

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, FEBRUARY 26, 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)

None.

APPROVED BY:


Jesus A. Garza
City Manager

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

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, Landfill Update, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Demolition Update, Planning Development 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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 City of Kingsville Code of Ordinances Chapter VII, Article 8, Section 3-Traffic Control Devices, providing for the authority to replace yield signs with stop signs on 20th Street at Kenedy Avenue and on 20th Street at Lott Avenue. (City Engineer).
2. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Boy Scouts of America Venado District. (Police Chief).
3. Motion to approve re-appointment Alonzo Lopez to the Civil Service Commission for a three-year term. (Human Resources Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider awarding RFQ#18-09 for Wastewater System Improvements and authorize staff to negotiate a contract with LNV Engineering, Inc., as per staff recommendation. (Purchasing Manager).
5. Consider awarding small purchase contract for CDBG Contract 7215270-Armstrong Waterline Improvements to Infinity Operations & Installations, LLC, as per staff recommendation. (Capital Projects Manager).
6. Consider a resolution authorizing the City Manager to execute an Unlimited Managed Services Contract with Barcom Technology Solutions. (IT Manager).
7. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to increase KFD Special Events Overtime for the NAS-Kingsville Wings Over South Texas Airshow. (Fire Chief).
8. Consider acceptance of donation of \$25.00 from the Woman's Club for recreational opportunities and programs. (Parks Manager).
9. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend Park donations from the Woman's Club. (Parks Manager).
10. Consider resolution authorizing the City Manager to enter a Commercial Sponsorship Agreement between NAS-Kingsville's Morale, Welfare & Recreation Department and the City of Kingsville for the 2018 Wings Over South Texas Airshow. (City Manager).

11. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to include a sponsorship for the NAS-Kingsville Wings Over South Texas Airshow. (City Manager).

12. Discussion and consideration on street corridors, street capital improvement update, and recommendations. (City Manager).

13. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 15-6-21-Definitions to include a definition for Brewpub. (Director of Planning & Development Services).

14. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, Zoning, amending Appendix A-Land Use Categories to add Brewpub. (Director of Planning & Development Services).

15. Discuss proposal to rezone part of the Historical Development District from R3-R1. (Director of Planning & Development Services).

VII. Adjournment.

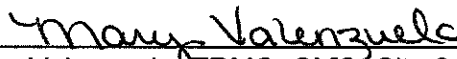
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com 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 the City of Kingsville City Hall, 400 West King Avenue, Kingsville, Texas, which is a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

February 23, 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

CONSENT AGENDA

AGENDA ITEM #1

**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, February 12, 2018

SUBJECT: Ordinance authorizing the placement of stop signs on S. 20th at the E. Kenedy Ave and E. Lott Ave intersections.

Summary:

This item is for an ordinance authorizing the placement of stop signs at the intersection of S. 20th St. and E. Kenedy Ave and at the intersection of S. 20th St and E. Lott Ave.

Background:

Currently the intersections of E. Kenedy and E. Lott Avenue at 20th Street are both YIELD Sign condition intersections. Because of the various improvements that have taken place or will be taking place in this area such as the improvements to the Brookshire Pool, the opening of the Skate Park and overall improvements to Brookshire Park #2 as well as the proximity of Harvey Elementary School, City staff would like to recommend that we convert these two intersections to STOP Sign condition intersections. The recent and future improvements in this area have generated an increase in pedestrian traffic and YIELD signs are no longer the safest intersection condition application. Section 2B.07 "Multiway Stop Applications" of the MUTCD (Manual for Uniform Traffic Control Devices) supports the need for STOP signs at these intersections by meeting the criteria in which there is *"the need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes"*.

Financial Impact:

Funds from 001-5-3050-52200 Signs & Signals in the General Fund will be used for this project.

Recommendation:

Staff recommends the authorization of this item to ensure the safety of our citizens.





