

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, JANUARY 22, 2018 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)

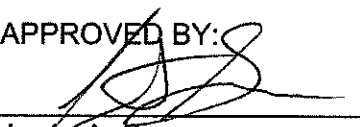
MINUTES OF PREVIOUS MEETING(S)

Regular Meeting - December 11, 2017

Special Meeting - December 18, 2017

Regular Meeting – January 8, 2018

APPROVED BY:


Jesus A. Garza
City Manager

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

1. Public hearing for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Green Jay Bar and Grill located at 200 E. Yoakum, Kingsville, Texas. (Director of Planning and Development Services).

III. Reports from Commission & Staff.²

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

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget for critical repairs to Fire Department truck aerial apparatus tower 1. (Fire Chief).
2. Motion to approve change order #3 for Santa Gertrudis Street Improvement Project to re-stripe stop bars and crosswalks on intersecting streets in amount of \$6,880.00. (Capital Projects Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider appointment of Denise Zimmerman to the Main Street Advisory Board for a two-year term. (Director of Planning & Development Services).
4. Consider an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Green Jay Bar and Grill located at 200 E. Yoakum, Kingsville, Texas. (Director of Planning and Development Services).
5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinance by amending Section 15-6-26-Home Occupations, revising Home Child Care Regulations. (Director of Planning & Development Services).
6. Consider accepting donations totaling \$7,000 from Kingsville hoteliers and business owners to assist with construction of a dog park. (City Manager).
7. Consider introduction of an ordinance amending the FY17-18 budget to accept and expend Park donations from local hoteliers for dog park. (City Manager).
8. Consider resolution ordering the City of Kingsville General Election, designating voting precincts, polling places establishing election procedures and appointing Early Voting Clerk. (City Secretary). (*CONSIDERE UNA RESOLUCIÓN QUE ORDENA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, DESIGNA LOS DISTRITOS ELECTORALES Y LOS SITIOS DE VOTACIÓN, ESTABLECE LOS PROCEDIMIENTOS DE LAS ELECCIONES Y NOMBRA A LA SECRETARIA ENCARGADA DE LA VOTACIÓN ANTICIPADA*). (*SECRETARIA MUNICIPAL*).

9. Consider a resolution authorizing the City to submit an application to the Texas Parks and Wildlife Department's Texas Recreational Trails Fund-Grant Program for the purpose of requesting funding for recreational trails at Dick Kleberg Park for the Kingsville Parks Department with an anticipated \$50,000 cash match, authorizing the City Manager to submit the grant and the City Parks Manager as the grant official to act on the City's behalf with such grant program. (Parks Manager).
10. Consider a resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for a fire vehicle and for a respirator fit testing system on behalf of the Kingsville Fire Department with an anticipated \$82,000 cash match. (Fire Chief).
11. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 Budget to accept and expend an Edward J Byrne Memorial Justice Assistance Grant for the purchase and installation of dispatch consoles at the Police Department. (Police Chief).
12. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 Budget to accept and expend an Office of the Governor Criminal Justice Division Body Armor Grant. (Police Chief).
13. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 Budget for additional engineering services for the Landfill. (Public Works Director).
14. Consider introduction of an ordinance amending the FY17-18 Budget to accept and expend a Defense Economic Adjustment Assistance Grant (DEAAG) for land purchase near Naval Air Station-Kingsville to prevent encroachment. (Director of Planning & Development Services).
15. Presentation and discussion on the reallocation of CO 2016 Fund moneys for different CO projects. (City Manager).
16. Presentation and discussion on employee health plan and options. (City Manager).
17. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).
18. Executive Session: Pursuant to Section 551.074, Texas Government Code, the Personnel Exception, the City Commission shall convene in Executive Session to deliberate the appointment, employment, and duties of the vacant City Commissioner position. (Mayor Fugate).
19. Consider appointment of a qualified citizen to the City Commission to fill an unexpired term. (Mayor Fugate).

VII. Adjournment.


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

NOTICE

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

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

January 19, 2018 at 10:00 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.


Mary Valenzuela, TRMC, CMC, 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)

DECEMBER 11, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, DECEMBER 11, 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

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Sharam Santillan, Capital Projects Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Nora Martinez, Administrative Assistant
Derek Williams, Systems Specialist
David Solis, Risk Manager
Bill Donnell, Public Works Director
Charlie Sosa, Purchasing Manager
Ricardo Torres, Police Chief
Adrian Garcia, Fire Chief
Susan Ivy, Parks Manager
Deborah Balli, Finance Director
Leo Alarcon, Tourism Director
Israel Vasquez, Facility Maintenance Manager
Roel Cavazos, Fire Marshall
Cynthia Martin, Downtown Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:01 P.M. with four 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)

Regular Meeting – November 13, 2017

Regular Meeting – November 27, 2017

Motion made by Commissioner Lopez to approve the minutes of November 13th and November 27th, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Fugate voting “FOR”.

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

None.

III. Reports from Commission & Staff.²

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

Mr. Garza introduced the City Manager's Intern, Mr. Andrew Lugo. Mr. Lugo will be working with staff on special projects such as Downtown event planning. Mr. Lugo is a student of Texas A&M Corpus Christi and will be with the City until the Spring Semester. Garza further announced and presented a certificate to the Employee of the Month for November to Mr. Victor Fuentes of the Tourism Department.

Mrs. Deborah Balli, Finance Director presented the 4th quarter Investment Report. The report shows a variety of balances within the accounts for the City of Kingsville. In Cash & Investments, as of September 30, 2017, the total for this is \$25,133,675.57, which is made up from the following accounts: Kleberg Bank non-investment cash balances of 18.76%; Kleberg Bank Money Markets is at 24.76%; Texas Class Investment Bank Accounts is at 27.87%; and Certificates of Deposit are at 28.61%. These money market accounts are completely liquid and are paying .85% interest. As for total investment requirements, percentages in cash is currently at 71.39%, percentages in CD's is at 28.61%, not to exceed 10% in US Treasuries so that is at 0.00%. Total non-investment cash account balances is at \$4,7 million dollars. Under money market accounts, it shows that in the last quarter we had \$8 million dollars sitting in money market accounts and at the end of the September quarters we had \$6,223,896.84. Balli stated that what staff did for this quarter and what will be done in the future is staff broke down what the withdraws were for which shows what projects were pulling money from these accounts. As for Certificates of Deposits, total principal and interest in CD's is \$7,169,633.33 with interest earned through September 30, 2017 is \$21,215.92. As for Texas Class Investment Accounts, the last quarter ending June 30, 2017 was \$10,027,775.04 and the quarter ending September 30, 2017 has \$7,003,666.00. Balli commented that the Auditors will be at City Hall on January 8th through March, 2018.

Mr. Garza stated that the Investment Committee met on this report. These individuals include himself, Courtney Alvarez, City Attorney, Deborah Balli, Finance Director, and Arturo Pecos, City Commissioner.

Mr. Bill Donnell, Public Works Director reported on a street update for period of November 27th through December 3rd. Staff has been working on Lott Street. On November 27th through November 29th staff hauled off base material. From November 30 through December 1st, staff was bringing in limestone and compacting it and blade it out. Tuesday, December 5th, staff got rained out, therefore staff is on hold for this project as it needs time to dry. Mr. Donnell stated that his staff hanged some banners downtown and continue with

the mowing and the patching around town. Staff is also replacing some of the signs that Commissioner Lopez had mentioned which were fading or faded, such as those that read, We love our Children and some parking signs.

Mr. Jason Alfaro, Parks & Recreation Director gave an update on the Golf Course. On December 4th, contractor visited site and spoke with staff and Rainbird Irrigation about components and job plan. December 5th, contractors first work day which started with uncovering existing irrigation heads and using the vibratory trencher around the putting green and Hole 18. December 6th, continued to trench along Fairway 18 until weather got bad. On Thursday, December 14th, Parks staff will start mowing/shredding all rough areas and fence-lines. December 14th – December 15th, Parks staff will finish clearing the fence-line along Hole #15 and #5 on the North end of the course. As for the greens, 90% of first application has germinated, 50% - 60% of the areas look the way staff had planned. Second application of Winter Rye seed will be placed tomorrow and completed on Wednesday. Second application of fertilizer will be placed during the same time.

Mayor Fugate commented that this is a winter solution but come March, it will be gone, and asked if staff is working on reconstructing the greens. He stated that he is aware that this will cost a great deal of money, but this is something that will need to be done.

Mr. Alfaro commented that staff agrees with this, although this is a short-term solution.

Mayor Fugate further commented that irrigation is great, as water is the life's blood for a golf course, but drainage is important which needs to go hand in hand with irrigation. Fugate further commented that it will also be needed to get in there and get those fairways cleaned up and sprigged. Fugate stated that this is a timed event that needs to go step by step. Fugate stated that while staff is working on irrigation, they should also be working on drainage, fairways, and greens. Fugate commented that he feels that this is the expectation that this Commission has.

Mr. Alfaro commented that staff is working with Champion Turf Grass to find some solutions with the greens problems. They did take some soil samples which showed high level boron in the water. Staff is looking at this and took the advice from the Commission and have contacted the King Ranch with regards to grass.

Mr. Austin Jurica, Engineer's Assistant, reported on Streetlight Maintenance. Jurica stated that city's involvement is report out lights and requesting new lights, city streets only, to AEP. AEP's involvement is repairing lights, cleaning light housing, maintaining lines, and installing new lights. The reporting process consist of, the city is divided into four zones, zones checked weekly/bi-weekly; Batch reports are faxed to AEP. Calls received from citizens go through AEP website. Staff is looking at possibly placing the website link on the City's website. Another misconception is that all streets lights lit are part of the street light program, if it doesn't have a pole number on the pole, it is not an AEP light. The lights in the alleys ways, are not owned by AEP, those are privately owned. As for requesting new lights on TXDOT streets, the City is not able to request those. Streets on the TAMUK Campus are also not owned by the City of Kingsville. Reporting of TAMUK streetlights are not done by city staff. Light sweep procedure is, staff drives down every street including rural areas. Map my walk and dry erase markers are used to keep track of which streets have been checked. For an out light, the street intersection or nearest address, with the pole number is reported. Some of the issues reported are light out, dirty globe, wiring issues, leaning or damage pole. Requesting new lights, City of Kingsville, Section 15-9-1(B) state that "citizens should realize that streetlights are provided for traffic safety, not property security. It is true that do provide some amount of security in residential areas. This, however, is not their primary intent and they are never installed for security reasons

alone. Misuse of street lights can cause accidents, and crime lighting is an entirely different type of lighting than used for automobile navigation." Section 15-9-2 (A)(4) reads "Mid-block street lights will be allowed or required provided the spacing between the lights is 300 feet or greater. Street lights spacing along a city park shall be reduced to 200 feet or less."

Mayor Fugate congratulated and thanked Mr. Jurica for all his hard work he has provided the City of Kingsville.

Mrs. Courtney Alvarez, City Attorney, reported that it is scheduled to have a Special City Commission meeting on Monday, December 18th at 5:00 P.M. The next regularly scheduled City Commission meeting will be on January 8, 2018. Agenda items for the January 8th meeting are due on Thursday, December 28th. Alvarez stated that since staff may be out for the holidays, they need to be mindful of the deadline as it is a deadline for the 28th, so plan ahead before you leave, or the item may not be on the agenda for the 8th. Alvarez further reported that city office will be closed on Monday, December 25th and Tuesday, December 26, 2017 and January 1, 2018 in observance of the holidays. She also stated that since hurricane season is officially over, all the boarded windows throughout town, unless they are damaged by broken glass, need to be removed so that it is not so unsightly or less hazardous.

Mayor Fugate commented that he has a lot of citizens that come up to him and complain or talk to him about things that we do in the City. During the holidays this last week, he had a young lady who is a 5th grader from Bishop Elementary School named Dalanna Reopelle which was interesting cause she knew more about the city than maybe the Mayor did. With her only being 10 years old, she had a lot of interesting ideas. Mayor Fugate commented that it was an interesting conversation he had with her.

IV. Public Comment on Agenda Items.³

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

No public comments were 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 Pecos to approve the consent agenda as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Fugate voting "FOR".

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to purchase traffic safety vests from Municipal Court fees collected to enhance public safety and security. (Chief of Police).
2. Motion to approve final passage of an ordinance amending the FY17-18 budget to accept and expend Park donations for the Ranch Hand Festival Event. (Parks & Recreation Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend a Tourism donation for the Ranch Hand Festival. (Tourism Director).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget for personnel expenses in the Planning Department. (Director of Planning & Development Services).
5. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend a Parks donation from the Texas Got Talent Program. (City Manager).
6. Motion to approve final passage of an ordinance changing the zoning map in reference to 6th Addition, Block 3, Lots 1&2, also known as 801 E. Alice Street, from R1-Single Family to C2-Retail District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).
7. Motion to approve re-appointment of Jonathan Plant to the Historical Development Board for a three-year term. (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

8. Consider approval of a preliminary plat for Bill Miller's Bar-B-Q-Kingsville, Lot 3, Block 1, a total of 1.382 acres out of tracts recorded in Volume 320, Page 183, Deed of Records Kleberg County, Texas, by Brazos de Santos Partners, Ltd. (authorized agents) for Paul Martin West and Carol D. West Lusk (owners). (Director of Planning & Development Services).

Mr. Tom Ginter, Director of Planning & Development Services reported that this is the second step of land development. Staff has been working with Brazos de Partners, Ltd on this site for a Bill Miller's Restaurant. The Planning & Zoning Commission has met on this item and vote 6-0 for approval of the preliminary and final plat. Ginter further displayed a map on the projector screen showing the location of where this restaurant will be going. Ginter further reported that the endpoints for the water and sewer will be determined when construction plans are submitted and reviewed by the development review team. He stated that this is a straight forward type of plat as it is only two tracts.

Motion made by Commissioner Garcia to approve the preliminary plat for Bill Miller's Bar-B-Q-Kingsville, Lot 3, Block 1, a total of 1.382 acres out of tracts recorded in Volume 320, Page 183, Deed of Records Kleberg County, Texas, by Brazos de Santos Partners, Ltd. (authorized agents) for Paul Martin West and Carol D. West Lusk (owners), seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Lopez, Pecos, Fugate voting "FOR".

9. Consider approval of a final plat for Bill Miller's Bar-B-Q Kingsville, Lot 3, Block 1, a total 1.382 acres out of tracts recorded in Volume 320, Page 183, Deed of

Records Kleberg County, Texas, by Brazos de Santos Partners, Ltd. (authorized agents) for Paul Martin West and Carol D. West Lusk (owners). (Director of Planning & Development Services).

Motion made by Commissioner Lopez to approve final plat for Bill Miller's Bar-B-Q Kingsville, Lot 3, Block 1, a total 1.382 acres out of tracts recorded in Volume 320, Page 183, Deed of Records Kleberg County, Texas, by Brazos de Santos Partners, Ltd. (authorized agents) for Paul Martin West and Carol D. West Lusk (owners), seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Fugate voting "FOR".

10. Consider a resolution authorizing the new dog park in Dick Kleberg Park to be named the Vishal Raju Bhagat Memorial Dog Park. (City Manager).

Mr. Garza reported that on November 4th he attended the Foundations Memorial Golf Tournament at Northshore Country Club. At this time, staff also accepted a donation of \$25,000 to go towards the Dog Park efforts. Individuals from the Foundation will be presenting a check to the City for \$25,000 to go towards that effort.

At this time, Mr. Garza asked for staff to display the map of where the dog park will be located at Dick Kleberg Park.

Mr. Garza stated that the specific costs is still to be determined. Staff had a Parks Advisory Board meeting scheduled that did not take place due to a lack of quorum. Staff would like to fine tune details with the Parks Advisory Board prior to finalizing some details. The site for the dog park is inconsistent with the Master Plan for Dick Kleberg Park.

Mr. Jason Alfaro stated that the dog park will be located to the South as it is shown in the Master Plan. This will encompass the trees that were already existing at the site, this will give some natural shade for park goers. Mr. Alfaro further spoke about the map that was displayed to the Commission on the projector screen.

Mayor Fugate asked staff what the timeline on this project was. Mr. Alfaro responded that staff is hoping to complete project by Spring 2018.

Mr. Garza commented that worst case scenario, hopefully by summer time. He further commented that staff would like to prioritize in the Spring some water features such as Splashpad and Kiddie pool at Brookshire Pool in order to get them ready for the Summer.

Mr. Deral Ginzer, Director and Treasurer of the Vishal Raju Bhagat Foundation spoke to the Commission regarding the Foundation. The Foundation began in 2006. The Foundation began as a memorial for Vishal Raju Bhagat who passed away in a drowning accident in Lake Mathis. Raju was a juvenile diabetic which throughout his life he struggled with his diabetes but was always looking for a way to help other kids that were struggling with diabetes. He also found ways to raise awareness about the disease particularly in juveniles. He created what is called the Sugarfree Bowl in Austin UT which has grown in eight different campuses all over the country. Mr. Ginzer further stated that the Foundation was founded when Raju passed away in August 2006. Three months later, the Foundation hosted a golf tournament which raised \$100,000 the first year. Every year, those donations have grown with this year raising over \$400,000 for the charities the Foundation support. Some of these charities include Driscoll Children's Hospital, Christus Health Spohn Systems, American Diabetes Association, Juvenile Diabetes Foundation, and anything to do with health and wellness for kids. Ginzer stated that Vishal Raju also had a dog named Kaya, which was his best friend for many

years. The Foundation had an opportunity in the City of Portland to partner with them and create a dog park in Portland which was done several years ago, which is named Kaya Dog Park. Recently, they have also done a donation to the City of Corpus Christi for their Parks & Recreation Department to create the Vishal Raju Bhagat Memorial Dog Park in Corpus Christi.

Motion made by Commissioner Garcia to approve this resolution authorizing the new dog park in Dick Kleberg Park to be named the Vishal Raju Bhagat Memorial Dog Park, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Fugate voting "FOR".

11. Consider accepting a \$25,000 donation from Vishal Raju Bhagat Foundation for dog park. (Parks Director).

Motion made by Commissioner Garcia to accept a \$25,000 donation from Vishal Raju Bhagat Foundation for dog park, seconded by Commissioner Pecos and Commissioner Lopez. The motion was passed and approved by the following vote: Garcia, Lopez, Pecos, Fugate voting "FOR".

Representatives of the Vishal Raju Bhagat Foundation presented a check in the amount of \$25,000 to the City Commission for the dog park.

Mayor Fugate commented that private/public partnerships are a great thing. The city has had several project in Kingsville that have been accomplished because of this type of partnerships.

12. Consider introduction of an ordinance amending the FY17-18 budget to accept and expend a Parks donation from the 12th Annual Vishal Bhagat Memorial Golf Tournament. (Parks Director).

Introduction item.

13. Consider a resolution authorizing the City Manager to execute a contract with Kleberg Bank, N.A. for bank depository services for the City of Kingsville. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager, reported that this authorizes the City to enter into a contract with Kleberg Bank for the Depository Services Contract. Staff published a Request for Applications for Proposal #17-12 in the newspaper on July 22, 2017 and July 29, 2017. Request for Applications were accepted until 2:00 P.M. on July 8, 2017. One response was received. It was from Kleberg Bank. Staff reviewed RFA #17-12 and found the information received to be responsive. It is recommendation the City contracts with Kleberg Bank, 100 E. Kleberg Ave, Kingsville, TX for Depository Services. Kleberg Bank is currently the institution on record for the City's Depository Services.

Motion made by Commissioner Pecos to approve this resolution authorizing the City Manager to execute a contract with Kleberg Bank, N.A. for bank depository services for the City of Kingsville, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Fugate voting "FOR".

14. Consider final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for 620 E. King Avenue, also known as 6th Addition, Block 17, Lots 17-24, for a poker card club. (Director of Planning & Development Services).

Mayor Fugate asked if this was the same type of item that was voted on at a previous meeting.

Mr. Ginter responded yes.

Motion made by Commissioner Pecos to approve this ordinance amending the zoning ordinance by granting a Special Use Permit for 620 E. King Avenue, also known as 6th Addition, Block 17, Lots 17-24, for a poker card club, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Lopez, Fugate voting "FOR". Garcia voting "AGAINST".

15. Discuss update on Drainage Master Plan and public involvement process. (City Manager).

Mr. Garza reminded the City Commission that earlier in the year the City went into an agreement with Kimley Horn which a representative will update the Commission on the next phase of the project and discuss the public involvement process.

Ms. Kate Ploetzner, Kimley Horn reported on what is a Drainage Master Plan. A Drainage Master Plan is an evaluation of existing drainage infrastructure in the City. Road map to manager future drainage needs and development and focus on open channel/floodplains, major roadway crossings along creeks, and localized areas. It also identifies projects the City may choose to design and perform, and estimate costs of projects. This will give results in a list of Capital Improvement Plan (CIP) projects and prioritization. Drainage Master Plans are customized to fit a City's specific needs. The Kingsville Drainage Master Plan is broken into two phases. Phase I is the conceptual drainage improvements to the L.E. Ramey Golf Course which was completed in August 2017. Phase II is the conceptual drainage improvements for 9 specific locations city-wide. This phase will commence in January 2018 with an anticipated completion date of May 2018. An overview of Phase I is L.E. Ramey Golf Course conceptual drainage improvements. The L.E. Ramey Golf Course has drainage issues. Those issues are ponded water areas after a rainfall has occurred. The improvements that they came up with mainly included earthwork and grading to promote drainage and allow water to not pond and continue downstream. They also included some storm sewer infrastructure, conceptual located some inlets and underground pipe that they could connect with some of the lower areas and continue those draining downstream, channel construction and also pond connections. Ploetzner stated that before they could get into the improvements, they needed to get an idea on what the issues were on the Golf Course today. What they did, they created a 2-D model of a 24 hour rainfall event that was simulated over a period of three days. If a rainfall event only occurs on the first day, what's happening on day two and day three and how much water will they see on the golf course.

At this time Ms. Ploetzner showed the Commission and staff the simulated model which consisted of a three-day period of rainfall on the projector screen.

Ms. Ploetzner continued to report that the model shows that there is a range of 1 inch to five feet of rain. The areas with five feet of water are areas that are actual ponds. Ploetzner moved forward and highlighter in one area, which near the front entrance of the golf course, which has a decent amount of ponded water up to half of foot of water that still remains after the second day of rainfall event. The conceptual improvement they identified that there are a series of inlets and proposed storm sewer pipe to connect these low areas with ponded water and eventually connect it to a storm sewer system that conveys this runoff off site and off the golf course. Phase II, which will begin in the next month, the scope of this phase is to prepare and prioritize conceptual scamatic level drainage improvements for up to nine locations within the city that are currently

experiencing inadequate drainage performance. These locations have not been selected yet, but they anticipate that the existing drainage issues of these locations could from just an erosion concern on whether it's a creek erosion or a pond inlet erosion, undersize storm sewer or maybe a maintenance where there's an overgrown grass or weeds that are blocking flowing out within a storm sewer system.

