

City of Kingsville, Texas

SECOND AMENDED AGENDA CITY COMMISSION TUESDAY, SEPTEMBER 8, 2020 SPECIAL MEETING

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

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

OR

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

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Special Meeting – August 31, 2020

APPROVED BY:



Mark McLaughlin
City Manager

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

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

would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

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

1. Public Hearing on a *proposed* tax rate decrease from \$.85304 to \$.85208 for Fiscal Year 2020-2021 with \$.85208 being an increase in the no new revenue tax rate of \$.83198; the tax rate will be voted on September 14, 2020. (Finance Director).
2. Public Hearing on proposed Fiscal Year 2020-2021 budget. (Finance Director).

III. Reports from Commission & Staff.²

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

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Review and discuss proposed fiscal year 2020-2021 budget for departments of the City of Kingsville. (City Manager).
2. Consider introduction of an ordinance adopting the City Manager's budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2020 and ending September 30, 2021 in the particulars herein after stated. (Finance Director).
3. Consider introduction of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for fiscal year beginning October 01, 2020 and ending September 30, 2021, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Finance Director).
4. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewers, providing for an increase in sewer rates. (City Manager).
5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).
6. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to accept and expend grant funds from the Assistance to Firefighters Grant Program for medical supplies. (COVID-19 Supplemental). (Fire Chief).
7. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to expend funds for emergency repairs at the golf course. (Parks Director).

VII. Adjournment.

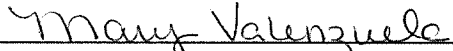
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551-076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board located at City Hall, 400 West King Ave, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

September 3, 2020 at 4:30 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



Mary Valenzuela, TRMC, 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)

AUGUST 31, 2020

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 31, 2020 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Edna Lopez, Commissioner
Hector Hinojosa, Commissioner
Arturo Pecos, Commissioner
Dianne Leubert, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Derek Williams, IT
Ricardo Torres, Police Chief
Janine Reyes, Tourism Director
Uchechukwu Echeozo, Director of Planning & Development Services
Juan Adame, Fire Chief
Susan Ivy, Parks & Recreation Director
Deborah Balli, Finance Director
Charlie Sosa, Purchasing Manager
Emilio Garcia, Health Director
Bill Donnell, Public Works Director
David Solis, Risk Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

****AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.** To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government

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

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

None.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; 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, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

Mr. Mark McLaughlin, City Manager gave an update on the construction of Miller Ave. street. He further stated that the collective bargaining negotiations for both the Fire Department and Police Department have come to an end. Now all that is needed is for Commission to consider approving both agreements, which will be done at a later meeting.

Mrs. Courtney Alvarez, City Attorney stated that the next Commissioner meeting is a special meeting scheduled for Tuesday, September 8th. Monday, September 7th is a City Holiday and office will be closed in observance of the Labor Day Holiday. The next regular scheduled Commission meeting is scheduled for Monday, September 14, 2020. The deadline for staff to submit their items for the September 14th meeting is Thursday, September 3rd.

IV. Public Comment on Agenda Items.³

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

Mrs. Mary Valenzuela, City Secretary read a public comment received by Isabel Leander of 904 W. Ave. F. The comment read as followed: "Would y'all please consider putting speed bumps or other similar on the 900 block of W F Avenue. People coming from and going to the University Square apartments race down that street and I have children that play in the front yard and a son with Down Syndrome that has actually ran to the street a couple of times and have been fortunate to have caught him in time before anyone passed through there. Also, I had parked one of my vehicles on the curbside of my home and a passerby hit the driver side rear view mirror and police never found out who it was. I ended up placing two cameras in the front of our home for this reason and other. Please, please consider speed bumps or other on this street. I would hate for some form of casualty or other to happen, due to negligent drivers speeding through here. Thank you, thank you for all you do for our City!".

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider a resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Main Street Fund; authorizing the Mayor, City Manager to act as the City's authorized representatives in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. (Director of Planning & Development Services).

Mr. McLaughlin stated that the application is for \$500,000 of grants funds to provide for the replacement of deteriorated sidewalks, construction of sidewalks, curb & gutter, construction of new ADA compliant ramps, addition of street lighting, renovation of road intersections and for drainage improvements along Kleberg Avenue between 4th and 5th Street. There is a cash match of \$51,500 as well as \$36,000 in in-kind services.

Commissioner Leubert asked for the total amount of the grant. Mr. McLaughlin responded that the grant is for \$500,000.

Motion made by Commissioner Pecos to approve the resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Main Street Fund; authorizing the Mayor, City Manager to act as the City's authorized representatives in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

2. Consider a resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Planning and Capacity Building Grant; authorizing the Mayor, City Manager to act as the City's authorized representatives in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program. (Director of Planning & Development Services).

Mr. McLaughlin stated that the application is for \$75,000 of grant funds to provide for services that include planning studies towards the preparation of a new Comprehensive

Master Plan for the City of Kingsville. There is a cash match of \$18,750 in cash for services that include planning studies towards the preparation of the new plan.

Motion made by Commissioner Pecos to approve the resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Planning and Capacity Building Grant; authorizing the Mayor, City Manager to act as the City's authorized representatives in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".

3. Review and discuss proposed fiscal year 2020-2021 budget for departments of the City of Kingsville. (City Manager).

Building Security Revenues:

This fund pays for the bailiff for the Court. It is being proposed at \$10,000, which is the same dollar amount that was budgeted for Fiscal Year (FY) 2019-2020. On pace to finish FY 19-20 with revenues of \$9,867.35 and on pace to finish FY 19-20 with expenses of only \$6,865.68.

Municipal Court Technology Fund 031:

Proposed budget for expenses of \$11,000. Up to \$4.00 on every conviction is used for technology updates, to include Incode. This fund is on pace for revenues to be \$11,088.19.

Debt Service Funds:

Proposed I&S tax rate of .15181 which is dedicated to paying fund debt. Debts that are to be paid off are GO Refunding Series 2013; CO Series 2013; CO Series 2016; Limited Refunding Series 2020; and paying agent fees and continuing disclosure fees.

CO Series 2011, original issue of \$10,000,000 which is split between the General Fund and Utility Fund. This fund has nothing left to spend; therefore, it is being paid off.

Fund 011, CO Series 2013, original issue of \$1,260,000. The maturity date is September 30, 2023. Fund balance in this CO is \$0.

CO Series 2013, original issue of \$5,230,000 which is split between the General Fund and Utility Fund. This CO primarily used for drainage projects. Maturity date for this CO is September 30, 2033. Beginning fund balance is \$1,912,039. Mr. McLaughlin stated that these funds are to be used within the first five years, as per our Financial Advisor. He further stated that beyond that time frame, you get into the issue of possible audit by the IRS. It is highly unlikely that we could be audited, as the money will get used.

Fund 011, CO Series 2016, original issue of \$6,740,000. Maturity date is September 30, 2036. Total principal and interest remaining is \$5,807,275. Beginning fund balance is \$120,179. The amount will all be used but \$11,000 this year. There will be \$30,000 spent for irrigation around City Hall; \$66,000 for Downtown revitalization; \$25,000 for a fence which will separate the Train Depot and the Railroad and will payoff the tree project for Santa Gertrudis. Some monies will also be used for the Golf Course.

Fund 011, CO Series 2009, original issue of \$4,270,000. Maturity date is September 30, 2021. Fund balance in this CO is \$0. This will be paid off this year.

Utility Fund Debt Service, CO Series 2011, original issue of \$10,000,000 which is split with General Fund. Maturity date is September 30, 2032. Fund balance is \$0.

Utility Fund Debt Service, CO Series 2013, original issue of \$5,230,000 which is split with General Fund. This is for the drainage program. Maturity date is September 30, 2033. Beginning fund balance is \$1,912,039.

Limited Tax Refunding Bonds Series 2014, this is a refunded of an original CO Series 2005. Original issue is \$9,040,000 with a maturity date of September 30, 2025. Beginning fund balance is at \$0.

