

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION**

**MONDAY, OCTOBER 27, 2014  
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 –October 13, 2014

APPROVED BY:

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

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

1. Public hearing to consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Lot 1, Brentwood Subdivision, known as 1106 North Armstrong from R3 Multi-family Residential District to C2 Retail District, amending the comprehensive plan to account for any deviation from the existing comprehensive plan; applicant Yolanda Zapata. (Director of Planning and Economic Development).

### **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 fiscal year 2014-2015 budget for the General Fund to provide funding for building improvements to the city property at 2211 South Brahma Blvd. (Director of Finance).
2. Motion to approve resolution authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Boys & Girls Club of Kingsville (Police Chief).
3. Motion to approve the appointment of Mr. Alonzo Lopez, Jr. to the Civil Service Commission to serve a three (3) year term. (Director of Human Resources).

#### **REGULAR AGENDA**

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

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

4. Consider authorizing the purchase of a John Deere backhoe for the Water Construction Department via BuyBoard, as per staff recommendation. (Director of Purchasing and IT).
5. Consider awarding bid (#15-01) for commercial base limestone to be purchased as needed for the Street Department, as per staff recommendation. (Director of Purchasing and IT).
6. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Lot 1, Brentwood Subdivision, known as 1106 North Armstrong from R3 Multi-family Residential District to C2 Retail District, amending the comprehensive plan to account for any deviation from the existing comprehensive plan. (Director of Planning and Economic Development).
7. Consider a resolution establishing the City of Kingsville Investment Policy and Investment Strategies, designating the City Manager, Director of Finance, and City Accounting Manager as the authorized city representatives with full authority for investment purposes, and providing for disclosure of financial interest. (Director of Finance).

## VII. Adjournment.

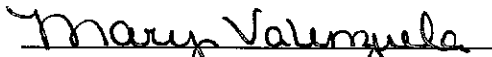
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

### NOTICE

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

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

October 21, 2014 at 11:00 A.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)**

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OCTOBER 13, 2014

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 13, 2014 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

**CITY COMMISSION ABSENT:**

Arturo Pecos, Commissioner

**CITY STAFF PRESENT:**

Vince Capell, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
David Mason, Purchasing/IT Director  
Deborah Balli, Finance Director  
Tom Ginter, Director of Planning & Development Services  
Leo Alarcon, Tourism Director  
Emilio Garcia, Health Director  
Diana Gonzales, Human Resources Director  
Bill Donnell, Assistant Public Works Director  
Charlie Cardenas, Public Works Director/Engineer  
Joey Reed, Fire Chief  
Ricardo Torres, Police Chief  
Susan Ivy, Parks Director  
Robert Rodriguez, Library Director  
Melissa Perez, Risk Manager  
Willie Vera, Task Force Commander  
Jessica Storck, Administrative Assistant  
Cynthia Martin, Downtown Manager  
Rose Morrow, Municipal Court Manager  
Frank Garcia, Wastewater Supervisor

**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 four Commission members present. Commissioner Pecos absent.

**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**

Mayor Fugate requested that a separate vote be taken for the minutes of September 2, 2014 as he will be abstaining from voting on this set due to his absence at this meeting. No objections were made by the City Commission.

Special Meeting – September 2, 2014

**Motion made by Commissioner Pena to approve the minutes of September 2, 2014 as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Leubert, Pena voting "FOR". Fugate "ABSTAIN".**

Special Meeting – September 3, 2014  
Regular Meeting – September 8, 2014  
Special Meeting – September 15, 2014  
Special Meeting – September 18, 2014  
Regular Meeting – September 22, 2014

**Motion made by Commissioner Pena to approve the minutes of September 3<sup>rd</sup>, September 8<sup>th</sup>, September 15<sup>th</sup>, September 18<sup>th</sup>, and September 22, 2014 as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Leubert, Pena, Garcia, Fugate voting "FOR".**

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

1. NONE.

## **III. 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. Vince Capell, City Manager, introduced Mr. Tom Ginter, new Director of Planning & Development Services. Mr. Ginter's first day of work was on Monday, October 13, 2014. Mr. Capell further announced the City of Kingsville Game Night 2014 Employee Appreciation Event which is scheduled for Saturday, November 1, 2014 @ 4:30 p.m. at Texas A&M University - Kingsville.

Mrs. Courtney Alvarez, City Attorney, reported that the next City Commission meeting is scheduled for Monday, October 27, 2014 with a deadline to submit agenda items Thursday, October 16, 2014.

Mayor Fugate presented a proclamation for National Domestic Awareness Month to Ms. Elvia Garcia and Ms. Erica DeLaPaz representatives of the Women's Shelter.

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

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

No public comments.

**V.**

**Consent Agenda**

**Notice to the Public**

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

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

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

- 1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Land Use, Article 3, Subdivisions, Sections 15-3-15 through 15-3-25, revising the platting procedures. (Interim Director of Planning & Development Services).**
- 2. Motion to approve out-of-state travel for the City Engineer/Public Works Director and the Wastewater Supervisor to tour and evaluate the Centrisys facility in Kenosha, Wisconsin in late October or November of 2014, with all travel and lodging expenses paid by the company. (City Engineer/Public Works Director).**
- 3. Motion to approve membership renewal with Electric Reliability Council of Texas ("ERCOT") for 2015 membership year. (City Attorney).**
- 4. Motion to approve a resolution authorizing the City Manager to enter into an engagement letter agreement between the City of Kingsville, Texas and John Womack & CO., P.C. for the 2013-2014 Fiscal Year Audit. (Finance Director).**
- 5. Motion to approve appointment of Jonathan Plant to the Historical Development Board for a three year term. (Downtown Manager).**

**REGULAR AGENDA**

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

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

- 6. Consider authorizing participation in the Kingsville Heritage Rodeo & Cook-off, November 21 & 22, 2014 during the King Ranch Breakfast and the Ranch Hand Festival. (Director of Tourism).**

Mr. Leo Alarcon, Tourism Director, reported that the Kingsville Chamber of Commerce is requesting sponsorship from the City of Kingsville for Kingsville Heritage Rodeo & Cook-off. This event is to be held in November, 2014 during the weekend of the King Ranch Breakfast and the Ranch Hand Festival, November 21<sup>st</sup> & 22<sup>nd</sup>, 2014. It is being requested that the City donate an estimate of \$10,000 in in-kind services. The Board is requesting City support in the form of the rental fee of \$3,000 for the Expo Center at Dick

Kleberg Park, advertising from the department of Tourism in the amount of \$2,800, security from the Kingsville Police Department and Task Force Agency to total an estimate of \$4,000, and trash pickup of Friday and Saturday nights for an estimated total of \$200.

Commissioner Leubert commented that within the agenda packet there are two memos, one requesting \$10,000 in in-kind services submitted by Mr. Alarcon and the other requesting \$5,000 in cash with \$5,000 in in-kind services submitted by Mrs. Alice Byers of the Kingsville Chamber of Commerce. Leubert requested some clarification between both memos as to which request is accurate.

Mrs. Alice Byers responded by stating that after she and Mr. Alarcon spoke, it was decided that Mr. Alarcon's memo is the correct memo which states the request of \$10,000 in in-kind services with no cash donation.

Commissioner Garcia commented that he has a concern with these types of request being made on the newly acquired J.K Northway. He further stated that he recalls a discussion about these types of request and the giveaway programs that Kleberg County had in the past, which put the Parks in the condition they are in now. Garcia stated that he is all in supporting the community, but these types of events should come before the City Commission prior to them being scheduled.

Mr. Capell commented that some of the upcoming events for this year were already pre-scheduled and pre-approved through the County, to which back then they controlled the J.K. Northway. Capell continued to state that with next year's events, they will be brought to the City Commission if any request of support is being made from the City.

Mayor Fugate commented that if a request is being made for any fees to be waived, fees should be paid by the City and given to the Parks Department. He further stated that he doesn't want for organizations to try and take advantage by requesting waivers. These types of request should be looked into on a case by case basis.

Commissioner Pena commented that a Commission workshop may be needed to evaluate all the different types of events that occur in Kingsville.

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

**7. Consider introduction of an ordinance amending the fiscal year 2014-2015 budget for the General Fund to provide funding for building improvements to the city property at 2211 South Brahma Blvd. (Director of Finance).**

Mrs. Deborah Balli, Finance Manager, reported that this amendment is for work that needs to be completed at the GCS Building. Work was started last fiscal year for a total budget of \$20,325, of which \$12,309 of that work was done with the remaining balance going into fund balance. The work still needed to be completed at the GCS Building totals to \$16,989.

Commissioner Garcia asked when the tenant will be occupying the building. Mrs. Jessica Storck, Administrative Assistant, responded that the tenant will occupy the building on October 15, 2014. Commissioner Garcia further asked if the additional money that is being requested is for unpaid work that has already been done.

Mr. Capell commented that he has already authorized the work to be done as he felt that the City Commission would have wanted it to be done.

Mayor Fugate commented that the Commission would have wanted it done.

Commissioner Leubert asked for the total amount for the renovation. Mrs. Balli commented that the total is about \$30,000.

**Introduction item.**

**8. Consider a resolution authorizing the Mayor to enter into a Concession Agreement between Kleberg County and the City of Kingsville for the L.E. Ramey Golf Course. (City Attorney).**

Mrs. Alvarez reported that with regards to this agreement, Kleberg County contacted the Department of Interior and any time that Federal Land is under contract or going to be leased, the Department of Interior has a preferred template that they would like to see in place. This template is called a concession agreement. The Department of Interior requires initials by certain paragraphs for mandatory language, mandatory applicable and optional applicable. Mrs. Alvarez further commented that when the County Attorney contacted the gentleman with the Department of Interior, he strongly recommended that their template be used, which should facilitate and ease the process in getting it through the support center within the Department of Interior.

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

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:25 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

# **PUBLIC HEARING(S)**

# **PUBLIC HEARING #1**



# Planning Department

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**TO:** Vince Capell, City Manager  
**FROM:** Tom Ginter, Director of Planning & Development Services  
**SUBJECT:** Introduction Rezone Approval Request  
**DATE:** October 20, 2014

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Reference is made to a request for approval of a change in zoning of 1 lot addressed at 1106 N. Armstrong. The petitioner is requesting a zoning district change from Multi-Family (R3) to Commercial District (C2) in order to facilitate the development use of this property as a restaurant.