Mayor Fugate asked how did staff come up with nine locations.

Mr. Garza responded that it was based on the scope and the funding that was available for the project. The nine was an anticipation of the work that would be involved with the nine sites and based on the funding available.

Ms. Ploetzner continued to report that the locations haven't been selected. The selection will be based on the location, severity and what the actual issue is. Some of the solutions they came up with is an additional or new drainage infrastructure, erosion protection, headwalls, curb and gutter, proposed earthwork/grading to allow for positive drainage, and promote infiltration. All this will depend on location and issue. Ploetzner stated that as she mentioned, locations have not been identified. What the city is looking to do is solicit public feedback, place a link to a survey on the homepage of the City's website. Answers will be collected from December 5th to December 27, 2017. Based on feedback and recent history, city staff will select up to nine locations for analysis focus. Locations will be presented to Commission on January 8, 2018. The survey will ask residents to give information on the location and the specifics on the issue that they are seeing and how frequent they are seeing this issue and how it impacts them on their daily routine. It will also ask if this is something that is impacting their house or their neighbors or an entire neighborhood/intersection. Another question that was requested by city staff to be put on the survey was, as a Kingsville resident are you willing to pay additional fees to fund the remediation of this facility? Ploetzner further stated that an addition to the online survey, there is public involvement meeting to be held on December 12th from 5:00 P.M. to 7:00 P.M., in the Community Room located at City Hall. This meeting will be a come and go type of meeting. City staff from Engineering as well as the City Manager will be around to answer any questions or hear any concerns citizens may have regarding drainage issues or speak about the project. After the public feedback is received, city staff will be selecting the nine locations and roll straight into looking at existing condition observations and making site visits and going straight into identifying drainage conceptual improvements. The final step of phase II portion of the project is summarizing all the conceptual improvements, preparing an opinion of Probable Construction Costs (OPCCs) for all improvements and then prioritization. Prioritization can be determined by any set criteria, which they will work with city staff to determine what that criteria would be, but its typically related to what is the capacity of the facility today verses what its design capacity is. Another criteria is mobility, is it impacting two families or impacting the entire neighborhood. And lastly, structural or non-structural flooding. Ms. Ploetzner stated that the next steps of Phase II, are to present the nine locations to the City Commission during their January 8, 2018 meeting; Site visits and existing condition observation on January 12, 2018; Finalize drainage improvements on April 16, 2018; and by mid-May wrap-up and make a presentation to the City Commission during a meeting on May 14, 2018.

Mr. Garza commented even though the Drainage Master Plan will focus on big improvements and only on nine sites, what staff wants to accomplish through the public involvement is to allow us to in-house, develop a list of different issues around town that may be addressed with in-house resources. We obviously have a curb and gutter contract, so perhaps through this process, staff will learn various issues that we have and not aware of. It is important to convey to the public that their input is important not

only for purposes of this plan but also to assist staff in getting a better understanding of the different issues that may be able to be done by maintenance or address in-house.

Commissioner Garcia asked that on the survey, can residents upload photos of flooded areas in their neighborhood.

Ms. Ploetzner responded that the survey does not have that option now, but will check to see if that could be amended.

16. Discuss potential Wastewater Treatment Plant improvements. (Commissioner Garcia).

Commissioner Garcia commented that this issue has been discussed a few times and there's a continued concern on his part. Garcia stated that the city needs to develop some kind of plan, a long-range plan, to address this issue. He commented that he is under the impression that in a couple of years we will have a new permitting process come around and doesn't want to be doing it at the last minute, planning for this eventual event. He would like to further discuss some issues that were just forthcoming. He thinks the Mayor had a continuing question on combining the North Plant with the South Plant for the version of capacity. Garcia commented that he doesn't think that the Mayor's question was ever answered by staff, so he would like some further discussion on this.

Mr. Bill Donnell, Public Works Director commented that the city's permit is good until the year 2020, which is when the renewal process is. He further stated that the information he is receiving from TCEQ about phosphate removal, which is the big word they are always bringing up, is that for receiving streams, where it is creating hazard. From TCEQ and the information that he has heard is that down here it has not been an issue and not in the foreseeable it's not going to be cost in the permit amendments. If it does in the articles that he has read, they give you up to three years to make the modifications for that phosphate removal.

Mayor Fugate commented that Texas A&M Corpus Christi did a study of Baffin Bay and one of their concerns was Celanese Corporation and the City of Kingsville on whether or not the water that was being introduced into the bay was clean. They found that our water and Celanese water is the cleanest water than what they had otherwise. This study was done recently as two years ago.

Mr. Donnell commented that the feedback that he is receiving is that if phosphate removal is was to be placed on the city and other places of higher concern they give them three years, to where this is a lower concern that the limits would even be low that the city would have to meet. Donnell commented that there is still a transition phase so then you would be looking at six years, if that held true to us as well. By six years, who knows if it's going to be capacity expansion.

Commissioner Garcia commented and asked that as far as cost, if we did run into that situation where we had to remove phosphate, does staff have any idea of what cost it would be for the city to have this particular equipment to remove the phosphate.

Mr. Donnell response was no. Commission Garcia further asked if staff had any in link of the cost.

Mrs. Alvarez responded that since it has not been an issue, staff has not had a reason to look into that. It might be a good question, but staff hasn't had time to do that since it hasn't been an issue.

Mr. Garza commented that part of the information that was presented at a previous workshop was three different phases which described phase 1, which had a maintenance issues with the South Plant. Phase 2 addressed a lot of efficiencies and process issues. Garza stated that it was under Phase 2 that the efficiency and process would address and there was Phase 3, which was expansion. The only number that staff has was for the Phase 2, which was the number that was provided by Schneider Electric was around \$7 million dollars for both plants to be more efficient. Garza stated that staff has spent some times over the last few weeks, which is the question opposed by the Mayor regarding the reroute. Garza commented that it was staffs understanding that the reroute was identifying areas in the system that they could divert waste that would go to the South Plant go towards the North Plant, which would give the City more time. Garza further commented that staff has identified two locations throughout the system where staff could potentially in essence build a lift station. One of the benefits of having the South Plant where it is now, is that our community naturally flows in a southeastern direction. So the lines that currently run towards the South Plant are gravity fed lines, so at any juncture where they are to picket that we would want to divert waste to go towards the North Plant, we have to build a lift station in order to do that. Garza stated that staff is in the process of evaluating those options and we don't feel that we have 100% in-house resources to be able to look at some of the hydraulic issues that may arise from those options that are being considered. Therefore, staff is in the process of going through an RFQ to select an engineering firm to assist staff navigate through some of those questions. The last RFQ done for wastewater services was done in 2010, and at that time staff was dealing with a different set of challenges. Staff feels that it is appropriate to go through a new process now, not only because our challenges are different but there are new players on board and going through the process of hiring a new City Engineer.

Commissioner Pecos asked Mr. Donnell that he had mentioned that in the year 2020, the city will be asking for permits from TCEQ? Mr. Donnell responded that this would be the permit renewal date. Commissioner Pecos further asked if there were a lot of improvements that need to be done to the North Plant? Mr. Donnell responded that not to meet the TCEQ requirements, the city is in permit compliance now. Commissioner Pecos commented that there is a lot of equipment that needs to be that is in pretty bad shape. Mr. Donnell responded that there are some repairs to be made, this is correct. Commissioner Pecos asked if Mr. Donnell had a list of all the necessary repairs. Mr. Donnell commented that he doesn't have the list with him at this time but there are some items identified. Commissioner Pecos continued and asked if staff would know how much it would cost the city to bring that Plant up to par.

Mr. Donnell responded that the only numbers that staff has for both Plants is the number received by Schneider Electric was around \$7 to \$8 million dollars for efficiencies and improvements.

Commissioner Pecos stated that assuming that the City needs that type of money to repair the Plants and not doing the diversion that the Mayor wants, as it would cost more than that to do that diversion, as it would require a large power plant to divert waste. He further commented that it's going to cost a lot of money but doesn't think that staff can do that type of work, but could cost a lot of money. He further asked how soon will the South Plant reach capacity?

Mr. Donnell responded that the South Plant is the only one with any concern for the foreseeable future. Whether it's two years, six years, or eight years staff wouldn't know. Donnell further stated that for clarification, he feels that there is a misunderstanding on rerouting to the North Plant. Donnell stated that what he thinks Pecos was saying total

reroute to the North Plant, and asked if this is what the Commission was thinking about doing.

Mayor Fugate commented that from what he understands, is that the North Plant is at 50% capacity and around 70% for the South Plant. He further commented that he attended an event on demographics at the University where they stated that Kingsville was not going to grow significantly and it makes sense to him that if the city has that type of capacity at the North Plant that we could divert what the city can, not all of it, but what we can. He further commented that it is his understanding that at one time there are parts of Kingsville that are being supplied by the South Plant that at one time was being supplied by the North Plant. Those areas, if they can be diverted it would lower the numbers in the South Plant to the point where the city might not have to do an expansion. Fugate stated that from what he understands, an expansion is around \$15 million dollars. Fugate asked staff to look at all the options and if something can be done that makes sense, then do it. He further commented that he has a lot of confidence in staff. Staff knows its limitations, and if they need help, then we go get help to figure this thing out.

Commissioner Garcia commented that if you take 20% from the South Plant to the North Plant, it would have 70% in North Plant which would give you the same situation.

Mayor Fugate commented that this was not correct, cause if you take 20% from the South Plant and now it's down to 50%.

Mr. Donnell commented that if you take 200,000 gallons and move it to the North Plant, it's a smaller percentage, then your moving from the South Plant due to capacity.

Mayor Fugate commented that staff doesn't know if that's the percentage, staff doesn't know what it's going to be, but this is something that needs to be looked at.

Commissioner Garcia commented that the city is going to spend all that money to move whatever percentage it may be and when you get to the end of the road, the city is not going to obtain what it needed to be done, which is to increase the capacity.

Mayor Fugate commented that he would like to use what capacity the city may have, before increasing. He stated that he has seen what the price tag is on increasing the capacity, and if the city can avoid spending \$15 million dollars then this is what he is going to do. He further commented that staff needs to see what can be diverted to the North Plant. Just doing that study, it's going to be consequential to what is being talked about in spending.

Mr. Garza commented that staff is working on developing a CIP, cause as suggested there are still some maintenance concerns and with the reroute option it would avoid a third phase, but there would still be some concerns that would need to be addressed regarding the South Plant.

Mayor Fugate commented that there are \$3 million dollars of repairs that need to be figure out on how it's going to get paid. From what he understands, this will help with the efficiency, electric bill, and with compliance. The studies that are done, a lot of what the city saves money on is labor. After what was reported at the last Commission meeting, it was reported that the city is close to minimum in labor.

Mr. Donnell stated that TCEQ regulates licensing as well.

Commissioner Garcia commented that he is in agreement that he doesn't want a \$16 million-dollar project either, but we don't have a timeline or a plan to get there.

Mr. Garza commented that he agrees with this statement, but as he has mentioned in the past, the plan on the city's part is to surround ourselves with this team in order to find a solution. Recently, the city has hired a financial advisor and HDR to do the rate study and in the process to finalizing a new City Engineer. What staff is looking at is the option of a potential reroute, which we know simultaneously the city needs to develop a CIP which is the foundation for conversations about rate study and funding. Staff is reviewing drafts of a potential CIP, but it's not in a form that is ready to be presented. One of the that he is hopeful for is bringing in a City Engineer which will bring a different perspective to the problem and help validate a lot of the information that is being put together to help staff solidify engineer company and CIP. He stated that this could have been moving a lot faster, but this is the game plan that was developed is staff surrounding themselves with this team that can help staff with a solution.

Mr. Zia Qureshi, representative for Schneider Electric commented that from what he heard, without a strategic plan it is very difficult to decide what strategy might look like. Whether a diversion is done or run one Plant or two Plants and what the cost are. The conservative assessment to divert 100% from the South to the North Plant, is a bad economic situation.

Mayor Fugate commented that this is not what is being suggested.

Mr. Qureshi further commented that the undetermined issue is that the redirection will require several engineers, analysis and hydraulic study amongst other things. The corrective actions at the North Plant will probably be a significantly larger in scope than the South Plant, as it is a bigger Plant. The capital needs for corrective action could be that if Phase 1 was \$1 to \$2 million dollars since the last presentation, the city may look at \$4 to \$6 million dollars for both Plants in the corrective action. Qureshi stated that the other confusing issue is efficiency. He stated that they are doing a Plant upgrade in their project and not just an efficiency, they are adding new widgets that will upgrade the Plant and make it ready for the future as opposed to fixing what is there now. He stated that there is a big difference in efficiency and upgrade, so both Plants would be upgraded.

Commissioner Pecos stated that he was hoping that Estrada Hinojosa were in attendance at this meeting so that they would be aware in case of needed money to fix the City's Plants. Plants will need to be fixed whether the city has the money or not. Commissioner Pecos asked why Estrada Hinojosa was not present at this meeting.

Mr. Garza commented that he had a conversation with representatives of Estrada Hinojosa and HDR, they are involved with the financial piece of it and so the first step on the city's part is to develop a CIP. They enter the picture once the CIP is developed and due to the fact that a CIP has not been developed is the reason they are not in attendance at this meeting.

Mr. Mike Shelton, Engineer/Planner for Kimley Horn reported that at this time, the city's South Plant is about hitting that 70% capacity. They have heard the ideas on some of the things mentioned and they did the month on a 1-million-gallon plant that had 70% at capacity is about 700,000 gallons. Moving 100,000 to 200,00 gallons from that Plant to the North Plant is feasible and a way to push these major improvements into the future. He stated that they propose that Phase 1, which is maintenance activities, with the mindset that eventually there would be a Phase 3, which is the overall upgrade.

Phase 1, the basin that is in place, the initial aeration and clarifier has some mechanical issues on the metal pieces that are inside, that are rotting due to corrosion. He stated that they would also want to do an evaluation of structural condition of the concrete of that basin.

Commissioner Pecos asked if the basin was cracking. Mr. Shelton commented that it is hard to tell while it's in service, but very likely that the age and condition of that basin is deteriorating over time. This is why some of the things that is said in Phase 1 are almost band aids so that the Plant can function and do the work that it needs to do, with then Phase 3 being a new plant. He stated that the biggest unknown is how growth is going to occur in the future. If they had a base line on what development could be, then they could provide numbers on how quickly the city can get to the threshold.

Commissioner Garcia commented that the city needs a plan and the sooner the better.

Mayor Fugate commented that he would like everyone to know that he is not the expert and he doesn't know what the solution is, however he does know the city needs to study everything and staff needs an opportunity to look at this problem and get an Engineer on board to study this issue before the city spends a lot of money. He feels that staff still has time in order to get this done in an orderly fashion. He agrees with Commissioner Pecos and Commissioner Garcia that something needs to be done.

17. Consider a resolution authorizing the City Manager to execute a contract with Mia Electrical Services for the Annual Electrical Services for the City of Kingsville. (Purchasing Manager).

Mr. Sosa commented that this item authorizes the City to enter into a contract with Mia Electrical Services, for the Annual Electrical Services Contract for the City of Kingsville. Staff published a Request for Qualifications #17-18 in the newspaper on September 17, 2017 and September 24, 2017. Request for Applications were accepted until 2:00 P.M. on October 3, 2017. Two responses were received from Mia Electric Kingsville, TX, and TJ Electric of Falfurrias, TX. Staff reviewed RFA #17-18 and found the information received to be responsive for Mia Electric. TJ Electric did not use proper bid forms provided by the Bid 17-18 therefore non-responsive to the bid. There is no financial impact at this time. It is staff's recommendation that the City enter into a contract with Mia Electric of Kingsville, TX for the Annual Electrical Services Contract for the City of Kingsville.

Motion made by Commissioner Pecos to approve this resolution authorizing the City Manager to execute a contract with Mia Electrical Services for the Annual Electrical Services for the City of Kingsville, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Lopez, Pecos, Fugate voting "FOR".

18. Consider award for emergency response services via GSA purchasing cooperative, as per staff recommendation, and resolution authorizing the Mayor to enter into an Emergency Disaster Response Agreement between the City of Kingsville and Garner Environmental Services, Inc. for emergency disaster response services. (Purchasing Manager).

Mr. Sosa commented that this item authorizes the City to enter into a Professional Service Agreement with Garner Environmental Service, Inc. for the Emergency Disaster Response Agreement for the City of Kingsville. The Emergency Disaster Response Agreement will cover all emergency services and equipment needed during an emergency. Garner Emergency Response Company is a registered GSA Contractor Contract Number GS-07F-0403X as has met all requirements for City under Local

Government Code 271, Subchapter F. It is staff's recommendation that the City enter into an Emergency Disaster Response Agreement with Garner Environmental Services, Inc. of Deer Park, TX.

Mayor Fugate asked is this was something that was done a while back.

Mrs. Alvarez stated that there may be some confusion with the Ashbritt Contract. Ashbritt will come in to pick up debris during a time of an emergency. The contract with Garner is for when the city is in a disaster of an emergency, they will come in and assist with meals, showers, and additional personnel to assist the city.

Motion made by Commissioner Garcia and Commissioner Pecos to approve the award for emergency response services via GSA purchasing cooperative, as per staff recommendation, and resolution authorizing the Mayor to enter into an Emergency Disaster Response Agreement between the City of Kingsville and Garner Environmental Services, Inc. for emergency disaster response services, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Fugate voting "FOR".

19. Consider accepting a \$500 donation from the Kingsville Area Educators Federal Credit Union for the Police Department for tourniquets. (Chief of Police).

Motion made by Commissioner Pecos, Commissioner Lopez, Commissioner Garcia to approve the acceptance of a \$500 donation from the Kingsville Area Educators Federal Credit Union for the Police Department for tourniquets, seconded by Mayor Fugate. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Fugate voting "FOR".

20. Consider introduction of an ordinance amending the FY17-18 budget to accept and expend a Police donation from the Kingsville Area Educators Federal Credit Union. (Chief of Police).

Introduction item.

21. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget for the renovation of the Municipal Building. (City Manager).

Mr. Garza stated that most before this meeting, some of the member of the City Commission were able to tour the Municipal Building. Staff has placed the project out for bids. Staff also did an assessment of the roof that was conducted, so it was recommended to replace part of the roof. A request was also received from the Municipal Court Judge, to ensure that some of the public safety aspects of the renovation such as fire alarm systems be at best as possible. Some of these issues, increase the cost of the project. The budget amendment brought forward to the City Commission tonight is an increase of \$200,000. The \$200,000 will be coming from other projects that have been completed and not coming out of fund balance. Garza further stated that after the storm hit a couple of years ago, the City received some insurance money for the JK Northway to replace the back-canopy area, which is an ongoing project. With this project, there was some monies leftover which will be going to this project. There was also a Well Project that has been completed and had some savings which will be directed to this project as well. The goal, from a timeline prospective is that this budget amendment be introduced today, with final passage to occur on December 18th and also taking up the award the selection of the bid. This will allow the renovation to begin in January 2018. Once project has begun, it is anticipated that the project will take about eight to nine months.

Mayor Fugate stated that he has spoken with Judge Krueger and a lot of the additions that staff is having to do, it is his understanding that there is a State Agency that is

overseeing courtrooms regarding the safety issues which also includes fire safety. Fugate thinks that this is what's driving Judge Krueger in being sure that the new courtroom is in compliance with the regulations implemented by the State.

Introduction item.

22. Consider approval of change order #2 on Santa Gertrudis Avenue Street Improvement Project. (Capital Improvements Manager).

Mr. Sharam Santillan, Capital Improvements Manager reported that this item for the authorization of a change order #2 for Bid 17-17 Santa Gertrudis Avenue Street Improvements in the amount of \$9,766.10 to increase the project scope. This change order will be the second and last change order and it will cover the cost to reconstruct 3 additional turn-outs which are in poor condition. The turn-outs included are the South turn-out on 10th Street, and the North turn-out on 11th Street and the North turn-out on 13th Street. The financial impact will be an amount of \$9,766.10 of which will be coming from account 092, Street and Bridge. This project is still under budget as the project has \$760,000 which is still under budget by \$10,000, which also includes this change order. The project is at 5% of project completion. Due to weather this past week, it caused some delay in the project.

Commissioner Pecos asked if this money is coming from money that has been collected from the citizens for street improvements.

Mr. Garza responded no. The majority of the funds is coming from CO 2016 Series as well as a combination of insurance proceeds that were redirected to another street project. In this fiscal year 2018 budget, it included \$100,000 of which was made up of \$50,000 from Street User Fee and \$50,000 from General Fund to accomplish some of these change orders that have occurred, change order #1 and change order #2. So out of the \$760,000 that was mentioned, \$50,000 did come from the Street User Fund. The Street User Fund continues to be prioritized to fund the SMIP Program, which is handled through the City's in-house division.

Commissioner Pecos asked what was the amount that is in that account. Mr. Garza responded that staff does not have that number at this time, but that information will be emailed to the Commission.

Motion made by Commissioner Pecos to approve change order #2 on Santa Gertrudis Avenue Street Improvement Project, seconded by Commissioner Lopez and Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Lopez, Pecos, Fugate voting "FOR".

23. Consider a resolution authorizing the City Manager to enter into a Real Property Use Agreement between the City of Kingsville and Paddle EZ, LLC for watersport equipment rental. (Parks & Recreation Director).

Mr. Alfaro stated that this item authorizes the City to enter into a contract with Paddle EZ, LLC for kayak and paddleboard services to be located near the pier at Dick Kleberg Park Lake. Paddle EZ is based out of the Austin area and has multiple contacts with state agencies and municipalities throughout Texas. They currently have rental equipment located at the Lake of Corpus Christi State Park. Paddle EZ provides kayak and paddleboard rentals for customers by utilizing smart lockers and smartphone technology, without the need for dedicated employees. There is no financial impact to the city for these services. Parks staff would routinely check that the locks are secure and life jackets are in the secure boxes. Staff time would be dedicated to this procedure less than one hour per week. Depending on the amount of people that utilize this

amenity, the city would receive 5%-15% of the revenue. Alfaro commented that it is staff's recommendation that the City Commission authorize the City Manager to enter into an agreement for kayak services with Paddle EZ, LLC for an initial 3 years, per the contract agreement.