Debt Service Maturity, total debt balances at end of FY 20-21 is \$21,000,000. Everything the City pays this year will be a total of \$1,620,213 of all the principal and interest of which \$1.3 million is of the \$1.6 million is targeted against the general fund. Total debt balances at the end of FY 20-21 will be \$20,052,158.

Mrs. Deborah Balli, Finance Director presented the transfers. General Fund to Golf Course Capital Maintenance Fund 026 \$48,659.61, contract requirement of 3% of golf revenues. General Fund to DOG JAG Grant Fund 050 \$13,325 recurring charges for grant equipment. General Fund to Utility Fund 051 \$51,879, 50% of Facilities Staff; \$255,154; 50% of Engineering Staff; \$7,500; 50 % of Engineering Software. General Fund to Park Maintenance Fund 093, \$25,000 annual transfer for Park Maintenance items. General Fund to Economic Development Fund 098, \$52,890 estimated Sales Tax Incentive Payments; \$100,000 additional contribution for Economic Development Efforts. General Fund to TASA Grant Fund 100; \$20,694 Grant Cash Match. General Fund to Vehicle Replace PD Fund 105; \$10,000 annual transfer for vehicle replacement. General Fund to Vehicle Replace PW Fund 106, \$10,000 annual transfer for vehicle replacement. General Fund to Insurance Fund, 138, \$53,547 additional contribution to Shore Up Fund. Tourism Fund 002 to General Fund 001, \$42,340, 50% cost of Downtown Manager; \$35,000 for Administrative Annual Allocation. Tourism Fund 002 to Insurance Fund 138, \$291 additional contribution to Shore Up Fund. Tourism Fund 002 to Façade Grant Fund 202; \$30,00, Facade Grant Funding. Texas Historical Fund 013 to General Fund 001, \$56.76 to close out fund. Golf Course Maintenance Fund 026 to General Fund 001, \$5,416.16 for Capital Lease Payment for new Backhoe. CO Series 2002-2002A Fund 039 to Vehicle Replacement PW Fund 106, \$5,266.37 to close out fund. Utility Fund 051 to General Fund 001, \$1,350,000 for administrative annual allocation. Utility Fund 051 to Debt Service FD 012: \$1,111,633 - Debt Service Payments; \$195,000 additional fund balance funding; and \$1,250 continuing disclosure. Utility Fund 051 to UF Cap Projects FD 054, \$87,563, Various CIP Maintenance Projects. Utility Fund 051 to CO Series 2011 UF FD 066, \$82,905.01 to assist cost of Pit Pumps. Utility Fund 051 to DEAAG Grant Fund 084, \$200,000 for partial grant cash match.

Mayor Fugate asked what it is that the City is looking for as this is coming up. Mr. McLaughlin responded that the application deadline is October 31st. The DEAAG Grant Fund came down, cutting by half making this grant to be very competitive. He further stated that there is \$16 million dollars available and we are asking for \$3 million dollars with a 20% match, which will give the city extra points by doing this type of match. McLaughlin further stated that once you are awarded the grant you have two years to start spending it. Staff is beginning to build on the match for the next couple of years, which would essentially be \$600,000. If the grant is not awarded, staff would like to continue building the fund and go into Plan B which is taking the South Wastewater Plant and rebuilding it.

Mrs. Balli continued with the transfers presentation. Utility Fund 051 to TASA Grant 100, \$56,908 for share of grant cash match. Utility Fund 051 to Self-Insurance Fund 138, \$13,781 additional contribution to Shore Up Fund. UF Capital Projects Fund 054 to Utility Fund 051, \$2,836.20 to clear remaining funds. Storm Water Drainage Fund 055 to UF Debt Service Fund 012 \$292,800 debt Service Obligation. CO Series 2005 Fund 062 to Utility Fund 051, \$1,137.58 to Close Fund. SW Capital Projects Fund 087 to General Fund 001, \$68,309 for John Deere Capital Lease Payment. SW Capital Projects Fund 087 to GO Debt Service Fund 001, 48,029 Debt Service Obligation. SW Capital Projects Fund 087 to Landfill Closure Fund 090, \$96,472 for City Hall Payback Payment. GF Capital Project

Fund 091 to General Fund 001, \$64.58 to close out fund. Street Fund 092 to General Fund 001, \$150,000 for partial cost of Street Construction Crew. Vehicle Replacement Fund 097 to General Fund 001, \$12,348.04 for Command Vehicle Capital Lease Payment. Economic Development Fund 098 to Self-Insurance Fund 138, \$386 additional Contribution to Shore Up Fund.

Fund Balance Review:

Mrs. Balli stated that on the General Fund we are looking at 26%, which meets the minimum 25% requirement. This includes the \$300,000 that is always put in for General Fund as well as for the Utility Fund. Fund 051, Utility Fund is at 36.1% which is above the 25% minimum requirement. Mrs. Balli commented that the bottom-line total for fund balance at the end of next fiscal year is \$17,739,475.06.

Mr. McLaughlin commented that it could be lower than the \$17 million dollars should the money be used for drainage; this fund could be down by \$1 million dollars.

Mrs. Balli continued with the presentation, Fund Balance Proposed (Deficit) Surplus. General fund between revenues and expenditures has a deficit of \$1,152,826; Utility Fund between revenues and expenditures has a positive of \$232,997; Tourism between revenues and expenditures has a positive of \$2,011; Parks between revenues and expenditures has a deficit of \$413,948; and Golf Course between revenues and expenditures has a deficit of \$263,317.

Mr. McLaughlin presented on tax rate. The current tax rate is \$.85304 with the proposed tax rate, for next year at \$.85208 from \$.85209 which is the voter approved tax rate, due to rounding issues after an update was applied to the tax office software. The difference between the voter approved tax rate and the proposed tax rate is \$90.43 which is in the general fund.

Water and Sewer Rates:

Water rates, for FY 18-19, water rates were increased 2%. Fiscal Year 19-20, Utility Rate Study recommended a 1% increase, of which both were done. Fiscal Year 20-21 there as no increase done. Sewer rates, for FY 18-19, sewer rates were increased 18%. For fiscal year 19-20, Utility Rate Study recommended a 16% increase, of which only an increase of 8% was adopted. For FY 20-21, no increase in sewer rates. Mr. McLaughlin stated that the Commission adopted the 18% for FY 18-19 but did not adopt he 16% instead adopted only 8% for FY 19-20. This makes the city 8% behind the wastewater utility rate study recommendation. It is being recommended that for next year there be a 2% increase than the year after that another 2% and after that a 3%. If the city decides not to increase for this upcoming year, and with the city already being 8% behind and add another 2% which will make the city behind 10%, in order to catch up. McLaughlin stated that if the city was to increase wastewater only by 5% would mean that for a residential customer using 5,000 gallons of water, the rate today would be \$25.72 for the 5,000 gallons. If the Commission was to adopt a 5% increase to wastewater in order to close the gap by half, the rate would only increase by \$1.29 additional to \$25.72 for a total of \$27.01.

Commissioner Leubert asked that if they increase wastewater sewer rates by 5%, what is the average usage for a home. Mr. McLaughlin responded that it would be between 5,000 and 8,000 gallons. Leubert further asked, that if the city increases the rate, what does this buy the customer and why are there CO's to take care of the Water and Wastewater Plants.

Mr. McLaughlin responded that what it buys the customer is a new South Wastewater Treatment Plant and there is no more CO's to buy a new Wastewater Treatment Plant. A Wastewater Treatment Plant is around \$9.00 to \$10.00 per gallon of treated water. A Plant that can do a million gallons a day, you are looking at 10 million gallons. McLaughlin further

stated that if we wanted to increase our 1-million-gallon per day Plant and take it to 5 million gallons, it could be \$40 million dollars to build a new Plant.

Commissioner Leubert asked how many residents will it take to go up to 40 million and what do we need now for the rate of growth our city has now? And how is the City going to sale this to the public? Leubert further commented that the city also has CO's that are paying for this as well.

