

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION**

**MONDAY, FEBRUARY 9, 2015  
REGULAR MEETING**

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

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

#### **OPEN MEETING**

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

#### **MINUTES OF PREVIOUS MEETING(S) – Required by Law** Regular Meeting - January 26, 2015.

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

##### **1. NONE.**

APPROVED BY:

  
\_\_\_\_\_  
Vincent J. Capell  
City Manager

### **II. Reports from Commission & Staff.<sup>2</sup> (City Manager's Staff Report Attached).**

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

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

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

### **IV.**

#### **Consent Agenda**

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

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from C1-Neighborhood Service District to R2- Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning and Development Services).
2. Consider a resolution authorizing the Task Force Commander to enter into an Interlocal Cooperation Agreement between the Harris County District Attorney's Office and the City of Kingsville Specialized Crimes & Narcotics Task Force. (Task Force Commander).

**REGULAR AGENDA**

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

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

3. Consider a resolution approving a development loan subject to certain conditions for the proposed Cayetano Villas of Kingsville Apartments located at 500 Block of General Cavazos Blvd., Kingsville, Texas. (Director of Planning and Development Services).
4. Consider a resolution approving changes to the efficiency reporting requirements for the Classified Fire & Police personnel as recommended by the City of Kingsville Civil Service Commission. (Director of Human Resources).
5. Consider final passage of an ordinance amending Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add, change and reclassify positions and correct clerical error to the City of Kingsville classification and compensation plan for fiscal year 2014-2015. (Director of Human Resources).
6. Consider introduction of an ordinance amending Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add a position of Civic Facilities Manager to the City of Kingsville classification and compensation plan for fiscal year 2014-2015. (Director of Human Resources).
7. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 General Fund Budget for Parks Department for a donation from the Kleberg-Kenedy County 4-H Council for improvements to the Parks Department Recreation Building. (Director of Finance).
8. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Tourism Fund Budget for the purpose of providing matching funds for street furnishings. (Director of Finance).

9. Consider a resolution authorizing the City Manager to enter into a City Hall Network Infrastructure Project Agreement by and between Richline Technical Services and the City of Kingsville for the new city hall. (Director of Purchasing and Technology).

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

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

12. Consider a resolution authorizing the City Manager to enter into a consultant contract with CK Consulting Firm, LLC for planning, zoning, and development related issues. (Director of Planning and Development Services).

13. Executive Session: Pursuant to Section 551.074, Texas Open Meetings Act, the City Commission shall convene in Executive Session to deliberate the employment of the City Manager. (Mayor Fugate).

14. Consider resignation of City Manager, process for filling position, provision of interim services, and matters related thereto. (Mayor Fugate).

## **VI. Adjournment.**


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

### **NOTICE**

This City of Kingsville and Commission Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail [mvalenzuela@cityofkingsville.com](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 in the City Hall, 200 East Kleberg, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

February 5, 2015 at 3:00 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

  
Mary Valenzuela, City Secretary  
City of Kingsville, Texas

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

By: \_\_\_\_\_  
City Secretary's Office  
City of Kingsville, Texas

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

JANUARY 26, 2015

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 26, 2015 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.**

**CITY COMMISSION PRESENT:**

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

**CITY STAFF PRESENT:**

Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
David Mason, Purchasing/IT Director  
Tony Verdin, Information Systems Technician  
Deborah Balli, Finance Director  
Tom Ginter, Director of Planning & Development Services  
Emilio Garcia, Health Director  
Diana Gonzales, Human Resources Director  
Joey Reed, Fire Chief  
Willie Vera, Task Force Commander  
Cynthia Martin, Downtown Manager  
Joey Reed, Fire Chief  
Robert Rodriguez, Library Director  
Susan Ivy, Parks & Recreation Manager  
Charlie Cardenas, Public Works Director/Engineer

**I. Preliminary Proceedings.**

**OPEN MEETING**

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

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

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

**MINUTES OF PREVIOUS MEETING(S) – Required by Law**

Regular Meeting - January 12, 2015.

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

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

1. Public hearing for an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from C1- Neighborhood Service District to R2- Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan, Isaac & Norma Torres owners. (Director of Planning and Development Services).

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

Mayor Fugate reported that this is a public hearing and anyone who would like to comment on this item can do so at this time with a five minute time limit.

Mr. Tom Ginter, Director of Planning and Development Services, reported that property owners were notified. Staff received one phone call from a property owner who was in favor of the rezoning. No calls were received against the rezoning. The Planning & Zoning Commission met and approved the rezoning by a unanimous vote of 4-0 in favor of the rezoning.

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

## **II. Reports from Commission & Staff.<sup>2</sup> (City Manager's Staff Report Attached).**

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

Mr. Ginter reported that the notice to proceed with the construction of the new City Hall was given and started Monday, January 5, 2015. Meetings will be scheduled monthly regarding construction issues and administrative issues.

Mrs. Courtney Alvarez, City Attorney reported that the next City Commission meeting is scheduled for Monday, February 9, 2015 with agenda items due on Friday, January 30<sup>th</sup>.

Commissioner Pena asked for an update on the past water breaks that occurred in the last few weeks.

Mr. Charlie Cardenas, Public Works/Engineer commented that the two major breaks that occurred in the past few weeks have been repaired. The water line near NAS Kingsville has had three breaks in the past. These breaks are the same breaks that have been previously repaired about 20 years ago. Cardenas further commented that breaks are happening on the weak points of the line. The most recent breaks were located by Tranquitas Creek and by the Tourism Office. The break by Tranquitas Creek has been permanently repaired. The break by the Tourism Office has been repaired with a clamp which is a permanent clamp steel welded. This leak is a very slow leak and releasing an estimate of 500 gallons per day. Clamp has been ordered which should arrive in a couple of weeks at which time the entire repair to be done on the leak by Tourism Office.

Commissioner Pena asked if residents are or will be affected by this break.

Mr. Cardenas responded that residents near the Tourism Office are receiving water services. Notification has been sent out to the residents making them aware of this issue. Cardenas further commented that once the pipe is fabricated and begin the permanent fix, it will require some shut down of water services for a few hours. Before this work is done, residents and business will be notified days prior to the shutdown.

Commissioner Leubert commented that any contracts brought to the City Commission for approval is given to the Commission few days prior to the meeting. This will allow the Commission a few days to review the contract.

Mayor Fugate presented "Because You Care Award" to Ms. Natalie Arispe for her hard work to the Poetry Garden located at the Library.

Mayor Fugate reported that he was notified by Texas A&M University-Kingsville that they would like to honor the City of Kingsville at the Legacy Ball for all the support the city has given to the University.

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

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

No comments made from the public at this time.

### **IV.**

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

**1. Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 budget for the Tourism Fund to provide funding to the Façade Grant Program. (Director of Finance).**

**2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Article 1, General Business Regulations, adopting Sections 2 & 3- Miscellaneous Health Department inspection fees and foster home/group home inspections. (Director of Health).**

**3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Article 7, Food Sales and Food Service**



Establishments, Sections 17 & 18, providing for changes for user fees, permit fees, and length of licenses and adding a re-inspection fee. (Director of Health).

4. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, Zoning, providing for three alternate Board of Adjustment members. (Director of Planning and Development Services).

5. Motion to approve a resolution authorizing the release of Chapter 59 funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to Communities in Schools for a drug and alcohol prevention program. (Task Force Commander).

6. Motion to approve the re-appointment of Karen Tallant to the Health Board for a three-year term. (Director of Health).

7. Motion to approve a resolution authorizing the City of Kingsville to continue participation in the Texas Main Street Program, authorizing the Mayor to execute the Texas Main Street Locally Designated Program 2015 Contract, and designating Downtown Manager Cynthia Martin as the Main Street Program Manager for the City of Kingsville to coordinate program activities. (Downtown Manager).

## REGULAR AGENDA

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

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

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

Mr. Ginter reported that late last week, after reviewing the code, staff came across language that may need to be looked into further. Ginter further commented that the way the property is platted there is no room to build a garage. Section 15-6-107(b), Special Off-Street Regulation, states that parking in R-1 and R-2 districts shall be provided only in areas properly located for future garage. Ginter commented that this section has been in the code since 2003. Mr. Ginter stated that he has been in contact with Mr. Mark Dizdar and made him aware of this language. After reviewing the plat, the only solution that staff sees is if he minimize the footprint of the house or reduce the number of units per acre. Mr. Ginter suggested to the Commission not to take any action on this item tonight, until Mr. Dizdar has the opportunity to speak with staff.

Mayor Fugate asked that since agenda item #9 is affiliated with agenda #8, it also have no action taken during tonight's meeting. He further asked if agenda #10 would still be heard.

Mr. Ginter stated that he recommends no action taken on agenda item #8 & 9 but would like to continue with agenda #10 as it is a discussion item at this point.

No action taken

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

No action taken.

**10. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from C1-Neighborhood Service District to R2- Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning and Development Services).**

Introduction item.

**11. Consider a resolution supporting the proposed Cayetano Villas of Kingsville Apartments located at 500 Block of General Cavazos Blvd., Kingsville, TX. (Director of Planning and Development Services).**

Mr. Ginter reported that after a presentation made by Mr. Matt Long at a previous Commission meeting, staff is recommending approval of this resolution.

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

**12. Consider a resolution authorizing the City Manager to enter into a Master Service Agreement by and between Foremost Telecommunications and the City of Kingsville. (Director of Purchasing and Technology).**

Mr. David Mason, Director of Purchasing and Technology, reported that this is Master Services Agreement which is an umbrella contract for any and all recurring telecommunications services to be provided by Foremost Telecommunications. Staff is seeking approval for entering into this specific service agreement for Foremost to provide fiber connectivity for the New City Hall. In addition, they will be providing 2 POTS lines as backup to the VOIP phone system to be used in case of fiber based internet failure. Mason further stated that the City Attorney has worked diligently with Foremost Counsel in drafting up this agreement. A 50 megabyte line will be located at City Hall for \$13.95 per month with additional capability of bringing in an additional 50 megabyte line to be used for other departments. Mason further stated that due to some confidentiality information within the agreement, it has not been included into the agenda packet.

Mayor Fugate stated that he understands the confidentiality aspect of the agreement, but he also agrees that this should have been provided to the Commission days prior to the meeting.

Commissioner Leubert asked if staff is guaranteeing that if this will take us into the future and will it be enough for what is needed to be done.

Mr. Tony Verdin, Information Specialist Technician, responded that he is happy with this agreement and the services that will be provided.

Commissioner Garcia asked how far the connecting point to the building is for fiber service and asked what is PRI service.

Mr. Todd Evans of Foremost Telecommunications responded that PRI stands for Primary Rate. Mr. Evans further commented that there is one line used as a channel line that allows more access. The circuit enables functions to record and does anything that we may want to do that ordinarily can't be done with a phone line. Each individual would have their own primary line whether they need it or not. One circuit can give you 100-200 phone numbers that can be programmed to each individual. The lines are fully monitored by Foremost.

Commissioner Garcia asked about the security measures Foremost has in place.

Mr. Evans responded that Foremost has their own switch and is not being piggy-backed by anyone else.

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

**13. Consider awarding bid #15-02 for concrete paving improvements Phase 5 to sole bidder E-Tech Construction, as per staff recommendation. (Director of Purchasing and Technology).**

Mr. Mason reported that E-Tech Construction has previously done Phase 3 & 4 and will do phase 5 for curb and gutter.

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

Commissioner Garcia asked if this particular item has been budgeted. Mr. Mason responded that this is out of the street project CO, 068-5-305.0-531.00 which had \$165,000 budgeted with bid coming in at \$152,105, which is within budget.

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

**14. Consider awarding the contract for the pump house and ground storage tank for Water Well #25 to sole bidder, as per contract engineer and staff recommendation. (Director of Purchasing and Technology).**

Mr. Mason reported that this completes the water well #25 construction project. Bids were advertised in the Kingsville Record on July 27, 2014 and August 3, 2014. A prebid meeting was held August 6, 2014 at 10:30 a.m. in the City of Kingsville Commission Chambers with site visitation. Bid opening was August 23, 2014 at 1:30 p.m. with one responsive bid for tank construction, that of Hubert Construction. This will expend \$572,730.00 which is budgeted under Ordinance No. 2014-70 which was passed and approved by Commission on December 1, 2014.

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

**15. Consider accepting a donation of \$4,385.75 from Kleberg-Kenedy County 4-H Council for improvements to the Parks Department Recreation Building. (Parks and Recreations Manager).**

Ms. Susan Ivy, Parks and Recreation Manager reported that this last fall Kleberg Kenedy County 4H hosted their Annual 4K Philanthropic Walk in Dick Kleberg Park to raise funds for community organizations. This year they chose Parks & Recreation as the recipient of these funds. Ivy further stated that earlier this year, a check was received in the amount of \$4,385-75 from that benefit. Funds will be used for painting, new restroom partitions, tables and possibly a screen for presentations are planned to give new life to the aging Recreation Center. Work is scheduled to be included in the TAMUK Bigger Event February 28<sup>th</sup> with the majority of the work done by Parks Staff. Staff is asking that these funds be accepted as a donation to the Parks & Recreation Department.

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

**16. Consider a resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for a fire engine on behalf**

**of the Kingsville Fire Department with an anticipated \$36,272 cash match. (Fire Chief).**

Mr. Joey Reed, Fire Chief, stated that the Kingsville Fire Department is asking the City to provide matching funds to support a FEMA grant for a new fire engine. The grant is being requested to replace engine 2 which is over 23 years old. A FEMA grant application was previously submitted last year but didn't get awarded. A grant is being requested in the amount of \$390,000 with the city's matching amount of \$36,272. If the grant is awarded, the city's funding is recommended to come from fiscal year 2015 excess general fund balance surplus account.

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

**17. Consider matching a previously accepted \$4,000 donation for Keep Kingsville Beautiful for purchase of benches and trash/recycling receptacles in the downtown area. (Downtown Manager).**

Mrs. Cynthia Martin, Downtown Manager, reported that on November, 2014, the La Posada de Kingsville donated \$4,000 to the City of Kingsville for the purchase of benches and trash receptacles for the downtown area. Martin further stated that she would like for the City to match this dollar amount.

Mayor Fugate asked if the \$4,000 will be for new benches and trash receptacles or for those that we already have in place.

Mrs. Martin stated that this money will be for the purchase of additional benches and trash receptacles.

**Motion made by Commissioner Garcia to match the \$4,000, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".**

**18. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 General Fund Budget for the Community Appearance Division of the Planning and Development Services Department for the purpose of providing matching funds for street furnishings. (Director of Finance).**

Mrs. Deborah Balli, Finance Director, stated that this is a budget amendment for the \$4,000 donation.

Introduction item.

**19. Consider introduction of an ordinance amending Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add, change and reclassify positions and correct clerical error to the City of Kingsville classification and compensation plan for fiscal year 2014-2015. (Director of Human Resources).**

Ms. Diana Gonzales, Human Resources Director, reported that this item addresses the proposed changes for the 2014-2015 compensation plan. Under the Exempt Level Salary Plan there is a request to add two positions which is just to create the positions of Economic Development Director and Parks and Recreation Director. This will only create the positions in step 1. Funding methods will be brought up at a later meeting should the City Manager decide to fill these positions. In the Non-Exempt/Non-Civil Service Classification Plan there is one title change from Help Desk to Help Desk Coordinator. This change will have no monetary impact to the compensation plan. There is one reduction of a classification position of the Fire Telecommunications Operators. These positions were created for the first time in 2014 for this fiscal year. Gonzales further reported that upon further review and discussion with the Fire Chief, the positions are

requested to be downgraded from Class 14 to Class 11. These positions are new to City and after review the positions will not require training and licensing mandated by the City for the Police Telecommunication Operators. The change will have a monetary impact but the actual amount will not be realized until the positions are filled. Ms. Gonzales stated that the last item is a clerical correction. This for classes TF and TFS which are the Task Force non-exempt positions. The Task Force positions were moved to their own classification codes for fiscal year 2014-2015. When the change occurred the formula dealing with the 1.5% COLA failed to be incorporated correctly in the TF and TFS classes. This is a clerical correction with no monetary impact to the City. The Finance Department utilized the correct numbers for budget preparation as well as for payroll processing.

Commissioner Garcia requested to pull the Economic Development Director management position salary plan and Parks & Recreation Director Management Level 2 from this proposed ordinance. Garcia further stated that he would like further clarification.

Mayor Fugate stated that he would like to further discuss this item when the City Manager is present at the next Commission meeting. Mayor Fugate further stated that he doesn't feel that request by Commissioner Garcia needs to be done at this time, since this is only an introduction item.

Ms. Gonzales commented that this is only to create the positions which cannot be filled until there is funding budgeted.

Commissioner Garcia commented that he fully understands this.

Introduction item.

**20.** Consider a resolution authorizing the City Manager to enter into a consultant contract with CK Consulting Firm, LLC for planning, zoning, and development related issues. (Director of Planning and Development Services).

Mayor Fugate commented that upon a request made by Commissioner Leubert not to address agenda item 20, as she and himself have some questions regarding this item.

**21.** Consider a resolution authorizing the Chief of Police to enter into an Interlocal Cooperation Agreement between the Harris County District Attorney's Office and the City of Kingsville Police Department. (Chief of Police).

Mr. Ricardo Torres, Chief of Police reported that this is an agreement with Harris County District Attorney's office. Torres further stated that due to the high intensity drug trafficking area, there is a lot of currency and drugs passing through our area based out of Houston. There may be some situation where we have cases where the City may get involved with in Harris County.

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

## **VII. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:45 P.M.

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Sam R. Fugate, Mayor

## **ATTEST:**

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Mary Valenzuela, TRMC, City Secretary

# **PUBLIC HEARING(S)**

# **CONSENT AGENDA**

# **AGENDA ITEM #1**



**ORDINANCE #2015-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 1.44 ACRES LOTS 1-9, BLOCK 1, EVA SUBDIVISION, KNOWN AS 1100 EAST KENEDY AND LOTS 1-3, BLOCK 2, CLYDE SUBDIVISION, KNOWN AS 1116 EAST LOTT FROM C1- NEIGHBORHOOD SERVICE DISTRICT TO R2-TWO FAMILY RESIDENTIAL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Isaac & Norma Torres, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, January 14, 2015 during a meeting of the Planning and Zoning Commission, and on Monday, January 26, 2015 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning Commission by a 4-0 vote APPROVED the requested rezone; and

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

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

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from C1-Neighborhood Service District to R2 Two Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 26th day of January, 2015.

**PASSED AND APPROVED** on this the 9th day of February, 2015.

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

**THE CITY OF KINGSVILLE**

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

**ATTEST:**

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

**APPROVED:**

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

TO: VINCE CAPELL, CITY MANAGER

FROM: TOM GINTER, DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES T2

DATE: JANUARY 16, 2015

SUBJECT: PUBLIC HEARING – REZONING OF LOT 1-9, BLOCK 1, EVA  
SUBDIVISION ALSO KNOWN AS 1100 EAST KENEDY AND LOTS 1-3,  
BLOCK 2 CLYDE SUBDIVISION ALSO KNOWN AS 1116 EAST LOTT  
FROM (C1) NEIGHBORHOOD SERVICE TO (R2) TWO FAMILY  
RESIDENTIAL DISTRICT, 1.44 ACRES, ISAAS AND NORMA TORRES

---

Attached are the following documents:

- A. Memo to Planning and Zoning Commission.
- B. Rezoning Application – Due to the transition in this department it was determined that a rezoning would be required for this property to be developed as Mr. Dizdar's original plans. To be fair, and because of all the confusion, the City initiated the rezoning process.
- C. List of property owners contacted. We received one phone call from a property owner and that was Mr. Torres who was in favor of the rezoning. No calls were received that were against the rezoning.
- D. Minutes of the Planning and Zoning Commission meeting.

While R-2 is an appropriate zoning for the property, I felt that we should take this in fill project opportunity to achieve a development that would be sustainable. Consequently I recommended to the Planning and Zoning Commission that it be rezoned to RP2. The code allows in any district the opportunity to do a planned unit development. The designation allows flexibility for both sides to negotiate items without having to be contained by the particular district rules. As an example the owner has the option to put the driveway in the rear of the home which would enhance curb appeal but it would mean impacting the lot lines. Under RP2 it can be done. As you read in the minutes the Commission was not in favor due to the lateness of the idea and Mr. Dizdar was not in favor also. The Commission approved the rezoning by a unanimous vote 4-0.

# PLANNING & ZONING COMMISSION AGENDA

Wednesday, January 14, 2015, 2014, 6:00 p.m.

Special Meeting

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

## PLANNING & ZONING COMMISSION SEATING ARRANGEMENT

### COMMISSION MEMBERS

Steve Zamora,

### COMMISSION MEMBERS

Robert McCreight

Chairman

Lupe Alvarez

Albert Garcia

Debbie Tiffie

Raymond Perez

Bill Aldrich

### CITY STAFF

Adela Barrientes,  
Administrative Assistant II

Tom Ginter,  
Director of Planning  
& Development Services

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

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

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

## AGENDA

- **CALL TO ORDER**
- **ROLL CALL**
- **APPROVAL OF MINUTES OF REGULAR MEETING – December 10, 2014**
- **PUBLIC COMMENTS FOR ALL AGENDA & NON-AGENDA ITEMS**
- **POSTPONEMENTS/ADJUSTMENTS TO THE AGENDA**
- **OLD BUSINESS – None**
- **NEW BUSINESS**

**ITEM #1** Isaac & Norma Torres, owner – Requesting the rezone of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT.

**ITEM #2** Isaac & Norma Torres, owner – Requesting approval for the preliminary plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

**ITEM #3** Isaac & Norma Torres, owner – Requesting approval for the final plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

**ITEM #4** Report from Director of Planning and Development Services.

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

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

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

I certify that this agenda was posted at least seventy-two (72) hours before the commencement of the Planning and Zoning Commission Meeting scheduled for Wednesday, January 14, 2015.



\_\_\_\_\_  
Tom Ginter  
Director of Planning & Development Services

Posted
@_____
On_____
By_____

**PLANNING AND ZONING COMMISSION**  
**MEETING MINUTES**  
**December 10, 2014**

**Planning and Zoning Members Present**

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

**Citizens Present**

**Staff Present**

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

**Base Representative**

Glenn Jones

1. **The meeting was called to order at 6:00 p.m.**
2. **Discuss and take action on the meeting minutes of December 10, 2014.**  
Mr. Lupe Alvarez made a motion to approve the minutes with corrections. Mr. Robert McCreight seconds. All in favor none opposed.
3. **Miscellaneous/Public Comments on or off the agenda.**  
N/A
4. **Old Business/Postponements.**  
N/A
5. **Discuss and take action on — City of Kingsville -- Consider approval of an ordinance amendment to Sec. 15-6-130, Changeable electronic variable message signs. Repealing all ordinances in conflict herewith and providing for an effective date and publication.**  
Mr. Ginter presented the committee with examples of sign ordinances from the City of Amarillo and the City of Rockport. Mr. Ginter stated he came up with this information after doing some research and in talking with Mark Kellum who had initially started the research. Mr. Ginter also stated that the decision to amend the sign ordinance started when sign variances were being presented to the Board of Adjustments. Mr. Ginter stated to the committee the City of Amarillo has the closest language to our sign

ordinance and he recommended that the committee approve Amarillo's draft ordinance amendment to Sec. 15-6-130. Mr. Ginter further stated the Planning and Zoning Commission members would determine how they want to regulate the amendment if approved. The committee discussed different regulations and asked who would be in charge of making sure the regulations were being done. Mr. Ginter advised the committee that the Planning and Development Department would make sure these regulations were in compliance.

Mr. Albrich motioned to approve Amarillo's sign ordinance amendment to Sec. 15-6-130. Mr. Alvarez second. All approved none opposed.

**6. Discuss and take action on — Isaac & Norma Torres, owner — Requesting approval for the preliminary plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.**

Mr. Ginter explained to the committee that C-1 is the current zoning in this area and only R-1's are permitted to be built. Mark Dizdar is planning to build R-2's and wants to continue with the R-2 plat. Since Mr. Dizdar would like to stay with the same R-2 plat, Mr. Ginter recommended to Mr. Dizdar to rezone the area and that the City would take the initiative to rezone it. Mr. Dizdar agreed. Mr. Ginter advised the committee to table these items and act on them once the rezoning is completed. The committee expressed concerns and had questions that they plan to address once the plat is presented to the Planning and Zoning Commission members for approval.

Mr. McCreight made a motion to table this item. Mr. Alvarez seconded. All in favor none opposed.

**7. Discuss and take action on — Isaac & Norma Torres, owner — Requesting approval for the final plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.**

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

Mr. Aldrich motioned to table this item, Mr. Alvarez seconded. All in favor none opposed.

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

Mr. Ginter presented a timeframe for the rezoning process and the committee decided to have a special meeting on January 14, 2015. Mr. Ginter passed out some information to the committee members that are specifically written for commissioners.

**9. Adjourn**

Meeting adjourned at 6:44 p.m.

To: Planning & Zoning Commission  
From: Tom Ginter, Director of Planning & Development Services  
Date: January 8, 2014  
Subject: Agenda Item #1 Request the Re-zone of 1.25 acres EVA, BLOCK 1, Lot 1-9 and CLYDE BLOCK 2, Lot 1-3

---

At our meeting in December it was determined that for Torres Estates to be developed correctly it needed to be rezoned.

Petitioner and Agent: Mark Dizdar  
Owner: Isaac and Norma Torres

Comprehensive Plan Land Use:	Residential
Existing Zoning Classification:	C-1 Commercial
Area around it is:	East: R-1 Residential
	South: C-1 Commercial
	West: C-2 Commercial

Existing Infrastructure

Transportation:	Kenedy Avenue
Community Facilities:	Service Provider
Fire Station Proximity:	Within 2 miles
100 Year Flood Plain:	Property within Flood Zone C



### Background and History

The petitioner has requested approval for the ability to build single family homes on the lot as described in other documents. As was pointed out the size of the lots did not meet the R-1 requirements. It was determined that for him to develop the lots as to how he wants, a rezoning needs to take place. Since he wants to go with the development that has been submitted it fits the R-2 requirements. It is our belief since commercial properties surround it and it would be considered a positive in fill project. R-2 is the requested zoning for the property. As of the writing of this memo, we have received only one comment from the property owners within 200 ft. and that was from Mr. Torres he was in favor of the rezoning.

