

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION MONDAY, OCTOBER 09, 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 22, 2017
- Special Meeting – August 28, 2017
- Special Meeting – August 29, 2017
- Special Meeting – August 30, 2017
- Regular Meeting – September 25, 2017

APPROVED BY:

  
\_\_\_\_\_  
Jesus A. Garza  
City Manager

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

1. Public hearing regarding condemnation proceeding for structures located at 623 E. Alice St. Kingsville, Texas. (Director of Planning & Development Services).
2. Public hearing regarding condemnation proceeding for structures located at 226 E. Alice St., Kingsville, Texas. (Director of Planning & Development Services).
3. Public hearing regarding condemnation proceeding for structures located at 623 W. Huisache St., Kingsville, Texas. (Director of Planning & Development Services).

### **III. Reports from Commission & Staff.<sup>2</sup>**

*"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-Communications 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.<sup>3</sup>**

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 final passage of an ordinance authorizing the historical redesignation of streets in La Colonia Mexicana to include the original street names with the existing street names, having no impact on addresses. (City Manager).
2. Motion to approve final passage of an ordinance amending Chapter 5 of the Kingsville Parks Master Plan to add a supporting narrative and figure table. (Parks & Recreation Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 Budget to accept and expend a grant from the Union Pacific Foundation for the Train Depot Project. (City Manager).
4. Motion to approve a resolution by the City of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TXCDBG) Contract Number 72115270. (Capital Improvements Manager).

##### **REGULAR AGENDA**

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

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

5. Consider condemnation of structure(s) located at 623 E. Alice St., Kingsville, Texas. (Director of Planning & Development Services).
6. Consider condemnation of structure(s) located at 226 E. Alice St., Kingsville, Texas. (Director of Planning & Development Services).
7. Consider condemnation of structure(s) located at 623 W. Huisache St., Kingsville, Texas. (Director of Planning & Development Services).

8. Consider awarding RFQ #17-14 for financial advisor services and authorizing staff to negotiate a contract, as per staff recommendation. (City Manager).
9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Article 7, Food Sales and Food Establishments, Sections 17 & 99 on permit provisions and penalty be modified and Sections 20-25 be added to provide for Mobile Food Unit, Mobile Food Establishment, and Push Car Regulations. (Health Director).
10. Consider introduction of an ordinance amending Chapter XV, Article 6-Zoning, amending Appendix A-Land Use Categories to add Mobile Food Vendor and Mobile Food Court. (Director of Planning & Development Services).
11. Consider a resolution authorizing the City to submit an application to the State Defense Economic Adjustment Assistance Grant Program for the purpose of requesting grant funding for land acquisition for encroachment prevention near the base. (Director of Planning & Development Services).

## VII. Adjournment.

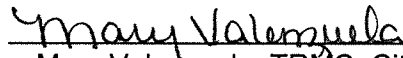
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative 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](mailto: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:

October 2, 2017 at 4:00 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time said meeting.

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

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

By: \_\_\_\_\_  
 City Secretary's Office  
 City of Kingsville, Texas

# **MINUTES OF PREVIOUS MEETING(S)**



**AUGUST 22, 2017**

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, AUGUST 22, 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  
Kyle Benson, IT 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  
Leo Alarcon, Tourism Director  
Deborah Balli, Finance Director  
Cynthia Martin, Downtown Manager  
Susan Ivy, Parks Manager  
David Bodiford, Finance Supervisor  
Jennifer Bernal, Community Appearance Supervisor  
Charlie Sosa, Purchasing Manager  
Manny Salazar, Economic Development Director  
Richard Flores, Golf Course Manager

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 4:00 P.M. with all five Commission members present.

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

Mayor Fugate waived these proceedings.

**MINUTES OF PREVIOUS MEETING(S)**

None.

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

None.

### III. Reports from Commission & Staff.<sup>2</sup>

*"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, announced that the City Commission will have another budget workshop on Monday, August 28<sup>th</sup> at 4:00 P.M. with the regular meeting to follow at 6:00 P.M.

Commissioner Lopez commented that with the upcoming bad weather that Kingsville may receive, she asked that staff make sure that creeks and drains are being cleaned to prevent flooding.

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

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

No public comments made.

### V.

#### **Consent Agenda**

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

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

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

None.

#### **REGULAR AGENDA**

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

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

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

Mr. Jesús Garza, City Manager that the budget being presented is balanced at keeping the tax rate of \$.84220. In previous conversations there had been questions about what the budget impact would be if the tax rate was changed. Garza further commented that the budget does not purpose lowering the property tax rate. If a reduction of \$.01 was to be taken, it would equate to \$83,000. Any cent reduction that the Commission may want to consider would result in \$83,000 less in revenue. Garza further stated that the third part-time position that was not mentioned during yesterday's budget workshop is an existing position within the Library Department. This position was taken from full-time and converted to part-time, which was the Digital Librarian position. Garza discussed the fund balance options and how the proposed budget has it dropping from 25% to 20%. Compare to the City of Corpus Christi, their fund balance is 60 days. Garza further stated that there are three options that the City Commission can consider. One option being to keep fund balance at 20% as proposed in the budget. Garza further commented that one thing he forgot to mention during yesterday's budget workshop was that over the last several years the City's proposed and adopted budget have had a \$300,000 cushion above minimum requirement to give the city some money to make budget amendments. This year's proposed budget is starting off with \$400,000 in fund balance above minimum requirement, which in the budget is 20%. Staff's goal is to adopt a budget with \$350,000 above minimum. Garza reported that the Utility Fund is \$460,000 above minimum fund balance, with no changes. Garza further stated that if the Commission decides to not adopt the 20% fund balance, it would have minimal impact in the general fund. As for the Utility Fund, by dropping the Utility Fund to 20% to 25%, it will free up about \$425,000 to transfer from fund balance to one-time expenditures, which is allocated to different various projects. These projects range from ground storage tank, backhoe loader, skid loader, sewer storm line camera, lift station pump which are items that are needed. He further stated that the Utility Fund is running out of CO Funds and there isn't enough money there for a lot of these things that can come up.

Mayor Fugate commented to Mrs. Alvarez, City Attorney, that he can't recall the City ever having to go into the reserves to cover expenses for day to day operations.

Mrs. Alvarez responded that the Mayor was correct with his comment. She further stated that there were a few one-time projects that she believes City Manager Capell had done with money that was washed over from one year's budget to the next year's budget that went to fund balance. Alvarez further stated that when those were pulled out, they kept the fund balance reserve well above the 25% mark. She stated that the city has only gotten close to the 25% recently.

Mayor Fugate stated that he recalls the Commission bringing it down to 25% while Capell was City Manager. Fugate further made other comments that were not picked up on the audio, due to Fugate sitting to far from the microphone.

Mayor Fugate commented that citizens are more interested in fixing the streets as oppose to having 5% of the money in the bank.

Mr. Garza commented that if this is the policy direction that the Commission wants to go, then staff will go with that. Garza further mentioned that the third option is mixing and matching it. This option would be keeping General Fund at 25% and dropping the Utility Fund to 20%. If the Commission decides to drop one fund or both funds to 20%, staff would proposal to gradually increasing it back up over the next five years.

Mayor Fugate commented that this is the only drawback to it is that next time the city has to go out for bonding purposes, it could affect the city's rating.

Mr. Garza commented that according to the information staff received from the Financial Advisor, she feels that it wouldn't change drastically. Even by dropping it to 20%, it is still above what is typically expected of municipalities. After discussing that GFOA recommends 60 days, and even in the information that staff received from the city's financial advisor earlier this week, suggested that the rating agency that is utilized to rate the city considers the fund balance at 15% or higher. So, anything above 15% gives the city the same score that the city has now. Garza further stated that there is an impact, but how you measure that impact is up to interpretation from individuals and how they are looking at it.

Mayor Fugate commented that there won't be any decision made tonight, this is pure discussion.

### **Planning Department**

Mr. Tom Ginter, Director of Planning & Development Services, commented that for the past year for his department is the transition to the cottage building. The move has brought the department closer in the case that they are able to communicate better with each other, due to all his staff being in one location. Ginter further commented that with the Downtown Manager and the EDC Director being housed in the same building, they can answer more of the citizens questions than before. As for the workload of the department, their numbers are based on calendar year. For the year 2016, they had a total of 85 permits consisting of residential and commercial. In 2015, the department only had 50 permits, combined between residential and commercial. In this upcoming fiscal year, the acquisition of Accela software will be a good advantage for his staff to have. This software will assist his staff in keeping track of all inspections. This will allow staff to put plans into Accela where they will have the option to make corrections to the plans. Ginter further commented that one other project that he will be involved with is the 2020 Census.

Mr. Garza commented that within the Planning Budget, there are a few increases such as the anniversary and health care cost increases, which are increases that are within every budget. The budget will also show the one-time budget reduction, which is a reduction from various line items. Garza further commented that he foresees there being a slight decrease in the amount of permits for next fiscal year, so therefore the budget takes that into account in the reduction of revenues coming from the Planning Department. Once all the reductions are calculated, the estimated amount totaled to \$10,000 to \$15,000, total reduction coming from the Planning Department. Mr. Garza asked Mr. Ginter if there were any proposed fee changes within his department.

Mr. Ginter commented that there are no proposed fee changes within his department.

Commissioner Pena asked if staff was proposing a reduction. Mr. Garza's response was that this was correct, in revenues coming from the Planning Department in its totality. Garza further responded that due to them having electrical permits, plumbing permits, building permits and they each have their own line item, so a lot of them are being reduced by \$1,000 to \$2,000. Once all the reductions are added up, it ends with totaling up to \$10,000 to \$15,000 in revenues from this department.

Commissioner Pena further stated that the 2017 numbers such as the expected annual shows an increase of about \$20,000 from 2017 to 2018. Mr. Garza responded that some of that is having to do with permits, in slight reduction in some of the permits. Garza further stated that the demolishing recovery was also slashed as the food licenses was increased slightly, contractor licenses was increased and several other items that were increased.

Commissioner Pena asked what would be a more accurate record and could it be the 2017 total budget?

Mr. Garza's response was that the numbers that should be compared are the 2017 total budget number is what is currently in this fiscal year's budget.

Commissioner Lopez asked if anything was being proposed for private ambulance permits? Mr. Garza responded that this will be under the Fire Department budget. Commissioner Lopez further asked if money was being collected at the Fire Department or where do they pay the ambulance permit fees. Mr. Garza responded that this can be discussed when the Fire Chief presents his budget, but staff is working towards collecting those fees at the Fire Department.

Commissioner Garcia asked that the year-to-date for 2017 shows \$254,810.47 and the City Manager's projection for 2018 \$338,000.00, is this year-to-date as of July? Mr. Garza responded that this is through June.

Commissioner Garcia further asked how many inspectors were within the Planning Department. Mr. Ginter responded that there are two inspectors in this department, one Building Official and one inspector. Garcia further commented that the department has had 85 building permits and only with two on staff.

Mr. Garza stated that this number of permits was for 2016, 2017 has been a slower year.

### **Downtown**

Mrs. Cynthia Martin, Downtown Manager reported that her job consists of managing the Main Street Program from economic development, event planning & facilitation, and staff to the Kingsville Main Street Advisory Board. She also manages the Certified Local Government Program which is reviewing permits in the Historic District and staff to the Historical Development Board. Her department goals and objectives are the implementation of the Downtown Vision Plan, establish a tax increment reinvestment zone in Main Street district as well as establish downtown as a National Register District. The department accomplishments are the Main Street program earned National Accreditation for its second year in a row, established a strong Main Street Advisory Board, expanded Main Street District from 6<sup>th</sup> Street west to City Hall, downtown sidewalk project that included ADA ramps & sidewalk replacement, old Ford Dealership cleanup and painted/improved appearance, and secured grant funding for nomination of Downtown National Registry District. Some downtown initiatives are window graphics program, fire safety, Christmas lights along Kleberg, post office project, municipal building renovation, spring event, small business Saturday, monthly newsletter, food trucks, farmers market, and community events & parades. Historic district initiatives are encourage infill construction, good stewardship awards, provide training for Historical Development Board, and promote local history.

Mayor Fugate commented that the most important thing that will be done in the downtown district this year is the tax increment zone. This has been talked about for many years and it's something that really needs to happen. Fugate further commented that the Kingsville Independent School District cannot be a member of this, not that they don't want to, they can't do or they will get doubled penalized. School districts do not join tax increments but there is no reason why the county or the city wouldn't be able to join in.

### **Economic Development**

Mr. Manny Salazar, Economic Development Director reported on some of the businesses that opened this year which total to \$16.3 million dollars in development projects. This includes some businesses that have not been announced yet, but he is very confident that they will be open before the end of the year. The creation of 215 jobs and will project sales of \$19.5 and \$25.6 million dollars moving forward. On the community development side, he has partnered up with the Kingsville Chamber of Commerce on a Junior Leadership Kleberg County Program. This program has 19 students from all three school districts and have already held a couple of meetings. As for workforce development, job training programs have been held as well as other training that may be available. It is important to

engage in young students as it will assist them once they are ready to go out in the workforce. Salazar further commented on other committees that he is involved with.

Mayor Fugate commented that this is one of the departments that receives community involvement in helping fund the department. The budget shows \$41,944 is from different individuals and businesses that assist in this funding.

Mr. Salazar commented that the department receives \$22,000 from the County which is passed through the city to pay the salary. He stated that they have raised close \$100,000 each year for general operations. The majority of this budget is funded through active fundraising through the EDC.

Commissioner Garcia asked how long Mr. Salazar been with the EDC. Mr. Salazar commented that he started in June 2015.

### **Tourism Department**

Mr. Leo Alarcon, Tourism Director reported that the fund balance is \$330,000 with revenues at \$550,000. It is predicted that expenditures will be at \$784,000 giving the fund balance \$99,000 left over after next year.

Mr. Garza commented that there is a deficit in Tourism of \$233,000. Reason is due to the JK Northway. Of the \$233,000, \$166,000 is the budgeted deficit for the JK Northway as the expenses to the JK Northway far outweigh the revenues for the JK Northway. This is the reason why it was pulled from the general fund and placed in the Tourism because if it would have stayed in the general fund, the Parks Department would have had two operations running in deficit which would be the golf course and the JK Northway. This would have made things difficult to have money for items related to the Parks. Garza further stated that the revenues of \$550,000, is not all coming from hotel occupancy tax dollars. Some of that money is hotel occupancy tax dollars, JK Northway revenue, and \$25,000 that was transferred from general fund to Tourism.

Mr. Alarcon continued his PowerPoint presentation of the Tourism Department.

### **Connor Museum**

Mr. Jonathan Plant, Museum Director presented the Connor Museum budget. He reported that the carryover from last year's deposit was \$79,643.59 which gave them total revenues of \$84,693.22. Total operating expenses was \$74,104.21. Next year the estimated revenue from hotel tax is \$69,000, per the city budget and there current balance is \$15,400.26 makes the total estimated revenues of \$84,400.26. Total projected operating expenses is \$74,000.00. Plant commented that there has been some restructuring regarding salaries. They have eliminated the part-time positions due to the restructuring of the University System. There was less advertising last year than they would have liked to but hoping to do more advertising this upcoming year.

Commissioner Lopez asked what percentage is sent over to the Museum.

Mr. Garza stated that he didn't have the actual percentage now. The way the Connor Museum gets its contributions is that when every month when the receipts come in, the percentage of those receipts is taken which is the amount that is sent to the Museum on a monthly basis.

Mr. Plant commented that it is typically every month and sometimes it's every other month.

Commissioner Lopez asked if the Connor Museum was receiving an itemized statement of showing the amount they are receiving.

Ms. Stacie Pena, Finance Director spoke on what the Museum receives, this information was not picked up on audio.

Mrs. Alvarez stated that what Stacie has commented was that from whatever hotel occupancy tax dollars are received, one-seventh is what is sent over.

Commissioner Lopez further asked if there was any information attached to the check that is sent to the Museum.

Mr. Alarcon continued with his PowerPoint presentation. This presentation shows the hotels around Kingsville, the performance measures for the for the last six months with the last month being June as July information has not been received. He stated that it has increased from 47% to 50% of occupancy for all hotels in Kingsville.

Mr. Garza commented that just because occupancy rates have gone up does not mean the revenues will go up as some of the customers staying there are not paying taxes for long term stays after 30 days.

Mr. Alarcon continued with his presentation for the Tourism and the improvements and responsibilities within his department. He stated that 24 wayfinding signs were placed during this fiscal year. He further mentioned some of the local events that his department has assisted with.

Mayor Fugate thanked Mr. Alarcon and his staff for all the excellent work that has been done within this department.

City Commission called for a 15-minute break at 5:23 P.M.

Mayor Fugate reconvened the meeting after the break at 5:32 P.M.

### **Parks & Recreation**

Mr. Jason Alfaro, Parks & Recreation Director stated that some of the successes for this fiscal year as far as major projects go were the completion of the Parks Master Plan, re-decking of pier at Dick Kleberg Park, renovated Parks Office, re-fenced softball field, installed new coping, pool liner, shade structures, security cameras, water fountain and diving at Brookshire Pool. Another considerable success is the creation of a Parks and Recreation Advisory Board. Some of the maintenance items were placing a new perimeter fencing around Corral Park; new resurfacing material for playscapes at Dick Kleberg Park; play structures/amenities at Dick Kleberg Park and Gillette park were repainted and received new swings and components; refurbished picnic tables and grills at BBQ Building; and new schedule was implemented for parks staff that increased productivity and efficiency. Mr. Alfaro stated that revenues for Parks & Recreation are over their projected numbers, except for the recreation hall (-\$3,961) and adult softball league fees (-\$8,405). Currently Brookshire Pool revenues are \$10,018 over expected revenue. Parks donations were up \$925 than projected. Mr. Alfaro further stated that as soon as the pool is completed for the season, he is looking on moving forward with the splashpad project, which he hopes is completed for the opening next year.

Mayor Fugate asked if the splashpad will be within the pool area or will it be separate and independent.

Mr. Alfaro responded that the splashpad will be attached to the pool. Citizens will have to go through the pool admission to get into the splashpad.

Mr. Garza commented that a better way to describe this is that it's a mixture of splashpad component with a kiddie pool. The current pool that the city has, has a shallow end of three feet which doesn't allow the ability for small children to enjoy the pool. Staff is looking at having a kiddie pool that will go from zero to eighteen inches with some splashpad structure's.

Mr. Alfaro stated that the biggest changes in the budget are more detailed line items. Budget is broken into two divisions which are the parks division and recreation division. Some increased line items are within the communications which consist of upgrades, WIFI

for the pool area and recreation programming. The Parks & Recreation Department goals and objectives for the next fiscal year are as followed: continued park maintenance improvements; expand our nature based educational activities and increase our attendance for all programs by 25%; continue to expand recreation programs and activities, focusing on the Kingsville area; implementation of turf management and playground inspection programs; continue parks and recreation projects and updates; and apply for grant opportunities, focusing on connectivity, infrastructure, and land acquisition. Alfaro further commented on the fee schedule. He stated that there will be a request to change this schedule, as it is taking more of staff's time to maintain the park rentals and due to some of the improvements that have been made to the Parks rental spaces.

Commissioner Garcia asked that when a rental is made, is there a set of rules that the renter needs to follow. Mr. Alfaro responded that there are rules that they must follow.

Mr. Alfaro stated that staff is looking at updating the tournaments field rental fees from \$25.00 to \$150.00. Reason for this increase is that the number of hours it takes staff to prep the fields to get them tournament ready. In the past, the Leagues have not been charged for the use of fields. What is being asked is that Leagues charge a certain price per player per season so that we can benefit from those leagues that are coming in which will then be put back into for parks improvements. The city has never had anything for entire ball field complex, which is pretty much what is being charged now which is \$1,200 per day.

Mayor Fugate asked that with some of the tournaments that rent all the ball fields pay \$1,200 per day. Mr. Alfaro responded that they pay \$1,200 per day which includes ballfield rental and electricity.

Commissioner Lopez commented that she feels that Kingsville will need another pool in the future as citizens are using the pools a lot more over the summer.

Mayor Fugate commented that the pool area with the splashpad that will be in place in the future, will make this pool a great facility.

Commissioner Pena commented that Corpus Christi has three pools in operation out of thirteen pools they have.

### **Golf Course**

Mr. Richard Flores, Golf Course Manager reported on some of the accomplishment the Golf Course has had for this year. A new fence was install along Country Club Drive. The fence blends in to the Wild Horse Desert theme that has been selected for the golf course. The old bridge was faulty and became a priority to replace. The new bridge adds esthetics and a pleasant view to and from the clubhouse. Lake bank work to stabilize cart path for new bridge installation. Club house has been furnished with comfort in mind. The Pro Shop has started to sale snacks, beer, and golf course merchandise. Flores further reported that irrigation components to install have been purchased. Installation will be complete by the beginning of November which will be a 30 to 45-day project. Drainage ditches around the perimeter of the golf course will be cut to drain away from the golf course. Ditches in original blueprint will be cut to drain into the lakes. Storm drains will be repaired to divert water away from the golf course. Fairways will be rototilled, soil will be refloated to reflect original design, soil amendments added and a 419 variety of grass seed will be planted.

Mr. Garza commented that another key point is that Kimley Horn has been hired to do the drainage master plan for the city, but part of their job intel's looking at drainage at the golf course. As they have completed the study and staff has found the original plans of the golf course, they have been able to look at the original plans and the plans developed by Kimley Horn for drainage and the irrigation plans and put everything together for a final product.



Mr. Flores continued to comment that unknown to staff, there is an irrigation system out there. It is believed that the system became old and dilapidated.

Commissioner Garcia asked for the cost of the bridge. Mr. Flores stated that the cost of the bridge was \$21,000.

Mr. Flores reported on the cost of improvements to the golf course. The club house furniture, point of sale, security, and rewiring totaled to \$38,000. As for the golf course, the fence, bridge, drainage, and irrigation/installation totaled to \$295,035. FEMA will pay \$168,000 due to the May 31, 2016 storm. Once this money is received, the city has the option to request another federal ag insurance that is available to the City. Flores reported that beer sales are expected to reach \$17,500 by the end of year. Total sales for fiscal year 2016-2017 are expected to reach \$287,500. A driving range membership was created which was for military serviceman, which was a fee of \$20.00 per month. Flores stated that looking at the future, staff is looking at renovating greens, t-boxes and sand traps. They are considering going with a sustainable probiotic lake remediation and water level control on all the lakes. Revitalization or rerouting of cart path overlay. Staff is also considering the possibility for a bar & grill servicing daily play, tournaments and or unique events. Other items for modernizing for the future are native area and wildlife habitat; strategic marketing and promoting for junior and senior golfers; grow tournaments and participation rates; and other unique events. The golf course has a program called the Starting New at Golf Course Program. This program will teach the fundamentals of golf in a fun and practical manner to beginners of all ages. Flores stated that there are no proposed changes to the fee schedule as he would like to make some improvements to the golf course before proposing changes to the fee schedule. Flores stated that one of the main things that he would like to do is drop the month to month and go to a standard six-month to twelve-month membership.

Commissioner Garcia asked when this would be implemented.

Mr. Flores responded that staff is still looking into it, but it would definitely assist staff with accounting.

Mayor Fugate commented that it is fair to get the golf course in better shape before implementing changes to fees.

Mr. Flores stated that what he is trying to do is keep it below the market. He would like to have golfers from the surrounding areas to come to this golf course and keep out golfers here in Kingsville.

Commissioner Garcia commented that golfers who pay annually are probably the ones that rent out lockers at the golf course. Mr. Flores responded that this was correct.

Mr. Garza commented that some members do rent lockers but there are some that are not members that may want to rent a locker.

Commissioner Garcia stated that for the individual locker fee, there is a three month, six months, and one-year fee, would that just coincide with just saying an annual fee?

Mr. Flores responded that it could be worked in this way.

Commissioner Lopez commented that she agrees that fees shouldn't be increased until some improvements are made.

Mr. Sharam Santillan, Capital Improvements Manager spoke regarding maps of the golf course that were given to the City Commission. These maps show data that was submitted to staff from Kimley-Horn from their submittal of the drainage master plan for the golf course as well as the plans that were discovered by the Parks Department from the 1973 of the LE Ramey Golf Course. These maps also show the existing conditions of the course as it is now. There were several items on these maps that will assist in developing a strategy in how staff wants to tackle these items. Santillan further discussed the map outlines.

Mr. Garza commented that the plan is to put these images on poster boards and displaying them in the clubhouse so all can see what the improvements will look like at the golf course.

Commissioner Garcia commented that golfers have been complaining the city is moving slow in making improvements to the course and money not being spent correctly.

Mr. Santillan commented that it's important that we put this plan together so that we don't do one portion of the project and find out later that it effected another component.

Mayor Fugate commented that this golf course has been abused for thirty years. The County has neglected this course for thirty years and did not do anything to improve it, other than drilling a well. The City has had it for a couple of years and it didn't get in the shape it's in right now overnight and it will not get fixed overnight. Fugate further commented that he appreciates staff taking the time to make sure that we do it right. He understands that there has been some criticism from golfers that the city is spending money in the wrong places, but the money that is being spent is being spent in place that we can improve the course until we can get where we need to be on the actual course, which is in the clubhouse and other areas. Fugate commented that he is convinced that if the County had this course, it would be closed. Everyone out there that complains about the golf course needs to shut up and tee up and play golf; if they don't want to do that, they can go play in Alice or Falfurrias.

Commissioner Pena commented that he agrees with Mayor Fugate's comments.

Commissioner Lopez commented that golfers are already doing this, going other places to play.

Mayor Fugate further commented that the city is going to get it right, the city is going to get it fixed, but they need to be patience with the city. He further commented to Mr. Flores that he is doing an excellent job in running the course.

Mr. Garza commented that the Commission has the option on continuing or calling it a night.

Mayor Fugate commented that he would like to close this meeting and wait on other department presentations for the next meeting.

## **VII. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:40 P.M.

**ATTEST:**

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Sam R. Fugate, Mayor

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Mary Valenzuela, TRMC, City Secretary

**AUGUST 28, 2017**

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 28, 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  
Kyle Benson, IT Manager  
Israel Vasquez, Facility Maintenance Manager  
Emilio Garcia, Health Director  
Jason Alfaro, Parks & Rec Director  
Derek Williams, Systems Specialist  
David Solis, Risk Manager  
Adrian Garcia, Fire Chief  
Leo Alarcon, Tourism Director  
Deborah Balli, Finance Director  
Susan Ivy, Parks Manager  
Jennifer Bernal, Community Appearance Supervisor  
Charlie Sosa, Purchasing Manager

**I. Preliminary Proceedings.**

**OPEN MEETING**

**CONVENE INTO BUDGET WORKSHOP:**

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

Mr. Jesús Garza, City Manager commented that today staff will continue today's budget workshop with a discussion on the quality of life.

**Community Appearance/Recycling Center**

Mrs. Jennifer Bernal, Community Appearance Supervisor reported that a merger of the Recycling Center with Community Appearance, which is a step towards efficiency. A notable change is the conversion of Recycling Technician to Equipment Operator I. In the past five years staff has seen an increase in abatements. The reclassification of the Recycling Technician to Equipment Operator I, now will allow for more flexibility between all three operators. It is expected to see a reduction in turnaround time of when a work order is created to the actual abatement. Mrs. Bernal went on further in showing the City Commission some picture of abatements that staff has already worked. Bernal reported that there are 115 properties that her staff is maintaining at this time, of those 115 properties 10 belong to the trustees. When staff is pulled from the Recycling Center to assist in the maintaining of these properties, the Recycling Center is not closed as it is open 24/7 due to having the cage where citizens can still make their drop offs. Bernal mentioned the Love your Block Program, which is a new pilot program to Revitalizing our Neighborhoods. This is an

initiative to assist low income citizens in minor home repairs, to include painting, siding replacement, handicap access, minor fence repair, possible roof repair. This initiative will be presented to citizens as a call to revitalize their community. It will involve various groups, clubs, and organizations. It will also partner with local businesses and raise the volunteer spirit from our local College Campuses. A goal of 8-10 homes in the first year is set for this initiative. Search for additional funding through grants to increase goal annually and develop partnerships with local groups and business to sponsor. Bernal further discussed the Dangerous Building Abatement Program. She stated that this program has fallen a little behind due to issues with the landfill. Staff will continue to work with the Building Official in getting these properties back on track. Action that will be taken in doing this is increase advertisement of this program. Work with citizens for voluntary demolition of their dilapidated structure. The advantages to the program are the property owner makes the request, there is interest on their part to eliminate the safety hazard. The time period for the property to be taken care of is shorter. Experience has shown that demolitions are accomplished in a shorter period of time. Bernal at this time showed pictures of some of the demolitions that have occurred in the past.

Mayor Fugate stated that it is his understanding that there is some problem with some equipment at landfill which is the reason some of these properties have not been demolished.

Mr. Garza responded that the compactor at the landfill has been down and part of the reason it has been taking a while is because staff has been dealing with the manufacturer and with the company that the compactor was purchased from. Staff is trying to figure out who is responsible for the repairs of the compactor.

Mrs. Bernal commented that the city has an agreement with Killean Calderon Disposal of Corpus Christi who is ready to bring out cans.

Mr. Garza commented that for the pilot program that was mentioned by Mrs. Bernal has a budget of \$20,000 for the new year.

Mayor Fugate asked that in Professional Services line item, this is money that staff is going to be using to rehabilitate homes in Kingsville.

Mr. Garza responded that this was correct. This is under professional services as it was the best category to place it under but there is still a lot of specifics to be figured out. Staff will have more detailed conversations in the Fall establishing guidelines, parameters, and the requirements. These are things that still need to be figured out. As for now, staff is locating the funds for it and introducing the idea to everyone as staff fine tunes the details.

Mayor Fugate commented that there is an ordinance in place that states the city will share expenses with landowners if they want to rehabilitate their properties.

Mrs. Alvarez commented that there might have been a program several years back with regards to properties. Although she feels that it was done by resolution and not by an ordinance.

Mr. Garza further commented that the contribution to Keep Kingsville Beautiful remains at \$10,000 which is the same amount as last year. Garza stated that Mrs. Bernal has been working with the group on working towards formalizing that entity into its own non-profit organization. This would come with big benefits for the city as there a lot of grants that can be applied by only non-profit organizations.

Mayor Fugate commented that he has noticed within the budget and increase in salaries and wages.

Mr. Garza responded that this increase is due to the restructure of the Recycling Technician from the Sanitation Division to the Recycling Division. This restructure occurred after Mr. Luke Stevens vacated the position, the duties were separated amongst two departments, Landfill and Recycling Divisions.

Mayor Fugate stated that he was under the impression that staff was doing away with this position.

Mr. Garza commented that he has restructured it and now rather than there being two equipment operator 1's and a recycling tech, there are three operator 1's. This gives the Recycling Center the flexibility cause during peak times, Mrs. Bernal needs that third person. This will give her the flexibility to be able to pull that operator one from the Recycling Center. Garza commented that the Recycling Technician position is still in the compensation plan, but not being funded.

Commissioner Garcia commented that the boundaries of Kingsville is only so much. He stated that he can personally drive up and down the street and identify a lot of properties and write down the addresses. He asked Mrs. Bernal if her department has done this already.

Mrs. Bernal responded that as she had mentioned earlier during her presentation, they have 115 properties to maintain more than twice a year. Ten of these properties belong to the trustees which will always be maintained by her staff. Bernal stated that her staff has been doing a lot of placarding and door hangers to get voluntary compliance from the property owner. Staff also depends on the public when they call to file complaints on properties. When a complaint is made, staff does not only focus on that particular property, staff will check the entire block and alley for any other violations.

Commissioner Garcia asked if there was a list of those properties. Mrs. Bernal responded yes.

Mayor Fugate commented that in the past the City Commission would receive a list of properties that had code enforcement violations.

Mrs. Bernal commented that this list was time consuming to put the list together. A lot of it now is not only junk and debris anymore, a lot of it is high grass and abandoned properties.

Commissioner Lopez commented that if maybe if the City Commission would receive a monthly report as they use to receive in the past from the City Manager it would be very helpful.

Mr. Garza commented that this report is very time consuming so he is not planning on doing that, but staff can look at, specific for the properties, doing something to that effect, but not for every department.

Commissioner Lopez commented that this report is done by staff and the City Manager puts it together and then send it out to the City Commission. This will give the Commission information on what is going on and staff will have less presentations to make.

Commissioner Garcia asked that with the city maintain 115 lots, is the city working with property owners to see if they would like to sale their lots. It would probably benefit the city to start a program so that we don't have to maintain these properties forever.

Mr. Garza commented that staff can give this some thought and see where it ends up at.

#### **Library Department**

Mr. Robert Rodriguez, Library Director stated that Ms. Linda Miller, Technology Librarian will present an overview of the Library Department.

Ms. Linda Miller reported that the mission for the department is to serve the residents of Kleberg County and neighboring communities, as a vital center, providing resources and services that

enhance and contribute to an individual's knowledge, enlightenment, and enjoyment. The library changes lives through the transformative power of information, imagination, and ideas. The Library is a City-County Library Department. The library houses more than 50,000 items for leisure and research use. The library has over 32,000 registered patrons and circulates over 33,000 items annually. The library averages approximately 45,000 visits a year as of 2016. The library offers print and digital resources. The library offers print and digital resources. These services include e-books, audiobooks, databases, streaming movies, free high-speed internet, Wi-Fi Internet access, Wi-Fi printing, computer labs, including a Makerspace lab, an employment resource and testing center, public printers, and a typewriter. Over 6,500 patrons engage in the library's author lectures and book signing events, summer reading and activities programs, toddler story times and other special events. In 2016, approximately 20,000 patrons utilized these resources. Some of the children's services are toddler story time which is on Thursdays. The summer program was a great success with the highest attendance ever of over 102 children attending. The Library also provides digital services such as lego bots and books program for children 7 to 14, Microsoft excel training for adults and Texshare, Mango languages and learning express. Accomplishments for 2016, added a 3D printer at the Maker's Space, constructed a new staff break room, purchased printers for patron checkout items, purchased barcode duplicators for book information and patron library card. The library also upgraded internet service from 16mb (DSL) to 100 mb (fiber) through e-rate going through Spectrum. The library is working with the City of Kingsville IT Department for networking cabling, network equipment, Wi-Fi access points, and domain controller. Future goals are upgrade patron library cards, online digital patron services, and VoIP Telephone System.

Mr. Rodriguez commented that the budget for the Library Department for fiscal year 2017-2018 is the same as last year. Only vital necessities for daily operations have been increased. The Library Board has reviewed the budget and is requesting the City Commission approve the budget as presented.

Mayor Fugate asked that under the line item for education, it show that \$8,000 will be spent in library books, and asked if this was enough.

Mr. Rodriguez responded yes, as the library is going to designate more monies towards the purchase of e-books.

Commissioner Garcia asked how extensive is the e-books library. Mr. Rodriguez responded that they currently have about 5000. Garcia further asked about DSL at the library and the cost to bring the Library up to speed.

Ms. Miller commented that the Library just received e-rate which is in service now. The government pays 80% and the Library pays 20%, which is cheaper than paying for DSL, considering what the government is putting in.

### **Health Department**

Mr. Emilio Garcia, Health Director reported that the Health Departments mission is to protect safety, health and well-being of our citizens, enhance the quality of life and promote an environmentally safe community for residents of Kingsville and Kleberg County. The City-County Health Department provides animal control protection and investigations for the City of Kingsville and Kleberg County. The department is responsible for investigations and follow-up investigations for animal bites, animal cruelty and cases, food establishment inspections and complaints and onsite sewage facilities inspections and complaints. The Health Department responds to call for loose and stray animals/livestock, dog bites and cruelty cases. The Health Department also provides adult mosquito spraying and larvicide and supportive services to all department for vector control bee abatements. The department accomplishments for fiscal year 16-17; placed metal doors with frames at the Animal Control Center; constructed 10 outside dog bay kennels on the southside of the animal shelter; and purchased equipment for our animal control division. The department goals for 17-18 are replace 4 metal doors with frames at the Animal Control

Center of which the cost is \$2,100 each; expedite CO funds (\$25,000) for Health Department; continue working with 501(c)3 Rescue Groups; and continue providing superior service. The department goals and objectives is to provide the highest level of service and protection to the citizens of Kingsville and Kleberg County; ensure that our animal control specialists and health inspectors respond to complain with respect, dignity and on a timely manner; and implement high-standards for training for all employees. Garcia reported that as for their performance measures are good with less dogs and cats being euthanized due to more rescues or adoptions. Number of euthanized for fiscal year 2016-2017 is lower than other years. Garcia showed photos of some of the improvements made at the Health Department. The Health Department fees, there are fees for animal control which were approved in 2015.

Mr. Garza stated that within the animal fees and impoundment fees there are no changes being requested. These two fees are established by city ordinance and generate revenue of about \$35,000 per year, which is money that goes to the County.

Mayor Fugate commented that he was under the understanding that this had been corrected.

Mr. Garza responded no. He stated that in the past he has mentioned that the Health and Library Departments are not a 50/50 split with the County. He has also made comments that agreements with the County need to be updated as they are very old agreements. The way these two departments are operating now, are not consistent with the agreements. The agreement that the city has with the county regarding the Health Department fees states that we stipulate these fees stay with the city, as they should as they are city fees past by city ordinance. In doing research it was known that the city stopped receiving these fees in 1990. Garza stated that staff has not made a huge effort in changing this, as it is not the city's intent to cause major disruption with the County operations. As staff will move forward in modernizing these agreements, it is important to make the Commission aware of what has been going on for the past few years.

Mayor Fugate commented that whatever amount is collected from these fees should go back into the department, and both the City and County can benefit from this.

Commissioner Garcia asked if this transfer happened since 1990. Mr. Garza responded that it happened around that timeframe. He stated that staff did some research and that is what it showed. Garcia further asked if there was any ordinance or anything in writing stating that they received these funds. Mr. Garza commented that staff did not locate any information stating just that. Both entities did research to see they could find anything, but both entities found no information. Garcia asked is this money transferred monthly. Mr. Garza stated that they get it daily.

Mr. Garcia commented that the Health Department deposits this money to the County Treasures office every Friday by 3:00 P.M.

Commissioner Pena commented that the city hasn't relied on this money since 1990, in spirit of cooperation maybe it's just something that needs to be left alone.

Mr. Garza commented that this is why staff hasn't proceeded with it as the city has operated this way for a long time. Staff would rather wait until the negotiations for new contracts comes up with the County.

Commissioner Garcia commented that it brings up another question, it hasn't been caught in an audit in all these years.

Mr. Garza responded that the role of an audit is not necessarily to go back and check every single agreement that the city may have. Garza continued to state that restaurant inspection fees within the city limits belong to the City.

Mayor Fugate asked about the increase on overtime. Mr. Garza commented that reason for this is that currently the Health Department does several things that require overtime, such as having the first Saturday of the month for pet adoptions. Mayor Fugate also questioned the supply line item going from \$1,100 to \$4,300.

Mr. Garcia responded that this line item was reduced from \$4,300 to \$1,100. He stated that he made a comment that he would prefer to get a reduction in other areas and leave the \$4,300 in supplies as it takes a lot of money to do some of the cleaning and maintenance to the animal shelter and the area offices.

Mayor Fugate stated that he understands this, but the line item shows that the expected is \$1,100 this year and requesting \$4,300 therefore he is wondering why.

Mr. Garcia commented to Mrs. Deborah Balli, Finance Director if this was possibly reversed.

Commissioner Pena asked if there was a reduction on a certain year.

Mr. Garcia responded no. He stated that this past year they were going to \$4,300 from \$1,100. He stated that he had a conversation with Mrs. Balli and asked that instead of taking so much money from his supply line item he would like for the reduction to be taken in other line items. A reduction of \$3,000 was taking from other line items and an increase was made in to the supply line item.

Mayor Fugate commented that this is not shown on the budget that has been presented. What is shown is the expected is \$1,100 this year.

Mrs. Balli commented that one of the reasons that things might look a little different is because this year, staff took the department year end reduction. At the bottom of everybody's budget it shows how much yearend reduction staff took, so for the Health Department it was \$37,000.00. Balli commented that we can't put that back to the specific line items yet, because if it is place back into the actual budgets it will give people the opportunity to spend it. This might skew the line items from the prior year because she had to take those budget dollars out of those line items. The 2017 budget may have been more, but she took the yearend reductions.

Commissioner Pena asked if this budget is not reflecting the adopted amount that was done two years ago.

Mrs. Balli responded that the total budget is, but not the specific line items. She stated that this money could not be placed back in there as it would allow the expenditure be made which is why she took out in the first place.

Mayor Fugate commented that he is having a hard time understanding what she is saying. He commented that there was \$37,000 left over for this year.

Mrs. Balli commented that staff removed \$37,000 from specific line items for the budget year that we are in currently so that it wouldn't be spent for this department.

Mayor Fugate commented that \$37,000 was taken out for this year and will be place back into the budget for next year.

Mrs. Balli commented that it was just budget reductions for this fiscal year.

Mayor Fugate asked why this money just doesn't go into the general fund or reserves.



Mr. Garza responded that it is. Money was taken from departments and was locked in to help balance the budget for next year. This \$37,000 was taken, placed into fund balance in order to be able to balance the budget for the new year. Through this process, staff is reallocating funds throughout.

Mayor Fugate commented that in the thirteen years he's been with the Commission, he has never seen it done like this and further commented that the money that is leftover goes into the reserves.

Mrs. Balli responded that it does. Mayor Fugate commented back that it is not staying there, it's going back into these budgets.

Mr. Garza responded that this was correct, but it's no different from when there is money leftover at the end of the year and carries over to fund balance. He stated that there is no such thing as when you talk about fund balance, this is just a percentage of money that is left in the operating funds, it is not a separate account or where you take money to place it somewhere else. Any savings that is made goes toward the fund balance.

Mayor Fugate asked that the \$4,300 that is listed on the budget for the Health Department is not a true number.

Mrs. Balli responded that this was a request by the Health Director to place this amount in the supply line item and reduce other line items.

Mr. Garza commented that the number that is confusing is the number under 2017 total budget here. The number under total budget is different than the 2017 adopted budget.

Mrs. Balli commented that the \$1,100, as she doesn't have the information what the \$37,000 equates to, it could have been that the 2017 number was actually \$2,300 or \$2,400 or something. It wouldn't look like there is such a big increase from 2017 to 2018.

Commissioner Lopez commented that staff did not give the Commission true numbers on the total budget for 2017. Lopez further commented that if staff took money from there that wasn't what they were approved last year.

Mrs. Balli responded that they can't put it back yet, because if they put it back that will open it up to be spent.

Mayor Fugate commented that understands this part. Every year every City Manager that he has worked with has done this where at the end of the year, they cut spending and hiring down to ration money. Fugate stated that with monies that were not spent, it gets sent to the reserves and stays in the reserves. Fugate commented that what staff is doing this year is that they are placing the money into the reserves but then pulling out from the reserves to go into next year's budget. Fugate stated that he has been noticing on all departments that have discussed up until now. It was his understanding that everyone was going to take a 3 to 8% cut, but if you look at all the departmental budgets, they all show increases in them. Fugate stated that he is having a hard time understanding this.

Mr. Garza commented that what he thinks would help is if staff took these numbers and only have two columns showing the 2017 adopted and 2018 proposed. This may help clear up some of the confusion that is going on with these numbers.

Mrs. Balli commented that the Health Department original adopted budget is \$340,751.00 adopted budget for Health. The 2018 City Manager's proposed budget is \$345,766.00. The difference between last year's overall budget and this year's proposed budget is \$5,000 total. The budget also details where the difference came from. Personnel had an added increase of \$8,475.00

which was due to anniversary increases and health care cost increases. In Operations, there was a decrease of \$3,460.00 due to training and travel increase and one-time budget reductions for next year. She further stated that if the Commission looks at it line by line there will be movement because we move money from one place to another and did the lock down of actual budget this year where she moved it physically out of their line item budget so that it could not be spent.

Several Commission members commented that they would like to see the actual numbers that were adopted last year and those numbers that are being proposed for the new fiscal year.

Mayor Fugate commented that past City Managers did not have to move money into a lock down, they would just order that this money not be spent.

### **Kingsville Police Department**

Mr. Ricardo Torres, Chief of Police reported that one thing they are teaching in law enforcement is blue courage. Blue courage is a way of being a philosophy that inspires one to embody the nobles of character and unquestioned devotion. It is to flourish in all aspects of life to act with practical wisdom to execute vitality on part of human connections. He commented that when they contact the citizens they touch base on the three corner stones of effective citizens contacts which are courtesy, professionalism, and respect. Chief Torres went on to discuss his department budget. In the administration budget shows an increase in computers & assoc. of \$7,200 which is for Nixel. Professional services has an increase of \$1,500 for testing. Training & Travel has gone up by \$4,000 for leadership training for executive personnel. In the Patrol Division, there is a decrease of \$2,000 for vehicle maintenance and \$3,000 for laundry. Communication Bureau, there is a reduction of \$7,400 in Communications and an increase of \$1,200 for operating leases such as copiers. Criminal Investigative Division shows an increase of \$1,000 for supplies, \$3,000 increase for printing & publishing. Medical treatment has a reduction of \$1,500 and operating leases has a reduction of \$3,000. Support Services has an increase of \$3,000 for guns and ammo. Utilities has a reduction of \$9,000 and equipment maintenance has a reduction of \$4,440.

Commissioner Garcia asked why utilities has a reduction of \$9,000. Chief Torres responded that utilities are calculated by the Finance Department.

Mrs. Balli commented that the reason for the reduction in most line items for utilities is due to a large rate reduction for next year.

Mayor Fugate asked why the change under budget highlights for Patrol there is a change of \$294,043.00.

Mr. Garza stated that over the last several years the overtime for the Police Department had been funded through Chapter 59 funds. This year in this budget, it will be funded out of the general fund.

Chief Torres state that Chapter 59 fund has funded \$1.5 million dollars over the last 10 to 12 years.

Commissioner Lopez asked that if the \$24,352.00 total budget from 217, is that the actual from last year, that was all that was budgeted? Chief Torres responded that this amount was correct. He further commented that they have steadily have not been funded anything for overtime for many years. Torres commented that Stonegarden for this coming year, they will get \$194,000 plus \$75,000 from Border Star. Torres commented that they have been working Stonegarden and Border Star for over ten years. He commented that his staff is tired, they are working many hours for many days.

Commissioner Pena asked that with reference to the jail contract, the county increased the rates is the city looking at the same amount across the last 3 to 4 years.

Chief Torres responded that although the rate went up, it decreased the number of beds which we are paying less this year. There should be a saving of about \$30,000 for the year. Torres continued on with the departmental budget. The warrant officer was formerly funded under 1804 under Finance/Municipal Court. Chapter 59 is used for education materials and donations to non-profit organizations. Torres stated that the \$110,000 that is normally used for overtime, will be used to build a fitness facility, which will be opened to all city employees. Torres commented on Chapter 59 and federal totals are \$2,557,626.23 as of last month's bank statement. This amount still includes monies that need to be paid back to the city. Impress funds has a total of \$30,000.00. Torres went on and spoke about the department accomplishments. He spoke about the X1 Camera, of which he has 35 out in the field. He stated that on the field there are body worn cameras and vehicle dash cameras. He stated that Nixle is a great tool to get information out to the citizens. Torres further commented on storm sentry 12 tornado warning siren system which is up and running. Siren locations are at Armstrong & Kenedy, 17<sup>th</sup> & Lee, 600 E. Trant Road, and 2400 E. Senator Truan Blvd. All sirens are in working conditions. Torres commented that violent crime in our city has gone down over the last couple of years.

Mayor Fugate called for a break at 5:35 P.M.

#### **REGULAR MEETING RESUMES AT 6:00 P.M.**

Mayor Fugate reconvened the meeting into regular session at 6:04 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).<sup>1</sup>**

##### **1. Public Hearing on a proposed tax rate increase from \$.84220 to \$.88681 for Fiscal Year 2017-2018. (Finance Director).**

Mayor Fugate announced and opened this public hearing at 6:07 p.m.

Mrs. Balli reported that city's proposed tax rate for next year is \$.88681 per \$100, the preceding years tax rate was \$.84220, which is what the budget is built on. The effective tax rate is \$.84229 and the roll back tax rate is \$.88682. The proposed rate is the rate that is proposed as we always give our self some room to work with which is always set right at the roll back rate.

Mrs. Alvarez read a public statement that read, this is the first hearing for the tax rate, the second public hearing on the tax rate will take place on September 5<sup>th</sup> at a special City Commissioner meeting at 6:00 p.m. in the Helen Kleberg Groves Community Room here at City Hall, 400 W. King Ave., Kingsville, Texas. The vote to adopt the City of Kingsville's 2017-2018 fiscal year tax rate will take place on September 11, 2017 at a City Commission meeting at 6:00 p.m. in the Helen Kleberg Groves Community Room here at City Hall, 400 W. King Ave., Kingsville, Texas.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

There being no further comments, Mayor Fugate closed this public hearing at 6:10 P.M.

##### **2. Public hearing regarding condemnation proceeding for structures (house & garage) located at 702 W. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).**

Mayor Fugate announced and opened this public hearing at 6:10 p.m.

Mrs. Carolyn Franklin owner of 702 W. Henrietta asked for an extension on this property as she has hired a contractor to start repairs which will be started in 3 to 4 weeks.

Mrs. Gloria Bigger Cantu, 725 W. Henrietta commented that this property was a beautiful home but unfortunately the home has been neglected. She feels that this property is a safety and health issue and has been like this for several years. She is asking that the Commission to do the right thing.

Mr. Tom Ginter stated that there are two structures on this property, house and garage. Feedback has been received to save the home and condemn the garage. The report shows that the condition for each structure has been provided to the Commission.

Daniel Ramirez, Building Official commented that there haven't been any improvements to this property. Property has lots of debris inside the property. The property is in a big state of disrepair.

Mayor Fugate asked if staff was able to go into the house.

Mr. Ramirez stated that they attempted to go in but was unable to as there was a lot of debris in the house as well as having beehives and wasp nest.

Commissioner Lopez asked if the property owner has submitted for permits or anything as the property owner just mentioned that she has hired a contractor.

Mr. Ramirez responded no.

Commissioner Lopez asked how long has this been going on.

Mr. Ramirez responded that he has been with the city for nine years and four months and he hasn't seen any changes at all. The property has had no water service since January 2015.

Commissioner Garcia asked about the services to the house and when were they turned off.

Mr. Ramirez commented that he isn't sure when other services to the house were turned off, but water service was turned off January 2015.

Commissioner Garcia asked how many notices have been sent to this property in the past years.

Mr. Ramirez responded that he is only aware of three notices with no response.

Commissioner Garcia asked that in the nine years Mr. Ramirez has been with the city, only three notices have been sent.

Mr. Ramirez responded yes. Commissioner Garcia asked if there was any response. Mr. Ramirez responded no, until this last one. Commissioner Garcia asked Mr. Ramirez what kind of response he received.

Mr. Ginter commented that prior to moving into the new building, staff did receive one sentence, which has been provided to the Commission in their agenda packet, but never heard anything else.

Mr. Ricardo Vega, 805 W. Kleberg commented that he knows the original owner of the property. As far as going to the house and inspecting it, the house needs some work. He is not aware what the inside looks like. Property has no power, the plumbing has copper tubing and the outside of the property needs some repair. Vega further stated that the structure is more valuable then it will be worth for the city to demolish it. This his property has been valued at \$97,000. Taxes for this property are \$3,000. If the city demolish the property, the other surrounding areas will see an empty lot there. He commented that Mr. Sharp was turned down and he has attempted to purchase the

property but was turned down. City pays more to clean the property which pays more than its worth. He stated that equipment used by the city is paid for by the taxpayers.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

There being no further comments, Mayor Fugate closed this public hearing at 6:20 P.M.

**3. Public hearing regarding rezone of KT&I Co., Block 22, Lots 3 & 4, 1.15 acres, also known as area South of Chili's Restaurant on US77 Southbound Frontage Road from AG-Agriculture District to C2-Retail District, application of Carol Lagutchik for Brazos de Santos Partners, Ltd., application on behalf of Paul M. West, owner. (Director of Planning & Development Services).**

Mayor Fugate announced and opened this public hearing at 6:20 p.m.

Mr. Ginter commented that Brazos de Santos Partners, Ltd., has submitted a request to rezone 1.15 acres out of block 22, lots 3 and 4 from agricultural to C2. The reason for the request is that the proposed project is a fast food restaurant with a drive thru. The Planning & Zoning Commission has approved this item unanimously with a 5-0 vote for the rezone.

Mayor Fugate announced that this is a public hearing and if anyone would like to speak on behalf of this item may do so now with a five-minute time limit. Additional time cannot be extended by City Commission.

There being no further comments, Mayor Fugate closed this public hearing at 6:24 P.M.

### **III. Reports from Commission & Staff.<sup>2</sup>**

*"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."*

Mr. Garza commented that the although it's been highlighted to speak about street updates, but staff will report on during tomorrow's special meeting, when the discussion of street infrastructure is discussed. Garza further presented a certificate to Edward Longoria for employee of the month for the month of July 2017. Mr. Garza talked about the Hurricane Harvey which missed Kingsville. He further thanked staff for all their assistance during the preparation for the storm. Garza further reported that the Health Department will begin spraying for mosquitos beginning on Wednesday. Public Works will begin a pothole blitz on Wednesday as well.

Mayor Fugate commented that he was present for a lot of the meetings with staff in preparation for the hurricane. He commented that he feels for the Mayor of Houston as they received 50 inches of rain in that area.

Mr. Garza thanked Kleberg County for their assistance on the shelter. There was constant communication between both entities.

Mrs. Alvarez reported that the household hazardous waste collection has been reset for later date which will be announced at a later date. She further reminded the Commission about the following two special city commission meetings. Alvarez reported that the public hearing on the tax rate, the City Commission will have a special meeting on September 5<sup>th</sup> at 6:00 p.m.; in this meeting will be a second public hearing on the tax rate as well as a public hearing on the budget. She further updated that Commission on several new State Laws that will be taking effect on September 1<sup>st</sup>. One new law is the no texting while you are driving. This means that anywhere you are in the State of Texas, you are not to be texting and driving. This statute does not nullify all of the various cities within the State that currently have ordinance like ours. This means that you cannot talk or text while operating a motor vehicle.

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

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

No 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)*

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

**1. Motion to approve out-of-state travel for the Parks & Recreation Director to attend the 2017 International Society of Arboriculture Leadership Workshop in Champaign, Illinois from October 2-5, 2017, with travel paid by state and international arboriculture associations. (Parks & Recreation Director).**

**2. Motion to approve reappointment of Historical Development Board members Lupita Perez and Sandra Rexroat, each to three year terms. (Downtown Manager).**

**3. Motion to approve expending funds from the City of Kingsville Employee Benefit Plan Trust for the 2017 City Health Fair (for employees and eligible dependents). (Human Resources Director).**

## REGULAR AGENDA

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

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

##### **4. Consider condemnation of structures (house & garage) located at 702 W. Henrietta, Kingsville, Texas. (Director of Planning & Development Services).**

Commissioner Lopez asked if the property was paid up to date on the taxes.

