use Plan Designation Sub

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent CHARLIE L SOSA Phone 361-455-7744 FAX \_\_\_\_\_

Email Address (for project correspondence only): charlie284@netnet.com

Mailing Address 908 W. Deer Trail City Kingsville State TX Zip 78363

Property Owner S&S Kingsville Const Co Phone 361-455-7744 FAX \_\_\_\_\_

Email Address (for project correspondence only): \_\_\_\_\_

Mailing Address 908 W. Deer Trail City Kingsville State TX Zip 78363

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

<input type="checkbox"/> Annexation Request _____ No Fee	<input checked="" 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 type="checkbox"/> Re-zoning Request _____ \$250.00	<input type="checkbox"/> Re-plat _____ \$250.00
<input type="checkbox"/> SUP Request/Renewal _____ \$250.00	<input type="checkbox"/> Vacating Plat _____ \$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA) _____ \$250.00	<input type="checkbox"/> Development Plat _____ \$100.00
<input type="checkbox"/> PUD Request _____ \$250.00	<input type="checkbox"/> Subdivision Variance Request _____ \$25.00 ea

Please provide a basic description of the proposed project:

16 3/4 Ac lot A Units

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 Charlie L Sosa Date: 10-28-20

Property Owner's Signature Charlie L Sosa Date: 10/28/20

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

KLEBERG COUNTY, TEXAS



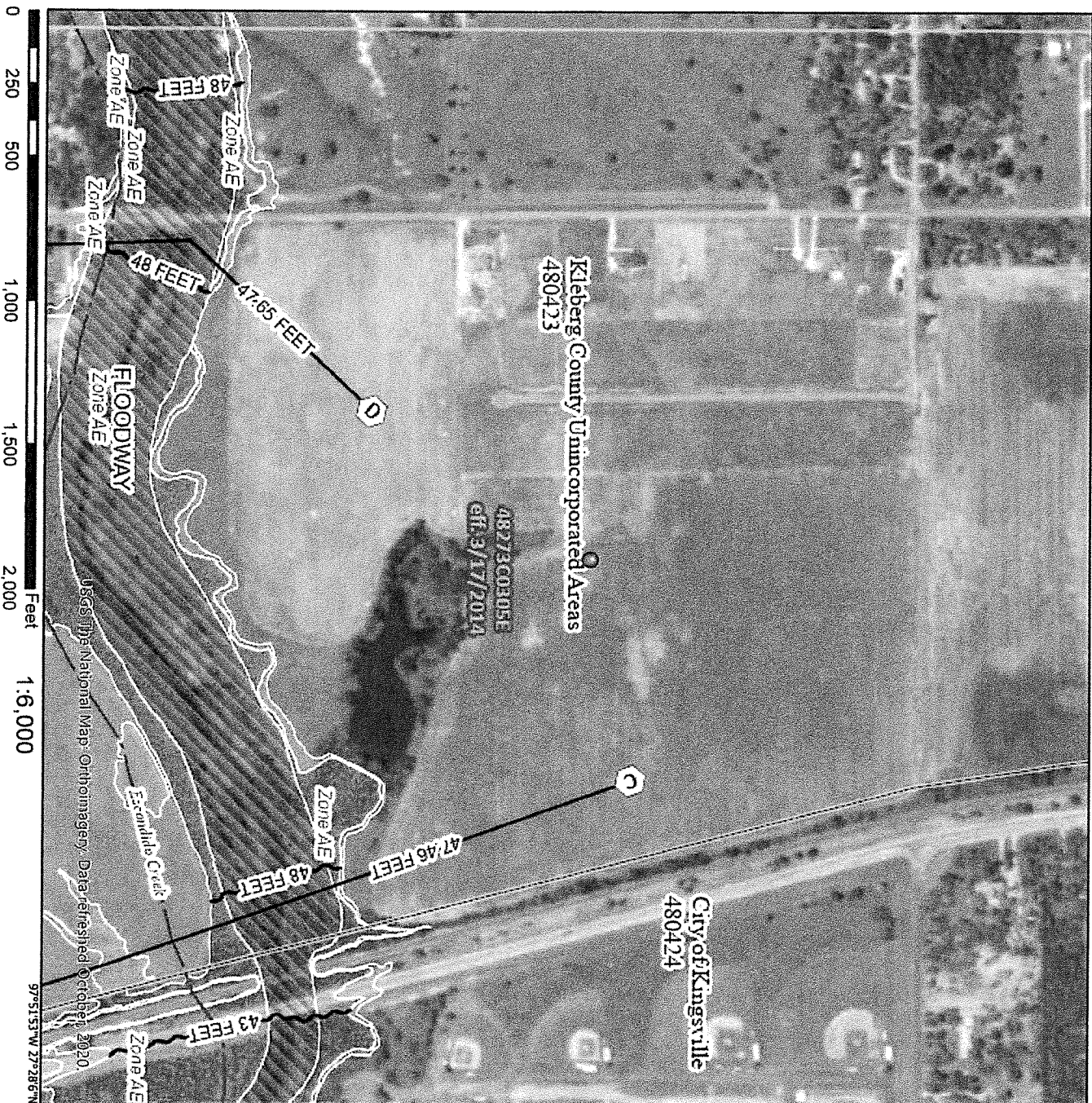
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1. ANY SUCH ACTION TAKEN MUST WITHIN SIX AT ALL PROPERTY DAMAGE UNLESS NOTIFIED.
2. DOMESTIC MEMBERSHIP WILL BE SET AT ALL SUBSCRIPTIONS.
3. THIS PROPERTY NOT LOCATED WITHIN THE ALONG
4. ALL RESIDENCES AND BUILT ON THE YEAR 2000 (1448)
5. ALL RESIDENCES BUILT ON THE YEAR 2000 (1448)
6. THE COMPLETED AND THE FACTOR OF 1.0000.

# National Flood Hazard Layer FIRMeTte

97°52'31"W 27°28'38"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

### SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)  
Zone A, V, AE9  
With BFE or Depth Zone AE, AO, AH, VE, AR  
Regulatory Floodway

### OTHER AREAS OF FLOOD HAZARD

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X  
Future Conditions 1% Annual Chance Flood Hazard Zone X  
Area with Reduced Flood Risk due to Levee, See Notes, Zone X  
Area with Flood Risk due to Levee Zone D

### OTHER AREAS

NO SCREEN Area of Minimal Flood Hazard Zone X  
Effective LOMRS  
Area of Undetermined Flood Hazard Zone D

### GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer  
Levee, Dike, or Floodwall

### OTHER FEATURES

20.2 Cross Sections with 1% Annual Chance Water Surface Elevation  
17.5 Coastal Transect  
Base Flood Elevation Line (BFE)  
Limit of Study  
Jurisdiction Boundary  
Coastal Transect Baseline  
Profile Baseline  
Hydrographic Feature

### MAP PANELS

☐ Digital Data Available  
☐ No Digital Data Available  
☒ Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/25/2020 at 9:52 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap, imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRMeTte panel number, and FIRMeTte effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

# Badgers roll over Falfurrias Jerseys

FRED SALINAS  
SPORTS CONTRIBUTOR

The Bishop Badgers came out of a bye week to steam-roll the Falfurrias Jerseys 44-0 Friday night in Bishop to improve their record to 2-1 on the season.

Bishop got off to a slow start, scoring only once in the first half.

"We started slow, but we came out in the second half and played very well on both sides of the ball," Bishop Badgers head coach Louie Rodriguez said after the game.

With 2:12 left in the opening quarter, the Badgers jumped out to the early lead with a pass completion from quarterback Manny Piña to receiver Jace Wilson followed by a successful extra-point kick by Waylon Fugate to give Bishop a 7-0 lead.

Meanwhile, the Badger defense held the Jerseys in check and out of the end zone on the ensuing drive.

Bishop took the 7-0 advantage into intermission, as they got ready for the second half.

Whatever was done in the lockers definitely worked because the Badgers came out firing on all cylinders.

Bishop's running back Isaiah Rodriguez weaved 80 yards through traffic on a short reception to reach pay dirt and extend the Badger lead 14-0 after a Fugate kick with 5:29 left in the third quarter.

The Badger defense quickly tacked on another

score on a pick six by defensive back Manny Pelagio followed by a two-point conversion to take a 22-0 lead with 4:38 remaining in the third quarter.

While the Bishop defense continued to control the Jerseys, the Badger offense reached the end zone once again on a short run by Rodriguez to widen the gap 29-0 after a successful Fugate kick with 2:21 left in the third quarter.

With 1:39 remaining in the quarter, Badger linebacker Aaron Carrillo picked off a Jersey pass and returned it for a defensive touchdown to hold a 36-0 advantage.

Bishop kept the pedal to the metal as they successfully performed an on-side kick to keep the ball to end the third quarter.

The Badgers moved down the field eventually scoring as Rodriguez entered the end zone for the third time on the night to end the scoring at 44-0 and the victory.

"It was such a great feeling to dominate in the second half and to see our players and fans so excited. To see our community and fans come out to watch our only home game this season was awesome," Rodriguez said.

Rodriguez went on to say he loved the small-town Texas feeling atmosphere along with the excitement that surrounds Texas high school football and wanted to thank Badger Nation for all the support for coming out to cheer on the Badgers.

In the stats, Bishop collected 20 first downs, while

accumulating 450 yards of total offense in the contest.

Piña led the Badger offense with 262 total yards, the bulk coming via the air with 262 yards on 16 completions out of 26 attempts, with two touchdowns.

Leading the receiving corps was Wilson, with seven receptions for 122 yards and one touchdown, while Rodriguez followed with 87 yards on two catches and one score.

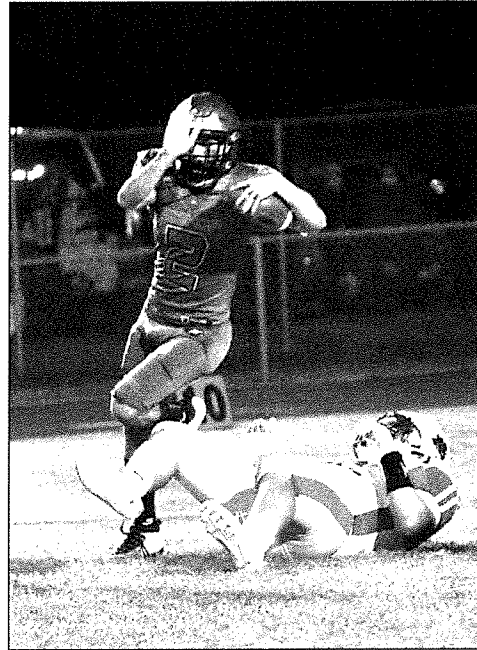
Rodriguez led the ground attack with 111 yards rushing on 19 carries and two touchdowns.

Defensively, Bishop was led by Carrillo with nine tackles (three solo, 12 assisted) and one pick six, while fellow linebacker Noah Jasso collected six tackles (two solo, eight assisted) in the game.

Pelagio also had a pass interception return for a score, while defensive back Marcos Hernandez received the "turnover chain" for the first time in Bishop football history on a pass interception of his own early in the game.

Fugate remained perfect as he went four for four on extra-point attempts to keep his season record unblemished.

"We have a huge game next week and we need as many people there to help cheer these boys on," Rodriguez said. Next up is an upcoming game against the Santa Gertrudis Academy Lions set for 7:30 p.m., Saturday, Nov. 7 at TAMUK Javelina Stadium.



**'Excuse me, I have a touchdown to score'**

Bishop running back Isaiah Rodriguez leaps over a Jersey defender on his way to lead the Badgers with 111 yards rushing and three touchdowns in the 44-0 shutout victory over Falfurrias. (Photo by Fred Salinas)

## Seahawks fall in battle with MMA

The Riviera Seahawks traveled to Harlingen on Friday to take on the Marine Military Academy Leathernecks.

MMA won the game 53-22.

The Seahawks fought hard until the final buzzer.

Riviera started five freshmen this week at different positions offensively and defensively and ended the night with many more on the field.

The Leathernecks jumped out to an early lead taking control of the game by halftime.

The Seahawks got on

the board in the second quarter with a Nathan Saenz to Adrian Lopez pass from 5 yards out midway through the second quarter.

In the second half the Seahawks put up 16 more points one of those coming on a QB sneak from QB Freshman Peyton Borden who came into the game for Nathan Saenz who was sidelined by an injury late in the 1st half.

The next score was a 42 yard run by Sophomore Jacob Colston who split time with the hard running Steven Beltran with the running back

duties.

Borden hooked up with fellow freshman Jacob Soto (who also started on defense) for both 2 point conversion passes.

Borden completed 8 passes (and was picked off by MMA once) to A.J. Guevara, Rolando Garcia, Adrian Lopez and Jacob Soto on the night one of which, a TD pass to Rolando Garcia was called back for a hold.

Defensively the Seahawks were led by Defensive lineman Mark Paz, Joseph Moreno and Freshmen Linebackers D.J. Castillo and Jacob Soto.

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020 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:

S&S Kingsville Construction LLC, owner is requesting the approval of a preliminary plat and final plat for Section 20, Lot 25 of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

S&S Kingsville Construction LLC, owner is requesting the approval of a preliminary plat and final plat for Section 20, Lot 25 of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, November 23, 2020 at 5:00 P.M. to discuss and/or take action on the following item:

Request for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit (BQ) for the establishment known as Kwik Pantry #1 at 1105 N 14th St., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.



**KINGSVILLE**  
CHAMBER OF COMMERCE

*Save the Date*



**SIP AND SHOP**  
SPONSORED BY THE CHAMBER OF COMMERCE

The Kingsville Chamber of Commerce is partnering with the Kingsville Visitor's Center for a Holiday Sip and Shop in Historic Downtown Kingsville!

If you would like to be an event sponsor, you need to hurry because you have a limited window!

The event will benefit the Boys and Girls Club of Kingsville

The Sip and Shop will be a family friendly, multi-week and socially distanced event on December 5th, 12th and 19th.

If you need more information on sponsorships please reach out to Manny at the Chamber or Janine at the Visitor's Center

Sip and Shop Sponsorship Packet

Sip and Shop Passport Sample

# **CONSENT AGENDA**



# **AGENDA ITEM #1**

**City of Kingsville  
Parks & Recreation**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Susan Ivy, Parks Director

Date: November 18,2020

SUBJECT: Rollover of Golf Improvement funds

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**Summary:**

In late fiscal year 2019/2020 Commission approved \$100,000.00 to be dedicated to emergency greens repair, fairway improvements and other improvements needed at the golf course.

These funds were added to the funds committed by the City and County fairway renovation projects in fund 026.

When the fiscal year ran out there was \$111,584 remaining in the fund after expenses funds for repairs to greens, sand purchase, backhoe rental, purchasing turf grass, contracting the consultant currently assisting with developing the annual maintenance and operation plan. The chemical application plan has been finalized and training and application will begin on Saturday, November 21<sup>st</sup>.

We are asking that the entire balance of \$111,584 be rolled over so that we can continue with the greens renovation, increased chemical plan, fairway renovations, sand trap fill in, cleanout, seeding, t box improvements and other things that may come from advisements from the consultants review.

**Financial Impact:** The golf course improvement fund budget (026) will be increased by \$111,584.

**Recommendation:** I respectfully request that City Commission approve the request for the Golf Course Improvement budget (fund 026) be amended to reflect an additional \$111,584 to be expended as detailed above.



**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO APPROPRIATE FUNDING FOR THE ROLLOVER PROJECT FOR GREENS MAINTENANCE AND 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 2020-2021 budget be amended as follows:

CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 026 – Golf Course Capital Maintenance</b>					
<u>Expenditures</u>					
4502	Golf	Grounds & Perm Fixtures	59100	\$111,584	

[To amend the City of Kingsville FY 20-21 Budget to appropriate funding for the rollover project for greens maintenance and repairs. Funds will come the unappropriated fund balance.]

II.

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

III.

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

IV.

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

**INTRODUCED** on this the 23rd day of November, 2020.

**PASSED AND APPROVED** on this the 14th day of December, 2020.

**EFFECTIVE DATE:** \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

## **AGENDA ITEM #2**

# City of Kingsville

## Planning Department

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**To:** Mayor and Council

**CC:** Mark A. McLaughlin

**From:** Brenda Joyas, Downtown Manager/HPO

**Date:** December 14, 2020

**Subject:** Main Street Advisory Board Appointment

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**Summary:** Todd Lucas is currently seeking re-appointment to the Kingsville Main Street Advisory Board.

**Background:** Todd Lucas has been involved in several capacities with downtown activities the past several years. Most notably, as a part of the Texas A&M University team that brings the steamroller art exhibit to the annual Ranch Hand Festival held downtown. Todd has also been a great asset in navigating TAMUK for partnerships with the City that further its commitment to community and advancement.

**Financial Impact:** None

**Recommendation:** It is recommended that Todd Lucas be appointed to the Main Street Advisory Board for another two-year term.



# **REGULAR AGENDA**

## **AGENDA ITEM #3**



**City of Kingsville**  
**Planning and Development Services Department**

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**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** Robert D. Coleman Mgt. LLC, applicant and owner, requesting the rezoning of KT&I CO., BLOCK 22, LOT PT8, also known as Property ID 20581, located along Gulf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville, Texas from AG (Agricultural) to R1 (Single-Family).

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**Summary:** The applicant – Robert D. Coleman Mgt. LLC, - seek to re-zone the existing tract of land from AG (Agricultural) to R1 (Single family) to enable them carry out residential housing development within the City of Kingsville.

**Background:** The applicant approached the department because they wanted to re-zone the existing tract of land from Agricultural to R1 (Single-Family) to enable them carry out a subdivision for housing development. With the City experiencing continuous growth, there is a need to encourage good quality housing thus increasing the housing stock within the city. Notices were sent to relevant neighbors and the Planning Department received no feedback. The Planning and Zoning Commission has reviewed the application and voted unanimously (all 5 commissioners) for the re-zoning.

**Financial Impact:** None.

**Recommendation:** Approve the re-zoning as requested.



Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



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## MEMO

**Date:** November 23, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** Robert D. Coleman Mgt. LLC, applicant and owner, requesting the rezoning of KT&I CO., BLOCK 22, LOT PT8, also known as Property ID 20581, located along Gulf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville, Texas from AG (Agricultural) to R1 (Single-Family).

The applicant approached the department because they wanted to re-zone the existing tract of land from Agricultural to R1 (Single-Family) to enable them carry out a subdivision for housing development. With the City experiencing continuous growth, there is a need to encourage good quality housing thus increasing the housing stock within the city.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage housing development within the city of Kingsville.

Thank you.

A handwritten signature in black ink, appearing to read "Uche Echeozo", with a stylized flourish at the end.

**Uche Echeozo**  
Director of Planning and  
Development Services

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address \_\_\_\_\_ Nearest Intersection GENERAL CANIZAS BLVD & GOLF COURSE RD  
(Proposed) Subdivision Name SUMMERFIELD VILLAGE Lot 1-4 Block \_\_\_\_\_  
Legal Description: KT & I CO, BLOCK 22, LOT PT 8 PROPERTY ID 20581  
Existing Zoning Designation A9 Future Land Use Plan Designation SINGLE FAMILY RESIDENCE

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent ROBERT D COLEMAN MET LLC / ROBERT COLEMAN Phone 956-739-2109 FAX \_\_\_\_\_  
Email Address (for project correspondence only): RCOLE33856@MSN.COM  
Mailing Address 815 ALEXANDER AVE City KINGSVILLE State TX Zip 78363  
Property Owner ROBERT D COLEMAN MET LLC Phone 956-739-2109 FAX \_\_\_\_\_  
Email Address (for project correspondence only): RCOLE33856@MSN.COM  
Mailing Address 815 ALEXANDER AVE City KINGSVILLE State TX Zip 78363

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

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

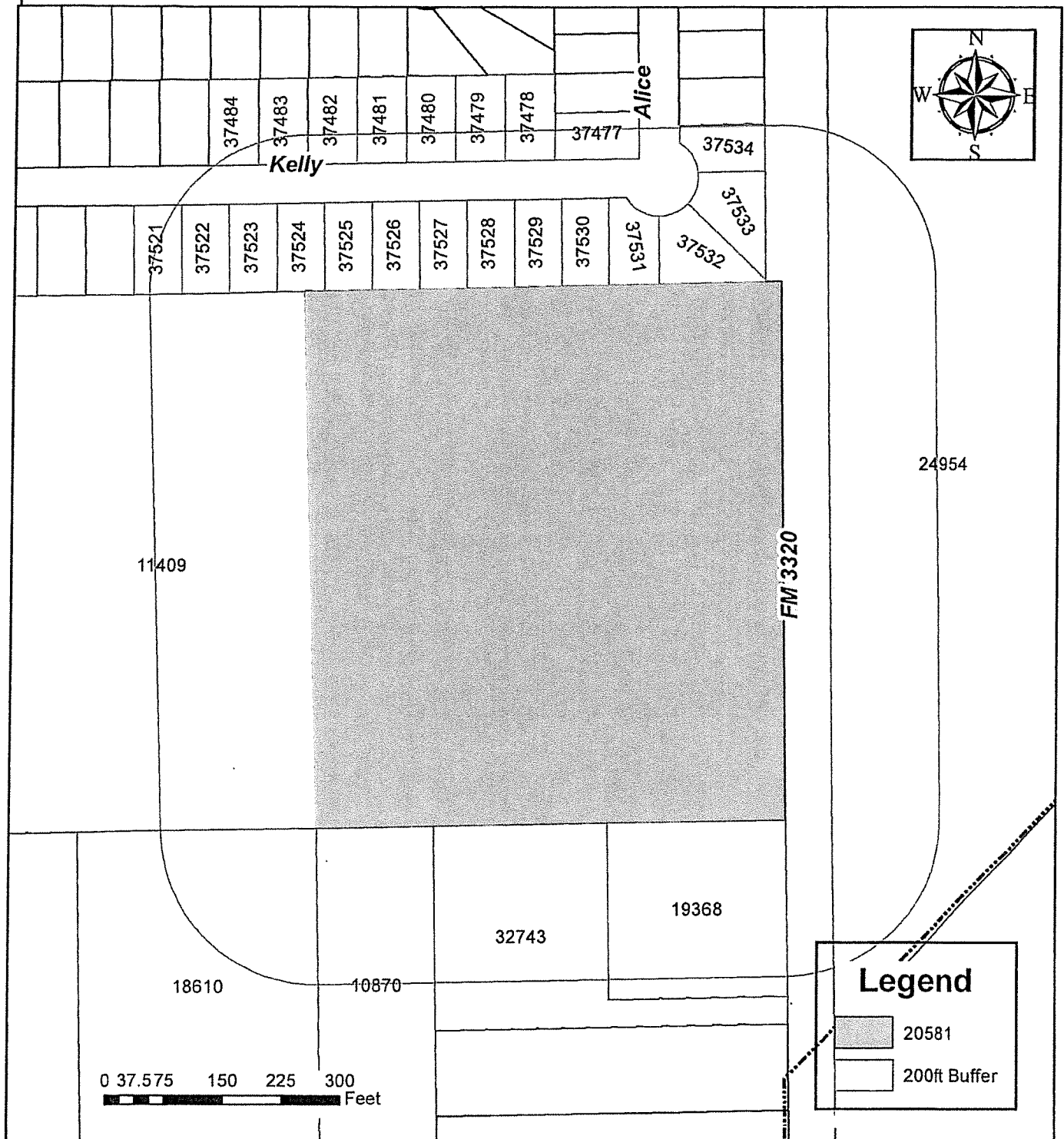
Please provide a basic description of the proposed project:

9.650 ACRES LOT ZONED A6. WOULD LIKE TO REZONE TO SINGLE FAMILY  
RESIDENCE. MINOR SUBDIVISION CONSISTING OF 4 LOTS. LOT 1 201 FT X 630  
LOT 2 155 FT X 630 LOT 3 155 X 630 LOT 4 155 X 630 SEE ATTACHED SKETCH

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 [Signature] Date: 10/13/2020  
Property Owner's Signature [Signature] Date: 10/13/2020  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of PROP ID 20581



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

Page 1/1	Drawn By: Planning Department	<p><b>DISCLAIMER</b> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE</p>	<p><b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b>  410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 10/19/2020		
	Note:		

RANDY R RODRIGUEZ  
ETUX MARY ANN  
2008 KELLY LN  
KINGSVILLE, TX 78363-2880  
#37484

JAMES M HOYSRADT II  
480 SENECA ST  
LEWISTON, NY 14092-1644  
#37481

DANIEL BAIK  
2511 GOLF COURSE RD APT 214  
KINGSVILLE, TX 78363  
#37478

JON-BERNARD ARMAND PRO  
ETUX ERIN ELIZABETH  
2916 ALICE LN  
KINGSVILLE, TX 78363  
#37533

DOLORES MITTAG DAVIS  
2205 KELLY LN  
KINGSVILLE, TX 78363-2885  
#37530

SARA RUTH MIDDLETON  
ETVIR PHILIP MICHAEL  
2203 KELLY LN  
KINGSVILLE, TX 78363  
#37529

JOSE GONZALEZ JR  
2103 KELLY LANE  
KINGSVILLE, TX 78363  
#37524

SAMUEL CHRISTEN  
2005 KELLY LANE  
KINGSVILLE, TX 78363  
#37521

ROEL NUNEZ EST  
ROBERT A GARZA  
MARY G DE LEON (IND EXECUTOR)  
237 CANDLEWOOD  
KINGSVILLE, TX 78363  
#18610

JONATHAN SPATZ  
2102 KELLY LN  
KINGSVILLE, TX 78363  
#37483

ANNE H MURPHY  
720 SOUTHGATE CT  
OCEANSIDE, CA 92057  
#37480

RAY VAN WINKLE  
ETUX TONI  
1058 FRIEDA LN  
MINDEN, NV 89423  
#37477

JOHN M MACKOVJAK  
JAMES M MACKOVJAK  
1093 RED MILL BLVD  
VIRGINIA BCH, VA 23454-5845  
#37532

ADRIAN O REYNA  
2201 KELLY LANE  
KINGSVILLE, TX 78363  
#37528

TOMAS REYES JR  
2107 KELLY LN  
KINGSVILLE, TX 78363-2883  
#37526

PAMELA HILL  
2101 KELLY LN  
KINGSVILLE, TX 78363-2883  
#37523

IVA C REVOCABLE BURRIS  
THE LIVING TRUST  
640 E FM 1118  
KINGSVILLE, TX 78363-2628  
#11409

CESAR SILVA  
4005 S FRANKLIN ADAMS  
KINGSVILLE, TX 78363  
#10870

HECTOR YEVERINO  
ETUX ZULEMA D HERNANDEZ  
2104 KELLY LN  
KINGSVILLE, TX 78363-2882  
#37482

SLAWOMIR GLOWNIA  
ETUX JENNY  
1583 NW 6<sup>TH</sup> AVE  
OAK HARBOR, WA 98277  
#37479

TYLER CROUSE  
ETUX TANYA  
2914 ALICE LN  
KINGSVILLE, TX 78363  
#37534

ALEJANDRO TREVINO  
2207 KELLY LN  
KINGSVILLE, TX 78363  
#37531

WILLIAM HOPPER  
ETUX CARLY M  
PO BOX 320  
CHAPMAN RANCH, TX 78347  
#37527

RYAN C DAVIDSON  
113 CHERRY ST, STE 93106  
SEATTKE, WA 98104  
#37525

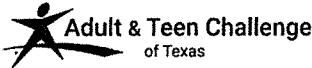
ERIC D MENDEZ  
ERIKA A MENDEZ  
2007 KELLY LN  
KINGSVILLE, TX 78363-2881  
#37522

LINDELL E RAMEY EST  
THOMAS E AYCOCK  
302 JACKSON PL  
CORPUS CHRISTI, TX 78411-1620  
#24954

MIGUEL RAMIREZ  
ETUX BERNICE  
PO BOX 5060  
KINGSVILLE, TX 78364-5060  
#32743, 19368

# Challenge Accepted: recovery program to host open house

FRANK CARDENAS  
REPORTER



A new program brought to Kingsville is hoping to help those in the community suffering with addiction and are looking to grow their outreach with an event they plan to host this weekend.

Adult & Teen Challenge of Texas is a faith-based, 501(c)3 non-profit addiction recovery program, founded in 1958 after pastor David Wilkerson traveled to New York from Pennsylvania to minister a group of teenage gang members on trial for murder.

Wilkerson was thrown out of court, but the highly publicized ordeal allowed for him to begin an outreach to others and open his first Teen Challenge group and recovery home.

Today, well over 200 residential programs exist throughout the United States and about 1400 affiliate programs internationally.

Kingsville is the latest addition to the already eight programs in all of Texas, as the new men's facility has already been in operation since the beginning of October.

"Our local program houses adult men, 18 and up, who are working to overcome addictive behaviors," Director of the program Tony Shoemaker said. "Being faith-based, our primary goal is to point them to a right relationship with God. Additionally, if they've not graduated high school, we assist them in getting their GEDs, attempt to instill a work ethic and teach them job skills to make them more marketable as employees once they complete their 12 month term with us."

Shoemaker said the program also works with legal authorities and to help mediate fractured family relationships for program participants.

"It is a very disciplined and structured program model, somewhat militaristic," he said. "Our hope is to take modern day prodigals, the lepers of society if you will, and mold them into productive and functioning members of society."

Shoemaker said the program is funded through local churches, businesses and individuals who are interested in people to overcome their addictions.

The new facility, formerly 11 Bar B Bed & Breakfast located at 325 E. County Rd. 2215 in Kingsville, is owned by Kings Way Family Church.

"We can comfortably house 36 men plus staff members," Shoemaker said. "Our goal in the near future is to purchase the property (and) eventually add more buildings and house more men and staff members. We also hope to launch an adult female program somewhere in the area in time to come."

On Nov. 14, the program will be holding an open house so that community members will have an opportunity to meet those involved in the program and see the facilities.

"Anyone planning to attend can communicate with us (at 361-296-3864), so we'll have an idea of how many to plan for," Shoemaker said. "There will be light refreshments and just a time of fellowship with our friends and neighbors in the community."

"We look forward to connecting with the local community and to being good citizens and neighbors."

For more information, visit [texas.org](http://texas.org) or contact the office in Kingsville at (361) 296-3864.

## PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020, 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:

Robert D. Coleman Mgt. LLC, applicant and owner, requesting the rezone of K T & I CO., BLOCK 22, LOT PT 8, also known as Property ID 20581, located along Golf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville, Texas from AG (Agricultural) to R1 Single-Family.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

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The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

# HOBBY LOBBY

FIND A LOCATION NEAR YOU OR SHOP ONLINE AT [HOBBYLOBBY.COM](http://HOBBYLOBBY.COM)  
STORE HOURS: 9 A.M. - 8 P.M. • CLOSED SUNDAY  
PRICES GOOD IN STORES MONDAY, NOVEMBER 9 - SATURDAY, NOVEMBER 14, 2020  
PRICES GOOD ONLINE SUNDAY, NOVEMBER 8 - SATURDAY, NOVEMBER 14, 2020.

## HOME DECOR 50% OFF

FEATURING TABLE DECOR

Categories Listed

Does not include Seasonal Department or Photo Frames

**Glass Decor**  
Glass Department and craft glass containers  
Does not include craft stained glass

**Ceramic, Resin & Pottery Decor**  
Does not include "Your Price" items

**Decorative Lanterns, Birdcages & Terrariums**

**Wicker Department**  
Decorative storage, boxes, trays, metal & cloth

**Decorative Table Clocks, Spheres & Globes**

**Metal Table Decor**  
Enamel & galvanized decor  
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**Lamps & Lampshades**

**Floral Containers & Vases**  
Ceramic, glass, pottery, resin, wood & metal  
Does not include "Your Price" items

**Wooden Table Decor & Plaques**

Summer and Items labeled The Spring Shop™ are not included in Home Decor sale.

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**FALL HOME & PARTY DECOR, FLORAL AND CRAFTS**  
Arrangements, bushes, wreaths, garlands, swags, stems, picks, ribbon and fabric  
**50% OFF**  
Does not include floral custom designs or candy

**CHRISTMAS DECOR**  
Includes fabric  
Does not include needle art, candy, light sets, light accessories or Scotch™ tape  
**50% OFF**

**CHRISTMAS TREES**  
12 in - 12 ft  
**50% OFF**

**CHRISTMAS FLORAL**  
Arrangements, bushes, wreaths, garlands, swags, stems, picks and ribbon  
**50% OFF**  
Does not include custom designs

**CHRISTMAS CRAFTS**  
**50% OFF**

**CHRISTMAS LIGHT SETS & ACCESSORIES**  
Includes Mini Lights, Candles, Net Lights, LED Lights and Battery Operated Light Strands  
**25% OFF**

**CHRISTMAS PARTY & TABLEWARE**  
Gift bags, sacks & boxes, gift wrap, tags & boxed cards, paper plates & napkins, bows & trims, cookie & candy tins and more  
**50% OFF**  
Does not include candy or Scotch™ tape

**WEDDING 50% OFF**  
Categories Listed  
All Items Labeled Studio His & Hers®  
Invitations, toasting glasses, ring pillows, bouquets and more  
Ribbon & Trims by the Roll  
Ribbon, bows, tulle & deco mesh in our Wedding, Floral and Fabric Departments

**FURNITURE**  
Always  
**30% OFF**  
THE MARKED PRICE

**ALL YARN**  
Every skein, brand, color and size  
**30% OFF**  
Does not include thread and floss

**WEARABLE ART**  
Always  
Golden Youth and Adult Short-Sleeve T-Shirts  
Always 30% off the marked price!  
Includes Youth and Adult Short-Sleeve T-Shirts, Baseball & Long Sleeve T-Shirts, Sweatshirts, Hooded & Fleece T-Shirts and Crewnecks  
Does not include our "Your Price" items  
Bandanas  
All Tulle Products  
**40% OFF**  
Boas **3.99**

**BEST-SELLING BOOKS**  
Bibles, Devotionals, Gift Books and Children's Books  
Always  
**40% - 50% OFF**  
THE MARKED PRICE

**PARTY**  
Saranwrap 200' Roll **99¢**  
Solid Color Table Cover 8' x 10' **99¢**  
Solid Color Table Cover 12' x 14' **1.49**  
24 oz. Foam Cup **5.99** (12 pack)  
Candy Vendors 12 oz. bag **1.99**  
15" Balloons 25 Count Solid Color **1.59**  
Decorating Long **9.99**  
White Fondant 5 lb. Varies **15.99**

**CANDLES & CANDLE HOLDERS 50% OFF**  
Candles, Candle Holders, Scones, LED Candles, Potpourri, Diffusers, Oils, Room Sprays, Fragrance Cubes & Warmers  
Priced \$2.99 & Up. Does not include "Your Price" items

**PAPER CRAFTS 40% OFF**  
Most Categories Listed  
The Paper Studio® Vinyl Single Sheets, Rolled Vinyl and Peel-On  
All Punches & Punch Sets  
Sizzix® & Spellbinders® Die Cutting Products  
Does not include machines  
Single Sheet Papers Printed Always  
4/1.00  
Marked Price! (100¢)  
40¢ to 50¢

**JEWELRY MAKING 50% OFF**  
Categories Listed  
Explorer by Traditions® Pendants, beads and figures inspired by world travels  
String, Tubed & Beaded Beads  
Color Gallery® Bead Treasures and Czech Glass Beads  
Bead Design Co.™ Bulk beads & gems in a variety of materials  
Swarovski® & Create Your Style™ Includes jewelry, finished stones and charms. Does not include hotfix stones  
Bead Stringing by Bead & Gem® & On-A-Wire®  
Vintage® Unique artisan components made in the USA

**FABRIC**  
Categories Listed  
Sissors & Rotary Cutters Fuzzy™ and Singer® Sewing Sewing Notions Home Decor & Apparel Trims by the Yard  
Ribbon, Trim & Tulle Spools  
Does not include ribbon, trim or tulle sold by the yard or Seasonal Department  
McCall's® Patterns Limit 10 per customer  
Does not include bulk Sew patterns  
**50% OFF**  
**1.99**

**ART SALE**  
All Master's Touch® & Fine Touch®  
**50% OFF**  
Single & Packaged Brushes, Artist Paids & Sketch Books, Art Canvas & Panels, Tube & Jar Paints  
Does not include "Your Price" items

**Master's Touch® Art Sets**  
Acrylic, Oil, Watercolor, Pencil & Pastel  
**50% OFF**

**All Art Tables & Easels**  
**50% OFF**

## CUSTOM FRAMES 50% OFF

Always 50% off the marked price!  
Applies to frame only. See store for details

Compare our prices with our competitors' larger in-store discounts.

## FREE QUOTES

See our Great Selection Satisfaction Guaranteed.

## HOBBY LOBBY

Offer good for one item at regular price only. Limit one coupon per customer per day. Must present coupon at time of purchase. Offer is not valid with any other discount or previous purchase. One cut or one roll of fabric or trim "by the yard" equals one item. Online fabric & trim discount is limited to 10 yards, single cut. Excludes CROCH™ products, Silhouette CAMEO® Machines, candy & snack products, gum & mints, gift cards, custom orders, labor, class fees or items labeled "Your Price".  
Exclusions subject to change. Cash Value 1/1000.  
VALID THROUGH NOVEMBER 14, 2020

Compare Us In Store or Online Now!  
We are the only store that guarantees that we will match any price on any item in our merchandise.

\*Discounts provided every day; marked prices reflect general U.S. market value for similar products. No coupons or other discounts may be applied to "Your Price" items.



SCALE 1" = 100'

SURVEY OF  
A 9.650 ACRE TRACT AS DESCRIBED IN A DEED RECORDED IN VOLUME 166, PAGE 126,  
DEED RECORDS KLEBERG COUNTY, TEXAS. SAID 9.650 ACRE TRACT ALSO BEING  
OUT OF FARM LOT 8, SECTION 22, "KLEBERG TOWN AND IMPROVEMENT COMPANY'S  
SUBDIVISION" AS SHOWN ON THE PLAT RECORDED IN CABINET 1, ENVELOPE 18,  
PLAT RECORDS KLEBERG COUNTY, TEXAS.

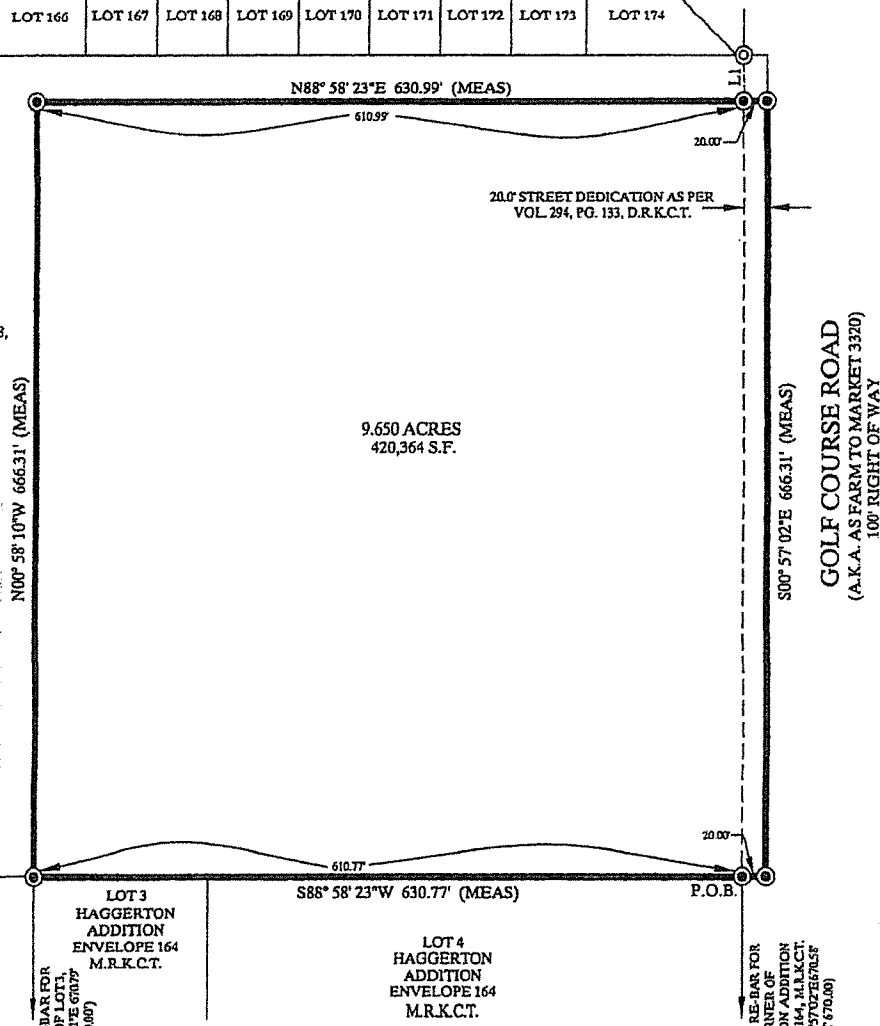
BUYER: ROBERT D. COLEMAN MANAGEMENT, LLC

GF NO.: 201794 (7-14-2020)

L1 = N00° 57' 02" W  
40.00' (MEAS)

PAULSON FALLS SUBDIVISION PHASE 3  
CABINET II, ENVELOPE 136  
M.R.K.C.T.

REMAINDER OF LOT 8,  
SECTION 22  
KLEBERG TOWN  
& IMPROVEMENT  
COMPANY  
CABINET 1, ENVELOPE 18,  
M.R.K.C.T.



⊙ = SET 5/8" RE-BAR  
⊙ = FOUND 5/8" RE-BAR

LOT 3  
HAGGERTON  
ADDITION  
ENVELOPE 164  
M.R.K.C.T.  
FOUND 5/8" RE-BAR FOR  
SW CORNER OF LOT 3,  
BEARS S80° 10' 10" E 670.00'  
(PLAT 670.00')

NOTES: SCHEDULE "B" ITEMS:

- 1.) VOL. 57, PG. 33 DOES NOT APPLY
- 2.) VOL. 134, PG. 127 BLANKET
- 3.) VOL. 199, PG. 467 DOES NOT APPLY
- 4.) VOL. 294, PG. 133 AS SHOWN
- 5.) VOL. 298, PG. 170 DOES NOT APPLY
- 6.) VOL. 106, PG. 282 APPLIES
- 7.) VOL. 106, PG. 285 APPLIES

FOUND 5/8" RE-BAR FOR  
SE CORNER OF  
HAGGERTON ADDITION  
ENVELOPE 164 M.R.K.C.T.  
BEARS S80° 10' 10" E 670.00'  
(PLAT 670.00')

NOTES:

- 1.) TOTAL SURVEYED AREA IS 9.650 ACRES.
- 2.) MEASURED BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (03) 4205 DATUM.
- 3.) SET 5/8" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.
- 4.) A METES AND BOUNDS DESCRIPTION OF EQUAL DATE ACCOMPANIES THIS SURVEY.

THIS SURVEY DOES NOT INCLUDE THE RESEARCH, INVESTIGATION, OR LOCATIONS OF ALL SERVITUDES, EASEMENTS, RIGHT OF WAYS, OR UTILITIES ON THIS PROPERTY.