### Staff Review and Recommendation

In general, Planning and Zoning Commission considers the following factors when making a recommendation on zoning district changes:

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

Staff recommends APPROVAL of this request with the following findings:

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

Prepared by: Tom Ginter  
Tom Ginter  
Director of Planning & Development Services

### **SPECIAL PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Special Public Hearing Wednesday, January 14, 2015 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

**ITEM #1- Isaac & Norma Torres, owner – Requesting the rezone of 1.25 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.**

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

### **PUBLIC HEARING NOTICE**

The City Commission of the City of Kingsville will hold a Public Hearing Monday, January 26, 2015 at 6:00 p.m. wherein the City Commission will discuss the following item and at which time all interested persons will be heard:

**ITEM #1- Isaac & Norma Torres, owner – Requesting the rezone of 1.25 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.**

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

## CITY OF KINGSVILLE

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

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

## Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

PROPERTY INFORMATION: (Please PRINT or TYPE)  
Project Address 1.25 acres EVA, BLOCK 1, LOT 1-9 & OYDE, BLOCK 2 LOT 1-3 Located in the City ✓ ETJ ✓

(Proposed) Subdivision Name \_\_\_\_\_ Total number of Lots \_\_\_\_\_

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

Existing Zoning Designation \_\_\_\_\_ Future Land Use Designation \_\_\_\_\_

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mark Dizdar Phone            FAX           

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

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner Isaac + Norma Torres Phone \_\_\_\_\_ FAX \_\_\_\_\_

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

Mailing Address 1116 East Loft City Kingsville State Tx Zip 78363

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

Annexation Request.....	No Fee
Administrative Appeal (ZBA).....	\$250.00
Comp. Plan Amendment Request.....	\$250.00
✓ Re-zoning Request.....	\$250.00
SUP Request/Renewal.....	\$250.00
Zoning Variance Request (ZBA).....	\$250.00
PUD Request.....	\$250.00
Lot Line Adjustment Plat.....	\$100.00

___ Preliminary Plat.....	Fee Varies
___ Final Plat.....	Fee Varies
___ Minor Plat.....	\$100.00
___ Re-plat.....	\$200.00
___ Vacating Plat.....	\$50.00
___ Conceptual Development Plat.....	\$100.00
___ Subdivision Variance Request.....	\$25.00 ea
___ Amending Plat.....	\$100.00

**Please provide a basic description of the proposed project:**

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

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

LEDESMA ADELITA  
1128 E KENEDY  
KINGSVILLE, TX 78363  
#12259

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

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

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

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

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

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

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

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

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

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

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

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

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

GARZA PEDRO  
1029 E KENEDY  
KINGSVILLE, TX 78363  
#16932

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

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

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

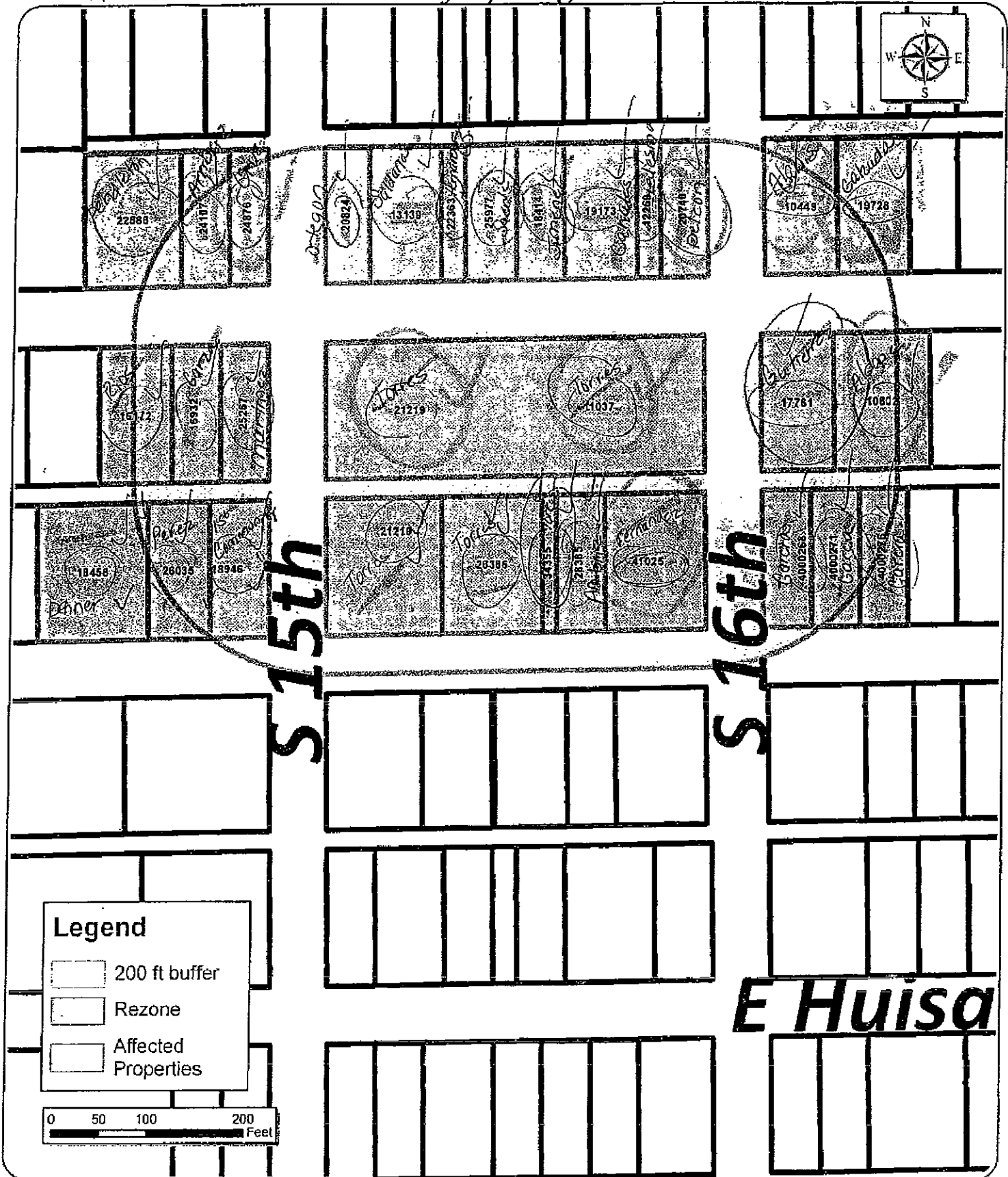
GUTIERREZ EMMA  
1201 1/2 E KENEDY AVE  
KINGSVILLE, TX 78363  
#17761

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made copies for p+2  
making

= label  
= letter

letters mailed 12/18/14  
City of Kingsville

31/total



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1/1

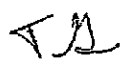
Drawn By: Engineering  
Department  
Last Update: 12/15/2014  
Note:

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



CITY OF KINGSVILLE  
ENGINEERING DEPARTMENT  
200 East Kleberg  
Kingsville, Texas 78363  
Office: 361-595-8005

To: Planning & Zoning Commission

From: Tom Ginter, Director of Planning & Development Services 

Date: January 8, 2014

Subject: Agenda Item #2 Requesting approval for the preliminary plat of 1.25 acres EVA, BLOCK 1, Lot 1-9 and CLYDE, BLOCK 2, Lot 1-3

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Under the rezoning report that gives the current information for the Commission, so I do not need repeat it again.

From the conversation that occurred at the last meeting, I met with Mark Dizdar concerning those issues. This is what he is willing to do:

1. Plant 2 trees in the front yard, for each home.
2. A 6 ft. sidewalk all the way around.
3. A 2 car driveway, 18 ft. wide.
4. A sprinkler system for the front yard.

When I talked about what we perceived to be at the building of carports and everything else to do with vehicles he felt that what was being done was a positive thing. The general statement is that they will look better than what was there before. I responded by shouldn't we take this opportunity to go the next level. Again not much of an answer. Let review the overall project positives and negatives.

Positives they are:

1. While small single family homes, good place for them with the possibility of redeveloping the neighborhood.
2. The homes are the right price for the market in Kingsville.
3. The additional items being put in the development are a plus, to prevent parking in front yards, shade for the homes and encouraging pedestrian travel.

Negatives:

1. No garages so the belief is that a number of the residences will be putting carports up which will make a negative appearance.
2. Cause parking of vehicles to be parked in the street.
3. Where will they put other items, garbage trees, etc.
4. The number of homes, makes it tight allowable under the code but tight none the less.

Other:



1. In the meeting that I had with Mr. Dizdar, I suggested that the City could assist him with the purchase of additional ground to have a parking area for the homeowners. He didn't acknowledge this much one way or the other. I have had discussions with City Manager and will likely have one next week prior to the meeting on the issue. The city is willing to assist Mr. Dizdar to better the appearance of the development which we feel will be happening due to no garage and the tightness of the project itself.

**Summary:**

As the discussion goes, no doubt you will have to be making internal decisions on this development. At this time I would strongly recommend that whatever you come up with the items, that he is going to do, trees, sidewalks, sprinkler system be put in a motion and instructions for them to be included in the construction plans at this time.

As far as a recommendation I do not have one. Could be by Wednesday, the information that may be gained will provide me with one, but frankly not sure at the time.

CITY OF KINGSVILLE PLANNING  
AND ZONING DIVISION MASTER  
APPLICATION

**PROPERTY INFORMATION:** (Please PRINT or TYPE) South side of Kennedy Ave. between  
Project Address \_\_\_\_\_ Nearest Intersection Fifteenth St. & Sixteenth St.  
(Proposed) Subdivision Name Torres Estates Lot \_\_\_\_\_ Block \_\_\_\_\_  
Legal Description: 1.25 acres being all of Lots 1, 2, & 3 Block 2 Clyde Addn (Vol. 1, Pg. 35, Encl. 18)  
& all of Lots 1 thru 9, Block 1, Eva Addn (Vol. 1, Pg. 33, Encl. 17, KCMR)  
Existing Zoning Designation C-1 Future Land Use Plan Designation Residential

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

Applicant/Authorized Agent Isaac & Norma Torres Phone \_\_\_\_\_ FAX \_\_\_\_\_  
Email Address (for project correspondence only): md12daro@firstcompasshomes.com  
Mailing Address 1116 E. Lott Ave. City Kingsville State TX Zip 78363  
Isaac & Norma  
Property Owner Torres Phone \_\_\_\_\_ FAX \_\_\_\_\_  
Email Address (for project correspondence only): \_\_\_\_\_  
Mailing Address 1116 E. Lott 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 checked="" type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input checked="" type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/> Minor Plat	\$100.00
<input type="checkbox"/> Re-zoning Request	\$250.00	<input type="checkbox"/> Re-plat Vacating	\$250.00
<input type="checkbox"/> SUP Request/Renewal	\$250.00	<input type="checkbox"/> Plat Development	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA)	\$250.00	<input type="checkbox"/> 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:

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: \_\_\_\_\_  
Property Owner's Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Accepted by: Jessica J. Garcia Date: 9/18/14

DATE: \_\_\_\_\_ DAY OF: \_\_\_\_\_ 19\_\_\_\_

**Order or contact your local distributor for more information.**

## References

BEING A SUBDIVISION OF 1.44 ACRES SITUATED IN THE CITY OF KINGSVILLE,  
 KLEBERG COUNTY, TEXAS, OUT OF LOTS 1, 2, AND 3, BLOCK 2 CRYSTAL ADDITION TO THE  
 CITY OF KINGSVILLE, VOLUME 1, PAGE 25, ENVELOPE 18, K.C.M.R.

AND

BLOCK 1, ENVELOPE 17, K.C.M.R.

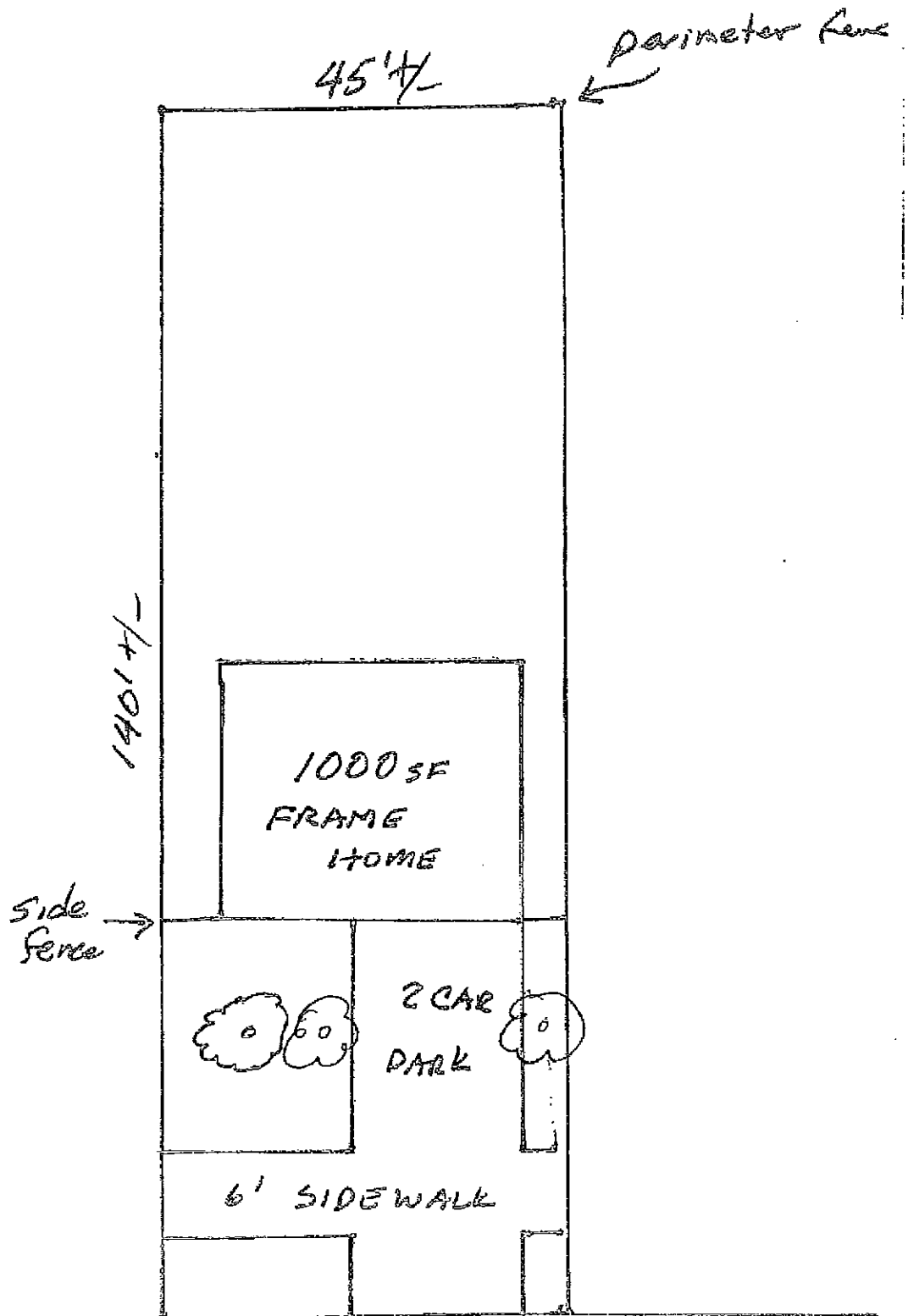
ALL OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, AND 9, BLOCK 1 1/2A ADDITION TO THE CITY OF KINGSVILLE,  
 VOLUME 1, PAGE 33, ENVELOPE 17, K.C.M.R.

KLEBERG COUNTY, TEXAS.

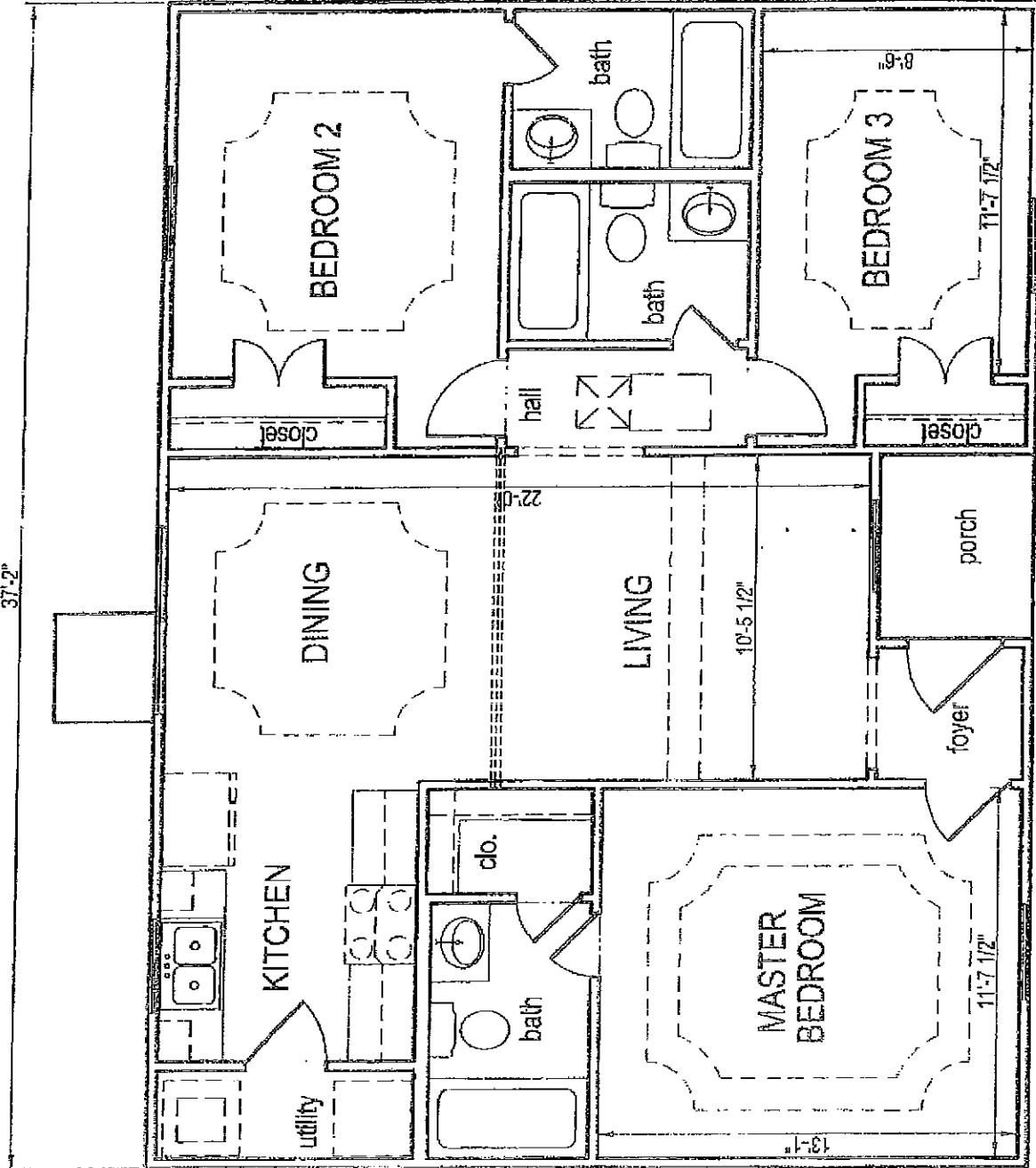
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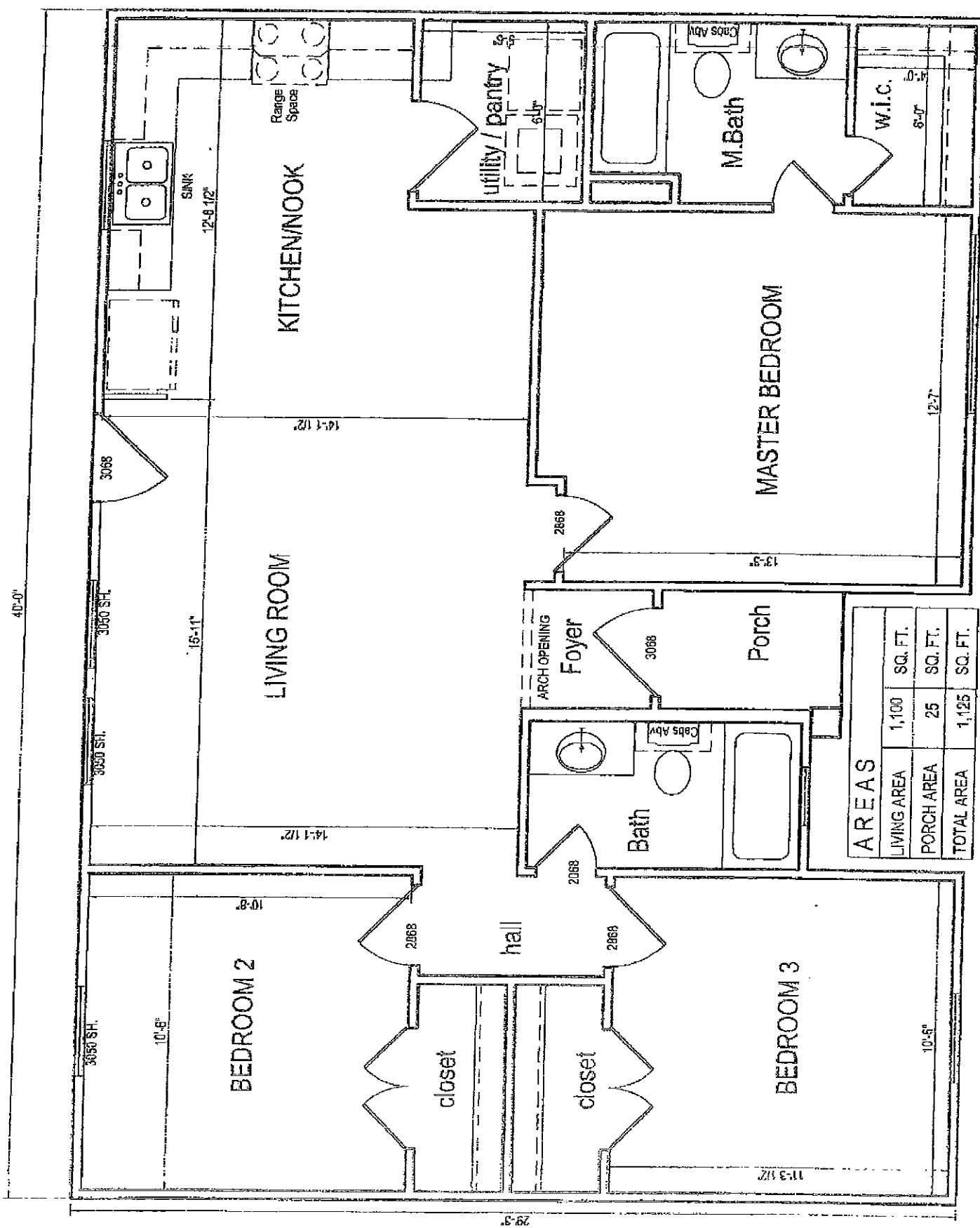
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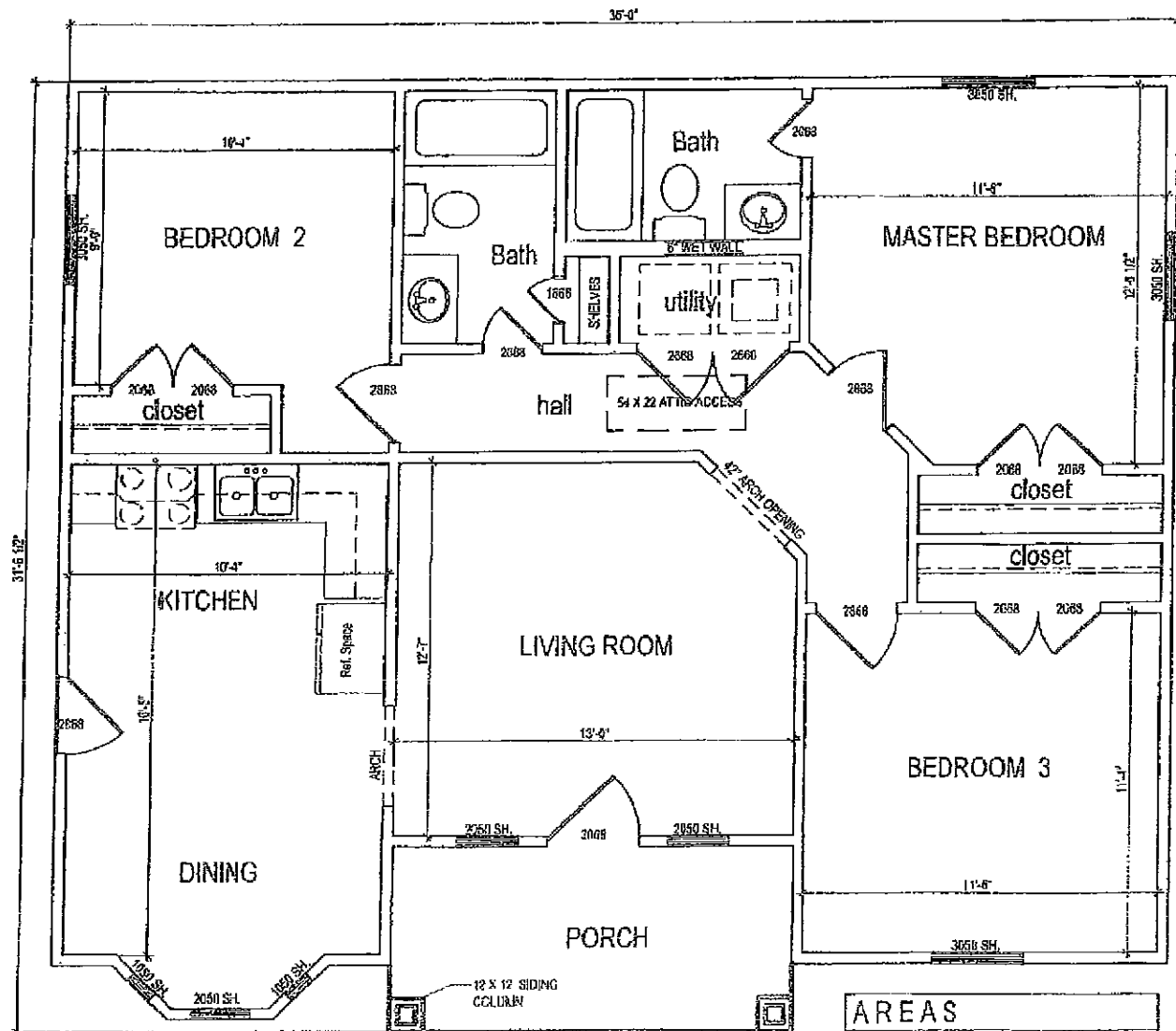
37'-2"



AREAS	A
LIVING	990
PORCH	29
TOTAL	1019




AREAS			
LIVING AREA	1,100	SQ. FT.	
PORCH AREA	25	SQ. FT.	
TOTAL AREA	1,125	SQ. FT.	



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

To: Planning & Zoning Commission

From: Tom Ginter, Director of Planning & Development Services 

Date: January 8, 2014

Subject: Agenda Item #3 Requesting approval for the preliminary final plat of 1.25 acres  
EVA, BLOCK 1, Lot 1-9 and CLYDE, BLOCK 2, Lot 1-3

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It is my belief that the discussion concerning the development will occur during the preliminary plat agenda item. Consequently what happens then, will most likely dictate the outcome of his agenda item. I do not see the need to repeat the information for this item.

If you have any questions about any of the agenda items, please let me know.



## **AGENDA ITEM #2**

**RESOLUTION # 2015-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE TASK FORCE COMMANDER TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE AND THE CITY OF KINGSVILLE SPECIALIZED CRIMES AND NARCOTICS TASK FORCE; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the provisions of the Texas Local Government Code Chapter 362 (Law Enforcement Services Provided Through Cooperation of Municipalities, Counties, and Certain Other Local Governments), a county and a municipality may, pursuant to order or resolution of its governing body, form a mutual interlocal agency agreement to assist in criminal and narcotic investigations and law enforcement; and

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

**WHEREAS**, the parties to this agreement can better utilize the law enforcement resources of the City and the County by the coordination of crime interdiction efforts between the Kingsville Specialized Crimes and Narcotics Task Force and the Harris County District Attorney's Office; and

**WHEREAS**, the County District Attorney and the City desire to use the capital expenditures to improve the health, safety, and quality of life of the residents of their jurisdictions.

