

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION**

**MONDAY, DECEMBER 1, 2014  
SPECIAL MEETING**

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

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

#### **OPEN MEETING**


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

**MINUTES OF PREVIOUS MEETING(S) – Required by Law**  
Regular Meeting – November 24, 2014

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

1. NONE.

APPROVED BY:

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

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

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

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

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

### **IV.**

#### **Consent Agenda**

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

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 CO Series 2011-Utility Fund 006 Budget for the completion of constructing water well #25 pump house and ground storage tank. (Director of Finance).

**REGULAR AGENDA**

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

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

2. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 General Fund Budget for membership into the Texas Mayors of Military Communities. (Director of Finance).
3. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Municipal Court Technology Fund Budget for technology purchases in FY 14-15. (Director of Finance).
4. Workshop to discuss the proposed changes to City seal, logo, branding, wayfinding. (Director of Tourism).

**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:

November 26, 2014 at 10:00 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)**

NOVEMBER 24, 2014

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, NOVEMBER 24, 2014 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.**

**CITY COMMISSION PRESENT:**

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

**CITY COMMISSION ABSENT:**

Sam Fugate, Mayor  
Al Garcia, 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  
Willie Vera, Task Force Commander  
Cynthia Martin, Downtown Manager  
Susan Ivy, Parks & Recreation Manager  
Charlie Cardenas, Public Works Director/City Engineer  
Ricardo Torres, Chief of Police  
Bill Donnell, Assistant Public Works Director  
Melissa Perez, Risk Manager  
Diana Gonzales, Human Resources Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Pro-tem Leubert called the meeting to order in the Robert H. Alcorn Commission Chamber at 6:00 p.m. and announced quorum with three Commission members present. Mayor Fugate and Commissioner Garcia 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**

Regular Meeting – November 10, 2014

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

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

**1. Public hearing regarding condemnation proceeding for structures located at 521 W. Lott, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:02 p.m.

Mr. Tom Ginter, Director of Planning & Development Services, reported that this is the first time this address has been brought to the City Commission for condemnation consideration. Documents have been provided to the Commission by Building Inspector Daniel Ramirez. Ginter further stated that this property has not had any utilities since May, 2005 and as of the last inspection, there have been no improvements to the property.

Mayor Pro-tem Leubert asked if anyone in the audience would like to speak on behalf of this property. There being no comments made from the audience, Mayor Pro-tem Leubert closed this public hearing at 6:04 p.m.

**2. Public hearing regarding condemnation proceeding for structures located at 1801-1803 N. 20<sup>th</sup>, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:04 p.m.

Mr. Ginter reported that this is the second time this address has been brought before the City Commission for condemnation consideration. The structure has had no utilities since September, 2006 and there has been no improvements made to the property since the last time presented to the City Commission.

Mayor Pro-tem Leubert asked if anyone in the audience would like to speak on behalf of this property.

Rene Barrera, 1801 N. 20<sup>th</sup>, reported that when this address was first brought to Commission a couple of months ago, he was told to demolish the structure located on the property. He demolished half of the structure but due to a burglary of his tools he was unable to finish the project.

Mayor Pro-tem Leubert commented that at the first meeting of the Commission, an extension was granted to Mr. Barrera to allow him to demolish the structure. She further asked if Mr. Barrera had been working with City staff regarding this address. Mr. Barrera responded that he has not been in contact with City staff.

Mayor Pro-tem Leubert asked if Mr. Barrera was informing City staff of what was going on with this address and his situation since the Commission last granted him an extension of 60 days.

Mr. Barrera stated that he was able to demolish part of the structure, but due to his tools being stolen he was unable to continue with the demolishing.

Mayor Pro-tem Leubert asked Mr. Barrera how long ago his tools were stolen. Mr. Barrera responded that it happened about a month or two ago. Mayor Pro-tem Leubert asked if he had made contact with City staff that whole month. Mr. Barrera responded that he was not aware that he had to make contact with City staff. Mayor Pro-tem Leubert further commented that Mr. Barrera was to keep in contact with the City because of the extension that was granted at a previous Commission meeting.

Commissioner Pena asked if Mr. Barrera had filed a police report for his stolen items. Mr. Barrera's response was no. Mr. Barrera further commented that he didn't file a police report because he was not aware of who had taken his tools.

Mr. Barrera asked the Commission to allow him more time to demolish the rest of the structure.

Mayor Pro-tem Leubert commented that the Commission had already granted him a 60 day extension during a previous meeting. Mr. Barrera was also told during that meeting that he was to stay in contact with City staff and keep them updated on the progress. Mayor Pro-tem Leubert further asked if the lawn has been mowed. Mr. Barrera's response was that his lawn mower and weedeater were also stolen.

Commissioner Pecos asked how much more additional time Mr. Barrera is requesting. Mr. Barrera responded that he only needs one month.

There being no further comments Mayor Pro-tem Leubert closed this public hearing at 6:07 p.m.

**3. Public hearing regarding condemnation proceeding for structures located at 303 W. General Cavazos, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:07 p.m.

Mr. Ginter reported that this address has been brought before the Commission at an earlier meeting. Ginter further reported that this property has had no utilities since June 2008 and no changes have been made to the property.

Mayor Pro-tem Leubert asked if the property has contacted City staff. Mr. Ginter responded that Mr. Gonzales contacted him Thursday of last week requesting additional time to allow the legal process to continue with the transfer of ownership to his ex-wife. Mayor Pro-tem Leubert asked if any documents were provided to City staff regarding that issue. Mr. Ginter stated that no backup information has been provided to City staff. Ginter further stated that he requested for the property owner to submit a statement in writing regarding the issue with the property to provide to the City Commission, and as of today he has not received anything.

Commissioner Pecos asked City Attorney, Courtney Alvarez that if the City decided to demolish the property, will the city be liable due to the legality of the ownership.

Mrs. Alvarez responded that all the City is required to do is notice the current property owner and the gentleman who is still the current property owner. Once the action is taken then the city can take the order of condemnation and file it with the County Clerk's office so that it would attach to the property so that any future owners would also have notice that the property has already been condemned. Alvarez further commented that the city can still proceed because the gentleman receiving notices is still the property owner.

Ms. Nancy Vasquez of Linebarger Goggan Blair & Sampson, LLP, commented that she was not aware that two of the properties were up for condemnation at tonight's meeting and would not normally interject but feels that she needs to make the Commission aware of an issue. Ms. Vasquez reported that the first and third condemnation public hearings being considered at tonight's meeting are classified as over 65 deferral. The first property owes over \$10,000 in taxes and the third property owes \$5,000 in taxes. A lawsuit has not been filed on either one of the properties due to the Property Tax Code which prohibits us from filing the suit because they are protected from this and their status is deferral. Ms. Vasquez stated that she's not sure if the City Attorney would need to research this because of the Property Tax Code does not allow foreclosure on the property because they're on deferred status. She further commented that the Health & Public Safety Code would allow the condemnation of these properties because it would be a safety hazard. Ms. Vasquez further commented that she would just like to make sure that, since they are protected by the Tax Code, just to make sure that since they are already under the protective process we may want to do the additional research.

Mr. Capell asked Ms. Vasquez if she was referring to the city's ability to collect. Ms. Vasquez stated that they are two separate and apart items. One being to collect, foreclose and sale. The other one is for the City to condemn, which is something different. Since one is in a protective class she's not sure how one relates to the other. Ms. Vasquez stated that she is only making the Commission aware that these two properties are over 65 and in a deferral status.

Mr. Capell asked that if the City Commission moves forward with it the approval of condemnations, will the city be liable for anything.

Ms. Vasquez commented that for the first property on the agenda, it was reported that the utilities were turned off since May, 2005, so she will be contacting the Appraisal District and have them send a notice and find out what the status is on this property. If no one is residing at this address, this particular exemption should not be noted on this property and would need to be removed. This would allow us to move forward and file the lawsuit. The other property on tonight's agenda, if people are occupying this property, they still remain protected by the Property Tax Code, if they still qualify for the deferral.

Mrs. Alvarez commented that none of the properties are currently habitat and the first property has not had water since 2005 and the second property has no water since 2006.

Ms. Vasquez stated that she would alert the Appraisal District that these properties are labeled with these status and they would need to send another certificate and get it removed so that a suit may be filed.

Commissioner Pecos asked if the City Commission could still move forward with these condemnations. Mrs. Alvarez responded yes as there is nothing in the Health & Safety Code.

Mr. Luis Gonzales stated that he was notified by this ex-wife that there was a notice placed on his property regarding the condemnation. He further commented that he had spoken to Mayor Fugate regarding this property. He stated that he is trying to retain an attorney as all his siblings live out of state and trying to transfer ownership of property to his ex-wife who has agreed to pay for the property taxes and demolish the structure. He stated that with him doing all the preparation for the transfer of ownership, it has been hard since he doesn't live in Kingsville and has a current job. Mr. Gonzales further stated that he is requesting an additional three months to complete the transfer of ownership to his ex-wife.

Mayor Pro-tem Leubert asked if the plan is to demolish the structure. Mr. Gonzales responded that they are planning to demolish the structure regardless. Mayor Pro-tem Leubert further asked if Mr. Gonzales had any documentation stating this matter. Mr. Gonzales responded no. Mayor Pro-tem Leubert further asked if anyone was mowing the property. Mr. Gonzales stated that it was his understanding that his ex-wife's husband was to be maintaining the lawn. Mayor Pro-tem Leubert asked if he would want to live next door to a property that looks this bad. Mr. Gonzales stated that he hasn't seen this property in two years. Mayor Pro-tem Leubert further commented that he is fighting for a house that he hasn't seen in two years. Mr. Gonzales stated that at this time he is only trying to get additional time to allow him to make the transfer of ownership to ex-wife. He further stated that there is some personal items in the structure that he would like to remove and stated that he only wants additional time to change ownership. Mayor Pro-tem Leubert stated that three months is a long time.

Mayor Pro-tem Leubert asked if Mr. Gonzales could remove personal items from the structure and allow the city to demolish the property. Mr. Gonzales responded that due to financial reasons on his part and his family, which is why they are trying to make the change so that his ex-wife and her now husband can pay the taxes on this property and demolish the structure.

Mayor Pro-tem Leubert stated that the last time this property came before the Commission, Mr. Gonzales spoke to the Commission. The Commission made it clear that he had to stay in contact with City staff and only one phone call has been made to Mr. Ginter in the last 60 days. Mr. Gonzales responded that he was only made aware of this as he resides out of town. Mayor Pro-tem Leubert responded that he was the one who approached the Commission when this property was brought to them at a previous meeting and was aware that he had 60 days to get something done with the property. Mr. Gonzales stated that he was not aware he had 60 days. Mayor Pro-tem Leubert



continued to state that Mr. Gonzales was to follow up with the city afterwards and failed to do so.

Commissioner Pecos asked Mr. Gonzales how much more time he needed to allow him to remove his personal items from the structure. Mr. Gonzales responded that he would like to go into the property and view what all is in it, as a lot of items belonged to his parents and have sentimental value to him. Gonzales further stated that he would like an additional two months to allow him to remove personal items from the property and get the change of ownership to his ex-wife.

Mayor Pro-tem Leubert asked if Mr. Gonzales could get all this done in 30 days. Mr. Gonzales responded no as he would need 60 days.

Mr. Capell commented that once the ownership changes over, the City would have to start all over again with the condemnation of the property.

Mr. Gonzales commented that his ex-wife is aware of what is going on with the property.

Mr. Capell continued to comment that with having a different owner, the condemnation process would need to be started from the beginning.

Mayor Pro-tem Leubert stated that her concern is that the owner knows what's going on and they haven't done anything to correct the problem. Mayor Pro-tem Leubert stated that it was made clear at a previous meeting that the property owner had 60 days to get something done and stay in contact with city staff.

Commissioner Pecos asked Mr. Gonzales if 30 days would be enough time to remove his personal items from the property. Mr. Gonzales responded that he can only try.

Commissioner Pena commented that it would be in best interest for the community and Mr. Gonzales to allow the City to demolish the property.

Mayor Pro-tem Leubert stated that her concern was if Mr. Gonzales could remove any personal items within 30 days. Leubert further stated that if the Commission condemns this property tonight, the property owner only has 30 days to remove personal items and demolish the structure on their own. Otherwise the city will perform the services of demolition.

Mayor Pro-tem Leubert asked if anyone else in the audience would like to speak on behalf of this property. There being no further comments from the audience, Mayor Pro-tem Leubert closed this public hearing at 6:22 p.m.

#### **4. Public hearing regarding condemnation proceeding for structures located at 915 E. Yoakum, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:21 p.m.

Mr. Ginter reported that this is the first time this address has been brought to the City Commission for condemnation consideration. Ginter further stated that this property has not had any utilities since February, 2014 and as of the last inspection, there have been no improvements to the property.

Mayor Pro-tem Leubert closed this public hearing at 6:22 p.m.

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

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code*

*Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time.”*

Mrs. Alvarez reported that this Wednesday at 5:00 p.m. is the deadline to submit agenda items for the December 8<sup>th</sup> City Commission meeting. There are two Special Commission meetings scheduled for December 1<sup>st</sup> and December 15<sup>th</sup>.

Commissioner Pecos asked for an update on the pothole situation.

Mr. Charlie Cardenas, Public Works Director/City Engineer commented that city crews are back in full force covering potholes throughout the city.

Mayor Pro-tem Leubert read a thank you letter from Naval Air Station-Kingsville Commanding Officer, Capt. Misner regarding the main water break that occurred a couple of weeks ago affecting NAS-Kingsville.

Mr. Cardenas stated that he would have to give credit to his city staff for all their hard work.

### **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)*

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

1. **Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 Utility Fund budget to provide additional funding for the new city hall at the historic H.M. King High School. (Director of Finance).**

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 Police Department State Seizure Fund budget for the purchase of automatic license plate readers. (Director of Finance).
3. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 funds of the South Texas Specialized Crimes and Narcotics Task Force for donation to the Kingsville Amateur Boxing Club, Inc. (Task Force Commander).
4. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 funds of the South Texas Specialized Crimes and Narcotics Task Force for donation to the Boys & Girls Club of Kingsville. (Task Force Commander).

## REGULAR AGENDA

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

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

5. Consider accepting donation from La Posada de Kingsville in the amount of \$4,000.00 for downtown recycling bins and benches. (Parks and Recreation Manager).

Mrs. Susan Ivy, Parks and Recreation Manager, reported that La Posada de Kingsville Board decided to assist the City of Kingsville's Downtown initiative of installing new recycling trash bins and benches. This project fits perfectly with the theme of the 2014 La Posada de Kingsville celebration, Go Green Christmas and Reduce, Reuse, and Rejoice. It is being asked for the City Commission to accept the donation of \$4,000 from La Posada de Kingsville to the City of Kingsville.

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

6. Consider authorizing participation with the La Posada de Kingsville Children's Day event at the J.K. Northway on Saturday, December 6, 2014. (Parks and Recreation Manager).

Mrs. Ivy reported that La Posada de Kingsville celebration has hosted a Children's Day for the past 15 years, prior to the transfer of the Parks Department from the County to the City of Kingsville. This event has always been free to the public and includes many children's games, crafts, holiday activities and a toy giveaway of some kind. Annual attendance to this event is approximately 400-500 kids and parents. It is being requested that the City of Kingsville support the Parks & Recreation Department in hosting the event on Saturday, December 6<sup>th</sup> and include the event in its liability coverage along with the volunteers assisting with the event. This event is funded by La Posada de Kingsville and other sponsors from the community.

**Motion made by Commissioner Pena to honor the arrangements that were made prior to transfer of the Parks Department to the City of Kingsville, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Leubert voting "FOR".**

7. Consider resolution authorizing the City Manager to enter into a contract for the collection of delinquent special assessments between the City of Kingsville and Linebarger Goggan Blair & Sampson, LLP. (City Attorney).

Ms. Nancy Vasquez of Linebarger Goggan Blair & Sampson, LLP, reported on the contract for the collection of delinquent special assessments accounts. This is something that her firm has been in talks with the City for the past year. This is a special assessment

if their account is delinquent and remains unpaid for 30 days after the initial invoice. Ms. Vasquez stated that those will be included in the pending tax suit, as they represent the City of Kingsville in the collection delinquent ad valorem taxes. They will represent the City in this capacity as well as make the necessary court appearances, research, investigation, correspondence preparation and drafting of pleadings and all related work that is necessary to properly represent the City of Kingsville in these matters. All liens will be included in this suit and all the way through judgment. Ms. Vasquez further stated that they will represent the city in bankruptcy, filing the claims, and attend hearings and otherwise insuring the city's interest in bankruptcy matters with respect to the delinquency accounts. Vasquez further stated that no claims will be settled without the approval of the City Manager. As far as the law firm fees and expenses, it is the same as the fees in delinquent ad valorem which is 20% and will receive that percentage once they actually are collected and paid. She further stated that just like the delinquent ad valorem, they are paid by the property owner which is cost free to the City. This is a three year contract beginning November 24, 2014, and shall thereafter continue for one year, with three one year renewal periods. The city's responsibilities are outlined within the contract as well as the services performed by the Law Firm those being; Collection of Lien, Include liens in delinquent tax suits, Mass mailings of delinquent bills as requested by city, respond to incoming phone calls to Law Firm regarding delinquent accounts, represent city in bankruptcy court when property owner in bankruptcy, perform telephone collections, prepare deeds for resale, disburse tax sale and resale money, present resale bids to the City Commission, answer correspondence regarding delinquent accounts, and Law Firm will inform City of any forwarding addresses on returned mail received by Law Firm.

Mayor Pro-tem Leubert commented that this will work well for everybody.

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

**8. Consider condemnation of structures located at 521 W. Lott, Kingsville, Texas. (Director of Planning & Development Services).**

**Motion made by Commissioner Pecos finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction then declare the building or structure to be a nuisance and order its demolition by owner/agent/person in charge within 30 days, city shall abate in any manner it deems necessary and proper, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pecos, Pena, Leubert voting "FOR".**

**9. Consider condemnation of structures located at 1801-1803 N. 20<sup>th</sup>, Kingsville, Texas. (Director of Planning & Development Services).**

**Motion made by Commissioner Pecos to grant a 30 day extension to Mr. Barrera to remove the structure from the property. Motion failed for the lack of a second.**

**Motion made by Commissioner Pecos finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction then declare the building or structure to be a nuisance and order its demolition by owner/agent/person in charge within 30 days, city shall abate in any manner it deems necessary and proper, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pecos, Pena, Leubert voting "FOR".**

**10. Consider condemnation of structures located at 303 W. General Cavazos, Kingsville, Texas. (Director of Planning & Development Services).**

**Motion made by Commissioner Pecos to grant a 30 day extension to Mr. Gonzales to remove personal property from the structure. Motion failed for the lack of a second.**

**Motion made by Commissioner Pecos finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction then declare the building or structure to be a nuisance and order its demolition by owner/agent/person in charge within 30 days, city shall abate in any manner it deems necessary and proper, seconded by Commissioner Pena.**

Commissioner Leubert commented that if the City Commission approves this condemnation, the property owner has 30 days to remove any personal property from the structure and demolish it.

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

**11. Consider condemnation of structures located at 915 E. Yoakum, Kingsville, Texas. (Director of Planning & Development Services).**

**Motion made by Commissioner Pecos finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be corrected without substantial reconstruction then declare the building or structure to be a nuisance and order its demolition by owner/agent/person in charge within 30 days, city shall abate in any manner it deems necessary and proper, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Pecos, Pena, Leubert voting "FOR".**

**12. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 CO Series 2011-Utility Fund 006 Budget for the completion of constructing water well #25 pump house and ground storage tank. (Director of Finance).**

Mrs. Deborah Balli, Finance Director reported that this item is for a budget amendment for the amount of \$572,730.00. This is for the pump house and the storage tank for water well #25 projects. This project was originally part of the five year capital improvement project that began in 2011. Currently it has been budgeted for the drilling of the well which was completed this year but staff failed to include the pump house and ground storage tank. Staff recommends proceeding with approval of the proposed budget amendment to take the funds from the CO 2011 Series, which currently has funds.

**Introduction item.**

**VII. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:47 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, City Secretary

# **PUBLIC HEARING(S)**

# **CONSENT AGENDA**

# **AGENDA ITEM #1**



ORDINANCE NO. 2014-\_\_\_\_\_

**AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 CO SERIES 2011-UTILITY FUND 066 BUDGET FOR THE COMPLETION OF CONSTRUCTING WATER WELL #25 PUMP HOUSE AND GROUND STORAGE TANK.**

**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 066 Utility Fund-CO Series 2011</b>					
<u>Capital</u>					
2		Unreserved Fund Balance	61002		<u>\$572,730</u>
					<u>\$572,730</u>
<u>Expenses</u>					
5-6002	Water Production	Water Well #25	72025	<u>\$572,730</u>	
				<u>\$572,730</u>	

To amend the FY 14-15 CO Series 2011-Utility Fund budget for expenditures occurring in fiscal year 2015 for the completion of constructing Water Well #25 pump house and ground storage tank as per the attached memo from the Director of Public Works/City Engineer.

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 24<sup>th</sup> day of November, 2014.

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

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



## ***Engineering Department***

361-595-8007  
361-595-8035 Fax

DATE: November 14, 2014  
TO: City Commission through City Manager  
FROM: Juan Carlos Cardenas, Director of Public Works/City Engineer  
SUBJECT: Utility Fund Capital Project Budget Amendment (CO 2011 Funds 066)

### **SUMMARY**

This item authorizes a budget amendment to the Utility Fund Capital Project (CO 2011 Funds 066) for expenditures occurring this fiscal year 2015 for the completion of constructing Water well #25 pump house and ground storage tank.

### **BACKGROUND**

The project was originally included in the FY 10-11 5-year capital projects plan. \$888,853 was budgeted for the water well portion in FY 2013-2014 with \$35,725 spent. \$798,853 was carried over during the FY 2014-2015 budget process for the drilling of the water well, which the Commission authorized on November 10, 2014. The pump house and ground storage tank were never placed into an adopted budget. The total for this budget amendment to complete the project in FY 2015 is \$572,730.00 to cover the anticipated cost of construction of the pump house and ground storage tank.

#### **CO 2011 Fund (066) Utility Fund Capital Projects:**

Original Estimate: \$1.2M

Encumbered FY 14-15: \$723,000.00

Construction bid for tank and pump house: \$572,730.00

Budget Amend Increase for 2014 -2015 Utility Fund Capital Projects: \$572,730.00

### **RECOMMENDATION**

The proposed budget amendment is very important to finish the project in a timely manner. Staff recommends proceeding with approval of the proposed budget amendment to take the funds from the CO 2011 Utility Fund Capital Projects unreserved balance and move them to CO 2011 Utility Fund Capital Projects Water Production-Water Well #25.

### **FINANCIAL IMPACT**

Detail of the Budget Amendment is mentioned above.

Approved

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Vincent Capell, City Manager

# **REGULAR AGENDA**

## **AGENDA ITEM #2**

**ORDINANCE NO. 2014-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 GENERAL FUND BUDGET FOR MEMBERSHIP INTO THE TEXAS MAYORS OF MILITARY COMMUNITIES.**

**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
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**Fund 001 General Fund**

Capital

2		Unreserved Fund Balance	61002		<u>\$3,165</u>
					<u>\$3,165</u>

Expenses

5-1030 City Special	Prf Svc-Gr Kvl Economic Dev	31455		<u>\$3,165</u>	
				<u>\$3,165</u>	

To amend the FY 14-15 General Fund budget for membership into the Texas Mayors of Military Communities.

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 1<sup>st</sup> day of December, 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

**Minutes**  
**Texas Mayors of Military Communities**  
**October 2, 2014 – 8:00 a.m.**  
**TML Annual Conference and Exhibition**  
**George R. Brown Convention Center**  
**Room 370 (Level 3)**

**1. Call to Order**

**2. Consider Minutes of September 8 Meeting.**

A copy of the minutes were unavailable, the minutes will be approved in the next meeting.

**3. Finances.**

TML staff updated the organization of current finances. All current funds are listed below.

Corpus Christi: \$500

Texarkana: \$250

Chamber of Commerce Abilene: \$1000

**Total : \$1750**

**4. Budget Committee Update.**

Chairman Corbin distributed and explained four city contribution options. There will be twelve primary cities (based on military installation locations) responsible for a sum. The other surrounding cities are categorized under its primary base city and its contribution will be allocated under the primary city. Using the economic output of each base, a contribution figure was produced (see attached excel sheet.) There will be a ninety-day payment period from the next meeting in November.

There was discussion on how the organization shall vote and make key decisions, TML staff will prepare and present bylaws of the organization before the next meeting.

Jeff Coyle, Director of Intergovernmental Relations, San Antonio moved to adopt the Alternative Contribution Number 3. Scott Cosper, Mayor, Killeen seconded and the motion was unanimously adopted.

**5. Lobbyist Update.**

The Budget Committee asked Focused Advocacy to attend the meeting to discuss representation during the 84<sup>th</sup> Texas Legislature. Brandon Aghamalian, Snapper Carr, and Curtis L. Seidlits, Jr. were available to discuss questions or concerns from the organization. Emma Acosta, Councilmember, El Paso motion to hire Focused



Advocacy in a sum of \$50,000 in the effort of seeking \$150 million in appropriations to fund the Defense Economic Adjustment Assistance Grant Program. Tom Tagliabue, Director of Intergovernmental Relations, Corpus Christi seconded and the motion was unanimously adopted.

**6. Legislative Meetings and Project List.**

Nelda Martinez, Mayor, Corpus Christi and Dan Corbin, Chairman discussed meetings held with Speaker Strauss, Senator Eltife, and staff of Senator Birdwell and Senator Jane Nelson. Legislators and staff asked how the communities would facilitate the \$150 million. It is imperative the organization have a list of projects that encompass how each community would use the granted funds. Thus, each city must send a list of three projects to JJ Rocha at [jj@tml.org](mailto:jj@tml.org) by October 16, 2014 detailing how the community will use the funds.

**7. Set date, time, and location of next meeting.**

The next meeting will be held on November 17, 2014 at 10:00 a.m. in the First Floor Conference Room at the Texas Municipal Center.

# **TEXAS MAYORS OF MILITARY COMMUNITIES BYLAWS**

## **ARTICLE I**

These bylaws constitute the code of rules adopted by the Texas Mayors of Military Communities for the regulation and management of its affairs.

## **ARTICLE II**

### **Purpose**

The purpose of the Texas Mayors of Military Communities is to educate the legislature and public about the needs and benefits of communities that contain military installations.

The aforementioned is to be accomplished through dissemination of factual information based on nonpartisan analysis, study, and research by broadcast, print materials, social media, and other electronic formats. Educational materials will stress the following features of Texas communities of military communities: the need to invest in initiatives to protect, preserve, and enhance the military value of Texas installations and the jobs that are vital to those communities.

Notwithstanding any other provision in these Articles, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt under Section 501 (c) (4) of the Internal Revenue Code and its Regulations as they now exist or as they may hereafter be amended. Alternatively, the Corporation shall have the power to, and shall, conduct and carry on any activities required to be conducted or carried on in order to acquire and maintain a determination that it is an organization exempt under Section 501 (c) (4), or successor Section, of the Internal Revenue Code and the Regulations thereunder as they now exist or as they may hereafter be amended.

## **ARTICLE III**

### **Board of Directors**

#### **(1) Powers**

The Board of Directors (Directors) of this Corporation is vested with the management of the business and affairs of this Corporation, subject to the Texas Business Organizations Code, the Certificate of Formation, and these bylaws. The Board may present items to the membership for vote.

(2) **Qualifications**

Directorships shall not be denied to any person on the basis of race, creed, sex, religion, or national origin. Employees of the Corporation are ineligible to serve on the Board of Directors.

(3) **Number of Directors**

The Board of Directors will consist of five Directors. Upon majority resolution of the Board of Directors, the number of Directors may be increased or decreased from time to time, but in no event shall a decrease have the effect of shortening the term of an incumbent Director, or decreasing the total number of Directors to less than five Directors. Until the first meeting for electing the Directors occurs, the initial Board of Directors shall consist of the persons listed in the Certificate of Formation as constituting the initial Board.

(4) **Term of Directors**

Directors shall serve terms of two years. Each term will begin on July 1 of the year at which each Director is elected and last until June 30 two years after the election to coincide with the Corporation's fiscal year.

(5) **Election of Directors**

Elections for Directors filling expired terms shall be held at the last meeting of the fiscal year. Any Directorship to be filled by reason of an increase in the number of Directors shall be filled at the next regular meeting of the Board of Directors or at a special meeting called for that purpose. When a re-appointment or replacement is made, the re-appointment or replacement shall be considered effective on the date that the prior term expired (i.e., the new term does not begin on the date of the election). Board members whose terms have expired may continue serving until they are either re-appointed or until their successors are chosen.

(6) **Resignation**

Any Director may resign at any time by delivering written notice to the Secretary/Treasurer or President of the Board of Directors. Such resignation shall take effect upon receipt or, if later, at the time specified in the notice.

(7) **Removal**

Any Director may be removed without cause, at any time, by a majority of the entire Board of Directors, at a Regular or Special Meeting called for that purpose. Any Director under consideration of removal must first be notified about the consideration by written notice at least five days prior to the meeting at which the vote takes place.

(8) **Vacancies**

Vacancies shall be filled by majority vote of the remaining members of the Board of Directors, though less than a quorum, and the Director filling the vacancy shall serve for the remainder of the term of the Directorship that was vacated. Vacancies shall be filled as soon as practical. Any Director may make nominations to fill vacant Directorships.

(9) **Compensation**

Directors shall not receive any salaries or other compensation for their services but, by resolution of the Board of Directors, may be reimbursed for any actual expenses incurred in the performance of their duties for the Corporation, as long as a majority of disinterested Board of Directors approve the reimbursement. The Corporation shall not loan money or property to, or guarantee the obligation of, any Director.

**ARTICLE IV**  
**Committees**

(1) **Executive Committee**

The President, Vice President, and Secretary/Treasurer of the Corporation shall constitute the Executive Committee. The Executive Committee shall have the authority to act on behalf of the Corporation in between Regular Meetings of the Board of Directors. The Board of Directors must validate the actions of the Executive Committee at its next Regular or Special Meeting. Any such action not so validated will not be legally binding on the Corporation. The President shall act as chairperson of the Executive Committee. A majority of the Executive Committee shall constitute a quorum for the transaction of business, and all decisions shall be by majority vote of those present.

(2) **Additional Committees**

The Board of Directors may from time to time designate and appoint additional standing or temporary committees by majority vote of the Board of Directors. Such committees shall have and exercise such prescribed authority as is designated by the Board of Directors. The Directors may authorize these committees to exercise any powers, responsibilities, and duties consistent with the Certificate of Formation and these bylaws.

**ARTICLE V**  
**Board Meetings**

(1) **Place of Board Meetings**

Regular and Special Meetings of the Board of Directors will be held at any place that the President may designate within the State of Texas.

(2) **Regular and Special Meetings**

Regular Meetings of the Board of Directors shall be held annually in June, or more frequently as deemed necessary by the Board of Directors. Special Meetings may be

called by the President or any three Directors. An orientation meeting will be held each year for the new members of the Board of Directors.

**(3) Notice of Board Meetings**

Notice of the date, time, and place of Regular Meetings shall be given to each Board member by regular mail, telephone (including voice mail), facsimile, or email no less than 30 days prior to the meeting. Notice of the date, time, and place of special meetings shall be given to each Board member using the same methods, but with no less than 10 days notice prior to the meeting, with the exception of Special Meetings held to amend the Certificate of Formation or bylaws, for which a 45-day written notice by mail or facsimile shall be required specifying the proposed amendment.

**(4) Waiver of Notice**

Attendance by a Director at any meeting of the Board of Directors for which the Director did not receive the required notice will constitute a waiver of notice of such meeting, unless the Director objects at the beginning of the meeting to the transaction of business on the grounds that the meeting was not lawfully called or convened.

**(5) Quorum**

A majority of the incumbent Directors (not counting vacancies) shall constitute a quorum for the purposes of convening a meeting or conducting business. At Board meetings where a quorum is present, a majority vote of the Directors attending shall constitute an act of the Board, unless a greater number is required by the Certificate of Formation or by any provision of these bylaws.

**(6) Actions without a Meeting**

Any action required or permitted to be taken by the Board of Directors under the Texas Non-Profit Corporation Act, the Certificate of Formation, and these bylaws may be taken without a meeting, if a majority of the Directors individually and collectively consent in dated and signed writing, setting forth the action to be taken. Such written consent shall have the same force and effect as a unanimous vote of the Board. Notice of the taking of an action by directors without a meeting by less than unanimous written consent shall be given to each director or committee member who did not consent in writing to the action.

**(7) Telephonic and Electronic Communication**

Any and all Directors may participate in a meeting of the Board of Directors by means of conference telephone, or by any other means of communication by which all Directors participating in the meeting are able to hear each other at the same time. Such participation shall constitute the presence in person by such Directors at such meeting. A written record shall be made of all actions taken at any meeting conducted by means of a conference telephone or other means of communication. Directors may also meet and vote via electronic means such as e-mail so long as the identity of each Director is made clear in the means of voting.

**(8) Proxy Voting Prohibited**

Proxy voting is not permitted.

**(9) Meeting Absence**

If a Director is absent from a duly called meeting between July 1 of one year and June 30 of the following year without being excused by action of the Board, the member may be disqualified from serving as a Board member. An absence is only excused if: (a) the absent Board member informed the President or Secretary/Treasurer of his/her absence and the reason for his/her absence in advance; and (b) the Board voted to excuse the absence.

**ARTICLE VI**

**Officers**

**(1) Roster of Officers**

The Corporation shall have a President, Vice President, and Secretary/Treasurer. The Corporation may have, at the discretion of the Board of Directors, such other officers as may be appointed by the Directors.

**(2) Election and Removal of Officers**

All officers shall serve one-year terms. The election shall be conducted at the Board of Directors' first meeting of the fiscal year and following the election of the new Board of Directors filling expired terms, or as soon as practical thereafter. Officers shall remain in office until their successors have been selected. Officers may serve consecutive terms without limit. The election of officers shall be by majority vote of the Board of Directors attending the meeting.

**(3) Vacancies**

If a vacancy occurs during the term of office for any elected officer, the Board of Directors shall elect a new officer to fill the remainder of the term as soon as practical, by majority vote of Directors present.

**(4) President**

- \* The President will supervise and control the affairs of the Corporation and shall exercise such supervisory powers as may be given him or her by the Board of Directors.
- \* The President will perform all duties incident to such office and such other duties as may be provided in these bylaws or as may be prescribed from time to time by the Board of Directors. The President shall preside at all Board meetings and shall exercise parliamentary control in accordance with Robert's Rules of Order.

- \* The President shall, with the advice of the Board of Directors and in accordance with the requirements of these bylaws, set the agenda for each meeting of the Board of Directors.

**(5) Vice President**

- \* The Vice President shall act in place of the President in the event of the President's absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required by the Board.
- \* The Vice President shall serve as the parliamentarian and interpret any ambiguities of the bylaws.

**(6) Secretary/Treasurer**

- \* The Secretary/Treasurer will perform all duties incident to the office of Secretary/Treasurer and such other duties as may be required by law, by the Certificate of Formation, or by these bylaws.
- \* The Secretary/Treasurer shall attest to and keep the bylaws and other legal records of the Corporation, or copies thereof, at the principal office of the Corporation.
- \* The Secretary/Treasurer shall take or ensure that someone takes minutes of all meetings of the committees and Board of Directors, and shall keep copies of all minutes at the principal office of the Corporation.
- \* The Secretary/Treasurer shall ensure that all records of the Corporation, minutes of all official meetings, and records of all votes, are made available for inspection by any member of the Board of Directors at the principal office of the Corporation during regular business hours.
- \* The Secretary/Treasurer will have charge and custody of all funds of the Corporation, will oversee and supervise the financial business of the Corporation, and will render reports and accountings to the Directors as required by the Board of Directors.
- \* The Secretary/Treasurer and the staff of the Corporation shall devise a plan providing for the acceptance and disbursement of all funds of the Corporation that shall be approved by the Board of Directors.
- \* The Secretary/Treasurer, with the approval of the Board of Directors, shall set up all checking, savings, and investment accounts of the Corporation and deposit all such funds in the name of the Corporation in such accounts.
- \* The Secretary/Treasurer's signature shall be the authorized signature for all checking, savings, and investment accounts of the Corporation, unless the Secretary/Treasurer, with the approval of the Board of Directors, designates another member of the Board of Directors or employee of the Corporation as the authorized signatory for a particular type of disbursement.
- \* The Secretary/Treasurer shall prepare a monthly report for the Board of Directors, providing an accounting of all transactions and of the financial conditions of the Corporation.
- \* The Secretary/Treasurer shall keep all financing records, books, and annual reports of the financial activities of the Corporation at the principal office of the Corporation and

make them available at the request of any Director or member of the public during regular business hours for inspection and copying.

- \* In the case of the absence or disability of the Secretary/Treasurer, or the Secretary/Treasurer's refusal or neglect to fulfill the duties of Secretary/Treasurer, the Vice President shall perform the functions of the Secretary/Treasurer.

## **ARTICLE VIII**

### **Members**

The Corporation will have members consisting of cities. Each member city shall have one vote on matters brought before the membership by the board of directors.

## **ARTICLE IX**

### **Rules of Procedure**

The proceedings and business of the Board of Directors shall be governed by Robert's Rules of Parliamentary Procedure, unless otherwise provided herein.

## **ARTICLE X**

### **Executive Director**

The Board of Directors may, upon resolution, appoint an Executive Director to serve at the Board's discretion and to carry out whatever tasks the Board from time to time resolves. The Executive Director may be paid an annual salary set by the Board of Directors. Subject to such supervisory powers as are vested in the Board of Directors, the Executive Director shall supervise, direct, and control the business of the Corporation and actively manage its business, and shall have such other powers and duties as may be prescribed by the Board of Directors or by these bylaws.

The Executive Director may engage in negotiations involving commitments of the resources of the Corporation or the acceptance of money or resources by the Corporation in furtherance of the purposes of the Corporation as set out in the Articles of Incorporation and these bylaws. The Executive Director shall generally be expected to attend all meetings of the Board of Directors and meetings of the general membership.



## **ARTICLE XI**

### **Operations**

**(1) Execution of Documents**

Unless specifically authorized by the Board of Directors or as otherwise required by law, all final contracts, deeds, conveyances, leases, promissory notes, or legal written instruments executed in the name of and on behalf of the Corporation shall be signed and executed by the Secretary/Treasurer (or such other person designated by the Board of Directors), pursuant to the general authorization of the Board. All conveyances of land by deed shall be signed by the President or two other members of the Executive Committee and must be approved by a resolution of the Board of Directors.

**(2) Records**

The Corporation will keep correct and complete records of account and will also keep minutes of the proceedings of the Board meetings and committees. The Corporation will keep at its principal place of business the original or a copy of its bylaws, including amendments to date certified by the Secretary/Treasurer of the Corporation.

**(3) Inspection of Books and Records**

All books and records of this Corporation may be inspected by any Director for any purpose at any reasonable time on written demand.

**(4) Loans to Management**

The Corporation will make no loans to any of its Directors or Officers.

**(5) Amendments**

The Board of Directors may adopt amendments to the Certificate of Formation by a vote of two-thirds of Directors present at a meeting where a quorum is present. The bylaws may be amended at any time by a vote of the majority of Directors at a meeting where a quorum is present.

**(6) Fiscal Year**

The fiscal year for the Corporation will be July 1 to June 30.

**(7) Audit**

The Secretary/Treasurer shall ensure that an audit of the Corporation shall be prepared annually and shall give a financial report at the annual meeting of the Board.

### **CERTIFICATION**

I hereby certify that these bylaws were adopted by the Board of Directors of the Texas Mayors of Military Communities at its meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Secretary/Treasurer

# Texas Mayors of Military Communities Project List

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## FORT BLISS

### El Paso

- **Boots to Jobs**

Scope: (1) match employer demand for specific jobs to the military talent pipeline, (2) identify the gap between the employee skill-set and the employer need, and (3) direct prospective employees to community resources to “fill the gap”, including certification programs, traditional 2-4 year degree programs, and customized training. Boots to Jobs will use social media and a web portal to step thru the process and engage with counseling, mentoring using a 1 to 1 model supported by easy to use video technology. The goal is a scalable, sustainable, replicable project. The Boots to Jobs blueprint will be offered to all interested cities in Texas.

Estimated project cost: \$2.5 million for program management, hardware, software, implementation support, marketing, and training. Software includes analytics to measure progress real time and a feedback processes so that participating military can help us continuously improve and streamline.

- **Expansion of the Kay Bailey Hutchison Desalination Plant**

Scope: Provide additional brackish water, treatment skid, and concentration management to expand capacity 10 MGD for a total of 37.5 MGD.

Estimated project cost: \$27 million (\$10 million for additional brackish water, \$12 million for additional treatment skid, and \$5 million for additional injection well and/or high lift pumping)

- **Ft. Bliss Microgrid**

Scope: Ft. Bliss energy security is a primary concern for the U.S. Army and National Defense. Microgrids are a potential solution to integrate other generation sources, such as gas/diesel generators, solar photovoltaic arrays, and energy storage batteries, into a controlled grid that can sustain power to critical facilities in the event of grid wide blackouts. Additional benefits include potentially supporting El Paso Electric’s grid load factor and energy management to produce the most advanced, robust, and smart grid for the 21<sup>st</sup> century. The City of El Paso, along with El Paso Electric, Rio Grande Electric COOP, and Fort Bliss will study the implementation of a microgrid on Fort Bliss that could integrate all eleven energy service points and generation sources.

Estimated project cost: \$1 million for a to fund a study by El Paso Electric and Rio Grande Electric COOP to analyze existing infrastructure and generation assets on Ft. Bliss. Analysis would include any planned future upgrades to the distribution or transmission grid, solutions for control and curtailment of solar generation assets, power conditioning, long term outage planning, and backup power requirements. The study would leverage information already developed in support of electrical grid operations at Ft. Bliss.

- **No D.U.I. El Paso**

Scope: No D.U.I. El Paso is a nonprofit run by Ft. Bliss soldiers dedicated to assisting the Armed Forces accomplish its mission of eliminating Drinking and Driving and S.H.A.R.P. violations as a result of alcohol for Fort Bliss off-duty military personnel and citizens of the El Paso area. No D.U.I. provides designated drivers to anybody in the City of El Paso for free. They also transport the patron's vehicle to his/her residence. After its first year of operations, No D.U.I. contributed to a 25.2% decrease in DWI's on Fort Bliss, Texas and a 61.3% decrease in Alcohol Related Traffic Fatalities on El Paso roadways. No D.U.I. relies completely on volunteers and donations. Costs to adequately and fully fund the program include vehicle maintenance for volunteers, reimbursement for gas for volunteers, background checks and insurance for volunteers, and mobile dispatch units so that volunteers can reach patrons more efficiently and quickly. The program is seeking to expand to Ft. Hood in 2015 and is replicable for all bases in Texas.

Estimated project cost: \$200,000 (\$100,000 per year)

## **FORT HOOD**

### **Belton**

Regional Recycling Facility at a location that serves all of Central Texas. The ultimate facility would likely cost up to \$10M, \$2.5M to start, but would be substantially privately funded. An allocation of \$1.0M would be an investment that could facilitate the commitment of private capital. Land is available for this facility.

### **Copperas Cove**

- Future Fire Station 4 – The City completed a Station Location Study in 2010 and received land from the Copperas Cove EDC by deed in 2013. The station will be a Fire Station with a Police Sub Station located on the far east end of the City (Narrows Business & Technology Park) and is planned to provide greater support to Fort Hood for emergency response. A Needs Assessment was completed by Brinkley Sargent Architects in 2013 and is intended to support the City's growth needs through 2033. Total square footage is estimated to be 24,409 and 2014 Construction estimate is \$7,262,400.

- Regional Single Stream Recycling Program (SSR). The City is a member of the Cen-Tex Sustainable Communities Partnership with Fort Hood, City of Killeen, City of Gatesville and City of Harker Heights. The Partnership was formed in 2010 and set a top goal to develop and implement a regional SSR program. The City has implemented an phased-in SSR program and expects to have the program completely implemented to all residences by the end of FY 2015. Should the regional SSR Program occur, the City would incur costs to expand the current program.
- Effluent Water Project. The Cen-Tex Sustainable Communities Partnership has also set a goal to implement the use of effluent water for irrigation purposes. The City implemented effluent irrigation of the City's municipal golf course in 2010 and desires to expand the effluent from the Northwest WWTP to irrigate the City Park located along FM 1113, 2 elementary schools and a Jr High campus to include a football stadium located off of Courtney Lane.
- Alternate Water Source for Fort Hood and the City of Copperas Cove. The Central Texas region experienced a water line break in the summer 2014 that caused a loss of water to the City of Copperas Cove and Fort Hood. After the event, it was determined several modifications could be made to improve the ability of Bell County Water Control Improvement District #1's capability of meeting the water needs of Fort Hood and Copperas Cove with modifications to Pump Station #6.
- Fort Hood Training land. The City and Copperas Cove EDC are working to acquire land for a future land swap with Fort Hood that will provide additional land to meet the training needs of Fort Hood.

## **Gatesville**

The City of Gatesville offers the following potential project. Construction of a 1,000,000 gal per day wastewater plant (Approx. \$10M) on North Fort Hood (NFH) that we would be operated by contract by The City of Gatesville.

Background: In 2007, the City of Gatesville assumed the treatment of the wastewater at NFH at the Army's request. This was done so that the facilities at North Fort Hood could be expanded. The City built a lift station at NFH, one additional lift station, and expanded one of the wastewater plants to support an increased flow 500,000 gal per day. The Army paid \$4M for this expansion. There is currently an Operational Readiness Training Center (ORTC) under construction, a \$52M MCA project that should be completed in March of 2015. Gatesville's expanded capacity can accommodate this ORTC. The Army now has plans to further expand the NFH facilities. They have indicated that perhaps one more ORTC, and possibly as many as five more, and possibly other additional facilities. Any significant additional expansion would exceed the capacity of the Gatesville system. A better solution would be to build a wastewater plant on NFH. DOD does not want to be in

the utility business and would not want to operate the plant. The City of Gatesville would operate it under contract like the current arrangement. I am willing to provide more on this as necessary, and will be willing to discuss it at the TML Meeting.

## **JOINT BASE SAN ANTONIO**

### **San Antonio**

The top three Joint Base San Antonio projects in priority order are the following:

1. Construct a new Dining facility at Camp Bullis to replace the temporary wooden facilities built in the 1930's. Funding request is **\$18.5M** to provide 36,705 sq ft of facility space to accommodate 1,650 personnel.
2. Construct a new Air Traffic Control Tower on the Kelly Annex of Lackland AFB. Existing control tower does not have an unobstructed view of the airfield and components are severely deteriorated. Funding request is **\$9.8M** to support over 4,000 operations per year.
3. Construct a new Commercial Gate at Randolph AFB that enhances security/safety through relocation of the existing gate outside the airfield clear zone and elimination of flying hazards. Funding for the project is **\$8.7M**.

## **LAUGHLIN AIR FORCE BASE**

### **Del Rio**

1. The Consolidated Airfield Drainage project is Laughlin's top military construction priority. The \$13 million project is needed to improve drainage and mitigate the risks of flooding at the airfield. Heavy rainfall causes flooding of flight line buildings, backs up sewage lines and threatens critical assets on the runway and taxiway. Flooding also contributes the accelerated deterioration of pavements.\
2. An Upgraded Main Gate (\$12.0M) at Laughlin is needed to meet current Anti-Terrorism Force Protection standards. The project would add two inbound lanes to reduce congestion and include a separate large vehicle inspection area to improve force protection. A new Visitor Center will be located outside the gate.
3. South West Texas Junior College – GROW YOUR OWN – Aviation Maintenance Certification Program . Project would help in the purchase of training equipment and supplies. Cost would be approximately (\$3.1M). We would also promote the program throughout a six-county region as well as offer scholarships. Counties where program would be promoted would include Val Verde, Kinney, Uvalde, Maverick, Zavala & Terrell Counties.

# NAVAL AIR STATION CORPUS CHRISTI AND CORPUS CHRISTI ARMY DEPOT

## CORPUS CHRISTI

*This list is not meant to be a FINAL list or a commitment by the City of Corpus Christi to support these specific projects. Things could change between now and September 2016 when and if funding is appropriated.*

Military Values Potential Projects		
Title	Scope of Work/Project Description	Estimated Budget (subject to change)
Sam Rankin Roadway Improvement	To improve access and flow to the Strategic Military Port at the Port of Corpus Christi, Sam Rankin Road needs to be reconstructed. This is similar to the North Port Avenue project that was originally funded by the TMPC loan. In partnership between the Port of Corpus Christi and the City of Corpus Christi, the road will be expanded to a 28-foot wide road section from Port Avenue to West Broadway Street to include curb and gutter, storm water drains, and subsurface storm water sewer system improving access to staging lots and the railyard adjacent to the road and leading to Dock 8, 14 or 15 on the south side of the Corpus Christi Ship Channel. Funding needed for engineering design, roadway construction and utilities work.	\$1,100,000.00
Cabaniss Clear Zone Land Purchase	To address encroachment concerns identified in the Joint Land Use Study (JLUS), private property in the Cabaniss Field Clear Zone outside of the city limits of Corpus Christi needs to be acquired. Approximately 51.85 acres are in the Clear Zone, but additional acreage owned by the private land owner may be acquired to prohibit incompatible development near Cabaniss Field.	\$1,700,000
NASCC South Gate Truck Lane	As part of Force Protection Initiative, there is a need for a separate truck lane at the South Gate of NASCC on NAS Drive. Funds are needed to plan, design, engineer, relocate utilities, and construct the required serpentine lane inside and outside the NASCC South Gate. NASCC will prepare planning document with specifications. Through an MOA with the City, the City would solicit bids for and oversee construction.	\$1,500,000
Electric Power line pole relocation	To address life safety concerns related to flight operations identified in the JLUS, it is necessary to relocate 6-8 power poles in the clear zone for Truax Field on NASCC to an area outside of the clear zone to eliminate an incompatibility with flight training operations.	\$500,000

North Gate repaving on Ocean Drive	To improve the most direct route to the Port of Corpus Christi, the North Gate entrance on Ocean Drive needs to be repaved. Mill and overlay the section of Ocean Drive from where city and state maintenance ends and federal property begins.	\$1,000,000
Fence Line Replacement	As part of Force Protection Initiative, replace various segments of security fence line around NASCC.	\$500,000
Replace Water Lines Inside NASCC	Aging water lines dating to the 1940s need to be replaced as they are critical to CCAD and the NASCC in the performance of their missions. CCAD uses the water in processes related to the repair and overhaul of helicopters and their components. NASCC needs the water to provide fire fighting capability. The infrastructure is aging and is not as reliable as required to meet these critical needs. NASCC estimates aging water lines should be routinely replaced over a period of years as funding becomes available.	\$5 million to \$20 million
Taxiway Expansion & Safety Enhancements	Widen an existing taxiway at Corpus Christi International Airport (CCIA) from 50-feet to 75-feet and construct fillets to improve safe transit of US Coast Guard (USCG) assets from CCIA taxiways to the USCG apron. Further enhances safety by moving all Coast Guard planes from NASCC to CCIA.	\$400,000
	<b>TOTAL</b>	<b>\$5,200,000</b>
<b>Additional Potential Projects</b>		
Repair Apron Access Road, ST12-2042	Special Project to address sink holes and deteriorated condition on flight line – creates unsafe traffic pattern. Scope would include replacement of two large asphalt aprons that are unusable due to fuel trucks overloading and damaging surface.	\$3,000,000
P-450 Squadron Operations Facility for FY17	Addresses “red” classroom capability gap according to Global Shore Infrastructure Plan. Brings TW-4 onto flight line from deteriorated facility. Must occur before P-465 hangar project.	\$37,000,000
P-465 Consolidated Hangar for FY18	Demolishes H55 & 56 (currently in renovation to extend life for five years). Creates one-stop hangar for T6B/T44 and Contractor Operated and Maintained Base Supply facility.	\$53,000,000
Repair Airfield Facilities, ST 13-1782	CNRSE #1 Special Project for POM16 Includes paving, electrical infrastructure, lights, signs and markings. Initial portion: Mill and overlay of RWY 17/35, 04/22 and re-stripe Hold Short markings. Under discussion at CNIC for funding with FY14 funds (\$13M) Award planned for late September 2014.	\$40,000,000
Repair Fire Protection System H42, 51, 55, 56, 57 & 58, RM 12-2059	Originally a \$12M project, was broken into smaller projects. Three hangars funded for AFFF repairs in FY14 H57, 58 & 51 (and office space sprinklers only in H42) H42, 55 & 56 to be pursued in follow-on projects	\$6,000,000
	<b>TOTAL</b>	<b>\$139,000,000</b>



## NAVAL AIR STATION KINGSVILLE

### Kingsville

Title	Scope of Work/Project	Estimated Budget
Jogging/walking sidewalk	Construction of a five (5) foot sidewalk on Golf Course Rd adjacent to Hawk's Landing Navy Housing. The sidewalk would be on both side of the road, and run from Escondido Rd to Golf Course Rd, 1.07 miles (2.14 miles both directions). This includes ADA ramps and slopes but does not include lighting, trees and other aesthetics. This is a popular area for student pilots and their spouses to jog.	\$500,000
Drainage ditch	Lining the drainage ditch on General Cavazos St. along the fence line of Naval Air Station Kingsville. This will reduce maintenance cost and reduce access by city maintenance crews to the base for maintenance, adding the base security. The ditch is outside the city limits.	\$1,200,000
Land acquisition	Property located immediately north of NAS Kingsville is available to purchase from a local owner. Located on FM 2045, the 29.808 acre piece of land is directly in the flight path of primary runways. Proposed county road borders property and would provide additional access for NAS Kingsville emergency personnel, along with providing long-term security from encroachment issues.	\$58,000
P275 Ground Training Building	Construction of a new ground training building to alleviate infrastructure problems with pre-Vietnam era facility. All new "Charlie" simulators are located in a newer facility, but ground training building wiring and foundation issues need to be replaced to ensure continuous and interrupted training schedules.	\$16,000,000
P281 New Public Safety Facility	Primary gate entrance to NAS Kingsville needs to be replaced with newer, modern facility to ensure easy access as well as necessary security features.	\$17,000,000
Building modification	Improvements to office space in Building 760 at NAS Kingsville. The facility is former home to Army Reserve Medical Evacuation (MEDEVAC) Unit that has been ordered back to Ft. Carson. The building will be utilized to handle excess depot level work for the T-45 Service Life Extension Program (SLEP). Improvements will allow for full utilization of Building 760, which is critical to NAS Kingsville retaining all work on the 200+ T45 a/c with the SLEP, plus meet current demand for workload on the Required Avionics Modernization Program (RAMP), and installation of the "inlet mod" on all 200+ T-45 a/c.	\$650,000

# RED RIVER ARMY DEPOT

Texarkana

Estimated Cost	Project	Project Description
<b>Utilities</b>		
\$7,143,500	Relocate electrical substation	Present location of substation serving RRAD is outside the force protection zone and presents a potential threat to the Depot's security.
\$1,430,000	Natural gas segmentation	Present location may present a potential threat to the Depot's security and/or impede efficient production
\$2,600,000	Redundant fiber optics	Present location may present a potential threat to the Depot's security and/or impede efficient production
<b>Transportation &amp; Mobility</b>		
\$4,000,000	Widen US82 at/adjacent to new "Truck" gate	U.S. 82 is currently a 2-lane highway connecting New Boston, TX to the west entry of the Red River Army Depot and west campus of TexAmericas Center. Over 300 commercial trucks enter the Red River Army Depot daily and must wait on the two lane highway (east bound and west bound) until it is clear to turn into the Truck gate. Traffic backs up at times and several accidents have occurred because of stopped traffic. Widening the road to create turning lanes would allow east and westbound traffic to proceed safely while providing trucks entering the Truck gate a safe haven lane to slow down or stop while waiting on clearance to turn
<b>ALTERNATIVE</b>		
	Relocate Hwy 82 Truck Gate	Consider the RRAD truck gate off HWY 82 and use the gate at connects RRAD and TAC (Post 6) as a future truck gate. There is sufficient space in that area for trucks to line up. A "transportation area" would be designed that could be used for parking/logistics and could have enhanced use in the future to support intermodal activity. Funds would be used Cypress Street on TAC-E and Bowie Parkway

## **SHEPPARD AIR FORCE BASE**

### **Wichita Falls**

Bottom-line: need a minimum required 4 trainers (\$6.1M) to replace the outdated Heavy Avionics C-130/141 trainers. The cost of replacing all 10 trainers is \$11.6M. The new devices are sourced to Randolph AFB Training Fabrication.

Discussion: Current trainers are 1970s era trainers that have become outdated and unsupportable. We have eight C-130 style trainers without E-TCAS, flight management system, or other components needed to support E-TCAS, digital interphone and low power color weather radar. Additionally we have four unsupportable C-141 trainers, which are relied upon to provide an additional 141.5 hours of training that cannot be met with the C-130 trainers in their current configuration. Replacing the outdated trainer with new modernized KC-135 flight-deck style trainers will meet the new 2011 avionics training requirements per the career functional manager and sustain the devices for future years.

Below is the 3080 submission for replacing all 10 outdated trainers. Total cost is \$11.5M for Randolph AFB Trainer Fabrication to build the training devices.

For reference, is the Heavy Avionics C-130/141 pamphlet (separate document) that describes the trainers in more detail--Lt Col Beaumont AETC/FMA advocated for the Sheppard AFB trainers at the AETC Group Counsel for 3080 funds, but was told by the Training Panel that the Career Functional Manager (CMSgt Turner) needs to make a decision on to fund/not fund/source the training devices. AETC/A3T stated they will continue to engage with CMSgt Turner for his decision on the training devices.

**FISCAL YEAR 2015**  
**DETAILED ITEM JUSTIFICATION**  
**FOR OTHER PROCUREMENT (3080) REQUIREMENTS**

**PRIORITY NO: 1      BASE: SHEPPARD AFB, TEXAS, 365 TRS**

<b><u>BPAC</u></b>	<b><u>REQUIREMENT TITLE</u></b>	<b><u>3080 COST</u></b>	<b><u>3400 COST</u></b>	<b><u>TOTAL COST</u></b>
	COMM-NAV TRAINERS	\$11,566,196	\$ -	\$11,566,196

**DESCRIPTION:**

**DESCRIPTION OF CURRENT TRAINER:**

Current trainers are 1970s era trainers that have become outdated and unsupportable.

We have eight C-130 style trainers without E-TCAS, flight management system, or other components needed to support E-TCAS, digital interphone and low power color weather radar.

Additionally we have four unsupportable C-141 trainers which are relied upon to provide an additional 141.5 hours of training that cannot be met with the C-130 trainers in their current configuration.

**DESCRIPTION OF RECCOMENDED TRAINER:**

Recommend replacing existing C-130/C-141 (12 total) trainers with 10 new KC-135 flight-deck style trainers that will meet 2011 U&TW requirements as follows:

**SEE ATTACHMENT.**

**IUSTIFICATION:**

Career Field 2A533A U&TWs in Dec 2011 established new requirements as follows:

2.17.7.4 Perform Operational Checks -Digital/Analog Interphone System

2.16.11.4 Perform Operational Check - Enhanced Traffic Alert and Collision (E-TCAS)

2.14.4.3 Perform Operational Checks- Low Power Color Weather Radar (LPCWR)

These new requirements cannot be met with the current trainers.

**SEE ATTACHMENT.**

**IMPACT IF NOT FUNDED:**

Unfunded requirement will impact over 2500 active duty Communication/Navigation technicians. Three critical training requirements, levied against the school house in 2011, cannot be met. Inability to train technicians on these new items increases the training burden in the operational units affecting all heavy aircraft units.

**SEE ATTACHMENT.**

**ADDITIONAL DATA:**

Requested trainer is a replacement item.

The requirement has been POM'd.

Date funds are needed: ASAP

Core, Essential or Enhanced requirement: Core requirement

Health or Safety Issues involved with this requirement: No

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Economic Output		Contribution (3) times	Alt 1 Contribution	Contribution	Alt 2 Contribution	Contribution	Alt 3 Contribution	Alt 4
Primary City	(\$ billion)	% Col 2 / \$148.91	\$20k	(4) + \$500	(3) x \$50K	(6) + \$3000	(3) x 30K	(8) + \$3000	\$65K / 12
Corpus Christi	5.72	3.84	\$768.00	\$1,268.00	\$1,920.00	\$4,920.00	\$1,152.00	\$4,152.00	\$5,500.00
San Antonio	46.39	31.15	\$6,230.00	\$6,730.00	\$15,575.00	\$18,575.00	\$9,345.00	\$12,345.00	\$5,500.00
El Paso	25.48	17.11	\$3,422.00	\$3,922.00	\$8,555.00	\$11,555.00	\$5,133.00	\$8,133.00	\$5,500.00
Killeen	44.49	29.88	\$5,976.00	\$6,476.00	\$14,940.00	\$17,940.00	\$8,964.00	\$11,964.00	\$5,500.00
Texarkana	1.92	1.29	\$258.00	\$758.00	\$645.00	\$3,645.00	\$387.00	\$3,387.00	\$5,500.00
Wichita Falls	5.61	3.77	\$754.00	\$1,254.00	\$1,885.00	\$4,885.00	\$1,131.00	\$4,131.00	\$5,500.00
Houston				\$500.00		\$3,000.00		\$3,000.00	\$5,500.00
San Angelo	4.35	2.92	\$584.00	\$1,084.00	\$1,460.00	\$4,460.00	\$876.00	\$3,876.00	\$5,500.00
Del Rio	1.65	1.11	\$222.00	\$722.00	\$555.00	\$3,555.00	\$333.00	\$3,333.00	\$5,500.00
Abilene	3.22	2.16	\$432.00	\$932.00	\$1,080.00	\$4,080.00	\$648.00	\$3,648.00	\$5,500.00
Fort Worth	9.26	6.22	\$1,244.00	\$1,744.00	\$3,110.00	\$6,110.00	\$1,866.00	\$4,866.00	\$5,500.00
Kingsville	0.82	0.55	\$110.00	\$610.00	\$275.00	\$3,275.00	\$165.00	\$3,165.00	\$5,500.00
<b>Totals</b>	<b>148.91</b>	<b>100</b>	<b>\$20,000.00</b>	<b>\$26,000.00</b>	<b>\$50,000.00</b>	<b>\$86,000.00</b>	<b>\$30,000.00</b>	<b>\$66,000.00</b>	<b>\$66,000.00</b>
Alt 1	\$500.00 x12 cities =		\$6,000 plus \$20,000 pro rata		Alt 3	\$3,000.00 x12 cities =		\$36,000 plus \$30,000 pro rata	
Alt 2	\$3,000.00 x12 cities =		\$36,000 plus \$50,000 pro rata		Alt 4	equal contribution:		\$66,000 / 12	

# **AGENDA ITEM #3**

**ORDINANCE NO. 2014-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 MUNICIPAL COURT TECHNOLOGY FUND BUDGET FOR TECHNOLOGY PURCHASES IN FY 14-15.**

**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
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**Fund 031 Municipal Court Technology Fund**

Capital

2	Unreserved Fund Balance	61002			<u>\$20,100</u>
					<u>\$20,100</u>

Expenses

5-1800 Municipal Court	Minor Equipment	21700	\$3,000	
5-1800 Municipal Court	Operating Lease	64100	\$6,000	
5-1800 Municipal Court	Professional Services	31400	<u>\$11,100</u>	
			<u>\$20,100</u>	

To amend the FY 14-15 Municipal Court Technology Fund Budget to cover technology expenditures in FY14-15 as per the attached memo from the Finance Director.

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 1<sup>st</sup> day of December, 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



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# CITY OF KINGSVILLE

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**TO:** VINCENT CAPELL, CITY MANAGER  
**FROM:** DEBORAH BALLI, FINANCE DIRECTOR  
**DATE:** 11/18/14  
**SUBJECT:** Municipal Court Technology Fund

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Municipal Court is requesting a budget amendment in the amount of \$20,100 from the Municipal Court Technology Fund 031 fund balance to cover FY 14-15 expenditures. Due to an oversight the Municipal Court Technology Fund expenditures were left out of the FY 14-15 Adopted Budget. Municipal Court is requesting funding from the Technology Fund to cover the costs of replacing a copier and DVR in the Municipal Court office, court notification calls and monthly software maintenance fees.

Incode Court Maintenance Fees	\$575/month	\$6,900
Copier Lease	\$500/month	\$6,000
Court Notification Calls	\$350/month	\$4,200
DVR Replacement		\$3,000
	<b>Total</b>	<b>\$20,100</b>

Court Notification Calls provided by Tyler Technologies are automated phone calls that notify defendants of upcoming court dates. Below is a breakdown of results from the trial period of 05/01/14-11/03/14.

Total # of Calls Made	2,686	
Total # of Violations	2,789	
Total Payments within 2 days of notification	199	\$24,608.26
Total Payments within 1 week of notification	402	\$49,193.17
Total Payments within 2 weeks of notification	528	\$63,141.22
Total All Payments made after notification	1,001	\$123,644.39 *cumulative

The current cost is \$1 per phone number entered. The automated system will try each number up to 4 times. This is a service that is billed monthly and the Court is estimating a cost of up to \$350 per month for a total of \$4,200.

This budget amendment, given your approval, would be on the Commission Meeting agenda December 1, 2014 for first reading.

Sincerely,  
Deborah Balli

# **AGENDA ITEM #4**