Mayor Fugate commented that this is a nice neighborhood and this structure has stood out for many years. Fugate stated that it is very frustrating to him to see a property that belongs to an owner that has the means of repairing the property but don't. There are times that the City Commission hears from citizens that don't have the means to repair their properties and have good intentions but are not able to. With all the staff that needs to go out of their way and spend so much time to evaluate a property is frustrating. With the comments from Mr. Vega regarding copper piping concerns him. It is the custom of this Commission to give the property owners an opportunity when they come up and ask for it. Mayor Fugate commented that with given others additional time, he understands if the Commission decides to give more time to this property, as it would save what he considers a historical home. But the owner needs to understand, that if additional time is granted, permits must be pulled and property must be cleaned.

Commissioner Pecos thanked staff for doing a great job. It is unfortunate that this home has been neglected for so long. In the past the City Commission has extended additional time to allow the property owner to repair their homes, although some property owners do as they say they will do and others don't. Pecos stated that considering the fact that Dr. Franklin is requesting an extension and know that the Dr. Franklin has the resources to be able to restore this property to be what it once was, a beautiful home. Pecos commented that he is not sure if the property is considered a historical building or not, but it certainly looks like one.

##### **Motion made by Commissioner Pecos to give Dr. Franklin an extension to take care of business and to move forward.**

Mr. Garza asked how long of an extension would Commissioner Pecos like to give.

Mayor Fugate commented that for 90 days.

Commissioner Pecos commented that the City Commission usually gives 90 days, which is the amount of time that is given to others.

**Commissioner Garcia stated that he would like to amend that motion to make sure that the efforts are earnest in her actions, that within two weeks a building permit be acquired for the restoration of this property and that considerable improvement be done within 60 days.**

Mrs. Alvarez asked Commissioner Pecos if he was willing to amend his motion to what Commissioner Garcia has just stated.

**Commissioner Pecos responded no, he would like to give her 90 days.**

Mrs. Alvarez commented that this would have to be two separate motions.

**Motion made by Commissioner Pecos to extend for 90 days, seconded by Commissioner Pena.**

Mayor Fugate asked City Attorney Alvarez if this motion needs to be voted on prior to taking on Commissioner Garcia's amendment.

Mrs. Alvarez responded yes.

**The motion was passed and approved by the following vote: Pena, Pecos, Fugate voting "FOR". Lopez and Garcia voting "AGAINST".**

Mayor Fugate made the comment that this motion passes, and asked the City Attorney if the Commission would now need to vote on the amendment.

Mrs. Alvarez responded that if Commission Garcia has a motion to add a special requirement that within two weeks, that would be up to him if he wants to put that motion on the floor and see if he can get a second.

Commissioner Garcia responded "I do".

**Commissioner Lopez seconded the amended motion made by Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena voting "FOR". Fugate voting "AGAINST".**

Mayor Fugate commented that we have an extension for 90 days and we need to see some action. He further commented to Dr. Franklin that she has her marching orders.

5. **Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 22, Lots 3 & 4, 1.15 acres, also known as area South of Chili's Restaurant on US77 Southbound Frontage Road from AG-Agriculture District to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

Introduction item.

6. **Presentation and discussion on proposal for historical memorial street designation signs (not renaming) for certain streets. (City Manager).**

Maggie Salinas, Dr. Shannon Baker of TAMUK and Brianna Rodriguez student of TAMUK.

Dr. Shannon Baker commented that she has been working on this project with Maggie Salinas for about three years ago. This project is for street designation which streets will have their original name and the historical name on the sign. The name of the street will not be changed, the addition of the historical name will only be added to existing street signs. This project will be for the Colonia Mexicana and designate the streets back to their original names. This neighborhood including Avenues B,C and D, was originally named La Colonia Mexicana. The original street names were Perez for Ave. B, Chaparral for Ave C, and Garza for Ave D. The second portion of the project would consist of redesignating Sixth Street as Los Kinenos Trail from FM 1355 until it joins with Hwy 77. Baker stated that they have spoken with the King Ranch and they are in support of this project. The original estimate was that it would take up to 81 signs to accomplish this task at a cost of \$55.00 per sign. If we add Ave A, the number of street signs will increase. Baker stated that the University is willing to defray the cost of the signs, if need be and the City Engineer's office was going to get more information regarding a better estimate of the total cost for purchasing the signs, hardware, and installation/labor to the city. Dr. Baker further commented that after tonight's meeting, there plan is to send letter out to business owners along Sixth Street to explain that their idea will not require them to change their legal address and get some support from them. This will make them aware of the possible addition to their street.

Maggie Salinas commented that she is here to request a proposal to add historic street names to Las Colonia Mexicana. According to a map of 1914, this map does not show Avenue A, but Avenue A in other maps shows that its Sims Street. West of A is San Jancinto. Between 6<sup>th</sup> and 14<sup>th</sup> Street, it is Sims Avenue A. Mrs. Salinas showed a picture of what the sign would look like. This sign would only add the historical name in brown at the bottom of the current sign. Mrs. Salinas stated that the name Kingsville is a tribute to Captain Richard King and his families since 1853. In 1853, Rincon Santa Gertrudis was owned by the aires of Juan Mendiola. Captain King bought this piece of land which was 10 ½ miles for \$0.03 per acres. In 1854 120 men, women and children from Kriyas, Mexico came with Captain King to the King Ranch. This villagers became



known as the Kinenos. The vaqueros were commonly referred to as Mexican cowboys. This vaqueros was the working force of the King Ranch and known for their expertise of the cattle. Much has been known and celebrated at the King Ranch in the Kinenos partnership success. To preserve this legacy and recognition they would like to propose dedicating 6<sup>th</sup> Street from north to south as Los Kinenos Trail. This does not mean to rename 6<sup>th</sup> Street but only add the Kinenos Trail, as part of their historic contributions, the Kinenos have made in our city of Kingsville. Kinenos have a strong loyalty between their families and King Ranch Aires. Mrs. Salinas commented that this tremendous legacy needs to be acknowledged by everyone. This tribute to the Kinenos should enhance the heritage of Tourism.

Brianna Rodriguez commented that she was an intern for Dr. Baker in 2017 and as Mrs. Salinas has stated, she did research in the South Texas Archives as well as other resources such as books and a term paper that a previous student has written for the Kinenos. What Mrs. Salinas has just stated, this shows the importance on why this project is very important.

Commissioner Pena stated that after a prior meeting that he attended regarding this project, there was a lot of stakeholder in attendance that were in favor of this project. This project puts our history in perspective as it is important to all cultures.

Mrs. Salinas thanked Dr. Tallant as he was the one that assisted them to get it going.

Commissioner Garcia asked that on the names of Perez and Garza, are there history on those names.

Mrs. Salinas stated that some of these names are Garza, Mesquite, and Perez.

Mayor Fugate commented that he endorses this project, it is a great project and feels that out of abundance of precaution all owners need to be notified of the name addition.

Mrs. Salinas stated that letters will be sent out to each individual.

Commissioner Pena commented that city staff should send out these letters, it needs to come from the City of Kingsville.

Mayor Fugate commented that the City should pay for the cost of this project as the city changed those names back in the 1950, therefore the city should pay for the change.

Mr. Garza responded that staff would like to provide the Commission with a cost estimate first.

**7. Consider awarding the contract for bid (RFP 17-17) for Santa Gertrudis Street Improvement Project 2017, as per staff recommendation. (Capital Improvements Manager).**

Mr. Sharam Santillan, Capital Improvements Manager commented that staff advertised for bids on July 16, 2017 and July 23, 2017. A pre-bid meeting was held July 26, 2017 with two potential bidders attending. Two responsive bids were received by the deadline of Tuesday, August 8, 2017 at 2:00 p.m. Bid proposals were broken down by unit price of material quantities. The project was bid on material quantities for the completion of Santa Gertrudis Avenue from 6<sup>th</sup> Street to 14<sup>th</sup> Street. Based on our budget, staff recommends awarding the contract to Jimmy Evans Company for the completion of street improvements to Santa Gertrudis Avenue from 6<sup>th</sup> Street to the Tranquitas Creek Bridge. The financial impact will be an amount of \$656,917.60.

Commissioner Lopez asked why not complete the entire street.

Mr. Santillan commented that the difference would be \$60,00 to \$70,000, to finish the entire street.

Mr. Garza commented that this is for complete project cost. This is something that may be done in the next fiscal year.

Mayor Fugate asked for the timeline on this project.

Mr. Santiallan stated that the company can start the second week of September.

Mrs. Alvarez commented that if the Commission were to approve the item as recommended by staff, then the vendor would receive a notification letter of award which would be the time for them to finish getting all their required bonds together and submitted to the City for approval. At that time, they will receive a letter to proceed which will start the clock for the project.

**Motion made by Commissioner Pena to award the contract for bid RFP 17-17 as per staff's recommendation, seconded by Commissioner Pecos and Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".**

**8. Consider appointments of members to the Parks & Recreation Advisory Board. (Parks & Recreation Director).**

No discussion or action taken on this item.

**9. Consider a resolution authorizing the City to submit an application to the Lowe's Community Partners Grant program for the purpose of requesting grant funding for a walking path at Dick Kleberg Park along Escondido Road for the Kingsville Parks Department with an anticipated cash match, authorizing the City Manager to submit the grant and the City Parks & Recreation Director as the grant official to act on the City's behalf with such grant program. (Parks & Recreation Director).**

Mr. Alfaro stated that this will approve the submission of a Lowe's Community Grant in the amount of \$122,000 for a walking path at Dick Kleberg Park along Escondido Road. The grant is a 50/50 match with a \$61,000 match from the City.

**Motion made by Commissioner Pecos, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".**

**10. Consider accepting donation from the Kleberg County Sheriff's Association in the amount of \$300 for the Parks & Recreation Department movie in the park. (Parks & Recreation Director).**

**Motion made by Commissioner Lopez, Commissioner Pena, and Commissioner Garcia to accept this donation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".**

**11. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend a donation from the Kleberg County Sheriff's Association for the Parks Department. (Parks & Recreation Director).**

Introduction item.

**12. Consider a resolution in support of the construction and operation of the Raven Petroleum Refinery. (Mayor Fugate).**

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

**13. Consider a resolution approving an application and agreement for the Historic District Façade Grant Program from Mary Lou Gonzalez for property located at 228 E. Kleberg Avenue, Kingsville, Texas. (Downtown Manager).**

Mr. Ginter stated this is a request for a façade grant in the amount of \$2,750 for a sign. It is staff's recommendation that the City Commission approve this request.

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

**14. Consider a resolution adopting the City of Kingsville Fraud Prevention and Detection Policy. (Finance Director).**

Mrs. Balli commented that after consulting with the City's external auditors, the Finance Department has created several policies including the creation of the Fraud Prevention and Detection Policy and the Grand Administration Policy. Staff recommends approval of these policies to increase and strength internal controls.

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

**15. Consider a resolution adopting the City of Kingsville Grant Administration Policy. (Finance Director).**

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

**16. Consider a resolution authorizing the City to submit an application to the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program's FY2017 JAG Program Local Solicitation Grant requesting funding for law enforcement equipment on behalf of the Kingsville Police Department with no anticipated cash match. (Police Chief).**

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

**17. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, zoning, amending Section 15-6-21 Definitions to add fairgrounds, rodeo grounds, farm, ranch, and orchard; and amending Appendix A-Land Use Categories to add fairgrounds, rodeo grounds, and farm. (Director of Planning & Development Services).**

Mr. Ginter stated that the following changes are being recommended due to receiving several request. Revise the definition of fairgrounds to add on a permanent location; separate farm, ranch, orchard definitions in Section 15-6-21; add rodeo grounds to the Appendix A and definition in Section 15-6-21 for it; keep park and playground together in the Land Use Chart; add farm and the Land Use Chart wit it being permitted in Agriculture; and add ranch to Land Use with a Special Use Permit in 11, 12 and Agriculture. Ginter stated that the Planning & Zoning Commission voted 5 to 0 to recommend approval of the amendments to Appendix A – Land Use categories and Seciton 15-6-12 definitions.

Introduction item.

**18. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Electric Code Sections 15-1-56-Definitions and 15-1-59-**

**Qualifications and Registration. (Director of Planning and Development Services).**

Mayor Fugate stated that this is due to a law change.

Introduction item.

19. **Consider introduction of an ordinance adopting Article 8-Use of Public R.O.W.- Network Nodes & Support Structures, in Chapter V-Public Works; regulating the physical use, occupancy, and maintenance of City Rights-of-Way by wireless network providers; describing the purpose; providing for definitions; requiring compliance with the City Design Manual and applicable codes for the installation of network nodes and node support poles pursuant to Chapter 284 of the Texas Local Government Code; providing City procedures for applications for permits; establishing time periods for approval of permit applications; providing application fees and annual public Right-of-Way rental rates; providing restrictions on placement of network nodes and node support poles in municipal parks, residential areas, historic districts, and design districts; providing indemnity for the City. (Director of Planning and Development Services).**

Introduction item.

20. **Consider introduction of an ordinance approving a Design Manual for the installation of network nodes and node support poles; and approving a pole attachment agreement regulating the installation of network nodes on City service poles and utility poles. (Director of Planning and Development Services).**

Introduction item.

21. **Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).**

Mayor Fugate announced the Executive Session and went into closed session at 7:35 p.m.

Mayor Fugate reconvened the meeting back into open session at 7:45 p.m.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 7:45 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, City Secretary

**AUGUST 29, 2017**

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, AUGUST 29, 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  
Kyle Benson, IT 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  
Leo Alarcon, Tourism Director  
Deborah Balli, Finance Director  
Cynthia Martin, Downtown Manager  
Susan Ivy, Parks Manager  
David Bodiford, Finance Supervisor  
Jennifer Bernal, Community Appearance Supervisor  
Charlie Sosa, Purchasing Manager  
Manny Salazar, Economic Development Director  
Richard Flores, Golf Course Manager

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 4:00 P.M. with four Commission members present. Pecos arriving at 5:10 p.m.

**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).<sup>1</sup>**

None.

### III. Reports from Commission & Staff.<sup>2</sup>

*"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 there will be a special meeting on August 30<sup>th</sup> at 4:00 p.m. She further reported that city offices will be closed on Monday, September 4<sup>th</sup> in observance of the Labor Day.

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

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)*

**Motion made by Commissioner Pena to approve the consent agenda as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pena, Garcia, Fugate voting "FOR". Pecos not present for vote.**

**1. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to KT&I Co., Block 22, Lots 3 & 4, 1.15 acres, also known as area South of Chili's Restaurant on US77 Southbound Frontage Road from AG-Agriculture District to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).**

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend a donation from the Kleberg County Sheriff's Association for the Parks Department. (Parks & Recreation Director).
3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, zoning, amending Section 15-6-21 Definitions to add fairgrounds, rodeo grounds, farm, ranch, and orchard; and amending Appendix A-Land Use Categories to add fairgrounds, rodeo grounds, and farm. (Director of Planning & Development Services).
4. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Electric Code Sections 15-1-56-Definitions and 15-1-59-Qualifications and Registration. (Director of Planning and Development Services).
5. Motion to approve final passage of an ordinance adopting Article 8-Use of Public R.O.W.-Network Nodes & Support Structures, in Chapter V-Public Works; regulating the physical use, occupancy, and maintenance of City Rights-of-Way by wireless network providers; describing the purpose; providing for definitions; requiring compliance with the City Design Manual and applicable codes for the installation of network nodes and node support poles pursuant to Chapter 284 of the Texas Local Government Code; providing City procedures for applications for permits; establishing time periods for approval of permit applications; providing application fees and annual public Right-of-Way rental rates; providing restrictions on placement of network nodes and node support poles in municipal parks, residential areas, historic districts, and design districts; providing indemnity for the City. (Director of Planning and Development Services).
6. Motion to approve final passage of an ordinance approving a Design Manual for the installation of network nodes and node support poles; and approving a pole attachment agreement regulating the installation of network nodes on City service poles and utility poles. (Director of Planning and Development Services).

## REGULAR AGENDA

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

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

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

Mr. Garza reported that on some mutual aids that the City of Kingsville is assisting the community with. The Kingsville Police Department will be sending some police officers to Ingleside to assist that Police Department. The City of Corpus Christi has requested assistance from the City for our Vactor Truck which helps pump out main line sewage lines. Kyle Benson, IT Manager went out to several of the communities to assist in getting their infrastructure back up, and will remain on call. Garza stated that he expect for more request to come in which he will keep the City Commission updated on. Garza went on to mention a few housekeeping item on the budget. He commented that one of the goals that he and the Finance Director have the budget process is it for to meet certain criteria with GFOA. Some of that criteria involves talking about goals and objectives sharing performance measures, talking about the departments, not only in writing but also through the workshops. He further stated that one way to think about it is that if a resident shows up to the workshop and has never been to a workshop before, they will be exposed to and

understand what staff is discussing. This is why it is important to discuss what the departments do and what their goals are for the new year.

### **Insurance Fund**

Mr. Garza stated that staff will be looking into some options for the future but will not impact current employees. Garza went over a some graphs and numbers regarding the insurance fund. Graphs showed numbers of insured lives for the last fourteen years. He commented that in 2010 the average employee monthly enrollment was 260, with average enrolled lives of 606. In 2017 the average employee monthly enrollment was 263, with average enrolled lives of 663. This number makes up the number of our workforce. The number of employees doesn't change drastically but the average number lives insured increases. The next sheet Garza went over was on the Fund Balance with additional contribution. The graph shows that at the end of 2018, the fund balance will be \$377,089 with \$0.00 contribution. This fund balance has been less in other years, but when it comes to expenditures, it will not make a difference next year. The deficit in 2018 is scheduled to be \$615,530.00, in the last ten years, it's never been that amount. The closest is ever gotten to it was in 2014 for \$418,557.66, which is a significant difference of almost \$200,000.00.

Mayor Fugate asked staff estimates these numbers.

Mr. Garza responded that the historical numbers are not estimated, as they are facts.

Mayor Fugate stated that he is talking about the year 2018, as it was just mentioned that the city will have a \$615,530.00 deficit.

Mr. Garza commented that our insurance company takes a look at our data and the cases, which cannot be discussed, but some cases are more costly than others and make a projection on what our expenses will be for next year.

Commissioner Pena asked about the deficit and whether it was anticipated.

Mr. Garza responded that it was anticipated.

Ms. Sarah Parkey, Account Manager for Carlisle Insurance presented on the insurance. The projections are usually based on current high claims that may be ongoing, future procedures and treatments that will be coming up in the future for members. One of the high things is the cost for specialty drugs. The increase cost in specialty pharmacy has impacted all groups.

Mayor Fugate asked what is a specialty drug.

Ms. Parkey commented that a specialty drug are high cost drugs. A lot of them are injectables for illnesses such as MS or Hepatitis C and Cancer medication. A hepatitis C drug cost about \$90,000 for a 90 day supply. These are drugs that cannot be purchased at a local pharmacy, they have to be ordered through the insurance company which will be coordinated through the doctor or hospital. Parkey went over the some of the possible benefit plan changes and employee/employer contribution strategy. These are only idea and not recommendation. These are ideas on ways to do some cost shifting to help save the city money. Parkey went over the Health Plan Survey which is done by United Benefits Advisors (UBA) which Carlisle Agency is a member of UBA. What UBA does is that they take a survey of their entire book of business across the nation and do an average of what other employers, other cities of the size of Kingsville are doing. This survey will show us the comparison between National, Region, State, local and other municipalities. Parkey went over the spreadsheets that were provided to the City Commission. This information goes over general plan information. One thing to make note of is the offering of Health Savings Accounts (HSA) is pretty high. This is a high deductible health plan that allows you to set aside tax free dollars to pay for your medical expenses tax free. Both employees and employer can contribute to this. She expects this to be a large change from the current benefits directly to that, but is something that the city may need to consider and keep in



mind that a lot of groups are doing HSA's. As for employee contributions, this is one place that they wanted to focus on during this meeting. This shows the employees share of premiums so nationally a single pay would pay about \$152.00 per month for employee only coverage. Within our industry group it is about \$95.00 per month. Comparing that to other employers to our size pay \$134.00 per month for employee only coverage.

Mayor Fugate asked for our category.

Ms. Parkey stated that the City's employees only pay \$30.00 per month for employee only coverage and \$118.00 for employee/spouse/children/family coverage. This give the commission an idea what we stand as compare to the Nation Regional industry group averages.

Mr. Garza commented that the survey suggest different categories such as employee, employee/spouse, and employee/children, or employee/family. The City only has two categories which are employee only or employee/family.

Ms. Parkey stated that for an employee that just covers their spouse is paying the same as one that is covering their spouse and their children. Most groups have a tiered level of enrollment. Under plan design, the focus is in network benefits. Parkey further discussed the handout that was given to the City Commission regarding in Network deductibles. Currently the city has a monthly deductible of \$200.00 per month. Plan co-insurance was also looked at. Co-insurance is basically how much the insurance pays after you meet your deductible. Is someone was on this national average plan, after they met their \$1,500 deductible, the insurance would pay 80% of their claims and the patient would be responsible for the other 20% until the max out of pocket was met. Max out of pocket range from \$3,000 to \$5,000 for an individual. Parkey stated that basically the deductible, the co-insurance, out of pocket and the employee contribution were the main points of focus she wanted to point out from the survey. The survey does go in to what the average co-pay is and what the average co-pay is for pharmaceutical drugs is. Parkey further spoke about the potential savings from plan design changes which showed the family medical deductible of \$250.00 with city paying at 100% after deductible is met.

Mr. Garza commented that this information is based on actual claims for this fiscal year, so the city did pay out \$2 million dollars for the fiscal year we are in now.

Ms. Parkey stated that by increase by amount of the coinsurance that the employees are paying, so by doing the 90/10 split or the 80/20 split, that is where you start to see a good portion of potential savings. She stated that for calendar year deductible, what they did was took the \$250 month deductible and converted that to annual. She stated that a month deductible is fairly uncommon as far as benefits go, most people have a calendar year deductible as most benefits are designed that way. By simply moving the deductible to a \$3,000 calendar year deductible, keeping it at 100% coinsurance would result in a savings of \$246,000.000 or almost 12%. The largest savings that is shown on the plan design is \$4,000.00 calendar year deductible with the 80/20 split which will result in over \$350,000.00 or little over 17% in savings.

Mr. Garza commented that part of the goal is to provide this information to the Commission so that they can start thinking about some parameters to help staff narrow down the options. Staff would like direction from the Commission on what they would like to see regarding insurance. The plan is to make the new plan for new employees only and not current employees, but this is something that would need to be reassessed every year.

Mayor Fugate stated that the savings that is being projected does that take into consideration only new employees or everybody.

Mr. Garza commented that assumes everybody.

Mayor Fugate commented that it is important that all involved understand what is being said and thought of.

Commissioner Garcia commented that we offer the city employees a package when they are hired. In that package they are offered an hourly rate, retirement and medical coverage for themselves and their family. For those employees that are at the bottom rung, they start at \$10.00 per hour and with higher deductibles and copays, what is staff asking those employees to do, as they are barely getting along and then the city is asking them to do this. This presentation here, the commission is presented with what the industry does as far as group coverage, but not presented with the average pay of these employees that go into these averages as well. If you figure out averages from those industry those hourly rate could be a lot higher and when you compare these figures of what we are doing here. He thinks that if you are comparing a fair comparison, we should be asking not only this but an average pay of the industries that are compared in the survey so that we can get a better picture of what we have.

Mr. Garza commented that staff has that and was presented last year. The city had the third party company that did the salary compensation analysis. Garza stated that there has been an effort for the city to pay their employees better.

Mayor Fugate commented that we want to pay them better and at one point, the commission was looking at increase the starting pay to \$15.00 per hour. We want to be more than competitive, we want to pay better.

Ms. Parkey commented that she may be able to come up with some data as well, surveys done on employees on what their priorities are and what they expect from their employer. From reports that she has seen in the past, higher wages verses a lower deductible sometimes takes precedent to the employee. Office visit and prescription copay is what is used the most on a month to month basis. The deductible comes into play when you have a hospital stay or having some kind of treatment done. Parkey will get with Entrust and see if she can get a report on how many employees are meeting the \$250 month deductible. It may be possible that there isn't a large portion of the employees that impacted by deductible.

Mr. Garza commented that the city is not alone in this, as there is a lot of cities and organizations that are having the same conversations.

Ms. Parkey stated that the city could look at purely plan design changes alone, employee/employer contribution changes or a combination of the two. There are two separate section, one called maximum exposure and expected exposure. The expected exposure is where the insurance company expect you to fall, based on your current claim are and historical data. Parkey briefly went over a spreadsheet that was given to the City Commission that listed three options that are available to the City.

Commissioner Garcia asked Ms. Parkey if she knew what the city's medium age group is.

Mr. Garza asked if this was for employees or lives insured.

Mrs. Gonzales stated that she would need to run a report to get that information.

Mr. Garza asked why he was asking this question.

Commissioner Garcia responded that if you are having an aging group, it would be more costly.

Mr. Garza responded that we would need to look at lives insured then, as all of these costs are just more about employees, it's about the 663 lives the city insures.

Ms. Parkey stated that with the increasing age population, employees are no longer retiring at age 65.

Mr. Garza commented that some of the direction staff is looking for from the Commission is whether or not they would like to see more than the two tiers the city has at this time. These are all things that the Commission would have to decide so that staff can put a proposal together that is more in tune with the Commission direction.

Mayor Fugate commented that the Commission would need direction from staff.

Mr. Garza commented that the options are endless which is why he is looking for direction from the Commission. Garza stated that one thing he will ask from the Commission is that his initial intent is to make changes that will only impact future employees. Not the City Commission has been provided with some information, it is also important to also consider making changes now versus making drastic changes to future employees. If the Commission would like to schedule another workshop, staff can do that.

Mayor Fugate commented that it's a lot of information and the Commission as well as staff need to reflect on it as well and another workshop may be needed.

Commissioner Garcia commented that as time goes on it doesn't get better. His concern is about the employees and their benefits and what their expectations are from the Commission.

Mr. Alvarez commented that presently the budget is based on existing employee health plan. The direction that is being requested would be for changes that could come up within the upcoming year perhaps for next year or during the year.

Mr. Garza asked for Mrs. Gonzales if the city's requirement is a 60 day notice, if the Commission decides to make any changes, it would require a 60 day notice to current employees, in order to make those changes. These are some changes that can occur throughout the year with a 60 days' notice, it doesn't have to be every fiscal year. Garza stated that his goal is to try and figure this out jointly within the next couple of months. As Commissioner Garcia suggested, this issue is not going to get any better as we go on. Garza stated that he can't get into the details, but based on some of the people that are insured we can pretty much guarantee, if nothing changes, it will not be a good situation next year. The city is currently paying for some of those that are insured that is very costly to the City. Having that information makes staff be very confident that we won't be able to afford the plan next year if changes aren't made.

Commissioner Garcia asked for samples that have happened within city's group without names.

Mrs. Gonzales commented that there is a large claimant report that is prepared that the city gets from Entrust when the city goes out for bids. This is available to anyone who would like to provide a bid to the City.

Commissioner Garcia stated that what would be more fitting to him is if he could get a scenario of what it is like of a high claim individual.

Mr. Garza commented that rather than given him scenario, staff can give him facts which is what is going on today.

Mrs. Gonzales commented that she wouldn't be able to give him the ages but on the large claimant report it indicates what the condition is and the diagnosis is and what has been paid already.

Mr. Garza asked if Ms. Gonzales had this information now. Mrs. Gonzales responded no.

Mrs. Gonzales commented that it is important to remember that even though we have the large claims, the city is responsible for the first \$75,000 of everybody on the plan. There could be a multiple number of people that are getting a \$50,000 claim a year and as that number is growing is where the claims go up, aside from the large claimants.

Commissioner Garcia asked what the city is paying for the high deductible, \$75,000.

Mrs. Gonzales commented that the city is paying \$75,000 per individual in claims.

Mr. Garza commented that part of the City's package is once.

Ms. Parkey commented that every here has a \$75,000 individual deductible that the city pays for the first \$75,000 out of their claims for each individual person. Then you have an aggregating specific, so after the \$75,000 then you have \$65,000 collective all together. If someone met their \$75,000 and kept going after that, she would fall into \$65,000. Once that \$65,000 is met for the group, then stop loss picks up after that.

Commissioner Garcia asked if this was changeable configuration. Ms. Parkey responded yes. Commissioner Garcia commented that he would be interested in what that would do.

Mrs. Gonzales stated that the higher it goes the lower some of the premiums and some of our stop loss is because the city is taking on more risk. The lower it goes than our stop loss goes higher in cost as they are taking more of a risk.

Commissioner Garcia commented that he would like to see that scenario samples of that would be as well.

Commissioner Pena commented that he not sure that the Commission has control on what happens with the employees. The Commission's task is what is going to be critical and important, and that task is to figure out what is appropriate in terms of the figures and what impact it will have on our employees.

### **Streets/Capital Improvements**

Mr. Garza stated that towards the end of the presentation there is a part that talks about a new capital improvements fund which will take \$1 million dollars from the fund balance, after preparation for today's conversation for health insurance, he is thinking about changing the recommendation on the budget and keeping the fund balance at 25% at least in the general fund. It concerns him that we may have to deep into that for next year to help cover the city's insurance fund if it takes us longer to figure it out.

Mr. Sharam Santillan, Capital Improvements Manager presented the budget for the Street Department. In this department, there are 19 full time employees with 41 units of machinery. Kingsville is made of 104 miles of asphalt streets and 9.5 miles of concrete streets. Storm drainage is 33 miles of storm drain lines which is equivalent to 173,00 linear feet. There are 853 storm inlets and 30 miles of curb and gutter. The street department is responsible for signs and markings, school zones and signals, lighting of the downtown area, traffic control for special events, sweeping of curb and gutters, and weed control. Street maintenance and improvements schedule for 2017 is 34 blocks to be completed; production rate of 1 block per week. In 2016, 45 blocks were completed. Maintenance and improvements for 2018; scheduled to do 41 blocks for maintenance activity, FDC 16 blocks, overlay 18 blocks, seal coat 5 and rejuvenation 2. Re-assessed street listing to target traveled areas. Existing road conditions have been inventoried to develop Pavement Condition Index (PCI). Overall assessments, 2013 City Engineer drove each block of Kingsville; 2017 reassessed 2018 list; verified existing data and updates, calculated value of each distress. Three elements in 20-year program are degradation rate about 2 miles a year, degradation rate .5 miles a year, and production rate 3 to 4 miles per year. The original plan was to be a 20-year maintenance plan with a maintenance activity every five year. First activity would be rejuvenation followed by crack seal and fog seal on year 15. The original street program is from 2013, which was a 20-year program with a cost of \$1.25 million per year. The revenues from the Street User Fee are not coming close this. It will take 25 years to bring every street in Kingsville to good condition. In fund 92, estimated revenues is \$812,000.00 based off of this number the new list cost is \$799,678.61. There

is a beginning fund balance of \$243,504.00, from streets not completed this year that will rollover to the new year.

Mr. Garza commented that one thing that is important is that last budget cycle, staff was anticipating revenues from this fund being at about \$900,000.00 and through experience of collecting the fee, staff has experienced that it is less than that, which is what staff only budgeted \$812,000.00 for next year. This will have a further impact on number of streets which is why the 25-year plan.

Mr. Santillan stated that the funds that are generated from the street user fee only fund city maintain roads, does not include private properties. Residential fee structure is single family \$5.00, multi-family of 2-4 living units \$5.00 plus 85% occupancy rate times \$5.00 times units after first, multi-family of more than four living units or mobile home \$5.00 times total number of units or mobile homes time .085. Residential exemptions are student housing and government housing. Non-residential fee structure is residential is base \$5.00. Equivalent Residential Units (ERU's) equal area of the type of facility. Trip generations as per the Institute of Transportation Engineers Handbook and Manual. The tier capping system has a maximum fee of \$150.00 and the lowest fee being \$10.00 per month, total yearly revenue is \$812,000.00.

Mr. Garza commented that non-profits such as lodges are exempt from the fee.

Mr. Santillan continue to state that the Street Department has other several responsibilities throughout the city, creek and ditch maintenance, street sweeper-curb and gutter, and maintenance of city's storm water network. Alleys and patching include 153 work orders alleys and 274 work orders for potholes. Staff did a pothole blitz from January through April for a total of 699 potholes. A second pothole blitz which will begin August 30<sup>th</sup>. The Street Department is also responsible for signs and markings. The street department has assisted in the Wayfinding signs, street parking marking in the downtown area and will be assisting in the La Colonia Mexicana project and the redesignation of Sixth Street.

Commissioner Garcia commented that there a lot of signs there are no parking signs, limited parking signs throughout the community that have faded. Is there any way that staff can do a survey and identify their condition or if they are even needed.

Mr. Santillan responded that this is something that can be looked into.

Commissioner Pena asked how of the 699 potholes were done by the propatch.

Mr. Avelino Valadez, Street Supervisor responded that half of those were through work order and half were done with the propatch.

Mayor Fugate asked if this included the pothole blitz. Mr. Garza responded no, it's the 699 plus the 274.

Mr. Santillan reported that the Street Department is also responsible for mowing and weed control. Other miscellaneous items are maintenance of the downtown area, Brookshire Pool and other maintenance projects.

Mayor Fugate asked where is the paving now. Mr. Santillan responded they are on 7<sup>th</sup> Street between Shelton and Miller.

Commissioner Lopez commented that the Street Department has a lot of responsibilities, and they get pulled too much to focus on other projects throughout the city. Lopez further thanked the Street Department for all their hard work.

Commissioner Garcia asked how often does the Street Department crew get pulled from doing street work to do other projects.

Mr. Donnell responded that not only the street department get pulled for other projects but crews from the Water Department, Wastewater Department. Donnell stated that what they do end up getting is quite a few special projects to assist with which is often.

Mr. Garza commented that some of these projects that they get pulled to do, is that staff is also trying to accomplish some of the other needs such as things associated with the golf course and parks which are important things to do as well.

Mr. Donnell commented that they also get pulled to a lot of curb and gutter drainage improvements.

Commissioner Garcia stated that it's not to the extreme where these employees can't do their own duties.

Mayor Fugate commented that they can only do what they can do.

Commissioner Garcia commented that the main mission of these employees is streets. Are we pulling these employees to do other projects to where the streets are not being done like they should be?

Mr. Garza responded that it's all give and take. If the Commission wants them to solely focus on streets, that has consequence, which is paying someone else to do the work or buying additional equipment to do some of the things they are helping the departments with.

Mr. Donnell commented that operating a piece of equipment is very different than just driving it.

Commissioner Lopez commented that the presentation just given was to focus on streets. This presentation shows that the Street Department has a lot more duties other than streets, which is a lot of work for that crew. Lopez stated that due to all the other projects that are handed to the Street Department, they are not able to focus on our city streets.

Mr. Garza commented that we need to keep in mind that amount of money staff has for the streets. The street department can't spend 100% of their time on streets as we don't have the money for them to do that.

Mr. Santillan stated that fund 68, comes from Certificates of Obligation 2013 (CO 2013). From this fund, it funds drainage improvements that include curb & gutter, valley gutter, storm lines, curb inlets, sidewalks and driveways. Santillan further stated that we also do concrete street improvement phases projects.

Mr. Garza commented that this specific funding source that staff utilizes only a little over \$2 million dollars in it. This fund in two to three years there will be no money for curb and gutter or drainage improvements. Garza stated that this is something that staff needs to start thinking about.

Commissioner Lopez commented that it's been a lot of bad news today.

Mr. Garza commented that it is staff's responsibility to inform the Commission on where the city stands.

Mr. Santillan stated that one of the funding projects for this is the drainage improvements, curb and gutter improvements which is in correlation with the city's street maintenance improvement program. Staff goes out and analyzes and surveys the street so that we have positive drainage along curb and gutter or if staff needs to do a new storm line replacement. This year staff is working on developing a storm inlet program. Staff has completed phase six of the concrete street improvement. The three projects that were funded were 4<sup>th</sup> Street and Richard Avenue intersection. There was also an upgrade from a grade inlet to a curb inlet as well. Staff also worked on Fire Station #1 improvements, and installed a curb inlet and new storm line. Staff also worked on the pad behind the Kleberg Bank Drive-thru on

Kenedy. In the new fiscal year, staff is proposing a budget of \$200,000.00 for concrete street improvements phase #7.

Mr. Garza commented that on concrete streets, something that has been discussed with staff is that the SMIT Program only analyzes asphalt streets. Staff would like to develop a plan that also assess concrete streets, this way staff will know the condition of those streets. Garza further stated that conversations need to occur on which streets are to stay concrete and which should be asphalt as staff and the commission need to know the cost of this and see what the pros and cons of this would be.

Mr. Santillan further discussed sidewalks. This fiscal year staff applied for the Transportation Alternative Set Aside Program through the Texas Department of Transportation. The city had a total of seven projects prioritized which are South Armstrong from King to Johnston, as well as sidewalks leading up from 14<sup>th</sup> Street to Harvey Elementary School both on Lott and Kenedy and also on 17<sup>th</sup> Street and 20<sup>th</sup> Street which is the Westside of 20<sup>th</sup> Street to Eastside of Brookshire Pool. The total project value for this application \$1,016,195.00 with a cash match required of \$65,390.00. Santillan commented that staff received notice that we had passed the first review of consideration and now waiting on the second notice to see where the city will go from there. King Avenue will also have sidewalk improvements. The Texas Department of Transportation (TXDOT) will begin the construction of sidewalks on King Avenue from 14<sup>th</sup> Street to Highway 77 this fiscal year.

Mr. Garza commented that the last quarterly meeting staff had with TXDOT, they informed staff that they anticipated this happening in Spring 2018.

Commissioner Garcia asked if this was the north or south side of King. Mr. Garza responded that TXDOT is designing the project, therefore staff cannot answer that question.

Mr. Santillan commented that for this fiscal year, staff is being proactive. Staff is working on developing a sidewalk improvement program. This program will address poor condition sidewalks that lead up to targeted areas such as schools, churches, parks and other public facilities.

Mr. Santillan discussed the Capital Improvement Department. This department has had a change in personnel for an amount of \$8,000 which comes from health care cost increase from the 8.3% increase in health care cost for the employer and also from going from employee only to employee plus children. Under operations, there is an increase of \$618.00 for audit fees. The Capital Improvement Department goals are to provide professional level project management for public works capital improvement projects and procure outside resources as needed and provide contract administration. The department objectives are to plan, supervise and coordinate the activities and operations of assigned capital projects insuring timely, accurate and cost-effective completion of the projects. Also, to perform grant administration, project estimating and budget preparation and management for assigned projects. Some of the departments accomplishments for this year were that they provided project management for the fiscal year 15-16 CDBG Downtown improvements project, 15-16 CDBG Armstrong waterline improvement project, the old High School asbestos abatement/demolition project which was a partnership with the Facilities Manager Department, the Sixth Street overlay project, Brookshire pool project, concrete street improvements phase 6, the city wide and LE Ramey Golf Course drainage master plan, 2017 Santa Gertrudis improvement project, City Hall landscaping and irrigation project, and the City Landfill Sector 4 construction project. Santillan stated that his department has applied for the 2016-2017 CDBG grant for city wide manhole rehabilitation program and EDA public works program to fund downtown improvements. Santillan gave an update the downtown improvement CDBG project; staff still needs to complete striping of the parking spaces and the six additional parking spaces and install the handicap parking

signs. Once this is done, staff needs to do a Texas Department Licensing Regulation Inspection to close out the project. The Armstrong waterline improvements project, there is \$34,000.00 remaining in grant funds so staff is proposing to use those funds to install three additional water valves and one additional fire hydrant in the area. Brookshire pool improvements, staff is finalizing site improvements. Engineering staff has been working on site improvements for this site to include an additional parking on the east side of the property, and a sidewalk trail that will connect the pool to the skatepark as well as public restrooms for the skatepark and kiddie pool with splashpad features.

Commissioner Garcia asked that as for the public restrooms for the skatepark, is staff planning on building new ones or incorporate the ones at the pool.

Mr. Santillan commented that staff is looking to rearrange the existing structure at the pool so that we can have an opening from the outside of the property into the pool. The city wide and LE Ramey drainage master plan has been completed. Phase 1 which was the LE Ramey drainage plan has been completed. Staff has been working with Golf Course manager and the Parks & Recreation Director to put the final plans together to start phasing out and getting the irrigation company to begin the work. Phase 2 which is the city-wide drainage improvements is set to being in October where staff will have a public involvement meeting.

Commissioner Garcia asked if staff will be having a public forum on drainage. Mr. Santillan responded yes. Garcia further asked who will be invited.

Mr. Garza commented that it is his intention to get through the budget process then hire an engineer so that that individual can be a part of the public forum.

Mr. Santillan further commented that for the 2017 Santa Gertudis street improvements, staff brought a recommendation to the Commission during last night's Commission meeting of which was approved for \$656,917.00. The project limits for that is from Sixth Street to Tranquitas Bridge. As it was mentioned last night, staff is hoping that in the new fiscal year, if there is additional funding, we could do the rest of that stretch from Tranquitas Bridge to 14<sup>th</sup> Street. For City Hall landscaping and irrigation, finalize the plans and contract documents. Staff will advertise for bids on September 9<sup>th</sup> and the 16<sup>th</sup> and open bids on September 26<sup>th</sup>. The CDBG city wide manhole rehabilitation, staff is waiting on the Texas Department of Agriculture on whether the city will be awarded or not. The EDA Public Works Assistance Program, if received and approved the environmental narrative report by LNV Engineering and we are expecting the preliminary engineering report by LNV to be completed by this week so that staff can review and submit to EDA.

Mr. Garza showed a slide for a proposed fund 91. This fund is one that he does not recommend not having, because of recommend not changing the fund balance in the general fund.

## **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:43 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, City Secretary



**AUGUST 30, 2017**

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON WEDNESDAY, AUGUST 30, 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  
Arturo Pecos, Commissioner  
Noel Pena, Commissioner  
Al Garcia, 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  
Kyle Benson, IT Manager  
Sharam Santillan, Capital Projects Manager  
Israel Vasquez, Facility Maintenance Manager  
Emilio Garcia, Health Director  
Jason Alfaro, Parks & Rec Director  
Derek Williams, Systems Specialist  
Adrian Garcia, Fire Chief  
David Solis, Risk Manager  
Bill Donnell, Asst. Public Works Director  
Deborah Balli, Finance Director  
Frank Garcia, Wastewater Supervisor  
Richard Flores, Golf Course Manager  
Charlie Sosa, Purchasing Manager  
Ricardo Torres, Police Chief  
Pete Pina, Landfill Supervisor  
Stacie Pena, Accounts Manager  
Joe Casillas, Water Production Supervisor  
Marco Jimenez, Water Supervisor  
Avalino Valadez, Street Supervisor  
Leo Alarcon, Tourism Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 4:00 P.M. with four Commission members present. Commissioner Pecos arriving at 5:17 p.m.

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

These proceeding were waived.

**MINUTES OF PREVIOUS MEETING(S)**

None.

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

None.

### III. Reports from Commission & Staff.<sup>2</sup>

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

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

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.<sup>4</sup>

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

#### **Compensation**

Mr. Garza stated that as the city has collective bargaining, the compensation plan has anniversary increases. Both of these things are mandated expenses that the city has for compensation. On the collective bargaining side, it has a budget impact of \$102,000.00 that's in the budget in order to meet the city's commitment to both Fire and Police as well for anniversary increase for the employees which is an additional \$61,000.00, for a total of

\$163,000.00. Garza stated that last year, the city hired a company to do a compensation analyses for the city. They looked at the exempt and non-exempt positions and presented their finding to the city. Several positions received raises last year that were falling behind with market rate salary and were brought up to where they needed to be. Last year, some commissioners expressed concern that the city may not have enough money to continue the three-year plan, which is a fact. This year the city will not be able to fund year 2 of the plan as presented last year. The fall back plan for this year is to consider a Cost of Living Adjustment (COLA) for all employees which would have a budget impact of \$125,000.00 to do this, but we didn't have enough money to give the COLA this year either. Garza stated that what staff did was selecting a handful of positions and recommending changing to those positions. Garza mentioned the changes that are being recommended, those being the re-class of Lead Telecommunications Operator from Class 8 to Class 11; rename of Help Desk Coordinator to Help Desk Technician, still under Class 9; the addition of Facilities & Events Specialist under Class 17, which will be a part-time position under the Tourism Fund; change City Engineer/Public Works Director to City Engineer still under ML1; change Assistant Public Works Director to Public Works Director and move from ML4 to ML2, which is an increase in the level; change Police Communication Supervisor to Communications Supervisor which stays at ML7; and remove Sanitation Supervisor and consolidate it to the Landfill Supervisor.

Commissioner Lopez asked for the difference in salaries for the Assistant Public Works Director to the Public Works Director.

Mr. Garza responded that the difference is around \$10,000.00.

Commissioner Garcia asked if the Sanitation Supervisor is going to be directed by the Public Works Director now. Mr. Garza responded that the Public Works Director will oversee all Supervisors within the Public Works Department.

Mr. Garza went over the summary of compensation plan regarding the changed positions, which are documents that were passed out to the City Commission. Garza stated that there is a salary proposal to increase the Police Chief of close to \$5,000.00 which is something that was mentioned to the commission last year. Reason for the singling out the Police Chief position only is that in analyzing the internal organization the Police Chief is getting to a point where his salary is consistent with the work chart.

Mayor Fugate asked Mrs. Alvarez that when she was Interim City Manager if she had made this recommendation for the Police Chief raise.

Mrs. Alvarez responded that she believes that this position was included in that.

Mayor Fugate commented that one of the main reasons it was turned down was that this Commission wanted the new City Manager to review those raises and hear his/her recommendations.

Mrs. Alvarez commented that some of the positions that were recommended for the fiscal year 15-16 budget, were addressed last year and year one of the three plan. This position was one of the positions that was not included in year one of the plan but was included in year two.

Mr. Garza commented that year one saw increase to the HR Director, City Secretary, and other Supervisors positions but not an increase for the Police Chief position. Garza further commented that this is pretty much the position to be determined, other than himself, City Attorney or Municipal Court Judge. Staff will accommodate whatever the Commission decides regarding those three positions. Garza commented that for his position, he plans on discussing it with the City Commission in the Fall through a negotiation of a two-year contract. He asked the Commission not to discuss it today and wait until the Fall.

Mayor Fugate commented that as the City Manager just mentioned, the City Commission hires and fires the City Manager, City Attorney, and Municipal Court Judge. He stated that he is looking at the City Attorney position, and asked if the position was at the mid-level in that position.

Mrs. Alvarez commented that she is not aware if one has been run this year for either of the two positions.

Commissioner Garcia commented that there was an adjustment made last year.

Mayor Fugate commented that for the City Attorney the minimum is \$93,513 to a maximum of \$133,185.00 with a midpoint of \$113,349.00. He asked Mrs. Alvarez if she was at \$111,000.00.

Mrs. Alvarez commented that she had a fifteen-year position anniversary with a 2% increase and the Commission did a \$2,000 adjustment last year bringing her salary to \$115,000.00.

Mr. Garza commented that the mid-point is only a point of reference. A lot of these figures don't consider years of service, it is simply to serve as a guide.

### **Public Works Department**

Mr. Donnell, Public Works Director reported that his department is here to provide service customer in the most efficient possible. The Public Works Administration include the Engineering Department. He further discussed the budget and numbers for this department, which was presented in a handout form. The Service Center which will be getting a new roof and finished by Friday at a cost of \$107,518.00. In this budget, the Service Center budget, there is a \$12,822.00 increase; this is due to the new phone system. The Garage Division has eight full-time employees and maintain and repair approximately 400 units, they monitor the Storm Water Pollution Plan and monitor the fuel pumps for TCEQ compliance and maintain certification. They also maintain service center and wash rack maintenance and do wheel mounting and balancing services. They manage network fleet GPS and vehicle & equipment maintenance inventory supplies and other special projects as assigned. Performance measures for this department in fiscal year 2016-2017 are as followed, 245 oil changes, 600 tire maintenances, 455 scheduled service repairs, and 1,071 not scheduled repairs. The Garage Department, the City Manager offered new equipment such as a tire pressure system to repair and reset tire sensors, maintenance software, advanced diagnostics and reprogramming, new fleet diagnostics training for employees, and radio receivers.

Commissioner Garcia asked how many mechanics are in this department.

Mr. Donnell responded that here are four mechanics.

Commissioner Garcia also asked about turnover rate in this department.

Mr. Donnell responded that it's been good so far. Donnell continued with the Sanitation Division. This department has twice a week residential garbage service and commercial up to six times. This department also covers the city every eight weeks, remove illegal dumping on rights-of-way as well. The Sanitation Department also assist with property abatements and demolitions as well as rollout & dumpster maintenance and dumpster enclosures. Donnell commented that for this fiscal year, there has been 652 damage rollouts through July, at a cost of \$55.00 to replace.

Commissioner Garcia asked if some of the damage is being caused by the equipment being used to pick them up. Mr. Donnell responded yes and some of it is caused by the driver. Garcia further asked if staff is pressuring the driver to cut down on time. Mr. Donnell responded that they do it on their own, but they don't promote lagging, but need to do it within a reasonable time.

Mr. Donnell further reported that in expenditure increases for the Sanitation Department they have the radio receivers, roll-out containers, increase in vehicle maintenance, and 3 & 4-yard dumpsters. There has been a decrease in motor gas & oil of \$4,999.00; decrease in catering-appreciation of \$300.00, decrease of \$900.00 in laundry, and \$3,085 decrease in vehicle maintenance. The Landfill Division has 8 full-time employees. The main function of the landfill is to maximize airspace and stay within TCEQ regulations. They manage the drainage and erosion control, litter control, brush disposal, and commercial haulers. Biggest project staff is working on is the permit modification. Donnell stated that he and Landfill Supervisor went up to Austin to meet with TCEQ on a drainage issue to which they were in favor of the plan of the engineer to work forward through that and that should be submitting that amendment within a month. The department strives for TCEQ regulated reporting and facility compliance. To operate this facility, it requires a Class A Municipal Solidwaste license which is obtained by two employees. Total brush dumped at the landfill in fiscal year 16-17 is 2,557 tons. There is an issue with the compactor but staff has been calling to get this resolved. In expenditures for this department there is a one-time increase of \$20,000.00 for the 550 JD Dozer.

Mr. Garza commented that under the Utility Fund, the Mayor asked a question last week regarding the need to reassess fees and asked why the city is in the situation it is today. Garza reminded Commission about the rate model that was done in 2010 which is an increase proposal for water increase between 1% to 2% and sewer between 3% and 4%. This model took into account future expenses and growth and fiscal year 2013 was the last time the Commission approved rates to water and sewer rates. Fiscal year 14 and 15 did not receive the increase that the rate model recommended as well as no increase in fiscal years 16 and 17. Looking back at some of that information, the policy decision that was made in fiscal year 13, was that there was a health fund balance at that time so policy decision and direction that was given at that time was to use some of the money in the fund balance at the rate conversation would be pushed out due to the health of the fund balance and the utility fund. From fiscal year 14 to fiscal year 17, \$2.5 million dollars has been taken from fund balance and moved over to fund 51 of the Utility Fund. Over the last five years, that fund balance has continued to decrease. In fiscal year 16, the fund balance was at \$3.5 million dollars and the budget for next year it will drop down to \$2.1 million dollars. A lot of this is related to our operations. The Utility operation hasn't seen any significant changes. Staff hasn't added any additional positions in the utility operation or drastically changed anything. Garza stated that after stating all this, it leads us into the situation we are in today where we don't have any more fund balance to rely on the fund balance to get us through. This is the reason for the recommendation to lower the fund balance from 25% to 20% for the utility fund, because the \$400,000.00 that it equates to will budgeted to be spent on equipment and ground storage tanks.

Mayor Fugate commented that this is a short-term solution. We need to have a solution for the long-term.

Mr. Garza commented that Mr. Donnell will be making recommendations to fee changes, fees and not rates. Staff has money in the budget for another rate study to be conducted this Fall. Staff doesn't have a choice at this time other than increasing fees and rates as it was done in 2009 and 2010. Staff is planning on outsourcing to a third party to do a new rate analysis for the city and hoping that it could occur in October and having conversations in November/December about starting those rates in January 1<sup>st</sup>. There is no capacity for additional Certificates of Obligations, so that alone increasing rates and increasing fees is not going to solve all of our problems as staff still has to figure out how some of the city's needs will be funded, especially capital needs.

Mrs. Deborah Balli, Finance Director reported on the budget for Collections and Meter Readers Department. Balli stated that the Collections does all the billing for all utilities and does the accounts receivable for the liens and EMS. In the Collections Department, the

change in the utility budget for this department was \$26,045.00 which is a result of \$10,800.00 for personnel due to the health care coverages and health care cost increase of 8.3%. Operations increased by \$15,326.00 which is due to the allocation of audit fees and property insurance. There is a new copier lease and gave an increase in training & travel and a one-time reduction as well. This department had a challenging year which is what Municipal Court has had as well. The department converted the system from Incode IX to Incode X, which was quite challenging. Staff is currently working on doing the same upgrade on their accounts receivable system. Also added was the PSN payment service network third party payment to offer different methods that our customers can use to make their payments with the city. Balli further reported on the Meter Reader Division. The budget highlights for changes on this department, there was an \$8,297.00 decrease which was \$27,236.00 for personnel which was due to the temporary meter reader that was placed in the budget last year to get the city caught up on the fixed meters. As of today, staff is caught up with the fixed meters for the exception of 33 meters. Those 33 meters are meters that cannot be located which has required the assistance of public works to locate these 33 meters. The plan is to, as they fail, meters will be fixed, and try to keep up with it. The failing meters are still under 100% warranty coverages.

Commissioner Garcia asked that comparing last year income from water sales to this year, what does that look like.

Mr. Garza responded that staff increased it slightly, it was increased by \$50,000.00 compared to last year. Not that staff is caught up with the meters, staff is hopeful that revenues will continue to increase as they were higher as one point.

Mr. Donnell continued with his presentation. He continued with Water Construction Division. This department has 13 full-time employees. They manage and maintain 117 miles of water lines, 801 fire hydrants, two customer line extensions as needed. They are also responsible for the hydrant testing program, water taps, line locates, and also assist with special projects. On expenditure increase for this department, there is a slight increase in vehicle maintenance for a one-time increase of \$1,500 radio receivers. Budget adjustments had a slight decrease. Water Production Division has four full-time employees. Their system maintains the Superior Water Quality which is TCEQ regulated. They conduct 30 monthly compliance samples and do daily monitoring of water systems to assure its quality. We have seven water wells with the pumping capacity of 3.351 million gallons per day capacity and booster pumps for those wells with 8.15 million gallons per day. We have the South Texas Water Authority which average use is 0.348 million gallons per day and a pump capacity of 6.48 million gallons per day. This Supervisor is also responsible for maintaining this system with SCADA, supervisory control and data acquisition, and he holds, as required, TCEQ licenses. The total well production through July 850 million gallons and STWA is 816 million gallons. As for expenditure increase, there are a few increases for HDR Engineering 5-year Water/Waste Water UF model, HDR and Water Rate Study. Budget adjustments has some slight decreases. Waste Water Treatment Division has nine full-time employees. There are 2 treatment plants a 3mgd and 1mgd, 9 lift stations. They do daily & quarterly monitoring and monthly reports. We are averaging about 2.2 million gallons through both plants. Both plants have generators in case of power outages.

