

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, MAY 9, 2016
REGULAR MEETING**

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

I. Preliminary Proceedings.


OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

None.

APPROVED BY:


Jesus A. Garza
City Manager

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

1. Public Hearing for alcohol variance for a Wine & Beer Retailer's Off-Premise Permit for the establishment known as Murphy USA #7646, located at 1127 General Cavazos Boulevard, Kingsville, Texas. (Planning & Development Services Director).
2. Public Hearing for ordinance amending the zoning ordinance by changing the zoning map in reference to K.T.&I. Co, Block 17, Lot out of 11, 12 (Exempt), 5.85 acres (Exempt), also known as the southeast corner of 14th and Ailsie from R1-Single Family to C2-Retail District . (Planning & Development Services Director).
3. Public Hearing for preliminary and final plat for North 62 acres of Lot 25 Block 20 Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch, owner S&S Kingsville Construction. (Planning & Development Services 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;** 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."

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)

1. Motion to approve the reappointments of Joni B. Harrel and Otis Myers to the City/County Health Board for another three (3) year term each. (Health Director).
2. Motion to approve a revised resolution authorizing the release of Chapter 59 Funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Center for Continuing Education at TAMUK for "College for Kids" Program for drug abuse prevention programs. (Task Force Commander).
3. Motion to approve out-of-state travel for the Mayor and staff to Washington, D.C. from May 15-17, 2016 on city business. (Mayor Fugate).
4. Motion to approve out-of-state travel for three Fire Department personnel to attend Crude by Rail class in Pueblo, Colorado in September or October 2016, with travel expenses paid by UPRR. (Interim Fire Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider approval of alcohol variance for a Wine & Beer Retailer's Off-Premise Permit for the establishment known as Murphy USA #7646, located at 1127 General Cavazos Boulevard, Kingsville, Texas. (Planning & Development Services Director).
6. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to K.T.&I. Co, Block 17, Lot out of 11, 12 (Exempt), 5.85 acres (Exempt), also known as the southeast corner of 14th and Ailsie from R1-Single Family to C2-Retail District. (Planning & Development Services Director).

7. Consider approval of two drive thru windows for a mixed use project at King & University Corner, also known as 1029 W. Kleberg, as per staff and P&Z recommendation. (Planning & Development Services Director).
8. Consider award for Architectural Services (RFQ 16-07) for the pump house renovation project and for contract negotiation as per staff recommendation. (Purchasing & Technology Director).
9. Consider award for bid RFP #16-08 for Wastewater Metal Precipitant, as per staff recommendation. (Purchasing & Technology Director).
10. Consider award for bid RFP #16-09 for Hauling Services for various city departments, as per staff recommendation. (Purchasing & Technology Director).
11. Consider a resolution authorizing the Mayor to enter into an Interlocal Agreement between Kleberg County and the City of Kingsville for video magistration equipment at the Kleberg County Jail. (Purchasing & Technology Director).
12. Consider approval of the Texas Parks & Wildlife Community Outdoor Outreach Grant contract and acceptance of donations for grant matching funds. (Parks & Recreation Manager).
13. Consider accepting donation for Parks Department for pool equipment. (Parks & Recreation Manager).
14. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget to accept and expend donations for the Parks Department for the pool. (Finance Director).
15. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget for Landfill expansion that includes Phase II of the landfill permit amendment and the construction and engineering of Sector 4. (Finance Director).
16. Consider a resolution of the City of Kingsville, Texas finding that AEP Texas Central Company's application for approval of a distribution cost recovery factor to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which the resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. (City Attorney).
17. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget for the Texas Parks & Wildlife Community Outdoor Outreach Grant and to accept and expend donations for the Parks Department. (Finance Director).
18. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).
19. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

VII. Adjournment.

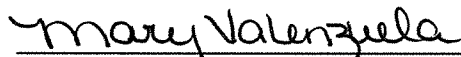
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

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

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

May 6, 2016 at 8:30 A.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

PUBLIC HEARING(S)

PUBLIC HEARING #1

City of Kingsville
Department of Planning and Development services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: May 5, 2016

SUBJECT: Request for Alcohol Variance at 1127 General Cavazos Blvd.

Summary: Murphy Oil is building a walk in store at their gas station in front of the Wal Mart at 1127 General Cavazos Blvd.

Background: Since this is the first time they will be selling alcohol they need to go through the variance process that the city requires. All notices have been sent to the property owners within 300 feet. A map and property ownership list is enclosed along with a copy of the public notice.

Financial Impact: Since they have not sold alcohol before the city may realize additional sales taxes and along with the remodeling a higher appraised value of the property.

Recommendation: We have not received any negative feedback from the property owners or from the citizens that have received a letter. Approve variance request.



PUBLIC NOTICE

*Sunday's paper
April 10, 2016*

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 9, 2016, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit, for the establishment known as Murphy USA, located at 1127 East General Cavazos.

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



OFF-PREMISE PREQUALIFICATION PACKET

L-OFF
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website: www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: ☒ Original

☐ Reinstatement

License/Permit Number _____

☐ Change of Licensed Location

License/Permit Number _____

2. Type of Off-Premise License/Permit

☒ BQ Wine and Beer Retailer's Off-Premise Permit

☐ LP Local Distributor's Permit

☐ BF Beer Retail Dealer's Off-Premise License

☐ E Local Cartage Permit

☐ P Package Store Permit

☐ ET Local Cartage Transfer Permit

☐ Q Wine Only Package Store Permit

☐ PS Package Store Tasting Permit

3. Indicate Primary Business at this Location

☐ Grocery/Market

☐ Convenience Store without Gas

☐ Liquor Store

☐ Miscellaneous _____

☒ Convenience Store with Gas

4. Trade Name of Location

Murphy USA #7646

5. Location Address

1127 General Cavazos Blvd

City

Kingsville

County

Kleberg

State

TX

Zip Code

78363

6. Mailing Address

3345 Bee Cave Road, Ste. 105

City

Austin

State

TX

Zip Code

78746

7. Business Phone No.

Pending

Alternate Phone No.

512-473-0300

E-mail Address

rdacke@mfhliquorlaw.com

OWNER INFORMATION

8. Type of Owner

☐ Individual

☒ Corporation

☐ City/County/University

☐ Partnership

☐ Limited Liability Company

☐ Other _____

☐ Limited Partnership

☐ Joint Venture

☐ Limited Liability Partnership

☐ Trust

9. Business Owner/Applicant

864 Beverage Inc.



CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, March 29, 2016

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for: 1127 E. General Cavazos Blvd (Murphy USA #7646)

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1127 E. General Cavazos Blvd., we have concluded that the property in question does fall within the 1,000 ft. boundary of a 1 school therefore; it will require a variance according to City Ordinance sections 11-3-4&5.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the 1 school; suspected to be close to the property. H. M. King High School is within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

May 9, 2016
meeting

CITY OF KINGSVILLE

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

Kingsville, Texas 78365
Phone: (361) 595-8055
Fax: (361) 595-8065

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1127 E. General Cavazos Located in the City ETJ

(Proposed) Subdivision Name Murphy's Total number of Lots

Legal Description: Wal-Mart Commercial, LOT 1A, ACRES 0.41

Existing Zoning Designation Future Land Use Designation

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Rebecca Dacke Phone 512-614-2011 FAX 903-386-2714

Email Address (for project correspondence only): rdacke@mflhliquorlaw.com

Mailing Address 3345 Bcc Cave Road, Ste. 105 City Austin State TX Zip 78746

Property Owner Murphy Oil USA, Inc. Phone 870-875-7510 FAX 888-263-1956

Email Address (for project correspondence only): Permits_Licensing@murphyusa.com

Mailing Address 422 N. Washington Ave. City El Dorado State AR Zip 72088

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

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

Please provide a basic description of the proposed project:

Alcohol License \$250.00
+ variance

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

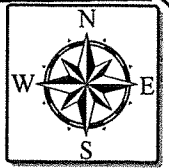
Applicant's Signature: Rebecca Dacke, Authorized Rep Date: April 4, 2016

Property Owner's Signature: [Signature] Date: 4-4-16

Application and Fee Accepted by: Adela Barrientes Date: 4-4-16

Alcohol Permit - 1000 ft. Radius

H.M. King High School



S 14th St

Shelly Blvd

General Cavazos

0 115 230 460 Feet

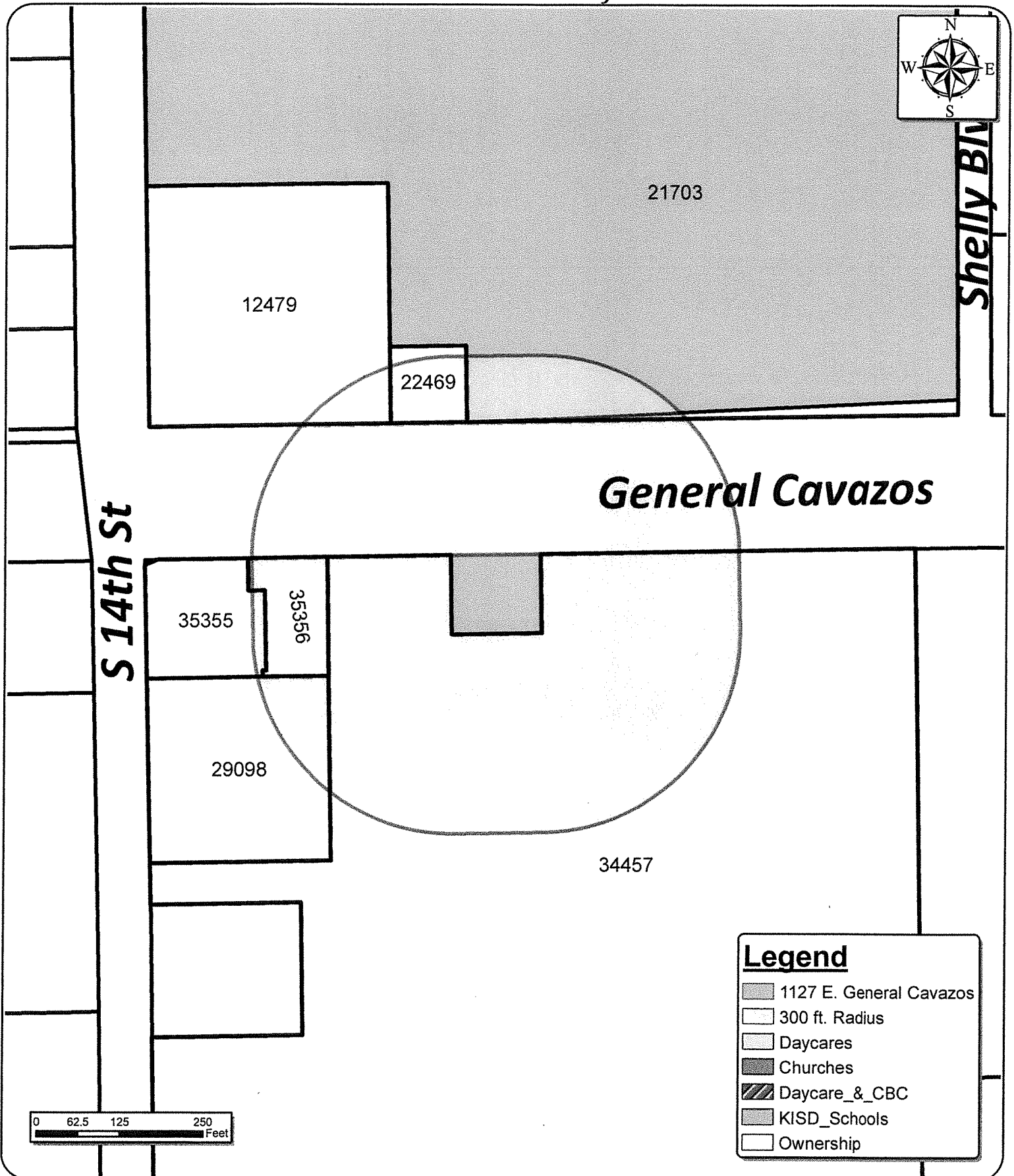
Legend

- 1127 E. General Cavazos
- 1000 ft. Radius
- Daycares
- Churches
- Daycare_&_CBC
- KISD_Schools
- Ownership

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Page 1 / 1	Drawn By: Engineering Dept.	<p style="text-align: center; font-size: small;">DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>		<p style="text-align: center; font-weight: bold;">CITY OF KINGSVILLE ENGINEERING DEPARTMENT</p> <p>200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Last Update: 3/29/2016			
	Note: Please see attached documents.			

Alcohol Permit - 300 ft. Radius



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Page 1 / 1	Drawn By: Engineering Dept.	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.		CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035
	Last Update: 3/29/2016			
	Note: Please see attached documents.			

SEVERIANO GARCIA
318 N PASADENA
KINGSVILLE, TX 78363
#12479

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78363
#22469

K I S D
PO BOX 871
KINGSVILLE, TX 78364
#21703

KINGSVILLE SHOPPING
3109 NORTH ST. MARY'S
SAN ANTONIO, TX 78212
#35355

INFINITY NINE
16607 BLANCO RD STE 803
SAN ANTONIO, TX 78232
#35356

HILDA ARMENDAREZ
3418 WIOODBRIAR
HOUSTON, TX 77068-1329
#29098

WAL-MART STORES
PO BOX 8050
BENTONVILLE, AR 72712-8055
#34457

PUBLIC HEARING #2

City of Kingsville
Department Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

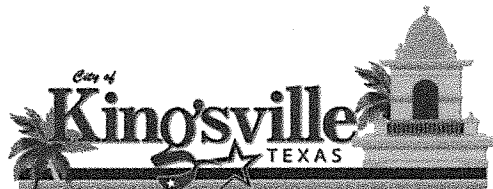
DATE: April 29, 2016

SUBJECT: Rezoning request from First Christian Church at 14th and Ailsle Avenue

Summary: The First Christian Church is requesting a rezone of their entire property for two reasons: A. There is a local veterinarian interested in building a vet clinic on the vacant ground to the south and B. The church officials feel that for the long term whether they stay there or not they believe that having the property zoned as C2 would be better for them if they wanted to sell.

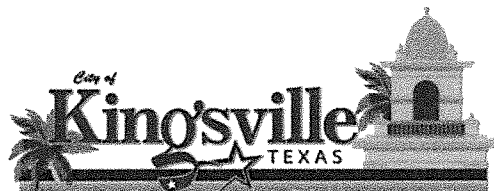
Background: A local veterinarian is interested in building a vet clinic on the property and feels that the location would be good for business. The zoning map reflects C2 zoning across the street, to the north and northwest at the other corner of the intersection. In our zoning codes a church and a school can be built in R1 which I presume is the reason why the zoning wasn't changed in the beginning. While it may seem unusual to have a vet clinic near the high school, I believe that with the other possible C2 uses that this would be compatible that most other options. While not a rezoning issue I believe that appearance compatibility to the high school is important which would be addressed in the site plan review.

Financial Impact: The building of a commercial building on what is now vacant ground would have a positive impact on property taxes. At this point we see no issues concerning public works. What will be monitored and discussed at site plan review is vehicular traffic and pedestrian traffic as it relates to the commercial development.



City of Kingsville
Department Planning and Development Services

Recommendation: The Planning and Zoning Commission recommended approval with a 5 in favor, 1 abstention vote. Staff recommends approval of the rezoning request.



April 3, 2016 paper

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Regular Meeting Wednesday, April 20, 2016 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

First Christian Church owner, Terry Neel agent, is requesting the rezone of KT & I CO, BLOCK 17, LOT OUT OF 11, 12, (E X E M P T), ACRES 5.85 (E X E M P T) also known as 14th and Ailsie from (R1) Single Family to (C2) Retail.

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

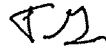
PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday May 9, 2016 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

First Christian Church owner, Terry Neel agent, is requesting the rezone of KT & I CO, BLOCK 17, LOT OUT OF 11, 12, (E X E M P T), ACRES 5.85 (E X E M P T) also known as 14th and Ailsie from (R1) Single Family to (C2) Retail.

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

To: Planning and Zoning Commission

From: Tom Ginter, Director of Planning and Development Services 

Date: April 15, 2016

Subject: Agenda Item

The First Christian Church is requesting this rezoning because of their interest to sell a part of their property. It is my understanding that a veterinarian is interested in building a vet clinic on the property.

The zoning shows the zoning of R1, where the church is located and the ground just to the south of the church. The rest of the zoning is:

North C2
West C2
East R1 – KISD
South R1 – KISD

As you can see C2 is all around the corner which is usual especially with the vehicle traffic at that intersection. While it may seem unusual to have a vet clinic near the high school, I believe that with the other possible commercial uses, it would be compatible more than most options. While not a rezoning issue appearance compatibility to the high school, I think would be preferable. If you are curious, a church can be built in R1 which may be the reason why the zoning was never changed.

Staff Recommendation: Approve rezoning request.

CITY OF KINGSVILLE

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

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

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 14th & AILSIE Located in the City _____ ETJ _____

(Proposed) Subdivision Name _____ Total number of Lots _____

Legal Description: KT+100, BLOCK 17, LOT OUT OF 11, 12, (EXEMPT) ACRES 5.55 (EXEMPT)

Existing Zoning Designation R1 Single Family Future Land Use Designation C2-Retail

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent TERRY L WHEEL Phone 592-4911 FAX _____

Email Address (for project correspondence only): tlw@yahod.com

Mailing Address 1900 S BRAHMA BLVD City KINGSVILLE State TX Zip 78363

Property Owner FIRST CHRISTIAN CHURCH Phone 592-4911 FAX _____

Email Address (for project correspondence only): kingsvillepfcc@shcglobal.net

Mailing Address 1900 S BRAHMA BLVD City KINGSVILLE State TX Zip 78363

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

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

Please provide a basic description of the proposed project:

The church is selling our vacant land between the church facility and the high school. It was discovered that our property for some reason is zoned residential. It needs to be commercial.

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

Applicant's Signature: [Signature] Date: 23 Mar 2016

Property Owner's Signature: [Signature] Date: 23 Mar 2016

Application and Fee Accepted by: [Signature] Date: 3-23-16

City of Kingsville

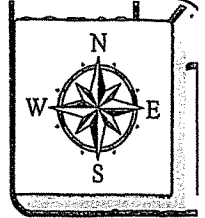
11611

23999

42270

18576

10081



Ailsle Ave

18239

18861

19008

10502

14th St

20305

25719

21703




29804

29805

21332

12865

Legend

-  First Christian Church
-  200 ft. Radius
-  City Limits

0 100 200 400 Feet

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Page
1 / 1

Drawn By:
Engineering Department

Last Update: 4/5/2016

Note:

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RESPONSIBLE IF THE INFORMATION CONTAINED
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CONSTRUCTION, PLANNING, BUILDING,
OR ANY OTHER PURPOSE.