Motion made by Commissioner Garcia to approve this resolution authorizing the City Manager to enter into a Real Property Use Agreement between the City of Kingsville and Paddle EZ, LLC for watersport equipment rental, seconded by Commissioner Pecos.

Commissioner Garcia asked staff who will be responsible for the custody of these items.

Mr. Alfaro stated that the city is not responsible. The company has placed GPS on all of their equipment. If vandalism occurs after two or three times, the company would pull the equipment. Although the company has stated that they haven't had any problems elsewhere.

Commissioner Garcia asked if the City would be responsible for the physical loss of any of the equipment. Mr. Alfaro response was no.

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

24. Consider a resolution authorizing the Mayor to enter into the First Amendment to Tower Attachment Lease Agreement with GTP Acquisition Partners II, LLC. (City Manager).

Mr. Garza reported that in 1998, the City entered into an agreement with this company for usage of this tower that is located by the Police Department. This was a long-term lease however, not to long ago they approached the City on trying to negotiate an amendment to that agreement. Staff has been working with them on drafting this amendment to the agreement. This particular tower is used for cell phone usage. With the new terms of the agreement, the City will be receiving a one lump sum payment of \$25,000, which will be redirected back to the Kingsville Police Communications Department for equipment. This agreement also solidifies the rent rate as well as stipulating percent increases throughout and also contains some legal language that wasn't previously on the agreement.

Mayor Fugate asked Mrs. Alvarez if she was ok with the agreement.

Mrs. Alvarez responded that she had no problem with the agreement. She stated that staff went back and forth with the company representatives for several months and after we did not hear come to certain things, we realized that putting language in that stated that they were not going to do things that might be a nuisance to flight operations at the Naval Base, is a requirement that the City would want before the city would agree to allow them to make any changes at the site that they wanted.

Motion made by Commissioner Pecos to approve a resolution authorizing the Mayor to enter into the First Amendment to Tower Attachment Lease Agreement with GTP Acquisition Partners II, LLC, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Fugate voting "FOR".

25. Consider a resolution authorizing the Mayor to execute an Employment Agreement for the position of City Manager with Jesús A. Garza. (Mayor Fugate).

Mayor Fugate stated that the Mr. Jesús Garza, City Manager's contract is up for renewal. A contract was negotiated with Mr. Garza. This is a two-year contract with a

one-year automatic extension. The annual salary is \$130,000, the annual car allowance is \$6,000. The contract also has a three months' severance pay that will increase annually every November, that the Mr. Garza is still employed. At the end of the three-year period, he would have a six-month severance package.

Mr. Alvarez confirmed that those were the major changes to the contract.

Commissioner Lopez made the following comment, "my decision on how she will vote on giving a pay increase to the City Manager is not based on whether he needs or deserves a salary increase. The 2017-18 adopted budget proved to be a challenge. During the budget presentation to the Commission by the City Manager, it was Mr. Garza's position that there was no money in the proposed budget for employee salary increases, so this meant that the second year of the employee salary study could not be fulfilled. It is my position that if the adopted City Manager's budget could not fulfill the second year employee salary increases or give a cost of living increase to all our employees, then I do not feel that it is right for this Commission to approve a salary increase for only one person, the employee receiving the top salary in this city."

Motion made by Commissioner Pecos to approve a resolution authorizing the Mayor to execute an Employment Agreement for the position of City Manager with Jesús A. Garza, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Pecos, Fugate voting "FOR". Lopez "AGAINST".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:47 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

DECEMBER 18, 2017

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, DECEMBER 18, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Kyle Benson, IT Manager
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Derek Williams, Systems Specialist
Bill Donnell, Public Works Director
Charlie Sosa, Purchasing Manager
Deborah Balli, Finance Director
Cynthia Martin, Downtown Manager
Diana Gonzales, Human Resources Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 P.M. with three Commission members present. Pecos absent from this meeting.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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

None.

III. Reports from Commission & Staff.²

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

Mr. Garza commented that staff has provided the City Commission with a street weekly report for their review. Garza further stated that Mrs. Deborah Balli, Finance Director will give an update on how much funds are available in the Street Fund.

Mrs. Balli reported that on December 12, there was approximately \$633,698.00 in the bank. For this fiscal year, it was budgeted \$812,000.00 in revenues and have billed out \$148,588.00. Then it was budgeted \$831,533.00 for expenditures in street & bridge and so far, have encumbered \$163,107.00. Balli stated that this was carry over money from last year's unfinished projects.

Mrs. Alvarez reported that City offices will be closed next Monday and Tuesday for the Christmas Holidays as well as January 1st for the New Year Holiday. The regularly scheduled City Commission meeting will be on January 8, 2018. The deadline to submit agenda items for this meeting is on December 28th.

IV. Public Comment on Agenda Items.³

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

No comments were 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 Lopez to approve the consent agenda as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Lopez, Garcia, Fugate voting “FOR”.

1. Motion to approve final passage of an ordinance amending the FY17-18 budget to accept and expend a Parks donation from the 12th Annual Vishal Bhagat Memorial Golf Tournament. (Parks Director).

2. Motion to approve final passage of an ordinance amending the FY17-18 budget to accept and expend a Police donation from the Kingsville Area Educators Federal Credit Union. (Chief of Police).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider final passage of an ordinance amending the Fiscal Year 2017-2018 budget for the renovation of the Municipal Building. (City Manager).

Mr. Garza announced that staff has done a minor change to this ordinance regarding the process of the funds. Staff realized after the introduction of this item that the original source of funds for one of the transfers came from a Certificate of Obligations that was for a specific use. Garza stated that rather than transferring \$95,000 from the 2011 Utility Fund CO, what staff is now doing is that they are selecting project that were funded in the Utility Fund to be paid for from that CO, such as machinery equipment, as this is what the purpose of this CO is for. By doing this, it creates the capacity of the \$95,000 to be transferred from the Utility Fund for the project.

Commissioner Lopez stated that she was the one that brought it to the attention of the City Attorney and asked if this was something that was legal for staff to do. Lopez further stated that she is wondering if staff is checking every time staff tries to spend monies from CO's or move money around if staff is really checking on this.

Mr. Garza commented that it is staff's intention to check, but in this particular case it should have been caught prior to bringing it to the City Commission for consideration. Garza stated that he will make sure that staff has more comprehensive conversations whenever staff brings changes like such to the City Commission. He stated that it is important to catch things like this, but staff appreciates when any members of the Commission brings things like this to staff's attention, which serves as a checks and balance.

Commissioner Lopez commented that she would appreciate it as this could have gotten the city into a lot of trouble.

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

Mayor Fugate asked that if there were no objections from the Commission, he would like to move agenda item #7 before agenda #4. No objections were made.

4. Consider awarding RFP#18-05 for Municipal Building first floor renovations and authorizing staff to negotiate a contract, as per the architect's recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the City to award the bid and authorize staff to negotiate a contract with Rusty Van Fleet for the Municipal Building first floor renovations. Staff published competitive sealed proposals Bid 18-05 in the newspaper on October 29, 2017 and November 5, 2017. Bids were accepted until 2:00 p.m. on November 14, 2017. Two responses were received from Victory Building Team of Corpus Christi and Rusty Van Fleet of Kingsville. Staff reviewed RFQ 18-05 and found the information received to be responsive. The Municipal Building first floor renovations architect Solka Nava Torno, Inc., reviewed the qualifications and discussed the two firm's bids based on a point evaluation system. Solka Nava Torno, Inc., recommends Rusty Van Fleet to be the best firm for the City of Kingsville Municipal Building first floor renovation.

Motion made by Commissioner Garcia to approve this award, seconded by Commissioner Lopez.

Commissioner Lopez asked if there was a price difference of a few thousand dollars.

Mr. Sosa responded that there was a price difference of \$2,000 on the base bid and if the additive alternates are done is was \$7,500. Although Rusty Van Fleet came in lower if we did alternates 1 and 2, which are the fire alarm system and roof replacement.

Mayor Fugate commented that the City knows what type of product it will receive from Rusty Van Fleet, as the new City Hall is exhibit A.

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

- 5. Consider accepting \$2,000 in Academy Sports & Outdoors gift cards from iHeartMedia's radio station KYRS for the Kingsville Police Department. (Chief of Police).**

Motion made by Commissioner Lopez to accept this donation, seconded by Commissioner Garcia.

Commissioner Garcia asked if this was a donation.

Mrs. Alvarez stated that is was her understanding that someone can go and enter into a drawing to win but they are also supposed to name a community group that would get like and award. So, whoever won submitted the Police Department in with the drawing as well.

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

- 6. Consider waiver of building permit fees for HOME Program to assist County with grant cash match. (Planning & Development Services Director).**

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

- 7. Consider waiver of building permit fee and plan review fee for the remodel of the Pete De La Garza (former Exxon Building) for Kleberg County. (Planning & Development Services Director).**

Mr. Garza commented that this request is for the waiver of building permit fee and plan review fee for an amount of \$9,697.50.

Mr. Rudy Madrid, Kleberg County Judge stated that the County is in a unique situation as it is an exciting time for Kleberg County at this time, as it is their fifth major project in the last three years which will not cost our tax payers any money. This remodel will be a great addition to the City's Downtown Renovation Plan. Madrid stated that when he became part of the County Commissioner's Court, he did a group analysis cost on the County. He wanted to see where their wasteful spending was and without a doubt, the Pete De La Garza Building was one of the County's biggest downfalls in Kleberg County's pocketbook. Madrid stated that he wants to make a negative into a positive and turn this building into something that can generate revenue for Kleberg County. The County has been losing money on this building for the last ten years. When they stopped construction on this building, the County still had the note to pay back. There

were several changes orders made and a list of other things that went wrong during that tenure. The top floor of the building was completed which houses Child Protective Services and Adult Protective Services. These two agencies pay a rental fee, but is a very minimal amount per month. He stated that he would like to turn this around for the County and make it into something that can bring in the revenues, in order to pay the note on this building. The idea Madrid has is to make this a State building, to house most of the State offices here in Kleberg County. The timeframe for the completion of this project is June, 2018. Madrid further stated that the area that is housing election equipment, he would like to move the Veteran's Affairs office, which will serve for both the County and City.

Motion made by Commissioner Garcia to approve waiver of building permit fee and plan review fee for the remodel of the Pete De La Garza (former Exxon Building) for Kleberg County, seconded by Commissioner Lopez. The motion was approved and approved by the following vote: Garcia, Lopez, Fugate voting "FOR".

8. **Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to include JK Northway project not completed in FY2016-2017. (Finance Director).**

Introduction item.

9. **Consider accepting donation of approximately \$1,800 bench for the downtown district from the Kingsville Historic Downtown District Association. (Downtown Manager).**

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

10. **Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend a donation from the Kingsville Historic Downtown District Association. (Downtown Manager).**

Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:23 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

JANUARY 8, 2018

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 8, 2018 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Al Garcia, Commissioner

CITY COMMISSION ABSENT:

Sam Fugate, Mayor

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Kyle Benson, IT Manager
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Derek Williams, Systems Specialist
Bill Donnell, Public Works Director
Charlie Sosa, Purchasing Manager
Deborah Balli, Finance Director
Cynthia Martin, Downtown Manager
Diana Gonzales, Human Resources Director
Leo Alarcon, Tourism Director
Robert Rodriguez, Library Director
David Guerra, Fire Department Lieutenant
David Solis, Risk Manager
Ricardo Torres, Chief of Police
Israel Vasquez, Maintenance Manager
Sharam Santillan, Capital Improvements Manager
Richard Flores, Golf Course Manager

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

Mayor Pro-tem Lopez opened the meeting at 6:00 P.M. with three Commission members present. Mayor Fugate being absent.

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting - December 11, 2017

Special Meeting - December 18, 2017

No action taken on minutes. Minutes will be placed on the January 22, 2018 agenda for approval.

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

None.

III. Reports from Commission & Staff.²

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

Mr. Bill Donnell, Public Works Director gave a Streets Update to the City Commission. He reported that it's been a slow process for the road construction on Lott Street due to weather conditions. Staff was able to sealcoat the two blocks minus the intersection this past weekend, on Saturday. The plan is also to do a hot mix overlay on those portions of the street on Wednesday and Thursday. The Street Department has also been doing routine maintenance such as mowing, signs, and cleaning curb and gutter.

Mr. Garza commented that he has had a conversation with Mr. Donnell about starting to prepare for the 2018 Wings Over South Texas Airshow. This will require for staff to do mowing and cleaning of certain areas more specifically on the access roads and highways.

Mayor Pro-tem Lopez commented that staff needs to report to TXDOT about trash on the overpass, particularly the one on King St.

Mr. Garza commented that staff will be working with TXDOT on the maintenance of the roads. Staff is also trying to work with them on trying to resolve the lighting issue as there are a lot of lights along the access roads that are out. Other lights that are out are on the overpass bridge on Carlos Truan.

Mr. Sharam Santillan, Capital Improvements Manager updated the City Commission on the Santa Gertrudis Street Project. Mr. Santillan reported that this project has had some slow progress due to weather conditions. A second pass of primer was done and staff will be sealcoating on Wednesday; and hot mix is going to be laid the following week and finished off with restriping. The project should be completed by end of January, weather permitting.

Mr. Garza commented that after the heavy rainfall, staff had some testing done in some of the base material to ensure it was not compromised with the weather, of which the results came back positive.

Mr. Santillan commented that the moisture content was tested as well as the compaction.

Commissioner Garcia asked staff test the compaction up and down the road.

Mr. Santillan commented that there is one test for every 300 feet of roadway. The individual goes out with radioactive equipment that they use. They drive a metal rod into the compaction which will then shoot out radioactive signals that test the compaction.

Mr. Richard Flores, Golf Course Manager reported on the irrigation project at the Golf Course. He stated that the irrigation project was delayed due to weather conditions in the past several weeks. As of January 2nd, they have put a lot more men on the project. They have completed three holes, which consist of 75 sprinkler heads and were also tested today. Of those 75, 72 were successful with three failing. Flores commented that the project should be completed by the deadline date.

Commissioner Lopez asked when the project is to be completed.

Mr. Flores responded that it should be completed by the end of January, 2018. He further stated that the crew is on their fifth hole, as far as changing out the sprinkler heads. They are on the seventh hole as far as running their communication wire. They also have the three holes complete which include holes 17, 18, 10, and sprinkles on the putting green have been installed.

Mr. Garza commented that Rainbird is assisting staff that the installation is occurring accurately.

Commissioner Garcia asked how the installation of the sprinkler system effected the play.

Mr. Flores responded that due to the weather conditions, the play has been slow. Due to the shutdown of the back nine, the front is fully operational so they are playing the front nine twice. This will allow the contractors to do the work needed and also allow golfers the ability to play.

Mr. Courtney Alvarez, City Attorney reported that the next scheduled City Commission meeting will be on January 22, 2018, with a deadline of January 12, 2018 for staff to submit agenda items. Alvarez also reported that City Offices will be closed on January 15th in observance of Martin Luther King Day.

IV. Public Comment on Agenda Items.³

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

Mr. Allen Fisher who is the new Managing Editor for the Kingsville Record introduced himself to the City Commission.

Mr. Lance Hamm, 912 South Creek. Mr. Hamm thanked Commission and staff for their assistance on the selective traffic enforcement program to enforce traffic near the city. Hamm stated that this has been a long battle that he has been fighting for many years, and this is just one more step that he would like to thank the City for, especially for the intersection on FM 1717 and US Hwy 77. He further commented that people will speak about the four E's which are the Engineering, Education, Enforcement, and Emergency Response. He stated that what the Commission will be discussing later this evening has to do with the enforcement part. Hamm stated that it is very important to not only have the speeds that they want, but to also enforce them. He is hopeful that the City's police staff will do a great job of keeping the speeds at their speed limits, especially at the intersection on FM 1717. Hamm commented that while making his travels to City Hall, he was driving down 14th Street, two bicyclist were trying to cross the road, of course it's a busy road, the bicyclist were having a hard time getting across this busy road as there is no crosswalks. Hamm stated that he thinks this road was recently

repaved which could be part of the problem. He stated that not only on 14th Street but also coming from Walmart heading North there is no crosswalks as well as near Harvey Elementary. He stated that the school zone on King Ave, there are three sections of the school zone covers; one intersection has crosswalk and the other two don't. He stated that 17th, 18th, and 19th Street don't have sidewalks. Hamm commented that one can get the child across the road but the child will still be walking on the road to get to the school for the next block or two. Hamm commented that he is happy the city is getting the STEP Program, but he is trying to reinforce to the City Commission that we have a long way to go in Kingsville as far as pedestrian safety, child safety, bicycling safety and even up and down King Avenue, crosswalks are very far and between. He stated that there is a mechanism where you push the button for the crossing but there is no crosswalk to cross the street in. Hamm stated that if anyone ever reads police reports, if there is a fatality on a pedestrian, one or two sentences on the report read that the pedestrian was not in a crosswalk.

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to include JK Northway project not completed in FY2016-2017. (Finance Director).

2. Motion to approve return of donation from Kingsville Historic Downtown District Association. (City Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider resolution authorizing the City Manager to enter into a Construction Contract with Rusty Van Fleet Construction, Inc. for the Municipal Building First Floor Renovation Project. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager reported that this item will authorize the City to enter into a contract with Rusty Van Fleet Construction, Inc., for the Municipal Building First Floor renovations. Competitive sealed bids were published in the newspaper on October 29, 2017 and November 5, 2017. Bids were accepted until 2:00 P.M. on November 14, 2017. Two responses were received from Victory Building Team of

Corpus Christi and Rusty Van Fleet of Kingsville. Staff reviewed the information received to be responsive. Architect Solka Nava Torno, Inc., reviewed the qualifications and discussed two firm's bids based on a point evaluation system. Solka Nava Torno, Inc., recommended Rusty Van Fleet to be the best firm for the City of Kingsville. At a previous meeting on December 18, 2017, the City Commission awarded RFP#18-05 to Rusty Van Fleet Construction and authorized staff to negotiate a contract. The total amount of the contract for the renovation with approved alternates is \$915,500.00 which will be paid from the Building Fund.

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 voting "FOR".

4. Consider resolution authorizing participation in and acceptance of funds from the 2019 Selective Traffic Enforcement Program (STEP) with the Texas Department of Transportation for police traffic enforcement with an anticipated cash match, authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).

Mr. Ricardo Torres, Police Chief stated that the Police Department has been invited to participate in the 2019 Selective Traffic Enforcement Program (STEP). The department has \$12,000 that has been awarded to the department with at 20% cash match. Torres stated that they will have a four mile linear area that they will be working under this particular grant.

Commissioner Pecos asked where the department was planning on retrieving the 20% cash match.

Chief Torres responded that they would get that money from budgeted money they have existing.

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

5. Discuss update on Drainage Master Plan and public outreach. (City Manager).

Mr. Santillan, Capital Improvement Manager stated that during this discussion, staff will mention the nine locations that were chosen based off the public involvement meeting and online survey responses. Santillan stated that Kate Ploetzner from Kimley Horn will be making the presentation to the City Commission.

Ms. Kate Ploetzner, representative of Kimley Horn commented that on December 11th, during a City Commission meeting, they had already opened up the online survey that asked about eight questions for citizens to answer regarding area that flood. In addition to the online survey, a public involvement meeting was scheduled for December 12, 2017.

At this time, Ms. Ploetzner discussed and displayed two maps showing the results of the online survey and the other the results from the public involvement meeting. The map show locations from the online survey as well. Thirty responses were received from this survey and fifteen surveys that were filled out during the public involvement meeting. She further showed a slide showing the nine locations that were selected. Location No. 1, Fairview Dr. between E. Santa Gertrudis Ave. and Brookshire St. show that drainage issue of flooding issues along Fairview Dr. and stalled vehicles during heavy rainfall events. Location No. 2, 19th Street from E. Lott Ave. to Maple Street;

drainage issues are flooding issues along roads and impassable roads; trouble entering driveways.

Commissioner Pecos commented that flooding takes place on 16th Street and Lott Street. This neighborhood gets flooded every year. Pecos further commented that when 14th Street was repaired, this are floods.

Ms. Ploetzner further stated that Location No. 3, the neighborhood on 21st Street from John Street to Caesar Ave show that drainage issues of flooding in the streets and impassable roads; danger of stalled vehicles. Location No. 4, Alexander Avenue from 11th Street to 14th Street have issues with positive drainage along ditch on southside of Alexander Avenue, and ditch stands full of water for days; sometimes causing flooded streets and residents' yards. Location No. 5, Caesar Place Subdivision has flooding issues in streets and high water in roads and front yards.

Commissioner Lopez commented that this is coming from 14th Street off of Miller.

Location No. 6, the neighborhood off of Lewis Street and Senator Carlos Truan Blvd. as well as Virginia and Parker Avenue being included, has flooding issues in streets and impassable roads; homes in danger of flooding. Location No. 7, the neighborhood on North and South Pasadena Street and 7th Street between Carol Ave and BU 77 has flooding issues in streets, particularly near the N. and S. Pasadena Street intersection near the existing inlet and high water in roads and near homes. Location No. 8, the neighborhood off of Paulson Falls Blvd. has issues with flooding in streets, particularly Brook Lane, Kelly Lane, and the intersection of Alice Lane and Alice Lane intersection. It also has issues with high water on roads and near homes.

Commissioner Garcia commented that this is a new subdivision and with them already having these problems, one can only imagine what the older neighborhoods are going through.

Mr. Garza commented that now, staff is aware that there is an issue there as in the past, the southern portion of this subdivision had gone undeveloped and when it was developed a few years ago is when these issue started. Garza stated that the study will encompass not on the geography of the neighborhood but potentially the pond situation, as it is all encompassing that whole area.

Commissioner Garcia commented that there is a ditch running along that area which is on the Northside of the neighborhood, but it still floods.

Mr. Garza commented that since everything flows southeast, there is a lot of major flooding issues on Kelly, which is one of the newer streets that was developed. This is a combination that is naturally flowing southeastern corner of this neighborhood with potentially some issues with the pond that maybe it wasn't done right or something. It could also be a combination of different issues that may be connected with the pond.

Commissioner Garcia commented that his biggest concern is that this is a brand new subdivision and compare to other subdivision that are in the city, this new one floods.

Mrs. Alvarez asked if the location numbers were randomly assigned or are they in order of priority?

Mr. Santillan responded that they were randomly assigned.

Ms. Ploetzner continued with Location No. 9, N. 17th Street and Corral Ave. intersection has issues with flooding in streets and standing water. This location is more of a safety issue.