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

I.

**THAT** the Task Force Commander is authorized and directed as an act of the City of Kingsville, Texas to enter into an Interlocal Cooperation Agreement Between the Harris County District Attorney's Office and the Kingsville Specialized Crimes and Narcotics Task Force in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

**PASSED AND APPROVED** by a majority vote of the City Commission on the  
\_\_\_\_ 9th day of \_\_\_\_ February \_\_\_\_, 2015.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **LOCAL AGREEMENT WITH RESPECT TO THE FORFEITURE OF CONTRABAND**

This writing is a local agreement and memorandum of understanding between the attorney representing the state, hereinafter referred to as the District Attorney, and the Kingsville Specialized Crimes and Narcotics Task Force, hereinafter referred to as KTF, pursuant to the terms and provisions The Texas Code of Criminal Procedure, Chapter 59.

### **I. DEFINITIONS**

In this agreement the following definitions shall apply:

- A. "Attorney representing the State" means the elected Harris County District Attorney or any of her authorized Assistant District Attorneys.
- B. "KTF" means the agency head of the Kingsville Specialized Crimes and Narcotics Task Force.
- C. "Contraband", "interest holder", "owner", and "seizure" shall have the same meaning as defined in Article 59.01, Texas Code of Criminal Procedure.
- D. "Forfeitures pending" means any forfeiture matter that the District Attorney has received notice of seizure in accordance with this agreement.
- E. "Use Letter" means a document which sets out the agency's request as to the disposition of property and/or the sharing of proceeds with another agency.

### **II. SEIZURE OF CONTRABAND**

- A. Notification of Seizure - When contraband is seized pursuant to Chapter 59 of the Texas Code of Criminal Procedure by KTF, the seizing officers shall immediately notify the District Attorney of the seizure as follows:
  - 1. The seizing officer shall notify the District Attorney in writing within seven days following the seizure, either in person or by facsimile addressed to Harris County District Attorney, 1201 Franklin, Suite 600, Houston, Texas 77002, Attention: Asset Forfeiture, facsimile # (713) 755-6863. This document shall be referred to as the "Notice of Seizure." The "Notice of Seizure" shall contain:
    - A. A statement under oath and notarized that contains a schedule and inventory of the property seized pursuant to Article 59.03(c) of the Code of Criminal Procedure and this agreement.
    - B. An acknowledgment by KTF that the listed items were seized and the reasons those items were seized pursuant to Chapter 59 of the Code of Criminal Procedure.
  - 2. The "Notice of Seizure" shall be accompanied by a packet of information which will contain the following:

- A. A representation by KTF as to whether or not the listed items are being held as evidence pursuant to a pending criminal investigation or criminal prosecution.
  - B. A representation by KTF that the listed items are to be kept and maintained so as to protect the seized property pending final disposition of the suit for forfeiture at KTF's expense.
  - C. Notice as to the place and location where the property is presently stored and kept, and under whose custody and control those items are maintained.
  - D. The name and address, if known, of the person found in possession of the property, or if no person was found in possession of said property, the seizing officer shall so state.
  - E. The name and address, if known, of the owner of the property seized, or if the name and address of the owner is unknown to the seizing officers and by the use of due diligence may not be reasonably ascertained, the seizing officer shall so state.
  - F. The name and address, if known, of any person who claims a security interest in the property and the amount of such interest.
  - G. The marital status of any person found in possession of said seized property, or who may be claiming any interest in said property as the owner or lien holder, and whether or not KTF has any investigative report or records indicating that such person has been investigated for any act of family violence as defined by Section 71.01 Family Code.
  - H. If any of the seized property is money, the seizing officer shall provide evidence of the deposit of the funds in the Wells Fargo Bank, 1500 Waugh Drive, Houston, Texas, 77019, in a certificate of deposit styled "Harris County District Attorney, Custodian for KTF, Incident Report Number [number applicable to seizure]".
  - I. If the seized property contains securities, negotiable instruments, or stocks, the said property shall be delivered to the Office of the District Attorney, Attn: Asset Forfeiture, 1201 Franklin, Suite 600, Houston, Texas 77002.
- B. Disposition of Seized Property Prior to Forfeiture. All property, except money, securities, negotiable instruments, or stocks, seized by KTF pursuant to this agreement and Chapter 59, Texas Code of Criminal Procedure, both tangible, real and mixed, shall be safely kept by KTF, under seal, and in a manner that properly protects the seized property from damage or abuse pending final disposition of the forfeiture action, unless otherwise ordered by the court, or subject to replevy in accordance with Article 59.02 Texas Code of Criminal Procedure. The safekeeping shall be at the sole cost and expense of KTF.

Money seized pursuant to this agreement and Chapter 59, Texas Code of Criminal Procedure, shall be deposited by KTF after the seizure, in the Wells Fargo Bank, 1500 Waugh Drive, Houston, Texas 77019, in a certificate of deposit styled "Harris County District Attorney, Custodian for KTF, Incident Report Number [number applicable to seizure]". Evidence of the certificate of deposit shall be furnished to the District Attorney.

Securities, negotiable instruments, or stocks seized by KTF shall be delivered to the Office of the District Attorney, Attn: Asset Forfeiture, 1201 Franklin, Suite 600, Houston, Texas 77002.

### **III. DISPOSITION OF FORFEITED PROPERTY**

- A. Real and Personal Property - Upon a final adjudication determining that real or personal property, other than money securities, negotiable instruments, and stocks, shall be forfeited to the State, the District Attorney shall dispose of such property as follows:
1. The District Attorney shall transfer the forfeited property to KTF for the official use by the agency, if:
    - A. Within sixty days (60) of the date of the seizure, KTF has given written notice in the form of a "Use Letter" addressed and delivered to the District Attorney that KTF wants to use such property for official purposes; and
    - B. KTF agrees to satisfy any and all storage and maintenance costs; and
    - C. The property is free of any interest of an interest holder, or KTF agrees to purchase the non-forfeitable interest of an interest holder; and
    - D. The District Attorney waives its 30% interest in the property pursuant to Chapter 59 of the Texas Code of Criminal Procedure and this agreement.
  2. The District Attorney may transfer said property to any agency or political subdivision employing peace officers if:
    - A. KTF has notified the District Attorney in writing that KTF does not want to use or operate the property and will waive KTF's seventy percent (70%) interest in the property pursuant to Chapter 59 of the Texas Code of Criminal Procedure and this agreement, or
    - B. KTF notifies the District Attorney within sixty (60) days of the date of seizure of the percentage of interest that any other agency may have in the property. The specific percentage of interest that each agency has in the property should be included in the form of a "Use Letter" addressed and delivered to the District Attorney, or
    - C. KTF has not notified the District Attorney within sixty days (60) of the date of seizure of KTF's desire to use such property for official purposes in the form of a "Use Letter" addressed and delivered to the District Attorney.

3. Three out of every ten motor vehicles shall be forfeited to the District Attorney for official use and operation, unless expressly waived by the District Attorney's Office.
4. The District Attorney shall cause the property designated by Court order to be sold following the date of the final judgment of forfeiture as soon thereafter as reasonably practicable. The method of sale will be determined by the District Attorney and may be done by auction or other means determined by the District Attorney to be a fiscally responsible manner and in accordance with law as provided in such cases.
5. The proceeds of any sale conducted hereunder shall be distributed as follows:
  - A. First, to any interest holder to the extent of the interest holder's non-forfeitable interest;
  - B. The balance after deducting all costs, including but not limited to, maintenance, storage and disposal costs, incurred by KTF or by the District Attorney, both before and after the final judgment of forfeiture, shall be distributed as follows:
    - (1) Seventy percent (70%) of the balance remaining after deducting all costs shall be paid by the District Attorney to KTF for deposit by KTF into a special fund in the treasury of the political subdivision established for KTF and committed to law enforcement purposes as provided by Chapter 59 of the Texas Code of Criminal Procedure or it will be paid to any law enforcement agency or political subdivision employing peace officers (for their deposit in a special fund which comports with the requirements of Chapter 59 of the Texas Code of Criminal Procedure) that is designated by KTF in their "Use Letter" in the percentage designated.
    - (2) Thirty percent (30%) of the balance remaining after deducting all costs shall be deposited by the District Attorney in a special fund in the county treasury for the benefit of the District Attorney to be used solely by said representative of the State for the official purposes of the office as provided by Chapter 59 of the Texas Code of Criminal Procedure.
- B. Money, Securities, Negotiable Instruments, and Stocks - Upon a final adjudication determining that property consisting of money, securities, negotiable instruments, and stocks, shall be forfeited to the State, the said property shall be converted to U.S. funds in accordance with law. The District Attorney shall then dispose of said property as follows:
  - A. First, to any interest holder to the extent of the interest holder's non-forfeitable interest;
  - B. The balance after deducting all costs, including but not limited to, maintenance, storage, brokerage fees and disposal costs, incurred by KTF or by the District Attorney, both before and after the final judgment of forfeiture, shall be distributed as follows:
    - (1) Seventy percent (70%) of the balance remaining after deducting all costs shall be paid by the District Attorney to KTF for deposit by KTF into a special fund in

the treasury of the political subdivision established for KTF and committed to law enforcement purposes as provided by Chapter 59 of the Texas Code of Criminal Procedure or it will be paid to any law enforcement agency or political subdivision employing peace officers (for their deposit in a special fund which comports with the requirements of Chapter 59 of the Texas Code of Criminal Procedure) that is designated by KTF in their "Use Letter" in the percentage designated.

- (2) Thirty percent (30%) of the balance remaining after deducting all costs shall be deposited by the District Attorney in a special fund in the county treasury for the benefit of the District Attorney to be used solely by said representative of the State for the official purposes of the office as provided by Chapter 59 of the Texas Code of Criminal Procedure.

#### **IV. DURATION OF THE AGREEMENT**

This agreement shall be in force and effect from the date of execution by both agencies, unless terminated by either the District Attorney or KTF. Termination may occur by notification of either party, in writing, stating their intentions to terminate the agreement. Such notice shall be communicated by personal delivery to the District Attorney or to the agency head of KTF and shall be effective thirty days following notification. Any forfeitures pending at the effective date of termination shall be distributed in accordance with this agreement.

#### **V. NOTICES**

All notices shall be delivered as follows:

- A. Notice of Seizure - Notice of seizure shall be served in person by KTF by hand delivery to: The Assistant District Attorney in Charge of the Asset Forfeiture Division, Office of the District Attorney, Fifth Floor, 1201 Franklin, Houston, Texas 77002.
- B. Notice of Waiver of Interest - Notice of waiver of any interest in any forfeited property specifically detailing the forfeited property in which he is waiving interest hereunder shall be in writing, signed by agency head of KTF or by his designated representative, and by the District Attorney or by her designated representative, and delivered in person, by certified mail, or by facsimile to both of the following addresses:
  1. Kingsville Specialized Crimes and Narcotics Task Force  
350 West County Road 2140  
Kingsville, Texas 78363  
Fax # (361) 595-5781
  2. Harris County District Attorney  
Attn: Asset Forfeiture  
1201 Franklin, Suite 600  
Houston, Texas 77002  
Fax # (713) 755-6863



- C. Other Notices - Any other notices, including but not limited to, termination, agency use of property, and willingness to discharge interest of non-forfeitable interest holder shall occur in accordance with V. B. above.

## VI. MODIFICATION OF AGREEMENT

This writing represents the entire agreement of the parties with respect to the forfeiture of property and controlled substances under Chapter 59 of the Texas Code of Criminal Procedure; however, either party may modify, repeal or amend said agreement provided all parties consent to such modification, repeal, or amendment in writing. Such modifications or amendments may include, but are not limited to, agreements related to specific multi-agency task force investigations or other circumstances where more than one agency employing peace officers may be involved in a seizure. In such cases, a separate forfeiture agreement may be devised, with the consent of all parties, and such agreement shall supercede this agreement in the specific applicable forfeiture proceeding.

EXECUTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2014 by

\_\_\_\_\_  
Devon Anderson  
District Attorney  
Harris County, Texas

EXECUTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2014 by

\_\_\_\_\_  
Guillermo "Willie" Vera  
Commander  
Kingsville Specialized Crimes and  
Narcotics Task Force



**KINGSVILLE SPECIALIZED CRIMES  
AND NARCOTICS TASK FORCE**  
**P. O. BOX 213**  
**KINGSVILLE, TEXAS 78364**  
**[tfadmin@kingsvilletaskforce.com](mailto:tfadmin@kingsvilletaskforce.com)**  
**(361) 595-5778**  
**Fax (361) 595-5781**



To: V. Capell, City Manager  
CC: C. Alvarez, City Attorney  
Date: 02/02/2015

Mr. Capell,

I am requesting the updated Forfeiture Agreement between the Kingsville Task Force and the Harris County District Attorney's Office be placed on the consent portion of the agenda for February 9, 2015. Due to recent changes in the Harris County District Attorney's Office, and the recent approval of the same agreement with the Kingsville Police Department on January 25, 2015, I request the updated agreement be submitted for approval.

Thank you for your time and consideration.

Guillermo "Willie" Vera, Commander  
Kingsville Specialized Crimes & Narcotics Task Force  
P.O. Box 213  
Kingsville, TX 78364  
Ph:(361) 595-5778  
Fx:(361) 595-5781

# **REGULAR AGENDA**

## **AGENDA ITEM #3**

**RESOLUTION NO. 2015- \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF KINGSVILLE CITY COMMISSION APPROVING A DEVELOPMENT LOAN SUBJECT TO CERTAIN CONDITIONS FOR THE PROPOSED CAYETANO VILLAS OF KINGSVILLE APARTMENTS LOCATED AT 500 BLOCK OF GENERAL CAVAZOS BLVD., KINGSVILLE, TEXAS.**

**WHEREAS**, Cayetano Villas of Kingsville, LLC has proposed a development for affordable rental housing at 500 Block of General Cavazos Blvd., named Cayetano Villas of Kingsville Apartments in the City of Kingsville, TX; and,

**WHEREAS**, Cayetano Villas of Kingsville, LLC has communicated to the Kingsville City Commission that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2015 Housing Tax Credits for Cayetano Villas of Kingsville Apartments; and,

**WHEREAS**, in accordance to Section 11.9(d)(2) of the 2015 Qualified Allocation Plan, an application for a resolution voted on and adopted from the governing body expressly forth that the City of Kingsville supports the Application and Development; and,

**WHEREAS**, Cayetano Villas of Kingsville, LLC has requested a loan in the amount of \$160,534 for the Cayetano Villas of Kingsville development as a commitment of development funding from the City of Kingsville, TX.

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

1. **THAT** the City of Kingsville, acting through its governing body, hereby confirms that it supports the proposed Cayetano Villas of Kingsville Apartments located at 500 Block of General Cavazos Blvd., Kingsville, TX and that this formal action has been taken to put on record the opinion expressed by the City of Kingsville at a duly posted public meeting on Monday, January 26, 2015; and,

2. **THAT** the City Commission of the City of Kingsville hereby approves a commitment of loan funds to Cayetano Villas of Kingsville, LLC subject to the following terms and conditions: the loan will bear interest at 3%, will have a term of 15 years, and will amortize over 30 years; the loan will not have any pre-payment penalties; the loan will be conditioned upon receipt by Cayetano Villas of Kingsville, LLC of Housing Tax Credits from TDHCA and other funding sufficient to construct the development; the

borrower shall establish collateral security acceptable to the City; and all final terms and documentation for the loan are subject to approval of the City and its counsel.

3. **THAT** for and on behalf of the Governing Body, I, Sam R. Fugate, Mayor, am hereby authorized, empowered, and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

4. **THAT** this Resolution shall become effective upon adoption.

**PASSED AND APPROVED** by the City of Kingsville City Commission on this the  
9th day of February, 2015.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

To: Vince Capell, City Manager

From: Tom Ginter, Director of Planning and Development Services T/G

Date: January 30, 2015

Subject: Development Resolution for Cayetano Villas of Kingsville

The attached development resolution pertains to the funding item that Cayetano Villas of Kingsville, LLC wants to have as a part of their application. This resolution gives them points and will help in the competitive process for housing tax credits.

The City of Kingsville will not be responsible to pay back the \$160,534.00. As stated in the resolution all final terms and documentation for the loan are subject to approval of the City Commission and the City Attorney.

If you have any questions, please feel free to ask.

## **AGENDA ITEM #4**



**RESOLUTION 2015-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF KINGSVILLE APPROVING CHANGES TO THE EFFICIENCY REPORTING REQUIREMENTS FOR THE CLASSIFIED FIRE AND POLICE PERSONNEL AS RECOMMENDED BY THE CITY OF KINGSVILLE CIVIL SERVICE COMMISSION.**

**WHEREAS**, the City of Kingsville appointed a Civil Service Commission to deal with certain matters pertaining to the Police and Fire Departments.

**WHEREAS**, the City of Kingsville Civil Service Commission met at a duly posted meeting on January 27, 2015 and unanimously voted to approve the recommendation to change classified service personnel evaluations from semi-annually to annually and submitting such reports to the Civil Service Director for filing.

**WHEREAS**, the Civil Service Rules and Regulations adopted October 12, 2009 state ruling is effective "after approval of the City of Kingsville City Commission".

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

**I.**

**THAT** the City Commission approves the revisions to Efficiency Reports for classified Fire and Police personnel as stated above as per the document attached hereto.

**II.**

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

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, A. D., 2015.

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

ATTEST:

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

Approved As to Form:

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

## MEMORANDUM

From  
The Human Resources Department

**Date:** January 28, 2015  
**To:** Vincent J. Capell  
City Manager  
**From:** Diana Gonzales, SPHR  
Human Resources Director  
**Subject:** Request To Amend Civil Service Rule

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### **SUMMARY**

On January 27, 2015 the Civil Service Commission voted to approve changes to the City of Kingsville Civil Service Rules and Regulation – Efficiency Reports.

### **BACKGROUND INFORMATION**

On August 18, 2009 the City of Kingsville Civil Service Commission originally approved to add Efficiency Reports to the Civil Service Rules and Regulations which was approved by City Commission on August 24, 2009.

Civil Service Rules and Regulations, Chapter 5 Rule Making, Section 5.03 adopted October 12, 2009, indicates the following:

These Rules and Regulations are subject to revision, amendment, supplementation, and repeal as deemed necessary and appropriate by the Commission and after approval of the City of Kingsville City Commission. It is the intention of the Commission that any change to such Rules shall be made only after consideration of such changes during an open public meeting.

The Efficiency Reports rule reads as follows with the Civil Service Commission approved changes:

On forms approved by the Civil Service Commission, the chiefs of the Fire Department and Police Department shall semi-annually evaluate the performance and efficiency of each classified employee of the Fire and Police Departments. The efficiency reports shall reflect the actual performance of classified employees. These reports will be sent to the Civil Service Director for filing on the last working day of January and July of each year.

Valid performance or efficiency standards shall be established in each classified rank and position by the Department Chief. These standards are subject to approval by the Civil Service Commission. After approval, the standards shall be provided to all persons to whom they will be applied.

The immediate supervisor or supervisors shall evaluate each Firefighter and Police Officer. Such evaluations are subject to the Department Chief's approval or disapproval.

The Chiefs of the Fire and Police Department shall send a copy of each Firefighter's or Police Officer's report to him/her.

The Civil Service Director shall maintain the efficiency reports in the Personnel File of the individual employees.

Any Firefighter or Police Officer dissatisfied with his/her efficiency report, shall be entitled to the remedies provided in Section 143.082.

## **AGENDA ITEM #5**

**ORDINANCE NO. 2015-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III, ARTICLE 7, PERSONNEL POLICIES, SECTION 1 CLASSIFICATION AND COMPENSATION PLAN TO ADD, CHANGE AND RECLASSIFY POSITIONS AND CORRECT CLERICAL ERROR TO THE CITY OF KINGSVILLE CLASSIFICATION AND COMPENSATION PLAN FOR FISCAL YEAR 2014-2015; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the certain changes are proposed to the City of Kingsville Classification and Compensation Plan for FY 2014-2015 are desired so that the plan more accurately reflects the type of position necessary for the effective operation of departments;

**WHEREAS**, the requested changes to the City of Kingsville Classification and Compensation Plan for Fiscal Year 2014-2015 are as follows:

Add – Position	Classification	Minimum-Maximum
Economic Development Director	Management Level 1	\$70,000-\$100,000
Parks and Recreation Director	Management Level 2	\$50,000-\$ 78,155

Change – Title Only

Help Desk (Class 17) to Help Desk Coordinator (Class 17)

Reclassification

Fire Telecommunications Operator (Class 14) to Fire Telecommunications Operator (Class 11)

Clerical Corrections

Correct clerical error to incorporate the FY 2014-2015 COLA (1.5%) to Class TF and Class TFS of the Fiscal Year Non-Exempt Rate Chart 2014-2015 (note: this was budgeted and is being paid correctly)

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

I.

**THAT** Section 3-7-1 Adoption of the Job Classification and Compensation Plan of Article 7: Personnel Policies of Chapter III: Administration of the Code of Ordinances of the City of Kingsville, Texas, which adopts by reference the City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2014 shall be amended to adopt by reference the revised Classification and Compensation Plan for FY 2014-2015 to incorporate the changes stated above as per the document attached hereto.

II.

**THAT** all Ordinances of 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 26<sup>th</sup> day of January, A. D., 2015.

**PASSED AND APPROVED** on this the 9th day of February, A. D., 2015.

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

**ATTEST:**


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

**APPROVED AS TO FORM:**

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

## MEMORANDUM

From  
The Human Resources Department

**Date:** January 15, 2015  
**To:** Mr. Vincent J. Capell  
City Manager  
**From:** Diana Gonzales, SPHR   
Human Resources Director  
**Subject:** Fiscal Year 2014-2015  
Proposed Classification and Compensation Plan Amendment

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Below are the proposed additions/changes to the City of Kingsville Classification and Compensation Plan for FY 2014-2015

### **Exempt Level Salary Plan**

- Addition

Economic Development Director	Management Level 1	\$70,000 - \$100,000
Parks and Recreation Director	Management Level 2	\$50,000 - \$ 78,155

Adding the positions to the compensation plan shall create the positions. Funding methods: To be determined and presented to commission separately.

### **Non-Exempt/Non-Civil Service Classification Plan**

- Title Change Only

Help Desk (Class 17) to Help Desk Coordinator (Class 17)

Position created for FY 2014-2015. Title change is to clarify position responsibilities. There is no monetary impact.

- Reclassification

Fire Telecommunications Operator Class 14 (\$11.90 hour) to Class 11 (\$10.69 hour)

Two (2) positions created FY 2014-2015. Upon further review the positions do not require the extensive training as the Police Telecommunications Operators. The setting of starting pay at Class 11 has been discussed with the Fire Chief who is in agreement with the lower

classification of the positions. Based on the job functions of the position there is a clear distinction between the Police and Fire Telecommunications Operators.

This change has a monetary impact. The two Fire Telecommunications Operators were funded for the entire fiscal year at the higher rate. The positions are currently vacant. Based on the vacancy period and the reduction of starting wages, the department would show base wage savings of approximately \$20,427 plus applicable benefits. The savings is subject to change based on new hire's selection of health plan coverage.

- Clerical Correction to Task Force Positions - Classes TF and TFS

New classification was established for Task Force positions during the Fiscal Year 2014-2015 budget process. The Task Force positions were moved from Class 21 (City Marshal) and Class 22 (Senior City Marshal) of the plan and placed in new classes: Class TF (City Marshal) and Class TFS (Senior City Marshal). When this change occurred the formula dealing with the 1.5% COLA failed to be incorporated correctly in the TF and TFS classes.

This is a clerical correction only. There is no monetary impact. The Finance Department utilized the correct numbers for budget preparation as well as for payroll processing. The correct dollars were budgeted and the employees affected are receiving the correct pay which includes the 1.5% COLA.

Below are the affected rates with the corresponding changes including the 1.5% COLA.

CLASS	STEP B NEW HIRE	C 1	D 3	E 6	F 10	G 15
	<del>\$ 18.48</del>	<del>\$ 18.85</del>	<del>\$ 19.23</del>	<del>\$ 19.61</del>	<del>\$ 20.40</del>	<del>\$ 20.81</del>
TF	<u>\$ 18.76</u>	<u>\$ 19.13</u>	<u>\$ 19.52</u>	<u>\$ 19.90</u>	<u>\$ 20.71</u>	<u>\$ 21.12</u>
	<del>\$ 21.23</del>	<del>\$ 21.65</del>	<del>\$ 22.09</del>	<del>\$ 22.53</del>	<del>\$ 23.44</del>	<del>\$ 23.91</del>
TFS	<u>\$ 21.55</u>	<u>\$ 21.97</u>	<u>\$ 22.42</u>	<u>\$ 22.87</u>	<u>\$ 23.79</u>	<u>\$ 24.27</u>

**CITY OF KINGSVILLE  
CLASSIFICATION AND COMPENSATION PLAN  
FISCAL YEAR 2014-2015**

Ordinance Introduced: 09/08/2014  
Ordinance Amendment Introduced: 01/26/2015

Ordinance Approved: September 15, 2014

<b><u>NON-EXEMPT / NON-CIVIL SERVICE</u></b>		<b><u>MIN</u></b>	<b><u>MAX</u></b>
<b>CLASS 7</b>	Custodian Equipment Service Worker Golf Pro-Shop Attendant Library Assistant FT/PT Maintenance Worker Plant Helper Utility Worker	\$ 9.36	\$11.39
<b>CLASS 8</b>	Animal Control Specialist Animal Care Attendant Children's Services Librarian Equipment Operator I Recycling Technician	\$ 9.73	\$11.69
<b>CLASS 9</b>	Customer Service Representative Municipal Court Deputy Clerk Reference/Information Librarian	\$ 9.90	\$12.24
<b>CLASS 10</b>	Circulation Librarian Technician Services Assistant	\$ 10.17	\$12.33
<b>CLASS 11</b>	Pump Operator <u>Fire Telecommunications Operator</u>	\$10.69	\$13.06
<b>CLASS 12</b>	Information and Technology Librarian Inventory Clerk	\$10.92	\$13.72
<b>CLASS 13</b>	Tourism Services Technician	\$11.39	\$14.19
<b>CLASS 14</b>	Customer Billing Specialist Engineering Technician Equipment Operator II GIS Technician Meter Reader Technician Police Telecommunications Operator Municipal Court Specialist <del>Fire Telecommunications Operator</del>	\$11.90	\$14.71
<b>CLASS 15</b>	Administrative Assistant I	\$12.42	\$15.23
<b>CLASS 16</b>	Lead Telecommunications Operator	\$13.05	\$16.36
<b>CLASS 17</b>	A/P Specialist Accounting Assistant Administrative Assistant II Assistant Library Administrator Equipment Operator III Help Desk <u>Coordinator</u> Maintenance Technician Payroll Specialist Water/Wastewater Operator	\$13.59	\$16.38



Welder/Fabricator

<b>CLASS 18</b>	Lab Technician	\$14.16	\$16.96
	Legal Assistant/Paralegal		

<b>CLASS 19</b>	Community Appearance Inspector	\$14.82	\$17.22
	Lead Maintenance Technician		

<b>CLASS 20</b>	Foreman	\$15.88	\$18.29
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<b>CLASS 21</b>	Crime Scene Specialist	\$17.96	\$20.61
	Health Inspector I		

<b>CLASS 22</b>	Building Inspector	\$19.10	\$21.76
	Engineer's Assistant		
	Health Inspector II		

<b>CLASS TF</b>	City Marshal	<del>\$ 18.48</del>	<del>\$ 20.81</del>
		<del>\$ 18.76</del>	<del>\$ 21.12</del>

<b>CLASS TFSS</b>	Senior City Marshal	<del>\$ 21.23</del>	<del>\$ 23.91</del>
		<del>\$ 21.55</del>	<del>\$ 24.27</del>

**OTHER POSITIONS**

Seasonal/Temporary Employees	\$ 8.00	\$12.00
Example of positions include: Brookshire Pool Attendants/Instructors/Lifeguards, Park Recreational Program Assistants, etc.		