**CITY OF KINGSVILLE
ENGINEERING DEPARTMENT**

200 East Kleberg
Kingsville, Texas 78363
Office: 361-595-8005
Fax: 361-595-8035

KISD
PO BOX 871
KINGSVILLE, TX 78363-0871
#21703

KINGSVILLE RETAIL
1601 PALOMINO RIDGE
AUSTIN, TX 78733-6047
#11611

MICHAEL KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#10502

PAYLESS
PO BOX 3560
TOPEKA, KS 66601-3560
#29805

FIRST CAPITAL BANK
PO BOX G
EL CAMPO, TX 77437-1470
#23999

HARBUR & HARBUR
3279 FM 1540
SANDIA, TX 78383
#18239

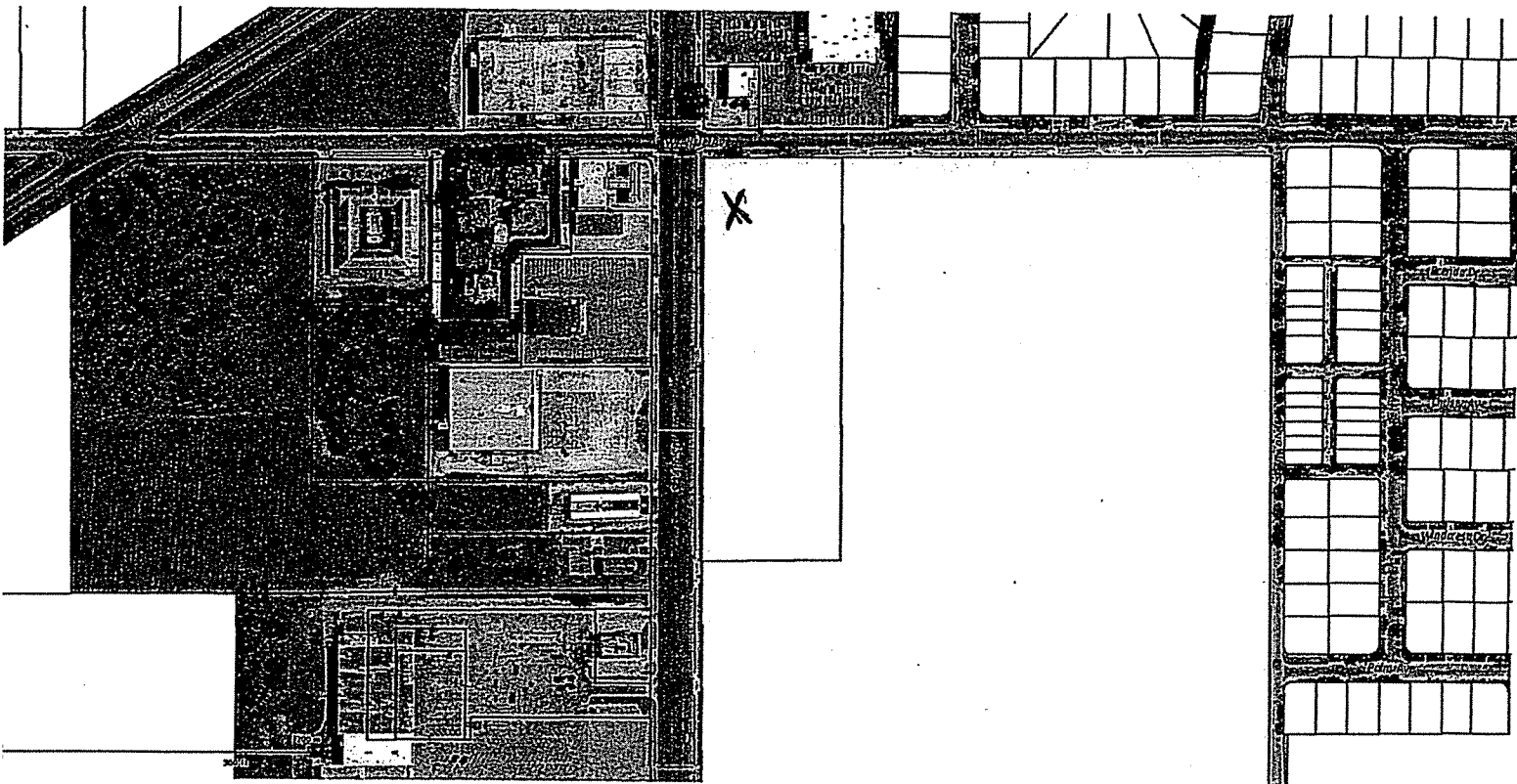
WILCOX FAMILY
353 WILLIAMSON
CORPUS CHRISTI, TX 78411-15
#25719

MARIN WILLIAM
4542 BARNARD
CORPUS CHRISTI, TX 78413
#12865

COASTAL BEND COLLEGE
3800 CHARCO RD
BEEVILLE, TX 78102
#42270

OHLENBUSCH HERMAN
926 S. 14TH
KINGSVILLE, TX 78363
#18861

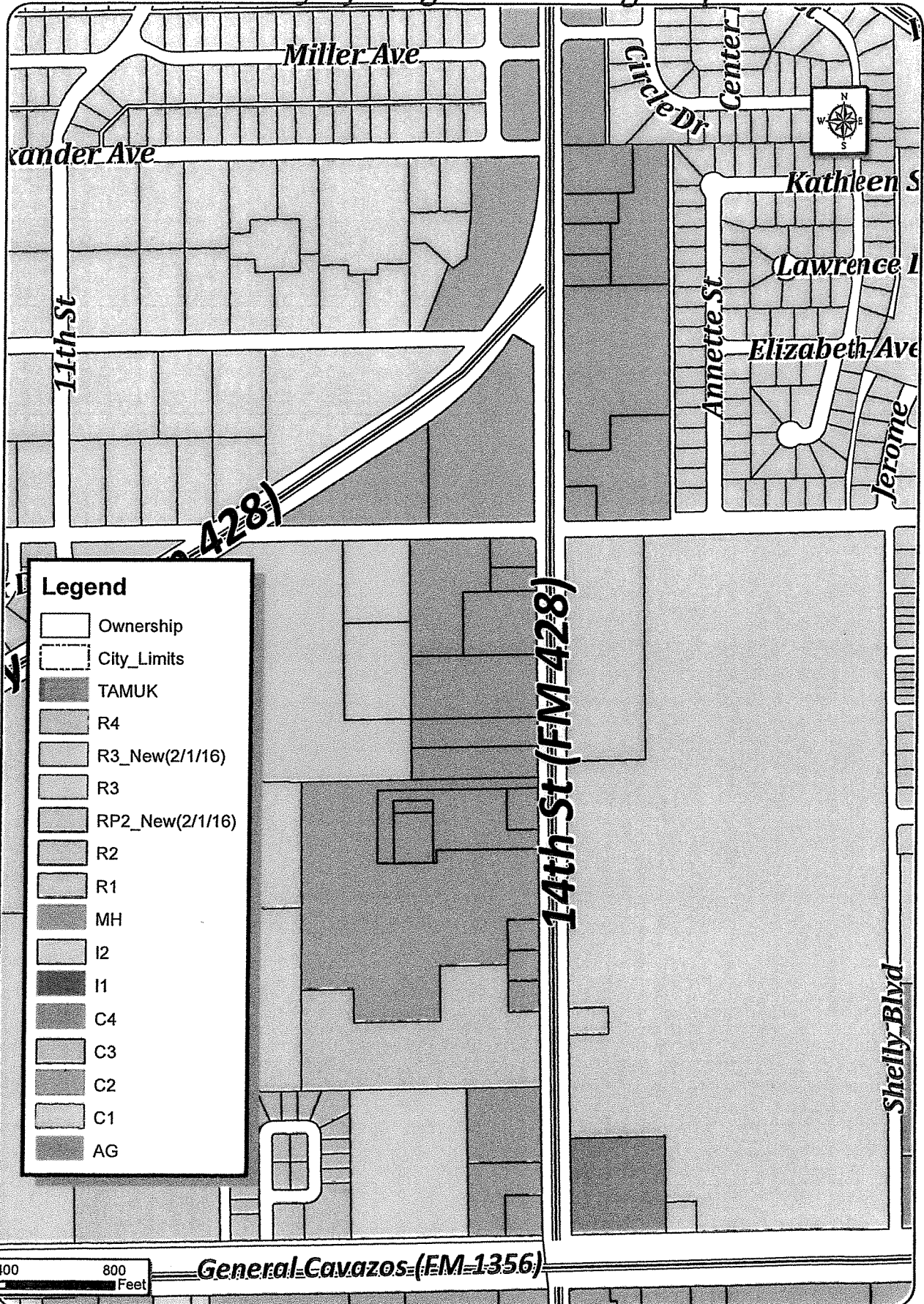
STARS RESTAURANT
2941 NW 156TH STREET
EDMOND, OK 73013
#29804



X - First Christian Church, current zoning
is R1 5.85 acres, corner of Ailster
14th



City of Kingsville Zoning Map



Page
1 / 1

Drawn By: D. Herrera

Last Update: 4/14/2016

Note:

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



**CITY OF KINGSVILLE
ENGINEERING DEPARTMENT**

200 East Kleberg
Kingsville, Texas 78363
Office: 361-595-8005
Fax: 361-595-8035

Kleberg County Appraisal District

502 E. Kleberg St. Kingsville, TX 78363-9998

TaxNetUSA: Kleberg County Property Information Account Number: 20305 GEO Number: 290001711201192

Owner's Name	FIRST CHRISTIAN CHURCH	Entity Code	Entity Name	Tax Rate
Mailing Address	PO BOX 848 KINGSVILLE, TX 78364	GKL	Kleberg County	0.74481000
Location	AILSIE & 14TH	CKI	Kingsville	0.84220000
Legal	K T & I CO, BLOCK 17, LOT OUT OF 11, 12, (E X E M P T), ACRES 5.85 (E X E M P T)	SKI	Kingsville ISD	1.51890000
		WST	South Texas Water Authority	0.08540900
		CAD	KLEBERG COUNTY APPRAISAL DISTRICT	
				Total 3.191319
				*Total Estimated Taxes 24,329.66

Data up to date as of 2015-06-10

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions.* Tax amount does not include any exemptions.

AGRICULTURAL (1-D-1)

HOMESTEAD EXEMPTION FORM

PRINTER FRIENDLY REPORT

Property Details

Deed Date	N/A
Deed Volume	
Deed Page	
Exemptions	
Freeze Ceiling	0.00
Block	17
Tract or Lot	OUT OF 11, 12
Abstract Code	S2900

Value Information

Land Value	81,900.00
Improvement Value	680,470.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Value Per MASQFT	N/A
Market Value	762,370.00
Appraised Value	762,370.00
Assessed Value	762,370.00

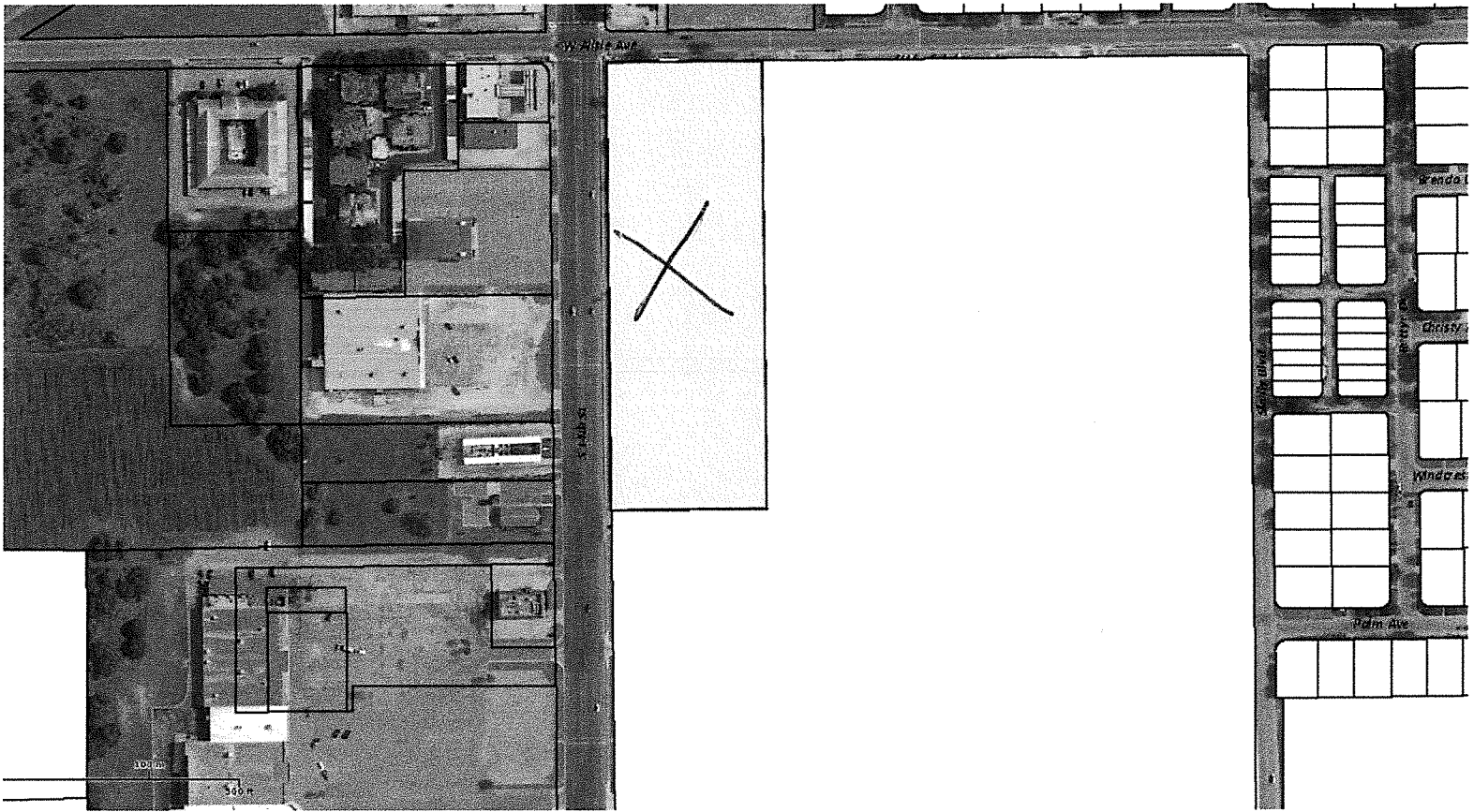
Improvement Information

Improvement ID	State Category	Homesite	Description	Value
7534	F1	N	COMMERCIAL	288960.000000
7535	F1	N	COMMERCIAL	391510.000000

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
7534	25715	MA	MAIN AREA	CH2G	1970	0	4,818	252,110
7534	25716	OP1	OPEN PORCH BASIC (20%)	*	0	0	60	630
7534	25717	OP1	OPEN PORCH BASIC (20%)	*	0	0	60	630
7534	25718	MA3	1/2 STORY (80%)	CH2G	0	0	440	18,420
7534	25719	ASP	ASPHALT (100%)	SP	0	0	31,070	17,170
7535	25720	MA	MAIN AREA	SC2G	0	0	6,631	272,400
7535	25721	MA	MAIN AREA	SC2G	0	0	2,394	98,350
7535	25722	OP1	OPEN PORCH BASIC (20%)	*	0	0	2,491	20,470
7535	25723	STGL	STORAGE FRAME (LOW)	*	0	0	325	290

Total Living Area 14,283



ORDINANCE #2016-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO K.T.&I. CO, BLOCK 17, LOT OUT OF 11, 12 (EXEMPT), 5.85 ACRES (EXEMPT), ALSO KNOWN AS SOUTHEAST CORNER OF 14TH AND AILSIE FROM R1-SINGLE FAMILY TO C2-RETAIL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of agent Terry Neal on behalf of the First Christian Church, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, April 20, 2016 during a meeting of the Planning and Zoning Commission, and on Monday, May 9, 2016 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by a 5-0 vote APPROVED the requested rezone with one abstention; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of K.T.&I. CO, Block 17, Lot out of 11, 12 (Exempt), 5.85 Acres (Exempt), also known as southeast corner of 14th and Ailsie from R1-Single Family to C2-Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 9th day of May, 2016.

PASSED AND APPROVED on this the _____ day of May, 2016.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

City of Kingsville
Department of Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: May 5, 2016

SUBJECT: Public Hearing for Preliminary Plat and Final Plat for Escondido Ranch

Summary: Since this development is in the extraterritorial jurisdiction (ETJ) the City commission is required to have a public hearing for preliminary and final plats in the ETJ.

Background: The plats have been reviewed by the City Engineer the City Planner and Commissioner Roy Cantu. We have requested a roadway plan and a drainage plan from the developer. The Preliminary and Final Plat are fine. The Planning and Zoning Commission were schedule to meet Wednesday, May 4 but did not meet due to a lack of a quorum. Since the letters had already been sent out it was determined to go ahead and conduct the public hearing for the City Commission. As of right now the goal is there to be an agenda item to allow the City Commission to take on the first meeting in June

Financial Impact: While we do not receive property tax revenue from this development, it is believed that we would receive sales tax from the citizens living there and shopping in Kingsville. At this time I am not aware of any city expense for this development.

Recommendation: Since there is no action item there will be no recommendation at this time.



PUBLIC HEARING #3

To: Planning and Zoning Commission

From: Tom Ginter, Director of Planning and Development Services

Date: April 28, 2016

Subject: Review of Preliminary and Final Plat for S & S Kingsville Construction of the North 62 Acres of Lot 25 Block 20 Kleberg Town and Improvement Company Subdivision also known as Escondido Ranch.

The plats for this development are in the City of Kingsville's extraterritorial jurisdiction (ETJ). This proposed development is located South of Escondido and East of CR 1030. The map that we used for notices also reflects where the subdivision is located. The city's ETJ extends 2 miles beyond its city limits.

The review process is stated in the Interlocal Agreement between the City of Kingsville and Kleberg County which is located in 2. Plat Process in Appendix A.

County Commissioner Roy Cantu, City Engineer Charlie Cardenas and I met and reviewed the preliminary and final plat for this development.

There were three recommendations to the developer for changes, to the plats; they are location of the water line, drainage plan by a P.E. and a roadway plan by a P. E.

There is no public sewer with this development.

Attached are the preliminary and final plats for your review.

Wed. Paper 4-20-16

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Special Meeting Wednesday, May 4, 2016 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

S & S Kingsville Construction LLC, owner, is requesting the approval of preliminary and final plat for NORTH 62 ACRES OF LOT 25 BLOCK 20 KLEBERG TOWN AND IMPROVEMENT COMPANY SUBDIVISION also known as Escondido Ranch.

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

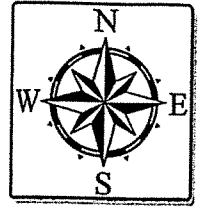
PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday May 9, 2016 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

S & S Kingsville Construction LLC, owner, is requesting the approval of preliminary and final plat for NORTH 62 ACRES OF LOT 25 BLOCK 20 KLEBERG TOWN AND IMPROVEMENT COMPANY SUBDIVISION also known as Escondido Ranch.

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

City of Kingsville



19558

Escondido Rd

No matches were found.

42793

42795

42796

42797

42798

42799

42800

42801





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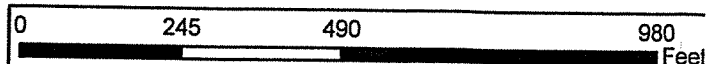
14226

CR 1030

13407

Legend

-  Ownership
-  Proposed Subdivision
-  200 ft. Radius
-  City Limits



Document Path: N:\Engineering\GIS Techs\MAPSMAP_DOCUMENTS\Arc_City_Address_Assign_Map_8.5x11.mxd

Drawn By:
Engineering Department

Last Update: 4/14/2016

Note:

DISCLAIMER
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HEREIN IS USED FOR ANY DESIGN



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
200 East Kleberg
Kingsville, Texas 78363

CITY OF KINGSVILLE

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

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

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address CR 1030 & Escondido Located in the City ETJ ☒

(Proposed) Subdivision Name Escondido Ranch Total number of Lots 9

Legal Description: North 62 Acres of Lot 25 Block 20 Kleburg Town + Improvement
Company Subdivision

Existing Zoning Designation _____ Future Land Use Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent S&S Kingsville Const. Phone 361-522-366 FAX _____

Email Address (for project correspondence only): _____

Mailing Address P.O. Box 1333 City Kingsville State TX Zip 78363

Property Owner S&S Kingsville Const. Phone 361-455-7746 FAX _____

Email Address (for project correspondence only): _____

Mailing Address P.O. Box 1333 City Kingsville State TX Zip 78363

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

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

Please provide a basic description of the proposed project:

Preliminary Plat & Final Plat

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

Applicant's Signature: [Signature] Date: 4-5-16

Property Owner's Signature: [Signature] Date: 4-5-16

Application and Fee Accepted by: Adela Bannwitz Date: 4-5-16

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF KINGSVILLE
AND KLEBERG COUNTY
RELATING TO THE APPROVAL OF PLATS AND
THE REGULATION OF AICUZ RESTRICTIONS
WITHIN THE EXTRATERRITORIAL JURISDICTION OF
THE CITY OF KINGSVILLE**

STATE OF TEXAS

§

COUNTY OF KLEBERG

§

§

I. PARTIES. The parties to this Interlocal Agreement are Kleberg County, Texas ("County"), a political subdivision of the State of Texas, and the City of Kingsville ("City"), a Texas home rule municipality.