Mr. Garza commented that Corral Street is a TXDOT road. A lot of the areas that were identified earlier, especially 14th Street feeding into Miller or even potentially with Alexander, it is important to note that we may be very limited with what we can and cannot do depending on what the recommended solution is, as it is TXDOT. Garza stated that this is not only a city issue, but a TXDOT issue as well. Staff has been in communication with TXDOT and they will have a seat at the table and allow them to participate in some type of way.

Commissioner Garcia commented that his biggest concern is 14th Street and King Avenue as well as Caesar and Circle Drive which are areas that floods when the city receives five inches of rain within an hour. Garcia asked for Ms. Ploetzner to explain the problems the city deals with when it comes to TXDOT on drainage.

Ms. Ploetzner commented that it can be a timely process working with TXDOT, especially if city standards are to where if the city has higher standards than TXDOT wants to provide or mitigate. This can be a lengthy process, but it has been done before.

Mr. Garza commented that the common denominator here is that some of the issues are coming from TXDOT roadways. Garza stated that staff will work with them to figure this situation out. If there would have been a tenth location, it would have been the King Avenue area. As the staff goes through this process, there may be an opportunity to add a tenth location just based on the workload involved with these nine locations. Garza further commented that when this process first started this process, from staff's perspective, what we were expecting was focusing on major thoroughfares. It was evident after speaking with the Commission and community members and reading the survey responses that were submitted, it shows that it's neighborhood issues that are of bigger concern. Garza stated that the idea of the Master Plan has somewhat shifted from focusing on just major thoroughfares to trying to find solutions for our neighborhoods. It is important that we get some support for the Drainage Master Plan, not only from the Commission but also from the Community, as eventually it will come with recommendations on how staff can pay for some of these solutions.

Ms. Ploetzner commented that it is expected to have a final deliverable by mid-May.

6. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget for critical repairs to Fire Department truck aerial apparatus tower 1. (Fire Chief).

Mr. David Guerra, Lieutenant for the Fire Department reported that the Kingsville Fire Department is requesting a budget amendment to the department's Vehicle/Machinery Maintenance Account in the amount of \$20,000. The request comes due to various critical repairs and maintenance discrepancies identified during a comprehensive preventative maintenance check. The comprehensive preventive maintenance revealed repairs to the powering steering components, PTO pump, primary wet tanks, CAF System, wheel assemblies, wheel seals, and degradation to the aerial ladder hoist cylinders. Guerra stated that this apparatus is very important to the Fire Station as it provides elevated waterway, which is very important when they have a downtown fire. This is also their reserve pump, so if any engine on the east or west side were to go down, this unit would have to step up and act as their second apparatus. This unit also provides an elevated rescue platform, which is instrumental due to the growth of the college and anything being built around the college is becoming a multi-story building. Guerra further stated that the budget amendment request supports the goals set by the

Kingsville Fire Department to insure the safety and continued operational effectiveness of their department's fleet.

Commissioner Lopez asked what the year was Tower 1. Lieutenant Guerra responded 2006.

Commissioner Pecos asked Lieutenant Guerra if the department has money within their budget. Lieutenant Guerra responded no; their budget, when they started the fiscal year they were preparing, because they have an aging fleet and things like this could occur, they submitted a request for an additional \$12,000 that didn't get approved. Guerra stated that they currently have the money, but once the repairs are done, it will completely deplete that part of the budget. Within this budget, anything on the road such as tire repairs, oil changes, and inspections which is money that comes out of that budget. Guerra stated that they budget for \$22,000, which is what they received, but every year they deplete that amount, and that's not say if nothing out of the ordinary happens.

Commissioner Lopez asked where this money will be coming from. Mr. Garza responded that it will come from the restricted fund balance. Garza further commented that every year staff tries to adopt the budget with about \$300,000 in it to give the city some cushion in case things comes up.

Introduction item.

7. Consider awarding contracts for water playground features and equipment for a kiddie pool at Brookshire Park and a splash pad at Flores Park via HGAC to Rain Drop Products LLC, as per staff recommendation. (Capital Improvements Manager).

Mr. Santillan reported that this item authorizes the purchase of water playground features and equipment for Kiddie Pool at the Brookshire Pool Facility and a Splash Pad at Los Hermanos Flores Park. Staff reached out to several companies on the H-GAC Buy Cooperative Purchasing Program that would be interested in submitting proposals for the purchase of water playground features and equipment for both projects. Staff received two responsive proposals from Rain Drop Products, LLC and Vortex Aquatic Structures. Staff has reviewed each proposal and has selected Rain Drop Product's proposal as the top proposal. Their proposal include the purchase agreement of water playground equipment for a Kiddie Pool at the Brookshire Pool Facility and a Splash Pad at Los Hermanos Flores Park, which include equipment such as spray toys, water cannons, buckets, water jets, and other water playground features.

Mr. Santillan displayed a map of where the Kiddie Pool and Splash Pad will be located within both locations.

Commissioner Garcia asked if the toys shown on the map were going to be the ones installed. Mr. Santillan's response was yes, although, the city has a choice, but this is what staff chose.

Commissioner Lopez made a comment that she was hoping that staff would have relocated Kiddie Pool from the proposed location due to the Oak Tree being right next to the proposed location of the Kiddie Pool. Lopez further commented that staff is going to have to work very hard to keep this pool clean.

Mr. Garza commented that this tree drops leaves in the normal pool already.

Commissioner Lopez commented that this was true, but right next to it, she was hoping that staff would consider moving the location of the Kiddie Pool. She stated that even Mayor Fugate agreed with this as well.

Mr. Garza stated that he believes that there was a comment about placing it on the opposite corner, but this created a challenge with where the gate is located and water lines and is also closer to the deep end of the pool. Garza further stated that staff wants to make it, from a safety issue put the Kiddie Pool not near the deepest end of the pool.

Commissioner Lopez commented that as for maintenance issues, she is aware of it as she has a tree next door to her home.

Mr. Santillan commented that staff will look into some solutions for this.

Mr. Garza commented that deem for safety issues, it was best to place it on the side that it is being proposed. Garza also commented that staff is planning on adding shade structures, which is currently not there. There were two old shade structures that were removed from the pool in order to accommodate the news ones that were placed. The bones for the two new shade structures can be salvaged, so what staff will more than likely be doing is looking at getting new red metal roofs on the two shade structures that were removed and placing them back somewhere in the site. The shade structure is something staff would like to have ready, in time for when the pool opens up this year.

Commissioner Garcia asked where the lifeguards will be situated.

Mr. Santillan commented that currently they are situated at the deep end and on both sides of the pool.

Mr. Garza responded that lifeguards will be situated, specifically for the Kiddie Pool as well.

Mr. Santillan stated that last year, the Commission adopted the Parks Master Plan that was developed by Halff Associates, it included some conceptual designs for several of the parks located in the city. One of those designs was Los Hermanos Flores Park. In this specific design, there is a proposed splashpad. The thought behind this, was that it is in close proximity to the creek which identified this park as the best park to have a splashpad. The proposed splashpad will be located towards the southwest corner of the property. Santillan stated that there are utilities at this site already as well as water and wastewater due to the restroom facilities.

Mr. Garza stated that on location, similar to the skatepark, this is an existing park with an existing parking lot and restrooms, which make it easier to add these amenities at parks that already have these features as oppose to starting from scratch at a different location. Mr. Garza asked for the area of the splashpad.

Mr. Santillan responded that the area for the splashpad will have a total wet area of about 1,000sqft. With the side path it is about 2,000sqft. The financial impact will be \$37,340 for the equipment for the Brookshire Pool Kiddie Pool and \$51,600 for the equipment for the Splash Pad at Los Hermanos Flores Park. This would expend a total of \$88,400. A total of \$300,000 in funding is available through several accounts.

Commissioner Garcia asked what is the appropriate age for the toys that are being installed.

Mr. Garza responded that this is something that will need to be discussed as staff will need to post rules at these facilities. From an operation stand point, this is something that staff will need to discuss such as what age and height cutoff so that it can be posted on the rules sign.

Motion made by Commissioner Pecos to approve this item as per staff's recommendation, seconded by Commissioner Garcia.

Commissioner Garcia asked for the completion date for these projects.

Mr. Santillan responded staff's priority project will be the Kiddie Pool at the Brookshire Park which will open in mid-March, so staff is working on a completion date of mid-March or the beginning of April, weather permitting and availability of the contractor.

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

8. Consider awarding proposal for construction of kiddie pool at Brookshire Park and splash pad at Flores Park via HGAC to Keith Zars Pools, Ltd. a registered vendor of Rain Drop Products LLC, as per staff recommendation. (Capital Improvements Manager).

Mr. Santillan stated that this item authorizes the construction of a Kiddie Pool and a Splash Pad as well as the water features and playground equipment. This company is a registered vendor through Rain Drop Products so they are able to offer the construction turnkey of these projects. The Kiddie Pool will be a wading-pool of 0 to 18" in depth at approximately 1,200 square-feet in area and the splashpad being 2,000 square-feet with a 1,000 square-feet in wet area. Both facilities will have their standalone pumping system. The financial impact for the splashpad at Los Hermanos Flores Park will be \$65,033 for the construction and installation of water playground equipment and the financial impact for the kiddie pool is \$146,300 for the construction and installation of water playground equipment, for a total amount of \$211,333.00.

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

9. Consider out-of-state travel for Commission and staff to attend the National League of Cities Conference from March 11-14, 2018 in Washington, D.C. (Commissioner Pecos).

Motion made by Commissioner Garcia to approve this out-of-state travel, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez voting "FOR".

10. 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 Pro-tem Lopez announced the Executive Session and convened the meeting into closed session at 6:58 P.M.

Mayor Pro-tem Lopez reconvened the meeting into open session at 7:20 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:20 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: January 11, 2018

SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's Permit at 200 E. Yoakum (Green Jay Bar and Grill)

Summary: The applicant/authorized agent Ken Clark is requesting this variance for the Green Jay Bar and Grill.

Background: This location has had a liquor license when it first opened up. Since they opened, a church has located in downtown at 224 E. Kleberg which is within the 1,000 foot boundary. Since it is within the 1,000 foot boundary they are required to obtain a variance from the City Commission. The other trigger is that the ownership wants to change the permit from TABC which in turn causes the owner to apply again to the City. During the application process was when the church was noted to be located within 1,000 feet.

Financial Impact: The Green Jay has been an important part of downtown since it has opened up. It provides a positive financial impact for Kingsville.

Recommendation: Approve the alcohol variance as requested.



CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 200 E. YAKUM Nearest Intersection 6th Street

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Ken Clark Phone 765-3242 FAX _____

Email Address (for project correspondence only): Retpappet rest@ AOL . Com

Mailing Address 200 E. YAKUM City Kingsville State TX Zip 78363

Property Owner Michael Krueger Phone 488-6287 FAX _____

Email Address (for project correspondence only): N/A

Mailing Address 617 E. Kleberg City Kingsville State TX Zip 78363

Select appropriate process for which approval is sought. Attach completed checklists with this application.

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

Please provide a basic description of the proposed project:

ALCOHOL BEVERAGE

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

Applicant's Signature [Signature] Date: 12/22/17

Property Owner's Signature [Signature] Date: 12.22.17

Accepted by: _____ Date: _____

received
12.20.17

4:37 PM.



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

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

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

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

LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number _____

☐ Reinstatement License/Permit Number _____

☐ Change of Licensed Location License/Permit Number _____

2. Type of On-Premise License/Permit

- | | |
|--|--|
| <input checked="" type="checkbox"/> BG Wine and Beer Retailer's Permit | <input type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> Y Wine & Beer Retailer's Permit for Railway Dining Car | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input type="checkbox"/> MB Mixed Beverage Permit | |
| <input type="checkbox"/> O Private Carrier's Permit - For Brewpubs (BP) with a BG only | |

3. Indicate Primary Business at this Location

- | | |
|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel |
| <input type="checkbox"/> Bar | <input type="checkbox"/> Grocery/Market |
| <input type="checkbox"/> Sexually Oriented | <input type="checkbox"/> Miscellaneous _____ |

4. Trade Name of Location

Green Jay Bar and Grill

5. Location Address

200 E. YOakum

City

Kingsville

County

Klbertg

State

TX

Zip Code

78363

6. Mailing Address

200 E. YOakum

City

Kingsville

State

TX

Zip Code

78363

7. Business Phone No.

361-221-2539

Alternate Phone No.

361-765-3242

E-mail Address

Redpiperrest@AOL.com

OWNER INFORMATION

8. Type of Owner

- | | | |
|--|--|---|
| <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

9. Business Owner/Applicant

Green Jay Bar and Grill, Inc.



CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, December 21, 2017

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for 200 E. Yoakum Ave.

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 200 E. Yoakum Avenue, we have concluded that the property in question does fall within the 1,000 ft boundary of a one church; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

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

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the one church; suspected to be close to the property. The Over Comer Outreach Church is within the 1,000 foot boundary.

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

Ruler

Line Path Polygon Circle 3D path 3D poly

Measure the distance between multiple points on the ground

☐ Show Elevation Profile

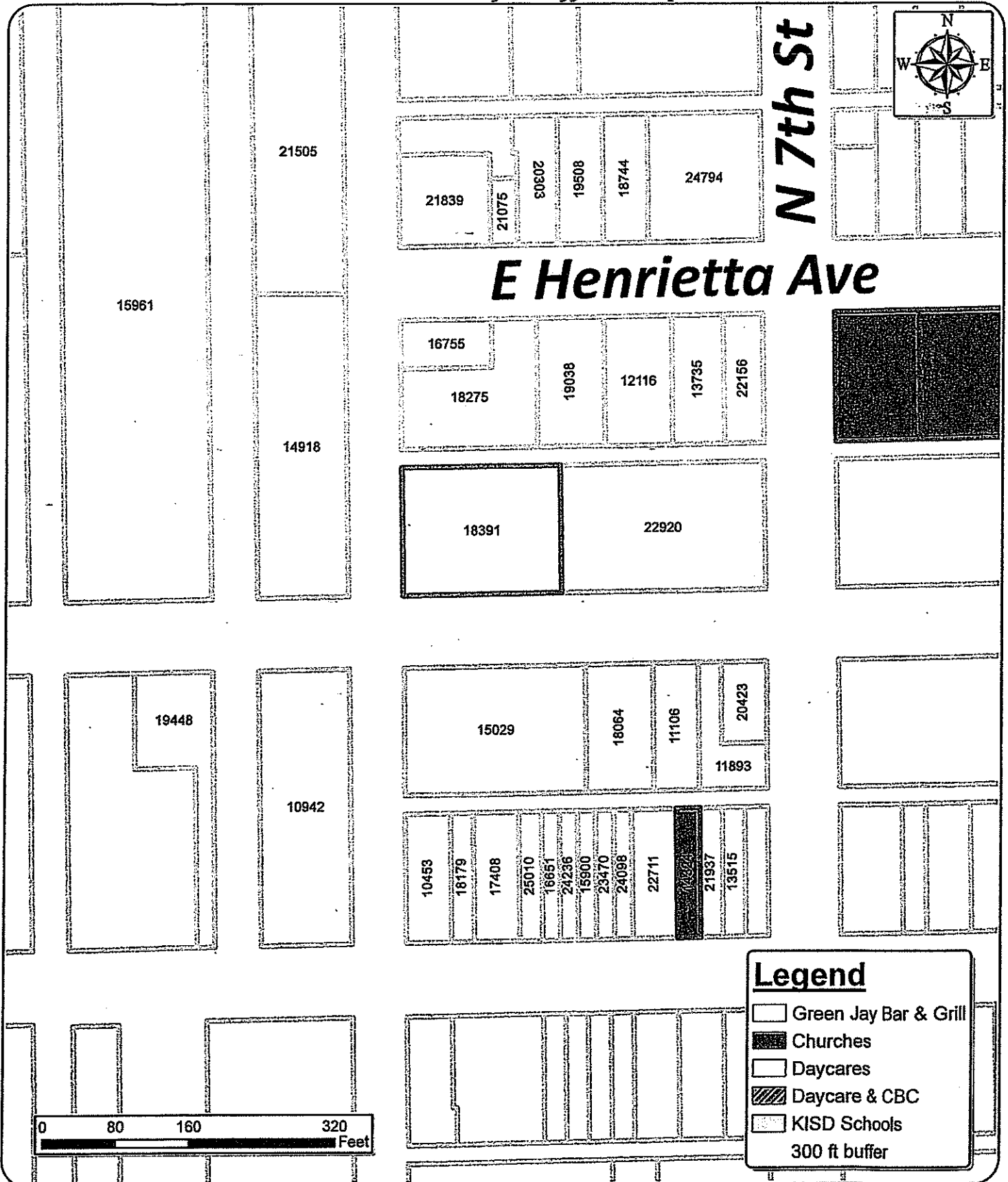
☒ Mouse Navigation

Save Clear

Length: 759.07 Feet



200 E. Yoakum 300ft Buffer Map with ID's



Document Path: N:\Engineering\Alcohol_Permits\Fall Inspections\200 E. Yoakum (Green Jay)\300 ft buffer with IDs.mxd

Page 1/1	Drawn By: Engineering Dept.	<p>DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Office: (361) 595-8007 Fax: (361) 595-8064</p>
	Last Update: 12/21/2017		
	Note: Please see attached documents.		

UNION PACIFIC RAILROAD COMPANY
PERSONAL PROPERTY
C/O PROPERTY TAX
1400 DOUGLAS ST STOP 1640
OMAHA, NE 68179-1640
#15961

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#19448

GLENDAM CHASE
PO BOX 6030
KINGSVILLE, TX 78364
#21075

CHARLES SALOMON JR
912 E CAESAR AVE
KINGSVILLE, TX 78363-6365
#18744

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#18275

SAM R LOPEZ EST
ETUX LUCILLA (LIFE EST)
PO BOX 22
KINGSVILLE, TX 78364-0022
#13735

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#15029

KINGSVILLE INVESTMENTS INC
DBA: KINGSVILLE TITLE
115 N 7TH ST
KINGSVILLE, TX 78363-4538
#11893

HARREL DRUG CO INC
204 E KLEBERG AVE
KINGSVILLE, TX 78363-4573
#18179

BRYAN J OLGUN
350 DURHAM K
DEERFIELD BEACH, FL 33442
#16651

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78364-1458
#21505

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#10942

TRICIA RICHARDSON
212 E HENRIETTA AVE
KINGSVILLE, TX 78363-4559
#20303

HOWARD A HENDERSON
PO BOX 861
KINGSVILLE, TX 78364-0861
#24794

NICHOLAS MORENO
ETUX ROSA E
217 E HENRIETTA AVE
KINGSVILLE, TX 78363-4558
#19038

SAM R LOPEZ EST
ETUX LUCILLA (LIFE EST)
PO BOX 22
KINGSVILLE, TX 78364-0022
#22156

KLEBERG BANK NATL
ASSOC
PO BOX 7669
CORPUS CHRISTI, TX 78467
#18064

GUADALUPE O MENDOZA
PO BOX 969
KINGSVILLE, TX 78364-0969
#20423

HARREL DRUG CO
204 E KLEBERG AVE
KINGSVILLE, TX 78363-4573
#17408

VIRGINIA S JONES
PO DRAWER A
KINGSVILLE, TX 78364-1603
#24236

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78364-1458
#14918

SARA ZAHN
857 W MILL ST
NEW BRAUNFELS, TX 78130
#21839

BP RESIDENTIAL LLC
PO BOX 50656
MIDLAND, TX 79710-0656
#19508

SAM R FUGATE
NATHAN P FUGATE
PO BOX 1265
KINGSVILLE, TX 78364-1265
#16755

THE BOARD OF DIRECTORS OF
KINGSVILLE ANIMAL RESCUE
KLEBERG INC
225 E HENRIETTA
KINGSVILLE, TX 78363
#12116

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#22920

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#11106

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78364-1458
#10453

HARREL DRUG CO INC
204 E KLEBERG AVE
KINGSVILLE, TX 78363-4573
#25010

MELISSA J FUCHS
489 E FM 1118
KINGSVILLE, TX 78363-2622
#15900

ELIAS FAMILY TRUST
CAROLYN EST & JACK (CO-TR)
1518 VIRGINIA ST
KINGSVILLE, TX 78363-6640
#23470

VIRGINIA S JONES
PO DRAWER A
KINGSVILLE, TX 78364-1603
#21937

ELIAS FAMILY TRUST
CAROLYN EST & JACK (CO-TR)
1518 VIRGINIA ST
KINGSVILLE, TX 78363-6640
#24098

MARY LOU C GONZALEZ
PO BOX 1422
KINGSVILLE, TX 78364-1422
#13515

WESLEY L GOETSCH EST
ETUX BARBARA E
2101 E TRANT RD APT 403
KINGSVILLE, TX 78363-9643
#22711

THE OVER COMER OUTREACH
COMMUNITY CHURCH
224 E KLEBERG AVE
KINGSVILLE, TX 78363
#14324

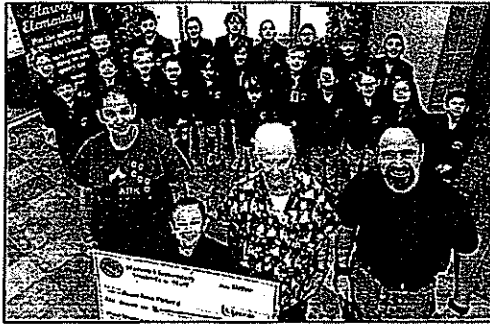
PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, January 22, 2018 at 6:00 P.M. to discuss and/or take action on the following item:

Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Green Jay Bar and Grill at 200 East Yoakum, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

Harvey donates \$1,000 to ARK



Harveyville recently donated \$1,000 to Animal Rescue Kleberg in an effort to support the building of new kennels. Harveyville City Council Members met and decided to help with ARK's efforts and held a lemonade stand to raise funds. They also held a Santa picture event to help meet their donation goal. Shown here are ARK representatives and the Harveyville City Council. (Submitted item)

Perez students participate in Market Days



The students of J.R. Perez Elementary participated in Pantherville's Market Day held on Friday, Dec. 8. The students received real world experience working at their ventures and participating in Market Day activities. (Submitted item)



Harsh Adhyaru, MD

Women's Minimally Invasive Surgery Available Close to Home.

Dr. Harsh Adhyaru, offers minimally invasive total laparoscopic hysterectomy and other Gynecologic surgery.

- Quicker recovery time
- Smaller and less incisions
- Less pain and post-operative complications

Most patients can usually go home the same day and resume their normal routine in one to two weeks.



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Obstetrics and Gynecology Associates
Kingsville

APPOINTMENTS AVAILABLE NOW
To schedule your appointment now visit
bookchristus.org or call 844.CPG.DOCS

Gillett Intermediate School honor roll listed

Submitted Item

The Gillett Intermediate School honor roll for the second six weeks has been announced.