Mr. McLaughlin commented that this is correct, but there is no CO's left for this, all that is left is for drainage.

Commissioner Leubert further asked what is the goal for this. Mr. McLaughlin responded that he would need to work with the City Engineer and look at what size increase is needed. He further stated that at this time we are at 52%. If both North and South Wastewater Treatment Plants were combined into one, we would have a 4 million gallon per day capacity and at this time we are using 2 million gallons per day that it is treating. He further stated that at 70% the city would need to start looking into designing a new Plant and at 90% it would have to be built. The South Plant is already at 67-69% capacity limit right now, so technically the city is pretty close to designing something new for the South Plant. He further stated that the South Plant would have to be the one with the most capacity, which would be on the same property as the existing one, plus the growth of Kingsville is on the southside.

Mayor Fugate commented that when the city hires the experts to tell the city what it is that needs to be done, the city needs to listen. He further stated that last year the Commission decided to cut the recommended increase of 16% by half and only increase 8% for this year, then do the 8% for the following year, but it is being recommended to do only 5% of the 8%.

Commissioner Leubert commented that the city can still catch up the next few years, if is decided to increase 5% this upcoming fiscal year.

Mayor Fugate commented that the issue with these Plants was brought up to the Commission by staff about 4 years ago and the Commission has been aware of this since then and it is the number one issue in this city at this time. With the capacity being at 67-69% capacity, the city needs to start thinking of its next step. Fugate further stated that the 5% increase is a good idea.

Commissioner Hinojosa commented that he also agrees with the 5% increase.

Mrs. Alvarez commented that a good selling point would be that this would also help in avoiding some TCEQ penalties for not moving on it, as we further invest it in the city and not TCEQ.

Compensation Plan Changes:

Mr. McLaughlin stated that some of the changes are doing a 2.5% COLA for all Non-Civil Service positions. Longevity pay at \$3 per month per year of service capped at 25 years. Additional health plan funding of \$195,000 came down to \$68,600 would be split between the general fund and utility fund which his due to the factor of 10%-90% premium split. Additional certification pay for CDL Licenses.

Mrs. Balli commented that more people are using e-checks and since Incode will be doing all of the city's e-checks, there will be a fee of \$1.25 for the processing of e-checks. Staff has been discussing the fee and passing the fee over to the customer or does the city want to absorb the fees.

Mr. McLaughlin commented that he is in favor of passing the \$1.25 e-check fee to the customer.

Mrs. Balli stated that she is working with Incode as she is not sure how the mechanism will work at this time. She further stated that she is hoping to get it setup that it gets billed or charged directly to the customer without the city being in the middle.

Commissioner Leubert asked if the options to pay would be paying with a regular check, auto draft, credit card, and e-check. Mrs. Balli commented that there is the option to use the Kiosk, drop box or pay by person in cash, which wouldn't cost the additional fee.

Mrs. Balli asked if the Commission was ok with passing on the \$1.25 fee to the customer.

Commissioner Leubert commented that she is not ok with it, but it looks like there is no other choice.

Mayor Fugate asked what the total amount would be if the City absorbs the fee. Mrs. Balli responded that on credit card fees, with the previous City Manager not wanting to pass on the additional fee to the customer, the city was paying close to \$100,000 annually.

Commissioner Leubert commented that she is ok with passing on the fee to the customer.

Both Commissioner Hinojosa and Commissioner Lopez also agreed to pass the convenience fee to the customer.

Mr. McLaughlin commented that this would need to be done by ordinance.

Mrs. Alvarez stated this would require an ordinance which would be brought to the Commission at a future meeting.

Commissioner Leubert commented that she doesn't want to do this, but she doesn't see that the Commission has a choice.

Commissioner Lopez commented that this is the only way as it is charged to the tax payer as they are the ones using the service which is not fair.

Mr. McLaughlin stated that he had a meeting with Commissioner Hinojosa to go over some of the revenues. He further stated that it has already been incorporated, which include four changes to the revenues; lowered the garbage sales by \$100,000 from 2.8% down to 2.7%; lowered the water sales down \$50,000 to \$4.8 million; late fees dropped by \$30,000 to \$210,000 which what the city is on pace for this year; and wastewater sales down \$75,000 to \$4.15 million dollars which will change once the 5% increase is programmed in. One other thing that was discussed with Commissioner Hinojosa was the golf carts. Golf cart rates are good overall, but what is not being factored in is that the golf carts are the new ones. Right now, the fee for a golf cart is \$11.00 for 18 holes and \$7.00 for 9 holes. This year alone, 1,880 golf carts for 18 holes were rented which adds up to \$20,000. It is being proposed to increase the golf cart fee, being that they are the new carts, to \$15.00 for 18 holes and \$10.00 for 9 holes. What this would mean is that the normal income on golf carts is about \$47,000 in our current rate, and if it increased to \$15.00 for 18 holes and \$10.00 for 9 holes the revenue would increase to \$67,000, just in golf cart fees. This is where the number needs to be to offset the golf carts. This does not impact any of the green fees or golf ball fees.

VII. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:58 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

PUBLIC HEARING #2

CLASSIFIEDS

Thursday, August 20, 2020
www.kingsvillerecord.com

Budget Hrg.

13

22 PUBLIC NOTICES

24 PUBLIC NOTICES

26 PUBLIC NOTICES

NOTICE OF PUBLIC HEARING ON BUDGET

Notice is hereby given that a Public Hearing on the proposed City of Kingsville Budget for Fiscal Year 2020-2021 will be held on Tuesday, September 8, 2020, at 5:00 P.M. at the Helen Kleberg Groves Community Room, City Hall, 400 West King Avenue, Kingsville, Texas.

Using the proposed tax rate, which is the rate the budget is based on, this budget will raise more total property taxes than last year's budget by \$226,201 or 3.02%, and of that amount \$55,644 is tax revenue to be raised from new property added to the tax roll this year.

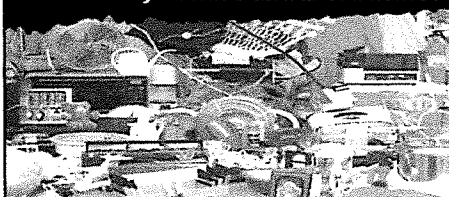
A copy of the proposed budget is on file in the offices of the City of Kingsville City Secretary and the Director of Finance and on the City's website (www.cityofkingsville.com) since August 14, 2020, for the public to review. All interested citizens will have the opportunity to give written and oral comments at the Public Hearing.

ANSWERS FROM TRIVIA QUESTION ON 08-13-20 ISSUE

1. Joint Photographic Experts Group
2. Young Street, Toronto, Canada 1178 miles
3. Anne Bancroft
4. 1922
5. Millennium Falcon
6. Venus
7. 100 years
8. Snow White (14 years old)
9. 1900 Paris
10. Skin

DO YOU HAVE CLUTTER?

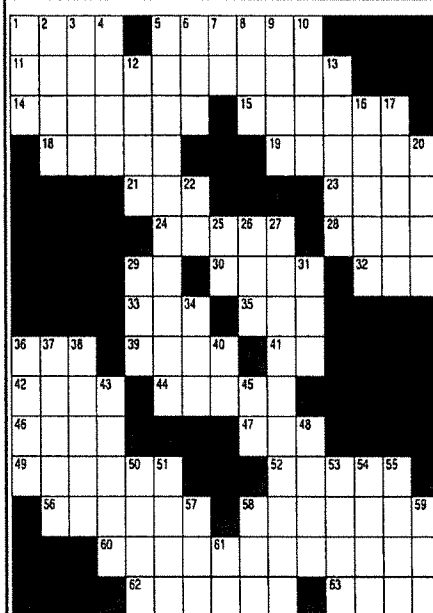
Do you have unwanted items?