II. PURPOSE.

A. In a continuing effort to consolidate activities within the appropriate jurisdiction in order to promote efficiency in local government, the City and the County mutually agree that the City of Kingsville shall administer the platting of all property and regulation of AICUZ restrictions for all property located within those portions of the City's extraterritorial jurisdiction that are within Kleberg County.

B. The parties enter into this Interlocal Agreement under the Texas Government Code Chapter 791 (Interlocal Cooperation Act) and under the terms of Texas Local Government Code §242.001(c). By this Interlocal Agreement, the County delegates to the City the administration of Chapter 232 of the Texas Local Government Code within those portions of the City's extraterritorial jurisdiction that are within Kleberg County, subject, to the terms and exceptions of this Interlocal Agreement.

III. TERM. The term of this Interlocal Agreement commences on the date when last party to this Interlocal Agreement affixes the authorized signatures and extends for five (5) years from the date of that signature. Unless terminated under Section VII, this Interlocal Agreement shall automatically renew annually for a one (1) year term on the anniversary date of the commencement of this Interlocal Agreement.

IV. AUTHORITY TO THE CITY. The City is delegated the authority to administer the provisions of Chapter 232 of the Texas Local Government Code within those portions of the City's extraterritorial jurisdiction that are within Kleberg County.

A. The City's Planning Director is authorized to:

1. Accept all plat applications for tracts of land located in the City's extraterritorial jurisdiction.

2. Collect both the City's and County's plat application fees in a lump-sum amount.
3. Provide applicants one response indicating approval or denial of their plat application.
4. Ensure that plat applications for tracts of land located in the City's ETJ comply with the local AICUZ regulations pending at the time of submission for consideration.

B. The City shall pay on a quarterly basis to the County all County plat application fees collected.

V. RULES GOVERNING PLATTING AND AICUZ REGULATION UNDER THIS INTERLOCAL AGREEMENT.

A. The City shall comply with the applicable provisions of the following regulations when platting property within those portions of its extraterritorial jurisdiction that are within Kleberg County:

1. Texas Local Government Code Chapter 212, as amended.
2. Texas Local Government Code Chapter 232, as amended.
3. The City's Subdivision and Zoning Ordinance, as amended.
4. Kleberg County Commissioners Subdivision Orders.
5. Any other statutes applicable to municipalities and counties that may be enforced in the City's extraterritorial jurisdiction.

B. If the existing municipal regulation or county regulation relating to plats and the subdivision of land conflict, the more stringent regulation applies.

C. If the City requires a plat to be filed for the subdivision of a particular tract of land in the City's extraterritorial jurisdiction, but the County does not, the property may not be subdivided until a plat is approved by the City.

D. If the County requires a plat to be filed for the subdivision of a particular tract of land in the City's extraterritorial jurisdiction, but the City does not, the property may not be subdivided until a plat is approved by the City.

E. The City shall prepare a consolidated set of regulations that identifies the most stringent requirements currently required by either jurisdiction. The consolidated regulations must be appended to this Interlocal Agreement as Appendix A.

F. The administrative procedures in the City's Subdivision Ordinance will be used in the processing of plat applications and requests for variances.

VI. CITY PLANNING & ZONING COMMISSION. The parties agree that the Planning & Zoning Commission of the City of Kingsville will act for the City of Kingsville in administering Chapter 232 of the Texas Local Government Code. Appeals from recommendations of the City Planning & Zoning Commission may be made to the City Commission under the City Ordinance. The City of Kingsville Zoning Board of Adjustment will act for the City of Kingsville in determining variance requests.

VII. DEDICATION OF PUBLIC IMPROVEMENTS. The approval of a plat of land located within those portions of the City's extraterritorial jurisdiction that are within Kleberg County under this Interlocal Agreement does not constitute acceptance of the dedication of any public improvements by the Kleberg County Commissioners' Court. After the public improvements have been installed and inspected by both the City and County designated representatives, an application for acceptance of the dedication must be made to the County Commissioners' Court.

VII. TERMINATION.

A. The parties agree that either party may terminate this Interlocal Agreement without cause on the annual anniversary date by providing sixty (60) days prior written notice of their intent to terminate this Interlocal Agreement.

B. Upon termination, all authority to administer Chapter 232 of the Texas Local Government Code within those areas of the City's extraterritorial jurisdiction that are within Kleberg County revert to the County.

VIII. MISCELLANEOUS PROVISIONS.

A. Notice. Notice required by this Interlocal Agreement may be given or served by depositing the notice in the United States Mail, in certified or registered form, postage prepaid, addressed to the other party, or by delivering the notice in person to the other party. Notice deposited in the United States Mail in the manner prescribed in this subsection is effective upon deposit. The addresses of the parties are:

City of Kingsville, Texas
Attention: City Manager
P.O. Box 1458
Kingsville, Texas 78364

Kleberg County
Attention: Kleberg County Judge
P.O. Box 752
Kingsville, Texas 78364

B. Effect of Waivers. No waiver by either party of any default, violation, or breach of the terms, provisions, and covenants contained in this Interlocal Agreement may be deemed or construed to constitute a waiver of any other

violation or breach of any of the terms, provisions, and covenants of this Interlocal Agreement.

C. Only Agreement between Parties. This Interlocal Agreement constitutes the only agreement of the parties relating to the administration of and enforcement authority under Chapter 212, 232, and 242 of the Texas Local Government Code and supersedes any understandings or written or oral agreements between the parties respecting the subject matter of this Interlocal Agreement. Any changes or modifications to this Interlocal Agreement must be made in writing and approved by the governing bodies of both parties.

D. Amendment of Interlocal Agreement. This Interlocal Agreement may be amended at any time. Any amendment to this Interlocal Agreement must be in writing and agreed to by the governing bodies of the parties. No officer or employee of any of the parties has authority to waive or otherwise modify the limitations in this Interlocal Agreement, without the express action of the governing body of the party.

E. Not For Benefit of Third Parties. This Interlocal Agreement and all activities under this Interlocal Agreement are solely for the benefit of the parties and not the benefit of any third parties.

F. Exercise of Police Powers. This Interlocal Agreement and all activities under this Interlocal Agreement are undertaken solely as an exercise of the police power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.

G. Immunities Not Waived. Nothing in this Interlocal Agreement waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Interlocal Agreement and the performance of the covenants contained in this Interlocal Agreement.

H. No Civil Liability to Other Party. One party may not be responsible to and may not be civilly liable to another party for any act or omission under this Interlocal Agreement. Each party waives all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Interlocal Agreement.

I. Captions. Captions to provisions of this Interlocal Agreement are for convenience and shall not be considered in the interpretation of the provisions.

J. Fiscal Obligations. Each party which performs services or furnishes aid under this Interlocal Agreement must do so with funds available from current revenues of the party. No party has any liability for the failure to expend funds to provide aid under this Interlocal Agreement.

K. Interlocal Cooperation Act Applies. The parties agree that activities under this Interlocal Agreement are "governmental functions and services" and that the parties are "local governments" as that term is defined in this Interlocal Agreement and in the Interlocal Cooperation Act.

L. Entirety of Agreement. This Interlocal Agreement contains all commitments and agreements of the parties with respect to the platting of property within the City of Kingsville's extraterritorial jurisdiction. No other oral or written commitments of the parties with respect to the platting of property within the City of Kingsville's extraterritorial jurisdiction may have any force or effect if not contained in this Interlocal Agreement.

M. Severability. If any provision contained in this Interlocal Agreement is held invalid for any reason, the invalidity does not affect other provisions of the Interlocal Agreement that can be given effect without the invalid provision, and to this end the provisions of this Interlocal Agreement are severable.

N. Validity and Enforceability. If any current or future legal limitations affect the validity or enforceability of a provision of this Interlocal Agreement, then the legal limitations are made a part of this Interlocal Agreement and operate to amend this Interlocal Agreement to the minimum extent necessary to bring this Interlocal Agreement into conformity with the requirements of the limitations, and so modified, this Interlocal Agreement continues in full force and effect.

O. Warranty. The Interlocal Agreement has been officially authorized by the governing body of each party, and each signatory guarantees and warrants that the signatory has full authority to execute this Interlocal Agreement and to legally bind the respective party to this Interlocal Agreement.

P. Governing Laws. This Interlocal Agreement shall be governed by the laws of the State of Texas.

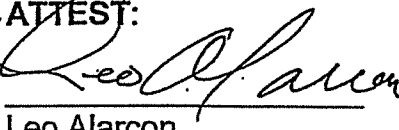
Q. Venue. Venue for an action arising under this Interlocal Agreement is in Kleberg County, Texas.

EXECUTED in duplicate originals this 13th day of June, 2005.

EXECUTED by the County of Kleberg on the 13th day of June, 2005.


Pete De La Garza
County Judge

ATTEST:


Leo Alarcon

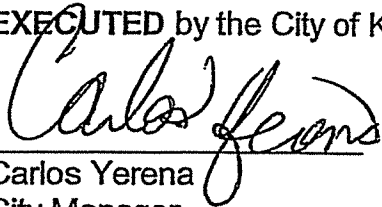
County Clerk

APPROVED AS TO FORM:



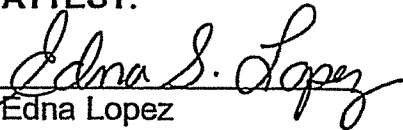
Alfred Isassi
County Attorney

EXECUTED by the City of Kingsville on the 23rd day of May, 2005.



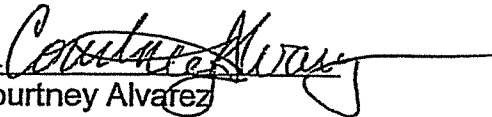
Carlos Yerena
City Manager

ATTEST:



Edna Lopez
City Secretary

APPROVED AS TO FORM:



Courtney Alvarez
City Attorney

APPENDIX A

1. PLAT REQUIRED

A. The owner must plat the portions of a tract that are subdivided into parts that are 5 acres or less in size. The plat does not need to include any part greater than five acres that has access to a public road, if no public improvement are being dedicated.

B. The owner must plat if the owner subdivides a tract into two or more parts that are greater than 10 acres and includes streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.

C. The owner must plat if owner subdivides a tract into two or more parts that are greater than 5 acres, but not greater than 10 acres, unless:

1. The land is used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use;
2. The tract is divided into four or fewer parts and the parts are sold, given, or otherwise transferred to an individual who is related to the owner within the third degree of consanguinity or affinity;
3. All of the lots are sold to veterans through the Veterans' Land Board program;
4. The tract is owned by the state or other state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state;
5. The owner of the land is a political subdivision of the state, the land is situated in a flood plain, and the lots are sold to adjacent landowners;
6. One new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements; or
7. All parts of the tract are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development of any part of the tract.

D. Subdivision of a tract includes any division, regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale, purchase option rental agreement, or other executory contract to convey, or by using any other method.

E. No land may be divided and sold or conveyed until the Subdivider receives approval of a Final Plat of the tract and files the plat with the County Clerk, for recordation in the Map Records of the County.

F. The Commissioners Court determines whether it will accept any dedications.

G. Approval of a plat does not impose any duty upon the County concerning maintenance of improvements included in any dedication.

H. The Commissioners Court determines which dedications will be accepted for County maintenance after the Owner maintenance period has expired.

I. Land used for a manufactured home rental community, which is not subdivided, must have an infrastructure development plan prepared that complies with the County's minimum infrastructure standards.

1. A Manufactured Home Rental Community is a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as residences.

J. A computer floppy disc or CD-ROM with a file in AutoCAD format (.dwg) of the layout of the lots and streets (to scale and with state plane coordinates) must be submitted for incorporation into the County-wide map.

2. PLAT PROCESSION

A. Generally, the City's procedures will be followed, however, the City will modify its procedures as follows:

1. The City will require the applicant for any plat within the City's extraterritorial jurisdiction to submit sufficient copies of the engineering drawings and specifications for all infrastructure improvements, including drainage and road plans, for review by the City Staff, City engineer, and other utilities using the road rights-of-way and utility easements.

2. The City will provide the County Engineer with a copy of all plat applications, including any submitted infrastructure plans and specification, and with an appropriate cover letter noting the status of the plat application and any deadlines for review, within two working days of receipt. The cover letter should provide notice of the time and place of any Staff Plat review and Planning Commission meetings at which the plat will be considered.

3. The County Engineer will provide any comments on the plat and the proposed infrastructure improvements to the City's Director of Development Services

within two weeks of receipt of the plat application, unless another review time is mutually agreed upon.

4. After the Staff Plats meeting, the Director of Development Services will forward to the County Engineer a copy of any written comments and the notes of any verbal comments from the City staff and utilities to the applicant at the Staff Plats meeting.

5. The Director of Development Services will forward to the County Engineer notice of any changes to the plat that were required on the plat by the City Staff or Planning Commission prior to their submission to the Planning Commission.

6. City and County review comments of both the plat and infrastructure plans, including drainage improvement plans and road plans, will be incorporated into revisions to the various documents, except as noted in subparagraph 7 of this paragraph, before the plat is submitted to the Planning Commission with a recommendation for approval of the plat.

7. If either the City or the County objects to any review comments or revisions, prior to final plat acceptance, the objections must be resolved by means of a meeting(s) of the appropriate City and County representatives.

8. If the applicant has not made or agreed to make all of the changes requested by the City and County, the Director of Development Services will recommend disapproval of the plat by the Planning Commission.

9. The Director of Development Services shall furnish a copy of the plat and documents filed with County Clerk, along with a copy of any drainage and roadway plans, to the Kleberg County Department of Public Works once the plat is filed with the County Clerk.

B. If groundwater is the source of water supply for the subdivision, each purchase contract made between the owner and purchaser of land in the subdivision must contain a statement describing the extent to which water will be made available to the subdivision and if it will be made available, how and when.

3. REQUIREMENTS FOR ACUTAL PLAT DOCUMENT

A. The plat shall be drawn on first quality paper or Mylar film, 18" x 24" maximum size sheet, in India ink; to a scale of one inch equals one hundred feet (1"=100'), or larger with all figures and letters legible, and the whole proper for filing for record in the Office of the County Clerk, with the following information given:

B. The title or name by which the subdivision is to be identified, North point, the scale shown graphically, and the name and seal of the registered professional engineer or state licensed or registered land surveyor responsible.

C. A definite legal description and identification of the tract being subdivided, this description shall be sufficient for requirements of title examination. The plat shall be a descriptive diagram drawn to scale, and shall show by reference that the subdivision is a particular portion or part of a previously filed plat or recognized grant or partition.

D. Where the area platted as a subdivision to a city or town, covering parts of lots or blocks in a recorded subdivision or partition of an original survey, the acreage taken from each of the said lots or blocks shall be clearly stated on the plat.

E. The boundaries of the subdivided property, the location or designation of all streets, alleys, parks and other areas intended to be dedicated or deeded to the public use, shall be shown with the proper dimensions and bearings. The boundaries of the subdivision shall be indicated by a heavy line and shall be tied by dimension to the centerlines of all existing boundary streets or roads, or lines of established surveys with such other data furnished to locate the subdivision on the ground.

F. The plat shall show all block, lot and street boundary lines. Blocks and lots shall be numbered or lettered consecutively. The width of all streets shall be shown, measured at right angles or radially, where curved.

G. Accurate dimensions, both linear and angular, of all items on the plat shall be shown. Linear dimensions shall be shown in feet and decimals of a foot; angular dimensions shall be shown by bearing, all principal lines shall be fully described and all essential information given; circular curves shall be defined by actual length of radius and not by degree of curve. The arc definition of a curve shall be used in all computations.

H. The location and description of all lot corners, reference points and beginning and end points, (P.C. & P.T.) of all curves, shall be marked with 5/8" iron pipes 24" to 30" long, set flush with the ground shall be used for block corners.

I. A certificate of dedications, duly acknowledged, on all roads or streets, public highways, utility easements, parks, drainage easements, and all other land intended for public use shall be shown on the plat. A thirty-foot (30') minimum drainage easement shall be shown on the plat, fifteen feet (15') minimum each side of the centerline of all gulleys, ravines, draws, sloughs, etc., in the subdivision.

J. A certificate of ownership in fee of all land embraced in the subdivision, and of the authenticity of the plat and dedication, signed and acknowledged by all owners of any interest in said land. The acknowledgement shall be in the form required in the conveyance of real estate. Approval and acceptance of all lien holders shall be included.

K. If the subdivision is located in an area not served by a sanitary sewer system and septic tanks are to be used, a certificate of approval from the City-County Health Department shall be required. If sewer lines are available and of sufficient size to be

used, location shall be showing on drawings and arrangements for tying on shall be made.

4. REGULATION OF LOT SIZE.

A. Lots shall be a minimum of five thousand (5,000) square feet except lots that require septic tanks must be a minimum of $\frac{1}{2}$ acre if served by a public water supply and one acre if not served by a public water supply. All lots, so far as practical, shall have their side lines at right angles to the road on which they face, or radial to curved road lines.

B. Corner lots for residential use shall have extra width to permit appropriate buildings set back from both streets.

5. STREET STANDARDS

A. Arterial, or main thoroughfare roads are to be provided where, in the judgment of the City's Director of Engineering; they are necessary and shall have a minimum right-of-way of eighty (80') feet.

B. Collector roads through the subdivisions shall have a minimum right-of-way width of sixty feet (60') and shall provide unhampered circulation through the subdivision and adjoining subdivision.

C. In the event that a roadway is to cover an original survey corner, a marker shall be set on an offset at the right of way line. The marker must be made of 6-inch diameter concrete and three feet long. The top of the marker must be made of 6-inch diameter concrete and three feet long. The top of the marker shall be flush with the ground and have a brass plate with an "X" on it. In addition to this a three-foot pipe with a minimum diameter of one inch (1") shall be set six inches (6") below the ground in the right-of-way line and approximately 20 feet from the concrete marker. These markers shall be shown on the plat with the angle and distance to the original survey corner.

D. Where an existing road is continued into a new subdivision, the right-of-way in the new subdivision shall not be of less width than the right-of-way of the existing road.

E. Roads shall be laid out so as to intersect as nearly as possible at right angles.

F. Road jogs with centerline offsets of less than one hundred twenty-five feet (125') shall be avoided.

G. Property lines at road intersections shall be rounded with a radius of ten feet (10') or of a greater radius where deemed necessary by the City's Director of Engineering.

H. Dead end roads, designed to be so permanently, shall not be longer than five hundred feet (500') and shall be provided at the closed end with a cul-de-sac (turn around) having

an outside roadway diameter of at least eighty (80') feet and a street right-of-way diameter of at least one hundred feet (100').

I. Roads that are a continuation of an existing road shall take the name of the existing road.

J. Where part of a road has been dedicated in an adjoining subdivision adjacent to, and along, the common property line of the two subdivisions, the same width, or wider, right-of-way must be dedicated in the new subdivision as was dedicated in the existing subdivision.

K. All arterial, main thoroughfare and collector roads shall be as straight as possible, with a maximum of five (5) degree curve being permitted, except at intersections; minor roads through residential areas may have a maximum of ten (10) degree curve.

L. Roads shall be platted so that continuation of said roads may be made in future subdivisions.

M. Provision must be made for the extension of main thoroughfare; belt loops of main county roads, etc., where required by the City's Director of Engineering.