I, RONALD E. BRISTER DO HEREBY CERTIFY THAT THIS SURVEY OF THE PROPERTY LEGALLY DESCRIBED HEREIN WAS MADE ON THE GROUND THIS DAY AUGUST 19, 2020, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Ronald E. Brister*

RONALD E. BRISTER R.P.L.S. NO. 5407

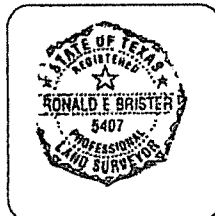


**Brister Surveying**

4435 South Padre Island Drive Suite 31  
Corpus Christi, Texas 78411  
Office 361.850-1800  
Fax 361.850-1802  
bristersurveying@corpusbrister.com  
Pins Registration No. 1037200

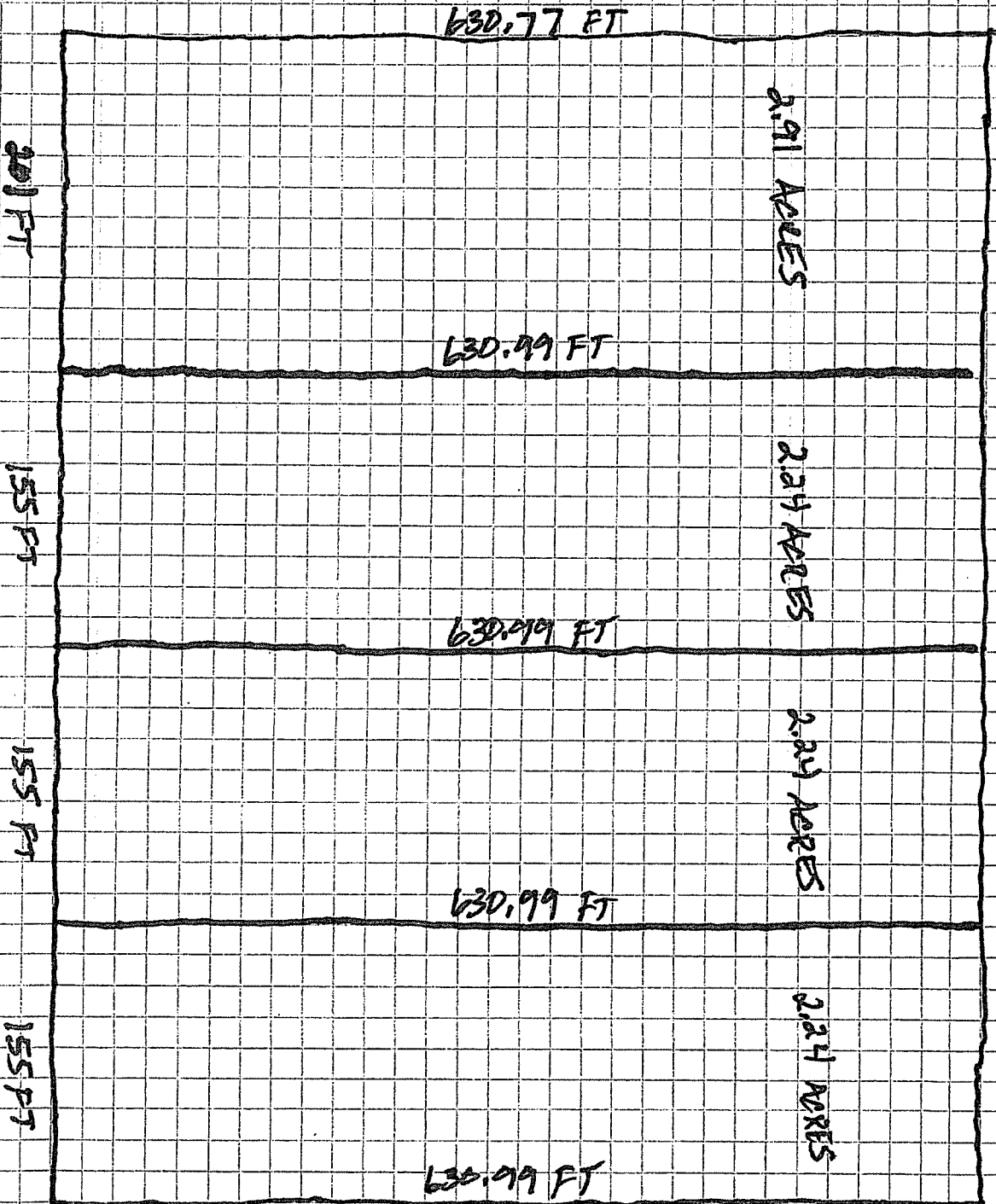
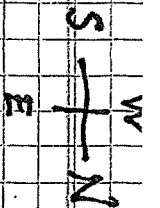
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY  
IS LOCATED WITHIN ZONE X AS DEFINED  
BY THE FEDERAL EMERGENCY MANAGEMENT  
MAPS COMMUNITY PANEL 48273C 0305 E  
DATED MARCH 17, 2014  
AND ☐ IS ☒ IS NOT LOCATED IN A DESIGNATED  
100 YEAR FLOOD ZONE.

DATE AUGUST 25, 2020



JOB NO. 201825

SUMMERFIELD VILLAGES



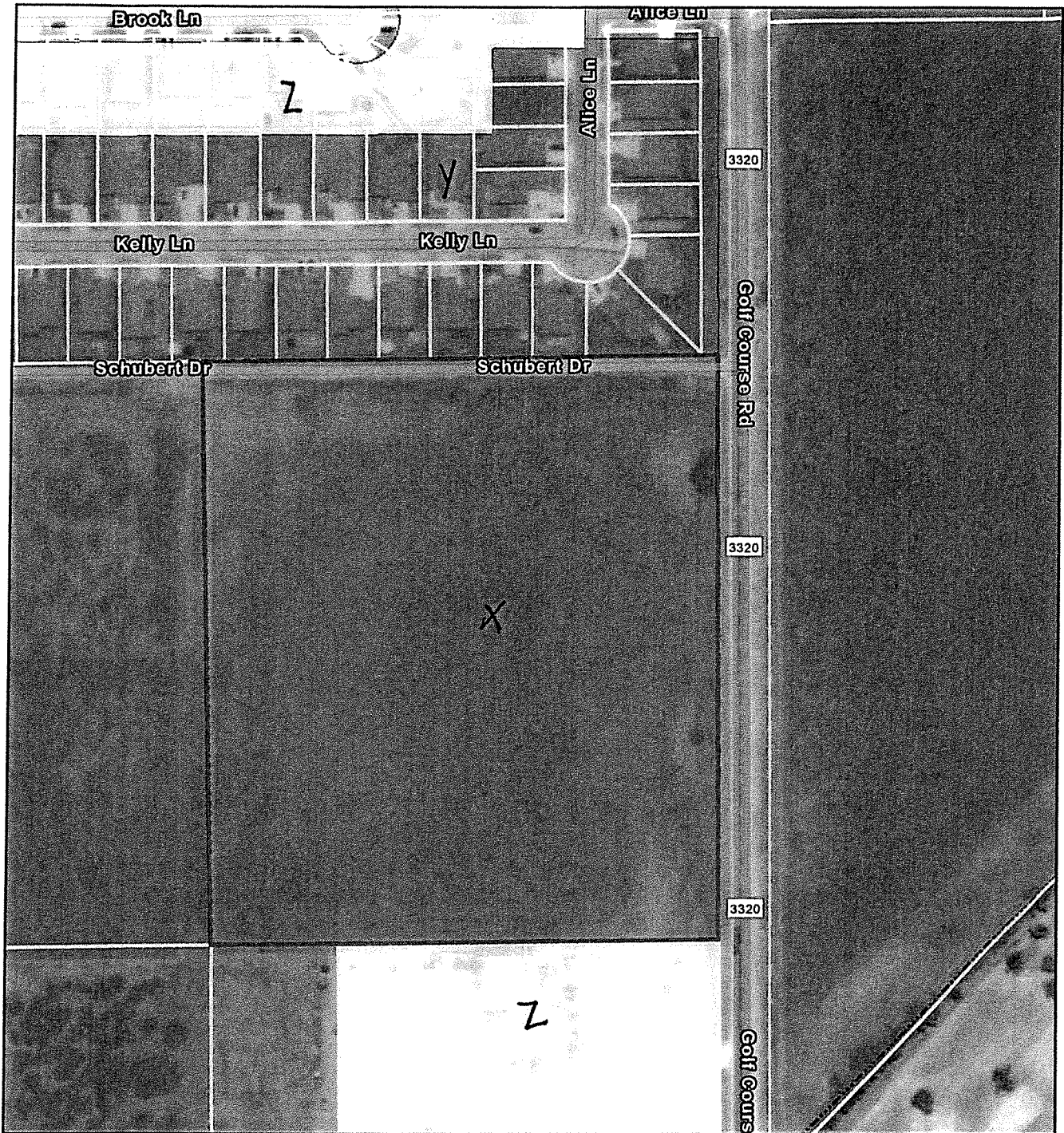
GOLF COURSE RD  
AKA FM 3320

SCHUBERT DR  
(DIRT ROAD)

PAULSON FALLS SUBDIVISION



# PROP ID 20581



November 25, 2020

1:2,257

0 0.01 0.03 0.06 mi  
0 0.03 0.06 0.11 km

x-property to be rezoned  
PROP ID 20581

y- Paulson Falls - Ag zoning

z- R1- Single Family zoned

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**ORDINANCE #2020-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO KT&I CO., BLOCK 22, LOT PT8, ALSO KNOWN AS ID 20581, LOCATED ALONG GOLF COURE ROAD BETWEEN PAULSON FALLS SUBDIVISION AND EAST TRANT ROAD, KINGSVILLE, TEXAS, FROM AG (AGRICULTURE DISTRICT) TO R1 (SINGLE FAMILY DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Robert D. Coleman Mgt. LLC, owner/applicant, 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, December 2, 2020 during a meeting of the Planning and Zoning Commission, and on Monday, December 14, 2020 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; 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 KT&I Co., Block 22, Lot Pt8, also known as Property ID 20581, located along Golf Course Road between Paulson Falls Subdivision and East Trant Road, Kingsville, Texas, from AG-Agriculture District to S1-Single Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 14th day of December, 2020.

**PASSED AND APPROVED** on this the 15th day of December, 2020.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

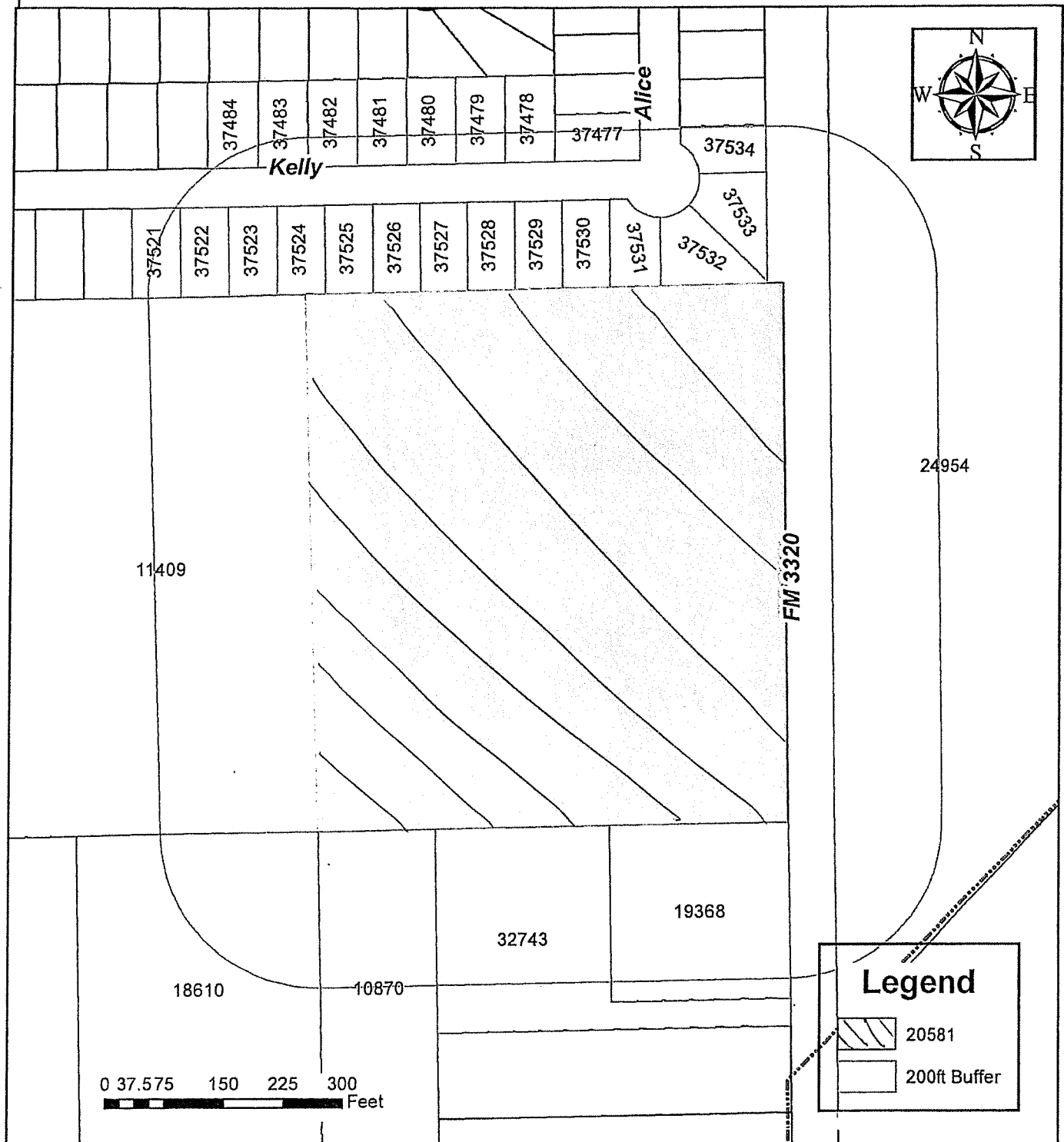
**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary


**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# 200 ft Buffer Map of PROP ID 20581



Document Path: C:\Users\sresendez\Desktop\GISMaps\New Buffer Maps.mxd

1 / 1 Page	Drawn By: Planning Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 CITY OF KINGSVILLE PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 10/19/2020		
	Note:		

# **AGENDA ITEM #4**

**City of Kingsville**  
**Planning and Development Services Department**

---

**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** Albert Garcia, authorized agent and applicant, Roy E. Davis, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E. King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

---

**Summary:** The applicant, Albert Garcia, authorized agent for the owner – Roy E. Davis - is requesting a rezoning of RONNING 2 BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

**Background:** The applicant, through their agent, approached the department because they wanted to re-zone the existing number of lots (4 in total). The current zoning for those properties is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with the majority of the commercial land uses on King Avenue. Notices were sent to relevant neighbors and the Planning Department received only one citizen feedback who was against the proposal. The said citizen highlighted increased traffic impacts. The Planning and Zoning Commission has reviewed the application, recognizing that King Avenue is already a major arterial road and voted unanimously (all 5 commissioners) for the rezoning.



**City of Kingsville**  
**Planning and Development Services Department**

**Financial Impact:**      None.

**Recommendation:**    Approve the final plat as requested.



Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



---

## MEMO

**Date:** November 23, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** Albert Garcia, authorized agent and applicant, Roy E. Davis, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E. King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The applicant, through their agent, approached the department because they wanted to re-zone the existing number of lots (4 in total). The current zoning for those properties is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with the majority of the commercial land uses on King Avenue.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since the eventual use would be in conformity with the future land use of the City of Kingsville.

Thank you.

A handwritten signature in black ink, appearing to read 'Uche Echeozo'.

**Uche Echeozo**  
Director of Planning and  
Development Services



**CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION**

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address 1107, 1113,  $\frac{1}{2}$ , 1115 E. King Ave. Nearest Intersection King  $\frac{1}{2}$  15th.  
 (Proposed) Subdivision Name Prop ID # 12339 Lot \_\_\_\_\_ Block \_\_\_\_\_  
 Legal Description: Rolling Z B3 Lots 3, 4, 5, 6  
Land Addition Block 7 Lot 1  
 Existing Zoning Designation R2 Future Land Use Plan Designation C2

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent Albert Garcia, Agent Phone 341-228-1342 cell 341-592-8224 FAX 355-4016  
 Email Address (for project correspondence only): firsttx@shcglobal.net  
 Mailing Address 224 W King Ave. Ste #1 City Kingsville State TX Zip 78363  
 Property Owner Roy E. Davis Phone \_\_\_\_\_ FAX \_\_\_\_\_  
 Email Address (for project correspondence only): Royd319@swbell.net  
 Mailing Address 309 W Richard City Kingsville State TX Zip 78363

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

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

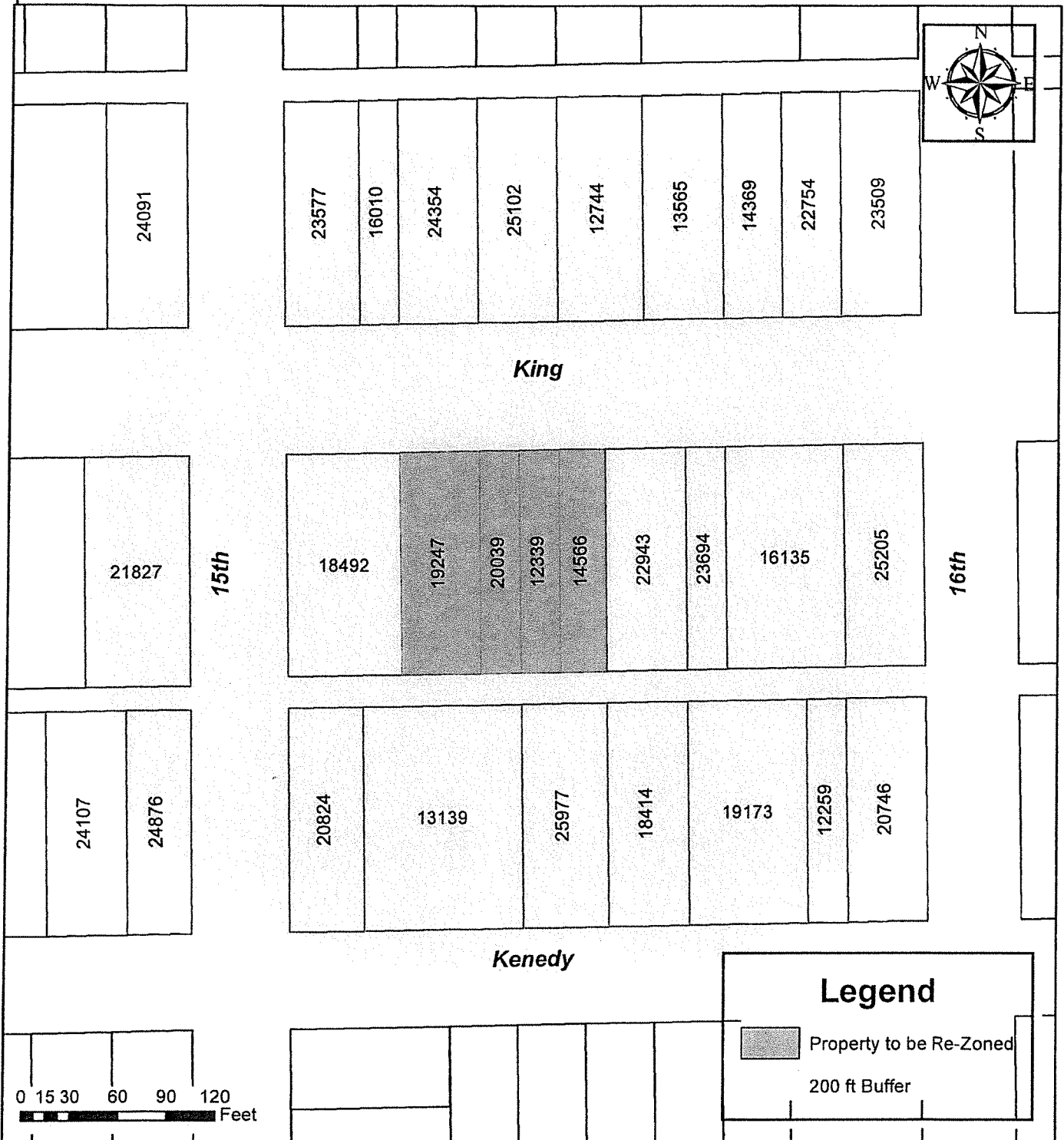
Please provide a basic description of the proposed project:

Commercial Building for a Pediatric Clinic


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 [Signature] Date: 11-9-2020  
 Property Owner's Signature [Signature] Date: 11/9/20  
 Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of 1107-1115 E King



Document Path: C:\Users\resendez\Desktop\GIS\Maps\New Buffer Maps.mxd

11 Page 66	Drawn By: Planning Department	<b>DISCLAIMER</b> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE	 <b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b> 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 11/13/2020		
	Note:		

ZACHARY LLOYD EK  
ETUX TANJA  
342 DANA  
KINGSVILLE, TX 78363-8858  
#24091

CHRISTINA C ESQUIVEL  
1232 E KING  
KINGSVILLE, TX 78363  
#24354

RODOLFO E RAMOS SR  
1418 E KING  
KINGSVILLE, TX 78363-5938  
#13565

GUADALUPE B ALVAREZ  
621 N US HWY 77 BYP  
KINGSVILLE, TX 78363  
#23509

CYNTHIA ANN GONZALES  
907 W KLEBERG AVE  
KINGSVILLE, TX 78363-4220  
#22943

GUADALUPE B ALVAREZ  
621 N US HWY 77 BYP  
KINGSVILLE, TX 78363  
#25205

JESUS LOPEZ  
ETUX JENNIFER ARRIAGA  
1102 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20824

BALDEMAR PEREZ  
ETUX ADELITA  
1126 E KENEDY  
KINGSVILLE, TX 78363  
#19173

ABEL P GARZA  
4117 JAMLIE AVE  
KINGSVILLE, TX 78363-7421  
#23577

FILEMON ESQUIVEL KR  
1232 E KING AVE  
KINGSVILLE, TX 78363-5934  
#25102

RAUL GONZALEZ  
ABEL GONZALEZ  
PO BOX 180  
KINGSVILLE, TX 78364-0180  
#14369

FRANCES C BARRAZA EST  
1600 E AILSIE AVE  
KINGSVILLE, TX 78363-6911  
#21827

FRANCIS CISNEROS  
1119 E KING AVE  
KINGSVILLE, TX 78363-5870  
#23694

MARGARITA C AMBRIZ  
AND OCTAVIO C AMBRIZ  
1247 ½ E KING AVE  
KINGSVILLE, TX 78363-5933  
#24107

MARGARITA SALINAS SAENZ  
560 N COUNTY ROAD 1050  
KINGSVILLE, TX 78363-8833  
#13139, 25977

ALWAYS A WAY LLC  
PO BOX 828  
SEGUIN, TX 78156  
#12259

GUADALUPE R BENAVIDES JR  
915 E SHELTON  
KINGSVILLE, TX 78363-6350  
#16010

SARA SALINAS  
1116 E KING AVE  
UNIT A  
KINGSVILLE, TX 78363-5871  
#12744

ANITA G PENNA  
1316 FM 1717  
KINGSVILLE, TX 78363  
#22754

RUBEN RAMIREZ III  
ETAL  
3711 BARBER LANE  
ROBSTOWN, TX 78380  
#18492

RICARDO ALVAREZ  
621 N US HIGHWAY 77 BYP  
KINGSVILLE, TX 78363-4826  
#16135

JOSE L CRUZ  
1247 E KING AVE  
KINGSVILLE, TX 78363-5933  
#24876

LAURA JIMENEZ  
MARCELO JIMENEZ JR  
899 S COUNTY ROAD 1120  
RIVIERA, TX 78379-3524  
#18414

DELFINO G DE LEON  
1132 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20746

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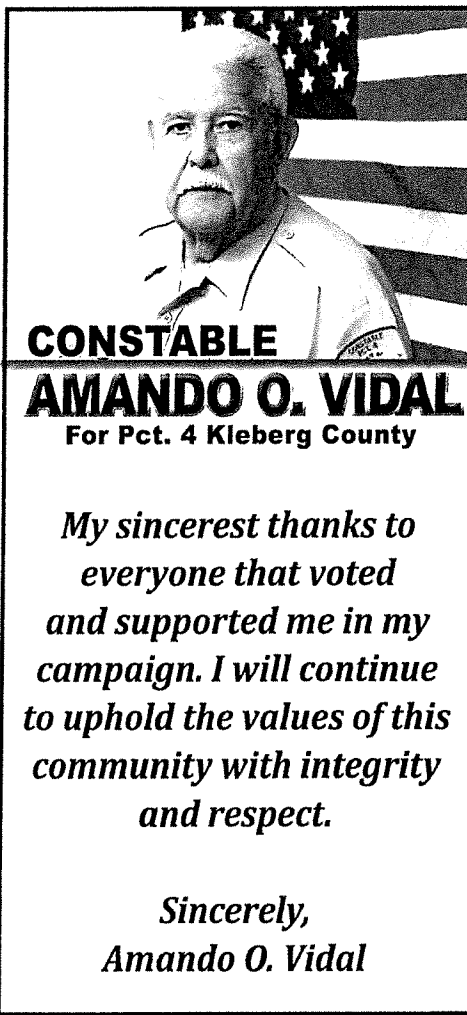
Leubert said KAA han-

"They started marketing and when they market, they do a pretty good job," Leubert said. "But here's the problem. If they have 27, 28 or 30 dogs in there, this last week they

McLaughlin said all of the rescues they work with and KAA's help and support is needed to assist the shelter in moving animals. Since McLaughlin has been the city manager, he said, the shelter has not euthanized a single animal.

At the City of Kingsville Commission meeting on Monday, Leubert provided McLaughlin with the name of the city manager of San Marcos. Leubert said this city manager has turned around the animal

"If you are a stand alone department and you partner with a rescue group, like KAA, and you work together with them, then that's success," she said. "The most successful animal controls are the ones that partner; we can help get funding and grants to help with the animals."



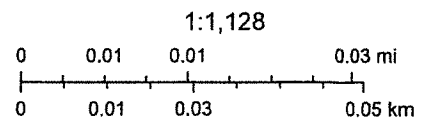
Alfred Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of R2022.2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail). The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

# Roy Davis Property



November 25, 2020

X - R2 - two family zoning



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**ORDINANCE #2020-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO RONNING 2, BLOCK 3, LOTS 3,4,5,6, AND LUND ADDN, BLOCK 7, LOT 1, ALSO KNOWN AS 1107 E. KING, 1113 E. KING, PROPERTY ID 12339, AND 1115 E. KING, KINGSVILLE, TEXAS, FROM R2 (TWO-FAMILY DISTRICT) TO C2 (RETAIL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Albert Garcia, authorized agent and applicant, for Roy E. Davis, owner, 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, December 2, 2020 during a meeting of the Planning and Zoning Commission, and on Monday, December 14, 2020 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; 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 Ronning 2, Block 3, Lots 3,4,5,6, and Lund Addn, Block 7, Lot 1, also known as 1107 E. King, 1113 E. King, PROPERTY ID 12339, and 1115 E. King, Kingsville, Texas, from R2-Two Family District to C2-Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 14th day of December, 2020.

**PASSED AND APPROVED** on this the 15th day of December, 2020.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

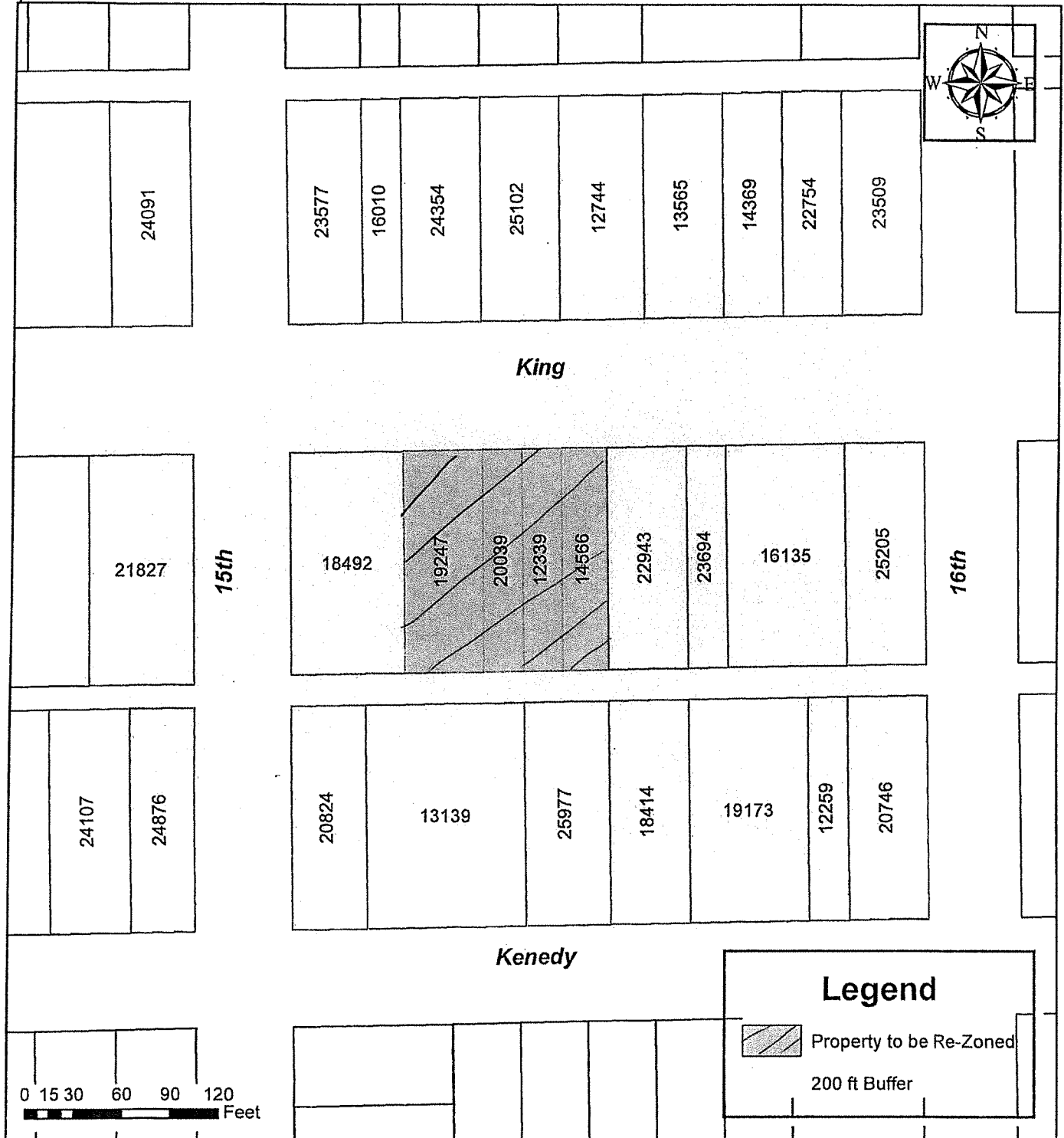
\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney



# 200 ft Buffer Map of 1107-1115 E King



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

1/1 e6ed	Drawn By: Planning Department	<p><b>DISCLAIMER</b></p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p><b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b></p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/13/2020		
	Note:		



# **AGENDA ITEM #5**

**City of Kingsville**  
**Planning and Development Services Department**

---

**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

---

**Summary:** The applicant, Albert Garcia, authorized agent for the owner – Ruben Ramirez - is requesting a rezoning of RONNING 2 BLOCK 3, LOT 1,2 also known as 1103 E King Avenue Kingsville from R2 (Two-Family) to C2 (Retail).

**Background:** The applicant, through their agent, approached the department because they wanted to re-zone the existing corner lot. The current zoning for that property is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with most of the commercial land uses on King Avenue. Notices were sent to relevant neighbors and the Planning Department received only one citizen feedback who was against the proposal. The said citizen highlighted increased traffic impacts. The Planning and Zoning Commission has reviewed the application, recognizing that King Avenue is already a major arterial road and voted unanimously (all 5 commissioners) for the rezoning.

**Financial Impact:** None.



**City of Kingsville**  
**Planning and Development Services Department**

**Recommendation:** Approve the final plat as requested.



Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



## MEMO

**Date:** November 23, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezoning of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The applicant, through their agent, approached the department because they wanted to re-zone the existing corner lot. The current zoning for that property is R2 – Two-Family. They are looking at establishing a pediatric clinic hence a zoning change to a C2 (Retail). It is pertinent to point out that the City is minded at rezoning a couple of blocks on the commercial strip of King Avenue that are currently zoned residential to align with the majority of the commercial land uses on King Avenue.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since the eventual use would be in conformity with the future land use of the City of Kingsville.

Thank you.

**Uche Echeozo**  
Director of Planning and  
Development Services

**CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION**

**PROPERTY INFORMATION: (Please PRINT or TYPE)**Project Address 1103 E. King Ave. Nearest Intersection 15<sup>th</sup> E King(Proposed) Subdivision Name Rowing 2 Lot 1-2 Block 3

Legal Description: \_\_\_\_\_

Existing Zoning Designation R-2 Future Land Use Plan Designation C2**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**Applicant/Authorized Agent Albert Garcia, Agent Phone (361) 228-1342 FAX (361) 355-4016Email Address (for project correspondence only): firsttx@sbcglobal.netMailing Address 224 W King St<sup>A</sup> City Kingsville State TX Zip 78363Property Owner Ruben Ramirez III Phone (361) 774-1059 FAX \_\_\_\_\_Email Address (for project correspondence only): rub ram 3@gmail.comMailing Address 3711 W Barber Ln. City Robstown State TX Zip 78380

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

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

Please provide a basic description of the proposed project:

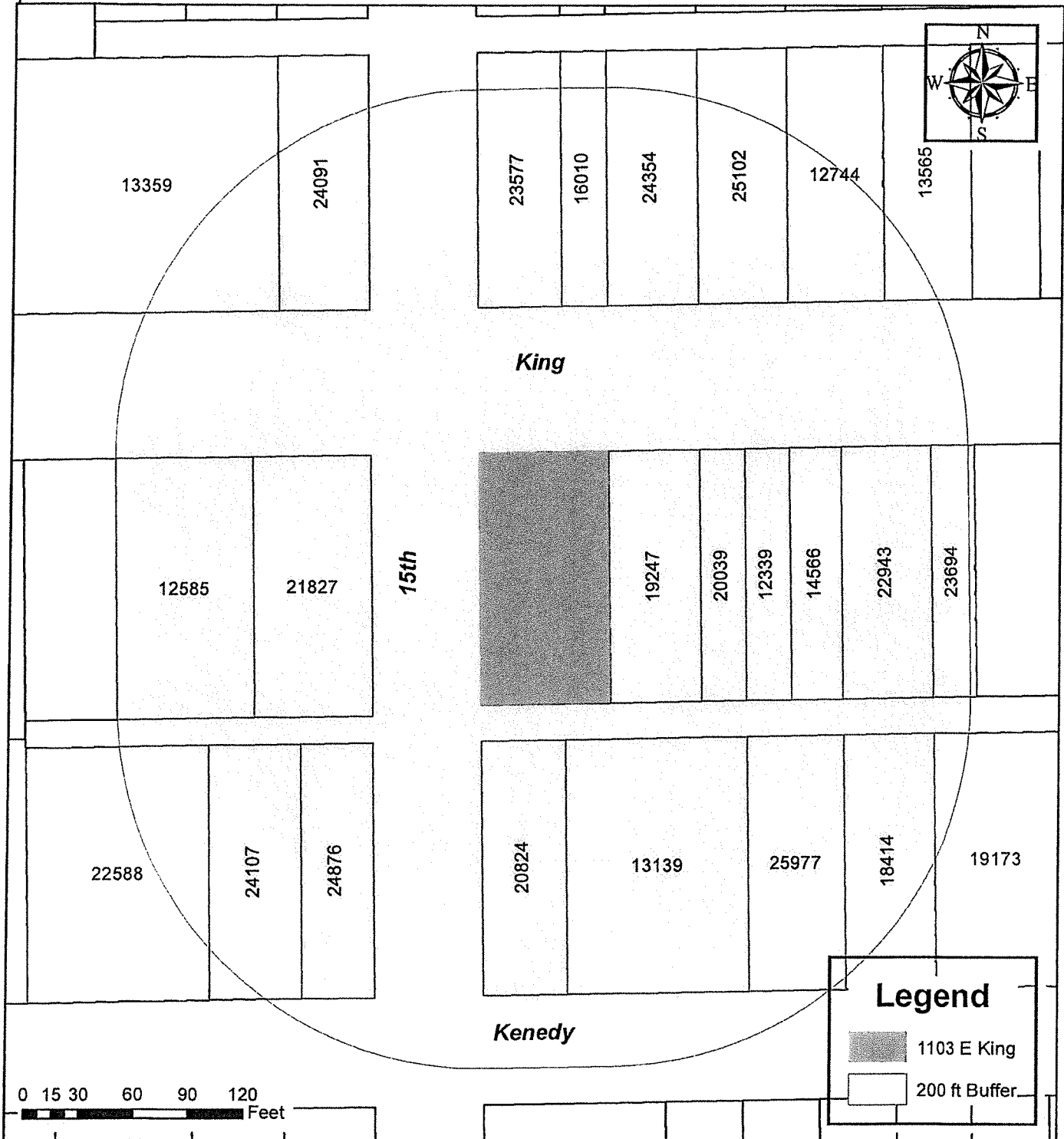
Commercial Building for a Pediatric Clinic

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: 11-9-2020Property Owner's Signature Ruben Ramirez III Date: 11/9/2020

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

# 200 ft Buffer Map of 1103 E. King



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

11/1 ebed	Drawn By: Planning Department	<p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE PLANNING DEPARTMENT</p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/13/2020		
	Note:		

GENE M JONES  
PO DRAWER A  
KINGSVILLE, TX 78364-1603  
#13359

GUADALUPE R BENAVIDES  
JR  
915 E SHELTON  
KINGSVILLE, TX 78363-6350  
#16010

SARA SALINAS  
1116 E KING AVE  
UNIT A  
KINGSVILLE, TX 78363-5871  
#12744

FRANCES C BARRAZA EST  
1600 E AILSIE AVE  
KINGSVILLE, TX 78363-6911  
#21827

FRANCIS CISNEROS  
1119 E KING AVE  
KINGSVILLE, TX 78363-5870  
#23694

JOSE L CRUZ  
1247 E KING AVE  
KINGSVILLE, TX 78363-5933  
#24876

LAURO JIMENEZ  
MARCELO JIMENEZ JR  
899 S COUNTY ROAD 1120  
RIVIERA, TX 78379-3524  
#18414

ZACHARY LLOYD EK  
ETUX TANYA  
342 DANA  
KINGSVILLE, TX 78363-8858  
#24091

CHRISTINA C ESQUIVEL  
1232 E KING  
KINGSVILLE, TX 78363  
#24354

RODOLOFO E RAMOS SR  
1418 E KING  
KINGSVILLE, TX 78363-5938  
#13565

ROY E DAVIS  
DIANA  
DELIA MENDOZA (LIFE EST)  
PO BOX 663  
KINGSVILLE, TX 78364-0663  
#19247, 20039, 12339, 14566  
PENDLETON HOLDINGS LLC  
312 N PASADENA  
KINGSVILLE, TX 78363  
#22588

JESUS LOPEZ  
ETUX JENNFER ARRIAGA  
1102 E KENEDY AVE  
KINGSVILLE, TX 78363-5865  
#20824

BALDEMAR PEREZ  
ETUX ADELITA  
1126 E KENEDY  
KINGSVILLE, TX 78363  
#19173

ABEL P GARZA  
4117 JAMLIE AVE  
KINGSVILLE, TX 78363-7421  
#23577

FILEMON ESQUIVEL JR  
1232 E KING AVE  
KINGSVILLE, TX 78363-5934  
#25102

N & D BARNETT LLC  
% NOLAN BARNETT  
202 FALLS DR  
SUNNYVALE, TX 75182  
#12585

CYNTHIA ANN GONZALES  
907 W KLEBERG AVE  
KINGSVILLE, TX 78363-4220  
#22943

MARGARITA C AMBRIZ  
AND OCTAVIO C AMBRIZ JR  
1247 ½ E KING AVE  
KINGSVILLE, TX 78363-5933  
#24107

MARGARITA SALINAS SAENZ  
560 N COUNTY ROAD 1050  
KINGSVILLE, TX 78363-8833  
#13139, 25977

## Animal center

CONT'D FROM PAGE 1

McLaughlin has put into place, groups such as the Kingsville Animal Advocates feel as though their work is not appreciated, because they provide a lot of support in the rescue process.

"KAA has backed off since the middle of October, because (animal control personnel are) rude, they're not nice to us," Kingsville City Commissioner and President of the KAA Dianne Leubert said. "There have been times—this hasn't happened recently—we'd go in to take pictures and they would say 'we don't have time to deal with you.'"

Leubert said KAA han-

dles a large portion of the rescue process. Members of KAA would go into the shelter twice a week to take pictures on their specific day and time and let the dogs out of the kennel.

When animals are tagged for rescue, the first thing KAA does is set up vet appointments. Dogs and cats go straight from the shelter to the vet.

KAA also provides fosters to help the animals to love, trust and learn how to be social again. They also provide funding to support the animals by giving them a collar, food, a leash, a crate and puppy pads.

Animals must be out

of the shelter by law for no less than two weeks before being transported over state lines. KAA also provides transportation to places such as San Antonio and Corpus Christi, Leubert added.

KAA started up marketing and naming animals that would come through the facility. The animal control center has started to follow the same model, but not every animal is posted.

"They started marketing and when they market, they do a pretty good job," Leubert said. "But here's the problem. If they have 27, 28 or 30 dogs in there, this last week they

only marketed 5 - why aren't they marketing all of them?"

Due to the high volume of animals that move through the animal control center, McLaughlin said it takes time to update the Facebook page with all of the animals. Garcia said that they do not advertise aggressive dogs or dogs that have a history of biting people.

McLaughlin said all of the rescues they work with and KAA's help and support is needed to assist the shelter in moving animals. Since McLaughlin has been the city manager, he said, the shelter has not euthanized a single animal.

The animal control center provides the KAA with an EU list and KAA has helped to keep this facility a low to no kill shelter for the last five years.

"The shelter is currently at 90 percent no kill and that 90 percent is KAA," Leubert said.

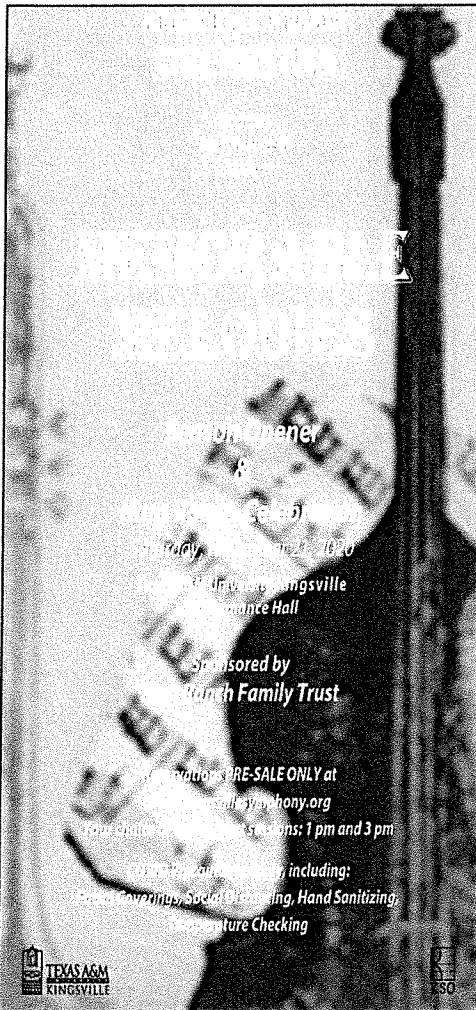
"Last year their records show 511 dogs rescued and of the 511 about 483-485 were directly rescued through KAA."

At the City of Kingsville Commission meeting on Monday, Leubert provided McLaughlin with the name of the city manager of San Marcos. Leubert said this city manager has turned around the animal

control center in Austin and now San Marcos.

Leubert hopes to sit down with McLaughlin and come up with a plan to make improvements to the facility. She said the animal control center is a stand-alone department and would be more successful working with a rescue group.

"If you are a stand alone department and you partner with a rescue group, like KAA, and you work together with them, then that's success," she said. "The most successful animal controls are the ones that partner; we can help get funding and grants to help with the animals."