Fifth grade All A: Jerah Banda, Keysha Feliciano, Leticia E. Garza, Adriana Cortiwicha, Christian Gonzalez, Erick Guo, Alexander Ibanez, Tessa Kubala, Jaden Lozano, Daniel Rodriguez, Adam Rysavy, Diego Vazquez-Landeros, Elias Wahlquist

Fifth grade A-B: Marta Aguilar, Aaron Amaro, Gaudelupe Armijo-Cruz, Jalen Arriaga, Blake Barbours, Melany Barron, Valentin Bazaldúa, Larue Benavidez, Sydney Butler, Julian Calderon, Shakira Campos, Juan Cantu, Alleen Carbajal, Mackenzie Cavazos, Zoe Cavazos, Martin Chapa II, Alfonso Cruz, Arami Cruz, Samantha Cruz, Francisco De La Rosa, Cruz Fuentes III, Destiny Fuentes, Amy Garcia, James Garcia, Jayzin Garcia, Kian Garcia, Rod Garcia, Ryan Gomez, Arianna Gonzalez, Jaycee Gonzalez, Christopher Guajardo, Diego Guzman, Sophiya Hallet, David Hamilton, Alyssa Hernandez, Octavio Hernandez, Jerald Johnson, Ealy Lerma, Janessah Longoria, Aubrey Lozano, Bryson Madrid, Victor Maldonado, Israel Martinez, Malachi Martinez, Veronica Mochell, Randall Medina Jr., Rylee Mitchell, Nerida Moreno, Robert Narvaez II, Jaslynn Obregon-Garza, Hannah Ortega, Vicente Ovalle, Bailey Pena, Jacob Perez, Juan Perez, Robert Puga, Sierra Ramirez, Aaron Ramos, Jasmin Rawlinson, Jose Razo, Dimitri Riojas, Jacob Rivera, Ramiro Rodriguez

Jr., Cristella Rojas, Isayah Roman-Riojas, Kaelyn Rondon, Michael Rosales, Perla Rosales, Tanya Rosales, Nicholas Ruiz, Robert Salas, Heaven Salazar-Pena, Orion Sanchez, Dylan Sandoval, Destiny Sellers, Seyedehsara Shaker, Draven Sullivan, Emanuel Trevino, Jayden Trevino, Nicholas Vela, Josue Velasquez, Aliyah Williams, Jazneia Williams

Sixth grade All A: Jacob Cantu, Madison Garza, A'Zyneia King, Aaleyah King, Emilio Lara

Sixth grade A-B: Elysya Arellano, Kamryn Basaldua, Daniel Bazan, Miranda Becker, Elorah Buck, Isaac Buentele, Ryan Campos, Faith Canales, Scarlet Carizales, Daniela Castro, Desiree Chavez, Jones Colin, Jonathan Cortez, Celeste De La Garza, Christian Doida, Andres DeJesus, Xavier Delapaz, Andrew Faherty, Xander Galvan, Marcos Garcia, Christopher Gomez Jr., Mariela Gonzalez, Eduardo Gonzalez Jr., Jayden Gonzalez, Morgan Guerra, Kananah Harris, Jarrett Harvey, Jordan Hinojosa, Ezekiel Ibanez, Evan Kent, Katelyn Kerston Suttin, William Lawrence, Ryan Loera, Mallory Lopez, Faith Macareno, James Martinez, Adrian Mayorga, Brianna Mendez, Jefferson Menendez, Amylie Morales, Rylee Munoz, Crystal Olvera, Salvador Ortiz, Benjamin Price, Hillion Proc, Marcus Ramos, Aleyska Ramos-Rivera, Baihua Ren, Sebastian Rodriguez, Abigail Rogers, Laya Rosas, Luis Salazar III, Heidi Saldana, Ethan Sandojo, Joshua Soma, Evalyn Sosa, Avajoe Trevino and Noah Villarreal.

Perez Elementary, First Christian Church team up



The staff and students of J.R. Perez Elementary collected food items and gave them to the First Christian Church Food Pantry to help families in need in Kingsville. Pictured are the First Christian Church members, from left, Robert Garcia, Erick Bandelow and Art Alvarez. (Submitted item)

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- ✓ Teeth Whitening
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General Dentistry

312 South Ave. B, Bishop, TX 78343
(361) 584-2217

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, January 22, 2018 at 6:00 P.M. to discuss and/or take action on the following item:

Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Green Jay Bar and Grill at 200 East Yoakum, Kingsville, Texas. The meeting will be held at City Hall, 400 West King., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief / EMC

DATE: January 8th, 2018

SUBJECT: Budget Amendment to KFD Vehicle Maintenance Account

Summary:

The Kingsville Fire Department is requesting a budget amendment to the department's Vehicle/Machinery Maintenance Account (001-5-220.0-4110.0) in the amount of \$20,000.00. The request comes due to various critical repairs and maintenance discrepancies identified during a comprehensive preventative maintenance check. If approved, critical repairs can be made returning our aerial apparatus to full service for our community.

Background:

A preventative maintenance check was performed by Metro Fire Apparatus Specialist Inc., after numerous operational issues were communicated by personnel and when the unit was unable to successfully pass its annual aerial ladder re-certification. The comprehensive PM revealed repairs to the powering steering components, PTO pump, primary wet tanks, CAF System, wheel assemblies, wheel seals, and degradation to the aerial ladder hoist cylinders to mention a few. In addition, the apparatus had shown an increase in cost maintenance and downtime over the past few months, reducing service to our community.

Lastly, the aerial apparatus serves our community by providing an elevated waterway for defensive fire attack, an elevated rescue platform, and as a reserve engine when one of our front-line engines is out of service. By making these repairs, we will insure the safety of our firefighters and continued service to our City of Kingsville community.

Financial Impact:

The comprehensive PM total repair cost was estimated at \$28,077.00, but in reviewing total repairs we were able to prioritize minor to critical repairs, reducing cost of critical repairs to \$19,972.50. Current funds are not available to cover repairs and maintain sufficient funds for the remainder of the FY.



City of Kingsville Fire Department

Recommendation:

The following budget amendment request supports the goals set by the Kingsville Fire Department to insure the safety and continued operational effectiveness of our department's fleet. Our recommendation is that the Commission approve the budget request, so we may move forward with needed repairs.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET FOR CRITICAL REPAIRS TO FIRE DEPARTMENT TRUCK AERIAL APPARATUS TOWER 1.

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
Fund 001 General Fund					
Equity					
2		Unassigned Fund Balance	61002		\$ 20,000
Expenses					
5-2200		Vehicle Maintenance	41100	\$ 20,000	

[To amend the City of Kingsville FY 17-18 Budget for critical repairs to the Fire Department truck aerial apparatus Tower 1 as per the attached memo from the Fire Chief.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 8th day of January, 2018.

PASSED AND APPROVED on this the 22nd day of January, 2018.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

**City of Kingsville
Engineering/Public Works**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Sharam Santillan, Capital Improvements Manager
DATE: Monday, January 22, 2018
SUBJECT: Bid#17-17 Santa Gertrudis Avenue Street Improvements Change Order #3

Summary:

This item is to request approval of a change order for Bid 17-17 Santa Gertrudis Avenue Street Improvements in the amount of \$6,880.00 to re-stripe stop bars and crosswalks on intersecting streets off Santa Gertrudis Avenue.

Background:

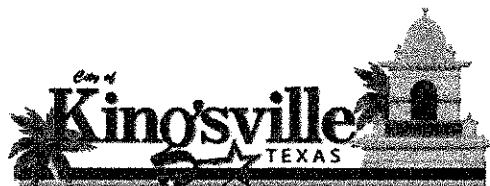
On August 28, 2017, the City of Kingsville awarded the Santa Gertrudis Avenue Street Improvements Contract to Jimmy Evans Company in the amount of \$656,917.60. Since then, two change orders have been approved by Commission to extend the limits of construction from Tranquitas Creek bridge to 14th Street and to include the reconstruction of several turn-outs off Santa Gertrudis Avenue. This will be the third change order and it will cover the cost to stripe stop bars and crosswalks on intersecting streets off Santa Gertrudis Avenue.

Financial Impact:

The financial impact will be an amount of \$6,880.00. Funding is available through account 092-5-3050-52100 Street and Bridge.

Recommendation:

Staff recommends authorization of the change order in the amount of \$6,880.00 to include the re-striping of stop bars and crosswalks on intersecting streets.





Construction Contract Change Order

Owner: City of Kingsville

Contract: Bid 17-17 Santa Gertrudis Avenue Street Improvements

Change Order No:

3

Contractor:

(Name and Address)

Jimmy Evans Company
PO Box 9749
Austin, TX 78766

Owner/Engineer:

(Name and Address)

City of Kingsville
PO Box 1458
Kingsville, TX 78364

Select Change Order Type(s): ☒ Change in Existing Line Items ☐ New Items Requested ☐ Change in Contract Duration

Changes in Existing Line Items (Items from original bid or added in previous change order ONLY)

Bid Item #	Item Description	Original Qty.	Proposed Qty.	UOM	Unit Price	Δ Qty.	Change in Contract Price
A-7	REF PAV MRK (TY 1, W, 4", SLD)	6,150	6,250	LF	\$0.40	100	\$40.00
A-8	REF PAV MRK (TY 1, Y, 4", SLD)	6,150	6,250	LF	\$0.40	100	\$40.00
A-9	PREFAB PAV MRK (TY C, W, 12", SLD)	460	950	LF	\$8.00	490	\$3,920.00
A-10	PREFAB PAV MRK (TY C, W, 24", SLD)	100	280	LF	\$16.00	180	\$2,880.00
Contract Change Sub-Total:							\$6,880.00

Change Order Summary

Original Contract Price:	\$656,917.60	Original Contract End Date:	3/18/2018
Net Previous Change Order(s):	\$95,578.50	Net Change of Previous Change Orders (days):	0
This Net Change Order:	\$6,880.00	Increase/Decrease of this Change Order (days)	0
New Contract Price:	\$759,376.10	Change Order Contract End Date	3/18/2018
Cumulative % Change:	15.597%		

NOTE: Change orders for an increase of more than 25% will be rejected. The City of Kingsville considers a change in the construction contract price of greater than 25% to be non-competitive, as other potential bidders did not have the opportunity to bid on the true scope of the project during the procurement process.

Owner Approval (REQUIRED)

Authorized Signature	Date
Jesus A. Garza, City Manager, City of Kingsville	
Authorized Signatory's Name and Title	

Contractor's Authorization (REQUIRED)

Contractor's Signature	Date
Ronnie Duenez, Estimator, Jimmy Evans Company	
Authorized Signatory's Name and Title	

REGULAR AGENDA

AGENDA ITEM #3

**City of Kingsville
Planning Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Cynthia Martin, Downtown Manager
DATE: January 11, 2018
SUBJECT: Kingsville Main Street Advisory Board Appointment

Summary: The Kingsville Main Street Advisory Board currently has an opening. Denise Zimmerman has applied to fill that position.

Background: Mrs. Zimmerman is a resident of Kingsville and the owner of a building and business located in the Main Street District. She grew up in Kingsville graduating from HM King High School and TAMUK before heading off to South Texas College of Law. Mrs. Zimmerman served as Assistant County Attorney for Kleberg County from December 2010 – August 2012. Currently she is a partner in the Zimmerman Law Firm, 611 E Kleberg Ave. She will be replacing Board member Michelle Spearman who served as a community representative. Mrs. Spearman recently relocated to Corpus Christi so was no longer eligible to serve on the Board.

Financial Impact: NA

Recommendation: It is recommended that Denise Zimmerman be appointed to the Kingsville Main Street Advisory Board for a two year term.



Diane Denise Elizondo Zimmerman

611 East Kleberg Avenue, Kingsville, Texas 78363
Tel: 361-516-0088 Cell: 361-455-4138
dzimmermanlaw@gmail.com

Education

- H.M. King High School
Graduated 1991
- Texas A&M University – Kingsville
Graduated 1997 – Summa Cum Laude
Bachelors of Arts- Double Major: History & Political Science
Dean's Honor List
- South Texas College of Law, Houston, Texas
Graduated 2001 – Cum Laude
Highest Grade Award in Following:
Professional Responsibility, Employment Law, Administration of
Estates, Will & Trust, Environment Law and International Law

Bar Admissions

Texas State Bar – 2003 to Present
Southern District of Texas – 2003 to Present

Certifications

Certified Mediator for the State of Texas
Certified Attorney Ad Litem
Certified Guardianship Attorney Certification

Employment History

Zimmerman Law Firm

- January 2006 to Present
 - Partner – Family Law Practice: Child Custody Litigation, Adoptions, Grandparents Rights, Estate Planning, Contested Probate, Guardianships and Amicus Attorney -representation of children in litigation
 - Criminal Law Practice: Juvenile defense, Misdemeanor and Felony defense
 - Annual Attendee to the Advance Family Law Continuing Education Course
 - Successfully conducted litigation in a variety of civil and criminal cases both bench and jury
 - Pro Bono- maintain case load for Texas Rio Grande Legal Aid

Kleberg County Assistant County Attorney

- December 2010 – August 2012

- Criminal Docket – Maintained case load of all misdemeanor cases filed in County
- CPS Docket- Maintained full case load of all Child Protective Services cases filed in the County
- Protective Orders- Prosecuted and provided legal counsel to various victims
- Juvenile Cases- Maintained case load of all Juvenile cases filed in County
- Research Administrative Law and Local Government Laws
- Public Liaison – Addressed public concerns and assisted public with legal advice

Associate Attorney

- November 2003 – November 2005 Levin & Atwood, LLP, Katy, Texas
 - Estate Planning – document drafting and litigation
 - Family Law – litigation
 - Bankruptcy
 - Client relations
 - Litigation- achieved favorable resolution of complex, often difficult to win cases

Professional Affiliations

Member of The State Bar of Texas
 Member of the Family Law Section of The State Bar
 Member of the District and County Attorneys Association
 Kleberg Kenedy Bar Association

Community Affiliations

Member of The Kleberg-Kenedy Livestock Show Association
 Member of St. Martins Catholic Church
 Member of the Academy Booster Club
 4-H Leader of Trailblazers

References

Judge Guadalupe Mendoza
 123 North 7th Street
 P.O. Box 969
 Kingsville, Texas 78364
 361-595-1913

Honorable Sam Fugate
 201 East Henrietta Ave
 Kingsville, Texas
 361-592-2412

AGENDA ITEM #4

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: January 11, 2018

SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's Permit at 200 E. Yoakum (Green Jay Bar and Grill)

Summary: The applicant/authorized agent Ken Clark is requesting this variance for the Green Jay Bar and Grill.

Background: This location has had a liquor license when it first opened up. Since they opened, a church has located in downtown at 224 E. Kleberg which is within the 1,000 foot boundary. Since it is within the 1,000 foot boundary they are required to obtain a variance from the City Commission. The other trigger is that the ownership wants to change the permit from TABC which in turn causes the owner to apply again to the City. During the application process was when the church was noted to be located within 1,000 feet.

Financial Impact: The Green Jay has been an important part of downtown since it has opened up. It provides a positive financial impact for Kingsville.

Recommendation: Approve the alcohol variance as requested.



CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 200 E. YORKUM Nearest Intersection 6th Street

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Ken Clark Phone 765-3242 FAX _____

Email Address (for project correspondence only): Redpapperrest@aol.com

Mailing Address 200 E. YORKUM City Kingsville State TX Zip 78363

Property Owner Michael Krueger Phone 488-6237 FAX _____

Email Address (for project correspondence only): N/A

Mailing Address 617 E. Kleberg City Kingsville State TX Zip 78363

Select appropriate process for which approval is sought. Attach completed checklists with this application.

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

Please provide a basic description of the proposed project:

ALCOHOL BEVERAGE

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

Applicant's Signature [Signature] Date: 12/22/17

Property Owner's Signature [Signature] Date: 12.22.17

Accepted by: _____ Date: _____

received
12.20.17

4:37 P.M.



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

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

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

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

LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number _____

☐ Reinstatement License/Permit Number _____

☐ Change of Licensed Location License/Permit Number _____

2. Type of On-Premise License/Permit

- | | |
|--|--|
| <input checked="" type="checkbox"/> BG Wine and Beer Retailer's Permit | <input type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> Y Wine & Beer Retailer's Permit for Railway Dining Car | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input type="checkbox"/> MB Mixed Beverage Permit | |
| <input type="checkbox"/> O Private Carrier's Permit - For Brewpubs (BP) with a BG only | |

3. Indicate Primary Business at this Location

- | | |
|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel |
| <input type="checkbox"/> Bar | <input type="checkbox"/> Grocery/Market |
| <input type="checkbox"/> Sexually Oriented | <input type="checkbox"/> Miscellaneous _____ |

4. Trade Name of Location

Green Jay Bar and Grill

5. Location Address

200 E. YOakum

City

Kingsville

County

Kleberg

State

TX

Zip Code

78363

6. Mailing Address

200 E. YOakum

City

Kingsville

State

TX

Zip Code

78363

7. Business Phone No.

361-221-2539

Alternate Phone No.

361-765-3242

E-mail Address

RedpepperRst@AOL.com

OWNER INFORMATION

8. Type of Owner

- | | | |
|--|--|---|
| <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

9. Business Owner/Applicant

Green Jay Bar and Grill, Inc.



CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, December 21, 2017

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for 200 E. Yoakum Ave.

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 200 E. Yoakum Avenue, we have concluded that the property in question does fall within the 1,000 ft boundary of a one church; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

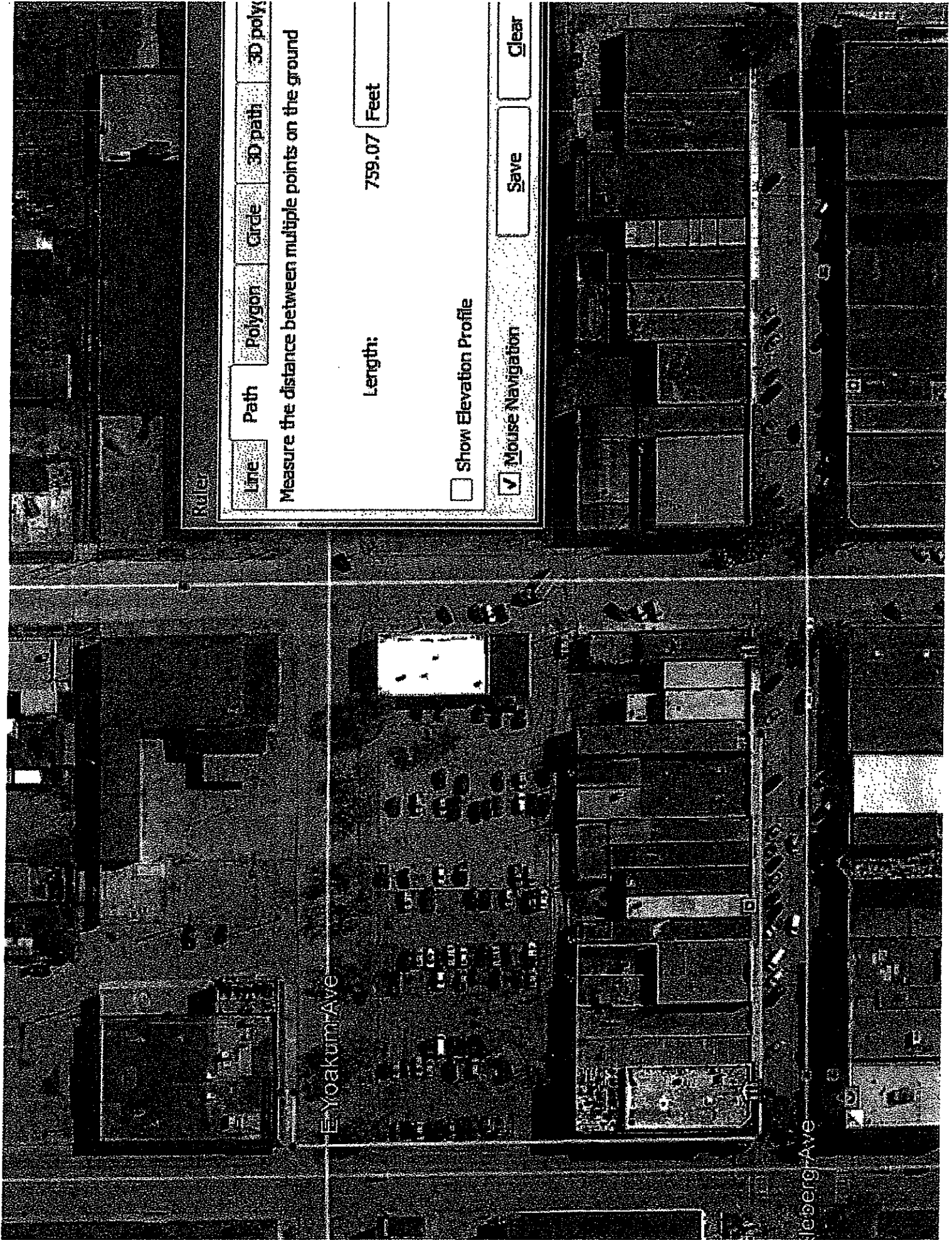
Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the one church; suspected to be close to the property. The Over Comer Outreach Church is within the 1,000 foot boundary.