N. A map shall be submitted to the City's Director of Engineering on a scale of not more than two hundred feet (200') per inch, and certified to as to accuracy by the engineer, or survey, preparing the plat, showing reasonable detail, the location and width of existing streets, roads, lots and similar facts regarding all property immediately adjacent thereto; also the connecting between the new and the existing subdivisions. If there are no adjacent subdivisions, then an accurate map must be submitted showing ownership of all adjacent property, location and distance of the nearest subdivision, and how the roads in the subdivision offered for record may connect with those in the nearest subdivision.

O. Profiles drawn to scale adequate to show the existing ground line and proposed grades of finished centerline of all roads, and flowline grade of all ditches; must be submitted to the City's Director of Engineering prior to plat approval.

P. Roadway and drainage plans shall be prepared by a Registered Professional Engineer (Texas Registration).

Q. Roadway & Paving Standards - The City's right-of-way and street pavement standards will apply.

R. Street Markers - Two road or street name signs having the following specifications shall be erected at all street intersections in the subdivision for street markers:

1. Signs shall be constructed of one of the following materials: 4"X 4" posts, either treated or untreated, painted white and using 2" standard height letters, giving the official street or road name or number, or

2. The street name sign shall be of the cross-arm type, and shall be reflectorized on aluminum metal blanks. Posts shall be metal or wood (Minimum 2" round galvanized if the former and 4" square redwood, cedar or Southern yellow pine if the latter) and shall be 12' long, with at least 2'6" in the ground. If a "stop" or "yield" sign is also on the post, it shall be placed so as to not affect the legibility of the name. It shall be 7' minimum from the bottom of the sign on the ground line.

6. DRAINAGE STANDARDS

A. Profiles drawn to scale adequate to show the existing ground line and proposed grades of finished centerline of all roads, and flowline grade of all ditches; must be submitted to the City's Director of Engineering prior to plat approval.

B. Roadway and drainage plans shall be prepared by a Registered Professional Engineer (Texas Registration).

C. In subdivisions where there is no curb & gutter, drainage shall be by roadway ditches, cross ditches, or swales. A map shall be submitted to the City's Director of Engineering showing direction of flow, acreage and all necessary drainage calculations. Ditches must have a minimum grade of 0.1' per 100'. Ditch side slopes shall not be steeper than four to one (4 to 1). Pipes shall be placed where required to provide necessary drainage under drives, sidewalks, cross drains, etc. In all instances calculations shall be shown for each drain, but in no instance shall the pipe used be less than eighteen inches (18") diameter. Drainage sketches, referred to above, shall show the drainage carried to its logical point of disposal. Drainage shall not be dumped on the adjoining tract or road to the detriment of that tract or road. All necessary easements shall be provided and ditch work done as an integral part of the subdivision being prepared. A subdivision may not be built in the mouth of a large gully, creek, draw or swale area, where heavy rains would cause damage to existing or contemplated improvements. This prohibition also applies to installing streets, paving or other improvements in a new subdivision where the increased runoff will damage existing improvements below the street, paving, or improvement. Contours of not more than five foot (5') intervals in hilly land, or one foot (1') intervals in flat land, or in land that is at a twelve foot (12') elevation or less, shall be shown on this map.

D. When a plat involving roads, drainage or utility work shall have been approved and filed for record, then such roads, drainage or utility work shall have been completed and accepted within six (6) calendar months from the date of acceptance. In case of inclement weather and upon application and approval, up to six (6) months extension may be granted.

E. A note shall be placed on the plat, where applicable, requiring building floor elevation to be constructed six inches (6") above the nearest roadway, or higher, if deemed necessary by City's Director of Engineering.

F. Subdivisions that are located in a flood zone on the "Flood Hazard Boundary Map" for Kleberg County will have the following requirements:

G. Permanent type benchmarks shall be set in appropriate locations with the description and elevation shown on the plat.

H. A note on the plat stating "A flood permit will be required from Kleberg County for building structures."

I. All subdivision proposals shall be consistent with the Kleberg County Flood Damage Prevention Ordinance.

J. Contours at one-foot (1') intervals shall be shown on the plat.

K. If the City requires curbs, gutters, and underground drainage systems, the City will maintain the curbs, gutters, and underground drainage system at the same level of service as provided inside the City limits.

7. OTHER REQUIREMENTS

A. A certificate from each Tax Collector of a political subdivision in which property is located must accompany the plat to be recorded showing that all taxes are paid.

B. A certificate of title or title insurance on the subdivision must be furnished showing ownership of property and all liens against sale.

8. ENFORCEMENT

A. At the request of the City, the County Attorney may file an action in a Court of competent jurisdiction to enjoin the violation or threatened violation of the requirements established by or adopted under the interlocal agreement or to recover damages in an amount adequate for the county to undertake any construction or other activity necessary to bring about compliance with the requirements established by the platting requirement.

B. A person commits an offense if the person knowingly or intentionally violates a requirements established by or adopted under this interlocal agreement. The offense is a Class B misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000) and/or a jail sentence of not more than one hundred eighty (180) days.

CONSENT AGENDA

AGENDA ITEM #1

Memorandum

Date: 4/26/2016
To: Jesus A. Garza, City Manager
CC: Courtney Alvarez, City Attorney
From: Emilio H. Garcia, Health Director
RE: Health Board Reappointment

Please be advised that the Health Board terms for Joni B. Harrel and Otis Myers expire on May 13, 2016. I have spoken to Joni B. Harrel and Otis Myers and they have both agreed to remain on the Board. Their re-appointment to the Health Board is for 3 years. It is my recommendation that they be re-appointed to the Health Board.

I am requesting that the City Commission consider their re-appointment at the next Regular Commission meeting.

Thank you,
Emilio H. Garcia
City-County Health Director

AGENDA ITEM #2



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



TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Guillermo Vera, Task Force Commander *GV*

DATE: March 31, 2016

SUBJECT: Chapter 59 Donation to The Center for Continuing Education at TAMUK

Summary:

This item authorizes a Chapter 59 Donation to The Center for Continuing Education at Texas A&M University-Kingsville.

Background:

The Kingsville Specialized Crimes & Narcotics Task Force received a Chapter 59 donation request from The Center for Continuing Education at TAMUK. This organization submitted an application and their request was approved since this is a FY 2015/2016 budgeted donation item.

Financial Impact:

The Kingsville Task Force's FY 2015/2016 Annual Budget was approved with a total of \$38,000.00 allocated in the Donation's line item (008-5-2330-31444). The above organization will receive a \$500.00 donation resulting in an account balance of \$5,000.00 remaining in the Kingsville Task Force's Donations line item.

Recommendation:

We believe the "College for Kids" summer program is geared towards area students from ages 7 – 13 years of age and provides a unique learning environment outside of the traditional classroom. A beneficial Drug Prevention class will be provided during the summer camp. We request this item be placed on the Regular City's Commissioners Court Agenda for Monday, April 11, 2016.

RESOLUTION #2016-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE SPECIALIZED CRIMES AND NARCOTICS TASK FORCE FOR DONATION TO THE CENTER FOR CONTINUING EDUCATION AT TAMUK FOR “COLLEGE FOR KIDS” PROGRAM FOR DRUG ABUSE PREVENTION PROGRAMS.

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

WHEREAS, the Center for Continuing Education at Texas A&M University-Kingsville (TAMUK) is a non-profit organization that provides a “College for Kids” summer program that is geared towards area students from ages 7-13 years of age and provide a unique learning environment outside the traditional classroom, along with a drug prevention class as part of the summer program;

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

I.

THAT the City Commission authorizes the Kingsville Specialized Crimes and Narcotics Task Force to assist with a \$500 donation to the Center for Continuing Education at Texas A&M University-Kingsville, to help educate young people about living a drug-free and alcohol-free lifestyle. The Center for Continuing Education at TAMUK will submit quarterly charitable contribution reporting forms to the Kingsville Specialized Crimes and Narcotics Task Force and comply with any reporting requirement the Task Force may designate.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support the Center for Continuing Education at Texas A&M University-Kingsville in their efforts for the benefit of the community through drug abuse prevention programs.

PASSED AND APPROVED by a majority vote of the City Commission on the 9th day of May, 2016.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

RES- Donation Ch59 for TAMUK Center Cont Ed-TF-rvsd-2016

**KINGSVILLE SPECIALIZED CRIMES
AND NARCOTICS TASK FORCE
APPLICATION FOR CHAPTER 59 DONATION**

1. APPLICANT'S
NAME Lydia Flores ADDRESS 208 W. City Rd 2140 PHONE (361) 522 1515
2. ORGANIZATION'S
NAME Center for Continuing Education ADDRESS 700 University PHONE 361-593-2861
3. NARRATIVE: Explain what will be done with the contribution to insure compliance with the disposition of forfeited property under Chapter 59 of the Texas Code of Criminal Procedure and the number of citizens it will affect in our community.

See Attached

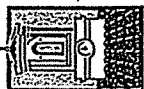
APPROVED: _____

Guillermo Vera, Cmdr.
Guillermo Vera, Commander

DATE: 3/24/16

TIME: 2 PM

361 522-1515
LYDIA FLORES
CLIENT SERVICES EXECUTIVE
ACADEMIC PREP SCHOOL AND PERFORMING & FINE ARTS ACADEMY



TEXAS A&M
UNIVERSITY
KINGSVILLE

CENTER FOR CONTINUING EDUCATION
MSC 147 • 700 UNIVERSITY BLVD • KINGSVILLE, TEXAS 78363
OFFICE (361) 593-2861
E-MAIL kaleo000@tamuk.edu

Help Support Our Local Youth

The Center for Continuing Education at Texas A&M University-Kingsville is proud to announce the 6th annual "College for Kids" summer program beginning June 20th, 2016. This program is geared towards area students from ages 7 – 13 yrs. old and provides a unique learning environment outside of the traditional classroom.

As in the years past, we have created a scholarship fund to help support local individuals with the At-Risk students from the local school districts not able to afford the opportunity to gain this wonderful experience. Also, there will be a Drug Prevention class for the students during the camp.

Sponsorship opportunities are available to business and community members wanting to help support child while receiving promotional recognition! Below are the two different levels of support and recognition to choose from:

Level I: Camp Supporter (\$50 - \$259)

- **Name recognition on camp t-shirt*

Level II: Participant Sponsor (\$260 and above)

- **Name & logo recognition on camp t-shirt*
- *One (1) signed camp t-shirt by sponsored participants*
- *Recognition from the Center for Continuing Education in local newspapers*

**All donations must be made before Friday, May 20th to be eligible for recognition on camp T-shirt*

For more information about the College for Kids program or how to become a sponsor, please contact the Center for Continuing Education at 361-593-4261.

**KINGSVILLE SPECIALIZED CRIMES
AND NARCOTICS TASK FORCE
Chapter 59 Donation Policy**

1. A person/entity seeking a donation (financial assistance) through the Kingsville Specialized Crimes and Narcotics Task Force and with particularity Chapter 59 Forfeiture Funds shall file an application with the Commander on forms provided through his office.
2. The filing procedures shall be as follows:
 - a. Filing period. An application for financial assistance shall be filed with the Commander not less than 30 days or more than 60 days prior to the proposed donation.
 - b. The name, address and telephone number of the entity seeking a donation.
 - c. No more than one donation will be made per calendar year.
 - d. Applicant shall provide documentation relating to any other financial assistance that they receive for review by the Commander.
3. Applicant must meet one of the following criteria:
 - a. Nonprofit program for the prevention of drug abuse, applicant must provide a copy of the organization's charter.
 - b. Nonprofit chemical dependency treatment facilities licensed under Chapter 464, Health and Safety Code;
 - c. Nonprofit drug and alcohol rehabilitation or prevention programs administered or staffed by professionals designated as qualified and credentialed by the Texas Commission on Alcohol and Drug Abuse; or
 - d. Must be an organization that has the same beliefs and value system as the Kingsville Specialized Crimes and Narcotics Task Force and the law enforcement code of ethics.
 - e. Short written statement explaining what will be done with the contribution to insure compliance with the disposition of forfeited property under Chapter 59 of

the Texas Code of Criminal Procedure and the number of citizens it will affect in our community.

4. The Commander shall grant or deny a permit solely on the basis of the requirements stated in the aforementioned sections above. The Commander shall advise the organization's point of contact of the decision to grant or deny the request for contribution no later than the sixtieth day after date of receiving the completed application and all required attachments.

AGENDA ITEM #3

Sunday, May 15

5:14 PM Depart CRP United
11:20 PM Arrive WDC DCA
Holiday Inn Washington-Central White House
1501 Rhode Island NW
202-432-0000

Monday, May 16

8:45 AM Meeting with Vice Admiral Dixon Smith
Navy Yard
Nate Roundy 202-433-4984
11:00 AM Meeting with Capt Rex Curtin and staff
N98 Air Warfare – Pentagon
1:00 PM Meeting with Ron Tickle
Executive Director DOD Siting Clearing House
Pentagon
3:00 PM Meeting on the Hill with Perry Broady and Julie Merberg
Congressman Vela's chief of staff and MLA
4:00 PM Visit Congressman Farenthold's office
5:00 PM Rear Admiral Bill Sizemore picks us up on the Hill
For dinner – his choice

Tuesday, May 17

9:00 AM Breakfast meeting with Dave Hanke
Starbucks – Senate Side
10:30 AM Visit with Sen. Cruz' MLA – Matt
Being arranged by Mike Kroener
1:57 PM Depart DCA United
6:43 PM Arrive CRP

AGENDA ITEM #4

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Interim Fire Chief Jim DeVisser
DATE: April 21, 2016
SUBJECT: SERTC Training In Colorado

Summary: KFD would send 3 firefighters to attend Crude by Rail class in Pueblo, CO in September or October 2016. Firefighters will be trained in *Railcar Emergency Response*.

Background: With the UPRR running through town there is always the risk of derailment and a significant hazardous materials incident. No Fire Department personnel have received training in this specific area. This would be the start of such training.

Financial Impact: Class, meals and airfare are all covered by the UPRR. There is the possibility of overtime expense if the shift was short personnel.

Recommendation: The City Commission approves sending these three firefighters to the above listed class



REGULAR AGENDA

AGENDA ITEM #5

City of Kingsville
Department of Planning and Development services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: May 5, 2016

SUBJECT: Request for Alcohol Variance at 1127 General Cavazos Blvd.

Summary: Murphy Oil is building a walk in store at their gas station in front of the Wal Mart at 1127 General Cavazos Blvd.

Background: Since this is the first time they will be selling alcohol they need to go through the variance process that the city requires. All notices have been sent to the property owners within 300 feet. A map and property ownership list is enclosed along with a copy of the public notice.

Financial Impact: Since they have not sold alcohol before the city may realize additional sales taxes and along with the remodeling a higher appraised value of the property.

Recommendation: We have not received any negative feedback from the property owners or from the citizens that have received a letter. Approve variance request.





OFF-PREMISE PREQUALIFICATION PACKET

L-OFF
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website: www.tabc.texas.gov/laws/code-and-rules.asp

LOCATION INFORMATION

1. Application for: ☒ Original

☐ Reinstatement

License/Permit Number _____

☐ Change of Licensed Location

License/Permit Number _____

2. Type of Off-Premise License/Permit

☒ BQ Wine and Beer Retailer's Off-Premise Permit

☐ LP Local Distributor's Permit

☐ BF Beer Retail Dealer's Off-Premise License

☐ E Local Cartage Permit

☐ P Package Store Permit

☐ ET Local Cartage Transfer Permit

☐ Q Wine Only Package Store Permit

☐ PS Package Store Tasting Permit

3. Indicate Primary Business at this Location

☐ Grocery/Market

☐ Convenience Store without Gas

☐ Liquor Store

☐ Miscellaneous _____

☒ Convenience Store with Gas

4. Trade Name of Location

Murphy USA #7646

5. Location Address

1127 General Cavazos Blvd

City

Kingsville

County

Kleberg

State

TX

Zip Code

78363

6. Mailing Address

3345 Bee Cave Road, Ste. 105

City

Austin

State

TX

Zip Code

78746

7. Business Phone No.

Pending

Alternate Phone No.

512-473-0300

E-mail Address

rdacke@mfliquorlaw.com

OWNER INFORMATION

8. Type of Owner

☐ Individual

☒ Corporation

☐ City/County/University

☐ Partnership

☐ Limited Liability Company

☐ Other _____

☐ Limited Partnership

☐ Joint Venture

☐ Limited Liability Partnership

☐ Trust

9. Business Owner/Applicant

864 Beverage Inc.



CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, March 29, 2016

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for: 1127 E. General Cavazos Blvd (Murphy USA #7646)

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1127 E. General Cavazos Blvd., we have concluded that the property in question does fall within the 1,000 ft. boundary of a 1 school therefore; it will require a variance according to City Ordinance sections 11-3-4&5.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the 1 school; suspected to be close to the property. H. M. King High School is within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

CITY OF KINGSVILLE

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

Kingsville, Texas 78365
Phone: (361) 595-8055
Fax: (361) 595-8065

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1127 E. General Cavazos Located in the City ETJ

(Proposed) Subdivision Name Murphy's Total number of Lots

Legal Description: Wal-mart Commercial, LOT 1A, ACRES 0.41

Existing Zoning Designation _____ Future Land Use Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Rebecca Dacke Phone 512-614-2011 FAX 903-386-2714

Email Address (for project correspondence only): tdacke@mfl.liquorlaw.com

Mailing Address 3345 Bee Cave Road, Ste. 105 City Austin State TX Zip 78746

Property Owner Murphy Oil USA, Inc. Phone 870-875-7510 FAX 888-263-1956

Email Address (for project correspondence only): Permits_Licensing@murphyusa.com

Mailing Address 422 N. Washington Ave. City El Dorado State AR Zip 87088

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

Annexation Request.....No Fee

—Administrative Appeal (ZBA).....\$250.00

Comp. Plan Amendment Request.....\$250.00

Re-zoning Request.....\$250.00

__SUP Request/Renewal.....\$250.00

__Zoning Variance Request (ZBA).....\$250.00

_____PUD Request.....	\$250.00
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__Lot Line Adjustment Plat.....\$100.00

Please attach a copy of _____

Preliminary Plat.....Fee Varies

Final Plat.....Fee Varies

Minor Plat.....\$100.00

Re-plat.....	\$200.00
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Vacating Plat.....	\$50.00
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Conceptual Development Plat.....	\$100.00
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Subdivision Variance Request.....\$25.00 ea

Amending Plat.....\$100.00

Please provide a basic description of the proposed project:

Alcohol License \$256.00

4 Variance

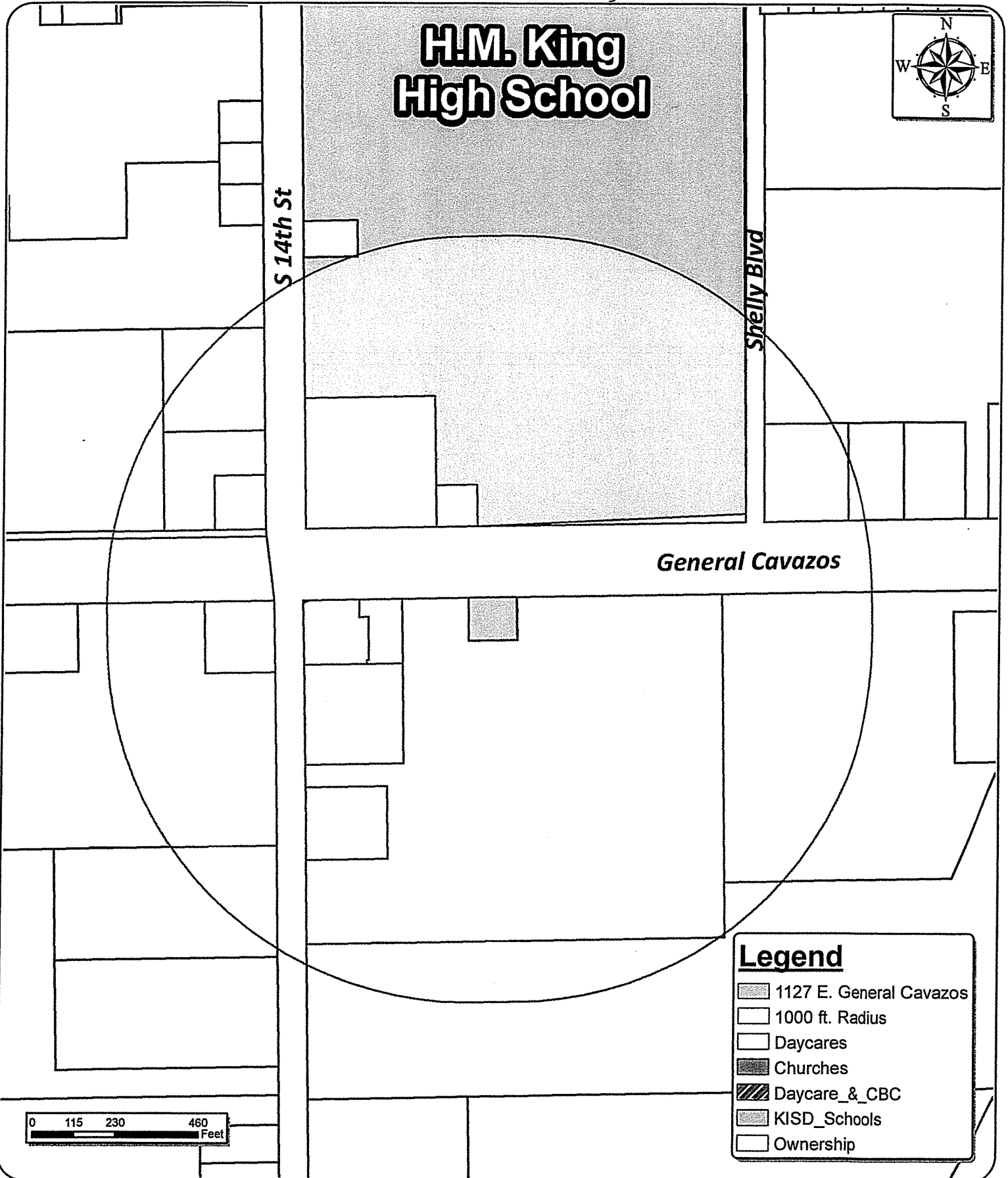
I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature: Hebera Oader, Authorized Rep Date: April 4, 2016

Property Owner's Signature: [Signature] Date: 4-4-16

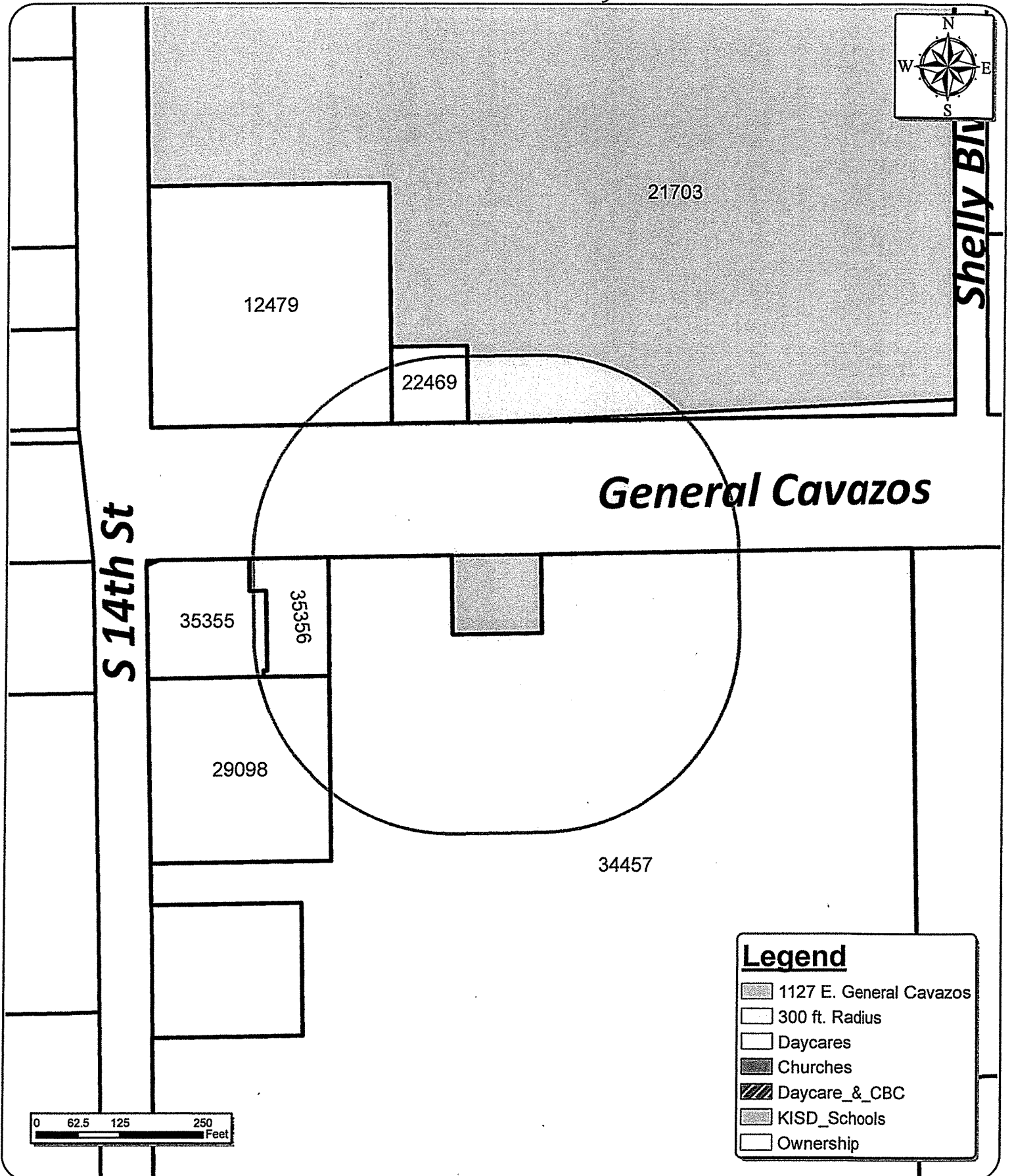
Application and Fee Accepted by: Adela Barrientos Date: 4-4-16

Alcohol Permit - 1000 ft. Radius



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permitt.mxd

Alcohol Permit - 300 ft. Radius



Document Path: N:\Engineering\GIS Techs\MAPSWAP_DOCUMENTS\Alcohol_Permit.mxd

Page 1/1	Drawn By: Engineering Dept.	<p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE</p> <p>ENGINEERING DEPARTMENT</p> <p>200 East Kleberg</p> <p>Kingsville, Texas 78363</p> <p>Office: 361-595-8005</p> <p>Fax: 361-595-8035</p>
	Last Update: 3/29/2016		
	Note: Please see attached documents.		

SEVERIANO GARCIA
318 N PASADENA
KINGSVILLE, TX 78363
#12479

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78363
#22469

K I S D
PO BOX 871
KINGSVILLE, TX 78364
#21703

KINGSVILLE SHOPPING
3109 NORTH ST. MARY'S
SAN ANTONIO, TX 78212
#35355

INFINITY NINE
16607 BLANCO RD STE 803
SAN ANTONIO, TX 78232
#35356

HILDA ARMENDAREZ
3418 WOODBRIAR
HOUSTON, TX 77068-1329
#29098

WAL-MART STORES
PO BOX 8050
BENTONVILLE, AR 72712-8055
#34457

PUBLIC NOTICE

*Sunday's Paper
April 10, 2016*

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 9, 2016, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Wine and Beer Retailer's Off-Premise Permit, for the establishment known as Murphy USA, located at 1127 East General Cavazos.

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

AGENDA ITEM #6

City of Kingsville
Department Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

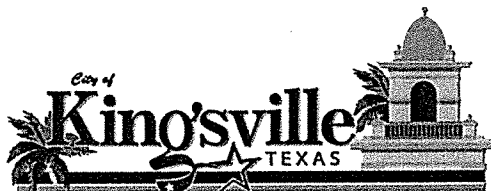
DATE: April 29, 2016

SUBJECT: Rezoning request from First Christian Church at 14th and Aisle Avenue

Summary: The First Christian Church is requesting a rezone of their entire property for two reasons: A. There is a local veterinarian interested in building a vet clinic on the vacant ground to the south and B. The church officials feel that for the long term whether they stay there or not they believe that having the property zoned as C2 would be better for them if they wanted to sell.

Background: A local veterinarian is interested in building a vet clinic on the property and feels that the location would be good for business. The zoning map reflects C2 zoning across the street, to the north and northwest at the other corner of the intersection. In our zoning codes a church and a school can be built in R1 which I presume is the reason why the zoning wasn't changed in the beginning. While it may seem unusual to have a vet clinic near the high school, I believe that with the other possible C2 uses that this would be compatible that most other options. While not a rezoning issue I believe that appearance compatibility to the high school is important which would be addressed in the site plan review.

Financial Impact: The building of a commercial building on what is now vacant ground would have a positive impact on property taxes. At this point we see no issues concerning public works. What will be monitored and discussed at site plan review is vehicular traffic and pedestrian traffic as it relates to the commercial development.



City of Kingsville
Department Planning and Development Services

Recommendation: The Planning and Zoning Commission recommended approval with a 5 in favor, 1 abstention vote. Staff recommends approval of the rezoning request.



ORDINANCE #2016-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO K.T.&I. CO, BLOCK 17, LOT OUT OF 11, 12 (EXEMPT), 5.85 ACRES (EXEMPT), ALSO KNOWN AS SOUTHEAST CORNER OF 14TH AND AILSIE FROM R1-SINGLE FAMILY TO C2-RETAIL DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of agent Terry Neal on behalf of the First Christian Church, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, April 20, 2016 during a meeting of the Planning and Zoning Commission, and on Monday, May 9, 2016 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by a 5-0 vote APPROVED the requested rezone with one abstention; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of K.T.&I. CO, Block 17, Lot out of 11, 12 (Exempt), 5.85 Acres (Exempt), also known as southeast corner of 14th and Ailsie from R1-Single Family to C2-Retail District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 9th day of May, 2016.

PASSED AND APPROVED on this the _____ day of May, 2016.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

To: Planning and Zoning Commission
From: Tom Ginter, Director of Planning and Development Services *TJ*
Date: April 15, 2016
Subject: Agenda Item

The First Christian Church is requesting this rezoning because of their interest to sell a part of their property. It is my understanding that a veterinarian is interested in building a vet clinic on the property.

The zoning shows the zoning of R1, where the church is located and the ground just to the south of the church. The rest of the zoning is:

North C2
West C2
East R1 – KISD
South R1 – KISD

As you can see C2 is all around the corner which is usual especially with the vehicle traffic at that intersection. While it may seem unusual to have a vet clinic near the high school, I believe that with the other possible commercial uses, it would be compatible more than most options. While not a rezoning issue appearance compatibility to the high school, I think would be preferable. If you are curious, a church can be built in R1 which may be the reason why the zoning was never changed.

Staff Recommendation: Approve rezoning request.

CITY OF KINGSVILLE

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

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

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 14th & AILSIE Located in the City _____ ETJ _____

(Proposed) Subdivision Name _____ Total number of Lots _____

Legal Description: KT+1 CO, BLOCK 17, LOT OUT OF 11, 12, (EXEMPT) ACRES 5.85 (EXEMPT)

Existing Zoning Designation R1-Single Family Future Land Use Designation C2-Retail

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent TERRY L NEEL Phone 512-4911 FAX _____

Email Address (for project correspondence only): tneel@yahoo.com

Mailing Address 1900 S BRAHMA BLVD City KINGSVILLE State TX Zip 78323

Property Owner FIRST CHRISTIAN CHURCH Phone 512-4911 FAX _____

Email Address (for project correspondence only): kingsvillefc@shcglobal.net

Mailing Address 1900 S BRAHMA BLVD City KINGSVILLE State TX Zip 78323

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

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

Please provide a basic description of the proposed project:

The church is selling our vacant land between the church facility and the high school. It was discovered that our property for some reason is zoned residential. It needs to be commercial.

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

Applicant's Signature: [Signature] Date: 23 Mar 2011

Property Owner's Signature: [Signature] Date: 23 Mar 2011

City of Kingsville

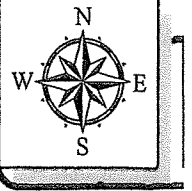
11611

23999

42270

18576

10081



Ailsle Ave

18239

18861

19008

10502

14th St

20305

25719

21703

29804




29805

21332


12865

0 100 200 400 Feet

Legend

-  First Christian Church
-  200 ft. Radius
-  City Limits

Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Arc_City_Base_Map_8.5x11.mxd

<div>Page</div> <div>1 / 1</div>	<div>Drawn By:</div> <div>Engineering Department</div>	<div>DISCLAIMER</div> <div>THIS MAP IS FOR VISUAL PURPOSES ONLY.</div> <div>THE INFORMATION ON THIS SHEET MAY</div> <div>CONTAIN INACCURACIES OR ERRORS.</div> <div>THE CITY OF KINGSVILLE IS NOT</div> <div>RESPONSIBLE IF THE INFORMATION CONTAINED</div> <div>HEREIN IS USED FOR ANY DESIGN,</div> <div>CONSTRUCTION, PLANNING, BUILDING,</div> <div>OR ANY OTHER PURPOSE.</div>	<div>  </div> <div> CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035 </div>
	<div>Last Update:</div> <div>4/5/2016</div>		
	<div>Note:</div> <div></div>		

KISD
PO BOX 871
KINGSVILLE, TX 78363-0871
#21703

FIRST CAPITAL BANK
PO BOX G
EL CAMPO, TX 77437-1470
#23999

COASTAL BEND COLLEGE
3800 CHARCO RD
BEEVILLE, TX 78102
#42270

KINGSVILLE RETAIL
1601 PALOMINO RIDGE
AUSTIN, TX 78733-6047
#11611

HARBUR & HARBUR
3279 FM 1540
SANDIA, TX 78383
#18239

OHLENBUSCH HERMAN
926 S. 14TH
KINGSVILLE, TX 78363
#18861

MICHAEL KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#10502

WILCOX FAMILY
353 WILLIAMSON
CORPUS CHRISTI, TX 78411-15
#25719

STARS RESTAURANT
2941 NW 156TH STREET
EDMOND, OK 73013
#29804

PAYLESS
PO BOX 3560
TOPEKA, KS 66601-3560
#29805

MARIN WILLIAM
4542 BARNARD
CORPUS CHRISTI, TX 78413
#12865

April 9, 2016 Paper

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Regular Meeting Wednesday, April 20, 2016 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

First Christian Church owner, Terry Neel agent, is requesting the rezoning of K.T. & I.CO, BLOCK 17, LOT OUT OF 11, 12, (E X E M P T), ACRES 5.85 (E X E M P T) also known as 14th and Ailsie from (R1) Single Family to (C2) Retail.

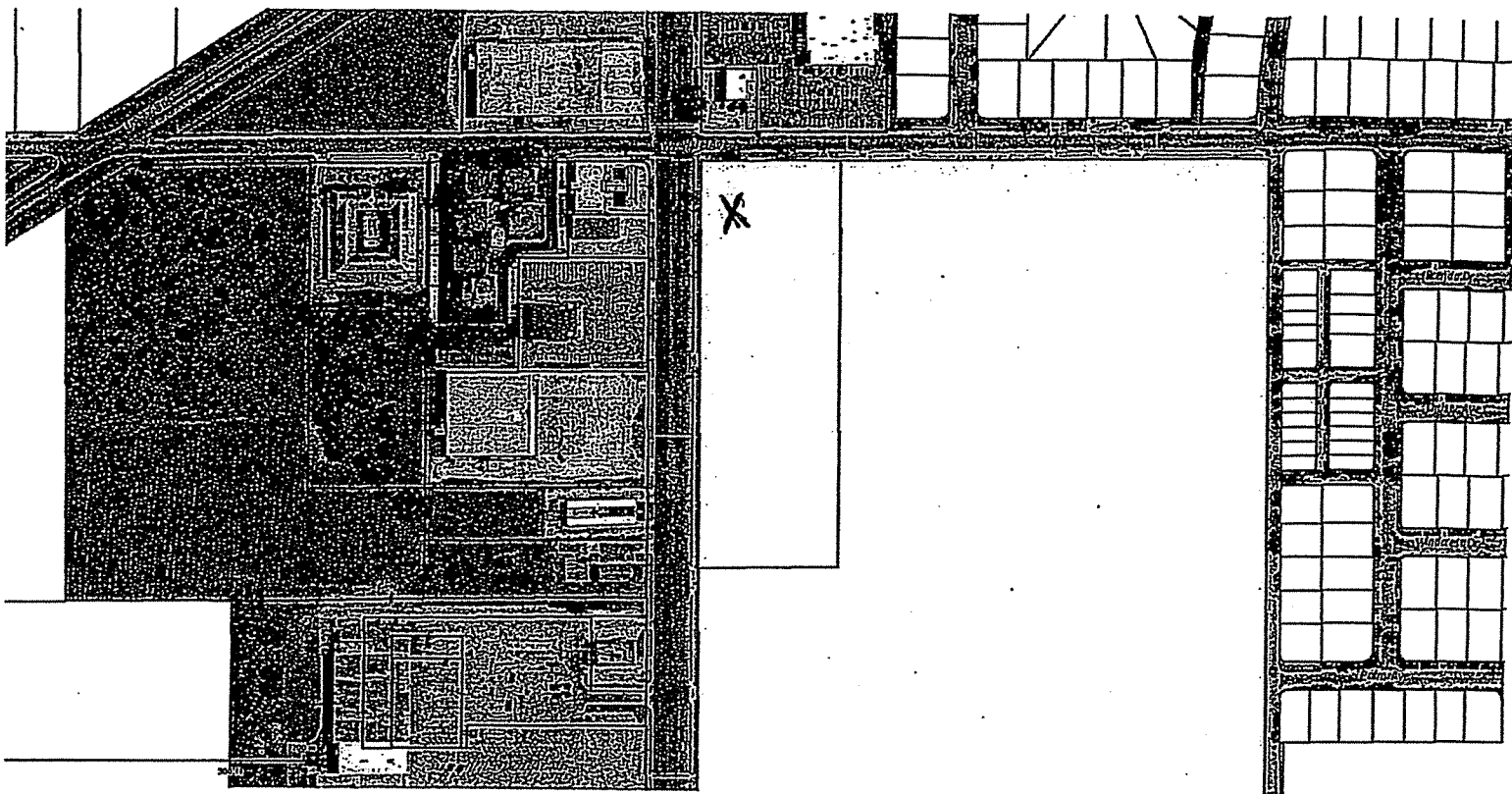
The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

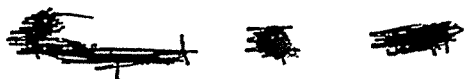
The City Commission of the City of Kingsville will hold a Public Hearing Monday, May 9, 2016 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

First Christian Church owner, Terry Neel agent, is requesting the rezoning of K.T. & I.CO, BLOCK 17, LOT OUT OF 11, 12, (E X E M P T), ACRES 5.85 (E X E M P T) also known as 14th and Ailsie from (R1) Single Family to (C2) Retail.