The Planning & Zoning Commission voted to approve the rezoning request by a vote of 0-0. City Staff agrees with the Planning & Zoning Commission's findings and recommends APPROVAL of this request by City Commission.

**ORDINANCE #2014-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO LOT 1, BRENTWOOD SUBDIVISION, KNOWN AS 1106 NORTH ARMSTRONG FROM R3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C2 RETAIL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Yolanda Zapata, 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, October 22, 2014 during a meeting of the Planning and Zoning Commission, and on Monday, October 27, 2014 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning Commission by a     -     vote **APPROVED/DENY** 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 Lot 1, Brentwood Subdivision, known as 1106 North Armstrong from R3 Multi-Family Residential District to C2 Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 27th day of October, 2014.

**PASSED AND APPROVED** on this the \_\_\_\_<sup>th</sup> day of November, 2014.

**THE CITY OF KINGSVILLE**

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

**ATTEST:**

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

**APPROVED:**

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

# **Staff Report to the PLANNING & ZONING COMMISSION and CITY COMMISSION**

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

**Request: APPROVAL FOR THE REZONING OF 1106 N ARMSTRONG FROM R-3 TO C-2 FOR THE PURPOSE OF USING THE EXISTING BUILDING FOR COMMERCIAL PURPOSES NAMELY A RESTAURANT.**

Petitioner and Agent: Yolanda Zapata, Owner  
Date of P&Z Hearing: October 22, 2014

Comprehensive Plan Land Use: Residential

Existing Zoning Classification: R-3 Multi-family Residential

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North: R-3 Multi-family Residential and C-2 Retail

East: R-3 Multi-family Residential

South: R3- Multi-family Residential and C-2 Retail

West: Texas A & M University - Kingsville

## **EXISTING INFRASTRUCTURE**

Transportation: Armstrong Avenue

Community Facilities: Services Provided

Capital Improvements: Public Service Improvements, Sanitary Sewer & Storm Water Collection

Fire Station Proximity: Within 2 miles

100 Year Flood Plain: The property is within Flood Zone C

## **EXHIBITS PRESENTED**

- Chapter 15 of the Kingsville Code of Ordinances (present at the meeting)
- City of Kingsville Master Plan (present at the meeting)
- Site Plan
- Application for rezoning

## **BACKGROUND AND HISTORY**

The petitioner is requesting approval for the rezoning of BRENTWOOD, LOT 1 also known as 1106 N. Armstrong from R-3 to C-2. The owner of the property, Yolanda Zapata, would like to house a restaurant in the house at this address. Rezoning the property C-2 would allow this as well as continued use as a multi-family residence. The Javelina zoned C-2, face Armstrong Avenue sits one block north of the subject property. The lots further north along Armstrong to Corral Avenue are also zoned C-2. Going south along Armstrong Avenue from the subject property 60% of the lots between Avenue B and Richard Street are zoned C-2. These properties are a mixture of residential properties and retail establishments including a Subway restaurant, convenience stores and a strip mall.

**FIELD INSPECTION AND PERTINENT DATA**

A field inspection of the property has shown that the building on the subject property is a multi-family dwelling.

**STAFF REVIEW AND RECOMMENDATIONS**

In general, the Planning and Zoning Commission considers the following factors when 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 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. 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 not detrimental to public health, safety and welfare.
4. Whether the proposal is not detrimental to existing or potential adjacent land uses.
5. Whether the proposal will not likely generate traffic levels inappropriate, hazardous or detrimental to the existing or potential nearby land uses.

Prepared by: Cynthia Martin  
Cynthia Martin, Interim Director of Planning and Development Services

361-228-3486  
Ramy

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1106 N. Armstrong Nearest Intersection Armstrong + Ave B  
(Proposed) Subdivision Name N/A Lot \_\_\_\_\_ Block \_\_\_\_\_  
Legal Description: Lot 1, Bentwood Subd, Kingsville TX  
Existing Zoning Designation R-3 Future Land Use Plan Designation COMM C-2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Yolanda Zapata Phone 720-0586  
Email Address (for project correspondence only): none  
Mailing Address 1923 Bettye Dr City Kingsville State TX Zip 78363  
Property Owner Yolanda Zapata Phone 361-720-0586  
Email Address (for project correspondence only): none  
Mailing Address N/A City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

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

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

Please provide a basic description of the proposed project: Relocate Cafe 5  
from 634 E. King Ave, Kingsville, Texas  
to 1106 N. Armstrong Ave, Kingsville, TX  
(across the street from TAMUK).

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: Yolanda Zapata Date: \_\_\_\_\_

Property Owner(s) Signature: Yolanda Zapata Date: 9-15-14

Accepted by: Jessica Jorck Date: 9-15-14

1- Request Rezone 1106 N. Armstrong (R3)  
To C2.

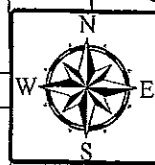
2- Attached

3- Attached

~~4- East R3, To South R3, W. Unver  
To N, R3~~

5- R3

# City of Kingsville



21009

**Wells**

**Avenue C**

21009

*ARM*

**Armstrong**

12703

20427

18037

18817

22353

20468

11869

**Avenue B**

21009

*ARM*

11230

12046




12838

22074

17973

**Avenue A**

## Legend

-  Ownership - Jun 2014
-  1106 N. Armstrong
-  200' Radius

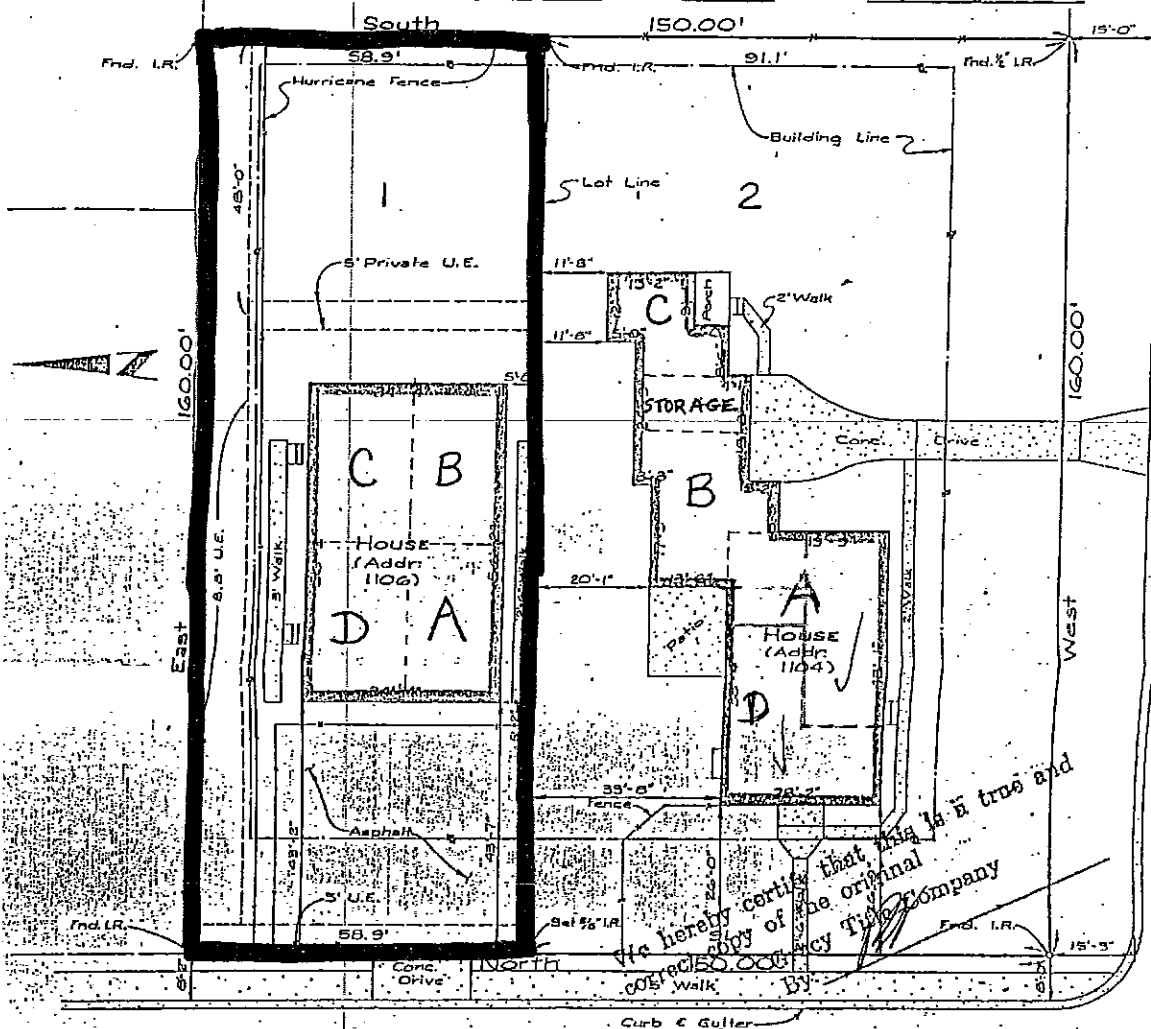
**DISCLAIMER**  
THIS MAP IS FOR VISUAL PURPOSES ONLY.  
THE INFORMATION ON THIS SHEET MAY  
CONTAIN INACCURACIES OR ERRORS.  
THE CITY OF KINGSVILLE IS NOT  
RESPONSIBLE IF THE INFORMATION CONTAINED  
HEREIN IS USED FOR ANY DESIGN,  
CONSTRUCTION, PLANNING, BUILDING,  
OR ANY OTHER PURPOSE.