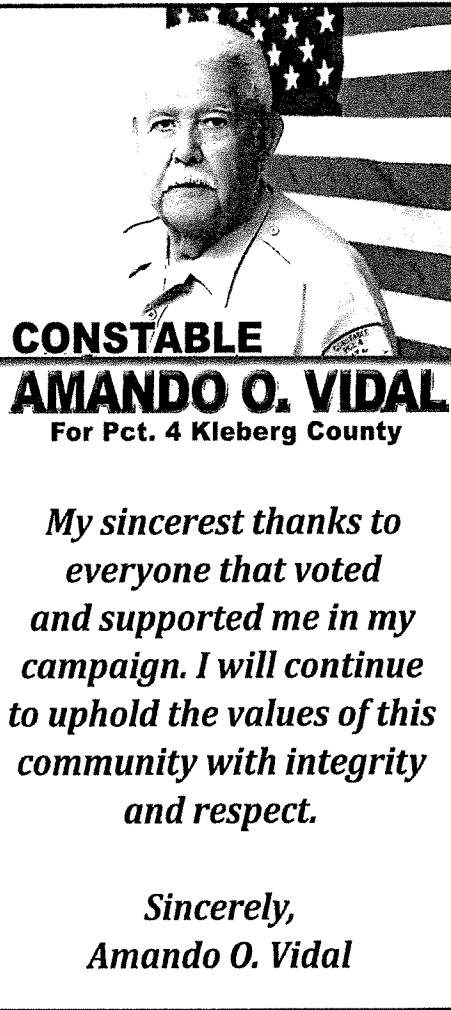


**City Manager**  
Amando O. Vidal  
City of Kingsville  
Kingsville, Texas 78343  
Phone: (361) 595-8000  
Fax: (361) 595-8001  
Email: a.vidal@cityofkingsville.org  
Website: www.cityofkingsville.org

**Sponsored by**  
Hatch Family Trust

**Registration PRE-SALE ONLY at**  
www.kingsvillevoting.org  
Registration sessions: 1 pm and 3 pm  
Registration locations including:  
City Hall, City Hall Annex, Hand Sanitizing,  
Temperature Checking

**TEXAS AGM**  
KINGSVILLE



**CONSTABLE**  
**AMANDO O. VIDAL**  
For Pct. 4 Kleberg County

*My sincerest thanks to  
everyone that voted  
and supported me in my  
campaign. I will continue  
to uphold the values of this  
community with integrity  
and respect.*

*Sincerely,  
Amando O. Vidal*

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020, 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:

Albert Garcia, authorized agent and applicant, Roy E. Davis, owner, requesting the rezone of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROPERTY ID 12339 and 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Albert Garcia, authorized agent and applicant, Roy E. Davis, owner, requesting the rezone of RONNING 2, BLOCK 3, LOT 3,4,5,6 and LUND ADDN, BLOCK 7, LOT 1 also known as 1107 E King, 1113 E King, PROP ID 12339, 1115 E King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020, 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:

Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezone of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Albert Garcia, authorized agent and applicant, Ruben Ramirez III, owner requesting the rezone of RONNING 2, BLOCK 3, LOT 1,2 also known as 1103 E. King, Kingsville, Texas from R2 (Two-Family) to C2 (Retail). The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

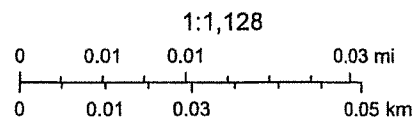


# 1103 E KING



November 25, 2020

X-1103 E King - R2 - two family zoning  
 Y - R3 - Multi-Family Zoning  
 Z- C2 Retail zoning



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**ORDINANCE #2020-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO RONNING 2, BLOCK 3, LOTS 1 & 2, ALSO KNOWN AS 1103 E. KING, KINGSVILLE, TEXAS, FROM R2 (TWO-FAMILY DISTRICT) TO C2 (RETAIL DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Albert Garcia, authorized agent and applicant, for Ruben Ramirez III, owner, 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, December 2, 2020 during a meeting of the Planning and Zoning Commission, and on Monday, December 14, 2020 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; 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 Ronning 2, Block 3, Lots 1 & 2, also known as 1103 E. King, Kingsville, Texas, from R2-Two Family District to C2-Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 14th day of December, 2020.

**PASSED AND APPROVED** on this the 15th day of December, 2020.

Effective Date: \_\_\_\_\_

**THE CITY OF KINGSVILLE**

\_\_\_\_\_  
Sam R. Fugate, Mayor

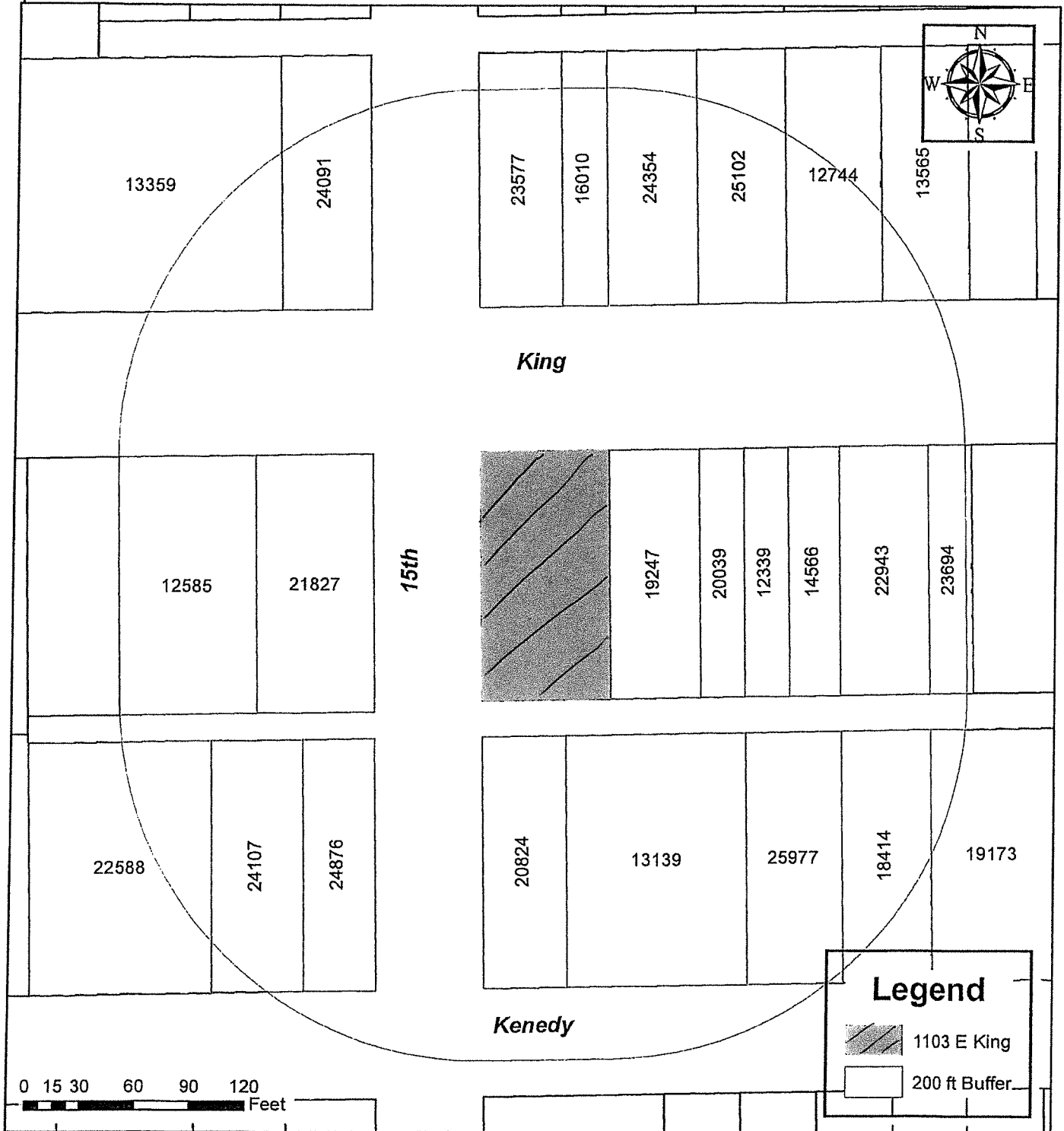
**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# 200 ft Buffer Map of 1103 E. King



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

111 e6ed	Drawn By: Planning Department	<p><b>DISCLAIMER</b> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p><b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b>  410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/13/2020		
	Note:		

## **AGENDA ITEM #6**

**City of Kingsville**  
**Planning and Development Services Department**

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**TO:** Mayor and City Commissioners

**CC:** Mark McLaughlin, City Manager

**FROM:** Uche Echeozo, Director

**DATE:** December 3, 2020

**SUBJECT:** S&S Kingsville Construction LLC, owner, is requesting the approval of a final plat for Section 20, Lot 25, of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4

---

**Summary:** The applicant – S&S Kingsville Construction LLC, - seek an approval of a final plat for Section 20, Lot 25, of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4. This subdivision is not within the City Limits but within the City's ETJ.

**Background:** The applicant approached the department because they wanted to submit a final plat for the subdivision known as Escondido Ranch No. 4. This is the last portion of the 4 parts of the entire subdivision. The earlier parts have been variously approved over time. They now wish to conclude with the platting process. This subdivision, although not within the City limits, is within the City's ETJ (Extra Territorial Jurisdiction). They are proposing a residential development. The Planning and Zoning Commission has reviewed the application and voted unanimously (all 5 commissioners) for the plat.

**Financial Impact:** None.

**Recommendation:** Approve the final plat as requested.



Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



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## MEMO

**Date:** November 24, 2020

**To:** Planning and Zoning Commission Members

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** S&S Kingsville Construction LLC, owner, is requesting the approval of a final plat for Section 20, Lot 25, of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4

The applicant approached the department because they wanted to submit a final plat for the subdivision known as Escondido Ranch No. 4. This is the last portion of the 4 parts of the entire subdivision. The earlier parts have been variously approved over time. They now wish to conclude with the platting process. This subdivision, although not within the City limits, is within the City's ETJ (Extra Territorial Jurisdiction). They are proposing a residential development.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same to enable them carry out their residential development.

Thank you.

A handwritten signature in black ink, appearing to read 'Uche Echeozo', with a stylized flourish at the end.

**Uche Echeozo**  
Director of Planning and  
Development Services

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address Escondido # C121030 Nearest Intersection Same

(Proposed) Subdivision Name Escondido Ranch IV Lot \_\_\_\_\_ Block \_\_\_\_\_

Legal Description: Block I Escondido Ranch 182 Plat Cabinet H

Existing Zoning Designation Ag Future Land Use Plan Designation Sub

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent Charlie L Sosa Phone 361-455-7746 FAX \_\_\_\_\_

Email Address (for project correspondence only): charlie284@netnet.com

Mailing Address 908 W. Deer Trail City Kingsville State TX Zip 78363

Property Owner S&S Kingsville Const Co Phone 361-455-7746 FAX \_\_\_\_\_

Email Address (for project correspondence only): \_\_\_\_\_

Mailing Address 908 W. Deer Trail City Kingsville State TX Zip 78363

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

<input type="checkbox"/> Annexation Request _____	No Fee	<input checked="" 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 type="checkbox"/> Re-zoning Request _____	\$250.00	<input type="checkbox"/> Re-plat _____	\$250.00
<input type="checkbox"/> SUP Request/Renewal _____	\$250.00	<input type="checkbox"/> Vacating Plat _____	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA) _____	\$250.00	<input type="checkbox"/> Development Plat _____	\$100.00
<input type="checkbox"/> PUD Request _____	\$250.00	<input type="checkbox"/> Subdivision Variance Request _____	\$25.00 ea

Please provide a basic description of the proposed project:

16 3/4 Ac lot A Units

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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.

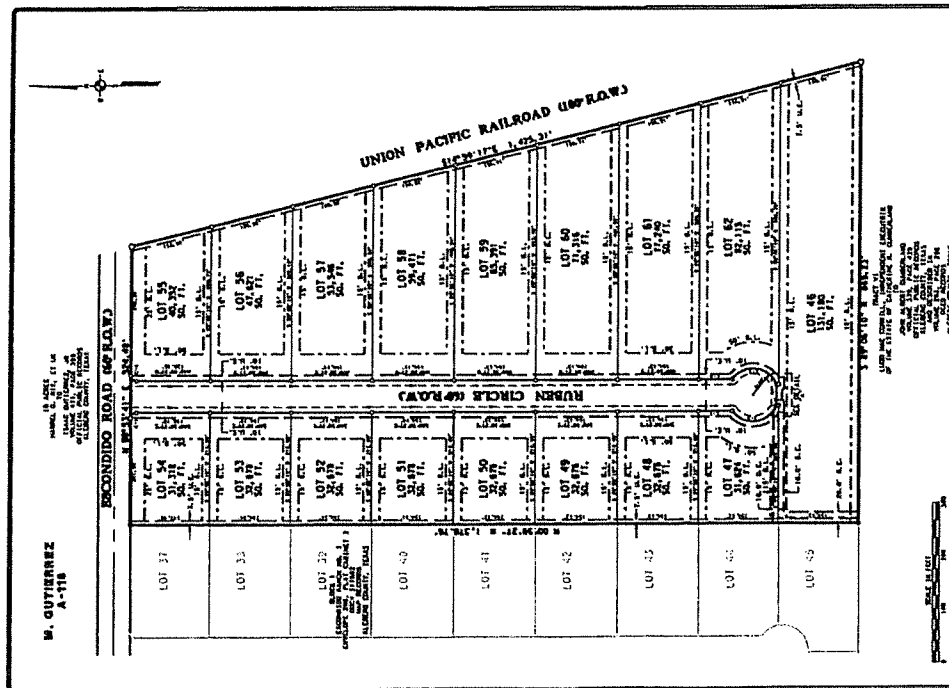
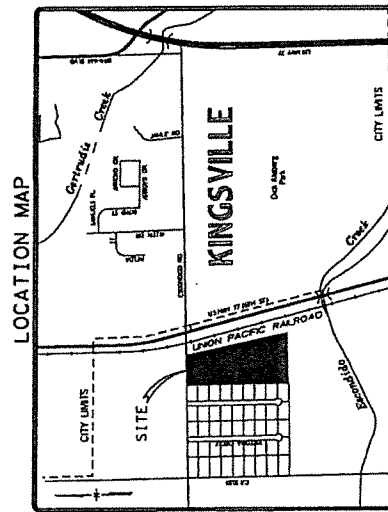
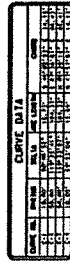
Applicant's Signature Charlie L Sosa Date: 10-28-20

Property Owner's Signature Charlie L Sosa Date: 10/28/20

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_



KLEBERG COUNTY, TEXAS

[illegible][illegible]

**LEGEND**

Q = FLOOR LYS 1/2" DIA. STEEL  
IRON ROD

• SET 3/4" DIA. DIAMETER  
IRON ROD WITH TELLER  
PLASTIC CAP SIMILAR TO  
"LITTLECOMP"

D.L. = DISTURBED LINE  
D.C. = DISTURBED LANCET  
M.C. = MOUNTAIN CEMENT  
M.C. = MOUNTAIN CEMENT

ESCONDIDO RANCH NO. 4

NAME OF PARTY OR  
COUNTY OF ILLINOIS

STATE OF ILLINOIS, COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF ILLINOIS

MY COMM. EXPIRES \_\_\_\_\_

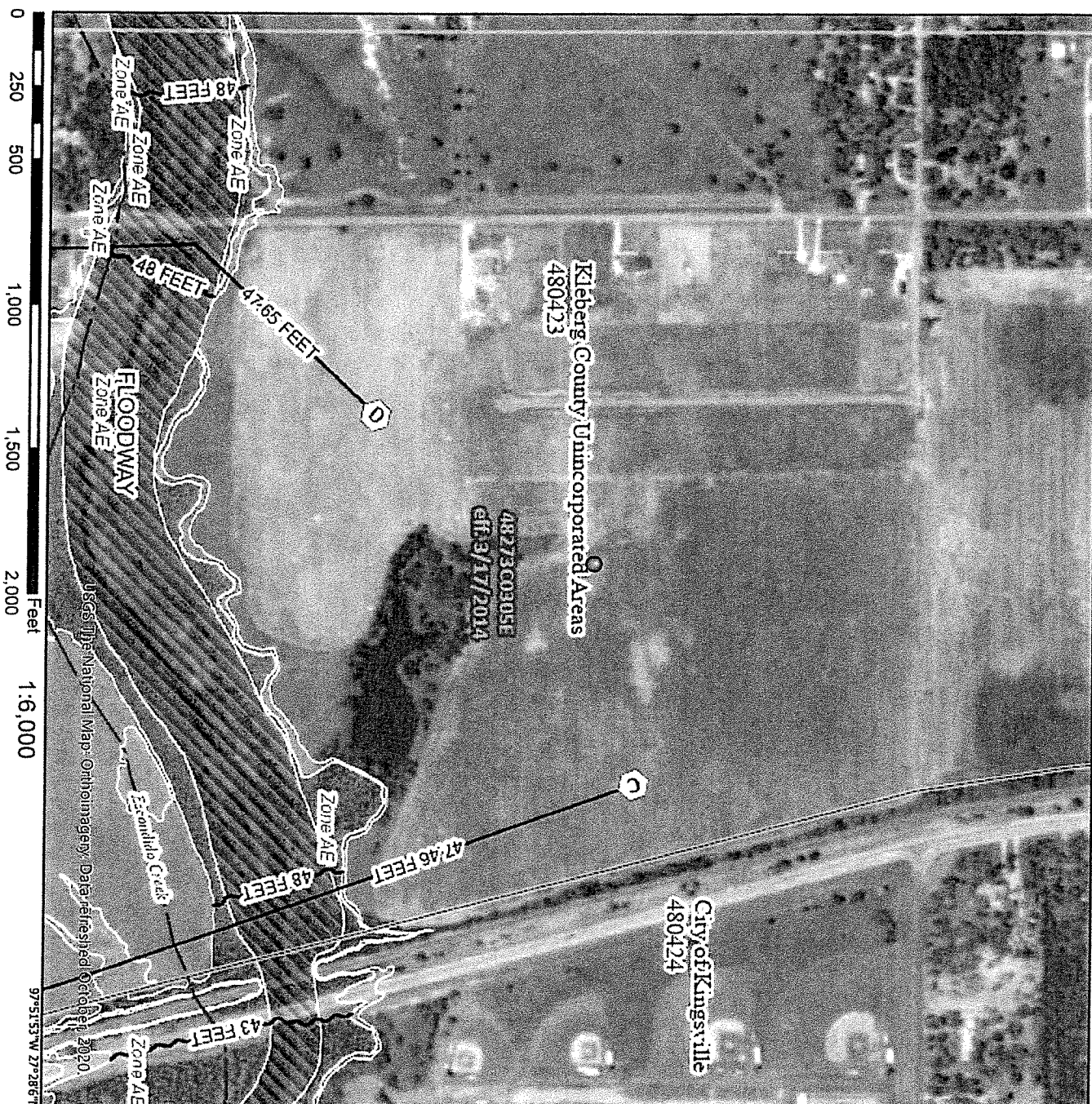
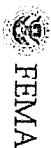
WITNESS MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF ILLINOIS

MY COMM. EXPIRES \_\_\_\_\_

# National Flood Hazard Layer FIRMette

97°52'31"W 27°28'38"N



## Legend

SEE THIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**  
 Without Base Flood Elevation (BFE)  
 Zone A, V, X, S9  
 With BFE or Depth Zone AE, AO, AH, VE, AR  
 Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**  
 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X  
 Future Conditions 1% Annual Chance Flood Hazard Zone X  
 Area with Reduced Flood Risk due to Levee, See Notes, Zone X  
 Area with Flood Risk due to Levee Zone D

**OTHER AREAS GENERAL STRUCTURES**  
 NO SCREEN Area of Minimal Flood Hazard Zone X  
 Effective LOMRS  
 Area of Undetermined Flood Hazard Zone D  
 Channel, Culvert, or Storm Sewer  
 Levee, Dike, or Floodwall

**OTHER FEATURES**  
 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation  
 17.5 Coastal Transect  
 Base Flood Elevation Line (BFE)  
 Limit of Study  
 Jurisdiction Boundary  
 Coastal Transect Baseline  
 Profile Baseline  
 Hydrographic Feature

**MAP PANELS**  
 Digital Data Available  
 No Digital Data Available  
 Unmapped  
 The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.  
 The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/25/2020 at 9:52 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.  
 This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

# Badgers roll over Falfurrias Jerseys

FRED SALINAS  
SPORTS CONTRIBUTOR

The Bishop Badgers came out of a bye week to steamroll the Falfurrias Jerseys 44-0 Friday night in Bishop to improve their record to 2-1 on the season.

Bishop got off to a slow start, scoring only once in the first half.

"We started slow, but we came out in the second half and played very well on both sides of the ball," Bishop Badgers head coach Louie Rodriguez said after the game.

With 2:12 left in the opening quarter, the Badgers jumped out to the early lead with a pass completion from quarterback Manny Piña to receiver Jace Wilson followed by a successful extra-point kick by Waylon Fugate to give Bishop a 7-0 lead.

Meanwhile, the Badger defense held the Jerseys in check and out of the end zone on the ensuing drive.

Bishop took the 7-0 advantage into intermission, as they got ready for the second half.

Whatever was done in the lockers definitely worked because the Badgers came out firing on all cylinders.

Bishop's running back Isaiah Rodriguez weaved 80 yards through traffic on a short reception to reach pay dirt and extend the Badger lead 14-0 after a Fugate kick with 5:29 left in the third quarter.

The Badger defense quickly tackled on another

score on a pick six by defensive back Manny Pelagio followed by a two-point conversion to take a 22-0 lead with 4:38 remaining in the third quarter.

While the Bishop defense continued to control the Jerseys, the Badger offense reached the end zone once again on a short run by Rodriguez to widen the gap 29-0 after a successful Fugate kick with 2:21 left in the third quarter.

With 1:39 remaining in the quarter, Badger linebacker Aaron Carrillo picked off a Jersey pass and returned it for a defensive touchdown to hold a 36-0 advantage.

Bishop kept the pedal to the metal as they successfully performed an on-side kick to keep the ball to end the third quarter.

The Badgers moved down the field eventually scoring as Rodriguez entered the end zone for the third time on the night to end the scoring at 44-0 and the victory.

"It was such a great feeling to dominate in the second half and to see our players and fans so excited. To see our community and fans come out to watch our only home game this season was awesome," Rodriguez said.

Rodriguez went on to say he loved the small-town Texas feeling atmosphere along with the excitement that surrounds Texas high school football and wanted to thank Badger Nation for all the support for coming out to cheer on the Badgers.

In the stats, Bishop collected 20 first downs, while

accumulating 450 yards of total offense in the contest.

Piña led the Badger offense with 282 total yards, the bulk coming via the air with 262 yards on 16 completions out of 26 attempts, with two touchdowns.

Leading the receiving corps was Wilson, with seven receptions for 122 yards and one touchdown, while Rodriguez followed with 87 yards on two catches and one score.

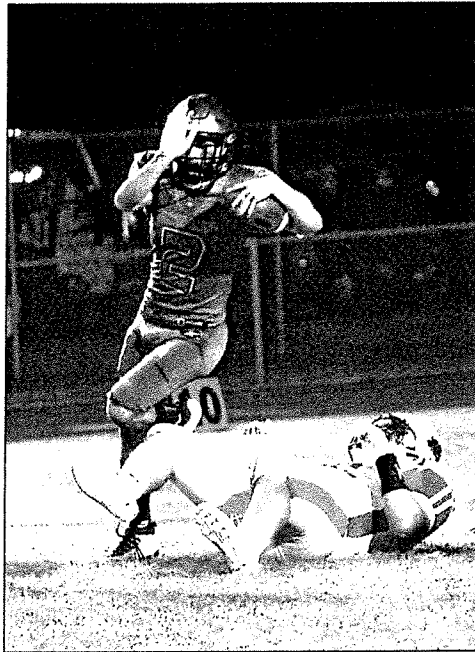
Rodriguez led the ground attack with 111 yards rushing on 19 carries and two touchdowns.

Defensively, Bishop was led by Carrillo with nine tackles (three solo, 12 assisted) and one pick six, while fellow linebacker Noah Jasso collected six tackles (two solo, eight assisted) in the game.

Pelagio also had a pass interception return for a score, while defensive back Marcos Hernandez received the "turnover chain" for the first time in Bishop football history on a pass interception of his own early in the game.

Fugate remained perfect as he went four for four on extra-point attempts to keep his season record unblemished.

"We have a huge game next week and we need as many people there to help cheer these boys on," Rodriguez said. Next up is an upcoming game against the Santa Gertrudis Academy Lions set for 7:30 p.m., Saturday, Nov. 7 at TAMUJ Javelina Stadium.



**'Excuse me, I have a touchdown to score'**

Bishop running back Isaiah Rodriguez leaps over a Jersey defender on his way to lead the Badgers with 111 yards rushing and three touchdowns in the 44-0 shutout victory over Falfurrias. (Photo by Fred Salinas)

## Seahawks fall in battle with MMA

The Riviera Seahawks traveled to Harlingen on Friday to take on the Marine Military Academy Leathernecks.

MMA won the game 53-22.

The Seahawks fought hard until the final buzzer.

Riviera started five freshmen this week at different positions offensively and defensively and ended the night with many more on the field.

The Leathernecks jumped out to an early lead taking control of the game by halftime. The Seahawks got on

the board in the second quarter with a Nathan Saenz to Adrian Lopez pass from 5 yards out midway through the second quarter.

In the second half the Seahawks put up 16 more points one of those coming on a QB sneak from QB Freshman Peyton Borden who came into the game for Nathan Saenz who was sidelined by an injury late in the 1st half.

The next score was a 42 yard run by Sophomore Jacob Colston who split time with the hard running Steven Beltran. The Seahawks got on

duties.

Borden hooked up with fellow freshman Jacob Soto (who also started on defense) for both 2 point conversion passes.

Borden completed 8 passes (and was picked off by MMA once) to A.J. Guevara, Rolando Garcia, Adrian Lopez and Jacob Soto on the night one of which, a TD pass to Rolando Garcia was called back for a hold.

Defensively the Seahawks were led by Defensive lineman Mark Paz, Joseph Moreno and Freshmen Linebackers D.J. Castillo and Jacob Soto.

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 2, 2020 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:

S&S Kingsville Construction LLC, owner is requesting the approval of a preliminary plat and final plat for Section 20, Lot 25 of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items 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, December 14, 2020 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

S&S Kingsville Construction LLC, owner is requesting the approval of a preliminary plat and final plat for Section 20, Lot 25 of the Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch No. 4. The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, November 23, 2020 at 5:00 P.M. to discuss and/or take action on the following item:

Request for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit (BQ) for the establishment known as Kwik Pantry #1 at 1105 N 14th St., Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

Save the Date

WINE WALK SHOP

The Kingsville Chamber of Commerce is partnering with the Kingsville Visitor's Center for a Holiday Sip and Shop in Historic Downtown Kingsville!

If you would like to be an event sponsor, you need to hurry because you have a limited window!

The event will benefit the Boys and Girls Club of Kingsville

The Sip and Shop will be a family friendly, multi-week and socially distanced event on December 5th, 12th and 19th.

If you need more information on sponsorships please reach out to Manny at the Chamber or Janine at the Visitor's Center

Sip and Shop Sponsorship Packet

Sip and Shop Passport Sample

# **AGENDA ITEM #7**

EXXON MOBIL CORPORATION  
OR AN AFFILIATED COMPANY  
P O Box 7659  
SPRING, TX 77387-7659

62-20  
311

CHECK #: 2000657371

CHECK DATE: 10/13/2020

Two Thousand Five Hundred and 00/100 Dollars

PAY TO THE  
ORDER OF

KINGSVILLE FIRE DEPARTMENT  
119 N 10TH ST  
KINGSVILLE TX 78363-4622

\*\*\*\*\*\$2,500.00

VOID AFTER SIX MONTHS

*Evan M Van Kirk*  
AUTHORIZED SIGNATURE

CITIBANK, N.A.  
ONE PENN'S WAY, NEW CASTLE, DE 19720

PAYEE ID NUMBER  
0050178032

II" [REDACTED] [REDACTED] [REDACTED]

Kingsville Fire Department  
119 N 10th St  
Kingsville, TX 78363

Dear Mr. Lee:

On behalf of ExxonMobil Pipeline Company, please find enclosed a check in the amount of \$2,500, providing financial support to the emergency response capabilities of Kingsville Fire Department.

Per the attached form, please acknowledge receipt of this grant by completing and returning the form to the corporation, indicating the date, amount, and benefits received.

Please feel free to contact me at (832) 624-8326 or (888) 804-4788 if any questions arise.

Regards,

*Nicolas Medina*

Nicolas Medina  
Public & Stakeholder Engagement Manager  
ExxonMobil Pipeline Company

## Acknowledgement

202000738

Kingsville Fire Department  
119 N. 10th Street  
Kingsville, TX 78363

\$2,500.00 – General Support

Organization Tax ID: 1-74-606-1513-8

The 1993 Omnibus Budget Reconciliation Act imposes substantiation requirements for charitable contributions. In order to comply with the regulations, ExxonMobil requires each nonprofit organization receiving a grant of \$250 or more to provide the following information. Acknowledgment must be provided within thirty days after receipt of ExxonMobil contribution. Failure to respond may result in cancellation of support in the future.

1. Please indicate the date contribution was received: 11/17/2020
2. Please indicate the amount of the check and/or describe any property received: \$2,500.00
3. Were any goods and/or services provided to ExxonMobil by your organization in return for this contribution? (meals, entertainment, gifts, etc.) Yes \_\_\_\_\_ No X

If yes, please provide a description and good faith estimate of the value.

Signature: Claudia Perez Rivas

Date: 11/17/2020

Print Name: Claudia Perez Rivas

Title: Administrative Assistant

Please return this completed form to Exxon Mobil Corporation, Corporate Citizenship, Public & Government Affairs Dept, Room 2421, 5959 Las Colinas Blvd., Irving, TX 75039-2298 or Fax: 972/940-6146.

EXXON MOBIL CORPORATION  
OR AN AFFILIATED COMPANY  
P.O. Box 7659  
SPRING, TX 77387-7659

62-20  
311

CHECK #: 2000657371

CHECK DATE: 10/13/2020

Two Thousand Five Hundred and 00/100 Dollars

PAY TO THE ORDER OF: KINGSVILLE FIRE DEPARTMENT  
119 N 10TH ST  
KINGSVILLE TX 78363-4622

\*\*\*\*\*\$2,500.00

VOID AFTER SIX MONTHS

*Erin M Van Kirk*  
AUTHORIZED SIGNATURE

CITIBANK, N.A.  
ONE PENN'S WAY, NEW CASTLE, DE 19720

PAYEE ID NUMBER  
0050178032

11

COPY

## **AGENDA ITEM #8**



EXXON MOBIL CORPORATION  
OR AN AFFILIATED COMPANY  
P O Box 7659  
SPRING, TX 77387-7659

62-20  
311

CHECK #: 2000657371

CHECK DATE: 10/13/2020

Two Thousand Five Hundred and 00/100 Dollars

PAY TO THE  
ORDER OF:

KINGSVILLE FIRE DEPARTMENT  
119 N 10TH ST  
KINGSVILLE TX 78363-4622

\*\*\*\*\*\$2,500.00

VOID AFTER SIX MONTHS

*Evan M Van Kirk*  
AUTHORIZED SIGNATURE

CITIBANK, N.A.  
ONE PENN'S WAY NEW CASTLE, DE 19720

PAYEE ID NUMBER  
0050178032

II° [REDACTED] [REDACTED] [REDACTED]

Kingsville Fire Department  
119 N 10th St  
Kingsville, TX 78363

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Regards,

*Nicolas Medina*

Nicolas Medina  
Public & Stakeholder Engagement Manager  
ExxonMobil Pipeline Company

An ExxonMobil Subsidiary

## Acknowledgement

202000738

Kingsville Fire Department  
119 N. 10th Street  
Kingsville, TX 78363

\$2,500.00 – General Support

Organization Tax ID: 1-74-600-1513-8

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2. Please indicate the amount of the check and/or describe any property received: \$2,500.00

3. Were any goods and/or services provided to ExxonMobil by your organization in return for this contribution? (meals, entertainment, gifts, etc.) Yes \_\_\_\_\_ No X

If yes, please provide a description and good faith estimate of the value.

Signature: Claudia Perez Rivas

Date: 11/17/2020

Print Name: Claudia Perez Rivas

Title: Administrative Assistant

Please return this completed form to Exxon Mobil Corporation, Corporate Citizenship, Public & Government Affairs Dept, Room 2421, 5959 Las Colinas Blvd., Irving, TX 75039-2298 or Fax: 972/940-6146.

EXXON MOBIL CORPORATION  
OR AN AFFILIATED COMPANY  
P.O. Box 7659  
SPRING, TX 77387-7659

62-20  
311

CHECK #: 2000657371

CHECK DATE: 10/13/2020

Two Thousand Five Hundred and 00/100 Dollars

PAY TO THE ORDER OF: KINGSVILLE FIRE DEPARTMENT  
119 N 10TH ST  
KINGSVILLE TX 78363-4622

\*\*\*\*\*\$2,500.00

VOID AFTER SIX MONTHS

*Evan M Van Kirk*  
AUTHORIZED SIGNATURE

CITIBANK, N.A.  
ONE PENN'S WAY, NEW CASTLE, DE 19720

PAYEE ID NUMBER  
0050178032

11

COPY

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND THE DONATION FROM EXXONMOBIL PIPELINE FOR FIRE DEPARTMENT'S EMERGENCY RESPONSE CAPABILITIES.**

**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 2020-2021 budget be amended as follows:

CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 001 – General Fund</b>					
<u>Revenues</u>					
2200	Fire	Donations	72030	(\$2,500)	
<u>Expenditures</u>					
2200	Fire	Equipment Maintenance	41400	\$2,500	

[To amend the City of Kingsville FY 20-21 Budget to except and expend the donation from ExxonMobil. Funds will come from the donation received.]

II.

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

III.

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

IV.

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

**INTRODUCED** on this the 14th day of December 2020.

**PASSED AND APPROVED** on this the 15th day of December 2020.

**EFFECTIVE DATE:**\_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #9**

**City of Kingsville  
Finance Department**

---

TO: Mayor and City Commissioners  
CC: Mark McLaughlin, City Manager  
FROM: Charlie Sosa, Purchasing Manager  
DATE: December 3, 2020  
SUBJECT: Purchase of Two Residential Garbage Trucks

---

**Summary:**

This item authorizes the purchase of Two Residential Garbage Trucks from Houston Freightliner Inc. through HGAC Buy Purchasing Cooperative for the City of Kingsville Sanitation Department.

**Background:**

Two of the existing city garbage trucks are in dire need of repair/replacement. These garbage trucks are at the end of their efficient lifespan thus increasing maintenance and operation expenses. The purchase of 2 (two) residential garbage trucks will replace two existing garbage trucks (Unit 335-R, Unit 336-R). These existing garbage trucks to be replaced have exceeded their efficient lifespan and will continue to have high maintenance costs.

The City has identified two Residential Garbage Trucks from Houston Freightliner Inc. that are available through HGAC Buy. HGAC Buy is a member of the Purchasing Cooperative which meets Local government code 271 Subchapter F allows for the use of a cooperative purchasing program, specifically 271.102 (c), states, "A local government that purchases good and service under this subchapter satisfies any state law requiring the local government to seek competitive bids for the purchase of goods and service." Therefore, competitive bidding statutes have been met.

**Financial Impact:**

Funds are available in the Solid Waste Capital Projects Fund 087-5-1702-71200 this fiscal year. The amount of the two trucks will be \$497,750.00.

**Recommendation:**

It is recommended the City Purchase the Two Residential Garbage Trucks from Houston Freightliner Inc. through HGAC Buy.





# CONTRACT PRICING WORKSHEET

For MOTOR VEHICLES Only

Contract  
No.:

HT06-20

Date  
Prepared:

11/12/2020

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	CITY OF KINGSVILLE	Contractor:	Houston Freightliner
Contact Person:	DARREL MILLS	Prepared By:	Adam Neuse
Phone:	361-595-0092	Phone:	713-580-8148
Fax:		Fax:	713-955-6282
Email:		Email:	adam.neuse@strhouston.com

Product Code:	D6	Description:	M2-106, Conventional Cab, SBFA, TRA (PRL-20M)
---------------	----	--------------	---

A. Product Item Base Unit Price Per Contractor's H-GAC Contract:	71311
--	-------

## B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.

(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
L9 350 HP 1150 LB FT TQ ENGINE	12499	Dual West Coast Mirrors w/LH-RH Remote	215
3000 RDS AUTOMATIC TRANSMISSION	5089	LH/RH Electric Windows	164
RH Outboard Under Step Mtd Horizontal Aftertreatment with v	617	Basic High Back Air Driver Seat	159
Vehicle Interface Wiring and PDM with Body Builder Connect	431	Basic High Back Air Susp Pass Seat	191
DA-F-18.0-5 18,000 LB FRONT AXLE	1665		
RT-46-160 46,000 LB REAR AXLE	3713		
Driver Controlled Differential Lock (Both Axles)	1124		
TUFTRAC GEN2 46,000 LB REAR SUSPENSION	2995		
261" Wheelbase	1228		
11/32x3-1/2x10-15/16" Frame 120KSI	464	Heil: DuraPack Python 28-Yd: High Auto Side Loader	136932
1/4" Inner Frame Reinforcement	775	Subtotal From Additional Sheet(s):	
2-1/2" Fender Extensions	206	Subtotal B:	168467

## C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
AUXILIARY POWER NET DISTRIBUTION BLOCK FOR B	196.45		
		Subtotal From Additional Sheet(s):	0
		Subtotal C:	196.45

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).	For this transaction the percentage is:	0%
--	---	----

## D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	2	X Subtotal of A + B + C:	239974.45	=	Subtotal D:	479948.9
-------------------	---	--------------------------	-----------	---	-------------	----------

E. H-GAC Order Processing Charge (Amount Per Current Policy)	Subtotal E:
--	-------------

## F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
RH DRIVE CONVERSION x 2	17801.1	Discount	
		Subtotal F:	17801.1

Delivery Date:	G. Total Purchase Price (D+E+F):	497750
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# **AGENDA ITEM #10**

**RESOLUTION #2020-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND TEXAS A&M UNIVERSITY-KINGSVILLE RELATING TO THE WATERLINE EXTENSION ON WEST ESCONDIDO ROAD; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville ("City") and Texas A&M University-Kingsville ("TAMUK") try to work together for the benefit of our community when able to do so; and

**WHEREAS**, the City has a water line on West Escondido Road near some property owned by TAMUK; and

**WHEREAS**, TAMUK would like to extend the City's waterline westward to its property on West Escondido; and

**WHEREAS**, the City and TAMUK would both benefit from the extension of the waterline and the City providing water to TAMUK's property on West Escondido Road; and

**WHEREAS**, TAMUK is prepared to pay for the City to extend the waterline to the TAMUK property on West Escondido Road and for City water used at that location; and

**WHEREAS**, the City Commission has previously approved the extension of the water line by City crews and for TAMUK to pay for all costs of the extension at a meeting on July 13, 2020; and

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

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into an Interlocal Agreement Between the City of Kingsville and the Texas A&M University-Kingsville relating to Waterline Extension on West Escondido Road 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  
\_\_\_\_ 14<sup>th</sup> day of December, 2020.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF KINGSVILLE  
AND TEXAS A&M UNIVERSITY KINGSVILLE  
RELATING TO WATERLINE EXTENSION ON  
WEST ESCONDIDO ROAD**

**WITNESSETH:**

**WHEREAS**, the City of Kingsville ("City") has a water line on West Escondido Road near some property owned by Texas A&M University-Kingsville ("TAMUK"); and

**WHEREAS**, TAMUK would like to extend the City's waterline westward to its property on West Escondido; and

**WHEREAS**, the City and TAMUK would both benefit from the extension of the waterline and the City providing water to TAMUK's property on West Escondido Road; and

**WHEREAS**, TAMUK is prepared to pay for the City to extend the waterline to the TAMUK property on West Escondido Road and for City water used at that location; and

**WHEREAS**, the City Commission has previously approved the extension of the water line by City crews and for TAMUK to pay for all costs of the extension at a meeting on July 13, 2020; and

**WHEREAS**, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with these terms; and

**NOW, THEREFORE**, the City of Kingsville and Texas A&M University Kingsville, in consideration of these mutual covenants and agreements, agree as follows:

1. **PARTIES**. The parties to this Interlocal Agreement ("Agreement") are the City of Kingsville ("City"), a Texas home rule municipality, and Texas A&M University Kingsville ("TAMUK"), a member of the Texas A&M University System, a state agency, and Texas institution of higher education.

2. **PURPOSE**.

- A. City will extend its waterline on West Escondido Road further west to the TAMUK property located there for an estimated cost of \$51,509.20.
- B. TAMUK will pay City all extension costs including material, equipment, and labor which are estimated to be \$51,509.20 towards the waterline extension to its property on West Escondido Road. The actual cost of the project is not certain at this time, so if the actual cost comes in at an amount over the estimated project cost, then TAMUK will be responsible for the overage as well. Should the project

come in at an amount less than the estimated project cost, then TAMUK would receive a refund for the amount of the underage.

3. TERM.

- A. This Agreement shall be for a term of four months from December 15, 2020 through April 14, 2021.
- B. This Agreement may be terminated at any time by any party with or without cause upon thirty (30) days advance written notice, with any work performed up to the notice of termination being due within 30 days after receipt of such notice.
- C. Any notice of termination shall be sent to the other party to this interlocal agreement at the address listed in paragraph 4 of this agreement.

4. MISCELLANEOUS PROVISIONS.

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

City of Kingsville, Texas  
Attention: City Manager  
P.O. Box 1458  
Kingsville, Texas 78364  
Telephone: (361) 595-8002  
Facsimile: (361) 595-8035  
Email: citymanager@cityofkingsville.com

Texas A&M University Kingsville  
Attention: Jacob W. Flournoy  
Vice President for Finance & Chief Financial Officer  
700 University Blvd. MSC 144  
Kingsville, Texas 78363-8202  
Telephone: (361) 593-2410  
Email: Jacob.Flournoy@tamuk.edu

B. Effect of Waivers. No waiver by either party of any default, violation, or breach of the terms, provisions, and covenants contained in this Interlocal Agreement may be deemed or construed to constitute a waiver of any other violation or breach of any of the terms, provisions, and covenants of this Agreement.

C. Amendment of Interlocal Agreement. This Agreement may be amended at any time. Any amendment to this Agreement must be in writing and agreed to by the governing bodies of the parties. No officer or employee of any of the parties has

authority to waive or otherwise modify the limitations in this Agreement, without the express action of the governing body of the party.

D. Not for Benefit of Third Parties. This Agreement and all activities under this Agreement are solely for the benefit of the parties and not the benefit of any third parties.

E. Exercise of Police Powers. This Agreement and all activities under this Agreement are undertaken solely as an exercise of the police power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.

F. Immunities Not Waived. Nothing in this Agreement waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Agreement and the performance of the covenants contained in this Agreement.

G. Mutual Indemnification: To the extent allowed by the Constitution and Laws of the State of Texas, TAMUK, and City agree that each party assumes any and all risks of liability, loss, damages, claims, or causes of action and related expenses, including attorney fees, caused or asserted to have been caused directly or indirectly by or as the result of the negligent acts or omissions of that party and the officers, employees, and agents thereof.

H. Captions. Captions to provisions of this Interlocal Agreement are for convenience and shall not be considered in the interpretation of the provisions.

I. Fiscal Obligations. Each party which performs services or furnishes aid under this Agreement must do so with funds available from current revenues of the party.

J. Interlocal Cooperation Act Applies. The parties enter into this Interlocal Agreement under the Texas Government Code Chapter 791 (Interlocal Cooperation Act). The parties agree that activities under this Agreement are "governmental functions and services" and that the parties are a "local government" and a "state agency" as those terms are defined in this Agreement and in the Interlocal Cooperation Act.

K. Approval by Governing Bodies. Each party represents that this Agreement has been duly passed and approved by the governing body of the party as required by the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code or that proper power and authority has been delegated by the governing body.

L. Entirety of Agreement. No other oral or written commitments of the parties with respect to the services stated herein may have any force or effect if not contained in this Interlocal Agreement or any amendments thereto.

M. Severability. If any provision contained in this Agreement is held invalid for any reason, the invalidity does not affect other provisions of the Agreement that can be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.

N. Validity and Enforceability. If any current or future legal limitations affect the validity or enforceability of a provision of this Agreement, then the legal limitations are made a part of this Agreement and operate to amend this Agreement to the minimum extent necessary to bring this Agreement into conformity with the requirements of the limitations, and so modified, this Agreement continues in full force and effect.

O. Warranty. The individuals executing this agreement on behalf of each party represent and warrant that they are each the duly authorized representatives of such party on whose behalf the individuals are signing, each with full power and authority to bind said party to each term and condition set forth in this agreement.