Commissioner Garcia asked that on the power generators in case the power goes out, are they at ground level? Mr. Donnell responded no. Donnell commented that the one at the North Plant is high on the side of the plant. The one at the South Plant is kind of low, it's at ground level. Donnell further commented that there is a fuel tank at the bottom so there is about three feet to the bottom of the generator and the fuel cap is located on the top.

Commissioner Garcia asked for staff to remember what happened to Houston when they received over 50 inches of rain.

Mr. Donnell commented that staff has taken a lot of notes and putting in new SOP's from that storm that went through Houston. Donnell continued with his presentation by stating that this division also has license requirements as required by TCEQ. As for expenditure increases, there is some maintenance that needs to be done. Some of this maintenance is required at the plants can be very extensive. With the clarifier becoming deteriorated, staff had to drain it and do some maintenance to it. They will keep pushing the clarifier to its limit as it is very expensive to replace. Budget adjustments for this division stayed about the same, some slight decrease throughout.

Commissioner Lopez asked that under the insurance line item, was there anything budgeted before. Mr. Garza responded that this is more from where money is coming from. One of the things that is in the budget is spreading out those expenses.

Mrs. Balli commented that before it was all budgeted to 1030, and the auditors asked that we attach it to specific departments, which was done every year during the audit, so staff went ahead and moved for this new year.

Mr. Donnell continues to report on the Wastewater Collections Division which has eight full-time employees with 96 miles sewer mains and has over 1,900 manholes throughout the city. We are still in a SSO program which is Sanitary Sewer Overflow Program that was started eight years ago. This program comes to an end in 2019, but staff is looking to extend this. Staff also does smoke testing and rehabilitations which needs to be submitted to TCEQ. This division has two lift station generators. Quality influent water, it is staffs job to make sure that wastewater comes into the plant in a healthy status. They operate this and the treatment plant with a SCADA system as well. As for budget expenditures, there are some increases in some line items. Budget adjustments has some decreases. Master Fee Schedule. It is proposed to increase the Adopt-A-Truck fee from \$12.99 to \$50.00 for residential and from \$36.06 to \$75.00 for commercial. Bulk waste goods and brush special waste service, which has no cost now, and proposing to charge \$200 per truck. Water tap fees to increase as well; 4" tap fee from \$450.00 to \$650.00; 6" tap from \$450.00 to \$700.00; 8" tap from \$450.00 to \$750.00 and 12" tap from \$450.00 to \$800.00. It is also proposed to increase the tapping fee & meter for a 5/8" and 3/4" from \$265.00 to \$553.00; 1" from \$350.00 to \$757.00; and 1 1/2" to 2" from \$575.00 to \$1,652.00. Staff does about an average of 60 new taps per year. The new fee will bring in an additional \$17,000.00 per year.

Commissioner Lopez commented that she is concerned about the increase of the Adopt-A-Truck as it may turn people away from using this program. It could cause trash to sit on properties.

Mr. Garza stated that this is a service that is not offered in a lot of other cities. But with this fee being the same for a long time and the city keeps paying for the service.

Commissioner Garcia asked what the average use of these trucks is. Mr. Donnell commented that it is 96 times per year, Mondays and Fridays, when it's no holiday, two trucks for each day. When you get it on Friday's, you get it the whole weekend. There is also the free dumping of 300 pounds at the landfill per day and the 1,000 pounds twice, they have bulky items and white goods and brush zones every two weeks and free brush pickup every eight weeks. The city gives a lot of free services to the community.

Mr. Garza stated that the stormwater fee was from a recommendation that was done in 2012. The purpose of this fee is to pay for debt service from a CO that is specific for drainage. Currently at \$1.25, it generates \$225,000.00, however the debt service payment is around \$300,000.00. Some of the presentations on stormwater fee that were done in 2012, it recommended increasing that stormwater fee in fiscal year 16-17, but did not happen. What staff is now proposing is increasing that fee by \$1.00, from \$1.25 to \$2.25. This would generate about \$400,000.00 for the city which is enough to pay for the debt service payment. It will also assist with other things such as a street sweeper that helps

clean curb and gutter. Garza further stated that currently at a \$1.25 has an impact of \$15.00 per year and by increasing it to \$2.25, it will be \$27.00 per year. Garza further stated that by recently changing our payment company that was utilized for the utility payments, we actually eliminated a service charge of \$1.25, which was a charge from the company the city used before. For those that pay online and pay with their credit card are no longer paying that fee.

Commissioner Lopez asked how many customers pay online.

Mr. Garza stated that annually has about 22,000 credit card transactions per year. The old system doesn't allow staff to run analytics that will show how many pay online, as sometimes customers pay online one month and sometimes come in person.

Commissioner Lopez asked the rate monthly.

Mrs. Balli stated as the city has some customers pay on more than one account it would be hard to say how many customers pay online.

Commissioner Garcia stated that two pickups per week is customary for Kingsville, but staff needs to think about going to one pickup. He suggested to look into the volume of all trashcans and dumpster and compare it with what is being dumped, recorded at the landfill and see what that looks like.

Mrs. Alvarez commented that they are 90-gallon container, and by giving customers two pickups per week, it totals out to 180 gallons of trash per week, which is a lot. People who live out in the county have a 90-gallon container with one pick up per week.

### **Fire Department**

Mr. Adrian Garcia, Fire Chief reported on the Fire Department budget. Chief Garcia stated that the departments strategic vision is dedicated to the improvement of professional emergency services in our community through continuous public fire education, fire prevention code enforcement, emergency planning & preparedness, fire & EMS response and staff development activities for career and volunteer fire fighters. The mission of the department is to plan prepare and safely respond to fire. Medical and other emergencies and make available public safety education and prevention programs in efforts to protect our community because we care. The department is responsible for fire operations, EMS operations, Fire Marshall Office, Kingsville Volunteer FD, and Office of Emergency Management. The values of the department are professional excellence, health & safety, diversity, teamwork & shared leadership, effective communication, integrity, community service & involvement, and innovation. Chief Garcia went of some of the goals and objectives for the department. Performance measures for the department are measured in call volumes. EMS received 2746 call is in 2017, fire calls were 581 for a total call volume in the two was 3327. The department's averaging responds time is about 4 minutes and 35 seconds. Some of the departments accomplishments include Station 1 improvements in the way of dorm renovations, restroom/shower repairs, security fence, and concrete departure zones. Other accomplishments are fleet replacements of engine 2 and MICU. Garcia that other accomplishments, the department did pass the Texas Commission on Fire Protection State inspection with flying colors. Just renewed their EMS provider license. They implemented their consolidated dispatch and replaced FD radio equipment. The department has also placed AED's at city buildings. Operational improvements include increased minimum staffing from 7 to 8 personnel and increase frontline units from 3 to 4 units. By going from 3 to 4 units it will allow us to keep a structural engine and ambulance on either side of the railroad tracks. Because we are running on a minimum of 8 we are able to staff those as well as an opportunity to make sure that when we do respond to a structural we have at least the two and two out to begin offensive operations once we get everybody on scene. Garcia spoke about Training



accomplishments which include 2 fire officers 1, 3 fire inspectors, 1 driver/operator, 2 EMT paramedics, and 2 KVFD fire fighter IV certified.

Commissioner Lopez asked that the frontline units, there is one ambulance on the westside and one on the eastside, she thought they had three ambulances.

Chief Garcia commented that they still have three.

Commissioner Lopez asked where the third one was located. Chief Garcia responded that the third one is located at Station 1 as a reserved ambulance. Commissioner Lopez further asked if staff was still running the third ambulance. Chief Garcia responded that he does not have the staffing to run it in the frontline. Commissioner Lopez further asked what staff is doing when they receive a third call. Chief Garcia responded that at that time staff reaches out to their mutual aid and call in a private ambulance to cover and run the first responder program utilizing their engines. Chief Garcia also commented that some future plans are to upgrade their first responded program going to ALS engines which will add additional medications and provide the ALS medical treatment. He stated that this is a process and needs to be taking one step at a time.

Chief Garcia stated that he was going to continue to evaluate and identify the best way to respond, but this is giving them the equipment on both sides of the track and the response. Garcia mentioned the 2018-year focus. The focus is to increase overall staffing, reorganization, improve the Fire Marshall's Office inspection rate, talk about a private ambulance ordinance, and fleet replacement. Garcia stated that the department is currently on the sixth round of the SAFER Grant, these meaning that we have not been rejected. Over the past 30 years, call volumes have increased but staff has remained the same. If the department receives the SAFER Grant, the department will be able to hire three fire fighters which will be one per shift and meet the departments goal and this will increase their overall shift from 10 to 11 which will give them a one three-man company. The SAFER Grant will cover the first and second year 65% and the third year 25% and the fourth year, the city will be responsible for the whole 100%. If the SAFER Grant does not come through, one of the changes within the budget is that they are asking to hire one fire fighter and slowly increase over the next three years in order to get to 11.

Commissioner Garcia asked if the shift personnel overtime and not overtime pay.

Chief Garcia responded no. He continued by discussed his organizational chart for the department. One of the things he has been working with on with KVFD Chief Rick Salinas is unifying the department resources. One of the things the department faces is that there is two separate entities that are still responding to the same fires which creates some safety issues and accountability issues. Garcia stated that they feel that there is an opportunity to bring the two departments back together where they can start operating under one set of SOP's and unify their training. If this is done, KVFD will become a division under the Fire Department. Chief Salinas would oversee the KVFD and manage their own proceedings and the other things that they do now. The only difference is that when it comes to operational issues, everything will run through the chain of command. Other focus is on the Fire Marshall Office inspection rate. This office has a 38% inspection rate for FY 2016. The fire prevention code states that we should do 100% rate inspection, which for one person it is very challenging. The city has over 800 businesses and growing everyday with more businesses coming to Kingsville. After an extensive evaluation, they were able to get it at 47% inspection rate for 2017 of which their goal is 50% and is confident that they will be able to get that additional 3% this month. Garcia stated that they implemented a company inspection program. What this program means is that fire fighters, lieutenants, captains that are inspectors on duty, are assisting the Fire Marshall. They go out and do some of the overall inspections, not big stuff such as fire sprinklers, fire alarms, but they are going out and doing the smaller inspections for businesses. This is the reason for having three fire inspectors certified this year. The other thing being used

is technology. Five years ago, the fire department purchased emergency reporting system software. Within this software it has a module that has occupancy and inspections that was not being utilized. A lot of training has been done and pilot programming and have gotten to the point now where they are piloting it out into the field now. The other thing that was purchased was two iPads. One thing that is helping them is that their current process is all done by paper, and when you go out into the field the inspection is done on paper then go back to the office and retype the same document then go back out to the business and have them sign then fax it, email it, or hand deliver to the Planning Department. With this software you are able to fill-in the same document and upload them to the software and take it onsite. You are also able to take pictures and upload them, they then sign it and submit it to the occupant and Planning Department gets whatever they need. Some of the things that are being proposed for 2018 is to hire a part-time customer service representative which will be able to issue the permit, take payment, and schedule the inspection through the ERS Software. Also, being proposed is the use of remote payment for fire inspections, and FMO Inspection Guide. The private ambulance ordinance, this is an ordinance that has fallen off track. During this past year, it was realized that this was something that was his responsibility, so he is in the process of implementing the program. He stated that he has conducted a stakeholder meeting and in the process of revamping the program and aligning the ordinance to the program. Garcia commented that he is still trying to find ways to make sure that we are able to enforce the program. As there was only one person doing inspections, he is trying to enforce the ordinance as well. The ambulance inspection form has been built into the ERS software, so now it is digitally where they can go out and do these inspections. This will be something the part-time representative will do as well so when ambulance agencies come in, they can submit their application it can be implemented into the system where they can capture owner's name, address, and other contract information. Garcia stated that the software sets reminders as well, so when their expiration date is coming up, it will staff that a particular inspection is coming up for a renewal. Some of the other things they are wanting to implement is because they don't have enough people to go out there, the individual doing the inspection is also an engineer and part of operations, so he doesn't always have a lot of time to go out and hit a lot of these places. He stated that they are going to utilize all of the fire fighters and anyone that can assist them. One of the other things that will be done is the department will be having compliance stickers for every ambulance that passes inspection. Each compliance sticker will have a unique number that will be added to the inspection form. These will be stick on one time, so if you remove it not going to be able to use it for any other year. Assorted color stickers will be obtained to distinguish that year for the inspection. The other thing the ordinance requires is that every driver attendant that works for these companies will have to register with the City. This will allow the city to know who they are and make sure that they aren't a felon. Each driver attendant will receive an ID, issued by the city, that states that they are registered through the City of Kingsville. Garcia stated that his department is partnering up with the Parks & Recreation as they have purchased an ID printer that is not being utilized and will be loaned to the Fire Department and get this program going. The ID Cards will also be color coded as well.

Mr. Garza stated that staff will be looking at making changes to the ordinance as some things on the ordinance that don't make sense such as charging private ambulance a fee for traveling city roads. The intention is not to eliminate the ordinance but simply revamp it to work for both the city and the private ambulance companies.

Commissioner Garcia asked if the city currently has a fee that is charged to private ambulances.

Chief Garcia responded yes.

Commissioner Garcia stated that he has heard complaints about individuals that when they get picked up by an ambulance, they give insurance information but is never processed. Garcia commented that he is not sure if this is being done through the city's ambulance service or private ambulance.

Chief Garcia commented that he will look into this, as the city's ambulance service is done through Intermedix.

Mrs. Alvarez commented that if it's done through a private service, the city has no control how quickly the billing process can get done.

Commissioner Garcia commented that he would like to remind the Commission that one complaint is too much.

Commissioner Lopez commented that she was the one that brought up the private ambulance fee that wasn't being charged. She stated that staff needs to make every effort to make sure that they are in compliance and that our staff is in compliance as well, as we know what we have but don't know what's out there. Our citizens that are being transported need to be sure that they receive the service that they are supposed to get. She commented that there was incident where they scheduled for an inspection and what they were doing was borrowing equipment from each other in order to pass inspection. This is a big red flag for the department. Lopez recommended doing surprise inspections, and she is aware about the staffing of the department, but we need to think about our citizens.

Chief Garcia commented that this is why it is important to revise the ordinance and close those gaps as well as use the stickers and utilize existing staff to catch those that are out of compliance. He stated that staff will do random inspections as well.

Mr. Garza commented that it will obviously be very difficult to foolproof that, because if someone wants to scam the system, it may be difficult to catch that.

Chief Garcia commented that his staff is trying to make this as foolproof as possible and that we are doing right.

Commissioner Lopez commented that she is only thinking about the citizens and their safety.

Mr. Garza went over the document he provided the commission regarding some of the budget changes for the Fire Department. Under private ambulance permit there is \$5,000 in anticipated revenue due to the ambulance inspection program. There is also \$330,000.00 for other income lease purchase, which is a financial recording for equipment that was purchased this year. Under salaries and overtime, there is a significant change as the original budget for 2016 was \$1,430,000.00 and the proposed amount for 2018 is \$1,537,367.00. This is because after the processing and evaluating the financials money was placed under this line item which was really meant to be used for overtime. Once numbers were looked at, staff decided to move that money to overtime. Garza stated that for the rest of the budget, there are no other significant changes.

Commissioner Lopez asked if staff was still doing callbacks.

Chief Garcia responded that callbacks are being done only on major events such as what happened during the downtown fire on July 29<sup>th</sup>.

Commissioner Lopez asked if this is the reason why the third ambulance is not running, as callbacks are not being done.

Chief Garcia responded that when this was being done, they were shutting down a structural vehicle. He stated that they were shutting down one vehicle or another as they weren't able to run everything, it was a total of three units. Now they are running four units, two structural and two ambulances. Before there were times that if you ran three

ambulances, you were leaving the City unprotected for fire, because you would have all of the staff on ambulances. Garcia stated that he is trying to keep a balance.

Commissioner Lopez asked that if those running the third ambulance be the callbacks.

Chief Garcia responded not all the time.

Commissioner Lopez stated that this is why she is asking, is staff not calling people.

Chief Garcia commented that it's not being done the way the system was running before.

Commissioner Lopez commented that she knows that in the past the money collected from billing was used for the overtime. She further asked what is the money being used for now if it's not being used for overtime which was being used for callbacks.

Mr. Garza commented that this money is going into the general fund budget. The Fire Department is not an enterprise fund so anything going through general fund comes back to general fund.

Commission Lopez asked if staff was doing callbacks and needing that private ambulance service.

Chief Garcia commented that they are using the callbacks but being done differently. Instead of calling for every single call that comes in, like it was done before, now they are calling for major incidents, major accidents with entrapment, structure fires and mass casualties. If there is a critical call that requires additional people, the Captains on duty have the authority to call in for additional assistance.

Commissioner Pecos asked if we are lucky to get the three-additional staff, will the department reduce overtime.

Chief Garcia responded that as he didn't have data before to be able to compare it, he is unable to answer this question. He stated that over the past five years, he was able to obtain some information there was a 40% increase in overtime with just doing callbacks on a regular basis. Chief Garcia commented that the key here is increase service and quality for our citizens. He stated that now he is capturing that data now and able to identify drivers which was implemented in May. He stated that over the holidays, one thing that he noticed that there is some leave that is not being utilized correctly. He will be working closely with Human Resources to see if they can change the policy to try and reduce the overtime.

### **Debt Service Fund**

Mrs. Balli stated that fund 11 is the general fund debt service. This will show that we have revenues of \$1.2 million dollars which is from property taxes which are generated from I&S rate allocation of the total tax rate, which in the budget is proposed at .15165 of the \$.84220 tax rate. Expenditures are \$1.5 million and the reason for the revenues being less than the expenditures is because we are using part of our fund balance to pull that down and for fund 87, Solidwaste Capital Projects, we are not transferring that money from that fund because we are going to allot the buildup of that fund to pay that debt service payment which is \$124,450.00. The other thing done this year is drawing down the fund balance further and using \$150,000.00 in fund balance also to allow our M&O tax rate allocation to be larger where it gives our property taxes in the general fund. Because we had \$702,000.00 in the fund balance at the beginning, we had that capacity in order to be able to use the fund balance to pay some of our debt service fund so that we could generate more tax revenues in general fund. In Utility Fund, in fund 12, the revenues and expenditures are identical, this is due because all the funds that have debt service they pay into fund 12 the amount of their debt service. This is an in and out and don't collect any other additional revenues for this. The estimated ending fund balance is \$334,000.00 which remains constant. Balli commented that we don't have the same capabilities that

we do in the general fund debt service to offset some of that other funds transferring in, so it needs to stay that way.

Mr. Garza wrapped on the budget workshop. He would like to for Commission to give staff some direction on a few items. One item is the request for additional money for City Commission travel & training. Some of the fees that were discussed would also need some direction from the Commission on whether they support the changes or not support the changes. The change in the fund balance for the general fund to keep it at 25% is another item that needs direction from the Commission. Currently the utility fund is dropping the fund balance to 20%, so staff needs clear direction if that's ok.

Mayor Fugate commented that he would like to start with the reserve rates, fund balance. He commented that he can't speak for the Commission, but he doesn't have any objections to what is being proposed by keeping the general fund at 25% and dropping the utility fund to 20%, but this is a short-term solution as staff will have to come up with a long term plan as it will come with the fees.

Mr. Garza responded that this was correct, and the City Commission will have to support those changes.

Mayor Fugate continued to comment that the Commission needs to reflect on this and have the fee schedules.

Mr. Garza stated that on the fee schedule, the increases to the tapping fees, the increase to the adopt a truck, the funding that will be generated by those increase was not taken into account in the budget. Staff did not want to the budget to depend on those fees needing to be approved. The one fee that is dependent on the budget being balanced is the stormwater fee which is the increase from \$1.25 to \$2.25. Garza stated that the direction for that fee needs to come from the Commission, the other fees, staff and the Commission can continue to dialogue on those fees.

Mayor Fugate asked if the city had a study done and the recommendation was to raise that stormwater fee but we missed the opportunity.

Mr. Garza responded that this was correct.

Mayor Fugate further commented that this fee needs to be adjusted but there is also a lot of other things that need to be looked at including at the insurance as well. Fugate further asked if staff needed to have an answer before the budget is adopted.

Mr. Garza responded that staff would definitely need an answer for the stormwater fee as the budget is built on that.

Mayor Fugate asked that if the Commission makes a decision now, could it potentially be a violation of the open meeting act?

Mrs. Alvarez responded that the Commission will not be taking a vote, but each Commissioner can express their preferences, then the City Manager can get a consensus what the will of the Commission is without the commission taking a formal decisionary action.

Commissioner Lopez asked about the stormwater fee that missed last year, was that the only year that was missed?

Mr. Garza responded that it was scheduled to increase in 2015 and 2016, but of those years were missed. It was adopted at a \$1.25 in 2013 and has been that ever since.

Commissioner Pena commented that they weren't missed, they were voted down, based on the matrix presentation that was presented to the Commission in the past.

Commissioner Pecos commented that whenever the city applies a fee it's more like a tax to him. But he is aware that those monies are needed in order for staff balance the budget.

Going from \$1.25 to \$2.25 in the stormwater fee, and when you look at your water bill all the fees that are charged is in there. The consumption of water is less than anything else on that bill, so he is reluctant on the increase, but it's something that is needed therefore he is in favor of the increase. Pecos commented that he wishes this was done two years ago as it should have been done, which could have been done in small increments, but it wasn't done. Pecos commented that he is in favor of it and doesn't feel that we have any other choice than to do the increase. He commented that the tax payers will not like this and the Commission and staff will receive some concerns from citizens. Staff will have to explain that for two years they hardly paid anything and it's unfortunate that now they are being charged. Once again, Pecos stated that he is in favor of the increase.

Commissioner Lopez commented that after being told that they voted it down and she thought that they had missed it. Lopez commented that she is not in favor of the increase.

Mayor Fugate commented that the city is not meeting its financial obligations right now.

Mr. Garza commented that the payment is \$300,000.00 and the revenue being brought in is \$225,000.00. So, if nothing changes the difference would come from the Utility Fund and as we aware, it has its own issues.

Mayor Fugate commented that he would support the increase.

Commissioner Garcia stated that it's a user fee and at least we know where the money is going to go to. It's obvious that we need to build a fund or were going to be short as has been stated by staff. Whether they voted down as the matrix before, the matrix is one thing and reality is another. The reality is that we are short on funds. Garcia commented that he is in favor of the increase. He knows that the tax payers will be displeased but they will understand.

Commissioner Pena commented that if we don't do it today, it will need to get done sometime in the future or the city will continue to fall behind. He stated that he voted it down last time, but he agrees with the other Commissioners and need to move forward. Pena commented that he is in favor of the increase.

Mr. Garza commented that all the other fees that were proposed on not dependent on balancing the budget. Those other fees can be discussed at a different time during the year.

Mayor Fugate commented that this Commission needs to come to a consensus on the Health Insurance Plan which is a critical subject. He further commented that he expects to see both of those issue on the agenda no later than November 2017. This includes rates on the Utility side and health insurance. It is important for staff to address those two issues.

Mr. Garza commented that staff will have workshop from now until then to provide progress updates and make sure that it's a combination product.

Mayor Fugate commented that he tells people all the time that he invites them to look at the budget, which is available online. It will show that the city doesn't have enough people to do what is needed to be done. Fugate commented that there isn't a lot of cushion in this budget. With things costing more today than they did yesterday, the city needs to keep up with it and make some hard decisions.

Commissioner Pena commented that on the fee schedule that was proposed by the Mr. Donnell, Public Works Director, should be acted on. It shouldn't be put off as it's additional revenue for the city. Pena further commented that Mr. Donnell has provides some comparisons with other cities on these fees and showed how our city is falling behind on these fees as well. Now if staff wants to be specific about some of the proposed fees, such as the one that Commissioner Lopez was concerned about, adopt the truck.

Commissioner Lopez commented that her concern regarding the other fees is the increase of the adopt of truck.

Mr. Garza asked for the Commissions input on Commission training & travel.

Mayor Fugate commented that the decision would be between the amounts of \$5,000 or \$6,000 per commissioner.

Mr. Garza commented that the budget already has it to increase from \$4,000 to \$5,000 per commissioner. But there was a request for an additional \$1,000 per commissioner.

Commissioner Pena that this would be an increase of \$10,000 for all five Commissioners. Last year it was at \$4,000 per commissioner and now we are talking about \$6,000 per commissioner.

Mr. Garza stated that this was correct.

Commissioner Pena further commented that it was erroneously put into the budget a \$5,000 increase which it is a \$10,000 increase.

Mr. Garza responded that what's in the budget is only \$5,000 as it is an additional \$1,000 per commissioner which is \$5,000 total. He further commented that it's not in the proposed budget overall being \$10,000, it would be \$10,000 if there is consensus to increase it another \$1,000.

Mayor Fugate asked for the Commission comments on the issue of the Commission's training & travel budget.

Commissioner Pena commented that consistently for the last five years, he doesn't do out of state travel and doesn't need all the money he has in his budget. Some of the other Commissioners do more travel than he does and doesn't believe that he needs as much education as some of them do. Pena stated that he would like for the amount to stay at \$4,000 per commissioner. He commented that the City of Corpus Christi has an amount of \$3,000 per Commissioner. He commented that he has asked the City Manager to do a comparison on that, but it wasn't done.

Mr. Garza commented that he wasn't able to find some of those details as a lot of these budgets are grouped.

Commissioner Pena stated that his recommendation is to stay at \$4,000 per Commissioner.

Commissioner Pecos commented that if Commissioner Pena wants to reduce his budget, he can do so. Pecos stated that he wants the increase because he wants to attend these conferences for professional development, therefore he is in favor of the increase.

Mayor Fugate commented that the Commission knows where Commissioner Garcia stands on this issue. He further asked Commissioner Lopez for her comments.

Commissioner Lopez commented that she agrees with Commissioner Pena. She commented that she doesn't need to attend conferences out of state. She has received all the education that she needs. Lopez commented that she is not in favor of the increase.

Mr. Garza commented that with an election in May 2018, and the fiscal year runs through the end of September 2018. With that said, it could be possible that the election could change the Commission.

Commissioner Garcia commented that as far as education, every day we go through life and things change around us every day. Technology improves, different way of thinking improves, society improves and there's no way that he can say that he has all the education that he needs, because of changes that occur around us. To say that he doesn't need to attend conferences because he knows everything or have all the experience that

he needs, is not correct. He further commented that he believes in the staff development as stated by Commissioner Pecos has stated. He promotes for staff to continue with their education. Garcia commented that because one receives a diploma or a degree or a PhD doesn't mean that one knows it all, as things continue to change and we have to keep up with change and the only way to do this, is to continue to learn.

Mayor Fugate commented that he took a look at this, and travel has really increased as far as expense. He is not sure that \$6,000 will get you to the National conference and the TML Annual Conference. Fugate stated that it going to come to a point, because of cost, that the Commission will have to pick one to go to if you also want to attend TML Annual Conference. Fugate commented that \$4,000 is not enough and he is willing to go along with what staff's recommendation is, which is \$5,000.

Mr. Garza confirmed that the Commission is ok at the general fund balance staying at 25% and on the utility fund we are ok with it continuing at 20%, however the commission stills wants to rethink it and possibly change it.

Mayor Fugate commented that this is fine and he thinks that the consensus of the Commission is that they want to get these improvements done that the city is committed to, which means dropping it to 20% on the utility side.

Commissioner Pecos asked if that means dropping it from 25% to 20%.

Mr. Garza responded that this was correct. It would free up about \$420,000 for staff to do some projects.

Commissioner Lopez asked if this included streets. Mr. Garza and Mayor Fugate responded that this was only utility fund. Garza continued to comment that we could do that or we can split it and do it at 22% or 23%, but regardless if what we do, staff will work on building it back up to 25%. He further commented that some of the projects that would be funded from this money, can be delayed for a while which it is an option to drop it to 22.5% and the budget can be adjusted towards that. Garza commented that another option is, which is not a popular option to staff, but we are investing money in the renovation of the Municipal Building which is about \$700,000 from utility fund for that renovation. This is not a popular option for staff, but one option is not doing the renovation and keeping the utility fund at 25%, which will give the city the money to do the projects that have been funded. Garza commented that the Commission has heard it for themselves, staff is looking forward to the renovation of the first floor of the Municipal Building, which is why it wouldn't be a popular option.

Commissioner Garcia commented that the third option that was presented to dropping it and rebuilding it, which is what he is in favor of.

Mr. Garza asked if it was the Commission consensus to drop the utility fund and then rebuild it.

Mayor Fugate responded yes.

Mr. Garza stated that on Tuesday, September 5<sup>th</sup>, there is a special meeting at 6:00 p.m. At that meeting, staff will bring forward the 2<sup>nd</sup> public hearing for the tax rate, which is the same tax rate we have currently, as well as the official public hearing on the proposed budget and any changes on the budget will also be presented.

Mrs. Alvarez commented that there will be some ordinances that will be introduced at the meeting on September 5<sup>th</sup>. The budget ordinance will be introduced on September 5<sup>th</sup> as it has to be in order to be voted on September 11<sup>th</sup>. The tax rate ordinance will be on the 5<sup>th</sup> as well.

## **VII. Adjournment.**



There being no further business to come before the City Commission, the meeting was adjourned at 6:30 P.M.

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

**ATTEST:**

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

SEPTEMBER 25, 2017

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, SEPTEMBER 25, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.**

**CITY COMMISSION PRESENT:**

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

**CITY STAFF PRESENT:**

Jesús Garza, City Manager  
Courtney Alvarez, City Attorney  
Tom Ginter, Director of Planning & Development Services  
Diana Gonzales, Human Resources Director  
Kyle Benson, IT Manager  
Sharam Santillan, Capital Projects Manager  
Emilio Garcia, Health Director  
Jason Alfaro, Parks & Rec Director  
Derek Williams, Systems Specialist  
David Solis, Risk Manager  
Bill Donnell, Asst. Public Works Director  
Charlie Sosa, Purchasing Manager  
Ricardo Torres, Police Chief  
Robert Rodriguez, Library Director  
Adrian Garcia, Fire Chief  
Marco Jimenez, Water Supervisor  
Susan Ivy, Parks Manager  
Stacie Pena, Finance Manager  
Jennifer Bernal, Community Appearance Supervisor  
Joe Casillas, Water Production Supervisor

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate opened the meeting at 6:00 P.M. with all five Commission members present.

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

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

**MINUTES OF PREVIOUS MEETING(S)**

Minutes for September 5, 2017

Minutes for September 11, 2017

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

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

None.

**III. Reports from Commission & Staff.<sup>2</sup>**

*"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-Communications Update** & 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."*

Mr. Garza presented a certificate for Robert Ramos for employee of the month for August. Mr. Garza congratulated Mr. Kyle Benson, IT Manager on the completion of his Master of Business Administration degree. Garza announced that Public Works will be hosting a household hazardous waste disposal will occur this Saturday from 9:00 a.m. to 12:00 noon at Public Works.

Mrs. Alvarez announced that the next city commission meeting is scheduled for October 9<sup>th</sup> with agenda item deadline on September 27<sup>th</sup>.

Ricardo Torres, Chief of Police gave the City Commission an update on Communications. Due to microphone not being turned on, his comments were not recorded.

Commissioner Pena asked for an update on the property located on E. Henrietta, and asked if the property owner has brought in any renderings to staff.

Mr. Garza responded that staff can look into this and provide a detail update to the Commission.

Mr. Ginter stated that no permits have been obtained in the two weeks.

Commissioner Pena stated that what he has heard is that the property has been sold.

Mr. Ginter commented that staff will look into this and provide information at a later time.

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

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)*

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

**1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).**

**2. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 budget to accept and expend Park donations from TRAPS. (Parks & Recreation Director).**

**3. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 budget to cover end of year deficit accounts. (Finance Director).**

**4. Motion to approve a resolution authorizing the City Manager to enter into an Engagement Letter Agreement between the City of Kingsville, Texas and John Womack & Co., P.C. for the 2016-2017 Fiscal Year Audit. (Finance Director).**

**5. Motion to approve support of and participation in certain events and parades for Fiscal Year 2017-2018 as stated in the memo and attachments. (Downtown Manager).**

**REGULAR AGENDA**

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

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

- 6. Consider a resolution approving the City of Kingsville's 2017 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, Section 26.09(e). (City Manager).**

Mr. Garza stated this item original comes to the Commission for approval after the tax rate and the budget have been approved.

**Motion made by Commissioner Pena to approving the City of Kingsville's 2017 Tax Roll as submitted by the Kleberg County Tax Assessor-Collector pursuant to the Texas Property Tax Code, Chapter 26, Section 26.09(e), seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".**

- 7. Consider introduction of an ordinance authorizing the historical redesignation of streets in La Colonia Mexicana to include the original street names with the existing street names, having no impact on addresses. (City Manager).**

Mr. Garza commented that there are two projects presented at a prior meeting, La Colonia Mexicana and the street redesignation project. These projects have been spearheaded by Maggie Salinas and Dr. Baker of TAMUK. Direction from the City

Commission was to proceed with these projects. Staff has gone through the process of getting quotes and checking on the number of signs that will be needed. Staff has contacted Maggie Salinas and Dr. Baker to make them aware that this item was going to be on the agenda tonight strictly for La Colonia Mexicana. This would include the following: Avenue A would be Sims; Avenue B would be Perez; Avenue C would be Chaparral; Avenue D would be Garza, between 6<sup>th</sup> Street and 14<sup>th</sup> Street. This is a total of about 36 signs at a cost of \$1,700.00. Garza stated that once this item is approved, staff will mail out letters to residents informing them of the project.

Mayor Fugate commented that his sister lives in a historical area in Oregon, and they had a signs redesignating street with signs that were brown and white oppose to green and white.

Mr. Garza stated that the sign would be brown on the bottom which is for historical purpose. As for 6<sup>th</sup> Street, this process will take place at a later time.

Introduction item.

**8. Consider request for extension for more time to make improvements to structure at 404 W. Richard Ave. (Director of Planning and Development Services).**

Mr. Ginter stated that at a June 27<sup>th</sup> Commission meeting, the City Commission granted Mr. Gonzales additional time to make improvements to his property. He has emailed staff requesting additional time to make the improvements.

Mr. Joe Gonzales 400 W. Richard Avenue, property owner of 404 W. Richard Ave. commented that he would like to request additional time to obtain permits and start work on this property. He is making the improvements so that he can use it as a rental property.

Mayor Fugate asked how much time is needed.

Mr. Gonzales commented that he would like an additional 90 days, and he will start the improvements by then.

Commissioner Lopez asked if any permits have been obtained.

Mr. Gonzales stated that no permits have been obtained as he does not work a 9 to 5 job, which is no excuse. Due to his job situation, he has not been able to obtain permits. He stated that at this point he can start with the roof and the exterior of the property to make it more presentable.

Mayor Fugate commented that what this Commission is looking for is action and progress of which Mr. Gonzales has not done. Permits will have to be pulled.

Commissioner Garcia asked for the cost of a permit for that property.

Mr. Ginter commented that it would cost \$125.00 for general contractor permit then the evaluation of the roof and the type of roof plus he would have to get his appraisal card and the square footage of the property which will give you the calculation for the cost of a permit.

**Motion made by Commissioner Pecos to approve an extension of 90 days, seconded by Commissioner Lopez and Commissioner Pena. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".**

**9. Consider introduction of an ordinance amending Chapter 5 of the Kingsville Parks Master Plan to add a supporting narrative and figure table. (Parks & Recreation Director).**

Mr. Jason Alfaro, Parks & Recreation Director commented that his department is introducing an amendment to Chapter 5 of the City of Kingsville Parks Master Plan, which was approved on March 27, 2017. Alfaro stated that staff found out that a lot of the master plan priorities were prioritized per park or per site and not specifically for the entire city. When the department goes out for grants through TPWD, this is something they are looking for, city wide priorities. This change does not impact any financial cost to the City.

Introduction item.

**10. Consider a resolution authorizing the City to submit an application to the Texas Parks and Wildlife Department's Local Park Grant Program for the purpose of requesting park improvements at Dick Kleberg Park, with an anticipated cash match, authorizing the Parks & Recreation Director to submit the grant and act as the grant official on the City's behalf with such grant program. (Parks & Recreation Director).**

Mr. Alfaro stated that is a TPWD grant for funding the Local Non-Urban Park Grant that we have matching funds for up to \$500,000.00. Staff has taken a look at all the priorities that were listed on the Parks Master Plan and looked at the conceptual renderings and staff came up with a budget summary. The total project cost is \$464,750.00, due to a Keep Kingsville Beautiful donation of \$750.00. The TPWD funds would be \$221,000 with the city cash match of \$195,125.00 and a city in-kind match of \$29,375.00. Alfaro stated that they have approach the County Commissioners and they have approved \$10,000 worth of in-kind donations which will go towards field renovations and help with equipment. Alfaro stated that the outside donations total \$14,250.00.

Mayor Fugate commented that this is a good grant, if we can get it.

Mr. Alfaro that the chances of getting this grant is good, but we won't get an answer until the Spring of 2018.

Mr. Garza commented that part of our strategy here is that we are trying to maximize our points, since it is based off a point system. By incorporating with the partnership with the county, private entities donating funds and incorporating some cultural component which all score points.

**Motion made by Commissioner Garcia to approve this resolution, seconded by Commissioner Pecos.**

Mrs. Alvarez commented that just to clarify that on the resolution roman numeral V, based on the additional \$500.00 donated from KKB, the last number \$24,250.00 will be changed to \$24,750.00.

**The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voted "FOR".**

**11. Consider a resolution revising the City of Kingsville Investment Policy and Investment Strategies, designating the City Manager, Director of Finance, and City of Accounting Manager as the authorized City representatives with full authority for investment purposes, and providing for disclosure of financial interest. (City Manager).**

Mr. Garza stated that this is done every year.

**Motion made by Commissioner Pena to approve this resolution, seconded by Commissioner Pecos and Commissioner Lopez. The motion was passed and**

approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

**12. Consider a resolution adopting the new City of Kingsville Purchasing Policy and Procedures Manual. (Purchasing Manager).**

Mr. Charlie Sosa, Purchasing Manager reported that this item is to adopt an updated Purchasing Policy & Procedures Manual. The Finance Department has prepared a Purchasing Policy & Procedures Manual to be used as a guideline for all City employees to follow while making purchases for all city related items and contracts. The existing purchasing policy was last revised on July 9, 2007 and the P-Card portion of the policy was update on May 26, 2015. The proposed new purchasing policy and procedures manual includes updated rules, regulations, and references to applicable state statutes. It is staff recommendation to adopt this manual to use in the new fiscal year.

**Motion made by Commissioner Garcia to approve this resolution, seconded by Commissioner Pecos**

Mayor Fugate commented that he has read the manual and doesn't see much of a change. Mr. Sosa responded that the change in this manual is the dollar amount on contracts.

**The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting g"FOR".**

**13. Consider a resolution setting the FY17-18 Fund Balances for the City of Kingsville General Fund and Utility Fund. (City Manager).**

Mr. Garza stated that its important to note that this item is on the agenda is that staff wants to make it transparent and clear what the plan is and what we are spending the money for which causes us to dip down to 20% and what the game plan is to build it back to 25%. This resolution has the details of how staff is planning to increase it by 1% for the next five years.

Commissioner Lopez stated that she has noticed on the resolution the general fund and being able to down the percentage too.

Mr. Garza responded no. The general fund is at 25% and the Commission has already adopted the changes in the actual policy that dropped the utility to 20%.

Commissioner Lopez stated that she thought she had read that the general fund could also be lowered.

Mrs. Alvarez commented that in the fund balance policy it does allow for that but because this was not something that the City Manager proposed in the final draft of the budget nor is that the Commission adopted, that isn't part of this resolution. The general fund is still at 25% and the utility at 20%. Alvarez further commented that in the fund balance policy that was previously adopted either fund could be reduced.

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

**14. Consider a resolution authorizing the Mayor to enter into a water supply contract with the South Texas Water Authority. (City Attorney).**

Mrs. Alvarez stated that for the last several years the City and the Water Authority have been entering into one-year contract extensions from a prior long-term contract. Over the last three years the parties have talked about entering into another longer-term contract, but there was a lot of details to be worked out. The current negotiating team for each side worked for the last twelve months to come up with this contract that is before the Commission tonight. With regards to this particular contract, it would be an initial five-year term it will have three five-year term automatic renewals unless either of the two parties notify the other in writing within one year to a year and a half of the then current term expiring. It does have some provisions with regards to how much the city would pay at a minimum with in the first five years and a different threshold with the extensions after that term. Alvarez stated that this was a point that was thoroughly discussed amongst internal staff as well as with the Authority. At the last minute, they worked with staff on some revisions on the guaranteed purchase clause so this is something that staff has discussed at length.

Commissioner Garcia stated that there was something different on the quick claim deed, what does that do to the City.

Mayor Fugate asked that if it required a TCEQ requirement.

Mrs. Alvarez responded that the Authority has different facilities and to get away from being considered a distribution source and just being a transmission provider, the facilities and the assets they have are being deeded over to the entities that benefit from them. There had been a 5-million-gallon ground storage tank off of Sage Road along with some pumps. The City has always been maintaining those pumps and the Authority the tank. Within the last three years, the Authority went out for bonds because they had done a study and determined that the size of the ground storage tank was way larger than was ever needed or being used, and so the city had approved them reducing that to a 1-million-gallon storage tank and switching the motor size of the pumps. This has actually taken place part of the contract would allow for the city to be deeded and take over those facilities which are brand new and have to be TCEQ approved and the city would then continue its maintenance of those pumps and take over the maintenance of the new tank as well, so long as it is used for that purpose. If at any time in the future the city did not want to use it for that purpose, they would revert back to the Authority based on what's on the deed.

Commissioner Garcia asked that if the city will be responsible for the property.

Mrs. Alvarez responded yes. The City has been maintaining the pumps.

Mr. Garza commented that the city will be maintaining the property and will take on some utility expenses associated with the operation verses before the city didn't have that. Now the city will have to transition securing the site as it will be under the city's control.

Commissioner Garcia stated that it brings him back to the history of South Texas Water Authority, where the city paid for the whole thing, historically it was \$20,000,000.00. It was \$1.2 million per year for twenty years. Now we are straddled with having to maintain these assets. Garcia commented that he has a problem with this.

Mrs. Alvarez stated that the benefit is that these are brand new assets that will be deeded to the city.



Commissioner Garcia stated that they will get old and the city will have to maintain them in the end. Garcia asked what was the TCEQ discussion as to the city retaining these assets verses the Water Authority retaining the assets.

Mrs. Alvarez commented that she hasn't been privy to all the TCEQ information.

Mr. Bill Donnell, Public Works Director stated that the purpose of transferring the assets is the delivery under directive pressure, TCEQ doesn't allow that, all the other sites have to take on those and pump stations as well.

Commissioner Garcia asked when this rule or law changed.

Mr. Donnell responded that South Texas Water Authority has been arguing with TCEQ on that for many years.

Mayor Fugate commented that it's been an issue for quite some time.

**Motion made by Commission Pena to approve this resolution, seconded by Commissioner Pecos.**

Mayor Fugate asked Mrs. Alvarez if she had reviewed this contract and if she feels that it is legally correct and it's the best deal for the city.

Mrs. Alvarez responded yes. She stated that the attorney for the Authority, herself, City Manager and Mr. Donnell have all gone over that and Mr. Casillas has gone over the bell curve and seems to be that after a year, actually has been three years, but with regards to this specific contract for a year now, it seems to be the closes the parties will ever get.

Mr. Garza commented that what he considers a success in this agreement is the control of the expenditures.

Mrs. Alvarez commented that the Authority is set to vote on this contract at their meeting tomorrow.

**The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Fugate voting "FOR". Garcia "AGAINST".**

**15. Consider accepting donation from Keep Kingsville Beautiful in the amount of \$831.13 from "Fill the Flower Pot" fundraiser. (Finance Director).**

**Motion made by Commissioner Pena to approve the acceptance of this donation, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".**

**16. Consider a resolution amending the City of Kingsville Administrative Policy No.600.02-Health Insurance. (Human Resource Director).**

Mrs. Gonzales stated that this resolution is to update and clarify some language in the Administrative Policy.

Mayor Fugate commented that there really isn't any changes other than cleaning up the language.

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

**17. Consider a resolution amending the City of Kingsville Administrative Policy No.600.03-Life Insurance. (Human Resource Director).**

Mrs. Gonzales stated that this is to clarify some language. This is the life insurance that the city provides to full-time employees. It's indicating that it's a minimum of \$10,000 or one-year salary but not to exceed \$50,000.

**Motion made by Commissioner Pecos to approve this resolution, seconded by Commissioner Lopez.**

Commissioner Garcia asked how long has this \$10,000 limit been for the employees.

Mrs. Gonzales responded that it's \$10,000, the minimum is for City Commission. That's the minimum for the City Commissioners. For the employees, it's one-year salary to a maximum of \$50,000. This is what the city provides.

**The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voted "FOR".**

**18. Consider accepting a \$4,000 grant from the Union Pacific Foundation for a project at the Train Depot. (City Manager).**

**Motion made by Commissioner Pena to approve the acceptance of this donation, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".**

**19. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 Budget to accept and expend a grant from the Union Pacific Foundation for the Train Depot Project. (City Manager).**

Introduction item.

**20. Consider appointment of a commission member to the City Health Plan Design Taskforce. (City Manager).**

Mr. Garza stated that the city is facing a potential financial challenge insurance fund, so part of the effort before staff goes through the exercise of making any recommendations or specific presentations to the City Commission, is to gain input from our employees, to learn from them what aspect are most important to them. In order to facilitate this process, staff is establishing this task force that will be made up of employees, the union president as well as some of the administrative staff. It would be appropriate because of the magnitude of the situation to have a City Commissioner present as part of that task force. Garza stated that he wants to make sure that this is something that is addressed this Fall with the first task force occurring the first week of October. Employees will be provided with a survey, then they will be invited to a workshop as well as their dependents and family members by having session during the day and in the evening.

Commissioner Garcia commented that he would like to disqualify himself from being selected.

**Motion made by Mayor Fugate to appoint Commissioner Pena to the City Health Plan Design Taskforce, seconded by Commissioner Lopez, Commissioner Garcia, and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Fugate voting "FOR". Pena "ABSTAINED".**

**21. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a**

**financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).**

Mayor Fugate announced the executive session and convened the meeting into closed session at 6:57 p.m.

Mayor Fugate reconvened the meeting into open session at 7:05 p.m.

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 7:05 P.M.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, TRMC, City Secretary

# **PUBLIC HEARING(S)**

# **PUBLIC HEARING #1**



# CITY OF KINGSVILLE

P.O. BOX 1458  
KINGSVILLE, TX 78364

REPORT ADDRESS 623 E ALICE		INSPECTOR DANIEL RAMIREZ
LEGAL DESCRIPTION 6TH.	BLOCK 1	LOT 12-13
OWNER NAME YOLANDA SAENZ	OWNER'S ADDRESS 4130 TARPON PL	CITY/STATE/ZIP CORPUS CHRISTI, TEXAS 78411

## PROPERTY CONDITION REPORT

PICTURES TAKEN:	Y OR N Y	ACCEPTABLE			REASON CODE	COMMENT CODES
		YES	NO	N/A		
<b>Building</b>						
	Condition		X		H,AB,B,C,D,OU,	1,2
<b>Yard</b>						
	Condition		X		H,OV	
<b>Utilities</b>						
	Electric		X	X		
	Gas		X	X		
	Water		X	X		
<b>Roof</b>						
	Covering		X		H,AB,C,D,L,I,OU,	
<b>Walls</b>						
	Exterior		X		H,AB,C,D,L,I,OU	
	Interior		X		H,AB,C,D,L,I,OU	
	Ceilings		X		H,AB,C,D,L,I,OU	
<b>Windows/Doors</b>						
	Secured		X		H,AB,C,D,L,I,OU	
	Condition		X		H,AB,C,D,L,I,OU	
<b>Foundation</b>						
	Exterior		X		H,AB,B,C,D,L,OU	
	Interior		X		H,AB,B,C,D,L,OU	
<b>Plumbing</b>						
			X	X		
<b>Electrical</b>						
			X	X		

### REASON CODES:

AB-Abandoned	C-Collapsed	I-Incomplete	MO-Mold	NR-Needs Repair
AS-Asbestos	D-Deteriorated	L-Leaning	OU-Outdated	
B-Broken	H-Hazardous	MI-Missing	OV-Overgrown	

### COMMENT CODES:

1. AN ATTRACTIVE NUCIANCE TO CHILDREN
2. A HARBOR FOR VAGRANTS, CRIMINAL AND IMMORAL PEOPLE
3. EVIDENCE OF ROACH, RAT, MOUSE, OR OTHER VERMIN FOUND
4. PARTIAL
5. UNCOVERED ROOF
6. GRAFFITI

### BUILDING OFFICIAL COMMENTS:

FOUND THE OVERALL CONDITION TO BE IN A SEVERE AND HAZARDOUS STATE OF DISREPAIR. IT IS UNSECURED ALLOWING FOR EASY ACCESS FOR ANIMALS AND /VIGRANTS. HAS BEEN WITHOUT WATER SINCE 9/12/2006

SIGNATURE:

*Daniel H. Ramirez*

DANIEL H. RAMIREZ, CITY OF KINGSVILLE BUILDING OFFICIAL

DATE:

6/7/2017



# CITY OF KINGSVILLE

P.O. BOX 1458  
KINGSVILLE, TX 78364

REPORT ADDRESS 623 E ALICE		INSPECTOR DANIEL RAMIREZ	
LEGAL DESCRIPTION 6TH.	BLOCK 1	LOT 12-13	
OWNER NAME YOLANDA SAENZ	OWNER'S ADDRESS 4130 TARPON PL	CITY/STATE/ZIP CORPUS CHRISTI, TEXAS 78411	

## PROPERTY CONDITION REPORT

PICTURES TAKEN:	Y OR N Y	ACCEPTABLE			REASON CODE	COMMENT CODES
		YES	NO	N/A		
<b>Building</b>						
	Condition		X		H,AB,B,C,D,OU,	1,2
<b>Yard</b>						
	Condition		X		H,OV	
<b>Utilities</b>						
	Electric		X	X		
	Gas		X	X		
	Water		X	X		
<b>Roof</b>						
	Covering		X		H,AB,C,D,L,I,OU,	
<b>Walls</b>						
	Exterior		X		H,AB,C,D,L,I,OU	
	Interior		X		H,AB,C,D,L,I,OU	
	Ceilings		X		H,AB,C,D,L,I,OU	
<b>Windows/Doors</b>						
	Secured		X		H,AB,C,D,L,I,OU	
	Condition		X		H,AB,C,D,L,I,OU	
<b>Foundation</b>						
	Exterior		X		H,AB,B,C,D,L,OU	
	Interior		X		H,AB,B,C,D,L,OU	
<b>Plumbing</b>			X	X		
<b>Electrical</b>			X	X		

### REASON CODES:

AB-Abandoned	C-Collapsed	I-Incomplete	MO-Mold	NR-Needs Repair
AS-Asbestos	D-Deteriorated	L-Leaning	OU-Outdated	
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SIGNATURE:

*Daniel H. Ramirez*  
DANIEL H. RAMIREZ, CITY OF KINGSVILLE BUILDING OFFICIAL

DATE: 8/16/2017

# CONDEMNATION CHECKLIST

Property Address:

623 E Alice

Phone: \_\_\_\_\_

Property Owner:

Yolanda Saenz

Phone: \_\_\_\_\_

Owner's Address:

4130 Tarpon Pl

Fax: \_\_\_\_\_

Corpus Christi, TX 78411

PLANNED DATE	ACTUAL DATE	ACTION
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	1. Identify structure unfit for human habitation.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	2. Inspect Property. (Building Official)
		<input type="checkbox"/> a. Prepare inspection report and date.
		<input type="checkbox"/> b. Photograph property with date stamp.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	3. Determine ownership from county assessment & tax collection record.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	4. Obtain legal description.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	5. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/> <u>6-9-17</u>	<u>6-9-17</u>	6. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner within 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/> _____	_____	7. 2 <sup>nd</sup> Notice Sent. (10 day response) (Optional)
<input type="checkbox"/> <u>9-11-17</u>	<u>9-11-17</u>	8. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/> <u>9-11-17</u>	<u>9-11-17</u>	9. Send 20-day pre notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
		<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Texas.
		1) Post affidavit in newspaper twice a week for one week
<input type="checkbox"/> <u>9-11-17</u>	<u>9-11-17</u>	10. Post sign on property advising date the City
<input type="checkbox"/> <u>9-12-17</u>	<u>9-12-17</u>	



☐ 9-20-17      9-20-17

☐ 9-12-17      9-12-17

☐ 9-12-17      9-12-17

☐ 9-12-17      9-12-17

☐ \_\_\_\_\_

☐ \_\_\_\_\_

☐ \_\_\_\_\_

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☐ \_\_\_\_\_

☐ \_\_\_\_\_

☐ \_\_\_\_\_

☐ \_\_\_\_\_

☐ \_\_\_\_\_

Council will consider condemnation of structure.

11. Within the Historical District. Meeting date to be heard by the Historical Development Board.

12. Photograph posted sign with date stamp.

13. Prepare information packet for each City

Council member, plus one each for City Manager, City Attorney & City Secretary consisting of

☐ a. Location Map

☐ b. Photographs of the structure with date stamp

☐ c. Inspection report

☐ d. Pre-condemnation notice

☐ e. Condemnation resolution

14. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.

15. City Council adopts condemnation resolution.

16. File Notice of Condemnation with the County Clerk.

17. Send owner(s) & other vested interests the following:

☐ a. Copy of the City Council resolution.

☐ b. 45-day order to demolish

18. Post 45-day Order to Demolish on structure.

☐ a. Take photo with date stamp

19. Evaluate status of owner's action on 46<sup>th</sup> day after Order of Demolition was issued. If no action taken by owner, proceed with demolition.

20. Photograph posted notice with date stamp.

21. Notify utility companies to disconnect & remove services from structure for safe demolition.

22. Issue Notice to Proceed to Public Works Director and Demolition Crew.

23. Prepare demolition cost statement consisting of:

☐ a. Mailing fees

☐ b. Publication fees

☐ c. Demolition costs

☐ d. Landfill tipping fees

☐ e. Filing fees

☐ f. Administrative fees

☐ g. Any documentation miscellaneous costs

☐ \_\_\_\_\_

24. Send a letter & cost statement to the

Collections Department so they can send out bill.

Make copy of documents and send to the City

Attorney requesting a lien to be place on the  
property.