**CITY OF KINGSVILLE  
ENGINEERING DEPARTMENT**  
200 E. Kleberg  
Kingsville, Texas 78363  
Office: 361 595 8005  
Fax: 361 595 8035

# SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:  
 This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at  
1104 Armstrong  
NO. 1106 Armstrong in the city of Kingsville, Texas, described as follows:  
 Lot No. 1 and 2, Block No. \_\_\_\_\_ of BENTWOOD SUBDIVISION  
 Addition, according to the \_\_\_\_\_ plat recorded in Envelope 148  
 of the Map Records of Kleberg County, Texas Buyer: Gary S. Bagelman



**ARMSTRONG AVE. (60' R.O.W.)**

NOTE: Tie is from lot line to foundation of house. House measured from wall to wall.

"TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE TITLE INSURANCE COMPANY RELYING HEREON"

The undersigned does hereby certify that the survey was this day made on the ground of the property locally described herein, and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary conflicts, encroachments, overlapping of improvements, easements or right of ways, except as shown herein and that said property has access to and from a dedicated roadway.

"This is to certify that I have consulted a Federal Insurance Flood Hazard Map and found that the property described herein is \_\_\_\_\_ (or) is not ☒ located in a special flood hazard area."

Dated: 14<sup>th</sup> day of February, 19 85.

SIGNED: Patrick W. Coym

Scale: 1" = 20'

**C&RE** **COYM & REHMET ENGINEERING INC.**  
 CONSULTING ENGINEERS SURVEYORS  
 ALICE TEXAS



## County Agent's Corner

### Private pesticide applicator training set

**A**s temperatures cool down, landowners typically begin planning and weed management strategies. To assist these landowners, the extension office will be providing a private applicator pesticide training.

A private pesticide applicator is defined as someone who uses or supervises the

use of restricted-use or state-limited-use pesticides or regulated herbicides to produce an agricultural commodity (cotton, grain, beef, etc.) on:

- Personally owned property;
- Rented property;
- Property owned by his or her employer;
- Property under his or her general control; or
- The property of another person, if applied without compensation, other than the trading of personal services between

producers of agricultural commodities.

Many of the chemicals available provide effective control, if used properly. However, a pesticide license may be required to purchase and use some of the products. The numerous rules, regulations and laws that govern the sale and use of pesticides can be confusing.

Individuals interested in obtaining a private applicator license must attend a private pesticide applicator training, submit an application with appropriate fee to the Texas Department of Agriculture,

and pass an exam (score of 70 or better).

The training is scheduled for Tuesday, Nov. 4, beginning at 8:30 a.m. at the County Extension Office (729 E. Yoakum). Once the three-hour training is complete, individuals will be given instructions on how to schedule their exam and submit their application to the Texas Department of Agriculture.

Anyone interested must come by the Extension Office no later than Oct. 24 to pay (\$50) for the training and study materials.

### Chamber welcomes Flourishing Hope Counseling



The Kingsville Chamber of Commerce held a ribbon cutting for Flourishing Hope Counseling on Wednesday, Sept. 24. The counseling service is located in the Chamber of Commerce building at 635 E. King Ave. Angel Hoodye, MSW, offers all types of counseling services and looks forward to helping those who she serves. (Submitted item)

### Chamber hosts ribbon cutting for Javelina Station



The Kingsville Chamber of Commerce held a ribbon cutting on Tuesday, Sept. 23, for Javelina Station Student Housing, located at 1300 W. Corral. The newly remodeled facility is for Texas A&M University-Kingsville students and staff to live. Jacob Gutierrez and Genesis Urban welcomed those in attendance and gave them a tour of the facility. (Submitted item)

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, October 22, 2014 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 - Yolanda Zapata, Owner - Requesting the rezone of Bentwood Lot 1, also known as 1106 N. Armstrong rezoned from (R3) Multi-Family District to (C2) Retail District.**

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

### PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, October 27, 2014 at 6:00 p.m. wherein the City Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

**ITEM #1 - Yolanda Zapata, Owner - Requesting the rezone of Bentwood Lot 1, also known as 1106 N. Armstrong rezoned from (R3) Multi-Family District to (C2) Retail District.**

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### Clements speaks at state dental conference



Dr. Charles Clements, a local dentist practicing in Kingsville for more than 37 years, was recently a clinical speaker for the Texas Academy of General Dentistry Annual Meeting in Austin. Clements spoke on the many advantages of using lasers in the modern dental practice. The annual LoneStar Dental Meeting fosters continuing education for dentists as well as honoring the Texas Dentist of the Year. Clements, a master in the academy of general dentistry, lives with his wife and two dogs in Loyola Beach. Clements (far right) is pictured with fellow speakers and AGD officials in Austin. (Submitted item)

### Food inspection scores released

#### Staff Report

Food Service inspections are conducted on a quarterly schedule per year based on the risk category to insure compliance with the Texas Food Service Establishment Regulations and local food sanitation ordinances. Risk levels include low, moderate and high risk. Establishment scoring is based on a demerit system, as per the Texas Food Establishment Rules. There are two types of violations. Critical violations are five and four point demerits per violation and non-critical violations are three point

#### demerit violations.

Critical violations are improper practices and actions that directly contribute to food contamination and temperature abuse that may pose a potential risk to the public health, resulting in food borne illness. Critical violations must be corrected immediately or as directed by the Health Department.

Non-critical violations are unacceptable practices that normally relate to the physical condition of an establishment, including equipment, cleaning and storage.

Violations must be corrected before the next routine inspection or as directed by the Health Department.

- A & J Food Mart-100
- Dave's Quick Stop-100
- Subway/Bachman-100
- Sunny Market-100
- 4 Brezzer Drive Thru-100
- Donut Palace-96
- Kentucky Fried Chicken-94
- Stop & Shop-93
- Superette Food Mart-93
- Comfort Inn-88
- Star's Drive Thru-87
- Wendy's-87
- Kingsville Food Mart-86
- Mike's Stop & Shop-85

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# **CONSENT AGENDA**

# **AGENDA ITEM #1**

**ORDINANCE NO. 2014-**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 BUDGET FOR THE GENERAL FUND TO PROVIDE FUNDING FOR BUILDING IMPROVEMENTS TO CITY PROPERTY AT 2211 SOUTH BRAHMA BLVD.**

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

I.

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

CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
<b>Fund 001 General Fund</b>					
<u>Capital</u>					
2		Unreserved Fund Balance	61000		<u>\$17,000</u>
					<u>\$17,000</u>
<u>Expenses</u>					
5-1030	City Special	Building Maintenance	51100	<u>\$17,000</u>	
				<u>\$17,000</u>	

This item authorizes the Planning & Development Services Department to provide building improvements to a city-owned building located at 2211 S. Brahma Blvd. Improvements are needed in preparation for the lease of the building as discussed in the attached memo.

II.

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

III.

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

IV.

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

**INTRODUCED** on this the 13<sup>th</sup> day of October, 2014.

**PASSED AND APPROVED** on this the \_\_\_ day of \_\_\_\_\_, 2014.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



## Planning Department

**TO:** Mayor and Commission Members

**THROUGH:** Vince Capell, City Manager

**FROM:** Jessica Storck – Administrative Assistant II Planning Department

**SUBJECT:** Budget Amendment – GCS Building Improvements

**DATE:** October 6, 2014

Reference is made to the June 23<sup>rd</sup>, 2014 City Commission meeting in which Robert Isassi updated City Commission on the existing condition of the Global Contact Services (GCS) building located at 2211 Brahma Blvd. As previously discussed, the City has already begun partnering with the local university by leasing the building to the university to attract Eagle Ford Shale companies to Kingsville for research. In order to make the building move-in-ready, the City is continuing to make repairs, perform maintenance, and update certain aspects of the building before leasing.

In FY14, the beginning budget for the Fund 001 the balance was \$20,325.00. We used \$12,309.30 and had a remainder of \$8,015.70, which was not expended and lapsed at the end of FY14 on 9/30/2014.

The breakdown of the needed work completed is as follows:

Fire Inspection & Fire Equip Maintenance \$2564.84  
Cost to perform a fire alarm and system check from a certified company to ensure that the existing alarm system is working. Cost to maintain the existing fire extinguishers which have not been checked since 2007 and to replace rechargeable batteries for emergency lighting.

Plumbing \$3619.46  
Installed rebuild kit for 10 commodes. Remove and replace 10 lavatory faucets with flex lines. Repair 10 urinals, replace 20 gallon water heater and mop sink with faucet.

Carpentry \$550.00  
Cost to replace rear storage area exit door, construct new stairs to the building, and waterseal the building.

AC Repairs \$5575.00  
Inspected rooftop units fixing minor repairs and cleaning. Replaced burnt blower motor and clean coils, added freon, replaced thermostat and unclog drain on 9 systems.

In FY15 additional funds are needed to complete the move in ready project at the GCS Building.

Ceiling Tiles \$3639.20  
Replace approximately 80 ceiling tiles that had water damage from a faulty AC system. Also replace the tile outside of the building under the awning that was soaked with feces from birds living in awning.

Locksmith \$105.00  
Drill opened the combination lock that had no code.  
Sanitation

Sanitation \$8645.00  
Sanitize bathrooms, clean building, wax and strip floors, sweep, vacuum, mop, and clean windows and glass doors.

Electrical Repairs \$3800.00  
Repair light fixtures that are not working, disconnect Every other light so electricity is not consumed.  
Remove all existing power poles in bull pens and disconnect splice box above ceiling tile.

City staff is requesting a total of \$17,000.00 (includes a 6% contingency cost) to cover these estimated costs to prepare the building for occupancy. City staff is creating a plan and contacting vendors for this project once the budget amendment is approved. City staff is requesting the \$17,000.00 to be funded from Fund 001 – Fund Balance.