Probationary Firefighters (0-12 months)	\$ 13.87	\$14.08
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Probationary Police Officers (0-12 months)	\$ 17.00	\$18.85
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**CLASSIFICATION PLAN  
EXEMPT LEVEL SALARY PLAN  
FY 2014-2015**

	<u>MIN</u>	<u>MAX</u>
<b>EXECUTIVE OFFICER - 1</b>	\$ 95,000	\$140,000
City Manager		
<b>EXECUTIVE OFFICER - 2</b>	\$ 80,000	\$120,000
City Attorney		
<b>MANAGEMENT LEVEL - 1</b>	\$ 70,000	\$100,000
<u>Economic Development Director</u>		
Fire Chief		
Finance Director		
Police Chief		
City Engineer/Public Works Director		
Planning & Development Services Director		
<b>MANAGEMENT LEVEL - 2</b>	\$ 50,000	\$ 78,155
Assistant City Attorney		
Human Resources Director		
<u>Parks and Recreation Director</u>		
Purchasing and Technology Director		
Task Force Commander		
Tourism Services Director		
<b>MANAGEMENT LEVEL - 3</b>	\$ 41,209	\$ 68,005
Accounting Manager		
Assistant Task Force Commander		
Assistant Public Works Director		
Golf Course Manager		
Health Director		
Library Director		
Parks & Recreation Manager		
Risk Manager		
<b>MANAGEMENT LEVEL - 4</b>	\$ 36,058	\$ 55,825
Accounting Supervisor		
Building Official		
City Secretary		
Collection's Supervisor		
Police Communication's Supervisor		
Community Appearance Supervisor		
Downtown and Volunteer Supervisor		
Garage Supervisor		
Landfill Supervisor		
Municipal Court Supervisor		
Sanitation Supervisor		
Street Supervisor		
Systems Specialist		
Wastewater Supervisor		
Water Production Supervisor		
Water Supervisor		

# NON-EXEMPT RATE CHART

FISCAL YEAR  
2014-2015

Class 7 - 11 adjustments

COLA		Starting at Class 12 positions							
1.015		→→							
STEP		B	C	D	E	F	G	H	I
CLASS		NEW HIRE	1	3	6	10	15	20	25
7		\$ 9.36	\$ 9.72	\$ 10.08	\$ 10.43	\$ 10.88	\$ 11.15	\$ 11.39	
8		\$ 9.73	\$ 10.09	\$ 10.44	\$ 10.81	\$ 11.15	\$ 11.52	\$ 11.69	
9		\$ 9.90	\$ 10.33	\$ 10.76	\$ 11.19	\$ 11.61	\$ 12.06	\$ 12.24	
10		\$ 10.17	\$ 10.53	\$ 10.89	\$ 11.24	\$ 11.63	\$ 12.09	\$ 12.33	
11		\$ 10.69	\$ 11.07	\$ 11.48	\$ 11.88	\$ 12.27	\$ 12.66	\$ 13.06	
12		\$ 10.92	\$ 11.32	\$ 11.72	\$ 12.13	\$ 12.53	\$ 12.92	\$ 13.32	\$ 13.72
13		\$ 11.39	\$ 11.78	\$ 12.20	\$ 12.59	\$ 12.99	\$ 13.39	\$ 13.79	\$ 14.19
14		\$ 11.90	\$ 12.30	\$ 12.71	\$ 13.10	\$ 13.50	\$ 13.91	\$ 14.33	\$ 14.71
15		\$ 12.42	\$ 12.82	\$ 13.23	\$ 13.63	\$ 14.02	\$ 14.42	\$ 14.83	\$ 15.23
16		\$ 13.05	\$ 13.52	\$ 13.99	\$ 14.46	\$ 14.93	\$ 15.41	\$ 15.88	\$ 16.36
17		\$ 13.59	\$ 13.97	\$ 14.38	\$ 14.78	\$ 15.18	\$ 15.57	\$ 15.97	\$ 16.38
18		\$ 14.16	\$ 14.56	\$ 14.96	\$ 15.37	\$ 15.77	\$ 16.17	\$ 16.56	\$ 16.96
19		\$ 14.82	\$ 15.23	\$ 15.61	\$ 16.02	\$ 16.42	\$ 16.84	\$ 17.22	
20		\$ 15.88	\$ 16.29	\$ 16.68	\$ 17.09	\$ 17.49	\$ 17.88	\$ 18.29	
21		\$ 17.96	\$ 18.57	\$ 19.19	\$ 19.80	\$ 20.21	\$ 20.61		
22		\$ 19.10	\$ 19.71	\$ 20.34	\$ 20.96	\$ 21.37	\$ 21.76		
		<del>\$ 18.48</del>	<del>\$ 18.85</del>	<del>\$ 19.23</del>	<del>\$ 19.61</del>	<del>\$ 20.40</del>	<del>\$ 20.81</del>		
TF		<u>\$ 18.76</u>	<u>\$ 19.13</u>	<u>\$ 19.52</u>	<u>\$ 19.90</u>	<u>\$ 20.71</u>	<u>\$ 21.12</u>		
		<del>\$ 21.23</del>	<del>\$ 21.65</del>	<del>\$ 22.09</del>	<del>\$ 22.53</del>	<del>\$ 23.44</del>	<del>\$ 23.91</del>		
TFS		<u>\$ 21.55</u>	<u>\$ 21.97</u>	<u>\$ 22.42</u>	<u>\$ 22.87</u>	<u>\$ 23.79</u>	<u>\$ 24.27</u>		

\*Note: +/- 1 cent(s) due to rounding

### HOURLY CHART

- STEP B -** New Hire  
**STEP C -** Step following completion of one (1) year of employment.  
**STEP D -** Step for eligible employees with three (3) years of current uninterrupted City service.  
**STEP E -** Step for eligible employees with six (6) years of current uninterrupted City service.  
**STEP F -** Step for eligible employees with ten (10) years of current uninterrupted City service.  
**STEP G -** Step for eligible employees with fifteen (15) years of current uninterrupted City service.  
**STEP H -** Step for eligible employees with twenty (20) years of current uninterrupted City service.  
**STEP I -** Step for eligible employees with twenty-five (25) years of current uninterrupted City service.

The hourly chart shall be relevant to all non-exempt, non-civil service employees maintaining a position in the same CLASS, unless otherwise approved by the City Manager.

### **CERTIFICATION PAY - HOURLY NON-EXEMPT EMPLOYEES (EXCLUDES CIVIL SERVICE PERSONNEL)**

Class/Grade/Unit	Monthly	Per Pay Period Basis *
TCEQ I or D	\$ 30.00	\$ 13.85
TCEQ C	\$ 40.00	\$ 18.47
TCEQ II or B	\$ 55.00	\$ 25.39
TCEQ III or A	\$ 85.00	\$ 39.24
Intermediate Peace Officer	\$ 30.00	\$ 13.85
Advanced Peace Officer	\$ 52.00	\$ 24.00
Master Peace Officer	\$ 100.00	\$ 46.15

**\* Rounding may be required for payroll purposes.**

### **MANAGEMENT LEVEL STEP PROGRAM INCREASE DUE ON ANNIVERSARY DATE OF MANAGEMENT LEVEL POSITION.**

1 <sup>ST</sup> YEAR	3%
3 <sup>RD</sup> YEAR	3%
6 <sup>TH</sup> YEAR	3%
10 <sup>TH</sup> YEAR	2%
15 <sup>TH</sup> YEAR	2%
20 <sup>TH</sup> YEAR	2%
25 <sup>TH</sup> YEAR	2%

## **AGENDA ITEM #6**

**ORDINANCE NO. 2015-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III, ARTICLE 7, PERSONNEL POLICIES, SECTION 1 CLASSIFICATION AND COMPENSATION PLAN TO ADD A POSITION OF CIVIC FACILITIES MANAGER TO THE CITY OF KINGSVILLE CLASSIFICATION AND COMPENSATION PLAN FOR FISCAL YEAR 2014-2015; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the certain changes are proposed to the City of Kingsville Classification and Compensation Plan for FY 2014-2015 are desired so that the plan more accurately reflects the type of position necessary for the effective operation of departments;

**WHEREAS**, the requested changes to the City of Kingsville Classification and Compensation Plan for Fiscal Year 2014-2015 are as follows:

Add – Position	Classification	Minimum-Maximum
Civic Facilities Manager	Management Level 3	\$41,209-\$ 68,005

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

I.

**THAT** Section 3-7-1 Adoption of the Job Classification and Compensation Plan of Article 7: Personnel Policies of Chapter III: Administration of the Code of Ordinances of the City of Kingsville, Texas, which adopts by reference the City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2014 shall be amended to adopt by reference the revised Classification and Compensation Plan for FY 2014-2015 to incorporate the changes stated above as per the document attached hereto.

II.

**THAT** all Ordinances of 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 9<sup>th</sup> day of February, A. D., 2015.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, A. D., 2015.

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

ATTEST:

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

Approved As to Form:

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

**CITY OF KINGSVILLE  
CLASSIFICATION AND COMPENSATION PLAN  
FISCAL YEAR 2014-2015**

Ordinance Introduced: 09/08/2014  
Ordinance Amendment Introduced: 01/26/2015  
Ordinance Amendment Introduced: 02/09/2015

Ordinance Approved: September 15, 2014

<b><u>NON-EXEMPT / NON-CIVIL SERVICE</u></b>		<b><u>MIN</u></b>	<b><u>MAX</u></b>
<b>CLASS 7</b>	Custodian Equipment Service Worker Golf Pro-Shop Attendant Library Assistant FT/PT Maintenance Worker Plant Helper Utility Worker	\$ 9.36	\$11.39
<b>CLASS 8</b>	Animal Control Specialist Animal Care Attendant Children's Services Librarian Equipment Operator I Recycling Technician	\$ 9.73	\$11.69
<b>CLASS 9</b>	Customer Service Representative Municipal Court Deputy Clerk Reference/Information Librarian	\$ 9.90	\$12.24
<b>CLASS 10</b>	Circulation Librarian Technician Services Assistant	\$ 10.17	\$12.33
<b>CLASS 11</b>	Pump Operator <u>Fire Telecommunications Operator – pending 2<sup>nd</sup> reading</u>	\$10.69	\$13.06
<b>CLASS 12</b>	Information and Technology Librarian Inventory Clerk	\$10.92	\$13.72
<b>CLASS 13</b>	Tourism Services Technician	\$11.39	\$14.19
<b>CLASS 14</b>	Customer Billing Specialist Engineering Technician Equipment Operator II GIS Technician Meter Reader Technician Police Telecommunications Operator Municipal Court Specialist <u>Fire Telecommunications Operator - pending 2<sup>nd</sup> reading</u>	\$11.90	\$14.71
<b>CLASS 15</b>	Administrative Assistant I	\$12.42	\$15.23
<b>CLASS 16</b>	Lead Telecommunications Operator	\$13.05	\$16.36
<b>CLASS 17</b>	A/P Specialist Accounting Assistant Administrative Assistant II Assistant Library Administrator Equipment Operator III <u>Help Desk Coordinator – pending 2<sup>nd</sup> reading</u> Maintenance Technician Payroll Specialist Water/Wastewater Operator Welder/Fabricator	\$13.59	\$16.38



<b>CLASS 18</b>	Lab Technician Legal Assistant/Paralegal	\$14.16	\$16.96
<b>CLASS 19</b>	Community Appearance Inspector Lead Maintenance Technician	\$14.82	\$17.22
<b>CLASS 20</b>	Foreman	\$15.88	\$18.29
<b>CLASS 21</b>	Crime Scene Specialist Health Inspector I	\$17.96	\$20.61
<b>CLASS 22</b>	Building Inspector Engineer's Assistant Health Inspector II	\$19.10	\$21.76

<b>CLASS TF</b>	City Marshal	Pending 2 <sup>nd</sup> reading	<del>\$ 18.48</del>	<del>\$ 20.81</del>
			<u>\$ 18.76</u>	<u>\$ 21.12</u>
<b>CLASS TFS</b>	Senior City Marshal	Pending 2 <sup>nd</sup> reading	<del>\$ 21.23</del>	<del>\$ 23.91</del>
			<u>\$ 21.55</u>	<u>\$ 24.27</u>

#### **OTHER POSITIONS**

Seasonal/Temporary Employees	\$ 8.00	\$12.00
Example of positions include: Brookshire Pool Attendants/Instructors/Lifeguards, Park Recreational Program Assistants, etc.		
Probationary Firefighters (0-12 months)	\$ 13.87	\$14.08
Probationary Police Officers (0-12 months)	\$ 17.00	\$18.85

**CLASSIFICATION PLAN  
EXEMPT LEVEL SALARY PLAN  
FY 2014-2015**

	<u>MIN</u>	<u>MAX</u>
<b>EXECUTIVE OFFICER – 1</b>	\$ 95,000	\$140,000
City Manager		
<b>EXECUTIVE OFFICER - 2</b>	\$ 80,000	\$120,000
City Attorney		
<b>MANAGEMENT LEVEL - 1</b>	\$ 70,000	\$100,000
<u>Economic Development Director</u> – pending 2 <sup>nd</sup> reading		
Fire Chief		
Finance Director		
Police Chief		
City Engineer/Public Works Director		
Planning & Development Services Director		
<b>MANAGEMENT LEVEL - 2</b>	\$ 50,000	\$ 78,155
Assistant City Attorney		
Human Resources Director		
<u>Parks and Recreation Director</u> – pending 2 <sup>nd</sup> reading		
Purchasing and Technology Director		
Task Force Commander		
Tourism Services Director		
<b>MANAGEMENT LEVEL - 3</b>	\$ 41,209	\$ 68,005
Accounting Manager		
Assistant Task Force Commander		
Assistant Public Works Director		
<u>Civil Facilities Manager</u> – (note: Introduction 02/09/2015)		
Golf Course Manager		
Health Director		
Library Director		
Parks & Recreation Manager		
Risk Manager		
<b>MANAGEMENT LEVEL - 4</b>	\$ 36,058	\$ 55,825
Accounting Supervisor		
Building Official		
City Secretary		
Collection's Supervisor		
Police Communication's Supervisor		
Community Appearance Supervisor		
Downtown and Volunteer Supervisor		
Garage Supervisor		
Landfill Supervisor		
Municipal Court Supervisor		
Sanitation Supervisor		
Street Supervisor		
Systems Specialist		
Wastewater Supervisor		
Water Production Supervisor		
Water Supervisor		

# NON-EXEMPT RATE CHART

FISCAL YEAR  
2014-2015

Class 7 - 11 adjustments

Starting at Class 12  
COLA positions

1.015

→→

CLASS	STEP	B NEW HIRE	C 1	D 3	E 6	F 10	G 15	H 20	I 25
7		\$ 9.36	\$ 9.72	\$ 10.08	\$ 10.43	\$ 10.88	\$ 11.15	\$ 11.39	
8		\$ 9.73	\$ 10.09	\$ 10.44	\$ 10.81	\$ 11.15	\$ 11.52	\$ 11.69	
9		\$ 9.90	\$ 10.33	\$ 10.76	\$ 11.19	\$ 11.61	\$ 12.06	\$ 12.24	
10		\$ 10.17	\$ 10.53	\$ 10.89	\$ 11.24	\$ 11.63	\$ 12.09	\$ 12.33	
11		\$ 10.69	\$ 11.07	\$ 11.48	\$ 11.88	\$ 12.27	\$ 12.66	\$ 13.06	
12		\$ 10.92	\$ 11.32	\$ 11.72	\$ 12.13	\$ 12.53	\$ 12.92	\$ 13.32	\$ 13.72
13		\$ 11.39	\$ 11.78	\$ 12.20	\$ 12.59	\$ 12.99	\$ 13.39	\$ 13.79	\$ 14.19
14		\$ 11.90	\$ 12.30	\$ 12.71	\$ 13.10	\$ 13.50	\$ 13.91	\$ 14.33	\$ 14.71
15		\$ 12.42	\$ 12.82	\$ 13.23	\$ 13.63	\$ 14.02	\$ 14.42	\$ 14.83	\$ 15.23
16		\$ 13.05	\$ 13.52	\$ 13.99	\$ 14.46	\$ 14.93	\$ 15.41	\$ 15.88	\$ 16.36
17		\$ 13.59	\$ 13.97	\$ 14.38	\$ 14.78	\$ 15.18	\$ 15.57	\$ 15.97	\$ 16.38
18		\$ 14.16	\$ 14.56	\$ 14.96	\$ 15.37	\$ 15.77	\$ 16.17	\$ 16.56	\$ 16.96
19		\$ 14.82	\$ 15.23	\$ 15.61	\$ 16.02	\$ 16.42	\$ 16.84	\$ 17.22	
20		\$ 15.88	\$ 16.29	\$ 16.68	\$ 17.09	\$ 17.49	\$ 17.88	\$ 18.29	
21		\$ 17.96	\$ 18.57	\$ 19.19	\$ 19.80	\$ 20.21	\$ 20.61		
22		\$ 19.10	\$ 19.71	\$ 20.34	\$ 20.96	\$ 21.37	\$ 21.76		
TF	Pending 2 <sup>nd</sup>	<del>\$ 18.48</del>	<del>\$ 18.85</del>	<del>\$ 19.23</del>	<del>\$ 19.61</del>	<del>\$ 20.40</del>	<del>\$ 20.81</del>		
	reading	<u>\$ 18.76</u>	<u>\$ 19.13</u>	<u>\$ 19.52</u>	<u>\$ 19.90</u>	<u>\$ 20.71</u>	<u>\$ 21.12</u>		
TFS	Pending 2 <sup>nd</sup>	<del>\$ 21.23</del>	<del>\$ 21.65</del>	<del>\$ 22.09</del>	<del>\$ 22.53</del>	<del>\$ 23.44</del>	<del>\$ 23.91</del>		
	reading	<u>\$ 21.55</u>	<u>\$ 21.97</u>	<u>\$ 22.42</u>	<u>\$ 22.87</u>	<u>\$ 23.79</u>	<u>\$ 24.27</u>		

\*Note: +/- 1 cent(s) due to rounding

## **HOURLY CHART**

- STEP B -** New Hire  
**STEP C -** Step following completion of one (1) year of employment.  
**STEP D -** Step for eligible employees with three (3) years of current uninterrupted City service.  
**STEP E -** Step for eligible employees with six (6) years of current uninterrupted City service.  
**STEP F -** Step for eligible employees with ten (10) years of current uninterrupted City service.  
**STEP G -** Step for eligible employees with fifteen (15) years of current uninterrupted City service.  
**STEP H -** Step for eligible employees with twenty (20) years of current uninterrupted City service.  
**STEP I -** Step for eligible employees with twenty-five (25) years of current uninterrupted City service.

The hourly chart shall be relevant to all non-exempt, non-civil service employees maintaining a position in the same CLASS, unless otherwise approved by the City Manager.

### **CERTIFICATION PAY - HOURLY NON-EXEMPT EMPLOYEES (EXCLUDES CIVIL SERVICE PERSONNEL)**

Class/Grade/Unit	Monthly	Per Pay Period Basis *
TCEQ I or D	\$ 30.00	\$ 13.85
TCEQ C	\$ 40.00	\$ 18.47
TCEQ II or B	\$ 55.00	\$ 25.39
TCEQ III or A	\$ 85.00	\$ 39.24
Intermediate Peace Officer	\$ 30.00	\$ 13.85
Advanced Peace Officer	\$ 52.00	\$ 24.00
Master Peace Officer	\$ 100.00	\$ 46.15

**\* Rounding may be required for payroll purposes.**

### **MANAGEMENT LEVEL STEP PROGRAM INCREASE DUE ON ANNIVERSARY DATE OF MANAGEMENT LEVEL POSITION.**

1 <sup>ST</sup> YEAR	3%
3 <sup>RD</sup> YEAR	3%
6 <sup>TH</sup> YEAR	3%
10 <sup>TH</sup> YEAR	2%
15 <sup>TH</sup> YEAR	2%
20 <sup>TH</sup> YEAR	2%
25 <sup>TH</sup> YEAR	2%

## MEMORANDUM

From  
The Human Resources Department

**Date:** January 29, 2015  
**To:** Mr. Vincent J. Capell  
City Manager  
**From:** Diana Gonzales, SPHR  
Human Resources Director  
**Subject:** Fiscal Year 2014-2015  
Proposed Classification and Compensation Plan Amendment

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Below is a proposed addition to the City of Kingsville Classification and Compensation Plan for FY 2014-2015

### **Exempt Level Salary Plan**

- Addition

Civic Facilities Manager	Management Level 3	\$41,209 - \$ 68,005
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Adding the position to the compensation plan shall create the position. It is proposed for the position to become part of the Tourism Services Department.

Funding methods: To be determined and presented to commission separately.

## **AGENDA ITEM #7**

**ORDINANCE NO. 2015-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 GENERAL FUND BUDGET FOR THE PARKS DEPARTMENT FOR A DONATION FROM THE KLEBERG-KENEDY COUNTY 4-H COUNCIL FOR IMPROVEMENTS TO THE PARKS DEPARTMENT RECREATION BUILDING.**

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

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 2014-2015 budget be amended as follows:

**CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT**

Dept: Department No. Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
<hr/>				
<b>Fund 001 General Fund</b>				
<u>Revenues</u>				
4-4503 Parks Dept.	Park Donations	58003	<u>\$4,385.75</u>	
			<u>\$4,385.75</u>	
<u>Expenses</u>				
5-4503 Parks Dept.	Building Maintenance	51100	<u>\$4,385.75</u>	
			<u>\$4,385.75</u>	

[To amend the FY15 General Fund budget for the \$4,385.75 Kleberg-Kenedy County 4-H Council donation for improvements to the Parks Department Recreation building. This donation was previously accepted during the January 26<sup>th</sup>, 2015 Commission Meeting.]

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

III.

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

IV.

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

**INTRODUCED** on this the 9<sup>th</sup> day of February, 2015.

**PASSED AND APPROVED** on this the \_\_\_ day of \_\_\_\_\_, 2015.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



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# CITY OF KINGSVILLE

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**TO:** VINCENT CAPELL, CITY MANAGER  
**FROM:** DEBORAH BALLI, FINANCE DIRECTOR  
**DATE:** 01/29/2015  
**SUBJECT:** Kleberg-Kenedy County 4-H Council Donation

---

The Parks Department recently received a donation in the amount of \$4,385.75 from the Kleberg-Kenedy County 4-H Council for improvements to the Parks Department Recreation Building. The acceptance of this donation was approved in the January 26<sup>th</sup> Commission Meeting. This budget amendment will increase the Park Donations Revenues and the Building Maintenance Expenditures. The increase in revenues and expenditures will have zero effect on fund balance.

This budget amendment, given your approval, would be on the February 9, 2015 Commission Meeting agenda for first reading.

Sincerely,  
Deborah Balli

*Deborah Balli*

## **AGENDA ITEM #8**

**ORDINANCE NO. 2015-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 TOURISM FUND BUDGET FOR THE PURPOSE OF PROVIDING MATCHING FUNDS FOR STREET FURNISHINGS.**

**WHEREAS**, it was unforeseen when the budget was adopted that the City would receive a donation from the La Posada de Kingsville Foundation with a request for matching funds.

I..

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 2014-2015 budget be amended as follows:

**CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
<b>Fund 002 Tourism Fund</b>					
<u>Capital</u>					
<u>2</u>		Unreserved Fund Balance	61002		<u>\$4,000.00</u>
					<u>\$4,000.00</u>
<u>Revenues</u>					
4-1070	Tourism	Donations	72030	<u>\$4,000.00</u>	
				<u>\$4,000.00</u>	
<u>Expenses</u>					
5-1072	Visitor Services	Minor Equipment	21700	<u>\$8,000.00</u>	
				<u>\$8,000.00</u>	

[To amend the FY14-15 Tourism Fund budget for the purpose of providing matching funds for the purchase of street furnishings (i.e. benches and trash/recycling receptacles). The City received a \$4,000 donation from the La Posada de Kingsville Foundation along with a request for matching funds to increase the number of trash receptacles and benches for the downtown area along Kleberg Avenue from the courthouse to the old H.M. King High School Building. ]

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

III.

**THAT** if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission

that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

**INTRODUCED** on this the 9<sup>th</sup> day of February, 2015.

**PASSED AND APPROVED** on this the \_\_ day of \_\_\_\_\_, 2015.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #9**

**RESOLUTION #2015-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CITY HALL NETWORK INFRASTRUCTURE PROJECT AGREEMENT BY AND BETWEEN RICHLINE TECHNICAL SERVICES AND THE CITY OF KINGSVILLE; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City and the King High Historical Foundation approved a long-term lease agreement on November 10, 2014 for the H. M. King High School building, built in 1909 and located at Kleberg Avenue and North 3<sup>rd</sup> Street here within the city limits of the City of Kingsville, to be the new City Hall; and,

**WHEREAS**, the King High Historical Foundation has begun improvements to the building so that it could be used as a new City Hall, while preserving its historical features and history for years to come; and,

**WHEREAS**, the City is responsible for the telecommunication, internet and security services for the building, and some of the wiring for those services needs to be installed during the Foundation's construction process; and,

**WHEREAS**, the City has located a provider (Richline Technical Services "RTS") that complies with WSCA-NASPO Cooperative Purchasing Organization Master Agreement No: AR627 with ShoreTel, Inc. (Vendor #VCoooo182077) and Richline Technical Services, LLC (ShoreTel Partner #51748) for Unified Communications, as RTS is an approved vendor on said contract; and,

**WHEREAS**, the City has received a proposal from Richline Technical Services for a City Hall Network Infrastructure Project Agreement for the cabling materials and labor, network infrastructure, switches and firewalls, design and implementation, and unified communications system at the new City Hall, and that could provide such systems to other city departments in the future as needed.

**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 City Hall Network Infrastructure Project Agreement by and between Richline Technical Services and the City of Kingsville in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

**PASSED AND APPROVED** by a majority vote of the City Commission on the 9<sup>th</sup> day of February, 2015.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



## **Purchasing/Technology Department**

361-595-8025  
361-595-8035 Fax

DATE: February 2, 2015  
TO: City Commission through City Manager  
FROM: David Mason, Purchasing/Technology Director  
SUBJECT: Network Infrastructure Project—New City Hall

### **SUMMARY**

This item authorizes the award of the contract for the Network and Phone System for the New City Hall

### **BACKGROUND**

Richline Technical Services, PO Box 1399, Corpus Christi, TX 78403 has designed and will provide material and installation for network cabling and phone system including phone hardware for the New City Hall. Richline will perform this work under the Western States Cooperative Alliance (WSCA) and is an authorized Shore Tel, Inc. vendor.