PROPOSED STOP SIGN CONDITIONS ON S. 20TH STREET

Drawn by: S. SANTILLAN
Date: 2/8/2018
Revised by:
Project #: N/A
Scale: 1" = 50'



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
400 West King Avenue
Kingsville, Texas 78363
Office 361.595.8005
Fax 361.595.8035

ORDINANCE #2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 8, SECTION 3-TRAFFIC CONTROL DEVICES; PROVIDING FOR THE AUTHORITY TO REPLACE YIELD SIGNS WITH STOP SIGNS ON 20TH STREET AT KENEDY AVENUE AND ON 20TH STREET AT LOTT AVENUE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

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

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

I.

THAT Section 7-8-3 of Article 7: Traffic Control Devices of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§7-8-3 TRAFFIC CONTROL AREAS.

....

(B) AREA L:

...

AREA L		
Intersection	Direction	Device
1. Kenedy Ave. at Eighteenth St.	Southbound	Install stop sign
2. Kenedy Ave. at Nineteenth St.	Southbound	Install stop sign
3. <u>Twentieth St. at Kenedy Ave.</u>	<u>Northbound</u>	<u>Delete yield sign</u> <u>Install stop sign</u>
4. 3- Kenedy Ave. at Twenty-First St.	Northbound	Install stop sign

<u>5.</u> 4.— Kenedy Ave. at Twenty-Second St.	Northbound	Install stop sign
<u>6.</u> 5.— Kenedy Ave. at Twenty-Third St.	Northbound	Install stop sign
<u>7.</u> 6.— Kenedy Ave. at Twenty-Fourth St.	Northbound	Install stop sign
<u>8.</u> 7.— Kenedy Ave. at Twenty-Sixth St.	Northbound	Install stop sign
<u>9.</u> 8.— Lott Ave. at Twenty-Third St.	Southbound	Delete yield sign Install stop sign
<u>10.</u> 9.— Lott Ave. at Twenty-Second St.	Southbound	Install stop sign
<u>11.</u> 10.— Lott Ave. at Twenty-First St.	Southbound	Install stop sign
<u>12.</u> <u>Twentieth St. at Lott Ave.</u>	<u>Southbound</u>	<u>Delete yield sign</u> <u>Install stop sign</u>
<u>13.</u> 11.— Lott Ave. at Nineteenth St.	Northbound	Delete yield sign Install stop sign
<u>14.</u> 12.— Lott Ave. at Eighteenth St.	Northbound	Delete yield sign Install stop sign
<u>15.</u> 13.— Huisache Ave. at Sixteenth St.	Eastbound - Westbound	Install stop sign

<u>16.</u> 14. Huisache Ave. at Seventeenth St.	Westbound	Install stop sign
<u>17.</u> 15. Huisache Ave. at Nineteenth St.	Westbound	Install stop sign
<u>18.</u> 16. Fordyce Ave. at Nineteenth St.	Westbound	Install stop sign
<u>19.</u> 17. Fordyce Ave. Eighteenth St.	Eastbound	Install stop sign
<u>20.</u> 18. Fordyce Ave. at Seventeenth St.	Westbound	Install stop sign
<u>21.</u> 19. Johnston Ave. at Seventeenth St.	Eastbound	Install stop sign
<u>22.</u> 20. Johnston Ave. at Nineteenth St.	Westbound	Install stop sign
<u>23.</u> 21. Warren Ave. at Nineteenth St.	Southbound	Install stop sign
<u>24.</u> 22. Warren Ave. at Inez St.	Southbound	Install stop sign
<u>25.</u> 23. Warren Ave. at Twenty-First St.	Southbound	Install stop sign
<u>26.</u> 24. Calvin St. at Twenty-First St.	Westbound	Install yield sign
<u>27.</u> 25. Linda St. at Twenty-First St.	Westbound	Install yield sign
<u>28.</u> 26. Nancy St. at Twenty-First St.	Westbound	Install yield sign