## City Costs For GCS Building

Description	FY 2014			FY 2015 Expended Proposed	Project Total (Budget Deficit)
	Actual Budgeted	Expended	Budget (Deficit)		
Fire Inspection/Fire Equipment Maint					
Plumbing	\$900.00	\$2,564.84	(\$1,664.84)		(1,664.84)
AC Repairs	\$800.00	\$3,619.46	(\$2,819.46)		(2,819.46)
Carpentry	\$4,800.00	\$5,575.00	(\$775.00)		(775.00)
Ceiling Tile Replacement indoors	\$3,500.00	\$550.00	\$2,950.00		2,950.00
Electrical	\$400.00		\$400.00	\$1,600.00	(1,600.00)
Sanitation	\$1,000.00		\$1,000.00	\$3,800.00	(3,400.00)
Locksmith	\$500.00		\$500.00	\$8,645.00	(7,645.00)
Pest Control	\$800.00		\$800.00	\$105.00	395.00
Roof Inspection	\$500.00		\$500.00		800.00
ADA Compliance	\$5,000.00		\$5,000.00		500.00
Awning Tile Replacement (Bird Infestation)					5,000.00
Beginning Funds	\$325.00		\$325.00	\$2,039.20	(2,039.20)
Contingency	\$1,800.00		\$1,800.00	\$800.00	325.00
<b>Total</b>	<b>\$20,325.00</b>	<b>\$12,309.30</b>	<b>\$8,015.70</b>	<b>\$16,989.20</b>	<b>(8,973.50)</b>

FY14 Beginning Budget	
<b>\$20,325.00</b>	
FY14 Budget Spent	
<b>\$12,309.30</b>	
FY14 Budget Not Spent	
<b>\$8,015.70</b>	
FY15 Budget Needed	
<b>\$16,989.20</b>	
University Costs	
<b>\$7,319.12</b>	

## **AGENDA ITEM #2**

**RESOLUTION 2014- \_\_\_\_\_**

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

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

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

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

I.

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

II.

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

**PASSED AND APPROVED** by a majority vote of the City Commission on the 27th day of October, 2014.

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

ATTEST:

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

**APPROVED AS TO FORM:**

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

**KINGSVILLE POLICE DEPARTMENT  
INTER-OFFICE MEMORANDUM**

**TO** : Vince Capell, City Manager  
**FROM** : Ricardo Torres, Chief of Police  
**DATE** : October 13, 2014  
**SUBJECT** : **Chapter 59 Donation to Boys and Girls Club**

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

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

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

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

FYI:

Kingsville Police Dept.  
Fund 005

Cc: Courtney Alvarez, City Attorney

**APPLICATION FOR CHAPTER 59 FUNDS  
REQUEST FOR DONATION**

**To: City of Kingsville Police Department**

**1. APPLICANT'S**

**NAME** John Perez

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

**2. ORGANIZATION'S**

**NAME** Boys & Girls Club of Kingsville

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

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

First off, we would like to thank you for your continued support to The Boys & Girls Club of Kingsville. We are proud to say that with your help, we have been able to continue to assist the children of Kingsville and the surrounding areas. We hope that we can continue to provide such quality to the children and assist them in creating brighter futures. We truly are making a difference in lives.

We are currently asking for a donation that would assist us in our evidenced based program SMARTMoves. The funds would go directly towards the needed staff and supplies to enhance and improve our ongoing program. SMARTMoves program is a Skills Mastery and Resistance training program that focuses on the prevention of ATOD-Alcohol, tobacco and other drugs. The curriculum breaks down into sessions and provides daily activities that surround drug prevention and awareness. It also goes into detail and explains how to avoid alcohol, tobacco and other drugs as well as avoiding drug related activities. Another section is geared towards being alert and being made aware of drunk drivers and the severity of today's illegal activity. We prepare our children for brighter futures!

Some of the continuous highlights of this year would be to collaborate with local law enforcement agencies to act as a mentor/guide/role model. We would have monthly activities where the officers would enter our facility to put on training for our students. The overall goal is to educate our youth that will have an impact on our future, to make them aware of today's challenges in hopes of them seeking out bright futures and right decisions.

During the school year, our average daily attendance is at 90. These children are not only being mentored but are being fed with a snack on a daily basis. They are also assisted in character development along with daily physical activities. At our other school sites, we average 35 students per site. We currently serve 3 school sites. Our largest membership ranges from the age of 6 to 17 and the majority of our main club site children come from Harvey Elementary.

We are in need of assistance to put a stop to our youth being unaware of the dangers of drugs and alcohol. It is time we do something about it. With your support, we can continue these services and play an impact on our youth making them aware of the dangers in society today.

Please consider making this investment in our youth of tomorrow.

**APPROVED:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**CITY OF KINGSVILLE**  
**QUARTERLY CHARITABLE CONTRIBUTION REPORTING**

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

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

- Types of programs provided

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

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

\_\_\_\_\_  
(Signature of instructor)

\_\_\_\_\_  
(Notary Public

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

❖ Instructional material is available from the Kingsville Police Department.

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

Item Description	Model No.	Serial No.	Cost	Location

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

# **AGENDA ITEM #3**



August 24th, 2014

Mary Valenzuela

City Secretary

City of Kingsville

Mrs. Valenzuela:

I am contacting you in reference to the advertisement from the City concerning a position on the Civil Service Commission. As you know, I worked for the City of Kingsville Fire Department from 1970 until 2012. I started working with the civil service law in 1970 and continued until my retirement from the City in 2012. The last eight years of my career I represented management as the Fire Department's Department Head. I have extensive experience in all the workings of the Civil Service Law.

I am confident that I will do a good job as a Civil Service Commissioner and I am requesting that you move forward my request to be appointed to the City of Kingsville's Civil Service Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Alonzo Lopez Jr." with a stylized flourish at the end.

Alonzo Lopez Jr.

725 S.18th

Kingsville, TX 78363

# **REGULAR AGENDA**

# **AGENDA ITEM #4**



# Purchasing Department

361-595-8025  
361-595-8035 Fax

DATE: October 13, 2014  
TO: City Commission through City Manager  
FROM: David Mason, Purchasing/Technology Director  
SUBJECT: Backhoe

## **SUMMARY**

This item authorizes the purchase of one backhoe for the Water Construction Department.

## **BACKGROUND**

This is a budgeted capital improvement item for Water Construction. This is a very timely purchase as the Komatsu backhoe is no longer functioning and needs to be replaced so Water Construction may continue with their daily duties.

## **RECOMMENDATION**

We believe the best value for the City is a John Deere 310K from Doggett Heavy Machinery Services (Doggett) in Corpus Christi. The Backhoe is complete with cab, front counterweight, 24" and 18" buckets, extended hoe arm, 1.13 cu. yd. loader bucket and 48" forks to assist in the unloading and unloading of pipe and other materials. The JD 310K is \$81,314.49 and is available in approximately 30-45 days. A similar model, a Case 580SN was quoted by Nueces Power Equipment (NPE) at \$82,781.32 but does not include the 48" fork attachment. The City of Kingsville has several of the John Deere 310 series backhoes and they are providing reliable service. The item can be purchased through BuyBoard, thereby satisfying state purchasing law regarding competitive bidding regulations.

## **FINANCIAL IMPACT**

This action will expend \$81,314.49 from account 001-054-600.1-712.00 Water Construction Capital Equipment.

# **AGENDA ITEM #5**



## Purchasing/Technology Department

DATE: October 16, 2014

TO: City Commission through City Manager

FROM: David Mason, Purchasing/Technology Director

SUBJECT: Commercial Base Limestone 15-01

### **SUMMARY**

This authorizes the award of a contract for annual requirements of Commercial Base Limestone for the City of Kingsville.

### **BACKGROUND**

We advertised for sealed bids on September 28 and October 5, 2014 and proposals were accepted until 1:30 pm on October 14, 2014. Only one potential bidder responded, Vulcan Materials.

### **RECOMMENDATION**

It is recommended the contract be awarded to Vulcan Materials at their bid price of \$23.00 per ton delivered and \$15.50 picked up at their plant. Our current price is \$22.70 per ton delivered.

### **FINANCIAL IMPACT**

This action will not, in and of itself, expend any City funds, but rather is to award a contract under Local Government Code 252.021 as the City anticipates spending more than \$50,000 on this commodity in FY15.

## **AGENDA ITEM #6**



# Planning Department

---

**TO:** Vince Capell, City Manager  
**FROM:** Tom Ginter, Director of Planning & Development Services  
**SUBJECT:** Introduction Rezone Approval Request  
**DATE:** October 20, 2014

---

Reference is made to a request for approval of a change in zoning of 1 lot addressed at 1106 N. Armstrong. The petitioner is requesting a zoning district change from Multi-Family (R3) to Commercial District (C2) in order to facilitate the development use of this property as a restaurant.

The Planning & Zoning Commission voted to approve the rezoning request by a vote of 0-0. City Staff agrees with the Planning & Zoning Commission's findings and recommends APPROVAL of this request by City Commission.

**ORDINANCE #2014-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO LOT 1, BRENTWOOD SUBDIVISION, KNOWN AS 1106 NORTH ARMSTRONG FROM R3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C2 RETAIL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Yolanda Zapata, 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, October 22, 2014 during a meeting of the Planning and Zoning Commission, and on Monday, October 27, 2014 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning Commission by a XXXX vote **APPROVED/DENY** 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 Lot 1, Brentwood Subdivision, known as 1106 North Armstrong from R3 Multi-Family Residential District to C2 Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

**INTRODUCED** on this the 27th day of October, 2014.

**PASSED AND APPROVED** on this the \_\_\_\_<sup>th</sup> day of November, 2014.

**THE CITY OF KINGSVILLE**

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

**ATTEST:**

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

**APPROVED:**

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

# **Staff Report to the PLANNING & ZONING COMMISSION and CITY COMMISSION**

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

**Request: APPROVAL FOR THE REZONING OF 1106 N ARMSTRONG FROM R-3 TO C-2 FOR THE PURPOSE OF USING THE EXISTING BUILDING FOR COMMERCIAL PURPOSES NAMELY A RESTAURANT.**

Petitioner and Agent: Yolanda Zapata, Owner

Date of P&Z Hearing: October 22, 2014

Comprehensive Plan Land Use: Residential

Existing Zoning Classification: R-3 Multi-family Residential

---

North: R-3 Multi-family Residential and C-2 Retail

East: R-3 Multi-family Residential

South: R3- Multi-family Residential and C-2 Retail

West: Texas A & M University - Kingsville

## **EXISTING INFRASTRUCTURE**

Transportation: Armstrong Avenue

Community Facilities: Services Provided

Capital Improvements: Public Service Improvements, Sanitary Sewer & Storm Water Collection

Fire Station Proximity: Within 2 miles

100 Year Flood Plain: The property is within Flood Zone C

## **EXHIBITS PRESENTED**

- Chapter 15 of the Kingsville Code of Ordinances (present at the meeting)
- City of Kingsville Master Plan (present at the meeting)
- Site Plan
- Application for rezoning

## **BACKGROUND AND HISTORY**

The petitioner is requesting approval for the rezoning of BRENTWOOD, LOT 1 also known as 1106 N. Armstrong from R-3 to C-2. The owner of the property, Yolanda Zapata, would like to house a restaurant in the house at this address. Rezoning the property C-2 would allow this as well as continued use as a multi-family residence. The Javelina zoned C-2, face Armstrong Avenue sits one block north of the subject property. The lots further north along Armstrong to Corral Avenue are also zoned C-2. Going south along Armstrong Avenue from the subject property 60% of the lots between Avenue B and Richard Street are zoned C-2. These properties are a mixture of residential properties and retail establishments including a Subway restaurant, convenience stores and a strip mall.