**The Classifieds is a great place
to advertise your items for sale.**

Come in to our office to place an ad,
or visit our website

www.kingsvillerecord.com



CLUES ACROSS

1. Popular musical awards show
5. Speech in one's honor
11. A state of poor nutrition
14. Not ingested
15. More lacking in taste
18. "Popeye" cartoonist
19. Helps to reduce speed
21. January 1 greeting (abbr.)
23. Georgian currency
24. Proverb expressing a truth
28. Jewish calendar month
29. Volume measurement
30. Fair-skinned
32. Patti Hearst's captors
33. Have already done
35. Touch lightly
36. Autonomic nervous system
39. Plant part
41. College degree
42. Military alliance
44. Tokyo's former name
46. Carpenter's tool
47. Before
49. Consent to receive
52. Passages
56. The Duke of Edinburgh
58. Utter repeatedly
60. Linked together in a chain
62. Quality that evokes pity
63. Maintained possession of

CLUES DOWN

1. U.S. military school
2. Controls
3. Away from wind
4. Grab quickly
5. Being everlasting
6. Vase
7. Atomic #3
8. Type of medication
9. Encircle with a belt
10. Belonging to you
12. American state
13. City in Zambia
16. Good Gosh!
17. Of the country
20. Helsinki district
22. 36 inches
25. Reporters' group
26. The voice of Olaf
27. Explains in detail
29. Tooth caregiver
31. One point south of due east
34. Scottish river
36. Elsa's sister
37. Civil Rights group
38. Line of poetry
40. Doctor
43. Fatty acid
45. Avatar (abbr.)
48. Awe-inspiring garden
50. Fall down
51. Rock icon Turner
53. Asian country (alt. sp.)
54. UK museum network
55. Stairs have at least one
57. Part of (abbr.)
58. Simpson trial judge
59. Sun up in New York
61. Exclamation of surprise

REGULAR AGENDA

AGENDA ITEM #1

AGENDA ITEM #2

ORDINANCE NO. 2020-_____

AN ORDINANCE ADOPTING THE CITY MANAGER'S BUDGET, AS AMENDED, OF THE CITY OF KINGSVILLE, TEXAS, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2020 AND ENDING SEPTEMBER 30, 2021 IN THE PARTICULARS HEREINAFTER STATED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the budget for FY 2020-2021 is adopted as follows:

Section One: The official budget for the City of Kingsville for the fiscal year beginning October 01, 2020 and ending September 30, 2021 has been presented to the City Commission by the City Manager, several budget workshops were conducted on such budget, along with a duly noticed public hearing, and the budget is hereby approved.

Section Two: The budget contains a complete financial statement of the City and shows (1) the outstanding obligations of the City of Kingsville, Texas, (2) the cash on hand to the credit of each fund, (3) the funds received from all sources during the preceding year, (4) the funds available from all sources during the ensuing year, (5) the estimated revenue available to cover the proposed budget, and, (6) the estimated tax rate required to cover the proposed budget. The budget shows each of the projects for which expenditures are set up and the estimated amount of money appropriated for each project.

Section Three: The sum of \$47,556,544.00 is hereby appropriated for the budget revenues and expenses in the amounts shown on the attached Condensed Statement of all Operating and General Obligation Debt Service Funds – Summary of Revenues and Expenditures. The General Obligation Debt Service principle is \$1,176,165 and interest is \$252,068.

Section Four: The budget and all the attached support material as outlined in the above sections shall be deemed the official budget for the City of Kingsville, Texas, for the fiscal year starting October 01, 2020 and ending September 30, 2021. A copy of the official budget shall be kept by the City Secretary with the designation thereon as the official budget for FY 2020-2021, with the date of the adoption clearly stated, and filed with the County Clerk's Office. The official budget shall be available for inspection by any taxpayer.

Section Five: The City Commission is authorized to levy taxes in accordance with this budget. The City Commission may authorize the expenditure of City funds only in strict compliance with the budget, except in an emergency. The City Commission may authorize an emergency expenditure as an amendment to the original budget only in case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent care and attention. If the City Commission amends the original official budget to meet an emergency, the City Commission shall file a copy of its ordinance amending the budget with the City Secretary, and the City Secretary shall attach it to the original budget. The

City Manager shall provide for the filing of true copy of the approved budget in the office of the County Clerk of Kleberg County. The City Commission reserves the right to make changes in the official budget for municipal purposes.

Section Six: All Ordinances of parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

Section Seven: 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.

Section Eight: This Ordinance shall NOT be codified but will become effective on and after adoption and publication as required by law.

Section Nine: This Ordinance was considered, passed, and approved at a regular meeting of the City Commission of the City of Kingsville, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code, and Chapter 102 of the Texas Local Government Code.

INTRODUCED on this the 8th day of September, 2020.

PASSED on this the 14th day of September, 2020.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #3

CITY OF KINGSVILLE
Fiscal Year 2020-2021
Budget Cover Page 09/14/2020

This budget will raise more revenue from property taxes than last year's budget by an amount of \$226,111, which is a 3.02 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$55,643.

The members of the governing body voted on a budget as follows:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

Property Tax Rate Comparison

2020-2021	2020-2021	2019-2020
Property Tax Rate:	0.85208	0.85304
No New Revenue Tax Rate:	0.83198	0.81247
No New Revenue Maintenance & Operations Tax	0.85777	0.65911
Voter Approval Tax Rate:	0.85209	0.89361
Debt Rate:	0.15181	0.16782

Total debt obligation for CITY OF KINGSVILLE secured by property taxes: 10,535,857

ORDINANCE NO. 2020-_____

AN ORDINANCE ESTABLISHING AND ADOPTING THE AD VALOREM TAX RATE FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF KINGSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2020 AND ENDING SEPTEMBER 30, 2021, DISTRIBUTING THE TAX LEVY AMONG THE VARIOUS FUNDS, AND PROVIDING FOR A LIEN ON REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES ASSESSED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the ad valorem tax rate for all taxable property within the city limits of Kingsville, Texas for FY 2020-2021 be established and adopted as follows:

Section One: **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

Section Two: That there be and there is hereby levied and ordered collected on each One Hundred Dollar (\$100) valuation of all taxable property, real, personal, and mixed, within the corporate limits of the City of Kingsville, Texas, for the tax corporate limits of the City of Kingsville, Texas, for the tax year 2020 starting October 01, 2020 and ending September 30, 2021, the sum of \$.85208 based on 100% of the fair market value.

Section Three: Said levy shall be distributed in the following manner:

FOR GENERAL FUND EXPENDITURES (Maintenance & Operations), the sum of \$.70027 on each one hundred dollars (\$100.00) assessed valuation of such property.

FOR DEBT SERVICE FUND EXPENDITURES of annual principal, interest, and service fees of all General Obligation Bonds, Warrants, Certificates of Obligation, and Combination Tax and Junior Lien Revenue Certificates of Obligations, of the City of Kingsville, the sum of \$.15181 on each one hundred dollars (\$100) assessed valuation of such property.

Section Four: That said taxes shall be due and payable at the time and in the manner provided by ordinances of the City of Kingsville and laws of the State of Texas, relating to the payment of taxes and providing for penalties and interest on delinquent taxes.

Section Five: There is hereby fixed, levied on each and every item of taxable property a lien for the purpose of securing the certain payment of the taxes assessed against said item of property and said lien shall continue to exist against any item of property against which a tax is assessed hereunder until such tax together with all penalties and interest shall be paid.

Section Six: This ordinance shall be in full force and effective ten days from and after the date of the second publication in a local newspaper as provided by law and the City Charter of the City of Kingsville.

Section Seven: The tax rate established and adopted by this ordinance and a copy of this ordinance shall be filed in the office of the Tax Assessor Collector.

Section Eight: That no discounts or split payments are allowed for the 2020 tax year.

Section Nine: That an exemption of \$8,400.00 be granted for any person of age sixty-five (65) or over.

Section Ten: The Kleberg County Tax Assessor-Collector is hereby authorized to assess and collect the taxes of the City of Kingsville employing the above tax rate.

INTRODUCED on this the 8th day of September, 2020.