P. Governing Laws. This Agreement shall be governed by the laws of the State of Texas.

Q. Venue. Venue for an action arising under this Agreement is in Kleberg County, Texas.

R. Effective Date. This Agreement is effective on the date when the last party executes this agreement.

S. Multiple Originals. Two (2) copies of this Agreement are executed; each shall be deemed an original.

T. Dispute Resolution: The dispute resolution process provided in Chapter 2260, *Texas Government Code*, and the related rules adopted by the Texas Attorney General pursuant to Chapter 2260, shall be used by TAMUK and the City of Kingsville to attempt to resolve any claim for breach of this agreement by either party that cannot be resolved in the ordinary course of business. City shall submit written notice of a claim of breach of contract under this Chapter to Director of Procurement and General Services of TAMUK, who shall examine City's claim and any counterclaim and negotiate with City in an effort to resolve the claim.

U. Conflict of Interest: By executing and/or accepting this agreement, City and each person signing on behalf of City certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief, no member of The Texas A&M University System ("TAMUS") or TAMUS Board of Regents, nor any employee, or person, whose salary is payable in whole or in part by Texas A&M or TAMUS, has direct or indirect

financial interest in the award of this Agreement, or in the services to which this Agreement relates, or in any of the profits, real or potential, thereof.

V. Prohibition on Agreements with Companies Boycotting Israel: Pursuant to Chapter 2270, *Texas Government Code*, City certifies City (1) does not currently boycott Israel; and (2) will not boycott Israel during the Term of this Agreement. City acknowledges this Agreement may be terminated and payment withheld if this certification is inaccurate.

W. Certification Regarding Business with Certain Countries and Organizations: Pursuant to Subchapter F, Chapter 2252, *Texas Government Code*, City certifies City is not engaged in business with Iran, Sudan, or a foreign terrorist organization. City acknowledges this Agreement may be terminated and payment withheld if this certification is inaccurate.

**EXECUTED** by Texas A&M University – Kingsville on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jacob W. Flournoy  
Vice President for Finance & Chief Financial Officer

**ATTEST:**

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXECUTED** by the City of Kingsville on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mark McLaughlin  
City Manager

**ATTEST:**



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Mary Valenzuela  
City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez  
City Attorney

# **AGENDA ITEM #11**

**City of Kingsville  
Finance Department**

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TO: Mayor and City Commissioners  
CC: Mark McLaughlin City Manager  
FROM: Deborah R Balli, Finance Director  
DATE: December 14, 2020  
SUBJECT: Investment Policy

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**Summary:**

The Investment Policy is before you with some minor changes.

**Background:**

The minor changes proposed include adding Money Market accounts for investments along with Treasuries and Certificates of Deposit that have to meet the at least 35% of our holdings. The purpose of these type of holdings is to maintain liquidity and Money Market accounts have better liquidity than Treasuries or Certificates of Deposit while earning interest.

The Investment Policy must be accepted annually by City Commission.

**Financial Impact:**

Currently Money Markets accounts are paying better interest than Certificates of Deposit. If the investment policy is not updated, the City would have to invest \$2.3 million in Certificates of Deposit and would earn less interest of \$13,000.

**Recommendation:**

Staff recommends approval of the updated Investment Policy.





# INVESTMENT POLICY

Approved by City Commission via Resolution Dated  
December 14, 2020

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### APPENDICES

- A. PUBLIC FUNDS INVESTMENT ACT
- B. LIST OF AUTHORIZED CITY REPRESENTATIVES
- C. INTEREST DISCLOSURE FORMS
- D. INVESTMENT POLICY RESOLUTION

## INTRODUCTION

It is the policy of the City of Kingsville to invest all available monies in conformance with these legal and administrative guidelines.

Effective cash management is recognized as essential to good fiscal management. A cash management program will be pursued to maximize interest earnings as a viable and material revenue source. The City's portfolio shall be designated and managed in a manner responsive to the public trust and consistent with local, state, and federal law.

Investments shall be made with the primary objective of:

- Preservation of capital and protection of principal;
- Maintenance of sufficient liquidity to meet operating needs;
- Security of city funds and investments;
- Diversification of investment to minimize risk while maximizing interest earnings; and
- Maximization of return on the portfolio.

Earnings from investments will be used in a manner that will best serve the interests of the City of Kingsville.

## II. PURPOSE

### Authorization

This Investment Policy is authorized by the City Commission (see Appendix C) in accordance with Chapter 2256, Subchapter A of the Government Code - The Public Funds Investment Act (see the attached and incorporated Appendix A).

### Scope

This Investment Policy applies to activities of the City, excluding pension funds, regarding investing the financial assets of Funds, including, but not limited to:

- General Funds
- Special Revenue Funds
- Enterprise Funds
- Internal Service Funds
- Capital Improvement Funds (Bond Proceeds, Bond Reserves and Debt Service)
- Endowments, Benevolence Fund

In addition to this policy, the investment of Bond Funds, Debt Service, and Reserve Funds shall be managed by their governing ordinances and Federal Law, including the Tax Reform Act of 1986 and subsequent legislation.

### Review and Amendment

This policy shall be reviewed annually by the City Commission on or before December 31 of each calendar year after its adoption. The City Commission must authorize amendments to the policy.

The City Commission shall adopt a written instrument by ordinance or resolution stating that it has reviewed the Investment Policy. The written instrument so adopted shall record any changes made to the Investment Policy.

### **III. DEFINITIONS**

**Director of Finance** – The Director of Finance is the Municipal Finance Officer responsible for City investments.

**Director of Finance Designee** – Accounting Manager.

**Excess Cash Balances** – Collected bank balances not needed to pay estimated check clearings.

**Investment Officers** – Director of Finance and Accounting Manager.

**Investment Portfolio** – all City monies being invested under authority of the Investment officers.

**Institution** – Any firm, bank, bondholding company, broker or dealer who provides quotes for either the purchase or sale of investments.

**Third Party Safekeeping Institution** – Any Institution not affiliated with Institution delivering the Investment.

**Investment** – All authorized Securities listed in Item V. Authorized investments and maximum term investments approved by the Investment Committee include U.S. Treasuries, U.S. Agencies, Repurchase Agreements, Local Government Investment Pool, and Collateralized Certificates of Deposit.

**D.K. (Don't Know) Transaction** – An Investment that an Institution fails to deliver to the City's Third-Party Safekeeping Institution.

**Collateral** - Securities or surety bond pledged by an Institution to safeguard City assets; the City requires either U.S. Treasuries or U.S. Agencies Securities so that the market values can be readily determined at any point in time.

**Authorized City Representative** – Officers authorized to transact as set out in the attached and incorporated Appendix B on behalf of the City (City Manager, Director of Finance and Accountant).

**Reserve Funds** – Funds designated by Commission for specific purposes, which have not been appropriated for spending.

**Securities** – Approved Investments designated by the Investment committee to be held in the Investment Portfolio or acceptable to be pledged as Collateral to secure the monies of the City.

Authorized Selling Group – Primary dealer and regional firms that have been selected by the underwriter to sell their securities. Each authorized member of a selling group will offer the issue at the price authorized by the governmental agency.

Qualified Representative – A person, who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

- For a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the Financial Industry Regulatory Authority (FINRA);
- For a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution; or
- For an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment pool; or
- For an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80-b-1 et seq.) or if not subject to registration under that Act registered with the State Securities Board, a person who is an officer or principal of the investment management firm.

#### **IV. INVESTMENT OBJECTIVES**

##### **Preservation and Safety of Principal**

Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall Investment Portfolio.

##### **Liquidity**

The City's Investment Portfolio must be structured in a manner that maintains the liquidity necessary to pay obligations as they become due. Timing disbursements and depositing funds as quickly as possible can generally maintain sufficient cash flows. Generally, investments are matched to specific cash flow requirements such as payrolls, debt service payments and other payables. Liquidity is also achieved by investing in investments with active secondary markets or in Local Government Pools with stable net asset values.

##### **Return on Investments**

The City's Investment Portfolio shall be designed with the objective of regularly exceeding the average yield of the three-month U.S. Treasury bill in a manner consistent with the principles of this policy described in IV. A and B. However, it must be recognized that during a declining market, satisfying this objective may not be practical until investments mature and can be re-invested.



### Diversification

Diversification is required because of differing liquidity needs of the City and is employed to control risks. Diversification minimizes the risk to the overall Investment Portfolio of potential losses on individual securities and enhances the safety of the Investment Portfolio.

Through the solicitation of competitive proposals, the City shall allocate and diversify its Investments through various Institutions. The following types of Investments will be solicited from the following types of Institutions:

- Government Securities – through approved brokers;
- Repurchase Agreements – through a Third-Party Safekeeping Institution Agreement, which includes an approved primary dealer;
- Public Funds Investments Pools – through participation agreements; and
- Certificates of Deposit – as allowed by state law and this policy.

The City recognizes that investment risks can result from default risk and market price risks due to various technical and fundamental economic factors, and other complications, leading to temporary illiquidity.

To control market price risks, volatile Investments shall be avoided. To control default risk, the only acceptable method of payment will be on a delivery versus payment-basis for all transactions, except investment pool funds and repurchase agreements.

A delivery versus payment basis provides for payment to Institutions at the time the Investments are recorded in book entry form at the City's Third-Party Safekeeping Institution, currently maintained at the Federal Reserve. For certificates of deposit, sufficient Collateral at 102% of current market values must be pledged to protect all City monies or monies under its control that exceed Federal Deposit Insurance Corporation (FDIC) overage; the Collateral must be safe kept at a Third-Party Safekeeping Institution not affiliated with the bank or bank holding company providing the certificate of deposit. (See addendum.)

## **V. AUTHORIZED INVESTMENTS AND MAXIMUM TERM**

The City of Kingsville is authorized to invest in:

### Authorized Investments – Obligations of, or Guaranteed by Governmental Entities

- obligations, including letters of credit, of the United States or its agencies and instrumentalities;
- direct obligations of this state or its agencies and instrumentalities
- collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

- other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;
- obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent; and
- bonds issued, assumed, or guaranteed by the State of Israel.

#### Unauthorized Investments

The following are not authorized investments:

- obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal
- obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
- collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

#### Authorized Investments – Certificates of Deposit and Share Certificates

A certificate of deposit or share certificate is an authorized investment if the certificate is issued by a depository institution that has its main office or a branch office in this state and is:

- guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
- secured by obligations that are described by Sec V (A), including mortgage backed securities directly issued by less than the principal amount of the certificates, but excluding mortgage backed securities of the nature described by Section V; or
- secured in any other manner and amount provided by law for deposits for the City of Kingsville.

In addition to the authority to invest funds in certificates of deposit under this section, an investment in certificates of deposit must be made in accordance with:

- the funds are invested by the City of Kingsville through:
  - a broker that has its main office or a branch office in this state and is selected from a list adopted by the City of Kingsville Commission or
  - a depository institution that has its main office or a branch office in this state and that is selected by the City of Kingsville
- the broker or depository institution selected by the City of Kingsville which arranges for the deposit of funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the City of Kingsville;

- the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
- the City of Kingsville appoints the depository institution selected by the City of Kingsville, or a clearing broker-dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity.

### Authorized Investments - Repurchase Agreements

A fully collateralized repurchase agreement is an authorized investment under this subchapter if the repurchase agreement:

- has a defined termination date;
- is secured by a combination of cash and obligations described by this section; and
  - requires the securities being purchased by the entity or cash held by the entity to be pledged to the entity, held in the entity's name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the entity;
  - is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state

In this section, "repurchase agreement" means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligation described by Section V (A) 1, at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed. The term includes a direct security repurchase agreement and a reverse security repurchase agreement.

Notwithstanding any other law, the term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered.

Money received by an entity under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement

Only those investments listed in this section are authorized.

### Local Government Investment Pool

The City of Kingsville may invest its funds and funds under its control through an eligible investment pool by way of rule, order, ordinance, or resolution by the City Commission. An investment pool shall invest the funds it receives from entities in authorized investments permitted by this section. An investment pool may invest its funds in money market mutual funds to the extent permitted by and consistent with this section and the investment policies and objective adopted by the investment pool.

To be eligible to receive funds from and invest funds on behalf of the City of Kingsville, an investment pool must furnish to the investment officer or other authorized representative an offering circular or other similar disclosure of the instrument that contains, at a minimum, the following information:

- the types of investments in which money can be invested;
- the maximum average dollar-weighted maturity allowed, based on the stated maturity date, or the pool;
- the maximum stated maturity date any investment security within the portfolio has;
- the objectives of the pool;
- the size of the pool;
- the names of the members of the advisory board of the pool and the dates their terms expire;
- the custodian bank that will safe keep the pool's assets;
- whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation;
- whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment;
- the name and address of the independent auditor of the pool;
- the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool; and
- the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.

To maintain eligibility to receive funds from and invest funds, an investment pool must furnish to the investment officer or other authorized representative of the entity:

- investment transaction confirmations; and
- a monthly report that contains, at a minimum, the following information:
  - the types and percentage breakdown of securities in which the pool is invested;
  - the current average dollar-weighted maturity, based on the stated maturity date, of the pool;
  - the current percentage of the pool's portfolio in investments that have state maturities of more than one year;
  - the book value versus the market value of the pool's portfolio, using amortized cost valuation;
  - the size of the pool;
  - the number of participants in the pool;
  - the custodian bank that is safekeeping the assets of the pool;
  - a listing of daily transaction activity for the City of Kingsville
  - the yield and expense ratio of the pool, including a statement regarding how yield is calculated;
  - the portfolio managers of the pool; and
  - any changes or addenda to the offering circular.

The City of Kingsville may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with its local funds.

In this section, “yield” shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the federal Securities and Exchange Commission.

To be eligible to receive funds from and invest funds on behalf of the City of Kingsville, a public funds investment pool created to function as a money market mutual funds must mark its portfolio to market daily, and, to the extent reasonably possible, stabilize at a \$1 net asset value. If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, portfolio holdings shall be sold as necessary to maintain the ratio between 0.995 and 1.005. In addition to the requirements of the Investment Policy and any other forms of reporting, a public funds investment pool created to function as money market mutual fund shall report yield to its investors in accordance with regulations of the federal Securities and Exchange Commission applicable to reporting by money market funds.

To be eligible to receive funds from and invest funds on behalf of the City of Kingsville under this section, a public funds investment pool must have an advisory board composed:

- equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for a public funds investment pool created under Chapter 791 and managed by a state agency; or
- of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.

To maintain eligibility to receive funds from and invest funds on behalf of the City of Kingsville, an investment pool must be continuously rate no lower than AAA or AA-m or at an equivalent rating by at least one nationally recognized rating service. If liquidation is necessary due to security's loss of rating, all prudent measures will be taken to liquidate the investment.

If the investment pool operates an Internet website, the information in a disclosure instrument or report described in section b, c (ii) and f must be posted on the website.

To maintain eligibility to receive funds from and invest funds on behalf of the City of Kingsville under this section, an investment pool must make available an annual audited financial statement of the investment pool in which funds are invested.

If an investment pool offers fee breakpoints based on fund balances invested, the investment pool in advertising investment rates must include either all levels of return based on the breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested.

#### Collateralized Certificates of Deposit – maximum term up to 1 year

Certificates of deposit to other instruments issued by state and national banks doing business in Texas that are:

- Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor; or
- Secured by obligations that are described by Section V

Certificates of deposit must be fully collateralized at 102% of their market value. The City requires the bank to pledge U.S. treasuries or U.S. agencies as collateral, (Collateral Mortgage Obligations will not be eligible as Collateral see X.C.).

#### Weighted Average Maturity

To minimize risk of loss to Investment Portfolio due to interest rate fluctuations, Investment maturities will not exceed the anticipated cash flow requirements of the Funds. Maturity guidelines by Fund are as follows:

- Operating Funds - The weighted average days to maturity of Investments, other than Reserve Funds, shall be 365 days or less. The Investment Officers will monitor the maturity level and make changes as appropriate.
- Capital Improvement Funds (Bond Proceeds, bond Reserves, and Debt Service) - The Investment maturity of that portion of the City Portfolio that represents Capital Improvement Funds (bond proceeds, reserve funds, and debt service) shall be determined considering:
  - The anticipated cash flow requirements of the Capital Improvement Funds; and
  - The "temporary period" as defined by Federal tax law during which time bond proceeds may be invested at an unrestricted yield. After the expiration of the temporary period, bond proceeds subject to yield restriction shall be invested considering the anticipated cash flow requirements of the Capital Improvement Funds.

Before an Investment can be made of bond proceeds from all bond issues affected by the Tax Reform Act of 1986, a careful yield analysis must be performed to comply with the Tax Reform Act. Also, an annual rebate calculation must be performed to determine if the City is required to rebate interest at the end of each respective bond issue's five-year term. Beginning on the anniversary of the third year for the respective bond issues, all bond proceeds will be yield restricted as required by the Tax Reform Act.

- Reserve Funds: Established by Operative Bond Fund or by the City Commission - the following Reserve Funds may be invested up to two years in U.S
- Revenue Bond Interest & Sinking – Treasuries with a maximum value of \$400,000
- G.O. Debt Service Fund – Treasuries with a maximum value of \$750,000

City monies governed by this Policy may not be invested in other investments permitted by law unless (i) such investments are specifically authorized for the investment of these monies by an ordinance adopted by the City Commission issuing bonds or other debt obligations or (ii) this Policy is amended to permit such investment.

## **VI. EXEMPTION FOR EXISTING INVESTMENTS**

The City of Kingsville is not required to liquidate investments that were authorized investments at the time of purchase.

## VII. INVESTMENT MIX AND STRATEGIES

### Investment Mix

As a target to ensure adequate liquidity, the Investment Portfolio administered by the Investment Officers should consist of at least 10% in U.S. Treasury Securities described in V.A.I.a., Money Markets and/or certificates of deposit. A minimum of 35% of the total Investment Portfolio shall be held in Investments with maturity dates of 90 days or less for liquidity. U.S. Treasuries/Agencies and Certificates of Deposits may be purchased for longer term maturities (greater than one year) but shall not exceed 10% of the total Investment Portfolio to preserve liquidity.

Investment reports shall specifically address whether stated Investment mix requirements are being met. Unless approved by the Investment Advisory Committee, the target percentages specified shall not be exceeded for temporary periods greater than (30) thirty days without the Investment Officers taking corrective action.

### Strategies

Investment strategies for Operating Funds and Capital Improvement Funds have as the primary objective the assurance that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create an Investment Portfolio structure that will experience minimal volatility during economic cycles. To accomplish this strategy, the City will purchase high quality, short-to-medium term investments which will complement each other.

To pay for anticipated disbursements, investments will be laddered to correspond with the projected cash needs of the City. Some Investments are acquired on the short end of the yield curve (90 days or less) to meet immediate cash needs. A few Investments are purchased on the intermediate part of the yield curve (1-2 years) to lock in high interest rates when rates are projected to decline due to the economic cycle of the economy. The dollar weighted average investment maturity of 365 days or less will be calculated using the stated final maturity dates of each investment.

Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligations on the required payment date. Investments purchased shall not have a stated final maturity date that exceeds the debt service payment date.

Investment strategies for debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund from investments with a low degree of volatility. In accordance with the bond ordinance specific to an individual bond issue that sets out the maximum investment term, Investments should be of high quality, with short-to-intermediate-term maturities.

### Achieving Investment Return Objectives

Investment selection shall be based on legality, appropriateness, liquidity, and risk/return considerations. Monies designated for immediate expenditure should be passively invested.

Passive Investment provides for:

- Liquidity to pay upcoming disbursements (payroll, debt service, payments, payables, etc.);
- Maximizing investment terms under the current budget; and
- Structuring the Investment Portfolio on a "laddered" basis.

The remaining portion of the Investment Portfolio may be invested actively.

## **VIII. RESPONSIBILITY AND CONTROLS**

### **Authority to Invest**

The authority to invest City funds and the execution of any documentation necessary to evidence the investment of City funds is granted to the Director of Finance. The Director of Finance or Designee will approve all investments in writing.

The City Commission may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of public funds or other funds under its control. A contract made under authority of this subsection may not be for a term longer than two years. The City Commission must approve a renewal or extension of the contract by ordinance or resolution.

### **Establishment of Internal controls**

The Director of Finance will establish a system of internal controls over Investment activities of the City that are consistent with this Investment Policy. Investment procedures should include reference to the following: safekeeping agreements, repurchase agreements, wire transfer agreements, collateral agreements, depository service contracts and agreements, broker/dealer selection criteria, and security bidding and purchase processes. Such procedures shall include explicit delegation of authority to persons responsible for routine authorization of investments and the Accounting Manager shall be responsible for proper accounting of investments to maintain appropriate internal controls. The Director of Finance shall establish a system of controls to regulate the activities of subordinates.

### **Prudent Investment Management**

Investments shall be made with the same judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Prudent investment is to be judged by the Investment Portfolio as a whole, not on individual Investments.

The standard of prudence to be used by Investment Officers shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. The Investment Officers, acting in accordance with written procedures and the Investment Policy, and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes provided deviations from expectations are reported immediately upon knowledge of the deviation and appropriate action is taken to control adverse developments.



Investment Officers shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively. The designated Investment Officers shall perform their duties in accordance with the adopted Investment Policy and Procedures set forth in the Investment Procedures Manual. Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of person liability.

Investment of monies shall be governed by the following investment objectives in order of priority:

- preservation and safety or principal - by insuring that all securities are of a sufficiently high quality and duration to limit exposure to credit and market risks. The portfolio should therefore experience minimal volatility during varying economic cycles. Securities of all types are purchased with the intention of holding until maturity;
- liquidity - including the ability to reasonably meet unanticipated needs by purchasing securities with an active secondary/resale market. Diversification is maintained to minimize possible credit risk in a specific security type; and
- yield - obtaining a market rate of return while considering risk constraints and cash flow needs, is much less important than safety of principal and liquidity. The majority of investments are limited to low risk securities earning an equitable rate of return relative to the amount of risk.

#### Standards of Ethics

To the extent required by section 2256.005(i) of the Government Code, the Authorized City Representatives shall make such filings as required by law.

#### Training and Education

Recognizing that the training and education of Investment Officers contributes to efficient and effective investment management, the City requires its City Manager, Director of Finance, Accounting Manager and designated Investment Officers to receive ten (10) hours of training within twelve (12) months of taking office and at least eight (8) hours every two years; training must be from an independent source approved by the entity's governing body, and training must include controls, risks, diversification and PFIA compliance. Such training is currently required by and shall be obtained in accordance with *Section 2256.008-Investment Training; Local Governments* of the Government Code Public Funds Investment Act. The Investment Committee approves investments - training seminars presented by the following organizations.

- Government Finance Officers Association
- Government Finance Officers Association of Texas
- Government Treasurers Organization of Texas
- Municipal Treasurers Association
- Texas Municipal League

If the Investment Officer desires to attend an investment training seminar presented by another organization for training credit, such seminar must be approved by the City Manager or his designee.

## **IX. COMPETITIVE SOLICITATION**

Except for repurchase agreements and public funds investment pools, any new issue investment will be purchased through an Authorized Selling Group or directly through the issuer. For any Investment purchased or sold through the secondary market, the City will obtain at least three proposals from authorized Institutions.

Any Institution authorized to participate in the City's investment program must meet Collateral pledge requirement outlined in Section IV.D. And must submit annual financial reports.

## **X. AUTHORIZED INSTITUTIONS**

All institutions who seek to sell an authorized Investment to the City are required to complete the questionnaire approved by the Investment Committee and furnish supporting documentation required by the Investment Committee. Securities shall only be purchased through those Institutions approved by the Investment Committee.

Investments shall only be made with those Institutions who have executed a written instrument in a form acceptable to the City, executed by a Qualified Representative of the Institution, and substantially to the effect that the Institution has:

- Received, thoroughly reviewed and acknowledged, in writing, receipt and understanding of the City's Investment Policy, and;
- Acknowledged that the Institution has implemented reasonable procedures and controls to preclude investment transactions conducted between the Institution and the City that are not authorized by the City's Investment Policy.

Investments shall only be made with those business organizations (including money market mutual funds and local government invest pools) that have provided the entity with a written instrument, executed by a qualified representative of the firm, acknowledging that the business organization has:

- received and reviewed the entity's investment Policy; and
- implemented reasonable procedures and controls to preclude investment transactions conducted between the entity and the organization that are not authorized by the entity's investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the entity's entire portfolio or requires an interpretation of subjective investment standards.

The Investment Committee shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the City.

The Director of Finance will request the Investment Committee to authorize deletion of Institutions for:

- slow response time;
- less than competitive pricing;

- little or no information on technical or fundamental expectations based on economic indicators;
- D.K. Transactions or continuing operational difficulties;
- unwillingness to continue to abide the provisions listed in IX.A; or
- Other reasons as approved by the Investment Committee.

## **XI. PLEDGED COLLATERAL**

The market value of pledged collateral must be at least 102% of the principal plus accrued interest for Excess Cash Balances, certificates of deposit, and repurchase agreements and held in the entity's name as evidenced by safekeeping receipts of the institution with which the securities are deposited. Evidence of proper collateralization in the form of original safekeeping receipts held at a Third-Party Safekeeping Institution not affiliated with the Institution pledging the Collateral will be approved by the Director of Finance and will be maintained in his/her Office. An authorized City Representative (See Appendix B) will approve and release all pledged collateral.

### Collateral Substitution

Collateralized Investments and certificates of deposit often require substitution of collateral. Any Institution must contact the Investment Officers for approval and settlement. The substituted collateral's value will be calculated, and substitution approved if its value is equal to or greater than the required collateral value. Substitution is allowable for all transactions, but should be limited, to minimize the City's potential administrative problems.

### Collateral Reductions

Should the collateral's market value exceed the required amount, any Institution may request approval from the Investment Officer to reduce collateral. Collateral reductions may be permitted only if the City's records indicate that the collateral's market value exceeds the required amount.

### Prohibited Securities

Investment securities described in Section 2256.009(b), Government Code, shall not be eligible for use as collateral of City's monies governed by this Policy.

## **XII. SAFEKEEPING**

### Third Party Safekeeping Agreement

The City shall contract with a Bank or Banks for safekeeping Securities either owned by the City as a part of its Investment Portfolio or held as Collateral to secure certificates of deposit, repurchase agreements, or Excess Cash Balances.

### Safekeeping of Certificate of Deposit Collateral

All Collateral Securing bank and savings and loan deposits must be held in the City of Kingsville's name by a Third-Party Safekeeping Institution approved by the City as evidenced by safekeeping receipts of the institution with which the securities are deposited, or Collateral may be held at the Federal Reserve Bank.

#### Safekeeping of Repurchase Agreement Collateral

The U.S. treasuries that serve as Collateral for repurchase agreements with Institutions must be delivered to a Third-Party Safekeeping Institution with which the city has established a third-party safekeeping agreement.

### **XIII. INFORMATION REPORTING/EVALUATION**

The Director of Finance and Accounting Manager are hereby designated as the Investment Officers and are responsible for the daily operation of the Investment program and will report to the Investment Committee on a quarterly basis.

Investment Committee Consists of:

- City Commissioner (1)
- City Manager
- Assistant City Manager (if any)
- Director of Finance
- City Attorney

The Investment Committee will be responsible for monitoring, reviewing, and making recommendations regarding the City's Investment program to the City Commission. Reports will be provided to the City Commission by the Investment Officers no less than quarterly, as required by the Public Funds Investment Act.

On a quarterly basis, the City's main depository and all applicable Institutions providing certificates of deposit in excess of FDIC coverage will provide to the Investment Officer for review a copy of the balance sheet and income statement for the Call Report. All Institutions will provide annual audited financial statements. Any local government investment pools must provide reports and disclosure statements as required by the Public Funds Investments Act.

The market value of the portfolio must be determined at least quarterly from a reputable and independent source and disclosed to the governing body quarterly in the investment report.

#### Record Retention

The City follows the guidelines of retaining records for five years from City's current fiscal year, as required and authorized by the City's local records management guidelines.

### **XIV. BANKING SERVICES**

All depository services are provided in the City's main depository agreement. Other services such as credit cards, direct deposit of payroll or other services may be administered through separate agreements. To aggressively invest Excess Cash Balances, controlled disbursements accounts, zero balance accounts and other cash management tools may be employed.

## **XVI. GENERAL PROVISIONS**

### **Audits and Inspections**

During regular business hours and as often as the Investment Officers deem necessary, the Institution providing certificates of deposit will make available for examination by the City Manager, his duly authorized agent, accountant, or legal representative, such records and data to assure to the pledge of collateral, availability of Collateral, and financial stability of the Institution.

### **Compliance with Laws**

Each Institution agrees to comply with all federal, state, and local laws, rules, regulations, and ordinances. The personnel or officers of such Institution shall be fully qualified and authorized under federal, state, and local law to perform the services set out under this Policy. Each Institution shall permit the Investment Officers to audit, examine, and make excerpts or transcripts from such records and to make audits of all contract, invoices, materials, and other data relating to applicable Investment.

### **Performance Audits**

The City's Annual External Financial Audit shall include a compliance audit of management controls on Investments and adherence to this Policy. The quarterly reports prepared by Investment Officers for the City commission must be formally reviewed at least annually by an independent auditor if the city invests in other than money market mutual funds, investment pools or accounts offered by its depository in the form of certificates of deposit or money market accounts. The auditor shall report the results of the review to the City Commission.

### **Investment Policy Resolution**

The resolution authorizing this Investment Policy is attached and incorporated as Appendix C "Investment Policy Resolution."

## **APPENDIX A**

### **Public Funds Investment Act**

## APPENDIX B

### LISTING OF AUTHORIZED CITY REPRESENTATIVES

#### CITY OF KINGSVILLE

Attached to and made a part of the City of Kingsville  
Investment Policy Approved by the City Commission on October 15, 2019

The signatures below are the signatures of Authorized City Representatives vested with full authority to sign and transact business related to the investment of funds for the City of Kingsville. The Authorized City Representatives are authorized to deposit funds, transfer funds within accounts or withdraw funds as necessary to efficiently carry out the requirements of the City of Kingsville's Investment Policy.

The signatures of the officers subscribed below are true and genuine:

Mark McLaughlin  
City Manager

Deborah Balli  
Director of Finance

David Bodiford  
Accounting Manager

THIS LISTING OF AUTHORIZED CITY REPRESENTATIVES is effective this 14th day of December, 2020 and revokes all previous authorizations.

## APPENDIX C

### INTEREST DISCLOSURE FORM

TO: Texas Ethics Commission, Mayor and City Commission

FROM: \_\_\_\_\_

SUBJECT: Disclosure under the Public Funds Investment Act

As City Manager and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.

\_\_\_\_\_

2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.

\_\_\_\_\_

3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.

\_\_\_\_\_

4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.

\_\_\_\_\_

5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.

\_\_\_\_\_

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date



## APPENDIX C

### INTEREST DISCLOSURE FORM

TO: Texas Ethics Commission, Mayor and City Commission

FROM: \_\_\_\_\_

SUBJECT: Disclosure under the Public Funds Investment Act

As Finance Director and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.

\_\_\_\_\_

2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.

\_\_\_\_\_

3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.

\_\_\_\_\_

4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.

\_\_\_\_\_

5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.

\_\_\_\_\_

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

## APPENDIX C

### INTEREST DISCLOSURE FORM

TO: Texas Ethics Commission, Mayor and City Commission

FROM: \_\_\_\_\_

SUBJECT: Disclosure under the Public Funds Investment Act

As Accounting Manager and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.

\_\_\_\_\_

2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.

\_\_\_\_\_

3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.

\_\_\_\_\_

4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.

\_\_\_\_\_

5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.

\_\_\_\_\_

\_\_\_\_\_  
Accounting Manager

\_\_\_\_\_  
Date

## **APPENDIX D**

### **Investment Policy Resolution**

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION APPROVING THE CITY OF KINGSVILLE INVESTMENT POLICY AND INVESTMENT STRATEGIES; DESIGNATING THE CITY MANAGER, DIRECTOR OF FINANCE, AND CITY ACCOUNTING MANAGER AS THE AUTHORIZED CITY REPRESENTATIVES WITH FULL AUTHORITY FOR INVESTMENT PURPOSES, AND PROVIDING FOR DISCLOSURE OF FINANCIAL INTEREST.**

**WHEREAS**, the City Commission previously adopted a formal Investment Policy, which was most recently revised on October 15, 2019; and

**WHEREAS**, the Finance Department intends to submit the City's Investment Policy to the Government Treasurer's Organization of Texas (GTOT) certification program; and

**WHEREAS**, the GTOT has established this certification program for those entities that develop an investment policy that meets the requirements of the Public Funds Investment Act and the standards for prudent public investing established by the GTOT, and GTOT has provided suggested revisions to the City's Investment Policy which have been incorporated into the attached policy;

**WHEREAS**, the City would like to submit the City's Investment Policy to GTOT and would like the attached changes (see page 12, Section VII, Investment Mix) made to the policy prior to submission;

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

I.

**THAT** the INVESTMENT POLICY (THE "Investment Policy", attached as Exhibit A) is hereby approved:

II.

**THAT** the City Manager, Director of Finance, and the City Accounting Manager are hereby authorized as City Representatives. The Director of Finance and the City Accounting Manager are authorized as the investment officers responsible for the investment of the City's funds consistent with the investment policy adopted by the City;

III.

**THAT** the persons designated as investment officers shall exercise the judgment and care, under prevailing circumstances that a prudent person would exercise in the management of the person's own affairs, but that the City Commission retains ultimate responsibility as fiduciary of the assets of the City;

IV.

**THAT** the authorized officers are hereby granted authority to invest the City's funds until rescinded by the City Commission, until expiration of an officer's term, or the termination of the person's employment with the City.

V.

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

VI.

**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 14<sup>th</sup> day of December, 2020.

---

Sam R. Fugate, Mayor

**ATTEST:**

---

Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

---

Courtney Alvarez, City Attorney



# INVESTMENT POLICY

Approved by City Commission via Resolution Dated  
December 14, 2020

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### APPENDICES

- A. PUBLIC FUNDS INVESTMENT ACT
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- C. INTEREST DISCLOSURE FORMS
- D. INVESTMENT POLICY RESOLUTION

## INTRODUCTION

It is the policy of the City of Kingsville to invest all available monies in conformance with these legal and administrative guidelines.

Effective cash management is recognized as essential to good fiscal management. A cash management program will be pursued to maximize interest earnings as a viable and material revenue source. The City's portfolio shall be designated and managed in a manner responsive to the public trust and consistent with local, state, and federal law.

Investments shall be made with the primary objective of:

- Preservation of capital and protection of principal;
- Maintenance of sufficient liquidity to meet operating needs;
- Security of city funds and investments;
- Diversification of investment to minimize risk while maximizing interest earnings; and
- Maximization of return on the portfolio.

Earnings from investments will be used in a manner that will best serve the interests of the City of Kingsville.

## II. PURPOSE

### Authorization

This Investment Policy is authorized by the City Commission (see Appendix C) in accordance with Chapter 2256, Subchapter A of the Government Code - The Public Funds Investment Act (see the attached and incorporated Appendix A).

### Scope

This Investment Policy applies to activities of the City, excluding pension funds, regarding investing the financial assets of Funds, including, but not limited to:

- General Funds
- Special Revenue Funds
- Enterprise Funds
- Internal Service Funds
- Capital Improvement Funds (Bond Proceeds, Bond Reserves and Debt Service)
- Endowments, Benevolence Fund

In addition to this policy, the investment of Bond Funds, Debt Service, and Reserve Funds shall be managed by their governing ordinances and Federal Law, including the Tax Reform Act of 1986 and subsequent legislation.

### Review and Amendment

This policy shall be reviewed annually by the City Commission on or before December 31 of each calendar year after its adoption. The City Commission must authorize amendments to the policy.



The City Commission shall adopt a written instrument by ordinance or resolution stating that it has reviewed the Investment Policy. The written instrument so adopted shall record any changes made to the Investment Policy.

### **III. DEFINITIONS**

**Director of Finance** – The Director of Finance is the Municipal Finance Officer responsible for City investments.

**Director of Finance Designee** – Accounting Manager.

**Excess Cash Balances** – Collected bank balances not needed to pay estimated check clearings.

**Investment Officers** – Director of Finance and Accounting Manager.

**Investment Portfolio** – all City monies being invested under authority of the Investment officers.

**Institution** – Any firm, bank, bondholding company, broker or dealer who provides quotes for either the purchase or sale of investments.

**Third Party Safekeeping Institution** – Any Institution not affiliated with Institution delivering the Investment.

**Investment** – All authorized Securities listed in Item V. Authorized investments and maximum term investments approved by the Investment Committee include U.S. Treasuries, U.S. Agencies, Repurchase Agreements, Local Government Investment Pool, and Collateralized Certificates of Deposit.

**D.K. (Don't Know) Transaction** – An Investment that an Institution fails to deliver to the City's Third-Party Safekeeping Institution.

**Collateral** - Securities or surety bond pledged by an Institution to safeguard City assets; the City requires either U.S. Treasuries or U.S. Agencies Securities so that the market values can be readily determined at any point in time.

**Authorized City Representative** – Officers authorized to transact as set out in the attached and incorporated Appendix B on behalf of the City (City Manager, Director of Finance and Accountant).

**Reserve Funds** – Funds designated by Commission for specific purposes, which have not been appropriated for spending.

**Securities** – Approved Investments designated by the Investment committee to be held in the Investment Portfolio or acceptable to be pledged as Collateral to secure the monies of the City.

Authorized Selling Group – Primary dealer and regional firms that have been selected by the underwriter to sell their securities. Each authorized member of a selling group will offer the issue at the price authorized by the governmental agency.

Qualified Representative – A person, who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

- For a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the Financial Industry Regulatory Authority (FINRA);
- For a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution; or
- For an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment pool; or
- For an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80-b-1 et seq.) or if not subject to registration under that Act registered with the State Securities Board, a person who is an officer or principal of the investment management firm.

#### **IV. INVESTMENT OBJECTIVES**

##### Preservation and Safety of Principal

Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall Investment Portfolio.

##### Liquidity

The City's Investment Portfolio must be structured in a manner that maintains the liquidity necessary to pay obligations as they become due. Timing disbursements and depositing funds as quickly as possible can generally maintain sufficient cash flows. Generally, investments are matched to specific cash flow requirements such as payrolls, debt service payments and other payables. Liquidity is also achieved by investing in investments with active secondary markets or in Local Government Pools with stable net asset values.

##### Return on Investments

The City's Investment Portfolio shall be designed with the objective of regularly exceeding the average yield of the three-month U.S. Treasury bill in a manner consistent with the principles of this policy described in IV. A and B. However, it must be recognized that during a declining market, satisfying this objective may not be practical until investments mature and can be re-invested.

### Diversification

Diversification is required because of differing liquidity needs of the City and is employed to control risks. Diversification minimizes the risk to the overall Investment Portfolio of potential losses on individual securities and enhances the safety of the Investment Portfolio.

Through the solicitation of competitive proposals, the City shall allocate and diversify its Investments through various Institutions. The following types of Investments will be solicited from the following types of Institutions:

- Government Securities – through approved brokers;
- Repurchase Agreements – through a Third-Party Safekeeping Institution Agreement, which includes an approved primary dealer;
- Public Funds Investments Pools – through participation agreements; and
- Certificates of Deposit – as allowed by state law and this policy.

The City recognizes that investment risks can result from default risk and market price risks due to various technical and fundamental economic factors, and other complications, leading to temporary illiquidity.

To control market price risks, volatile Investments shall be avoided. To control default risk, the only acceptable method of payment will be on a delivery versus payment-basis for all transactions, except investment pool funds and repurchase agreements.

A delivery versus payment basis provides for payment to Institutions at the time the Investments are recorded in book entry form at the City's Third-Party Safekeeping Institution, currently maintained at the Federal Reserve. For certificates of deposit, sufficient Collateral at 102% of current market values must be pledged to protect all City monies or monies under its control that exceed Federal Deposit Insurance Corporation (FDIC) overage; the Collateral must be safe kept at a Third-Party Safekeeping Institution not affiliated with the bank or bank holding company providing the certificate of deposit. (See addendum.)

## **V. AUTHORIZED INVESTMENTS AND MAXIMUM TERM**

The City of Kingsville is authorized to invest in:

### Authorized Investments – Obligations of, or Guaranteed by Governmental Entities

- obligations, including letters of credit, of the United States or its agencies and instrumentalities;
- direct obligations of this state or its agencies and instrumentalities
- collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States;

- other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, this state or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;
- obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent; and
- bonds issued, assumed, or guaranteed by the State of Israel.

#### Unauthorized Investments

The following are not authorized investments:

- obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal
- obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest;
- collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and
- collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

#### Authorized Investments – Certificates of Deposit and Share Certificates

A certificate of deposit or share certificate is an authorized investment if the certificate is issued by a depository institution that has its main office or a branch office in this state and is:

- guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
- secured by obligations that are described by Sec V (A), including mortgage backed securities directly issued by less than the principal amount of the certificates, but excluding mortgage backed securities of the nature described by Section V; or
- secured in any other manner and amount provided by law for deposits for the City of Kingsville.

In addition to the authority to invest funds in certificates of deposit under this section, an investment in certificates of deposit must be made in accordance with:

- the funds are invested by the City of Kingsville through:
  - a broker that has its main office or a branch office in this state and is selected from a list adopted by the City of Kingsville Commission or
  - a depository institution that has its main office or a branch office in this state and that is selected by the City of Kingsville
- the broker or depository institution selected by the City of Kingsville which arranges for the deposit of funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the City of Kingsville;

- the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
- the City of Kingsville appoints the depository institution selected by the City of Kingsville, or a clearing broker-dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity.

#### Authorized Investments - Repurchase Agreements

A fully collateralized repurchase agreement is an authorized investment under this subchapter if the repurchase agreement:

- has a defined termination date;
- is secured by a combination of cash and obligations described by this section; and
  - requires the securities being purchased by the entity or cash held by the entity to be pledged to the entity, held in the entity's name, and deposited at the time the investment is made with the entity or with a third party selected and approved by the entity;
  - is placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in this state

In this section, "repurchase agreement" means a simultaneous agreement to buy, hold for a specified time, and sell back at a future date obligation described by Section V (A) 1, at a market value at the time the funds are disbursed of not less than the principal amount of the funds disbursed. The term includes a direct security repurchase agreement and a reverse security repurchase agreement.

Notwithstanding any other law, the term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered.

Money received by an entity under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement

Only those investments listed in this section are authorized.

#### Local Government Investment Pool

The City of Kingsville may invest its funds and funds under its control through an eligible investment pool by way of rule, order, ordinance, or resolution by the City Commission. An investment pool shall invest the funds it receives from entities in authorized investments permitted by this section. An investment pool may invest its funds in money market mutual funds to the extent permitted by and consistent with this section and the investment policies and objective adopted by the investment pool.

To be eligible to receive funds from and invest funds on behalf of the City of Kingsville, an investment pool must furnish to the investment officer or other authorized representative an offering circular or other similar disclosure of the instrument that contains, at a minimum, the following information:

- the types of investments in which money can be invested;
- the maximum average dollar-weighted maturity allowed, based on the stated maturity date, or the pool;
- the maximum stated maturity date any investment security within the portfolio has;
- the objectives of the pool;
- the size of the pool;
- the names of the members of the advisory board of the pool and the dates their terms expire;
- the custodian bank that will safe keep the pool's assets;
- whether the intent of the pool is to maintain a net asset value of one dollar and the risk of market price fluctuation;
- whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment;
- the name and address of the independent auditor of the pool;
- the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating policies required for the entity to invest funds in and withdraw funds from the pool; and
- the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.

To maintain eligibility to receive funds from and invest funds, an investment pool must furnish to the investment officer or other authorized representative of the entity:

- investment transaction confirmations; and
- a monthly report that contains, at a minimum, the following information:
  - the types and percentage breakdown of securities in which the pool is invested;
  - the current average dollar-weighted maturity, based on the stated maturity date, of the pool;
  - the current percentage of the pool's portfolio in investments that have state maturities of more than one year;
  - the book value versus the market value of the pool's portfolio, using amortized cost valuation;
  - the size of the pool;
  - the number of participants in the pool;
  - the custodian bank that is safekeeping the assets of the pool;
  - a listing of daily transaction activity for the City of Kingsville
  - the yield and expense ratio of the pool, including a statement regarding how yield is calculated;
  - the portfolio managers of the pool; and
  - any changes or addenda to the offering circular.