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



Ruler

Line

Path

Polygon

Circle

3D path

3D poly

Measure the distance between multiple points on the ground

Length:

759.07 Feet

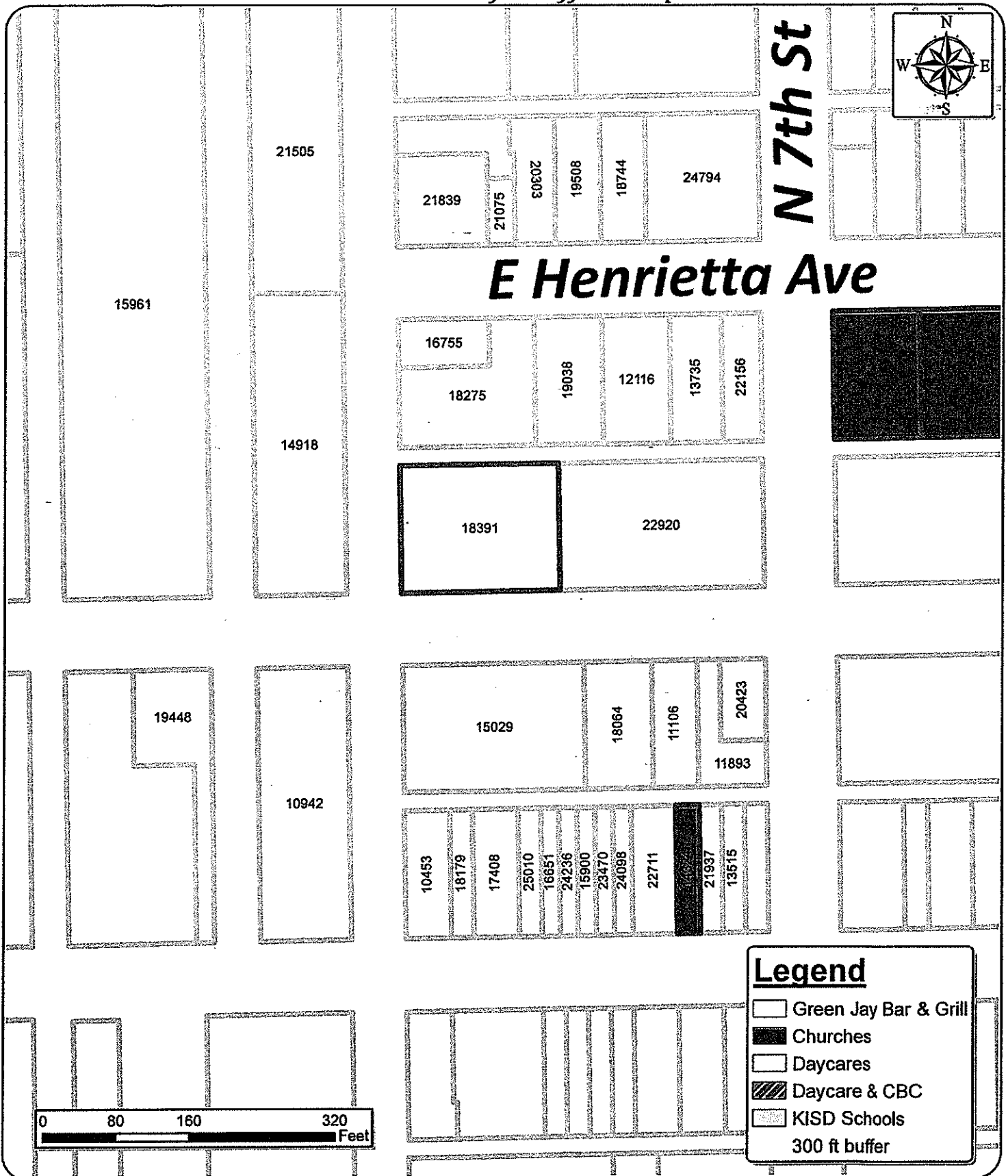
☐ Show Elevation Profile

☒ Mouse Navigation

Save

Clear

200 E. Yoakum 300ft Buffer Map with ID's



Document Path: N:\Engineering\Alcohol_Permits\Fail Inspections\200 E. Yoakum (Green Jay)\300 ft buffer with IDs.mxd

Page 1/1	Drawn By: Engineering Dept.	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.		CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Office: (361) 595-8007 Fax: (361) 595-8064
	Last Update: 12/21/2017			
	Note: Please see attached documents.			

UNION PACIFIC RAILROAD COMPANY
PERSONAL PROPERTY
C/O PROPERTY TAX
1400 DOUGLAS ST STOP 1640
OMAHA, NE 68179-1640
#15961

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78364-1458
#21505

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78364-1458
#14918

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#19448

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#10942

SARA ZAHN
857 W MILL ST
NEW BRAUNFELS, TX 78130
#21839

GLENDIA M CHASE
PO BOX 6030
KINGSVILLE, TX 78364
#21075

TRICIA RICHARDSON
212 E HENRIETTA AVE
KINGSVILLE, TX 78363-4559
#20303

BP RESIDENTIAL LLC
PO BOX 50656
MIDLAND, TX 79710-0656
#19508

CHARLES SALOMON JR
912 E CAESAR AVE
KINGSVILLE, TX 78363-6365
#18744

HOWARD A HENDERSON
PO BOX 861
KINGSVILLE, TX 78364-0861
#24794

SAM R FUGATE
NATHAN P FUGATE
PO BOX 1265
KINGSVILLE, TX 78364-1265
#16755

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#18275

NICHOLAS MORENO
ETUX ROSA E
217 E HENRIETTA AVE
KINGSVILLE, TX 78363-4558
#19038

THE BOARD OF DIRECTORS OF
KINGSVILLE ANIMAKL RESCUE
KLEBERG INC
225 E HENRIETTA
KINGSVILLE, TX 78363
#12116

SAM R LOPEZ EST
ETUX LUCILLA (LIFE EST)
PO BOX 22
KINGSVILLE, TX 78364-0022
#13735

SAM R LOPEZ EST
ETUX LUCILLA (LIFE EST)
PO BOX 22
KINGSVILLE, TX 78364-0022
#22156

MICHAEL J KRUEGER
PO BOX 1538
KINGSVILLE, TX 78364-1538
#22920

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#15029

KLEBERG BANK NATL
ASSOC
PO BOX 7669
CORPUS CHRISTI, TX 78467
#18064

KLEBERG BANK N.A.
PO BOX 7669
CORPUS CHRISTI, TX 78467
#11106

KINGSVILLE INVESTMENTS INC
DBA: KINGSVILLE TITLE
115 N 7TH ST
KINGSVILLE, TX 78363-4538
#11893

GUADALUPE O MENDOZA
PO BOX 969
KINGSVILLE, TX 78364-0969
#20423

CITY OF KINGSVILLE
PO BOX 1458
KINGSVILLE, TX 78364-1458
#10453

HARREL DRUG CO INC
204 E KLEBERG AVE
KINGSVILLE, TX 78363-4573
#18179

HARREL DRUG CO
204 E KLEBERG AVE
KINGSVILLE, TX 78363-4573
#17408

HARREL DRUG CO INC
204 E KLEBERG AVE
KINGSVILLE, TX 78363-4573
#25010

BRYAN J OLGUN
350 DURHAM K
DEERFIELD BEACH, FL 33442
#16651

VIRGINIA S JONES
PO DRAWER A
KINGSVILLE, TX 78364-1603
#24236

MELISSA J FUCHS
489 E FM 1118
KINGSVILLE, TX 78363-2622
#15900

ELIAS FAMILY TRUST
CAROLYN EST & JACK (CO-TR)
1518 VIRGINIA ST
KINGSVILLE, TX 78363-6640
#23470

VIRGINIA S JONES
PO DRAWER A
KINGSVILLE, TX 78364-1603
#21937

ELIAS FAMILY TRUST
CAROLYN EST & JACK (CO-TR)
1518 VIRGINIA ST
KINGSVILLE, TX 78363-6640
#24098

MARY LOU C GONZALEZ
PO BOX 1422
KINGSVILLE, TX 78364-1422
#13515

WESLEY L GOETSCH EST
ETUX BARBARA E
2101 E TRANT RD APT 403
KINGSVILLE, TX 78363-9643
#22711

THE OVER COMER OUTREACH
COMMUNITY CHURCH
224 E KLEBERG AVE
KINGSVILLE, TX 78363
#14324

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, January 22, 2018 at 6:00 P.M. to discuss and/or take action on the following item:

Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Green Jay Bar and Grill at 200 East Yoakum, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

Harvey donates \$1,000 to ARK



Harveyville recently donated \$1,000 to Animal Rescue Kleberg in an effort to support the building of new kennels. Harveyville City Council Members met and decided to help with ARK's efforts and held lemonade stands to raise funds. They also held a Santa picture event to help meet their donation goal. Shown here are ARK representatives and the Harveyville City Council. (Submitted item)

Perez students participate in Market Days



The students of J.R. Perez Elementary participated in Pantherville's Market Day held on Friday, Dec. 8. The students received real world experience working at their ventures and participating in Market Day activities. (Submitted item)



Harsh Adhyaru, MD

Women's Minimally Invasive Surgery Available Close to Home.

Dr. Harsh Adhyaru, offers minimally invasive total laparoscopic hysterectomy and other Gynecologic surgery.

- Quicker recovery time
- Smaller and less incisions
- Less pain and post-operative complications

Most patients can usually go home the same day and resume their normal routine in one to two weeks.



CHRISTUS.
Obstetrics and Gynecology Associates
Kingsville

APPOINTMENTS AVAILABLE NOW
To schedule your appointment now visit
bookchristus.org or call 844.CPG.DOCS

christushealth.org/obgyn-kingsville

Gillett Intermediate School honor roll listed

Submitted Item

The Gillett Intermediate School honor roll for the second six weeks has been announced.

Fifth grade A: Jerah Banda, Keysha Feliciano, Leticia E. Garza, Adrianna Goniwicha, Christian Gonzalez, Erick Guo, Alexander Ibanez, Tessa Kubala, Jaden Lozano, Daniel Rodriguez, Adam Rysavy, Diego Vazquez-Landeros, Elias Wahlquist

Fifth grade A-B: Marta Aguilar, Aaron Amaro, Gaudalope Armijo-Cruz, Jalen Arriaga, Blake Barbour, Melanny Barron, Valentin Bazaldua, Lamee Benavidez, Sydney Butler, Julian Calderon, Shakira Campos, Juan Canhu, Aileen Carbajal, Mackenzie Cavazos, Zoe Cavazos, Martin Chapa II, Alfonso Cruz, Arami Cruz, Samantha Cruz, Francisco De La Rosa, Cruz Fuentes III, Destiny Fuentes, Amy Garcia, James Garcia, Jayzin Garcia, Kian Garcia, Ruel Garcia, Ryan Gomez, Aniana Gonzalez, Jaycee Gonzalez, Christopher Guajardo, Diego Guzman, Sephyra Hallet, David Hamilton, Alyssa Hernandez, Octavio Hernandez, Jerald Johnson, Esly Lerma, Janessa Longoria, Aubrey Lozano, Bryson Madrid, Victor Maldonado, Israel Martinez, Malachi Martinez, Veronica Mitchell, Randall Medina Jr., Kyle Mitchell, Nerioda Moreno, Robert Narvaez II, Jaelynn Obregon-Garza, Hannah Ortega, Vicente Ovalle, Bailee Pena, Jacob Perez, Juan Perez, Robert Puga, Sierra Ramirez, Aaron Ramos, Jaemian Rawlinson, Jose Razo, Dimitri Rojas, Jacob Rivera, Ramiro Rodriguez

Jr., Cristella Rojas, Isayah Roman-Rojas, Kaelyn Rondon, Michael Rosales, Perla Rosales, Tanya Rosales, Nicholas Ruiz, Robert Salas, Heaven Salazar-Pena, Orion Sanchez, Dylan Sandoval, Destiny Sellers, Seydehsara Shaker, Draven Sullivan, Emanuel Trevino, Jayden Trevino, Nicholas Vela, Josue Velasquez, Aliyah Williams, Jazmea Williams

Sixth grade A: Jacob Canhu, Madison Garza, A'Zynea King, Asleyah King, Emilio Lara

Sixth grade A-B: Elyssa Arellano, Karmyne Basaldua, Daniel Bazar, Miranda Becker, Elorah Buck, Isaac Buente, Ryan Campos, Faith Canales, Scarlett Carrizales, Daniela Castro, Desiree Chavez, Jones Colin, Jonathan Cortez, Celeste De La Garza, Christian Delda, Andres DeJesus, Xavier Delapaz, Andrew Faherty, Xander Galvan, Marcos Garcia, Christopher Gomez Jr., Mariela Gonzales, Eduardo Gonzalez Jr., Jayden Gonzalez, Morgan Guerra, Xamarah Harris, Jarrett Harvey, Jodan Hinojosa, Ezekiel Ibanez, Evan Kent, Katelyn Kerston Sutton, William Lawrence, Ryan Loera, Mallory Lopez, Faith Macareno, James Martinez, Adrian Mayorga, Brianna Mendez, Jefferson Menendez, Amylie Morales, Rylee Munoz, Crystal Olvera, Salvador Ortiz, Benjamin Price, Hillton Proe, Marcus Ramos, Aleysha Ramos-Rivera, Balthus Ren, Sebastian Rodriguez, Abigail Rogers, Laya Rosas, Luis Salazar III, Heidi Saldana, Ethan Sendejo, Joshua Serna, Evalyn Sosa, Avajoe Trevino and Noah Villarreal.

Perez Elementary, First Christian Church team up



The staff and students of J.R. Perez Elementary collected food items and gave them to the First Christian Church Food Pantry to help families in need in Kingsville. Pictured are the First Christian Church members, from left, Robert Garcia, Erich Bandelow and Art Alvarez. (Submitted item)

We'd like to get to know you.

Now Accepting New Patients!

If you're looking for a new dentist... then look no further. We're committed to providing a full range of options to help you achieve a cleaner healthier and more attractive smile.

Kind, Caring and Complete Family Dentistry

- ✓ Family Dentist
- ✓ Routine Cleanings
- ✓ Teeth Whitening
- ✓ Braces (Orthodontics)

www.LawhonDental.com



Dr. Tanya P. Lawhon, DDS
General Dentistry

312 South Ave. B, Bishop, TX 78343
(361) 584-2217

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, January 22, 2018 at 6:00 P.M. to discuss and/or take action on the following item:

Request for an alcohol variance for a Wine and Beer Retailer's Permit for the establishment known as Green Jay Bar and Grill at 200 East Yoakum, Kingsville, Texas. The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

AGENDA ITEM #5

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: January 12, 2018

SUBJECT: Action on Amending the City of Kingsville Code of Ordinances by Amending Section 15-6-26 Home Occupation, Revising Home Child Care Regulation

Summary: The Planning and Zoning Commission will be reviewing January 17th an amendment to the Home Occupation ordinance. Essentially it will be considering to changing the number of children that can be cared for to be equivalent to the state law.

Background: Alejandra Montiel a local day care director has asked the Planning and Zoning Commission to change the allowable level of children that can be cared for to the state law. Currently the ordinance caps the number at 6 (home occupation). State law allows up to 12 for a home occupation.. Document A is an email from Alejandra which states her reasons why the City should consider this change. The Planning and Zoning Commission discussed the item at their January 3rd meeting. From that meeting they instructed staff to provide an ordinance amendment which would change the language to the state law rule. Document B is my memo to the Planning and Zoning Commission which summarizes the issue. Document C with the phrase that is asterisked reflects the current language in the home occupation ordinance. Document D is the amendment to the ordinance provided by the City Attorney. The Planning and Zoning Commission will be meeting January 17th to consider the ordinance to amend the Home Occupation ordinance.

Financial Impact: I do not anticipate any additional revenue for the City. It is hoped that the impact will be that the parents who need to find quality day care will have additional opportunities to do that with this change.

Recommendation: The Planning and Zoning Commission met Wednesday, January 18, 2018 to consider this item. They voted 4 to 0 in favor of recommending approval of the amended ordinance.



City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: January 12, 2018

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Section 15-6-26 Home Occupation, Revising Home Child Care Regulation

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Financial Impact: I do not anticipate any additional revenue for the City. It is hoped that the impact will be that the parents who need to find quality day care will have additional opportunities to do that with this change.

Recommendation: The Planning and Zoning Commission will be meeting on January 17, 2018 to consider this amendment. On Thursday the 18th I will provide the City Secretary with the vote from the Planning and Zoning Commission.



A

Tom Ginter

From: SunnySide Early Learning Licensed Home Daycare
<sunnysideearlylearning@hotmail.com>
Sent: Tuesday, December 12, 2017 8:43 PM
To: Tom Ginter
Subject: City Ordinance for Daycare

To: Director of Planning and Development Services,
Mr. Tom Ginter,

I, Alejandra Montiel am the Director of SunnySide Early Learning Licensed Home Daycare. I recently spoke to you via phone call regarding the "city ordinance" that took place in 2013/2014 to my understanding. Where home daycares are allowed no more than 6 children.

However, my concern is wanting to know how that came about when there are currently "grandfathered home daycares" that have 12 kids which is the State capacity as of present day. They have been operating for many years without a problem.

My concern also is my growing waiting list for families who are desperately seeking child care. Quality childcare. I am limited to half the children that DFPS State Licensing actually allows me because of this city ordinance.

What are the steps I need to take to be "grandfathered , exempt, or possibly waived " to this ordinance?

Once again my main concern is providing quality child care and not having these families and children be at a unfit and unsafe location because they are forced to leave them with unqualified and uncertified providers. I have worked very hard to get where I am from my education, to my years of experience in child care, and going through every step possible to do things the legal and correct way to open up my business. In my daycare I not only provide quality care, but I serve hot meals also through a state nutritional food program, I have a learning curriculum, a daily schedule, and offer much more... all this for our community and it's children , our future. I just recieved my "Non Expiring State License" which proves all my state inspections are great. I have several families waiting on a response for me to give them of this outcome.

As Director of SunnySide Early Learning Licensed Home Daycare, children and their safety are my top priority and concern. As a small local business, I am here to serve my best, and provide more of what the community desperately needs and seeks.

Thank you,
Alejandra Montiel
361-720-5492

SunnySide Early Learning
Licensed Home Daycare

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B

To: Planning and Zoning Commission

From: Tom Ginter, Director

Date: December 28, 2017

Subject: Agenda Item

Alejandra Montiel, Director of Sunnyside Early License Home Daycare approached me as to why the number 6 was chosen as the maximum number allowed to have under care in relationship to a home occupation (daycare). Since the ordinance itself was approved in March of 2014 (prior to my start) I wasn't present for any of the discussion, nor could I find any information on that in the minutes when this ordinance was approved. She may ask that again of the commission but frankly I didn't have an answer for her. Consequently I had Alejandra submit an email to me explaining to me why we should explore amending the current ordinance on the number limitation. Document A is the email from Alejandra Montiel.

The home address for this home occupation is 1900 Shelly. The current zoning for this address is R1, which allows home occupations. Document B reflects this allowable use.

Document C is a copy of the city's home occupation ordinance. I have marked the ordinance where it allows child care and the limitation of six children under care at any one time. Since Alejandra Montiel has referenced the state rules in regards to the number of children allowed, I thought I would include that information for your review. Document D reflects the standards for child care homes. Alejandra operates a licensed child care home which I have marked and is 747.115. Under 747.115 is 1 which states the following: The total number of children in care varies with the ages of the children but the total number of children in care in a licensed child care home at any given time, including the children related to the caregiver, must not exceed 12.

I have also researched as to what other cities do and have provided the pertinent ordinance language from Corpus Christi on this issue. Document E is the ordinance language from Corpus Christi. As you can see a day care home is allowed in a single family zoning district with restrictions. Consequently I have included the limitations listed under 5.2.4.C. Day Care Home. In 1 of 5.2.4 C it says the following: A day care home shall provide regular care to no more than six children under 14 years of age, excluding children who are related to the caretaker, and may provide care after school hours for not more than six children but the total number of children including those related to the caretaker shall not exceed 12 at any given time.

Summary:

Just a reminder that this is a discussion item only. I believe that you should feel comfortable with the information given you plus the thoughts that may arise from the discussion during the

meeting prior to taking any action if that is your desire. I also confess that I really do not have any perception as to the commission's thoughts on this subject so it is important for me to listen and understand. Also as you know decisions made by you take into account the whole city, the sizes of homes and other factors which are important to this discussion.

- C
- (2) The home occupation shall be conducted entirely within the principal residential building or in a permitted accessory building.
 - (3) The home occupation use shall be clearly incidental and secondary to the residential occupancy.
 - (4) No more than six clients per day (limit one visit per day per each client) are permitted to visit the home occupation. Hours for visits shall be between 8:00am and 8:00pm, unless otherwise noted in 15-6-26.
 - * (5) Home occupations for child care shall have a maximum of six children under care at any one time.
 - (6) No manufacturing or processing of any sort whatsoever shall be done, except as permitted by Section 15-6-26(D)(1)(I). Public facilities and utilities shall be adequate to safely accommodate equipment used for the home occupation.
 - (7) No stock-in-trade shall be displayed or sold on the premises except for delivery of orders.
 - (8) No stock-in-trade, except articles produced by residents of the premises, shall be stored on the premises and those articles shall not be flammable, combustible or explosive materials.
 - (9) No alteration of the principal residential building shall be made which changes the character as a dwelling.
 - (10) Not more than 25% of the gross floor area of the principal dwelling or accessory structure shall be utilized for the home occupation.
 - (11) The home occupation shall not produce offensive noise, vibration, smoke, electrical interference, dust, odors or heat. Any noise, vibration, smoke, electrical interference, dust odors, or heat detectable beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multi-family structure, shall constitute a violation of this section.
 - (12) No mechanical or electrical equipment other than normal domestic or household equipment shall be used.
 - (13) There shall be no outdoor storage of equipment or materials used in the home occupation.
 - (14) The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating of 10,000

D

ORDINANCE NO.2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING SECTION 15-6-26-HOME OCCUPATIONS, REVISING HOME CHILD CARE REGULATIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City received a request from a local licensed child care home provider to increase the maximum number of children a home child care center in the city is allowed to have under care from 6 to 12, which state law allows depending on the ages of the children and the number of caregivers;

WHEREAS, the City Planning and Zoning Commission considered this request at a publicly posted meeting on January 17, 2018 and voted ____ - ____ for/against the changes stated herein;

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 OF KINGSVILLE BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:

I.

THAT Sections 15-6-26 of Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-6-26 HOME OCCUPATIONS.

(A) *Purpose and findings.* A home occupation is defined as an accessory use carried out by the occupants for compensation in a residential dwelling unit. This section:

- Establishes criteria for the operation of home occupations in dwelling units within residential districts;
- Permits and regulates the conduct of home occupations as an accessory use in a dwelling unit, whether owner or renter occupied;
- Ensures that such home occupations are compatible with, and do not have a harmful effect on, adjacent and nearby residential properties and uses;
- Ensures that public and private services, such as streets, sewers, or water or utility systems, are not burdened by the home occupation to the extent that usage exceeds that normally associated with residential use;

- Allows residents of the community to use their residences as places to enhance or fulfill personal economic goals, under certain specified standards, conditions, and criteria;
- Enables the fair and consistent enforcement of these home occupation regulations; and;
- Promotes and protects the public health, safety, and general welfare.

(B)*Applicability.* This section applies to:

- (1)Any occupation, profession, or business activity customarily conducted entirely within a dwelling unit and carried out by a member of the family residing in the dwelling unit, and which occupation, profession or business activity is clearly incidental and subordinate to its primary use as a residential dwelling and does not change the character of the dwelling unit. A home occupation is an accessory use to a dwelling unit.
- (2)No home occupation, except as otherwise provided in this section, may be initiated, established, or maintained in the unit unless it is in conformance with the regulations and performance standards set forth in this section. A home occupation shall be incidental and secondary to the use of a dwelling unit for residential purposes.