PROPERTY APPRAISAL INFORMATION 2017  
SAENZ YOLANDA  
4130 TARPON PL  
CORPUS CHRISTI, TX 78411-1920

100800112000192  
Ref ID: R21526  
Map ID A3

ACRES:  
EFF. ACRES:

**SITUS 623 E ALICE**

**APPR VAL METHOD: Cost**

## GENERAL

UTILITIES	LAST APPR.	AYG
TOPOGRAPHY	LAST APPR. YR	2017
ROAD ACCESS	LAST INSP. DATE	01/26/2017
ZONING	NEXT INSP. DATE	
NEXT REASON		

REMARKS

## BUILDING PERMITS

ISSUING PERMITS		
ISSUE DT	PERMIT TYPE	PERMIT AREA ST
		PERMIT VAL

SALE DT	PRICE	GRANTOR	DEED INFO
10/01/1971	*****	SAENZ BENILDA	OT / 256 / 137
	*****	UNKNOWN	OT / /

SUBD: S008 100.00% NBHD:

#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA
MA		MAIN AREA	R	FFS/	850.0
OP1		OPEN PORCH B	R		78.0
CP1		CARPOT BASI	R		203.0
SG1		STORAGE FINI	R		56.0
SG1		STORAGE FINI	R		63.0
EP1		ENCLOSED POR	R		112.0
1-	RESIDENTIAL		STCD: A1		1,368.0

## IMPROVEMENT INFORMATION

BUILT	EFF YR	COND.	VALUE
1940	1940		37,850
1940	1940		700
1940	1940		930
1940	1940		1,000
1940	1940		1,120
1940	1940		2,000
N			<u>43,600</u>

**Homepage:** [www.fox.com](http://www.fox.com)

## IMPROVEMENT FEATURES

Category	Item	Value
Construction	Foundation	1
	Exterior Wall	1
	Interior Finish	1
	Roof Style	1
	Flooring	1
	Heating/Cooling	1
	Plumbing	1
		1
		1
		1

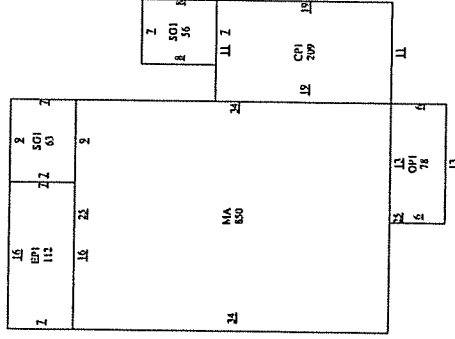
Entities	
CAD	100%
CKI	100%
GKL	100%
SKI	100%
WST	100%

Values  
IMPROVEMENTS  
LAND MARKET  
MARKET VALUE  
PRODUCTIVITY L  
APPRAISED VALU

## EXEMPTIONS

HS CAP LOSS  
ASSESSED VA

## PICTURE



SUBD: S008

<u>L#</u>	<u>DESCRIPTION</u>	<u>QTY</u>	<u>UNIT</u>	<u>PRICE</u>	<u>TOTAL</u>
1	1000	1	EA	1000	1000
2	2000	1	EA	2000	2000
3	3000	1	EA	3000	3000
4	4000	1	EA	4000	4000
5	5000	1	EA	5000	5000
6	6000	1	EA	6000	6000
7	7000	1	EA	7000	7000
8	8000	1	EA	8000	8000
9	9000	1	EA	9000	9000
10	10000	1	EA	10000	10000
11	11000	1	EA	11000	11000
12	12000	1	EA	12000	12000
13	13000	1	EA	13000	13000
14	14000	1	EA	14000	14000
15	15000	1	EA	15000	15000
16	16000	1	EA	16000	16000
17	17000	1	EA	17000	17000
18	18000	1	EA	18000	18000
19	19000	1	EA	19000	19000
20	20000	1	EA	20000	20000
21	21000	1	EA	21000	21000
22	22000	1	EA	22000	22000
23	23000	1	EA	23000	23000
24	24000	1	EA	24000	24000
25	25000	1	EA	25000	25000
26	26000	1	EA	26000	26000
27	27000	1	EA	27000	27000
28	28000	1	EA	28000	28000
29	29000	1	EA	29000	29000
30	30000	1	EA	30000	30000
31	31000	1	EA	31000	31000
32	32000	1	EA	32000	32000
33	33000	1	EA	33000	33000
34	34000	1	EA	34000	34000
35	35000	1	EA	35000	35000
36	36000	1	EA	36000	36000
37	37000	1	EA	37000	37000
38	38000	1	EA	38000	38000
39	39000	1	EA	39000	39000
40	40000	1	EA	40000	40000
41	41000	1	EA	41000	41000
42	42000	1	EA	42000	42000
43	43000	1	EA	43000	43000
44	44000	1	EA	44000	44000
45	45000	1	EA	45000	45000
46	46000	1	EA	46000	46000
47	47000	1	EA	47000	47000
48	48000	1	EA	48000	48000
49	49000	1	EA	49000	49000
50	50000	1	EA	50000	50000
51	51000	1	EA	51000	51000
52	52000	1	EA	52000	52000
53	53000	1	EA	53000	53000
54	54000	1	EA	54000	54000
55	55000	1	EA	55000	55000
56	56000	1	EA	56000	56000
57	57000	1	EA	57000	57000
58	58000	1	EA	58000	58000
59	59000	1	EA	59000	59000
60	60000	1	EA	60000	60000
61	61000	1	EA	61000	61000
62	62000	1	EA	62000	62000
63	63000	1	EA	63000	63000
64	64000	1	EA	64000	64000
65	65000	1	EA	65000	65000
66					

100.00% NBHD:

$$\frac{SC}{A1} \quad \frac{HS}{N} \quad \frac{METH}{FF}$$

**LAND INFORMATION**

IRR Wells: 0      Capacity: 0

IRR Acres: 0	Oil Wells: 0
MKT VAL	AG CLASS
4,000	AG TABLE
	AG UNIT PRC
	0.00
	AG VALUE
	0

## 2015 CERTIFIED APPRAISAL ROLL

As of Supplement # 0  
CKI - CITY OF KINGSVILLE

Geo ID Order

07/23/2015 14:40PM

Prop ID	Owner	%	Legal Description	Values			
10672	56963	100.00	R Geo: 100800105000192 6TH, BLOCK 1, LOT 5, 6	Effective Acres: 0.000000	Imp HS: 0	Market: 4,000	
BARS MICHAEL W				Imp NHS: 0	Prod Loss: 0		
ETUX ANGELICA T				Land HS: 0	Appraised: 4,000		
230 W ALICE AVE				Land NHS: 4,000	Cap: 0		
KINGSVILLE, TX 78363-4464				A3 Prod Use: 0	Assessed: 4,000		
State Codes: A				Prod Mkt: 0	Exemptions: 0		
Situs: 611 E ALICE							
Acres: 0.0000							
Map ID: A3							
Mtg Cd: DBA:							
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable	
CKI	CITY OF KINGSVILLE			4,000	0	4,000	
11452	56963	100.00	R Geo: 100800107000192 6TH, BLOCK 1, LOT 7, 8	Effective Acres: 0.000000	Imp HS: 0	Market: 28,160	
BARS MICHAEL W				Imp NHS: 24,160	Prod Loss: 0		
ETUX ANGELICA T				Land HS: 0	Appraised: 28,160		
230 W ALICE AVE				Land NHS: 4,000	Cap: 0		
KINGSVILLE, TX 78363-4464				A3 Prod Use: 0	Assessed: 28,160		
State Codes: A				Prod Mkt: 0	Exemptions: 0		
Situs: 615 E ALICE							
Acres: 0.0000							
Map ID: A3							
Mtg Cd: DBA:							
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable	
CKI	CITY OF KINGSVILLE			28,160	0	28,160	
12266	31940	100.00	R Geo: 100800109000192 6TH, BLOCK 1, LOT 9, 10	Effective Acres: 0.000000	Imp HS: 0	Market: 4,000	
ISLAS TEODULA				Imp NHS: 0	Prod Loss: 0		
& FRANCISCO E ROMERO				Land HS: 0	Appraised: 4,000		
621 E ALICE AVE				Land NHS: 4,000	Cap: 0		
KINGSVILLE, TX 78363-4681				A3 Prod Use: 0	Assessed: 4,000		
State Codes: C1				Prod Mkt: 0	Exemptions: 0		
Situs: 619 E ALICE							
Acres: 0.0000							
Map ID: A3							
Mtg Cd: DBA:							
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable	
CKI	CITY OF KINGSVILLE			4,000	0	4,000	
13067	29412	100.00	R Geo: 100800111000192 6TH, BLOCK 1, LOT 11	Effective Acres: 0.000000	Imp HS: 16,670	Market: 18,670	
ISLAS GREGORIO				Imp NHS: 0	Prod Loss: 0		
ETUX TEODULA				Land HS: 0	Appraised: 18,670		
621 E ALICE AVE				Land NHS: 2,000	Cap: 0		
KINGSVILLE, TX 78363-4681				A3 Prod Use: 0	Assessed: 18,670		
State Codes: A				Prod Mkt: 0	Exemptions: HS, OV65		
Situs: 621 E ALICE							
Acres: 0.0000							
Map ID: A3							
Mtg Cd: DBA:							
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable	
CKI	CITY OF KINGSVILLE			18,670	8,400	10,270	
21526	18175	100.00	R Geo: 100800112000192 6TH, BLOCK 1, LOT 12, 13	Effective Acres: 0.000000	Imp HS: 0	Market: 6,000	
SAENZ YOLANDA				Imp NHS: 2,000	Prod Loss: 0		
4130 TARPON PL				Land HS: 0	Appraised: 6,000		
CORPUS CHRISTI, TX 78411-19				Land NHS: 4,000	Cap: 0		
State Codes: A				A3 Prod Use: 0	Assessed: 6,000		
Situs: 623 E ALICE				Prod Mkt: 0	Exemptions: 0		
Acres: 0.0000							
Map ID: A3							
Mtg Cd: DBA:							
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable	
CKI	CITY OF KINGSVILLE			6,000	0	6,000	
22290	11206	100.00	R Geo: 100800114000192 6TH, BLOCK 1, LOT 14-20, (75 X 20 CLOSED ALLEYWAY & CLOSED 11TH ST), (E X E M P T)	Effective Acres: 0.000000	Imp HS: 0	Market: 20,350	
K I S D				Imp NHS: 0	Prod Loss: 0		
PO BOX 871				Land HS: 0	Appraised: 20,350		
KINGSVILLE, TX 78364-0871				Land NHS: 20,350	Cap: 0		
State Codes: C1				A3 Prod Use: 0	Assessed: 20,350		
Situs: 600 E ALICE BLK				Prod Mkt: 0	Exemptions: EX-XV		
Acres: 0.0000							
Map ID: A3							
Mtg Cd: DBA:							
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable	
CKI	CITY OF KINGSVILLE			20,350	20,350	0	
17000	51765	100.00	R Geo: 100800121000192 6TH, BLOCK 1, LOT 21, 22	Effective Acres: 0.000000	Imp HS: 13,190	Market: 17,190	
THOMAS ISABELLE C				Imp NHS: 0	Prod Loss: 0		
618 E LEE AVE				Land HS: 4,000	Appraised: 17,190		
KINGSVILLE, TX 78363-4605				Land NHS: 0	Cap: 0		
State Codes: A				A3 Prod Use: 0	Assessed: 17,190		
Situs: 618 E LEE TX				Prod Mkt: 0	Exemptions: HS		
Acres: 0.0000							
Map ID: A3							
Mtg Cd: DBA:							
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable	
CKI	CITY OF KINGSVILLE			17,190	0	17,190	

# STATEMENT OF ALL TAXES DUE

ACCT # 1-008-001-12000-192

DATE 06/06/2017

SD



MELISSA T DELAGARZA, PCC  
P O BOX 1457  
KINGSVILLE, TX 78364-1457  
(361) 595-8542

Property Description  
6TH, BLOCK 1, LOT 12, 13

TOWN -  
ACRES - .160

LOCATION- 623 E ALICE

## Values

LAND MKT VALUE	4,000	IMPR/PERS MKT VAL	2,000
LAND AGR VALUE		MKT. BEFORE EXEMP	6,000
EXEMPTIONS GRANTED:	NONE	LIMITED TXBL. VAL	

SAENZ YOLANDA

4130 TARPON PL

CORPUS CHRISTI TX 78411-1920

TAXES 2016	LEVY	P&I	ATTY FEES	AMT DUE
	.00	.00	.00	.00
	.00	.00	.00	.00
				=====
				.00
ACCT # 1-008-001-12000-192				.00
				.00
				.00
				.00

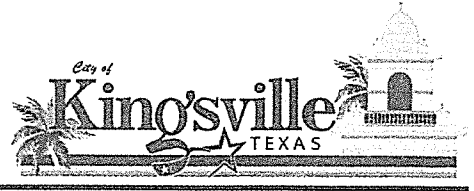
## BREAKDOWN OF TAX DUE BY JURISDICTION

JURISDICTION	LEVY	P&I	ATT FEES	TOTAL
KLEBERG COUNTY	.00	.00	.00	.00
CITY OF KINGSVILLE	.00	.00	.00	.00
KINGSVILLE ISD	.00	.00	.00	.00
SOUTH TX WATER AUTH	.00	.00	.00	.00

TAX LEVY FOR THE CURRENT ROLL YEAR: 137	49.73
TAX LEVY FOR THE CURRENT ROLL YEAR: CITY	50.53
TAX LEVY FOR THE CURRENT ROLL YEAR: KISD	91.13
TAX LEVY FOR THE CURRENT ROLL YEAR: STWA	4.98
TOTAL TAX LEVY FOR THE CURRENT ROLL YEAR .....	196.37

YOU MAY PAY YOUR TAXES ONLINE AT [www.klebergcountyonline.net](http://www.klebergcountyonline.net)  
A PROCESSING FEE OF 3.5% WILL BE APPLIED TO CREDIT CARD PAYMENTS

# CITY OF KINGSVILLE



P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

JUNE 9, 2017

YOLANDA SAENZ  
4130 TARPON PL  
CORPUS CHRISTI, TX 78411

**Re: 6<sup>TH</sup>, BLOCK 1, LOT 12, 13      623 E ALICE**

Dear Sir or Madam:

It has been determined that the structure at **623 E ALICE** is in a significant state of disrepair and creates a safety and health hazard to the surrounding area and the community at large. The structure is in direct violation to the City of Kingsville's Code of Ordinance § 15-1-165 Condemned Building or Structure; Specifications as adopted and as stated below.

**§ 15-1-165 CONDEMNED BUILDING OR STRUCTURE; SPECIFICATIONS.**

(A) Any building or structure of any type of material, whether public or private property, existing within the city limits, which is determined to be unsafe for or dangerous to human occupancy, shall be declared and be and become a condemned building or structure.

(B) The condemned buildings or structures mentioned in division (A) shall be determined to be such under the following listed terms and conditions:

(1) Any building or structure which, for want of repair or by reason of age or dilapidated condition, or for any causes, is especially liable to fire, and which is so situated as to endanger other buildings or property, or so occupied that fire would endanger persons or property therein.

(2) Any building or other structure which shall be determined to have a permanent or temporary plumbing condition existing in violation of the installation, maintenance and repair provisions of the City Plumbing Code presently duly enacted or to be duly enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the Plumbing Code to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(3) Any building or other structure which shall be determined to have a permanent or temporary electrical installation condition existing in violation of the installation, maintenance or repair provisions of the City Electrical Code as it is presently duly enacted or may be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the Electrical Code to endanger

the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(4) Any building or structure which shall be determined to contain a faulty and defective structural condition existing in violation of the construction, maintenance and repair provisions of the City Building Code as is presently duly enacted or may be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the Building Code to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(5) Any building or structure which shall be determined to have a permanent or temporary sanitary condition existing in violation of the various health and sanitation ordinances duly enacted and to be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the sanitation ordinances to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

('62 Code, § 4-6-1)

AN INVESTIGATION HAS BEEN CONDUCTED ON THESE PREMISES FOR NON-COMPLIANCE WITH CITY ORDINANCES. YOU ARE HEREBY NOTIFIED THAT THE VIOLATIONS LISTED MUST BE CORRECTED WITHIN THIRTY (30) CALENDAR DAYS FROM RECEIPT THIS LETTER. PLEASE REFER TO THE ENCLOSED PROPERTY CONDITION REPORT REGARDING THE SPECIFIC VIOLATIONS REQUIRING CORRECTIVE ACTION.

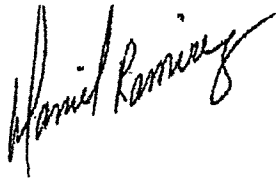
WE MUST RECEIVE WRITTEN RESPONSE FROM YOU WITHIN TEN (10) DAYS FROM THIS NOTICE INDICATING THE ACTION YOU INTEND TO TAKE WITHIN THE NEXT THIRTY (30) DAYS TO CORRECT SUBSTANDARD CONDITIONS.

If these violations are not mitigated within thirty (30) calendar days of the date of this letter, a condemnation will be processed through City Commission. If you should commit another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property.

Please provide proof of necessary permits and "passed" inspections for all reconstruction and/or repairs. Provide proof of proper disposal, i.e. landfill receipt or method used to remediate the condemned structure.

If you need further information or have questions, please contact me at (361) 595-8019, Monday through Friday from 8:00 AM – 12:00 PM & 1:00 PM - 5:00 P.M.

Sincerely,

A handwritten signature in black ink, reading "Daniel Ramirez". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

---

Daniel Ramirez  
Building Official





## BUILDING DEPARTMENT

City of Kingsville  
Phone: 361-595-8019 Fax: 361-595-8035

---

CERTIFIED MAIL – RETURN RECEIPT #7011 1570 0003 3833 4613

---

SEPTEMBER 11, 2017

YOLANDA SAENZ  
4130 TARPON PL  
CORPUS CHRISTI, TX 78411

Re: **HEARING FOR PROPERTY AT 623 E ALICE**

Dear Sir or Madam:

On June 9, 2017, a letter was sent from the City of Kingsville stating that your property located at **623 E ALICE** was a fire hazard or was dangerous to human life, or constitutes a hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment such that the structures located thereon are unsafe and a nuisance. In that letter, you were further advised that you needed to repair or demolish the structures within a certain timeframe. As the timeframe has passed and the unsafe structures on your property have not been repaired or demolished, the structures on your property are being recommended for condemnation before the Kingsville City Commission.

You are hereby cited to appear before the City Commission at a public hearing on **Monday, OCTOBER 9, 2017 at 6:00 p.m.** to show cause why such structures should not be condemned. You may appear in person, by agent or by counsel at the hearing. You will need to submit at the hearing proof of the scope of any work that may be required to comply with city ordinances and the time it will take to **OCTOBER 9, 2017.**

The hearing will take place at the Helen Kleberg Groves Community Room located on the first floor of City Hall, 400 West King, Kingsville, Texas, during a regularly scheduled meeting of the City Commission.

If you have any questions about the condemnation process or how to get a building permit to fix the structures, please contact me at (361) 595-8019.

Sincerely,

Daniel Ramirez  
Building Official

## A detailed street map of Kingsville, Texas, showing major roads, landmarks, and local businesses. The map includes labels for Texas A&amp;M University - Kingsville, Starbucks, King Ranch Museum, Kingsville, and various streets like East Alice Avenue and East Broadway Avenue. A red pin marks the location of the Kingsville Public Library.

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Yolanda Saenz  
4130 Sauron Pl  
Corpus Christi TX  
78411

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

*Yolanda Saenz*

☐ Agent☐ Addressee

## B. Received by (Printed Name)

Yolanda Saenz

## C. Date of Delivery

6-10-17

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

## 3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## 2. Article

(Transit)

7011 1570 0003 3833 1520

## **PUBLIC NOTICE**

The City Commission will meet on Monday, October 9, 2017 at 6:00 P.M. The following items are set for public hearing and discussion and / or action:

Request to condemn the unsafe structures located at:

623 E ALICE

623 W HUISACHE

226 E ALICE

If you are the property owner, holder of mortgage(s), or anyone having a substantial interest in any these properties, we would request that you attend the meeting.

The meeting will be held at City Hall, 400 West King, at the Helen Kleberg Groves Community Room.

If you have any questions about the items on agenda, please contact the Building Department at (361) 595-8019 or (361) 595-8020.

623

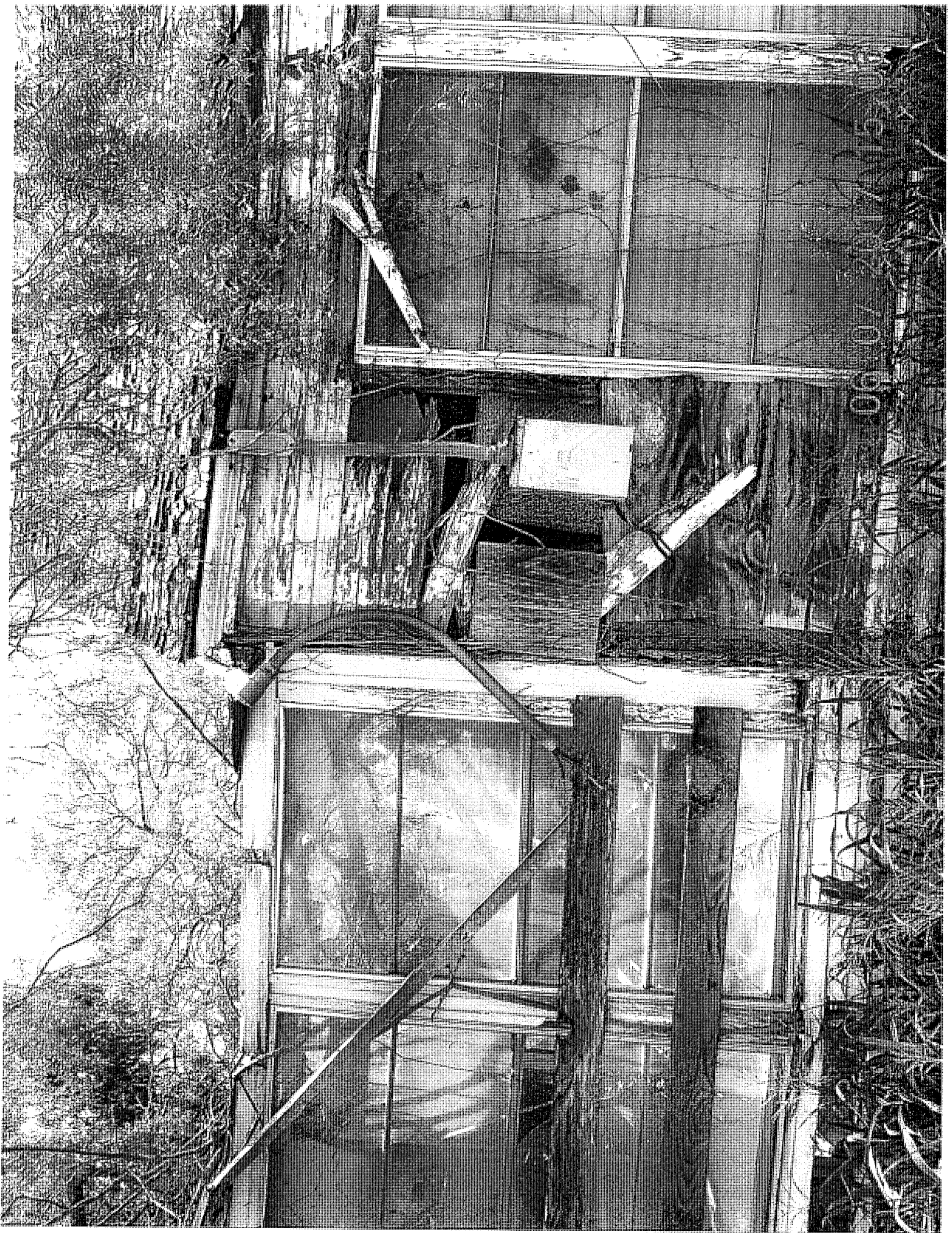
06.07.2017 15:04

















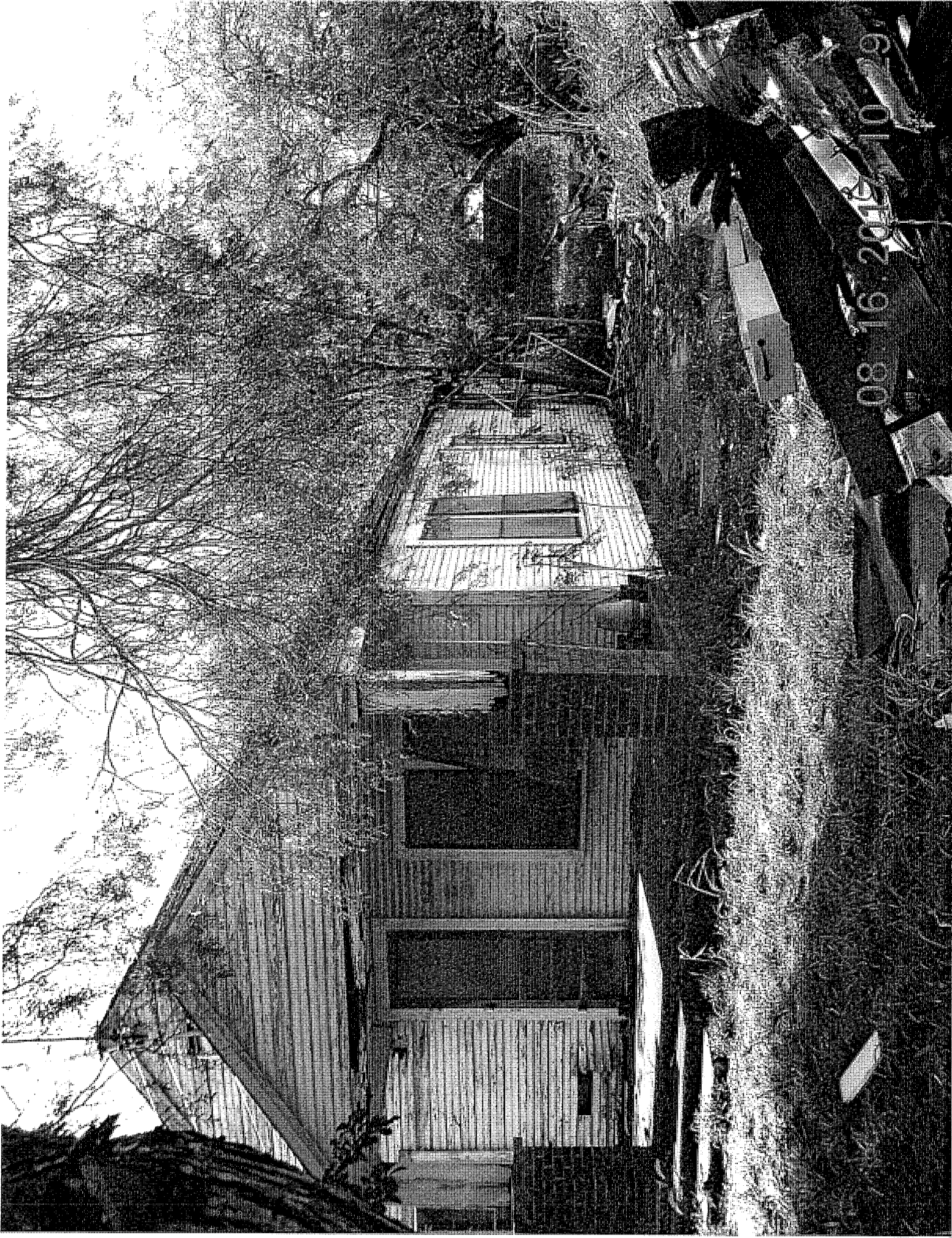




623

08.16.2017 10:28

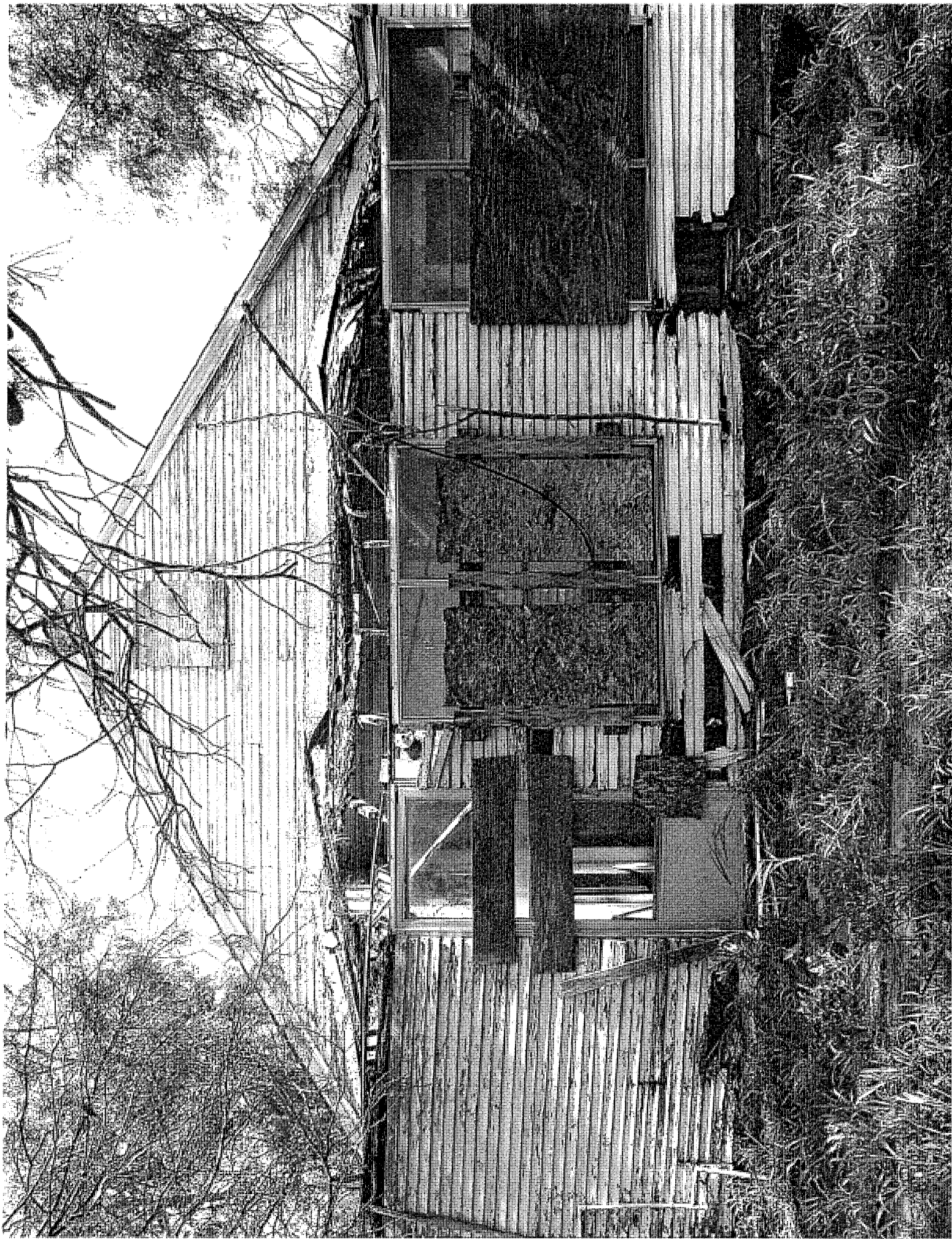








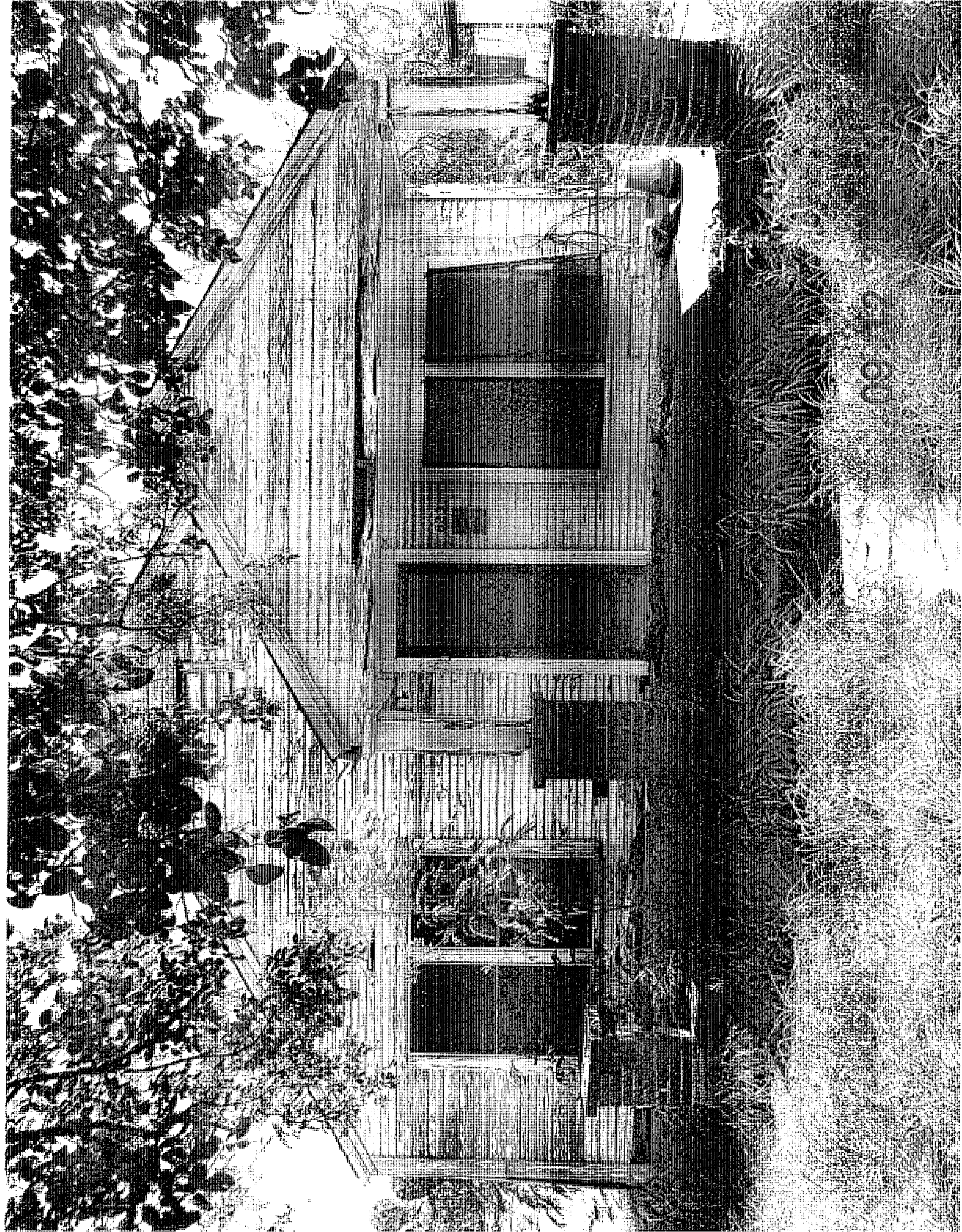












09-12-60

0233

CITY OF KINGSVILLE, TEXAS

## NOTICE

THIS NOTICE IS TO ADVISE PROPERTY OWNERS THAT  
THE CITY COUNCIL WILL CONSIDER CONDEMNATION

OF 603 #AICE ON

October 9, 2017

BY ORDER OF BUILDING OFFICIAL

DEFACEMENT OR REMOVAL of this Notice, or any repairs  
and/or alterations of this structure without express permission  
of the BUILDING DEPARTMENT, CITY OF KINGSVILLE,  
constitutes a misdemeanor and is punishable by a fine of Two  
Hundred (\$200.00) Dollars.

CONTRACT THE Building Department at  
200 LEAST CLUBBERG  
Telephone (361) 585-5019

DATE 9-12-17

BY

D. McLaughlin

09

12.2017 15:17



## County

Walbeck responded that he had not attempted the certification because his new employer had approached him in May about the potential job opening.

"There were some organizational changes in the company, so I got held up a little bit, otherwise I probably would have been gone this summer," Walbeck said. "I chose not to go into the academy. I knew my time was going to end and I decided to serve anyway."

Madrid reiterated criticism he made last week when he learned of Walbeck's resignation, saying that elected officials should serve their full terms despite the low pay.

"We are public servants. We take on a responsibility at our own expense," Madrid said. "I guarantee you any CEO of a company makes more than what the county judge gets paid."

Walbeck called Madrid's comments personally motivated, and took issue with them Monday.

"Did you say anything to the Precinct 3 Constable when she resigned? No. This is a personal animosity between you and me," Walbeck said. "Grow up, judge."

During the public comments portion of Monday's meeting, Pct. 2, Kleberg County Constable Omar Rosales said he sympathized with Walbeck and Garcia.

"I knew I wasn't going to get rich as a constable. I don't want a raise. We've come twice before the commissioners court and we haven't been given a raise," Rosales said. "For the last eight years I've survived on

\$1,800 a month. But I don't blame these people for leaving and seeking better opportunities somewhere."

Rosales pointed to raises given by the commissioners court to dispatchers at the sheriff's department in 2015 to help retain those employees, noting that one dispatch supervisor is paid more than the constables.

"Two years ago...\$64,000 in raises was given to dispatchers at the Kleberg County Sheriff's Office in order to retain them. Why can't the same be said for constables," Rosales asked. "One dispatch supervisor received an almost \$11,000 bump in her pay, putting her at \$17.33 (per hour), while a constable makes \$16.22. We're one-man departments and we risk a little bit more."

Commissioners voted to accept Walbeck's resignation effective Sept. 28. A panel consisting of Rosales, Pct. 1 Justice of the Peace Andy Gonzalez, Pct. 1 Commissioner David Rosse, Kleberg County Sheriff's Office Chief Deputy Danny Pena and County Attorney Kira Talip will review applicants for the position and make a recommendation to the commissioners court.

Walbeck was elected in November 2016 and was sworn into office Jan. 1. He received 1,323 votes in the election, and was successful in a recount for that race, ultimately defeating challenger Bill Hack by just seven votes.

On Tuesday, Hack said he intended to apply for the open constable position.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Book

in more than a century - to the Triple Crown-winning thoroughbred Assault. Bob Kleberg's "inventive mind was always looking for scientific solutions to problems," Groves wrote.

Groves will discuss her book at the Henrietta Memorial Center, located at 405 N. Sixth Street, beginning at 7 p.m. on Tuesday, Sept. 26, immediately followed by a reception and book signing. The event is open and free to the public.

"Bob and Helen Kleberg of King Ranch" is a pictorial history of the Ranch and the Klebergs. Presented with more than 200 photographs, many taken by Toni Frissell, an award-winning photographer with "Time" and "Life" magazines, and Helen Kleberg, these images depict life on the legendary Ranch.

There are photos of the Kleberg family, the numerous celebrities and dignitaries who regularly visited the Ranch, and those of *Los Kineños*, the ranch hands first brought to King Ranch by Captain Richard King.

Trinity University Press has released this second printing of "Bob and Helen Kleberg of King Ranch." The book is by Helen Kleberg Groves and written with Bill Benson, former Executive Director of the Chisholm Trail Heritage Center in Duncan, Okla., with a foreword by Anne and Tobin Armstrong, long-time friends and fellow ranchers.

For more information and to pre-order books, call (361) 595-1881.



The Javelina Marching Band kicked off Tuesday's ground breaking ceremony inside Jones Auditorium on the TAMUK campus for the new \$60 million music building expected to be completed by late spring 2019. (Photo by Anthony Ruiz)

## Building

ceremony was held in the Jones Auditorium, next to the construction site, with the Javelina Marching Band kicking off the festivities. Terisa Riley, senior vice president for fiscal and student affairs at TAMUK, served as the event's mistress of ceremonies.

During the ceremony, TAMUK President Steven Tallant said the ground breaking was an historic occasion, one that he and others had been working for since 2009.

Tallant said when he arrived in 2008, he recognized that while the university's music program was "outstanding," its facility was "in bad shape" to the point where the National Association of Schools of Music sent them a letter stating they were "in jeopardy of losing accreditation."

"If you lose your accreditation, you lose everything," Tallant said.

Tallant spoke about the process during the next six years until TAMUK was able to receive \$60 million in funding from the state in 2015.

Tallant said the location for the new building was selected because he wanted it to be "the signature building on campus."

"We wanted this to be the building that you see, that helps define who we are as an institution," he said. "So when this building is built, that's going to be primarily the focus point when people come, and that's what they are going to see."

State representative J.M. Lozano also spoke during the ceremony. Lozano talked about the fight to get the funding from the state legislature for the music building, as well as the importance of the TAMUK music program for the area.

"This facility is going to be phenomenal," Lozano said. "It's going to be one of the most state-of-the-art music facilities in the country."

"This is already the best music program in Texas," he added. "And I believe, quite possibly, this will make it (one of) the top five in the country."

Other speakers during the ceremony included Kingsville Mayor Sam Fugate, principal architect Craig Reynolds with BRW Architects in Dallas, music department chair Paul Hageman, and graduate student-teacher Edward Moncada.

The ceremony concluded with the Javelina Marching Band playing the university's Alma Mater, "Jalisco," followed by administration, elected officials and other invited guests participating in the "turning of the dirt" in front of the construction site.

The university was awarded about \$60 million in Capital Construction Revenue Bonds from the state to build the new music building.

The basic building will cost \$47.9 million with additional costs of \$13.7 million for infrastructure, technology, fees and furnishings.

Construction began in late June and is anticipated to take about two years for completion.

Anthony Ruiz can be contacted at [arui@king-ranch.com](mailto:arui@king-ranch.com) or (361) 221-0251.

## Bruschetta

ty grand jury indicted Bruschetta on Aug. 21 on four counts of sexual assault against four different women. All four cases were investigated by the Mission Police Department.

Bruschetta, who had practices in Kingsville and Mission, was arrested on May 2 in Mission and May 18 in Kingsville, after multiple women filed criminal complaints alleging he had inappropriately touched them and had exposed himself during medical examinations, Mission police have said.

The Texas Medical Board suspended Bruschetta's medical license following a hearing on May 8, meaning he is not allowed to practice medicine for the foreseeable future. TMB officials alleged the incidents occurred in Bruschetta's office during patient treatments of endocrine conditions. That suspension remains in place.

Calls to Bruschetta's attorney in Mission were not returned Monday.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Burglary

convenience store items.

Police are seeking a person of interest described as a white Hispanic male in his late 20s or early 30s. He was believed to be wearing a black coat and a grey hoodie the night of the break-in.

Anyone with information is

asked to contact the Kingsville Police Department at (361) 592-4311.

Information can also be provided anonymously by contacting the Kingsville Crime Stoppers at (361) 592-INFO, visiting [www.tipssubmit.com](http://www.tipssubmit.com), or texting "KCS" with a

message to "CRIMES" (274637).

Tips provided to Kingsville Crime Stoppers that leads to the arrest and indictment of a suspect can lead to a cash reward.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Skate park

"We have some trees that are dead and need to be knocked down, we need to run some water lines and pour some sidewalks," he said. "We need to put up the picnic benches and some site amenities that will be at the park itself."

"We will begin that stuff later this week so we can allow the contractor time to clean up and get out of there," he added.

Alfaro said the opening date for the skate park is

tentatively scheduled for the first week of October, with an official ribbon cutting ceremony set for Oct. 20.

"We want to give the local skaters time to go out there and skate in their park before we have the ribbon cutting," he said. "We want to give them that solid week or two beforehand."

Anthony Ruiz can be contacted at [arui@king-ranch.com](mailto:arui@king-ranch.com) or (361) 221-0251.

## PUBLIC NOTICE

The City Commission will meet on Monday, October 9, 2017 at 6:00 P.M. The following items are set for public hearing and discussion and / or action: Request to condemn the unsafe structures located at:

623 E ALICE  
623 W HUISACHE  
226 E ALICE

If you are the property owner, holder of mortgage(s), or anyone having a substantial interest in any these properties, we would request that you attend the meeting.

The meeting will be held at City Hall, 400 West King, at the Helen Kleberg Groves Community Room. If you have any questions about the items on agenda, please contact the Building Department at (361) 595-8019 or (361) 595-8020.

Like us on

Facebook



Add us on Snapchat  
KRBNEWS



or go to  
Kingsville  
Record.com

**PROTECT YOUR HOME AND FAMILY FROM MOSQUITOS AND RODENTS**

Call the pest control professionals for safe and effective removal of mice, rats, roaches, ants, termites, and other potentially harmful pests.

**Serving Kingsville and All of South Texas**

Commercial  
Residential  
Hunting Camps

- Roaches
- Scorpions
- Mosquitoes
- Termites
- Rodents
- Ants
- Fleas and Ticks
- Bees
- Other Pests

TERMITE SERVICES  
SUBTERRANEAN  
TERMITE SERVICE

TPCL #00001818    LOCALLY OWNED AND OPERATED

Just A Phone Call Away  
**OFFICE (361) 296-3121**

[protexpestmgmt@gmail.com](mailto:protexpestmgmt@gmail.com)  
visit our website [www.protexpest.com](http://www.protexpest.com)

**PRO-TEX PEST MANAGEMENT**

# **PUBLIC HEARING #2**



# CITY OF KINGSVILLE

P.O. BOX 1458  
KINGSVILLE, TX 78364

REPORT ADDRESS 226 E ALICE		INSPECTOR DANIEL RAMIREZ	
LEGAL DESCRIPTION	BLOCK 12	LOT 19-20	
ORIG TOWN			
OWNER NAME ERIN OLSEN	OWNER'S ADDRESS 9224 VANCOUVER DR	CITY/STATE/ZIP SACRAMENTO, CA 95826	

## PROPERTY CONDITION REPORT

PICTURES TAKEN:	Y OR N Y	ACCEPTABLE			REASON CODE	COMMENT CODES
		YES	NO	N/A		
<b>Building</b>						
Condition			X		H,AB,B,C,D,OU,	1,2
<b>Yard</b>						
Condition			X		H,OV	
<b>Utilities</b>						
Electric			X	X		
Gas			X	X		
Water			X	X		
<b>Roof</b>						
Covering			X		H,AB,C,D,L,I,OU,	
<b>Walls</b>						
Exterior			X		H,AB,C,D,L,I,OU	
Interior			X		H,AB,C,D,L,I,OU	
Ceilings			X		H,AB,C,D,L,I,OU	
<b>Windows/Doors</b>						
Secured			X		H,AB,C,D,L,I,OU	
Condition			X		H,AB,C,D,L,I,OU	
<b>Foundation</b>						
Exterior			X		H,AB,B,C,D,L,OU	
Interior			X		H,AB,B,C,D,L,OU	
<b>Plumbing</b>			X	X		
<b>Electrical</b>			X	X		

### REASON CODES:

AB-Abandoned	C-Collapsed	I-Incomplete	MO-Mold	NR-Needs Repair
AS-Asbestos	D-Deteriorated	L-Leaning	OU-Outdated	
B-Broken	H-Hazardous	MI-Missing	OV-Overgrown	

### COMMENT CODES:

1. AN ATTRACTIVE NUCIANCE TO CHILDREN
2. A HARBOR FOR VAGRANTS, CRIMINAL AND IMMORAL PEOPLE
3. EVIDENCE OF ROACH, RAT, MOUSE, OR OTHER VERMIN FOUND
4. PARTIAL
5. UNCOVERED ROOF
6. GRAFFITI

### BUILDING OFFICIAL COMMENTS:

FOUND THE OVERALL CONDITION TO BE IN A SEVERE AND HAZARDOUS STATE OF DISREPAIR. IT IS UNSECURED ALLOWING FOR EASY ACCESS FOR ANIMALS AND /VIGRANTS. HAS BEEN WITHOUT WATER SINCE 9/12/2006

SIGNATURE:

*Daniel H. Ramirez*  
DANIEL H. RAMIREZ, CITY OF KINGSVILLE BUILDING OFFICIAL

DATE: 6/7/2017



# CITY OF KINGSVILLE

P.O. BOX 1458  
KINGSVILLE, TX 78364

REPORT ADDRESS 226 E ALICE		INSPECTOR DANIEL RAMIREZ	
LEGAL DESCRIPTION ORIG TOWN	BLOCK 12	LOT 19-20	
OWNER NAME ERIN OLSEN	OWNER'S ADDRESS 9224 VANCOUVER DR	CITY/STATE/ZIP SACRAMENTO, CA 95826	

## PROPERTY CONDITION REPORT

PICTURES TAKEN:	Y OR N	ACCEPTABLE			REASON CODE	COMMENT CODES
	Y	YES	NO	N/A		
Building						
Condition			X		H,AB,B,C,D,OU,	1,2
Yard						
Condition			X		H,OV	
Utilities						
Electric			X	X		
Gas			X	X		
Water			X	X		
Roof						
Covering			X		H,AB,C,D,L,I,OU,	
Walls						
Exterior			X		H,AB,C,D,L,I,OU	
Interior			X		H,AB,C,D,L,I,OU	
Ceilings			X		H,AB,C,D,L,I,OU	
Windows/Doors						
Secured			X		H,AB,C,D,L,I,OU	
Condition			X		H,AB,C,D,L,I,OU	
Foundation						
Exterior			X		H,AB,B,C,D,L,OU	
Interior			X		H,AB,B,C,D,L,OU	
Plumbing			X	X		
Electrical			X	X		

### REASON CODES:

AB-Abandoned	C-Collapsed	I-Incomplete	MO-Mold	NR-Needs Repair
AS-Asbestos	D-Deteriorated	L-Leaning	OU-Outdated	
B-Broken	H-Hazardous	MI-Missing	OV-Overgrown	

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### BUILDING OFFICIAL COMMENTS:

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SIGNATURE: \_\_\_\_\_

DATE: 8/21/2017

DANIEL H. RAMIREZ, CITY OF KINGSVILLE BUILDING OFFICIAL

# CONDEMNATION CHECKLIST

Property Address: 226 E Alice Phone: \_\_\_\_\_  
 Property Owner: Erin Olsen Phone: \_\_\_\_\_  
 Owner's Address: 9224 Vancouver Fax: \_\_\_\_\_  
Sacramento, CA 95826

PLANNED DATE	ACTUAL DATE	ACTION
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	1. Identify structure unfit for human habitation.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	2. Inspect Property. (Building Official)
		<input type="checkbox"/> a. Prepare inspection report and date.
		<input type="checkbox"/> b. Photograph property with date stamp.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	3. Determine ownership from county assessment & tax collection record.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	4. Obtain legal description.
<input type="checkbox"/> <u>6-7-17</u>	<u>6-7-17</u>	5. Obtain or complete title report to verify ownership & other vested interests, such as mortgage holders, trustees, etc.
<input type="checkbox"/> <u>6-9-17</u>	<u>6-9-17</u>	6. Send Notice of Violation & copy of inspection report to property owner(s) of record. Request written response from owner within 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.
<input type="checkbox"/> _____	_____	7. 2 <sup>nd</sup> Notice Sent. (10 day response) (Optional)
<input type="checkbox"/> <u>9-11-17</u>	<u>9-11-17</u>	8. If response is not received or is not adequate, proceed as follows:
<input type="checkbox"/> <u>9-11-17</u>	<u>9-11-17</u>	9. Send 20-day pre notification letter owner(s) & others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.
		<input type="checkbox"/> a. Owner unknown or whereabouts not known or such owner is a nonresident of Texas.
<input type="checkbox"/> <u>9-11-17</u>	<u>9-11-17</u>	1) Post affidavit in newspaper twice a week for one week
<input type="checkbox"/> <u>9-12-17</u>	<u>9-12-17</u>	10. Post sign on property advising date the City

☐ 9-20-17      9-20-17

☐ 9-12-17      9-12-17

☐ 9-12-17      9-12-17

☐ 9-12-17      9-12-17

☐ \_\_\_\_\_

☐ \_\_\_\_\_

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☐ \_\_\_\_\_

☐ \_\_\_\_\_

☐ \_\_\_\_\_

Council will consider condemnation of structure.

11. Within the Historical District. Meeting date to be heard by the Historical Development Board.

12. Photograph posted sign with date stamp.

13. Prepare information packet for each City

Council member, plus one each for City Manager, City Attorney & City Secretary consisting of

☐ a. Location Map

☐ b. Photographs of the structure with date stamp

☐ c. Inspection report

☐ d. Pre-condemnation notice

☐ e. Condemnation resolution

14. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.

15. City Council adopts condemnation resolution.

16. File Notice of Condemnation with the County Clerk.

17. Send owner(s) & other vested interests the following:

☐ a. Copy of the City Council resolution.

☐ b. 45-day order to demolish

18. Post 45-day Order to Demolish on structure.

☐ a. Take photo with date stamp

19. Evaluate status of owner's action on 46<sup>th</sup> day after Order of Demolition was issued. If no action taken by owner, proceed with demolition.

20. Photograph posted notice with date stamp.

21. Notify utility companies to disconnect & remove services from structure for safe demolition.

22. Issue Notice to Proceed to Public Works Director and Demolition Crew.

23. Prepare demolition cost statement consisting of:

☐ a. Mailing fees

☐ b. Publication fees



- ☐ c. Demolition costs
- ☐ d. Landfill tipping fees
- ☐ e. Filing fees
- ☐ f. Administrative fees
- ☐ g. Any documentation miscellaneous costs

☐ \_\_\_\_\_

24. Send a letter & cost statement to the

Collections Department so they can send out bill.

Make copy of documents and send to the City

Attorney requesting a lien to be place on the  
property.