PASSED on this the 14th day of September, 2020.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #4

ORDINANCE NO. 2020-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 2, SEWERS, PROVIDING FOR AN INCREASE IN SEWER RATES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS: 5% increase

I.

THAT Section 5-2-2 of Article 2: Sewers of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 5-2-2 USER CLASSIFICATIONS; SCHEDULE OF CHARGES.

(A) *Single-family residential.* Minimum monthly charge of ~~\$14.53~~ **13.84** with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of ~~\$4.16~~ **3.96** per 1,000 gallons will be levied to a maximum of 15,000 gallons after which no further charge shall be levied.

(B) *Duplex.* Minimum monthly charge of ~~\$17.83~~ **16.98** with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of ~~\$4.16~~ **3.96** per 1,000 gallons will be levied.

(C) *Multi-family residential (includes apartments of 3-4 units).* Minimum monthly charge of ~~\$27.25~~ **25.95** with an allowance for 3,000 gallons. For consumption in excess of 3,000 gallons, a charge of ~~\$4.16~~ **3.96** per 1,000 gallons shall be levied.

(D) *Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any other categories).* Minimum monthly charge ~~\$33.52~~ **31.92** with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of ~~\$4.16~~ **3.96** per 1,000 gallons will be levied.

(E) *Irrigation.* No customer using city water services solely for irrigation purposes shall be assessed a sewer charge.

(F) *Industrial plants.* By special contract with the city.

(G) *Billing charge.* All sewer customers who are not billed for water services shall be assessed a monthly billing charge of ~~\$2.42~~ **2.30** in addition to their sewer charges.

(H) (1) *Outside city limits.* All parts of this section shall apply to customers located outside the city limits and who receive city sewer service except the rates to such customers shall be as follows:

(2) *Single-family residential.* Minimum monthly charge of ~~\$16.72~~ **15.92** with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of ~~\$4.78~~ **4.55** per 1,000 gallons of water consumed to a maximum of 15,000 gallons after which no further charge shall be levied.

(3) *Duplex.* Minimum monthly charge of ~~\$20.51~~ **19.53** with an allowance of 2,000 gallons. For consumption in excess of 2,000 gallons a charge of ~~\$4.78~~ **4.55** per 1,000 gallons of water consumed.

(4) *Multi-family residential (includes apartments of 3-4 units).* Minimum monthly charge of ~~\$31.33~~ **29.84** with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of ~~\$4.78~~ **4.55** per 1,000 gallons of water consumed.

(5) *Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any of the above categories).* Minimum monthly charge of ~~\$38.54~~ **36.70** with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of ~~\$5.04~~ **4.80** per 1, 000 gallons of water consumed.

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 be codified and become effective on and after adoption and publication as required by law.

INTRODUCED on this the 8th day of September, 2020.

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

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: September 2, 2020

SUBJECT: Ordinance – City of Kingsville Classification & Compensation Plan FY 2020-2021

Summary: In preparation for the beginning of each new fiscal year, the City of Kingsville Classification & Compensation Plan is brought before the City Commission. The plan incorporates classification and title changes included in the City Manager's budget. Below are the proposed changes for FY 2020-2021.

Non-Exempt Non-Civil Service Schedule

- Continuation of Anniversary Program
- Cost of Living Adjustment (COLA) = 2.5%
- Longevity – Increase from \$2 to \$3 per month per year of service
- Reclass
 - o Equipment Service Worker from Class 1 to Class 3
 - o Equipment Operator I from Class 1 to Class 3
 - o Planning Customer Service Rep I Class 2 to Customer Service Rep II Class 3
 - o Fire P/T Customer Service Rep I Class 2 to P/T Customer Service Rep II Class 3
 - o Finance Customer Service Rep I (3 positions) Class 2 to Customer Service Rep II Class 3
 - o Police - Administrative Assistant II (Class 9) to Administrative Coordinator Class 10
- New
 - o Evidence Technician – Part-Time Class 2
- Certification
 - o New – Commercial Driver's License – Active license \$ 13.85 per pay period
- Rename
 - o Community Appearance Inspector Class 11 to Code Compliance Inspector Class 11
- Removal
 - o Library and JK Northway positions both full-time and part-time
 - o Audio/Visual Technician Class 6



City of Kingsville
Human Resource Department

Exempt Non-Civil Service Schedule

- Continuation of Anniversary Program
- Cost of Living Adjustment (COLA) = 2.5%
- Longevity – Increase from \$2 to \$3 per month per year of service
- Rename
 - o Downtown Manager Exempt Class 7 to Downtown & Historic Preservation Manager Exempt Class 7
 - o Purchasing Manager Exempt Class 6 to Purchasing & Facilities Manager Exempt Class 6

Background: Each fiscal year the City Commission authorizes a classification and pay structure for City employees.

Financial Impact: The approximate total financial impact is \$ 287,485 and incorporated in the City Manager's proposed budget. The impact breakdown is listed below:

- Anniversary Program	\$ 40,795
- Cost of Living Adjustment	\$ 179,967
- Longevity	\$ 16,296
- Reclasses	\$ 21,129
- New Part-time	\$ 12,013
- Certification for Active CDL	\$ 17,285

Recommendation: To approve the FY 2020-2021 City of Kingsville Classification & Compensation Plan to correspond to the City Manager's proposed budget.



ORDINANCE NO. 2020-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III, ARTICLE 7, PERSONNEL POLICIES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, this Ordinance is necessary to protect the public safety, health, and welfare of the City of Kingsville.

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

I.

THAT Section 3-7-1 of Article 7: Personnel Policies of Chapter III. Administration of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 3-7-1 ADOPTION OF THE JOB CLASSIFICATION AND COMPENSATION PLAN.

The City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2020 is hereby adopted by reference providing for certain classifications and positions as more particularly defined therein. Classified positions and incumbents thereof who have completed the designated probationary period and any extensions thereof shall be subject to the terms and conditions of all policies incorporated by reference and adopted by the City Commission by resolution. ~~Except members of the Fire and Police collective bargaining units,~~ All other employees (executive, exempt and non-exempt) serve at will, at the pleasure of the City Manager, or designee, or at the pleasure of the City Commission if appointed by the City Commission, and shall have and continue such at-will status, notwithstanding any other provision of this Classification Plan, any other City Ordinance, or any rule or regulation of the City.

All Non-Exempt Non-Civil Service employees of the City of Kingsville are placed in a step according to the City of Kingsville Fiscal Year 2020-2021 Non-Exempt Chart.

New hires shall be placed at the compensation Class for the designated positions. New hires may be placed in the Step within the designated Class corresponding to the years of experience the new employee brings to the City correlating to the designated duties of the position not to exceed Step 5 unless approved by City Commission.

Non-Exempt employees promoted, transferred or temporarily assigned to a position in a higher classification range shall commence at a step of the higher Class. Each promoted, transferred or temporarily assigned employee shall then proceed to the next step after one (1) year in their current position and shall proceed to each step thereafter on the 3rd, 6th, 10th, and 15th year or until the employee reaches the ~~fifth~~ sixth step of the compensation schedule.

Employees demoted, transferred, temporarily assigned, or accepting a position in a lower Class shall commence at a step of pay in the lower Class. Employees shall proceed to the next step of the compensation plan, as scheduled, based on years of City service.

All Exempt Class employees of the City of Kingsville shall be placed in a step program to receive a scheduled salary increase on the anniversary date of their 1st, 3rd, 6th, 10th, 15th, 20th and 25th year of service in the Exempt Class position. Percentage increases shall correspond to the Exempt Class Step Program included in the Classification and Compensation Plan for Fiscal Year 2020-2021.

Executive Level 1 & 2 positions shall receive a cost of living adjustment when Non-Exempt Non-Civil Service employees receive a cost of living adjustment unless superseded by an employment

agreement. The City Commission shall evaluate the performance of and recommend salaries for Executive Level 1 & 2 positions each July to prepare for the up-coming fiscal year.

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 be codified and become effective on and after adoption and publication as required by law.

INTRODUCED on this the _____ day of _____, A. D., 2020.