The City of Kingsville may delegate to an investment pool the authority to hold legal title as custodian of investments purchased with its local funds.

In this section, “yield” shall be calculated in accordance with regulations governing the registration of open-end management investment companies under the Investment Company Act of 1940, as promulgated from time to time by the federal Securities and Exchange Commission.

To be eligible to receive funds from and invest funds on behalf of the City of Kingsville, a public funds investment pool created to function as a money market mutual funds must mark its portfolio to market daily, and, to the extent reasonably possible, stabilize at a \$1 net asset value. If the ratio of the market value of the portfolio divided by the book value of the portfolio is less than 0.995 or greater than 1.005, portfolio holdings shall be sold as necessary to maintain the ratio between 0.995 and 1.005. In addition to the requirements of the Investment Policy and any other forms of reporting, a public funds investment pool created to function as money market mutual fund shall report yield to its investors in accordance with regulations of the federal Securities and Exchange Commission applicable to reporting by money market funds.

To be eligible to receive funds from and invest funds on behalf of the City of Kingsville under this section, a public funds investment pool must have an advisory board composed:

- equally of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for a public funds investment pool created under Chapter 791 and managed by a state agency; or
- of participants in the pool and other persons who do not have a business relationship with the pool and are qualified to advise the pool, for other investment pools.

To maintain eligibility to receive funds from and invest funds on behalf of the City of Kingsville, an investment pool must be continuously rate no lower than AAA or AA-m or at an equivalent rating by at least one nationally recognized rating service. If liquidation is necessary due to security's loss of rating, all prudent measures will be taken to liquidate the investment.

If the investment pool operates an Internet website, the information in a disclosure instrument or report described in section b, c (ii) and f must be posted on the website.

To maintain eligibility to receive funds from and invest funds on behalf of the City of Kingsville under this section, an investment pool must make available an annual audited financial statement of the investment pool in which funds are invested.

If an investment pool offers fee breakpoints based on fund balances invested, the investment pool in advertising investment rates must include either all levels of return based on the breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested.

#### Collateralized Certificates of Deposit – maximum term up to 1 year

Certificates of deposit to other instruments issued by state and national banks doing business in Texas that are:

- Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor; or
- Secured by obligations that are described by Section V

Certificates of deposit must be fully collateralized at 102% of their market value. The City requires the bank to pledge U.S. treasuries or U.S. agencies as collateral, (Collateral Mortgage Obligations will not be eligible as Collateral see X.C.).

#### Weighted Average Maturity

To minimize risk of loss to Investment Portfolio due to interest rate fluctuations, Investment maturities will not exceed the anticipated cash flow requirements of the Funds. Maturity guidelines by Fund are as follows:

- Operating Funds - The weighted average days to maturity of Investments, other than Reserve Funds, shall be 365 days or less. The Investment Officers will monitor the maturity level and make changes as appropriate.
- Capital Improvement Funds (Bond Proceeds, bond Reserves, and Debt Service) - The Investment maturity of that portion of the City Portfolio that represents Capital Improvement Funds (bond proceeds, reserve funds, and debt service) shall be determined considering:
  - The anticipated cash flow requirements of the Capital Improvement Funds; and
  - The "temporary period" as defined by Federal tax law during which time bond proceeds may be invested at an unrestricted yield. After the expiration of the temporary period, bond proceeds subject to yield restriction shall be invested considering the anticipated cash flow requirements of the Capital Improvement Funds.

Before an Investment can be made of bond proceeds from all bond issues affected by the Tax Reform Act of 1986, a careful yield analysis must be performed to comply with the Tax Reform Act. Also, an annual rebate calculation must be performed to determine if the City is required to rebate interest at the end of each respective bond issue's five-year term. Beginning on the anniversary of the third year for the respective bond issues, all bond proceeds will be yield restricted as required by the Tax Reform Act.

- Reserve Funds: Established by Operative Bond Fund or by the City Commission - the following Reserve Funds may be invested up to two years in U.S
- Revenue Bond Interest & Sinking – Treasuries with a maximum value of \$400,000
- G.O. Debt Service Fund – Treasuries with a maximum value of \$750,000

City monies governed by this Policy may not be invested in other investments permitted by law unless (i) such investments are specifically authorized for the investment of these monies by an ordinance adopted by the City Commission issuing bonds or other debt obligations or (ii) this Policy is amended to permit such investment.

## **VI. EXEMPTION FOR EXISTING INVESTMENTS**

The City of Kingsville is not required to liquidate investments that were authorized investments at the time of purchase.



## VII. INVESTMENT MIX AND STRATEGIES

### Investment Mix

As a target to ensure adequate liquidity, the Investment Portfolio administered by the Investment Officers should consist of at least 10% in U.S. Treasury Securities described in V.A.I.a., Money Markets and/or certificates of deposit. A minimum of 35% of the total Investment Portfolio shall be held in Investments with maturity dates of 90 days or less for liquidity. U.S. Treasuries/Agencies and Certificates of Deposits may be purchased for longer term maturities (greater than one year) but shall not exceed 10% of the total Investment Portfolio to preserve liquidity.

Investment reports shall specifically address whether stated Investment mix requirements are being met. Unless approved by the Investment Advisory Committee, the target percentages specified shall not be exceeded for temporary periods greater than (30) thirty days without the Investment Officers taking corrective action.

### Strategies

Investment strategies for Operating Funds and Capital Improvement Funds have as the primary objective the assurance that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create an Investment Portfolio structure that will experience minimal volatility during economic cycles. To accomplish this strategy, the City will purchase high quality, short-to-medium term investments which will complement each other.

To pay for anticipated disbursements, investments will be laddered to correspond with the projected cash needs of the City. Some Investments are acquired on the short end of the yield curve (90 days or less) to meet immediate cash needs. A few Investments are purchased on the intermediate part of the yield curve (1-2 years) to lock in high interest rates when rates are projected to decline due to the economic cycle of the economy. The dollar weighted average investment maturity of 365 days or less will be calculated using the stated final maturity dates of each investment.

Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligations on the required payment date. Investments purchased shall not have a stated final maturity date that exceeds the debt service payment date.

Investment strategies for debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund from investments with a low degree of volatility. In accordance with the bond ordinance specific to an individual bond issue that sets out the maximum investment term, Investments should be of high quality, with short-to-intermediate-term maturities.

### Achieving Investment Return Objectives

Investment selection shall be based on legality, appropriateness, liquidity, and risk/return considerations. Monies designated for immediate expenditure should be passively invested.

Passive Investment provides for:

- Liquidity to pay upcoming disbursements (payroll, debt service, payments, payables, etc.);
- Maximizing investment terms under the current budget; and
- Structuring the Investment Portfolio on a "laddered" basis.

The remaining portion of the Investment Portfolio may be invested actively.

## **VIII. RESPONSIBILITY AND CONTROLS**

### **Authority to Invest**

The authority to invest City funds and the execution of any documentation necessary to evidence the investment of City funds is granted to the Director of Finance. The Director of Finance or Designee will approve all investments in writing.

The City Commission may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of public funds or other funds under its control. A contract made under authority of this subsection may not be for a term longer than two years. The City Commission must approve a renewal or extension of the contract by ordinance or resolution.

### **Establishment of Internal controls**

The Director of Finance will establish a system of internal controls over Investment activities of the City that are consistent with this Investment Policy. Investment procedures should include reference to the following: safekeeping agreements, repurchase agreements, wire transfer agreements, collateral agreements, depository service contracts and agreements, broker/dealer selection criteria, and security bidding and purchase processes. Such procedures shall include explicit delegation of authority to persons responsible for routine authorization of investments and the Accounting Manager shall be responsible for proper accounting of investments to maintain appropriate internal controls. The Director of Finance shall establish a system of controls to regulate the activities of subordinates.

### **Prudent Investment Management**

Investments shall be made with the same judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Prudent investment is to be judged by the Investment Portfolio as a whole, not on individual Investments.

The standard of prudence to be used by Investment Officers shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. The Investment Officers, acting in accordance with written procedures and the Investment Policy, and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes provided deviations from expectations are reported immediately upon knowledge of the deviation and appropriate action is taken to control adverse developments.

Investment Officers shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively. The designated Investment Officers shall perform their duties in accordance with the adopted Investment Policy and Procedures set forth in the Investment Procedures Manual. Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of person liability.

Investment of monies shall be governed by the following investment objectives in order of priority:

- preservation and safety or principal - by insuring that all securities are of a sufficiently high quality and duration to limit exposure to credit and market risks. The portfolio should therefore experience minimal volatility during varying economic cycles. Securities of all types are purchased with the intention of holding until maturity;
- liquidity - including the ability to reasonably meet unanticipated needs by purchasing securities with an active secondary/resale market. Diversification is maintained to minimize possible credit risk in a specific security type; and
- yield - obtaining a market rate of return while considering risk constraints and cash flow needs, is much less important than safety of principal and liquidity. The majority of investments are limited to low risk securities earning an equitable rate of return relative to the amount of risk.

#### Standards of Ethics

To the extent required by section 2256.005(i) of the Government Code, the Authorized City Representatives shall make such filings as required by law.

#### Training and Education

Recognizing that the training and education of Investment Officers contributes to efficient and effective investment management, the City requires its City Manager, Director of Finance, Accounting Manager and designated Investment Officers to receive ten (10) hours of training within twelve (12) months of taking office and at least eight (8) hours every two years; training must be from an independent source approved by the entity's governing body, and training must include controls, risks, diversification and PFIA compliance. Such training is currently required by and shall be obtained in accordance with *Section 2256.008-Investment Training; Local Governments* of the Government Code Public Funds Investment Act. The Investment Committee approves investments - training seminars presented by the following organizations.

- Government Finance Officers Association
- Government Finance Officers Association of Texas
- Government Treasurers Organization of Texas
- Municipal Treasurers Association
- Texas Municipal League

If the Investment Officer desires to attend an investment training seminar presented by another organization for training credit, such seminar must be approved by the City Manager or his designee.

## **IX. COMPETITIVE SOLICITATION**

Except for repurchase agreements and public funds investment pools, any new issue investment will be purchased through an Authorized Selling Group or directly through the issuer.

For any Investment purchased or sold through the secondary market, the City will obtain at least three proposals from authorized Institutions.

Any Institution authorized to participate in the City's investment program must meet Collateral pledge requirement outlined in Section IV.D. And must submit annual financial reports.

## **X. AUTHORIZED INSTITUTIONS**

All institutions who seek to sell an authorized Investment to the City are required to complete the questionnaire approved by the Investment Committee and furnish supporting documentation required by the Investment Committee. Securities shall only be purchased through those Institutions approved by the Investment Committee.

Investments shall only be made with those Institutions who have executed a written instrument in a form acceptable to the City, executed by a Qualified Representative of the Institution, and substantially to the effect that the Institution has:

- Received, thoroughly reviewed and acknowledged, in writing, receipt and understanding of the City's Investment Policy, and;
- Acknowledged that the Institution has implemented reasonable procedures and controls to preclude investment transactions conducted between the Institution and the City that are not authorized by the City's Investment Policy.

Investments shall only be made with those business organizations (including money market mutual funds and local government invest pools) that have provided the entity with a written instrument, executed by a qualified representative of the firm, acknowledging that the business organization has:

- received and reviewed the entity's investment Policy; and
- implemented reasonable procedures and controls to preclude investment transactions conducted between the entity and the organization that are not authorized by the entity's investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the entity's entire portfolio or requires an interpretation of subjective investment standards.

The Investment Committee shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the City.

The Director of Finance will request the Investment Committee to authorize deletion of Institutions for:

- slow response time;
- less than competitive pricing;

- little or no information on technical or fundamental expectations based on economic indicators;
- D.K. Transactions or continuing operational difficulties;
- unwillingness to continue to abide the provisions listed in IX.A; or
- Other reasons as approved by the Investment Committee.

## **XI. PLEDGED COLLATERAL**

The market value of pledged collateral must be at least 102% of the principal plus accrued interest for Excess Cash Balances, certificates of deposit, and repurchase agreements and held in the entity's name as evidenced by safekeeping receipts of the institution with which the securities are deposited. Evidence of proper collateralization in the form of original safekeeping receipts held at a Third-Party Safekeeping Institution not affiliated with the Institution pledging the Collateral will be approved by the Director of Finance and will be maintained in his/her Office. An authorized City Representative (See Appendix B) will approve and release all pledged collateral.

### Collateral Substitution

Collateralized Investments and certificates of deposit often require substitution of collateral. Any Institution must contact the Investment Officers for approval and settlement. The substituted collateral's value will be calculated, and substitution approved if its value is equal to or greater than the required collateral value. Substitution is allowable for all transactions, but should be limited, to minimize the City's potential administrative problems.

### Collateral Reductions

Should the collateral's market value exceed the required amount, any Institution may request approval from the Investment Officer to reduce collateral. Collateral reductions may be permitted only if the City's records indicate that the collateral's market value exceeds the required amount.

### Prohibited Securities

Investment securities described in Section 2256.009(b), Government Code, shall not be eligible for use as collateral of City's monies governed by this Policy.

## **XII. SAFEKEEPING**

### Third Party Safekeeping Agreement

The City shall contract with a Bank or Banks for safekeeping Securities either owned by the City as a part of its Investment Portfolio or held as Collateral to secure certificates of deposit, repurchase agreements, or Excess Cash Balances.

### Safekeeping of Certificate of Deposit Collateral

All Collateral Securing bank and savings and loan deposits must be held in the City of Kingsville's name by a Third-Party Safekeeping Institution approved by the City as evidenced by safekeeping receipts of the institution with which the securities are deposited, or Collateral may be held at the Federal Reserve Bank.

#### Safekeeping of Repurchase Agreement Collateral

The U.S. treasuries that serve as Collateral for repurchase agreements with Institutions must be delivered to a Third-Party Safekeeping Institution with which the city has established a third-party safekeeping agreement.

### **XIII. INFORMATION REPORTING/EVALUATION**

The Director of Finance and Accounting Manager are hereby designated as the Investment Officers and are responsible for the daily operation of the Investment program and will report to the Investment Committee on a quarterly basis.

Investment Committee Consists of:

- City Commissioner (1)
- City Manager
- Assistant City Manager (if any)
- Director of Finance
- City Attorney

The Investment Committee will be responsible for monitoring, reviewing, and making recommendations regarding the City's Investment program to the City Commission. Reports will be provided to the City Commission by the Investment Officers no less than quarterly, as required by the Public Funds Investment Act.

On a quarterly basis, the City's main depository and all applicable Institutions providing certificates of deposit in excess of FDIC coverage will provide to the Investment Officer for review a copy of the balance sheet and income statement for the Call Report. All Institutions will provide annual audited financial statements. Any local government investment pools must provide reports and disclosure statements as required by the Public Funds Investments Act.

The market value of the portfolio must be determined at least quarterly from a reputable and independent source and disclosed to the governing body quarterly in the investment report.

#### Record Retention

The City follows the guidelines of retaining records for five years from City's current fiscal year, as required and authorized by the City's local records management guidelines.

### **XIV. BANKING SERVICES**

All depository services are provided in the City's main depository agreement. Other services such as credit cards, direct deposit of payroll or other services may be administered through separate agreements. To aggressively invest Excess Cash Balances, controlled disbursements accounts, zero balance accounts and other cash management tools may be employed.

## **XVI. GENERAL PROVISIONS**

### **Audits and Inspections**

During regular business hours and as often as the Investment Officers deem necessary, the Institution providing certificates of deposit will make available for examination by the City Manager, his duly authorized agent, accountant, or legal representative, such records and data to assure to the pledge of collateral, availability of Collateral, and financial stability of the Institution.

### **Compliance with Laws**

Each Institution agrees to comply with all federal, state, and local laws, rules, regulations, and ordinances. The personnel or officers of such Institution shall be fully qualified and authorized under federal, state, and local law to perform the services set out under this Policy. Each Institution shall permit the Investment Officers to audit, examine, and make excerpts or transcripts from such records and to make audits of all contract, invoices, materials, and other data relating to applicable Investment.

### **Performance Audits**

The City's Annual External Financial Audit shall include a compliance audit of management controls on Investments and adherence to this Policy. The quarterly reports prepared by Investment Officers for the City commission must be formally reviewed at least annually by an independent auditor if the city invests in other than money market mutual funds, investment pools or accounts offered by its depository in the form of certificates of deposit or money market accounts. The auditor shall report the results of the review to the City Commission.

### **Investment Policy Resolution**

The resolution authorizing this Investment Policy is attached and incorporated as Appendix C "Investment Policy Resolution."

## **APPENDIX A**

### **Public Funds Investment Act**



## APPENDIX B

### LISTING OF AUTHORIZED CITY REPRESENTATIVES CITY OF KINGSVILLE

Attached to and made a part of the City of Kingsville  
Investment Policy Approved by the City Commission on October 15, 2019

The signatures below are the signatures of Authorized City Representatives vested with full authority to sign and transact business related to the investment of funds for the City of Kingsville. The Authorized City Representatives are authorized to deposit funds, transfer funds within accounts or withdraw funds as necessary to efficiently carry out the requirements of the City of Kingsville's Investment Policy.

The signatures of the officers subscribed below are true and genuine:

Mark McLaughlin  
City Manager

Deborah Balli  
Director of Finance

David Bodiford  
Accounting Manager

THIS LISTING OF AUTHORIZED CITY REPRESENTATIVES is effective this 14th day of December, 2020 and revokes all previous authorizations.

## APPENDIX C

### INTEREST DISCLOSURE FORM

TO: Texas Ethics Commission, Mayor and City Commission

FROM: \_\_\_\_\_

SUBJECT: Disclosure under the Public Funds Investment Act

As City Manager and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.

\_\_\_\_\_

2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.

\_\_\_\_\_

3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.

\_\_\_\_\_

4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.

\_\_\_\_\_

5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.

\_\_\_\_\_

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date

## APPENDIX C

### INTEREST DISCLOSURE FORM

TO: Texas Ethics Commission, Mayor and City Commission

FROM: \_\_\_\_\_

SUBJECT: Disclosure under the Public Funds Investment Act

As Finance Director and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.

\_\_\_\_\_

2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.

\_\_\_\_\_

3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.

\_\_\_\_\_

4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.

\_\_\_\_\_

5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.

\_\_\_\_\_

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

## APPENDIX C

### INTEREST DISCLOSURE FORM

TO: Texas Ethics Commission, Mayor and City Commission

FROM: \_\_\_\_\_

SUBJECT: Disclosure under the Public Funds Investment Act

As Accounting Manager and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.

\_\_\_\_\_

2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.

\_\_\_\_\_

3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.

\_\_\_\_\_

4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.

\_\_\_\_\_

5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.

\_\_\_\_\_

\_\_\_\_\_  
Accounting Manager

\_\_\_\_\_  
Date

## **APPENDIX D**

### **Investment Policy Resolution**

## **AGENDA ITEM #12**

**City of Kingsville  
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: October 26, 2020

SUBJECT: Consider awarding the South 1.0 MGD Wastewater Treatment Plant Improvements Project.

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**Summary:**

The project was advertised on September 16, 2020 and September 19, 2020. On September 24, 2020, the City received and publicly opened two bids on the project. Bidder 1 was Etech Construction Inc located in San Antonio, Texas. Bidder 2 was Donald Hubert Construction located in Kingsville, Texas. The bids were \$99,300.00 and \$115,428.00. LNV is the project engineer and recommends awarding the project to Donald Hubert Construction Co. They are the responsive, responsible bidder submitting the low/best bid on the project.

LNv recommends awarding to the second low bidder due to their experience with Wastewater Treatment Plant Projects (WWTP). Donald Hubert Construction Co., Inc. has completed numerous WWTP Projects in the area. They just finished a project for the City of Gregory at their WWTP which included the construction of a new clarifier including a new concrete basin. They are also currently working on a USDA WWTP Project for the San Diego MUD #1. ETech has performed sewer line, water line, concrete and manhole rehab projects. They didn't list any WWTP experience. Please see the bidder's qualification form attached for reference.

**Background:**

The Capital Improvements Plan has two projects for South Wastewater Treatment Plant Improvement. The first project is to replace the isolation gate valves for the aeration and clarifier basins recommended as a median priority corrective action item. The second project is to modify the effluent line at the secondary clarifier recommended as a high priority corrective action item. Both projects were recommended based on a Capacity Study provided by Kimley-Horn in June 2017.



**City of Kingsville  
Engineering Dept.**

**Financial Impact:**

Account No. 054-5-7002-72100 under Fund 054 has \$244,746.00 allocated for this project.

**Recommendation:**

Staff recommends:

1. Awarding the contract to Donald Hubert Construction in the amount of \$115,428.00. - *done 10/26/2020*
2. Authorizing the City Manager to execute the contract.

**Attachments:**

Bid Tabulation – South 1.0 MGD WWTP Improvements Project

LNK Recommendation of Award

Donald Hubert Construction Qualifications

Etech Construction Inc Qualifications

Capacity Study for Kingsville, Texas South Wastewater Treatment Plant – Kimley-Horn

Kingsville's 5-year Capital Improvements Plan





**RESOLUTION #2020-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A STANDARD FORM OF AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE FOR SOUTH WWTP IMPROVEMENTS PROJECT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville went out for RFP's for South WWTP Improvements Project, which was advertised on September 16, 2020 and September 19, 2020;

**WHEREAS**, bids were received from two contractors by the bid opening on September 24, 2020; and, at a City Commission on October 26, 2020, the City Commission made an award to Donald Hubert Construction Co., Inc. (hereafter "Contractor") for the Base Bid in the amount of \$115,428.00;

**WHEREAS**, the City included the Contract and a list of all the inclusive contract documents with the bid packet for all bidders to have and know what they would be entering into an agreement for if they were awarded the bid;

**WHEREAS**, the City Commission has awarded the bid, done by LNV Engineering, it now hereby authorizes the City Manager to execute the agreement on the City's behalf.

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Standard Form of Agreement Between the City of Kingsville and Contractor on the Basis of a Stipulated Price for South WWTP Improvements Project in accordance with the contract, bid documents, and proposal received from the successful Contractor.

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  
\_\_\_\_\_ 14th day of \_\_\_\_\_ December, 2020.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

## **AGENDA ITEM #13**

**City of Kingsville  
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: December 14, 2020

SUBJECT: Discussion on Armstrong Street Improvements.

---

**Summary:**

The Armstrong Street Improvements between Santa Gertrudis Avenue and Kenedy Avenue include 3,000 feet of full depth construction. The project is in three phases approximately 1,000 feet long and will allow residents and businesses same day access. The project includes new pavement markings for two bike lanes (lane width varies 3'-6" to 5'-0"), 2 travel lanes (9'-6" wide) and a dedicated turning lane (10'-0" wide). The proposed markings will introduce a new method of transportation for bicyclists with their only travel lane for traffic safety. By narrowing the existing travel lanes, it will reduce speeding in the area and provide additional traffic safety. The proposed pavement is 3 inches hot mix asphalt and 11 inches of limestone base for a total pavement section of 14 inches. The pavement design was provided by a Geotechnical Consultant based on the traffic volume and loads. The pavement is designed for a 20-year life cycle in combination with intermediate preventative maintenance. The above referenced scope are base bid items.

The project includes an alternate bid item for a proposed 4-foot-wide sidewalk on the east side between Henrietta Avenue to alley due south and Kleberg Avenue to alley due south. The remaining east side of the street has existing sidewalks to remain. This alternate will help in providing pedestrian safety when walking between Santa Gertrudis Avenue and Kennedy Avenue.

The Preliminary Engineer's Cost Estimate is approximately \$980,000.00 for the base bid items. The construction will be completed in 4 months, and the approximate date of completion is July 5, 2021.

Professional Engineer Services were preformed by the City Engineering Department.



**City of Kingsville  
Engineering Dept.**

Water and wastewater utilities will be upgraded to prevent any damages to the proposed street improvements. Public Works will perform the utility upgrades.

This project was included in the FY 21 Streets CIP Worksheet list.

**Background:**

The average existing pavement section for Armstrong Street between Santa Gertrudis Avenue and Kenedy Avenue is 2 inches of asphalt and 9 inches of base for a total pavement section of 11 inches. The existing street has 2 travel lanes and a left only turning lane at the intersection at Santa Gertrudis Avenue/Armstrong Street and King Avenue/Armstrong Street. Students who ride their bikes to school use the vehicle travel lane or sidewalk to attend the local university. The pavement width varies from 43 to 36 feet wide. Armstrong Street has existing sidewalks on both sides but more on the east side with a couple of section missing.

**Financial Impact:**

The project is funded by the Street Fund 092.

**Recommendation:**

Staff recommends advertising the project with both base and alternate bid items.

**Attachments:**

Armstrong Street Pavement Improvements  
Armstrong Street Pavement Markings  
Engineer's Preliminary Cost Estimate  
Preliminary Project Schedule  
Bid Schedule  
FY 21 Streets CIP Worksheet





## **Bid Schedule for Bid #21-01 2021 N Armstrong St Improvements**

**Advertisements-**

December 24th, 2020

December 31st, 2020

**Pre-Bid Meeting-**

January 5th, 2021 at 10:00AM

**Bid Opening Meeting-**

January 12th, 2021 at 2:00PM





# Armstrong Street Improvements Between Santa Gertrudis Avenue and Kenedy Avenue

Engineer's Preliminary Cost Estimate

Base Bid					
ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
B-1	11757	SY	3" HMAc Pavement (Type D)	\$ 24.75	\$ 290,985.75
B-2	11757	SY	Single Course Seal (AC-5 and #4 Grade Gravel)	\$ 2.60	\$ 30,568.20
B-3	1762	GAL	Prime Coat (MC-30)	\$ 5.05	\$ 8,898.10
B-4	11757	SY	10" Limestone Flexible Base (Type A, Grade 1-2)	\$ 40.70	\$ 478,509.90
B-5	11757	SY	Geo-Grid Base Reinforcements on Compacted Subgrade	\$ 8.55	\$ 100,522.35
B-6	18	EA	Manhole Adjustment With Conc. Collar	\$ 500.00	\$ 9,000.00
B-7	1	EA	Valve Box Adjustment With Conc. Collar	\$ 400.00	\$ 400.00
B-8	4778	LF	Reflectorized Pavement Marking (Ty 1, W, 4", Solid, 090 Mil)	\$ 0.85	\$ 4,061.30
B-9	3914	LF	Reflectorized Pavement Markings (Ty 1, Y, 4", Solid, 090 Mil)	\$ 0.85	\$ 3,326.90
B-10	3696	LF	Reflectorized Pavement Marking (Ty 1, Y, 4", Brk, 090 Mil)	\$ 0.43	\$ 1,589.28
B-11	76	LF	Prefab Pavement Marking (Ty C, W, 12", Solid, 090 Mil) Stop Bar	\$ 30.00	\$ 2,280.00
B-12	636	LF	Prefab Pavement Marking (Ty C, W, 24", Solid, 090 Mil) Crosswalk	\$ 45.00	\$ 28,620.00
B-13	46	EA	Reflectorized Pavement Marking (Ty 1, 11-A-A)	\$ 5.90	\$ 272.58
B-14	48	EA	Reflectorized Pavement Marking (Ty 1, W, Sgl Arw, 100 Mil)	\$ 291.55	\$ 13,994.40
B-15	1	EA	Reflectorized Pavement Marking (Ty 1, W, Dbl Arw, 100 Mil)	\$ 590.10	\$ 590.10
B-16	2	EA	Reflectorized Pavement Marking (Ty 1, W, Word, 100 Mil)	\$ 409.60	\$ 819.20
B-17	6	EA	Reflectorized Pavement Marking (Ty 1, W, Bike Sym, 100 Mil)	\$ 409.60	\$ 2,457.60
B-18	6	EA	Reflectorized Pavement Marking (Ty 1, W, Bike Arw, 100 Mil)	\$ 291.55	\$ 1,749.30
				\$	978,644.96

Alt. Bid No. 1					
ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
A1-1	25	SY	6" Concrete Pavement with 4" Limestone Base	\$ 164.00	\$ 4,100.00
A1-2	119	SY	4" Thick Concrete Sidewalk	\$ 109.10	\$ 12,982.90
A1-3	20	SY	Asphalt Drwy Repair-2" HMAc Pavement (Type D) 8" Limestone Base	\$ 60.00	\$ 1,200.00
				\$	18,282.90

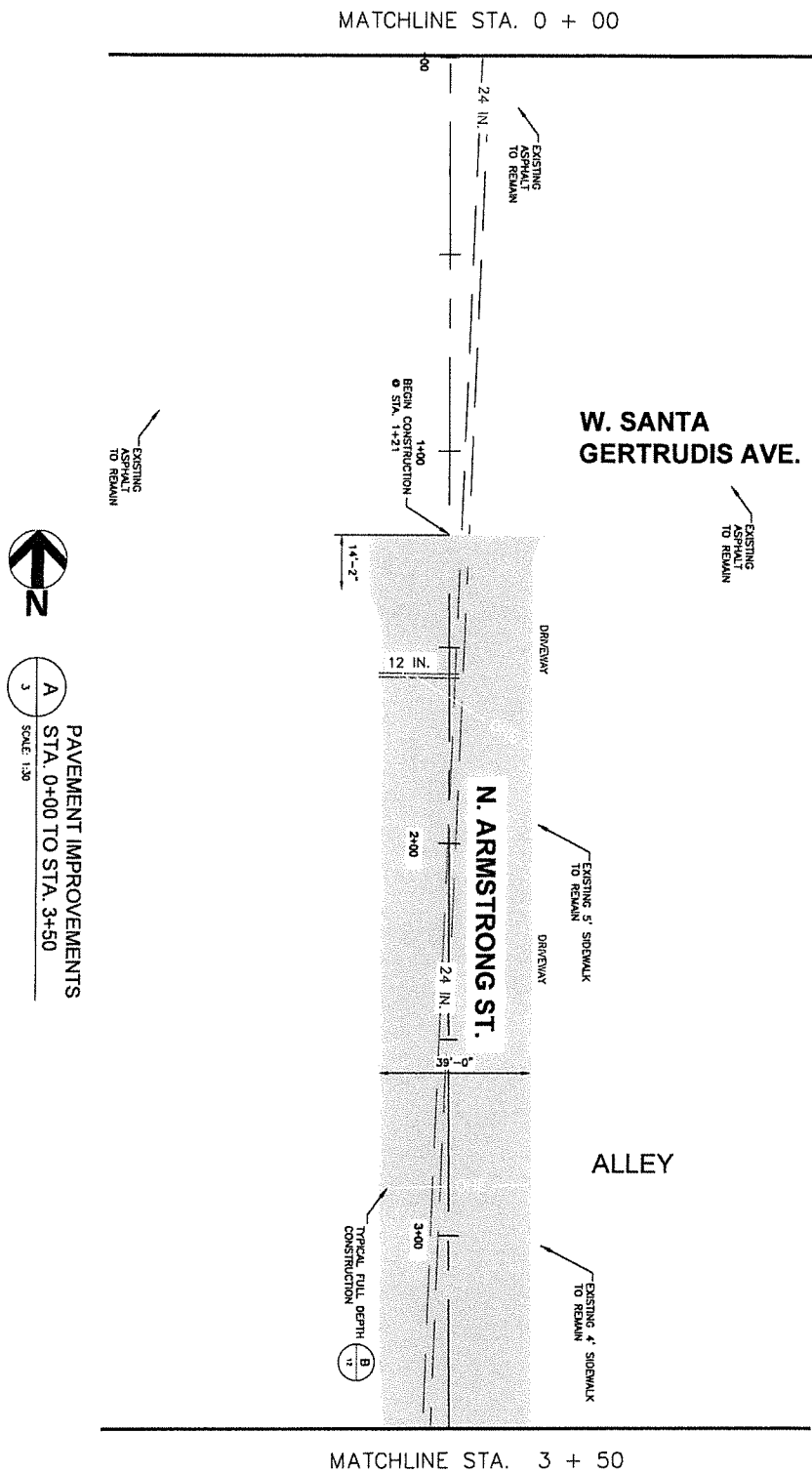
Base Bid	\$	978,644.96
Base Bid + Alt. 1	\$	996,927.86



**FY 21 Streets CIP Worksheet**

Aug. 11, 2020 Update

Project Description	Project Cost	Cumulative Cost	Street Class	Condition Rating	# of Blocks	Length (ft.)	Rehabilitation Activity
Armstrong Ave. from Santa Gertrudis Ave. to Kennedy Ave.	\$ 882,349	\$ 882,349	Minor Arterial	Very Poor	8	2,960	Full Depth Construction
Santa Gertrudis Ave. from Seale St. to West End	\$ 49,305	\$ 931,654	Minor Arterial	Very Poor to Poor	4	3,153	Chip Seal
8th St. from Corral to US 77 BUS	\$ 52,569	\$ 984,223	Principal Arterial	Very Poor to Fair	1	3,853	Chip Seal
6th St. from US 77 BUS to Allie Ave.	\$ 38,508	\$ 1,022,731	Principal Arterial	Good to Very Good	4	2,201	Chip Seal
1st St. from W. Ave. B to W. Ave. C	\$ 3,414	\$ 1,026,145	Collector	Good	1	361	Chip Seal
1st St. from W. Mesquite Ave. to W. Corral Ave.	\$ 3,063	\$ 1,029,208	Collector	Good	1	324	Chip Seal
3rd St. from W. Nettie Ave. to W. Ave. B	\$ 7,056	\$ 1,036,264	Collector	Good to Excellent	2	720	Chip Seal
W. Sage Rd. from Armstrong Ave. to Pavement Transition at 103 W. Sage Rd.	\$ 103,530	\$ 1,139,794	Collector	Very Poor to Poor	1	3,169	Surface Treatment and Overlay (1)
3rd St. from Birchwood Ave. to Briarwood Ave.	\$ 28,787	\$ 1,168,581	Collector	Good	1	542	Surface Treatment and Overlay (1)
Corral Ave./Santa Rosa Dr. from Javelina Station to Santa Fe Dr.							
Phase I - Optional Easement (Straighten the curve)	\$ 202,212	\$ 1,370,793	Minor Arterial	Very Poor to Marginal	1	805	Full Depth Construction
Phase II - Corral from Phase I to Javelina Station	\$ 582,935	\$ 1,953,728	Minor Arterial	Very Poor to Marginal	1	2,321	Full Depth Construction
Phase III - Corral from Phase I to Santa Fe Dr.	\$ 289,334	\$ 2,243,062	Minor Arterial	Very Poor to Marginal	1	1,152	Full Depth Construction
					26	21,561	
(1) May require additional work depending on existing base material condition							



2021 N. ARMSTRONG STREET IMPROVEMENTS  
FROM SANTA GERTRUDIS AVE. TO KENEDY AVE.

PAVEMENT IMPROVEMENTS  
STA. 0+00 TO STA. 3+50

Drawn by: V. MARQUEZ  
Date: 08/19/2020  
Checked by: R. MORA  
Job:  
Scale: N.T.S.



CITY OF KINGSVILLE  
ENGINEERING DEPARTMENT  
400 West King  
Kingsville, Texas 78363  
Office 361.595.8007  
Fax 361.595.8035

MATCHLINE STA. 24 + 50

ALLEY

ALLEY

S. ARMSTRONG ST.

25+00

24 IN.

43'-4"

26+00

27+00

28+00

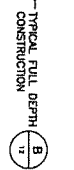
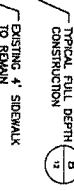
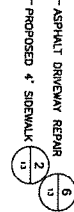
24 IN.

28

MATCHLINE STA. 28 + 00



PAVEMENT IMPROVEMENTS  
STA. 24+50 TO STA. 28+00  
SCALE: 1"=20'



2021 N. ARMSTRONG STREET IMPROVEMENTS  
FROM SANTA GERTRUDIS AVE. TO KENEDY AVE.

PAVEMENT IMPROVEMENTS  
STA. 24+50 TO STA. 28+00

Drawn by: V. MARQUEZ

Date: 08/19/2020

Checked by: R. MORA

Job:

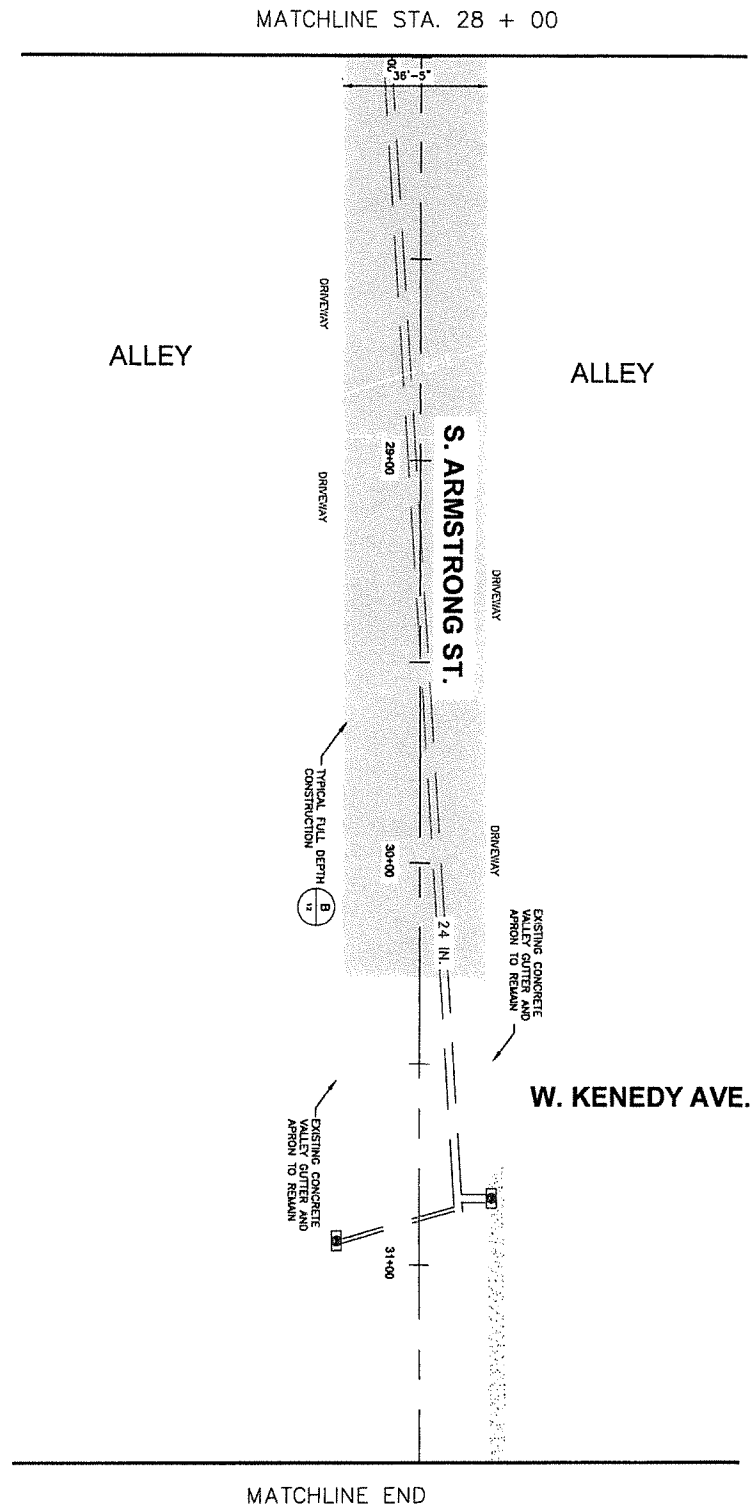
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CITY OF KINGSVILLE  
ENGINEERING DEPARTMENT

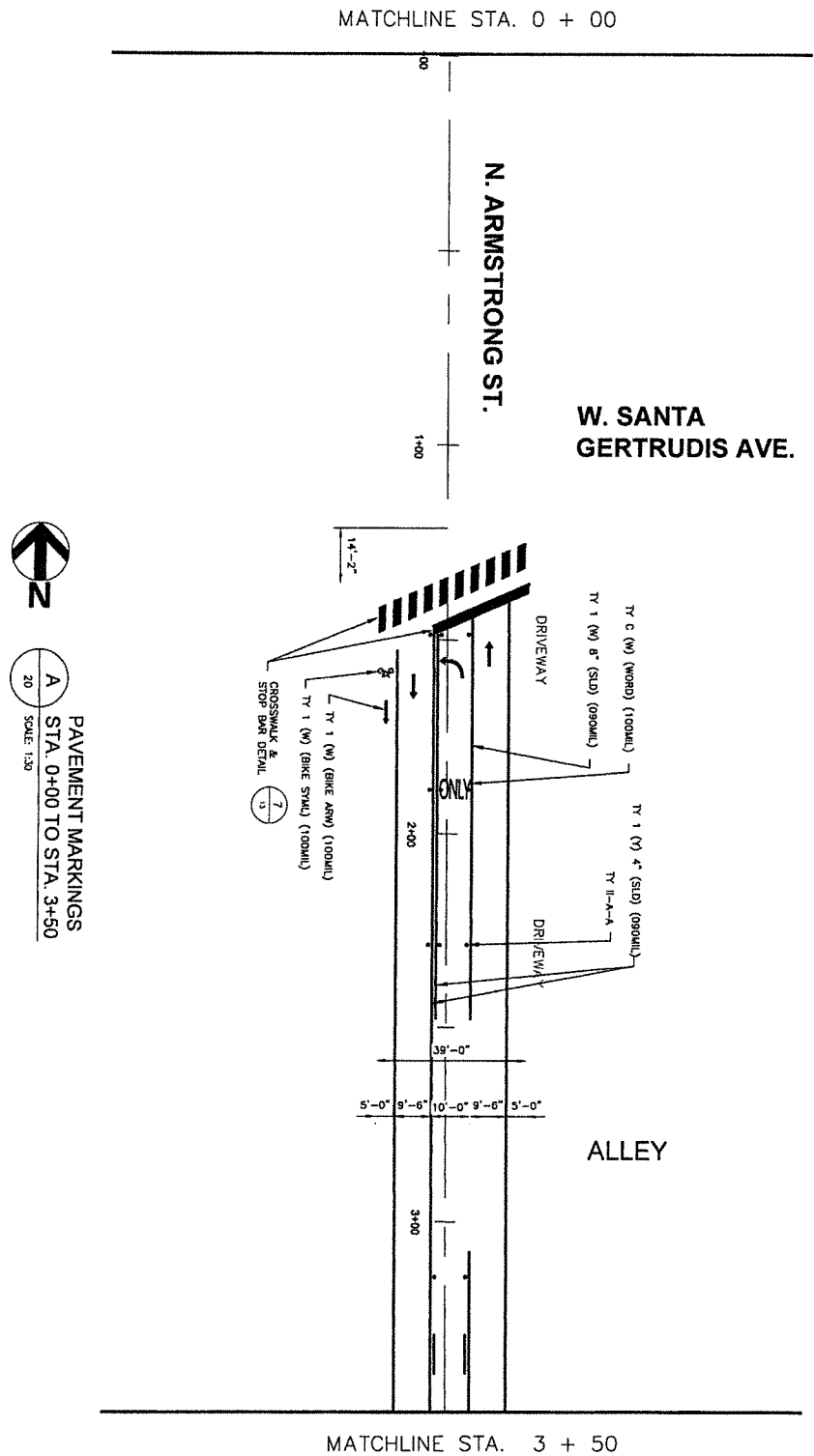
400 West King  
Kingsville, Texas 78363  
Office 361.595.8007  
Fax 361.595.8035

SHEET  
10



PAVEMENT IMPROVEMENTS  
STA. 28+00 TO STA. 31+50  
SCALE: 1:30

SHEET 11	2021 N. ARMSTRONG STREET IMPROVEMENTS FROM SANTA GERTRUDIS AVE. TO KENEDY AVE.  PAVEMENT IMPROVEMENTS STA. 28+00 TO STA. 31+50	Drawn by: V. MARQUEZ		CITY OF KINGSVILLE ENGINEERING DEPARTMENT  400 West King Kingsville, Texas 78363 Office 361.595.8007 Fax 361.595.8035
		Date: 08/19/2020		
		Checked by: R. MORA		
		Job:		
		Scale: N.T.S.		