## 2015 CERTIFIED APPRAISAL ROLL

As of Supplement # 0  
CKI - CITY OF KINGSVILLE

Geo ID Order

07/23/2015 14:40PM

Prop ID	Owner	%	Legal Description	Values					
15894	56154	100.00	R Geo: 100101219000192 OLSEN ERIN 9224 VANCOUVER DR SACRAMENTO, CA 95826	Effective Acres: 0.000000	Imp HS: 0	Market: 14,620			
			ORIG TOWN, BLOCK 12, LOT 19, 20		Imp NHS: 10,620	Prod Loss: 0			
					Land HS: 0	Appraised: 14,620			
				Acres: 0.0000	Land NHS: 4,000	Cap: 0			
			State Codes: A	Map ID: PLAT	Prod Use: 0	Assessed: 14,620			
			Situs: 226 E ALICE	Mtg Cd:	Prod Mkt: 0	Exemptions:			
				DBA:					
Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE				14,620	0	14,620		
16645	60163	100.00	R Geo: 100101221000192 BANK OF AMERICA NA 7105 CORPORATE DRIVE PLANO, TX 75024	Effective Acres: 0.000000	Imp HS: 34,910	Market: 38,910			
			ORIG TOWN, BLOCK 12, LOT 21, 22		Imp NHS: 0	Prod Loss: 0			
					Land HS: 4,000	Appraised: 38,910			
				Acres: 0.0000	Land NHS: 0	Cap: 0			
			State Codes: A	Map ID: PLAT	Prod Use: 0	Assessed: 38,910			
			Situs: 222 E ALICE	Mtg Cd:	Prod Mkt: 0	Exemptions: HS			
				DBA:					
Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE				38,910	0	38,910		
17405	15581	100.00	R Geo: 100101223000192 SOLIZ ARMELA L PO BOX 1826 KINGSVILLE, TX 78364-1826	Effective Acres: 0.000000	Imp HS: 40,390	Market: 44,390			
			ORIG TOWN, BLOCK 12, LOT 23, 24		Imp NHS: 0	Prod Loss: 0			
					Land HS: 4,000	Appraised: 44,390			
				Acres: 0.0000	Land NHS: 0	Cap: 0			
			State Codes: A	Map ID: PLAT	Prod Use: 0	Assessed: 44,390			
			Situs: 220 E ALICE	Mtg Cd:	Prod Mkt: 0	Exemptions: HS, OV65			
				DBA:					
Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE				44,390	8,400	35,990		
18174	44977	100.00	R Geo: 100101225000192 SAENZ LEO C ETUX TAMELA A 3734 PERFECTION LAKE AVE ROBSTOWN, TX 78380	Effective Acres: 0.000000	Imp HS: 0	Market: 30,000			
			ORIG TOWN, BLOCK 12, LOT 25-32		Imp NHS: 0	Prod Loss: 0			
					Land HS: 0	Appraised: 30,000			
				Acres: 0.0000	Land NHS: 30,000	Cap: 0			
			State Codes: C1	Map ID: PLAT	Prod Use: 0	Assessed: 30,000			
			Situs: 510 N 6TH ST TX	Mtg Cd:	Prod Mkt: 0	Exemptions:			
				DBA:					
Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE				30,000	0	30,000		
15545	60146	100.00	R Geo: 100101301000192 GUERRA CARLOS ROBERTO 229 W RICHARD AVE KINGSVILLE, TX 78363-4471	Effective Acres: 0.000000	Imp HS: 0	Market: 30,650			
			ORIG TOWN, BLOCK 13, LOT 1-3		Imp NHS: 23,900	Prod Loss: 0			
					Land HS: 0	Appraised: 30,650			
				Acres: 0.0000	Land NHS: 6,750	Cap: 0			
			State Codes: A	Map ID: PLAT	Prod Use: 0	Assessed: 30,650			
			Situs: 229 W RICHARD TX	Mtg Cd:	Prod Mkt: 0	Exemptions:			
				DBA:					
Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE				30,650	0	30,650		
24660	34279	100.00	R Geo: 100101304000192 MONTEMAYOR LUIS G EST % PATRICIA TRISTAN 16531 VISTA OAK DR HOUSTON, TX 77073	Effective Acres: 0.000000	Imp HS: 0	Market: 40,230			
			ORIG TOWN, BLOCK 13, LOT 4-6		Imp NHS: 33,480	Prod Loss: 0			
					Land HS: 0	Appraised: 40,230			
				Acres: 0.0000	Land NHS: 6,750	Cap: 0			
			State Codes: A	Map ID: PLAT	Prod Use: 0	Assessed: 40,230			
			Situs: 223 W RICHARD	Mtg Cd:	Prod Mkt: 0	Exemptions:			
				DBA:					
Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE				40,230	0	40,230		
17830	15867	100.00	R Geo: 100101307000192 GARCIA ERNESTO 221 W RICHARD AVE KINGSVILLE, TX 78363-4471	Effective Acres: 0.000000	Imp HS: 26,770	Market: 31,270			
			ORIG TOWN, BLOCK 13, LOT 7, 8		Imp NHS: 0	Prod Loss: 0			
					Land HS: 4,500	Appraised: 31,270			
				Acres: 0.0000	Land NHS: 0	Cap: 0			
			State Codes: A	Map ID: PLAT	Prod Use: 0	Assessed: 31,270			
			Situs: 221 W RICHARD	Mtg Cd:	Prod Mkt: 0	Exemptions: HS, OV65			
				DBA:					
Entity	Description	Xref Id	Freeze: (Year)	Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE				31,270	8,400	22,870		

# STATEMENT OF ALL TAXES DUE

ACCT # 1-001-012-19000-192

DATE 06/06/2017

SD



MELISSA T DELAGARZA, PCC  
P O BOX 1457  
KINGSVILLE, TX 78364-1457  
(361) 595-8542

Property Description  
ORIG TOWN, BLOCK 12, LOT 19, 20

TOWN -  
ACRES - .160

LOCATION- 226 E ALICE

## Values

LAND MKT VALUE	4,000	IMPR/PERS MKT VAL	7,610
LAND AGR VALUE		MKT. BEFORE EXEMP	11,610
EXEMPTIONS GRANTED:	NONE	LIMITED TXBL. VAL	

OLSEN ERIN

9224 VANCOUVER DR

SACRAMENTO CA 95826

	LEVY	P&I	ATTY FEES	AMT DUE
TAXES 2012	.00	.00	.00	.00
TAXES 2013	317.07	168.03	97.02	582.12
TAXES 2016	379.97	56.99	.00	436.96
	-----	-----	-----	-----
	697.04	225.02	97.02	1,019.08
				=====
		TOTAL DUE 06/2017		1,019.08
		TOTAL DUE 07/2017		1,123.98
		TOTAL DUE 08/2017		1,132.32
		TOTAL DUE 09/2017		1,140.71

ACCT # 1-001-012-19000-192

## BREAKDOWN OF TAX DUE BY JURISDICTION

JURISDICTION	LEVY	P&I	ATT FEES	TOTAL
KLEBERG COUNTY	170.23	53.65	22.65	246.53
CITY OF KINGSVILLE	181.46	59.02	25.61	266.09
KINGSVILLE ISD	327.27	106.44	46.18	479.89
SOUTH TX WATER AUTH	18.08	5.91	2.58	26.57

TAX LEVY FOR THE CURRENT ROLL YEAR:	137	96.22
TAX LEVY FOR THE CURRENT ROLL YEAR: CITY		97.78
TAX LEVY FOR THE CURRENT ROLL YEAR: KISD		176.34
TAX LEVY FOR THE CURRENT ROLL YEAR: STWA		9.63
TOTAL TAX LEVY FOR THE CURRENT ROLL YEAR .....		379.97

YOU MAY PAY YOUR TAXES ONLINE AT [www.klebergcountyonline.net](http://www.klebergcountyonline.net)  
A PROCESSING FEE OF 3.5% WILL BE APPLIED TO CREDIT CARD PAYMENTS

KLEBERG COUNTY APPRAISAL DISTRICT  
PROPERTY 15894 R  
Legal Description  
ORIG TOWN, BLOCK 12, LOT 19, 20

PROPERTY APPRAISAL INFORMATION 2017  
OWNER ID  
56154  
OLSEN ERIN  
9224 VANCOUVER DR  
SACRAMENTO, CA 95826

Entitles  
CAD 100%  
CKI 100%  
GKL 100%  
SKI 100%  
WST 100%

100101219000192  
Ref ID2: R15894  
Map ID C1

ACRES:  
EFF. ACRES:

Values  
IMPROVEMENTS 7,610  
LAND MARKET + 4,000  
MARKET VALUE = 11,610  
PRODUCTIVITY LOSS 0  
APPRAISED VALUE = 11,610  
HS CAP LOSS - 0  
ASSESSED VALUE = 11,610

SITUS 226 E ALICE

APPR VAL METHOD: Cost

SKETCH for Improvement #1 (RESIDENTIAL)

EXEMPTIONS

GENERAL  
LAST APPR. YR 2016  
LAST INSP. DATE 10/27/2015  
NEXT INSP. DATE

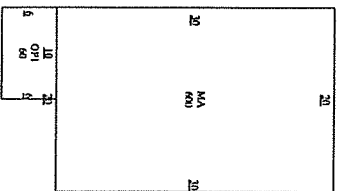
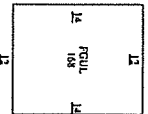


PICTURE

REMARKS

FOR '16 ADJ DEPR - ADD EFF YR 1966 - ADJ  
PHYS (EXT COND) - CHG GSN TO FGUL - CHG  
STN TO STPP PER PHYS INSP - APPRS  
IE/LR/CT 10/27/15 4/21/16 MMG -- FOR 2013 ADD

BUILDING PERMITS  
ISSUE DT PERMIT TYPE PERMIT AREA ST PERMIT VAL



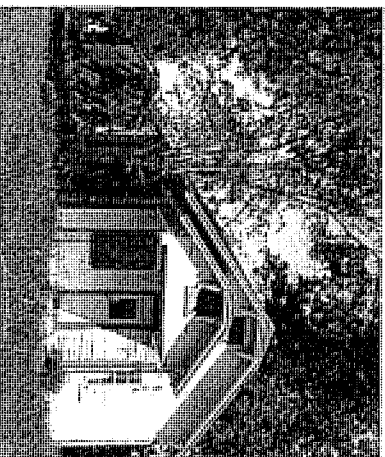
SALE DT PRICE GRANTOR DEED INFO  
12/20/2010 \*\*\*\*\* KLEBERG COUNTY TTXRS / 443 / 847  
09/03/2010 \*\*\*\*\* AGUILAR GILBERTO SHF / 438 / 418  
02/09/2010 \*\*\*\*\* AGUILAR GILBERTO SPWD / 427 / 775

SUBD: S001 100.00% NBHD:

IMPROVEMENT INFORMATION

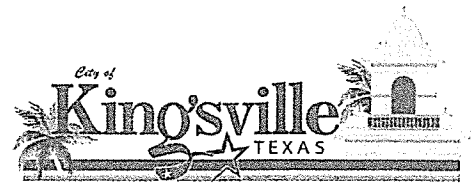
#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FLNG	COMP	ADJ	ADJ VALUE
1.	RESIDENTIAL	STCD: A1			908.0					31,080							7,610

IMPROVEMENT FEATURES	
Foundation	1 FD3
Exterior Wall	1 EW1
Interior Finish	1 IN1
Roof Style	1 RT2, RM1
Flooring	1 FL2
Heating/Cooling	1 HA2
Plumbing	1



SUBD: S001 100.00% NBHD:  
CLAS. TABLE  
FF80D140 A1 N  
SC. HS  
METH  
DIMENSIONS  
50X140  
LAND INFORMATION  
UNIT PRICE 80.00  
GROSS VALUE 4,000  
ADJ MASS ADJ 1.00  
VAL SRC 1.00 A  
MKT VAL 4,000  
AG APPLY NO  
AG CLASS  
AG TABLE  
AG UNIT PRG  
AG VALUE 0.00

# CITY OF KINGSVILLE



P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

JUNE 9, 2017

ERIN OLSEN  
9224 VANCOUVER DR  
SACRAMENTO, CA 95826

**Re: ORIG TOWN, BLOCK 12, LOT 19, 20      226 E ALCE**

Dear Sir or Madam:

It has been determined that the structure at **226 E ALICE** is in a significant state of disrepair and creates a safety and health hazard to the surrounding area and the community at large. The structure is in direct violation to the City of Kingsville's Code of Ordinance § 15-1-165 Condemned Building or Structure; Specifications as adopted and as stated below.

**§ 15-1-165 CONDEMNED BUILDING OR STRUCTURE; SPECIFICATIONS.**

(A) Any building or structure of any type of material, whether public or private property, existing within the city limits, which is determined to be unsafe for or dangerous to human occupancy, shall be declared and be and become a condemned building or structure.

(B) The condemned buildings or structures mentioned in division (A) shall be determined to be such under the following listed terms and conditions:

(1) Any building or structure which, for want of repair or by reason of age or dilapidated condition, or for any causes, is especially liable to fire, and which is so situated as to endanger other buildings or property, or so occupied that fire would endanger persons or property therein.

(2) Any building or other structure which shall be determined to have a permanent or temporary plumbing condition existing in violation of the installation, maintenance and repair provisions of the City Plumbing Code presently duly enacted or to be duly enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the Plumbing Code to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(3) Any building or other structure which shall be determined to have a permanent or temporary electrical installation condition existing in violation of the installation, maintenance or repair provisions of the City Electrical Code as it is presently duly enacted or may be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the Electrical Code to endanger

the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(4) Any building or structure which shall be determined to contain a faulty and defective structural condition existing in violation of the construction, maintenance and repair provisions of the City Building Code as is presently duly enacted or may be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the Building Code to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(5) Any building or structure which shall be determined to have a permanent or temporary sanitary condition existing in violation of the various health and sanitation ordinances duly enacted and to be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the sanitation ordinances to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

('62 Code, § 4-6-1)

AN INVESTIGATION HAS BEEN CONDUCTED ON THESE PREMISES FOR NON-COMPLIANCE WITH CITY ORDINANCES. YOU ARE HEREBY NOTIFIED THAT THE VIOLATIONS LISTED MUST BE CORRECTED WITHIN THIRTY (30) CALENDAR DAYS FROM RECEIPT THIS LETTER. PLEASE REFER TO THE ENCLOSED PROPERTY CONDITION REPORT REGARDING THE SPECIFIC VIOLATIONS REQUIRING CORRECTIVE ACTION.

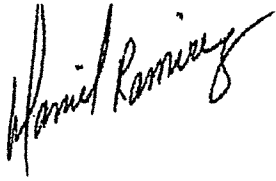
WE MUST RECEIVE WRITTEN RESPONSE FROM YOU WITHIN TEN (10) DAYS FROM THIS NOTICE INDICATING THE ACTION YOU INTEND TO TAKE WITHIN THE NEXT THIRTY (30) DAYS TO CORRECT SUBSTANDARD CONDITIONS.

If these violations are not mitigated within thirty (30) calendar days of the date of this letter, a condemnation will be processed through City Commission. If you should commit another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property.

Please provide proof of necessary permits and "passed" inspections for all reconstruction and/or repairs. Provide proof of proper disposal, i.e. landfill receipt or method used to remediate the condemned structure.

If you need further information or have questions, please contact me at (361) 595-8019, Monday through Friday from 8:00 AM – 12:00 PM & 1:00 PM - 5:00 P.M.

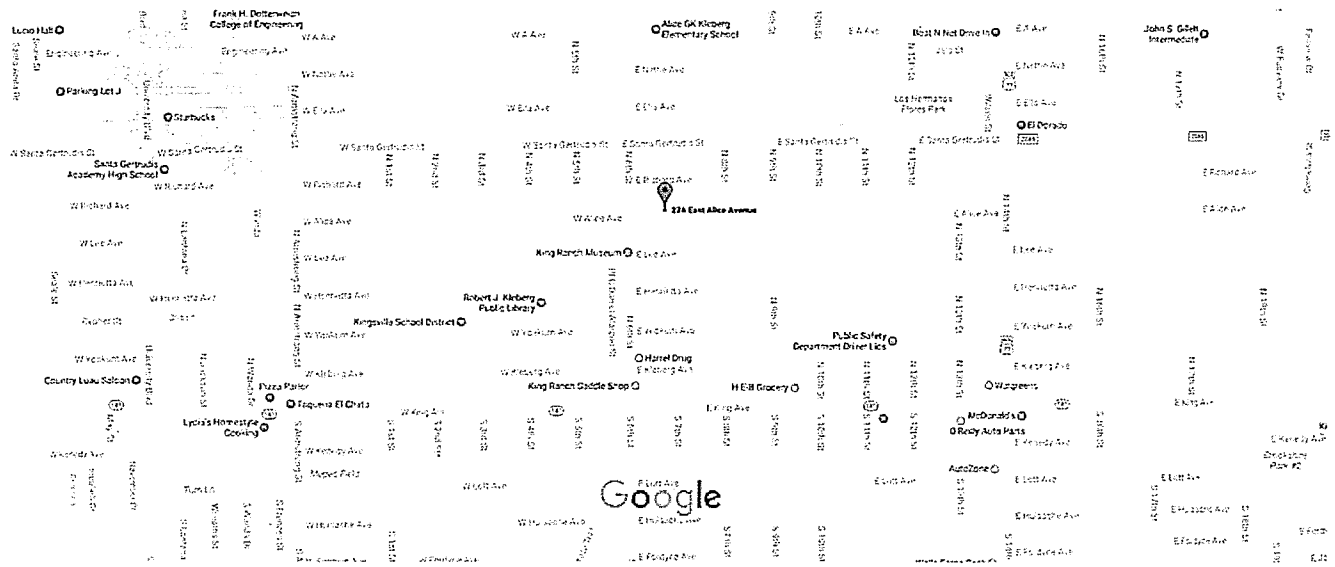
Sincerely,

A handwritten signature in black ink, reading "Daniel Ramirez". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

---

Daniel Ramirez  
Building Official

# Google Maps 226 E Alice Ave



Map data ©2017 Google 500 ft

226 E Alice Ave  
Kingsville, TX 78363





## BUILDING DEPARTMENT

City of Kingsville  
Phone: 361-595-8019 Fax: 361-595-8035

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CERTIFIED MAIL – RETURN RECEIPT #7011 1570 0003 3833 4651

---

SEPTEMBER 11, 2017

ERIN OLSEN  
9224 VANCOUVER DR  
SACRAMENTO, CA 95826

Re: **HEARING FOR PROPERTY AT 226 E ALICE**

Dear Sir or Madam:

On June 9, 2017, a letter was sent from the City of Kingsville stating that your property located at **226 E ALICE** was a fire hazard or was dangerous to human life, or constitutes a hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment such that the structures located thereon are unsafe and a nuisance. In that letter, you were further advised that you needed to repair or demolish the structures within a certain timeframe. As the timeframe has passed and the unsafe structures on your property have not been repaired or demolished, the structures on your property are being recommended for condemnation before the Kingsville City Commission.

You are hereby cited to appear before the City Commission at a public hearing on **Monday, OCTOBER 9, 2017 at 6:00 p.m.** to show cause why such structures should not be condemned. You may appear in person, by agent or by counsel at the hearing. You will need to submit at the hearing proof of the scope of any work that may be required to comply with city ordinances and the time it will take to **OCTOBER 9, 2017.**

The hearing will take place at the Helen Kleberg Groves Community Room located on the first floor of City Hall, 400 West King, Kingsville, Texas, during a regularly scheduled meeting of the City Commission.

If you have any questions about the condemnation process or how to get a building permit to fix the structures, please contact me at (361) 595-8019.

Sincerely,

  
Daniel Ramirez  
Building Official

## **PUBLIC NOTICE**

The City Commission will meet on Monday, October 9, 2017 at 6:00 P.M. The following items are set for public hearing and discussion and / or action:

Request to condemn the unsafe structures located at:

623 E ALICE

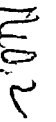
623 W HUISACHE

226 E ALICE

If you are the property owner, holder of mortgage(s), or anyone having a substantial interest in any these properties, we would request that you attend the meeting.

The meeting will be held at City Hall, 400 West King, at the Helen Kleberg Groves Community Room.

If you have any questions about the items on agenda, please contact the Building Department at (361) 595-8019 or (361) 595-8020.



P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

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ZIP 76363  
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Tim Allen  
6224 Vancouver Dr  
Summ. Mtns, CA 95824

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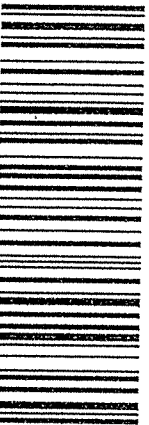
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**CONCLUSIONS**

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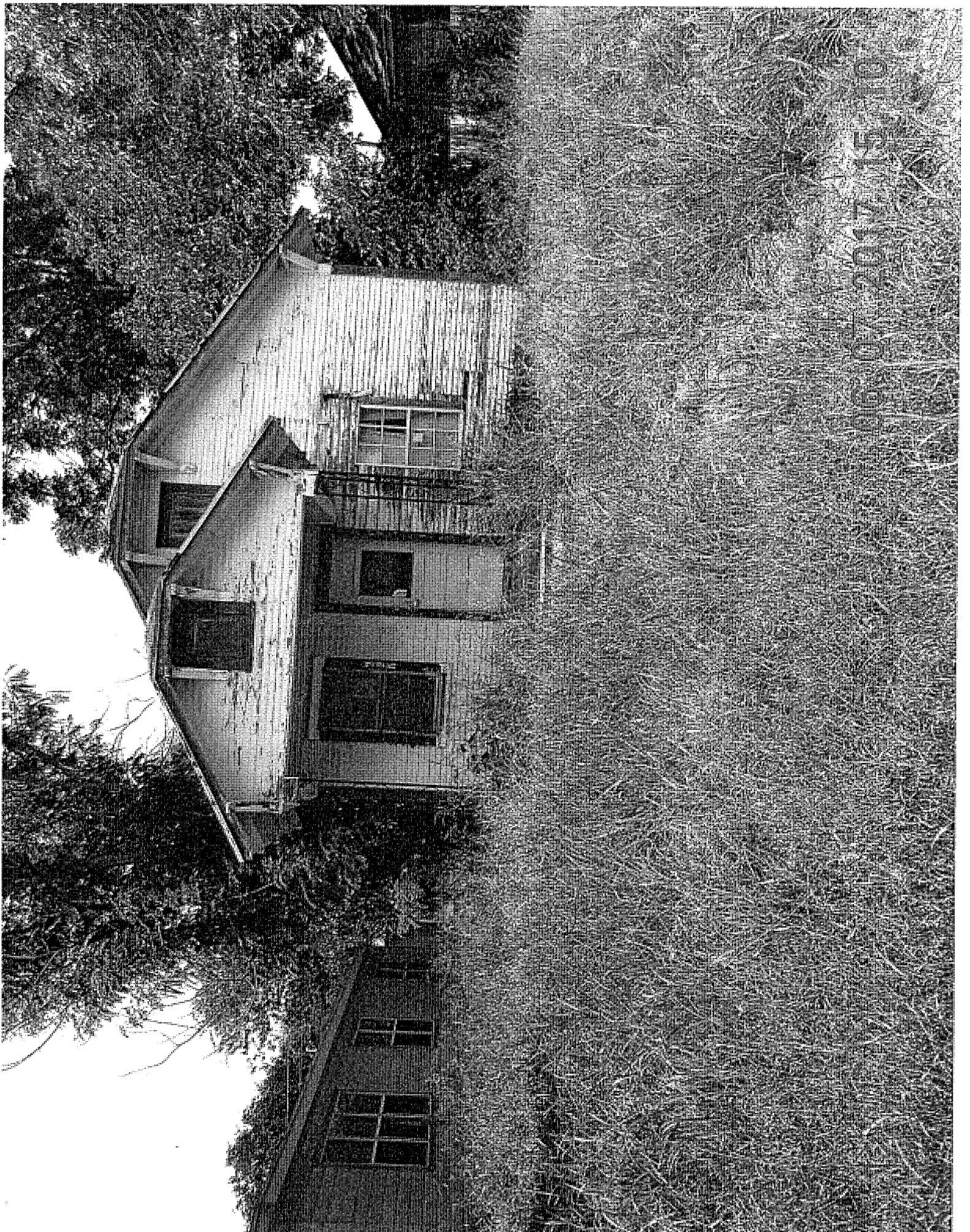
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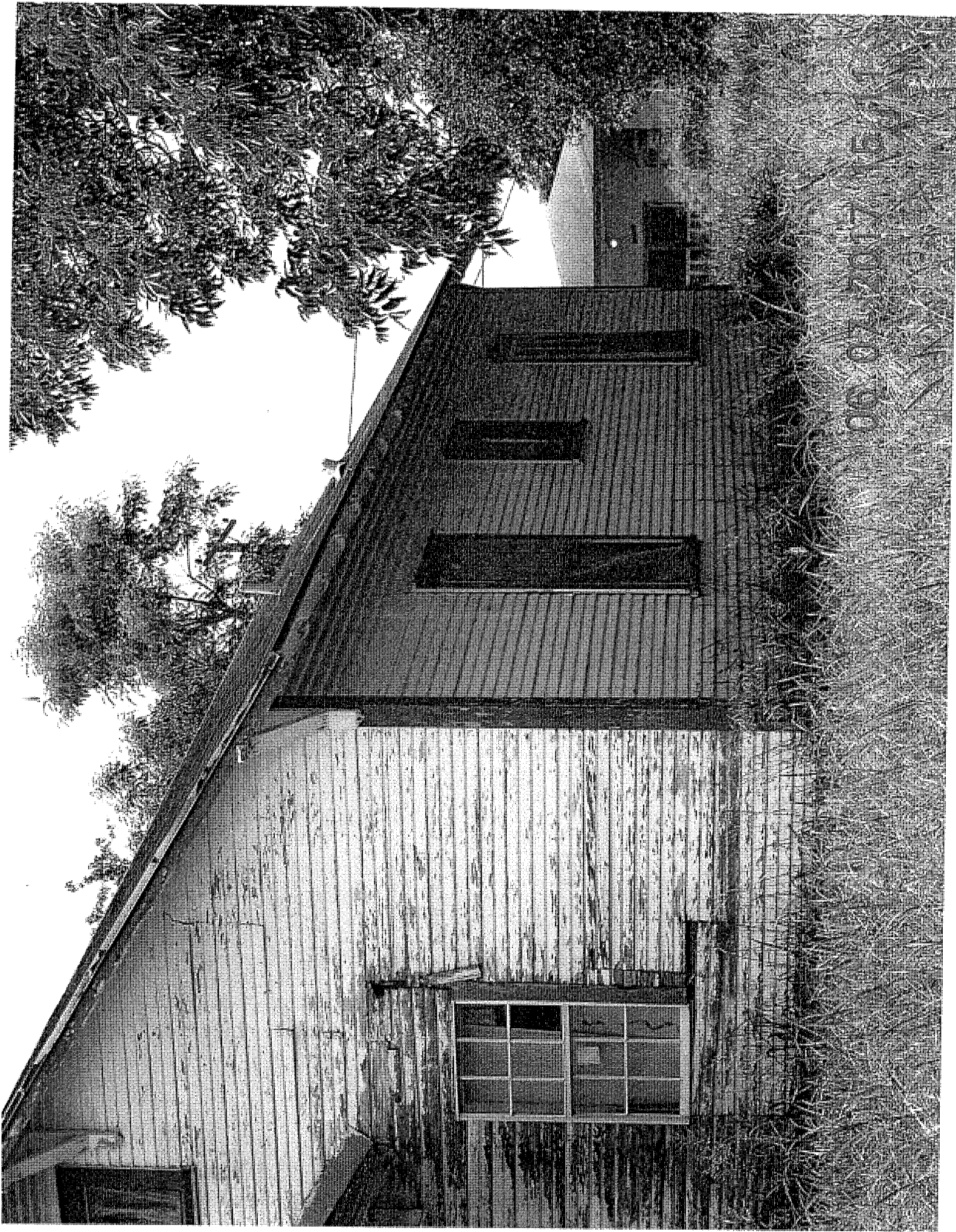
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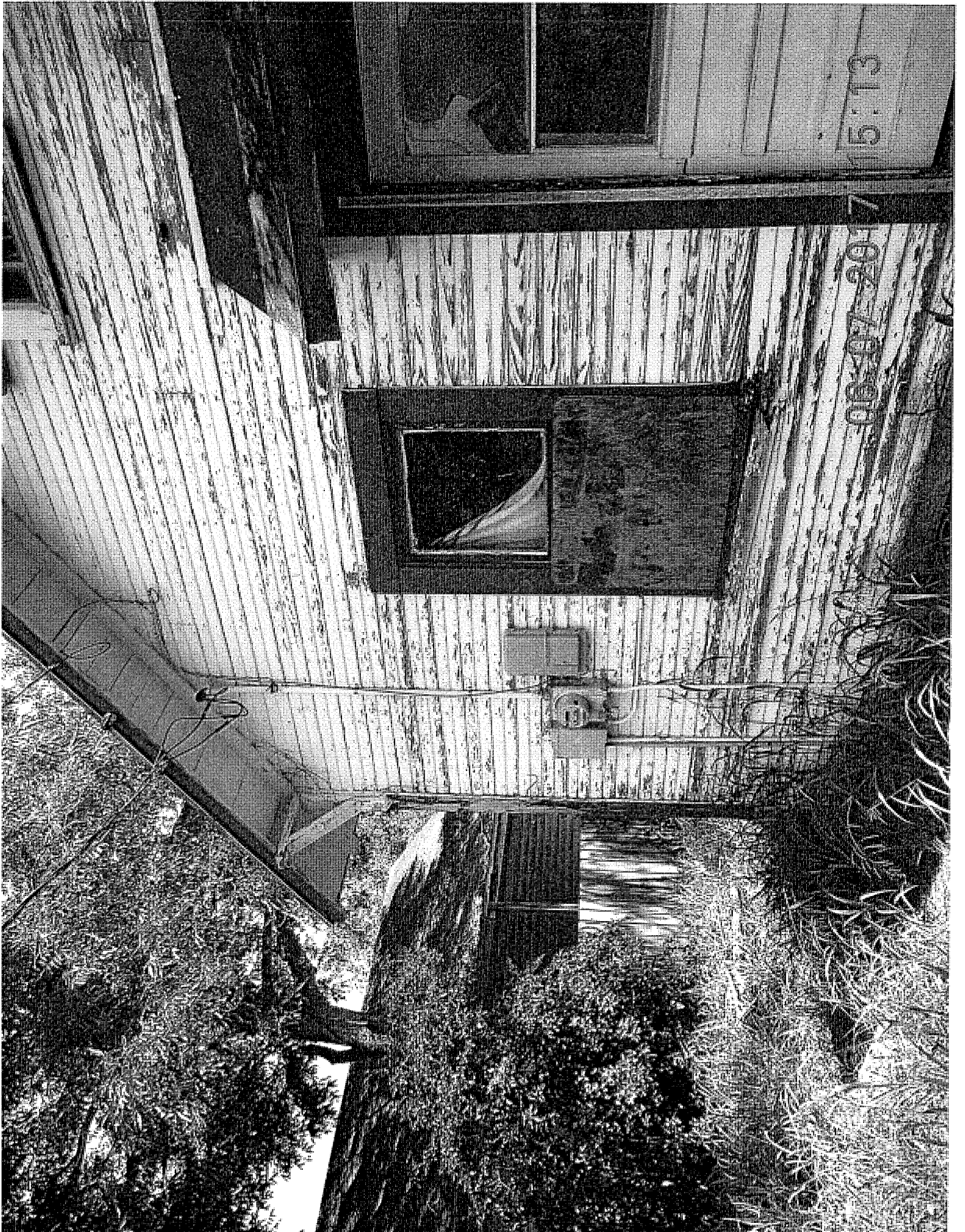








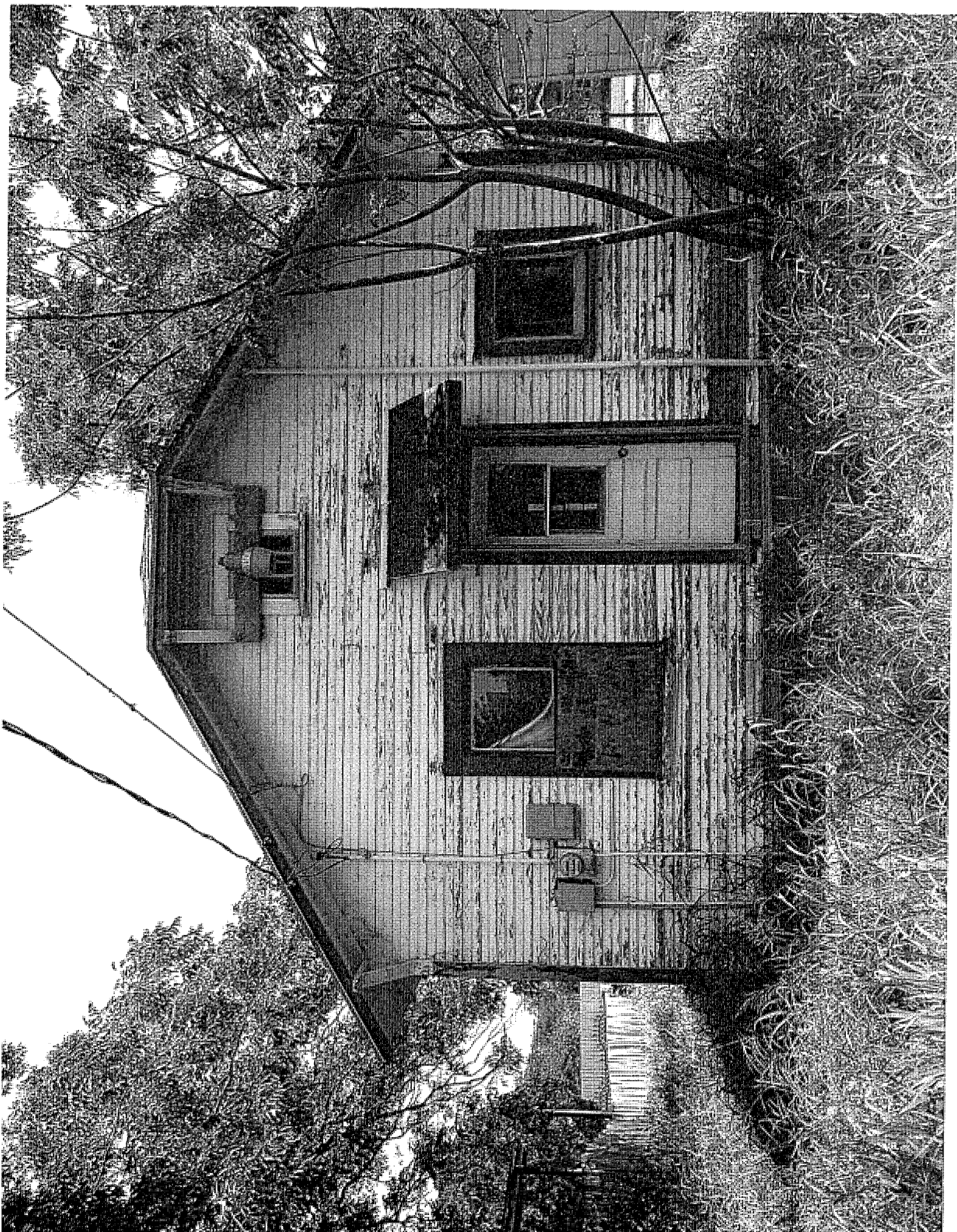




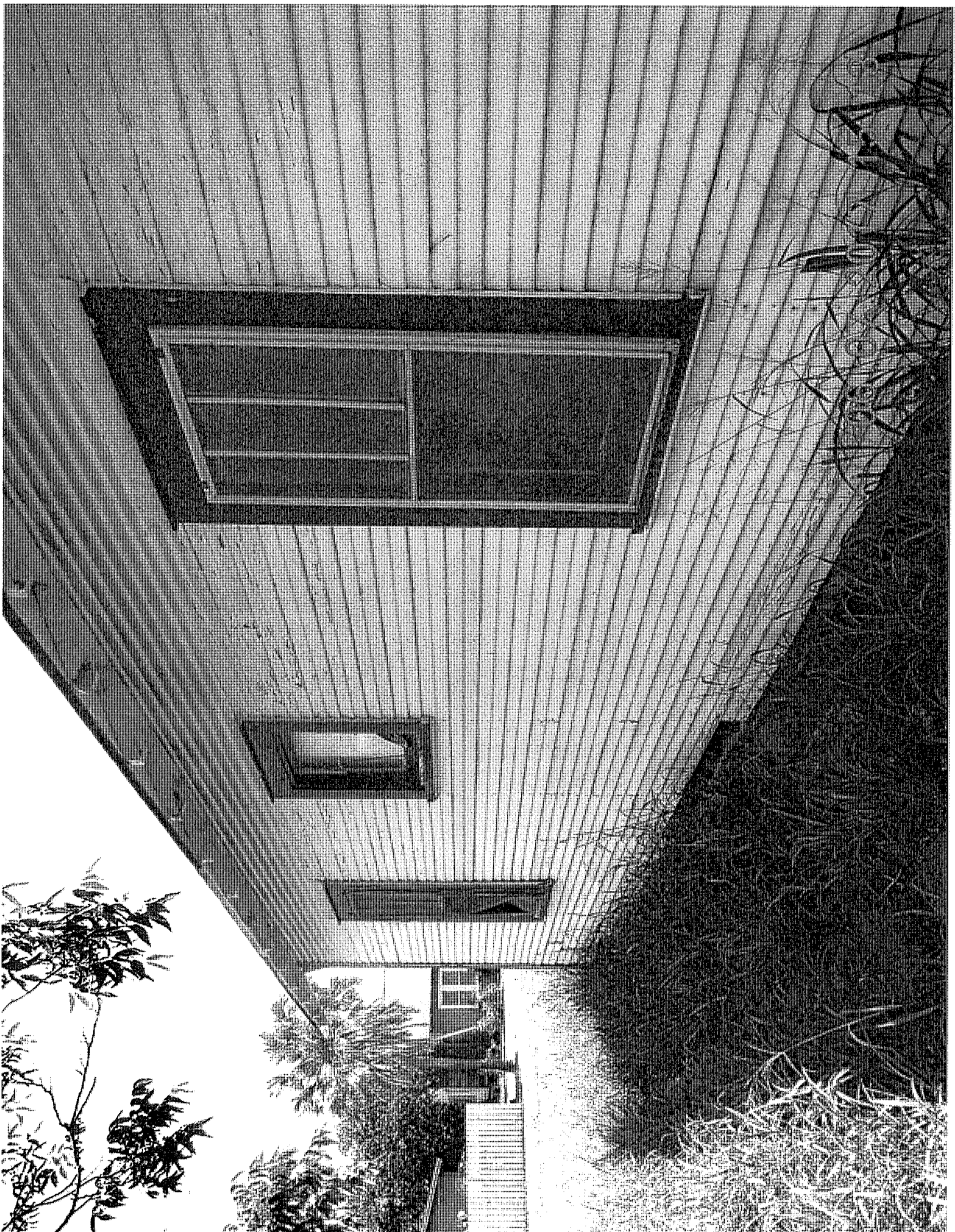
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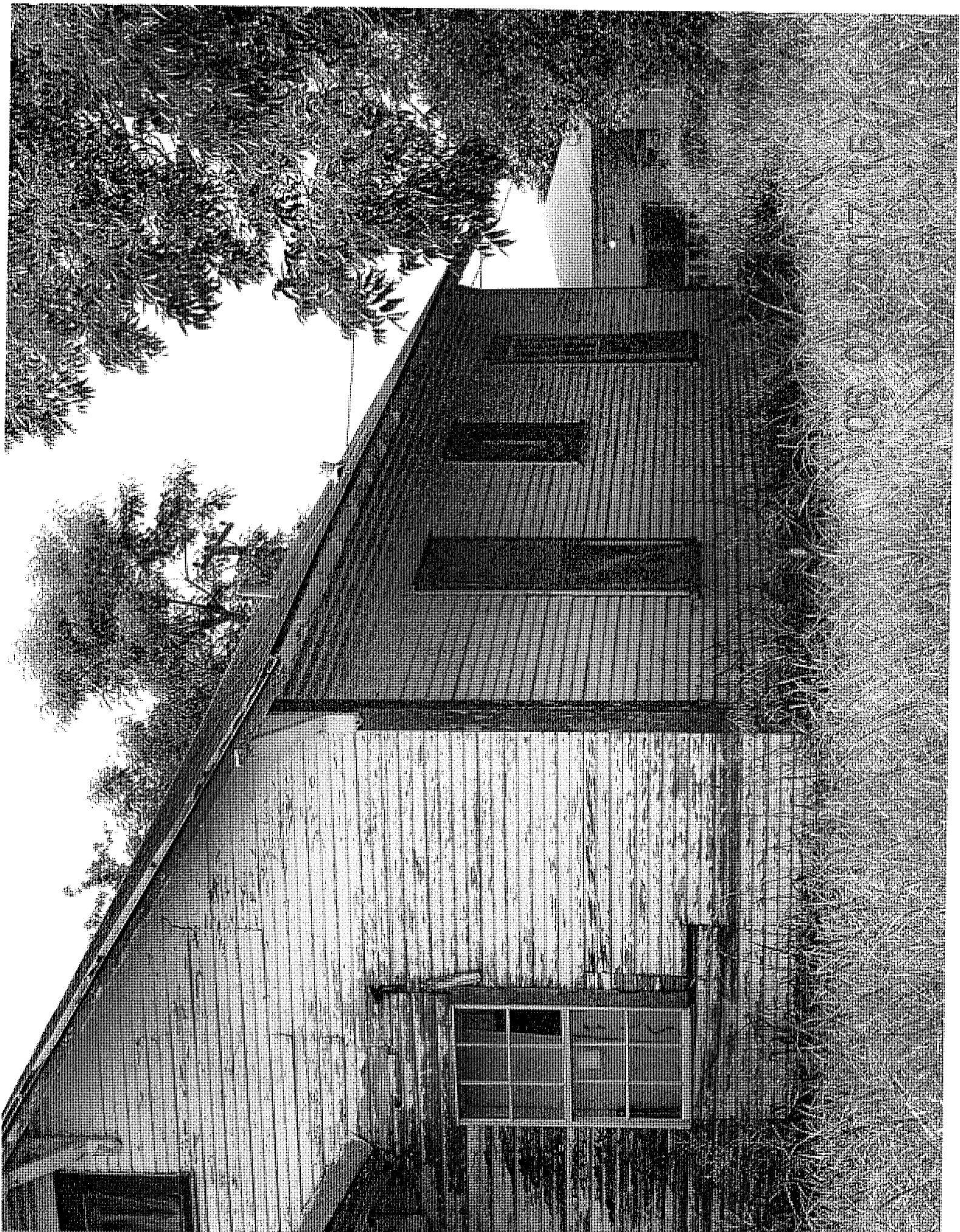
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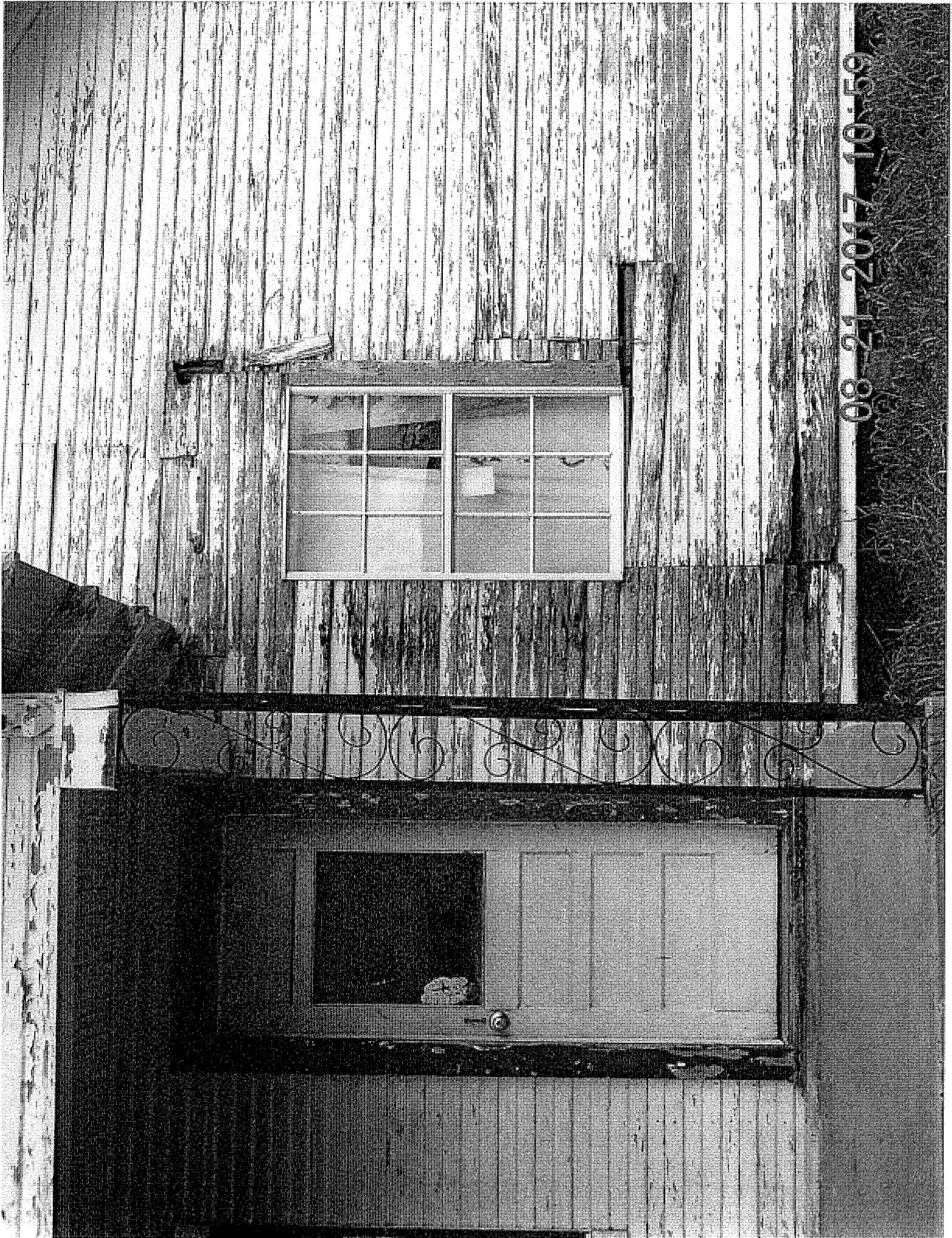






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08-21-2017 14:00







CITY OF KINGSVILLE, TEXAS

# NOTICE

THIS NOTICE IS TO ADVISE PROPERTY OWNERS THAT  
THE CITY COUNCIL WILL CONSIDER CONDEMNATION

OF Alice ON: October 9, 2017

BY ORDER OF: BUILDING OFFICIAL

DEFAULCENCY OF REMOVAL of this Notice, or any repairs  
and/or alterations of this structure without express permission  
of the BUILDING DEPARTMENT, CITY OF KINGSVILLE,  
constitutes a misdemeanor and is punishable by a fine of Two  
Hundred (\$200.00) Dollars.

CONTACT THE Building Department at  
200 EAST KLEBERG  
Telephone: (361) 595-8019

DATE: 12-17 BY: [Signature]

09:12:2017 15:19



## County

Walbeck responded that he had not attempted the certification because his new employer had approached him in May about the potential job opening.

"There were some organizational changes in the company, so I got held up a little bit, otherwise I probably would have been gone this summer," Walbeck said. "I chose not to go into the academy. I knew my time was going to end and I decided to serve anyway."

Madrid reiterated criticism he made last week when he learned of Walbeck's resignation, saying that elected officials should serve their full terms despite the low pay.

"We are public servants. We take on a responsibility at our own expense," Madrid said. "I guarantee you any CEO of a company makes more than what the county judge gets paid."

Walbeck called Madrid's comments personally motivated, and took issue with them Monday.

"Did you say anything to the Precinct 3 Constable when she resigned? No. This is a personal animosity between you and me," Walbeck said. "Grow up, judge."

During the public comments portion of Monday's meeting, Pct. 2 Kleberg County Constable Omar Rosales said he sympathized with Walbeck and Garcia.

"I knew I wasn't going to get rich as a constable. I don't want a raise. We've come twice before the commissioners court and we haven't been given a raise," Rosales said. "For the last eight years I've survived on

\$1,800 a month. But I don't blame these people for leaving and seeking better opportunities somewhere."

Rosales pointed to raises given by the commissioners court to dispatchers at the sheriff's department in 2015 to help retain those employees, noting that one dispatch supervisor is paid more than the constables.

"Two years ago...\$64,000 in raises was given to dispatchers at the Kleberg County Sheriff's Office in order to retain them. Why can't the same be said for constables," Rosales asked. "One dispatch supervisor received an almost \$11,000 bump in her pay, putting her at \$17.33 (per hour), while a constable makes \$16.22. We're one-man departments and we risk a little bit more."

Commissioners voted to accept Walbeck's resignation effective Sept. 28. A panel consisting of Rosales, Pct. 1 Justice of the Peace Andy Gonzalez, Pct. 1 Commissioner David Rosse, Kleberg County Sheriff's Office Chief Deputy Darby Pena and County Attorney Kira Talip will review applicants for the position and make a recommendation to the commissioners court.

Walbeck was elected in November 2016 and was sworn into office Jan. 1. He received 1,323 votes in the election, and was successful in a recount for that race, ultimately defeating challenger Bill Hack by just seven votes.

On Tuesday, Hack said he intended to apply for the open constable position.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.



The Javelina Marching Band kicked off Tuesday's ground breaking ceremony inside Jones Auditorium on the TAMUK campus for the new \$60 million music building expected to be completed by late spring 2019. (Photo by Anthony Ruiz)

## Building

ceremony was held in the Jones Auditorium, next to the construction site, with the Javelina Marching Band kicking off the festivities. Terisa Riley, senior vice president for fiscal and student affairs at TAMUK, served as the event's mistress of ceremonies.

During the ceremony, TAMUK President Steven Tallant said the ground breaking was an historic occasion, one that he and others had been working for since 2009.

Tallant said when he arrived in 2008, he recognized that while the university's music program was "outstanding," its facility was "in bad shape" to the point where the National Association of Schools of Music sent them a letter stating they were "in jeopardy of losing accreditation."

"If you lose your accreditation, you lose everything," Tallant said.

Tallant spoke about the process during the next six years until TAMUK was able to receive \$60 million in funding from the state in 2015.

Tallant said the location for the new building was selected because he wanted it to be "the signature building on campus."

"We wanted this to be the building that you see, that helps define who we are as an institution," he said. "So when this building is built, that's going to be primarily the focus point when people come, and that's what they are going to see."

State representative J.M. Lozano also spoke during the ceremony. Lozano talked about the fight to get the funding from the state legislature for the music building, as well as the importance of the TAMUK music program for the area.

"This facility is going to be phenomenal," Lozano said. "It's going to be one of the most state-of-the-art music facilities in the country."

"This is already the best music program in Texas," he added. "And I believe, quite possibly, this will make it (one of) the top five in the country."

Other speakers during the ceremony included Kingsville Mayor Sam Fugate, principal architect Craig Reynolds with BRW Architects in Dallas, music department chair Paul Hageman, and graduate student-teacher Edward Moncada.

The ceremony concluded with the Javelina Marching Band playing the university's Alma Mater, "Jalisco," followed by administration, elected officials and other invited guests participating in the "turning of the dirt" in front of the construction site.

The university was awarded about \$60 million in Capital Construction Revenue Bonds from the state to build the new music building. The basic building will cost \$47.9 million with additional costs of \$13.7 million for infrastructure, technology, fees and furnishings.

Construction began in late June and is anticipated to take about two years for completion.

Anthony Ruiz can be contacted at [arui@king-ranch.com](mailto:arui@king-ranch.com) or (361) 221-0251.

## Book

in more than a century - to the Triple Crown-winning thoroughbred Assault, Bob Kleberg's "inventive mind was always looking for scientific solutions to problems," Groves wrote.

Groves will discuss her book at the Henrietta Memorial Center, located at 405 N. Sixth Street, beginning at 7 p.m., on Tuesday, Sept. 26, immediately followed by a reception and book signing. The event is open and free to the public.

"Bob and Helen Kleberg of King Ranch" is a pictorial history of the Ranch and the Klebergs. Presented with more than 200 photographs, many taken by Toni Frissell, an award-winning photographer with "Time" and "Life" magazines, and Helen Kleberg, these images depict life on the legendary Ranch.

There are photos of the Kleberg family, the numerous celebrities and dignitaries who regularly visited the Ranch, and those of *Los Kineños*, the ranch hands first brought to King Ranch by Captain Richard King.

Trinity University Press has released this second printing of "Bob and Helen Kleberg of King Ranch." The book is by Helen Kleberg Groves and written with Bill Benson, former Executive Director of the Chisholm Trail Heritage Center in Duncan, Okla., with a foreword by Anne and Tobin Armstrong, long-time friends and fellow ranchers.

For more information and to pre-order books, call (361) 595-1881.

## Bruschetta

ty grand jury indicted Bruschetta on Aug. 21 on four counts of sexual assault against four different women. All four cases were investigated by the Mission Police Department.

Bruschetta, who had practices in Kingsville and Mission, was arrested on May 2 in Mission and May 18 in Kingsville, after multiple women filed criminal complaints alleging he had inappropriately touched them and had exposed himself during medical examinations, Mission police have said.

The Texas Medical Board suspended Bruschetta's medical license following a hearing on May 8, meaning he is not allowed to practice medicine for the foreseeable future. TMB officials alleged the incidents occurred in Bruschetta's office during patient treatments of endocrine conditions. That suspension remains in place.

Calls to Bruschetta's attorney in Mission were not returned Monday.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Burglary

convenience store items.

Police are seeking a person of interest described as a white Hispanic male in his late 20s or early 30s. He was believed to be wearing a black coat and a grey hoodie the night of the break-in.

Anyone with information is

asked to contact the Kingsville Police Department at (361) 592-4311.

Information can also be provided anonymously by contacting the Kingsville Crime Stoppers at (361) 592-INFO, visiting [www.tipssubmit.com](http://www.tipssubmit.com), or texting "KCS" with a

message to "CRIMES" (274637).

Tips provided to Kingsville Crime Stoppers that leads to the arrest and indictment of a suspect can lead to a cash reward.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Skate park

"We have some trees that are dead and need to be knocked down, we need to run some water lines and pour some sidewalks," he said. "We need to put up the picnic benches and some site amenities that will be at the park itself."

"We will begin that stuff later this week so we can allow the contractor time to clean up and get out of there," he added.

Alfaro said the opening date for the skate park is

tentatively scheduled for the first week of October, with an official ribbon cutting ceremony set for Oct. 20.

"We want to give the local skaters time to go out there and skate in their park before we have the ribbon cutting," he said. "We want to give them that solid week or two beforehand."

Anthony Ruiz can be contacted at [arui@king-ranch.com](mailto:arui@king-ranch.com) or (361) 221-0251.

## PUBLIC NOTICE

The City Commission will meet on Monday, October 9, 2017 at 6:00 P.M. The following items are set for public hearing and discussion and / or action: Request to condemn the unsafe structures located at:

623 E ALICE  
623 W HUISACHE  
226 E ALICE

If you are the property owner, holder of mortgage(s), or anyone having a substantial interest in any these properties, we would request that you attend the meeting.

The meeting will be held at City Hall, 400 West King, at the Helen Kleberg Groves Community Room. If you have any questions about the items on agenda, please contact the

Like us on  
Facebook



Add us on Snapchat  
KRBNEWS



or go to  
Kingsville  
Record.com

**PROTECT YOUR HOME AND FAMILY FROM MOSQUITOS AND RODENTS**

Call the pest control professionals for safe and effective removal of mice, rats, roaches, ants, termites, and other potentially harmful pests.