PASSED AND APPROVED on this the _____ day of _____, A. D., 2020.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

Approved As to Form:

Courtney Alvarez, City Attorney

DRAFT -----FY 2019-2020 2020-2021 Non-Exempt Wage Schedule
w/2.5% increase

Class

Budgeted Positions Per Class = 42

Step 7 & 8 available to employees in these steps as of October 1, 2016

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6		Step 7	
1	\$ 10.30	\$ 10.62	\$ 10.94	\$ 11.26	\$ 11.59	\$ 11.95		\$ 12.30	
w/ 2.5%	\$ 10.56	\$ 10.89	\$ 11.21	\$ 11.54	\$ 11.88	\$ 12.25		\$ 12.61	
	Children's Services Librarian			Kennel Attendant					
	Custodian			Library Assistant					
	Equipment Operator I (Move TO Class 3)			Maintenance Worker					
	Equipment Service Worker (Move TO Class 3)			Plant Helper					
	Golf Pro Shop Attendant			Recycling Technician					
				Utility Worker					

Budgeted Positions Per Class = 3

Step 7 & 8 available to employees in these steps as of October 1, 2016

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6		Step 7	Step 8
2	\$ 10.72	\$ 11.04	\$ 11.37	\$ 11.72	\$ 12.06	\$ 12.42			\$ 13.18
w/ 2.5%	\$ 10.99	\$ 11.32	\$ 11.65	\$ 12.01	\$ 12.36	\$ 12.73			
	Circulation Librarian								
	Customer Service Representative I								
	Reference/Information Librarian								
	Technical Services Assistant								
	Evidence Clerk								

Budgeted Positions Per Class = 11

3	<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>	<i>Step 5</i>	<i>Step 6</i>
	\$ 11.15	\$ 11.48	\$ 11.83	\$ 12.18	\$ 12.54	\$ 12.92
w/ 2.5%	\$ 11.43	\$ 11.77	\$ 12.13	\$ 12.48	\$ 12.85	\$ 13.24
	<i>Animal Care Attendant</i>			<i>Equipment Operator I (Moved FROM Class 1)</i>		
	<i>Pump Operator</i>			<i>Equipment Service Worker (Move FROM Class 1)</i>		
	<i>Customer Service Representative II</i>					

Budgeted Positions Per Class = 0

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
4	\$ 11.60	\$ 11.94	\$ 12.30	\$ 12.67	\$ 13.05	\$ 13.44
w/ 2.5%	\$ 11.89	\$ 12.24	\$ 12.61	\$ 12.99	\$ 13.38	\$ 13.78

Budgeted Positions Per Class = 5

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
5	\$ 12.06	\$ 12.42	\$ 12.79	\$ 13.17	\$ 13.56	\$ 13.98
w/ 2.5%	\$ 12.36	\$ 12.73	\$ 13.11	\$ 13.50	\$ 13.90	\$ 14.33
	Animal Services Specialist					
	Inventory Clerk					
	Tourism Services Technician					

Budgeted Positions Per Class = 37

Step 7 & 8 available to employees in these steps as of October 1, 2016

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6			Step 8
6	\$ 12.53	\$ 12.92	\$ 13.30	\$ 13.71	\$ 14.11	\$ 14.53			\$ 15.41
w/ 2.5%	\$ 12.84	\$ 13.24	\$ 13.63	\$ 14.05	\$ 14.46	\$ 14.89			\$ 15.80
	Audio/Visual Specialist			Equipment Operator II					
	Customer Billing Specialist			GIS Technician					
	Deputy Clerk			Meter Reader Technician					
	Engineering Technician			Street Equipment Operator I					

Budgeted Positions Per Class = 5

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
7	\$ 13.04	\$ 13.43	\$ 13.84	\$ 14.25	\$ 14.68	\$ 15.12
w/ 2.5%	\$ 13.37	\$ 13.77	\$ 14.19	\$ 14.61	\$ 15.05	\$ 15.50
	Administrative Assistant I					

Budgeted Positions Per Class = 10

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
8						

DRAFT -----FY 2019-2020 2020-2021 Non-Exempt Wage Schedule

w/2.5% increase

	\$ 13.56	\$ 13.97	\$ 14.38	\$ 14.82	\$ 15.26	\$ 15.72
w/ 2.5%	\$ 13.90	\$ 14.32	\$ 14.74	\$ 15.19	\$ 15.64	\$ 16.11

Telecommunications Operator

Budgeted Positions Per Class = 36

Step 7 & 8 available to employees in these steps as of October 1, 2016

9	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6		Step 8
	\$ 14.10	\$ 14.52	\$ 14.96	\$ 15.41	\$ 15.88	\$ 16.35		\$ 17.34
w/ 2.5%	\$ 14.45	\$ 14.89	\$ 15.33	\$ 15.80	\$ 16.27	\$ 16.76		\$ 17.78

A/P Specialist

Accounting Assistant

Administrative Assistant II

Assistant Library Administrator

Digital Services Librarian

Equipment Operator III

Help Desk Technician

Maintenance Technician

Street Equipment Operator II

Water/Wastewater Operator

Welder/Fabricator

Budgeted Positions Per Class = 5

10	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 14.67	\$ 15.11	\$ 15.56	\$ 16.03	\$ 16.50	\$ 17.00
w/ 2.5%	\$ 15.03	\$ 15.49	\$ 15.95	\$ 16.43	\$ 16.92	\$ 17.42

Human Resource Specialist

Lab Technician

Payroll Specialist

Administrative Coordinator

Budgeted Positions Per Class = 10

11	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 15.25	\$ 15.72	\$ 16.18	\$ 16.67	\$ 17.17	\$ 17.69
w/ 2.5%	\$ 15.63	\$ 16.11	\$ 16.58	\$ 17.08	\$ 17.60	\$ 18.13

Community Appearance Inspector- (RENAME - Code Compliance Inspector)

Lead Maintenance Technician

Lead Telecommunications Operator

Paralegal

Street Equipment Operator III

Budgeted Positions Per Class = 0

12	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 15.87	\$ 16.34	\$ 16.83	\$ 17.33	\$ 17.86	\$ 18.39
w/ 2.5%	\$ 16.26	\$ 16.75	\$ 17.25	\$ 17.76	\$ 18.30	\$ 18.85

Budgeted Positions Per Class = 7

13	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 16.50	\$ 16.99	\$ 17.50	\$ 18.03	\$ 18.56	\$ 19.13
w/ 2.5%	\$ 16.92	\$ 17.41	\$ 17.94	\$ 18.48	\$ 19.03	\$ 19.61

Foreman

Budgeted Positions Per Class = 2

14	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 17.16	\$ 17.68	\$ 18.20	\$ 18.75	\$ 19.31	\$ 19.89
w/ 2.5%	\$ 17.59	\$ 18.12	\$ 18.66	\$ 19.21	\$ 19.79	\$ 20.38

Special Events Coordinator

Street Foreman

Budgeted Positions Per Class = 2

15	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 17.85	\$ 18.38	\$ 18.93	\$ 19.50	\$ 20.08	\$ 20.68
w/ 2.5%	\$ 18.29	\$ 18.84	\$ 19.40	\$ 19.99	\$ 20.58	\$ 21.20

Building Inspector

Crime Scene Specialist

Health Inspector I

Budgeted Positions Per Class = 2

16	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 18.55	\$ 19.12	\$ 19.68	\$ 20.28	\$ 20.89	\$ 21.51
w/ 2.5%	\$ 19.02	\$ 19.60	\$ 20.18	\$ 20.79	\$ 21.41	\$ 22.05

Engineer's Assistant

**DRAFT -----FY 2019-2020 2020-2021 Non-Exempt Wage Schedule
w/2.5% increase**

Budgeted Positions Per Class = 1

17	<i>Step 1</i>	<i>Step 2</i>	<i>Step 3</i>	<i>Step 4</i>	<i>Step 5</i>	<i>Step 6</i>
	\$ 19.30	\$ 19.88	\$ 20.47	\$ 21.09	\$ 21.73	\$ 22.37
w/ 2.5%	\$ 19.78	\$ 20.37	\$ 20.98	\$ 21.62	\$ 22.27	\$ 22.93

Health Inspector II

**OTHER
POSITIONS**

Min	
\$ 7.50	

Seasonal/Temporary Employees

Example of positions include: Pool Manager/Attendants/Instructors/Lifeguards, Recreational Assistants, etc.