SHEET  
20

2021 N. ARMSTRONG STREET IMPROVEMENTS  
FROM SANTA GERTRUDIS AVE. TO KENEDY AVE.

PAVEMENT MARKINGS  
STA. 0+00 TO STA. 3+50

Drawn by: V. MARQUEZ  
Date: 08/19/2020  
Checked by: R. MORA  
Job:  
Scale: N.T.S.



CITY OF KINGSVILLE  
ENGINEERING DEPARTMENT  
400 West King  
Kingsville, Texas 78363  
Office 361.595.8007  
Fax 361.595.8035





# **AGENDA ITEM #14**



**City of Kingsville  
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: December 14, 2020

SUBJECT: Discuss and consider City projects at JK Northway and allocating funding.

---

**Summary:**

Consider JK Northway City projects from the following list:

1. Remove and Replace Bleachers and Stage.
2. Proposed Covered Livestock Barn relocation
3. Existing Restroom ADA Upgrades
4. Proposed Covered Arena
5. Large video screen
6. PA System upgrades

A Consultant provided a Renovation Study and Opinion of Probable Construction Costs for the first 4 items listed above. The costs for the first 4 items with professional Engineering Services is approximately \$8.3 million.

Items 5 and 6 were recently discussed with the County Judge on December 2, 2020, and the additional items are estimated between \$250,000.00 to \$400,000.00.

Total project costs are approximately \$8.7 million.

Preliminary Project Schedule is approximately 18 months once a consultant is hired for Project Management Services. There is a long lead time for the covered arena (approximately a year) and the bleachers (approximately a year) to order steel and materials.

**Background:**

The City hired Populous Inc/ Halff Associates on December 12, 2016 (Resolution 2016-93) to create a JK Northway Coliseum Master Plan. Two entry options were provided.



**City of Kingsville  
Engineering Dept.**

Option 1 kept the entry as existing and expanded the Covered Livestock Barns, Proposed Covered Arena, 2 Stall Barns (80 stalls each), proposed Maintenance Yard, and overflow parking. Option 2 Alt. Entry – Site Plan proposed Entry (southside), Covered Livestock Barn (144 stalls), Covered Arena, Stall Barns (168 stalls), Maintenance Yard, Trailer and RV Parking and Additional Parking. Option 2 would create a new entrance to JK Northway from a new TxDOT frontage road off I-69.

On June 22, 2020, the City of Kingsville and Kleberg County entered into an agreement per Resolution 2020-50 that operations and maintenance of the JK Northway Coliseum and fairgrounds are the responsibility of Kleberg County. This was a request from the County to seek grants for improvements to the JK Northway Coliseum and fairgrounds.

**Financial Impact:**

Funds to be determined by Bond Counsel's recommendation. The City has Fund 203 allocated for JK Northway EDA Grant at \$500,000.00 cash match on the County's grant project. Fund 204 is allocated for JK Northway Hotel Venue Tax Fund, but it has not been implemented because project(s) have not yet been selected. The Hotel Venue Tax Fund can bring in approximately \$1.2 – \$1.6 million total.

**Recommendation:**

Staff is requesting direction from City Commission on which project components to move forward on.

**Attachments:**

01a Base Bid Option – Site Plan – JK Northway Coliseum Master Plan  
02 Alt Entry Option – Site Plan – JK Northway Coliseum Master Plan  
Resolution # 2016-93  
Resolution # 2020-50  
ICE – Renovation Study  
ICE - Opinion of Probable Construction Cost  
Audio Costs



**RESOLUTION #2016- 93**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN CITY OF KINGSVILLE AND POPULOUS, INC. FOR PROFESSIONAL PLANNING AND CONCEPT DESIGN SERVICES FOR THE JK NORTHWAY COLISEUM FACILITY; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville desires to have professional planning and concept design services (master plan) work done for the JK Northway Coliseum Facility located at Dick Kleberg Park to better serve the needs of the community; and

**WHEREAS**, the City Manager and staff have met with professional service firms and selected Populous, Inc. ("Populous") for this project; and

**WHEREAS**, the City Commission on October 24, 2016 awarded RFQ 16-15 to Populous, Inc./Halff Associates, Inc.(subcontractor) and authorized staff to negotiate a contract for a fair and reasonable price under the Professional Services Procurement Act;

**WHEREAS**, the City and Populous met to go over the needs and the structures at the JK Northway Coliseum Facility; and

**WHEREAS**, the City and Populous have worked to prepare an Agreement for Professional Services between the City of Kingsville and Populous, Inc. for professional planning and concept design services in conjunction with the JK Northway Coliseum Facility at Dick Kleberg Park.

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into an Agreement for Professional Services between the City of Kingsville and Populous, Inc. for professional planning and concept design services in conjunction with the JK Northway Coliseum Facility at Dick Kleberg Park 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.

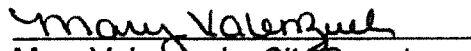
III.

**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  
12th day of December, 2016.

  
Sam R. Fugate, Mayor

**ATTEST:**

  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

  
Courtney Alvarez, City Attorney

# POPULOUS™

December 5, 2016

Mr. David Mason, CTPM, Purchasing Director  
City of Kingsville  
400 W King Ave 78363  
PO Box 1458 78364  
Kingsville, TX

RE: JK Northway Coliseum Facility Assessment and Improvements Master Plan

Dear David,

It was a pleasure to visit Kingsville last Friday and learn more about the JK Northway Coliseum. As we discussed, the coliseum is a very valuable asset to the community and an excellent base building from which to work to create a modern venue that will better serve the community users and attract events and users from outside the community. I was happy to tour a building which has remained virtually unchanged since its original construction, which will make the improvement effort very straight forward.

This letter shall act as our agreement between Populous, Inc. ("Architect") and the City of Kingsville ("Owner") for professional planning and concept design services in conjunction with the JK Northway Coliseum. The general terms and conditions of this agreement are defined in Attachment A, "General Conditions to Letter of Agreement", and made a part of this Agreement.

## Project Scope

Prepare a master plan of capital improvements for the J.K. Northway Exposition Center and Fairgrounds. The master plan will include upgrades and improvements of facilities as well as identifying options for best use of property including cost estimation.

The Exposition Center is approximately 54,600 gross square-feet and has surface parking for 462 vehicles. Attached to the Exposition Center was an outdoor barn which housed 12 pens. Due to a severe storm which occurred in May 2016, the outdoor pens are no longer in serviceable conditions. The Exposition Center also has a lighted-outdoor rodeo arena that is approximately 41,840 square-feet along with a storage facility that is approximately 5,430 square-feet. 82 horse stalls were demolished on February of 2016. The fairgrounds have 34 connections that provide electricity and water services for recreational vehicles (RV's).

The master plan will explore avenues to upgrade existing fairground facilities and provide needed new facilities that would serve many more potential activities such as: Agricultural related activities, county fairs, rodeo, trade shows, concerts, sporting events/tournaments, carnivals, equestrian events, community gatherings, family events, auctions, demonstrations, etc.

## Scope of Work

We conduct planning and design with a proven workshop-based approach. We propose to kick-off the project with an intensive project inventory, facility assessment and planning workshop, which will bring all team members, including the facility management team and key local stakeholders together for the review of the facility program and existing conditions. This initial group interaction will immediately bring various project concepts and concerns to light for discussion and consideration, saving time through the planning process and reducing the chance for any project oversight. It is likely that our experience in planning and designing this type of facility will bring to light many important planning and design considerations. This collaborative approach will facilitate a quick decision making process in the early planning phase and will continue throughout the life of the project.

1. **Facility Evaluation, Programming & Preliminary Planning Workshop:** We will conduct a 2-day on-site facility evaluation, programming and preliminary planning workshop with the City, facility management and key stakeholders to verify the programmatic needs for the proposed project, assess existing conditions and develop preliminary planning concepts for the project. Stakeholders and meetings shall be identified and organized by the City with coordination by the planning team. This workshop will include the attendance of two (2) people each from Populous and Halff Associates.
2. **Site Planning:** Utilizing site information provided by the Client, we will develop preliminary master plan scenarios for the JK Northway Coliseum and grounds, including conceptual floor plans for the major building components. The site plan will show amenities consistent with a project of this scope, including:
  - Natural features of the project site (topography, drainage, property lines, etc.)
  - Existing and proposed circulation, roads, drives, parking and RV parking
  - Existing and proposed structures
  - Outdoor amenities such as paddocks, arenas, horse paths, etc.
  - Conceptual floor plans of the major building components
  - Shared elements and/or relationship with the adjacent Dick Kleberg Park
  - Phasing concepts, if applicable
3. **Concept Planning Review Workshop:** We will conduct a planning review workshop with the City of Kingsville to review planning and design concepts for the proposed project. We will also prepare and discuss order of magnitude budget estimates for the concepts. Stakeholders may be engaged during this workshop at the discretion of the City. Upon completion of this workshop, the City will provide direction to the Consultant regarding the preferred planning concept to proceed and develop final planning documents. This workshop will include the attendance of one (1) person each from Populous and Halff Associates.
4. **Finalize Master Plan:** We will finalize the concept planning drawings for the proposed facility improvements based on the Owner-approved concept reviewed during the planning review workshop. These concept drawings will include a site plan, concept level floor plans and exterior elevations, sufficient to clearly define the project scope, function and conceptual architectural aesthetic of the project. We will also prepare up to three (3) computer-generated conceptual renderings of the proposed renovations.

5. Master Plan Deliverables:

- Project Program Document (Excel spreadsheet)
- Line drawing and color rendered site plan of the project site
- Conceptual floor plans of major building components
- Sketchup renderings of the proposed master plan
- Order of Magnitude Cost Estimate (indicating phases if applicable)
- Master plan document including existing site conditions, facility evaluation, master plan and concept design drawings, three (3) concept 3D renderings, one (1) site plan rendering, program and order of magnitude cost estimate. The document will be created in 11x17 format to accommodate site plan and other exhibits.
- PowerPoint presentation containing facility evaluation, planning and concept design deliverables.

6. Final Master Plan Presentation: One person from both Populous and Halff Associates will attend a final presentation workshop to be coordinated with a City Council meeting. We will prepare a PowerPoint presentation containing facility evaluation, planning and concept design deliverables for this meeting.

### **Populous Fees and Payment Schedule**

Our lump sum fee for the scope of work as described above is Forty-Five Thousand One Hundred Dollars (\$45,100.00), including expenses. Invoices are due upon receipt and will be prepared monthly based upon the Architect's estimated percentage of project work complete.

The fee breaks down as follows:

Labor: \$40,000.00

Not to Exceed Expenses: \$5,100.00

### **Sub-Consultants**

The services performed by Halff Associates, as outlined in the above scope of work, will be provided as a sub-consultant to Populous and are included in the lump sum fee above.

### **Reimbursable Expenses**

Expenses for the workshops and meetings indicated in the scope of work are included in the lump sum fee. Reimbursable expenses will be billed for additional services, including travel, printing, binding and reproduction. Additional services must be approved in writing by the City of Kingsville.

### **Site Visits and On-Site Meetings**

Site visits and on-site workshops as indicated in the scope of work are included. If additional site visits or on-site workshops are requested by the Owner, the time will be billed in addition to the lump sum fee listed above.

### **Owner's Responsibilities**

The Owner is responsible for providing the following information at least one week prior to the workshop:

# POPULOUS™

Mr. David Mason  
City of Kingsville

December 5, 2016  
Page 4 of 9

1. Site survey including topography, setbacks, easements, utilities and all existing buildings and surface features in CAD format if possible.
2. As-Built drawings of the existing JK Northway Coliseum and adjacent storage building.
3. Identification and coordination of stakeholders to be engaged during the planning process.

## Schedule

We anticipate the above scope of work requiring approximately four (4) months to complete, depending on meeting/workshop scheduling and receipt of approvals by the City. Upon execution of the services agreement, we will develop a meeting/milestone schedule for approval by the City.

We look forward to working with you in the development of this important project and look forward to your favorable response. Please don't hesitate to contact me via email if you have any questions regarding this proposal.

Very truly yours,



Todd Gralla, Principal  
Populous

ACCEPTED BY CLIENT:


Name

Title

Date

## Attachments:

- A. General Terms for Letter Agreement

  
\_\_\_\_\_  
City Manager  
\_\_\_\_\_  
Dec 13, 2016



**ATTACHMENT A**

**J.K. NORTHWAY COLISEUM MASTER PLAN  
GENERAL CONDITIONS TO LETTER AGREEMENT**

1. **PAYMENTS** are payable to the Architect within thirty (30) days from the date of invoice. Invoices are sent out every month and the client will have ten (10) days from receipt of the invoice in which to review the invoice for accuracy. After ten (10) working days from receipt of the invoice, said invoice will be deemed accurate. An interest charge of 2% over the prevailing Bank of America prime interest rate or an interest rate in accordance with the statutes of the state where the project is located, whichever is greater, shall accrue on any unpaid balance not received thirty (30) days following receipt of an invoice.
2. **REIMBURSABLE EXPENSES.** Unless noted otherwise in Attachment B, reimbursable expenses will include the following, transportation, lodging, and meals in connection with travel; long distance telephone calls, courier services and facsimile communications, telex, postage and delivery charges;; reproduction costs; photographic production techniques; expense of renderings, models and mock-ups requested by the Owner; and automobile travel. All payments to be made by the Owner under this Agreement shall be increased by the addition of applicable Sales and Use Taxes, if any. All Reimbursable Expenses shall be invoiced at 1.00 times cost. Mileage charges for automobiles shall be at the prevailing rate established by the I.R.S. Renderings, graphics and models prepared by outside sources will be reimbursed at actual cost, plus a 1.00 times cost to cover coordination and administrative expenses.
3. **NO DEDUCTION** shall be made from the Architect's compensation on account of claims of negligent errors or omissions in performance of professional services by the Architect, except pursuant to a judicial award or an award rendered in a proceeding in accordance with the Construction Industry Rules of the American Arbitration Association then obtaining.
4. **LEGAL COSTS.** The Owner shall reimburse the Architect for all costs incurred in collection of unpaid accounts, including, without limitation, all reasonable attorney and legal expenses.
5. **OWNER'S RESPONSIBILITIES.** The Owner shall furnish such legal, accounting, and insurance counseling services as may be required for the Project and shall provide the Architect with all existing information relating to the Project which the Architect may request, including but not limited to, surveys, soils investigations, and program data. If the Owner becomes aware of any fault or defect in the Project or the Architect's services, he shall promptly notify the Architect. The Owner shall furnish required information or services as expeditiously as necessary for the orderly performance of the work.
6. **SPECIAL CONSULTANTS** or Subcontractors are those who provide services other than those provided by customary consultants as defined in AIA Documents B141, Standard Form of Agreement Between Owner and Architect. Invoicing and payment shall be the same as in Item 1 above.
7. **SEPARATE CONSULTANTS.** If a firm or firms are separately engaged by the Owner to work under the general direction of the Architect, the Architect shall have no responsibility or liability for the performance or technical sufficiency of the services of such separately engaged firms.
8. **CONSTRUCTION COST ESTIMATES.** As the Architect has no control over construction costs or contractor's prices, any construction cost estimates are made on the basis of the Architect's experience and judgment as a design professional; but it cannot and does not warrant or guarantee that contractor's proposals, bids or costs will not vary from its estimates. If a Contractor or Construction Manager is providing construction cost estimates or cost control services for the Owner, the Architect shall be entitled to rely on the information provided, and assume the accuracy of the information provided. The modification of the Contract Documents shall be the limit of the Architect's responsibility relating to construction cost issues.

9. **PHOTOGRAPHY.** Architect shall have the right to retain a photographer for the photography of the entire Project except those portions of the Project, which, in the reasonable judgment of the Owner, would seriously compromise Owner's business interests. The costs incurred for photography commissioned by Architect shall be paid by Architect except in the event Owner requests copies for its own use. Owner shall then share in a mutually agreed upon portion of the photography and processing costs. With the execution of the Agreement, Owner grants Architect the unlimited right to publish photographs of the Project as described above.

10. **ADA.** With respect to the Americans with Disabilities Act ("ADA"), Owner acknowledges that the ADA is not a detailed building code and that its requirements are general in nature and open to differing interpretations. Architect will use its reasonable professional efforts to interpret applicable ADA requirements and to advise Owner in this regard. However, Architect cannot warrant or represent that services provided under this Agreement will result in full project compliance with the ADA or all interpretations of ADA requirements by regulatory bodies or court decisions. In addition, if Owner requires that the construction of the project deviate from Architect's reasonable judgment and understanding of the provisions of the ADA, Owner shall defend, indemnify and hold Architect harmless from any claim based upon such deviation.

11. **OWNERSHIP AND USE OF DOCUMENTS.** Drawings, Schedules and Specifications as instruments of services shall, upon payment in full to Architect for its services, become the property of the Owner. The Architect shall be permitted to retain copies, including reproducible copies, of Drawings, Schedules and Specifications for information and reference in connection with the Architect's services on the Project. The Drawings, Schedules and Specifications shall not be used by the Owner on other projects, for additions to this Project, or (provided the Architect is not in default under this Agreement) for completion of this Project by others, or published in any manner whatsoever, except by prior agreement of the Architect in writing and with appropriate compensation to the Architect. In the event of unauthorized re-use of the Drawings, Schedules and Specifications by Owner, Owner waives any claim against Architect arising from the re-use of such documents and agrees, to the extent permitted by applicable law, to defend, indemnify, and hold the Architect harmless from any and all liability for injury or loss allegedly arising from such re-use.

Owner expressly acknowledges and agrees that the Drawings and Specifications to be provided by Architect under the agreement will contain innumerable design details, features and concepts, which collectively form part of the services for the project, but which separately are and shall remain the sole and exclusive property of Architect. These details are repetitive in nature, not Project specific, function rather than form-oriented, and were not developed for or identifiable with the Project. Nothing herein shall be construed as a limitation on Architect's absolute right to re-use such component design details, features and concepts on other projects, in other contexts or for other clients.

12. **HAZARDOUS MATERIALS.** No services will be provided with regard to the detection, removal, disposal or storage of asbestos, and other hazardous materials. The Owner shall be responsible for the detection, removal and disposal of all hazardous materials, toxic wastes, asbestos, and pollutants at the Project site in accordance with applicable law. The Owner shall defend, indemnify, and hold the Architect and the Architect's principals, employees, agents, and consultants harmless from and against any and all injuries, losses, liabilities, damages or claims of any nature whatsoever relating to asbestos in the Project including, without limitation, the costs, expenses and attorneys' fees which the Architect, the Architect's principals, employees, agents, or consultants may at any time sustain or incur by reason of any of the foregoing. Accordingly, the Owner hereby agrees to bring no claim for negligence, breach of contract, indemnity, or otherwise against the Architect, or the Architect's principals, employees, agents, or consultants relating to hazardous materials in the Project.

13. **MOLD.** Owner acknowledges that mold is a naturally occurring phenomenon that can be attributed to many causes, including but not limited to building design, construction, maintenance or operation. Owner also acknowledges that traditional insurance coverage may not be available to the

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Mr. David Mason  
City of Kingsville

December 5, 2016  
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construction industry to defend and indemnify mold-related claims and costs. Therefore, in consideration of Architect's performance of this agreement, Owner waives any claims against Architect, whether in contract or tort, for special, indirect or consequential damages, or for defense or indemnity, that arise from mold-related damages, Architect's obligation for its negligence or breach of contract limited solely to re-design, as necessary, to remedy a design error which is determined to be the sole cause of mold contamination. Owner acknowledges that moisture and mold prevention requires appropriate design, construction techniques, and building operation and maintenance. Owner assumes responsibility for maintenance of the building and for monitoring for leaks, humidity and other moist conditions after occupancy.

**14. INSURANCE.** The Architect will effect and maintain insurance for protection from claims under Workmen's Compensation Acts; claims for damages because of bodily injury, including personal injury, sickness or disease, or death of employees or of any other person; and from claims for damages because of injury to or destruction of tangible property, including loss of use resulting therefrom. Prior to commencing work under this Agreement, the Architect will furnish the Owner with Certificates of Insurance stating the coverages and limits of liability of the insurance that will be maintained for protection from claims arising out of the performance of professional services and caused by any negligent act, errors, or omissions for which the Architect may be legally liable. The certificates will stipulate that if the required insurance policies are to be canceled prior to completion or termination of this Agreement, the issuing company will provide at least thirty (30) days' prior written notice of such event or at least ten (10) days' notice in the event of nonpayment of premium. The Architect shall maintain the following maximum amounts of insurance during the term of this Agreement: Workmen's Compensation, Statutory; Employer's Liability, \$100,000; Commercial General Liability (CSL) \$1,000,000; Automobile Liability (CSL) \$1,000,000; Professional Liability, \$1,000,000; Umbrella Liability, \$2,000,000. The Owner shall be named as an Additional Insured on the above policies (except Professional Liability and Workmen's Compensation).

**15. SUSPENSION OF WORK.** If any invoice is outstanding for more than thirty (30) days from the date due, the Architect shall have the right, in addition to any and all other rights provided, to refuse to render further services to the Owner and such act or acts shall not be deemed a breach of this Agreement. Continued performance and/or completion of work by the Architect under this Agreement is contingent upon payment of fees by the Owner.

**16. TERMINATION OF AGREEMENT.** This Agreement may be terminated by the Architect upon seven days written notice should the Owner fail substantially to perform in accordance with its terms through no fault of the Architect. This Agreement may be terminated by the Owner upon seven days written notice to the Architect should the Architect fail substantially to perform in accordance with its terms through no fault of the Owner. In the event of termination, the Architect shall be compensated for all services performed to termination date, together with Reimbursable Expenses incurred and unpaid to termination date.

**17. DISPUTE RESOLUTION/ARBITRATION.** Any controversy, claim or dispute arising out of or relating to the interpretation, construction, or performance of this Agreement, or breach thereof, shall be referred to voluntary, nonbinding mediation to be conducted by a mutually acceptable mediator prior to resorting to litigation or arbitration. Venue for any litigation shall be in Kleberg County, Texas for state court claims and the federal district court in Corpus Christi, Texas for federal court claims.

Provided they do not exceed a cumulative total of \$75,000 during the term of this Agreement, all claims, disputes and other matters in question between the parties to this Agreement, arising out of or relating to this Agreement or the breach thereof, which are not resolved as the result of the non-binding mediation process, shall be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining unless the parties mutually agree otherwise.

Demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. The demand shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statute of limitations.

No arbitration, arising out of or relating to this Agreement shall include, by consolidation, joinder or in any other manner, any additional person not a party to this Agreement except by written consent containing a specific reference to this Agreement and signed by the Architect, the Engineer and any other person sought to be joined. Any consent to arbitration involving an additional person or persons shall not constitute consent to arbitration of any disputes not described therein. This agreement to arbitrate and any agreement to arbitrate with an additional person or persons duly consented to by the parties to this Agreement shall be specifically enforceable under the prevailing arbitration law.

The award rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance within applicable law in any court having jurisdiction.

**18. STANDARD OF CARE.** Notwithstanding any clause in this Agreement to the contrary, the standard of care for all professional services performed or furnished by the Architect will be the care and skill ordinarily exercised under similar conditions by professional consultants practicing in the same field at the same time in the same or similar locality. No other warranty, express or implied, is made or intended related to the services provided.

**19. INDEMNITY.** Architect agrees to indemnify and hold harmless Owner from and against any liabilities, damages, and costs (including reasonable attorneys' fees and cost of defense) arising out of the death or bodily injury to any person or the destruction or damage to any property, to the extent caused, during performance of professional services under this Agreement, by the negligent acts, errors, and omissions of the Architect or anyone for whom the Architect is legally responsible, subject to the limitations set forth in the Limitation of Liability article of this Agreement.

The Owner agrees, to the fullest extent permitted by law to indemnify and hold harmless the Architect from any liabilities, damages, and costs (including reasonable attorney's fees and cost of defense) to the extent caused by the negligent acts, errors or omissions of the Owner, Owner's contractors, Design Professionals or anyone for whom Owner is legally responsible.

**20. LIMITATION OF LIABILITY.** In recognition of the relative risks and benefits of the Project to both the Owner and the Architect, the risks have been allocated such that the Owner agrees, to the fullest extent permitted by law, to limit the liability of the Architect and Architect's officers, directors, owners, employees and subconsultants to the Owner and to all construction contractors and subcontractors on the Project for any and all injuries, claims, losses, expenses, damages of any nature whatsoever or claims expenses arising out of this Agreement from any cause or causes, so that the total aggregate liability of the Architect and Architect's officers, directors, owners, employees, and subconsultants to all those named shall not exceed the Architect's total fee for services rendered on this project.

**21. WAIVER OF CONSEQUENTIAL DAMAGES.** Neither party shall be liable to the other party for any indirect, consequential, special, incidental, reliance, or punitive damages (including but not limited to any lost profits, lost revenues, lost savings, or harm to business) arising out of or relating to either party's performance or nonperformance under this Agreement.

**22. THIRD-PARTY BENEFICIARIES.** Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Owner or Architect.

**23. MISCELLANEOUS.** Neither party may assign its interest in this Agreement to any other person without the express written consent of the other party. This Agreement constitutes the complete and sole agreement between the parties with respect to the Project, and may be amended only by a written

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document signed by both parties, and shall be governed by the laws of the State where the Architect is performing the work for this contract.



# **J.K. NORTHWAY EXPOSITION CENTER ARENA**

**Kingsville, Texas  
Renovation Items Study**

December 2020



**JK Northway Exposition  
Center Arena  
Renovation Items Study  
Kingsville, TX.**

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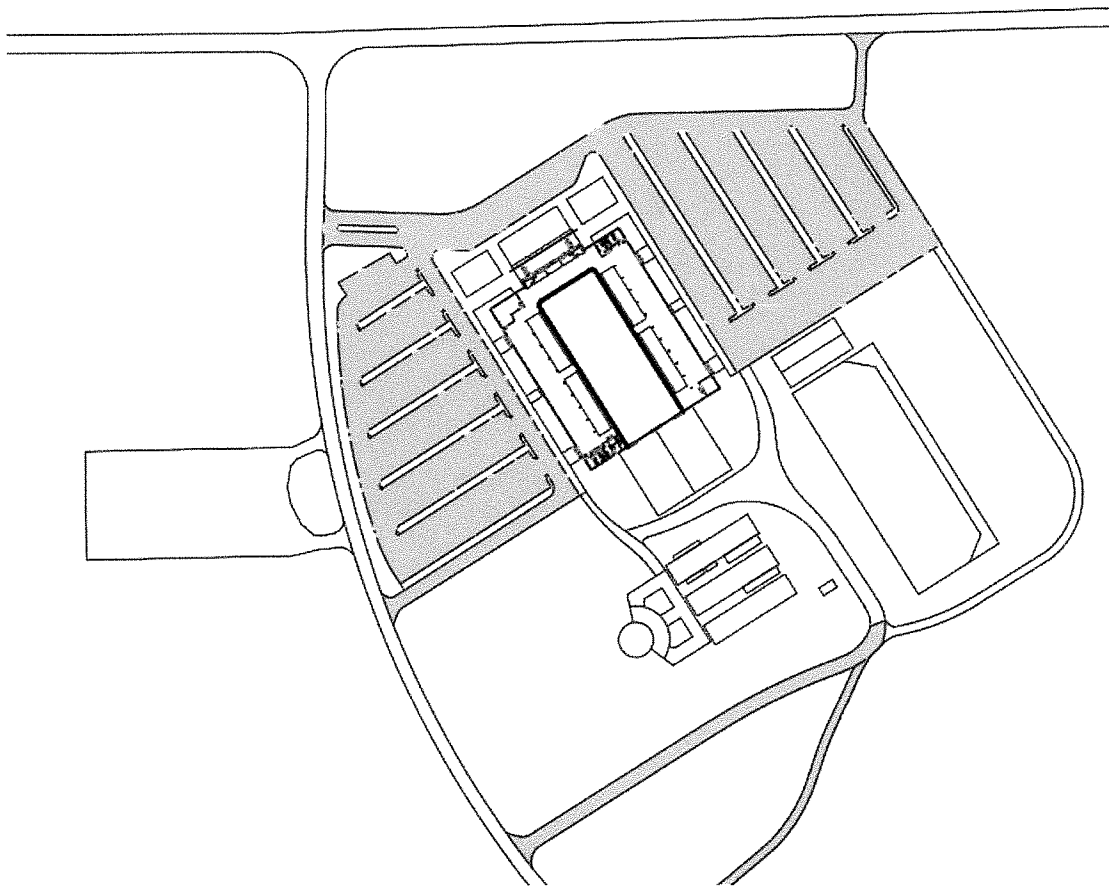
<b>1.</b>	<b>Project Background</b>	
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# 1. Project Background

## 1.1 Project Description

The proposed project consists of the renovation of the J.K. Northway Exposition Center. The goal of this report is to discuss potential programming, code and construction items and cost scenarios associated with the following proposed project items:

- Renovations to existing arena restrooms
- Replacement of existing arena bleachers
- New outdoor covered roof arena





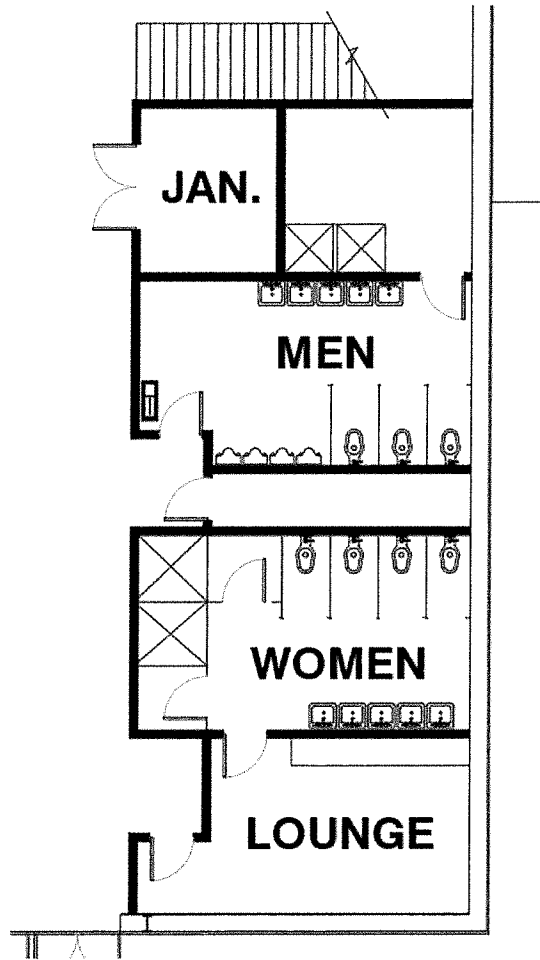
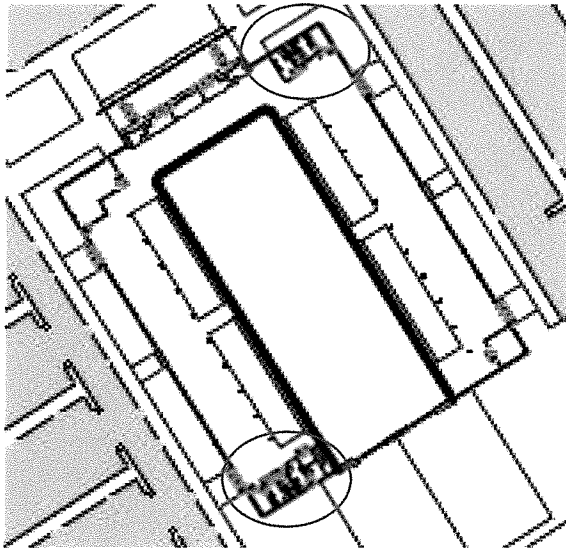
## 2. Arena Restroom Renovations

### 2.1 Description

Existing restrooms at each corner of the building appear to have been remodeled recently, site observations indicate:

- Current number of plumbing fixtures are adequate for bleacher seating
- Some programming features can be reworked.

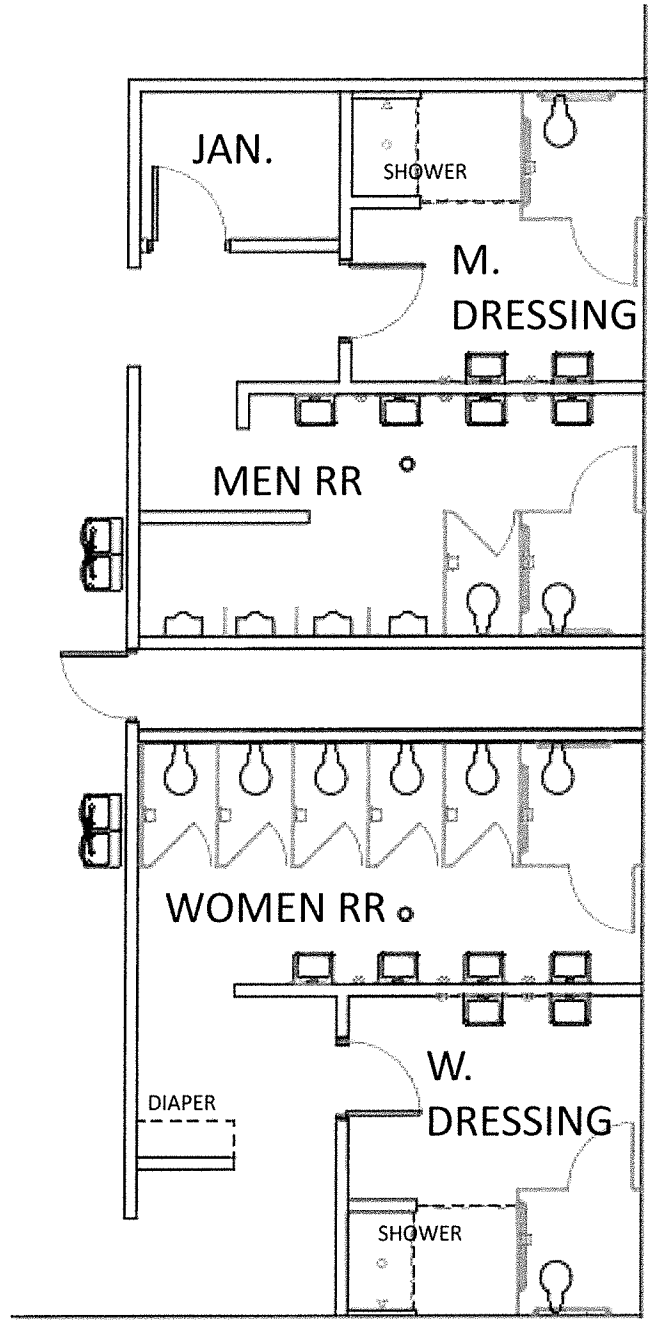
EXISTING RESTROOMS PER DWGS., TYP.



## 2. Arena Restroom Renovations

### 2.2 Proposed Preliminary Study

Preliminary cost scenario is based on the PRELIMINARY PROPOSED, below



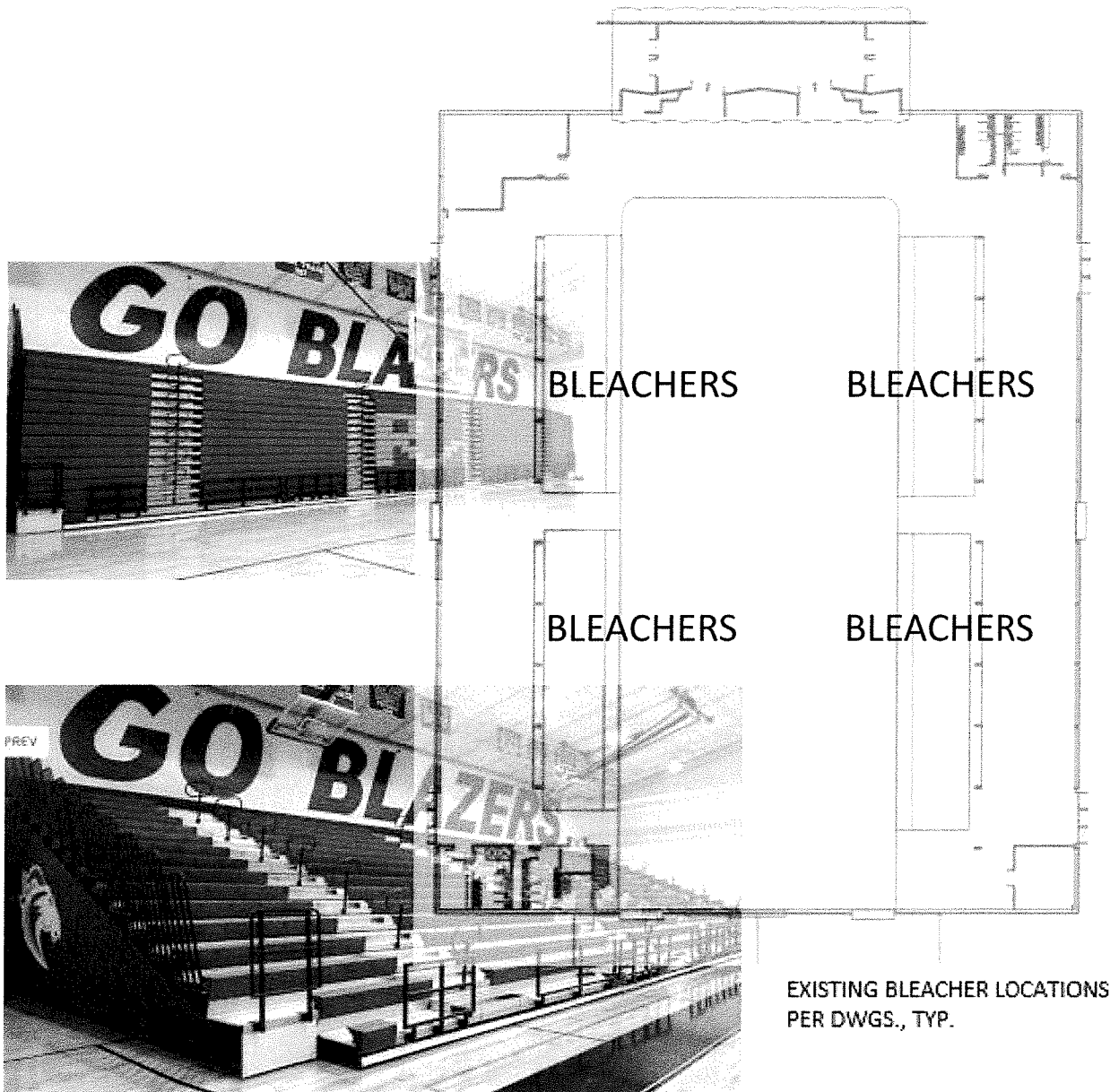
**PRELIMINARY PROPOSED**

### 3. Replace Bleachers

#### 3.1 Description

Project consists of installation of new retractable bleachers. Preliminary project includes:

- Construction of structural support wall for bleachers
- Replacement of existing arena bleachers

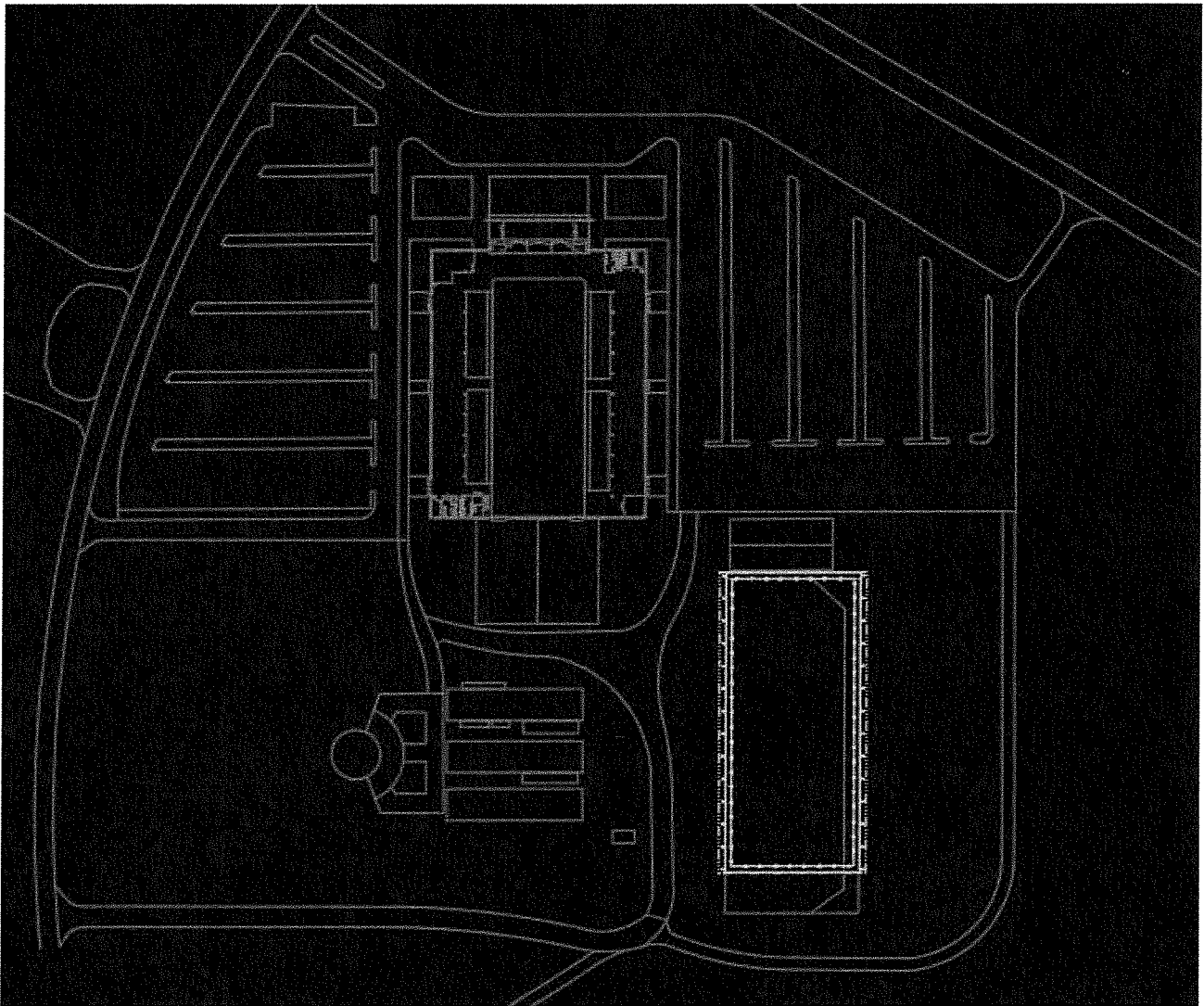


## 4. Outdoor Open Arena

### 4.1 Description

Project consists of construction of new outdoor covered roof arena, Preliminary project includes:

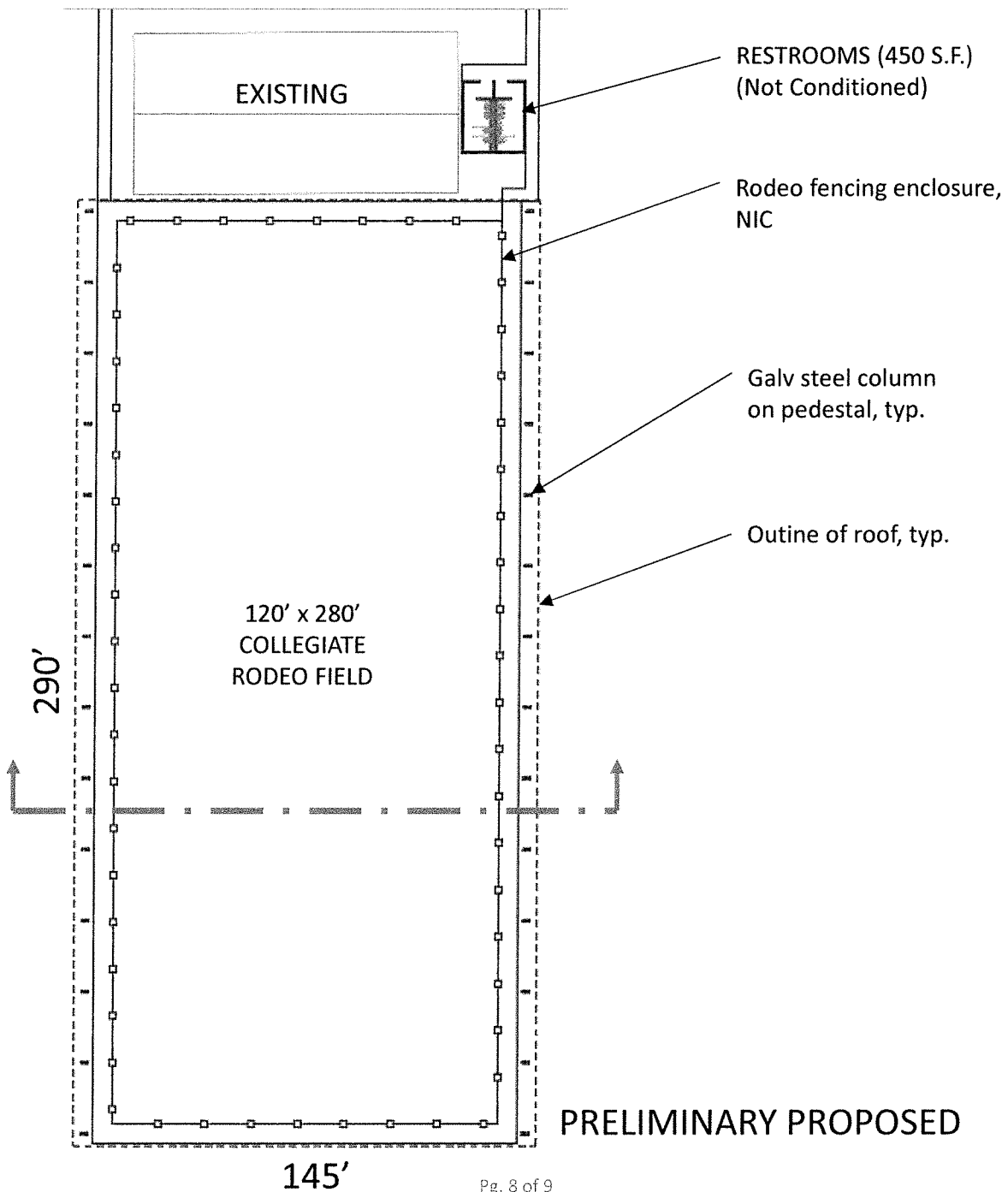
- Rigid frame metal roof for open arena
- Collegiate compliant competition rodeo accommodations
- Infrastructure improvements as needed



## 4. Outdoor Open Arena

### 4.2 Proposed Preliminary Study

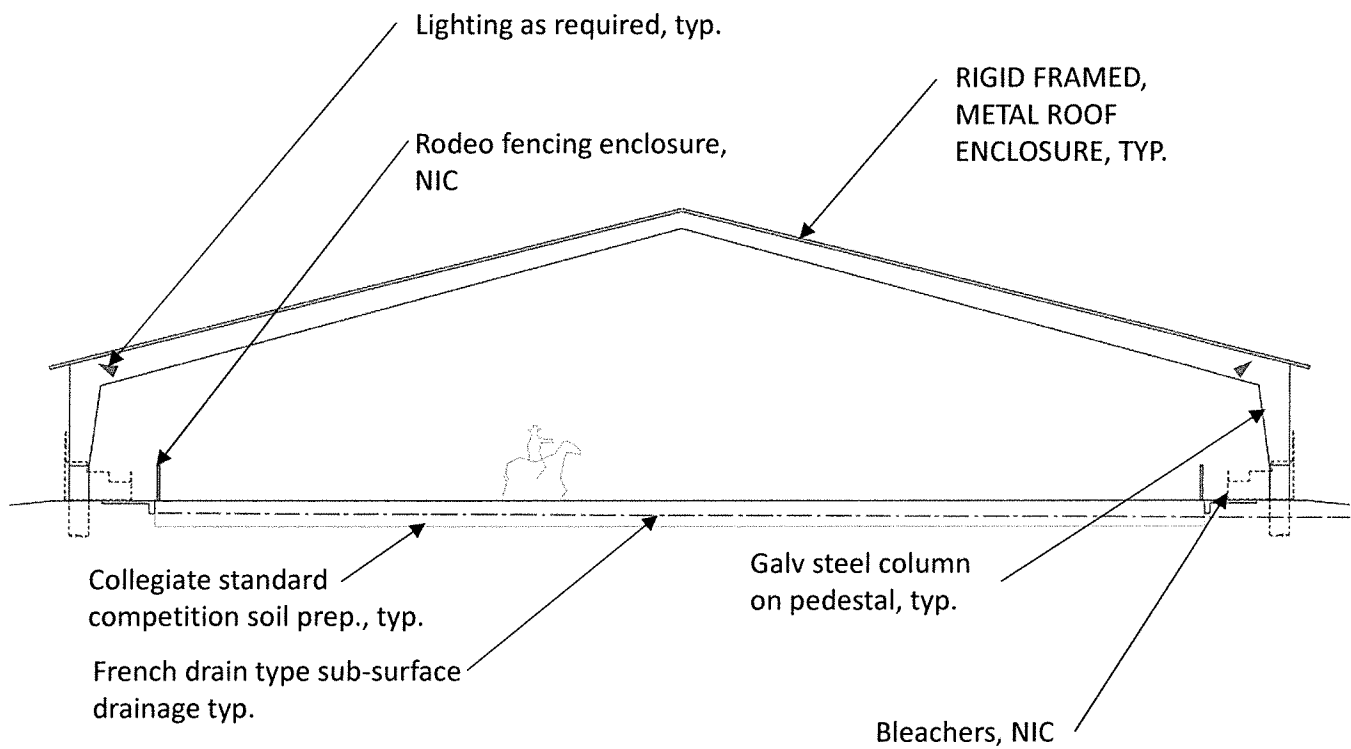
Preliminary cost scenario is based on the PRELIMINARY PROPOSED, below



## 4. Outdoor Open Arena

### 4.3 Proposed Preliminary Study

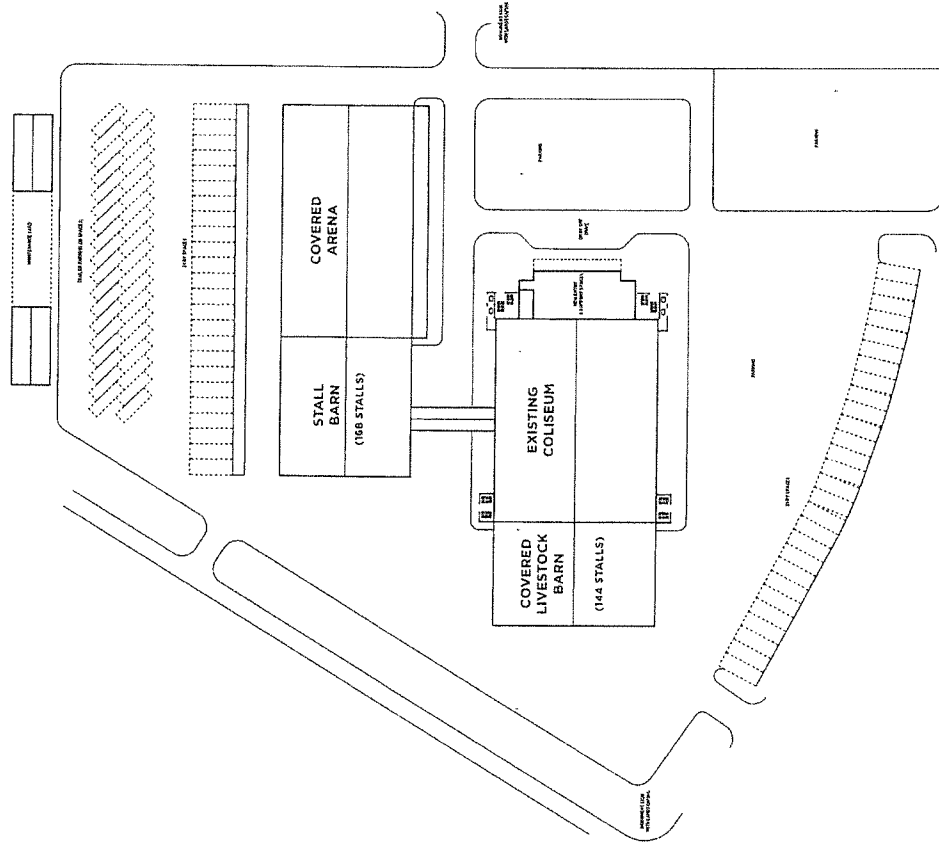
Preliminary cost scenario is based on the PRELIMINARY PROPOSED, below



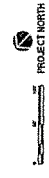
### PRELIMINARY PROPOSED SECTION

145'

# 02 alt entry option - site plan

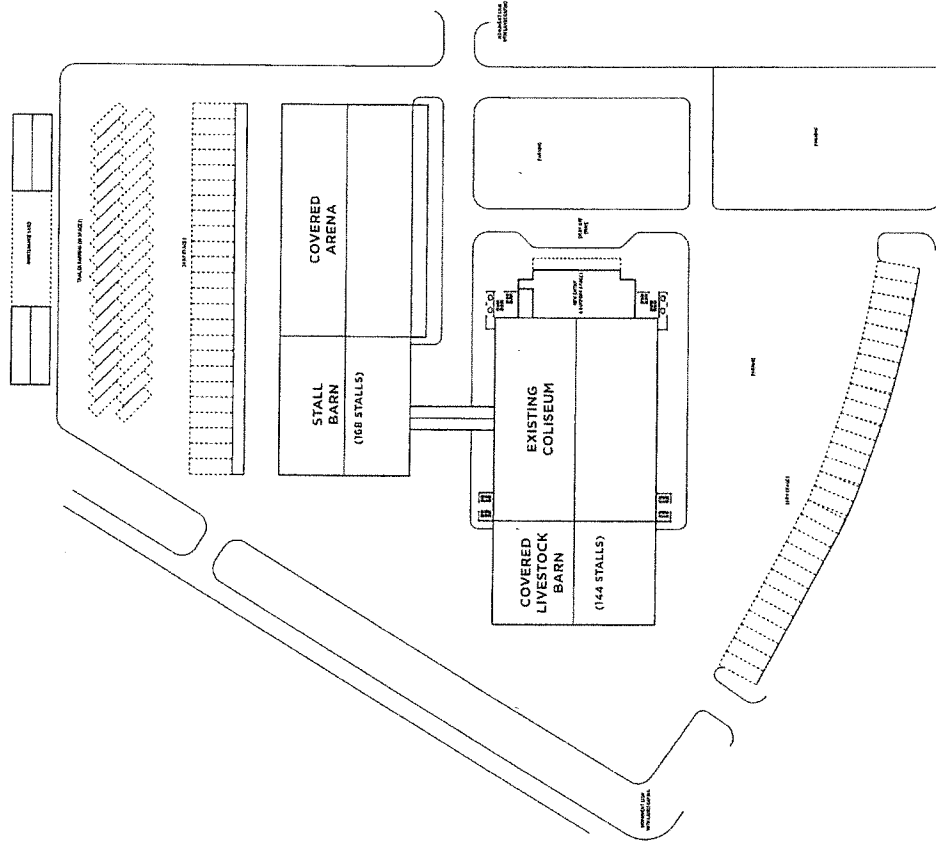


JK NORTHWAY COLISEUM MASTER PLAN | MARCH 6, 2017

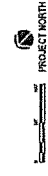


POPULOUS

# 02 alt entry option - site plan



JK NORTHWAY COLISEUM MASTER PLAN | MARCH 6, 2017



POPULOUS



**RESOLUTION # 2020-50**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED INTERLOCAL AGREEMENT BETWEEN KLEBERG COUNTY AND THE CITY OF KINGSVILLE FOR THE PARKS WITHIN THE CITY LIMITS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville owns several parks within the city limits and Kleberg County owns several parks within the city limits, which have been operated under an interlocal agreement since October 2014 for the City to maintain and operate the parks and for several decades prior to that the County had responsibility for the operation and maintenance of the parks;

**WHEREAS**, the City and County now desire to transfer operations and maintenance of the JK Northway coliseum and fairgrounds back to the County, per their request as the County has sought and continues to seek grants for improvements to the JK Northway coliseum and fairgrounds;

**WHEREAS**, the County of Kleberg and the City of Kingsville have previously entered into interlocal agreements to share expenses for various departments for the residents of their respective entities; and

**WHEREAS**, these interlocal agreements were enacted to reduce duplicitous services and expenses from having each entity provide the same services; and

**WHEREAS**, the County and the City desire to see the continued operation of the parks within the city limits; and

**WHEREAS**, the County and the City believe the continued operation of the parks will improve the health and quality of life of the residents of their jurisdictions.

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

I.

**THAT** the City authorizes and directs the Mayor, as an act of the City of Kingsville, Texas, to enter into an Amended Interlocal Cooperation Agreement between Kleberg County and the City of Kingsville for the maintenance and operation of the parks within the city limits for continued use as a parks and recreation area.

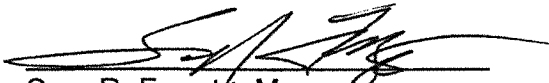
II.

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

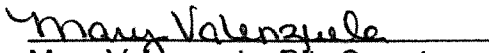
III.

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

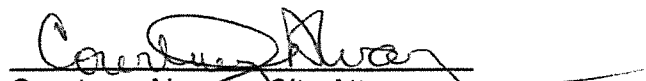
**PASSED AND APPROVED** by a majority vote of the City Commission on the  
22<sup>nd</sup> day of June, 2020.

  
Sam R. Fugate, Mayor

**ATTEST:**

  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

  
Courtney Alvarez, City Attorney

**AMENDED INTERLOCAL AGREEMENT  
BETWEEN  
THE CITY OF KINGSVILLE, TEXAS  
AND  
THE COUNTY OF KLEBERG, TEXAS  
FOR  
PARKS WITHIN THE CITY LIMITS**

**STATE OF TEXAS**

**§**

**COUNTY OF KLEBERG**

**§**

**§**

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

**WITNESSETH:**

**WHEREAS**, the City of Kingsville owns several parks within the city limits and Kleberg County owns several parks within the city limits, which have been operated under an interlocal agreement for the past several decades with the County having responsibility for the operation and maintenance of the parks;

**WHEREAS**, the City and County transferred operations and maintenance of all of the parks within the city limits from the County to the City via an Interlocal Agreement approved by the County on September 15, 2014 and by the City on September 8, 2014;

**WHEREAS**, the County of Kleberg and the City of Kingsville have previously entered into interlocal agreements to share expenses for various departments for the residents of their respective entities;

**WHEREAS**, these interlocal agreements were enacted to reduce duplicitous services and expenses from having each entity provide the same services;

**WHEREAS**, the County and the City desire to see the continued operation of the parks within the city limits;

**WHEREAS**, the County and the City believe the continued operation of the parks will improve the health and quality of life of the residents of their jurisdictions,

**WHEREAS**, the County and the City now desire to amend the 2014 Interlocal Agreement to revise the dollar amount for participant funding and to remove the J.K. Northway coliseum and fairgrounds from the agreement as the County desires to retake

responsibility for that facility as of October 1, 2020. The J.K. Northway coliseum and fairgrounds is depicted in Exhibit IV.

**NOW, THEREFORE**, in consideration of the premises and of the terms, provisions and mutual promises and covenants herein contained, the City and County mutually agree as follows:

**1. Properties Covered.**

**A. Generally**

This contract provides for acquisition, development, maintenance, operation and improvement of public parks within the city limits of the City of Kingsville, Kleberg County, Texas, except for the J.K. Northway coliseum and fairgrounds. It is the intent of the parties that this agreement shall apply to those properties which are specifically listed in Exhibits I, II, and III which represent the current parks system as well as those properties which may be acquired and those improvements which may be constructed subsequent to this agreement.

**B. City Property**

The properties listed in Exhibit I and the improvements thereon are owned by the City of Kingsville. Such properties are to be located within the corporate limits of the City and are park properties to be used for public recreation. Exhibit I is incorporated in this agreement by reference.

**C. County Property**

The properties listed in Exhibit II and the improvements thereon are owned by the County of Kleberg. Such properties are located within the corporate limits of the City and are park properties to be used for public recreation. Exhibit II is incorporated into this agreement by reference.

**D. Public Rights-of-Way**

The properties listed in Exhibit III are located on public right-of-way within the corporate limits of the City. These properties and the improvements thereon have been developed to beautify the community. Exhibit III is incorporated into this agreement by reference.

**2. RESPONSIBILITIES-PERSONNEL, EQUIPMENT, INSURANCE, ETC.**

- A. The County agrees that it will transfer the operation and maintenance of the parks within the city limits to the City starting October 1, 2014, which includes the use and maintenance of the real property, buildings, fixtures, inventory, and equipment. The County will retain its ownership interest in the real property, buildings, fixtures, inventory, and equipment. The County shall be responsible for the maintenance and operations of the J.K. Northway

coliseum and fairgrounds starting October 1, 2020, except for the City's scheduled events as agreed to by Parties under this Section and Section 2(D). The County will honor the following events previously scheduled by the City for the J.K. Northway coliseum and fairgrounds that occur after October 1, 2020, and the City will retain the revenues for those previously scheduled events, except as provided for in this Section:

<b>JK Rental Anticipated</b>	<b>Concessions Anticipated</b>	<b>Client</b>	<b># of Days</b>	<b>Date of Event</b>
\$ 4,800.00	\$0	South Texas Show Series	4	November 6-8, 2020 and December 18-20, 2020
\$0	\$ 3,300.00**	Ranch Hand Weekend Concert**	1	November 21, 2020**
\$ 3,000.00	\$0	Big House Bash	1	October 30-31, 2020
\$ 1,200.00	\$0	Coastal Conservation Association	1	November 4, 2020

\*\* Excess revenues shall be split evenly between the City and County.

As of October 1, 2020, the County will assume responsibility for any legally existing written agreements for services and any legally existing lease payments on equipment to be provided by the City, if any, for the operation and maintenance of the J.K. Northway coliseum and fairgrounds, provided that the City delivers said existing agreements to the County prior to the execution of this Agreement. The County agrees to allow the City to use the JK Northway coliseum and fairgrounds annually for the following events on dates mutually agreed to by both Parties and under the following applicable conditions:

- (1) "Ranch Hand Festival" under the condition that excess revenues shall be split evenly between the City and County;
- (2) "Meet the Blues" with event revenues belonging to the City;
- (3) "City-sponsored One-Day Premier Event" at a rental cost not to exceed the then existing rental rate with 100% of concession fees belonging to the City; and

The County agrees to the above-listed (1)-(3) annual events provided that the City shall be responsible for any and all costs to include, but not be limited to set-up, maintenance, cleaning, tear-down, liability, and a Five-Hundred Dollars (\$500.00) per day non-refundable utility fee to be paid prior to each scheduled event by the City to the County for the use of the J.K Northway coliseum and fairgrounds.

- B. The City agrees that it will accept responsibility for the operation and maintenance of the parks within the city limits starting October 1, 2014, and for the J.K. Northway coliseum and fairgrounds from October 1, 2014 – September 30, 2020. The City will assume responsibility for any legally existing written agreements for services and any legally existing lease payments on equipment to be provided by the County for the operation and maintenance of the parks within the city limits. The City will no longer be

responsible for the maintenance and operations or liabilities of the J.K. Northway coliseum and fairgrounds starting October 1, 2020, except for the City's scheduled events as agreed to by Parties in Sections 2(A) and 2(D).

- C. As the County is assuming responsibility for the maintenance and operations of the J.K. Northway coliseum and fairgrounds on October 1, 2020, it will provide personnel for that venue.
- D. The City shall have at its discretion the right to institute charges and fees for the use of the property and services covered by this agreement. Such charges shall, however, treat residents of the City and County equally. Any revenue derived from fees and charges shall be the property of the City. The County will honor the events previously scheduled by the City for the J.K. Northway coliseum and fairgrounds that occur on and after October 1, 2020, subject to the conditions under this Agreement.
- E. The City agrees to indemnify, defend and hold the County harmless from any and all causes of action related to the use, operation or maintenance of park facilities covered by this agreement for incidents occurring on and after October 1, 2014, excluding the J.K. Northway coliseum and fairgrounds on and after October 1, 2020, except for the City's scheduled events as agreed to by Parties in Sections 2(A) and 2(D). The City further agrees to acquire and maintain insurance in the amounts required by law and to name the County as an additional insured party to said policies, excluding the J.K. Northway coliseum and fairgrounds on and after October 1, 2020, provided that the City names the County as an additional insured for the City's scheduled events as agreed to by Parties in Sections 2(A) and 2(D). The County will be liable for any audits, claims, assessments, or liabilities of any nature arising from incidents occurring prior to October 1, 2014. The City will be liable for any audits, claims, assessments, or liabilities of any nature arising from incidents occurring at the J.K. Northway coliseum and fairgrounds from the period of October 1, 2014 to October 1, 2020, and any City scheduled events as agreed to by the Parties in Sections 2(A) and 2(D).

### **3. Term of the Agreement**

- A. This amended agreement shall be effective on October 1, 2020 and shall not impact the original agreement's term. The agreement shall be for a Primary Term of twenty (20) years beginning on October 1, 2014 and expiring on September 30, 2034.
- B. The City shall have the right to extend the term for up to two (2) additional ten (10) year periods (each an "Option Period") upon the same terms, conditions and provisions set out herein for the Primary Term. Each Option Period shall be deemed to be automatically exercised by City, unless City gives County written notice that City will not extend the Term, such notice to be given at least one hundred eighty (180) days prior to the expiration of the Primary Term with respect to the first Option Period, and at least one hundred eighty

(180) days prior to the expiration of the Option Period then in effect with respect to the successive Option Periods thereafter.

C. This Agreement may be terminated by City at any time with or without cause upon one hundred-eighty (180) days advance written notice.

D. Any notice of termination shall be sent to the other party to this interlocal agreement at the address listed in paragraph 10 of this agreement.

#### **4. Participant Funding**

In consideration of the services provided by the City pursuant to this agreement, as of October 1, 2020, the County agrees to pay the City Four Hundred Sixty-Five Thousand and No/100 Dollars (\$465,000.00) per year. The sum of Four Hundred Sixty-Five Thousand and No/100 Dollars (\$465,000.00) shall be paid in equal monthly installments within the first fifteen (15) days of each month. The amount in the original agreement was \$550,000 but is now reduced to \$465,000 since the County will be taking over the J.K. Northway coliseum and fairgrounds on October 1, 2020.

#### **5. Complaints**

In the event either party believes that the remaining party has not complied fully with the terms of this agreement, that party shall submit written notice stating fully the nature of the complaint. The remaining party shall have thirty (30) calendar days within which to correct the complaint. In the event the complaint is not corrected within thirty (30) days, the complaining party may request a joint meeting with the City and County Commissions to discuss the complaint and resolve the matter. In the event a joint meeting does not produce a resolution of the complaint, each party shall retain all legal rights, remedies and resources available to it prior to initiation of the complaint procedure.

#### **6. Authorization for Funding**

The City and the County each separately certify that payments made under this Agreement will be made from current revenues, and any future payments are subject to future appropriations. County appropriations are subject to verification and authorization by the County Auditor, pursuant to the attached form.

7. **Approval By Governing Bodies.** Each party represents that this Agreement has been duly passed and approved by the governing body of the party as required by the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code.

8. **Amendment Of Interlocal Agreement.** This Agreement may be amended at any time. Any amendment to this Agreement must be in writing, agreed to by the governing bodies of the parties, and signed by an authorized representative of the City and the County. No officer or employee of any of the parties has

authority to waive or otherwise modify the limitations in this Agreement, without the express action of the governing body of the party.

9. **Severability**. If any portion of this agreement, or its application to any person or circumstance, is held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this agreement shall not be affected and shall continue to be enforceable under the terms of this agreement.
10. **Notices**. Notices under this Agreement shall be addressed to the parties as indicated below, unless changed by written notice to such effect, and shall be effected when delivered or when deposited in the U.S. mail, postage prepaid, certified, return receipt requested.

City of Kingsville  
Attn: City Manager  
P.O. Box 1458  
Kingsville, Texas 78364  
Telephone: (361) 595-8002  
Facsimile: (361) 595-8024

Kleberg County  
Attn: County Judge  
P.O. Box 752  
Kingsville, Texas 78364  
Telephone: (361) 595-8585  
Facsimile: (361) 592-0838

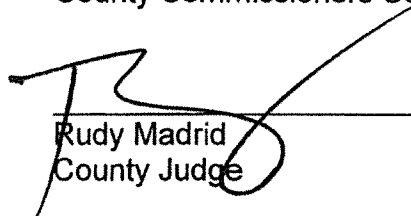
11. **Performance/Governing Laws**. This agreement shall be performed in Kleberg County, Texas, and shall be governed by the laws of the State of Texas.
12. **Venue**. Venue for an action arising under this Agreement is in Kleberg County, Texas.
13. **Assignment**. This Agreement is binding upon and inures to the benefit of the parties to this Agreement and their respective successors and permitted assigns. This Agreement may not be assigned by any party without the written consent of all of the parties.
14. **Not For The Benefit Of Third Parties**. This Agreement and all activities under this Agreement are solely for the benefit of the parties and not the benefit of any third party.
15. **Effect Of Waivers**. No waiver by either party of any default, violation, or breach of the terms, provisions, and covenants contained in this Agreement may be deemed or construed to constitute a waiver of any other violation or breach of any of the terms, provisions, and covenants of this Agreement.



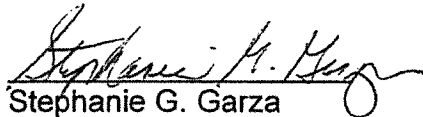
16. **Exercise Of Police Power.** This Agreement and all activities under this Agreement are undertaken solely as an exercise of the police power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.
17. **Validity And Enforceability.** If any current or future legal limitations affect the validity or enforceability of a provision of this Agreement, then the legal limitations are made a part of this Agreement and operate to amend this Agreement to the minimum extent necessary to bring this Agreement into conformity with the requirements of the limitations, and so modified, this Agreement continues in full force and effect.
18. **Warranty.** The individuals executing this agreement on behalf of each party represent and warrant that they are each the duly authorized representatives of such party on whose behalf the individuals are signing, each with full power and authority to bind said party to each term and condition set forth in this agreement.
19. **Immunities Not Waived.** Nothing in this Agreement waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Agreement and the performance of the covenants contained in this Agreement.
20. **Mutual Indemnification.** To the extent allowed by the Constitution and Laws of the State of Texas, County and City agree that each party assumes any and all risks of liability, loss, damages, claims, or causes of action and related expenses, including attorney fees, caused or asserted to have been caused directly or indirectly by or as the result of the negligent acts or omissions of that party and the officers, employees, and agents thereof.
21. **Captions.** Captions to provision of this Agreement are for convenience and shall not be considered in the interpretation of the provisions.
22. **Interlocal Cooperation Act Applies.** The parties enter into this Interlocal Agreement under the Texas Government Code Chapter 791 (Interlocal Cooperation Act). The parties agree that activities under this Agreement are "governmental functions and services" and that the parties are a "local government" as that term is defined in this Agreement and in the Interlocal Cooperation Act.
23. **Entire Agreement.** This Agreement represents the entire agreement between the parties and may not be modified by any oral agreements or understandings. Any amendments must be made in writing and signed by all parties, as provided in paragraph 5 of this agreement.
24. **Effective Date.** This Agreement is effective on the date when the last party executes this agreement.

25. **Multiple Originals.** Two (2) copies of this Agreement are executed; each shall be deemed an original.


**EXECUTED** on behalf of the County of Kleberg pursuant to an Order of the Kleberg County Commissioners Court authorizing such execution this 22 day of June, 2020.

  
\_\_\_\_\_  
Rudy Madrid  
County Judge

**ATTEST:**

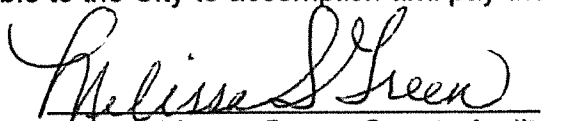
  
\_\_\_\_\_  
Stephanie G. Garza  
County Clerk

**APPROVED AS TO FORM:**


  
\_\_\_\_\_  
Kira Talip Sanchez  
County Attorney

**AUDITOR'S CERTIFICATE**

I hereby certify that funds are available to the City to accomplish and pay the obligations of Kleberg County herein.

  
\_\_\_\_\_  
Melissa Munoz Green, County Auditor

**EXECUTED** by the City of Kingsville on the 22 day of June, 2020.

  
\_\_\_\_\_  
Sam R. Fugate  
Mayor

**ATTEST:**

Mary Valenzuela  
Mary Valenzuela  
City Secretary

**APPROVED AS TO FORM:**

Courtney Alvarez  
Courtney Alvarez  
City Attorney

## **EXHIBIT I**

1. Lots 17-30, Block 3 and Lots 17-32, Block 4, Fifth Addition (14<sup>th</sup> and Kenedy) a/k/a Kenedy Park.
2. All of Block 3, Ninth Addition (11<sup>th</sup> and Doddridge) a/k/a Flato Park.
3. Lots 1-32, Block 11, Tenth Addition (S. Armstrong and Caesar) a/k/a Thomson Park.
4. Lots 29-31, Block 5, Sims #2 and the area bordered by 12<sup>th</sup> Street, Santa Gertrudis Avenue, and Tranquitas Creek a/k/a Flores Park.
5. Plaza Colonia Mexicana Addition (6<sup>th</sup> and Avenue B) a/k/a/ Plaza Park.

## **EXHIBIT II**

1. 2.52 acres out of Farm Lot 12, Section 6, KT&I (17<sup>th</sup> and Avenue B) a/k/a Brookshire I Park.
2. 3.00+ acres out of Farm Lot 10, Section 10, KT&I (20<sup>th</sup> and Kenedy) a/k/a Brookshire II Park.
3. Farm Lots 1, 2, 3, and 6, Section 32, KT&I and parts of Lots 4 and 5 North of Escondido Creek a/k/a Dick Kleberg Park.
4. All of Block 1, College Heights Addition (West Corral Street and 1<sup>st</sup> Street) a/k/a Corral Avenue Park\*

\*The City shall retain maintenance and operation of the Fire Department Training Tower if any located with Corral Avenue Park.

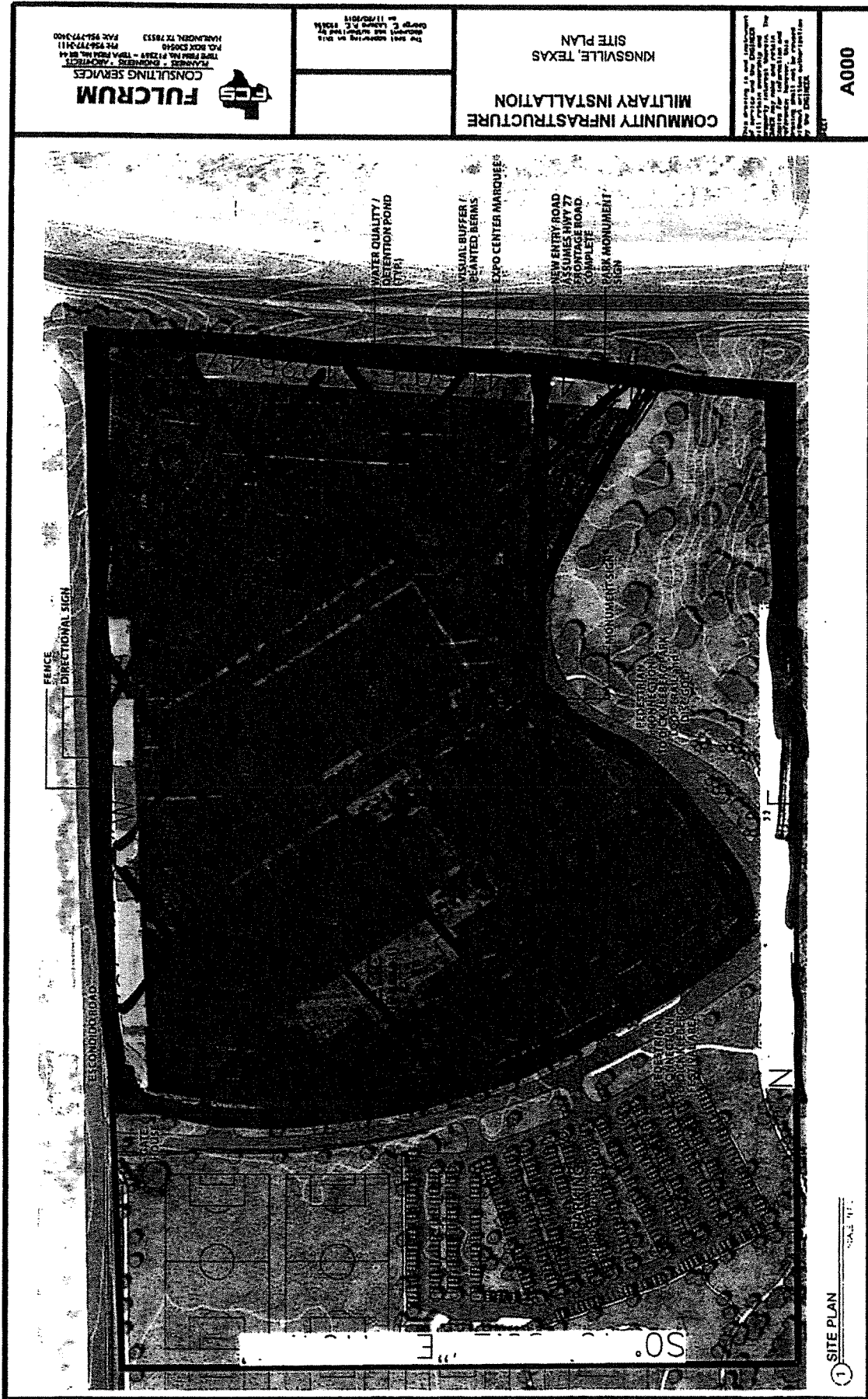
### **EXHIBIT III**

1. West Santa Gertrudis Avenue Esplanade beginning at the 1100 Block of West Santa Gertrudis Avenue (intersection of Univ. Blvd. & Sta. Gert. Ave.) proceeding west to the intersection with King Avenue (S.H. 141).
2. University Boulevard Esplanade beginning at King Avenue (S.H. 141) and proceeding north to Santa Gertrudis Boulevard.
3. Palm trees within right-of-way of Sixth Street and U.S. 77 Business.
4. Vegetation within the right-of-way Park Street (100 South and 100-300 North Blocks).
5. All park areas shown and dedicated on the Lantana Park Subdivision as recorded in Volume 2, page 72 of the Map Records of Kleberg County except the area if any occupied by Fire Substation #2.
6. "Opal Cochran Park" located at the intersection of West Santa Gertrudis Avenue and Santa Rosa Avenue.

**EXHIBIT IV**

*[Insert Map for J.K. Northway Coliseum and Fairgrounds]*

Exhibit II A.



**Area with lines to be returned to County**





1638 S. Staples, Corpus Christi, TX 78404  
Phone: 361-884-8981, FAX: 361-884-3343, Service: 361-884-9308

12-12-2016

Susan Ivy  
JK Northway Coliseum  
501 E Escondido Rd  
Kingsville, TX 78363  
Office: (361) 595-8595  
Email:

Dear Susan

I appreciate the opportunity you are giving Sound Vibrations to provide a solution to repair the damage from the storm and improve the arena sound experience. The following pages contain a job description with a corresponding table that lists the equipment and labor necessary to complete the project. If I can help in any other way, please use my cell 361-815-4152 to contact me.

Sincerely

Willie Mellon

## Job Description

A. Have that back wall sprayed with a sound absorbing material so the sound won't bounce off of it. **This will need to be done by another contractor.**

B. Sound Vibrations will remove the two speakers hanging in the middle of the arena and replace them with ten new speakers (1, 2) that will be mounted between the twelve existing seating speakers but pointed toward the arena. Because of the storm damage, additional speaker cable (3) will be needed to connect the seating speakers, the outdoor speakers that were blown down along with the new speakers for the arena to the amplifiers that are going to be installed in a new lockable equipment rack that will replace the "rack closet" and old equipment rack. **The city is going to provide the new equipment rack. I recommend using a Middle Atlantic ERK-3525 equipment Rack with a Middle Atlantic VFD-35 vented lockable front door. The rack's back door also has a lock.** The rack is 35 "spaces" with a depth of 25". The equipment that is being installed in the equipment rack will take 21 spaces. That leaves 14 open spaces for spacing and expansion. It's good and deep. The vented door allows the amplifiers to push their heat through the door and into the room. Each amplifier is 2 spaces high. Mixer, processors and the power controllers are 1 space high each. The existing outdoor speakers that were blown down by the storm will be reinstalled to the outside of the building and connected to the new speaker cable.

C. Sound Vibrations will replace your existing amplifiers with ones that will do the job properly. That means replacing most of your amplifiers. Two existing CDi1000 amplifiers will be retained and used to power the ceiling speaker in the sound room and some time in the future power new speakers in the concourse behind the seats. New speaker cables are NOT being run to the existing concourse speakers. It will take four CDi4000 amplifiers (4) to power the original seating speakers and the new arena speakers. It will take one CDi2000 (5) to power the outdoor speakers. All the amplifiers will be installed in the new equipment rack by Sound Vibrations.

D. Sound Vibrations will install a rack mountable mixer (6) and sound system processor (7) into the new equipment rack. The existing mixer and other equipment that is sitting out on the table will be removed. All unused equipment will be returned to the city of Kingsville. Sound Vibrations will install a new table top announcer's microphone (8) and an input plate that has inputs for the wireless system, the table top announcer's microphone and an MP3 player (9). If the antennas on the wireless microphone receiver are removable then the receiver can be installed into the equipment rack with the antennas mounted on the top of the equipment rack. Sound Vibrations will run new balanced cables (10) from the

wireless microphone, table top announcer's microphone and MP3 input to the equipment rack and connect them to new mixer. Sound Vibrations will install a plate with two XLR inputs (11) to the side of the equipment rack so an external mixing console can be connected to the sound system.

E. Sound Vibrations will install a power sequencer system (12-18) inside the new equipment rack that will sequentially turn the components in the equipment rack on and off in the right order. A single external on and off switch that will be installed by Sound Vibrations will allow the equipment rack to be locked and the equipment turned on and off with one button. A locked sound system is the one that keep on working. It will take a total of six 20 amp circuits to power up the new sound system. **This will need to be done by a qualified electrician.** I can talk to the electrician about what is needed.

F. When A thru E are accomplished, all the components will be connected and tested. The room will be computer analyzed so the sound system can be set for optimum performance.

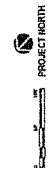
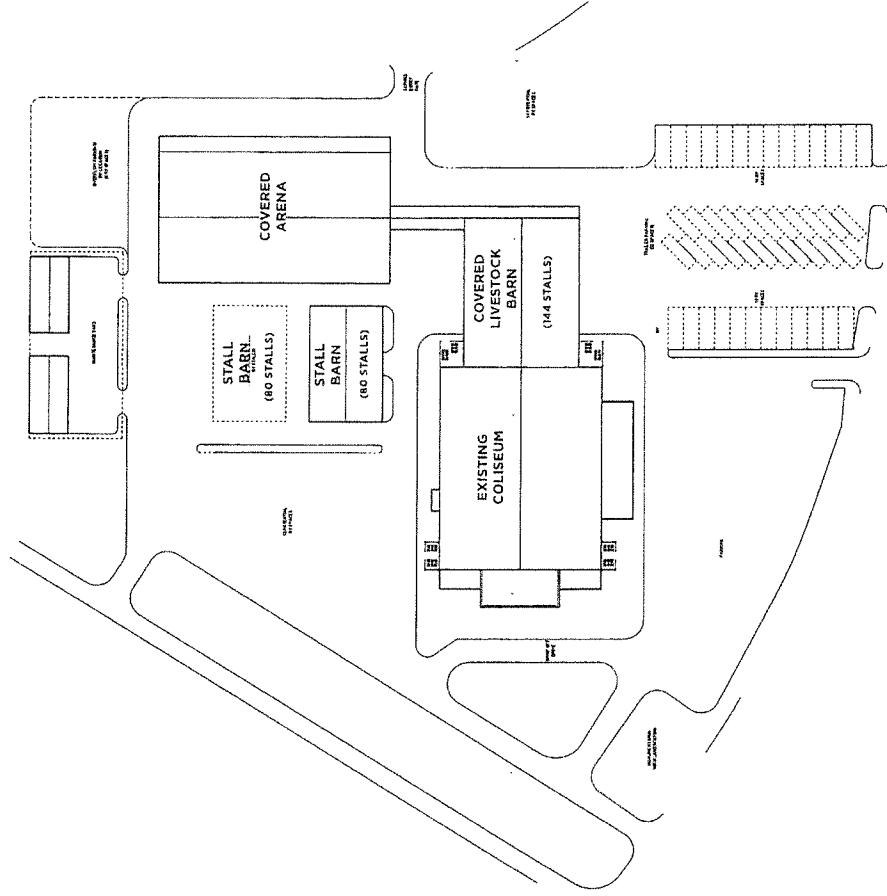
## Table of Equipment and Labor

Line	Description	Price	Qty	Extension
1.	JBL AC299-BK Speaker	775.00	10	7750.00
2.	JBL MTU-266-99 U Mount	110.00	10	1100.00
3.	Cable, Speaker, White, 14ga	.70	5500	3850.00
4.	Crown CDi4000 Power Amplifier	1249.00	4	4996.00
5.	Crown CDi2000 Power Amplifier	949.00	1	949.00
6.	Shure SCM800 Eight Channel Line Mixer	775.00	1	775.00
7.	DBX Driverack 260 Sound System Processor	599.00	1	599.00
8.	Shure 522 Table Microphone with XLR F Plug	159.00	1	159.00
9.	Plate, 2gang, SS, 2-XLRF, 2-1/4" F, Balancing Transformer for MP3 Input, Wall Box	95.00	1	95.00
10.	Mic2 Cable	.35	250	87.50
11.	Plate, 1 gang, SS, 2-XLRF, Wall Box	49.00	1	49.00
12.	MA USC6R Power Sequence Controller	575.00	1	575.00
13.	Furman D10-PFP Power Strip	65.00	1	65.00
14.	MA RLM-20A, 20 Amp Switch	119.00	6	714.00
15.	Master On/Off Switch for USC6R	99.00	1	99.00
16.	MA MPR6 Raceway	69.00	1	69.00
17.	MA T-24 Power Cable for RLM-20	32.00	3	96.00
18.	MA T-80 Power Cable for RLM-20	35.00	3	105.00
19.	Scissor Lift Rental	1400.00	1	1400.00
20.	Miscellaneous Material Package	400.00	1	400.00
21.	Installation	10600.00	1	10600.00
	<b>Total</b>			<b>34532.50</b>

## Warranty Statement

The installed equipment and the installation in general comes with an on site warranty that covers the cost of trouble shooting and repairing any defective parts that we sold and installed for one year. Additional factory warranties may apply.

# 01a base bid option - site plan



POPULOUS

City of Kingsville - JK Northway Exposition Center Renovations

JK Northway Exposition Center Renovations Opinion of Probable Construction Cost Summary					
Item	Discription	QTY	UNIT	UNIT COST	AMOUNT
<b>Base Bid</b>					
A1	Unit Costs	1	LS	\$ 4,931,658.22	\$ 4,931,658.22
A2	Assembly Costs	1	LS	\$ 785,277.30	\$ 785,277.30
A3					
				<b>Subtotal:</b>	<b>\$ 5,716,935.52</b>
<b>Totals</b>					
				<b>Construction Total:</b>	<b>\$ 5,716,935.52</b>
<b>Contingency and Bonding</b>					
				Bond Insurance (2.0%):	\$ 114,338.71
				Contingency (20.0%):	\$ 1,143,387.10
				<b>Total Contingency and Bonding:</b>	<b>\$ 1,257,725.81</b>
<b>Subtotal</b>					
				<b>Subtotal:</b>	<b>\$ 6,974,661.33</b>
<b>Engineering, Design, and Project Administration</b>					
				Survey (2.0%):	\$ 139,493.23
				Engineering and Design (12.0%):	\$ 836,959.36
				Construction Administration (5.0%):	\$ 348,733.07
				<b>Total Engineering, Design, and Project Administration:</b>	<b>\$ 1,325,185.65</b>
				<b>Grand Total:</b>	<b>\$ 8,299,846.99</b>

The document is released for the purpose of review under the authority of Jesus J. Jimenez, P.E. 100765, on December 3, 2020, it is not to be used for any other purpose. (TBPE Firm F-10837).

# Cost Estimate Report

## City of Kingsville

501 Escondido Rd  
Kingsville, TX, 78363

Date: 12/03/2020

## JK Northway Exposition Center Renovation

Prepared By: CARLOS MONTALVO INTERNATIONAL CONSULTING ENGINEERS

## Unit Detail Report

Year 2021

Unit Line Number	Description	Quantity	Unit	Total Incl. O&P	Ext. Total Incl. O&P
<b>Division 01 General Requirements</b>					
013113200220	Field personnel, project manager, maximum	26.00	Week	\$4,575.00	\$118,950.00
013113200280	Field personnel, superintendent, maximum	26.00	Week	\$4,225.00	\$109,850.00
<b>Division 01 General Requirements Subtotal</b>					<b>\$228,800.00</b>
<b>Division 02 Existing Conditions</b>					
024113175050	Demolish, remove pavement & curb, remove bituminous pavement, 4" to 6" thick, excludes hauling and disposal fees	4,800.00	S.Y.	\$9.11	\$43,728.00
024116172040	Building footings and foundations demolition, remove concrete walls, block, 6" thick, excludes disposal costs and dump fees	3,400.00	S.F.	\$0.59	\$2,006.00
<b>Division 02 Existing Conditions Subtotal</b>					<b>\$45,734.00</b>
<b>Division 03 Concrete</b>					
033053404700	Structural concrete, in place, slab on grade (3500 psi), 6" thick, includes forms(4 uses), Grade 60 rebar, concrete (Portland cement Type I), and placing, excludes finishing	1,043.00	C.Y.	\$234.94	\$245,042.42
033053404750	Structural concrete, thickened edge for slab on grade (3500 psi), depth is added to and poured monolithically with slab, 24" wide x 24" deep, reinforced, includes forms(4 uses), Grade 60 rebar, concrete (Portland cement Type I), placing and finishing	5,075.00	L.F.	\$61.02	\$309,676.50
<b>Division 03 Concrete Subtotal</b>					<b>\$554,718.92</b>
<b>Division 05 Metals</b>					

055213500945	Railing, pipe, steel, wall rail, galvanized, 1-1/2" diameter, shop fabricated	870.00	L.F.	\$41.40	\$36,018.00
<b>Division 05</b>	<b>Metals Subtotal</b>				<b>\$36,018.00</b>
<b>Division 09</b>	<b>Finishes</b>				
093113104300	Ceramic tile, for floors, specialty type, decorator finish, 4-1/4" x 4-1/4" x 1/2"	230.00	S.F.	\$20.67	\$4,754.10
093113104610	Ceramic tile, 1/8" joint, 8" x 8" x 3/8" tile or larger, add for epoxy grout	230.00	S.F.	\$2.71	\$623.30
093113105400	Ceramic tile, walls, interior, thin set, 4-1/4" x 4-1/4"	1,300.00	S.F.	\$7.54	\$9,802.00
099123722110	Paints & coatings, walls & ceilings, interior, masonry or concrete block, latex paint, smooth finish, roller	1,300.00	S.F.	\$0.37	\$481.00
099123741240	Paints & coatings, walls & ceilings, interior, concrete, drywall or plaster, zero voc latex, 3 coats, smooth finish, roller	1,300.00	S.F.	\$0.69	\$897.00
<b>Division 09</b>	<b>Finishes Subtotal</b>				<b>\$16,557.40</b>

<b>Division 10</b>	<b>Specialties</b>				
100505101910	Specialties demolition, toilet cubicles, remove	14.00	Ea.	\$110.54	\$1,547.56
102113132000	Toilet cubicles, floor anchored, stainless steel	20.00	Ea.	\$1,706.02	\$34,120.40
102113132100	Partitions toilet cubicles, floor mounted, for handicap units, add	8.00	Ea.	\$395.00	\$3,160.00
102113135004	Entrance screens, toilet, urinal screen, ceiling braced, stainless steel, 18" wide	6.00	Ea.	\$762.97	\$4,577.82
102813130400	Toilet accessories, diaper changing station, plastic, wall mounted, horizontal	2.00	Ea.	\$399.49	\$798.98
102813130610	Toilet accessories, dispenser units, towel dispenser & waste receptacle, 18 gallon capacity	2.00	Ea.	\$479.49	\$958.98
102813131100	Toilet accessories, grab bars, straight, stainless steel, 36" long	12.00	Ea.	\$42.09	\$505.08
102813133100	Toilet accessories, mirror, 36" x 24", with stainless steel 3/4" square frame	24.00	Ea.	\$106.46	\$2,555.04
102813134220	Toilet room accessories, napkin/tampon dispenser, semi-recessed	20.00	Ea.	\$463.89	\$9,277.80
102813134600	Toilet accessories, soap dispenser, chrome, surface mounted, liquid	20.00	Ea.	\$101.94	\$2,038.80
102813136050	Toilet accessories, toilet seat cover dispenser, stainless steel, surface mounted	20.00	Ea.	\$73.96	\$1,479.20
102813136200	Toilet accessories, toilet tissue dispenser, stainless steel, surface mounted, double roll	20.00	Ea.	\$48.74	\$974.80
102813136290	Toilet accessories, toilet seat	20.00	Ea.	\$44.96	\$899.20
102813138000	Toilet accessories, waste receptacle, stainless steel, w/top, 13 gallon	4.00	Ea.	\$404.49	\$1,617.96



102819102400	Shower/dressing compartments, shower enclosure, glass stall w/doors, chrome on brass, excludes plumbing or receptor	4.00	Ea.	\$2,202.28	\$8,809.12
<b>Division 10</b>	<b>Specialties Subtotal</b>				<b>\$73,320.74</b>
<b>Division 11</b>	<b>Equipment</b>				
115216201000	Movie equipment, digital, 2K projection system, 98" DMD	4.00	Ea.	\$59,305.76	\$237,223.04
<b>Division 11</b>	<b>Equipment Subtotal</b>				<b>\$237,223.04</b>
<b>Division 12</b>	<b>Furnishings</b>				
126313133300	Bleachers, telescoping, school equipment, manual, 16 to 20 tier, minimum	1,508.00	Seat	\$269.85	\$406,933.80
126313134000	School equipment, bleachers, for integral power operation, add, max	1,508.00	Seat	\$125.90	\$189,857.20
<b>Division 12</b>	<b>Furnishings Subtotal</b>				<b>\$596,791.00</b>
<b>Division 13</b>	<b>Special Construction</b>				
133419500190	Pre-engineered steel building, clear span rigid frame, 30 psf roof and 20 psf wind load, 20' W to 29' x 24' eave H, incl. 26 ga. colored ribbed roofing & siding, excl. footings, slab, anchor bolts	42,050.00	SF Flr.	\$39.28	\$1,651,724.00
<b>Division 13</b>	<b>Special Construction Subtotal</b>				<b>\$1,651,724.00</b>
<b>Division 22</b>	<b>Plumbing</b>				
224116130640	Lavatory, vanity top, porcelain enamel on cast iron, white, oval, 33" x 19", includes trim	24.00	Ea.	\$763.62	\$18,326.88
224116133580	Lavatory, vanity top, rough-in, supply, waste and vent	24.00	Ea.	\$844.00	\$20,256.00
224123203250	Shower, stall, fiberglass, one piece with three walls, ADA compliant, 1-1/2" OD grab bars, nonskid floor, fold up seat, 65" x 37" x 81-1/2", includes drain only, excludes valve control and door/curtain	4.00	Ea.	\$1,806.00	\$7,224.00
224123204200	Shower, stall, rough-in, supply, waste and vent for above shower	4.00	Ea.	\$937.62	\$3,750.48
224123405000	Shower, built-in head and arm, 2.5 GPM valve	4.00	Ea.	\$228.83	\$915.32
224123405200	Shower, built-in head, arm, by-pass, integral stops, handles	4.00	Ea.	\$478.45	\$1,913.80
224139102100	Faucets/fitings, lavatory faucet, center set, excludes drain	24.00	Ea.	\$125.07	\$3,001.68
224213133360	Water closet, bowl only, floor mounted, tankless, with floor outlet, 1.28 gpf, includes flush valve and seat	12.00	Ea.	\$767.92	\$9,215.04
224213133362	Water closet, bowl only, floor mounted, tankless, with floor outlet, ADA, 1.28 gpf, includes flush valve and seat	8.00	Ea.	\$793.22	\$6,345.76
224213133370	Water closet, bowl only, floor mounted, tankless, rough-in, supply, waste and vent	20.00	Ea.	\$733.45	\$14,669.00

224213163140	Urinal, wall hung, vitreous china, with self-closing valve, water saving, .5 gpf	8.00	Ea.	\$943.12	\$7,544.96
224213163300	Urinal, wall hung, rough-in, supply, waste and vent	8.00	Ea.	\$1,249.57	\$9,996.56
224216406760	Sink, service, mop, molded stone, 24" x 36", includes faucet and drain	2.00	Ea.	\$464.57	\$929.14
224216406790	Sink, service, floor, rough-in, supply, waste and vent	2.00	Ea.	\$2,067.92	\$4,135.84
224239100870	Faucets/fittings, flush valve, tankless water closet, top spud	20.00	Ea.	\$283.12	\$5,662.40
224239100940	Faucets/fittings, flush valve, urinal, exposed stall, wall (washout)	8.00	Ea.	\$244.66	\$1,957.28
224239100984	Faucets/fittings, flush valve, automatic flush sensor and operator for waterclosets, 1.28 gpf	20.00	Ea.	\$548.26	\$10,965.20
224239100988	Faucets/fittings, flush valve, automatic flush sensor and operator for urinals, .5 gpf	8.00	Ea.	\$548.26	\$4,386.08
224239102800	Faucets/fittings, lavatory faucet, self-closing center set, commercial	24.00	Ea.	\$216.15	\$5,187.60
224239102810	Faucets/fittings, lavatory faucet, automatic sensor and operator, with faucet head, commercial	24.00	Ea.	\$739.54	\$17,748.96
224239103000	Faucets/fittings, service sink faucet, cast spout, pail hook, hose end	2.00	Ea.	\$120.26	\$240.52
224713102820	Drinking fountain, wall mounted, non-recessed, stainless steel, dual level, ADA compliant, single bubbler, for connection to cold water supply	8.00	Ea.	\$1,776.06	\$14,208.48
<b>Division 22</b>	<b>Plumbing Subtotal</b>				<b>\$168,580.98</b>

#### Division 23 Heating, Ventilating, and Air Conditioning (HVAC)

233346102020	Ductwork, flexible coated fiberglass fabric on corrosion resistant metal helix, insulated, P.E. jacket, 1" thick, 10" diameter, pressure to 12"(WG) UL-181	200.00	L.F.	\$12.09	\$2,418.00
<b>Division 23</b>	<b>Heating, Ventilating, and Air Conditioning (HVAC) Subtotal</b>				<b>\$2,418.00</b>

#### Division 27 Communications

275116100200	Public address system, conventional, industrial	50.00	Speaker	\$534.98	\$26,749.00
<b>Division 27</b>	<b>Communications Subtotal</b>				<b>\$26,749.00</b>

#### Division 31 Earthwork

311413230200	Topsoil stripping and stockpiling, topsoil, sandy loam, ideal conditions, 300 HP dozer	780.00	C.Y.	\$0.91	\$709.80
312213200250	Rough grading sites, open, 40,100-45,000 S.F., grader	1.00	Ea.	\$2,739.16	\$2,739.16
312316420300	Excavating, bulk bank measure, 3 C.Y. capacity = 260 C.Y./hour, backhoe, hydraulic, crawler mounted, excluding truck loading	4,673.00	B.C.Y.	\$1.65	\$7,710.45
312316420300	Excavating, bulk bank measure, for loading onto trucks, add	1.00		\$0.25	\$1,156.57

312323142020	Backfill, structural, common earth, 80 HP dozer, 50' haul, from existing stockpile, excludes compaction	4,673.00	L.C.Y.	\$1.29	\$6,028.17
312323200554	Cycle hauling(wait, load, travel, unload or dump & return) time per cycle, excavated or borrow, loose cubic yards, 35 min wait/load/unload, 8 C.Y. truck, cycle 8 miles, 30 MPH, excludes loading equipment	4,673.00	L.C.Y.	\$13.37	\$62,478.01
312323235640	Compaction, 4 passes, 6" lifts, riding, sheepsfoot or wobbly wheel roller	4,673.00	E.C.Y.	\$1.75	\$8,177.75
313213192020	Soil stabilization, hydrated lime, for base, 2% mix by weight, 6" deep, includes scarifying and compaction	4,672.00	S.Y.	\$7.65	\$35,740.80
<b>Division 31</b>	<b>Earthwork Subtotal</b>				<b>\$124,740.71</b>
<b>Division 32</b>	<b>Exterior Improvements</b>				
323113104758	Chain link fences & gates, gate, chain link, galvanized steel, double gate, 3 strand barbed wire, 10' x 7', excludes excavation	4.00	Ea.	\$918.86	\$3,675.44
<b>Division 32</b>	<b>Exterior Improvements Subtotal</b>				<b>\$3,675.44</b>
<b>Division 33</b>	<b>Utilities</b>				
330561101160	Storm drainage manholes, frames and covers, concrete, precast, 5' ID, 6' deep, excludes footing, excavation, backfill, frame and cover	4.00	Ea.	\$5,891.49	\$23,565.96
331413254530	Water supply distribution piping, piping polyvinyl chloride, pressure pipe, 6", AWWA C900, Class 150, SDR 18, excludes excavation or backfill	800.00	L.F.	\$9.49	\$7,592.00
333111252080	Public sanitary utility sewerage piping, piping polyvinyl chloride pipe, B & S, 13' lengths, 8" diameter, SDR 35, excludes excavation or backfill	800.00	L.F.	\$12.91	\$10,328.00
334116302130	Subdrainage piping, plastic, perforated PVC, pipe, 10" diameter, excludes excavation and backfill	1,000.00	L.F.	\$20.39	\$20,390.00
<b>Division 33</b>	<b>Utilities Subtotal</b>				<b>\$61,875.96</b>
<b>Subtotal</b>					<b>\$3,828,927.19</b>
<b>General Contractor's Markup on Subs</b>				<b>15.00%</b>	<b>\$0.00</b>
<b>Subtotal</b>					<b>\$3,828,927.19</b>
<b>General Conditions</b>				<b>12.00%</b>	<b>\$459,471.26</b>
<b>Subtotal</b>					
<b>General Contractor's Overhead and Profit</b>				<b>15.00%</b>	<b>\$643,259.77</b>
<b>Unit Cost Total</b>					<b>\$4,931,658.22</b>

# Assembly Detail Report

Year 2021

Assembly Number	Description	Quantity	Unit	Total Incl. O&P	Ext. Total Incl.O&P
<b>C</b>					
C10101060800	Partition, 8" x 16" concrete block, normal weight, 4" thick	2,592.00	S.F.	\$6.82	\$17,677.44
C10101381550	Partitions, load bearing metal stud, 18 ga, 24" OC, 3-5/8" wide	3,400.00	S.F.	\$7.39	\$25,126.00
C102011141000	Metal door/metal frame, flush-hollow core, 20 ga full panel, 3'-0" x 7'-0", KD drywall frame frame, 4-7/8"	11.00	Ea.	\$1,099.94	\$12,099.34
C10203100160	Hinges, full mortise, average frequency, steel base, 4-1/2" x 4-1/2" USP	33.00	Ea.	\$27.35	\$902.55
C10203100400	Locksets, heavy duty cylindrical, keyed, single cylinder function	11.00	Ea.	\$260.45	\$2,864.95
C10203100560	Closers, rack & pinion, adjustable backcheck, 3 way mount, all sizes, regular arm	11.00	Ea.	\$209.89	\$2,308.79
C10203100740	Push, push plate, aluminum	11.00	Ea.	\$42.87	\$471.57
C10203100780	Push, pull handle, push bar, aluminum	11.00	Ea.	\$177.66	\$1,954.26
C30301052400	Plaster ceilings, 2 coat gypsum painted, 3/8" gypsum lath, 1" x 3" wood, 16" OC furring, wood support	2,136.00	S.F.	\$5.65	\$12,068.40
<b>C</b>					<b>\$75,473.30</b>
<b>D</b>					
D20109561400	Plumbing - public women's restroom, 2 water closets, 2 lavatories	1.00	Ea.	\$13,922.00	\$13,922.00
D20109571700	Plumbing - public men's restroom,1 water closet,1 urinal,1 lavatory	1.00	Ea.	\$8,344.65	\$8,344.65
D20109572100	Plumbing - public men's restroom, for each additional urinal over 2, add	1.00	Ea.	\$2,128.40	\$2,128.40
D20109572200	Plumbing - public men's restroom, for each additional lavatory over 2, add	1.00	Ea.	\$1,951.65	\$1,951.65
D50201450560	Motor installation, three phase, 200 V, 3 HP motor size	4.00	Ea.	\$1,736.89	\$6,947.56
D50201800700	Using non-metallic sheathed cable, ground fault receptacle	30.00	Ea.	\$134.40	\$4,032.00
D50201800900	Using non-metallic sheathed cable, lighting wiring	20.00	Ea.	\$53.66	\$1,073.20

D50201802100	Using BX cable, ground fault receptacle	10.00	Ea.	\$157.95	\$1,579.50
D50201802300	Using BX cable, lighting wiring	100.00	Ea.	\$65.11	\$6,511.00
D50201802600	Using BX cable, switches, 3-way	5.00	Ea.	\$74.13	\$370.65
D50201802800	Using BX cable, weatherproof receptacle	10.00	Ea.	\$374.54	\$3,745.40
D50202080560	Fluorescent fixtures, type A, 11 fixtures per 600 SF	42,480.00	S.F.	\$8.55	\$363,204.00
D50202100240	Fluorescent fixtures recess mounted in ceiling, 2 watt per SF, 40 FC, 10 fixtures @40 watt per 1000 SF	2,136.00	S.F.	\$4.52	\$9,654.72
<b>D</b>					<b>\$423,464.73</b>

<b>F</b>					
F20102201290	Demolition, interior, single leaf, 3'-0" x 7'-0" x 1'-3/8", metal frame	16.00	Ea.	\$20.35	\$325.60
F20102201310	Demolition, interior, double door, 6'-0" x 7'-0" x 1'-3/8", metal frame	2.00	Ea.	\$27.13	\$54.26
F20102501110	Demolition, non-masonry, wood or metal studs	1,888.00	S.F.	\$0.53	\$1,000.64
F20104301100	Demolition, mirror, wall mounted	20.00	Ea.	\$2.45	\$49.00
F20104501190	Demolition, ceramic or porcelain tile	2,136.00	S.F.	\$2.86	\$6,108.96
F20104701100	Demolition, wall covering, ceramic tile, thin set	1,300.00	S.F.	\$0.26	\$338.00
F20106101120	Demolition, water closet, floor mounted	14.00	Ea.	\$39.73	\$556.22
F20106101170	Demolition, lavatory, wall hung	20.00	Ea.	\$22.61	\$452.20
F20106101210	Demolition, shower, stall and receptor	8.00	Ea.	\$30.36	\$242.88
F20106101230	Demolition, urinal, wall hung	8.00	Ea.	\$41.02	\$328.16
F20107201120	Demolition, Incl plate, box, conduit, wire, 5 per 1,000 S.F., .6 watts per S.F.	2,136.00	S.F.	\$0.01	\$21.36
F20107301120	Demolition, Wall switches, finish work, 2.0 per 1000 S.F.	22.00	C.S.F.	\$0.22	\$4.84
F20107351140	Demolition, Recess mounted in ceiling, 1.6 watt per S.F., 40 FC, 10 fixtures @ 32 watts per 1,000 S.F.	2,136.00	S.F.	\$0.10	\$213.60
<b>F</b>					<b>\$9,695.72</b>

**G**

G20301202200	Concrete sidewalk, 6" thick concrete, 6" gravel base, 4' wide	1,200.00	L.F.	\$40.25	\$48,300.00
G40202100240	Light pole, aluminum, 20' high, 2 arm brackets	20.00	Ea.	\$2,637.68	\$52,753.60
<b>G</b>					<b>\$101,053.60</b>
<b>Subtotal</b>					<b>\$609,687.35</b>
<b>General Contractor's Markup on Subs</b>			<b>15.00%</b>		<b>\$0.00</b>
<b>Subtotal</b>					<b>\$609,687.35</b>
<b>General Conditions</b>			<b>12.00%</b>		<b>\$73,162.48</b>
<b>Subtotal</b>					<b>\$682,849.83</b>
<b>General Contractor's Overhead and Profit</b>			<b>15.00%</b>		<b>\$102,427.47</b>
<b>Assembly Cost Total</b>					<b>\$785,277.30</b>
<b>Grand Total</b>					<b>\$5,716,935.52</b>

**CITY OF KINGSVILLE**

PO Box 1458  
Kingsville, TX 78364  
PH: (361) 595-8025

**PURCHASE ORDER****PO Number:** 170623**Date:** 12/15/2016**Requisition #:** REQ08904**Vendor #:** 7591

**ISSUED TO:** SOUND VIBRATIONS  
P O BOX 31524  
CORPUS CHRISTI, TX 78463-

**SHIP TO:** Susan Ivy  
Attn: Susan Ivy  
P.O. Box 1458  
Kingsville, TX 78364

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	1 MA MPR6 Raceway	033-5-4503-71300		69.00	69.00
2	2 Antennae Mounts	033-5-4503-71300		40.00	80.00
3	3 MA T-80 Power Cable for RLM-20	033-5-4503-71300		35.00	105.00
4	1 Shure SLX24/SM58 – G4 Wireless Hand	033-5-4503-71300		609.00	609.00
5	6 MA RLM-20A, 20 Amp Switch	033-5-4503-71300		119.00	714.00
6	8 JBL Control 28-1-BK Speaker	033-5-4503-71300		270.00	2,160.00
7	1 DBX Driverack 260 Sound System	033-5-4503-71300		599.00	599.00
8	1 Master On/Off Switch for USC6R	033-5-4503-71300		99.00	99.00
9	1 Shure SCM800 Eight Channel Line Mixer	033-5-4503-71300		775.00	775.00
10	1 Plate, 1gang, Balancing Transformer for MP3 Input	033-5-4503-71300		95.00	95.00
11	1 MA USC6R Power Sequence Controller	033-5-4503-71300		575.00	575.00
12	1 Shure 522 Table Microphone with XLRF	033-5-4503-71300		159.00	159.00
13	4 Crown CDi4000 Power Amplifier	033-5-4503-71300		1,249.00	4,996.00
14	1 Crown CDi1000 Power Amplifier	033-5-4503-71300		779.00	779.00
15	2 Shure UA850 Antennae Extension Cable,	033-5-4503-71300		103.00	206.00
16	250 Mic2 Cable	033-5-4503-71300		0.35	87.50
17	22 JBL MTU-266-99 U Mount	033-5-4503-71300		110.00	2,420.00
18	1 Shure SLX14/WH30 – G4 Wireless	033-5-4503-71300		689.00	689.00
19	1 Miscellaneous Material Package	033-5-4503-71300		797.50	797.50
20	3 MA T-24 Power Cable for RLM-20	033-5-4503-71300		32.00	96.00
21	2 Shure UA874US Paddle Antennae	033-5-4503-71300		369.00	738.00
22	1 Shure SLX2/SM58 – G4	033-5-4503-71300		249.00	249.00
23	1 Shure UA845-SWB Antennae Combiner	033-5-4503-71300		899.00	899.00
24	1 Furman D10-PFP Power Strip	033-5-4503-71300		65.00	65.00
25	6,000 Cable, Speaker, White, 14ga	033-5-4503-71300		0.70	4,200.00
26	0 Installation	033-5-4503-71300		0.00	9,640.00
27	22 JBL AC299-BK Speaker	033-5-4503-71300		775.00	17,050.00
28	1 Plate, 1 gang, SS, 2-XLRF, Wall Box	033-5-4503-71300		49.00	49.00

**Received by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<b>SUBTOTAL:</b>	49,000.00
<b>TOTAL TAX:</b>	0.00
<b>SHIPPING:</b>	0.00
<b>TOTAL</b>	49,000.00

1. Original invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
2. Payment may be expected within 30 days of receipt of goods and invoice.
3. C.O.D. shipment will not be accepted.
4. Purchase Order numbers must appear on all shipping containers, packing slips and invoices. Failure to comply with the above request may delay payment.
5. All goods are to be shipped F.O.B. Destination unless otherwise stated.
6. All materials and services are subject to approval based on the description on the face of the purchase order or appendages thereof. Substitutions are not permitted without approval of the Requesting Department. Material not approved will be returned at no cost to the City.
7. All goods and equipment must meet or exceed all necessary city, state and federal standards and regulations.
8. Vendor or manufacturer bears risk of loss or damage until property received and/or installed.
9. Seller acknowledges that the buyer is an equal opportunity employer. Seller will comply with all equal opportunity laws and regulations that are applicable to it as a supplier of the buyer.
- The City is exempt from all federal excise and state tax – ID# 74-6001513

## **AGENDA ITEM #15**



# **AGENDA ITEM #16**

# **AGENDA ITEM #17**

**RESOLUTION #2020-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING STAFF TO PROCEED WITH PLACING FOR SALE THE CITY'S APPROXIMATELY 1.0 ACRES OF LAND LOCATED OFF CORRAL AVE. AND US77 BYPASS (GARCIA FARM TRACT, LOT A) IN KINGSVILLE, TEXAS.**

**WHEREAS**, the City of Kingsville owns approximately 1.0 acres of land at 1501 N. Hwy 77, Kingsville, Texas off Corral Ave. and US77 Bypass at Garcia Farm Tract, Lot A, also known as Property ID 15051;

**WHEREAS**, the land presently houses the City's Tourism Department and the City would like to make it available for commercial development;

**WHEREAS**, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that the 1.0 acres of land at 1501 N. Hwy 77, Kingsville, Texas off Corral Ave. and US77 Bypass at Garcia Farm Tract, Lot A, also known as Property ID 15051, be placed for sale as authorized by the Texas Local Government Code; and

**WHEREAS**, the City believes that placing the land for sale would place the property back on the tax roll and may allow for future development of the property; and

**WHEREAS**, pursuant to the Texas Local Government Code, real property owned by the City can be sold via public auction, sealed bids, or through a broker, unless an exception is met;

**WHEREAS**, the City finds the property does not meet any of the exceptions to the bidding requirement as set out in Texas Local Government Code Section 272.001,

**WHEREAS**, the City is a home-rule municipality and based on the foregoing information, staff recommends the property be sold via a broker as allowed by Texas Local Government Code Section 253.014 with the best offer coming back before the Commission for approval of the sale;

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

I.

**THAT** the City Commission of the City of Kingsville authorizes staff to proceed with placing for sale via a broker in compliance with the Texas Local Government Code the City's 1.0 acres of land at 1501 N. Hwy 77, Kingsville, Texas off Corral Ave. and US77 Bypass at Garcia Farm Tract, Lot A, also known as Property ID 15051.

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 the 14th day of December, 2020

---

Sam Fugate, Mayor

**ATTEST:**

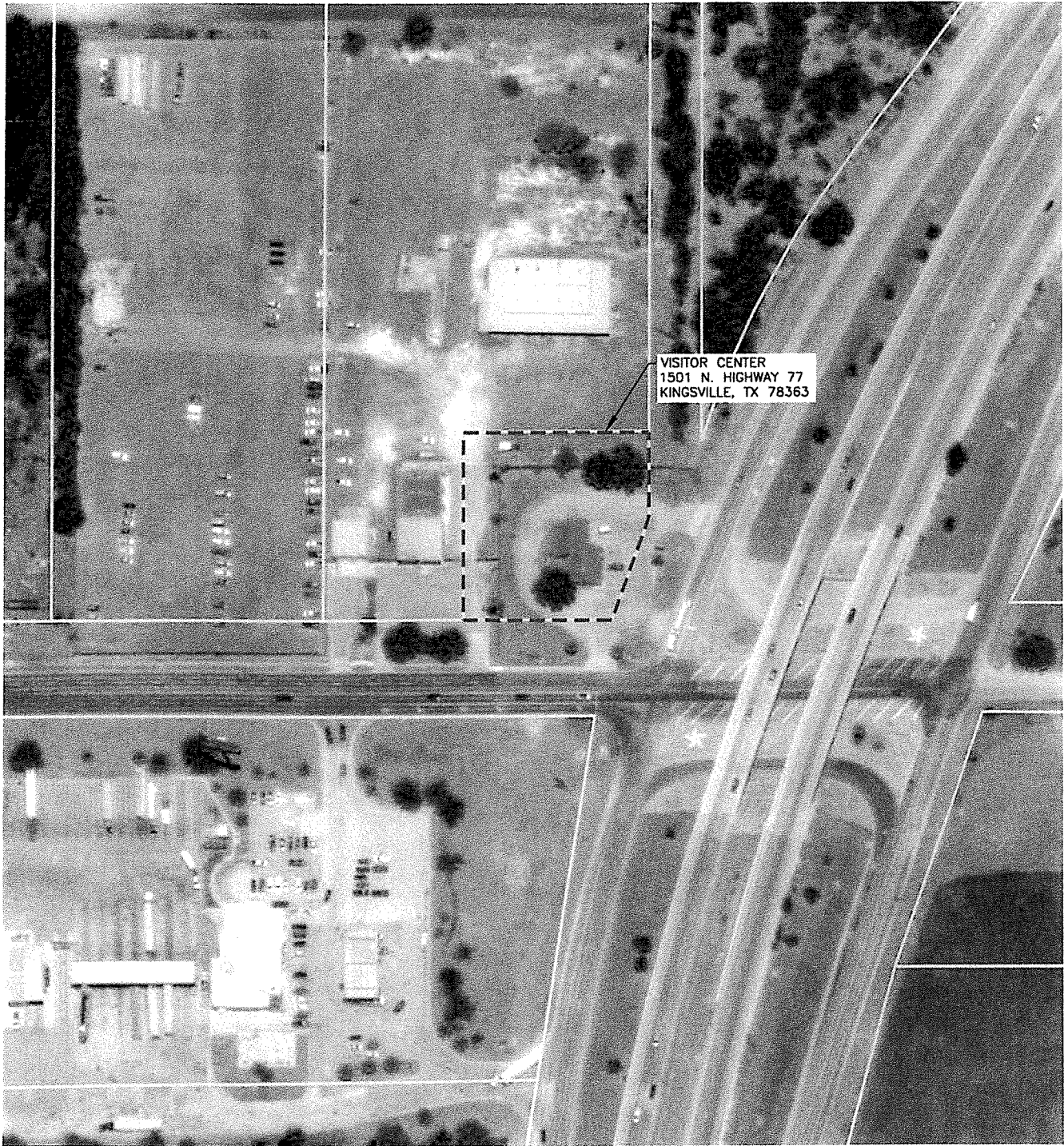
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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney



VISITOR CENTER  
1501 N. HIGHWAY 77  
KINGSVILLE, TX 78363

# Kleberg CAD

Property Search > 15051 CITY OF KINGSVILLE for Year 2020

Tax Year: 2020

## Property

### Account

Property ID: 15051      Legal Description: GARCIA FARM TRACT, LOT A, (KINGSVILLE INFORMATION DEPOT) (E X E M P T), ACRES 1.0

Geographic ID: 132300002000192      Zoning:

Type: Real      Agent Code:

Property Use Code:

Property Use Description:

### Location

Address: 1501 N HWY 77      Mapsco:

Neighborhood:      Map ID: B1

Neighborhood CD:

### Owner

Name: CITY OF KINGSVILLE      Owner ID: 10346

Mailing Address: PO BOX 1458      % Ownership: 100.0000000000%

KINGSVILLE, TX 78364-1458

Exemptions: EX-XV

## Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$91,480	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$43,560	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$135,040	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$135,040	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$135,040	

## Taxing Jurisdiction

Owner: CITY OF KINGSVILLE

% Ownership: 100.0000000000%

Total Value: \$135,040

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$135,040	\$0	\$0.00
CKI	CITY OF KINGSVILLE	0.852080	\$135,040	\$0	\$0.00
GKL	KLEBERG COUNTY	0.785460	\$135,040	\$0	\$0.00

SKI	KINGSVILLE I.S.D.	1.518900	\$135,040	\$0	\$0.00
WST	SOUTH TEXAS WATER AUTHORITY	0.086911	\$135,040	\$0	\$0.00
Total Tax Rate:		3.243351			
				Taxes w/Current Exemptions:	\$0.00
				Taxes w/o Exemptions:	\$4,379.82

### Improvement / Building

<b>Improvement #1:</b>	COMMERCIAL	<b>State Code:</b>	F1	<b>Living Area:</b>	2219.0 sqft	<b>Value:</b> \$91,480
Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
MA	MAIN AREA	OF3L	EW1	1988	2219.0	
OP1	OPEN PORCH BASIC (20%)	*		1988	246.0	
ASP	ASPHALT (100%)	*		1988	21519.0	

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	F1	F1	1.0000	43560.00	0.00	0.00	\$43,560	\$0

### Roll Value History

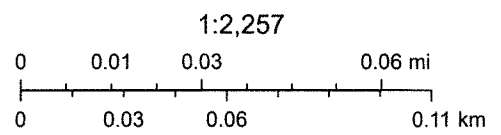
Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$91,480	\$43,560	0	135,040	\$0	\$135,040
2019	\$92,620	\$43,560	0	136,180	\$0	\$136,180
2018	\$92,940	\$43,560	0	136,500	\$0	\$136,500
2017	\$72,460	\$43,560	0	116,020	\$0	\$116,020
2016	\$35,980	\$43,560	0	79,540	\$0	\$79,540
2015	\$35,980	\$43,560	0	79,540	\$0	\$79,540
2014	\$37,660	\$43,560	0	81,220	\$0	\$81,220
2013	\$37,660	\$43,560	0	81,220	\$0	\$81,220
2012	\$37,660	\$43,560	0	81,220	\$0	\$81,220
2011	\$37,660	\$43,560	0	81,220	\$0	\$81,220
2010	\$37,660	\$43,560	0	81,220	\$0	\$81,220
2009	\$37,660	\$43,560	0	81,220	\$0	\$81,220
2008	\$37,660	\$43,560	0	81,220	\$0	\$81,220
2007	\$37,660	\$43,560	0	81,220	\$0	\$81,220

Questions Please Call (361) 595-5775





December 4, 2020



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



## **AGENDA ITEM #18**

**RESOLUTION #2020-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMERCIAL REAL ESTATE LISTING AGREEMENT EXCLUSIVE RIGHT TO SELL BETWEEN THE CITY OF KINGSVILLE AND ROBERT R. LINTON OF BETTY HAASS REALTORS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville owns approximately 1.0 acres of land at 1501 N. Hwy 77, Kingsville, Texas off Corral Ave. and US77 Bypass at Garcia Farm Tract, Lot A, also known as Property ID 15051;

**WHEREAS**, on December 14, 2020, the City Commission of the City of Kingsville via Resolution #2020-\_\_\_\_ found that it in the best interest of the citizens of Kingsville that the City-owned property located off land at 1501 N. Hwy 77, Kingsville, Texas off Corral Ave. and US77 Bypass at Garcia Farm Tract, Lot A, also known as Property ID 15051, in Kingsville, Texas, be placed for sale as authorized by the Texas Local Government Code via a broker; and

**WHEREAS**, Texas Local Government Code Section 253.014 allows for certain public property to be sold via a broker with the best offer coming back before the Commission for approval of the sale and the City qualifies for this type of sale;

**WHEREAS**, the City has located a local realtor, Robert R. Linton of Betty Haass Realtors, licensed to perform such listings required by the statute;

**WHEREAS**, the City and Robert R. Linton of Betty Haass Realtors, have worked to complete the Texas Association of Realtors "Commercial Real Estate Listing Agreement Exclusive Right to Sell" for the listing of the City property located on at 1501 N. Hwy 77, Kingsville, Texas off Corral Ave. and US77 Bypass at Garcia Farm Tract, Lot A, also known as Property ID 15051.

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a "Commercial Real Estate Listing Agreement Exclusive Right to Sell" between the City of Kingsville and Robert R. Linton of Betty Haass Realtors 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  
14th day of December, 2020.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney



## REGISTRATION AGREEMENT BETWEEN BROKER AND OWNER

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED  
©Texas Association of REALTORS®, Inc. 2003

1. **PARTIES:** The parties to this agreement are:

Owner: CITY OF KINGSVILLE

Address: 400 W. KING

City, State, Zip: KINGSVILLE, TX. 78363

Phone: (361)595-8025

Fax: \_\_\_\_\_

E-Mail: csosa@cityofkingsville.com

Broker: BETTY HAASS REALTORS

ROBERT R. LINTON

Address: 1921 E King Ave

City, State, Zip: Kingsville, TX 78363-4832

Phone: (361)592-3321

Fax: (361)592-1121

E-Mail: robertlinton2017@gmail.com

2. **PROPERTY:** "Property" means the following real property in Texas, together with all its improvements and fixtures:

Address: \_\_\_\_\_

City: \_\_\_\_\_

County: \_\_\_\_\_

Zip: \_\_\_\_\_

Legal Description (Identify exhibit if described on attachment): \_\_\_\_\_

3. **ASKING PRICE:** Owner is presently asking:

A. \$ \_\_\_\_\_ to sell the Property; and

B. \$ \_\_\_\_\_ to lease the Property.

4. **REGISTRATION:** Broker registers \_\_\_\_\_ (Prospect) with Owner.

5. **TERM:** This agreement begins on \_\_\_\_\_ and ends on \_\_\_\_\_.

6. **BROKER'S FEE:** Owner is not obligated to pay Broker a fee until such time as Broker's fee is *earned* and *payable*. Broker's fees are *earned* when Owner enters into a binding agreement to sell or lease all or part of the Property at any price to Prospect or if Owner breaches this agreement. Broker's fees are *payable* in the amounts stated below at the specified times.

A. **Sales:**

(1) If Owner agrees to sell all or a part of the Property to Prospect at any price on or before the date this agreement ends, Owner will pay Broker a fee equal to:

☒ (a) 6.000 % of the gross sales price; or

☒ (b) \$1000.00 MINIMUM

(2) The fee is payable, either during the term of this agreement or after its termination, at the earlier of:

(a) the closing and funding of the sale or exchange of the Property;

(b) Owner's breach of this agreement; or

(c) Owner's breach of a binding contract to sell the Property to Prospect.

(TXR-2401) 1-2-03 Initialed for Identification by Broker/Associate [Signature] and Owner \_\_\_\_\_

Page 1 of 3

B. Leases:

(1) Primary Lease:

(a) If Owner agrees to lease all or part of the Property to Prospect, on any terms, on or before the date this agreement ends, Owner will pay Broker a fee equal to:

\_\_\_\_ (1) \_\_\_\_\_ % of all rents to be paid for the term of the lease; or

\_\_\_\_ (2) \_\_\_\_\_

(b) The fee is payable during the term of this agreement or after its termination:

\_\_\_\_ (1) in one payment upon \_\_\_\_\_

\_\_\_\_ (2) in two payments as follows: one-half of the fee at the time the lease is executed and the remainder on the date the lease commences.

\_\_\_\_ (3) \_\_\_\_\_

(2) Renewals: If Prospect leases all or part of the Property and subsequently extends, renews, or expands the lease, (including new leases for more, less, or different space in the same building or complex), Owner will pay Broker, at the time the extension, renewal, or expansion commences, a fee equal to:

\_\_\_\_ (a) \_\_\_\_\_ % of all rents to be paid for the term of the extension, renewal, or expansion; or

\_\_\_\_ (b) \_\_\_\_\_

(3) Subsequent Sale to a Tenant: If Prospect leases all or part of the Property and later agrees to buy all or part of the Property within the term of the lease or within 180 days after the date the lease ends, Owner will pay Broker, at the closing of the sale, a fee equal to:

\_\_\_\_ (a) \_\_\_\_\_ % of the gross sales price; or

\_\_\_\_ (b) \_\_\_\_\_

*NOTICE: If the Property is commercial property under Chapter 62, Property Code, Broker is entitled to claim a lien against the Property to secure payment of an earned commission.*

7. **BROKER'S REPRESENTATION:**

A. Owner acknowledges receipt of the attached **Information About Brokerage Services** which is incorporated into this agreement for all purposes. During negotiations for the sale or lease of the Property, Broker:

\_\_\_\_ (1) will represent Owner only.

\_\_\_\_ (2) will represent Prospect only.

\_\_\_\_ (3) will act as an intermediary between Owner and Prospect.

B. If Broker acts as an intermediary, Broker will assist both Prospect and Owner in the sale or lease of the Property. Broker's fees will be paid by Owner as provided in Paragraph 6. Broker may appoint a licensed associate(s) of Broker to communicate with, carry out instructions of, and provide opinions and advice during negotiations to Owner and appoint another licensed associate(s) for the same purposes to Prospect. **As an intermediary, Broker:**

(1) may not disclose to Prospect that Owner will accept a price less than the asking price unless otherwise instructed in a separate writing by Owner;

(2) may not disclose to Owner that Prospect will pay a price greater than the price submitted in a written offer to Owner unless otherwise instructed in a separate writing by Prospect;

(3) may not disclose any confidential information or any information Owner or Prospect specifically instruct Broker in writing not to disclose unless otherwise instructed in a separate writing by the respective party or required to disclose the information by the Real Estate License Act or a court order or if the information materially relates to the condition of the Property.

- (4) shall treat all parties to the transaction honestly; and
- (5) shall comply with the Real Estate License Act.

8. **ADDENDA:** Addenda and other related documents which are part of this agreement are **Information About Brokerage Services** and \_\_\_\_\_

9. **OTHER:**

- A. **Entire Agreement:** This document contains the entire agreement between the parties and may not be changed except by written agreement.
- B. **Notices:** Notices between the parties must be in writing and are effective when sent to the receiving party's address, fax, or e-mail specified in Paragraph 1.
- C. **Definition of Sell:** "Sell" means to sell, agree to sell, convey, agree to convey, exchange, agree to exchange, transfer, or agree to transfer a legal or equitable interest either by written or oral agreement or option. The transfer of Owner's interest (stock or shares) in any entity that holds title to the Property for the purpose of conveying the Property to another person is a sale.
- D. **Disbursements:** All fees to Broker under this agreement are payable in cash in the county in which the Property is located. Owner authorizes Broker to instruct any escrow or closing agent to collect and disburse to Broker at closing the Broker's fees due under this agreement. Paragraphs 6B(2) and 6B(3) survive termination of this agreement. In the event of an exchange or breach of this agreement, the asking price will be the sales price or rental rate for computing Broker's fees.
- E. **Related Parties:** If a related party of Prospect agrees to buy or lease all or part of the Property within the term of this agreement, Broker will be entitled to all compensation under this agreement as if Prospect had acquired the Property. "Related party" means any assignee of Prospect, any family member or relation of Prospect, an officer, director, or partner of Prospect, any entity owned or controlled, in whole or part, by Prospect, and any entity that owns or controls Prospect, in whole or part.
- F. **Additional Notices:**
  - (1) Broker's fees or the sharing of fees between brokers are not fixed, controlled, recommended, suggested, or maintained by the Association of REALTORS® or any listing service. Broker's fees are negotiable.
  - (2) If the Property contains a residential dwelling built before 1978, federal law requires the Owner to:
    - (a) provide the buyer with the promulgated lead hazard information pamphlet; and (b) disclose the presence of any known lead-based paint or lead-based paint hazards.
  - (3) Broker cannot give legal advice. This is a legally binding agreement. **READ IT CAREFULLY.** If you do not understand the effect of this Listing, consult your attorney **BEFORE** signing.

Owner: **CITY OF KINGSVILLE,** \_\_\_\_\_

By: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

Date: \_\_\_\_\_

Owner: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name & Title: \_\_\_\_\_

Date: \_\_\_\_\_

Broker: **BETTY HAASS REALTORS**

By:  \_\_\_\_\_

Printed Name & Title: **ROBERT LINTON/ REALTOR**

Date: **December 7, 2020**