FIELD INSPECTION AND PERTINENT DATA

A field inspection of the property has shown that the building on the subject property is a multi-family dwelling.

STAFF REVIEW AND RECOMMENDATIONS

In general, the Planning and Zoning Commission considers the following factors when 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 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. 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 not detrimental to public health, safety and welfare.
4. Whether the proposal is not detrimental to existing or potential adjacent land uses.
5. Whether the proposal will not likely generate traffic levels inappropriate, hazardous or detrimental to the existing or potential nearby land uses.

Prepared by: Cynthia Martin  
Cynthia Martin, Interim Director of Planning and Development Services

361-228-3486  
Ramy

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1106 N. Armstrong Nearest Intersection Armstrong + Ave B  
(Proposed) Subdivision Name N/A Lot \_\_\_\_\_ Block \_\_\_\_\_  
Legal Description: Lot 1, Bentwood Subd, Kingsville TX  
Existing Zoning Designation R-3 Future Land Use Plan Designation COMM C-2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Yolanda Zapata Phone 720-0586  
Email Address (for project correspondence only): none  
Mailing Address 1923 Rethye Dr City Kingsville State TX Zip 78363  
Property Owner Yolanda Zapata Phone 361-720-0586  
Email Address (for project correspondence only): none  
Mailing Address N/A City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

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

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

Please provide a basic description of the proposed project:

Relocate Cafe 5  
from 634 E. King Ave, Kingsville, Texas  
to 1106 N. Armstrong Ave, Kingsville, TX  
(across the street from TAMUK).

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: Yolanda Zapata Date: \_\_\_\_\_  
Property Owner(s) Signature: Yolanda Zapata Date: 9-15-14  
Accepted by: Jessica J. Stork Date: 9-15-14

1- Request Rezone 1106 N. Armstrong (R3)  
To C2.

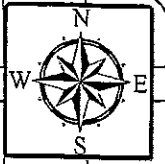
2- Attached

3- Attached

~~4- East R3, To South R3, W. Unvent  
To N, R3~~

5- R3

# City of Kingsville



**Wells**

21009

**Avenue C**

21009

*ARM*

**Armstrong**

12703

20427

18037

18817

22353

20468

11869

**Avenue B**

21009

*ARM*

11230

12046




12838

22074

17973

**Avenue A**

## Legend

-  Ownership - Jun 2014
-  1106 N. Armstrong
-  200' Radius

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



**CITY OF KINGSVILLE  
ENGINEERING DEPARTMENT**

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

Drawn By: Engineering  
Department

Last Update: 10/2/2014

Note:

Page  
1/1

# SURVEY PLAT

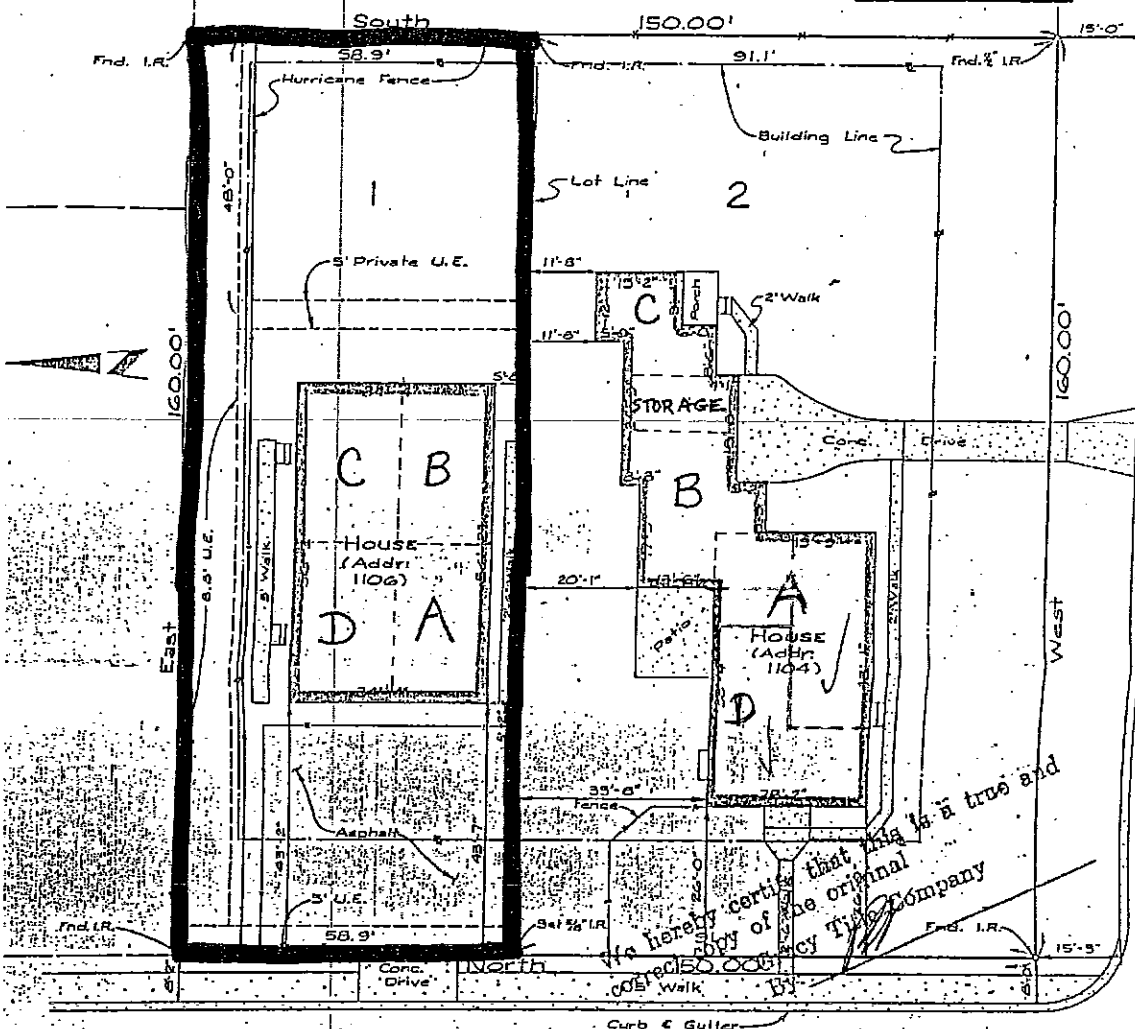
TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at  
1104 Armstrong  
NO. 1106 Armstrong in the city of Kingsville, Texas, described as follows:

Lot No. 1 and 2, Block No. \_\_\_\_\_ of BENTWOOD SUBDIVISION

Addition, according to the \_\_\_\_\_ plat recorded in Envelope 148

of the Map Records of Kleberg County, Texas Buyer: Gary S. Bagelman



**ARMSTRONG AVE. (60' R.O.W.)**

NOTE: Tie is from lot line to foundation of house. House measured from wall to wall.

"TO THE LIENHOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE TITLE INSURANCE COMPANY RELYING HEREON"

The undersigned does hereby certify that the survey was this day made on the ground of the property locally described herein, and is correct, and that there are no discrepancies, conflicts, short-ages in area, boundary conflicts, encroachments, overlapping of improvements, easements or right of ways, except as shown herein and that said property has access to and from a dedicated roadway.

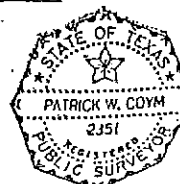
"This is to certify that I have consulted a Federal Insurance Flood Hazard Map and found that the property described herein is \_\_\_\_\_ (or) is not ☒ located in a special flood hazard area."

Dated: 14<sup>th</sup> day of February, 19 85.

SIGNED: [Signature]

Scale: 1" = 20'

**COYM & REHMET ENGINEERING INC.**  
 CONSULTING ENGINEERS SURVEYORS  
 ALICE TEXAS



## County Agent's Corner

### Private pesticide applicator training set

As temperatures cool down, landowners typically begin use of restricted-use or state-limited pesticides or regulated herbicides to produce an agricultural commodity (cotton, grain, beef, etc.) on:

- Personally owned property.
- Rented property.
- Property owned by his or her employer.
- Property under his or her general control or
- The property of another person if applied without compensation, other than the trading of personal services between

A private pesticide applicator is defined as someone who uses or supervises the

producers of agricultural commodities. Many of the chemicals available provide effective control, if used properly. However, a pesticide license may be required to purchase and use some of the products. The numerous rules, regulations and laws that govern the sale and use of pesticides can be confusing. Individuals interested in obtaining a private applicator license must attend a private pesticide applicator training, submit an application with appropriate fee to the Texas Department of Agriculture,

and pass an exam (score of 70 or better). The training is scheduled for Tuesday, Nov. 4, beginning at 8:30 a.m. at the County Extension Office (729 E. Yoakum). Once the three-hour training is complete, individuals will be given instructions on how to schedule their exam and submit their application to the Texas Department of Agriculture. Anyone interested must come by the Extension Office no later than Oct. 24 to pay (\$50) for the training and study materials.