Step increases are calculated from Step placement at time of hire. Employees progress to the next Step upon completion of 1 year, 3 year, 6th year, 10th year and 15th year or until reach Step 6. Steps 7 & Step 8 are limited to employees in those steps as of October 1, 2016.

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

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

* Rounding may be required for payroll purposes.

Per Pay Period Agency

\$ 13.85 DSHS-Animal Control
EPA - Refrigerant Recovery and Recycling
FMCSA - Brake Inspectors

Level/Class

Basic
Authorized EPA Section 609 Approved
Authorized FMCSA 49CRF 396.25

DRAFT -----FY 2019-2020 2020-2021 Non-Exempt Wage Schedule
w/2.5% increase

		TCEQ	1
		TCEQ	D
		TCEQ - Backflow Prevention Assembly Tester	
		TCEQ - Landscape Irrigator	
		TCEQ - Landscape Technician	
		TCEQ - Underground Storage Tank	
		TMCEC - MC Deputy	I
		TXDPS - Hazardous Material Endorsement	
		TXDPS	CDL
\$	16.00	TDLR -Code Enforcement Officer	Basic
		TMCEC - MC Deputy	II
		PARALEGAL	
\$	18.47	TCEQ	C
		TDA - Pesticide Applicator	License
\$	25.39	TCEQ	II
		TCEQ	B
		TCOLE - Telecommunications	License
\$	39.24	TCEQ	III
		TCEQ	A

LONGEVITY PROGRAM - - \$2 \$3 per month per year of service - maximum 25 years

DRAFT ----- CITY OF KINGSVILLE CLASSIFICATION COMPENSATION PLAN - EXEMPT FISCAL YEAR

~~2019-2020~~ 2020-2021 w/2.5% increase

		Minimum	Midpoint	Maximum
EXECUTIVE OFFICER – 1		\$ 126,000	\$ 152,000	\$ 178,000
City Manager		<u>\$ 129,150</u>	<u>\$ 155,800</u>	<u>\$ 182,450</u>
EXECUTIVE OFFICER - 2		\$ 96,000	\$ 127,000	\$ 158,000
City Attorney		<u>\$ 98,400</u>	<u>\$ 130,175</u>	<u>\$ 161,950</u>
Municipal Court Judge				
EXEMPT CLASS - 1		\$ 77,702	\$ 94,185	\$ 110,667
City Engineer	Fire Chief	<u>\$ 79,645</u>	<u>\$ 96,540</u>	<u>\$ 113,434</u>
Finance Director	Police Chief			
EXEMPT CLASS - 2		\$ 74,457	\$ 89,700	\$ 105,398
Assistant City Attorney	Public Works Director	<u>\$ 76,318</u>	<u>\$ 91,943</u>	<u>\$ 108,033</u>
Economic Development Director	Planning & Development Services Director			
EXEMPT CLASS - 3		\$ 63,926	\$ 77,486	\$ 91,046
Human Resources Director	Tourism Services Director	<u>\$ 65,524</u>	<u>\$ 79,423</u>	<u>\$ 93,322</u>
Parks and Recreation Director				
EXEMPT CLASS - 4		\$ 60,882	\$ 73,797	\$ 86,711
Health Director	Library Director	<u>\$ 62,404</u>	<u>\$ 75,642</u>	<u>\$ 88,879</u>
EXEMPT CLASS - 5		\$ 55,222	\$ 66,936	\$ 78,649
Risk Manager	Public Information Officer	<u>\$ 56,603</u>	<u>\$ 68,609</u>	<u>\$ 80,615</u>
Information Technology Manager				
EXEMPT CLASS - 6		\$ 47,702	\$ 57,821	\$ 67,940
Accounting Manager	Golf Course Manager	<u>\$ 48,895</u>	<u>\$ 59,267</u>	<u>\$ 69,639</u>
Building Official	Information Technology Manager			
Capital Improvements Manager	Parks Manager			
City Secretary	Purchasing & Facilities Manager			
EXEMPT CLASS - 7		\$ 43,267	\$ 52,445	\$ 61,623
Collection's Supervisor	Solid Waste Supervisor	<u>\$ 44,349</u>	<u>\$ 53,756</u>	<u>\$ 63,164</u>
Communication's Supervisor	Staff Accountant			
Community Appearance Supervisor	Street Supervisor			
Downtown & Historic Preservation Manager	Systems Specialist			
Facilities Supervisor	Wastewater Supervisor			
Garage Supervisor	Water Production Supervisor			
Municipal Court Supervisor	Water Supervisor			

EXEMPT CLASS STEP PROGRAM - ANNIVERSARY INCREASES BASED ON CURRENT POSITION

1ST YEAR	3%	6TH YEAR	3%	15TH YEAR	3%
3RD YEAR	3%	10TH YEAR	3%	20TH YEAR	3%
				25TH YEAR	3%

LONGEVITY PROGRAM

\$2 \$3 per month per year of service

AGENDA ITEM #6

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Juan J. Adame, Fire Chief / EMC

DATE: Sept. 4, 2020

SUBJECT: Grants Programs Directorate's Assistance to Firefighters Grant Program – COVID-19 Supplemental (AFG-S)

Summary:

On May 11, 2020 the City Commission approved resolution #2020-44 authorizing the City to submit an application to 2020 Assistance to Firefighters Grant Funding for personal protective equipment (PPE) on behalf of the Kingsville Fire Department. The grant was recently awarded. The funding now needs to be accepted and allocated to the appropriate budget line item in order to purchase the (PPE) as specified in the grant award.

Background:

The COVID –19 Pandemic brought unforeseen challenges that have placed a strain on the Fire Department's medical supply inventory and the budget used to purchase those supplies. This forced us to seek financial opportunities to help ease those strains. This grant application was one of those avenues.

Financial Impact:

This grant award will allow for the department to increase our inventory of the PPE used to protect our personnel while reducing budgetary strains. The allowable purchases are within the attached award packet. Award totals are listed below:

Federal Award.....	\$18,697.35
Non-federal Commitment.....	\$ 1,869.73

Recommendation:

We are requesting approval to budget the awarded funds to purchase the equipment pursuant to the grant. Thank you for your assistance in this matter.



Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Ronald Lee
KINGSVILLE, CITY OF
PO BOX 1458 119 N 10TH ST
KINGSVILLE, TX 78364



EMW-2020-FG-02826

Dear Ronald Lee,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) has been approved in the amount of \$18,697.35 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$1,869.73 for a total approved budget of \$20,567.08. Please see the FY 2020 AFG-S Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- FY 2020 AFG-S Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "C Logan", is written over a horizontal line.

Christopher Logan
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental

Recipient: KINGSVILLE, CITY OF

DUNS number: 786064998

Award number: EMW-2020-FG-02826

Summary description of award

The purpose of the Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) is to provide funds for the purchase of PPE and related supplies, including reimbursements, to prevent, prepare for, and respond to coronavirus. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S)'s purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$5,461.20
Supplies	\$15,105.88
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$18,697.35
Non-federal	\$1,869.73
Total	\$20,567.08
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the AFG-S NOFO.

Approved request details:

Personal Protective Equipment (PPE)

Eye Protection

DESCRIPTION

Face Shields (1-10 used daily)

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	1,550	\$1.24	\$1,922.00	Supplies

CHANGE FROM APPLICATION

Budget class from **Equipment** to **Supplies**

JUSTIFICATION

Funds in the Equipment category were moved to Supplies Category.