(C)*Exempt Home Occupations.*

...

(D)*Permitted Home Occupations.* The home occupations permitted in subsection (1), below, are allowed in a residential setting because they do not compromise the residential character of an area, do not generate conspicuous traffic, do not visually call unusual attention to the home, and do not generate noise of a nonresidential level. A home occupation is permitted as an accessory use in the districts, as shown in Appendix A, (Section 1, Land Use Chart) and in the Planned Unit Development and/or Mixed Use (MU) districts

- (1)The following home occupations are permitted and subject to the standards established in this section:

...

- (c)Catering (NAICS 72232; LBCS 2560);
- (d)Child care (NAICS 6244; LBCS 6562);
- (e)Computer repair and training (NAICS 611519);

...

(E)*Use limitations and performance standards.*

- (1)Home occupations shall be carried out by members of the household occupying the dwelling and no more than one nonresident employee shall be permitted.
- (2)The home occupation shall be conducted entirely within the principal residential building or in a permitted accessory building.
- (3)The home occupation use shall be clearly incidental and secondary to the residential occupancy.
- (4)No more than six clients per day (limit one visit per day per each client) are permitted to visit the home occupation. Hours for visits shall be between 8:00am and 8:00pm, unless otherwise noted in 15-6-26.
- (5)Home occupations for child care shall have a maximum of six children under care at any one time, from birth through 13 years of age as determined by state law which varies with the ages of the children, but the total number of children in care at any given time, including the children related to the

caregiver, must not exceed 12. The restriction on visits stated in 15-6-25 (E)(4) above does not apply to home occupations for child care.

(6)No manufacturing or processing of any sort whatsoever shall be done, except as permitted by Section 15-6-26(D)(1)(I). Public facilities and utilities shall be adequate to safely accommodate equipment used for the home occupation.

(7)No stock-in-trade shall be displayed or sold on the premises except for delivery of orders.

(8)No stock-in-trade, except articles produced by residents of the premises, shall be stored on the premises and those articles shall not be flammable, combustible or explosive materials.

(9)No alteration of the principal residential building shall be made which changes the character as a dwelling.

(10)Not more than 25% of the gross floor area of the principal dwelling or accessory structure shall be utilized for the home occupation.

(11)The home occupation shall not produce offensive noise, vibration, smoke, electrical interference, dust, odors or heat. Any noise, vibration, smoke, electrical interference, dust odors, or heat detectable beyond the property lines or beyond the walls of the dwelling unit, if the unit is part of a multi-family structure, shall constitute a violation of this section.

(12)No mechanical or electrical equipment other than normal domestic or household equipment shall be used.

(13)There shall be no outdoor storage of equipment or materials used in the home occupation.

(14)The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, similar parcel delivery service, or private vehicles with a gross vehicle weight rating of 10,000 pounds or less. Deliveries and pick-ups shall occur between the hours of 8:00am and 8:00pm.

(15)Not more than one vehicle shall be utilized for business purposes and all parking shall be provided only in the driveway or other parking area not within the public right-of-way.

(16)No truck or van with a payload rating of more than one ton shall be parked on the site or in front of the site on a regular basis.

(17)No customer waiting areas shall be provided.

(18)No vehicles shall be parked and no equipment or materials shall be stored for trash haulers, home builders, home repair contractors and similar occupations.

(19)Signage shall:

(a)be limited to one wall-mounted sign not exceeding four square feet in area is permitted.

(b)be mounted flush against the wall of the principal dwelling unit or accessory structure; and

(c)not be illuminated

(20)A business license shall be obtained, if required by other ordinances.

(F)*Prohibited home occupations.* Home occupations in residential zoning districts shall not include the following types of activities and uses:

...

(17)Any other use not allowed in accordance with 15-6-26 Home Occupations of this chapter or any use determined by the Director of

Planning and Development Services to be a detriment to the surrounding properties and/or area.

(G) *Unsafe Home Occupations*. If any home occupation has become dangerous or unsafe; presents a safety hazard to the public, pedestrians on public sidewalks, or motorists on the public right-of-way; or presents a safety hazard to adjacent or nearby properties, residents or businesses, the Director of Planning and Development Services or his/her designee shall issue an order to the dwelling owner and/or tenant on the property on which the home occupation is being undertaken, directing that the home occupation immediately be made safe or be terminated. The property owner and/or tenant shall take the necessary corrective measures. In the event of a failure to do so by the owner and/or tenant, after notice and within seven (7) days of the receipt of said notice, the Director of Planning and Development Services or his/her designee may take any and all enforcement actions to render the home occupation and dwelling safe. Costs incurred by the City of Kingsville, if forced to take enforcement actions, shall be borne by the property owner and shall be treated as a zoning violation and penalized as set forth in Section 1-1-99 of this code of ordinances.

(Ord. 2014-10, § I, 3-10-14)

Cross reference— Penalty, see § 15-1-999.

...

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.

V.

THAT nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

INTRODUCED on this day on the 22nd day of January, 2018.

PASSED AND APPROVED on this the 12th day of February, 2018.

EFFECTIVE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

ORDINANCE NO.2018-_____

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- (a)be limited to one wall-mounted sign not exceeding four square feet in area is permitted.
- (b)be mounted flush against the wall of the principal dwelling unit or accessory structure; and
- (c)not be illuminated

(20)A business license shall be obtained, if required by other ordinances.

(F)*Prohibited home occupations.* Home occupations in residential zoning districts shall not include the following types of activities and uses:

...

(17)Any other use not allowed in accordance with 15-6-26 Home Occupations of this chapter or any use determined by the Director of

Planning and Development Services to be a detriment to the surrounding properties and/or area.

(G)*Unsafe Home Occupations.* If any home occupation has become dangerous or unsafe; presents a safety hazard to the public, pedestrians on public sidewalks, or motorists on the public right-of-way; or presents a safety hazard to adjacent or nearby properties, residents or businesses, the Director of Planning and Development Services or his/her designee shall issue an order to the dwelling owner and/or tenant on the property on which the home occupation is being undertaken, directing that the home occupation immediately be made safe or be terminated. The property owner and/or tenant shall take the necessary corrective measures. In the event of a failure to do so by the owner and/or tenant, after notice and within seven (7) days of the receipt of said notice, the Director of Planning and Development Services or his/her designee may take any and all enforcement actions to render the home occupation and dwelling safe. Costs incurred by the City of Kingsville, if forced to take enforcement actions, shall be borne by the property owner and shall be treated as a zoning violation and penalized as set forth in Section 1-1-99 of this code of ordinances.

(Ord. 2014-10, § I, 3-10-14)

Cross reference— Penalty, see § 15-1-999.

...

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.

V.

THAT nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

INTRODUCED on this day on the 22nd day of January, 2018.

PASSED AND APPROVED on this the 12th day of February, 2018.

EFFECTIVE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks & Recreation Manager

DATE: January 16, 2018

SUBJECT: Receipt of \$7,000 donation from Various Kingsville Hoteliers and Business Owners to assist with Construction of Dog Park

Summary:

The Parks & Recreation Department would like approval from City Commission to receive \$7,000 in donations from Kingsville Hoteliers and business owners as detailed below. These funds will be used to help with the cost of constructing a dog park in Dick Kleberg Park. The park would be constructed near the site recommended by the Parks Master Plan.

Background:

Most of the contributing Hoteliers and business owners are associated by personal or business relationship with the Vishal Raju Bhagat Foundation, which has already contributed \$25,000 to this same project. The construction of the dog park will increase the quality of life in our community and add attraction to people looking for activities while visiting Kingsville and staying in their hotels and visiting their businesses.

Financial Impact:

The donation of \$7,000 will help with the construction costs for a formal dog park to be built in Dick Kleberg Park. The donations were made as follows:

Comfort Inn Kingsville	\$ 500.00
Americas Best Value Inn	\$ 500.00
Best Western Kingsville Inn	\$ 500.00
Budget Inn	\$ 500.00
Econo Lodge	\$ 1,000.00
Executive Inn	\$ 500.00
La Quinta Inn	\$ 500.00
Rita's Super Store	\$ 500.00
Riviera Inn and Suites	\$ 500.00
Super 8 Motel	\$ 1,000.00



City of Kingsville
Parks & Recreation Department

Holiday Inn	\$1,000.00
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Recommendation:

We recommend that City Commission authorize the receipt of these donations totaling \$7,000 and amend the budget to record the acceptance of these funds into the parks budget.



AGENDA ITEM #7

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks & Recreation Manager

DATE: January 16, 2018

SUBJECT: Receipt of \$7,000 donation from Various Kingsville Hoteliers and Business Owners to assist with Construction of Dog Park

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The donation of \$7,000 will help with the construction costs for a formal dog park to be built in Dick Kleberg Park. The donations were made as follows:

Comfort Inn Kingsville	\$ 500.00
Americas Best Value Inn	\$ 500.00
Best Western Kingsville Inn	\$ 500.00
Budget Inn	\$ 500.00
Econo Lodge	\$ 1,000.00
Executive Inn	\$ 500.00
La Quinta Inn	\$ 500.00
Rita's Super Store	\$ 500.00
Riviera Inn and Suites	\$ 500.00
Super 8 Motel	\$ 1,000.00



City of Kingsville
Parks & Recreation Department

Holiday Inn	\$1,000.00
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Recommendation:

We recommend that City Commission authorize the receipt of these donations totaling \$7,000 and amend the budget to record the acceptance of these funds into the parks budget.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 TO ACCEPT AND EXPEND PARK DONATIONS FROM LOCAL HOTELIERS FOR DOG PARK.

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
Fund 001 General Fund					
Revenues					
	Park				
4-4503	Maintenance	Park Donations	58003	\$ 7,000	
Expenses					
	Park				
5-4503	Maintenance	Grounds & Perm Fixtures	59100	\$ 7,000	

[To amend the City of Kingsville FY 17-18 budget to accept and expend park donations from local hoteliers to be used towards a dog park as per the attached memo from the Parks Manager.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of January, 2018.

PASSED AND APPROVED on this the ___ day of _____, 2018.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #8

RESOLUTION _____

A RESOLUTION ORDERING THE CITY OF KINGSVILLE GENERAL ELECTION, DESIGNATING VOTING PRECINCTS, POLLING PLACES ESTABLISHING ELECTION PROCEDURES AND APPOINTING EARLY VOTING CLERK.

WHEREAS, the City Commission of the City of Kingsville pursuant to Article V, Section 9 of the Charter of the City of Kingsville, shall conduct, and the results canvassed and announced by the election authorities prescribed by the General Election Laws of the State of Texas, and said General Election Laws shall control in all municipal elections, except as otherwise herein provided; and

WHEREAS, the General Election is to be held on Saturday, May 5, 2018, as prescribed by the General Election Laws of the State of Texas; and

WHEREAS, the terms of all five commission members expire in May, 2020.

BE IT ORDANINED, by the City Commission of the City of Kingsville, Texas that an election be held in said City on the 5th day of May, 2018 for the purpose of electing a Mayor and four City Commissioners.

BE IT FURTHER ORDAINED that this City have six election polling places comprised of the following voting precincts.

<u>CITY POLLING PLACE</u>	<u>COUNTY VOTING PRECINCT</u>
1	23 & 24
2	22, 32, & 44
3	21, 43, & 45
4	14, 41, & 42
5	13
6	11, 12, & 31

THAT this City shall hold the election between 7:00 A.M. and 7:00 P.M. at the following places in said City.

Polling Place #1	McRoberts Elementary School, 400 West Corral
Polling Place #2	KISD Administration Bldg. 207 North 3rd Street
Polling Place #3	Kleberg County Annex Bldg., 720 E. King & 12th Street
Polling Place #4	Gillett Intermediate School, 1007 North 17th Street
Polling Place #5	Harvey Elementary School, 1301 East Kenedy
Polling Place #6	H.M. King High School, 2210 S. Brahma Blvd

BE FURTHER RESOLVED THAT: the method of voting for Early Voting by personal appearance and by mail and voting on Election day will be by use of paper ballot and Direct Recording Electronic (DRE) Voting System, and be processed through the M100 Paper Ballot Tabulator for the results.

THAT: the City Secretary Mary Valenzuela or designated person is hereby appointed Clerk for Early Voting. Early voting for the election shall be held at City Hall, 400 W. King Avenue in the Helen Kleberg Groves Community Room and said place of early voting shall remain open on weekdays between the hours of 8:00 A.M. and 5:00 P.M. Monday, April 23, 2018 through April

27, 2018; and continuing from 7:00 A.M. to 7:00 P.M. on Monday, April 30, 2018 and terminating on Tuesday, May 1, 2018 after voting occurs between the hours of 7:00 A.M. and 7:00 P.M.

THAT: the City Secretary Mary Valenzuela or designated person shall give notice of said election by publishing the notice at least one time in at least one newspaper of general circulation in the City; that the City Secretary Mary Valenzuela or designated person is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election; and that the Presiding Officer of the Commission shall issue all necessary orders, writs and notices for said election and returns of said election shall be made to the City Commission.

BE IT FINALLY RESOLVED that in accordance with the order of this governing body, the City Secretary Mary Valenzuela posted written notice of the date, place and subject of this meeting, and said notice having been so posted and remaining posted and continuously for at least 72 hours preceding the scheduled time of said meeting.

PASSED AND APPROVED by majority vote of the City Commission of the City of Kingsville, Texas this the 22nd day of January, 2018.

Sam R. Fugate, Mayor

Edna Lopez, Commissioner

Arturo Pecos, Commissioner

Al Garcia, Commissioner

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

RESOLUCIÓN _____

UNA RESOLUCIÓN QUE ORDENA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, DESIGNA LOS DISTRITOS ELECTORALES Y LOS SITIOS DE VOTACIÓN, ESTABLECE LOS PROCEDIMIENTOS DE LAS ELECCIONES Y NOMBRA A LA SECRETARIA ENCARGADA DE LA VOTACIÓN ANTICIPADA.

CONSIDERANDO QUE: La Comisión Municipal de la Ciudad de Kingsville, de conformidad con el Artículo V, Sección 9 del Fuero Municipal de la Ciudad de Kingsville, realizará las elecciones, y las autoridades electorales recomendadas por las Leyes de Elecciones Generales del Estado de Texas escrutarán los votos y anunciarán los resultados, y dichas Leyes de Elecciones Generales controlarán todas las elecciones municipales, salvo que se especifique lo contrario en el presente documento; y

CONSIDERANDO QUE: Las Elecciones Generales se llevarán a cabo el sábado 5 de mayo de 2018, como lo estipulan las Leyes de Elecciones Generales del Estado de Texas; y

CONSIDERANDO QUE: Los periodos de servicio de todos los cinco miembros de la comisión finalizarán en mayo de 2020.

ES DECRETADO, por la Comisión Municipal de la Ciudad de Kingsville, Texas, que se realicen unas elecciones en dicha Ciudad el día 5 de mayo de 2018, con el propósito de elegir un Alcalde y cuatro Comisionados Municipales.

SE DECRETA ADEMÁS que esta Ciudad tendrá seis sitios de votación, compuestos de los siguientes distritos electorales.

<u>SITIO DE VOTACIÓN EN LA CIUDAD</u>	<u>DISTRITO ELECTORAL DEL CONDADO</u>
1	23 & 24
2	22, 32, & 44
3	21, 43, & 45
4	14, 41, & 42
5	13
6	11, 12, & 31

QUE esta Ciudad deberá realizar las elecciones entre las 7:00 a.m. y las 7:00 p.m. en los siguientes sitios de dicha Ciudad:

Sitio de votación #1	Escuela Primaria McRoberts, 400 West Corral
Sitio de votación #2	Edificio de Administración del KISD 207 North 3 rd Street
Sitio de votación #3	Edificio anexo del condado de Kleberg, 720 E. King & 12 th St.
Sitio de votación #4	Escuela Intermedia Gillett, 1007 North 17 th Street
Sitio de votación #5	Escuela Primaria Harvey, 1301 East Kenedy
Sitio de votación #6	Escuela H.M. King High School, 2210 S. Brahma Blvd

SE RESUELVE ADEMÁS QUE: El método de votación para la votación anticipada en persona y por correo, y para la votación el día de elecciones, será con papeletas y el sistema de votación de registro electrónico directo (DRE, por sus siglas en inglés). Los votos se procesarán a través del tabulador de papeletas M100 para obtener los resultados.

QUE: La Secretaria Municipal, Mary Valenzuela, o la persona designada, se nombra aquí Secretaria de Votación Anticipada. La votación anticipada para las elecciones se llevará a cabo en el primer piso del Ayuntamiento, 400 W. King Ave., en el Helen Kleberg Groves Community Room y dicho sitio de votación anticipada permanecerá abierto entre semana, de las 8:00 a.m. a las 5:00 p.m., desde el lunes 23 de abril de 2018 hasta el 27 de abril de 2018; seguirá abierto de las 7:00 a.m. a las 7:00 p.m. el lunes 30 de abril de 2018; y se cerrará el martes 1 de mayo de 2018, después de que la votación haya ocurrido entre las 7:00 a.m. y las 7:00 p.m.

QUE: La Secretaria Municipal, Mary Valenzuela, o la persona designada, notificará sobre dichas elecciones, publicando un aviso, por lo menos una vez, en al menos un periódico de circulación general en la Ciudad; la Secretaria Municipal, Mary Valenzuela, u otra persona designada, está autorizada y tiene instrucciones de proporcionar todos los materiales necesarios para realizar dichas elecciones; y que el Funcionario que Preside la Comisión expedirá todas las órdenes necesarias, los mandatos judiciales y las notificaciones para dichas elecciones, y los resultados de dichas elecciones se informarán a la Comisión Municipal.

SE RESUELVE FINALMENTE QUE: De acuerdo con la orden de este organismo regulador, la Secretaria Municipal, Mary Valenzuela, fijó un aviso escrito anunciando la fecha, lugar y tema de esta reunión, y que dicho aviso ha permanecido fijo sin interrupción por lo menos durante las 72 horas precedentes a la hora programada para dicha reunión.

APROBADA por voto mayoritario de la Comisión Municipal de la Ciudad de Kingsville, Texas, este día 22nd de enero de 2018.

Sam R. Fugate, Alcalde

Edna Lopez, Comisionado

Arturo Pecos, Comisionado

Al García, Comisionado

DA FE:

Mary Valenzuela, Secretaria Municipal

APROBADA RESPECTO A FORMA:

Courtney Álvarez, Abogado Municipal

AGENDA ITEM #9

**City of Kingsville
Parks & Recreation**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: January 12, 2018

SUBJECT: Resolution authorizing the submission of a Texas Parks & Wildlife Department grant application for the Texas Recreational Trails Fund.

Summary:

This item is to consider a resolution authorizing the submission of a Texas Parks & Wildlife Department grant application; and authorizing the City Manager to act as the executive officer and Parks Manager as authorized representative in all matters pertaining to the participation in the Texas Recreational Trails Fund – Grant Program. We also request the approval of the attached resolution authorizing the application and matching funds/in kind by the City of Kingsville.

Background:

The City of Kingsville intends to apply for the Texas Parks & Wildlife Department grant under the Texas Recreational Trails Fund. The application will be for up to \$250,000 of grant funds to carry out the creation of a public-use trail at Dick Kleberg Park ("DKP"). Upon completion of the Parks Master Plan, Parks staff began seeking funding to complete the priorities listed in the plan. One of the most requested projects is recreational trails. The installation of natural trails around the perimeter of DKP would be a great start to a new trail system in the park. It would provide an alternate running/walking place to Santiago Park Lane which at times contains heavy traffic.

Financial Impact:

Funding provided by this program is on a cost reimbursement basis. If awarded, the City must initiate the approved project with our own funds and be reimbursed up to 80 percent of allowable costs after submitting documentation of expenses. The City would be responsible for a match amount of 20 percent of the total award, which equals \$50,000.

Recommendation:

City staff recommends that the City Commission approve the resolution for the submittal of a grant application to TPWD Recreational Trails Grant Program requesting \$250,000 in funding and authorizing \$50,000 cash and in-kind labor and equipment as matching funds which could be offset by sponsors at a later date.



RESOLUTION # 2018-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT'S TEXAS RECREATIONAL TRAILS FUND-GRANT PROGRAM FOR THE PURPOSE OF REQUESTING FUNDING FOR RECREATIONAL TRAILS AT DICK KLEBERG PARK FOR THE KINGSVILLE PARKS DEPARTMENT WITH AN ANTICIPATED \$50,000 CASH MATCH; AUTHORIZING THE CITY MANAGER TO SUBMIT THE GRANT AND THE CITY PARKS MANAGER AS THE GRANT OFFICIAL TO ACT ON THE CITY'S BEHALF WITH SUCH GRANT PROGRAM.

WHEREAS, the Texas Parks and Wildlife Department (hereinafter "Department") has a Texas Recreational Trails Fund Grant Program (hereinafter "Program") that can provide monetary assistance for such improvements to public parks; and

WHEREAS, the City of Kingsville, Texas (hereinafter "City") adopted a Parks Master Plan on March 27, 2017 that contains projects for proposed improvements to all city parks, including Dick Kleberg Park, which is the site for the proposed improvements to be requested through the Program and the plan included the conceptual design for recreational trails at the park; and

WHEREAS, multiple people daily walk Santiago Park Lane and makeshift paths along roadways or in ditches at Dick Kleberg Park and a secure path would alleviate the safety concerns and may promote additional recreational use for improved fitness of our citizens;

WHEREAS, Dick Kleberg Park is a public park where the proposed permanent public park and recreational uses would be located; and

WHEREAS, the City is fully eligible to receive assistance under the Program; and

WHEREAS, the City is desirous of authorizing an official to represent and act for the City in dealing with the Department concerning the Program; and

WHEREAS, the City has in-kind services and/or funding to meet the any required cash match for this grant; and

WHEREAS, the Kingsville Parks Department would like to apply for approximately \$250,000.00 in funding for recreational trails through the Program and has identified funding sources for parks improvements to meet the anticipated \$50,000.00 match with in-kind services and/or cash; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the City Manager as the Executive Officer to submit an application for the aforementioned grant and project and the City Parks Manager as the authorized representative/grant official to administer the grant and represent the City in this matter.

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

I.

THAT the City certifies it is eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

II.

THAT the City certifies that the matching share for this application is readily available at this time.

III.

THAT the City Manager is the executive officer hereby authorized and directed to sign and act on the City's behalf in all matters pertaining to the Texas Parks and Wildlife Department's Texas Recreational Trails Fund Grant Program, including any certifications, amendments or representations stipulated therein and that the City Parks Manager, as the authorized representative/grant official, to administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

IV.