### **RECOMMENDATION**

It is recommended the contract be awarded to Richline Technical Services, PO Box 1399, Corpus Christi, TX 78403. We are members of WSCA and this will meet competitive bidding requirements under Local Government Code 252 and 271.

### **FINANCIAL IMPACT**

This will expend \$211,108.48 from 091-5-103.0-713.00 of which \$500,000 has been budgeted.



**RICHLINE**  
**TECHNICAL SERVICES**

PO Box 1399  
Corpus Christi, Texas 78403  
361.882.6297

**Proposal for**  
**City of Kingsville – City Hall**  
**Network Infrastructure Project**



200 E Kleberg Avenue  
Kingsville, Texas 78363  
361.595.8002

# **RICHLINE**

## **TECHNICAL SERVICES**

February 2, 2015

City of Kingsville  
200 E Kleberg Avenue  
Kingsville, Texas 78363  
361.595.8002

**RE: Proposal for City of Kingsville –  
City Hall Network Infrastructure Project  
Kingsville, TX**

Thank you for allowing Richline Technical Services, LLC (hereafter referred to as RTS) the opportunity to provide you with this proposal in regards to the City Hall Network Infrastructure Project.

This Proposal complies with WSCA-NASPO Cooperative Purchasing Organization Master Agreement No: AR627 with ShoreTel, Inc. (Vendor #VC0000182077) and Richline Technical Services, LLC (ShoreTel Partner #51748) for Unified Communications. RTS is an approved vendor on said contract.

Should you have any questions about the proposal or require additional information, please do not hesitate to call me at 361.882.6297.

Sincerely,

Joshua Richline  
Senior Vice President  
Richline Technical Services/Pyramid Communications

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**Tab 1**

**Scope of Work:**

Scope of Work for City of Kingsville – City Hall Network Infrastructure Project. The following details the scope of work for the installation of data network (wired and wireless), camera security and unified communications platform.

**What is Included:**

**Data Network** (see Tab 2 for details). As per request this project will include:

- New Cabling Installation (drops included for Cat6 wall jacks, ceiling mounted wireless access points and cameras)
- Data Racks (floor and wall mount)
- Patch Panels
- Cable Management
- MDF to IDF Closet Fiber Backbone
- Gigabyte POE Switches
- Firewall
- Router
- Wireless Access Points
- End To End Testing and Certification
- Labeling

**Unified Communications Phone System Scope** (see Tab 4 for details). As per request this project will include a complete ShoreTel UC System with licensing and phones for 65 Users including, but not limited to:

- Configuration and Installation of Server, ShoreTel Switches, Auto attendants, and Call Routing
- Configure users and assign to phones
- ShoreTel IP480G – Gigabyte VoIP Phones for all Users
- ShoreTel IP560G – Gigabyte VoIP Phone and (2) 24 Assignable Key Button Boxes for Operators
- Voicemail for all users
- System Capable of supporting a PRI or 20 SIP trunks for the main City Main and a fractional PRI (or SIP Trunks) for Public Works and easily expanded to include more phones, more trunks, more locations.
- All Programming for System and Moves/Add/Changes for 90 days
- Operator and Classroom Training
- Training for System Administrator
- Instant Messaging, Presence and many more features available for all users
- All phones for New City Hall Building, The Collections Department Building, Public Works, and Admin (staying in old city Hall facilities) are included.

- Additional ShoreTel switches for Public works phones and fractional PRI have been added.
- Additional ShoreTel switches have also been added to handle the increased phone count for Collections and Admin.
- VPN equipment (SonicWall Firewalls) will be provided for Public Works and the Admin Department (at the Old City Hall facility) and is already in place from the existing internal City IT Department.
- PoE switches and suitable Cat5e or Cat 6 wiring is already in place in Public Works and the Admin Department.
- Any additional configuration of VPN equipment and PoE Switches is included in this quote.

**Project Management:** A Network Certified Engineer will physically design and oversee the installation of the Network Infrastructure acting as a Project Manager and lead engineer throughout the project.

**Design and Installation of ShoreTel Unified Communications System:** System will be engineered by Richline Technical Services' Certified ShoreTel Engineer, all installation and configuration will be done either by the Engineer or Certified ShoreTel Installers working closely with the Engineer.

**Coordination with Chosen Phone Vendor and Internet Service Provider (ISP):** RTS will coordinate and assist in transitioning to whatever new vendor is chosen for phone service and Internet Service

**Training for users/power users:** Online training videos will be provided for basic users. Power Users Training (for up to 3 users from each department) will be presented by either RTS's Certified Trainer or RTS's Engineer with additional online material/training to be provided as requested.

**Technical Support and Support after installation:** Included is technical support for the ShoreTel Phone System for a period of 12 months post acceptance. This includes technical issues with phone and the phone system. It includes updates to the software and advanced (next day) replacement of any Voice Switch should one fail. Phones are warranted for the same period, but advanced replacement is not included on them. This does not include "moves/adds/changes" an industry term used to describe moving users and phones, adding new users, or changing users' settings and locations. Most of which, with this phone system, could actually be done by the client and/or an end user. It also doesn't include user training with the exception of initial training as stated above subject to the hours available to be pooled from. If a large numbers of tickets are logged due to "user training" issues then a follow-up training session will be suggested to the client. It includes technical support, updates, and replacement of Voice Switches.

**Unlimited Moves/Add/Changes for 90 days:** As explained above, once trained, System Administrators will be able to do their own moves, adds, and changes for the ShoreTel Unified communications system. Until trained or for a period of 90 days RTS will provide assistance with these requests. This is specific to changes to the Unified Communications system and not cabling, camera location, Wireless setup, etc...these systems are to be installed as designated on provided plans.

**Budget:**

Project Phase	Notes	If Dual Drops
Cabling Materials and Labor	Tab 2 for details	\$ 67,756.00
Network Infrastructure, Switches and Firewalls, Design and Implementation	Tab 4 - Quote: U2215-CLKC	96,474.53
	<b>Total Cost Items in Original Budget:</b>	<b>\$164,230.53</b>
Unified Communications System	Tab 3 for details (not included in original budget)	\$ 46,877.95
	<b>Total Cost:</b>	<b>\$211,108.48</b>

*Shipping is not included. Any applicable Taxes and Bonds are not included.*

**Qualifications and Assumptions:**

- RTS is not responsible for the condition of existing cabling and conduits that may be utilized for this project.
- Any delays beyond the control of RTS result in additional charges (CostPlus - Fixed Fee)
- Any changes or additions to the Scope of Work shall be executed in writing as a change order.
- RTS assumes that proper access will be available during working hours to complete the proposal scope of this project.
- RTS has based this proposal on normal working hours, 7:00am to 5:00pm, Monday through Friday, excluding holidays. Over-time is not included in this proposal.
- This proposal does not include electrical services.
- RTS will not be responsible for any delays or associated charges due to manufacturer's defects or late delivery of cable and/or equipment that is directly specified or ordered and provided by the customer.
- A One Year RTS Workmanship Warranty will be issued on all installed materials from the date of acceptance.
- Pricing in this proposal is good for 30-days.

## STANDARD TERMS AND CONDITIONS

### 1. Engagement of Services

Once work is authorized by the customer, RTS is committed to certain “ramp up” expenses, both direct and indirect (i.e., specific training, travel, special tools, materials, project management, etc.) which are generally priced into the entire scope of the project. If the project is canceled, delayed, terminated or significantly changed through no fault of RTS, these expenses will be due and payable to RTS on a pro-rate basis. Any request for reimbursement of these expenses will be itemized and defined.

### 2. Changes to Scope of Work

RTS will notify the customer if there is a material change, scheduling change, or construction delay beyond the scope of work and no fault of RTS requiring RTS to expend more monies budgeted. The customer agrees to pay RTS for such expenses plus reasonable profit and overhead if the customer desires to continue under the changed Scope of Work.

### 3. Permits and Taxes

Permits are not included unless specifically noted otherwise. Permits, inspection fees, drawings, etc., will be provided by RTS at the cost of obtaining them. Taxes are not included in the proposal price unless specifically noted otherwise.

### 4. RTS Employees

The customer agrees that it shall not hire any employee of RTS who is currently working on a project for the customer, or any employee of RTS who has worked on a project for the customer within the last twelve months. The customer further agrees not to hire any former RTS employee that performed any work on a project for the customer at any time within the prior twelve months. The customer agrees and understands that this provision is necessary so the RTS can protect its investment of time and money in its employees, as well as any confidential or proprietary information known by its employees.

### 5. Payment Terms

To be negotiated during Contract Negotiation.

### 6. Warranty

All installation work will meet or exceed all NEC, Federal, State and local codes that may apply. No performance warranty will be issued by RTS. A one year workmanship warranty will be issued on all installed materials from the date of acceptance.

### 7. Liability

To the extent allowed by the Constitution and Laws of the State of Texas, RTS 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.

8. Attorneys' Fees

If RTS is required to hire attorneys to collect amounts owed under this agreement, the customer agrees to reimburse RTS for all attorneys' fees, expert fees and other legal expenses that it may incur to collect such amount.

9. Incorporation by Reference

Unless expressly agreed in writing otherwise, these Standard Terms and Conditions are a part of and hereby incorporated by reference, all Proposals submitted by RTS to the customer and any Credit Agreement signed by the customer, and all terms and conditions of any such Proposals or Credit Agreements.

By signing the front of this proposal the signators of this agreement warrant that they have the authority to enter into this contract and that they have read the above Standard Terms and Conditions and agree to abide by them

ACCEPTED BY \_\_\_\_\_

The STANDARD TERMS AND CONDITIONS of this proposal apply and are incorporated by reference. The parties agree that all disputes in anyway related to, arising out of, or connected with the sale of goods and/or services provided by Richline Technical Services shall be litigated if at all, exclusively in Nueces County, Texas. Furthermore, the parties also agree that Texas law shall govern all such disputes.

Service charges listed below become effective on all accounts 30 days after the invoice date. Charges are computed at the lower of 1.5% per month or the maximum allowed by law.

**Notice to Buyer:** Do not sign this agreement before you read it in its entirety, or if it contains blank space. You are entitled to a copy of the agreement you sign. Keep this agreement to protect your legal rights.

Respectfully Submitted By:

Accepted By:

Richline Technical Services

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

# Tab 2

**SCOPE OF WORK: Data Installation – Dual Drop**

- Provide and install eighty-two (82) Category 6 cables for Data on the 1st floor to various locations as indicated by prints.
- Provide and install eighty-eight (88) Category 6 cables for Data on the 2nd floor to various locations as indicated by prints.
- Provide and install seven (7) Category 6 cables for wireless access devices on the 1st floor to various locations as indicated by prints.
- Provide and install eight (8) Category 6 cables for wireless access devices on the 2nd floor to various locations as indicated by prints.
- Provide and install fourteen (14) Category 6 cables for IP cameras on the 1st floor to various locations as indicated by prints.
- Provide and install seven (7) Category 6 cables for IP cameras on the 2nd floor to various locations as indicated by prints.
- Provide and install twenty (20) Category 6 cables for Data in the Cottage (Collections Department) to various locations as indicated by prints.
- Provide and install one (1) 3ft. lockable wall mount cabinet in MDF room 119 on the 1st floor as indicated by prints.
- Provide and install one (3) 7ft. floor mount rack with ladder tray in 2nd floor IDF as indicated by prints.
- Provide and install horizontal and vertical wire managers for 2nd floor IDF.
- Provide and install one (1) 12 strand multi-mode armored fiber optic cable from MDF room 119 to IDF room 222.
- Provide and install one (1) 6 strand multi-mode exterior grade fiber optic cable from MDF room 119 to "Cottage" in provided conduit.
- Terminate multi-mode fiber optic cable using LC type connectors.
- Test and label all copper and fiber optic connectors and enclosures.
- Provide (226) 5ft. copper patch cords.
- Provide (226) 7ft. copper patch cords.
- Pricing Summary:

Items	Cost
Materials	\$ 38,174.00
Labor	29,582.00
Tax/Bonds	Not Included
<b>Total Cost:</b>	<b>\$ 67,756.00</b>

**SCOPE OF WORK: Data Network (Router, Firewall, Switches, Wireless Infrastructure**

- Design and Implement Layer 3 Network for wired, wireless, server farm, security and guest access
  - Utilizing HP3800 Series 48 and 24 Port Gigabyte PoE Switches with stacking modules and stacking cables design a network with VLANs for Server/Data Network, VoIP Unified Communications Network, Wireless Internal Network, Wireless Guest Network and Security Network
  - All downstairs network data drops and downstairs network device drops (for cameras and wireless devices) will be terminated in downstairs IDF. These will be connected to the Downstairs HP Switches.
  - All upstairs network data drops and upstairs network device drops (for cameras and wireless devices) will be terminated in upstairs MDF. These will be connected to the Upstairs HP Switches.
  - Upstairs and Downstairs HP switches will be linked together by Fiber.
  - Upstairs and Cottage HP Switches will be linked together by Fiber
  - Servers will be located upstairs in MDF. (3) 4-post racks will be provided as per cabling scope of work in upstairs MDF. 2 post wall-mount rack will be provided in downstairs IDF as per cabling scope of work.
  - Specs and Pricing included in TAB 5 Quote: U2215-CLKC, Rev 1. Specs and pricing for Single Network Drops were removed as per request from IT department. Dual Network Drops were selected for all offices.
- Install and Configure all HP Switches
- Install and Configure SonicWall NSA 3600 Firewall w/ Total Secure

# Tab 3

### **Scope of Work: Unified Communications Phone System Scope**

- Configuration and Installation of Server, ShoreTel Switches, Auto attendants, and Call Routing
  - Install rack mount trays and any other cable management that supports the ShoreTel switches and components.
  - Install ShoreTel 90 voice switch, ShoreTel 30 voice switch, and T1K trunking switch in data rack.
  - Install ShoreTel 50 voice switch and T1K trunking switch at Public Works.
  - Connect all ShoreTel voice switches and T1K trunking switches to LAN. Connect T1K trunking switches to PRI circuits provided by customer.
  - Install Dell Headquarters Server, configure with ShoreTel 14.2, and configure system.
  - Configure Call Routing: Calls can be routed to an operator, an Auto Attendant, and/or Hunt Group (multiple phones that ring simultaneously or sequentially) or using a combination of the above. Department Heads input will be requested in final call flow design.
  - All programming included
  - Licensing and Mailboxes included for 65 users including 2 operator consoles
- Configure users and assign to phones
  - ShoreTel IP480G – Gigabyte VoIP Phones for all Users
  - ShoreTel IP560G – Gigabyte VoIP Phone and (2) 24 Assignable Key Button Boxes for Operator
  - If there are desks to put phones out on at the time of deployment, we will set out phones.
- Work with IT in installing ShoreTel Communicator Software on Workstations
- Setup Voicemail for all users. Users will record their names and do final voicemail setup post training.
- System Capable of supporting a PRI or 20 SIP trunks and easily expanded to include more phones, more trunks, more locations.
- All Programming for System and Moves/Add/Changes for 90 days
- Operator and Classroom Training
- Training for System Administrator
- Instant Messaging, Presence and many more features available for all users
- Testing and training to proceed after installation is complete.

**ShoreTel Unified Communications System features Include:**

- Voice Mail
- Instant Messaging
- Presence
- Call Forwarding
- Find Me/Follow Me
- Simultaneous Ringing of desk phone and cell phone/external phone
- Extension Assignment to cell phone/external phone
- Caller ID
- User based Call Recording
- Intelligent Call Routing (Auto Attendants, Route Points, Hunt Groups, and Workgroups)
- Easy to use standard features such as: Call Transfer, Park, Pickup, Hold, Voicemail Access and Directory from phone and Communicator Software
- 6 Party Conference Calling
- Call Detail Logging and Reporting
- User Friendly Phones and Software
- Soft Phone Capabilities
- Easy to Access Call History
- Visual Voicemail in Communicator Software
- Outlook Integration for Voicemail, Contacts (for quick dialing and extended Caller ID information) and Calendar (for Out of Office Modes)
- Voicemail sent to Outlook or Smart Phone as a wave file for playing away from office
- Multiple Ring Tones

**Other optional features that can be included or added at a later time include:**

- Mobile Phone/Smart Phone Client
- Use Smart Phone as an extension on the system/display office number as outbound caller ID for call originating on smart phone
- Global Call Recording
- Conference Bridge to include Audio and Web Conferencing
- Video Calling
- And much more...



# Tab 4

# RICHLINE TECHNICAL SERVICES

Richline Technical Services  
114 Mesquite Street

Corpus Christi, TX 78401

ShoreTel Quote	Version 14.61
Quote Number, Revision:	U2215-CTNT, Rev. 1
Purchase Order #:	
Date:	2/1/2015
Quote Valid Until:	3/3/2015
Currency:	US Dollar
Payment Terms:	
Customer ID:	
Prepared By:	Craig Chisolm

Prepared For: City of Kingsville-City Hall  
101 N 3rd St.

Kingsville, Tx. 78363  
Tony Verdin: 361-846-0689  
averdin@cityofkingsville.com

Ship-to: City of Kingsville-City Hall  
Tony Verdin  
101 N 3rd St.

Kingsville, Tx. 78363  
361-846-0689

Part Number	Description	Qty	Unit List	Ext List	Unit Cost	Ext Cost
<b>ShoreTel Voice Switches</b>						
SHO-10320	ShoreTel Voice Switch 30	1	\$ 1,595.00	\$ 1,595.00	\$ 1,036.75	\$ 1,036.75
SHO-10259	ShoreTel Voice Switch 50	1	\$ 1,995.00	\$ 1,995.00	\$ 1,296.75	\$ 1,296.75
SHO-10260	ShoreTel Voice Switch 90	1	\$ 2,995.00	\$ 2,995.00	\$ 1,946.75	\$ 1,946.75
SHO-10322	ShoreTel Voice Switch T1k	2	\$ 3,495.00	\$ 6,990.00	\$ 2,271.75	\$ 4,543.50
<b>ShoreTel Telephones</b>						
SHO-10497	ShoreTel IP Phone IP480g, 10/100/1000	63	\$ 369.00	\$ 23,247.00	\$ 239.85	\$ 15,110.55
SHO-10204	ShoreTel IP Phone IP560g - Black, 10/100/1000	2	\$ 429.00	\$ 858.00	\$ 278.85	\$ 557.70
SHO-10175	ShoreTel IP Phone BB24 - Black, 10/100 - Not supported on 400 Series IP phones	3	\$ 299.00	\$ 897.00	\$ 194.35	\$ 583.05
SHO-55136	ShoreTel IP Phone 930D Starter Kit, Promotional SKU - Free Item	1	\$ -	\$ -	\$ -	\$ -
SHO-10269	ShoreTel IP Phone Gig Power Adaptor 10/100/1000	5	\$ 20.00	\$ 100.00	\$ 20.00	\$ 100.00
<b>ShoreTel User Documentation</b>						
SHO-10503	ShoreTel 480/480g IP Phone Quick Reference, Doc. Pack, Qty 25	2	\$ 10.00	\$ 20.00	\$ 10.00	\$ 20.00
SHO-10304	ShoreTel Voice Mail Quick Reference, Doc. Pack, Qty 25	2	\$ 10.00	\$ 20.00	\$ 10.00	\$ 20.00
<b>ShoreTel Licensing</b>						
SHO-30035	Extension & Mailbox License for ShoreTel	65	\$ 200.00	\$ 13,000.00	\$ 130.00	\$ 8,450.00
<b>ShoreWare Application Server</b>						
SHO-29152	ShoreTel 14.2 (General Release)	1	\$ -	\$ -	\$ -	\$ -
SHO-30044	Additional Site License	1	\$ 495.00	\$ 495.00	\$ 321.75	\$ 321.75
<b>ShoreWare Client Software</b>						
SHO-40005	Personal Access License	65	\$ -	\$ -	\$ -	\$ -
SHO-40006	Operator Access License	1	\$ 595.00	\$ 595.00	\$ 386.75	\$ 386.75
<b>Other ShoreTel Equipment</b>						
SHO-60047	Analog Harmonica and Telco cable (FF)	2	\$ 65.00	\$ 130.00	\$ 65.00	\$ 130.00
SHO-10223	ShoreTel Voice Switch Rack Mount Tray Gen4	2	\$ 65.00	\$ 130.00	\$ 65.00	\$ 130.00
<b>ShoreTel Services</b>						
SHO-94111	ShoreCare Partner Support: 1 Year - No Phones	1	\$ 1.00	\$ 3,161.46	\$ 2,704.25	\$ 2,704.25
<b>Other Products</b>						
	Installation and Programming	65	\$ 110.00	\$ 7,150.00	\$ 93.50	\$ 6,077.50
	Operator and Classroom Training	12	\$ 110.00	\$ 1,320.00	\$ 93.50	\$ 1,122.00
	Dell Poweredge R210 Rack Mount Server	1	\$ 3,601.00	\$ 3,601.00	\$ 2,340.65	\$ 2,340.65

Comments: WSCA-NASPO Cooperative Purchasing Organization Master Agreement No: AR627 with ShoreTel, Inc. (Vendor #VC0000182077) and Richline Technical Services, LLC (ShoreTel Partner #51748) WSCA-NASPO contract includes all covered equipment, support and labor (if applicable) quoted above.

Product Subtotal:	\$	46,877.95
Shipping Estimate:	\$0.00	
Total:	\$	46,877.95



Signature: \_\_\_\_\_

Approved By

Date

# RICHLINE

## TECHNICAL SERVICES

Richline Technical Services  
114 Mesquite Street

Corpus Christi, TX 78401

### Dual Drops

ShoreTel Quote	Version 14.61
Quote Number, Revision:	U2215-CLKC, Rev. 1
Purchase Order #:	
Date:	1/29/2015
Quote Valid Until:	2/28/2015
Currency:	US Dollar
Payment Terms:	
Customer ID:	
Prepared By:	Josh Richline

Prepared For: City of Kingsville-City Hall  
101 N 3rd St

Kingsville, TX 78363  
Tony Verdin: 361-595-8025  
averdin@cityofkingsville.com

Ship-to: City of Kingsville-City Hall  
Tony Verdin  
101 N 3rd St

Kingsville, TX 78363  
361-595-8025

Part Number	Description	Qty	Unit List	Ext List	Unit Cost	Ext Cost
<b>ShoreTel Services</b>						
<b>Other Products</b>						
	HP 3800-48G-PoE+4SFP+ Switch - Switch - L3 - managed - 48 x 10/100/1000 + 4 x 10 Gigabit Ethernet / 1 Gigabit Ethernet	5	\$ 8,719.00	\$ 43,595.00	\$ 6,800.82	\$ 34,004.10
	HP 3800-24G-PoE+2SFP+ Switch - Switch - L4 - managed - 24 x 10/100/1000 + 2 x 10 Gigabit Ethernet / 1 Gigabit Ethernet	1	\$ 5,519.00	\$ 5,519.00	\$ 4,304.82	\$ 4,304.82
	HP - Network stacking module - stacking - 4 ports	6	\$ 1,399.00	\$ 8,394.00	\$ 1,091.22	\$ 6,547.32
	HP - Stacking cable - 3.3 ft - for P/N J9577A J9577AABA	4	\$ 289.00	\$ 1,156.00	\$ 225.42	\$ 901.68
	ProCurve Gigabit-LX-LC Mini-GBIC (J4859B) with one 1000Base-LX part	4	\$ 695.00	\$ 2,780.00	\$ 542.10	\$ 2,168.40
	HP 3800-24G-PoE+2SFP+ Switch - Switch - L4 - managed - 24 x 10/100/1000 + 2 x 10 Gigabit Ethernet / 1 Gigabit Ethernet (additional 24 Port switch for Cottage)	1	\$ 5,519.00	\$ 5,519.00	\$ 4,304.82	\$ 4,304.82
	Network Switch Installation	21	\$ 125.00	\$ 2,625.00	\$ 106.25	\$ 2,231.25
	Sonicwall NSA3600 w/ total Secure Firewall	1	\$ 5,913.00	\$ 5,913.00	\$ 4,612.14	\$ 4,612.14
	Firewall Installation and Configuration	32	\$ 125.00	\$ 4,000.00	\$ 106.25	\$ 3,400.00
	Design and Implement Layer 3 Network, for wired, wireless, server farm, security and guest access	320	\$ 125.00	\$ 40,000.00	\$ 106.25	\$ 34,000.00

Comments:

Product Subtotal:	\$	96,474.53
Shipping Estimate:	\$	0.00
Total:	\$	96,474.53



Signature:

Approved By

Date

# Tab 5

## References

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# HIDALGO COUNTY TEXAS

## COUNTY GOVERNMENT SUCCESS STORY

### Hidalgo County shines with Texas-sized savings from ShoreTel

Located in Southern Texas and with a population close to 750,000, Hidalgo County is one of the fastest growing counties in the nation and covers almost 1,600 square miles. County government is divided into four precincts, overseeing 20 cities and employing more than 2,800 government workers.

#### CHALLENGE:

- Reduce skyrocketing communications costs and take control of a sprawling phone system that was costly and time-consuming to maintain, and did not offer modern features such as voicemail and call forwarding.

#### SOLUTION:

- The ShoreTel UC system comprising about 1,500 ShorePhone™ IP 560 Telephones, 100 ShoreGear® Voice Switches, and four voicemail servers.

#### BENEFITS:

- Massive cost savings—from \$900,000 a year down to about \$400,000.
- Centralized control and management saves money and time.
- Feature-rich capabilities, including voicemail, customizable call handling modes and workgroups help ensure all citizens' calls are answered promptly.
- Built-in redundancy and the reliability of a distributed architecture help keep communications running in the event of an emergency.

Just like its namesake, Miguel Hidalgo—widely considered the father of Mexico—Hidalgo County government in Texas is dedicated to looking out for the best interests of its citizens. Hidalgo is one of the fastest growing counties in the United States, yet it's also one of the poorest, challenging county leadership to provide an increasing number of excellent public services despite shrinking budgets.

This need for fiscal responsibility led Hidalgo County IT staff to examine possible cost savings by replacing its aging and costly communications system. Hidalgo government takes pride in its communications policy of accessibility and responsiveness, so deploying a platform that improves connectivity, streamlines collaboration and reduces expenditures was one of the IT group's key objectives.

In 2002, Hidalgo was paying about \$900,000 a year for a traditional phone service that offered no centralized management features and lacked the ability to monitor or control additional lines. By 2004, with offices and departments throughout the large

county, and a new office building almost ready to go live, only a lengthy and costly audit could help staff determine which lines were active and what they were costing.

#### Citizens Deserved Friendly Response

Furthermore, the old system did not provide voicemail or transfer capabilities, and there was no central directory of staff telephone numbers.

"Operators did not know the phone numbers for transferring callers," explained Renán Ramirez, Chief Information Officer for Hidalgo County. "So if someone dialed the wrong department looking for license plate information, whoever answered the phone would not know where to transfer the call. This resulted in a lot of complaints from residents who felt they were getting the runaround."

At the same time, Ramirez's IT department team was in the process of streamlining the IT network, which had begun to sprawl after five years of unprecedented growth. Since they were already working with



"The equipment arrived and was deployed very quickly—within a month it felt as though we had been running it for years."

**Renán Ramirez**  
Chief Information Officer  
Hidalgo County

another provider, they decided to pilot a 26-phone voice-over-IP (VoIP) solution, but were discouraged by that system's complex management demands.

"Our telephone engineer suggested we take a look at the ShoreTel Unified Communications (UC) system, since it did not require specially certified experts to manage," Mr. Ramirez said. "During the demonstration, the ShoreTel UC system came up very quickly and was obviously simple to manage. Having full control of the phone system was vital for our ability to quickly expand, and we were confident the simplified management of the ShoreTel system would help to reduce our skyrocketing phone costs."

### **ShoreTel Slashed Costs By More Than 60 Percent**

Hidalgo County began with an implementation of 800 ShorePhone™ IP 560 Telephones, expanding to more than 1500 phones, about 100 ShoreGear® Voice Switches, and four voicemail servers. A small number of users at remote locations are using ShoreTel Softphones from their PCs. The servers and voice switches are distributed for built-in redundancy, improving the reliability of the UC system in this hurricane-prone region.

"ShoreTel was very responsive and very agile," Mr. Ramirez said. "The equipment arrived and was deployed very quickly—within a month it felt as though we had been running it for years."

Even more impressive, Mr. Ramirez added, were the incredible cost savings: "The costs to Hidalgo County for the phone system went down from about \$900,000 a year in 2002, to about \$400,000 a year since deployment in 2006. These massive savings are because now we can handle changes in-house, and make calls through the network using ShoreTel's least cost call routing feature, instead of having to go long distance across the county."

The first deployment of the ShoreTel UC system was in the County Commissioner's office of Precinct No. 1. At that time, staff had to write notes to each other because the precinct did not have voicemail, yet alone presence information. "With the

ShoreTel UC system, the receptionist uses ShoreWare® Operator Call Manager and simply drags incoming calls into the right voicemail box," Mr. Ramirez said. "This makes sure a message gets through, even if the user forgets to set their call handling modes."

### **Four-Digit Dialing Builds Sense Of Community**

Today, almost the entire county has been converted over to the ShoreTel UC system, with about 40 workgroups set up, each with a direct dial number and four-digit dialing. Furthermore, all directories are now accessed on the phone itself, eliminating the need for paper directories and giving staff instant access to up-to-date, accurate information. "Before ShoreTel, some internal departments had to dial the whole number and in some cases were calling long distance across the county to their own department," Mr. Ramirez said. "Four-digit dialing is now part of the culture and has resulted in a much stronger sense of community. In some departments people refer to each other by their extension numbers."

ShoreTel's workgroup capabilities enable the county to establish, monitor and manage call queues, forecast peaks in traffic to ensure appropriate staffing levels, and ensure calls are answered in a timely manner. Auto-attendant scripts in both English and Spanish route calls to the correct department, and Eli Gracia, the county's telecommunications manager, can log into any workgroup and monitor the queue or use Crystal Report Writer to generate reports from the Call Detail Reporting database on the ShoreTel server.

"I can see the number of calls coming into a workgroup and determine if more users need to be logged into the workgroup to handle the load," Mr. Gracia said. "The system offers us unprecedented transparency, and it's incredibly easy to use. For instance, I have set up hunt groups so that if no one answers from a workgroup, the call will route to a live person in a hunt group. I've also set up after-hours messages to help connect callers to the right departments for leaving messages after hours."



"The system offers us unprecedented transparency, and it's incredibly easy to use."

**Eli Gracia**  
Telecommunications Manager  
Hidalgo County

## ShoreTel Reliability Survives Hurricane Alley

For Hidalgo County CIO, Mr. Ramirez, one of the largest benefits of the ShoreTel UC system is the control his team now has over county communications. Since the system is easy to manage, he has only had to allocate one member of his seven-person team to manage the phone system, and any issues are diagnosed and resolved quickly and easily. This ability to address issues efficiently and make changes in real time has translated into real cost and time savings, he said.

The reliability of the ShoreTel UC system also is a huge benefit in this hurricane-prone county. Since the distributed architecture is not server-dependent but based on voice switches, and therefore not prone to the kinds of hardware failures inherent with servers, Mr. Ramirez said his team has seen exceptional, hands-free reliability. The county is expected to be the first line of defense in case of an emergency or natural disaster, and the ShoreTel UC system has enabled staff to develop a disaster plan for communications that enables them to publish an emergency number for citizens to call for information, quickly set up a command center if necessary, and create a custom auto-attendant with options in both English and Spanish to quickly route callers to the correct department.

Scalability is also important to help deal with the enormous growth the county has seen in the past few years, and to deal with the kinds of spikes in traffic that they receive at certain times, such as during an election or after a hurricane. "It is easy to set up a phone bank and add say 20 extensions for one month, then remove them later," Mr. Ramirez said. "We were able to relocate about 60 users in one day, and have been able to respond quickly after a hurricane caused devastating flood damage. ShoreTel has given us the flexibility and reliability we need to be both responsive to the citizens of Hidalgo County, and fiscally responsible."

This flexibility means that as the county continues to grow, Ramirez' staff can quickly get phone service to new sites, and convert existing sites. Working with their ShoreTel reseller, Lee Gonzalez from Lava Concepts and Consulting, Hidalgo plans to add another 26 sites throughout the county to the ShoreTel system, and expand its capabilities. "The responsiveness of ShoreTel has given us confidence to go after new features and enhancements," Mr. Ramirez said. "We're evaluating the potential benefits of implementing a fax server and switching to ShoreTel Converged Conferencing, which will help us drive down costs even further. The benefits of ShoreTel are truly Texas-sized."

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### About ShoreTel

ShoreTel is the provider of brilliantly simple Unified Communication (UC) solutions based on its award-winning IP business phone system. We offer organizations of all sizes integrated, voice, video, data, and mobile communications on an open, distributed IP architecture that helps significantly reduce the complexity and costs typically associated with other solutions. The feature-rich ShoreTel UC system offers the lowest total cost of ownership (TCO) and the highest customer satisfaction in the industry, in part because it is easy to deploy, manage, scale and use. Increasingly, companies around the world are finding a competitive edge by replacing business-as-usual with new thinking, and choosing ShoreTel to handle their integrated business communication. ShoreTel is based in Sunnyvale, California, and has regional offices and partners worldwide. For more information, visit [shoretel.com](http://shoretel.com).

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engineers | architects | contractors

SOLUTIONS TODAY WITH  
A VISION FOR TOMORROW

To whom it may concern,

LNV is a proud ShoreTel customer! Our ShoreTel system has saved LNV considerable money in time, and management. We are no longer billed for moves, adds and/or changes due to the ease of managing the ShoreTel system. Installation of the system was a breeze, training of our staff was very simple, and growing the system to our new offices has been quick and painless. Employees have gotten so used to ShoreTel and it's features that I couldn't imagine switching back to a standard "dumb" phone system. The extended features of the ShoreTel system (ex. Call Handling Mode, Communicator Software) make this system more than just a phone. It has completely changed the way LNV communicates. Craig and Richline Technical Services are always there and are very knowledgeable if I have a question. I would highly recommend ShoreTel to anyone looking for a modern phone system.

If you have any questions, feel free to contact me.

Thanks,

A handwritten signature in black ink, appearing to read 'Clifton Kuecker'.

Clifton Kuecker  
IT Manager  
LNV, Inc.  
361.866.2154  
ckuecker@lnvinc.com

**Tab 6**

# ShoreCare® Partner Support



**Partner Support provides fundamental service components to channel partners that prefer to provide their own branded services and to support their customers directly.**

---

## **Benefits:**

- Telephone technical assistance 7 x 24 for the partner to ask questions regarding customer situations that the partner is troubleshooting
- Advanced exchange, next-business-day delivery for ShoreGear® switches
- Advanced exchange, ground delivery for covered ShorePhone™ IP telephones
- Software documentation, patches, updates and upgrades

Partner Support provides ShoreTel Partners with backup services in three critical areas: telephone technical support, hardware replacement, and software upgrades. Partners purchase a separate Partner Support Agreement for each customer that is covered. Partners that choose Partner Support typically add additional services, like training, to create a post-implementation package that they brand, market and sell to their customers.

## **Partner Support versus the Enterprise Service Program**

ShoreTel strongly recommends that a post-implementation service agreement be part of the complete solution that is offered to customers and is discussed early in the sales process. Based on the partner's business model they can either purchase Partner Support and be responsible for service delivery to the customer, or they can resell ShoreTel's Enterprise Service Program to the customer in which case the customer calls ShoreTel when they need assistance and ShoreTel delivers the service. In either case the partner purchases an annual contract that is tied to a named account.

Both Partner Support and the Enterprise Service Program include telephone technical support, advanced hardware replacement and software upgrades. In addition to these services the Enterprise Service Program also includes access to the ShoreCare web portal as well as web-based instructor-led administrator and end user training.

## **Telephone Technical Support**

Partners that purchase partner Support own the customer relationship. The partner takes the customer calls and troubleshoots the problem. If the partner needs to escalate, ShoreTel technical support engineers are ready to answer questions 24 hours a day, seven days a week via a toll-free phone number so that the partner can quickly respond to the customer. Non-urgent questions can be submitted on-line and are responded to within 24 hours.

## **Hardware Replacement**

Advanced hardware replacement is vital to minimizing the customer's business-crippling downtime. In the unlikely event the partner's customer experiences a hardware failure, the partner's on-line request for a ShoreGear switch is immediately logged and shipped for next-business-day delivery to the address the partner designates. ShorePhone telephone replacements that are covered under contract receive the same advanced shipment attention but are sent via ground delivery.

## **Software Upgrades**

Software updates and upgrades keep customers on the leading edge of technology. When new software is released, the detailed notes explaining the new features help the partner decide the best time to upgrade the customer. Software files and documentation can be downloaded, at the partner's convenience, from the ShoreTel web site and distributed to customers under the terms of the current Partner Support Agreement. ShoreTel's technical support team is available to answer any partner questions that may arise regarding upgrades.

---

## Partner Support Requirements

Partner Support requires the partner to be the face to the customer, accepting full responsibility for the support relationship. Partners that purchase Partner Support must be able to take the first call for technical assistance, manage the troubleshooting and respond to all requests for hardware replacement and software updates.

## Service Programs Comparison Chart

ShoreCare Service Feature	Enterprise Service Program All services are delivered to the customer by ShoreTel	Partner Support All services are delivered to the customer by the partner. A Partner Support contract must be purchased for each customer that is supported by the partner	Product Warranty Services covered under warranty are delivered to the customer by ShoreTel
Telephone Technical Support	Customer access to ShoreTel's Technical Assistance Center 7 x 24 via a toll-free phone number. Calls are handled live from ShoreTel's Technical Assistance Center in California from 11 PM Sunday Pacific Time until 11 PM Friday, Pacific Time. Calls placed between 11 PM Pacific on Fridays and 11 PM Pacific on Sundays are returned within one hour.	Technical support access is exclusively for the partner. Response times are the same as the Enterprise Service Program.	Warranty does not include telephone technical support.
Hardware Replacement	Hardware replacements are shipped upon request for next-business-day delivery. Telephones that are covered under contract are shipped upon request via ground delivery.	Hardware replacement time frames are the same as the Enterprise Service Program. The Partner designates the destination (partner or end user) on a case-by-case basis.	Product must be returned to factory for repair/replacement with reasonable efforts return delivery.
Software	Published patches, fixes, updates, upgrades and documentation are available for download from the ShoreTel web site.	The Partner has access to published software and documentation that is then provided to the customer based on the terms of the current Partner Support Agreement.	Software is warranted to perform as sold. ShoreTel will provide a patch in the event a bug is discovered in the version purchased.
Training	Eight seats in ShoreTel's web-based, instructor-led the System Administrator course. Sixteen seats in ShoreTel's web-based, instructor-led the end user training course.	Partner training is covered in the ShoreTel Reseller Agreement. No additional training for the partner or end user is included as part of Partner Support.	No training is included in the product warranty.
Web Services	Customers are provided password access to the ShoreCare Web portal and locked documents. Customers can submit and manage hardware replacement and technical support cases on-line.	The partner is provided access to the ShoreCare Web portal and locked documents. Partners can submit and manage hardware replacement and technical support cases on-line.	Only the public areas of the ShoreTel web site can be accessed.

## Guidelines Based on the Partner's Business Model

Partner's Preferred Business Model	Partner Owns the Service Relationship	ShoreTel Owns the Service Relationship
Criteria	<ul style="list-style-type: none"> <li>Delivery of support is a sustainable business model</li> <li>There is sufficient sales volume to justify investment in an extensive dedicated support infrastructure</li> <li>Partner is financially able to address resource intensive support issues that may arise</li> </ul>	<ul style="list-style-type: none"> <li>Partner does not have the sales volume or the desire to be in the post-sales service delivery business</li> <li>Investment in support infrastructure does not make good business sense for the partner</li> <li>Partner prefers not to assume the risk of unplanned post-implementation support expenses</li> </ul>
Process	The partner purchases Partner Support Service from ShoreTel and sells partner branded services. The customer calls the partner for support.	The partner sells the ShoreTel Enterprise Support Program to the customer. The customer calls ShoreTel for support services.
Benefits	<ul style="list-style-type: none"> <li>Partner manages their own service margins</li> <li>Partner has a direct service relationship with the customer</li> <li>Partner has 24x7 phone access to ShoreTel technical support when they need to escalate</li> </ul>	<ul style="list-style-type: none"> <li>Partner earns good margins on the initial sale and renewals of the Enterprise Support Program</li> <li>Partner continues to proactively manage the customer relationship after the sale</li> <li>Customers receive expert support without partner investment in support infrastructure</li> </ul>



960 Stewart Drive Sunnyvale, CA 94085 USA Phone +1.408.331.3300 +1.877.80SHORE Fax +1.408.331.3333 www.shoretel.com

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## **AGENDA ITEM #10**

TO: VINCE CAPELL, CITY MANAGER

FROM: TOM GINTER, DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES TJ

DATE: JANUARY 16, 2015

SUBJECT: CONSIDER APPROVAL OF PRELIMINARY PLAT OF 1.44 ACRES EVA ADDITION, BLOCK 1, LOT 1-9 AND CLYDE ADDITION, BLOCK 2, LOT 1-3 ON SOUTH SIDE OF KENEDY AVENUE, BETWEEN 15<sup>TH</sup> AND 16<sup>TH</sup> STREETS FOR RESIDENTAL HOUSING.

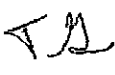
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Attached are the following documents:

- A. Memo to Planning and Zoning Commission.
- B. Plat.
- C. Examples of house layout.
- D. Lot with improvements.

As noted, Mr. Dizdar is putting in two oak trees, water sprinkler system, 18 ft. driveway, 6 ft. sidewalk and a fence for the front of the property, but not the side yards. The memo to the Planning and Zoning Commission expresses my concern for the development. These concerns are what prompted me to ask for the RP2 zoning. I believe that zoning could have lessened these concerns. None the less, the preliminary plat was approved with the conditions that were noted earlier in the memo. The motion was by a unanimous vote 4-0.

To: Planning & Zoning Commission

From: Tom Ginter, Director of Planning & Development Services 

Date: January 8, 2014

Subject: Agenda Item #2 Requesting approval for the preliminary plat of 1.25 acres EVA,  
BLOCK 1, Lot 1-9 and CLYDE, BLOCK 2, Lot 1-3

---

Under the rezoning report that gives the current information for the Commission, so I do not need repeat it again.

From the conversation that occurred at the last meeting, I met with Mark Dizdar concerning those issues. This is what he is willing to do:

1. Plant 2 trees in the front yard, for each home.
2. A 6 ft. sidewalk all the way around.
3. A 2 car driveway, 18 ft. wide.
4. A sprinkler system for the front yard.

When I talked about what we perceived to be at the building of carports and everything else to do with vehicles he felt that what was being done was a positive thing. The general statement is that they will look better than what was there before. I responded by shouldn't we take this opportunity to go the next level. Again not much of an answer. Let review the overall project positives and negatives.

Positives they are:

1. While small single family homes, good place for them with the possibility of redeveloping the neighborhood.
2. The homes are the right price for the market in Kingsville.
3. The additional items being put in the development are a plus, to prevent parking in front yards, shade for the homes and encouraging pedestrian travel.

Negatives:

1. No garages so the belief is that a number of the residences will be putting carports up which will make a negative appearance.
2. Cause parking of vehicles to be parked in the street.
3. Where will they put other item, garbage
4. The number of homes, makes it tight allowable under the code but tight none the less.

Other:

1. In the meeting that I had with Mr. Dizdar, I suggested that the City could assist him with the purchase of additional ground to have a parking area for the homeowners. He didn't acknowledge this much one way or the other. I have had discussions with City Manager and will likely have one next week prior to the meeting on the issue. The city is willing to assist Mr. Dizdar to better the appearance of the development which we feel will be happening due to no garage and the tightness of the project itself.

**Summary:**

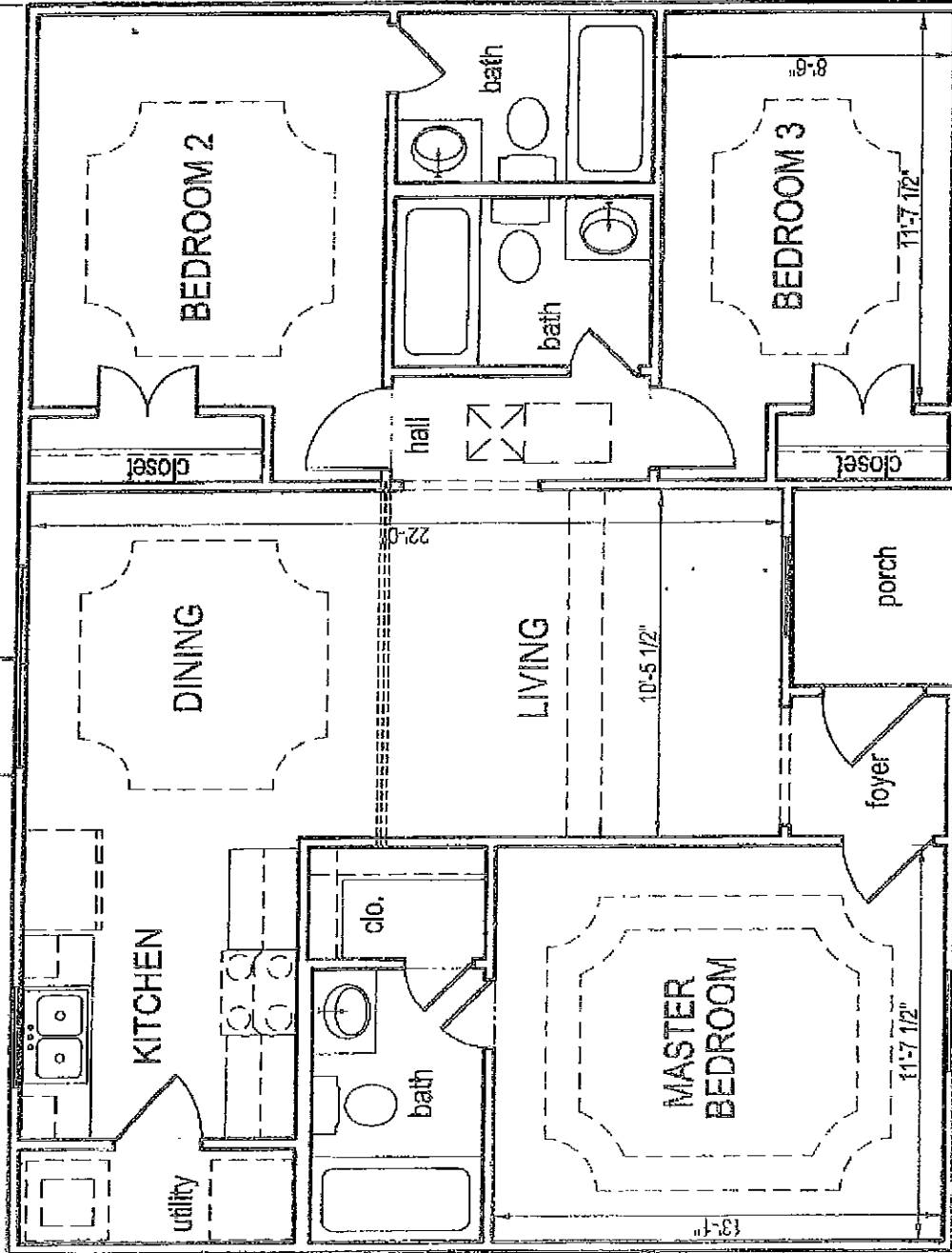
As the discussion goes, no doubt you will have to be making internal decisions on this development. At this time I would strongly recommend that whatever you come up with the items, that he is going to do, trees, sidewalks, sprinkler system be put in a motion and instructions for them to be included in the construction plans at this time.

As far as a recommendation I do not have one. Could be by Wednesday, the information that may be gained will provide me with one, but frankly not sure at the time.



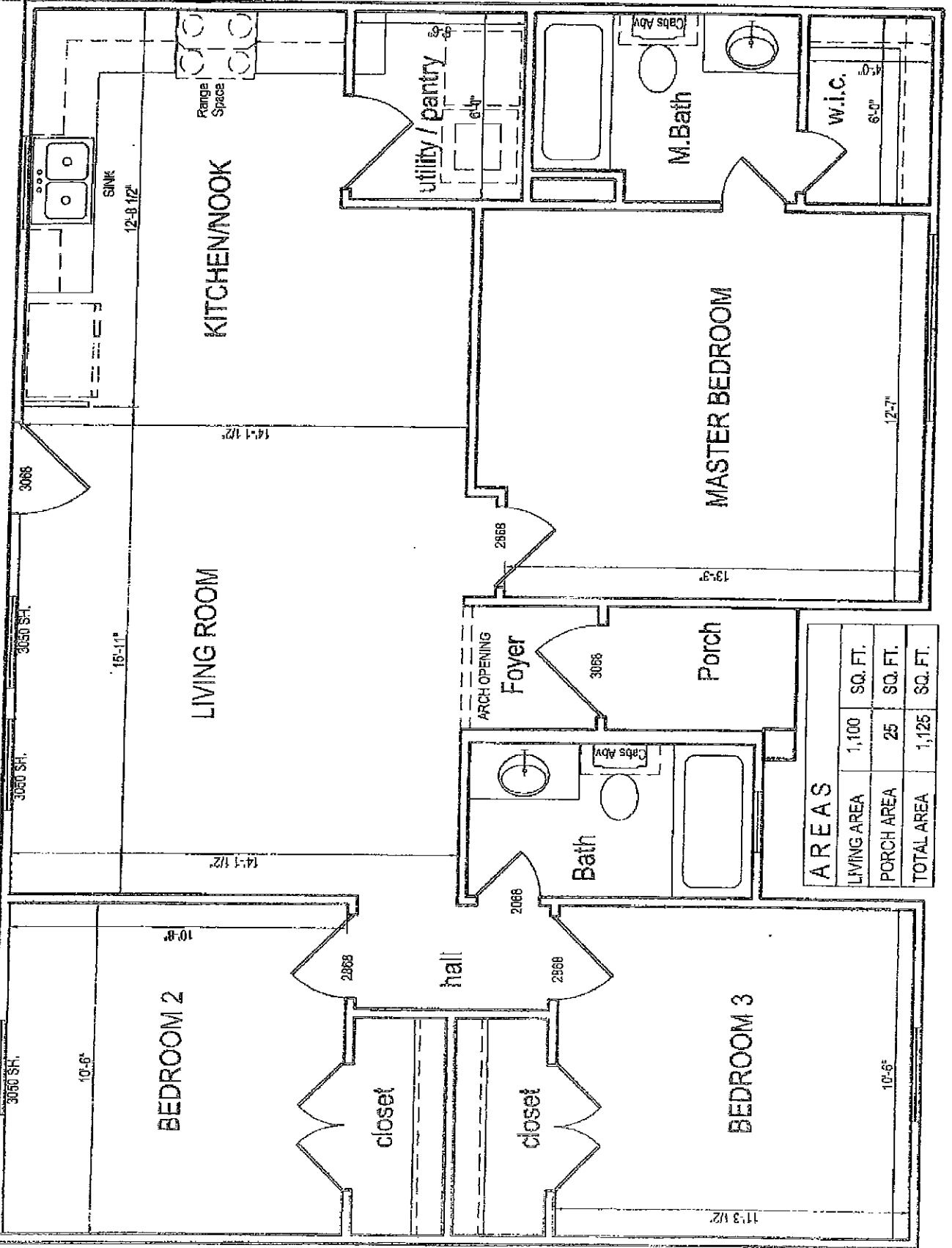


37'-2"



AREAS	A
LIVING	990
PORCH	29
TOTAL	1019

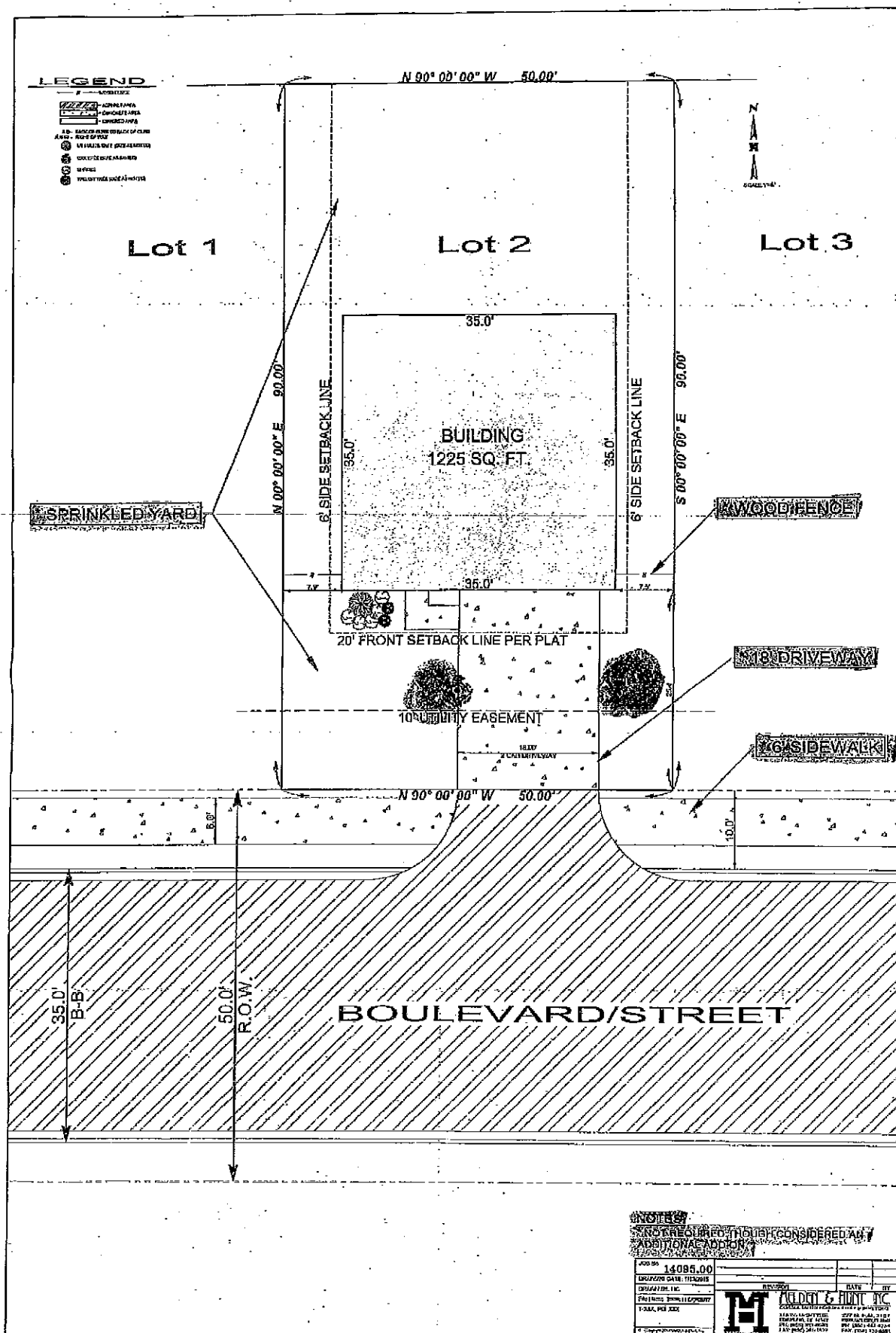
40'-0"




AREAS			
LIVING AREA	1,100	SQ. FT.	
PORCH AREA	25	SQ. FT.	
TOTAL AREA	1,125	SQ. FT.	

29'-3"





TO: VINCE CAPELL, CITY MANAGER

FROM: TOM GINTER, DIRECTOR OF PLANNING AND DEVELOPMENT   
SERVICES

DATE: JANUARY 20, 2015

SUBJECT: CONSIDER APPROVAL OF FINAL PLAT OF 1.44 ACRES EVA ADDITION,  
BLOCK 1, LOT 1-9 AND CLYDE ADDITION, BLOCK 2, LOT 1-3 ON  
SOUTH SIDE OF KENEDY AVENUE BETWEEN 15<sup>TH</sup> AND 16<sup>TH</sup>.

---

Mark Dizdar will be doing the following concerning this development:

1. Plant two trees in the front yard for each home
2. Construct a 6 ft. sidewalk all the way around the project
3. Construct a driveway, 18 feet wide
4. A sprinkler system for the front yard
5. A fence for the front of the property, not for the side yards.

The Planning and Zoning Commission approved the final plat with the above conditions in the motion. The motion was approved unanimously 4-0.

# **AGENDA ITEM #11**

**ORDINANCE #2015-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 1.44 ACRES LOTS 1-9, BLOCK 1, EVA SUBDIVISION, KNOWN AS 1100 EAST KENEDY AND LOTS 1-3, BLOCK 2, CLYDE SUBDIVISION, KNOWN AS 1116 EAST LOTT FROM C1- NEIGHBORHOOD SERVICE DISTRICT TO R2-TWO FAMILY RESIDENTIAL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Isaac & Norma Torres, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, January 14, 2015 during a meeting of the Planning and Zoning Commission, and on Monday, January 26, 2015 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning Commission by a 4-0 vote APPROVED the requested rezone; and

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

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

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from C1-Neighborhood Service District to R2 Two Family Residential District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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



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

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

**INTRODUCED** on this the 26th day of January, 2015.

**PASSED AND APPROVED** on this the 9th day of February, 2015.

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

**THE CITY OF KINGSVILLE**

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

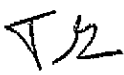
**ATTEST:**

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

**APPROVED:**

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

TO: VINCE CAPELL, CITY MANAGER

FROM: TOM GINTER, DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES 

DATE: JANUARY 16, 2015

SUBJECT: PUBLIC HEARING – REZONING OF LOT 1-9, BLOCK 1, EVA  
SUBDIVISION ALSO KNOWN AS 1100 EAST KENEDY AND LOTS 1-3,  
BLOCK 2 CLYDE SUBDIVISION ALSO KNOWN AS 1116 EAST LOTT  
FROM (C1) NEIGHBORHOOD SERVICE TO (R2) TWO FAMILY  
RESIDENTIAL DISTRICT, 1.44 ACRES, ISAAS AND NORMA TORRES

---

Attached are the following documents:

- A. Memo to Planning and Zoning Commission.
- B. Rezoning Application – Due to the transition in this department it was determined that a rezoning would be required for this property to be developed as Mr. Dizdar's original plans. To be fair, and because of all the confusion, the City initiated the rezoning process.
- C. List of property owners contacted. We received one phone call from a property owner and that was Mr. Torres who was in favor of the rezoning. No calls were received that were against the rezoning.
- D. Minutes of the Planning and Zoning Commission meeting.

While R-2 is an appropriate zoning for the property, I felt that we should take this in fill project opportunity to achieve a development that would be sustainable. Consequently I recommended to the Planning and Zoning Commission that it be rezoned to RP2. The code allows in any district the opportunity to do a planned unit development. The designation allows flexibility for both sides to negotiate items without having to be contained by the particular district rules. As an example the owner has the option to put the driveway in the rear of the home which would enhance curb appeal but it would mean impacting the lot lines. Under RP2 it can be done. As you read in the minutes the Commission was not in favor due to the lateness of the idea and Mr. Dizdar was not in favor also. The Commission approved the rezoning by a unanimous vote 4-0.

# PLANNING & ZONING COMMISSION AGENDA

Wednesday, January 14, 2015, 2014, 6:00 p.m.

Special Meeting

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

## PLANNING & ZONING COMMISSION SEATING ARRANGEMENT

### COMMISSION MEMBERS

Steve Zamora,

### COMMISSION MEMBERS

Robert McCreight

Chairman

Lupe Alvarez

Albert Garcia

Debbie Tiffie

Raymond Perez

Bill Aldrich

### CITY STAFF

Adela Barrientes,  
Administrative Assistant II

Tom Ginter,  
Director of Planning  
& Development Services

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

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

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

## AGENDA

- **CALL TO ORDER**
- **ROLL CALL**
- **APPROVAL OF MINUTES OF REGULAR MEETING** – December 10, 2014
- **PUBLIC COMMENTS FOR ALL AGENDA & NON-AGENDA ITEMS**
- **POSTPONEMENTS/ADJUSTMENTS TO THE AGENDA**
- **OLD BUSINESS** – *None*
- **NEW BUSINESS**

**ITEM #1** Isaac & Norma Torres, owner – Requesting the rezone of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT.

**ITEM #2** Isaac & Norma Torres, owner – Requesting approval for the preliminary plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

**ITEM #3** Isaac & Norma Torres, owner – Requesting approval for the final plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.

**ITEM #4** Report from Director of Planning and Development Services.

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

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

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

I certify that this agenda was posted at least seventy-two (72) hours before the commencement of the Planning and Zoning Commission Meeting scheduled for Wednesday, January 14, 2015.



\_\_\_\_\_  
Tom Ginter  
Director of Planning & Development Services

Posted
@_____
On_____
By_____

**PLANNING AND ZONING COMMISSION**  
**MEETING MINUTES**  
**December 10, 2014**

**Planning and Zoning Members Present**

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

**Citizens Present**

**Staff Present**

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

**Base Representative**

Glenn Jones

1. **The meeting was called to order at 6:00 p.m.**
2. **Discuss and take action on the meeting minutes of December 10, 2014.**  
Mr. Lupe Alvarez made a motion to approve the minutes with corrections. Mr. Robert McCreight seconds. All in favor none opposed.
3. **Miscellaneous/Public Comments on or off the agenda.**  
N/A
4. **Old Business/Postponements.**  
N/A
5. **Discuss and take action on — City of Kingsville -- Consider approval of an ordinance amendment to Sec. 15-6-130, Changeable electronic variable message signs. Repealing all ordinances in conflict herewith and providing for an effective date and publication.**  
Mr. Ginter presented the committee with examples of sign ordinances from the City of Amarillo and the City of Rockport. Mr. Ginter stated he came up with this information after doing some research and in talking with Mark Kellum who had initially started the research. Mr. Ginter also stated that the decision to amend the sign ordinance started when sign variances were being presented to the Board of Adjustments. Mr. Ginter stated to the committee the City of Amarillo has the closest language to our sign

ordinance and he recommended that the committee approve Amarillo's draft ordinance amendment to Sec. 15-6-130. Mr. Ginter further stated the Planning and Zoning Commission members would determine how they want to regulate the amendment if approved. The committee discussed different regulations and asked who would be in charge of making sure the regulations were being done. Mr. Ginter advised the committee that the Planning and Development Department would make sure these regulations were in compliance.

Mr. Albrich motioned to approve Amarillo's sign ordinance amendment to Sec. 15-6-130. Mr. Alvarez second. All approved none opposed.

**6. Discuss and take action on — Isaac & Norma Torres, owner -- Requesting approval for the preliminary plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.**

Mr. Ginter explained to the committee that C-1 is the current zoning in this area and only R-1's are permitted to be built. Mark Dizdar is planning to build R-2's and wants to continue with the R-2 plat. Since Mr. Dizdar would like to stay with the same R-2 plat, Mr. Ginter recommended to Mr. Dizdar to rezone the area and that the City would take the initiative to rezone it. Mr. Dizdar agreed. Mr. Ginter advised the committee to table these items and act on them once the rezoning is completed. The committee expressed concerns and had questions that they plan to address once the plat is presented to the Planning and Zoning Commission members for approval.

Mr. McCreight made a motion to table this item. Mr. Alvarez seconded. All in favor none opposed.

**7. Discuss and take action on — Isaac & Norma Torres, owner – Requesting approval for the final plat of 1.25 acres EVA, BLOCK 1, LOT 1-9 and CLYDE, BLOCK 2, LOT 1-3.**

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

Mr. Aldrich motioned to table this item, Mr. Alvarez seconded. All in favor none opposed.

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

Mr. Ginter presented a timeframe for the rezoning process and the committee decided to have a special meeting on January 14, 2015. Mr. Ginter passed out some information to the committee members that are specifically written for commissioners.

**9. Adjourn**

Meeting adjourned at 6:44 p.m.

To: Planning & Zoning Commission  
From: Tom Ginter, Director of Planning & Development Services  
Date: January 8, 2014  
Subject: Agenda Item #1 Request the Re-zone of 1.25 acres EVA, BLOCK 1, Lot 1-9 and  
CLYDE BLOCK 2, Lot 1-3

---

At our meeting in December it was determined that for Torres Estates to be developed correctly it needed to be rezoned.

Petitioner and Agent: Mark Dizdar

Owner: Isaac and Norma Torres

Comprehensive Plan Land Use: Residential  
Existing Zoning Classification: C-1 Commercial  
Area around it is: East: R-1 Residential  
South: C-1 Commercial  
West: C-2 Commercial

Existing Infrastructure

Transportation: Kenedy Avenue  
Community Facilities: Service Provider  
Fire Station Proximity: Within 2 miles  
100 Year Flood Plain: Property within Flood Zone C

### Background and History

The petitioner has requested approval for the ability to build single family homes on the lot as described in other documents. As was pointed out the size of the lots did not meet the R-1 requirements. It was determined that for him to develop the lots as to how he wants, a rezoning needs to take place. Since he wants to go with the development that has been submitted it fits the R-2 requirements. It is our belief since commercial properties surround it and it would be considered a positive in fill project. R-2 is the requested zoning for the property. As of the writing of this memo, we have received only one comment from the property owners within 200 ft. and that was from Mr. Torres he was in favor of the rezoning.

### Staff Review and Recommendation

In general, Planning and Zoning Commission considers the following factors when making a recommendation on zoning district changes:

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

Staff recommends APPROVAL of this request with the following findings:

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

Prepared by: Tom Ginter  
Tom Ginter  
Director of Planning & Development Services



### **SPECIAL PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Special Public Hearing Wednesday, January 14, 2015 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

**ITEM #1- Isaac & Norma Torres, owner – Requesting the rezone of 1.25 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.**

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

### **PUBLIC HEARING NOTICE**

The City Commission of the City of Kingsville will hold a Public Hearing Monday, January 26, 2015 at 6:00 p.m. wherein the City Commission will discuss the following item and at which time all interested persons will be heard:

**ITEM #1- Isaac & Norma Torres, owner – Requesting the rezone of 1.25 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, BLOCK 2, LOT 1-3 also known as 1116 East Lott.**

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

# CITY OF KINGSVILLE

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

Kingsville, Texas 78363  
Phone: (361) 595-8055  
Fax: (361) 595-8063

## Master Land Use Application

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

Project Address 1.25 acres EVA, BLOCK 1, LOT 1-9 & QYDE, BLOCK 2 LOT 1-3 Located in the City ✓ ETJ ✓

(Proposed) Subdivision Name \_\_\_\_\_ Total number of Lots \_\_\_\_\_

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

Existing Zoning Designation \_\_\_\_\_ Future Land Use Designation \_\_\_\_\_

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

Applicant/Authorized Agent Mark Dizdar Phone \_\_\_\_\_ FAX \_\_\_\_\_

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

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner Isaac + Norma Torres Phone \_\_\_\_\_ FAX \_\_\_\_\_

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

Mailing Address 1116 East LoH City Kingsville State TX Zip 78363

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

<input type="checkbox"/> Annexation Request.....No Fee	<input type="checkbox"/> Preliminary Plat.....Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA).....\$250.00	<input type="checkbox"/> Final Plat.....Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request.....\$250.00	<input type="checkbox"/> Minor Plat.....\$100.00
<input checked="" type="checkbox"/> Re-zoning Request.....\$250.00	<input type="checkbox"/> Re-plat.....\$200.00
<input type="checkbox"/> SUP Request/Renewal.....\$250.00	<input type="checkbox"/> Vacating Plat.....\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA).....\$250.00	<input type="checkbox"/> Conceptual Development Plat.....\$100.00
<input type="checkbox"/> PUD Request.....\$250.00	<input type="checkbox"/> Subdivision Variance Request.....\$25.00 ea
<input type="checkbox"/> Lot Line Adjustment Plat.....\$100.00	<input type="checkbox"/> Amending Plat.....\$100.00

Please provide a basic description of the proposed project:

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

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

LEDESMA ADELITA  
1128 E KENEDY  
KINGSVILLE, TX 78363  
#12259

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

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

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

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

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

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

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

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

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

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

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

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

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

GARZA PEDRO  
1029 E KENEDY  
KINGSVILLE, TX 78363  
#16932

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

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

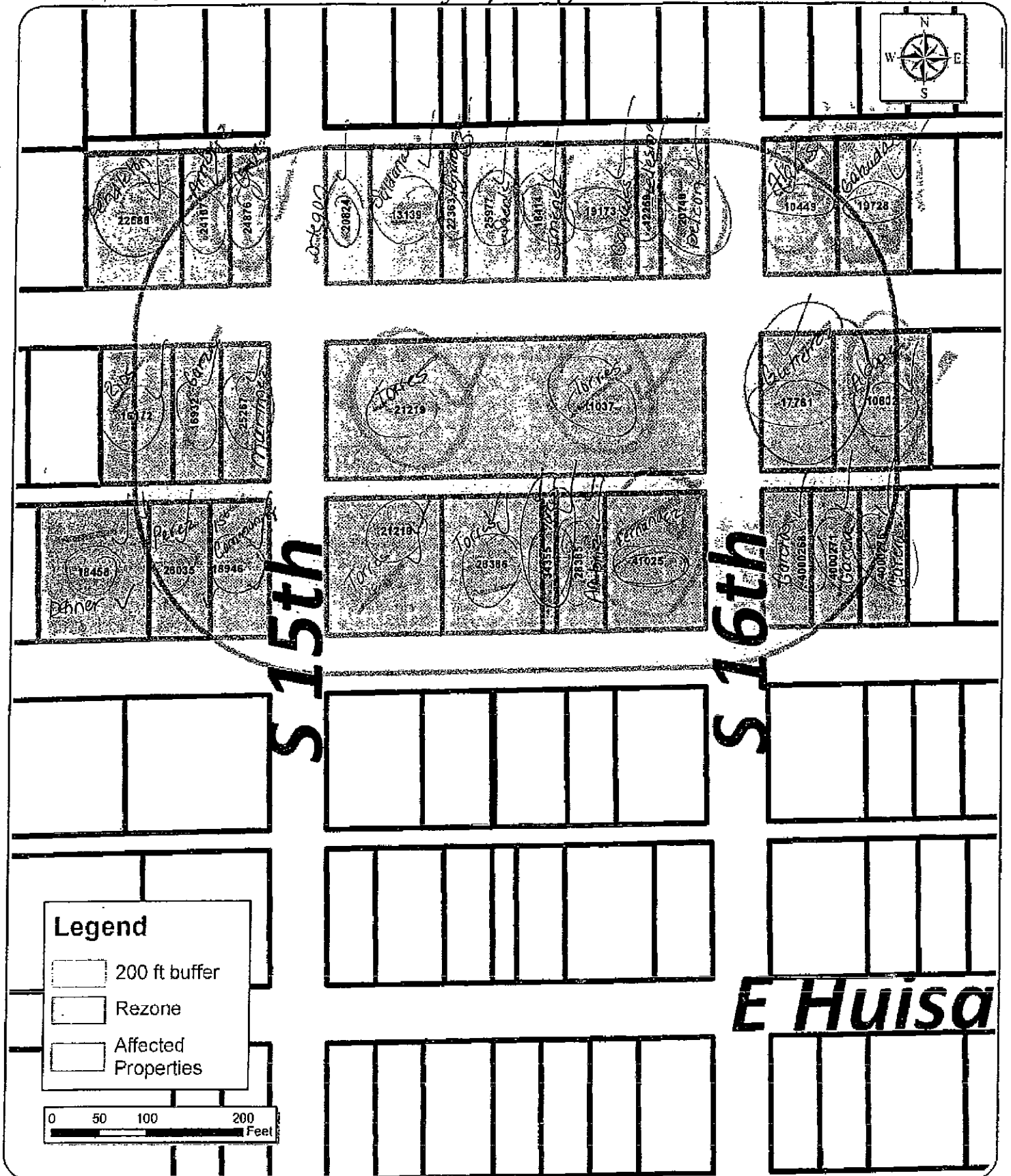
CALZADA JULIAN  
2401 GREEN OAK DRIVE  
ROOM #207  
KINGWOOD, TX 77339  
1208 E KENEDY  
#19728

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

0 = delayed in case  
 must copy for p+2  
 making  
 = label  
 = letter


letters mailed 12/18/14  
**City of Kingsville**

~~21/01/14~~



Document Path: \\SAW\\Engineering and Public Works\\Engineering\\GIS Techs\\MAPS\\MAP\_DOCUMENTS\\Arc\_City\_Base\_Map\_8.5x11.mxd

To: Planning & Zoning Commission

From: Tom Ginter, Director of Planning & Development Services 

Date: January 8, 2014

Subject: Agenda Item #2 Requesting approval for the preliminary plat of 1.25 acres EVA, BLOCK 1, Lot 1-9 and CLYDE, BLOCK 2, Lot 1-3

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Under the rezoning report that gives the current information for the Commission, so I do not need repeat it again.

From the conversation that occurred at the last meeting, I met with Mark Dizdar concerning those issues. This is what he is willing to do:

1. Plant 2 trees in the front yard, for each home.
2. A 6 ft. sidewalk all the way around.
3. A 2 car driveway, 18 ft. wide.
4. A sprinkler system for the front yard.

When I talked about what we perceived to be at the building of carports and everything else to do with vehicles he felt that what was being done was a positive thing. The general statement is that they will look better that what was there before. I responded by shouldn't we take this opportunity to go the next level. Again not much of an answer. Let review the overall project positives and negatives.

Positives they are:

1. While small single family homes, good place for them with the possibility of redeveloping the neighborhood.
2. The homes are the right price for the market in Kingsville.
3. The additional items being put in the development are a plus, to prevent parking in front yards, shade for the homes and encouraging pedestrian travel.

Negatives:

1. No garages so the belief is that a number of the residences will be putting carports up which will make a negative appearance.
2. Cause parking of vehicles to be parked in the street.
3. Where will they put other item, garbage trees, etc.
4. The number of homes, makes it tight allowable under the code but tight none the less.

Other:

1. In the meeting that I had with Mr. Dizdar, I suggested that the City could assist him with the purchase of additional ground to have a parking area for the homeowners. He didn't acknowledge this much one way or the other. I have had discussions with City Manager and will likely have one next week prior to the meeting on the issue. The city is willing to assist Mr. Dizdar to better the appearance of the development which we feel will be happening due to no garage and the tightness of the project itself.

**Summary:**

As the discussion goes, no doubt you will have to be making internal decisions on this development. At this time I would strongly recommend that whatever you come up with the items, that he is going to do, trees, sidewalks, sprinkler system be put in a motion and instructions for them to be included in the construction plans at this time.

As far as a recommendation I do not have one. Could be by Wednesday, the information that may be gained will provide me with one, but frankly not sure at the time.



CITY OF KINGSVILLE PLANNING  
AND ZONING DIVISION MASTER  
APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE) South side of Kenedy Ave. between

Project Address \_\_\_\_\_ Nearest Intersection Fifteenth ST. & Sixteenth ST.

(Proposed) Subdivision Name Torres Estates Lot \_\_\_\_\_ Block \_\_\_\_\_  
Legal Description: 1.25 acres being all of Lots 1, 2, & 3 Block 2 Clyde Addn. (Vol. 1, Pg. 35, Encl. 18)  
& all of Lots 1 thru 9, Block 1; Eva Addn. (Vol. 1, Pg. 33, Encl. 17, KCMR)

Existing Zoning Designation C-1 Future Land Use Plan Designation Residential

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Isaac & Norma Torres Phone \_\_\_\_\_ FAX \_\_\_\_\_

Email Address (for project correspondence only): md12daro@firstcompasshome.com

Mailing Address 1116 E. Lott Ave. City Kingsville State TX Zip 78363

Property Owner Isaac & Norma Torres Phone \_\_\_\_\_ FAX \_\_\_\_\_

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

Mailing Address 1116 E. Lott Ave City Kingsville State TX Zip 78363

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

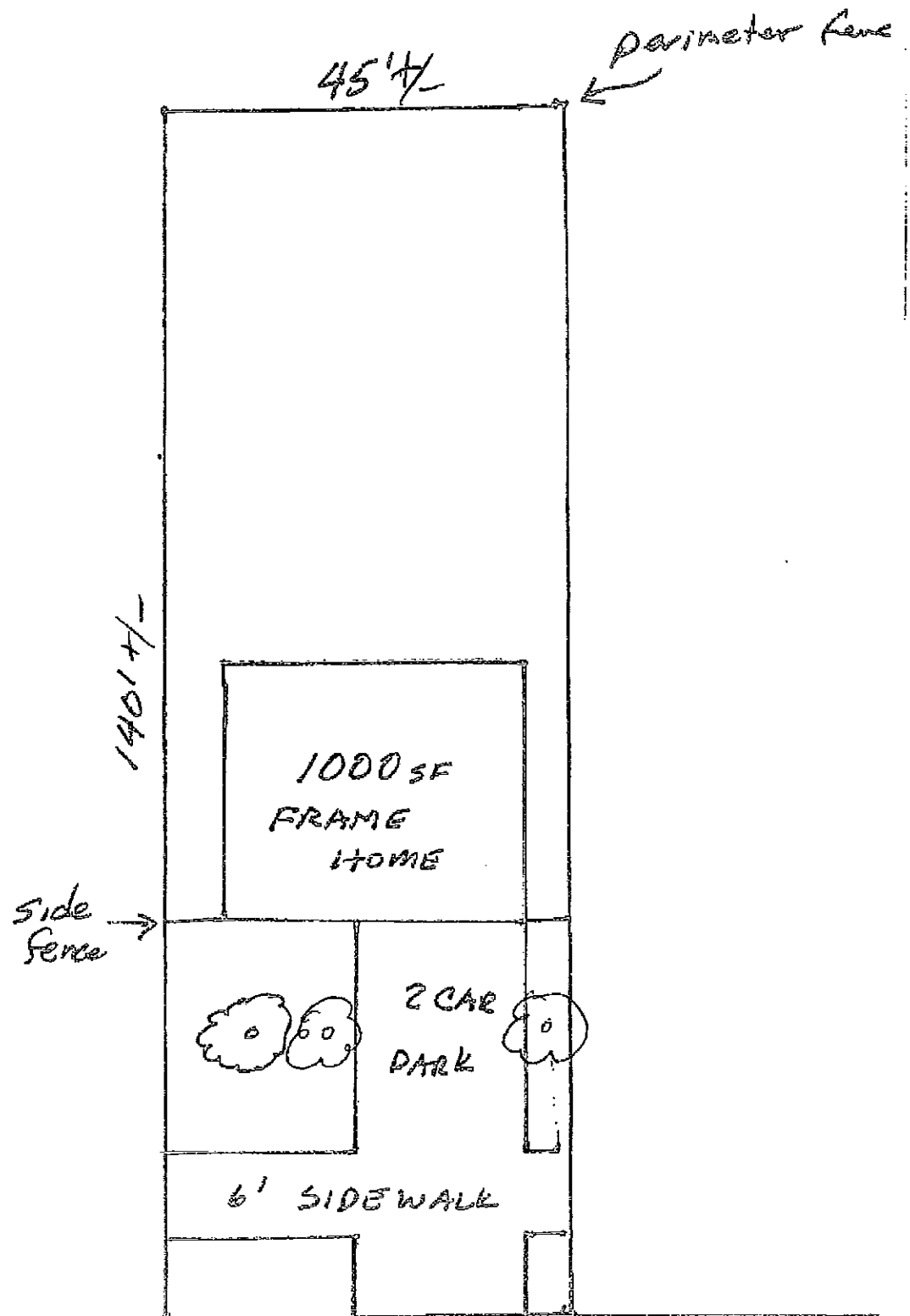
<input type="checkbox"/> Annexation Request	No Fee	<input checked="" type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input checked="" type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plat Amendment Request	\$250.00	<input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

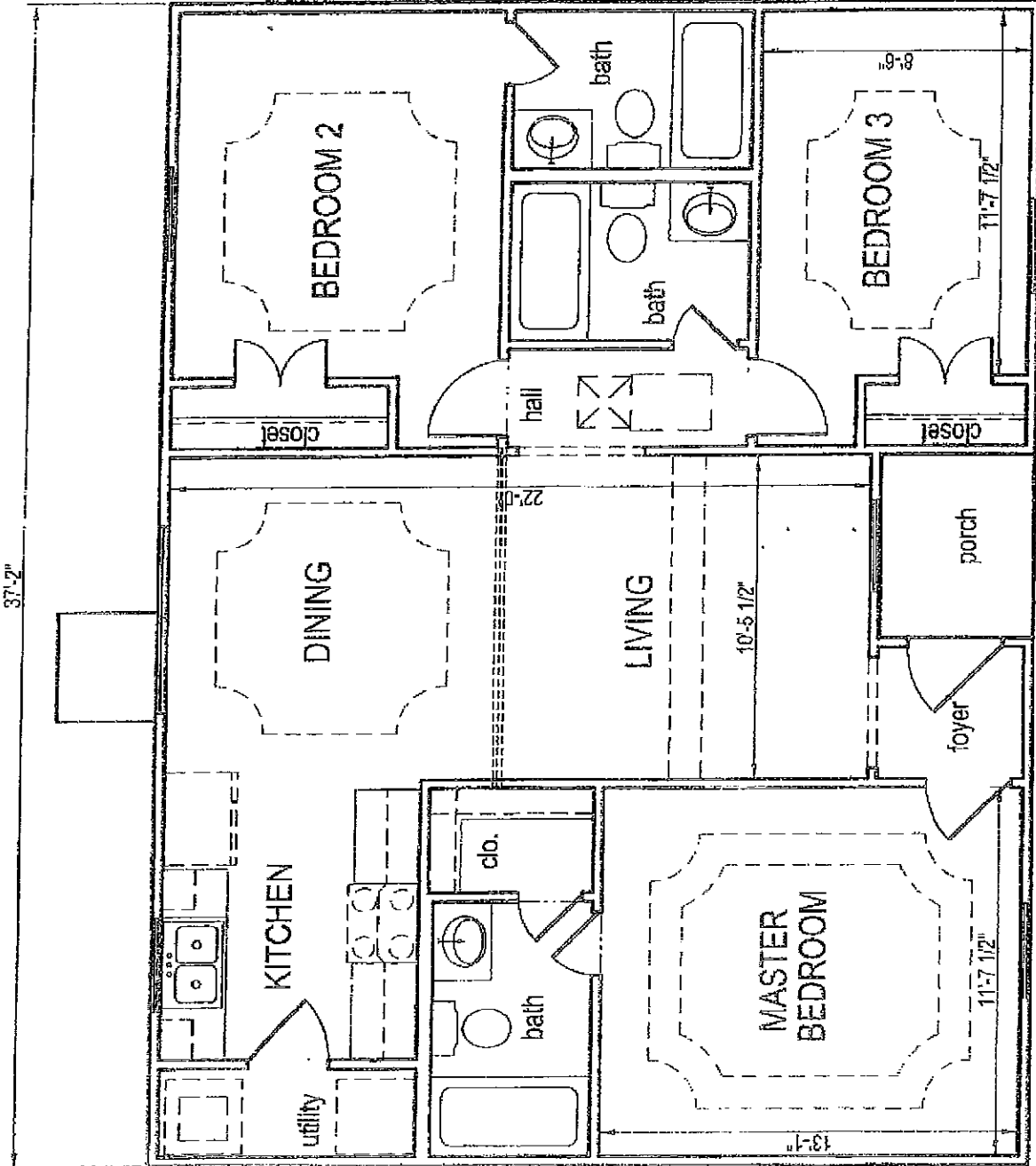
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature [Signature] Date: \_\_\_\_\_  
Property Owner's Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Accepted by: Jessica J. [Signature] Date: 9/18/14

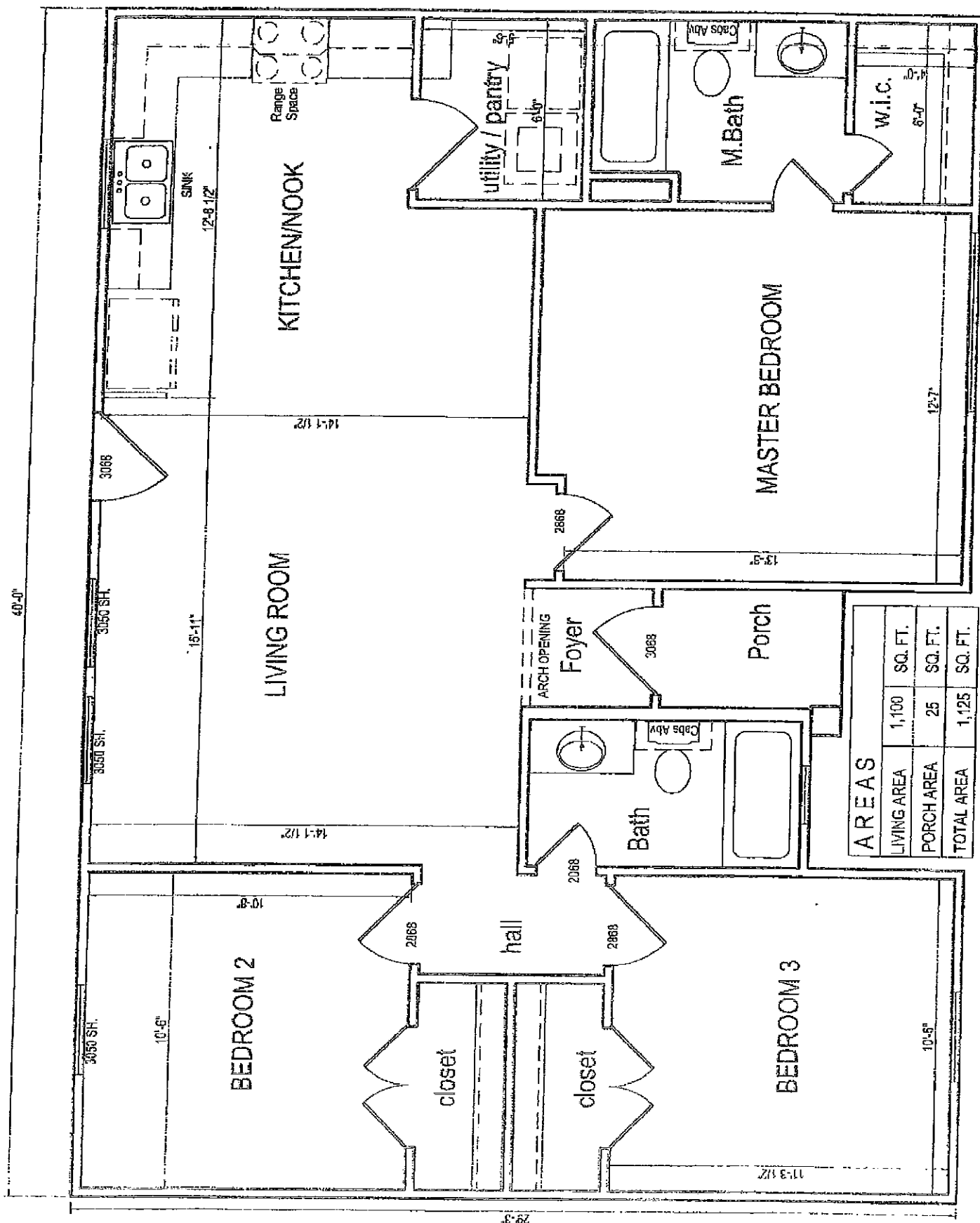




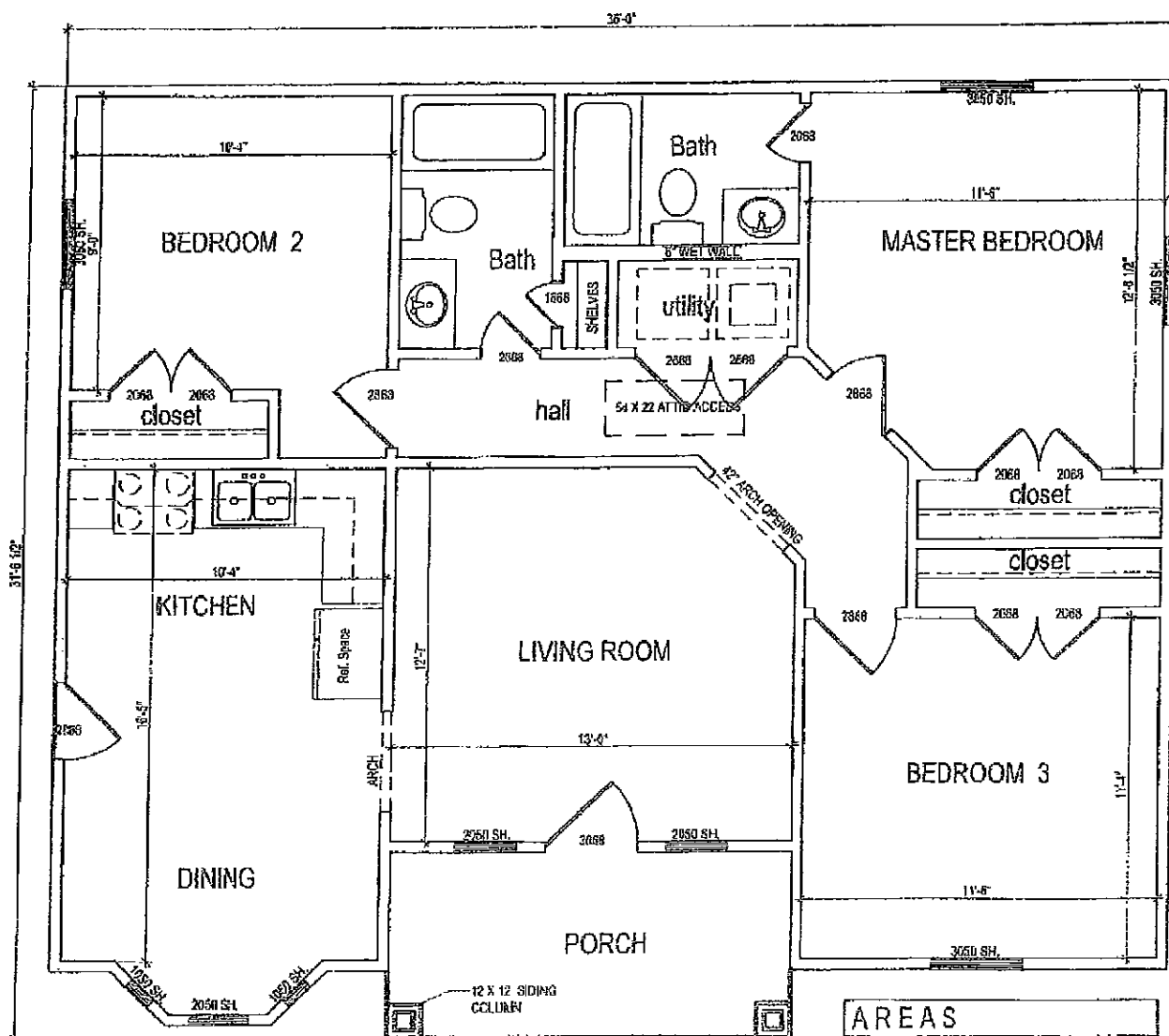
37'-2"



AREAS	A
LIVING	990
PORCH	29
TOTAL	1019

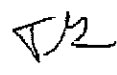


AREAS		
LIVING AREA	1,100	SQ. FT.
PORCH AREA	25	SQ. FT.
TOTAL AREA	1,125	SQ. FT.



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

To: Planning & Zoning Commission

From: Tom Ginter, Director of Planning & Development Services 

Date: January 8, 2014

Subject: Agenda Item #3 Requesting approval for the preliminary final plat of 1.25 acres  
EVA, BLOCK 1, Lot 1-9 and CLYDE, BLOCK 2, Lot 1-3

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It is my belief that the discussion concerning the development will occur during the preliminary plat agenda item. Consequently what happens then, will most likely dictate the outcome of his agenda item. I do not see the need to repeat the information for this item.

If you have any questions about any of the agenda items, please let me know.

## **AGENDA ITEM #12**



**RESOLUTION #2015-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSULTANT CONTRACT WITH CK CONSULTING FIRM, LLC FOR PLANNING, ZONING, AND DEVELOPMENT RELATED ISSUES; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has experienced development growth recently and has benefited from having a planning, zoning, and development consultant assist with special projects; and

**WHEREAS**, staff has requested and received a six month contract to have a planning, zoning, and development consultant on retainer for various urban planning, policy planning, development review and other planning issues from CK Consulting, who has performed such services for the City previously and is familiar with City goals and objectives; and

**WHEREAS**, the City currently has financing in place to proceed with this contract; and

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Consultant Contract with CK Consulting Firm, LLC for planning, zoning, and development issues in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

**PASSED AND APPROVED** by a majority vote of the City Commission on the \_\_\_\_\_ 9th day of \_\_\_\_\_ February \_\_\_\_\_, 2015.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

To: Vince Capell, City Manager

From: Tom Ginter, Director of Planning and Development Services

Date: January 16, 2015

Subject: Agenda Item: Consider a resolution authorizing the City Manager to enter into a consulting contract with CK Consulting Firm, LLC for planning, zoning and development related issues

Attached is an agreement with CK Consulting Firm, LLC for planning services. The service/financial highlights of the agreement are the following:

- A. CK Consulting will provide 12 hours of basic services per month. Basic services include phone calls, research, review of plans and other assistance that helps us with day to day assistance. Mike and I along with a review of the Master Plan have come up with additional projects that can be worked on to ensure that the City utilizes the 12 hours of service that we will be paying for. These projects/work are:
  - 1. Analyzing and Updating the Comprehensive Housing Plan that was written in 2011
  - 2. Review of driveway codes and other code review that impacts the quality of a development
  - 3. Infill Area Study and Policy
  - 4. Review of Downtown Mixed Use Codes

The agreement does allow for the fact that if we find that if one of the above projects or another one that could come along require more than the hours that we are responsible for then a separate agreement could be written up.

- B. For the 12 hours of basic service, the City will be billed \$1,000.00 dollars a month. The contract is good for 6 months.

Summary:

Since I have started I have called Mike a number of times for assistance. In addition to his planning expertise he has valuable past history experience pertaining to Kingsville. Both of those qualities have been very helpful for me when I have talked to him about certain planning issues. I do think the 12 hours is sufficient for the day to day assistance and the work that we have suggested above. This would mean a \$6,000.00 dollar expenditure that would expire approximately August 1 if made effective February 1. While I do have some professional services fund available to pay for the first month or two, I would need a budget amendment at some point in time for this agreement.



## **AUTHORIZATION FOR PROFESSIONAL SERVICES**

**Project Name** Professional Planning & Land Use Services on a retained basis

**Client** City of Kingsville, TX

**Contact:** Tom Ginter

**Address** 200 E. Kleberg Ave.  
P.O. Box 1458  
Kingsville, TX 78364

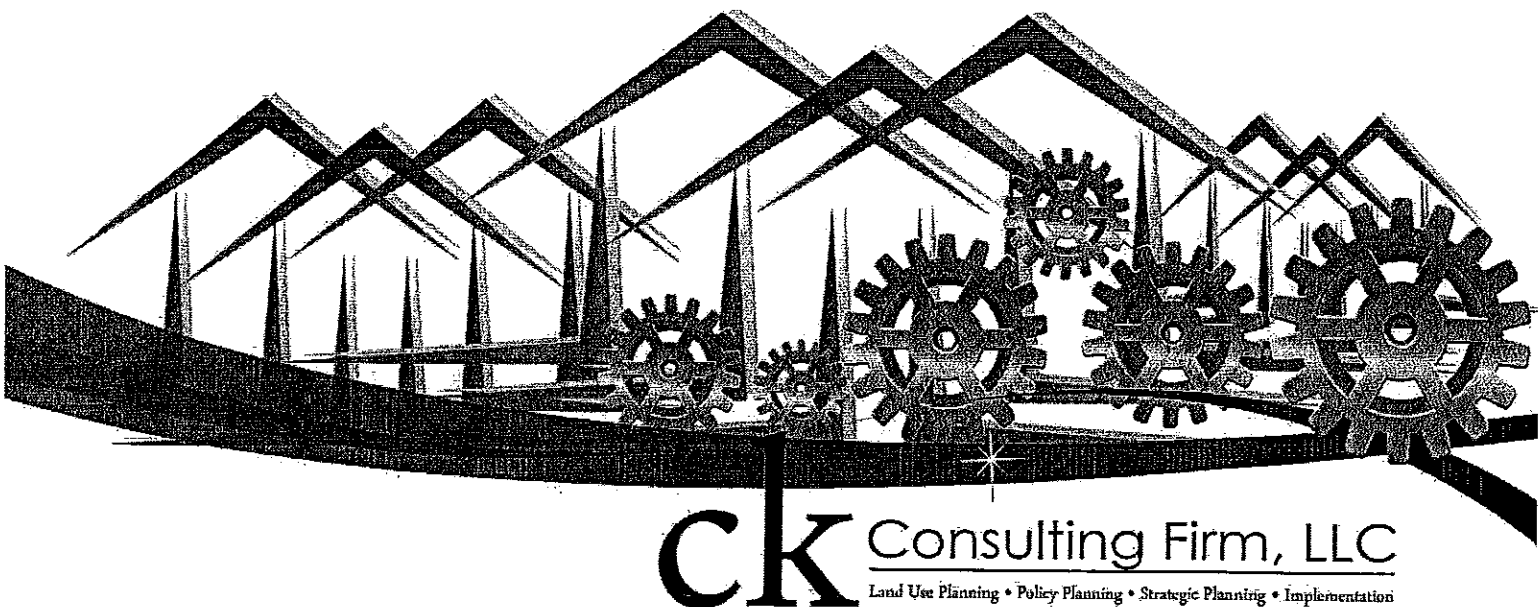
**Phone:** (361)595-8053

Hereby request and authorize CK Consulting Firm, LLC to perform the following services:

**Scope** The basic scope of work are those services described in the enclosed letter/proposal dated November 12, 2014. This agreement will allow the City to substitute and/or add work as agreed by both parties under the same terms and conditions unless also modified by agreement of both parties.\*

**Compensation** To be invoiced monthly in the amount of One Thousand Dollars (\$1,000.00), for 12 hours of Basic Services. Billable hours in excess of the base 12 hours per month covered in the monthly retainer will be \$100.00 per hour. For Special Matters the hourly rate will be \$110.00

**Additional Services** Beyond the basic scope of work included in the Authorization and only as authorized in writing by the client, City of Kingsville c/o Tom Ginter, additional services outside of this agreement shall be negotiated on an as needed basis and shall be agreed upon by both parties. The terms of the agreement include the attached proposal letter from CK Consulting Firm, LLC to Mr. Tom Ginter, dated November 12, 2014, the Authorization for Professional Services and the document entitled "Provisions" attached hereto.



November 12, 2014

City of Kingsville  
Attn: Mr. Tom Ginter  
200 E. Kleberg Ave.  
P.O. Box 1458  
Kingsville, TX 78364

RE: Response to Request for Proposal: Planning Consulting via Retained Services

Dear Mr. Ginter,

Thank you for the opportunity to submit this formal quote for professional consulting services on a retained basis over the agreed upon timeframe. This proposal is in response to your request for a proposal on November 10, 2014, and based on subsequent discussions pertaining to some of your identified needs. I look forward to serving you and the City in this role over the next several months.

As you know, CK Consulting offers a wide range of experience including urban planning, policy planning (i.e. code reviews and amendments), development review and numerous other planning practices. Due to my intimate knowledge of the goals and objectives of the City of Kingsville, TX, I'm confident you will be provided with unmatched service.

CK Consulting proposes the following based on your specific request:

**Scope of Work to Be Performed:**

Planning, zoning & development related consulting services will be performed as needed and as requested by Mr. Tom Ginter. The monthly retainer for CK Consulting services will be \$1000.00 per month, which includes up to 12 hours per month in services. This amount will be billed monthly. This retainer fee includes a discounted hourly rate for Basic Planning, Zoning and Development related consulting services. The hourly rate for Basic Planning, Zoning and Development services (work done with regard to Basic Services as further described below) in excess of the base 12 hours per month covered in the monthly retainer will be \$100.00 per hour. For Special Matters my hourly rate will be \$110.00.

As requested, the term of this agreement will be for six months, unless terminated as set forth herein and in the provisions, or as extended by agreement with the City Commission or Authorized City Executives.

Basic Services include items such as participating in conference calls with city staff or officials to discuss emerging matters, assistance in research and analysis of land use applications, reviewing site/development plans as needed, assistance in staff report/ordinance submittal preparation, etc.; i.e., basically providing the City with Planning and Land Use representation regarding day-to-day operations.

Special Matters only include creation and/or re-writing of code sections, economic development incentive review/analysis/negotiation, plan writing, site design; and any matter deemed a Special Matter by agreement of the City and CK Consulting. Please note that a matter that is not classified as a Special Matter is automatically considered a Basic Service. I take seriously the responsibility to provide high level planning and land use services within the City's budgetary resources, just as you would expect of other City staff/departments.

The enclosed are the Provisions of the agreement for services which shall govern the relationship unless otherwise agreed upon in this agreement or the Authorization for Services, but please note the following:

- I will not charge the City for facsimiles or long distance telephone charges;
- I will not charge the City for in-house photocopies which do not exceed 100 copies per month, and copies over that amount will be charged at \$0.12 per page. Outside professional printing (e.g. Kinko's) will be billed based on the actual cost incurred;
- I do not charge for regular mail. Bulk mailings, packages and/or special postal services will be charged at the actual costs;
- I will charge the City for mileage expense at the applicable rate established by the IRS for travel required for City business.
- Periodic billing for services will be submitted on a monthly basis as described within this proposal and within the Authorization for Services. Invoices will be due upon presentation, and are due no later than 30 days following the invoice date. If any statement remains unpaid 60 days after the invoice date, CK reserves the right to terminate its services, consistent with applicable Rules of Professional Conduct.

#### Reimbursables

In the event overnight travel is required, an additional fee of \$750.00 per day, plus all incurred travel costs will be billed as an addendum to the original agreed upon amount for services. No travel will be scheduled without prior written approval from the City of Kingsville.

If you have any questions regarding the terms of this agreement, or if you ever have a question about my charges, or other matter related to this proposal, please contact me at your convenience to discuss the matter. CK Consulting's role as planning and land use consultants for the City will begin upon receipt of the signed Authorization for Services (by email or mail). Thank you for choosing CK Consulting Firm, LLC, to provide these important services to your City. I look forward to our continued partnership.

Sincerely,



Mike Kellam, AICP

ck Consulting Firm, LLC

Enclosure(s)

Approved by Client:  
**City of Kingsville**

Accepted by: **ck** Consulting Firm, LLC

**Tom Ginter, Director of Planning &  
Development Services**

Signature: \_\_\_\_\_

Signature: Michael Kellam

Printed  
Name: \_\_\_\_\_

Printed  
Name: Michael Kellam

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Title: Owner/CEO Date: 11/12/14

*\*This agreement is for the provision of professional planning and zoning services, and not for legal, business, personal, or other advice not constituting planning and zoning services. It is agreed that the client is not relying upon CK Consulting Firm, LLC in this engagement for advice in areas other than professional planning and zoning services, even if such matters should be discussed in connection with the engagement.*

## PROVISIONS

1. **AUTHORIZATION TO PROCEED**  
Signing the attached Authorization for Professional Services shall be constructed as authorization by CLIENT for CK Consulting Firm, LLC. to proceed with the work, unless otherwise provided for in the Authorization.
2. **LABOR COSTS**  
In the event CK Consulting Firm, LLC.'s compensation is calculated by reference CK Consulting Firm, LLC.'s Labor Costs, Labor Cost shall be the amount calculated by the number of hours actually worked by each of CK Consulting Firm, LLC.'s employees in CLIENT'S Project, multiplied by an amount charged for employees on the CLIENT'S project, multiplied by an amount charged for each such employee's work, which is calculated by dividing each such employees' annualized, non-overtime compensation (whether salary or paid to such employee at an hourly rate, as the case may be) divided by 2,080 hours per year.
3. **DIRECT EXPENSES**  
CK Consulting Firm, LLC.'s direct expenses shall be those costs incurred on or directly for the CLIENT's project, including but not limited to necessary transportation costs including mileage at CK Consulting Firm, LLC.'s current rate when it or its employees' automobiles are used, meals and lodging, computer services, word processing services, telephone, printing and binding charges. Reimbursement for these EXPENSES shall be on the basis of actual charges when furnished by commercial sources and on the basis of usual commercial charges when furnished by CK Consulting Firm, LLC. plus an additional amount added to the cost of these services for CK Consulting's administrative costs.
4. **OUTSIDE SERVICES**  
When technical or professional services are furnished by an outside source, when approved by CLIENT, an additional amount shall be added to the cost of these services for CK Consulting Firm, LLC.'s administrative costs, as provided in this Authorization.
5. **COST ESTIMATES**  
Any cost estimates provided by CK Consulting Firm, LLC. will be on a basis of experience and judgment, but since it has no control market conditions or bidding procedures CK Consulting Firm, LLC. cannot warrant that bids or ultimate construction cost will not vary from the cost estimates.
6. **PROFESSIONAL STANDARDS**  
CK Consulting Firm, LLC. shall be responsible, to the level of competency presently maintained by other practicing professional services firms in the same type of work in CLIENT's community, for the professional and technical soundness, accuracy, and adequacy of all project management, planning, consulting, and other work and materials furnished under this Authorization.
7. **TERMINATION**  
CLIENT or CK Consulting Firm, LLC. may terminate this authorization by giving 30 day's written notice to the other party. In such event CLIENT shall forthwith pay CK Consulting Firm, LLC. in full, for all work previously authorized and performed prior to effective date of termination. If no notice of termination is given, relationship and obligations created by this Authorization shall be terminated upon completion of all applicable requirements of the Authorization.
8. **LEGAL EXPENSES**  
In the event legal action is brought by CLIENT or CK Consulting Firm, LLC. against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for fees, cost and expense as may be set by the court.
9. **PAYMENTS TO CK Consulting Firm, LLC./INTEREST ON PAST DUE AMOUNTS**  
Monthly invoices will be issued by CK Consulting Firm, LLC. for all work performed under the terms of this Authorization. Invoices are due and payable on receipt. Interest at the rate of 1 ½ % per month will be charged on all past-due amounts, unless precluded by law. Any interest charged or collected, in excess of the highest legal rate, will be applied to the principal amount owed to CK Consulting Firm, LLC., and if such interest exceeds the principal balance of CLIENT's indebtedness to CK Consulting Firm, LLC. will be returned to CLIENT. It is the intent of CK Consulting Firm, LLC. and CLIENT to abide by all applicable laws regulating the maximum amount of interest that may be charged.
10. **TIMES FOR RENDERING SERVICES**  
CK Consulting Firm, LLC.'s services and compensation under this Agreement are agreed to in anticipation of the orderly and reasonably continuous progress of the work through completion. If, in this Agreement, specific periods of time for rendering services are set forth or specific dates by which services are substantially to be completed or provided, and if such periods of time or dates are changed through no fault of CK Consulting Firm, LLC. the rates and amounts of compensation provided for herein shall be subject to equitable adjustment. If the work is temporarily suspended beyond a continuous period of more than sixty days through no fault of CK Consulting Firm, LLC. and subsequently restarted, a remobilization fee of 3% of the total anticipated compensation will be added to cover administrative and staffing adjustment s. If the CLIENT authorizes or requests changes in scope, extent, or character of the work (in writing), the time of performance of CK Consulting Firm, LLC. services shall be adjusted equitably.
11. **LIMITATION OF LIABILITY**  
CK Consulting Firm, LLC.'s liability to the CLIENT for any cause or combination of causes is in the aggregate, limited to an amount no greater than the fee earned under this agreement.
12. **ADDITIONAL SERVICES**  
Services in addition to those specified in Scope will be provided by CK Consulting Firm, LLC.'s if authorized in writing by CLIENT. Additional services will be paid for by CLIENT as indicated in the Letter of Proposal, Task Authorization, or such other documents as deemed appropriate by CLIENT/ CK Consulting Firm, LLC., and which is referenced under Compensation/Additional Services.
13. **SALES TAX**  
If in accordance with the State Sales Tax Codes, certain services are taxable, then applicable sales tax is not included in the fee described herein. Sales tax at an applicable rate will be indicated on invoice statements, as required.

In case one or more of the provisions contained in this authorization contract shall be held illegal, the enforceability of the remaining provisions contained herein shall not be impaired thereby.



## **AGENDA ITEM #13**

## **AGENDA ITEM #14**