### Chamber welcomes Flourishing Hope Counseling



The Kingsville Chamber of Commerce held a ribbon cutting for Flourishing Hope Counseling on Wednesday, Sept. 24. The counseling service is located in the Chamber of Commerce building at 635 E. King Ave. Angel Hoodye, MSW, LPC, offers all types of counseling services and looks forward to helping those who she serves. (Submitted item)

### Chamber hosts ribbon cutting for Javelina Station



The Kingsville Chamber of Commerce held a ribbon cutting on Tuesday, Sept. 23, for Javelina Station Student Housing, located at 1300 W. Carroll. The newly remodeled facility is for Texas A&M University-Kingsville students and staff to live. Jacob Gutierrez and Genesis Urban welcomed those in attendance and gave them a tour of the facility. (Submitted item)

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, October 22, 2014 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 - Yolanda Zapata, Owner - Requesting the rezone of Bentwood Lot 1, also known as 1106 N. Armstrong rezoned from (R3) Multi-Family District to (C2) Retail District.

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

### PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, October 27, 2014 at 6:00 p.m. wherein the City Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

ITEM #1 - Yolanda Zapata, Owner - Requesting the rezone of Bentwood Lot 1, also known as 1106 N. Armstrong rezoned from (R3) Multi-Family District to (C2) Retail District.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

### Clements speaks at state dental conference



Dr. Charles Clements, a local dentist practicing in Kingsville for more than 37 years, was recently a clinical speaker for the Texas Academy of General Dentistry Annual Meeting in Austin. Clements spoke on the many advantages of using lasers in the modern dental practice. The annual Lancaster Dental Meeting fosters continuing education for dentists as well as honoring the Texas Dentist of the Year. Clements, a master in the academy of general dentistry, lives with his wife and two dogs in Loyola Beach. Clements (far right) is pictured with fellow speakers and AGD officials in Austin. (Submitted item)

### Food inspection scores released

**Staff Report**  
Food Service inspections are conducted on a quarterly schedule per year based on the risk category to insure compliance with the Texas Food Service Establishment Regulations and local food sanitation ordinances. Risk levels include low, moderate and high risk. Establishment scoring is based on a demerit system, as per the Texas Food Establishment Rules. There are two types of violations. Critical violations are five and four point demerits per violation and non-critical violations are three point

demerit violations. Critical violations are improper practices and actions that directly contribute to food contamination and temperature abuse that may pose a potential risk to the public health, resulting in food borne illness. Critical violations must be corrected immediately or as directed by the Health Department. Non-critical violations are unacceptable practices that normally relate to the physical condition of an establishment, including equipment, cleaning and storage. Non-critical

violations must be corrected before the next routine inspection or as directed by the Health Department.  
• A & J Food Mart-100  
• Dave's Quick Stop-100  
• Subway/Brahma-100  
• Sunny Market-100  
• 4 Beece Drive Thru-100  
• Donut Palace-96  
• Kentucky Fried Chicken-94  
• Stop & Shop-93  
• Superette Food Mart-93  
• Comfort Inn-88  
• Star's Drive Thru-87  
• Wendy's-87  
• Kingsville Food Mart-86  
• Mike's Stop & Shop-85

Blake Fulenwider Dodge Chrysler Jeep welcomes

**Raul Falcon Jr.**

With over 10 years experience, Raul is committed to deliver sales and service that exceeds your expectations.

**Blake Fulenwider**

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(361) 720-0007 CELL

2151 N. Hwy 77 Kingsville  
www.blakekingsvilledodge.com

## **AGENDA ITEM #7**

**RESOLUTION NO. 2014-\_\_\_\_\_**

**A RESOLUTION ESTABLISHING THE CITY OF KINGSVILLE INVESTMENT POLICY AND INVESTMENT STRATEGIES; DESIGNATING THE CITY MANAGER, DIRECTOR OF FINANCE, AND CITY ACCOUNTING MANAGER AS THE AUTHORIZED CITY REPRESENTATIVES WITH FULL AUTHORITY FOR INVESTMENT PURPOSES, AND PROVIDING FOR DISCLOSURE OF FINANCIAL INTEREST.**

**WHEREAS**, the City Commission previously adopted a formal Investment Policy; and

**WHEREAS**, a review of the Investment Policy has been done and only a few minor changes are being proposed to the 2014 investment policy and investment strategies from the 2013 investment policy and strategies adopted last year; and

**WHEREAS**, the changes made to the policy are as follows: on p.5 update the job title from "Accountant" to "Accounting Manager" and in Appendix B & C change "James Bryson" to "Stacie Pena";

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

**THAT** the INVESTMENT POLICY (THE "Investment Policy", attached as Exhibit A) is hereby approved:

I.

**THAT** the City Manager, Director of Finance, and the City Accounting Manager are hereby authorized as City Representatives. The Director of Finance and the City Accounting Manager are authorized as the investment officers responsible for the investment of the City's funds consistent with the investment policy adopted by the City;

II.

**THAT** the persons designated as investment officers shall exercise the judgment and care, under prevailing circumstances that a prudent person would exercise in the management of the person's own affairs, but that the City Commission retains ultimate responsibility as fiduciary of the assets of the City;

III.

**THAT** the authorized officers are hereby granted authority to invest the City's funds until rescinded by the City Commission, until expiration of an officer's term, or the termination of the person's employment with the City.

**PASSED AND APPROVED** by a majority vote of the City Commission on the 27<sup>th</sup> day of October, 2014.

---

Sam R. Fugate, Mayor

**ATTEST:**

---

Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

---

Courtney Alvarez, City Attorney

# **CITY OF KINGSVILLE**

## **INVESTMENT POLICY**

Approved by City Commission via Resolution Dated  
October 27, 2014

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### APPENDICES

- A. PUBLIC FUNDS INVESTMENT ACT
- B. LIST OF AUTHORIZED CITY REPRESENTATIVES
- C. INTEREST DISCLOSURE FORMS
- D. INVESTMENT POLICY RESOLUTION
- E. INVESTMENT PROCEDURES MANUAL

## **I. INTRODUCTION**

It is the policy of the City of Kingsville to invest all available monies in conformance with these legal and administrative guidelines.

Effective cash management is recognized as essential to good fiscal management. A cash management program will be pursued to maximize interest earnings as a viable and material revenue source. The City's portfolio shall be designated and managed in a manner responsive to the public trust and consistent with local, state, and federal law.

Investments shall be made with the primary objective of:

- ◆ Preservation of capital and protection of principal;
- ◆ Maintenance of sufficient liquidity to meet operating needs;
- ◆ Security of city funds and investments;
- ◆ Diversification of investment to minimize risk while maximizing interest earnings; and
- ◆ Maximization of return on the portfolio.

Earnings from investments will be used in a manner that will best serve the interests of the City of Kingsville.

## **II. PURPOSE**

### **A. Authorization**

This Investment Policy is authorized by the City Commission (see Appendix C) in accordance with Chapter 2256, Subchapter A of the Government Code - The Public Funds Investment Act (see the attached and incorporated Appendix A).

### **B. Scope**

This Investment Policy applies to activities of the City, excluding pension funds, with regard to investing the financial assets of Funds, including, but not limited to:

General Funds  
Special Revenue Funds  
Enterprise Funds  
Internal Service Funds  
Capital Improvement Funds (Bond Proceeds, Bond Reserves and Debt Service)  
Endowments, Benevolence Fund

In addition to this policy, the investment of Bond Funds, Debt Service, and Reserve Funds shall be managed by their governing ordinances and Federal Law, including the Tax Reform Act of 1986 and subsequent legislation.

C. Review and Amendment

This policy shall be reviewed annually by the City Commission on or before December 31 of each calendar year subsequent to its adoption. The City Commission must authorize amendments to the policy. The City Commission shall adopt a written instrument by ordinance or resolution stating that it has reviewed the Investment Policy. The written instrument so adopted shall record any changes made to the Investment Policy.

**III. DEFINITIONS**

Director of Finance -- The Director of Finance is the Municipal Finance Officer responsible for City investments.

Director of Finance Designee -- Accounting Manager.

Excess Cash Balances -- Collected bank balances not needed to pay estimated check clearings.

Investment Officers -- Director of Finance and Accounting Manager.

Investment Portfolio -- all City monies being invested under authority of the Investment officers.

Institution -- Any firm, bank, bondholding company, broker or dealer who provides quotes for either the purchase or sale of investments.

Third Party Safekeeping Institution -- Any Institution not affiliated with Institution delivering the Investment.

Investment -- All authorized Securities listed in Item V. Authorized investments and maximum term investments approved by the Investment Committee include U.S. Treasuries, U.S. Agencies, Repurchase Agreements, Local Government Investment Pool, and Collateralized Certificates of Deposit.

D.K.'ed (Don't Know) Transaction -- An Investment that an Institution fails to deliver to the City's third Party Safekeeping Institution.

Collateral - Securities or surety bond pledged by an Institution to safeguard City assets; the City requires either U.S. Treasuries or U.S. Agencies Securities so that the market values can be readily determined at any point in time.

Authorized City Representative – Officers authorized to transact as set out in the attached and incorporated Appendix B on behalf of the City (City Manager, Director of Finance and ~~Accounting Manager Accountant~~).

Reserve Funds – Funds designated by Commission for specific purposes, which have not been appropriated for spending.

Securities – Approved Investments designated by the Investment committee to be held in the Investment Portfolio or acceptable to be pledged as Collateral to secure the monies of the City.

Authorized Selling Group – Primary dealer and regional firms that have been selected by the underwriter to sell their securities. Each authorized member of a selling group will offer the issue at the price authorized by the governmental agency.

Qualified Representative – A person, who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:

- (A) For a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the Financial Industry Regulatory Authority (FINRA);
- (B) For a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution; or
- (C) For an investment pool, the person authorized by the elected official or board with authority to administer the activities of the investment pool to sign the written instrument on behalf of the investment pool; or
- (D) For an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or if not subject to registration under that Act registered with the State Securities Board, a person who is an officer or principal of the investment management firm.

#### IV. INVESTMENT OBJECTIVES

A. Preservation and Safety of Principal

Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall Investment Portfolio.