THAT the City the City specifically authorizes the official to make application to the Department concerning the site to be known as Dick Kleberg Park in the City of Kingsville, Texas or use as a park site and is hereby dedicated for public park and recreation purposes in perpetuity or for the lease term if legal control is through a lease. Projects with federal monies may have differing requirements.

V.

THAT the City Commission approves the submission of the grant application for recreational trails in Dick Kleberg Park for the Kingsville Parks Department to the Texas Parks and Wildlife Department's Texas Recreational Trails Fund Grant Program on the City's behalf with a grant request of \$250,000.00 which includes a twenty percent match that is *anticipated* to be approximately \$50,000.00 in cash and/or in-kind services.

VI.

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

VII.

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

PASSED AND APPROVED by a majority vote of the City Commission the 22nd day of January, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #10

City of Kingsville Fire Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief / EMC

DATE: January 22nd, 2018

SUBJECT: Assistance to Firefighters Grant for Engine Replacement & Respirator Fit Testing System

Summary:

The Kingsville Fire Department is requesting approval to apply for an Assistance to Firefighters Grant (AFG), which if awarded will assist in replacing the department's 17-year-old fire engine and enhance our SCBA program by adding an SCBA Respirator Fit Testing System. The grant request is for \$820,000.00 with the City responsible for a Cost Share of \$82,000.00 when the grant is awarded and fulfilled.

Background:

A fleet apparatus risk assessment identified the vehicle in question to be a safety risk to fire fighters operating the apparatus. The engine has many issues that include, but are not limited to: excessive exhaust, inadequate air conditioning for the area, multiple oil leaks, major deterioration of the cab, numerous tank and pump leaks, electrical issues, and the engine has failed the last four pump tests due to overheating. In addition, the engine has shown an increase in cost maintenance and downtime over the past few years and reduced service to our community. The engine will be replaced with a Rescue Pumper, which will increase our department's chances of being awarded the grant and improve our current response model.

Lastly, we would like to add an SCBA Respirator Fit Testing System to enhance our in-house SCBA program, by allowing required equipment testing to take place in-house instead of contracting an outside company. By doing so, we will continue insure the safety of our firefighters and create cost savings due to not having to outsource the testing.

Financial Impact:

If awarded the AFG Grant will cover \$738,000.00 with a cost share portion of \$82,000.00 covered by the City. Funds from the City would come from the Vehicle Replacement Fund.

Recommendation:



City of Kingsville Fire Department

The following grant request and potential purchase of a Rescuer Pumper and SCBA Respirator Fit Testing System supports the goals set by the Kingsville Fire Department to insure the safety and continued operational effectiveness of our department. Our recommendation is that the Commission approve the request to apply for the Assistance to Firefighters Grant.



RESOLUTION # 2018-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE FEMA ASSISTANCE TO FIREFIGHTERS GRANT REQUESTING GRANT FUNDING FOR A FIRE VEHICLE AND FOR A RESPIRATOR FIT TESTING SYSTEM ON BEHALF OF THE KINGSVILLE FIRE DEPARTMENT WITH AN ANTICIPATED \$82,000 CASH MATCH.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Fire Department participate in an application for grant monies from the FEMA Assistance to Firefighters Grant for a new fire vehicle and for a SCBA Respirator Fit Testing System; and

WHEREAS, the new fire vehicle, likely a Rescue Pumper, is needed to replace the second of two fire engines that is 17 years old and will need to be replaced in order to ensure response to emergency calls, provide safer working conditions for firefighters by reducing loud noise inside the cab, provide air conditioning to keep firefighters core body temperatures down prior to arrival at fire calls, reduce emissions, and accommodate added equipment that needs to be carried; and

WHEREAS, a SCBA Respirator Fit Testing System would enhance the Fire Department's in-house SCBA program by allowing required equipment testing to take place in-house instead of contracting with an outside company, ensuring safety and saving money; and

WHEREAS, the FEMA Assistance to Firefighters Grant has a cash match and the City's anticipated portion of the cash match for both items is estimated to be \$82,000, which will come from the City's FY18-19 General Fund budget if approved; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the Fire Chief to submit the grant and administer the grant and necessary paperwork if the grant is awarded to 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 a grant application to the FEMA Assistance to Firefighters Grant for a Fire Vehicle and for a SCBA Respirator Fit Testing System on behalf of the City of Kingsville Fire Department, with a total anticipated cash match of \$82,000 from the City if both items are awarded.

II.

THAT the City Commission authorizes the Fire Chief to submit the grant and administer the grant and necessary paperwork.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission the 22nd day of January, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #11

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: January 12, 2018

SUBJECT: Request for Budget Amendment

Summary:

The Kingsville Police Department received funds from the Edward J. Byrne Memorial Justice Assistance Grant (JAG), 42 U.S.C. 3751(a).

Background:

The Kingsville Police Department received \$32,000.00 to purchase T Series Dispatch Consoles for the Telecommunicators dispatching for police and fire. In order to install the dispatch consoles properly the floor plan of the Communications section will have to be changed. The reconfiguration of the area will allow for installation of the 2 awarded dispatch consoles and additional consoles in the future. Staff requested written quotes from three vendors and received two responses back. Graveley's Construction was the lowest of the two quotes received.

Financial Impact:

The Kingsville Police Department has received a bid from Graveley's Construction, 343 W. Co. Rd. 2170 for the scope of work in the amount of \$18,000.00. These funds will come from unreserved fund balance as per our Finance Director Deborah Balli.

Recommendation:

We request a budget amendment to allow for the scope of work to be performed so that the T Series Dispatch Consoles can be ordered and they can be custom fit for our facility and use. Thank you for your assistance regarding this matter.





GRAVELEY'S CONSTRUCTION
343 W CO RD 2170
Kingsville, TX 78363

Phone # (361) 522-0715 / 592-5125

Fax # (361) 592-5142 E-mail pipe-man@juno.com

Charlie Sosa
PO Box 1456
Kingsville, Texas 78262

1/12/18

Attn: Charlie Sosa
Re: City of Kingsville Police Station Construction Work

Mr. Sosa

Graveley's Const. Co. Inc. respectfully submits the following Proposal for the above referenced work at the Municipal Building in Kingsville Texas.

Scope of work: Provide all labor, materials, tools, equipment, supervision, transportation, and insurance necessary to complete the following.

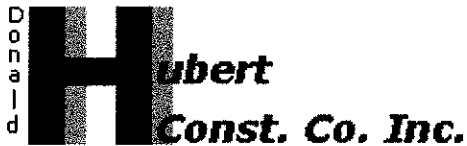
ITEM	QTY	UNIT	DESCRIPTION
A-1	1	Ea.	Install window in proposed wall
A-2	3	Ea.	Remove 2030 window in exist wall
A-3	4	Ea.	Install interior openings
A-4	3	Ea.	Remove interior wall add bracing
A-5	1	Ea.	Install 3068 interior door existing wall

Total Amount \$ 18,000.00

Thank you,

Jose Graveley

President



P.O.Box 84, Kingsville, TX 78364
(361) 592-9593 Fax (361) 595-0998
E-mail: dhubertco@sbcglobal.net

January 15, 2018

City of Kingsville

Attn: Charlie Sosa

Re: Bid Proposal
Renovations at Kingsville Police Department

Donald Hubert Const. Co. Inc. respectfully submits the following bid proposal to provide the following.

Scope of work: Provide all labor, materials, tools, equipment, supervision, transportation, and insurance necessary to complete the following.

I. Renovations at Kingsville Police Department

ITEM	QTY	UNIT	DESCRIPTION
A-1	1	Ea.	Install window in exist wall
A-2	3	Ea.	Install 2030 window in exist wall
A-3	4	Ea.	Install interior doors
A-4	3	Ea.	Remove interior wall add bracing
A-5	1	Ea.	Install 3068 interior door existing wall

Total Proposal \$ 23,320.00

If you should have any questions, please call Donnie Hubert at (361)592-9593 or mobile at (361)675-0558.

Thank you,

A handwritten signature in black ink, appearing to read "Donald Hubert".

Donald Hubert
President

Statement of Grant Award (SOGA)

The Statement of Grant Award is the official notice of award from the Office of the Governor (OOG). This Grant Agreement and all terms, conditions, provisions and obligations set forth herein shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and all other State of Texas agencies and any other agencies, departments, divisions, governmental entities, public corporations, and other entities which shall be successors to each of the Parties or which shall succeed to or become obligated to perform or become bound by any of the covenants, agreements or obligations hereunder of each of the Parties hereto.

The approved project narrative and budget for this award are reflected in eGrants on the 'Narrative' and 'Budget/Details' tabs. By accepting the Grant Award in eGrants, the Grantee agrees to strictly comply with the requirements and obligations of this Grant Agreement including any and all applicable federal and state statutes, regulations, policies, guidelines and requirements. In instances where conflicting requirements apply to a Grantee, the more restrictive requirement applies.

The Grant Agreement includes the Statement of Grant Award; the OOG Grantee Conditions and Responsibilities; the Grant Application in eGrants; and the other identified documents in the Grant Application and Grant Award, including but not limited to: 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Chapter 783 of the Texas Government Code, Title 34, Part 1, Chapter 20, Subchapter I of the Texas Administrative Code, and the Uniform Grant Management Standards (UGMS) developed by the Comptroller of Public Accounts; the state Funding Announcement or Solicitation under which the grant application was made, and for federal funding, the Funding Announcement or Solicitation under which the OOG was awarded funds; and any applicable documents referenced in the documents listed above. For grants awarded from the U.S. Department of Justice, the current applicable version of the Department of Justice Grants Financial Guide and any applicable provisions in Title 28 of the CFR apply. For grants awarded from the Federal Emergency Management Agency (FEMA), all Information Bulletins and Policies published by the FEMA Grants Program Directorate apply. The OOG reserves the right to add additional responsibilities and requirements, with or without advance notice to the Grantee.

By clicking on the 'Accept' button within the 'Accept Award' tab, the Grantee accepts the responsibility for the grant project, agrees and certifies compliance with the requirements outlined in the Grant Agreement, including all provisions incorporated herein, and agrees with the following conditions of grant funding. The grantee's funds will not be released until the grantee has satisfied the requirements of the following Condition(s) of Funding and Other Fund-Specific Requirement(s), if any, cited below:

Grant Number:	3383001	Award Amount:	\$32,000.00
Date Awarded:	PREVIEW - AWARD NOT ACTIVE	Grantee Cash Match:	\$0.00
Grant Period:	10/01/2017 - 09/30/2018	Grantee In Kind Match:	\$0.00
Liquidation Date:	12/29/2018	Total Project Cost:	\$32,000.00
Program Fund:	DJ-Edward Byrne Memorial Justice Assistance Grant Program		
Grantee Name:	Kingsville, City of		
Project Title:	Justice Assistance Grant Program		
Grant Manager:	Sylvia Garcia		
DUNS Number:	618308118		

CFDA:	16.738 - Edward Byrne Memorial Justice Assistance Grant Program
Federal Awarding Agency:	U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance
Federal Award Date:	9/23/2015
Federal/State Award ID Number:	2015-DJ-BX-0956
Total Federal Award/State Funds Appropriated:	\$12,350,323.00
Pass Thru Entity Name:	Texas Office of the Governor – Criminal Justice Division (CJD)
Is the Award R&D:	No
Federal/State Award Description:	The purpose of this program is to reduce crime and improve the criminal justice system.

List of Application Errors and Incomplete Information

Item(s) that Need to be Resolved	Tab Name
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List of Post-Award Conditions of Funding and Other Fund-Specific Requirements

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Project Funds	Hold Line Item Funds
<p>Resolution: Applications from nonprofit corporations, local units of governments, and other political subdivisions must submit a resolution electronically using the 'Upload' function in the eGrants system. The <u>resolution</u> must contain the following:</p> <ul style="list-style-type: none"> • Authorization by your governing body for the submission of the application to OOG that clearly identifies the name of the project for which funding is requested; • A commitment to provide all applicable matching funds; • A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update OOG should the official change during the grant period.); and • A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to OOG. 	3/31/2017		<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO ACCEPT AND EXPEND AN EDWARD J BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR THE PURCHASE AND INSTALLATION OF DISPATCH CONSOLES AT THE POLICE DEPARTMENT.

WHEREAS, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 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
Fund 001 General Fund					
Equity					
2-		Unassigned Fund Balance	61002		\$ 18,000
Expenses					
5-6900	Fund Trsfrs	Transfer To Fund 019	80019	\$ 18,000	
Fund 019 - PD Grant - JAG					
Revenues					
4-0000		Federal Grants	72005	\$ 32,000	
4-0000		Transfer From Fund 001	75001	\$ 18,000	
Expenses					
5-2100	Police	Machinery/Equipment	71200	\$ 50,000	

[To amend the City of Kingsville FY 17-18 Budget to include an Edward J. Byrne Memorial Justice Assistance Grant for the purchase and installation of Dispatch Consoles for Telecommunicators dispatching for Police and Fire as per the attached memo from the Police Chief.]

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 22nd day of January, 2018.

PASSED AND APPROVED on this the ___ day of _____, 2018.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: January 12, 2018

SUBJECT: Budget Amendment Rifle-Resistant Body Armor Grant, Office of the Governor, Criminal Justice Division

Summary:

We request an ordinance amending the Fiscal Year 2017-2018 budget for the Rifle-Resistant Body Armor Grant thru the Office of the Governor, Criminal Justice Division.

Background:

We are in receipt of a Statement of Grant Award (SOGA) from the State of Texas to equip our law enforcement officers with rifle-resistant body armor.

Financial Impact:

The costs to outfit 54 City of Kingsville Police Officers at a cost of \$795.00 to include:

SHIFT 360 HW PACKAGE

- 1 SHIFT 360, TMW, Buckle
- 2-Hardwire MC 10x12 Type III, Shooters Cut (10 Year Warranty)
- 1-M4 Magazine Pouch, Double (TP)
- 1-Medical Pouch (TP)
- 2-Large "POLICE" ID Patch, 8.5" X 3"
- Protech carry bag included

Total award is \$42,930.

This grant would reimburse the City of Kingsville 100% of the costs with no cash match. This is a reimbursement type grant.

Recommendation:

We respectfully request approval of the budget amendment for FY2017-2018 for the Rifle-Resistant Body Armor Grant.



Statement of Grant Award (SOGA)

The Statement of Grant Award is the official notice of award from the Office of the Governor (OOG). This Grant Agreement and all terms, conditions, provisions and obligations set forth herein shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and all other State of Texas agencies and any other agencies, departments, divisions, governmental entities, public corporations, and other entities which shall be successors to each of the Parties or which shall succeed to or become obligated to perform or become bound by any of the covenants, agreements or obligations hereunder of each of the Parties hereto.

The approved project narrative and budget for this award are reflected in eGrants on the 'Narrative' and 'Budget/Details' tabs. By accepting the Grant Award in eGrants, the Grantee agrees to strictly comply with the requirements and obligations of this Grant Agreement including any and all applicable federal and state statutes, regulations, policies, guidelines and requirements. In instances where conflicting requirements apply to a Grantee, the more restrictive requirement applies.

The Grant Agreement includes the Statement of Grant Award; the OOG Grantee Conditions and Responsibilities; the Grant Application in eGrants; and the other identified documents in the Grant Application and Grant Award, including but not limited to: 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Chapter 783 of the Texas Government Code, Title 34, Part 1, Chapter 20, Subchapter I of the Texas Administrative Code, and the Uniform Grant Management Standards (UGMS) developed by the Comptroller of Public Accounts; the state Funding Announcement or Solicitation under which the grant application was made, and for federal funding, the Funding Announcement or Solicitation under which the OOG was awarded funds; and any applicable documents referenced in the documents listed above. For grants awarded from the U.S. Department of Justice, the current applicable version of the Department of Justice Grants Financial Guide and any applicable provisions in Title 28 of the CFR apply. For grants awarded from the Federal Emergency Management Agency (FEMA), all Information Bulletins and Policies published by the FEMA Grants Program Directorate apply. The OOG reserves the right to add additional responsibilities and requirements, with or without advance notice to the Grantee.

By clicking on the 'Accept' button within the 'Accept Award' tab, the Grantee accepts the responsibility for the grant project, agrees and certifies compliance with the requirements outlined in the Grant Agreement, including all provisions incorporated herein, and agrees with the following conditions of grant funding. The grantee's funds will not be released until the grantee has satisfied the requirements of the following Condition(s) of Funding and Other Fund-Specific Requirement(s), if any, cited below:

Grant Number:	3474401	Award Amount:	\$42,930.00
Date Awarded:	PREVIEW - AWARD NOT ACTIVE	Grantee Cash Match:	\$0.00
Grant Period:	01/01/2018 - 12/31/2018	Grantee In Kind Match:	\$0.00
Liquidation Date:	03/31/2019	Total Project Cost:	\$42,930.00
Program Fund:	BG-Rifle-Resistant Body Armor Grant Program (BAGP)		
Grantee Name:	Kingsville, City of		

Project Title: Rifle-Resistant Body Armor Project
Grant Manager: Jeana Bores
DUNS Number: 618308118

CFDA:

Federal Awarding Agency: N/A
Federal Award Date: N/A - State Funds
Federal/State Award ID Number: 2018-BG-ST-0025
Total Federal Award/State Funds Appropriated: \$25,000,000.00
Pass Thru Entity Name: Texas Office of the Governor – Criminal Justice Division (CJD)
Is the Award R&D: No
Federal/State Award Description: N/A - State Funds

List of Application Errors and Incomplete Information

Item(s) that Need to be Resolved	Tab Name

List of Post-Award Conditions of Funding and Other Fund-Specific Requirements

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Project Funds	Hold Line Item Funds

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO ACCEPT AND EXPEND AN OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION BODY ARMOR GRANT.

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
Fund 083 Criminal Justice Division Office of Governor Grant					
Revenues					
4-0000		State Grants	72010	\$ 42,930	
Expenses					
5-2102	Police	Minor Equipment	21700	\$ 42,930	

[To amend the City of Kingsville FY 17-18 Budget to include an Office of the Governor, Criminal Justice Division Grant for the Rifle-Resistant Body Armor Grant as per the attached memo from the Police Chief.]

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 22nd day of January, 2018.

PASSED AND APPROVED on this the __ day of _____, 2018.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

City of Kingsville Public Works

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: William Donnell, Public Works Director
DATE: January 12, 2018
SUBJECT: Budget Amendment Landfill Division

Summary:

This budget amendment allocates funding to the current year landfill budget for engineering services. The Permit Amendment required additional storm drainage remediation.

Background:

The Landfill permit amendment has been in the process for several years but is very close to finalization and submittal to TCEQ. One of the last issues being addressed with TCEQ before the permit amendment is submitted is the conveyance of storm water over the existing liner at the south end of Sector 1. In 1991 or thereabout, the City received approval from TCEQ to place the liner closer than design standard to the property line. Naismith/Hanson Engineering went to the TCEQ archives in Austin and found documentation granting approval for the liner location and installation. A meeting took place with TCEQ in Austin where Naismith/Hanson Engineering presented a conceptual design to convey storm water in a lined trench over the existing trash liner that is favorable to the City and was tentatively approved by TCEQ to proceed with design and submit with the permit amendment.

Financial Impact:

This budget amendment for Engineering Services will reallocate funding of \$40,000.00 from General Fund- Fund Balance to 001-5-1703-31400 for additional engineering services pertaining to storm drainage conveyance for the Landfill permit amendment.

Recommendation:

Staff recommends approval of this budget amendment to cover this unforeseen engineering expense during the Landfill permit amendment process.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET FOR ADDITIONAL ENGINEERING SERVICES FOR THE LANDFILL.

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
Fund 001 General Fund					
Equity					
2-		Unassigned Fund Balance	61002		\$ 40,000
Expenses					
5-1703	Landfill	Professional Services	31400	\$ 40,000	

[To amend the City of Kingsville FY 17-18 Budget for additional engineering services to complete the landfill permit amendment as per the attached memo from the Public Works Director.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of January, 2018.

PASSED AND APPROVED on this the __ day of _____, 2018.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14

City of Kingsville
Department of Planning and Development services

To: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Tom Ginter, Director
DATE: January 16, 2018
SUBJECT: Budget Amendment for Defense Economic Adjustment Assistance Grant (DEAAG) from the Texas Military Preparedness Commission (TMPC)

Summary: The Department of Planning and Development Services request an ordinance amending the 2017-2018 budget for the purpose of purchasing of land next to the Naval Air Station – Kingsville to prevent encroachment.

Background: The TMPC has been awarding grants to military communities to assist them with projects that would help that particular base. In our case after discussion with the personnel from the air station, it was determined that purchasing land to prevent encroachment is a priority. Consequently we submitted a grant application to do that. This is a cost reimbursement grant with a 20% match from the City of Kingsville. Here are the grant dollars:

State	\$143,616	80%
City	\$35,904	20%
Total	\$179,520	

Financial Impact: The matching funds of \$35,904 will be the financial impact to the city. It is likely that some of the \$35,904 will be accounted for as in house cost due to city personnel doing some work. The state funds of \$143,616 will be on a reimbursement basis.

Recommendation: It is believed that by purchasing this land to prevent encroachment is our biggest concern for the future. It is important for the city to do what we can to ensure that Naval Air Station – Kingsville continues to be a part of Kingsville. The recommendation is to approve the budget amendment.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO ACCEPT AND EXPEND A DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT (DEAAG) FOR LAND PURCHASE NEAR NAVAL AIR STATION-KINGSVILLE TO PREVENT ENCROACHMENT.

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
Fund 001 General Fund					
Equity					
2-		Unassigned Fund Balance	61002		\$ 35,904
Expenses					
5-6900	Fund Trsfrs	Transfer To Fund 084	80084	\$ 35,904	
Fund 084 - Defense Economic Adjustment Assistance Grant (DEAAG) Fund					
Revenues					
4-0000		State Grants	72010	\$ 143,616	
4-0000		Transfer From Fund 001	75001	\$ 35,904	
Expenses					
5-1030		Land Purchase	71405	\$ 179,520	

[To amend the City of Kingsville FY 17-18 Budget to include a Defense Economic Adjustment Assistance Grant to purchase land next to Naval Air Station Kingsville to prevent encroachment as per the attached memo from the Planning and Economic Development Services Director.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of January, 2018.

PASSED AND APPROVED on this the ___ day of _____, 2018.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15

AGENDA ITEM #16

AGENDA ITEM #17

AGENDA ITEM #18

AGENDA ITEM #19