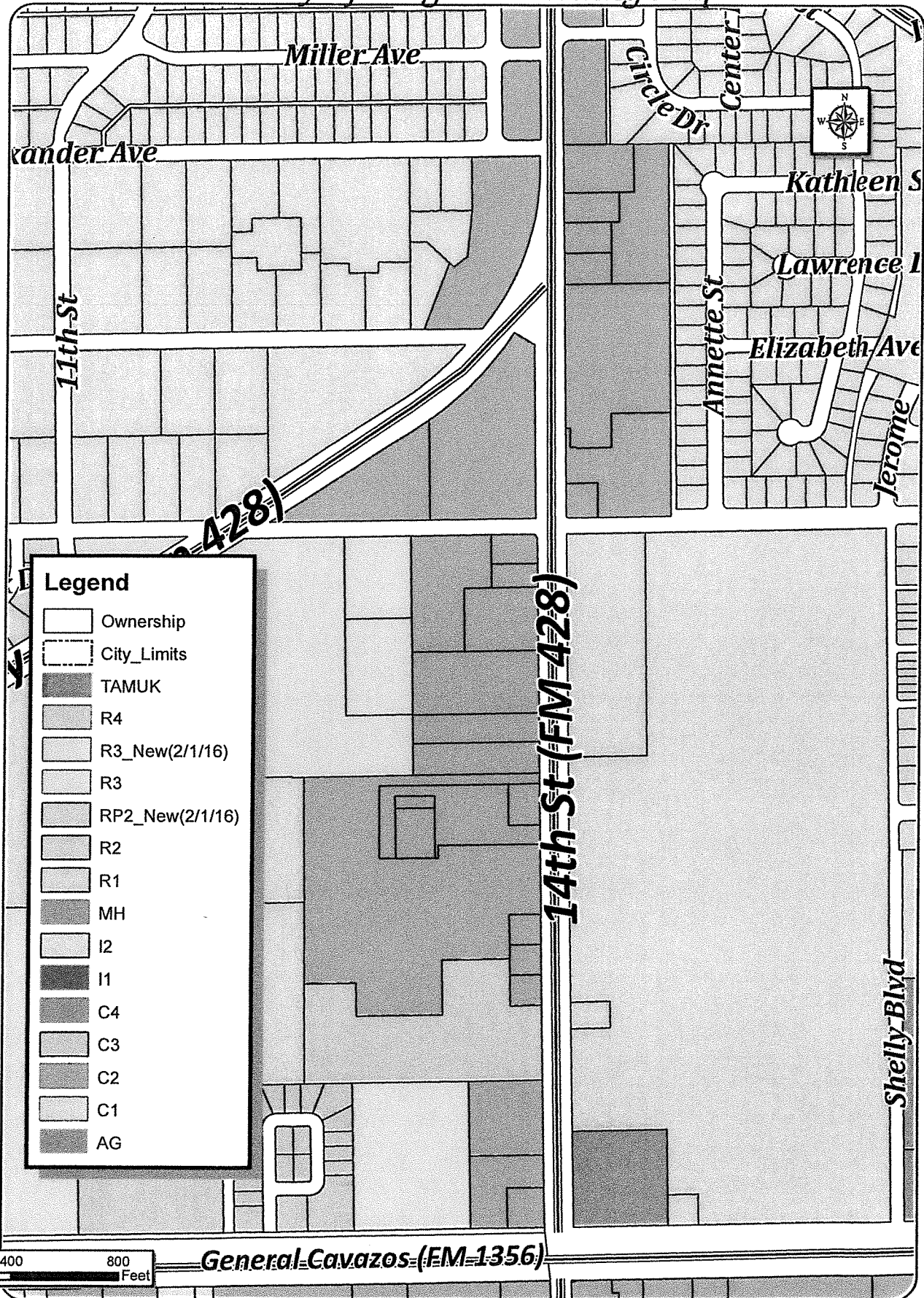
The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.



X - First Christian Church, current zoning
is R1 5.85 acres, corner of Ailster
14th



City of Kingsville Zoning Map



Page 1 / 1	Drawn By: D. Herrera	<p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p>
	Last Update: 4/14/2016		
	Note:		

TaxNetUSA: Kleberg County Property Information Account Number: 20305 GEO Number: 290001711201192

Owner's Name	FIRST CHRISTIAN CHURCH	Entity Code	Entity Name	Tax Rate
Mailing Address	PO BOX 848 KINGSVILLE, TX 78364	GKL	Kleberg County	0.74481000
Location	AILSIE & 14TH	CKI	Kingsville	0.84220000
Legal	K T & I CO, BLOCK 17, LOT OUT OF 11, 12, (E X E M P T), ACRES 5.85 (E X E M P T)	SKI	Kingsville ISD	1.51890000
		WST	South Texas Water Authority	0.08540900
		CAD	KLEBERG COUNTY APPRAISAL DISTRICT	
			Total	3.191319
			*Total Estimated Taxes	24,329.66

Data up to date as of 2015-06-10

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions.* Tax amount does not include any exemptions.

AGRICULTURAL (1-D-1)

HOMESTEAD EXEMPTION FORM

PRINTER FRIENDLY REPORT

Property Details

Deed Date	N/A
Deed Volume	
Deed Page	
Exemptions	
Freeze Ceiling	0.00
Block	17
Tract or Lot	OUT OF 11, 12
Abstract Code	S2900

Value Information

Land Value	81,900.00
Improvement Value	680,470.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Value Per MASQFT	N/A
Market Value	762,370.00
Appraised Value	762,370.00
Assessed Value	762,370.00

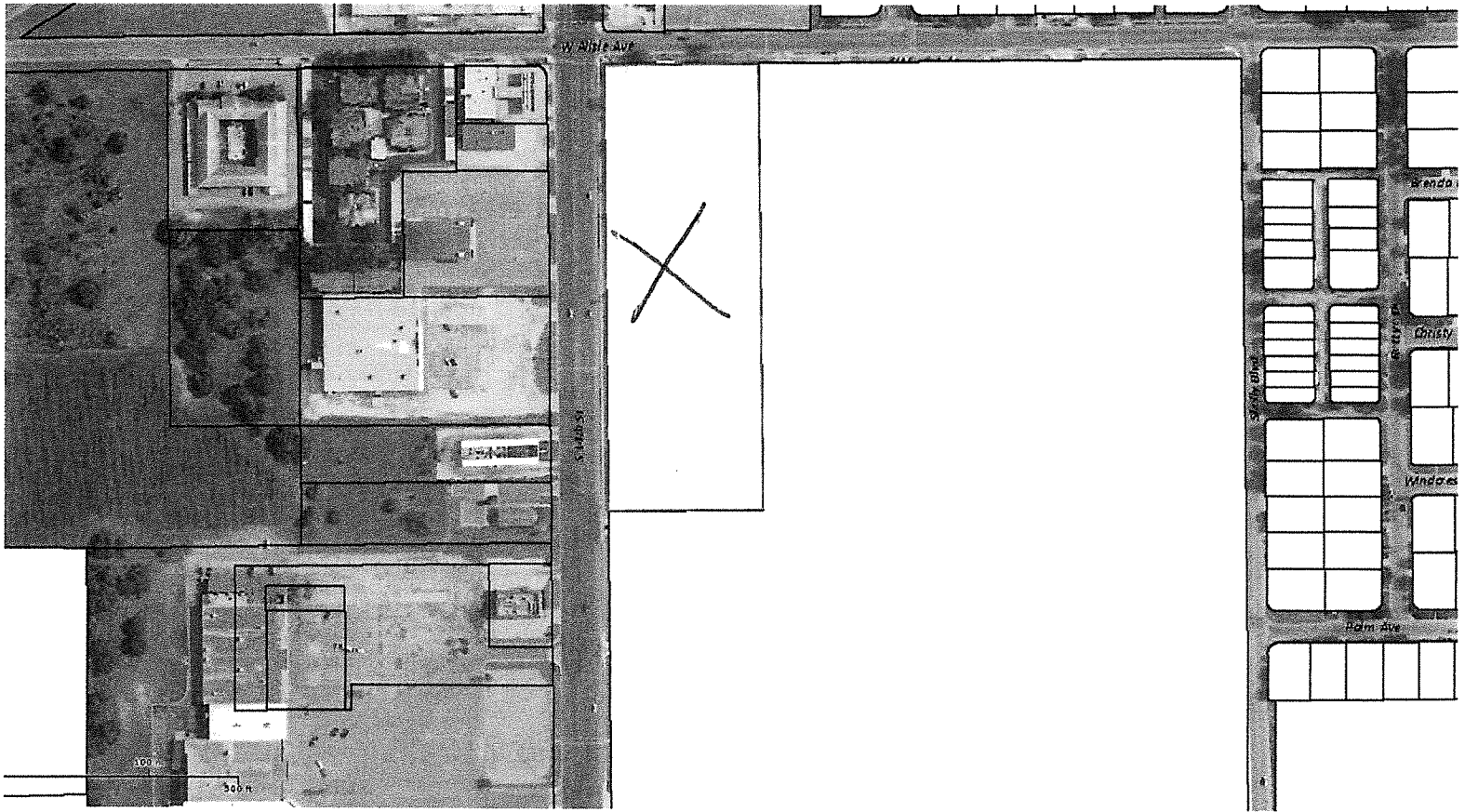
Improvement Information

Improvement ID	State Category	Homesite	Description	Value
7534	F1	N	COMMERCIAL	288960.000000
7535	F1	N	COMMERCIAL	391510.000000

Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
7534	25715	MA	MAIN AREA	CH2G	1970	0	4,818	252,110
7534	25716	OP1	OPEN PORCH BASIC (20%)	*	0	0	60	630
7534	25717	OP1	OPEN PORCH BASIC (20%)	*	0	0	60	630
7534	25718	MA3	1/2 STORY (80%)	CH2G	0	0	440	18,420
7534	25719	ASP	ASPHALT (100%)	SP	0	0	31,070	17,170
7535	25720	MA	MAIN AREA	SC2G	0	0	6,631	272,400
7535	25721	MA	MAIN AREA	SC2G	0	0	2,394	98,350
7535	25722	OP1	OPEN PORCH BASIC (20%)	*	0	0	2,491	20,470
7535	25723	STGL	STORAGE FRAME (LOW)	*	0	0	325	290

Total Living Area 14,283



AGENDA ITEM #7

City of Kingsville
Department of Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: April 29, 2016

SUBJECT: Request for the approval of drive thru windows with mixed use project

Summary: The mixed use ordinance requires that the Planning and Zoning Commission approve drive through windows in a mixed use project. Attached is the ordinance with the wording that I am referring to underlined.


Background: While the rezoning has been approved for this project he is working on the commercial tenants for the bottom of the development. He desires to have a drive through window on one end and a pick up window on the other. For clarification a pick up window is generally used for the distribution of prescriptions. The ordinance just calls for drive through windows so we want to be clear and sure that both windows are approved. In the review by staff and the Planning and Zoning Commission these windows would not cause a stacking problem and the location is fine.

Financial Impact: This particular item would not cause any financial impact for the city. The developer has stated that the drive through windows is important for the tenants to have and is critical to the commercial side of this project.

Recommendation: The Planning and Zoning Commission recommended approval of the request with a 6 to 0 vote. Staff also recommends approval of the request.



To: Planning and Zoning Commission

From: Tom Ginter, Director of Planning and Development Services 

Date: April 15, 2016

Subject: Approval of Drive-Thru Windows with mixed use.

In our mixed use ordinance, it requires the Planning and Zoning Commission to approve them if they are used for one of the commercial units. Enclosed is a copy of the ordinance with the particular sentence underlined.

Since Mr. Watson has been working on his commercial tenants he has two possible options. His plan shows one on each end. While these are not 100% definite deals at the time of writing this memo, he feels confident enough to request your approval.

In your analysis of this, since it is the first time. I think there two factors at least 1. Location
2. Room for enough vehicles to stack in line.

He has told me that because of the type of tenants he is recruiting, these would be considered more pick up windows than drive thru. I do not have a guideline but I believe 2 – 3 vehicles would be sufficient. My last conversation with him I can confirm that it is not a fast food tenant.

Staff Recommendation: Approve request to have drive thru windows in this mixed use development.

MIXED USE DEVELOPMENT REGULATIONS**Sec. 15-6-165. - Purpose.**

The purpose of the Mixed Use District is to provide a zoning district where mixed retail/residential use developments may be allowed on the same property or in the same building, with the intent of increasing housing opportunities and providing retail services intended to primarily serve the immediate neighborhood.

It is the intention of the Mixed Use District to allow for significant functional and physical integration of project components of housing and mixed/retail uses.

Consideration will be given to joint use of parking, common areas, open space, retail types of uses and associated intensities, housing types and sizes of units, and overall architectural design when considering approving Mixed Use developments in the Mixed Use Zoning District. Mixed Use projects must be reviewed and approved by the Planning and Zoning Commission.

(Ord. 2010-18, passed 7-12-2010, eff. 7-28-2010)

Sec. 15-6-166. - Uses.

- (A) Multi-residential housing on the upper floors of buildings consisting of studio, one bedroom, two bedroom and three bedroom living units.
- (B) Retail stores, retail services, personal services and banks, savings and loans only on the first floor levels of buildings in the Mixed-Use Zoning District. Outdoor seating not located in the public right of way is permitted subject to Planning and Zoning Commission review and approval. No drive-thru windows are permitted for businesses unless approved by the Planning and Zoning Commission.

(Ord. 2010-18, passed 7-12-2010, eff. 7-28-2010)

Sec. 15-6-167. - Mixed use development regulations.

- (A) Setbacks ten feet front, five feet side, none rear unless abutting a residential district where ten is required.
- (B) Maximum height 35 feet.
- (C) Maximum gross floor area shall not exceed 60% of the total lot area.
- (D) Not less than 10% of the site shall be occupied by appropriate landscaping.
- (E) Land covered by all structures shall not exceed 35% of building site.
- (F) A minimum of one off-street parking space per housing unit shall be provided on-site. Off-street parking for the retail/commercial portion of a mixed use project shall be determined by the Planning and Zoning Commission based on the use proposed and the amount of square footage proposed for the use. Employee parking shall be designated and located away from the entrances to the first floor businesses.
- (G) Fully enclosed trash enclosures shared jointly by the housing units and businesses are required in accordance with city requirements.
- (H)

Signs are required to be approved by the Planning Department. A building permit is required for all signs. No pole signs are allowed in the Mixed-Use District. Only monument (height of monument or free standing monument sign determined by the Planning Department based on location) and wall mounted signs are allowed in the Mixed Use District. The maximum total amount of square footage of signage allowed for a building site is equal to 50% of the lineal street frontage of the building site. Wall mounted signs cannot project more than three feet above the building to which it is attached. Address signs consisting of letters and numerals shall not exceed 12 inches in height and do not count as part of the sign square footage allowed. Awnings or canopies are allowed on the first floor, but the sign copy, including logos shall not exceed 12 square feet or 50% of the awning face area, whichever is less. Flashing or intermittent illuminating signs are not allowed in the Mixed Use Zone. Banner signs displayed on cloth or other flexible materials are not permitted. United States of America and State of Texas flags are permitted subject to building department review and approval. All businesses are permitted to display grand opening signs on a one-time basis for a maximum of 21 consecutive days. Holiday decorations may be displayed on a temporary basis for traditionally accepted civic, patriotic or religious holidays. Window signage placed in windows of a business shall be limited to 25% of the total window area in which the signage is placed. No sign permit is required.

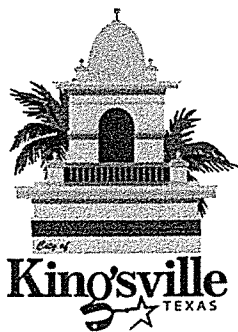
- (I) Building elevations shall illustrate the style of façade for all sides of the structure. Details will illustrate the type of materials used for the exterior finish of the walls, roof and trim as viewed from all four directions, and the type of building materials used for exterior finish of walls, roof and trim. The exterior elevation plan shall be sufficiently detailed to illustrate roof slopes, roofline treatment, overhangs and building height.

(Ord. 2010-18, passed 7-12-2010, eff. 7-28-2010)

Secs. 15-6-168—15-6-173. - Reserved.

DATE: 11/14/14 BY: [illegible] APPROPRIATE MAP, LOT 26, 1/2"=30', 1/4"=60', 1/8"=120', 1/16"=240', 1/32"=480', 1/64"=960', 1/128"=1920', 1/256"=3840', 1/512"=7680', 1/1024"=15360', 1/2048"=30720', 1/4096"=61440', 1/8192"=122880', 1/16384"=245760', 1/32768"=491520', 1/65536"=983040', 1/131072"=1966080', 1/262144"=3932160', 1/524288"=7864320', 1/1048576"=15728640', 1/2097152"=31457280', 1/4194304"=62914560', 1/8388608"=125829120', 1/16777216"=251658240', 1/33554432"=503316480', 1/67108864"=1006632960', 1/134217728"=2013265920', 1/268435456"=4026531840', 1/536870912"=8053063680', 1/1073741824"=16106127360', 1/2147483648"=32212254720', 1/4294967296"=64424509440', 1/8589934592"=128849018880', 1/17179869184"=257698037760', 1/34359738368"=515396075520', 1/68719476736"=1030792151040', 1/137438953472"=2061584302080', 1/274877906944"=4123168604160', 1/549755813888"=8246337208320', 1/1099511627776"=16492674416640', 1/2199023255552"=32985348833280', 1/4398046511104"=65970697666560', 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AGENDA ITEM #8



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE:

TO: City Commission through City Manager

FROM: David Mason, Purchasing Director

SUBJECT: RFQ 16-07 Architectural Services

SUMMARY

This items provides staff recommendation for RFQ 16-07 Architectural Services for Historic Pumphouse. We advertised in the Kingsville Record on April 6 and April 13, 2016 and it was available on the City of Kingsville website.

BACKGROUND

Evaluation Criteria	Max Pts. Per Evaluator	Max Pts. Total	Killis Almond	Naismith	Gignac
<i>Experience in Similar Projects</i>	25	75	74	74	50
<i>Capacity To Perform</i>	25	75	74	74	70
<i>Understanding of Scope</i>	20	60	60	55	50
<i>Work Performance</i>	15	45	44	44	40
<i>Proposed Timeline</i>	15	45	44	44	40
<i>Total</i>	100	300	286	281	250

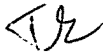
FINANCIAL IMPACT

The project will expend \$35,000 in design, construction documents and administration with some additional expenses in travel and printing..

RECOMMENDATION

It is recommended that RFQ 16-07 Architectural Services for Historic Pumphouse be awarded to Killis Almond, 342 Wilkens Ave., San Antonio, TX 78210 a highly qualified provider based on demonstrated competence and qualifications. Please see accompanying information from Tom Ginter, Director of Planning and Development Services.

To: Jesus Garza, City Manager

From: Tom Ginter, Director 

Date: April 29, 2016

Subject: Request For Qualifications No. 16-07 Architectural Services for the City of Kingsville

The City of Kingsville did an RFQ for architectural services pertaining to the Pump House renovation project. Attached is a copy of the RFQ and the notice for the project. Three RFQ's were submitted by interested firms they were:

Killis Almond Architects

Gignac Architects

Naismith Engineering, Inc.

To review the RFQ's were Cynthia Martin, Dave Mason and Tom Ginter.

The evaluation criteria were the following:

25% Firm's experience in performing similar projects

25% Demonstrated strength to perform work

20% Demonstrated understanding of the project scope

15% Work performance, including history of performing past projects

15% Time line to complete projects

Upon review of the rfq's it is clear that Naismith Engineering and Killis Almond Architects have a higher rating when it comes to the key evaluation criteria. Naismith has worked on two projects in Kingsville, the Train Depot and the Henrietta Memorial Center. While Killis Almond has conducted a study of the downtown for Kingsville, did the architectural work for the City of Gainesville (Santa Fe Depot) and the Steves Homestead San Antonio Conservation Society House Museum.

In regards to the other categories they both are close but the evaluation committee felt that Killis Almond Architects would be the better fit for this project. Attaches is a copy of a letter of agreement from Killis Almond Architects for this project.



**Request for Qualifications RFQ No. 16-07
For Architectural Services
City of Kingsville**

INTRODUCTION

The City of Kingsville, Texas (hereinafter referred to as the "City"), invites the submittal of Statement of Qualifications from qualified firms that can provide architectural services for the renovation of a Pump House.

The city may choose to enter into negotiations with the most qualified respondent as determined by the City of Kingsville. Questions regarding this request should be directed to:

Tom Ginter, Director of Planning & Development Services

City of Kingsville

200 E. Kleberg

Kingsville, TX 78363

tginter@cityofkingsville.com

OBJECTIVE

The City of Kingsville is interested in the repurpose and renovation of a Pump House located in the near a multiuse downtown park facility.

SCOPE OF WORK

The chose architectural firm should have experience design work for adaptive reuse of historic structures. The renovated building is to include public restrooms, a viewing area for an antique fire engine, and a storage area. The person or firm chosen will also assist in evaluation of bids, attend pre-construction meetings coordinate with Construction Manager on all invoices, change orders. Provide discretion for questions and concerns form the contractor. Conduct substantial completion inspection coordinate with Construction Manager to create punch list.

STATEMENT OF QUALIFICATIONS

Statement of qualification should include:

- A. Briefly identify your firm, organizational structure and support resources.
- B. List qualifications of key personnel who would be assigned to the project including relative experience.
- C. Provide references for recently completed projects of similar scope (names and phone numbers).
- D. Provide a copy of your current certificate of insurance for professional liability.

EVALUATION

- 25% Firm's experience in performing projects of similar size and scope in Texas;
- 25% Demonstrated strength to perform work, including project team composition, staff qualifications & experience, and adequacy of resources;
- 20% Demonstrated understanding of project scope and approach and proposed methodology to complete project;
- 15% Work performance, including history of performing past projects on schedule and strength of provided references;
- 15% Proposed time line to complete the project;

Deadline for Submission the proposals Tuesday will be received no later than 1:30 pm
April 19, 2016 at the following address:

City of Kingsville
Purchasing Department
200 East Kleberg Avenue 78363
PO Box 1458 78364
Kingsville, TX

Request for Qualifications

Sealed proposals for **RFQ 16-07 Architectural Services for Pump House project** shall be received by the City of Kingsville no later than 1:30pm on Tuesday, April 19, 2016 to be considered. Immediately thereafter the proposals will be publicly opened and the names of those submitting proposals shall read aloud in the Robert H. Alcorn Commission Room. The City reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act. Additional information/proposal packet can be found at <http://www.cityofkingsville.com/departmetns/purchasing/> or by contacting the Purchasing Department at 361.595.8036.

AGENDA ITEM #9



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE:

TO: City Commission through City Manager

FROM: David Mason, Purchasing Director

SUBJECT: Wastewater Metal precipitant Bid 16-08

SUMMARY

This items provides staff recommendation for Bid 16-08 Wastewater Metal Precipitant. Bid notice was published in the Kingsville Record on April 10, 2016 and April 17, 2016, as well as being published on the webpage. Two (2) potentials vendors submitted proposals by the 1:30 p.m. deadline on April 19, 2016. There was also one (1) no bid response.

BID TAB

Hydrex 6909	Kruger/Veolia	K & K Chemical
	\$13.41 gal	\$16.90 gal

FINANCIAL IMPACT

At the current usage rate of two (2) each 275 gal tote per month at \$3,687.75/tote or \$7,375.50 per month this will expend approximately \$36,877.50 for the balance of fiscal year 2016. It is also recommended that this award be continued through FY 2017 or until such time as the issue is resolved. Funding is available from 051-5-700.1-214.00 of which \$99,000.00 is available through budget amendment 2016-04, introduced on January 11, 2016 and final passage on January 25, 2016.

RECOMMENDATION

It is recommended that Bid 16-08 Wastewater Metal Precipitant be awarded to Kruger/Veolia, 1500 Garner Road, Raleigh, NC 27610.

AGENDA ITEM #10



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE: May 3, 2016
TO: City Commission through City Manager
FROM: David Mason, Purchasing/IT Director
SUBJECT: Bid 16-09 Hauling Services

SUMMARY

This item authorizes the award of the contract for Hauling Services for the City of Kingsville

BACKGROUND

We advertised for bids on April 9, and April 16, 2016 in the Kingsville Record and posted on our website. A total of five (5) potential vendors submitted proposals.

	R. Loera Trucking	Mias Transports*	Munoz Trucking	J. Salazar & Son's Trucking Inc.	J.S. Trucking*
Haul From Corpus Christi to Kingsville	\$250.00	\$250.00	\$200.00	\$163.00	\$164.00
Haul From Bluntzer to Kingsville	\$200.00	\$250.00	\$250.00	\$165.00	\$166.00
Haul From Robstown to Kingsville	\$200.00	\$250.00	\$150.00	\$160.00	\$162.00
Haul From Kingsville to Landfill	\$100.00	\$98.00	\$100.00	\$85.00	\$80.00
Local Moving of Heavy Equipment (No More than 50,000lbs)	No Price Given	\$85.00 per hour	\$550.00	\$485.00	\$480.00
Hauling Sand from Salazar Pit	No Price Given	No Price Given	No Price Given	\$312.00	\$312.00

*No active DOT operating status

RECOMMENDATION

While J. S Trucking appears to be the lowest bidder, they do have an active DOT operating status. In order to limit risk and liability to the City, it is staff recommendation the award be made to the lowest bidder with current DOT operating status, that being ***J. Salazar and Son's Trucking, 1325 E. Huisache, Kingsville, TX 78363.***

FINANCIAL IMPACT

There is no specific financial impact in the award of the bid. Multiple departments (i.e. street, water construction) will be served under the contract and those departments have funding available for various projects.

AGENDA ITEM #11



Purchasing/IT Department

361-595-8025
361-595-8035 Fax

DATE: March 16, 2016
TO: City Commission through City Manager
FROM: David Mason, Purchasing/IT Director
SUBJECT: Interlocal for Video Magistration Equipment

SUMMARY

This item authorizes an interlocal agreement between the City of Kingsville and Kleberg County for the installation of Video Magistration Equipment at the Kleberg County Jail.

BACKGROUND

The City would like to install equipment at the County Jail for the video magistration of incarcerated persons in order to reduce the transportation of inmates to Municipal Court.

RECOMMENDATION

It is recommended we are allowed to enter into this interlocal agreement with Kleberg County for the mutual benefit of all entities.

FINANCIAL IMPACT

There is no specific financial impact of the interlocal agreement itself.

RESOLUTION # 2016-____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN KLEBERG COUNTY AND THE CITY OF KINGSVILLE FOR VIDEO MAGISTRATION EQUIPMENT AT THE KLEBERG COUNTY JAIL; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Kleberg County, through the Kleberg County Sheriff's Department, operates the Kleberg County Jail, which frequently houses inmates that are incarcerated for matters involving the City of Kingsville Municipal Court;

WHEREAS, the City would like to install equipment at the County Jail to provide for video magistration and appearance of incarcerated persons (hereinafter "video magistration equipment"), so that the inmates do not have to be removed from the jail, transported for municipal court, and then returned to the jail thereby increasing safety and reducing liability since the inmates would not have to leave the jail facility to be magistrated or conduct business with Municipal Court while they are incarcerated;

WHEREAS, the City staff has spoken to the Kleberg County Sheriff, Ed Mata, and obtained his consent to move forward with such a proposal for the City to install, maintain, and remove equipment for the video magistration of city inmates at the Kleberg County Jail;

WHEREAS, the City and County now desire to enter into an Interlocal Agreement for video appearance and magistration of inmates with Municipal Court matters while at the Kleberg County Jail;

WHEREAS, the County of Kleberg and the City of Kingsville have previously entered into interlocal agreements to share expenses on items that benefit the residents of their respective entities.

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

I.

THAT the City authorizes and directs the Mayor, as an act of the City of Kingsville, Texas, to enter into an Interlocal Cooperation Agreement Between Kleberg County and the City of Kingsville for Video Magistration Equipment at the Kleberg County Jail.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
_____ 9th day of _____ May, 2016.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF KINGSVILLE, TEXAS
AND
THE COUNTY OF KLEBERG, TEXAS
FOR
VIDEO MAGISTRATION EQUIPMENT AT THE KLEBERG COUNTY JAIL**

**STATE OF TEXAS §
 §
COUNTY OF KLEBERG §**

This Interlocal Cooperation Agreement made, entered into and executed by and between the County of Kleberg, a body and corporate and politic under the laws of the State of Texas (hereinafter referred to as "County") and the City of Kingsville, Texas, a home rule municipal corporation under the laws of the State of Texas (hereinafter referred to as "City"); pursuant to the Interlocal Cooperation Act, Texas Government Code Annotated Chapter 791.

WITNESSETH:

WHEREAS, Kleberg County, through the Kleberg County Sheriff's Department, operates the Kleberg County Jail, which frequently houses inmates that are incarcerated for matters involving the City of Kingsville Municipal Court;

WHEREAS, the City would like to install equipment at the County Jail to provide for video magistration of incarcerated persons, so that the inmates do not have to be removed from the jail, transported for municipal court, and then returned to the jail thereby increasing safety and reducing liability since the inmates would not have to leave the jail facility;

WHEREAS, the City has spoken to the Sheriff, Ed Mata, and obtained his consent to move forward with such a proposal for the City to install and maintain equipment for the video magistration of city inmates at the Kleberg County Jail;

WHEREAS, the City and County now desire to enter into an Interlocal Agreement for video magistration at the Kleberg County Jail;

WHEREAS, the County of Kleberg and the City of Kingsville have previously entered into interlocal agreements to share expenses on items that benefit the residents of their respective entities; and

NOW, THEREFORE, in consideration of the premises and of the terms, provisions and mutual promises and covenants herein contained, the City and County mutually agree as follows:

1. Purpose.

The County houses inmates in the Kleberg County Jail. The City of Kingsville conducts Municipal Court wherein inmates from the Kleberg County Jail are frequently required to appear. The City and County would like to install a video magistration system for the benefit of both parties, instead of transporting inmates to Municipal Court. Once installed, the system may be available for other governmental and state entities to use.

2. Responsibilities.

- A. The parties agree the County shall:
 - a. Allow the City or its agent access to the Kleberg County Jail video magistration room for the installation, maintenance, and removal of the video magistration equipment.
 - b. Provide and maintain a functioning internet line for the video magistration system.
 - c. Take reasonable care to prevent damage to the City's video magistration equipment housed in the Kleberg County Jail.
- B. The parties agree the City shall:
 - a. Install, maintain and remove the video magistration equipment in the Kleberg County Jail.
 - b. Allow other state and governmental entities access to the video magistration equipment when it doesn't interfere with the use of equipment as needed by the City.
 - c. Assign a person(s) to respond to technical problems with the video magistration equipment.
 - d. Remove the video magistration equipment upon termination of this agreement.

3. Term of the Agreement

- A. This Agreement shall be for an initial term of five (5) years, starting May 9, 2016 through May 8, 2021. After the initial term ends, this Agreement shall automatically renew for one (1) year periods until terminated by one or both parties.
- B. This Agreement may be terminated during the initial term by mutual agreement of the parties or for cause. After the initial term, this Agreement may be terminated by either party at any time with or without cause upon thirty (30) days advance written notice to the other party.
- C. Any notice of termination shall be sent to the other party to this interlocal agreement at the address listed in paragraph 10 of this agreement.

4. Participant Funding

The City will pay for all of the video magistration equipment, installation, maintenance, and removal. The County shall pay for the internet line, which is already at the jail in the room where the video magistration equipment is to be located.

5. Complaints

In the event either party believes that the remaining party has not complied fully with the terms of this agreement, that party shall submit written notice stating fully the nature of the complaint. The remaining party shall have thirty (30) calendar days within which to correct the complaint. In the event the complaint is not corrected within thirty (30) days, the complaining party may request a joint meeting with the City and County Commissions to discuss the complaint and resolve the matter. In the event a joint meeting does not produce a resolution of the complaint, each party shall retain all legal rights, remedies and resources available to it prior to initiation of the complaint procedure.

6. Authorization for Funding

The City and the County each separately certify that payments made under this Agreement will be made from current revenues, and any future payments are subject to future appropriations. County appropriations are subject to verification and authorization by the County Auditor, pursuant to the attached form.

7. Approval By Governing Bodies. Each party represents that this Agreement has been duly passed and approved by the governing body of the party as required by the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code.

8. Amendment of Interlocal Agreement. This Agreement may be amended at any time. Any amendment to this Agreement must be in writing, agreed to by the governing bodies of the parties, and signed by an authorized representative of the City and the County. No officer or employee of any of the parties has authority to waive or otherwise modify the limitations in this Agreement, without the express action of the governing body of the party.

9. Severability. If any portion of this agreement, or its application to any person or circumstance, is held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this agreement shall not be affected and shall continue to be enforceable under the terms of this agreement.

10. Notices. Notices under this Agreement shall be addressed to the parties as indicated below, unless changed by written notice to such effect, and shall be effected when delivered or when deposited in the U.S. mail, postage prepaid, certified, return receipt requested.

City of Kingsville
Attn: City Manager

P.O. Box 1458
Kingsville, Texas 78364
Telephone: (361) 595-8002
Facsimile: (361) 595-8024

Kleberg County
Attn: County Judge
P.O. Box 752
Kingsville, Texas 78364
Telephone: (361) 595-8585
Facsimile: (361) 592-0838

11. **Performance/Governing Laws.** This agreement shall be performed in Kleberg County, Texas, and shall be governed by the laws of the State of Texas.
12. **Venue.** Venue for an action arising under this Agreement is in Kleberg County, Texas.
13. **Assignment.** This Agreement is binding upon and inures to the benefit of the parties to this Agreement and their respective successors and permitted assigns. This Agreement may not be assigned by any party without the written consent of all of the parties.
14. **Not For The Benefit Of Third Parties.** This Agreement and all activities under this Agreement are solely for the benefit of the parties and not the benefit of any third party.
15. **Effect of Waivers.** No waiver by either party of any default, violation, or breach of the terms, provisions, and covenants contained in this Agreement may be deemed or construed to constitute a waiver of any other violation or breach of any of the terms, provisions, and covenants of this Agreement.
16. **Exercise of Police Power.** This Agreement and all activities under this Agreement are undertaken solely as an exercise of the police power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.
17. **Validity and Enforceability.** If any current or future legal limitations affect the validity or enforceability of a provision of this Agreement, then the legal limitations are made a part of this Agreement and operate to amend this Agreement to the minimum extent necessary to bring this Agreement into conformity with the requirements of the limitations, and so modified, this Agreement continues in full force and effect.
18. **Warranty.** The individuals executing this agreement on behalf of each party represent and warrant that they are each the duly authorized representatives of

such party on whose behalf the individuals are signing, each with full power and authority to bind said party to each term and condition set forth in this agreement.

19. **Immunities Not Waived.** Nothing in this Agreement waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Agreement and the performance of the covenants contained in this Agreement.
20. **Mutual Indemnification.** To the extent allowed by the Constitution and Laws of the State of Texas, County and City agree that each party assumes any and all risks of liability, loss, damages, claims, or causes of action and related expenses, including attorney fees, caused or asserted to have been caused directly or indirectly by or as the result of the negligent acts or omissions of that party and the officers, employees, and agents thereof.
21. **Captions.** Captions to provision of this Agreement are for convenience and shall not be considered in the interpretation of the provisions.
22. **Interlocal Cooperation Act Applies.** The parties enter into this Interlocal Agreement under the Texas Government Code Chapter 791 (Interlocal Cooperation Act). The parties agree that activities under this Agreement are "governmental functions and services" and that the parties are a "local government" as that term is defined in this Agreement and in the Interlocal Cooperation Act.
23. **Entire Agreement.** This Agreement represents the entire agreement between the parties and may not be modified by any oral agreements or understandings. Any amendments must be made in writing and signed by all parties, as provided in paragraph 8 of this agreement.
24. **Effective Date.** This Agreement is effective on the date when the last party executes this agreement.
25. **Multiple Originals.** Two (2) copies of this Agreement are executed; each shall be deemed an original.

EXECUTED on behalf of the County of Kleberg pursuant to an Order of the Kleberg County Commissioners Court authorizing such execution this _____ day of May, 2016.

Rudy Madrid
County Judge

ATTEST:

Stephanie G. Garza
County Clerk

APPROVED AS TO FORM:

Kira Talip
County Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available to the City to accomplish and pay the obligations of Kleberg County herein.

Melissa Munoz, County Auditor

EXECUTED by the City of Kingsville on the _____ day of May, 2016

Sam R. Fugate
Mayor

ATTEST:

Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

AGENDA ITEM #12

City of Kingsville
Parks & Recreation Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: April 29, 2016

SUBJECT: Agenda Request – Approve Texas Parks & Wildlife Contract For COOP Grant

Summary:

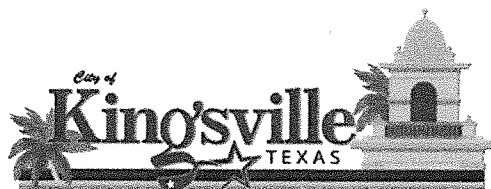
City of Kingsville recently received news that the application to Texas Parks & Wildlife Community Outdoor Outreach Grant has been approved for funding.

Background: This grant was submitted on February 1, 2016 requesting funding to purchase equipment, supplies, assist with staffing and transportation for Kingsville Parks & Recreation Department's youth, senior and women's Wet 'n Wild Outdoor Adventure program. Activities will include kayaking, fishing, skeet and archer, recycling art, wildlife and plant identification and photography, travel to two State Parks (Goose Island in Rockport and World Birding Center in Brownsville), Corpus Christi Museum of Science and History, and some of the same programming for seniors and women. After completing training for the Nature Based Curriculum, "Growing up Wild" it will also be incorporated into our programming with staff training manuals included in this grant as well. Most of the youth activities will be incorporated into our summer programs and senior and women's activities held during cooler fall and spring dates.

Financial Impact: Funding approved from Texas Parks & Wildlife totals \$44,410.00. The grant also includes matching funds from the Parks Budget, Kleberg County, Keep Kingsville Beautiful, and in-kind funding from King Ranch and Kleberg Kenedy County Agri Life Extension Service. This is a reimbursement grant so the actual funding will come after expenditures are submitted to TPWD for reimbursement.

Recommendation:

Staff recommends the approval of the Contract with Texas Parks & Wildlife for the Community Outdoor Outreach Grant and requests that funding from reimbursements and matching fund donors be approved through this action.



TEXAS PARKS AND WILDLIFE DEPARTMENT
COMMUNITY OUTDOOR OUTREACH PROGRAM AGREEMENT

Project Name and Number: Kingsville Healthy Families Outdoor Wet N Wild Adventures; 52-000645

Project Period: TPWD Approval Date to November 1, 2017

Total Project Cost: \$63,514.00

Approved State Funds: \$44,410.00

PROJECT DESCRIPTION (SCOPE):

City of Kingsville Parks and Recreation will administer "Kingsville Healthy Families Outdoor Wet N Wild Adventures" which will provide an outdoor and environmental education program for 1960 participants which will include at least 50% ethnic minority, physically/mentally challenged and youth. Two of the following will be utilized: Texas State Parks or other TPWD approved facilities, TPWD approved programs, and/or TPWD personnel. Five of the following activities will be included: hunting/shooting sports, environmental education, fishing/angling, outdoor cooking, canoe/kayaking, rock climbing, and nature photography. An outdoor service project will be done.

For and in consideration of the mutual covenants and benefits hereof, the Texas Parks and Wildlife Department ("Department") and the "Sponsor" hereby contract with respect to the above described project as follows:

1. The Sponsor is obligated to adhere to all requirements for the Texas Recreation and Parks Account Program including program guidelines set out at 31 TAC Sec. 61.135.
2. No work on the project by the Sponsor shall commence until there is a signed contract by both parties is on file with the department.
3. All changes to this agreement must be approved in advance by the Department.
4. The General Provisions and Budget Summary of Project Costs attached hereto are hereby made part of this agreement.
5. The Agreement is effective upon execution by the Department.
6. Documentation must be provided for reimbursement. This Grant Program does not reimburse for indirect costs.

TEXAS PARKS AND WILDLIFE DEPARTMENT

City of Kingsville Parks and Recreation

SPONSOR

By _____

Brent Leisure, Director, State Parks

Name and Title

4-26-16

DATE

By _____

Name and Title

DATE

☐ SAM Search Date 04/25/2016 - RSL

GENERAL PROVISIONS

COMMUNITY OUTDOOR OUTREACH PROGRAM PROJECT AGREEMENT

Part I – Definitions

- A. The term "Department" as used herein refers to Texas Parks & Wildlife or any representative delegated authority to act on behalf of the Department.
- B. The term "Project" as used herein refers to a single project which is the subject of this project agreement.
- C. The term "Sponsor" as used herein refers to the political subdivision or non-profit organization which is party to the project agreement.
- D. The term "COOP" as used herein refers to the Community Outdoor Outreach Program.

Part II – Continuing Assurances

The parties to the project agreement specifically recognize that the COOP assistance project creates an obligation to the following requirements:

- A. The Sponsor agrees that the benefit to be derived by the State of Texas from the full compliance by the Sponsor with the terms of this agreement is the preservation, protection, and the net increase in the quality of public recreation facilities and resources which are available to the people of the State, and such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State by way of assistance under the terms of this agreement.
- B. The Sponsor agrees that a permanent record of the COOP project shall be kept and available for public inspection.
- C. Nondiscrimination

The Sponsor shall comply with Title VI of the Civil Rights Act of 1964, which in part,

- a) prohibits discriminatory practices resulting in unequal treatment of persons who are or should be benefiting from the grant-aided program.
- b) prohibits discriminating against any person on the basis of residence.

Part III – Project Assurances

A. Applicable Circulars

The Sponsor shall comply with applicable regulations, policies, guidelines, and requirements including State Uniform Grant Management Standards and applicable Federal Office of Management and Budget Circulars. It is the responsibility of the Sponsor to have a State Single Audit done annually for the project. A copy of this audit will be furnished to the Department when completed.

B. Project Application

1. The Application for State Assistance is by this reference made a part of the agreement.
2. The Sponsor possesses legal authority to apply for the grant and to finance their share of costs. A resolution, or similar action has been duly adopted or passed authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the Sponsor to act in connection with the application and to provide such additional information as may be required.
3. The Sponsor has the ability and intention to finance the non-State share of the costs for the project.

C. Project Execution

1. The project period shall begin with the date of approval of the project agreement or the effective date of a waiver of retroactivity and shall terminate at the end of the stated or amended project period unless the project is completed or terminated sooner, in which event the project period shall end on the date of completion or termination.
2. The Sponsor will cause work on the project to be commenced within a reasonable time after receipt of notification that funds have been approved and assure that the project will be prosecuted to completion with reasonable diligence.
3. The Sponsor will require the facility or programs assisted to comply with the minimum requirements for accessibility for the handicapped in conformance with the Texas Architectural Barriers Act (Article 9102 – Texas Civil Statutes), and the Americans with Disabilities Act of 1990 (PL 101-336). The Sponsor will be responsible for conducting inspections to ensure compliance with these specifications.
4. The Sponsor shall secure completion of the work and shall secure compliance with all Federal, State, and local laws and regulations.
5. The Sponsor shall furnish quarterly progress status reports to the Department beginning with the date of approval.

D. Purchases made by the Sponsor shall meet the following requirements:

1. Contracts for purchases in excess of \$50,000 shall be awarded through a process of competitive bidding involving formal advertising, with adequate purchase description, sealed bids, and public openings. Copies of all advertisements, bids, and a copy of the contract shall be provided to the Department.
2. The Sponsor shall inform all bidders that COOP (State) funds are being used.
3. Written change orders shall be issued for all necessary changes. Such change orders shall be submitted to the Department for review and, if approved, shall be made a part of the project file and should be kept available for audit.
4. The use, possession, sale, manufacture, or distribution of a controlled substance during CO-OP sponsored events/activities is prohibited. The abuse of prescription drugs or inhalants and/or their use in any ways which adversely affects safe performance of duties involving CO-OP events/activities is also prohibited.
5. CO-OP sponsors and participants will not use or possess alcoholic beverages or illegal drugs while conducting CO-OP sponsored events/activities. Reporting to CO-OP sponsored events/activities under the influence of alcohol or drugs is also considered a violation of this policy.
6. The operation of any vehicles of any type used to transport participants and volunteers of CO-OP sponsored events/activities while under the influence or in possession of alcohol, drugs, or other intoxicants is prohibited.
7. Any receipts submitted for reimbursement which include alcoholic purchases will be disallowed.

E. Conflict of interests

1. No official or employee of the State, local government, or non-profit organization who is authorized in his official capacity to negotiate, make, accept, or approve, or to take part in such decisions regarding a contract purchase or subcontract in connection with this project shall have any financial or other personal interest in any such contract.
2. No person performing services for the State, local government, or non-profit organization in connection with this project shall have a financial or other personal interest other than his employment, in any contract purchase, or subcontract in connection with this project. No officer or employee of such interest is openly disclosed upon the public records of the State, and such officer, employee or person has not participated in the acquisition for or on behalf of the Sponsor.

F. Project Administration

1. The Sponsor shall promptly submit such reports and documentation as the Department may request.
2. Recipients of the Community Outdoor Outreach Program grant cannot use any part of these monies to fund religious worship, instruction or proselytization; participation in any religious activities by program participants must be voluntary; and efforts must be taken to ensure separation of religious activities from CO-OP funded activities.

G. Retention and Custodial Requirements for Records

1. Financial records, supporting documents, statistical records, and all other records pertinent to this grant shall be retained for a period of three years after final payment; except the records shall be retained beyond the three-year period if audit findings have not been resolved.

2. The retention period starts from the date of the final expenditures report for the project.
3. Microfilm copies are authorized in lieu of original records.
4. The Department, State Comptroller of Public Accounts, State Auditors Office, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the Sponsor which are pertinent to a specific project for the purpose of making audits, examination, excerpts, and transcripts.

H. Project Termination

1. The Department may temporarily suspend COOP assistance under the project pending corrective action by the Sponsor or pending a decision to terminate the grant by the Department.
2. The Sponsor may unilaterally terminate the project at any time prior to the first payment of the project. After the initial payment, the project may be terminated, modified, or amended by the Sponsor only by mutual agreement with the Department.
3. The Department may terminate the project in whole, or in part, at any time before the date of completion, whenever it is determined that the Sponsor has failed to comply with the conditions of the grant. The Department will notify the Sponsor in writing of the determination and the reasons for termination, together with the effective date. Payments made to the Sponsor or recoveries by the Department under projects terminated for cause shall be in accord with the legal rights and liabilities of the parties.
4. The Department or Sponsor may terminate grants in whole, or in part, at any time before the date of completion, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial termination, the portions to be terminated. The Sponsor shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Department may allow full credit to the Sponsor for the State share of the non-cancelable obligations, properly incurred by the Sponsor, pending written receipt of the determination and the reasons for termination, together with the effective date. Payments made to the Sponsor or recoveries by the Department under projects terminated for cause shall be in accord with the legal rights and liabilities of the parties.

I. Noncompliance

In the event that the Sponsor does not comply with provisions as set forth in the grant contract agreement, the following actions may be taken:

1. The Department may withhold payment to the Sponsor,
2. The Department may withhold action on pending projects proposed by the Sponsor.
3. If the above actions do not achieve program compliance, the Department may involve the State Attorney General's Office.

* * * * *

I have read the General Provisions and understand that the project Sponsor which I represent will be responsible for compliance with the above conditions as a result of the receipt of grant assistance from the Community Outdoor Outreach Program. It is also understood that the General Provisions are part of the grant contract agreement.

Signature of Official Authorized in Resolution

Name and Title

Date

7/29/2014

AGENDA ITEM #13

City of Kingsville
Parks & Recreation Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: April 29, 2016

SUBJECT: Agenda Request – Receipt of Donation from Brookshire Foundation Pool Vacuum

Summary: Kingsville Parks & Recreation is requesting approval of receipt of \$5,499.00 donation from Brookshire Foundation for the purchase of a new Commercial Vacuum for cleaning the Brookshire Pool.

Background: The old Pool Vacuum used at the Brookshire Pool went out a couple of years ago and with limited funds we purchased a smaller vacuum than we really needed to clean the pool. It did not reach far enough to clean properly and was not strong enough to do the job well. It did not last very long. We recently proposed assistance from the Brookshire Foundation for several Pool projects including shade structures and a new Commercial grade Pool Vacuum. They have agreed to fund the Pool Vacuum and we have already received a check from them in the amount of \$5,499.00.

Financial Impact: The City of Kingsville Parks Department will receive donated funds from the B.C. & Addie Brookshire Foundation in the amount of \$5,499.00. In researching the best buy for the City Parks Pool, Purchasing Director David Mason has found the same machine we quoted with an additional 1year (total 3Year) warranty and a loaner option while any repairs are necessary during warranty. With added shipping the total will be \$5,900.00. The additional funding for the equipment will come from the Park Budget.

Recommendation:

Kingsville Parks & Recreation requests the approval of the receipt of a \$5,499.00 donation from the Brookshire Foundation to be used to purchase a Dolphin 2X2 Commercial Pool Vacuum.



AGENDA ITEM #14

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: April 29, 2016

SUBJECT: Agenda Request – Receipt of Donation from Brookshire Foundation Pool Vacuum

Summary: Kingsville Parks & Recreation is requesting approval of receipt of \$5,499.00 donation from Brookshire Foundation for the purchase of a new Commercial Vacuum for cleaning the Brookshire Pool.

Background: The old Pool Vacuum used at the Brookshire Pool went out a couple of years ago and with limited funds we purchased a smaller vacuum than we really needed to clean the pool. It did not reach far enough to clean properly and was not strong enough to do the job well. It did not last very long. We recently proposed assistance from the Brookshire Foundation for several Pool projects including shade structures and a new Commercial grade Pool Vacuum. They have agreed to fund the Pool Vacuum and we have already received a check from them in the amount of \$5,499.00.

Financial Impact: The City of Kingsville Parks Department will receive donated funds from the B.C. & Addie Brookshire Foundation in the amount of \$5,499.00. In researching the best buy for the City Parks Pool, Purchasing Director David Mason has found the same machine we quoted with an additional 1year (total 3Year) warranty and a loaner option while any repairs are necessary during warranty. With added shipping the total will be \$5,900.00. The additional funding for the equipment will come from the Park Budget.

Recommendation:

Kingsville Parks & Recreation requests the approval of the receipt of a \$5,499.00 donation from the Brookshire Foundation to be used to purchase a Dolphin 2X2 Commercial Pool Vacuum.



ORDINANCE NO. 2016-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET TO ACCEPT AND EXPEND DONATIONS FOR THE PARKS DEPARTMENT FOR THE POOL.

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 2015-2016 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
-----------	------------------	---------------	-----------------	-----------------	-----------------

Fund 001 General Fund

Revenues

4-4503 Parks	Park Donations	58003	\$5,499	
			<u>\$5,499</u>	

Expenses

5-4503 Parks	Machinery/Equipment	71200	\$5,499	
			<u>\$5,499</u>	

[To amend the City of Kingsville FY 15-16 General Fund Budget to accept and expend donations from the Brookshire Foundation for the purchase of a new commercial vacuum as per the attached memo from the Parks Manager.]

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 9th day of May, 2016.

PASSED AND APPROVED on this the ___ day of _____, 2016.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15

City of Kingsville
Public Works, Landfill Division

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Charlie Cardenas, Director of Public Works/ City Engineer

DATE: April 28, 2016

SUBJECT: General Fund Budget Amendment

Summary:

This item authorizes funding for the continuation of Phase II Landfill permit amendment through TCEQ submittal and the construction and engineering of 7.3 acres for a portion of Sector 4.

Background:

Naismith Engineering has been working with City staff on preparing the Landfill Permit Amendment that will extend the useful life of the Landfill to over 100 years. Included for the completion of the amendment process is implementing the soil boring plan as part of the settlement analysis, also during the process staff has incorporated changes to expand services to include solidification of nonhazardous liquid waste, addition of air space on the Old 235 landfill site and the inclusion of the detention pond area into the permitted landfill boundaries. This permit amendment is on schedule for final submittal to TCEQ in September/October of this year.

The City Landfill currently has three active sectors 1, 2 and 3 totaling 35 acres. The City has reduced condemned home demolitions and denied some commercial haulers to reserve airspace for Kingsville operations. The capacity remaining in Sectors 1 through 3 is approximately 152,000 CY. This volume should last through approximately April 2017 based on the usage rate for the last four years. The TCEQ permit approval process may take up to one year, thus the construction of 7.3 acres of Sector 4 will ensure the City's ability to resume acceptance of all nonhazardous waste. The expected useful airspace of Sector 4 including the permit amendment additional airspace on Sectors 1-3 should extend the current sectors life 10-15 years before the remaining portion of Sector 4 and Sector 5 would need to be developed.



City of Kingsville
Public Works, Landfill Division

Financial Impact:

This requested budget amendment reduces the Landfill Closure/Post Closure Fund Balance in the amount of \$2,106,900.00 to (Fund 090-5-1703-71400 Landfill Expansion).

- \$295,000.00 for Phase II Landfill Permit Amendment through TCEQ submittal
- \$1,811,900.00 for Engineering and Construction of 7.3 acres of Sector 4

Recommendation:

With the Final Permit Amendment proposed to be submitted by October 2016, the anticipated TCEQ permit approval date is around October 2017 based on a 12 month review process. Staff recommends approval to proceed with a portion of Sector 4 development and the additional funding for the completion of the permit amendment up to TCEQ submittal.



ORDINANCE NO. 2016-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR LANDFILL EXPANSION THAT INCLUDES PHASE II OF THE LANDFILL PERMIT AMENDMENT AND THE CONSTRUCTION AND ENGINEERING OF SECTOR 4.

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 2015-2016 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 090-Landfill Closure Fund					
<u>Equity</u>					
4		Committed for Landfill	68100		\$2,106,900
					<u>\$2,106,900</u>
<u>Expenses</u>					
5-1703	Landfill	Landfill Expansion	71400	\$ 2,106,900	
				<u>\$ 2,106,900</u>	

[To amend the City of Kingsville FY 15-16 Budget to include funding for the continuation of Phase II of the landfill permit amendment through TCEQ submittal and the construction and engineering of 7.3 acres for a portion of Sector 4 as per the attached memo from the Director of Public Works/City Engineer.]

II.

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

III.

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

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

IV.

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

INTRODUCED on this the 9th day of May, 2016.

PASSED AND APPROVED on this the ____ day of _____, 2016.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #16

**City of Kingsville
Legal Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Courtney Alvarez, City Attorney

DATE: May 5, 2016

SUBJECT: Resolution to Deny TCC's Rate Recovery Filing

Summary: On April 6, 2016, AEP Texas Central Company ("TCC" or "Company") filed an Application for Approval of a Distribution Cost Recover Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in distribution revenues of \$54,012,978.

The resolution authorizes the City to join with the Cities Served by AEP TCC ("Steering Committee") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Background: The City has participated with the Cities Served by AEP TCC in prior rate case and cost recovery filings. AEP TCC pays for the cost of the review of their request, so there is no out of pocket cost to the City. As there is no individual or agency that reviews the rate cases and recovery requests on behalf of the affected parties/citizens, the legislature has given the cities authority to do so with the utility company paying for the expenses involved in the review.

The purpose of the Resolution is to deny the DCRF application proposed by TCC. An explanation of the "Be It Resolved" paragraphs follows:

1. This section authorizes the City to participate in the Steering Committee as a party in the Company's DCRF filing, PUC Docket No. 45787.
2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes the Steering Committee to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.



**City of Kingsville
Legal Department**

3. This paragraph finds that the Company's application is unreasonable and should be denied.

4. This section states that the Company's current rates shall not be changed.

5. The Company will reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by the Cities will submit monthly invoices that will be forwarded to TCC for reimbursement.

6. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

7. This section provides TCC and counsel for the cities will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

Financial Impact: This action has no financial impact to the City.

Recommendation: Approve the resolution as presented.



RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS FINDING THAT AEP TEXAS CENTRAL COMPANY'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Kingsville, Texas ("City") is an electric utility customer of AEP Texas Central Company ("TCC" or "Company"), and a regulatory authority with an interest in the rates and charges of TCC; and

WHEREAS, the City is a member of the Cities Served by AEP TCC ("Steering Committee"), a membership of similarly situated cities served by TCC that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TCC's service area; and

WHEREAS, on or about April 6, 2016 TCC filed with the City an Application for Approval of a Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 45787, seeking to increase electric distribution rates by \$54,012,978; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, the Steering Committee is coordinating its review of TCC's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the DCRF.

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

Section 1. That the City is authorized to participate in the Steering Committee in PUC Docket No. 45787.

Section 2. That subject to the right to terminate employment at any time, the City of Kingsville hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by TCC to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by TCC within 30 days of presentation of an invoice to TCC.

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Jay Tounge, American Electric Power Service Corporation, 1201 Elm Street, Suite 800, Dallas, Texas 75270 and to Thomas Brocato, General Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this the 9th day of May, 2016.

Sam R. Fugate, Mayor, City of Kingsville

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #17

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: April 29, 2016

SUBJECT: Agenda Request – Budget Amendment for Texas Parks & Wildlife COOP Grant

Summary:

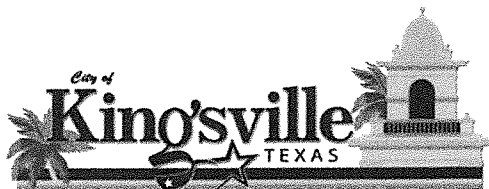
City of Kingsville recently received news that the application to Texas Parks & Wildlife Community Outdoor Outreach Grant has been approved for funding.

Background: This grant was submitted on February 1, 2016 requesting funding to purchase equipment, supplies, assist with staffing and transportation for Kingsville Parks & Recreation Department's youth, senior and women's Wet 'n Wild Outdoor Adventure program. Activities will include kayaking, fishing, skeet and archer, recycling art, wildlife and plant identification and photography, travel to two State Parks (Goose Island in Rockport and World Birding Center in Brownsville), Corpus Christi Museum of Science and History, and some of the same programming for seniors and women. After completing training for the Nature Based Curriculum, "Growing up Wild" it will also be incorporated into our programming with staff training manuals included in this grant as well. Most of the youth activities will be incorporated into our summer programs and senior and women's activities held during cooler fall and spring dates.

Financial Impact: Funding approved from Texas Parks & Wildlife totals \$44,410.00. The grant also includes matching funds from the Parks Budget, Kleberg County, Keep Kingsville Beautiful, and in-kind funding from King Ranch and Kleberg Kenedy County Agri Life Extension Service. This is a reimbursement grant so the actual funding will come after expenditures are submitted to TPWD for reimbursement.

Recommendation:

Staff recommends the approval of the Budget Amendment.



ORDINANCE NO. 2016-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR THE TEXAS PARKS & WILDLIFE COMMUNITY OUTDOOR OUTREACH GRANT AND TO ACCEPT AND EXPEND DONATIONS FOR THE PARKS DEPARTMENT.

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 2015-2016 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
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Fund 001 General Fund

Revenues

4-4503 Parks	Park Donations	58003	<u>\$ 3,249</u>		
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Expenses

5-4503	Recreational Programs	31499			<u>\$10,000</u>
5-6900	Transfer Out to Fund 078	80078	<u>\$13,249</u>		

Fund 078-Texas Parks & Wildlife Community Outdoor Outreach Grant

Revenues

4-0000	State Grants	72010	\$44,410		
4-0000	Transfer From Fund 001	75001	<u>\$13,249</u>		
			<u>\$57,659</u>		

Expenses

5-4503	Recreational Programs	31499	<u>\$57,659</u>		
			<u>\$57,659</u>		

[To amend the City of Kingsville FY 15-16 General Fund Budget for the Texas Parks & Wildlife Community Outdoor Outreach Grant and to accept and expend donations from Kleberg County and Keep Kingsville Beautiful as per the attached memo from the Parks Manager.]

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 9th day of May, 2016.

PASSED AND APPROVED on this the ___ day of _____, 2016.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #18

AGENDA ITEM #19