B. Liquidity

The City's Investment Portfolio must be structured in a manner that maintains the liquidity necessary to pay obligations as they become due. Timing disbursements and depositing funds as quickly as possible can generally maintain sufficient cash flows. Generally, Investments are matched to specific cash flow requirements such as payrolls, debt service payments and other payables. Liquidity is also achieved by investing in Investments with active secondary markets or in Local Government Pools with stable net asset values.

C. Return on Investments

The City's Investment Portfolio shall be designed with the objective of regularly exceeding the average yield of the three-month U.S. Treasury bill in a manner consistent with the principles of this policy described in IV.A and B. However, it must be recognized that during a declining market, satisfying this objective may not be practical until Investments mature and can be re-invested.

For Bond issues to which arbitrage restrictions apply, the primary objectives shall be to obtain satisfactory market yields and to minimize the costs associated with investing such monies.

D. Diversification

Diversification is required because of differing liquidity needs of the City and is employed as a way to control risks. Diversification minimizes the risk to the overall Investment Portfolio of potential losses on individual

Securities and enhances the safety of the Investment Portfolio.

Through the solicitation of competitive proposals, the City shall allocate and diversify its Investments through various Institutions. The following types of Investments will be solicited from the following types of Institutions:

1. Government Securities – through approved brokers;
2. Repurchase Agreements – through a Third Party Safekeeping Institution Agreement, which includes an approved primary dealer;
3. Public Funds Investments Pools – through participation agreements; and
4. Certificates of Deposit – as allowed by state law and this policy.

The City recognizes that investment risks can result from default risk and market price risks due to various technical and fundamental economic factors, and other complications, leading to temporary illiquidity.

To control market price risks, volatile Investments shall be avoided. To control default risk, the only acceptable method of payment will be on a delivery versus payment-basis for all transactions, except investment pool funds and repurchase agreements.

A delivery versus payment basis provides for payment to Institutions at the time the Investments are recorded in book entry form at the City's Third Party Safekeeping Institution, currently maintained at the Federal Reserve. For certificates of deposit, sufficient Collateral at 102% of current market values must be pledged to protect all City monies or monies under its control that exceed Federal Deposit Insurance Corporation (FDIC) overage; the Collateral must be safekept at a Third Party Safekeeping Institution not affiliated with the bank or bank holding company providing the certificate of deposit. (See addendum.)

## V. AUTHORIZED INVESTMENTS AND MAXIMUM TERM

The City of Kingsville is authorized to invest in:

### A. Authorized Investments\*\*

Obligations of the United States or its agencies and instrumentalities that currently include:

1. Short-term U.S. Treasuries: Maximum Term
  - a. U.S. Treasury Bills..... up to 365 days
  - b. U.S. Treasury Coupon Notes .....up to 1 year
  - c. U.S. Treasury Notes and Strips.....up to 1 Year\*

\*see section V.B.3

\*\*maximum term as allowed in section VI.B.

2. U.S. Agencies: Maximum Term
  - a. Federal Home Loan Bank .....up to 1 year
  - b. Federal National Mortgage Association .....up to 1 year
  - c. Federal Farm Credit .....up to 1 year
  - d. Federal Home Loan Mortgage Corporation.....up to 1 Year

3. Repurchase Agreements..... up to 365 days

Repurchase agreements fully collateralized at 102% with a defined maturity date placed with a primary government dealer and safekept at a Third Party safekeeping Institution, as provided under the provisions of the SIFMA (Securities Industry and Financial Markets Association) master repurchase agreement. An executed agreement between the City, primary government dealer and Third party Safekeeping Institution will be on file before the City will enter into a tri-party repurchase agreement.

Reverse repurchase agreements are not a permitted Investment.

4. Local Government Investment Pool .....daily

Investments made on behalf of the City by a public funds investment pool duly created to function as a money market mutual fund who marks its portfolio to market daily and, to the extent reasonably possible, who stabilizes its portfolio to market daily and, to the extent reasonably possible, who stabilizes its portfolio at a \$1 net asset value. If the ratio of the market value of the Pool's portfolio divided by the book value of the portfolio is less than 99.50% or grater than 100.50%, the Pool's portfolio holdings shall be sold as necessary to maintain the ratio between 99.50% and 100.50%.

The public funds investment pool must be continuously rated no lower than AAA or AAA-m or an equivalent rating by at least one nationally recognized rating service with a weighted average maturity no greater than 90 days.

5. Collateralized Certificates of Deposit.....up to 1 year

Certificates of deposit to other instruments issued by state and national banks doing business in Texas that are:

- a. Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor; or
- b. Secured by obligations that are described by Section V. subdivision A.1 (a) and A.1 (b)

Certificates of deposit must be fully collateralized at 102% of their market value. The City requires the bank to pledge U.S. treasuries or U.S. agencies as collateral, (Collateral Mortgage Obligations will not be eligible as Collateral see X.C.).

B. Weighted Average Maturity

In order to minimize risk of loss to Investment Portfolio due to interest rate fluctuations, Investment maturities will not exceed the anticipated cash flow requirements of the Funds. Maturity guidelines by Fund are as follows:

1. Operating Funds

The weighted average days to maturity of Investments, other than Reserve Funds, shall be 365 days or less. The Investment Officers will monitor the maturity level and make changes as appropriate.

2. Capital Improvement Funds (Bond Proceeds, bond Reserves, and Debt Service)

The Investment maturity of that portion of the City Portfolio that represents Capital Improvement Funds (bond proceeds, reserve funds, and debt service) shall be determined considering:

- a. The anticipated cash flow requirements of the Capital Improvement Funds; and
- b. The "temporary period" as defined by Federal tax law during which time bond proceeds may be invested at an unrestricted yield. After the expiration of the temporary period, bond proceeds subject to yield restriction shall be invested considering the anticipated cash flow requirements of the Capital Improvement Funds.

Before an Investment can be made of bond proceeds from all bond issues affected by the Tax Reform Act of 1986, a careful yield analysis must be preformed to comply with the Tax Reform Act. Also, an annual rebate calculation must be performed to determine if the City is required to rebate interest at the end of each respective bond issue's five-year term.

Beginning on the anniversary of the third year for the respective bond issues, all bond proceeds will be yield restricted as required by the Tax Reform Act.

3. Reserve Funds: Established by Operative Bond Fund or by the City Commission

The following Reserve Funds may be invested up to two years in U.S. Treasuries:

	<u>Maximum</u>
Revenue Bond Interest & Sinking .....	\$ 400,000
G.O. Debt Service Fund.....	\$ 750,000

City monies governed by this Policy may not be invested in other investments permitted by law unless (i) such investments are specifically authorized for the investment of these monies by an ordinance adopted by the City Commission issuing bonds or other debt obligations or (ii) this Policy is amended to permit such investment.

## VI. INVESTMENT MIX AND STRATEGIES

### A. Investment Mix

As a target to ensure adequate liquidity, the Investment Portfolio administered by the Investment Officers should consist of at least 10% in U.S. Treasury Securities described in V.A.I.a. and/or certificates of deposit. A minimum of 35% of the total Investment Portfolio shall be held in Investments with maturity dates of 90 days or less for liquidity. U.S. Treasuries/Agencies may be purchased for longer term maturities (greater than one year) but shall not exceed 10% of the total Investment Portfolio to preserve liquidity.

Investment reports shall specifically address whether stated Investment mix requirements are being met. Unless approved by the Investment Advisory Committee, the target percentages specified shall not be exceeded for temporary periods greater than (30) thirty days without the Investment Officers taking corrective action.

### B. Strategies

Investment strategies for Operating Funds and Capital Improvement Funds have as the primary objective the assurance that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create an Investment Portfolio structure that will experience minimal volatility during economic cycles. To accomplish this strategy, the City will purchase high quality, short-to-medium term investments which will compliment each other.

To pay for anticipated disbursements, investments will be laddered to correspond with the projected cash needs of the City. Some Investments are acquired on the short end of the yield curve (90 days or less) to meet immediate cash needs. A few Investments are purchased on the intermediate part of the yield curve (1-2 years) to lock in high interest rates when rates are projected to decline due to the economic cycle of the economy. The dollar weighted average investment maturity of 365 days or less will be calculated using the stated final maturity dates of each investment.

Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligations on the required payment date. Investments purchased shall not have a stated final maturity date that exceeds the debt service payment date.

Investment strategies for debt service reserve funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund from investments with a low degree of volatility. In accordance with the bond ordinance specific to an individual bond issue that sets out the maximum investment term, Investments should be of high quality, with short-to-intermediate-term maturities.

C. Achieving Investment Return Objectives

Investment selection shall be based on legality, appropriateness, liquidity, and risk/return considerations. Monies designated for immediate expenditure should be passively invested.

Passive Investment provides for:

1. Liquidity to pay upcoming disbursements (payroll, debt service, payments, payables, etc.);
2. Maximizing investment terms under the current budget; and
3. Structuring the Investment Portfolio on a "laddered" basis.

The remaining portion of the Investment Portfolio may be invested actively.

## VII. RESPONSIBILITY AND CONTROLS

### A. Authority to Invest

The authority to invest City funds and the execution of any documentation necessary to evidence the investment of City funds is granted to the Director of Finance. The Director of Finance or Designee will approve all investments in writing.

The City Commission may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of public funds or other funds under its control. A contract made under authority of this subsection may not be for a term longer than two years. The City Commission must approve a renewal or extension of the contract by ordinance or resolution.

### B. Establishment of Internal controls

The Director of Finance will establish a system of internal controls over Investment activities of the City and document such controls in the Investment Procedure Manual.

### C. Prudent Investment Management

Investments shall be made with the same judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived. Prudent investment is to be judged by the Investment Portfolio as a whole, not on individual Investments.

If liquidation is necessary due to a pool losing its AAA rating or for other reasons, liquidation will be done in a prudent manner consistent with the investment objectives of this policy and as provided in 2256.021 of the Government Code.

Investment of monies shall be governed by the following investment objectives in order of priority:

1. preservation and safety or principal;
2. liquidity; and
3. yield.