Surgical Type Face Masks

DESCRIPTION

Basic Surgical Face Mask for patient (1-10 used daily)

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	2,460	\$1.24	\$3,050.40	Supplies

CHANGE FROM APPLICATION

Budget class from **Equipment** to **Supplies**

JUSTIFICATION

Funds in the Equipment category were moved to Supplies Category.

Gloves

DESCRIPTION

Examination Gloves

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	49,200	\$0.01	\$492.00	Supplies

CHANGE FROM APPLICATION

Budget class from Equipment to Supplies

JUSTIFICATION

Funds in the Equipment category were moved to Supplies Category.

Eye Protection

DESCRIPTION

Goggles (35 replaced per quarter)

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	140	\$3.01	\$421.40	Supplies

CHANGE FROM APPLICATION

Budget class from Equipment to Supplies

JUSTIFICATION

Funds in the Equipment category were moved to Supplies Category.

Isolation Gowns

DESCRIPTION

Isolation Gowns 1-5daily

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	984	\$4.64	\$4,565.76	Supplies

CHANGE FROM APPLICATION

Budget class from **Equipment** to **Supplies**

JUSTIFICATION

Funds in the Equipment category were moved to Supplies Category.

Protective Coveralls

DESCRIPTION

Tyvec Coveralls (none in stock)

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	492	\$9.46	\$4,654.32	Supplies

CHANGE FROM APPLICATION

Budget class from **Equipment** to **Supplies**

JUSTIFICATION

Funds in the Equipment category were moved to Supplies Category.

Respirators

DESCRIPTION

N95 Mask (1-12 used daily)

	QUANTITY	UNIT PRICE	TOTAL	BUDGET CLASS
Cost 1	2,952	\$1.85	\$5,461.20	Equipment

Agreement Articles

Program: Fiscal Year 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental

Recipient: KINGSVILLE, CITY OF

DUNS number: 786064998

Award number: EMW-2020-FG-02826

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Article 1 Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article 2 DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. 6. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

- Article 3 Acknowledgement of Federal Funding from DHS**
Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.
- Article 4 Activities Conducted Abroad**
Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
- Article 5 Age Discrimination Act of 1975**
Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- Article 6 Americans with Disabilities Act of 1990**
Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
- Article 7 Best Practices for Collection and Use of Personally Identifiable Information (PII)**
Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.
- Article 8 Civil Rights Act of 1964 – Title VI**
Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article 9 Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10 Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article 11 Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12 Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13 Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article 15 Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 16 False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 17 Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article 18 Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article 19 Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 20 Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. § 2225.)

- Article 21 Limited English Proficiency (Civil Rights Act of 1964, Title VI)**
Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.
- Article 22 Lobbying Prohibitions**
Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.
- Article 23 National Environmental Policy Act**
Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
- Article 24 Nondiscrimination in Matters Pertaining to Faith-Based Organizations**
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
- Article 25 Non-supplanting Requirement**
Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article 26 Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article 27 Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

Article 28 Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article 29 Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 30 Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article 31 Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article 32 SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 33 Terrorist Financing

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

Article 34 Trafficking Victims Protection Act of 2000 (TVPA)

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

Article 35 Universal Identifier and System of Award Management (SAM)

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article 36 USA Patriot Act of 2001

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. §§ 175–175c.

Article 37 Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article 38 Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

Article 39 Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Article 40 Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 41 Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article 42 Environmental Planning and Historic Preservation

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all Federal, state, and local requirements.

Acceptance of Federal funding requires recipient to comply with all Federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize Federal

funding. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to the DHS/FEMA website at:

<https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Obligating document

1. Agreement No. EMW-2020-FG-02826	2. Amendment No. N/A	3. Recipient No. 746001513	4. Type of Action AWARD	5. Control No. WX03218N2020T		
6. Recipient Name and Address KINGSVILLE, CITY OF 119 N 10TH ST KINGSVILLE, TX 78363		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Ronald Lee		9a. Phone No. 3615926445	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 08/17/2020	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 08/24/2020 to 08/23/2021 Budget Period 08/24/2020 to 08/23/2021		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data (ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2020-FC-GB01 - P431-xxxx-4101-D	\$0.00	\$18,697.35	\$18,697.35	\$1,869.73
Totals			\$0.00	\$18,697.35	\$18,697.35	\$1,869.73
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
Christopher Logan, Acting Assistant Administrator Grant Programs Directorate	08/17/2020

ORDINANCE NO. 2020-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO ACCEPT AND EXPEND GRANT FUNDS FROM THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR MEDICAL SUPPLIES.

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 2019-2020 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 107 – ASSISTANCE TO FIREFIGHTERS GRANT FUND					
<u>Revenues - 4</u>					
0000	Non-Depart	Federal Grant Revenues	72005	(\$18,697.35)	
0000	Non-Depart	Transfer From GF 001	75001	(\$1,869.73)	
<u>Expenditures – 5</u>					
2200	Fire	Medical Supplies	22400	\$20,567.08	
Fund 001 – GENERAL FUND					
6900	Transfers	Transfer to Fund 107	80107	\$1,869.73	

[To amend the City of Kingsville FY 19-20 Budget to accept and expend the grant funds from the Assistance to Firefighters Grant. The cash match funding will come from the General Fund unappropriated fund balance.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 8th day of September 2020.

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

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Susan Ivy, Parks Director

DATE: September 2, 2020

SUBJECT: Agenda Request – Request for Additional funding for Golf Course Emergency Repairs and Improvements

Summary: We are requesting approval of a Budget Amendment in the amount of \$108,445.00 for emergency repairs and improvements to the L. E. Ramey Golf Course.

Background: In response to some severe damage during aeration of four of the greens at L.E. Ramey Golf Course the City Manager has instructed that the Golf Course be closed for the coming month.

During some routine green's maintenance, damage to the surface of four greens was incurred that makes these four unplayable. The City Manager directed the aeration of the remaining greens to be contracted to an outside party, and during the month of September downtime, the golf course maintenance crews will perform other improvements to the course to include additional fairway sod laying, bunker maintenance, and sanding and rolling of the greens following aeration.

Funding for the contracted Plugging Crew, sand and sod for the fairways and continuing improvements to the bunkers is estimated at \$108,445.00. The work will be monitored daily and reports from Israel Vasquez will be provided weekly to Parks Director and forwarded to City Manager.

Financial Impact: Funding for this Budget Amendment is as follows: \$66,000 from Downtown Improvement Project in CO 2016, \$3,625.00 from St. Gertrudis Tree Project in CO 2016, and \$38,820.00 from FEMA funds for the irrigation damaged during storm in the General Fund.

Recommendation: I recommend the approval of the funding for the emergency repairs and additional improvements at the L. E. Ramey Golf Course and approval of the associated Budget Amendment for same.



ORDINANCE NO. 2020-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO EXPEND FUNDS FOR EMERGENCY REPAIRS AT THE GOLF COURSE.

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 2019-2020 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
FUND 033 – CO SERIES 2016					
<u>Expenditures - 5</u>					
1030	City Special	Downtown Revitalization	71216		\$66,000
4503	Parks	Grounds & Perm Fixtures	59100		\$3,625
6900	Transfer	Transfer Out to Fund 026	80026	\$69,625	
FUND 001 – GENERAL FUND					
<u>Expenditures – 5</u>					
6900	Transfers	Transfer Out to Fund 026	80026	\$38,820	
Fund 026 – GOLF COURSE CAPITAL PROJECTS FUND					
<u>Revenues - 4</u>					
0000	Non-Dept	Transfer From Fund 033	75033	(\$69,625)	
0000	Non-Dept	Transfer From Fund 001	75001	(\$38,820)	
<u>Expenditures - 5</u>					
4502	Golf	Grounds & Perm Fixtures	59100	\$108,445	

[To amend the City of Kingsville FY 19-20 Budget to expend funds for emergency repairs at the golf course. Funds from the CO Series 2016 are unspent project funds and funds from the General Fund are from the FEMA reimbursement for golf course irrigation damage just received.]

II.

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

III.

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

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INTRODUCED on this the 8th day of September 2020.

PASSED AND APPROVED on this the 14th day of September 2020.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney