

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, SEPTEMBER 11, 2017 REGULAR MEETING

**CITY HALL
HELEN KLEBERG GROVES COMMUNITY ROOM
400 WEST KING AVENUE
6:00 P.M.**

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Special Meeting - August 21, 2017

APPROVED BY:


Jesus A. Garza
City Manager

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

None.

III. Reports from Commission & Staff.²

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

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve a resolution authorizing the City Manager to enter into an amended contract for Professional Services with Hardy-Heck-Moore, Inc. for a National Register of Historic Places Nomination, to update Schedule A with a new project timeline. (Downtown Manager).
2. Motion to approve a resolution authorizing the Mayor to enter into a Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville related to Veterinary Technology Training Program. (Health Director).
3. Motion to approve a resolution authorizing the Chief of Police to enter into a Memorandum of Understanding Addendum for a Multidisciplinary Team Enhancement Program of the Children's Advocacy Center of the Coastal Bend. (Chief of Police).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider final passage of an ordinance adopting the City Manager's budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2017 and ending September 30, 2018 in the particulars hereinafter stated. (Finance Director).
5. Consider final passage of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for fiscal year beginning October 01, 2017 and ending September 30, 2018, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Finance Director).
6. Consider ratifying the property tax increase reflected in the 2017-2018 Annual Budget of the City of Kingsville. (Finance Director).
7. Consider final passage of an ordinance amending the Code of Ordinances of the City of Kingsville, Texas by amending Chapter V-Public Works, Article 6-Stormwater Utility System, Section 21- Fee Calculation, to increase the monthly stormwater utility fees for the purpose of funding the stormwater utility system. (Finance Director)
8. Consider final passage of an ordinance ratifying classifications and prescribing the number of positions in such classifications for the classified service in the Fire Department by adding one new fire fighter position. (Human Resources Director).

9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).
10. Consider a resolution amending the City of Kingsville Administrative Policies and Procedures Manual, Policy 630.02 Night Shift Differential Pay. (Human Resources Director).
11. Consider a resolution nominating certain person(s) as candidate(s) for election to the Board of Directors for the Kleberg County Appraisal District. (City Attorney).
12. Consider appointments of members to the Parks & Recreation Advisory Board. (Parks & Recreation Director).
13. Consider accepting \$535 donation from the Texas Recreation & Park Society. (Parks & Recreation Director).
14. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend Park donations from TRAPS. (Parks & Recreation Director).
15. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to cover end of year deficit accounts. (Finance Director).
16. Consider a resolution adopting the City of Kingsville Fund Balance Policy. (Finance Director).
17. Consider awarding RFP #17-15 for Golf Course Irrigation Components Installation Services, as per staff recommendation, and authorizing staff to negotiate a contract. (Purchasing Manager).

VII. Adjournment.

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

NOTICE

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

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

September 8, 2017 at 2:00 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

Mary Valenzuela

Mary Valenzuela, TRMC, City Secretary
City of Kingsville, Texas

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

By: _____
City Secretary's Office
City of Kingsville, Texas

MINUTES OF PREVIOUS MEETING(S)

AUGUST 21, 2017

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 21, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 4:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Al Garcia, Commissioner
Noel Pena, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Diana Gonzales, Human Resources Director
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Derek Williams, Systems Specialist
David Solis, Risk Manager
Bill Donnell, Asst. Public Works Director
Adrian Garcia, Fire Chief
Charlie Sosa, Purchasing Manager
Ricardo Torres, Police Chief
Leo Alarcon, Tourism Director
Deborah Balli, Finance Director
Cynthia Martin, Downtown Manager
Susan Ivy, Parks Manager
Stacie Pena, Finance Manager
David Bodiford, Finance Supervisor
Robert Rodriguez, Library Director
Victoria Butler, Municipal Court Supervisor
Diana Medina, Collections Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 4:01 P.M. with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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

None.

III. Reports from Commission & Staff.²

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

Mrs. Courtney Alvarez, City Attorney reported that the next regular Commission meeting is on Monday, August 28, 2017.

Mayor Fugate commented that on the August 28th agenda he has requested for a resolution to be placed on the agenda supporting the new refinery that is being proposed in Duval County which will be near Hebbbronville. This refinery will eventually employee 600 individuals from the surrounding areas.

IV. Public Comment on Agenda Items.³

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

No public comments made.

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Review and discuss proposed fiscal year 2017-2018 budget for departments of the City of Kingsville. (City Manager).

Mr. Jesús Garza, City Manager gave the Commission a budget overview. Garza stated that some of the priorities for the organization are to invest money into the Parks, streets, drainage, and sidewalks. The consolidation of some departments is also a priority for cost savings purposes. Public safety is always a priority as well as downtown revitalization. The three-year compensation plan that was discussed last year, unfortunately there are not enough funds to continue with year two, as it was presented last year. There are some minor adjustments to the compensation plan which will be discussed during the budget workshop at a future meeting. It is also not possible to do a Cost of Living Adjustment (COLA) for all employees for this upcoming budget year. Garza continued by giving the City Commission a budget overview on expenditures. From the revenue standpoint, staff has been tracking through the quarterly budget reports that the Municipal Court revenues are not coming in as budgeted. Staff has budgeted accordingly and have budgeted about \$50,000.00 less for next fiscal year than what was budgeted this current year. Also tracked is that growth from a planning aspect hasn't occurred as fast as it was historically causing those revenues to come down as well. There is a small reduction in the Planning Department in the range of \$10,000 to \$15,000 associated with fees within this department. These adjustments were made to make sure that the budget is as accurate as possible. One of the new things that is in this year's budget is a master fee schedule. This master fee schedule has consolidated all of the fees that the city has in various ordinances. Having a master fee schedule is critical for the city as we need to diversify our revenue stream to keep up with our expenditures. As for expenditures, there are several increased expenses that have caused expenditures to increase. Health care cost continue to rise and as they continue to rise the city's amount of contribution towards that effort increases. Several other items have attributed to the city's expenditures such as maintenance related expenses for additional maintenance to city facilities. The city has some commitments it needs to abide by, such as collective bargaining and anniversary increases to which the city has a commitment to city employees. Garza further commented that on the revenue side, the city should see an increase of \$125,000 in sales tax revenue. Garza reported that general fund, proposed departmental expenditure budget are, 45% goes to Public Safety; 17.55% Administration; 14.66% Public Works; 14.42% Quality of Life; and 8.48% Streets. This is about the same as last years. These numbers are common to other cities. Items related to organizations and staff, for this proposed budget there is one less full-time position, which is the Sanitation Supervisor position which is now consolidated into the sanitation and landfill operations, which will become permanent. There is an increase in part-time positions of three. One of these is an additional maintenance worker which is needed as the city has more buildings and more space to maintain. One of the part-time positions is in the Tourism Fund which will assist with the JK Northway. The intern program with Texas A&M University-Kingsville will continue. Interns will be placed at Parks Department, IT Department, Planning Department, and the Animal Shelter. Some of the changes in the budget is that for the first time in almost 20 years, staff is proposing to change the numbers in civil service positions by adding a Firefighter to the budget. That one position has the potential to turn into three positions, depending on the grant that has been applied for, which was previously discussed in Commission meetings. The money that is in the budget to pay for the one position is more or less the same amount of money that would be required during year one of paying for those three positions. Garza commented that this is going to be determined on whether or not the city receives the grant that was applied for. As for the Engineering and Public Works, it is separated in the organizational chart resulting in changing the Assistant Public Works Director to Public Works Director. Engineering position remains in the same category. Public Works Director will report to the City Engineer. The Kingsville Volunteer Fire Department is restructured in the organizational chart to be a separate division under the Kingsville Fire Department and under the direct oversight of the Fire Chief. The shift of a part-time customer service representative, from the Parks Department to the Fire Department. This position will directly work with Fire Chief Garcia to assist in the new things that will be implemented in the Fire Department relating

to permitting, fees, and other things the department will or is handling. Garza further commented on infrastructure. He stated that one of the important decisions this Commission will have to make as part of the budget process related to the fund balance. One of the things that has come up over the several months is increasing investment into streets. With there being no capacity of Certificates of Obligations (CO). The city has \$900,000 that has been collected from the street fee. Staff will be able to do Sixth Street and Santa Gertrudis by utilizing some of the CO funds as well as being creative with other funds.

Mayor Fugate asked when this was proposed to happen. Mr. Garza responded that it will be brought forward during the meeting on August 28th for Commission approval. There were some minor adjustments made to keep it within budget.

Mr. Garza continued to comment on the fund balance. He stated that there is an option in the budget that will take the fund balance from 25% to 20%. Staff has gone through an exercise of trying to gauge where cities are with these fund balances. Staff did some research with GFOA, which is the association that all cities look at for guidance when it comes to finances. They recommended a minimum recommendation of 60 days, which the city does 90 days. Garza surveyed all the local City Manager's and asked about what their fund balance percentage was, which range from 20% to 25%. Garza commented that this is very common to be in that range. You always want to be at the highest as it shows true financial health, but nonetheless, there is an option in the budget to decrease it to 20%. By doing this, it would free up nearly one million dollars from General Fund to be used towards streets. It could be utilized for other one time expenditures, if the Commission choses to use for other projects. The key is for one time expenditures. It is not recommended to be used for salaries or any recurring maintenance related to expenditures. If the same rational was done to the Utility Fund balance and dropped from 25% to 20%, it would free about \$425,000. There are some projects in the budget being funded out of this for example the replacement of ground storage tanks and other equipment. If the decision is made to keep it at 25%, it will not have an impact on the general fund as it has been allocated for a future one-time project. On the Utility Fund side, staff would need to take a look at the Utility Fund budget to figure out how some of these things would be paid. The Utility Fund has been declining due to the continual support of the CO that are in the Utility Fund. Garza stated that staff has had a conversation with the financial advisor regarding the drop of the fund balance and how it would impact the city's credit rating and the long term financial sustainability. The financial advisor spoke to the rating agency that currently has the City rated at an A+. The information the city received was that it would not impact the city's credit rating because the score card that they utilize is based on if you have 15% or more in fund balance, you score well in financial management. If the Commission decides to decrease the fund balance this year to 20%, and solely focus on one time expenditures, the city would have the option to build that back up. After conversations with other financial advisors regarding the state of the city and the capacity for debt, the city is eligible for another CO until 2022 or 2023. This will give the city the ability to drop the fund balance to 20% and over the next 4 to 5 years, build it back up at 1% at a time. By the time it comes around to being eligible to get another CO, the fund balance will be back up to 24% to 25%. The important factor is to utilize those funds for one time expenditures so that the city has those options.

Mr. Garza mentioned some of the foreseeable challenges for the city that may come up in the next couple of years. Some of these challenges are Tourism, which was a concern last year as staff shifted the JK Northway from the Parks Department to the Tourism fund.

Mayor Fugate stated that he is aware of a new hotel that opened last week, this being La Quinta, and the Marriott opening hopefully in the next six months. Fugate asked staff if there had been any projections on what this will do to the Hotel Occupancy Tax Fund.

Mr. Garza responded that there haven't been any formal projections, other than normal conversations with hotel owners and managers. He stated that some hotels will be downgrading which will cause rates to go down. One other thing that was expressed to staff was that if it wasn't for all the worker's that are here for the pipeline, it would be a very bad year for the hotels. This is something that is being impacted on a regional level and a state level. Garza further mentioned that when the City and County went into an agreement about four years ago for the maintenance of the Parks and JK Northway, the JK Northway was in the Parks. The intention from the County was that their contribution to the City would include some assistance for maintenance of the JK Northway. This was the intent of the agreement, as the County owns the JK Northway and the city was only operating the facility. When the JK Northway was moved from the Parks Department to the Tourism Department, this was no longer happening as the entire contribution that the County was giving the city was strictly going into the general fund. In this year's budget and to honor that intent, the city has a transfer of \$25,000 going from the general fund to Tourism specifically for the JK Northway. Garza mentioned that in this budget is a storm water fee increase from \$1.25 to \$2.25. This increase will help with the utility fund long term as it was intended to pay for the debt service for the 2013 drainage CO. Garza stated that one thing that is not in the budget that is somewhat related to utility fund was that in 2013, the City got a drainage CO which only has enough money for the next two fiscal years. Come fiscal year 2020, the city will no longer will have any money to go towards curb and gutter. This is something that staff will need to find a solution for in the next few years. The city has spent about \$350,000 per year to go towards concrete streets and curb and gutter.

Mr. Garza spoke about the Golf Course budget. Since the City has taken over, including this budget, the total budget for the Golf Course is over \$1 Million Dollars. The city loses almost \$300,000 per year in the Golf Course. The Golf Course will never be self-funded. Garza mentioned that he has had conversation with other cities that maintain their own golf course, and they subsidize them from the range of \$100,000 to \$150,000.

Mayor Fugate commented that he feels that the city would be within that range but one of the things the city has not done is (inaudible). Mayor Fugate made some other comments that were not picked up in the audio, as he was away from the microphone. Mayor Fugate commented that until the city gets the golf course in repair, the city will continue to have numbers like this.

Mr. Garza commented that staff will improve this. There has been conversations about ideas that can help offset those revenues, which is something that will be discussed in the future. Garza further commented that one of the things that staff is working towards is the combination of the drainage improvement plan with the irrigation system. Garza stated that there are other things that are attributing to the problem that are not associated with irrigation, such as cart paths. Cart paths go through fairways and because cart paths stick above the ground is what is causing ponding issues at the golf course.

Discussion on department budgets take place at this time.

Administration Department – City Commission-100.0 & City Manager-101.0

Mr. Garza stated that there aren't many changes to these two budgets. For the City Commission budget, training and travel has an increase of \$5,000, \$1,000 per Commissioner. This brings this item up, per Commissioner from \$4,000 to \$5,000, which is the original amount that it had been a couple of years ago.

Commissioner Lopez asked about the travel mileage reimbursement.

Mrs. Deborah Balli, Finance Director stated that the amount is being budgeted, but was inadvertently placed in another line item within the budget. It will be moved to the proper line item.

Commissioner Garcia stated that the training and travel budget, it was decreased for the past three years. With expenses going up, an additional \$1,000 is still too low for what it should be. He stated that he is aware that there is a Commissioner that pushed for that decrease to which they all agreed to, not only do the employees need to continue being educated but so does the City Commission. By not going to these educational conferences, it does not do the city well. Commissioner Garcia commented that he would like to increase the training and travel for each Commissioner by an additional \$1,000, to bring it up to \$6,000 per Commissioner. This will give the opportunity for those Commissioner to attend conferences and those that don't will keep their money in the budget which can be used at the end of the fiscal year to clear any negative balances within the general fund.

Mayor Fugate stated that the reason for the decrease in the past was that, that particular year all departments took a decrease in their budgets. It was only fair that if departments took a decrease, so would the City Commission budget in order to lead by example. Fugate further asked City Manager Garza if he intent this year was to increase all departments training & travel.

Mr. Garza responded that some departments will see a decrease within their budget through various line items. Garza further stated that it is as important for the Commission to attend professional development conferences as it is for staff.

Mrs. Mary Valenzuela, City Secretary spoke about the preservation and restoration of city documents project which is contracted with Kofile. Mrs. Valenzuela stated that the project is budgeted within the City Commission budget under professional services. This project is on its second phase of a five-year plan. The amount budgeted for the upcoming fiscal year is \$22,000.

Commissioner Garcia asked how long is the phases for this project. Mrs. Valenzuela responded that the project is a five-year project that will cost \$22,000 per year. Valenzuela further commented that the reason that the project is being done yearly it that a Commissioner had a concern about being locked into a five-year plan, and what would happen of one of the five years was not able to be funded. This is the reason what the the project is being funded one year at a time, as money is available. Commissioner Garcia asked if staff was satisfied with the service done by Kofile. Mrs. Valenzuela responded that it is a small price to pay for the preservation and restoration of the city records. She further commented that she is very satisfied with the service provided by Kofile.

Mayor Fugate commented that this project is highly important to our city.

Mr. Garza continued on with the City Manager's budget. The amount in the professional services for this department is there to serve as a contingency due to an increase for health insurance purpose. With him getting married soon, his spouse will be added to the insurance which will have a budget impact of \$6,100 when it happens.

Commissioner Garcia asked if this was done for any other employees that may have a status change. Mr. Garza commented that it was done as open enrollment occurred last month with there were some changes made.

Legal Department 140.0

Mrs. Courtney Alvarez, City Attorney stated that within her department, the same amount of budget that was submitted last year was submitted for this upcoming fiscal year. The only change is that for her employee that will be receiving her increase for her three-year anniversary.

Human Resources 110.0

Mrs. Diana Gonzalez, Human Resources Director stated that the Human Resources Department (HR) is committed to service. The department serves as a strategic partner to all departments by attracting, developing and retaining a highly qualified and diverse

workforce through the administration of cost-effective and results oriented human resource programs, policies, services, and practices. The mission of the Human Resources Department is to provide the highest level of human resources services as it related to the recruitment, selection, training, and retention of city employees. This includes the administration of benefits, employee relations, compliance with relevant employment laws and managing risk to foster relationships and promote a qualified, diverse, and valued workforce. The Human Resources statement of values are commitment, integrity, excellence, cooperation, and fairness. The Human Resources staffing consists of four employees. This includes a change that was made last year, moving the Risk Manager into the Human Resources Department and an Administrative Assistant II. The HR Department sees a workforce of approximately 300 to 335 full-time, part-time, and seasonal employees. The HR functions are front desk customer service for City Hall, support services (ID badges), recruitment and selection, onboarding, compensation & benefits, civil service administration, risk management, training & development, and employee appreciation & recognition. Gonzalez further stated that budgeted for Category 20-Supplies is \$20,000. This is for supplies, safety incentive supplies, minor equipment, employee recognition supplies, uniforms and personal wear, and education material supplies. In Category 30-Services is \$58,700 which is for communications, printing & publishing, training & travel, catering, subscriptions, professional services, printing of employment ads, membership dues, and medical treatment.

Mayor Fugate commented that within this budget, there is an increase of \$10,000.

Mrs. Gonzales commented that this increase is for a wellness program for the employees. She further stated that the total for categories 20 and 30 is \$79,495. HR initiatives are to provide employees with a current onboarding process, provide employees with benefits information, provide review of departmental procedures, provide employees with continual training opportunities, provide employees with health and wellness information, provide public with easy access to job vacancy information and application process, and maintain employee compensation plan and scheduled anniversary increases. The city has had 71 on boarded employees for this year. There has been 55 separations for the year and the annual turnover is at 12% as of July 1st. There has been a significant for the full-time positions.

Commissioner Garcia asked that with the exit interviews with employees, are they being asked for the reason for leaving.

Mrs. Gonzales commented that there is an optional form that is given to the employee that they can fill out and give any suggestions they may have with regards to the city's benefits, or pay structure.

Mr. David Solis, Risk Manager, stated that oversees the safety program for the city and the employee safety & recognition banquet. He makes sure that the city is in compliance with state and federal required postings and keeps up with city policies. Solis stated that he is working on a leadership academy which is a nine-day academy for supervisors that is scheduled to start in October of this year. Another task he is taking on is the health & wellness program. The city is working on a program where the employees can accumulate points throughout the year by doing some health activities. At the end of the year, the employee will receive an award, which is still being determined. Also is in the work is a family health and wellness plan for employees and their families. Solis displayed a training calendar for 2017. This training is done for all city departments. This month the city had an AED training that was available for all city employees. This training was done throughout city buildings so that all its employees could attend. AED's have been installed at all city buildings. Solis stated that the Leadership Program was developed to be able to provide the supervisors to develop and refine the skills in effectively managing employees.

Commissioner Garcia commented that as for the NIMS training, it is required for elected officials to take some training in these courses and are they required to take refresher course on this.

Mr. Solis responded that it is recommended that the Commission take some of the basic NIMS training. Solis further discussed the performance measures for claims. Worker's compensation continues to go down. This says a lot about our employees taking extra precautions in order for them not to get injured. Staff is also working hard in keeping the general liability, auto liability, and auto property damage claims down.

Mrs. Gonzales stated that reported on the changes for the Health Plan. The current medical plan design was implemented in October 2001. The City, over the years, has made minimal changes to the plan design and/or employee contributions while benefits have remained and overall cost have increased. The HR Department will be working with the City's consultants to evaluate existing plan designs and bring to the City design change options. For fiscal year 2017-2018 the plan design in place fiscal year 2016-2017 remains unaffected for existing employees. The City's consultants are evaluating plan design options for employees hired on or after a specific effective plan date. Gonzales commented that there will be a separate workshop scheduled with the City Commission to discuss the health plan for the upcoming fiscal year. At this time, the city stands at \$3.1 Million from October 2016 to July 2017.

Mr. Garza commented that with two months left in the fiscal year, it is projected to be hirer than last year.

Mrs. Gonzales further stated that the HR Department objectives goals are compliance, recruitment & retention, employee development training, workplace safety, and employee work/life balance, wellness and appreciation measures. Some of the department accomplishments for fiscal year 2016-2017 are: implemented a new compensation plan structure; assisted in negotiation of a 4-year collective bargaining agreement with Fire Union and a 3-year agreement with Police Union; developed supervisor Leadership Academy; incorporation of risk management function into the Human Resource Department; incorporated aspects of City Hall customer service into daily Human Resource Department operations; updated City of Kingsville Occupational Safety Handbook; and implemented the beginning of a Health & Wellness Program.

Finance 180.0

Mrs. Deborah Balli, Finance Director stated that under the Finance goals and objectives within all the departments, they have tied all the goals and objectives to the City Commission goals and objectives. The Finance Department is over accounting services which are all of the CAFR, budgeting and basic accounting services. This year, the Purchasing Department was merged into the Finance Department. This merge brought over the Purchasing Manager and Administrative Assistant positions into the Finance Department. The Finance Department accomplishments are to strive in getting an unqualified opinion from the auditors which will show that good work is being done in accounting for the city. Another accomplishment is the removal of a long-standing audit finding by reconciling all asset and liability accounts.

Commissioner Garcia asked how many years did staff have to go back in order to accomplish this.

Mrs. Balli responded that they went as far back as they had records. The findings were from years in the past.

Commissioner Garcia asked how many years did staff start.

Mrs. Balli responded that it was a very worthwhile endeavor and getting rid of this finding was something that she was very proud to do. Balli further commented that the Finance

Department also submitted the Fiscal Year 2015-2016 CAFR Report for the GFOA Certificate of Excellence Program. Also submitted was the Fiscal Year 2016-2017 Annual Budget for the GFOA Distinguished Budget Award. The Finance Director and Accounting Manager retained CPA certifications by fulfilling the required CPE certifications. Finance Director retained CGFO certification fulfilling the required CPE certifications. Finance Director graduated and obtained the 2017 Leadership Fellow Award through Texas Municipal League Academy. The goals and objectives for the Finance Department are to ensure long-term financial success of the City through sound financial management. The Finance Administration had a decrease in their budget for an amount of \$18,087. The decrease is due to audit service fees reduced.

Purchasing Division

Mr. Charlie Sosa, Purchasing Manager, reported that the Purchasing Manager reports to the Finance Director. His primary responsibility is to ensure that commodities, services and utilities are procured at the best possible price while managing the competing priorities of quality and service. Part of this role is where we are responsible for developing and managing the city's purchasing strategy. The Purchasing Manager has developed and improve working relationships with suppliers, lead contract negotiations and ensure the cities reduces waste by improving supplier performance and minimizing capital tied up in unnecessary spending. This is an extremely varied role covering all spending areas. Mr. Sosa stated that some of the special projects he's been tasked with are the Municipal Building renovation, JK Northway proposed canopy, and existing manhole rehabilitation. Some new RFQ's that his division has gone out for include depository services, financial advisor, golf course irrigation components, National Register of Historic Places Nomination, and Santa Gertrudis Street Improvement. Some of the proposed RFQ's and RFA's being worked on by the Legal Department include 2017 electrical services, JK Northway Canopy, City of Kingsville Rate Study which include water, wastewater, solidwaste and transportation.

Mayor Fugate commented that when the Foundation renovated the new City Hall, they had a construction manager that was paid a whole lot of money, although they also saved a lot of money. Fugate further asked Mr. Sosa if this is the type of role that he is going to have.

Mr. Sosa responded that he is looking over some of the projects. This will allow him to see where and how the city can save some money.

Municipal Court

Ms. Victoria Butler, Municipal Court Supervisor reported this has been a challenging year for her department. From the change in her staff and the roles that they play and the implementation of the update Incode system. Despite some the changes to her department, staff continues to push forward by docketing cases and processing cases in a timely manner. During the fiscal year 16-17, as of today, the court received a total of 3,506 new cases filed, while having had judgment entered on 4,137 cases as of today. A total of 1,366 warrants were processed while 1,178 were cleared by warrant and payment of fine. The court has also maintained the DPS FTA program OMNI. In the court using OMNI Base defendants who neglect to pay or fail to appear for court have a hold placed on their driver's license. This adds a statutory \$30.00 fee to lift a license hold. This year 258 cases were placed with OMNI and 97 were cleared. Butler continued to stated that for fiscal year 2018, her department did not make any changes to the budget. The only changes her department had is for personnel increases due to anniversaries and health care cost and some increase in training & travel. One of the many goals for the Municipal Court Division is to ensure the highest level of customer service and uphold customer confidence while maintaining codes of judicial conduct. Some of the division accomplishments are as followed: two staff members passed a rigorous four-hour test becoming Level One certified and Level Two Certified as a court clerk. She anticipates tow more staff members becoming Level One

certified by the end of 2017, making all staff members from her division certified. Other accomplishments are the conversion court software to Incode Version 10 to ensure that the court is up to date with technology allowing better and more efficient work processes for court staff. She further mentioned that she attending a Legislative Update on the new laws that will be implemented September, 2017. Citizens that have court fines will be able to make their payments 24/7 through PSN, Payment Service Network. PSN will have a live representative 24/7, should the customer need to speak to someone regarding their payment. She further commented that her and her staff are diligently working to accomplish their goals and looking forward to the renovations being proposed for the Municipal Building.

Facility Maintenance

Mr. Israel Vasquez, Facility Maintenance Manager reported that his department mission is to efficiently maintain facilities so that employees and visitors may conduct business in a comfortable environment. Services provided by his department include general cleaning services of common areas, offices and restrooms. Secondary duties include weekly or month detailing assignments, including floor maintenance. General maintenance services include, but are not limited to HVAC preventive maintenance and repairs to mechanical equipment, painting, plumbing, electrical systems, and lawn care at city facilities. Security is provided to core downtown buildings through a physical presence, which is aided by technology. Several other city owned and operated sites are monitored by closed circuit TV in the security command center. Energy management is proactive effort to save on electrical, heating and cooling costs through education of building tenants on energy conservation behaviors and by monitoring building lighting and heating. The function of the Facilities Management Division is to provide custodial, security, landscaping and maintenance services for nine city buildings totaling over 700,000 square feet of space. This includes all city buildings as well as City/County Public Health Facilities. Some of the success of the division include savings of over \$15,000 by reconstructing the Cintas agreement; remodeling of Parks Director building; management of projects throughout the city and within budget; project management of the Cottage Building; abatement and demolition of the old high school gym building; coordinating with architects on the remodeling of the Municipal Building; installation of new roof at the Public Works Building; project management of the new skate park and the pump house project. The Division is in the process of rating the energy efficiency of all city buildings through the use of EnergyStar. EnergyStar is a program of the U.S. EPA and the U.S. Department of Energy to help save money and protect the environment. This will help in measuring current energy performance, setting goals and tracking savings. Once complete, the City will have better knowledge of which facilities are most in need of energy efficiency improvements.

Commissioner Garcia asked how long its been since the old City Hall has been re-roofed.

Mr. Vasquez stated that he can only guess that it's been about 25 to 30 years since that building has been re-roofed.

Mayor Fugate commented that a new roof was done about 11 to 12 years ago.

Mr. Garza commented that staff will do some research on this and will get back to the Commission. Garza further stated that there is an increase in this department for a part-time position.

Commissioner Pecos asked how many staff does Mr. Vasquez supervise.

Mr. Vasquez responded that under his supervision is five part-time employees.

Information Technology Department

Mr. Derek Williams, Systems Specialist, reported on the Information Technology Department budget. Mr. Williams stated that there are two staff members in the IT

Department. The department had a part-time employee but has since been removed which give the department a savings. The basic department functions are desktop support services, network services, and cellular/mobile device support. Network security, telecommunication support, and physical building security. Some of the accomplishments and completed projects for fiscal year 2017 include, maintain 99.9% network uptime; evaluated, acquired, and implemented POS systems at LE Ramey Golf Course as well as the Parks system and Tourism Department. Other accomplishments are the deployment of VoIP phone systems at the Community Appearance, Park Offices, Tourism Office, and Golf Course. The installation of security cameras at the Health Department, City Hall, Public Works, Brookshire Pool and Golf Course. Williams stated that his department also reconstructed and updated Dick Kleberg Park Office and Community Appearance network. The department has evaluated, planned, and oversaw the implementation of the new A/V system installed at JK Northway. Other accomplishments are the updated acceptable use and network security policies, upgrade of Incode 10 in the Municipal Court and Collections Departments. Oversaw the implementation of point to point fiber optic connectivity between the Municipal Building and City Hall. Installed publicly available WiFi access at the Brookshire Pool and at the Golf Course. Projects in progress for fiscal year 2017 are network cable and hardware upgrades for the Public Library, installation of security cameras at Kleberg Park Offices and recreation hall, and the city skate park as well as the installation of A/V system at the Brookshire Pool. Williams mentioned projects and initiatives for Fiscal Year 2018 to include enhanced computer refresh and maintenance schedule, improve network security, and continued improvement of city network reliability. The department will continue the deployment of VoIP phone system at city sites. Implement

Mr. Garza commented that the reason for trying to get all city offices on the VoIP system is that we want to get to a point where we have the infrastructure to have a 311 system. This will make it easier for our citizens to call and an automatic voice will give them instructions on how to reach the department they wish to reach. Garza further commented that the goal is to modernize and improve customer service.

Mr. Williams further stated that the big project is the implementation of Accela software for Planning and Development Department. Design and implement new network infrastructure as part of Municipal Building renovation.

Commissioner Garcia asked Mr. Williams how his department was handling encryption for data. Mr. Garza responded that conversation about IT/Network Security can take place in Executive Session as we don't want information related to how we secure the city's network discussed in a public manner. Commissioner Garcia responded that he was only curious.

Mr. Williams commented that everything is encrypted on the server and anything third party such as Incode carries its own encryption after that.

Mayor Fugate thanked staff that presented their part of the budget. Staff did an outstanding job providing information to the City Commission.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:20 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Planning Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Cynthia Martin, Downtown Manager/Historic Preservation Officer

DATE: September 7, 2017

SUBJECT: Approval for City Manager to enter into a contract with Hardy, Heck, Moore, Inc.

Summary: This item authorizes an amendment to the contract for professional services with Hardy, Heck, Moore, Inc. for the National Register of Historic Places Nomination for the Kingsville Downtown Historic District updating the project schedule to change the project start date to September 19, 2017 and adjust the Task 3 deadline from December 1, 2017 to December 7, 2017.

Background: At their August 14, 2017 meeting, City Commission voted to authorize the City Manager to enter into a contract for a consultant for the National Register of Historic Places Nomination for Kingsville's Downtown Historic District to Hardy, Heck, Moore, Inc.

Financial Impact: None.

Recommendation: It is recommended that City Commission authorize an amendment to the contract for professional services with Hardy, Heck, Moore, Inc. for the National Register of Historic Places Nomination for the Kingsville Downtown Historic District to update the project schedule.



RESOLUTION #2017-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED CONTRACT FOR PROFESSIONAL SERVICES WITH HARDY-HECK-MOORE, INC. FOR A NATIONAL REGISTER OF HISTORIC PLACES NOMINATION TO UPDATE THE PROJECT TIMELINE IN SCHEDULE A; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City participates in the Texas Historical Commission Certified Local Government program and was awarded a grant through this program to hire a consultant to prepare a National Register Nomination for Kingsville's historic downtown district;

WHEREAS, the Historic District designation has become an important tool for local governments in efforts to preserve the character of central-city downtown cores, and it provides a valuable economic development tool for historic downtown properties by allowing owners to access historic preservation tax credits for the rehabilitation of their buildings;

WHEREAS, the City advertised RFP#17-16 seeking a qualified consultant team to prepare a National Register of Historic Places Nomination (for the Kingsville downtown historic district) and that RFP was awarded to Hardy-Heck-Moore, Inc. at the July 10, 2017 City Commission meeting; and

WHEREAS, the City successfully applied for a FY2017 CLG grant for this project in an amount not to exceed \$15,000 and the estimated remaining amount to cover the contract of \$13,600 has been set aside in C02016 for downtown revitalization, so the financing is in place to proceed with this project and contract; and

WHEREAS, the City Commission approved a contract for professional services with Hardy-Heck-Moore, Inc. at a City Commission meeting on August 14, 2017 via Resolution #2017-42 and the project timeline in Schedule A which is made a part of that contract needs to be updated necessitating this amendment.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Contract for Professional Services with Hardy-Heck-Moore, Inc. for a National Register of Historic Places Nomination for the

Kingsville Downtown Historic District in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CONTRACT FOR PROFESSIONAL SERVICES

This Contract (the **Contract**) is made and entered into this ____ day of _____ 20____, by and between Hardy-Heck-Moore, Inc., d/b/a HHM Inc. (**HHM**), a Texas corporation, and City of Kingsville, Texas (**Client**), a Municipality.

1. **PROJECT**. Pursuant to the terms and conditions of this Contract, Client engages HHM to provide certain professional services at National Register of Historic Places Nomination, Kingsville Downtown Historic District Project.

2. **SERVICES**: HHM will provide technical information, advice, and services (the **Work**) to Client in connection with the Project, such Work more specifically described on Schedule A attached hereto. Changes to the Work, completion timetables, and/or the compensation shall be documented by adoption of amended or supplemental Schedules hereto. HHM's Work hereunder shall be of good quality and shall be performed in a professional manner, using that degree of care and skill ordinarily exercised by and consistent with the standards of professionals in HHM's profession engaged in comparable or similar projects. The manner in which the Work is to be performed and the specific hours to be worked by HHM shall be determined by HHM, in its sole discretion.

3. **SCHEDULE AND DELIVERABLES**. HHM will perform the Work in accordance with the schedules/timetables described in greater detail on attached Schedule A. All HHM's reports and data will be submitted to Client in electronic format, using Microsoft Word, Excel, Access and/or other computer software applications, as specified in Schedule A.

4. **COMPENSATION**: Client shall compensate HHM for the Work at the agreed upon fee of *not to exceed \$28,600*. HHM will furnish monthly invoices to Client detailing activities performed and reflecting actual time and expenses incurred during the preceding month. All invoices are due upon receipt, and are payable to HHM at its offices in Travis County, Texas.

5. **TERMINATION**: This Contract shall terminate automatically upon completion of the Work by HHM. This Contract may be terminated prior to completion of the Work by either party upon 30 days' written notice to the other. In the event of early termination, Client shall pay HHM for all Work performed and expenses incurred to the date specified in the notice of termination, and HHM shall turn over to Client all documents, information, and Work produced to said date relating to the Project.

6. **DELIVERIES UPON COMPLETION**: Upon completion of the Work, HHM shall deliver to Client a final report, in usable hard-copy or electronic format. HHM may retain copies of all reports it prepared and data gathered for its files.

7. **INDEPENDENT CONTRACTORS**: The parties are independent contractors as to each other. Nothing in this Contract shall be construed as creating any agency or employment relationship. Neither Party shall make any representations tending to create an apparent or implied agency or employment relationship; neither party has the authority to act for the other or to create obligations or debts binding on the other; and neither party shall be responsible for any obligations or expenses incurred by the other.

8. MODIFICATION: No change in the terms of this Contract shall be binding unless it is in writing and signed by an authorized representative of the party against whom enforcement is sought.

9. ASSIGNMENT: Neither party hereto may assign its rights or delegate its obligations hereunder without the written consent of the other party.

10. CONSTRUCTION: In the event that any provision of this Contract is held by a court of competent jurisdiction to be invalid or unenforceable for any reason, such provision shall be modified to the minimum extent necessary to make such provision valid and enforceable, and the remaining provisions shall be affected thereby to the least extent possible.

11. NO WAIVER: The failure of any party to enforce any provision of this Contract shall not be construed as a waiver or limitation of that party's right to subsequently enforce that or any other provision of this Contract.

12. ENTIRE AGREEMENT: This Contract constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Contract.

13. ATTORNEY'S FEES: In the event there is a dispute concerning this Contract, the prevailing party in such dispute (whether or not a lawsuit is actually filed) shall be entitled to recover from the other party reasonable attorney's fees and reasonable and necessary costs and expenses.

14. APPLICABLE LAW, VENUE, AND JURISDICTION: This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Kleberg County, Texas. By execution of this Contract, the parties agree to subject themselves to the jurisdiction of the Courts of the State of Texas in all matters relating to or arising out of this Contract or the Work.

15. NOTICES: All notices required or permitted under this Contract shall be in writing and shall be deemed given when delivered in person or three days after deposit in the United States Mail, postage prepaid, addressed to the party's address reflected at the end of this Contract. A party's notice address may be changed from time to time by that party's providing written notice to the other.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate on the day and year first above written.

HARDY-HECK-MOORE, INC., d/b/a HHM, Inc.
3500 Jefferson Street, Suite 330
Austin, Texas 78731

By: _____
EMILY THOMPSON PAYNE, President

CLIENT

Address: _____

By: _____
Printed Name: _____
Title: _____

BY EXECUTION OF THIS AGREEMENT, CLIENT ACKNOWLEDGES RECEIPT OF A COPY OF THIS CONTRACT.

Schedule A

SCOPE OF WORK

The scope of work set forth below outlines the tasks required to complete one (1) National Register of Historic Places historic district nomination for one (1) Historic District in Downtown Kingsville, Texas. All work proposed below will be completed by personnel appropriately trained and qualified, who meet the Secretary of the Interior's (SOI) Professional Qualifications Standards (36 CFR 61). (Refer to the previous section for resumes.) The proposed scope of work reflects the approach that HHM has developed, refined, and successfully implemented over the 34 years that the firm has assisted public and private clients with preservation planning needs. Assumptions, deliverables, and a schedule follow the breakdown of these tasks. Based on communications with the City of Kingsville, HHM understands the deadlines set forth in the solicitation, and the schedule set forth herein meets all goals and expectations of the City of Kingsville.

TASKS

Task 1. Project Initiation

Successful project requires effective planning and organization, as well as establishing clear lines of communication from the outset. Prior to initiating research efforts, the HHM team proposes to conduct a conference call with City of Kingsville staff, the Texas Historical Commission (THC), and any other appropriate parties to discuss the project's scope of work. HHM will work closely with designated staff throughout the duration of the project. HHM will undertake the following steps upon receiving the notice to proceed (NTP):

- ❖ Conduct an in-house kick-off meeting to discuss tasks, assignments, and deadlines with the project team
- ❖ Conduct a kick-off conference call with the City of Kingsville to finalize project parameters/ district boundaries and discuss expectations and schedules
- ❖ Obtain and review available background documents relevant to the Kingsville Downtown Historic District, including, but not limited to, the following:
 - 2013 survey data in Access and photographs from the THC
 - 2016 National Register boundary limit determination from the THC
 - All available CAD data for the Kingsville Historic District from the City of Kingsville and Kleberg County
 - Any other materials previously gathered by the City of Kingsville
- ❖ Informally communicate with the THC regarding district boundaries; if the City desires to submit an official Determination of Eligibility (DOE) request to the THC regarding boundaries, HHM will revise this scope of work and extended the Project Schedule as necessary
- ❖ Provide a final version of this Scope of Work to address any City concerns and to effectively establish shared expectations for the project

Task 2. Research and Supplemental Fieldwork

Following the completion of the project initiation phase, HHM will review the data and photographs from the 2013 Historic Resource Survey of Kingsville's Local Historic District. This proposal assumes that the 2013 survey data and photographs are accurate and do not include significant errors. As part of the

process of reviewing the 2013 survey data, HHM will assign initial contributing/ non-contributing recommendations for each resource and will flag resources that require additional research or field investigation in order to complete the National Register Nomination Form. Next, HHM will begin research and as-needed fieldwork to supplement the 2013 survey data and photographs.

In tandem with travel for research and supplemental fieldwork, HHM professional staff will be available for one (1) meeting with the City of Kingsville. In order to economize travel costs for the client, HHM assumes that research, supplemental fieldwork, and meetings will be consolidated into one (1) trip.

Research

At a minimum, the research segment of the project will involve the following steps:

- Review the data obtained under Task 1
- Enter the 2013 survey data into the HHM database (see Figure 1)
- Collect previous historic district and landmark nominations
- Review Sanborn Fire Insurance Company maps for Kingsville
- Use online databases to obtain newspaper articles, census data, and city directory data as necessary to fill in gaps in the understanding of the historic context of the district

Fieldwork

The fieldwork segment of the project will vary significantly based on analysis of the 2013 survey data, but supplemental fieldwork likely will include:

- Identifying data points that require additional field documentation and analysis - anticipated to include issues with architectural terminology, photo quality, and clarification of details about alterations and integrity issues, as well as understanding of broad landscape and streetscape patterns, and
- Spot field documentation and photography as necessary to fill identified gaps, meeting all National Register standards for photographic quality, using HHM's custom handheld tablet system to map resources in the field using GPS and to wirelessly link digital photos to data points in the field to ensure accuracy

Task 3. First Draft Nomination for City and THC Review

Under Task 3, HHM will submit one (1) first draft NRHP nomination for one (1) historic district in Downtown Kingsville. This scope of work does not entail completion of a Multiple Property cover document or associated individual NRHP nominations; these potentially may be completed in the future under a separate, supplemental contract. The NRHP historic district nomination will follow the guidance set forth in National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation and National Register Bulletin 16a: How to Complete the National Register Registration Form, as well as all other applicable bulletins. In order to achieve the aggressive schedule set forth in the solicitation, HHM assumes that the City and THC will review the draft concurrently. If the City wishes to review a draft nomination prior to submittal to the THC, the scope of work will be revised during Task 1, and the project schedule will be extended accordingly.

It is assumed that the THC may require up to 60 days for review of this draft.

Task 4. Second Draft Nomination for State Board of Review

Upon receiving comments from the THC, HHM will address all comments and submit the revised nomination to be placed on the agenda for the quarterly meeting of the Texas State Board of Review (SBR). The THC typically requires that drafts for CLG communities be received at least 75 days in advance of the SBR meeting in order to be placed on the agenda. However, based on our experience, the THC may shorten this review timeframe for HHM based on our strong experience and working relationship with THC staff. If THC staff indicated that the timeframe may be shortened, HHM will adjust the project schedule accordingly within the final scope of work prepared during Task 1.

As part of this scope of work, HHM will attend the SBR meeting to present the nomination and answer questions. However, this proposal assumes that the SBR meeting will take place in Austin; if additional labor and expenses are required for travel to the SBR meeting, they will be negotiated separately under a supplemental contract.

Task 5. Final Nomination for NPS

After the SBR meeting, HHM may provide additional revisions at the request of the THC. The THC will forward the final nomination to the NPS for official listing in the NRHP.

Assumptions

The assumptions listed below are made for purposes of developing the Scope of work and project schedule, and for cost-estimating purposes.

- In order to reduce travel costs, HHM will take a maximum of one (1) trip to Kingsville.
- Recommended NRHP boundaries, as determined by the THC in November 2016 will be provided to HHM at the outset of the project.
- HHM will be able to communicate directly with the THC throughout the project, copying the City on all email communication and maintaining an administrative record of all communication that will be available to the City at any time.
- A formal DOE request regarding boundaries is not included within this scope of work, but may be included in a revised scope of work to be negotiated during Task 1, with the project schedule extended accordingly.
- Initiation of Task 2 and Task 3 will be contingent upon receiving positive feedback from the Texas Historical Commission regarding historic district boundaries during Task 1. If THC questions the proposed NRHP district boundaries, HHM will stop work immediately and consult with the City regarding how to proceed.
- This proposal assumes that the 2013 survey data and photographs are generally accurate and that HHM will not be responsible for submitting a revised version of THC's Access-based survey database.
- If HHM finds significant inaccuracies in the data that jeopardize the completion project deliverables, HHM will stop work immediately and work with the City of Kingsville to determine how to move forward.

- HHM will complete one (1) NRHP nomination for one (1) historic district in Downtown Kingsville. This scope of work does not entail completion of a Multiple Property cover document or associated individual NRHP nominations; these potentially may be completed in the future under a separate, supplemental contract.
- The City of Kingsville will be available to review draft deliverables according to the schedule below.
- The City of Kingsville and the THC will review the First Draft Nomination concurrently; if the City desires a separate round of review prior to submitting the nomination to the THC, HHM will revise this scope of work during Task 1 and will extend the project schedule accordingly.
- The City of Kingsville will compile all comments and will resolve contradictory comments internally.
- The client will be responsible for all necessary application processing fees, to be determined by the THC and NPS upon receipt of the application.
- The scope of work assumes that the State Board of Review hearing will be held in Austin. If travel is required for the State Board of Review hearing, HHM will negotiate a supplemental scope of work to cover travel costs.
- The project schedule below is based on a project start date of August 15, 2017.

Project Deliverables

Project deliverables will include the following items:

Task 1. One (1) final scope of work, submitted electronically via email

Task 3. One (1) first draft NRHP nomination, with maps and photographs, submitted to the City and THC electronically via HHM's cloud-based file sharing program

Task 4. One (1) second draft NRHP nomination, with maps and photographs, submitted to the City and THC electronically via HHM's cloud-based, file-sharing system

Task 5. One (1) final NRHP nomination, with maps and photographs, submitted to the City and THC electronically via HHM's cloud-based, file-sharing system

Project Schedule

The following is a proposed project schedule, which is based on an assumed contract award date and notice to proceed of September 12, 2017. HHM professional staff is available to begin work immediately upon notice to proceed. However, deadlines are subject to change based on final negotiations and contract award date.

Task	Days + NTP*	Deadline
Task 1. Project Initiation	7	Tuesday, September 19, 2017
Task 2. Research and Supplemental Fieldwork	35	Tuesday, October 17, 2017
Task 3. First Draft Nomination for City and THC (Concurrent Review)	80	Friday, December 01, 2017
<i>Comments from City and THC (assuming 60 days after Task 3)</i>	146	<i>Monday, February 05, 2018</i>
Task 4. Second Draft Nomination for SBR	174	Monday, March 05, 2018
<i>SBR Hearing (assuming 75 days after Task 4)</i>	TBD	<i>TBD, approx. May 19, 2018</i>
Task 5. Final Nomination	TBD	TBD, approx. June 2018
Contract Expiration	322	Tuesday, July 31, 2018

* Assuming an NTP date of September 12, 2017

Cost

HHM's not-to-exceed bid for the proposed scope of work is set forth below. Additional details are available upon request. These costs may be negotiated, pending the finalization of the scope of work upon contract award.

Kingsville Downtown Historic District NRHP Nomination
TOTAL LABOR + EXPENSES = \$28,600.00

AGENDA ITEM #2

City of Kingsville
City-County Health Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Emilio H. Garcia, Health Director

DATE: September 7, 2017

SUBJECT: Interlocal Agreement City of Kingsville and Texas A&M University Kingsville

Summary:

Texas A&M University-Kingsville started a Veterinary Technology Training Program (Vet Tech Program) two years ago, in 2015. The program teaches animal care techniques such as immunizations, hygiene, and health evaluations to students. The Vet Tech Program has a need for cats and dogs to be used as teaching tools. City of Kingsville operating the City-County Health Department, which has an Animal Control Division can provide dogs and cats to the program to benefit the students enrolled in the Vet Tech Program.

Background:

The City and TAMUK would both benefit from the local university students performing basic care skills on animals from the Health Department, as the students gain experience and the animal would be in a better condition for future adoption and rescues.

Financial Impact:

The City is not required to pay for these veterinary services or supplies.

Recommendation:

Staff recommends approving the Interlocal Agreement between the City of Kingsville, City-County Health Department Animal Control Division and Texas A&M University-Kingsville, Veterinary Technology Training Program.



RESOLUTION #2017-_____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND TEXAS A&M UNIVERSITY-KINGSVILLE RELATING TO VETERINARY TECHNOLOGY TRAINING PROGRAM; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") and Texas A&M University-Kingsville ("TAMUK") try to work together for the benefit of our community when able to do so; and

WHEREAS, City of Kingsville (City) operates the City-County Health Department (Health Department), which has an Animal Control Division; and

WHEREAS, Texas A&M University-Kingsville (TAMUK) has started a Veterinary Technology Training Program (Vet Tech Program) that teaches animal care techniques such as immunization, hygiene, and health evaluations; and

WHEREAS, TAMUK has a need for cats and dogs to use in the Vet Tech Program as the students will benefit from, and are required by the American Veterinary Medical Association to have real world experience with animals to enhance their hands-on studies, much like aspiring doctors and dentists practice with patients under the watchful care of a trained professional during their schooling curriculum; and

WHEREAS, TAMUK would not be performing experiments on the animals it would be loaned from the Health Department for the Vet Tech Program; and

WHEREAS, the City and TAMUK would both benefit from the local university students performing basic care skills on animals from the Health Department, as the students gain experience and the animals would be in a better condition for future adoption; and

WHEREAS, the City is not required to pay for these veterinary technologist services or supplies, but only needs to supply the animals and TAMUK has agreed to provide students and staff supervisors, space and supplies for this project via their Vet Tech Program; and

WHEREAS, the City Commission previously approved an Interlocal Agreement with TAMUK relating to the Veterinary Technology Training Program on February 23, 2015 via Resolution #2015-20 and that agreement is in need of renewal; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with these terms; and

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to enter into an Interlocal Cooperation Agreement Between the City of Kingsville and the Texas A&M University-Kingsville relating to Veterinary Technology Training Program in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF KINGSVILLE
AND TEXAS A&M UNIVERSITY KINGSVILLE
RELATING TO
VETERINARY TECHNOLOGY TRAINING PROGRAM**

WITNESSETH:

WHEREAS, City of Kingsville (City) operates the City-County Health Department (Health Department), which has an Animal Control Division; and

WHEREAS, Texas A&M University-Kingsville (TAMUK) has started a Veterinary Technology Training Program (Vet Tech Program) that teaches animal care techniques such as immunization, hygiene, and health evaluations; and

WHEREAS, TAMUK has a need for cats and dogs to use in the Vet Tech Program as the students will benefit from, and are required by the American Veterinary Medical Association to have real world experience with animals to enhance their hands-on studies, much like aspiring doctors and dentists practice with patients under the watchful care of a trained professional during their schooling curriculum; and

WHEREAS, TAMUK would not be performing experiments on the animals it would be loaned from the Health Department for the Vet Tech Program; and

WHEREAS, the City and TAMUK would both benefit from the local university students performing basic care skills on animals from the Health Department, as the students gain experience and the animals would be in a better condition for future adoption; and

WHEREAS, the City is not required to pay for these veterinary technologist services or supplies, but only needs to supply the animals and TAMUK has agreed to provide students and staff supervisors, space and supplies for this project via their Vet Tech Program; and

WHEREAS, the City Commission has previously approved several similar Interlocal Agreement with TAMUK relating to students performing engineering design work under staff supervision; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with these terms; and

NOW, THEREFORE, the City of Kingsville and Texas A&M University Kingsville, in consideration of these mutual covenants and agreements, agree as follows:

1. PARTIES. The parties to this Interlocal Agreement ("Agreement") are the City of Kingsville ("City"), a Texas home rule municipality, and Texas A&M University Kingsville ("TAMUK"), a member of the Texas A&M University System, a state agency, and Texas institution of higher education.

2. PURPOSE.

- A. TAMUK will perform veterinary technologist procedures on animals loaned from the City-County Health Department's Animal Control Center under certain conditions stated below.
- B. The City will provide TAMUK animals from the City-County Health Department's Animal Control Center for students to perform veterinary technologist procedures under the University staff's supervision
- C. The parties agree that the following conditions will apply:
 - 1. Animals are provided by City's Health Department for educational use by the students enrolled in the Veterinary Technology program at TAMUK. All educational and medical procedures must be approved by the University's Animal Care and Use Committee before they are implemented.
 - 2. Animals that are found to be aggressive, severely ill or are otherwise not fit for adoption may be returned to the Health Department or euthanized.
 - 3. The students are not provided with liability or medical coverage on or off campus by TAMUK. Injuries that may occur to a student are not covered by TAMUK or by the City-County Health Department, the City or the County. However, reasonable care will be taken by TAMUK to provide a safe environment and to educate the students on safety.
 - 4. City's Health Department is not responsible for any adverse effects that may occur to the animals as a result of educational or medical use of the animals.
 - 5. City's Health Department is not liable for costs or fees associated with the educational use of the animals.
 - 6. TAMUK is not held liable by City's Health Department for treatments, surgeries, and medications provided to the animals.
 - 7. It is further agreed that City's Health Department staff have only a limited time to evaluate the sociability and personality of each animal. Therefore, each student and faculty/staff member involved in the Veterinary Technology Program at TAMUK assumes the risk in working with the animal provided.

3. TERM.

- A. This Agreement shall be for a term of two years from September 5, 2017 through September 5, 2019.
- B. This Agreement may be terminated at any time by any party with or without cause upon thirty (30) days advance written notice.
- C. Any notice of termination shall be sent to the other party to this interlocal agreement at the address listed in paragraph 4 of this agreement.

4. 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
Telephone: (361) 595-8002
Facsimile: (361) 595-8035

Texas A&M University Kingsville
Attention: Provost and Vice President for Academic Affairs
955 University Blvd. MSC 102
Kingsville, Texas 78363-8202
Telephone: (361) 593-3106
Facsimile: (361) 593-3107

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 Agreement.

C. Amendment of Interlocal Agreement. This Agreement may be amended at any time. Any amendment to this 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 Agreement, without the express action of the governing body of the party.

D. Not for 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 parties.

E. Exercise of Police Powers. 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.

F. 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.

G. Mutual Indemnification. To the extent allowed by the Constitution and Laws of the State of Texas, TAMUK, 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.

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

I. Fiscal Obligations. Each party which performs services or furnishes aid under this Agreement must do so with funds available from current revenues of the party.

J. 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" and a "state agency" as those terms are defined in this Agreement and in the Interlocal Cooperation Act.

K. 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 or that proper power and authority has been delegated by the governing body.

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

M. 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.

N. 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.

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

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

Q. Effective Date. This Agreement is effective on the date when the last party executes this agreement.

R. Multiple Originals. Two (2) copies of this Agreement are executed; each shall be deemed an original.

S. Dispute Resolution: The dispute resolution process provided in Chapter 2260, *Texas Government Code*, and the related rules adopted by the Texas Attorney General pursuant to Chapter 2260, shall be used by TAMUK and the City of Kingsville to attempt to resolve any claim for breach of this agreement by either party that cannot be resolved in the ordinary course of business. City shall submit written notice of a claim of breach of contract under this Chapter to Director of Procurement and General Services of TAMUK, who shall examine City's claim and any counterclaim and negotiate with City in an effort to resolve the claim.

EXECUTED by Texas A&M University – Kingsville on the _____ day of _____, 2017.

Heidi M. Anderson, Ph.D.
Provost and Vice President for Academic Affairs

ATTEST:

Martin Brittain
Assistant Provost

EXECUTED by the City of Kingsville on the _____ day of _____, 2017.

Sam R. Fugate
Mayor

ATTEST:

Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

AGENDA ITEM #3

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: September 7, 2017

SUBJECT: Resolution Authorizing MOU Addendum

Summary:

The Children's Advocacy Center of the Coastal Bend works together with the Kingsville Police Department and the Department of Family and Protective Services and are requesting an MOU Addendum to improve communication strategies and services.

Background:

The CAC has a Multidisciplinary Team Enhancement Program and should the MOU Addendum be approved the Department of Family and Protective Services (DFPS) Statewide Intake would be immediately delivered to the children's advocacy center. The CAC would in turn review and identify reports within the acceptance criteria to facilitate services related to case investigation, assessment, and intervention. Unfortunately, due to caseloads police detectives are not always available to drop the cases they are currently investigating. This is an enhancement to current strategies to insure services are rendered to our children as quickly as possible.

Financial Impact:

No financial impact to the City of Kingsville.

Recommendation:

We request that the resolution to enter the Memorandum of Understanding Addendum be approved to ensure that the children of the City of Kingsville receive services as quickly as possible.



RESOLUTION #2017-_____

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ADDENDUM FOR A MULTIDISCIPLINARY TEAM ENHANCEMENT PROGRAM OF THE CHILDREN'S ADVOCACY CENTER OF THE COASTAL BEND; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") promotes the health and safety of the community and supports City departments in efforts to partner with other agencies to improve communication strategies and services;

WHEREAS, the City's Police Department works with the Department of Family and Protective Services and the Children's Advocacy Center of the Coastal Bend ("CAC") and to serve the youth of our community;

WHEREAS, the CAC has a Multidisciplinary Team Enhancement Program that it would like area agencies to participate in and has presented to the Kingsville Police Department;

WHEREAS, the there is no financial impact to the City under the terms of the Memorandum of Understanding;

WHEREAS, the Chief of Police would be the authorized signatory for the Kingsville Police Department's participation in the agreement.

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

I.

THAT the Chief of Police is authorized and directed as an act of the City of Kingsville, Texas to enter into a Memorandum of Understanding Addendum for Multidisciplinary Team Enhancement Program of the Children's Advocacy Center of the Coastal Bend, in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Memorandum of Understanding Addendum Multidisciplinary Team Enhancement Program

We the undersigned agencies, by and through our supervisory heads and through our designated representatives, do agree to the following policy supporting the implementation and operation of the Multidisciplinary Team Enhancement Program of the Children's Advocacy Center of the Coastal Bend.

Whereas, we acknowledge that the multidisciplinary team approach is at the core of the children's advocacy center model, and therefore commit to participation in the Multidisciplinary Team Enhancement Program with the intent to achieve the following goals:

- to proactively strengthen and sustain the children's advocacy center multidisciplinary team;
- to fortify the overall multidisciplinary component within the children's advocacy center to ensure effective communication, coordination, and collaboration at all stages of child abuse cases; and
- to ensure timely access to the full array of children's advocacy center/multidisciplinary team services for *all* children within the children's advocacy center's official service area and existing protocol case criteria.

Whereas, we recognize that one of the primary tools to be utilized in the achievement of the aforementioned goals will be intake reports generated by Department of Family and Protective Services (DFPS) Statewide Intake and delivered to the children's advocacy center. We understand that the children's advocacy center's role in reviewing the reports is to review and identify Statewide Intake reports within the case acceptance criteria as defined by the children's advocacy center's Working Protocol, and facilitate children's advocacy center/multidisciplinary team services related to case investigation, assessment, and intervention.

Whereas, we understand that the children's advocacy center's access to the Statewide Intake reports shall not be construed to change, reduce, or expand the authority or jurisdiction of the children's advocacy center or any multidisciplinary team partner agency as it relates to initiating and conducting investigations, assessments, and/or interventions. No part of the Multidisciplinary Team Enhancement Program supplants any statutorily required duties of the children's advocacy center or any multidisciplinary team partner agency.

Whereas, we acknowledge that all intake reports provided by DFPS Statewide Intake to the CAC are the property of DFPS and not the CAC. Because these intake reports are legally the property of DFPS and the CAC receives only a copy of the intake report that DFPS sends to the appropriate law enforcement agency, the CAC will follow its own organizational Records Retention Policy as it relates to client and case file information when determining how and when intake reports will be retained or destroyed. The CAC's multidisciplinary partner agencies, including but not limited to DFPS, law enforcement, and prosecution agencies, shall have access to the CAC's Records Retention Policy to ensure they are informed of the CAC's practice as it relates to the retention and destruction of intake reports.

Whereas, we understand that this addendum does not replace or supersede the children's advocacy center's current, executed memorandum of understanding to which this addendum is made.

All State and Federal confidentiality laws will be followed in connection with this agreement. This agreement can be terminated by any party without cause by giving written notice to the other parties.

Memorandum of Understanding Addendum Multidisciplinary Team Enhancement Program

We the undersigned have reviewed and accepted the attached Children's Advocacy Center of the Coastal Bend Memorandum of Understanding Addendum pertaining to the MDT Enhancement Program. We hereby approve of the contents and agree, on behalf of our respective agencies, to abide by the goals, objectives and activities addressed therein.

Signature

Date

Printed Name

Title/Agency

Signature

Date

Printed Name

Title/Agency

Signature

Date

Printed Name

Title/Agency

Signature

Date

Printed Name

Title/Agency

REGULAR AGENDA

AGENDA ITEM #4

ORDINANCE NO. 2017-_____

AN ORDINANCE ADOPTING THE CITY MANAGER'S BUDGET, AS AMENDED, OF THE CITY OF KINGSVILLE, TEXAS, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2017 AND ENDING SEPTEMBER 30, 2018 IN THE PARTICULARS HEREINAFTER STATED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the budget for FY 2017-2018 is adopted as follows:

Section One: The official budget for the City of Kingsville for the fiscal year beginning October 01, 2017 and ending September 30, 2018 has been presented to the City Commission by the City Manager, several budget workshops were conducted on such budget, along with a duly noticed public hearing, and the budget is hereby approved.

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

Section Three: The sum of \$45,995,448.29 is hereby appropriated for the budget revenues and expenses in the amounts shown on the attached Condensed Statement of all Operating and General Obligation Debt Service Funds – Summary of Revenues and Expenditures. The General Obligation Debt Service principle is \$1,175,000 and interest is \$336,565.

Section Four: The budget and all the attached support material as outlined in the above sections shall be deemed the official budget for the City of Kingsville, Texas, for the fiscal year starting October 01, 2017 and ending September 30, 2018. A copy of the official budget shall be kept by the City Secretary with the designation thereon as the official budget for FY 2017-2018, with the date of the adoption clearly stated, and filed with the County Clerk's Office. The official budget shall be available for inspection by any taxpayer.

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

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

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

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

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

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

INTRODUCED on this the 5th day of September, 2017.

PASSED on this the 11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #5

MOTION ON ADOPTION OF TAX RATE

Based on the information from the Tax Assessor-Collector's Office, this year's proposed tax rate *does not* exceed the effective tax rate, so the motion to adopt the ordinance setting the tax rate does not require the language about a "tax increase" as stated in Section 26.05(b) of the Texas Property Tax Code.

For whoever will be making tonight's motion on the tax rate, the suggested wording for the motion is as follows:

"I move that the property tax rate be increased by the adoption of a tax set at a rate of \$0.84220, which is effectively a 3.58% percent increase in the tax rate."

ORDINANCE NO. 2017-_____

AN ORDINANCE ESTABLISHING AND ADOPTING THE AD VALOREM TAX RATE FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF KINGSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2017 AND ENDING SEPTEMBER 30, 2018, DISTRIBUTING THE TAX LEVY AMONG THE VARIOUS FUNDS, AND PROVIDING FOR A LIEN ON REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES ASSESSED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the ad valorem tax rate for all taxable property within the city limits of Kingsville, Texas for FY 2017-2018 be established and adopted as follows:

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

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.58 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$29.67.

The tax rate will effectively be raised by 3.58 percent and will raise taxes on a \$100,000 home by approximately \$ 29.67.

Section Two: That there be and there is hereby levied and ordered collected on each One Hundred Dollar (\$100) valuation of all taxable property, real, personal, and mixed, within the corporate limits of the City of Kingsville, Texas, for the tax corporate limits of the City of Kingsville, Texas, for the tax year 2017 starting October 01, 2017 and ending September 30, 2018, the sum of \$.84220 based on 100% of the fair market value.

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

FOR GENERAL FUND EXPENDITURES (Maintenance & Operations), the sum of \$.69055 on each one hundred dollars (\$100.00) assessed valuation of such property.

FOR DEBT SERVICE FUND EXPENDITURES of annual principal, interest, and service fees of all General Obligation Bonds, Warrants, Certificates of Obligation, and Combination Tax and Junior Lien Revenue Certificates of Obligations, of the City of Kingsville, the sum of \$.15165 on each one hundred dollars (\$100) assessed valuation of such property.

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

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

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

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

Section Eight: That no discounts or split payments are allowed for the 2017 tax year.

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

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

INTRODUCED on this the 5th day of September, 2017.

PASSED on this the 11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #6

**§26.05(b) of Property Tax Code
Steps Required for Adoption of Tax Rate**

Entity Name: CITY OF KINGSVILLE

Date: 08/29/2017 01:15 PM

Language Required in the Motion Setting This Year's Tax Rate:

This year's proposed tax rate does not exceed the effective tax rate. A motion to adopt an ordinance, resolution, or order setting the tax rate does not require the language about "tax increase" as stated in §26.05(b) of Property Tax Code.

Statement Required in the Ordinance, Resolution, or Order Setting This Year's Tax Rate:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

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

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.58 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$29.67.

Statement That Must be Posted on the Home Page of Any Internet Website Operated by the Taxing Unit:

This year's levy to fund maintenance and operations expenditures exceeds last year's maintenance and operations tax levy. The following statements must be included in the ordinance, resolution, or order setting this year's tax rate. The statements must be in larger type than the type used in any other portion of the document.

CITY OF KINGSVILLE ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.58 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$29.67.

2017 Governing Body Summary #1A*

Benchmark 2017 Tax Rates

CITY OF KINGSVILLE

Date: 08/29/2017 01:18 PM

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY**	ADDITIONAL TAX LEVY
Effective Tax Rate	\$0.84299	\$6,895,593	
One Percent \$100 Tax Increase***	\$0.85142	\$6,964,549	\$68,956
One Cent per \$100 Tax Increase***	\$0.852990	\$6,977,392	\$81,799
Notice & Hearing Limit****	\$0.84299	\$6,895,593	\$0
Rollback Tax Rate	\$0.88682	\$7,254,119	\$358,526
Last Year's Tax Rate	\$0.842200	\$6,889,130	\$-6,463
Proposed Tax Rate	\$0.84220	\$6,889,130	\$-6,463

*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

**Tax levies are calculated using line 19 of the Effective Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

***Tax increase compared to effective tax rate.

****The Notice and Hearing Limit is the highest tax rate that may be adopted without notices and a public hearing. It is the lower of the rollback tax rate or the effective tax rate.

Steps Required for Proposal and Adoption of Budget

Entity Name: CITY OF KINGSVILLE

Date: 08/29/2017 01:22 PM

Steps for the Proposal of the Budget:

This year's property tax levy will raise more revenue from property taxes than in the preceding year. The governing body must hold a separate vote to ratify the property tax increase reflected in the budget. This vote must be in addition to and separate from the vote to adopt the budget or the vote to set the tax rate. Cities that maintain a website must post the proposed budget when it is filed with the municipal clerk. The adopted budget must also be posted on the website when it is filed with the municipal clerk.

The following statement must be included on the notices of public hearing on proposed budget. It must also be included on the cover page of the proposed budget, in 18-point type or larger.

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$231,910 OR 3.48%, AND OF THAT AMOUNT, \$248,903 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

Steps for the Adoption of the Budget:

-A vote to adopt the budget must be a record vote.

-An adopted budget must contain a cover page stating a record vote of each member of the governing body by name, the property tax rates for the current and preceding fiscal year, the total amount of debt obligations, and the following statement in 18 point font:

This budget will raise more revenue from property taxes than last year's budget by an amount of \$231,910, which is a 3.48 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$248,903.

-The budget and cover page must be filed with the clerk and posted on the entity's website at least until the date of the first anniversary the budget is adopted.

AGENDA ITEM #7

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Deborah Balli, Director of Finance
DATE: August 31, 2017
SUBJECT: Storm water rate increase

Summary:

This request is to add the first reading of the storm water rate increase to the City Commission meeting scheduled for September 5, 2017.

Background:

The storm water fee of \$1.25 per ERU (Equivalent Residential Unit) was adopted in FY 2013. City staff is proposing to increase this fee to \$2.25 per ERU.

Financial Impact:

This rate increase is estimated to increase revenue by \$180,000 for the year.

Recommendation:

Staff recommends increasing the Storm water fee to \$2.25 per ERU.



ORDINANCE NO. 2017-___

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF KINGSVILLE, TEXAS BY AMENDING CHAPTER V PUBLIC WORKS, ARTICLE 6 "STORMWATER UTILITY SYSTEM", SECTION 21 FEE CALCULATION, TO INCREASE THE MONTHLY STORMWATER UTILITY FEES FOR THE PURPOSE OF FUNDING THE STORMWATER UTILITY SYSTEM; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville, Texas ("City Commission") has adopted Ordinance No. 2012-48, to create a Stormwater Utility System and provide stormwater drainage service to collect and direct stormwater runoff for benefitted properties within the utility service area upon payment of Stormwater Drainage Utility Fees; and

WHEREAS, the City Commission, after holding a public hearing and finding that the fees are non-discriminatory, reasonable, and equitable, adopted Ordinance No. 2012-51 to levy a schedule of Stormwater Utility Fees for stormwater service; and

WHEREAS, the engineer's proposed schedule called for periodic increases to the Stormwater Utility Fee which have not been previously done; and

WHEREAS, in setting the schedule of Stormwater Utility Fees, the fees are based on an inventory of improved parcels within the utility service area.

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

SECTION 1: The City Commission hereby establishes amended Stormwater Utility Fees as set forth herein. Stormwater Utility Fees shall be levied against all benefitted properties within the utility service area unless exempt under Chapter V, Article 6, Section 11. These fees shall be imposed and issued with utility billing statements issued on and after October 1, 2017.

SECTION 2: The Code of Ordinances of the City of Kingsville, Texas section 5-6-21 to Chapter V, Article 6 "Stormwater Utility Fees" is hereby amended to read as follows:

ARTICLE II. STORMWATER UTILITY FEES

Sec. 5-6-20. Applicability.

A Stormwater Utility Fee shall be levied against all benefitted property within the utility service area unless exempt under Section 5-6-11.

Sec.5-6-21. Fee Calculation.

- (a) *Stormwater Utility Fee Calculation.* Stormwater Utility Fees shall be calculated based on the total stormwater runoff potential for benefitted properties for all customers within the utility service area. The total stormwater runoff potential shall be measured as impervious cover in square feet (SF).
 - (b) *Stormwater Utility Fee.* The total stormwater runoff potential for the service area shall be allocated between the customer classes based on the relative amount of impervious area in each class established in Section 5-6-6. The monthly Stormwater Utility Fee is based on the average impervious area for an ERU, which is Two Thousand Four Hundred Twenty Five Square Feet (2,425.0 SF).
 - 1) *Residential Property Class.* The monthly Stormwater Utility Fees for each residential property as defined in Section 5-6-4, shall be either a flat-rate fee per singly-family equivalent residential unit (ERU) or a flat-rate fee per dwelling unit on a residential parcel.
 - 2) *Non-Residential Property Class.* The monthly Stormwater Utility Fees for each improved non-residential property or allocated portion of an improved non-residential property shall be equal to: Impervious Area in square feet divided by 2,425.0 square feet for the ERU time the applicable flat-rate ERU fee.
 - 3) *Minimum Monthly Stormwater Utility Fee.* The minimum Stormwater Utility Fee for all customer classes shall be the fee for one ERU.
 - (c) *Revision of Fees or Rates.* The Stormwater Utility Fee or the stormwater utility rate may be revised by the City Commission through an ordinance from time to time as permitted by the Article and the Act.
 - (d) *Applicable Stormwater Utility Fee.* The applicable Stormwater Utility Fee is ~~\$2.25~~ \$1.25/ERU/month.
-

SECTION 3: It is found and determined by the City Commission that the fees established by this Ordinance are non-discriminatory, reasonable, and equitable, and that the fees are based upon an inventory of improved parcels within the utility service area.

SECTION 2: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval.

INTROUCED on this the 5th day of September, 2017.

PASSED AND APPROVED by the City Commission on this the 11th day of September, 2017.

Effective: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #8

**City of Kingsville
Human Resource Department**

TO: Mayor and City Commissioners
CC: Jesús A. Garza, City Manager
FROM: Diana Gonzales, Human Resource Director
DATE: August 31, 2017
SUBJECT: Fire Department – Number of Classified Positions

Summary: Increase the number of Fire Department positions in the classified service from 32 to 33 eligible positions.

CLASSIFICATION	NUMBER OF AUTHORIZED POSITIONS
Fire Chief	1
Captains	3
Lieutenants	3
Engineers	6
Fire Fighters	18 <u>19</u>
Fire Marshal	1

Background: Texas Local Government Code § 143.021 *Classification; Examination Requirement*

- (a) The commission shall provide for the classification of all fire fighters and police officers. The municipality's governing body shall establish the classifications by ordinance. The governing body by ordinance shall prescribe the number of positions in each classification.

Financial Impact: The financial impact is approximately \$74,500 including benefits. This amount is incorporated in the FY 2017-2018 budget proposed for the City of Kingsville.

Recommendation: Update the ordinance to increase the number of classified position in the Fire Department to correspond with the FY 2017-2018 proposed budget.



ORDINANCE NO. 2017-_____

AN ORDINANCE RATIFYING CLASSIFICATIONS AND PRESCRIBING THE NUMBER OF POSITIONS IN SUCH CLASSIFICATIONS FOR THE CLASSIFIED SERVICE IN THE FIRE DEPARTMENT BY ADDING ONE NEW FIRE FIGHTER POSITION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, CODIFICATION INSTRUCTIONS, AND AN EFFECTIVE DATE.

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

WHEREAS, the City is adding one Fire Fighter position in Fiscal Year 2017-2018 due to the need for additional manpower;

WHEREAS, the expenses related to this additional position are incorporated in the proposed FY17-18 budget for the City of Kingsville;

WHEREAS, the classified positions in the Fire Department are set by City Commission.

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

I.

THAT one position of Fire Fighter is hereby added to the Kingsville Fire Department beginning in Fiscal Year 2017-2018.

II.

THAT in accordance with section 143.021, Texas Local Government Code, the City Commission ratifies the following previously established classifications and hereby prescribes the number of positions in each classification by Ordinance duly passed, to wit:

<u>CLASSIFICATION</u>	<u>NUMBER OF POSITIONS</u>
Fire Chief	1
Captains	3
Lieutenants	3
Engineers	6
Fire Fighters	18 19
Fire Marshall	1

III.

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

IV.

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.

V.

THAT this Ordinance shall be and become effective on and after adoption and publication as required by law.

INTRODUCED on this the 5th day of September, 2017.

PASSED AND APPROVED on this the 11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

Approved As to Form:

Courtney Alvarez, City Attorney

AGENDA ITEM #9

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 29, 2017

SUBJECT: Ordinance – City of Kingsville Classification & Compensation Plan FY 2017-2018

Summary: In preparation for the beginning of each new fiscal year, the City of Kingsville Classification & Compensation Plan is brought before the City Commission. The plan incorporates classification and title changes included in the City Manager's budget. Below are the proposed changes for FY 17-18.

	Position FY 16-17	Proposed FY 17-18
	NON-EXEMPT	
Re-class	Class 8 Lead Telecommunications Operator	Class 11 Lead Telecommunications Operator
Rename	Class 9 Help Desk Coordinator	Class 9 Help Desk Technician
Add		Class 17 Facilities & Events Specialist
	EXEMPT	
Change	ML1 City Engineer/Public Works Director	ML1 City Engineer
Change	ML4 Assistant Public Works Director	ML2 Public Works Director
Change	ML7 Police Communications Supervisor	ML7 Communications Supervisor
Remove	ML7 Sanitation Supervisor	None



City of Kingsville
Human Resource Department

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

Financial Impact: The financial impacts will be detailed and incorporated in the City Manager's final proposed budget.

Recommendation: To approve the FY 17-18 City of Kingsville Classification & Compensation Plan to correspond to the City Manager's proposed budget.



ORDINANCE #2017- _____

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

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

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

I.

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

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

The City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2017 is hereby adopted by reference providing for certain classifications and positions as more particularly defined therein. Classified positions and incumbents thereof who have completed the designated probationary period and any extensions thereof shall be subject to the terms and conditions of all policies incorporated by reference and adopted by the City Commission by resolution. Except members of the Fire and Police collective bargaining units, all other employees (executive, managerial, or hourly) serve at will, at the pleasure of the City Manager, or designee, or at the pleasure of the City Commission if appointed by the City Commission, and shall have and continue such at-will status, notwithstanding any other provision of this Classification Plan, any other City Ordinance, or any rule or regulation of the City.

All Non-Exempt Non-Civil Service employees of the City of Kingsville are placed in a step according to the City of Kingsville Fiscal Year 2017-2018 Hourly Chart.

New hires shall be placed at the compensation Class for the designated positions. New hires may be placed in the Step within the designated Class corresponding to the years of experience the new employee brings to the City correlating to the designated duties of the position not to exceed the Ten (10) Year Step unless approved by City Commission.

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

Employees demoted, transferred, temporarily assigned, or accepting a position in a lower Class shall commence at the same step of pay in the lower Class as the employee held at the time of such demotion, transfer, temporary assignment or acceptance of the lower Class position. Employees meeting these criteria shall proceed to the next step of the compensation plan, as scheduled, based on years of City service.

All management employees of the City of Kingsville shall be placed in a step program to receive a scheduled salary increase on the anniversary date of their 1st, 3rd, 6th, 10th, 15th, 20th and 25th year of service in the Management Level position. Percentage increases shall correspond to the Management Level Step Program included in the Classification and Compensation Plan for Fiscal Year 2017-2018.

Executive Level 1 & 2 positions shall receive a cost of living adjustment when Non-Exempt Non-Civil Service employees receive a cost of living adjustment. The City Commission shall evaluate the performance of and recommend salaries for Executive Level 1 & 2 positions each July to prepare for the up-coming fiscal year.

II.

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

III.

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

IV.

THAT this Ordinance shall be codified and become effective on and after adoption and publication as required by law.

INTRODUCED on this the 11th day of September, A. D., 2017.

PASSED AND APPROVED on this the 25th day of September, A. D., 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
CLASSIFICATION AND COMPENSATION PLAN
FISCAL YEAR 2017-2018

Original Introduction: _____
Approved: _____

Class

Human Resource Specialist	Payroll Specialist
Lab Technician	

CITY OF KINGSVILLE
CLASSIFICATION AND COMPENSATION PLAN - NON EXEMPT
FISCAL YEAR ~~2016-2017~~ 2017-2018

11	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max1 Step 7	Max2 Step 8
	\$ 14.80	\$ 15.25	\$ 15.70	\$ 16.18	\$ 16.66	\$ 17.16	n/a	n/a
	Community Appearance Inspector			Paralegal				
	Lead Maintenance Technician			Lead Telecommunications Operator				
12	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max1 Step 7	Max2 Step 8
	\$ 15.39	\$ 15.86	\$ 16.33	\$ 16.82	\$ 17.33	\$ 17.85	\$ 18.38	\$ 18.93
13	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max1 Step 7	Max2 Step 8
	\$ 16.01	\$ 16.49	\$ 16.99	\$ 17.49	\$ 18.02	\$ 18.56	\$ 19.12	\$ 19.69
	Foreman							
14	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max1 Step 7	Max2 Step 8
	\$ 16.65	\$ 17.15	\$ 17.66	\$ 18.19	\$ 18.74	\$ 19.30	n/a	n/a
15	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max1 Step 7	Max2 Step 8
	\$ 17.32	\$ 17.84	\$ 18.37	\$ 18.92	\$ 19.49	\$ 20.07	\$ 20.68	n/a
	Building Inspector			Health Inspector I				
	Crime Scene Specialist							
16	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max1 Step 7	Max2 Step 8
	\$ 18.01	\$ 18.55	\$ 19.11	\$ 19.68	\$ 20.27	\$ 20.88	n/a	n/a
	Engineer's Assistant							
17	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max1 Step 7	Max2 Step 8
	\$ 18.73	\$ 19.29	\$ 19.87	\$ 20.47	\$ 21.08	\$ 21.71	n/a	n/a
	Health Inspector II			Facilities & Event Specialist				

OTHER POSITIONS

Min	Max
\$ 10.00	\$ 15.00

Seasonal/Temporary Employees

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

STEP 1	New Hire
STEP 2	Step following completion of one (1) year of employment.
STEP 3	Step for eligible employees with three (3) years of current uninterrupted City service.
STEP 4	Step for eligible employees with six (6) years of current uninterrupted City service.
STEP 5	Step for eligible employees with ten (10) years of current uninterrupted City service.
STEP 6	Step for eligible employees with fifteen (15) years of current uninterrupted City service.

Clarification Step 7 Maximum step due to FY 16-17 reclassification; individuals in this step not eligible for additional steps.

Clarification Step 8 Maximum step due to FY 16-17 reclassification; individuals in this step not eligible for additional steps.

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

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

Class/Grade/Unit	Monthly	Per Pay Period Basis *	Class/Grade/Unit	Monthly	Per Pay Period Basis *
TCEQ 1 or D	\$30.00	\$13.85	TCEQ II or B	\$55.00	\$25.39
TCEQ C	\$40.00	\$18.47	TCEQ III or A	\$85.00	\$39.24

* Rounding may be required for payroll purposes.

CITY OF KINGSVILLE
CLASSIFICATION COMPENSATION PLAN - EXEMPT
FISCAL YEAR 2017-2018

	Minimum	Midpoint	Maximum
EXECUTIVE OFFICER – 1	\$ 103,098	\$ 124,967	\$ 146,836
City Manager			
EXECUTIVE OFFICER - 2	\$ 93,513	\$ 113,349	\$ 133,185
City Attorney			
Municipal Court Judge			
MANAGEMENT LEVEL - 1	\$ 76,933	\$ 93,252	\$ 109,571
City Engineer/ Public Works Director			
Finance Director			
Fire Chief			
Police Chief			
MANAGEMENT LEVEL - 2	\$ 73,720	\$ 88,812	\$ 104,354
Assistant City Attorney			
Economic Development Director			
Planning & Development Services Director			
<u>Public Works Director</u>			
MANAGEMENT LEVEL - 3	\$ 63,293	\$ 76,719	\$ 90,145
Human Resources Director			
Parks and Recreation Director			
Tourism Services Director			
MANAGEMENT LEVEL - 4	\$ 60,279	\$ 73,066	\$ 85,852
Assistant Public Works Director			
Health Director			
Library Director			
MANAGEMENT LEVEL - 5	\$ 54,675	\$ 66,273	\$ 77,870
Risk Manager			
MANAGEMENT LEVEL - 6	\$ 47,230	\$ 57,249	\$ 67,267
Accounting Manager			
Building Official			
Capital Improvements Manager			
City Secretary			
Facilities Manager			
Golf Course Manager			
Information Technology Manager			
Parks Manager			
Purchasing Manager			
MANAGEMENT LEVEL - 7	\$ 42,839	\$ 51,926	\$ 61,013
Accounting Supervisor			
Collection's Supervisor			
Community Appearance Supervisor			
Downtown Manager			
Garage Supervisor			
Solid Waste Supervisor			
Municipal Court Supervisor			
Police-Communication's Supervisor			
Sanitation Supervisor			
Street Supervisor			
Systems Specialist			
Wastewater Supervisor			
Water Production Supervisor			
Water Supervisor			

MANAGEMENT LEVEL STEP PROGRAM - ANNIVERSARY INCREASES BASED ON CURRENT POSITION

1ST YEAR	3%	15TH YEAR	2%
3RD YEAR	3%	20TH YEAR	2%
6TH YEAR	3%	25TH YEAR	2%
10TH YEAR	2%		

AGENDA ITEM #10

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 29, 2017

SUBJECT: Proposed Resolution to Amend Policy 630.02 Night Shift Differential Pay

Summary: A resolution is presented to amend Policy 630.02 Night Shift Differential Pay to allow for a set dollar amount of \$15 paid per bi-weekly pay period to non-exempt Police Communications Lead Telecommunications Operators and Telecommunications Operators.

Background: Policy 630.02 Night Shift Differential was approved on August 28, 2006 allowing for Police Communications personnel to receive additional pay as follows:

\$ 0.20 per hours for hours worked from 2 p.m. – 10 p.m.
\$ 0.40 per hour for hours worked from 10 p.m. – 6 a.m.

It is proposed to change this to a flat rate of \$ 15 per pay period.

Financial Impact: The financial impact to the City remains the same. The City currently budgets approximately \$5,500 for shift differential pay. The proposed revised method is expected to expend the same amount and will allow for more accurate budgeting of the expense.

Recommendation: To amend Policy 630.02 Night Shift Differential Pay as proposed by staff.



RESOLUTION #2017- _____

A RESOLUTION OF THE CITY OF KINGSVILLE AMENDING CITY OF KINGSVILLE ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL, POLICY 630.02 NIGHT SHIFT DIFFERENTIAL PAY.

WHEREAS, the City Commission approved Policy 630.02 Night Shift Differential Pay in the City of Kingsville Administrative Policies and Procedures Manual on August 28, 2006 allowing for Police Department communications personnel to receive additional pay for hours worked during evening and night hours, with the pay calculated at a certain number of cents per hour during certain hours;

WHEREAS, the City of Kingsville requests to update the wording in this policy to provide that the pay for hours worked during evening and night hours be calculated on a set amount of money (\$15) per pay period for shift differential pay for Police communications non-exempt personnel, instead of the current hourly calculation.

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

I.

THAT the City Commission approves the revision to Policy 630.02 Night Shift Differential Pay as stated above and incorporated in the document attached hereto.

II.

THAT this Resolution shall be and become effective on October 1, 2017.

PASSED AND APPROVED on this the 11th day of September, A. D., 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

POLICY NO. 630.02 NIGHT SHIFT DIFFERENTIAL PAY

Police Department—Non-Exempt, Non-Civil Service Employees of the Police Department who ~~are scheduled, called into service, or are~~ required to work the night rotating shifts will receive Night-Shift Differential Pay of \$15 per pay period. ~~as follows:~~

- ~~Employees working between the hours of 2:00 p.m. and 10:00 p.m. shall receive \$.20 in addition to their standard hourly rate of pay; and~~
- ~~Employees working between the hours of 10:00 p.m. and 6:00 a.m. shall receive \$.40 in addition to their standard hourly rate of pay.~~

No Night-Shift Differential Pay is authorized for any Employee not expressly eligible for such Pay under this policy.

Approved: August 28, 2006
Proposed _____

AGENDA ITEM #11

RESOLUTION NO. 2017- _____

A RESOLUTION NOMINATING CERTAIN PERSON(S) AS CANDIDATE(S) FOR ELECTION TO THE BOARD OF DIRECTORS FOR THE KLEBERG COUNTY APPRAISAL DISTRICT; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is time to select the Kleberg County Appraisal District Board of Directors for the 2018-2019 term and the City (as a taxing unit) has voting units that need to be allocated;

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

I.

THAT the City of Kingsville herewith nominates the following person(s) as candidate(s) for election to the Board of Directors for the Kleberg County Appraisal District:

AL GARCIA
1125 W. HENRIETTA AVE.
KINGSVILLE, TEXAS 78363

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 11 th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

KLEBERG COUNTY APPRAISAL DISTRICT
502 E. KLEBERG * P.O. BOX 1027 * KINGSVILLE, TX 78364
BUS. (361) 595-5775 * FAX (361) 595- 7984

received
9-6-17

September 5, 2017

City of Kingsville
Sam Fugate, Mayor
P.O. Box 1458
Kingsville, TX 78364

Dear Mayor Fugate:

It is time for the selection of the Kleberg County Appraisal District Board of Directors for the 2018-2019 term. The board consists of 5 members. Every odd year, Board of Director elections for the Kleberg County Appraisal District take place. Please take the time to consider who your district would like to nominate to serve on the Kleberg County Appraisal District's board of directors. The quality of the property tax system depends on the appraisal district board of directors. Individuals nominated should bring the board knowledge, judgment and expertise in establishing policies and procedures for the district's organization and operation.


I am enclosing information on what is involved in the Board of Director elections process. This process requires interaction between each taxing entity and the appraisal district. The number of votes allocated to a voting unit is based on the ratio of its tax levy on the preceding year to the total tax levy of all voting units. The Chief Appraiser is required to use the most recent official tabulation of each voting unit's prior year levy. This is the amount levied not the amount allocated by the voting unit. The votes for each jurisdiction are as shown in the enclosed document titled Calculation of Votes.

The information I have enclosed is taken out of the state comptroller's Board of Directors Manual and Texas Property Tax Code. I have also enclosed an outline of required dates for your records. Please be sure to review the eligibility guidelines for appointed members located in your Governance enclosure on pages 4 and 5.

I have enclosed a copy of the Texas Property Tax Code section 6.03 Board of Directors, which discusses the Board of Directors election and your roll in the process.

If you have any questions, please feel free to contact me at 595- 5775.

Sincerely,


Ernestina "Tina" Flores, R.P.A.
Chief Appraiser

Cc: Jesus Garza, City Manager
Mary Valenzuela, City Secretary

Governance

Composition of Board of Directors

The board of directors is composed of five members.⁴ The number of directors can be increased up to 13 by action of the board of directors.⁵ However, in most cases, the board of directors may not make this change if a voting taxing unit adopts a resolution opposing the change.⁶

Taxing units participating in the CAD may increase the number of directors up to 13 members if three-fourths of voting taxing units adopt resolutions.⁷ A change is not valid if it reduces the voting entitlement of one or more taxing units (unless the taxing unit adopts one of two specified resolutions) or if it expands the types of taxing units that are entitled to vote on the appointment of directors.⁸

The county TAC is a nonvoting director, if not appointed as a voting director.⁹ If a commissioner's court of the county enters into a contract for assessment and collections under Tax Code Section 6.24(b) or if the CAD board of directors enters into a contract for appraisal under Tax Code Section 6.05(b), then the county TAC is ineligible to serve on the board of directors.¹⁰

Appointment, Eligibility and Terms

Appointment: Taxing units—counties, cities/towns, school districts, junior colleges and certain conservation and reclamation districts—select directors in the fall of odd-numbered years.¹¹ Conservation and reclamation districts may participate in this process if at least one conservation and reclamation district in



the CAD delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year.¹² On request, the chief appraiser must certify all eligible conservation and reclamation districts that are imposing taxes and that participate in the CAD by June 15.¹³

The board of directors is selected by appointment; it is not an election governed by the Texas Election Code.¹⁴ The method or procedure for appointing members can be changed by the board of directors or by three-fourths of the voting taxing units acting through resolutions.¹⁵

The voting entitlement of a taxing unit is determined by a calculation that takes into account a taxing unit's share of the total dollar amount of property taxes imposed in the CAD.¹⁶ The chief appraiser makes this calculation for each taxing unit (other than conservation and reclamation districts) and delivers written notice before Oct. 1 of each odd-numbered year of the number of votes to which each taxing unit is entitled.¹⁷ Each taxing unit (other than a conservation and reclamation district) that is entitled to vote may submit to the chief appraiser one nominee for each position to be filled before Oct. 15.¹⁸

The chief appraiser also must calculate the number of votes that an eligible conservation and reclamation district is entitled to and must deliver before July 1 of each odd-numbered year, a written notice to the district of its voting entitlement

⁴ Tex. Tax Code §6.03(a)

⁵ Tex. Tax Code §6.031(a)

⁶ Tex. Tax Code §6.031(b)

⁷ Tex. Tax Code §6.031(b)

⁸ Tex. Tax Code §6.031(b)

⁹ Tex. Tax Code §6.03(a)

¹⁰ Tex. Tax Code §6.03(a)

¹¹ Tex. Tax Code §6.03

¹² Tex. Tax Code §6.03(c)

¹³ Tex. Tax Code §6.03(c)

¹⁴ Tex. Att'y Gen. Op. JM-166 (1984)

¹⁵ Tex. Tax Code §6.031(a) and (b)

¹⁶ Tex. Tax Code §6.03(d)

¹⁷ Tex. Tax Code §6.03(e)

¹⁸ Tex. Tax Code §6.03(g)

Degrees of Consanguinity and Affinity

1 st DEGREE	2 nd DEGREE	3 rd DEGREE
By Consanguinity <ul style="list-style-type: none"> • Parents • Children By Affinity <ul style="list-style-type: none"> • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren 	By Consanguinity <ul style="list-style-type: none"> • Grandparents • Grandchildren • Brothers & sisters By Affinity <ul style="list-style-type: none"> • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters 	By Consanguinity <ul style="list-style-type: none"> • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles By Affinity <ul style="list-style-type: none"> • No prohibitions

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:

- an appraiser who appraises property for use in a proceeding under the Tax Code; or
- a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.⁴²

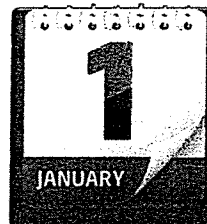
A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.⁴³

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD.⁴⁴ This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity governed by the Tax Code.⁴⁵ A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest.⁴⁶ A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which

the taxing unit participates or with a business entity in which a board member has a substantial interest.⁴⁷

An individual has substantial interest in a business entity if:

- the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director's spouse is a partner, limited partner or officer of the business entity.⁴⁸



Term of Office and Vacancy: CAD directors serve two-year terms.⁴⁹ Each term begins on Jan. 1 of an even-numbered year.⁵⁰ The two-year term of office does not apply to the county TAC who serves as a nonvoting director.⁵¹

Voting taxing units may adopt staggered one and two-year terms.⁵² To adopt staggered terms, taxing units must take two actions.⁵³ First, at least three-fourths of the voting taxing units

⁴² Tex. Tax Code §6.035(a)(1)

⁴³ Tex. Tax Code §6.035(b)

⁴⁴ Tex. Tax Code §6.036(a)

⁴⁵ Tex. Tax Code §6.036(a)

⁴⁶ Tex. Tax Code §6.036(b)

⁴⁷ Tex. Tax Code §6.036(c)

⁴⁸ Tex. Tax Code §6.036(d)

⁴⁹ Tex. Tax Code §6.03(b)

⁵⁰ Tex. Tax Code §6.03(b)

⁵¹ Tex. Tax Code §6.03(b)

⁵² Tex. Tax Code §6.034(a)

⁵³ Tex. Tax Code §6.034(a)

Ex Parte Communications

A board member commits a Class C misdemeanor offense if the member directly or indirectly communicates with the chief appraiser on any matter relating to the appraisal of property by the CAD.⁷⁶ However, this type of communication is allowed in:

- an open meeting of the CAD board of directors or another public forum; or
- a closed meeting of the board of directors held to consult with its attorney about pending litigation, at which the chief appraiser's presence is necessary for full communication between the board and its attorney.⁷⁷

These ex parte communication provisions do not apply to a routine communication between the chief appraiser and the county TAC relating to the administration of an appraisal roll, including a communication made in connection with the certification, correction or collection of an account.⁷⁸ This exception applies regardless of whether the county TAC was appointed to the board of directors or serves as a nonvoting director.⁷⁹

Oath of Office



The Texas Constitution requires all elected and appointed officers to sign an anti-bribery statement and take an oath of office before beginning the duties of the office.⁸⁰

The constitutionally prescribed anti-bribery statement is located on the Secretary of State's website as Form 2201 at www.sos.state.tx.us/statdoc/forms/2201.pdf. A director signs this statement before the oath of office is administered.⁸¹ Directors should retain the statement in the official records of the appraisal district.⁸²

The official oath of office is found on the Secretary of State's website as Form 2204 at www.sos.state.tx.us/statdoc/forms/2204.pdf.

⁷⁶ Tex. Tax Code §6.15(a) and (d)

⁷⁷ Tex. Tax Code §6.15(a)

⁷⁸ Tex. Tax Code §6.15(c)

⁷⁹ Tex. Tax Code §6.15(c)

⁸⁰ Tex. Const. XVI, §1(a) and (b)

⁸¹ Tex. Const. XVI, §1

⁸² Tex. Const. XVI, §1(c)

Recalling a Director

A taxing unit may ask for the recall of any director the taxing unit voted for in the appointment process.⁸³ A recall starts when a taxing unit files a resolution with the chief appraiser stating that the taxing unit is calling for the recall of a named member.⁸⁴ Within 10 days after a taxing unit files a recall resolution, the chief appraiser must give written notice of the filing of the resolution to the presiding officer of each voting taxing unit.⁸⁵

Only the taxing units that voted for the member may vote.⁸⁶ A recall-voting taxing unit has the same number of votes in the recall that it cast in appointing the board member.⁸⁷ A taxing unit votes by submitting a resolution to the chief appraiser on or before the 30th day after the recall resolution is filed.⁸⁸

Not later than the 10th day after the last day for voting in favor of the recall, the chief appraiser must count the casted votes.⁸⁹ A director is recalled if the number of votes cast in favor of recall equals or exceeds a majority of the votes cast appointing the board member.⁹⁰ The chief appraiser must immediately notify in writing the presiding officer of the board of directors and the governing body of each recall-voting taxing unit of the results.⁹¹ If the chair is the subject of the recall, the board secretary shall also be notified.⁹²

After a recall, the director's vacancy is filled by the recall-voting taxing units appointing a new board member.⁹³ Each recall-voting taxing unit may nominate by resolution one candidate and is entitled to the same number of votes it originally cast to appoint the recalled member.⁹⁴

On or before the 15th day after the last day nominations must be submitted, the chief appraiser must prepare a ballot and deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote to fill

⁸³ Tex. Tax Code §6.033(a)

⁸⁴ Tex. Tax Code §6.033(a)

⁸⁵ Tex. Tax Code §6.033(a)

⁸⁶ Tex. Tax Code §6.033(b)

⁸⁷ Tex. Tax Code §6.033(b)

⁸⁸ Tex. Tax Code §6.033(b)

⁸⁹ Tex. Tax Code §6.033(c)

⁹⁰ Tex. Tax Code §6.033(c)

⁹¹ Tex. Tax Code §6.033(c)

⁹² Tex. Tax Code §6.033(c)

⁹³ Tex. Tax Code §6.033(d)

⁹⁴ Tex. Tax Code §6.033(d)

(c) An appraisal district is a political subdivision of the state.
(Enacted by 1979, 66th Leg., ch. 841 (S.B. 621), § 1, effective January 1, 1982; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 12, 13, effective January 1, 1982; am. Acts 1983, 68th Leg., ch. 851 (H.B. 1203), § 1, effective August 29, 1983.)

Sec. 6.02. District Boundaries.

- (a) The appraisal district's boundaries are the same as the county's boundaries.
- (b) This section does not preclude the board of directors of two or more adjoining appraisal districts from providing for the operation of a consolidated appraisal district by interlocal contract.
- (c) to (g) [Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(2), effective January 1, 2008.]
(Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1, effective January 1, 1980; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 14, 167(a), effective January 1, 1982; am. Acts 1983, 68th Leg., ch. 117 (S.B. 433), § 1, effective May 17, 1983; am. Acts 1991, 72nd Leg., ch. 20 (S.B. 351), § 14, effective August 26, 1991; am. Acts 1991, 72nd Leg., ch. 391 (H.B. 2885), § 13, effective August 26, 1991; am. Acts 1993, 73rd Leg., ch. 347 (S.B. 7), § 4.05, effective May 31, 1993; am. Acts 1997, 75th Leg., ch. 165 (S.B. 898), § 6.72, effective September 1, 1997; am. Acts 2007, 80th Leg., ch. 648 (H.B. 1010), §§ 1, 5(2), effective January 1, 2008.)

Sec. 6.025. Overlapping Appraisal Districts; Joint Procedures [Repealed].

Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(3), effective January 1, 2008.
(Enacted by Acts 1995, 74th Leg., ch. 186 (H.B. 623), § 1, effective January 1, 1996; am. Acts 1997, 75th Leg., ch. 1357 (H.B. 670), § 1, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 250 (H.B. 1037), § 1, 2, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 455 (H.B. 703), § 1, effective January 1, 2004; am. Acts 2003, 78th Leg., ch. 1041 (H.B. 1082), § 1, effective January 1, 2004.)

Sec. 6.03. Board of Directors.

- (a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.
- (b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.
- (c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.
- (d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.
- (e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:
- (1) to the county judge and each commissioner of the county served by the appraisal district;
 - (2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;
 - (3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and

(4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

(m) [Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008.]
(Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 15, 167(a), effective January 1, 1982; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 1, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 270 (H.B. 268), § 1, effective August 31, 1987; am. Acts 1989, 71st Leg., ch. 1123 (H.B. 2301), § 2, effective January 1, 1990; am. Acts 1991, 72nd Leg., ch. 20 (S.B. 351), § 15, effective August 26, 1991; am. Acts 1991, 72nd Leg., ch. 371 (H.B. 864), § 1, effective September 1, 1991; am. Acts 1993, 73rd Leg., ch. 347 (S.B. 7), § 4.06, effective May 31, 1993; am. Acts 1997, 75th Leg., ch. 165 (S.B. 898), § 6.73, effective September 1, 1997; am. Acts 1997, 75th Leg., ch. 1039, § 2, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 705 (H.B. 834), § 1, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 629 (H.B. 2043), effective June 20, 2003; am. Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008; am. Acts 2013, 83rd Leg., ch. 1161 (S.B. 359), § 1, effective June 14, 2013.)

Sec. 6.031. Changes in Board Membership or Selection.

(a) The board of directors of an appraisal district, by resolution adopted and delivered to each taxing unit participating in the district before August 15, may increase the number of members on the board of directors of the

KLEBERG COUNTY APPRAISAL DISTRICT
2018-2019 BOARD OF DIRECTORS
TAXING ENTITY VOTES

TAXING JURISDICTIONS	2016 LEVIES	PERCENT	TOTAL VOTES	DISTRICT VOTES
KLEBERG COUNTY	\$11,481,881.63	0.310547	5000	1550
CITY OF KINGSVILLE	\$6,654,359.93	0.179978	5000	900
KINGSVILLE I.S.D.	\$11,934,508.92	0.322789	5000	1615
RICARDO I.S.D.	\$1,653,414.82	0.044719	5000	225
RIVIERA I.S.D.	\$2,512,789.45	0.067963	5000	340
SANTA GERTRUDIS I.S.D.	\$1,837,507.15	0.049699	5000	250
SOUTH TEXAS WATER AUTHORITY	\$868,354.06	0.023486	5000	115
KENEDY COUNTY GROUNDWATER	<u>\$30,274.43</u>	<u>0.000819</u>	5000	<u>5</u>
TOTAL	\$36,973,090.39	100.00%		5000

DATE: September 27, 2016

TO: Tina Flores, Jackie Odom and Danny Cantu

FROM: Melissa T. De La Garza, PCC *laxiong*

SUBJECT: 2016 Tax Rates/ 2016 Tax Levies

The 2016 tax rates and levies are as follows:

KLEBERG COUNTY	<p>\$0.79500 Maintenance & Operations <u>\$0.03380</u> Interest & Sinking \$0.82880 Total 2016 Tax Rate 2016 TAX LEVY \$11,481,881.63</p>
CITY OF KINGSVILLE	<p>\$0.66088 Maintenance & Operations <u>\$0.18132</u> Interest & Sinking \$0.84220 Total 2016 Tax Rate 2016 TAX LEVY \$6,654,359.93</p>
SOUTH TEXAS WATER AUTHORITY	<p>\$0.061067 Maintenance & Operations <u>\$0.021875</u> Interest & Sinking \$0.082942 Total 2016 Tax Rate 2016 TAX LEVY \$ 868,354.06</p>
KINGSVILLE ISD	<p>\$1.17000 Maintenance & Operations <u>\$0.34890</u> Interest & Sinking \$1.51890 Total 2016 Tax Rate 2016 TAX LEVY \$11,934,508.92</p>
RICARDO ISD	<p><u>\$1.17000</u> Maintenance & Operations \$1.17000 Total 2016 Rate 2016 TAX LEVY \$1,653,414.82</p>
RIVIERA ISD	<p><u>\$1.17000</u> Maintenance & Operations \$1.17000 Total 2016 Tax Rate 2016 TAX LEVY \$2,512,789.45 (Does not include Kenedy Co Levy)</p>
SANTA GERTRUDIS ISD	<p>\$1.04000 Maintenance & Operations <u>\$0.37270</u> Interest & Sinking \$1.41270 Total 2016 Tax Rate 2016 TAX LEVY \$1,837,507.15</p>

KLEBERG COUNTY APPRAISAL DISTRICT
2018-2019 BOARD OF DIRECTORS
TAXING ENTITY CALCULATION OF VOTES

KLEBERG COUNTY

$$\begin{array}{rcl}
 \$11,481,881.63 & \div & \$36,973,090.39 \\
 0.310547 & \times & 1000 \\
 310 & \times & \underline{5} \\
 & = & 1550
 \end{array}$$

CITY OF KINGSVILLE

$$\begin{array}{rcl}
 \$6,654,359.93 & \div & \$36,973,090.39 \\
 0.179978 & \times & 1000 \\
 180 & \times & \underline{5} \\
 & = & 900
 \end{array}$$

KINGSVILLE I.S.D.

$$\begin{array}{rcl}
 \$11,934,508.92 & \div & \$36,973,090.39 \\
 0.322789 & \times & 1,000 \\
 323 & \times & \underline{5} \\
 & = & 1615
 \end{array}$$

RICARDO I.S.D.

$$\begin{array}{rcl}
 \$1,653,414.82 & \div & \$36,973,090.39 \\
 0.044719 & \times & 1000 \\
 45 & \times & \underline{5} \\
 & = & 225
 \end{array}$$

RIVIERA I.S.D.

$$\begin{array}{rcl}
 \$2,512,789.45 & \div & \$36,973,090.39 \\
 0.067963 & \times & 1,000 \\
 68 & \times & \underline{5} \\
 & = & 340
 \end{array}$$

SANTA GERTRUDIS I.S.D.

$$\begin{array}{rcl}
 \$1,837,507.15 & \div & \$36,973,090.39 \\
 0.049699 & \times & 1,000 \\
 50 & \times & \underline{5} \\
 & = & 250
 \end{array}$$

SOUTH TEXAS WATER AUTHORITY

$$\begin{array}{rcl}
 \$868,354.06 & \div & \$36,973,090.39 \\
 0.023486 & \times & 1,000 \\
 23 & \times & \underline{5} \\
 & = & 115
 \end{array}$$

KENEDY COUNTY GROUNDWATER

$$\begin{array}{rcl}
 \$30,274.43 & \div & \$36,973,090.39 \\
 0.000819 & \times & 1,000 \\
 1 & \times & \underline{5} \\
 & = & 5
 \end{array}$$

OUTLINE OF REQUIRED DATES

1. *Before October 1* of an odd-numbered year, the chief appraiser must notify each voting taxing unit of the number of votes it may cast.
2. *Before October 15* each voting unit may nominate **by resolution** adopted by its governing body, one candidate for each position on the board of directors and must submit the names and addresses of the nominees to the chief appraiser.
3. *Before October 30* the chief appraiser must prepare a ballot listing all nominees alphabetically by each candidate's last name. The chief appraiser must deliver a copy of this ballot to the presiding officer of the governing body of each voting unit.
4. *Before December 15* the governing body of each taxing unit entitled to vote may cast votes for one candidate or may distribute the votes among a number of candidates on the ballot and shall determine its vote **by resolution** and submit it to the chief appraiser.
5. *Before December 31* the chief appraiser must count the votes and declare the candidates who received the largest vote totals elected and submit the results to the governing body of each taxing unit in the district and to the candidates.

AGENDA ITEM #12

City of Kingsville
Parks and Recreation Department

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Jason Alfaro, Parks & Recreation Director
DATE: August 31, 2017
SUBJECT: Selection and appointment of Parks and Recreation Advisory Board Members

Summary:

This Item will authorize the selection and appointment of parks and recreation advisory board members.

Back Ground:

The master plan contains recommendations for development of ordinances, policies, and suggests the creation of a parks advisory board to help make recommendations during the implementation of the parks master plan. The City of Kingsville Commission approved the creation of a parks and recreation advisory board on June 26, 2017.

Impact:

The board will serve as advocates for the Kingsville parks system and allow for greater transparency of the work being conducted and associated costs within our parks system. The board will be advocates of the public enabling us to have a better understanding of the community needs from a quality of life perspective.

Recommendation:

It is recommended that the city commission appoint the citizens suggested by the City Manager to the parks and recreation advisory board.

AGENDA ITEM #13

**City of Kingsville
Parks & Recreation Department**

TO: Jason Alfaro, Parks & Recreation Director

FROM: Susan Ivy, Parks Manager

DATE: September 5, 2017

SUBJECT: Agenda Request – Authorize receipt of additional donation from TRAPS for Maintenance Rodeo

Summary:

We are asking for Commission approval to receive a \$535.00 donation from Texas Recreation & Park Society for expenses incurred in hosting the 2016 South Region TRAPS Maintenance Rodeo at Dick Kleberg Park.

Background:

In October, 2016 Kingsville Parks & Recreation hosted the Annual TRAPS South Region Maintenance Rodeo at Dick Kleberg Park. Donations were solicited from several businesses and TRAPS offered some assistance through their network as well. We were originally advised that they would be donating \$500.00 from Musco Lighting and that amount was included along with a \$600.00 donation from Aquatic Renovations in a previous budget amendment/agenda item back in November, 2016. It was approved. TRAPS ended up sending us the donation from Musco and increased it to \$1035.00 to cover all of our award expenses. Since \$500.00 of the \$1035.00 had already been approved we need to approve the additional donation of \$535.00.

Financial Impact: This donation will add \$535.00 additional dollars to funds available to expend in our recreation program line item.

Recommendation: We ask that City Commission authorizes the receipt of this additional donation in the amount of \$535.00 from Texas Recreation & Park Society and authorize the budget amendment to reflect its receipt in the Parks Budget line item for Recreational Programming.



AGENDA ITEM #14

**City of Kingsville
Parks & Recreation Department**

TO: Jason Alfaro, Parks & Recreation Director

FROM: Susan Ivy, Parks Manager

DATE: September 5, 2017

SUBJECT: Agenda Request – Authorize receipt of additional donation from TRAPS for Maintenance Rodeo

Summary:

We are asking for Commission approval to receive a \$535.00 donation from Texas Recreation & Park Society for expenses incurred in hosting the 2016 South Region TRAPS Maintenance Rodeo at Dick Kleberg Park.

Background:

In October, 2016 Kingsville Parks & Recreation hosted the Annual TRAPS South Region Maintenance Rodeo at Dick Kleberg Park. Donations were solicited from several businesses and TRAPS offered some assistance through their network as well. We were originally advised that they would be donating \$500.00 from Musco Lighting and that amount was included along with a \$600.00 donation from Aquatic Renovations in a previous budget amendment/agenda item back in November, 2016. It was approved. TRAPS ended up sending us the donation from Musco and increased it to \$1035.00 to cover all of our award expenses. Since \$500.00 of the \$1035.00 had already been approved we need to approve the additional donation of \$535.00.

Financial Impact: This donation will add \$535.00 additional dollars to funds available to expend in our recreation program line item.

Recommendation: We ask that City Commission authorizes the receipt of this additional donation in the amount of \$535.00 from Texas Recreation & Park Society and authorize the budget amendment to reflect its receipt in the Parks Budget line item for Recreational Programming.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO ACCEPT AND EXPEND PARK DONATIONS FROM TRAPS.

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 2016-2017 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 001-General Fund					
Revenue					
4-4503	Parks	Park Donations	58003		\$ 535
Expenses					
5-4503	Parks	Recreational Programs	31499	\$ 535	
				<u>\$ 535</u>	<u>\$ 535</u>

[To amend the City of Kingsville FY 16-17 Budget to accept and expend an additional park donation from the Texas Recreation & Park Society as per the attached memo from the Parks Director. This is in addition to the funds accepted in November 2016.]

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 11th day of September, 2017.

PASSED AND APPROVED on this the __ day of _____, 2017.

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
Finance Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah Balli, Director of Finance

DATE: August 31, 2017

SUBJECT: Budget Amendment-End of Year Deficit Accounts

Summary:

This item authorizes the approval of an end of year budget amendment to cover deficit accounts.

Background:

At the end of Fiscal Year 16-17 the following budget amendments are needed to transfer between funds or transfer between departments to cover deficit funds.

General Fund

Police Patrol

Transferring \$620 from PD General Fund Budget to Homeland Security Grant Fund to keep expenditures together for reporting purposes.

Fire

Transferring \$2059 from Fire General Fund Budget to FEMA Assistance to Firefighters Grant Fund to keep expenditures together for reporting purposes.

Police-Admin

Transferring \$2,303 Group Health Insurance Budget to Police-Admin from Police-Patrol.

Police-Community Services

Transferring \$ 867 Group Health Insurance Budget to Police-Community Services from Police-Patrol.

Garage

Transferring \$1,162 Group Health Insurance Budget to Garage from Streets.

Fund Transfers



City of Kingsville
Finance Department

Transferring \$4,168 from General Fund to Fund 008-Task Force to cover 1-months credit on the \$50,000 administrative transfer from FY 16. Credit was applied to outstanding invoice receivable.

Task Force

Record transfer of \$4,168 from General Fund for 1-months credit on the \$50,000 administrative transfer from FY 16.

Law Enforcement Officers Stand-Police

Record revenue received in FY 16-17.

Utility Fund

Ground Maintenance

Transferring \$957 Group Health Insurance Budget to Meter Readers.

Facilities Maintenance

Transferring \$6,090 Group Health Insurance Budget to Public Works-Capital Improvements.

FEMA Assistance to Firefighters

Record amended grant revenue of \$5,086.

Record transfer of \$2059 from Fire General Fund Budget to FEMA Assistance to Firefighters Grant Fund to keep expenditures together for reporting purposes.

Homeland Security Grant

Record transfer of \$620 from PD General Fund Budget to Homeland Security Grant Fund to keep expenditures together for reporting purposes.

Financial Impact:

This budget amendment will reduce General Fund Unassigned Fund Balance by \$4,168.

Recommendation:

Staff recommends authorization of this end of year budget amendment.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO COVER END OF YEAR DEFECIT ACCOUNTS.

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 2016-2017 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 001 General Fund					
Expenses					
5-2102	Police-Patrol	Minor Equipment	21700		\$ 620
5-2200	Fire	Minor Equipment	21700		\$ 2,059
					<u>\$ 2,679</u>
5-6900	Fund Trsfrs	Transfer To Fund 077	80077	\$ 2,059	
5-6900	Fund Trsfrs	Transfer To Fund 080	80080	\$ 620	
				<u>\$ 2,679</u>	
5-2101	Police-Admin	Group Health Insurance	11600	\$ 2,303	
5-2105	Police-Com Svcs	Group Health Insurance	11600	\$ 867	
5-3030	Garage	Group Health Insurance	11600	\$ 1,162	
				<u>\$ 4,332</u>	
5-2102	Police-Patrol	Group Health Insurance	11600		\$ 2,303
5-2102	Police-Patrol	Group Health Insurance	11600		\$ 867
5-3050	Streets	Group Health Insurance	11600		\$ 1,162
					<u>\$ 4,332</u>
5-6900	Fund Trsfrs	Transfer To Fund 008	80008	<u>\$ 4,168</u>	
Equity					
2		Unassigned Fund Balance	61002		<u>\$ 4,168</u>

Fund 008-Task Force**Revenue**

4-0000	Transfer In From Fund 001	75001	<u>\$ 4,168</u>
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Fund 009 Law Enf Off**Stand-Police****Revenue**

4-0000	State Grants	72010	<u>\$ 875</u>
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Fund 051 Utility Fund**Expenses**

5-6101	Ground Maintenance Facilities	Group Health Insurance	11600	\$ 957
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5-8020	Maintenance - UF	Group Health Insurance	11600	\$ 6,090
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				<u>\$ 7,047</u>
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5-6202	Meter Readers Capital	Group Health Insurance	11600	\$ 957
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5-8021	Improvements-PW	Group Health Insurance	11600	\$ 6,090
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				<u>\$ 7,047</u>
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Fund 077 FEMA Assistance to Firefighters Grant**Revenue**

4-0000	Federal Grants	72005	\$ 5,806
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4-0000	Transfer From Fund 001	75001	\$ 2,059
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			<u>\$ 7,865</u>
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Expenses

5-2200	Fire	Minor Equipment	21700	<u>\$ 7,865</u>
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Fund 080 Homeland**Security Grant****Revenue**

4-0000	Transfer From Fund 001	75001	<u>\$ 620</u>
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Expenses

5-2100	Police	Minor Equipment	21700	<u>\$ 620</u>
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[To amend the City of Kingsville FY 16-17 Budget to transfer funds to cover deficit funds with end of year transfers as per the attached memo from the Director of Finance.]

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 11th day of September, 2017.

PASSED AND APPROVED on this the __ day of _____, 2017.

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
Finance Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah Balli, Director of Finance

DATE: September 11, 2017

SUBJECT: Fund Balance Policy

Summary:

This request is to adopt the amended Fund Balance Policy with changes due to the lowering of the Utility Fund Balance and how the minimum fund balance is calculated.

Background:

The fund balance policy establishes minimum fund balance requirements and replenishment schedules. Additional language needed to be included on when a fund balance is voluntarily reduced and the agreed upon replenishment schedule.

Financial Impact:

This change affects the amount required to keep in fund balance, therefore affecting the level of expenditures that can be budgeted.

Recommendation:

Staff recommends adopting the amended Fund Balance Policy.



RESOLUTION NO. 2017-_____

A RESOLUTION ADOPTING THE CITY OF KINGSVILLE FUND BALANCE POLICY.

WHEREAS, the City Commission wants to provide a consistent approach to the administration of the City's fund balances and believes the adoption of a Fund Balance Policy would be beneficial; and

WHEREAS, the policy would help to ensure that fund balances are properly monitored and accounted for which should help to improve the financial position of the City; and

WHEREAS, staff has worked to develop a Fund Balance Policy that it presents for approval;

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

I.

THAT the Fund Balance Policy (the "Fund Balance Policy", attached as Exhibit A) is hereby approved.

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 11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE

FUND BALANCE POLICY

Revision Approved by City Commission via Resolution Dated
September 11 2017

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I. INTRODUCTION

The City of Kingsville, based on recommendations from their financial advisor and bond rating agency, has determined it is good financial management to have a policy relating to an undesignated general fund balance (the “Undesignated General Fund Balance”) and a policy relating to an undesignated fund balance for its combined enterprise fund (the “Undesignated Enterprise Fund Policy”) encompassing the City’s waterworks and sewer departments (collectively referred to herein as the “Enterprise Systems”), as such undesignated fund balances are a key indicator of the City’s financial condition.

The City desires to create policies relating to the maintenance of an Undesignated General Fund Balance and an Undesignated Enterprise Fund Balance on an annual basis.

II. FUND BALANCE POLICY PURPOSES

This policy has been adopted and amended by the City Commission in order to address the implications of the Governmental Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Definitions*. The policy is created in consideration of unanticipated events that could adversely affect the financial condition of the City and jeopardize the continuation of necessary public services. This policy will ensure that the City maintains adequate fund balances and reserves in order to:

- a) Provide sufficient cash flow for daily financial needs,
- b) Secure and maintain investment grade bond ratings,
- c) Offset significant economic downturns or revenue shortfalls, and
- d) Provide funds for unforeseen expenditures related to emergencies.

This policy and the procedures promulgated under it supersedes all previous regulations regarding the City’s Fund Balance and Reserve Policies.

III. DEFINITIONS

The following definitions will be used in reporting activity in governmental funds across the City. The City may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

The **General Fund** is used to account for all financial resources not accounted for and reported in another fund.

Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt services or capital projects.

Debt Service Funds are used to account for all financial resources, restricted, committed or assigned to expenditure for principal and interest.

Capital Project Funds are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

Endowments/Permanent funds are used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the City's purposes.

IV. FUND BALANCE REPORTING IN GOVERNMENTAL FUNDS

Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54:

Non-spendable fund balance – Includes amounts that cannot be spent because they are either a.) not in spendable form or b.) legally or contractually required to be maintained intact. Non-spendable amounts will be determined before all other classifications and consist of the following items (as applicable in any given fiscal year):

- The City will maintain a fund balance equal to the balance of any long-term outstanding balances due from others (including other funds to the City).
- The City will maintain a fund balance equal to the value of inventory balances and prepaid items (to the extent that such balances are not offset with liabilities and actually result in fund balance).
- The City will maintain a fund balance equal to the corpus (principal) of any permanent funds that are legally or contractually required to be maintained intact.
- The City will maintain a fund balance equal to the balance of any land or other non-financial assets held for sale.

Restricted Fund Balance – Includes amounts that can be spent only for the specific purposes stipulated by the constitution, external resource providers, or through enabling legislation.

Committed Fund Balance – Includes amounts that can be used only for the specific purposes determined by a formal action of the City Commission. Commitments will only be used for specific purposes pursuant to a formal action of the City Commission. A majority vote is required to approve or remove a commitment.

Assigned Fund Balance – Includes amounts intended to be used by the City for specific purposes but do not meet the criteria to be classified as restricted or committed. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not

restricted or committed. The City Commission delegates the Finance Director the authority to assign amounts to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund.

Unassigned Fund Balance – Includes the residual classification for the City's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance from overspending for specific purposes for which amount had been restricted, committed, or assigned.

Operational guidelines. The following guidelines address the classification and use of fund balance in governmental funds:

Classifying fund balance amount – Fund balance classifications depict the nature of the net resources that are reported in a governmental fund. An individual governmental fund may include non-spendable resources and amounts that are restricted, committed, or assigned, or any combination of those classifications. The general fund may also include an unassigned amount.

Encumbrance reporting – Encumbering amounts for specific purposes for which resources have already been restricted, committed, or assigned should not result in separate display of encumbered amounts. Encumbered amounts for specific purposes for which amounts have not been previously restricted, committed or assigned, will be classified as committed or assigned, as appropriate, based on the definitions and criteria set forth in GASB Statement No. 54.

Prioritization of fund balance use – When expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the City to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the City that the committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

Minimum unassigned fund balance – The City will maintain a minimum unassigned fund balance in its General Fund of 25% of the subsequent year's budgeted expenditures and outgoing transfers excluding capital lease initial recordation expenditures. In the initial year of a capital lease, the full amount of the capital lease is booked in both revenues and expenditures resulting in a \$0 effect on fund balance. Since the minimum fund balance requirement calculation only looks at total expenditures, the initial capital lease recordation expenditure has to be subtracted as the offsetting entry is not there and inflates the expenditures subject to the minimum fund balance requirement.

The City will maintain a minimum unassigned fund balance in its Utility Fund of 25% of the subsequent year's budgeted expenditures and outgoing transfers excluding capital lease initial recordation expenditures.

The These minimum fund balances are to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain budget stabilization commitment.

V. REPLINISHING DEFICIENCIES

The City Commission can approve the fund balance for either the General Fund or the Utility Fund to be lowered at a level not to fall below 20% for a special capital project or capital purchase. When the fund balance is lowered for this purpose, replenishment to bring the fund balance back up to 25% within a period not to exceed 5 years.

When fund balance falls below the minimum 25% due to operational deficiencies, the City will replenish shortage/deficiencies using the budget strategies and timeframes described below.

- The City will reduce recurring expenditures to eliminate any structural deficit or,
- The City will increase revenues or pursue other fund sources, or,
- A combination of the two options above.

Minimum fund balance deficiencies shall be replenished within the following time periods:

- A deficiency resulting in a minimum fund balance between 25% and 20% of the subsequent year's budgeted expenditures and outgoing transfers shall be replenished over a period not to exceed one year.
- A deficiency resulting in a minimum fund balance between 20% and 15% of the subsequent year's budgeted expenditures and outgoing transfers shall be replenished over a period not to exceed three years.
- A deficiency resulting in a minimum fund balance between 15% and 10% of the subsequent year's budgeted expenditures and outgoing transfers shall be replenished over a period not to exceed 5 years.

VI. IMPLEMENTATION AND REVIEW

Upon adoption of this policy the City Commission authorizes the Finance Director to establish any standards and procedures which may be necessary for its implementation. The Finance Director shall review this policy at least annually and make any recommendations for changes to the City Commission.

AGENDA ITEM #17

**City of Kingsville
Purchasing Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Charlie Sosa, Purchasing Manager
DATE: August 31, 2017
SUBJECT: Golf Course Irrigation Components Installation Services (RFP#17-15)

Summary:

This item authorizes the award of RFP#17-15 and for staff to enter negotiations with Maldonado Nursery and Landscaping for Golf Course Irrigation Components Installation Services.

Background:

The City published a Request for Proposal #17-15 in the newspaper on May 17, 2017 and May 24, 2017. Request for Proposal were accepted until 2:00 PM on June 13, 2017 and two responsive proposals were received. The proposals were from Maldonado Nursery and Landscaping in the amount of \$97,116.00 and from Green Scape Six in the amount of \$116,531.71. Staff reviewed RFP#17-15 and made a recommendation to select Maldonado Nursery and Landscaping which was the apparent low bidder and best value to the City. Purchasing has called references on the recommended contractor.

Financial Impact:

The total amount of \$97,116.00 will be funded through the budgeted capital program (CO 33) #033-5-4502-71239 Golf Course Irrigation Improvements.

Recommendation:

It is recommended the City award the RFP to Maldonado Nursery and Landscaping located at 16349 Nacogdoches Road, San Antonio, Texas 78247 for Golf Course Irrigation Components Installation Services. Once the vendor is selected, staff will negotiate a contract with them that will be brought back to the City Commission for approval at a future meeting.



Bid Tabulation

Start Date to be determined
Revised – June 2017