The designated Investment Officers shall perform their duties in accordance with the adopted Investment Policy and Procedures set forth in the Investment Procedures Manual. Investment Officers acting in good faith and in accordance with these policies and procedures shall be relieved of person liability.

D. Standards of Ethics

To the extent required by section 2256.005(i) of the Government Code, the Authorized City Representatives shall make such filings as required by law.

E. Training and Education

Recognizing that the training and education of Investment Officers contributes to efficient and effective investment management, the City requires its Investment Officers to obtain appropriate professional training. Such training is currently required by, and shall be obtained in accordance with Section 2256.007 of the Government Code Public Funds Investment Act. The Investment Committee approves investments - training seminars presented by the following organizations.

Government Finance Officers Association  
Government Finance Officers Association of Texas  
Government Treasurers Organization of Texas  
Municipal Treasurers Association  
Texas Municipal League

If the Investment Officer desires to attend an investment training seminar presented by another organization for training credit, such seminar must be approved by the City Manager or his designee.

## **VIII. COMPETITIVE SOLICITATION**

Except for repurchase agreements and public funds investment pools, any new issue investment will be purchased through an Authorized Selling Group or directly through the issuer.

For any Investment purchased or sold through the secondary market, the City will obtain at least three proposals from authorized Institutions.

Any Institution authorized to participate in the City's investment program must meet Collateral pledge requirement outlined in Section IV.D. and must submit annual financial reports.

## IX. AUTHORIZED INSTITUTIONS

All institutions who seek to sell an authorized Investment to the City are required to complete the questionnaire approved by the Investment Committee and furnish supporting documentation required by the Investment Committee. Securities shall only be purchased through those Institutions approved by the Investment Committee.

- A. Investments shall only be made with those Institutions who have executed a written instrument in a form acceptable to the City, executed by a Qualified Representative of the Institution, and substantially to the effect that the Institution has:
  - 1. Received, thoroughly reviewed and acknowledged, in writing, receipt and understanding of the City's Investment Policy, and;
  - 2. Acknowledged that the Institution has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Institution and the City that are not authorized by the City's Investment Policy.
- B. Investments shall only be made with those Institutions who have met the qualifications and standards established by the City's Investment Committee and set forth in the Investment Procedures Manual.
- C. The Investment Committee shall, at least annually, review, revise, and adopt a list of qualified brokers that are authorized to engage in investment transactions with the City.
- D. The Director of Finance will request the Investment Committee to authorize deletion of Institutions for:
  - 1. Slow response time;
  - 2. Less than competitive pricing;
  - 3. Little or no information on technical or fundamental expectations based on economic indicators.
  - 4. D.K.'ed Transactions or continuing operational difficulties;
  - 5. Unwillingness to continue to abide the provisions listed in IX.A; or
  - 6. Other reasons as approved by the Investment Committee.

## **X. PLEDGED COLLATERAL**

The market value of pledged collateral must be at least 102% of the principal plus accrued interest for Excess Cash Balances, certificates of deposit, and repurchase agreements. Evidence of proper collateralization in the form of original safekeeping receipts held at a Third Party Safekeeping Institution not affiliated with the Institution pledging the Collateral will be approved by the Director of Finance and will be maintained in his/her Office. An authorized City Representative (See Appendix B) will approve and release all pledged collateral.

### **A. Collateral Substitution**

Collateralized Investments and certificates of deposit often require substitution of collateral. Any Institution must contact the Investment Officers for approval and settlement. The substituted collateral's value will be calculated and substitution approved if its value is equal to or greater than the required collateral value. Substitution is allowable for all transactions, but should be limited, to minimize the City's potential administrative problems.

### **B. Collateral Reductions**

Should the collateral's market value exceed the required amount, any Institution may request approval from the Investment Officer to reduce collateral. Collateral reductions may be permitted only if the City's records indicate that the collateral's market value exceeds the required amount.

### **C. Prohibited Securities**

Investment securities described in Section 2256.009(b), Government Code, shall not be eligible for use as collateral of City's monies governed by this Policy.

## **XI. SAFEKEEPING**

### **A. Third Party Safekeeping Agreement**

The City shall contract with a Bank or Banks for safekeeping Securities either owned by the City as a part of its Investment Portfolio or held as Collateral to secure certificates of deposit, repurchase agreements, or Excess Cash Balances.

### **B. Safekeeping of Certificate of Deposit Collateral**

All Collateral Securing bank and savings and loan deposits must be held by a Third Party Safekeeping Institution approved by the City, or Collateral may be held at the Federal Reserve Bank.

C. Safekeeping of Repurchase Agreement Collateral

The U.S. treasuries that serve as Collateral for repurchase agreements with Institutions must be delivered to a Third-Party Safekeeping Institution with which the city has established a third-party safekeeping agreement.

## **XII. INFORMATION REPORTING/EVALUATION**

The Director of Finance and Accounting Manager are hereby designated as the Investment Officers and are responsible for the daily operation of the Investment program and will report to the Investment Committee on a quarterly basis.

A. Investment Committee Consists of:

City Commissioner (1)  
City Manager  
Assistant City Manager (if any)  
Director of Finance  
City Attorney

The Investment Committee will be responsible for monitoring, reviewing, and making recommendations regarding the City's Investment program to the City Commission. Reports will be provided to the City Commission by the Investment Officers no less than annually, as required by the Public Funds Investment Act.

On a quarterly basis, the City's main depository and all applicable Institutions providing certificates of deposit in excess of FDIC coverage will provide to the Investment Officer for review a copy of the balance sheet and income statement for the Call Report. All Institutions will provide annual audited financial statements. Any local government investment pools must provide reports and disclosure statements as required by the Public Funds Investments Act.

B. Record Retention

The City follows the guidelines of retaining records for five years from City's current fiscal year, as required and authorized by the City's local records management guidelines.

## **XII. BANKING SERVICES**

All depository services are provided in the City's main depository agreement. Other services such as credit cards, direct deposit of payroll or other services may be administered through separate agreements. To aggressively invest Excess Cash Balances, controlled disbursements accounts, zero balance accounts and other cash management tools may be employed.

#### **XIV. GENERAL PROVISIONS**

- A. Audits and Inspections. During regular business hours and as often as the Investment Officers deem necessary, the Institution providing certificates of deposit will make available for examination by the City Manager, his duly authorized agent, accountant, or legal representative, such records and data to assure to the pledge of collateral, availability of Collateral, and financial stability of the Institution.
- B. Compliance with Laws. Each Institution agrees to comply with all federal, state, and local laws, rules, regulations, and ordinances. The personnel or officers of such Institution shall be fully qualified and authorized under federal, state, and local law to perform the services set out under this Policy. Each Institution shall permit the Investment Officers to audit, examine, and make excerpts or transcripts from such records and to make audits of all contract, invoices, materials, and other data relating to applicable Investment.
- C. Performance Audits. The City's Annual External Financial Audit shall include a compliance audit of management controls on Investments and adherence to this Policy. The quarterly reports prepared by Investment Officers for the City commission must be formally reviewed at least annually by an independent auditor if the city invests in other than money market mutual funds, investment pools or accounts offered by its depository in the form of certificates of deposit or money market accounts. The auditor shall report the results of the review to the City Commission.
- D. Investment Policy Resolution. The resolution authorizing this Investment Policy is attached and incorporated as Appendix C "Investment Policy Resolution."

APPENDIX B  
LISTING OF  
AUTHORIZED CITY REPRESENTATIVES

CITY OF KINGSVILLE

Attached to and made a part of the City of Kingsville  
Investment Policy Approved by the City Commission on

\_\_\_\_\_, 2014

The signatures below are the signatures of Authorized City Representatives vested with full authority to sign and transact business related to the investment of funds for the City of Kingsville. The Authorized City Representatives are authorized to deposit funds, transfer funds within accounts or withdraw funds as necessary to efficiently carry out the requirements of the City of Kingsville's Investment Policy.

The signatures of the officers subscribed below are true and genuine:

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

\_\_\_\_\_  
Deborah Balli, Director of Finance

\_\_\_\_\_  
Stacie Pond, Accounting Manager

THIS LISTING OF AUTHORIZED CITY REPRESENTATIVES is effective this \_\_\_\_ day of \_\_\_\_, 2014 and revokes all previous authorizations.

APPENDIX C  
INTEREST DISCLOSURE FORM

TO: Mayor and City Commission

FROM: Vincent J. Capell, City Manager

SUBJECT: Disclosure under the Public Funds Investment Act

As City Manager and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.  

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2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.  

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3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.  

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4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.  

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5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.  

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Vincent J. Capell,  
City Manager

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Date

APPENDIX C  
INTEREST DISCLOSURE FORM

TO: Mayor and City Commission

FROM: Deborah Balli, Director of Finance

SUBJECT: Disclosure under the Public Funds Investment Act

As Director of Finance and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.  

---
2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.  

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3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.  

---
4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.  

---
5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code, to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.  

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Deborah Balli,  
Director of Finance

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Date

APPENDIX C  
INTEREST DISCLOSURE FORM

TO: Mayor and City Commission

FROM: Stacie Pena, Accounting Manager

SUBJECT: Disclosure under the Public Funds Investment Act

As Accounting Manager and Authorized City Representative, for purposes of investing City funds. I submit this disclosure of my relationships with entities or individuals who are offering, have offered, or may offer to engage in an investment transaction with the City as of the date of the completion of this form, in compliance with Public Funds Investment Act.

1. I have the following "personal business relationships" with individual or entities who are offering to engage, have offered or may offer to engage in an investment transaction with the City of Kingsville.  

---
2. I own ten per cent (10%) or more of the voting stock or shares of or \$5,000 or more of the fair market value of the following business organization.  

---
3. I have received from the following business organizations funds that exceed ten percent (10%) of my gross income for the previous year.  

---
4. I acquired from the following business organizations during the previous year investments with a book value of \$2,500 or more for my personal account.  

---
5. I am related within the second degree of affinity (marriage) or consanguinity (blood) as determined by Chapter 573, Government Code; to the following individuals who are seeking, have sought or may seek to sell as investment to the City of Kingsville.  

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Stacie Pena,  
Accounting Manager

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Date