**Serving Kingsville and All of South Texas**

**Commercial**

**Residential**

**Hunting Camps**

- Roaches
- Scorpions
- Mosquitoes
- Termites
- Rodents
- Ants
- Fleas and Ticks
- Bees
- Other Pests

**TERMITE SERVICES**

**SUBSERPANT**

**TERMITE SERVICE**

TPCL LICENSED    LOCALLY OWNED AND OPERATED

Just A Phone Call Away

**OFFICE (361) 296-3121**

[propestmgt@gmail.com](mailto:propestmgt@gmail.com)

visit our website [www.propest.com](http://www.propest.com)

**PRO-TEX**

# **PUBLIC HEARING #3**





# CITY OF KINGSVILLE

P.O. BOX 1458  
KINGSVILLE, TX 78364

REPORT ADDRESS 623 W HUISACHE		INSPECTOR DANIEL RAMIREZ	
LEGAL DESCRIPTION 8TH	BLOCK 6	LOT 5,6	
OWNER NAME ANTHONY MENDEZ NOLA MAE CARAWAY	OWNER'S ADDRESS 623 W. HUISACHE	CITY/STATE/ZIP KINGSVILLE, TX 78363	

## PROPERTY CONDITION REPORT

PICTURES TAKEN:	Y OR N Y	ACCEPTABLE			REASON CODE	COMMENT CODES
		YES	NO	N/A		
<b>Building</b>						
	Condition		X		H,AB,B,C,D,L,I,OU	1,2
<b>Yard</b>						
	Condition		X		H,AB,OV	
<b>Utilities</b>						
	Electric		X	X		
	Gas		X	X		
	Water		X	X		
<b>Roof</b>						
	Covering		X		H,AB,B,C,D,OU	
<b>Walls</b>						
	Exterior		X		H,AB,B,C,D,L,I,OU	
	Interior		X		H,AB,B,C,D,L,I,OU	
	Ceilings		X		H,AB,B,C,D,L,I,OU	
<b>Windows/Doors</b>						
	Secured		X		H,AB,B,C,D,OU	
	Condition		X		H,AB,B,C,D,OU	
<b>Foundation</b>						
	Exterior		X		H,AB,B,C,D,OU	
	Interior		X		H,AB,B,C,D,OU	
<b>Plumbing</b>						
			X	X		
<b>Electrical</b>						
			X	X		

### REASON CODES:

AB-Abandoned	C-Collapsed	I-Incomplete	MO-Mold	NR-Needs Repair
AS-Asbestos	D-Deteriorated	L-Leaning	OU-Outdated	
B-Broken	H-Hazardous	MI-Missing	OV-Overgrown	

### COMMENT CODES:

1. AN ATTRACTIVE NUCIANCE TO CHILDREN
2. A HARBOR FOR VAGRANTS, CRIMINAL AND IMMORAL PEOPLE
3. EVIDENCE OF ROACH, RAT, MOUSE, OR OTHER VERMIN FOUND
4. PARTIAL
5. UNCOVERED ROOF
6. GRAFFITI

### BUILDING OFFICIAL COMMENTS:

FOUND THE OVERALL CONDITION TO BE IN A SEVERE AND HAZARDOUS STATE OF DISREPAIR. IT IS UNSECURED ALLOWING FOR EASY ACCESS FOR ANIMALS AND /VIGRANTS. HAS BEEN WITHOUT WATER SINCE 4/28/2008

SIGNATURE:

*Daniel H. Ramirez*

DANIEL H. RAMIREZ, CITY OF KINGSVILLE BUILDING OFFICIAL

DATE: 6/7/2017



# CITY OF KINGSVILLE

P.O. BOX 1458  
KINGSVILLE, TX 78364

REPORT ADDRESS 623 W HUISACHE		INSPECTOR DANIEL RAMIREZ	
LEGAL DESCRIPTION 8TH	BLOCK 6	LOT 5,6	
OWNER NAME ANTHONY MENDEZ NOLA MAE CARAWAY	OWNER'S ADDRESS 623 W. HUISACHE	CITY/STATE/ZIP KINGSVILLE, TX 78363	

## PROPERTY CONDITION REPORT

PICTURES TAKEN:	Y OR N Y	ACCEPTABLE			REASON CODE	COMMENT CODES
		YES	NO	N/A		
<b>Building</b>						
	Condition		X		H,AB,B,C,D,L,I,OU	1,2
<b>Yard</b>						
	Condition		X		H,AB,OV	
<b>Utilities</b>						
	Electric		X	X		
	Gas		X	X		
	Water		X	X		
<b>Roof</b>						
	Covering		X		H,AB,B,C,D,OU	
<b>Walls</b>						
	Exterior		X		H,AB,B,C,D,L,I,OU	
	Interior		X		H,AB,B,C,D,L,I,OU	
	Ceilings		X		H,AB,B,C,D,L,I,OU	
<b>Windows/Doors</b>						
	Secured		X		H,AB,B,C,D,OU	
	Condition		X		H,AB,B,C,D,OU	
<b>Foundation</b>						
	Exterior		X		H,AB,B,C,D,OU	
	Interior		X		H,AB,B,C,D,OU	
<b>Plumbing</b>						
			X	X		
<b>Electrical</b>						
			X	X		

### REASON CODES:

AB-Abandoned	C-Collapsed	I-Incomplete	MO-Mold	NR-Needs Repair
AS-Asbestos	D-Deteriorated	L-Leaning	OU-Outdated	
B-Broken	H-Hazardous	MI-Missing	OV-Overgrown	

### COMMENT CODES:

1. AN ATTRACTIVE NUCIANCE TO CHILDREN
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### BUILDING OFFICIAL COMMENTS:

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SIGNATURE:

DANIEL H. RAMIREZ, CITY OF KINGSVILLE BUILDING OFFICIAL

DATE: 8/21/2017

# CONDEMNATION CHECKLIST

Property Address:

623 W Huesache

Phone: \_\_\_\_\_

Property Owner:

Anthony Mendez / Nola Mae

Phone: \_\_\_\_\_

Owner's Address:

Caraway  
623 W Huesache  
Kingsville, TX 78303

Fax: \_\_\_\_\_

PLANNED  
DATE

ACTUAL  
DATE

ACTION

☐ 6-7-17  
☐ 6-7-

6-7-17  
6-7-17

1. Identify structure unfit for human habitation.

2. Inspect Property. (Building Official)

☐ a. Prepare inspection report and date.☐ b. Photograph property with date stamp.

3. Determine ownership from county assessment &amp; tax collection record.

4. Obtain legal description.

5. Obtain or complete title report to verify ownership &amp; other vested interests, such as mortgage holders, trustees, etc.

6. Send Notice of Violation &amp; copy of inspection report to property owner(s) of record. Request written response from owner within 10 days from Notice of Violation indicating action the owner intends to take within the next 30 days to correct substandard conditions.

7. 2<sup>nd</sup> Notice Sent. (10 day response) (Optional)

8. If response is not received or is not adequate, proceed as follows:

9. Send 20-day pre notification letter owner(s) &amp; others with vested interest in property advising the date the property will be presented to City Council for consideration of condemnation.

☐ a. Owner unknown or whereabouts not known or such owner is a nonresident of Texas.

1) Post affidavit in newspaper twice a week for one week

10. Post sign on property advising date the City

☐ 6-7-17

6-7-17

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6-7-17

☐ 6-7-17

6-7-17

☐ 6-9-17

6-9-17

☐ 9-11-17

9-11-17

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Council will consider condemnation of structure.

11. Within the Historical District. Meeting date to be heard by the Historical Development Board.

12. Photograph posted sign with date stamp.

13. Prepare information packet for each City Council member, plus one each for City Manager, City Attorney & City Secretary consisting of

☐ a. Location Map

☐ b. Photographs of the structure with date stamp

☐ c. Inspection report

☐ d. Pre-condemnation notice

☐ e. Condemnation resolution

14. Place condemnation action resolution & supporting documentation for placement on the City Council agenda.

15. City Council adopts condemnation resolution.

16. File Notice of Condemnation with the County Clerk.

17. Send owner(s) & other vested interests the following:

☐ a. Copy of the City Council resolution.

☐ b. 45-day order to demolish

18. Post 45-day Order to Demolish on structure.

☐ a. Take photo with date stamp

19. Evaluate status of owner's action on 46<sup>th</sup> day after Order of Demolition was issued. If no action taken by owner, proceed with demolition.

20. Photograph posted notice with date stamp.

21. Notify utility companies to disconnect & remove services from structure for safe demolition.

22. Issue Notice to Proceed to Public Works Director and Demolition Crew.

23. Prepare demolition cost statement consisting of:

☐ a. Mailing fees

☐ b. Publication fees

- ☐ c. Demolition costs
- ☐ d. Landfill tipping fees
- ☐ e. Filing fees
- ☐ f. Administrative fees
- ☐ g. Any documentation miscellaneous costs

☐ \_\_\_\_\_

24. Send a letter & cost statement to the

Collections Department so they can send out bill.

Make copy of documents and send to the City

Attorney requesting a lien to be place on the  
property.

100900605000192 Ref ID2: R13850 Map ID A2

OWNER ID 60516  
OWNERSHIP 100.00%  
MENDEZ ANTHONY  
NOLA MAE CARAWAY EST  
623 W HUISACHE AVE  
KINGSVILLE, TX 78363-5230

Values	Entitles
IMPROVEMENTS	CAD 100%
LAND MARKET	CKI 100%
MARKET VALUE	GKL 100%
PRODUCTIVITY LOSS	SKI 100%
APPRAISED VALUE	WST 100%
HS CAP LOSS	
ASSESSED VALUE	

SITUS 623 W HUISACHE APPR VAL METHOD: Cost

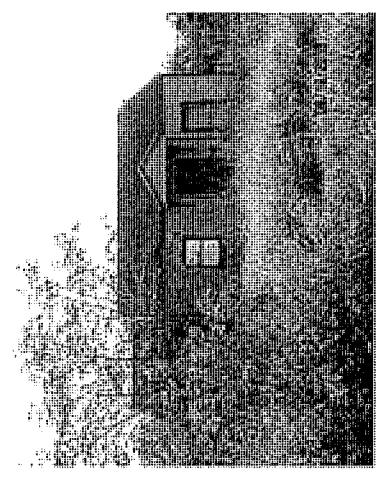
GENERAL	SKETCH for Improvement #1 (RESIDENTIAL)
UTILITIES	
TOPOGRAPHY	
ROAD ACCESS	
ZONING	
NEXT REASON	

REMARKS FOR 2017 UPDATE VALUE - LEAVE PHY % ON FOR BROKEN WINDOW & BAD EXT SIDING PER INSP BY CT 1/12/17 5/26/17 JO -- FOR '14 ADJ DEPR TO 45% PER APPR LR 3/6/14 3/8/14 MMG

ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL
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02/07/2006	ROOF	624	A	0
SALE DT	PRICE	GRANTOR	DEED INFO	
06/28/2013	*****	CARAWAY CLARENCEFF	/ 494 / 191	
02/16/2005	*****	CARAWAY MICHAEL WD	/ 301 / 731	
04/17/2001	*****	CARAWAY CLARENCEFF	WD / 213 / 386	

#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
1	RESIDENTIAL	STCD: A1			1,182.0			1947	1971	F	13,520	45%	90%	100%	100%	100%	0.41	5,480
		MA	FF2/		528.0		25.61	1947	1971	F	13,520	45%	90%	100%	100%	100%	0.41	5,480
		PO	SP/		130.0		15.37	1947	1971	F	2,210	45%	90%	100%	100%	100%	0.41	900
		MAD7	ADDN (60%)		148.0		15.37	2007	1971	F	2,210	45%	90%	100%	100%	100%	0.41	900
		SG1	STORAGE FINI		188.0		1,110	1947	1971	F	1,110	45%	90%	100%	100%	100%	0.41	450
		CP1	CARPORT BASI		182.0		2.56	1947	1971	F	490	45%	100%	100%	100%	100%	0.45	220
		STGL	STORAGE FRAM		160.0		1.50	1947	1971	F	240	45%	100%	100%	100%	100%	0.45	110
											17,630							7,190
																		0.80
																		5,750

PICTURE



IMPROVEMENT FEATURES

Foundation	1	FD8	0
Exterior Wall	1	EW1	0
Interior Finish	1	IN1	0
Roof Style	1	RT2,RM1	0
Flooring	1	FL2	0
Plumbing	1	1	1

SUBD: S009	100.00%	NBHD:	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS	ADJ	VAL	SRC	IRR Wells: 0	Capacity: 0	Oil Wells: 0
L# DESCRIPTION																		
1. A1																		
Comment: F: 50.0 R: 50.0 FF																		



## 2015 CERTIFIED APPRAISAL ROLL

As of Supplement # 0  
CKI - CITY OF KINGSVILLE

Geo ID Order

07/23/2015 14:40PM

Prop ID	Owner	% Legal Description	Values					
13850	60516	100.00 R Geo: 100900605000192	Effective Acres: 0.000000	Imp HS: 0	Market: 6,110			
MENDEZ ANTHONY		8TH, BLOCK 6, LOT 5, 6		Imp NHS: 5,110	Prod Loss: 0			
NOLA MAE CARAWAY EST				Land HS: 0	Appraised: 6,110			
623 W HUISACHE AVE			Acres: 0.0000	Land NHS: 1,000	Cap: 0			
KINGSVILLE, TX 78363-5230		State Codes: A	Map ID: A2	Prod Use: 0	Assessed: 6,110			
		Situs: 623 W HUISACHE	Mtg Cd: DBA:	Prod Mkt: 0	Exemptions:			
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE			6,110	0	6,110		
14630	60828	100.00 R Geo: 100900607000192	Effective Acres: 0.000000	Imp HS: 0	Market: 7,490			
CAMPA MARCELINO III		8TH, BLOCK 6, LOT 7, 8		Imp NHS: 6,490	Prod Loss: 0			
CARMEN CAMPA MARTINEZ				Land HS: 0	Appraised: 7,490			
5418 ROGERIO ST			Acres: 0.0000	Land NHS: 1,000	Cap: 0			
CORPUS CHRISTI, TX 78415-20		State Codes: A	Map ID: A2	Prod Use: 0	Assessed: 7,490			
		Situs: 617 W HUISACHE	Mtg Cd: DBA:	Prod Mkt: 0	Exemptions:			
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE			7,490	0	7,490		
15415	48011	100.00 R Geo: 100900609000192	Effective Acres: 0.000000	Imp HS: 0	Market: 1,000			
WALLACE BARBARA J		8TH, BLOCK 6, LOT 9, 10		Imp NHS: 0	Prod Loss: 0			
ETAL				Land HS: 0	Appraised: 1,000			
7227 CASTLEVIEW LN			Acres: 0.0000	Land NHS: 1,000	Cap: 0			
MISSOURI CITY, TX 77489-2422		State Codes: C1	Map ID: A2	Prod Use: 0	Assessed: 1,000			
		Situs: 613 W HUISACHE	Mtg Cd: DBA:	Prod Mkt: 0	Exemptions:			
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE			1,000	0	1,000		
16193	13270	100.00 R Geo: 100900611000192	Effective Acres: 0.000000	Imp HS: 0	Market: 1,000			
KLEBERG COUNTY TRUSTEE		8TH, BLOCK 6, LOT 11, 12, (E X E M P T)		Imp NHS: 0	Prod Loss: 0			
PO BOX 1457				Land HS: 0	Appraised: 1,000			
KINGSVILLE, TX 78364-1457			Acres: 0.0000	Land NHS: 1,000	Cap: 0			
		State Codes: A	Map ID: A2	Prod Use: 0	Assessed: 1,000			
		Situs: 611 W HUISACHE	Mtg Cd: DBA:	Prod Mkt: 0	Exemptions: EX-XV			
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE			1,000	1,000	0		
16956	51351	100.00 R Geo: 100900613000192	Effective Acres: 0.000000	Imp HS: 15,870	Market: 16,870			
NELSON RACHEL L		8TH, BLOCK 6, LOT 13, 14		Imp NHS: 0	Prod Loss: 0			
ETVIR EZRA NELSON				Land HS: 1,000	Appraised: 16,870			
605 W HUISACHE AVE			Acres: 0.0000	Land NHS: 0	Cap: 0			
KINGSVILLE, TX 78363-5230		State Codes: A	Map ID: A2	Prod Use: 0	Assessed: 16,870			
		Situs: 605 W HUISACHE	Mtg Cd: DBA:	Prod Mkt: 0	Exemptions: DV4, HS, OV65			
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE			16,870	16,870	0		
17704	15787	100.00 R Geo: 100900615000192	Effective Acres: 0.000000	Imp HS: 0	Market: 1,000			
GREEN BENNIE DR		8TH, BLOCK 6, LOT 15, 16		Imp NHS: 0	Prod Loss: 0			
512 W WARREN AVE				Land HS: 0	Appraised: 1,000			
KINGSVILLE, TX 78363-5325			Acres: 0.0000	Land NHS: 1,000	Cap: 0			
		State Codes: A	Map ID: A2	Prod Use: 0	Assessed: 1,000			
		Situs: 511 S 1ST ST	Mtg Cd: DBA:	Prod Mkt: 0	Exemptions:			
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE			1,000	0	1,000		
18481	59153	100.00 R Geo: 100900617000192	Effective Acres: 0.000000	Imp HS: 0	Market: 4,100			
NORIEGA GUADALUPE		8TH, BLOCK 6, LOT 17-21		Imp NHS: 1,600	Prod Loss: 0			
142 W AVE C				Land HS: 0	Appraised: 4,100			
KINGSVILLE, TX 78363			Acres: 0.0000	Land NHS: 2,500	Cap: 0			
		State Codes: A	Map ID: A2	Prod Use: 0	Assessed: 4,100			
		Situs: 604 W FORDYCE	Mtg Cd: DBA:	Prod Mkt: 0	Exemptions:			
Entity	Description	Xref Id	Freeze: (Year) Ceiling	Assessed	Exemptions	Taxable		
CKI	CITY OF KINGSVILLE			4,100	0	4,100		

# STATEMENT OF ALL TAXES DUE

ACCT # 1-009-006-05000-192

DATE 06/06/2017

SD



MELISSA T DELAGARZA, PCC  
P O BOX 1457  
KINGSVILLE, TX 78364-1457  
(361) 595-8542

Property Description  
8TH, BLOCK 6, LOT 5, 6

TOWN -  
ACRES - .160

LOCATION- 623 W HUISACHE

## Values

LAND MKT VALUE	1,000	IMPR/PERS MKT VAL	5,110
LAND AGR VALUE		MKT. BEFORE EXEMP	6,110
EXEMPTIONS GRANTED:	NONE	LIMITED TXBL. VAL	

MELENDEZ ANTHONY  
NOLA MAE CARAWAY EST  
623 W HUISACHE AVE

KINGSVILLE TX 78363-5230

	LEVY	P&I	ATTY FEES	AMT DUE
TAXES 2010	173.56	154.46	65.61	393.63
TAXES 2011	208.34	160.42	73.75	442.51
TAXES 2013	213.16	112.98	65.23	391.37
TAXES 2014	194.99	79.95	54.98	329.92
TAXES 2015	199.15	57.78	51.38	308.31
TAXES 2016	199.97	29.99	.00	229.96
	-----	-----	-----	-----
	1,189.17	595.58	310.95	2,095.70
				=====
		TOTAL DUE 06/2017		2,095.70
		TOTAL DUE 07/2017		2,160.79
		TOTAL DUE 08/2017		2,175.03
		TOTAL DUE 09/2017		2,189.34

ACCT # 1-009-006-05000-192

## BREAKDOWN OF TAX DUE BY JURISDICTION

JURISDICTION	LEVY	P&I	ATT FEES	TOTAL
KLEBERG COUNTY	286.72	142.05	74.10	502.87
CITY OF KINGSVILLE	316.37	160.92	83.63	560.92
KINGSVILLE ISD	557.24	278.80	145.86	981.90
SOUTH TX WATER AUTH	28.84	13.81	7.36	50.01

TAX LEVY FOR THE CURRENT ROLL YEAR: 137	50.64
TAX LEVY FOR THE CURRENT ROLL YEAR: CITY	51.46
TAX LEVY FOR THE CURRENT ROLL YEAR: KISD	92.80
TAX LEVY FOR THE CURRENT ROLL YEAR: STWA	5.07
TOTAL TAX LEVY FOR THE CURRENT ROLL YEAR .....	199.97

YOU MAY PAY YOUR TAXES ONLINE AT [www.klebergcountyonline.net](http://www.klebergcountyonline.net)  
A PROCESSING FEE OF 3.5% WILL BE APPLIED TO CREDIT CARD PAYMENTS

P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

JUNE 9, 2017

ANTHONY MENDEZ AND NOLA MAE CARAWAY  
623 W HUISACHE  
KINGSVILLE, TX 78363

Re: 8<sup>TH</sup>, BLOCK 6, LOT 5, 6

623 W HUISACHE

Dear Sir or Madam:

It has been determined that the structure at **623 W HUISACHE** is in a significant state of disrepair and creates a safety and health hazard to the surrounding area and the community at large. The structure is in direct violation to the City of King'sville's Code of Ordinance § 15-1-165 Condemned Building or Structure; Specifications as adopted and as stated below.

**§ 15-1-165 CONDEMNED BUILDING OR STRUCTURE; SPECIFICATIONS.**

(A) Any building or structure of any type of material, whether public or private property, existing within the city limits, which is determined to be unsafe for or dangerous to human occupancy, shall be declared and be and become a condemned building or structure.

(B) The condemned buildings or structures mentioned in division (A) shall be determined to be such under the following listed terms and conditions:

(1) Any building or structure which, for want of repair or by reason of age or dilapidated condition, or for any causes, is especially liable to fire, and which is so situated as to endanger other buildings or property, or so occupied that fire would endanger persons or property therein.

(2) Any building or other structure which shall be determined to have a permanent or temporary plumbing condition existing in violation of the installation, maintenance and repair provisions of the City Plumbing Code presently duly enacted or to be duly enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the Plumbing Code to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(3) Any building or other structure which shall be determined to have a permanent or temporary electrical installation condition existing in violation of the installation, maintenance or repair provisions of the City Electrical Code as it is presently duly enacted or may be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the Electrical Code to endanger

the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(4) Any building or structure which shall be determined to contain a faulty and defective structural condition existing in violation of the construction, maintenance and repair provisions of the City Building Code as is presently duly enacted or may be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the Building Code to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

(5) Any building or structure which shall be determined to have a permanent or temporary sanitary condition existing in violation of the various health and sanitation ordinances duly enacted and to be enacted from time to time, and which shall be further determined, by virtue of such condition in violation of the provisions of the sanitation ordinances to endanger the safety of the building or structure or other buildings or structures or other property, and to endanger the safety and health of persons who may have occasion to occupy and/or be in, on or about the premises, whether they be the owner thereof or not.

('62 Code, § 4-6-1)

AN INVESTIGATION HAS BEEN CONDUCTED ON THESE PREMISES FOR NON-COMPLIANCE WITH CITY ORDINANCES. YOU ARE HEREBY NOTIFIED THAT THE VIOLATIONS LISTED MUST BE CORRECTED WITHIN THIRTY (30) CALENDAR DAYS FROM RECEIPT THIS LETTER. PLEASE REFER TO THE ENCLOSED PROPERTY CONDITION REPORT REGARDING THE SPECIFIC VIOLATIONS REQUIRING CORRECTIVE ACTION.

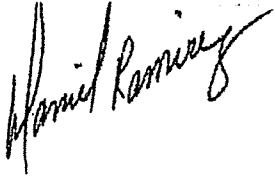
WE MUST RECEIVE WRITTEN RESPONSE FROM YOU WITHIN TEN (10) DAYS FROM THIS NOTICE INDICATING THE ACTION YOU INTEND TO TAKE WITHIN THE NEXT THIRTY (30) DAYS TO CORRECT SUBSTANDARD CONDITIONS.

If these violations are not mitigated within thirty (30) calendar days of the date of this letter, a condemnation will be processed through City Commission. If you should commit another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the city without further notice may correct the violation at the owner's expense and assess the expense against the property.

Please provide proof of necessary permits and "passed" inspections for all reconstruction and/or repairs. Provide proof of proper disposal, i.e. landfill receipt or method used to remediate the condemned structure.

If you need further information or have questions, please contact me at (361) 595-8019, Monday through Friday from 8:00 AM – 12:00 PM & 1:00 PM - 5:00 P.M.

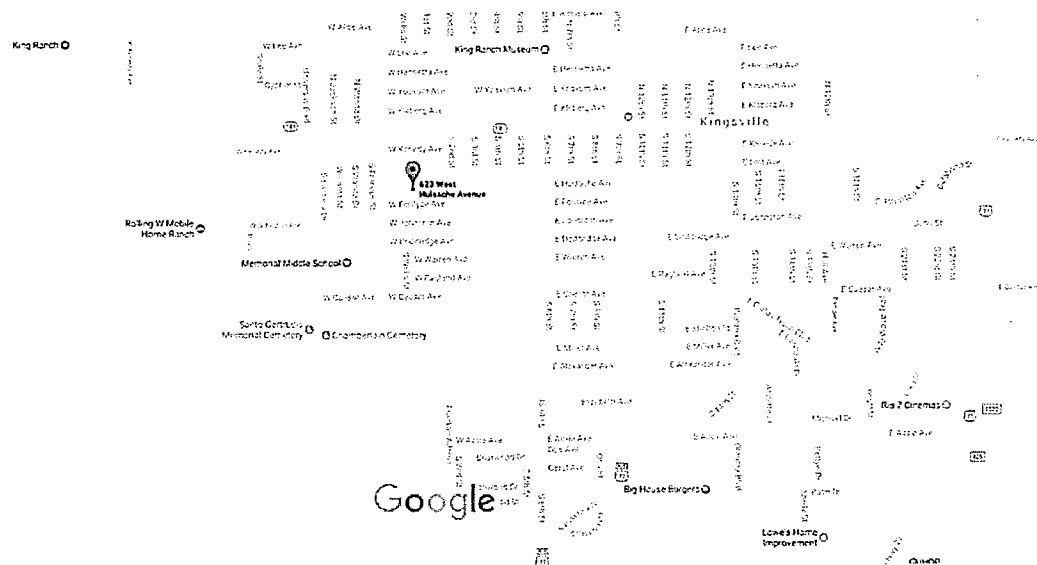
Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Ramirez". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

---

Daniel Ramirez  
Building Official

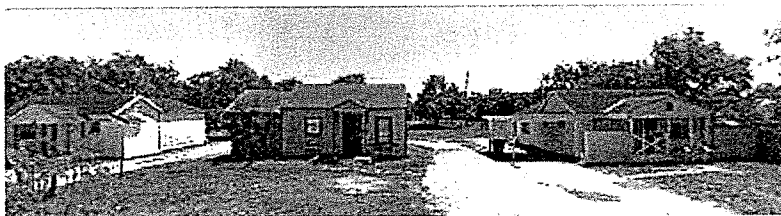
Google Maps 623 W Huisache Ave



Map data ©2017 Google 1000 ft \_\_\_\_\_



623 W Huisache Ave  
Kingsville, TX 78363







## BUILDING DEPARTMENT

City of Kingsville  
Phone: 361-595-8019 Fax: 361-595-8035

---

CERTIFIED MAIL – RETURN RECEIPT #7011 1570 0003 3833 4666

---

SEPTEMBER 11, 2017

ANTHONY MENDEZ AND NOLA MAE CARAWAY  
623 W HUISACHE  
KINGSVILLE, TX 78363

Re: **HEARING FOR PROPERTY AT 623 W HUISACHE**

Dear Sir or Madam:

On June 7, 2017, a letter was sent from the City of Kingsville stating that your property located at **623 W HUISACHE** was a fire hazard or was dangerous to human life, or constitutes a hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment such that the structures located thereon are unsafe and a nuisance. In that letter, you were further advised that you needed to repair or demolish the structures within a certain timeframe. As the timeframe has passed and the unsafe structures on your property have not been repaired or demolished, the structures on your property are being recommended for condemnation before the Kingsville City Commission.

You are hereby cited to appear before the City Commission at a public hearing on **Monday, OCTOBER 9, 2017 at 6:00 p.m.** to show cause why such structures should not be condemned. You may appear in person, by agent or by counsel at the hearing. You will need to submit at the hearing proof of the scope of any work that may be required to comply with city ordinances and the time it will take to **OCTOBER 9, 2017.**

The hearing will take place at the Helen Kleberg Groves Community Room located on the first floor of City Hall, 400 West King, Kingsville, Texas, during a regularly scheduled meeting of the City Commission.

If you have any questions about the condemnation process or how to get a building permit to fix the structures, please contact me at (361) 595-8019.

Sincerely,

Daniel Ramirez  
Building Official

## **PUBLIC NOTICE**

The City Commission will meet on Monday, October 9, 2017 at 6:00 P.M. The following items are set for public hearing and discussion and / or action:

Request to condemn the unsafe structures located at:

623 E ALICE

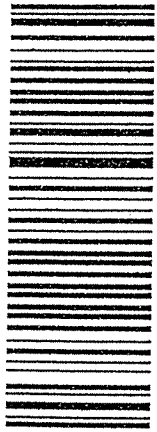
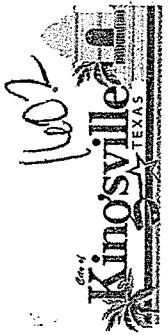
623 W HUISACHE

226 E ALICE

If you are the property owner, holder of mortgage(s), or anyone having a substantial interest in any these properties, we would request that you attend the meeting.

The meeting will be held at City Hall, 400 West King, at the Helen Kleberg Groves Community Room.

If you have any questions about the items on agenda, please contact the Building Department at (361) 595-8019 or (361) 595-8020.



7006 0100 0006 0686 2400

8364

CORPUS CHRISTI

TX 78401

09 JUN 2017 PM 09:09:20

ZIP 78363  
04111 228105

7/5

*Anthony Mender*  
*Nola Mae Caraway*  
*1000 Kingsville*

NIXIE 78284 06/23/2017

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
VACANT

SORT IN MANUAL ONLY NO AUTOMATION  
BC: 5698899955

783635230 VAC  
569889999

932700084114530



CITY OF KINGSVILLE

P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

CORPUS CHRISTI

TX 78401

09 JUN 2017 PM 09:09:20

ZIP 78363  
04111 228105

*Anthony Mender*  
*Nola Mae Caraway*

NIXIE 782 SC 1 0006/13/17

RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

783635230 VAC  
783641458

BC: 78364145858 \*0588-08345-09-38

1 2 3

62

06.07.2017 15:21





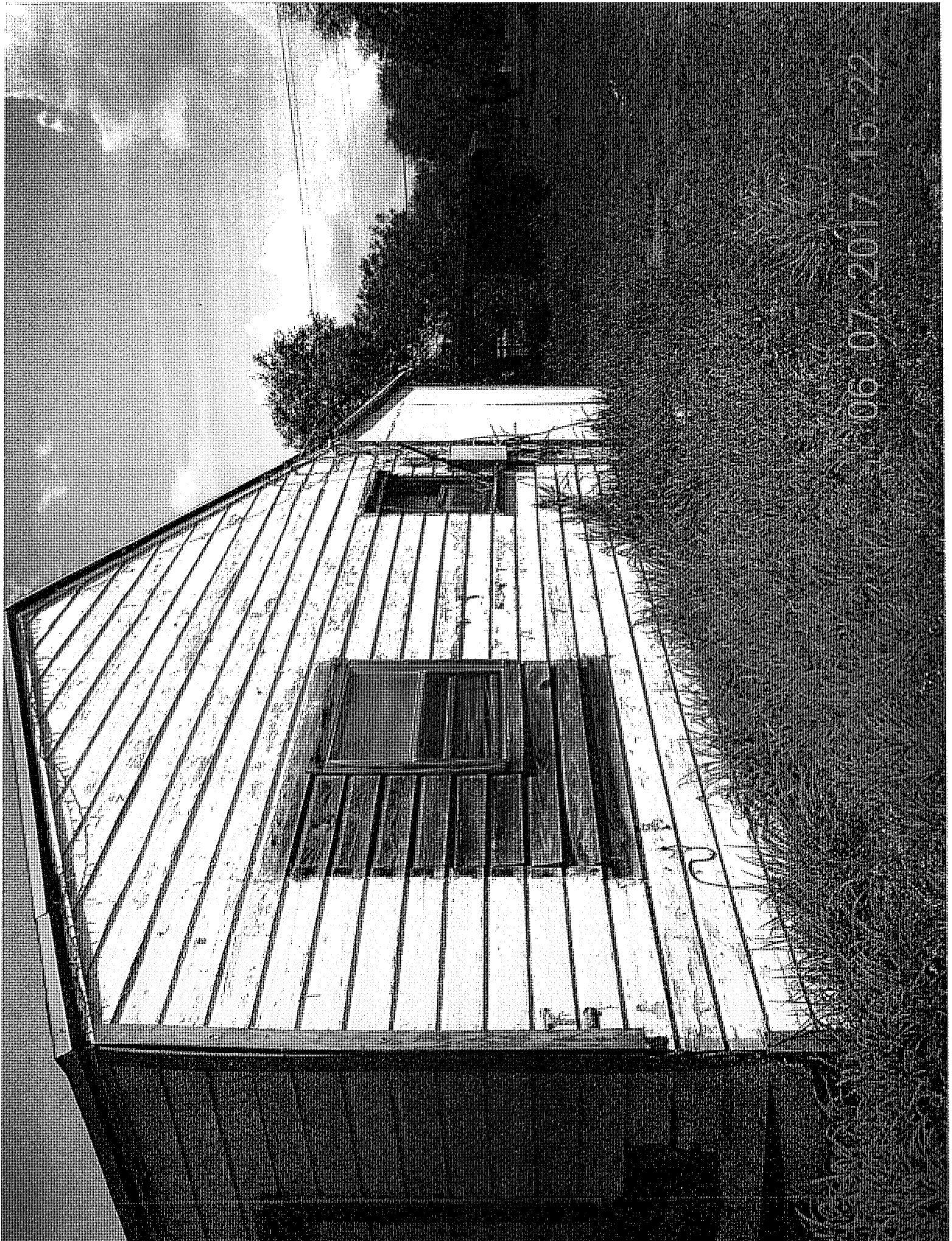
06-07-2017 14:45



06.07.2017-45:21







06-07-2017 15:22

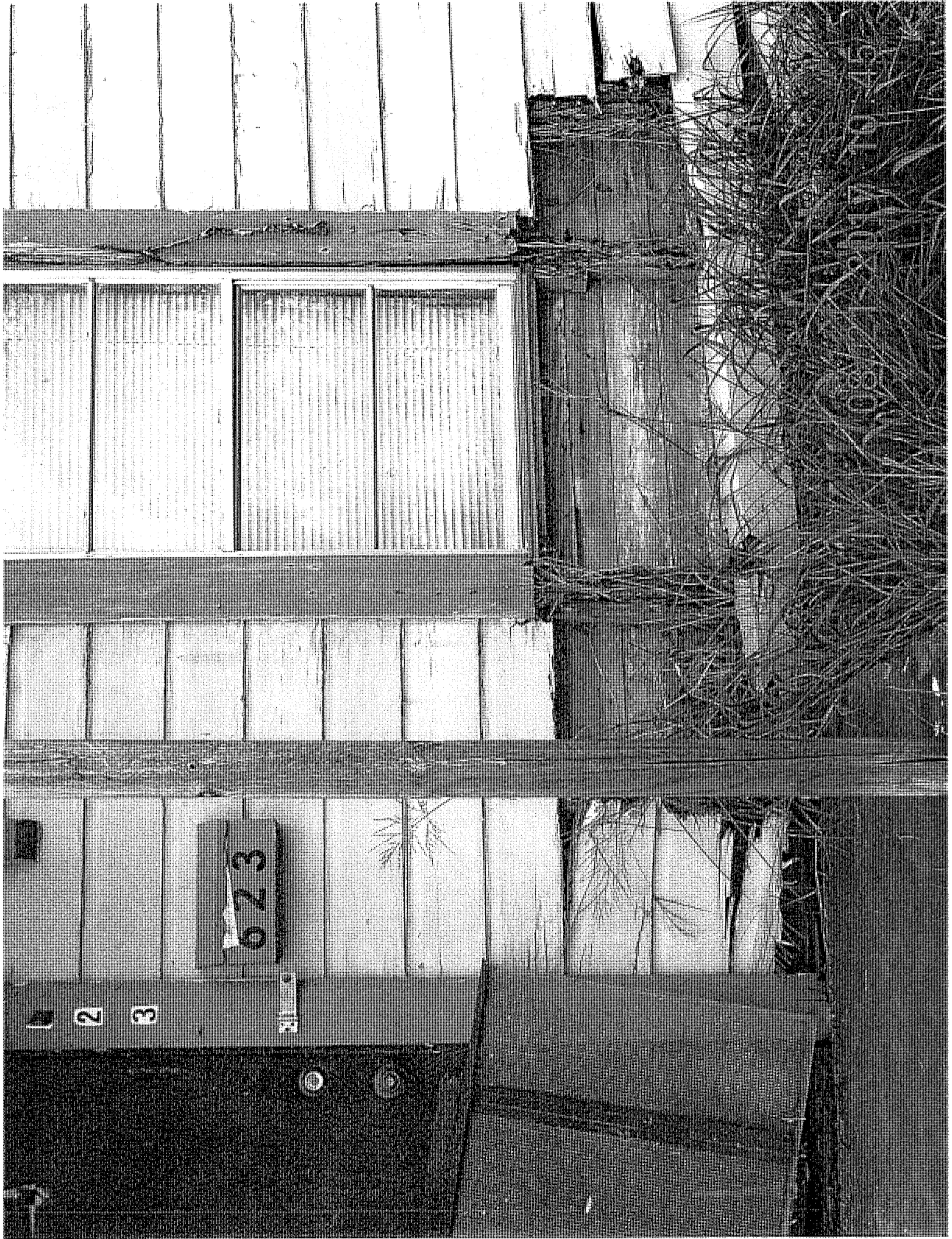
















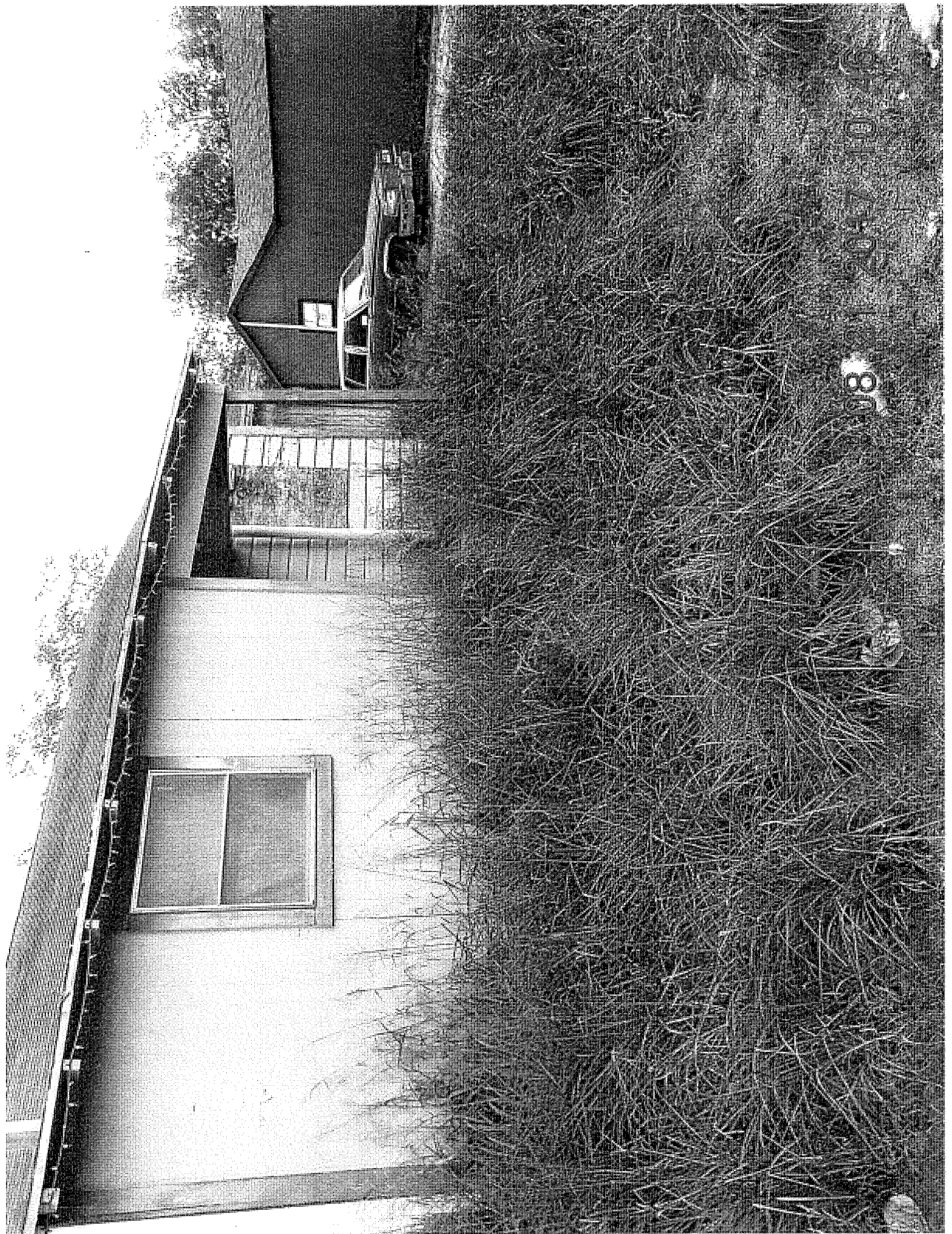
08/21/2017 10:45



08 21 2017 10 45



A black and white photograph of a dilapidated building. The structure is made of light-colored material, possibly concrete or plaster, which is heavily cracked and peeling. A large, dark, rectangular opening, resembling a doorway or a large window, is the central focus. To the left of this opening, there is a smaller, square window with a dark frame. The building's surface is covered in a network of dark, tangled lines, likely wires or vines. In the upper right corner, a date stamp reads "08.21.2017 10:46". The overall image has a grainy, high-contrast quality.

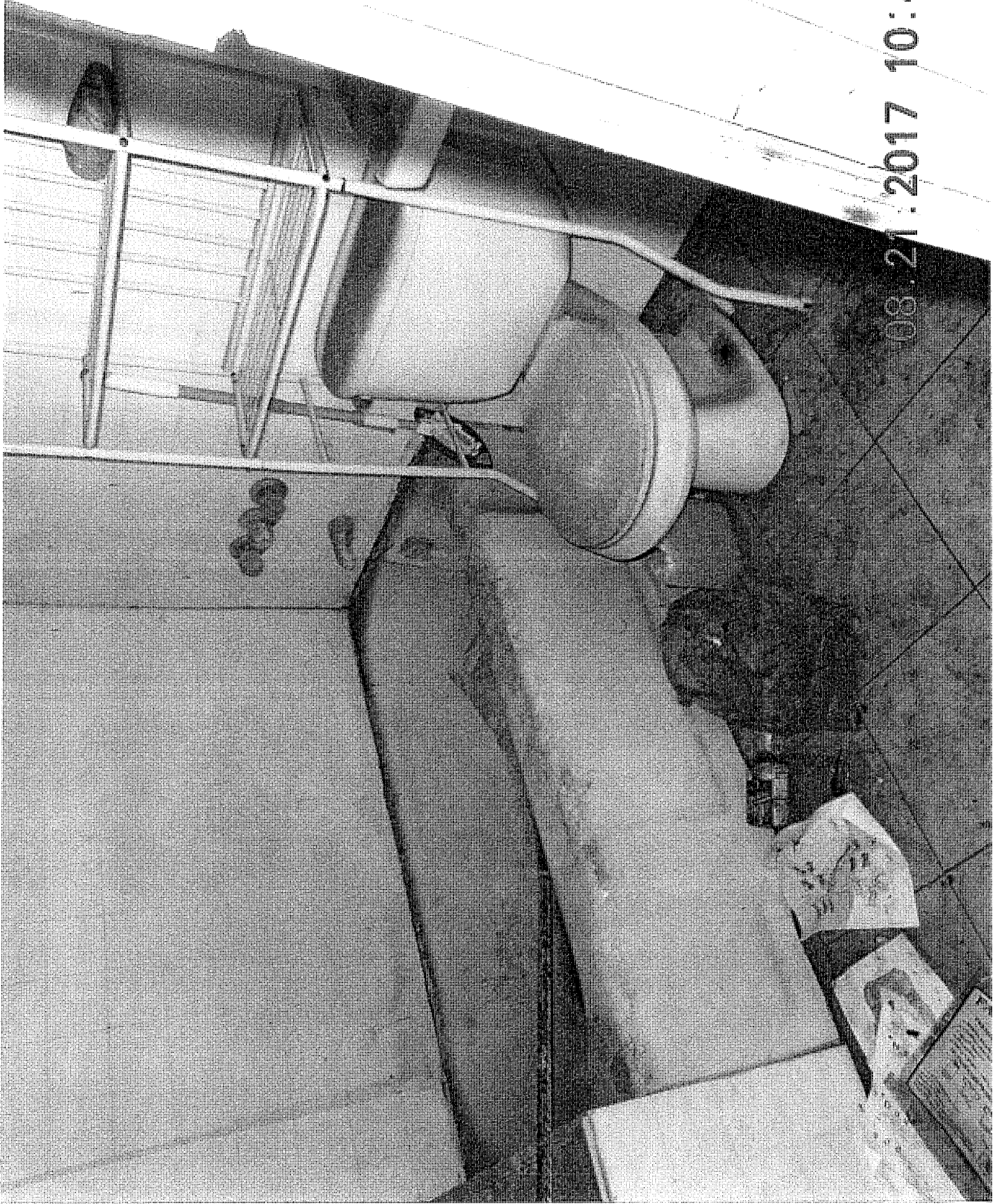








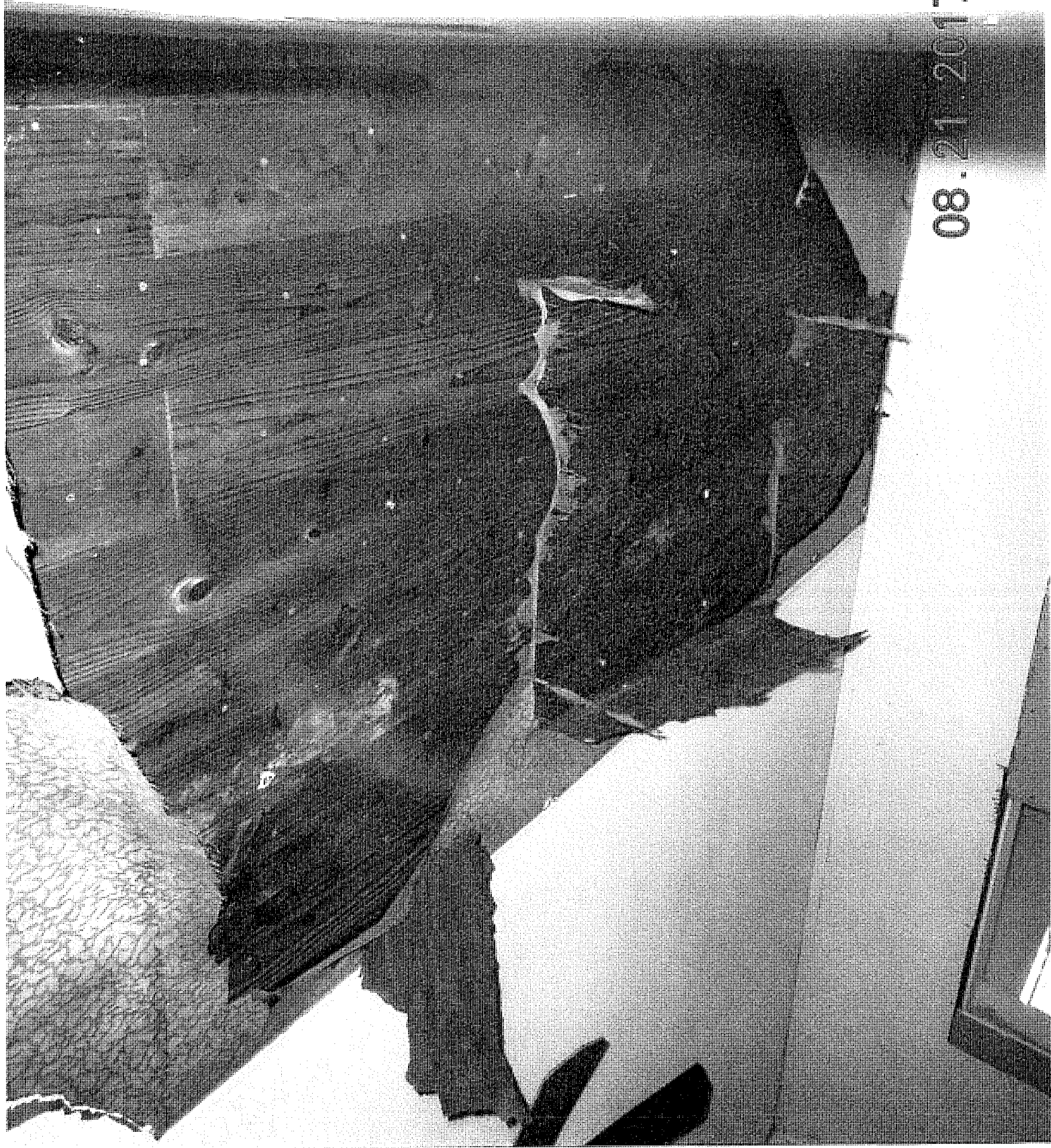
08.21.2017 10:49

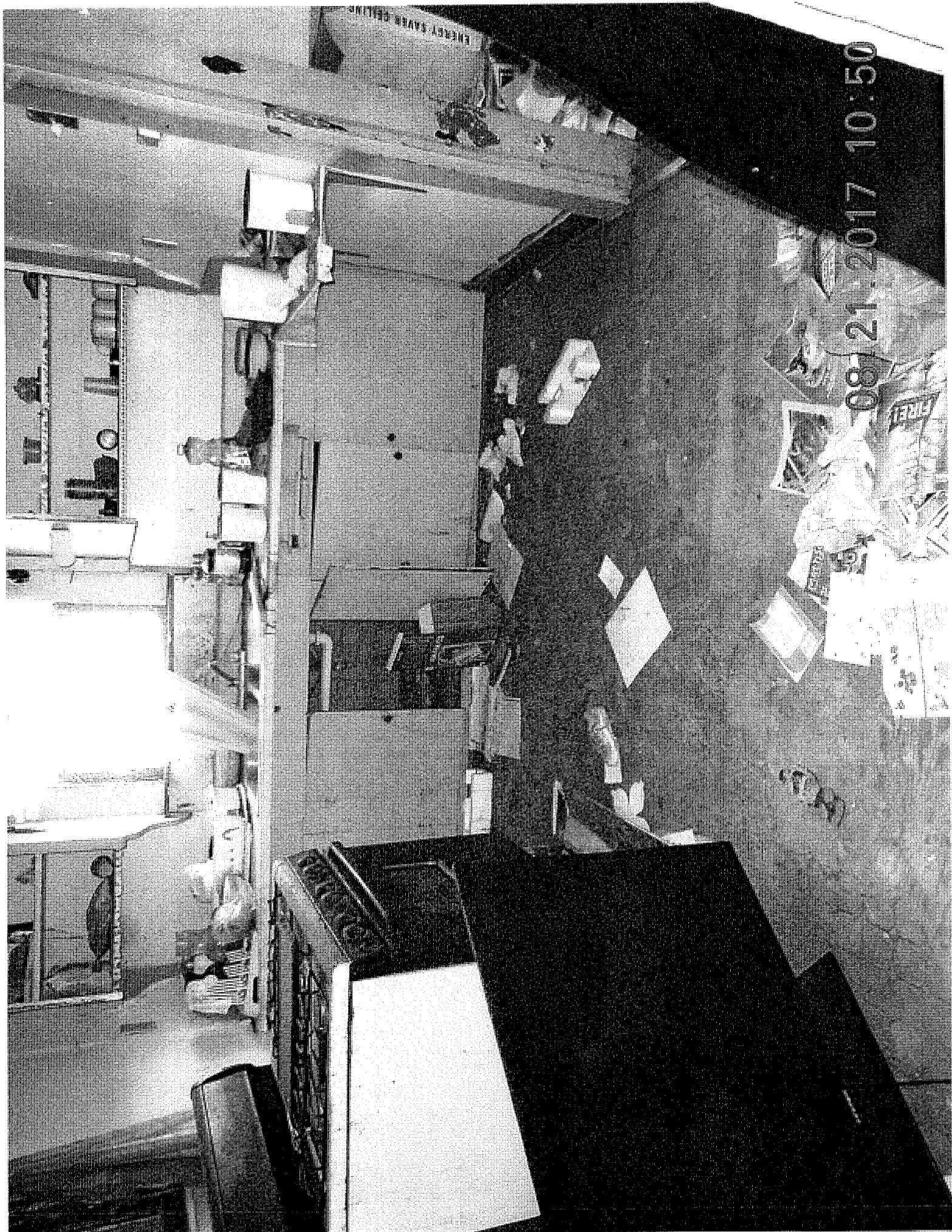




08.21.2017 10:49







08/21/2017 10:50



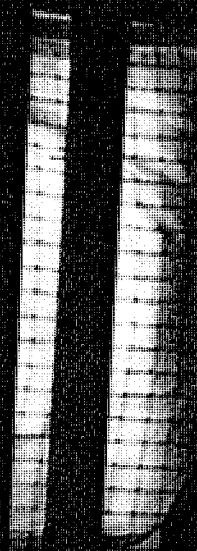


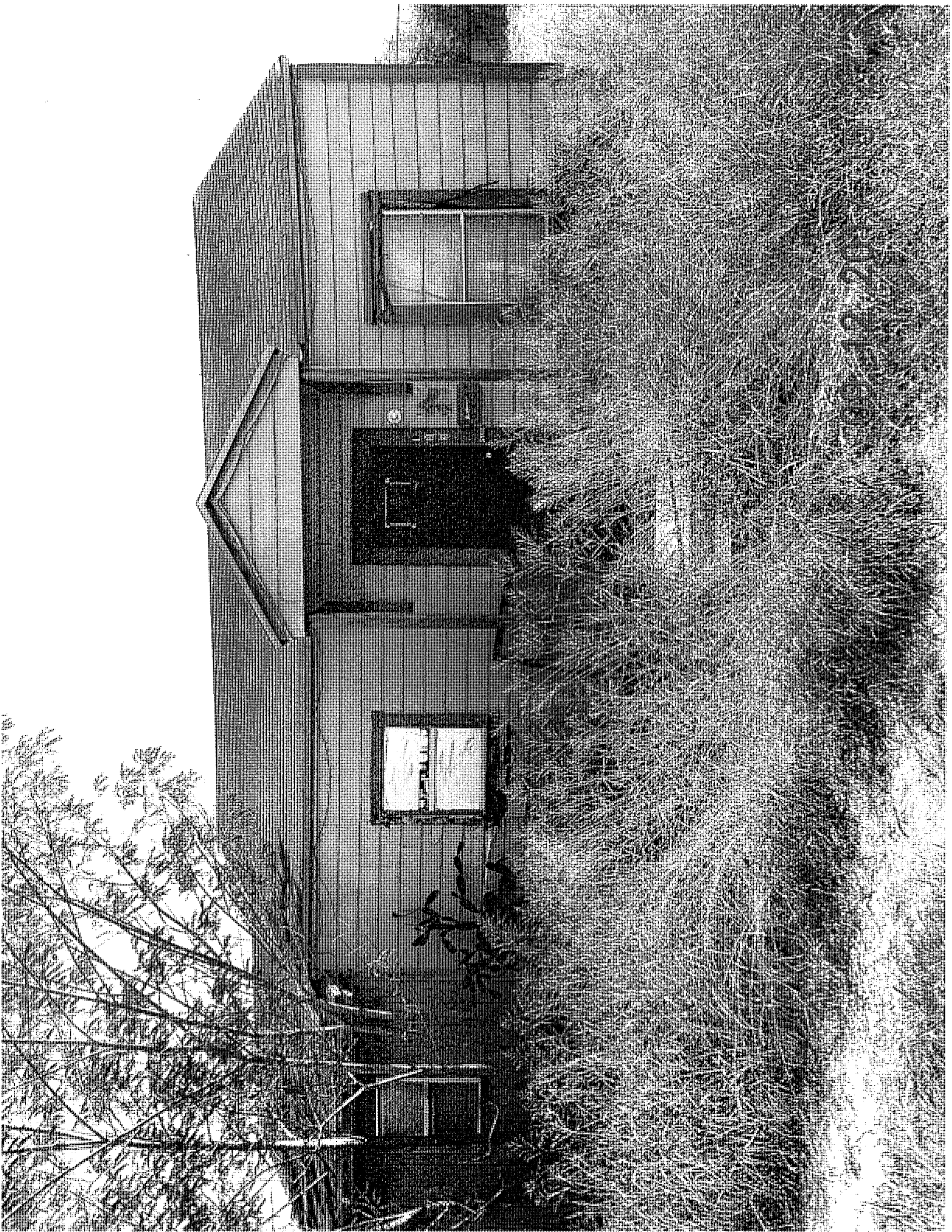
08.21.20 10:50



08.21.2017 10:50

Mabe







CITY OF KINGSVILLE, TEXAS

## NOTICE

THIS NOTICE IS TO ADVISE PROPERTY OWNERS THAT  
THE CITY COUNCIL WILL CONSIDER CONSIDERATION

OF 6223 W. Kinsache ON  
October 9, 2017

BY ORDER OF: BUILDING OFFICIAL

DEPARTMENT OF REGIONAL AFFAIRS, NOTICES OF ANY REPAIRS  
AND REPAIRS OF THIS STRUCTURE WITHOUT EXPRESS PERMISSION  
OF THE BUILDING DEPARTMENT, CITY OF KINGSVILLE  
CONSTITUTES MISDEMEANOR AND IS PUNISHABLE BY A FINE OF TWO  
HUNDRED (\$200.00) DOLLARS.

CONTRACT THE Building Department at  
200 EAST KALE RD.  
KINGSVILLE (361) 295-8019

DATE 9-20-17 BY 1. Kinsache

2017 15:27

## County

Walbeck responded that he had not attempted the certification because his new employer had approached him in May about the potential job opening.

There were some organizational changes in the company, so I got held up a little bit, otherwise I probably would have been gone this summer," Walbeck said. "I chose not to go into the academy. I knew my time was going to end and I decided to serve anyway."

Madrid reiterated criticism he made last week when he learned of Walbeck's resignation, saying that elected officials should serve their full terms despite the low pay.

"We are public servants. We take on a responsibility at our own expense," Madrid said. "I guarantee you any CEO of a company makes more than what the county judge gets paid."

Walbeck called Madrid's comments personally motivated, and took issue with them Monday.

"Did you say anything to the Precinct 3 Constable when she resigned? No. This is a personal animosity between you and me," Walbeck said. "Grow up, judge."

During the public comments portion of Monday's meeting, Precinct 3 Constable Omar Rosales said he sympathized with Walbeck and Garcia.

"I knew I wasn't going to get rich as a constable. I don't want a raise. We've come twice before the commissioners court and we haven't been given a raise," Rosales said. "For the last eight years I've survived on

\$1,800 a month. But I don't blame these people for leaving and seeking better opportunities somewhere."

Rosales pointed to raises given by the commissioners court to dispatchers at the sheriff's department in 2015 to help retain those employees, noting that one dispatch supervisor is paid more than the constables.

"Two years ago...\$64,000 in raises was given to dispatchers at the Kleberg County Sheriff's Office in order to retain them. Why can't the same be said for constables," Rosales asked. "One dispatch supervisor received an almost \$11,000 bump in her pay, putting her at \$17,333 (per hour), while a constable makes \$16.22. We're one-man departments and we risk a little bit more."

Commissioners voted to accept Walbeck's resignation effective Sept. 28. A panel consisting of Rosales, Precinct 1 Justice of the Peace Andy Gonzalez, Precinct 1 Commissioner David Rosse, Kleberg County Sheriff's Office Chief Deputy Danny Pena and County Attorney Kira Talip will review applicants for the position and make a recommendation to the commissioners court.

Walbeck was elected in November 2016 and was sworn into office Jan. 1. He received 1,323 votes in the election, and was successful in a recount for that race, ultimately defeating challenger Bill Hack by just seven votes.

On Tuesday, Hack said he intended to apply for the open constable position.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Book

In more than a century - to the Triple Crown-winning thoroughbred Assault, Bob Kleberg's "inventive mind was always looking for scientific solutions to problems," Groves wrote.

Groves will discuss her book at the Henrietta Memorial Center, located at 405 N. Sixth Street, beginning at 7 p.m., on Tuesday, Sept. 26, immediately followed by a reception and book signing. The event is open and free to the public.

"Bob and Helen Kleberg of King Ranch" is a pictorial history of the Ranch and the Klebergs. Presented with more than 200 photographs, many taken by Tori Frissell, an award-winning photographer with "Time" and "Life" magazines, and Helen Kleberg, these images depict life on the legendary Ranch.

There are photos of the Kleberg family, the numerous celebrities and dignitaries who regularly visited the Ranch, and those of *Los Klebergs*, the ranch hands first brought to King Ranch by Captain Richard King.

Trinity University Press has released this second printing of "Bob and Helen Kleberg of King Ranch." The book is by Helen Kleberg Groves and written with Bill Benson, former Executive Director of the Chisholm Trail Heritage Center in Duncan, Okla., with a foreword by Anne and Tobin Armstrong, long-time friends and fellow ranchers.

For more information and to pre-order books, call (361) 595-1881.



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**PROTEX**



The Javelina Marching Band kicked off Tuesday's ground breaking ceremony inside Jones Auditorium on the TAMUK campus for the new \$60 million music building expected to be completed by late spring 2019. (Photo by Anthony Ruiz)

## Building

ceremony was held in the Jones Auditorium, next to the construction site, with the Javelina Marching Band kicking off the festivities. Terisa Riley, senior vice president for fiscal and student affairs at TAMUK, served as the event's mistress of ceremonies.

During the ceremony, TAMUK President Steven Tallant said the ground breaking was an historic occasion, one that he and others had been working for since 2009.

Tallant said when he arrived in 2009, he recognized that while the university's music program was "outstanding," its facility was "in bad shape" to the point where the National Association of Schools of Music sent them a letter stating they were "in jeopardy of losing accreditation."

"If you lose your accreditation, you lose everything," Tallant said.

Tallant spoke about the process during the next six years until TAMUK was able to receive \$60 million in funding from the state in 2015.

Tallant said the location for the new building was selected because he wanted it to be "the signature building on campus."

"We wanted this to be the building that you see, that helps define who we are as an institution," he said. "So when this building is built, that's going to be primarily the focus point when people come, and that's what they are going to see."

State representative J.M. Lozano also spoke during the ceremony. Lozano talked about the fight to get the funding from the state legislature for the music building, as well as the importance of the TAMUK music program for the area.

"This facility is going to be phenomenal," Lozano said. "It's going to be one of the most state-of-the-art music facilities in the country."

"This is already the best music program in Texas," he added. "And I believe, quite possibly this will make it (one of) the top five in the country."

Other speakers during the ceremony included Kingsville Mayor Sam Fugate, principal architect Craig Reynolds with BRW Architects in Dallas, music department chair Paul Hageman, and graduate student-teacher Edward Moncada.

The ceremony concluded with the Javelina Marching Band playing the university's Alma Mater, "Jalisco," followed by administration, elected officials and other invited guests participating in the "turning of the dirt" in front of the construction site.

The university was awarded about \$60 million in Capital Construction Revenue Bonds from the state to build the new music building.

The basic building will cost \$47.9 million with additional costs of \$13.7 million for infrastructure, technology, fees and furnishings.

Construction began in late June and is anticipated to take about two years for completion.

Anthony Ruiz can be contacted at [aruiz@king-ranch.com](mailto:aruiz@king-ranch.com) or (361) 221-0251.

## Bruschetta

ty grand jury indicted Bruschetta on Aug. 21 on four counts of sexual assault against four different women. All four cases were investigated by the Mission Police Department.

Bruschetta, who had practices in Kingsville and Mission, was arrested on May 26 in Mission and May 18 in Kingsville, after multiple women filed criminal complaints alleging he had inappropriately touched them and had exposed himself during medical examinations, Mission police have said.

The Texas Medical Board suspended Bruschetta's medical license following a hearing on May 8, meaning he is not allowed to practice medicine for the foreseeable future. TMB officials alleged the incidents occurred in Bruschetta's office during patient treatments of endocrine conditions. That suspension remains in place.

Calls to Bruschetta's attorney in Mission were not returned Monday.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Burglary

convenience store items.

Police are seeking a person of interest described as a white Hispanic male in his late 20s or early 30s. He was believed to be wearing a black coat and a grey hoodie the night of the break-in.

Anyone with information is

asked to contact the Kingsville Police Department at (361) 592-4311.

Information can also be provided anonymously by contacting the Kingsville Crime Stoppers at (361) 592-INFO, visiting [www.tipssubmit.com](http://www.tipssubmit.com), or texting "KCS" with a

message to "CRIMES" (274637).

Tips provided to Kingsville Crime Stoppers that leads to the arrest and indictment of a suspect can lead to a cash reward.

Christopher Maher can be contacted at [cjmaher@king-ranch.com](mailto:cjmaher@king-ranch.com) or (361) 221-0242.

## Skate park

"We have some trees that are dead and need to be knocked down, we need to run some water lines and pour some sidewalks," he said. "We need to put up the picnic benches and some site amenities that will be at the park itself."

"We will begin that stuff later this week so we can allow the contractor time to clean up and get out of there," he added.

Alfaro said the opening date for the skate park is

tentatively scheduled for the first week of October, with an official ribbon cutting ceremony set for Oct. 20.

"We want to give the local skaters time to go out there and skate in their park before we have the ribbon cutting," he said. "We want to give them that solid week or two beforehand."

Anthony Ruiz can be contacted at [aruiz@king-ranch.com](mailto:aruiz@king-ranch.com) or (361) 221-0251.

## PUBLIC NOTICE

The City Commission will meet on Monday, October 9, 2017 at 6:00 P.M. The following items are set for public hearing and discussion and / or action: Request to condemn the unsafe structures located at:

623 E ALICE  
623 W HUISACHE  
226 E ALICE

If you are the property owner, holder of mortgage(s), or anyone having a substantial interest in any these properties, we would request that you attend the meeting.

The meeting will be held at City Hall, 400 West King, at the Helen Kleberg Groves Community Room.

If you have any questions about the items on agenda, please contact the

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or go to Kingsville

# **CONSENT AGENDA**



# **AGENDA ITEM #1**

**City of Kingsville  
Public Works**

TO: Mayor and City Commissioners  
CC: Jesus A. Garza, City Manager  
FROM: William Donnell, Asst. Public Works Director  
DATE: September 18, 2017  
SUBJECT: La Colonia Mexicana Sign Project

---

**Summary:**

This project was brought to the City of Kingsville requesting to replace street name signs in La Colonia Mexicana to include current street names and the original street names.

**Background:**

The original street names on the filed plats for La Colonia Mexicana were renamed at some point to the names on the existing streets signs. Some historians have approached the City about redesignating the streets to add the original street names to signs to better preserve the history of the community. This agenda item will change the existing signs by adding the historic name on the bottom of the street sign in brown. The current street name will remain on the top of the street sign in green. *This action does not rename the streets so there are no address changes.* It only adds the historic name below the existing name on the street signs in La Colonia Mexicana. So, from 6<sup>th</sup> Street to 14<sup>th</sup> Street: Ave A would add Sims, Ave B would add Perez, Ave C would add Chaparral, and Ave D would add Garza to the street signs.

**Financial Impact:**

This project will expend approximately \$1,688.40 from (001-5-3050-52200) to purchase the signs and brackets required for the installation of 36 signs in La Colonia Mexicana.

**Recommendation:**

Staff recommends approval of this project to add the historic names on the street signs.



# COLLENA MEXICANA ADQUISITION

KINGSVILLE, KLEBERG COUNTY, TEXAS.  
 BEING A SUBDIVISION OF FARM LOT 14 BLOCK B,  
 OF THE KLEBERG TOWN & IMPROVEMENT COMPANY  
 SCALE 100 FEET = 1 INCH

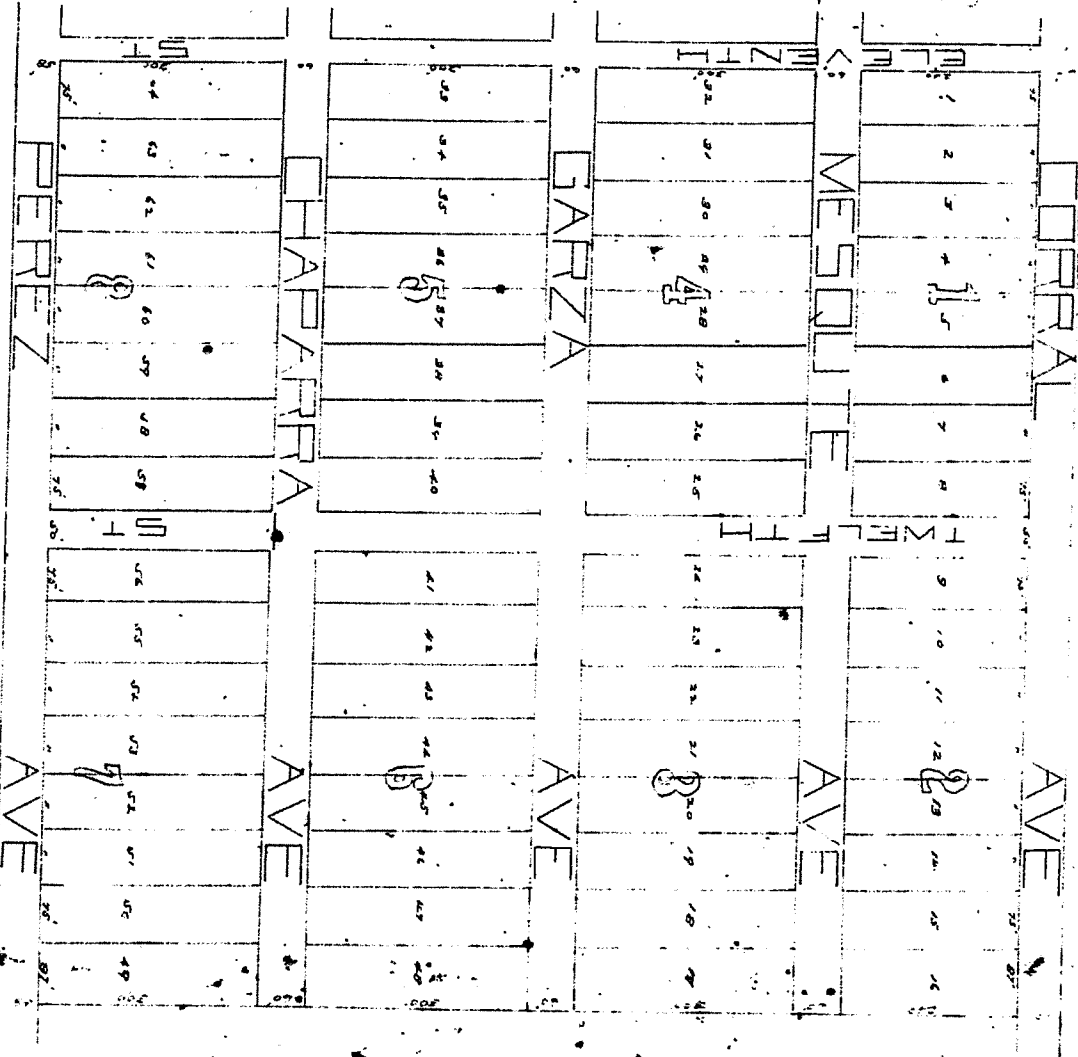
THE PLATIFICATION OF THIS SUBDIVISION OF FARM LOT 14 AND BLOCK B, BEING A SUBDIVISION OF FARM LOT 14 BLOCK B, OF THE KLEBERG TOWN & IMPROVEMENT COMPANY, WAS MADE BY THE COMMISSIONER OF PUBLIC LANDS, TEXAS, ON THE 14TH DAY OF MARCH, 1914, IN VIRTUE OF HIS OFFICE, AND THE SAME IS HEREBY CONFIRMED BY THE COMMISSIONER OF PUBLIC LANDS, TEXAS, ON THE 14TH DAY OF MARCH, 1914.

THE COMMISSIONER OF PUBLIC LANDS, TEXAS, HAS DETERMINED THAT THE SUBDIVISION OF FARM LOT 14 AND BLOCK B, BEING A SUBDIVISION OF FARM LOT 14 BLOCK B, OF THE KLEBERG TOWN & IMPROVEMENT COMPANY, IS IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF TEXAS, AND THE SAME IS HEREBY CONFIRMED BY THE COMMISSIONER OF PUBLIC LANDS, TEXAS, ON THE 14TH DAY OF MARCH, 1914.

THE COMMISSIONER OF PUBLIC LANDS, TEXAS, HAS DETERMINED THAT THE SUBDIVISION OF FARM LOT 14 AND BLOCK B, BEING A SUBDIVISION OF FARM LOT 14 BLOCK B, OF THE KLEBERG TOWN & IMPROVEMENT COMPANY, IS IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF TEXAS, AND THE SAME IS HEREBY CONFIRMED BY THE COMMISSIONER OF PUBLIC LANDS, TEXAS, ON THE 14TH DAY OF MARCH, 1914.

THE COMMISSIONER OF PUBLIC LANDS, TEXAS, HAS DETERMINED THAT THE SUBDIVISION OF FARM LOT 14 AND BLOCK B, BEING A SUBDIVISION OF FARM LOT 14 BLOCK B, OF THE KLEBERG TOWN & IMPROVEMENT COMPANY, IS IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF TEXAS, AND THE SAME IS HEREBY CONFIRMED BY THE COMMISSIONER OF PUBLIC LANDS, TEXAS, ON THE 14TH DAY OF MARCH, 1914.

THE COMMISSIONER OF PUBLIC LANDS, TEXAS, HAS DETERMINED THAT THE SUBDIVISION OF FARM LOT 14 AND BLOCK B, BEING A SUBDIVISION OF FARM LOT 14 BLOCK B, OF THE KLEBERG TOWN & IMPROVEMENT COMPANY, IS IN ACCORDANCE WITH THE ACTS OF THE LEGISLATURE OF TEXAS, AND THE SAME IS HEREBY CONFIRMED BY THE COMMISSIONER OF PUBLIC LANDS, TEXAS, ON THE 14TH DAY OF MARCH, 1914.



**ORDINANCE NO. 2017- \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE HISTORICAL REDESIGNATION OF STREETS IN LA COLONIA MEXICANA TO INCLUDE THE ORIGINAL STREET NAMES WITH THE EXISTING STREET NAMES, HAVING NO IMPACT ON ADDRESSES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the neighborhood originally named La Colonia Mexicana, which includes the present-day street names of Avenues A, B, C and D, had different street names for those streets on the plat originally filed by Kleberg Town and Improvement Company on October 5, 1914; and

**WHEREAS**, the originally platted name for Avenue A was "Sims", Avenue B was "Perez", Avenue C was "Chaparral", and Avenue D was "Garza"; and

**WHEREAS**, historians have advised that this neighborhood was a significant Mexican American neighborhood for the Kingsville community and their research could not locate a reason for the street name changes in the past; and

**WHEREAS**, the historians have requested the afore-mentioned streets be redesignated, so that the original historic name could appear in brown on the bottom of street signs along with the existing street name in green at the top of the street signs; and

**WHEREAS**, this action would not be a street renaming but merely a historical street redesignation, so the current addresses in the area would remain the same and the historical designation would not negatively affect any citizens; and

**WHEREAS**, this action would serve to preserve some of the history and culture of the founding of the city and there is funding in the FY17-18 budget for this project, which would require new signs and sign brackets at 36 street poles; and

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

I.

**THAT** from 6<sup>th</sup> Street to 14<sup>th</sup> Street, the following streets shall be re-designated with new street signs that reflect the existing street name at the top of the sign in green and the original historic street name at the bottom of the sign in brown: Avenue A will add "Sims", Avenue B will add "Perez", Avenue C will add "Chaparral", and Avenue D will add "Garza", here within the city limits of Kingsville, Texas.

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.

VI.

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

**INTRODUCED** on this the 25<sup>th</sup> day of September, 2017.

**PASSED AND APPROVED** on this the 9<sup>th</sup> day of October, 2017.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

Effective Date: \_\_\_\_\_



## **AGENDA ITEM #2**

**City of Kingsville  
Parks & Recreation Department**

---

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Jason Alfaro, Parks Director

DATE: September 15, 2017

SUBJECT: Agenda Request – Introduction of Ordinance to Amend Chapter 5 of the Kingsville Parks Master Plan

---

**Summary:**

The Kingsville Parks & Recreation Department is introducing and amendment to Chapter 5 of the City of Kingsville Parks Master Plan, which was approved on March 27, 2017.

**Background:**

The reason for the proposed amendment to the plan document is to better align the recommendations of the Parks Master Plan, adopted March 27, 2017 and effective April 13, 2017, with Texas Parks and Wildlife Department grant criteria. The development of a system-wide ranking of park facilities/recreation programs clarifies existing information in the Plan in a more apparent format. The attached Exhibit A includes a brief narrative and supporting figure for the prioritization of park facilities/recreation programs, this information will be added to the existing adopted Parks Master Plan upon approval of this amendment by City Commission. Staff worked with Josh Donaldson of Halff & Associates to prepare this Exhibit A as they were the consultants hired to work on the initial Parks Master Plan.

**Financial Impact:**

This action provides no financial impact to the City of Kingsville, though it may improve the possibility of grant funding being awarded by the Texas Parks and Wildlife Department.

**Recommendation:**

Authorize the amendment to Chapter 5 of the Kingsville Parks Master Plan using the amended content provided by Halff & Associates providing a system wide ranking of priorities to be addressed.



**ORDINANCE NO. 2017-\_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 5 OF THE KINGSVILLE PARKS MASTER PLAN TO ADD A SUPPORTING NARRATIVE AND FIGURE TABLE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission had City staff and paid consultants undertake a series of studies and public hearings/meetings on the elements of the comprehensive plan for parks in Kingsville;

**WHEREAS**, the City staff and the consultants also met with the Kingsville Parks Advisory Committee at their meetings on February 1, 2017 and March 6, 2017 to discuss the plan;

**WHEREAS**, the Parks Master Plan contains general policies that are propose to be used by the City in the preparation of land use and development ordinances, in decisions regarding the provisions of City services and capital improvements, and in other policy considerations by the City Commission and its various boards, commissions and committees for the parks in Kingsville;

**WHEREAS**, the City staff and the consultants have met numerous times over the last year and there have been public forums to give citizens the opportunity to comment on and participate in the Kingsville Parks Master Plan;

**WHEREAS**, the Kingsville Parks Master Plan was completed and presented to the City Commission, and a presentation on the final plan was held on March 20, 2017;

**WHEREAS**, the Kingsville Parks Master Plan was adopted by the City Commission on March 27, 2017 via Ordinance #2017-16;

**WHEREAS**, staff has learned that clarifying the priority of park projects mentioned in Chapter 5 of the Parks Master Plan that would be beneficial for the City in applying for grants, especially those to the Texas Parks & Wildlife Department;

**WHEREAS**, the proposed amendment to Chapter 5 is to better align the recommendations of the Parks Master Plan with Texas Parks and Wildlife Department grant criteria. The development of a system-wide ranking of park facilities/recreation programs clarifies existing information in the Plan in a more apparent format;

**WHEREAS**, the attached Exhibit A includes a brief narrative and supporting figure for the prioritization of park facilities/recreation programs, this information

will be added to the existing adopted Parks Master Plan upon approval of this amendment by City Commission;

**WHEREAS**, City staff and the consultants who prepared the Master Plan have worked to prepare the suggested revisions in Exhibit A of Chapter 5 to help increase the City's scoring potential on grant applications for park improvements.

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

I.

**THAT**, the Kingsville City Commission hereby adopts the revised Chapter 5 for the Kingsville Parks Master Plan dated 2017, as is attached hereto and included herein for all purposes, to be incorporated with the previously adopted chapters of the City's Parks Master Plan.

II.

**THAT**, the City Commission reserves the right to amend the Parks Master Plan at any time by adding or removing elements or by amending in part or in whole the elements listed in the Plan.

III.

**THAT**, until such time as the existing zoning, subdivision and other land use and development regulations of the City are amended to conform with the Parks Master Plan, the terms and provisions of such existing land use and development regulations shall control in the event of any conflict or inconsistency with the Parks Master Plan.

IV.

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

V.

**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.

VI.

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

VII.

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

**INTRODUCED** on this 25<sup>th</sup> day of September, 2017.

**PASSED AND APPROVED** on this the 9<sup>th</sup> day of October, 2017.

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

**ATTEST:**

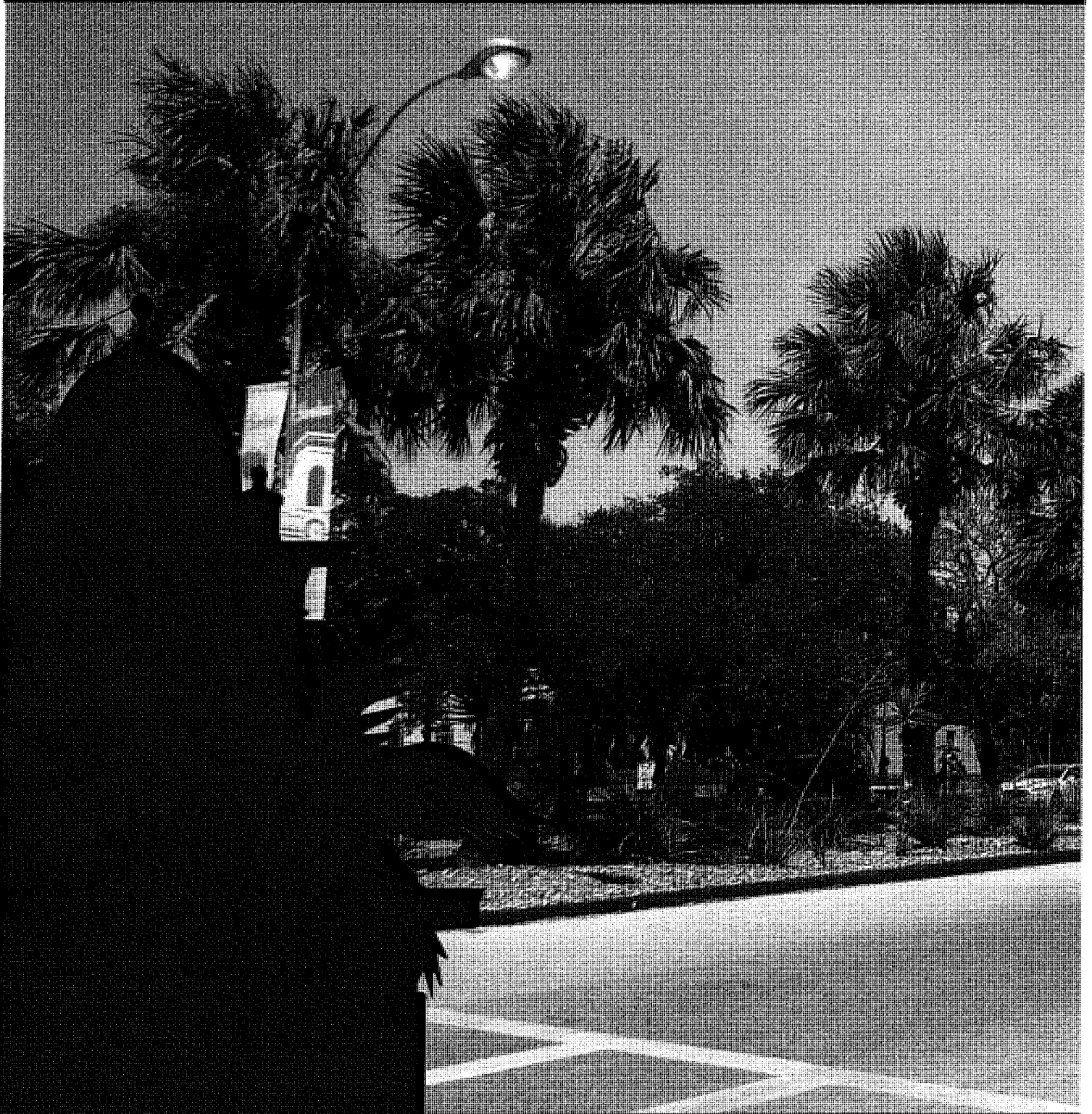
\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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



## CHAPTER 5 IMPLEMENTATION PROGRAM



**CITY OF KINGSVILLE PARKS MASTER PLAN**

## 5. IMPLEMENTATION PROGRAM

CHAPTER 5, PROVIDES AN IMPLEMENTATION FRAMEWORK FOR THE RECOMMENDATIONS PRESENTED IN PREVIOUS CHAPTERS. THE IMPLEMENTATION PROGRAM PREPARED FOR THE KINGSVILLE PARKS AND RECREATION SYSTEM PRIORITIZES RECOMMENDED ADMINISTRATIVE ACTIONS AND CORRESPONDING CAPITAL PROJECTS TO FACILITATE SYSTEM-WIDE DEVELOPMENT AND REDEVELOPMENT.

### IMPLEMENTATION PROGRAM PARAMETERS

In order to efficiently implement Master Plan recommendations, this chapter identifies an implementation program which: **A)** Prioritizes the plan's proposed actions and initiatives; **B)** Provides funding strategy recommendations; **C)** Identifies potential partnering opportunities; and, **D)** Suggests general park system operations and maintenance guidelines. The chapter also outlines methods to administer the Master Plan - including details about plan updates so that the document continues to accurately represent the City's parks and recreation needs over the next several years. The Master Plan's implementation program is intended to guide City staff, and the City of Kingsville's elected and appointed officials, for the next five (5) to ten (10) year period, and should be revisited and updated on a regular basis.

The implementation program described within this chapter includes four (4) major components: **A)** An Action Plan; **B)** System-wide Capital Priorities; **C)** Capital Priorities for Dick Kleberg Park; and **D)** Park Facility/Recreation Prioritization, non property specific. The Action Plan is designed to prioritize all general policy, programming, regulatory, operational, and capital actions and initiatives that were previously described in **Chapter 4**. The Action Plan addresses capital actions and initiatives only in general terms, and does not address anticipated project costs. The supplementary Capital Priorities lists identify estimated cost ranges associated with capital projects including: park land acquisition, new facilities, or the major renovation of existing facilities.

The Action Plan and Capital Priorities lists are represented by the following figures:

- Figure 5.1: Kingsville Parks and Recreation Action Plan (page 89).
- Figure 5.2: Kingsville Parks and Recreation Capital Improvement Priorities (page 93).
- Figure 5.3: Dick Kleberg Park Capital Improvement Priorities (page 94).
- Figure 5.4: Park Facility/Recreation Programming Prioritization (page

## PROGRAM PRIORITIZATION

The actions and projects identified in **Figures 5.1, 5.2, and 5.3** were prioritized based on public input, PAC and City staff input, and the needs assessment found in **Chapter 3**. The criteria used to prioritize the park facility needs of Kingsville include:

- Level of need based on citizen input (on-line survey results, stakeholder interviews, open house meeting, etc.)
- Level of need based on per capita park land, distribution, and general accessibility.
- Assessment of existing park facility inventory in the City.

## ACTION PLAN

The Kingsville Parks and Recreation Master Plan's Action Plan is presented in **Figure 5.1**. The actions and initiatives identified within the figure are described in more detail in **Chapter 4**. These actions and initiatives exhibit a high degree of consistency with all three (3) criteria referenced in the previous subsection, and should receive the highest level of attention by the City over the next ten (10) years. All recommendations are divided into two (2) categories, based on the level of need and estimated ease of implementation:

- Short-Term Priorities. To be initiated or completed within the next five (5) years.
- Long-Term Priorities. To be initiated within the next six (6) to ten (10) years, or as opportunities occur.

Note that the level of prioritization illustrated in the Action Plan is intended as a decision-making guide rather than a mandate. Any item listed in **Figure 5.1** may be initiated sooner than recommended if unique circumstances or opportunities arise.

**FIGURE 5.1: KINGSVILLE PARKS AND RECREATION ACTION PLAN**

Action		Time Frame (Priority)		
		Short-term (Year 1-5)	Long Term (Year 6-10)	Ongoing
<b>I. PARK LAND ASSEMBLY</b>				
I.1	Improve neighborhood park levels of service through public partnerships.	✓		✓
I.2	Develop the lawn next to City Hall into a civic "green"	✓		
I.3	Partner with KISD to improve field space south of Memorial Middle School.	✓		
I.4	Partner with KISD to formalize a relationship for field space at John Gillett Intermediate School for Brookshire 1 Park.		✓	
I.5	Partner with KISD to increase the parking capacity at Brookshire 2 Park/ Brookshire Pool.		✓	
I.6	Develop a plan to add linear parks to the municipal park system.	✓		

*1. Actions listed in numerical order. Priority is non-sequential.*



"Do what you can, with what you have,  
where you are."

~ Theodore Roosevelt

FIGURE 5.1: KINGSVILLE PARKS AND RECREATION ACTION PLAN

Action		Time Frame (Priority)		
		Short-term (Year 1-5)	Long Term (Year 6-10)	Ongoing
I.7	Assemble land for a community park in north Kingsville.		✓	
<b>II. PARK FACILITIES</b>				
II.1	Construct a skate park at Brookshire 2 Park.	✓		
II.2	Construct wading pool for children at Brookshire 2 Park.	✓		
II.3	Prepare and implement a concept design for Los Hermanos Flores Park.	✓		
II.4	Add a splash pad to Los Hermanos Flores Park.	✓		
II.5	Add a signature element (pump track) to Brookshire I Park.		✓	
II.6	Develop a signature trail head at Corral Park for Tranquitas Creek	✓		
II.7	Construct a signature covered basketball court facility at Thompson Park.		✓	
II.8	Allocate money for the rehabilitation of the L. E. Ramey Park trap and skeet range.		✓	
II.9	Develop the remaining property at L. E. Ramey Park in a manner that responsibly utilizes available Parks and Recreation Department resources.		✓	
<b>III. COMMUNITY CONNECTIVITY</b>				
III.1	Amend land development ordinances to incorporate provisions for the development of multi-use trails and sidepaths.	✓		
III.2	Adopt design standards for multi-use trails.	✓		
III.3	Amend land development ordinances to require connection between single-family and multi-family to the existing and proposed trail system.	✓		
III.4	Construct multi-use trails along key corridors.			✓
III.5	Construct sidepaths along key thoroughfares.			✓
<b>IV. NATURAL AREAS</b>				
IV.1	Identify areas within the existing Kingsville parks system for natural resource preservation.	✓		
IV.2	Prepare and implement a prairie or woodland restoration plan for one (1) or more of Kingsville's park properties.		✓	
IV.3	Incorporate tools in the City's land development ordinances which encourage natural resource preservation.	✓		
IV.4	Acquire parcels for the assembly of interconnected greenways.			✓

I. Actions listed in numerical order. Priority is non-sequential.

FIGURE 5.1: KINGSVILLE PARKS AND RECREATION ACTION PLAN

Action	Time Frame (Priority)		
	Short-term (Year 1-5)	Long Term (Year 6-10)	Ongoing
<b>V. PARK PLANNING, DESIGN, AND MAINTENANCE</b>			
V.1	Develop a park management plan for maintenance.		✓
V.2	Establish standards for maintaining natural and riparian areas.	✓	
V.3	Promote parks to be accessible for people of all abilities and ages.		✓
V.4	Compile and maintain a park system inventory.		✓
V.5	Develop an aquatic facilities plan to distribute water recreation activities throughout the City.	✓	
V.6	Remove fences around basketball courts in parks.	✓	
V.7	Develop a park system lighting program including standards for trails.		✓
V.8	To help with maintenance needs, evaluate the removal of Kenedy Park from the municipal park system.	✓	
V.9	Develop a unified way-finding and park signage to help promote a sense of place.		✓
<b>VI. RECREATION PROGRAMMING</b>			
VI.1	Work with area youth sports organizations to be more responsive to their needs.	✓	
VI.2	Develop partnerships with KISD to provide facilities for youth recreation.		✓
VI.3	Work with the City Tourism and Heritage Department to develop and promote events.		✓
VI.4	Create an L. E. Ramey Trap and Skeet Range task force to advise on facility development, operations, and maintenance.		✓
<b>VII. REGULATORY TOOLS</b>			
VII.1	Clearly define minimum requirements for recreation areas and amenities in multi-family developments.	✓	
VII.2	Develop minimum standards for private recreation space in single-family residential developments.	✓	
VII.3	Incorporate minimum requirements for public gathering space in non-residential developments and mixed-use developments.	✓	
VII.4	Develop a park land dedication ordinance.	✓	
VII.5	Develop a park land development fee ordinance.	✓	
VII.6	Create a fee schedule for park facility reservation and utilization.		✓

*1. Actions listed in numerical order. Priority is non-sequential.*



**FIGURE 5.1: KINGSVILLE PARKS AND RECREATION ACTION PLAN**

Action	Time Frame (Priority)		
	Short-term (Year 1-5)	Long Term (Year 6-10)	Ongoing
<b>VIII. DICK KLEBERG PARK</b>			
VIII.1	Formalize park boundary along Escondido Road, including the addition of a multi-use trail.	✓	
VIII.2	Redevelop and add facilities to the amenity and picnic area north of Escondido Creek.	✓	
VIII.3	Construct Saddle Horn Plaza and parking addition next to soccer complex.	✓	
VIII.4	Develop new west entrance from 6th Street and preserve/acquire south bank of Dick Kleberg Escondido Creek.	✓	
VIII.5	Renovate and reconstruct youth softball and youth baseball fields.		✓
VIII.6	Develop new east entrance from Highway 77 frontage road as well as Lariat Event Space into a community gathering/festival area.		✓
VIII.7	Renovate and reconstruct baseball field, football field, and soccer field facilities.		✓
VIII.8	Renovate adult softball fields		✓

*1. Actions listed in numerical order. Priority is non-sequential.*

## CAPITAL IMPROVEMENTS PROGRAMMING

The Kingsville Parks and Recreation Master Plan's Capital Priorities list identifies potential development projects that support the implementation of many park system recommendations listed and described in **Chapter 4**. These recommended capital projects are listed in **Figure 5.2: Kingsville Parks and Recreation Capital Improvement Priorities**; and, are grouped according to park land acquisition, major facility development, and multi-use trail network development. The Capital Priorities list herein does not include recommendations regarding small capital needs at individual park sites, or operational projects such as maintenance or equipment needs. **Figure 5.2 does not include capital projects related to Dick Kleberg Park** (see instead **Figure 5.3**, page 94).

The Capital Priorities list provided in **Figure 5.2**, is not a supplement to, or replacement of, any formal capital improvements plan (CIP) adopted by City Council as part of the City's annual budget process (although some listed projects may already be incorporated into Kingsville's CIP). Further, this project list should not affect the operational budget of the City's Parks and Recreation Department, or any other City entity engaged in recreational programming. The projects identified in **Figure 5.2** should however, be strongly considered for inclusion in Kingsville's future capital improvements plans as funds become available.

The priority ranking included in **Figure 5.2** was developed based on input from the PAC solicited via a voting exercise designed to evaluate the level of support for the action items found in **Figure 5.1**. PAC prioritization preferences were subsequently used to determine the importance of each project. (classified as "high," "medium," or "low" for each respective project). The priority rankings were vetted by city staff.

FIGURE 5.2: KINGSVILLE PARKS AND RECREATION CAPITAL IMPROVEMENT PRIORITIES<sup>1</sup>

Priority	Project	Cost	Action (pg. #)	Time Frame (Priority)		Notes
				Short-term (Year 1-5)	Long Term (Year 6-10)	
ACQUISITION/NEW PARKS						
High	Kingsville City Green	\$ 685,00	I.2, pg. 64	✓		Park development should be occur in conjunction field space development at other locations.
High	Memorial Middle School/ Thompson Park	\$365,000	I.3 pg. 64	✓		Development costs only. Improvements include: irrigation, parking, landscaping etc., but not land acquisition.
Low	John Gillette Brookshire I Park	\$130,000	I.4 pg. 64		✓	Development costs only. Improvements include: irrigation, parking, landscaping etc., but not land acquisition.
Low	Community Park, North Kingsville, Land acquisition only	\$50,000 to \$200,000	I.6 pg. 64		✓	Assumes minimum 15 acre land acquisition.
PARK FACILITIES						
High	Brookshire 2 Park Skate Park	\$ 275,00	II.1 pg. 66	✓		Cost is for the design and build out of the skate park facility only.
High	Brookshire 2 Park Wading Pool	\$ 75,000	II.2 pg. 66	✓		Cost may vary depending on final programed elements.
Medium	Los Hermanos Flores Park Improvements	\$ 855,000	II.3 & II.4 pg. 67	✓		If phased, timing of completion could last longer than 5 years.
Medium	Trailhead at Corral Park	\$ 20,000	II.6 pg. 67	✓		Trailhead at Corral Park to coincide with Tranquitas Creek Corridor Trail development (Action III.4).
Medium	Thompson Park Covered Basketball Court	\$ 85,000	II.7 pg. 67		✓	Cost estimate is for a pavilion covering one large basketball court facility.
Medium	L.E. Ramey Park Trap and Skeet Facilities Upgrades	\$ 70,000	II.8 pg. 67		✓	For existing skeet and trap houses only.
Medium	Second Neighborhood Park Update	\$385,000	VI, V3, & V4 pg. 74-75		✓	Cost will vary based on the extent of signature elements included.
Low	Brookshire I Park Pump Track	\$ 25,000	II.5 pg. 67		✓	Limits to the pump track should be clearly established and buffered with landscaping.
Low	L.E. Single Track Mountain Bike Trails	\$ 65,000	II.9 pg. 67		✓	Trail should be developed to limit construction impact on natural areas.
MULTI-USE TRAILS						
High	Tranquitas Creek Corridor Trail	\$ 1,260,000	III.4 pg. 70	✓		This trail may be constructed in phases, first phase should connect Corral Park to Los Hermanos Flores Park.
Medium	Second Trail Segment (2 miles)	\$ 1,030,000	III.4 pg. 70		✓	The location of the second trail segment should be vetted by the public to ensure support.

1. Excludes Dick Kleberg Park. Costs shown are at a pre-design level, and will vary as more detailed design occurs. Priority numbers and time frames are for planning guidance only, and not all items may be implemented in the sequence or time frame suggested. Costs ranges relating to land costs are general estimates intended to establish allowances, and will vary. Detailed appraisals should be conducted to determine specific land costs prior to acquisition. Grants and donations may reduce the cost of each item. All costs are shown in 2017 dollars.

## DICK KLEBERG PARK ACTION PLAN AND CAPITAL PRIORITIES

Capital improvement programming was separately developed for Dick Kleberg Park due to the scale of recommended improvements. Dick Kleberg Park is an important community asset providing significant recreation opportunities not found in the other City parks. Separating the list of projects for Dick Kleberg Park from the rest of the park system is intended to allow improvements to this single park property to be programmed concurrently with other system-wide needs. The goal is for improvements to the overall park system and Dick Kleberg Park to occur incrementally together over the time frame of this plan.

Similar to the projects identified in **Figure 5.2**, the capital priorities list for Dick Kleberg Park found in **Figure 5.3: Dick Kleberg Park Capital Improvement Priorities**, are intended to be included in future capital improvement plans. The capital improvement projects identified within the figure are described in more detail in **Chapter 4** (pages 86 and 87). Project prioritization generally corresponds with the phasing proposed on page 85 of the Dick Kleberg Park concept plan. The timing of construction for the development of shared-use trail/paths throughout the park however is a consideration that does not strictly adhere to the phasing of park development. The purpose of this deviation allows for these trail and path improvements to promote interconnectivity throughout the park regardless of the timing for other park renovations and upgrades. Nonetheless, these trails and paths are included in the cost estimate for each applicable park development phase.

**FIGURE 5.3: DICK KLEBERG PARK CAPITAL IMPROVEMENT PRIORITIES<sup>1</sup>**

Priority	Project	Cost	Action (pg. #)	Time Frame (Priority)		Notes
				Short-term (Year 1-5)	Long Term (Year 6-10)	
High	Phase 1A, Escondido Rd Improvements	\$ 935,000	VIII.1 pg. 86	✓		Includes entry monuments and 10' shared use path.
High	Phase 1A, Amenity and Picnic Area Redevelopment and Facility Additions	\$ 6,615,000	VIII.2 pg. 86	✓		Includes splash pad, play area, picnic shelters, dog park, etc. May include south bank land acquisition (cost not included).
High	Phase 1A, Expanded Soccer/ Expo Parking and Saddle Horn Plaza	\$ 2,333,000	VIII.3 pg. 87	✓		Implemented in conjunction with renovations to the J.K. Northway Exposition Center.
High	Phase 1B, 6th Street Entry	\$ 1,650,000	VIII.4 pg. 87	✓		May include south bank land acquisition (cost not included).
Medium	Phase 2, Youth Softball/ Baseball Field Renovations/ Reconstruction	\$ 7,270,000	VIII.5 pg. 87		✓	Softball fields will undergo renovations, while youth baseball fields will be relocated and reconstructed.
Medium	Phase 3, Hwy 77 Frontage Entry and Lariat Event Space Gathering/Festival Area	\$ 4,380,000	VIII.6 pg. 87		✓	To occur following or in conjunction with the corresponding frontage road additions to Hwy 77.
Low	Phase 4, Baseball, Football, Soccer Field Renovations/ Reconstruction	\$ 6,110,000	VIII.7 pg. 87		✓	Soccer fields will undergo renovations, while baseball and football fields will be relocated and reconstructed.
Low	Phase 5, Adult Softball Renovations	\$ 1,310,000	VIII.8 pg. 87		✓	Maintenance upgrades and improvements to this facility could extend the timing for the renovation of the adult softball fields.

<sup>1</sup>. Costs shown are at a pre-design level, and will vary as more detailed design occurs. Priority numbers and time frames are for planning guidance only, and not all items may be implemented in the sequence for time frame suggested. Costs ranges relating to land costs are general estimates intended to establish allowances, and will vary. Detailed appraisals should be conducted to determine specific land costs prior to acquisition. Grants and donations may reduce the cost of each item. All costs are shown in 2017 dollars.

## PARK FACILITIES/RECREATION PROGRAMMING PRIORITIZATION

The prioritization of park facilities/recreation programming is based on the public survey results, open house feedback, City staff direction, and input from public officials. The park facilities/recreation programming prioritization ranks the individual components that make up the park system. The purpose of this exercise is to highlight priority recreation, facility, and other park amenities offerings in need of system-wide improvements.

The utility of this prioritization is that it provides the City the flexible to be opportunistic with the development and build out of its parks within or outside the framework of the specific park projects and project phases identified in **Figures 5.2 and 5.3**. The prioritization ranking information is found in **Figure 5.4: Park Facilities/Recreation Programming Prioritization**.

**FIGURE 5.4: PARK FACILITIES/RECREATION PROGRAM PRIORITIZATION**

Priority Rank	Park Facilities/Recreation Programming
1	Shaded playgrounds
2	Park shelters and picnic areas
3	Shared use paths/trails
4	Covered multipurpose facility (for recreation and gatherings)
5	Improved athletic facilities
6	Spray pads/slash pads
7	Dog Parks
8	Skate Parks
9	Fishing areas
10	Natural areas

## FUNDING SOURCES AND STRATEGIES

Investment in Kingsville's park system will require the employment of various funding strategies to meet the facility and program needs identified in the Master Plan. While small improvements to existing parks can often be accomplished utilizing local funds, other park, open space, and large facility projects may be eligible for federal or state funding assistance.

This section provides brief descriptions of a few key (and common) funding implementation assistance opportunities. A comprehensive list of park and recreation funding opportunities is found in **Appendix B**.

### CITY GENERATED FUNDING SOURCES

General fund expenditures (i.e., non-capital expenditures) are primarily used for improvements or repairs to existing parks and facilities. Typical general fund expenditures are for smaller repair and replacement efforts.

### MUNICIPAL BONDS

Debt financing through the issuance of municipal bonds is the most common way to fund park and open space projects. This type of funding is a strategy wherein a city issues a bond, receives an immediate cash payment to finance projects, and must repay the bond with interest over a set period of time ranging from a few years to several decades. General obligation bonds – the most common form of municipal bond – are the primary bond type for park and open space projects.

### TAX INCREMENT FINANCING/PUBLIC IMPROVEMENT DISTRICTS

These related tools allow a development district to divert a portion of its property taxes to fund infrastructure improvements within its area. This can include plazas, pocket parks, linear parks, and other types of facilities.

### ELECTRIC UTILITY PARTNERSHIPS

This type of partnership can be established for the purpose of providing and enhancing linear parks and trails along utility easements. This partnership typically does not involve monetary contributions. However, through use agreements and/or easements, it makes land for trail corridors accessible at little or no cost to the community.

## PARK DEDICATION AND IMPROVEMENT FEES

For many cities, this funding received from developers is a very helpful revenue source for park land acquisition and/or development. The requirement for such a fee needs to be written into the City's municipal code through the inclusion of a park land dedication and development ordinance.

Although municipal park land dedication and development ordinances allow the City to require park land dedication, a municipality may opt to accept a cash amount in lieu of the conveyance of land. The goal is for the city to have the option to purchase land of an equal amount that was to be conveyed, elsewhere in the city.

## UTILITY BILL CONTRIBUTIONS

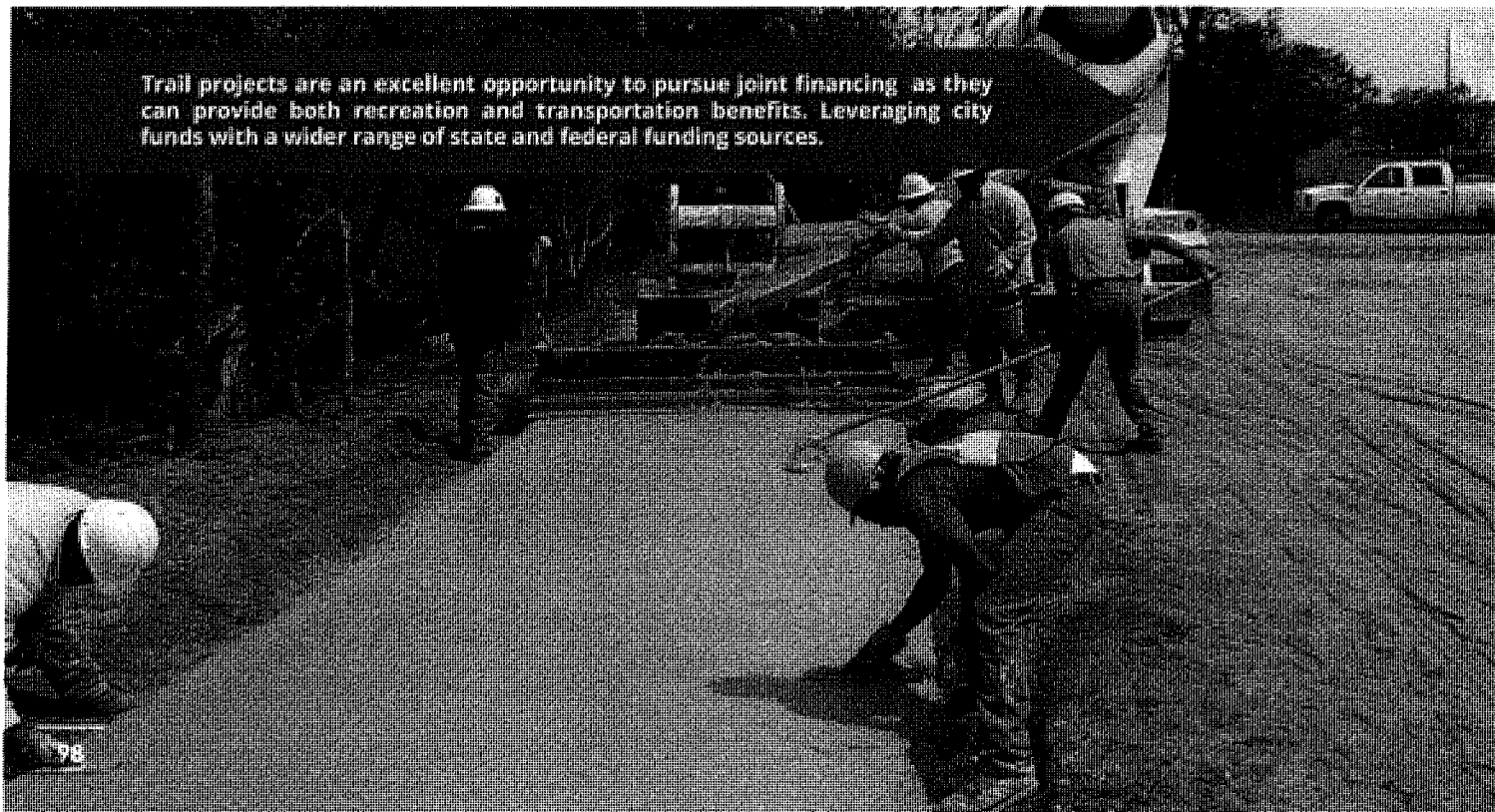
In many cities, residents are allowed to electively add a small amount to their utility collection bills to fund park improvements. As an example, the City of Colleyville has a Voluntary Park Fund, which allows citizens to donate \$2.00 per month contribution through their water utility bills. This results in approximately \$150,000 per year, which is used to fund park improvements throughout their community.

## KEY GRANT FUNDING SOURCES

Grants can provide a significant source of additional funding for parks, but should not be considered as the primary source for park construction.

- **Texas Parks and Wildlife Department.** Texas Recreation and Parks Account (TRPA) is the primary source for parks grants in Texas - including funding for recreational trails. Up to \$500,000 for new parks and trail facilities with a 50 percent match. Grant applications that stress joint funding and support from two (2) or more local entities may have a greater chance of contending for the TRPA grants. These grants are highly competitive, and in recent years there have been far fewer grants available or awarded due to state budget restrictions. When the grants are available, the deadlines to submit applications vary by grant type and range from February 1st for some to October 1st for most categories.
- **Land and Water Conservation Fund (LWCF).** This National Park Service fund is divided into two (2) funding categories: state grants and federal acquisition. The state grants are distributed to all 50 states, DC, and other territories based on factors such as population. State grant funds can be used for park development and for acquisition of park land or easements.

Trail projects are an excellent opportunity to pursue joint financing as they can provide both recreation and transportation benefits. Leveraging city funds with a wider range of state and federal funding sources.





- **Statewide Transportation Improvement Program.** This program provides monetary support for transportation activities designed to strengthen the cultural, aesthetic and environmental aspects of the transportation system. Typically, funds can be used for trails and streetscape related projects. Funding is on a cost reimbursement basis, and projects selected are eligible for reimbursement of up to 80 percent of allowable costs. This funding program is not available on a yearly basis, but intermittently only, often in two (2) to five (5) year periods. These funds, while difficult to work with, are becoming more responsible to real world costs, and should be seriously considered since they remain one of the few sources of outside funds.
- **Foundation and Company Grants.** Can assist in direct funding for projects, while others exist to help citizen efforts get established with small seed funds or technical and publicity assistance.

## PARK ADMINISTRATION, OPERATIONS, AND MAINTENANCE

Over the next few years the parks department will be developing clarity on for it administrative, operational, and maintenance requirements. The efficient use of man power will be instrumental in making the types of improvements to the quality of the parks residents are expecting. The provision of adequate staffing requirements for maintenance and operation must be considered as each facility is developed or the facility should not be built.

As the park system grows, additional resources should be provided to the Parks and Recreation Department. This includes new mowing and transport equipment, as well as park maintenance and operations staff, or comparable contracts to outside vendors for the provision of such services. Over the next 10 years, if and when new facilities are added, park maintenance and operations resources should grow at the same rate.

### SUSTAINABILITY APPROACH TO MAINTENANCE

Stewardship of the community's natural resources and recreation amenities is a key responsibility for the Parks and Recreation and this includes the conscientious management for the expenditure of tax dollars. According to the National Recreation and Park Association (NRPA), "Good stewardship requires management practices that protect and enhance the recreational, environmental, social and cultural values of public lands and natural and cultural resources in a manner that is cost-effective and sustainable for future generations."

Kingsville's role in the conservation of natural and recreation resources, while implementing "sustainability" in its approach to resource management, not only contributes to the health and welfare of its residents, but also reduces operations and maintenance costs, particularly for mowing and irrigation.

To provide the highest level of park and recreation facilities and amenities, while maintaining these facilities in the most cost-effective manner, it is recommended that the City implement a sustainability based approach to park development and maintenance. This approach can include:

- Follow the Neighborhood Park Development Principles (page 68) as a standard organizational approach when conducting park renovations. Park renovations will likely be done in phases, so creating a development plan will be essential to limiting negative impacts of the ad-hoc additions that clutter park property.
- Planting more trees in parks in mass plantings to create more shade, bird habitat, rainfall absorption and summer cooling effect. Reduce reliance on mesquite trees as a primary park system tree. This approach will encourage the "greening" of parks, while limiting the amount of long-term maintenance required to achieve attractive facilities.
- Planting native grasses and wild flowers in peripheral areas of parks and in park sites that are planned as natural or habitat areas. These areas will only need to be mowed once or twice per year, and rarely fertilized, reducing maintenance costs.
- Provide beds of native and drought tolerant ornamental shrubs and perennial plants for color in "high-impact" areas such as park entrances. These beds can be mulched with recycled "green waste" such as chipped branches and dead trees, and lawn clippings to help the soil retain moisture and reduce irrigation demand.
- Only irrigating those areas that are designated as "high intensity use" areas, such as playground and adjacent picnic areas and designated sports fields. This approach will conserve water and reduce costs by discouraging turf growth except in priority locations.

## PLAN ADMINISTRATION

The City of Kingsville is the primary implementing authority of the Master Plan. Nonetheless, a coordinated effort on part of the City and community leaders, such as citizens, elected and appointed officials, and outside agencies, is essential to the successful implementation of plan recommendations. In addition to necessary inter-departmental coordination, the City should partner with all local, state, and federal entities that can be of assistance in diversifying and improving Kingsville park system now and in the future. At a minimum, this partnering stakeholders include:

- Kingsville elected and appointed officials;
- City Administration and staff;
- Kleberg County;
- Texas Department of Transportation;
- Kingsville Independent School District (KISD);
- Adult and youth athletic leagues;
- Area land and business owners and the development community;
- Interested community volunteers and stakeholders; and
- Other affected agencies and entities.

## PLAN REVIEW AND AMENDMENT

A review and update of the Master Plan should be conducted on an annual basis, or when significant changes occur. These updates may be published in a short report format and attached to this Master Plan for easy use. Four (4) key focus areas subject to periodic review may include:

- **Facility Inventory.** An inventory of new or updated City-owned facilities should be recorded. This inventory should also mention any significant changes or improvements to the City's park land, changes in partnerships with other public entities, or major private facilities that could influence recreation in Kingsville.
- **Public Involvement.** This Master Plan reflects the attitudes expressed by Kingsville's current residents. Over time however, attitudes and interests may vary as the City changes. Periodic surveys are recommended to provide an ongoing account of citizen attitudes, and to provide additional direction from the public on issues that may arise. In order to make an accurate comparison of the changes in attitudes, it is recommended that future surveys include similar questions to those included in this Master Plan.
- **Facility Use and Program Participation.** Facility use is a key factor in determining the need for additional facilities. Likewise, measures of program participation will assist Kingsville in determining how to adjust its recreational program and event offerings over time to best meet latent community demand. The City should compile "recreation and facility annual activity reports" and use the results to modify Master Plan recommendations as needed.
- **Implementation Program.** As items from the Action Plan and Capital Priorities lists (**Figures 5.1 through 5.3**) are implemented, updates should be made to each to maintain an up-to-date work program for City staff, and elected and appointed officials.

A long-term vision for the City, which includes a 10-year strategy of prioritized implementation actions, was established through a robust public engagement process. If implemented, the City will achieve its envisioned future. Implementation by priority ensures that the City is responding incrementally to the community's needs and desires. This, however, does not mean that this plan will serve every need and desire of the community for the entirety of the next 10 years. On the contrary, it is designed to specify guidance for implementation actions prioritized in the near- and mid-term future. In this regard, the following recommendations are intended to keep this plan current and up to date:

- **Annual Progress Report and Update.** Prior to the start of the annual budget process, City staff should prepare and present an annual progress report on the status of the actions identified in the Implementation Action Plan. In addition, they should work with elected and appointed officials to determine which recommendations should move up in prioritization.
- **Five-Year Update.** While not required by the Texas Parks and Wildlife Department (TPWD) to remain eligible for grant funding, undertaking an official plan update every five years helps the City to remain competitive in a very competitive grant process as TPWD places a higher point value (during grant funding evaluation) on submittals that demonstrate a plan update has been done within the past five years. Plan updates can be published in short report format and attached to this Parks, Recreation, and Open Master Plan for easy use.

## CITY COMMISSION

Although the City staff will be responsible for the oversight of this Master Plan, it is not the organization responsible for establishing municipal park and recreation policy. Parks Master Plan administration and implementation decisions must reflect the ongoing direction of the City Commission and advisory boards. This section affirms the roles of key City boards and commissions in ensuring that the Master Plan - including future amendments and implementation actions - remains the principal guide influencing City park system development. The City Commission will be instrumental in pursuing and establishing terms for any partnerships with the local school district or private entities. As this plan calls for the utilization of these partnerships to help meet the community's recreation needs, keeping the City Commission continually engaged in plan implementation is a foundation to the overall plan success.

## PLANNING & ZONING COMMISSION

The purposes and duties of the Kingsville Planning and Zoning Commission are established in city charter and city code. Included in the Commission's powers is the review and oversight of a city comprehensive plan. Continual coordination between the Planning and Zoning Commission and the City Commission to ensure that any future comprehensive planning efforts related to park, recreation, and open space are consistent with the Parks Master Plan.

The Planning and Zoning Commission's role in administering the City's subdivision regulations and zoning ordinance also requires that it coordinate closely with the City Commission and City staff when recommending the adoption of, or amendments to, municipal park land dedication ordinance, and other related provisions of the City's various land development ordinances.

## POLICIES & ORDINANCES

In addition to capital projects, municipal land use and development ordinances are an important tool for acquiring park land, trail corridors, and recreational amenities (both public and private). **Chapter 4** recommends adoption of park land dedication requirements and general land development regulations to better implement the Master Plan recommendations. In addition to these specific actions, continual monitoring of municipal ordinances will ensure that they remain relevant in meeting community park and recreation goals over the long term as development and redevelopment occurs.

## PARKS AND RECREATION BOARD

The City of Kingsville does not have a Parks and Recreation Board to monitor and advise City administration and City Commission on the planning, administration, and operations of the City's park system. Kingsville's current organizational size and park system demands at this time does not currently require the additional level of oversight that a qualified parks and recreation board could provide municipal authorities. Still, Kingsville should consider the possible appointment of a parks and recreation board in the future however (even within the planning horizon of this Master Plan), if park system assets and administration capacities grow to a point that further community representation in system management is necessary.



A Parks and Recreation Board may provide valuable park system oversight in the future.

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## **AGENDA ITEM #3**



**City of Kingsville  
Planning Department**

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**TO:** Mayor and City Commissioners  
**CC:** Jesus A. Garza, City Manager  
**FROM:** Cynthia Martin, Downtown Manager  
**DATE:** September 20, 2017  
**SUBJECT:** Acceptance of Union Pacific Foundation Grant

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**Summary:** The City of Kingsville has received a Union Pacific Foundation grant in the amount of \$4,000. It is requested that the City Commission accept this grant.

**Background:** Union Pacific Foundation is the philanthropic arm of Union Pacific Railroad. Union Pacific believes that the quality of life in the communities in which its employees live and work is an integral part of its own success. To that end, the foundation awards numerous small grants annually to these communities. The Foundation has approved the City to use the grant funds for the construction of a shade structure over the historic Fairmont Crew Cab currently on display behind the 1904 Kingsville Train Depot Museum.

**Financial Impact:** None.

**Recommendation:** It is recommended that the City Commission accept this grant funding.



**ORDINANCE NO. 2017-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO ACCEPT AND EXPEND A GRANT FROM THE UNION PACIFIC FOUNDATION FOR THE TRAIN DEPOT PROJECT.**

**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 2017-2018 budget be amended as follows:

**CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT**

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 002 Tourism Fund</b>					
<b>Revenue</b>					
4-1071		Grant-Union Pacific	72036	<u>\$4,000</u>	
<b>Expenses</b>					
5-1071		Grounds & Perm Fixtures	59100	<u>\$4,000</u>	

[To amend the City of Kingsville FY 17-18 Budget to include a \$4,000 grant from the Union Pacific Foundation for the train depot project as per the attached memo from the Downtown Manager.]

II.

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

III.

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

IV.

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

**INTRODUCED** on this the 25<sup>th</sup> day of September, 2017.

**PASSED AND APPROVED** on this the \_\_\_\_ day of October, 2017.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #4**

**City of Kingsville  
Engineering/Public Works**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Sharam Santillan, Capital Improvements Manager

DATE: October 9, 2017

SUBJECT: Resolution designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program Contract Number 7215270.

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**Summary:**

This item is to consider a resolution authorizing the Capital Improvements Manager as a new authorized signatory for the City of Kingsville regarding TxCDBG Contract No. 7215270 Armstrong Waterline Improvements Project.

**Background:**

Because of the absence of a City Engineer the Capital Improvements Manager is now responsible for the oversight of this project. In order for the Texas Department of Agriculture to accept his signature for any contractual documents including payment requests he must be authorized by a Commission approved resolution.

**Financial Impact:**

No financial impact.

**Recommendation:**

City staff recommends that this resolution be passed and approved.





**RESOLUTION # 2017-\_\_\_\_\_**

**A RESOLUTION BY THE CITY OF KINGSVILLE, TEXAS DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) CONTRACT NUMBER 7215270.**

**WHEREAS**, the City of Kingsville has received a 2015 Texas Community Development Block Grant (TxCDBG) award to provide Water Improvements; and

**WHEREAS**, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture, and;

**WHEREAS**, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution, and;

**WHEREAS**, the City of Kingsville acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form (Form A202)*;

**WHEREAS**, the City desires to add the City's Capital Improvements Manager to the list of positions authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2015 Texas Community Development Block Grant Program.

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

I.

**THAT** the Mayor and City Manager be authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2015 Texas Community Development Block Grant Program.

II.

**THAT** the Mayor, City Manager, City Engineer, and Capital Improvements Manager be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2015 Texas Community Development Block Grant Program.

III.

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

**PASSED AND APPROVED** by a majority vote of the City Commission of the City of Kingsville, Texas on the   9th   day of October, 2017.

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Sam Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

# **REGULAR AGENDA**

# **AGENDA ITEM #5**

**For condemnation  
information regarding  
623 E. Alice, see  
public hearing #1**



## **AGENDA ITEM #6**

**For condemnation  
information regarding  
226 E. Alice, see  
public hearing #2**

## **AGENDA ITEM #7**

**For condemnation  
information regarding  
623 W. Huisache St., see  
public hearing #3**

## **AGENDA ITEM #8**



**City of Kingsville  
Purchasing Department**

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TO: Mayor and City Commissioners  
CC: Jesus A. Garza, City Manager  
FROM: Charlie Sosa Purchasing Manager  
DATE: September 28, 2017  
SUBJECT: Financial Advisor Services

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**Summary:**

This item authorizes the City to negotiate a contract with Estrada Hinojosa, for Financial Advisor services for the City of Kingsville.

**Background:**

We published a Request for Qualifications #17-14 in the newspaper on May 17, 2017 and May 24, 2017. Responses were accepted until 2:00 PM on June 13, 2017. Three responses were received from First Southwest a division of Hilltop Securities Inc. of San Antonio, TX.; Estrada Hinojosa Investment Bankers of Dallas, TX.; and Cullen/Frost Bankers of San Antonio, TX. Staff reviewed the responses received and found the information received to be responsive. The Financial Advisor Evaluation Committee reviewed qualifications and interviewed the three firms. The firms were scored based on a point evaluation system. Based on the scoring by the Committee, the highest ranked firm was Estrada Hinojosa, then First Southwest, and then Frost Bank. As Estrada Hinojosa was be the highest scoring firm and determined to be the most highly qualified provider based on demonstrated competence and qualifications, the Financial Advisor Committee recommends them for the City of Kingsville Financial Advisor Services. The Financial Advisor Evaluation Committee consisted of Commissioner Arturo Pecos, Jesus Garza, Courtney Alvarez, and Deborah Balli.

**Financial Impact:**

None at this time.

**Recommendation:**

It is recommended that the City Commission: 1) award the financial advisor services RFQ to Estrada Hinojosa and 2) authorizes staff to negotiate a contract with Estrada Hinojosa Investment Bankers, 1717 Main Street Ste. 470,0 Dallas, Texas for Financial Advisor Services for the City of Kingsville. This item authorizes the award and to negotiate a contract that will be brought back to the City Commission for approval at a future meeting.



# ATTRIBUTE DESCRIPTION

		# Points	Hilltop	Estrada	Frost
1	Experience, both general and with financial advisory services of this type in municipalities	45	165	170	155
2	Quality of past work - examples and references	45	170	170	155
3	Ability, capacity, skill, and organization of the respondent to complete the project	30	105	120	105
4	Quality of proposal and presentation materials	30	120	120	115
5	The character, integrity, reputation, experience, location and efficiency of the respondent	45	165	180	160
6	The sufficiency of the financial resources and ability of the respondent to perform the services	30	120	135	120
7	Cost of services	30	120	120	115
8	General Impresssion from oral presentation and interview	45	155	180	155
Total Score - Attrubutes 1 thru 8		300	1,120	1,195	1,080

# Evaluators 4

# Points per Evaluator

## **AGENDA ITEM #9**

**City of Kingsville**  
**City-County Health Department**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Emilio H. Garcia, Health Director

DATE: September 21, 2017

SUBJECT: Mobile Food Unit Ordinance

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**Summary:**

In recent years, the popularity in Mobile Food Units has been on the rise in Texas. The City of Kingsville adopted Texas Food Establishment Rule (TFER) in 2015, which has been our guide in regulating Mobile Food Units operating within the city limits. These guides are very basic in nature to mobile food units (minimum requirements). There is a need for a more comprehensive Mobile Food Unit Ordinance in our city. This new Mobile Food Unit Ordinance will address the different types of Mobile Food Units and their definitions, permit requirements, operation requirements and restrictions, sanitation requirements, operations requirements, site development standards, and restrictions for mobile food courts.

**Background:**

The City-County Board of Health meet on Thursday, September 21, 2017 for their regular Bi-monthly meeting. On their agenda was an item to discuss and to approve the Mobile Food Unit Ordinance, which they did that date.

**Financial Impact:**

None.

**Recommendation:**

Health Department Staff and City-County Health Board Members recommend approving the new Mobile Food Unit Ordinance to better protect the health and safety of the community.



**City of Kingsville**  
**Department of Planning and Development services**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: September 27, 2017

SUBJECT: Ordinance amendment concerning Chapter XI, Article 7, Food Sales and Food Establishment, Sections 17 and 99, Section 20 to 25 to be added

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**Summary:** This is an ordinance amendment that Emilio Garcia Director of Health, Courtney Alvarez, City Attorney and I have put together due to the increase in the popularity of food trucks. We have put together an ordinance that covers all aspects of this issue. We have reviewed other ordinances from cities to get ideas and language.

**Background:** Because of the increase in popularity of food trucks, it was determined that an ordinance or an amendment to what we have was needed since the only language that we had covered the health aspect of the function. This amendment also covers land use aspects, standards for a mobile food court and the appropriate changes that would occur in Appendix A (Land Use Category) where a Mobile Food Vendor or a Mobile Food Court can be located either permitted or by a special permit review. At this time it has been suggested that the process for the special permit review be an internal one with no cost to the applicant. The following bodies have vetted this draft, Main St. Advisory Board, Planning and Zoning Commission and the Health Department Advisory Board. A primary concern of the Main St. Advisory Board was the charge for an event like Ranch Hand Festival. The charge for a permit would be \$20.00 dollars which seems to be okay with them. The main concern of the Planning and Zoning Commission was the language that allows mobile food vendors to become quasi permanent. Their opinion is that they should be mobile and stay mobile. Language that allows or inclines the mobile food vendor to be permanent is recommended from the Planning and Zoning Commission to be deleted in the final draft. Their thought is that the permanent allowance would make them like a restaurant which they feel is an unfair advantage. Their intent is for the customer to get their food and leave. They do not want tables or restrooms available to the customers.



**City of Kingsville**  
**Department of Planning and Development services**

**Financial Impact:** The impact is hard to determine. The goal with the amendment is to allow mobile food vendors and mobile food courts to exist with a set of standards that can provide a healthy food option to the customers and that would be compatible to the surrounding land uses.

**Recommendation:** The Planning and Zoning Commission will review the attached draft, Wednesday, October 4th. It is also being recommended that the special permit review will be an internal process to make it more business friendly for the applicant and speed up the time for a decision to be made.





**-Application Checklist for Special Use Permit (Mobile Food Vendor and Mobile Food Court)**

The following must be submitted to the Director of Planning and Development; otherwise the application will be deemed incomplete and may result in unnecessary delays

1. The applicant must provide 3 11 x 17 copies of the site plan
2. Site Plan should comply with all of the requirements of ordinance 11-7-25
3. In addition the site plan should specifically contain the following:
  - A. Boundaries of the property
  - B. The location of the mobile food vendors in the mobile food court
  - C. What kind of surface will the mobile food court have
  - D. Number of parking spaces
  - E. Hours of operation
  - F. Access Drives to location, including width and location of drives
  - G. Location of restroom facilities and detail of sewer and water connection
  - H. Location of backflow preventer
  - I. Location of seating area
  - J. Dates that are being considered for the special use permit
  - K. If dates are not consecutive a special use permit will be needed to be submitted for each event
4. Special use permits are required in districts which involve this use in the areas designated in Appendix A
5. Special uses are conditional upon a demonstration of conditions and facts by the applicant that a special use is appropriate to the site
6. The Director of Planning and Development Services shall evaluate and determine whether the permit will be approved according to the ordinance

Land Use Type	R1	R2	R3	R4	C1	C2	C3	C4	I1	I2	MH	AG
Mobile Food Vendor			S <sup>3</sup>	S <sup>3</sup>	P	P	S <sup>3</sup>	P	P	P	P	P
Mobile Food Court			S <sup>3</sup>	S <sup>3</sup>	P	P	S <sup>3</sup>	P	P	P	P	P

	R1	R2	R3	R4	HH	C1	C2	C3	C4	S1	S2	AS
Dairy												P
Ranch												P
Beekeeping, commercial												P
Crop production for sale												P
Orchard for home use	P	P	P	P	P	P	P	P	P	P	P	P
Orchard, commercial	S	S	S	S								P
Keeping animals or fowl commonly used for food fiber production or as beasts of burden												P
Keeping dogs, cats, fish, or exotic caged birds (kennel excluded)	P	P	P	P	P	P	S	P	P	P	P	P
Farmers market, vegetable (fresh) stand, produce sales							S	P	P			P
Domestic animal racetrack exhibit area, training ground, and the like												P

<sup>1</sup>Hardship must be demonstrated due to age, infirmity, or death of a family member. Permit is limited to one year. Permit may be renewed by demonstrating continued hardship. The mobile home or travel trailer must be removed within 90 days of the expiration of the permit. This special use permit does not include or allow for a manufactured home for use as a sales office or any type of commercial use.

<sup>2</sup>Area developments allowed in zones, where noted.

<sup>3</sup> The Special Use process designated in the land use categories for a Mobile Food Vendor, Mobile Food Court will be an internal review conducted by the Director of Planning and Development.

(Ord. 84009, passed 6-18-84; Ord. 87009, passed 4-27-87; Ord. 89048, passed 11-27-89; Ord. 2001-15, passed 8-13-01; Ord. 2003-11, passed 5-12-03; Ord. 2006-33, passed 7-10-06; Ord. 2009-12, § 1, passed 5-18-09; Ord. 2010-34, passed 9-27-2010; Ord. 2011-07, passed 2-28-2011, eff. 3-16-2011; Ord. 2014-28, § 1, passed 4-23-2014)

**ORDINANCE # 2017-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XI, ARTICLE 7, FOOD SALES AND FOOD ESTABLISHMENTS, SECTIONS 17 & 99 ON PERMIT PROVISIONS AND PENALTY BE MODIFIED AND SECTIONS 20-25 BE ADDED TO PROVIDE FOR MOBILE FOOD UNIT, MOBILE FOOD ESTABLISHMENT, AND PUSH CART REGULATIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City-County Health Board held a duly posted public meeting on September 21, 2017 and voted to approve the recommend changes to Section 11-7-17 and the addition of Sections 11-7-20 through 11-7-25 to regulate mobile food unit, mobile food establishments and push carts;

**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 11-7-17 of Article 7: Food Sales and Food Establishments of Chapter XI, Business Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows and that Sections 11-7-20 through 11-7-25 of Article 7: Food Sales and Food Establishments of Chapter XI, Business Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be added to read as follows:

**ARTICLE 7: FOOD SALES AND FOOD ESTABLISHMENTS**

**§ 11-7-17 PERMIT PROVISIONS.**

(A) It shall be unlawful for any person to operate a food service establishment, temporary food service, food processing establishment, mobile food unit, mobile food establishment, push cart, seafood peddler, and retail food store in the city who does not possess a current, valid permit from the city. Such permit shall be posted in a conspicuous place, and only persons who comply with the requirements of this subarticle shall be entitled to receive and retain such a permit. Permit provisions for mobile food unit, mobile food establishment, and push carts can be found in § 11-7-20.

(B) Such permit may be temporarily suspended or revoked by the Health Director or Inspector upon the violation by the holder of any of the terms of this subarticle.

(1) *Fees.* Each person required to secure a permit under this subarticle shall,

before issuance of any permit, pay to the city the sum herein provided as an inspection and permit fee according to the following schedule:

	Permits expiring prior to 12/31/15	Permits expiring on or after 12/31/15
Food service establishments	\$100	\$150
<del>Mobile units</del>	<del>\$100</del>	<del>\$125</del>
Retail food stores	\$100	\$150
Temporary food establishments	\$25	\$30
Temporary food event (non-profit)		\$20
Late fee	\$25	\$50
Seafood peddler	\$100	\$125
Produce peddler		\$125

(2) *Expiration and renewal.*

(a) Permits issued for food establishments, ~~mobile units~~, retail food stores, shall automatically expire on the 31st day of December next following its issuance, except as otherwise stated herein. Such permit shall also automatically expire if the holder thereof changes the location of his place of business, sells, transfer equity, or otherwise disposed of such business or materially changes the character of such business.

(b) Upon the expiration of a permit, and within 30 days thereafter, the person conducting the business shall obtain a renewal thereof in the same manner as an original permit, if he wishes to continue operating the business. Failure by an establishment to pay this fee within 30 days will require such establishment to pay an additional \$25 late fee.

(c) Temporary food establishment permits shall be issued only for 14 days or less in conjunction with a single event or celebration.

(3) *Re-inspection Fee.* If a food establishment, ~~mobile unit~~, or retail food store fails an inspection by the Health Department, then a \$50 re-inspection fee shall be paid for each re-inspection by Health Department personnel.

Penalty, see § 11-7-99

...

## **MOBILE FOOD UNIT, MOBILE FOOD ESTABLISHMENTS AND PUSH CART**

### **§ 11-7-20 DEFINITIONS.**

- (A) Edible goods may include, but are not limited to:
  - a. Prepackaged food including, but not limited to, candy, beverages, and ice cream.
  - b. Prepared food including, but not limited to, hot dogs, desserts, Bar-B-Que, and hamburgers.
  - c. On-site prepared food including, but not limited to, shaved ice, sandwiches, and tacos.
- (B) Mobile food court shall mean a parcel of land where two or more mobile food vendors congregate to offer food or beverages for sale to the public as the principal use of the land. This definition shall not be interpreted to include a congregation of mobile food vendors as a secondary use, accessory use, and/or temporary use (less than 30 days).
- (C) Mobile food units (MFU) are a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily movable (including, but not limited to catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food.
- (D) Mobile food vendors shall mean any business which sells edible goods from a non-stationary location within the city. The terms shall include, but not be limited to:
  - a. Mobile food trucks: a self-contained motorized unit selling items defined as edible goods.
  - b. Concession trailers: a vending unit which is pulled by a motorized unit and has no power to move on its own.
  - c. Hand push carts: a vending unit which is pushed by an individual(s) and has no power to move on its own.
  - d. Mobile food establishment: a self-contained motorized unit or a unit which is pulled by a motorized unit, which is stationary at a location for more than six (6) months. Must comply with all Plumbing, Electrical, Fire, and Health Department codes of the City of Kingsville, Texas.
- (E) Non-refrigerated shall mean edible goods that are not required to be kept at a temperature below 41 degrees Fahrenheit according to the Federal Food and Drug Administration and the Texas Food Establishment Rules.

### **§ 11-7-21 PERMIT REQUIREMENTS.**

- (A) No person shall operate in the city a mobile food unit, mobile food establishment, or a push cart who does not possess a valid, current mobile food unit permit or mobile food establishment permit or a push cart permit from the Health Department as provided in this article. The permit for a mobile food unit, establishment, and push cart shall specify the type of food to be vended, the manner in which the food is to be vended, and include a description of any vehicle to be used in the food vending operation.



(B) A person seeking a mobile food unit, establishment, and/or pushcart permit from the Health Department shall make application on a form provided by the Health Department, and shall provide all the information listed in subsections (1) - (11) as part of the application:

- (1) The name and address of the owner and/or operator;
- (2) A copy of a government issued identification of the applicant;
- (3) If the applicant represents a corporation, association, or partnership, the names and addresses of the officers or partners of said entity;
- (4) The name under which the food vending operation will be operated;
- (5) A description of the type of food or the specific foods to be vended; by way of example: prepackaged or unpackaged non-time/temperature controlled safety foods, prepackaged time/temperature controlled safety foods, and openly handled time/temperature controlled safety foods;
- (6) The manner of mobile food vending operation to be conducted; by way of example: truck, trailer, and pushcart, etc.;
- (7) A description of any vehicle to be used in the mobile food vending operation along with the license or registration and vehicle identification number of any vehicle licensed or registered with the state;
- (8) If the person seeking a mobile food permit from the Health Department will be vending frozen or refrigerated confections, including but not limited to ice cream cones, frozen ice cream novelties, raspas, or paletas directly to consumers on a public street, sidewalk, or right-of-way, or will travel with the person's mobile food establishment on a public street, sidewalk, or right-of-way to or from a location where the person vends, then the person shall provide, as part of the application to the Health Director, a written statement from the Kingsville Police Department certifying that the person seeking a mobile food establishment's permit is not a sex offender registered with the State Department of Public Safety and that the records reviewed by the Police Department indicate that the person seeking a mobile food establishment permit has not been convicted of any sexual offense or any offense against a child as defined by applicable law. The basic requirements for submitting requests for criminal backgrounds of persons engaged in mobile food vending are specific in hereto on file in the office of the Health Department.
- (9) All mobile food units, mobile food establishments, or push carts, shall have at least one individual who has a Food Manager Certification and all other staff shall possess a Food Handlers Card from an approved State of Texas approved course.
- (10) Any other information reasonably required by the Health Department.
- (11) Insurance Requirements:
  - (a) Proof of a general comprehensive business liability insurance policy, issued by an insurance company authorized to do business in the State of Texas, protecting and indemnifying the applicant and the City from all claims for damages to property and for bodily injury, including death, which may arise from operation under or in connection with the requested permitted activity. Such insurance shall name the City of Kingsville, Texas as an additional insured, shall provide that no termination or cancellation will be effective without prior written notice to the City, and shall provide liability protection in the following minimum

amounts: \$100,000 per person, \$150,000 per aggregate, and \$50,000 for property damage.

(b) In addition to the above insurance requirements, all mobile food units which are self-contained motorized units shall also be required to obtain automobile liability insurance in accordance with state law, shall provide proof of an auto liability insurance policy, issued by an insurance company authorized to do business in the State of Texas with protection in the minimum amounts required by law. Additionally, if operation on City property or a City-sponsored event such insurance shall name the City of Kingsville as an additional insured, and shall provide that no termination or cancellation will be effective without prior notice to the City.

(C) Upon receiving a proper application for a mobile food unit permit, mobile food establishment, or push cart permit, the Health Department Inspector(s) or Director shall make appropriate inspections of the location, food, equipment, vehicles, and other reasonable inspections concerned with the mobile food unit or mobile food establishment and/or push cart operations and shall issue a permit only if:

(1) The inspection reveals compliance with the applicable requirements of all federal and state statutes and regulations, and all city ordinances governing the proposed mobile food unit, mobile food establishment, or pushcart operation.

(D) Mobile food unit and mobile food establishment and push cart fees shall be as follows:

(1) A permit for the sale of pre-packaged or time/temperature controlled safety foods by peddling from a pushcart, or from a mobile unit and/or a trailer shall be one hundred seventy-five dollars (\$175.00) per calendar year per pushcart, mobile unit or trailer.

(E) All funds collected for permits under the provisions of this article shall be deposited in the general fund of the city.

(F) The valid permit shall be displayed by a mobile food establishment:

(1) On an enclosed trailer on the outside of the unit next to the servicing window so that it is not obscured when the serving window is closed for travel;

(2) At the top right-hand corner on the front of a pushcart, used in connection with the mobile food vending operation.

(G) Mobile food unit, push cart, and mobile food establishment permits shall be valid for only one calendar year from the date of issuance unless sooner suspended or revoked.

(H) Mobile food unit, push cart, and mobile food establishment permits shall not be transferred or assigned and shall be considered suspended should the character of the food vending operation be changed from that specified in the permit.

(I) Every mobile food establishment permit shall be renewed each year in like manner as the original permit application and shall be inspected upon renewal of permit.

(J) The Health Department Inspector(s) or Director shall make routine, unannounced inspections of mobile food unit, mobile food establishments, and/or push carts, to determine whether the vending operation is being conducted in such a manner as to comply with the conditions of the permit, the provisions of this article, other applicable city ordinances and state and federal statutes, regulations and rules.

(K) It is the responsibility of the mobile food establishment permit holder and/or the operator to ensure compliance with this article. Violations of this article shall result in the immediate suspension or revocation of the permit.

## **§ 11-7-22 OPERATION REQUIREMENTS AND RESTRICTIONS.**

(A) Mobile food establishments are subject to the following requirements and restrictions unless specifically addressed otherwise:

(1) It shall be unlawful for a mobile food unit, mobile food establishment, or a push cart vendor to sell any time/temperature controlled safety foods within the city. It shall be unlawful for any food vendor to sell from a stand or other temporary structure located upon any public street, sidewalk, right-of-way, or other adjacent public or private area without a permit as required under this chapter.

(2) It shall be unlawful for the operator of a mobile food unit, mobile food establishment, or a push cart to remove the food from the mobile food unit to vend from a stand, or other permanent or temporary structure located upon any public street, sidewalk, right-of-way, or other adjacent public or private area without a permit as required by this chapter.

(3) It shall be unlawful to operate a mobile food establishment on streets where a traffic hazard is created.

(4) A mobile food unit, mobile food establishment, or push cart vendor may not operate in parks in the City without first obtaining permission from the Parks Director or his/her designee and meeting their requirements, as well as complying with this ordinance.

(5) Mobile food units, mobile food establishments, or push cart vendors may not stop to sell in a public street, right-of-way, or City owned property.

(6) Mobile food units, mobile food establishments, or push cart vendors may be temporarily stopped on private property if: (1) that property is properly zoned, (2) they have written notarized permission of the property owner to be on the property for that purpose, and (3) the mobile food establishment has access to approved flush type toilet facilities, connected to an approved type sewage system on the private commercial property. Mobile food establishments must be parked on a paved surface and in clean surroundings.

(7) Food vendors shall comply with this Code as well as with state and federal law and regulations and nothing in this article shall exempt a food vendor from zoning ordinances.

(8) No person shall operate a mobile food unit, mobile food establishment, or push cart within three hundred (300) feet of the property line of any public or private

elementary, middle, or high school grounds one hour before, during, and one hour after school hours.

(9) Reserved.

(10) It shall be unlawful to operate a mobile food unit, mobile food establishment, or a push cart in the downtown business district with the exception of vendors who have obtained a special permit from the City Planning and Economic Development Department, or its successor City department, in addition to having all required valid mobile food establishment permit(s). The City Manager or his/her designee shall have authority to establish policies and procedures governing the issuances and regulation of the special permit for mobile food establishments in the downtown business district to include distance requirements from schools and food establishments and access to restroom facilities.

(11) The total noise level of any mobile food establishment shall be minimal. The mobile food establishment shall turn off all music and recorded messages while stationary, except when stopped at a controlled intersection.

(12) It shall be unlawful for a person who has obtained a mobile food establishment permit pursuant to and to whom this article applies, to hire or allow a food vendor or food handler to vend on a public street, sidewalk, or right-of-way, or to travel with a mobile food establishment on a public street, sidewalk, or right-of-way to or from a location where the food vendor or food handler will vend.

(13) Mobile units must completely retain their mobility at all times (no flat tires or missing tires). A mobile food unit does not mean a stand or a booth. Mobile food units that do not comply with this section are subject to having their permit revoked.

(14) Mobile Food Units and Mobile Food Establishments will require an extinguishing vent hood and/or a fire suppression system if frying and/or cooking with an open flame. All mobile food units will be required to have an inspection and a permit from the City of Kingsville Fire Department. Contact the City Fire Department with questions.

(15) A tagged fire extinguisher shall be kept accessible as directed by the City Fire Marshall or his designee.

(16) Mobile Food Units and Mobile Food Establishments may not be in a stationary location for more than 6 months at a fixed location. If the MFU wishes to do so, it shall comply with all Plumbing, Electrical, Fire and Health Department codes of the City of Kingsville, Texas.

(17) No Mobile Food Vendor shall operate within fifty (50) feet of the property line of another property.

(18) Mobile Food Units may not have a drive through.

(19) Mobile Food Vendors may not be allowed to have multiple units at a location within an 8-hour day, unless in an established Mobile Food Court.

(20) A five-foot clear space must be maintained around the mobile food vending unit at all times during operations.

## **§ 11-7-23 SANITATION REQUIREMENTS, GENERALLY.**

Mobile food establishments shall comply with the following requirements. These requirements pertain to all mobile food establishments unless specifically addressed otherwise:

(1) Mobile food establishments shall comply with all sanitation and construction regulations as outlined in the Texas Administrative Code (TAC) § 229.169 of the Texas Food Establishment Rules as adopted in this chapter unless specifically addressed in this section.

(2) Mobile food establishments that dispense snow cones/shaved ice/raspas, shrimp, fish, shellfish, or crustacea shall provide a gravity fed hand washing system and/or 3 compartment sink, and a hand washing sink, soap, and paper towels.

(3) Liquid waste resulting from any mobile vending operation shall be stored in permanently installed retention tanks of at least fifteen (15) percent larger capacity than the water supply tank and shall be drained and thoroughly flushed during servicing operations. All liquid waste shall be discharged to an approved sanitary sewage disposal system at the central preparation facility or servicing area.

(4) All food that requires packaging or preparation by the vendor shall be processed in the central preparation facility that is required as a support facility for a mobile food establishment.

(5) Mobile food establishments dispensing snow cones/shaved ice/raspas shall be designed to enable the operator of the unit to protect the equipment, syrup, ice and utensils used in the operation of the unit from dust, insects, and rodents while the unit is in transit or overnight storage.

(6) Mobile food establishments shall provide waste containers for customers at such times when the unit is parked.

(7) All water and gas distribution pipes or tubing shall be constructed and installed in accordance with public health, fire department, and plumbing standards as set out by the ordinances of the city. The water for said operations shall be from an approved source. Every calendar week, mobile food establishments shall check chlorination of its water supply. Every calendar month, mobile food establishments shall sanitize water tanks. Records of all such test results and sanitization shall be made available to the department upon inspection.

(8) A water heating device must be commercially standard with substantial water pressure and be of no less than six (6) gallons, or an instantaneous water heater, capable of producing one hundred ten (110) degrees Fahrenheit hot water during the entire time of operation shall be provided in the mobile food establishment.

(9) All food service operations shall be carried on from within the mobile food establishment.

(10) Any additional equipment or the arrangement thereof other than approved when the permit was issued shall be prohibited unless approved in advance by the Health Director.

#### **§ 11-7-24 SPECIAL REQUIREMENTS FOR UNITS WHICH ARE HAND PUSHED.**

In addition to the requirements described in § 11-7-23, the following requirements shall be met by mobile food establishments of perishable foods and potentially hazardous foods from a hand pushed mobile food establishment; except that snow cones/shaved ice/raspas, produce, prepackaged novelty ice cream and prepackaged nonperishable food vendors are exempt from the provisions of subsections (6), (7), and (8).

(1) All equipment utilized in the mobile food establishment shall have prior approval of the Health Director.

(2) Snow cones/shaved ice/raspa vendors shall provide a gravity fed hand washing station. Soap and paper towels are to be provided. Waste water from handwashing is to be collected in a sealable container and disposed of in a sanitary sewer.

(3) Any additional equipment or the arrangement thereof other than approved when the permit was issued shall be prohibited unless approved in advance by the Health Director.

(4) The mobile food establishment shall be located in clean surroundings, on a paved surface or equally impervious ground, and maintained in a clean and sanitary condition.

(5) A push cart vendor shall be prohibited from operating on the public streets.

(6) Hand pushed mobile food establishments openly handling time/temperature control for safety foods and drink shall be equipped with a three-compartment sink, a separate handwashing sink, soap and paper towels, and provided with an adequate amount of hot and cold running water. The sink, potable water holding tanks, and waste water holding tank shall be installed and operated in accordance with the city Planning Department's plumbing regulations.

(7) Facilities to heat water and potentially hazardous food products on hand pushed mobile food establishments shall be installed and operated in accordance with the City Fire Department and the Planning Department rules and regulations.

#### **§ 11-7-25 OPERATION REQUIREMENTS, SITE DEVELOPMENT STANDARDS, AND RESTRICTIONS FOR MOBILE FOOD COURTS.**

(A) Mobile food courts shall comply with the following requirements:

(1) The property must meet all commercial zoning requirements in Appendix A Land Use Categories in Chapter XV, Article 6 of the City of Kingsville Code of Ordinances;

(2) All mobile food establishments situated on the property shall be located on an impermeable surface such as concrete or rolled asphalt;

(3) All mobile food establishments that remain on the property overnight shall have temporary connections for electricity, potable water, and sewage disposal, or a system to adequately provide these services to each mobile food establishment;

(4) All mobile food establishments that are unable to comply with the requirements of § 11-7-25(a)(3) shall be removed from the property overnight and serviced by an approved central preparation facility prior to its next day of operation; and



- (5) A restroom equipped with flush type toilets and properly plumbed to a sanitary sewage system with sufficient capacity to meet the needs of the mobile food court's mobile food establishments and customers shall be available on the property. Restrooms shall be equipped with hand sinks, hot and cold water, and either hand towels or forced air hand dryers.
- (B) No mobile food vendor nor any associated seating areas shall be located in the required landscape buffer yard, access easement, surface drainage easement, driveway and/or fire lane.
- (C) All activity must occur on private property, outside of the public right of way.
- (D) There shall be at least three (3) feet of unobstructed clearance between all individual mobile food vendors and all permanent or accessory structures and at least ten (10) feet of unobstructed clearance for mobile food vendors parked side by side.
- (E) Mobile food vendors shall be located on a paved surface.
- (F) Vehicular drive through service of food and/or beverages shall not be permitted.
- (G) Accessible restroom facilities shall be provided within a permanent structure. Temporary or portable toilet facilities are not permitted.
- (H) Electrical service may be provided to mobile food vendors by a permitted electrical connection or on board generators. When using on board generators, sound absorbing devices shall be used.
- (I) A designated seating area shall be provided for patrons.
- (J) Mobile food vendors conducting business at a mobile food court shall have current vehicular registration and shall be in a suitable operating condition for transit.
- (K) Parking requirement for customers is a minimum of two parking spaces per mobile food vendor. Parking requirement for mobile food vendor employees, if they are parking on site, is a minimum of one parking space per mobile food vendor.
- (L) One on premises sign is permitted at the entrance to identify the outdoor food court. It may be illuminated but shall be stationary and non-flashing and comply with any City sign ordinances.
- (M) Each mobile food vendor may have signage attached to their mobile food unit. Also, one temporary sandwich board sign is permitted per mobile food unit within ten (10) feet of the unit and within the boundaries of the mobile food court.
- (N) A site plan should be submitted to the Department of Planning and Development Services prior to receiving a permit for operation.
- (O) All applications for a mobile food court shall stipulate the hours of operation.
- (P) Outdoor lighting shall be intended for security and not be allowed to produce light onto adjacent residentially zoned properties.

**Cross reference—** Penalty, see § 11-7-99.

**Secs. 11-7-26—11-7-29. - Reserved.**

...

## **§ 11-7-99 Penalty**

- (A) Any person who violates any provision of this article for which no penalty is otherwise provided shall be subject to the penalty provided in § 1-1-99.
- (B) Persons violating §§ 11-7-15 through 11-7-49 ~~25~~ of this article shall be subject to a fine of not less than .0100, nor more than \$2,000.00 for each violation. Each day shall constitute a separate violation. In addition to any other action taken to correct improper handling of food, or unpermitted food vending, a Health Director or Inspector may issue any person selling food or beverages a citation which shall require the person to appear in the Municipal Court within 15 days to answer to such charge. Notice of the court date shall be noticed on the citation. This citation shall provide a space thereon for the party charged to waive trial on the merits and enter a plea of guilty or nolo contendere. Notwithstanding any other provision of this article, persons charged with violation may, after entering a plea of guilty or nolo contendere in the space provided, pay a fine in the amount of \$100.00, or more as recommended by the City Attorney with the approval of the Municipal Court Judge for each violation, to the Clerk of the Municipal Court within 15 days. Each occasion that an individual is found selling food or beverages in violation of this article will constitute a separate offense. The above shall be in addition to the right to suspend or revoke any granted permit herein. Signing of the citation by the owner of the establishment shall only be a promise to appear in Municipal Court and is not an admission of guilt. It shall be unlawful to fail to appear in Municipal Court on the date noted on the citation. Should the owner of the establishment fail or refuse to sign the citation, the Health Director or Inspector of the City/County Health Department shall file a complaint against such owner in Municipal Court.
- (C) Any inspector found in violation of §§ 11-7-32 and 11-7-66 of this article shall be punished by a fine not to exceed \$200.00.

### **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 25 th day of September, 2017.

**PASSED AND APPROVED** on this the 9 th day of October, 2017.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #10**

**City of Kingsville**  
**Department of Planning and Development services**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: September 27, 2017

SUBJECT: Ordinance amendment concerning Chapter XI, Article 7, Food Sales and Food Establishment, Sections 17 and 99, Section 20 to 25 to be added

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**Summary:** This is an ordinance amendment that Emilio Garcia Director of Health, Courtney Alvarez, City Attorney and I have put together due to the increase in the popularity of food trucks. We have put together an ordinance that covers all aspects of this issue. We have reviewed other ordinances from cities to get ideas and language.

**Background:** Because of the increase in popularity of food trucks, it was determined that an ordinance or an amendment to what we have was needed since the only language that we had covered the health aspect of the function. This amendment also covers land use aspects, standards for a mobile food court and the appropriate changes that would occur in Appendix A (Land Use Category) where a Mobile Food Vendor or a Mobile Food Court can be located either permitted or by a special permit review. At this time it has been suggested that the process for the special permit review be an internal one with no cost to the applicant. The following bodies have vetted this draft, Main St. Advisory Board, Planning and Zoning Commission and the Health Department Advisory Board. A primary concern of the Main St. Advisory Board was the charge for an event like Ranch Hand Festival. The charge for a permit would be \$20.00 dollars which seems to be okay with them. The main concern of the Planning and Zoning Commission was the language that allows mobile food vendors to become quasi permanent. Their opinion is that they should be mobile and stay mobile. Language that allows or inclines the mobile food vendor to be permanent is recommended from the Planning and Zoning Commission to be deleted in the final draft. Their thought is that the permanent allowance would make them like a restaurant which they feel is an unfair advantage. Their intent is for the customer to get their food and leave. They do not want tables or restrooms available to the customers.



**City of Kingsville**  
**Department of Planning and Development services**

**Financial Impact:** The impact is hard to determine. The goal with the amendment is to allow mobile food vendors and mobile food courts to exist with a set of standards that can provide a healthy food option to the customers and that would be compatible to the surrounding land uses.

**Recommendation:** The Planning and Zoning Commission will review the attached draft, Wednesday, October 4th. It is also being recommended that the special permit review will be an internal process to make it more business friendly for the applicant and speed up the time for a decision to be made.





**-Application Checklist for Special Use Permit (Mobile Food Vendor and Mobile Food Court)**

The following must be submitted to the Director of Planning and Development; otherwise the application will be deemed incomplete and may result in unnecessary delays

1. The applicant must provide 3 11 x 17 copies of the site plan
2. Site Plan should comply with all of the requirements of ordinance 11-7-25
3. In addition the site plan should specifically contain the following:
  - A. Boundaries of the property
  - B. The location of the mobile food vendors in the mobile food court
  - C. What kind of surface will the mobile food court have
  - D. Number of parking spaces
  - E. Hours of operation
  - F. Access Drives to location, including width and location of drives
  - G. Location of restroom facilities and detail of sewer and water connection
  - H. Location of backflow preventer
  - I. Location of seating area
  - J. Dates that are being considered for the special use permit
  - K. If dates are not consecutive a special use permit will be needed to be submitted for each event
4. Special use permits are required in districts which involve this use in the areas designated in Appendix A
5. Special uses are conditional upon a demonstration of conditions and facts by the applicant that a special use is appropriate to the site
6. The Director of Planning and Development Services shall evaluate and determine whether the permit will be approved according to the ordinance

Land Use Type	R1	R2	R3	R4	C1	C2	C3	C4	I1	I2	MH	AG
Mobile Food Vendor			S <sup>3</sup>	S <sup>3</sup>	P	P	S <sup>3</sup>	P	P	P	P	P
Mobile Food Court			S <sup>3</sup>	S <sup>3</sup>	P	P	S <sup>3</sup>	P	P	P	P	P

	R1	R2	R3	R4	MH	C1	C2	C3	C4	S1	S2	A
Dairy												P
Ranch												P
Beekeeping, commercial												P
Crop production for sale												P
Orchard for home use	P	P	P	P	P	P	P	P	P	P	P	P
Orchard, commercial	S	S	S	S								P
Keeping animals or fowl commonly used for food fiber production or as beasts of burden												P
Keeping dogs, cats, fish, or exotic caged birds (kennel excluded)	P	P	P	P	P	P	S	P	P	P	P	P
Farmers market, vegetable (fresh) stand, produce sales							S	P	P			P
Domestic animal racetrack exhibit area, training ground, and the like												P
<sup>1</sup> Hardship must be demonstrated due to age, infirmity, or death of a family member. Permit is limited to one year. Permit may be renewed by demonstrating continued hardship. The mobile home or travel trailer must be removed within 90 days of the expiration of the permit. This special use permit does not include or allow for a manufactured home for use as a sales office or any type of commercial use. <sup>2</sup> Area developments allowed in zones, where noted.												

<sup>3</sup> The Special Permit review process designated in the land use categories for a Mobile Food Vendor, Mobile Food Court will be an internal review conducted by the Director of Planning and Development.

(Ord. 84009, passed 6-18-84; Ord. 87009, passed 4-27-87; Ord. 89048, passed 11-27-89; Ord. 2001-15, passed 8-13-01; Ord. 2003-11, passed 5-12-03; Ord. 2006-33, passed 7-10-06; Ord. 2009-12, § I, passed 5-18-09; Ord. 2010-34, passed 9-27-2010; Ord. 2011-07, passed 2-28-2011, eff. 3-16-2011; Ord. 2014-28, § 1, passed 4-23-2014)

ORDINANCE NO. 2017-\_\_\_\_\_

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER XV, ARTICLE 6, ZONING, AMENDING APPENDIX A-LAND USE CATEGORIES TO ADD MOBILE FOOD VENDOR AND MOBILE FOOD COURT; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the Planning & Zoning Commission has forwarded to the City Commission its reports and recommendations concerning the proposed zoning ordinance changes; and

**WHEREAS**, the item PASSED with a \_\_\_\_ - \_\_\_\_ vote of the Planning Commission on the requested zoning chart change with no abstentions; and

**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** Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, Appendix A-Land Use Categories, Section 1-Land Use Chart shall be amended to read as follows:

*Use Regulations and Districts*

...

**APPENDIX A. - LAND USE CATEGORIES**

**Sec. 1. - Land use chart.**

The following chart shall set out the land uses within the city:

P = Permitted

S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

Land Use Chart													
<i>Retail or Related Uses</i>	R1	R2	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag	
...													
Medical appliance fitting or sale						P	P	P	P				
<b><u>Mobile Food Court</u></b>			<u>S<sup>3</sup></u>	<u>S<sup>3</sup></u>	P	P	P	<u>S<sup>3</sup></u>	P	P	P	P	
<b><u>Mobile Food Vendor</u></b>			<u>S<sup>3</sup></u>	<u>S<sup>3</sup></u>	P	P	P	<u>S<sup>3</sup></u>	P	P	P	P	
Mortuary						S	P	P	P	S		S	
...													

<sup>1</sup> Hardship must be demonstrated due to age, infirmity, or death of a family member. Permit is limited to one year. Permit may be renewed by demonstrating continued hardship. The mobile home or travel trailer must be removed within 90 days of the expiration of the permit. This special use permit does not include or allow for a manufactured home for use as a sales office or any type of commercial use.

<sup>2</sup> Area developments allowed in zones, where noted.

<sup>3</sup> The Special Review process designated in the land use categories for a Mobile Food Court and a Mobile Food Vendor will be an internal review conducted by the Director of Planning and Development Services.

...

## 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.

Effective Date: \_\_\_\_\_, 2017

**INTRODUCED** on this the \_\_\_\_th day of \_\_\_\_\_, 2017.

**PASSED AND APPROVED** on this the \_\_\_\_th day of \_\_\_\_\_, 2017.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



# **AGENDA ITEM #11**

**City of Kingsville**  
**Planning and Development Services**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: October 2, 2017

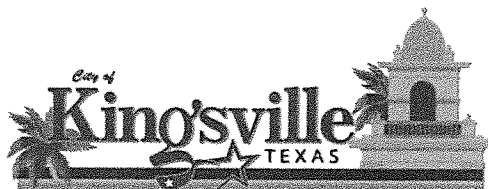
SUBJECT: Resolution to support Defense Economic Adjustment Assistance Grant Program application

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**Summary:** The state has again budgeted funds for use by military communities to assist these communities with infrastructure projects and other initiatives to increase the military value thereby mitigating the potential negative effects of a BRAC round on the state's installations. n.

**Background:** For this upcoming round of funding the city has been working with the EDC and NAS-Kingsville on the application for the grant money. It was determined that the purchase of ground around the base is a priority and that would be the best way to ensure that there wouldn't be an encroachment issue. We have identified the property owners who own property near the base. We have approached these property owners about selling their land to the City of Kingsville. At this time the total amount of money needed for the land acquisition will approximately be in the range of \$275,000 to \$350,000. The rules call for a 50% match of funds but this can be waived to be lowered to a 20% match. We believe that we will be able to accomplish that so the City's match would not exceed \$50,000 dollars. Attached is a map which reflects the properties that we are interested in, owners and acreage. It is also likely by the time of the meeting we will have a better feel for the cost estimate since we do not have confirmation yet on which property owners want to sell and for what dollar amount. The deadline for the grant is Monday, October 16, 2017.

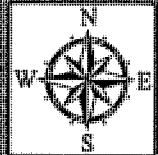
**Financial Impact:** The impact to the City will not exceed \$50,000 dollars Allocation of these funds would occur with next fiscal year budget.



**City of Kingsville**  
**Planning and Development Services**

**Recommendation:** Approve the resolution to support the Defense Economic Adjustment Assistance Grant Program application.





GLENN YAKLIN G-2  
ACRES: 10.00

GLENN YAKLIN G-1  
ACRES: 34.04

KINGSVILLE AREA INDUSTRIAL  
ACRES: 28.69

DAVID VAN FLEET INC  
ACRES: 5.02

RAM-BRO CONTRACTING INC  
ACRES: 20.922

EDWARD SCHUBERT  
ACRES: 4.80

## Legend

- City Limits
- Airbase
- Clear Zones
- APZ I
- APZ II

0 1,250 2,500 5,000 Feet

Document Path: N:\Engineering\GIS Tech\MAPS\MAP\_DOCUMENTS\DEAGG Grant\_Map\_0.5x11.mxd

Drawn By: Engineering  
Department

Last Update: 2/18/2016

Note:

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



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

**RESOLUTION NO. 2017-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE STATE DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT PROGRAM FOR THE PURPOSE OF REQUESTING GRANT FUNDING FOR LAND ACQUISITION FOR ENCROACHMENT PREVENTION NEAR THE BASE.**

**WHEREAS**, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the City apply for a Defense Economic Adjustment Assistance Grant Program with the State of Texas to apply for grant monies for the acquisition of property to prevent encroachment around the local military base; and

**WHEREAS**, the State budgeted money for this grant program to assist military communities in Texas with infrastructure projects and other initiatives to increase military value and mitigate any potential negative effects to the military institutions in future BRAC rounds; and

**WHEREAS**, acquiring land around the military institutions to protect them from encroachment issues is a tool that many other defense communities around the country have used to ensure the long-term viability of their local military institutions; and

**WHEREAS**, the base is a large employer of local civilian personnel and the base has a significant economic impact on the City, County, and State, such that the proposed land acquisition could be deemed for a public purpose; and

**WHEREAS**, the City has worked with the local base to identify properties that would be viable for this program and anticipates total combined acquisition costs in the range of \$275,000-\$300,000 for all of the properties with an anticipated grant cash match of 20%, or about \$50,000, which would be funded in the FY2017-2018 budget; and

**WHEREAS**, the City Commission of the City of Kingsville through this resolution has authorized the City Manager to submit the grant on behalf of the City.

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

I.

**THAT** the City Commission approves the submission of the grant application on the City's behalf for the Defense Economic Adjustment Assistance Grant Program with the State of Texas for funding for land acquisition to prevent encroachment around the local military base with an *anticipated* cash match of approximately \$50,000.00.

II.

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

**PASSED AND APPROVED** by a majority vote of the City Commission the 10th day of October, 2017.

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

**ATTEST:**

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

**APPROVED AS TO FORM**

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