<u>29.</u> 27. Mildred St. at Twenty-First St.	Westbound	Install yield sign
<u>30.</u> 28. Oklahoma Ave. at Twenty Fourth St.	Southbound	Install stop sign
<u>31.</u> 29. Oklahoma Ave. at Twenty Fifth St.	Southbound	Install stop sign
<u>32.</u> 30. Oklahoma Ave. at Twenty Sixth St.	Southbound	Install yield sign
<u>33.</u> 31. Louisiana Ave. at Twenty Second St.	Northbound	Install stop sign
<u>34.</u> 32. Huisache Ave. at Lott Ave.	Northbound	Install stop sign
<u>35.</u> 33. Fordyce Ave. at Lott Ave.	Northbound	Install stop sign
<u>36.</u> 34. Johnston Ave. at Lott Ave	Northbound	Delete yield sign Install stop sign
<u>37.</u> 35. Louisiana Ave. at Johnston Ave.	Northbound	Install stop sign
<u>38.</u> 36. Oklahoma Ave. at Johnston Ave.	Westbound	Install stop sign
<u>39.</u> 37. Twenty Third St. at John St.	Northbound - Southbound	Install stop sign

<u>40.</u> 38. Maple St. at Nineteenth St.	Westbound	Install yield sign
<u>41.</u> 39. Colorado Ave. at Louisiana Ave.	Southbound	Install yield sign

....

II.

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

III.

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

IV.

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

INTRODUCED on this the 12th day of February, 2018.

PASSED AND APPROVED on this the 26 th day of February, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: February 19, 2018

SUBJECT: Chapter 59 Donation to Boy Scouts of America for Drug Prevention Programs

Summary:

The police department is requesting to make a monetary donation of Chapter 59 Funds to the Boy Scouts of America for their Drug Prevention Programs.

Background:

The Texas Code of Criminal Procedure, Article 59.06 (h) allows for Chapter 59 funds to be used for nonprofit programs for the prevention of drug abuse. The Boy Scouts of America Venado District provides drug abuse prevention programs through the Learning for Life character development program in the public schools of Kleberg and Kenedy Counties.

Financial Impact:

This \$5,000.00 donations made to worthy organizations that assist the young people and children in our community by providing drug prevention programs.

Total Expenditures for this donation would be \$5,000.00

Recommendation:

We request approval of the monetary donation from KPD Chapter 59 Funds (fund 005) for drug prevention programs conducted by the local chapter of the Boys Scouts of America.





BOY SCOUTS OF AMERICA*

SOUTH TEXAS COUNCIL

February 12, 2018

*Prepare Memo
for Continuation*

Mr. Jesus Garza
City Manager
City of Kingsville
P. O. Box 1458
Kingsville, Texas 78364

Mr. Ricardo Torres
Chief of Police
Kingsville Police Department
P. O. Box 1458
Kingsville, Texas 78364

Re: Drug Abuse Prevention Programs of Boy Scouts of America/Chap.59

Gentlemen,

Thank you so much for your past contributions to the Friends of Scouting campaign. The continued generosity from the City of Kingsville and the Chapter 59 Forfeiture Grant to the 2017 Friends of Scouting Campaign allowed our district to flourish. The BSA is strong and picking up steam as we enter this New Year and budget cycle. Part of the Boy Scouts of America's mission is to teach youth positive character traits, leadership, responsibility, and the skills necessary to make ethical and moral choices. This mission is accomplished through the countless lessons taught in traditional Scouting programs; such as Cub Scouts and Boy Scouts.

Below are the traditional and Learning for Life program numbers which are encompassed in 7 Cub Scout packs, 6 Boy Scout Troops and 1 Explorer post which is an increase over previous years.

In 2017, the Venado District recorded:

- Over 700 Service Hours logged by Scouts, Leaders, and their families
- 241 registered youth; 140 registered adult leaders
- 85 Cub Scout Rank Advancements
- 7 Eagle Scouts
 - 31 Rank Advancements
 - 197 Merit Badges (this is often a boy's first contact with a career, avocation, or hobby)

The volunteers of the Boy Scouts of America, South Texas Council provide these programs in partnership with local Police and Border Patrol Agency's at weekly Scout Unit and Explorer Post meetings and outdoor activities, including Cub Scout Day Camp, Cub Adventure Weekends, Boy Scout Summer and Winter Camps held throughout the year. Scouts who attend these events fulfill requirements for rank advancement and merit badges such as Crime Prevention and Fingerprinting. As a requirement for advancement in Scouting programs, the drug abuse prevention and awareness message is instilled at each rank/level for Cub and Boy Scouts. For Explorers, that message plays a pivotal role in the Character Education lessons in which each youth is taught to help them make better ethical and moral choices.

700 Everhart Terrace, Building A
Corpus Christi, TX 78411-1939
www.southtexasbsa.org

Prepared. For Life.™





BOY SCOUTS OF AMERICA®
SOUTH TEXAS COUNCIL

The Venado district and South Texas Council underwrites each one of our Scouts approximately \$200 - \$225 per year to provide services of advancement, registration, camp maintenance, leader training, recruiting, etc. These funds help support all the youth in the scouting program within Kleberg and Kennedy County which is made up of 13 traditional units to grow and become productive members of the community. These numbers are a testament to our programs success because it has be a steady increase year after year. Along with our traditional units we also have an Explorer Post with the United States Border Patrol which currently services 17 young adults in the area. The age in which youth can be a part of this program is middle school, and they are taught how an officer in the field prepares for and implements their training to give them the best opportunity to succeed. In order to continue providing a Drug Abuse Prevention Program for the youth in our community, we are requesting your consideration of an annual contribution of \$5,000, which would greatly assist our efforts.

Thank you for your consideration.

Yours in Scouting,

Martin Sepulveda
Scout Executive



RESOLUTION NO. 2018-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO THE BOY SCOUTS OF AMERICA VENADO DISTRICT.

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

WHEREAS, the Boy Scouts of America Venado District is a non-profit organization that provides drug abuse prevention programs through (1) the Learning for Life character development program in the public schools of Kleberg and Kenedy counties, and (2) the advancement requirements for both Cub Scouts and Boy Scouts, which serves approximately 241 youths locally;

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

I.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000 donation to the Boy Scouts of America Venado District, to help educate young people about living a drug-free and alcohol-free lifestyle. Boy Scouts of America Venado District will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support the Boy Scouts of America Venado District in their efforts for the benefit of the community through drug abuse prevention programs.

PASSED AND APPROVED by a majority vote of the City Commission on the 26th day of February, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

City of Kingsville
Department Name

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Diana Gonzales, Human Resource Director/Civil Service Director

DATE: February 20, 2018

SUBJECT: Civil Service Commission Vacancy

Summary: Mr. Alonzo Lopez has served as one of the City's a Civil Service Commissioner and his appointment expired on 10/27/2017. Mr. Lopez is interested in continuing his service on the Civil Service Commission. Request consideration to re-appointment Mr. Alonzo Lopez for a second term as Civil Service Commissioner with term expiring on October 27, 2020.

Background: The City's Civil Service Commission consists of three (3) individuals who are appointed by the municipality's chief executive and confirmed by the governing body of the municipality. Members serve staggered three-year terms with the term of one member expiring each year. A person appointed to this position must meet guidelines established by Texas Local Government Code Chapter 143.006 (c) as follows:

1. be of good moral character;
2. be a United States citizen;
3. be a resident of the municipality who has resided in the municipality for more than three years;
4. be over 25 years of age; and
5. not have held a public office within the preceding three years.

Additional exceptions to (c)5 above,

"the municipality's chief executive may reappoint a commission member to consecutive terms. A commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body."

Financial Impact: None

Recommendation: Appointment of Mr. Alonzo Lopez to the Civil Service Commission.



REGULAR AGENDA

AGENDA ITEM #4

**City of Kingsville
Purchasing Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Charlie Sosa, Purchasing Manager
DATE: February 21, 2018
SUBJECT: Wastewater System Improvements Engineering Services RFQ#18-09

Summary:

This item authorizes the City to award RFQ#18-09 and to negotiate a contract with LNV Engineering, for Wastewater System Improvements Engineering Services for the City of Kingsville.

Background:

We published a Request for Qualifications #18-09 in the newspaper on December 17, 2017 and December 24, 2017. Responses were accepted until 2:00 PM on January 16, 2017. Seven responses were received from LJA Engineering, LNV Engineering, SAMES Engineering, Alpha Engineering, Kimley Horn, Carollo Engineering, and Jacobs Engineering. Staff reviewed the responses received and found the information received to be responsive. The 2018 Wastewater System Improvements Selection Review Committee reviewed qualifications of the seven firms, based on Experience, Capacity to Perform, and Familiarity with Texas Water Development Board. The Selection Review Committee selected four firms to be interviewed, LJA Engineering, LNV Engineering, Jacobs Engineering, and Kimley Horn. Based on the interviews, along with Experience, Capacity to Perform, familiarity with Texas Water Development Board and familiarity with the project, the Committee selected LNV Engineering of 801 Navigation BLVD. Corpus Christi, Texas, 78408, and determined to be the most highly qualified firm for the project. The review Committee consisted of Jesus Garza, Courtney Alvarez, Rudy Mora, Bill Donnell, Frank Garcia, and Sharam Santillan.

Financial Impact:

None at this time.

Recommendation:

It is recommended that the City Commission: 1) award the Wastewater System Improvements Engineering Services RFQ#18-09 to LNV Engineering and 2) authorize staff to negotiate a contract with LNV Engineering of 801 Navigation Blvd., Corpus Christi, Texas, 78408.



AGENDA ITEM #5

City of Kingsville
Purchasing/IT Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Sharam Santillan, Capital Improvements Manager

DATE: Monday, February 26, 2018

SUBJECT: TxCDBG Contract No. 7215270 Armstrong Waterline Improvements Small Purchase Contract #2

Summary:

This item authorizes the award of a small-purchase contract for CDBG Contract 7215270 Armstrong Waterline Improvements.

Background:

The City has a remaining balance of \$24,712.00 of Grant Funds for this CDBG Contract. Informal Bids were received up to Monday, February 12, 2018 for this small purchase project. Three bids were received with the lowest bid coming from Infinity Operations and Installations. The project scope entails the replacement of one (1) broken fire hydrant assembly, the installation of 400 linear-feet of 6-inch PVC waterline, and the installation of two (2) fire hydrant assemblies in the vicinity of the project area.

Financial Impact:

The financial impact will be an amount of \$24,700.00. Funding is available through account 082-5-6001-54110 8" Water Line Replacement-CDBG.

Recommendation:

It is recommended the City awards the small purchase contract to Infinity Operations & Installations, 1023 E. Corral Avenue, Kingsville, Texas 78363 in the amount of \$24,700.00.



Infinity Operations

infinityop2015@gmail.com
http://www.infinityopinstall.com



Infinity Operations & Installations

ESTIMATE

ADDRESS

City of Kingsville
LNV Engineers

ESTIMATE # 1059

DATE 02/12/2018

ACTIVITY	QTY	RATE	AMOUNT
Services Replace a broken fire hydrant assembly at Wells and Fordyce	1	6,200.00	6,200.00
Services Install 400 LF of 6inch PVC waterline on Dodgeridge from Armstrong to Wells	400	15.25	6,100.00
Services Install a fire hydrant assembly at Dodge ridge and Wells	1	6,200.00	6,200.00
Services Install a fire hydrant assembly at 1st and Fordyce	1	6,200.00	6,200.00

Thank you for your business!

TOTAL

\$24,700.00

Respectfully,
Ciara Almeida, MBA
480.466.1584 (c)
361.221.8743 (o)
www.infinityopinstall.com
Infinity Operations & Installations, LLC

Accepted By

Accepted Date

We accept all methods of payment, you can also pay online using a credit card.

We appreciate your business!

U:\Kingsville\150589 2015 CBG Water Site Improvements\000\Drawings\Exhibits - Imagery\Exhibit - Additional Work Site.dwg
Thursday February 08, 2018, 2:08pm



- ① INSTALL 400 LF OF 6 INCH PVC WATER LINE ON DODDRIDGE FROM ARMSTRONG TO WELLS TO INSTALL A FIRE HYDRANT ASSEMBLY AT THE DODDRIDGE AND WELLS INTERSECTION.
- ② REPLACE A BROKEN FIRE HYDRANT ASSEMBLY AT WELLS ST AND FORDYCE AVE.
- ③ INSTALL A 6 INCH VALVE AND FIRE HYDRANT ASSEMBLY AT 1ST AND FORDYCE AVE.

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, PERMIT OR OTHER UNAUTHORIZED PURPOSES. THESE DOCUMENTS/PLANS WERE AUTHORIZED TO BE RELEASED.

BY: ROBERT M. VIERA P.E.

LICENSE NO.: 85616 DATE: 2/8/18



TSPE FIRM NO. F-366
TSPS FIRM NO. 10126500

engineers | architects | surveyors

801 NAVIGATION, SUITE 300
CORPUS CHRISTI, TX 78408
PH: (361) 883-1984
FAX: (361) 883-1986

WWW.LNVINC.COM

CITY OF KINGSVILLE, TEXAS
**ADDITIONAL WORK
SITES EXHIBIT**



SCALE: 1"=600'

AGENDA ITEM #6

**City of Kingsville
Planning and Development Services**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Charles Sosa, Purchasing Manager
DATE: 01/31/2018
SUBJECT: Unlimited Managed Services Contract with Barcom Technology Solutions

Summary:

This item will allow staff to enter into a managed services contract with Barcom Technology Services for providing of contracted IT Help Desk functions. Barcom will supply unlimited Remote Help Desk service hours along with anti-virus software, patch management software, and a suite of remote management tools.

Background:

Barcom's services act to supplement small on-site IT departments which lack the staffing necessary to truly provide all tiers of support at any given time. If the number of projects or high-criticality tasks exceeds the number of available technicians, then any users seeking basic support will end up queued behind more critical or time-sensitive issues. In an effort to minimize wait time, existing staff is working extra hours to complete necessary tasks while also addressing simple issues as they arise. By leveraging Barcom for Tier 1 and 2 support, existing staff would be able to focus primarily on Tiers 3 and 4, which is more closely aligned with the vision of the Technology Department and City overall. Additionally, Barcom offers software to aid in remote support and maintenance which can be utilized by existing staff to increase efficiency in the performance of network and server related tasks.

Financial Impact:

\$5,265.00 one-time onboarding charge and \$3,115/month over the 7-month term of the contract for a total of \$27,070. Funds for these costs would be covered through the re-allocation of existing funds within the IT budget and efficiencies created through Barcom's providing of software which would otherwise be purchased separately.

Recommendation:

Approve Service Contract with Barcom Technology Services.



City of Kingsville Planning and Development Services

IT Support follows the following 5-tier model with the highlighted tiers being those which Barcom would primarily handle.

Tier 0	Self-help and user-retrieved information	Users retrieve support information from Web- and mobile-pages or apps, including FAQs, detailed product and technical information, blog posts, manuals, and search functions.	Tier 0 requires technical and marketing resources to create, maintain, and update product information.
Tier 1	Basic help desk resolution and service desk delivery	Support for basic customer issues such as solving usage issues and fulfilling service desk requests that need IT involvement. If no solution is available, tier 1 personnel escalate incidents to a higher tier.	Lower level technical personnel, trained to solve known problems and to fulfill service requests by following scripts.
Tier 2	In-depth technical support	Experienced and knowledgeable technicians assess issues and provide solutions for problems that cannot be handed by tier 1. If no solution is available, tier 2 support escalates the incident to tier 3.	Support personnel with knowledge of the product or service, but not necessarily at an engineer or programmer level
Tier 3	Expert product and service support	Access to the highest technical resources available for problem resolution Tier 3 technicians attempt to duplicate problems and define root causes, using product designs, code, or specifications.	Tier 3 specialists are generally the most highly skilled specialists, experienced with the IT environment and



City of Kingsville
Planning and Development Services

		Once a cause is identified, fixes are documented for use by tier 1 and tier 2 personnel.	infrastructure of a firm as a whole.
Tier 4	Outside support for problems not supported by the organization	<p>Contracted support for items provided by but not directly serviced by the organization, including repairs on leased equipment, vendor software support, and the like. This may also include projects which are handled by outside entities.</p> <p>Problems or requests are forwarded to tier 4 support and monitored by the organization for implementation.</p>	Preferred vendors and business partners providing support and services for items controlled by an entity



Utilizing Barcom for Managed Help Desk services represents both a potential increase in efficiency and decrease in cost for the City of Kingsville Technology Department. Barcom offers unlimited support from trained Help Desk technicians for less than the cost of an existing Part-Time Help Desk position and the renewal of software Barcom provides as part of an agreement (shown below).

7-Month Contract

<u>001-5-1902-11100 -Salaries & Wages</u>		
P/T Help Desk Salary		\$ 13,525.72
P/T Help Desk FICA/WC/UE		\$ 1,285.53
<u>001-5-1902-31410 -Professional Service (Software Maintenance)</u>		
	<u>Renewal</u>	
LogMeIn Rescue Remote Access Software	3/30/2018	\$ 5,500.00
Sophos Advanced Endpoint Protection	6/21/2018	\$ 5,086.00
Sophos Server Protection	7/16/2018	\$ 2,043.00
TOTAL EXISTING COSTS		\$ 27,440.25
<i>Cost of Barcom 7-Month Contract</i>		<i>\$ 27,070.00</i>

Savings to the City	\$ 370.25
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12-Month Contract

<u>001-5-1902-11100 -Salaries & Wages</u>		
P/T Help Desk Salary		\$ 13,525.72
P/T Help Desk FICA/WC/UE		\$ 1,285.53
<u>001-5-1902-31410 -Professional Service (Software Maintenance)</u>		
LogMeIn Rescue Remote Access		\$ 5,500.00
Sophos Advance Endpoint Protection		\$ 5,086.00
Sophos Server Protection		\$ 2,043.00
Storage Support Renewal		\$ 3,500.00
Server Support Renewal		\$ 4,500.00
Annual Renewal Cost Increase FY 18-19 *		\$ 2,644.35
TOTAL		\$ 38,084.60
<i>Cost of Barcom 12-Month Contract</i>		<i>\$ 37,380.00</i>

Savings to the City	\$ 704.60
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*Annual Renewal Cost Increase based on 15% average increase seen annual over previous FYs.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
2/13/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Bank of San Antonio Insurance Group, Inc. 1900 NW Loop 410 San Antonio TX 78213		CONTACT NAME: Cathy Rauschuber PHONE (A/C No, Ext): (210) 822-1571 FAX (A/C No): (210) 822-6027 E-MAIL ADDRESS: cathy.rauschuber@bosainsurance.com	
INSURED Jet Web Communications, LLC ID7535559 Barcom Technology Solutions 435 Isom Rd. Suite 202 San Antonio TX 78216		INSURER(S) AFFORDING COVERAGE INSURER A: Cincinnati Insurance Company INSURER B: Hartford Insurance Company INSURER C: Beazley Insurance Company INSURER D: CNA Pro INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 17-18 WC renewal **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			EPP0429114	3/26/2017	3/26/2018	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> OTHER: Pollution Liability						Pollution Liability \$ 1,000,000
A	AUTOMOBILE LIABILITY			EBA0429114	3/26/2017	3/26/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident) \$
							Hired Car Physical Damage \$ 100,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			EPP0429114	3/26/2017	3/26/2018	EACH OCCURRENCE \$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 5,000,000
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			65WBCAS9536	4/28/2017	4/28/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	E & O/Cyber Liability			V1B04E170201	3/18/2017	3/18/2018	Each occurrence \$2,000,000
D	Crime Coverage (3rd Party)			596775994	3/20/2017	3/20/2018	Crime \$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Kingsville
400 W. King Ave.
Kingsville, TX 78363

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Rick Paludi/CLR

Richard C. Paludi

RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN UNLIMITED MANAGED SERVICES CONTRACT WITH BARCOM TECHNOLOGY SOLUTIONS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville is looking for more efficient options to manage its IT help desk and IT support and Barcom Technology Solutions provides an Unlimited Managed Services Contract for network managed services, which could help with such service needs; and

WHEREAS, Barcom Technology Solutions is a leading provider of managed services for PCs, servers, network and telephone systems; and

WHEREAS, the parties have worked on an Unlimited Managed Services Contract, which would be in effect for a term of seven months at which time the parties may make changes to the support costs and coverage otherwise the existing agreement will continue on a month to month basis; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to enter into the agreement attached hereto.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into an Unlimited Managed Services Contract between the City of Kingsville and Barcom Technology Solutions in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 26th day of February, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief / EMC

DATE: February 26th, 2018

SUBJECT: Budget Amendment KFD Overtime Account – NAS-K Wings Over Texas Airshow

Summary:

The Kingsville Fire Department is requesting a budget amendment to the department's Overtime Account (001-5-220.0-1120.0) in the amount of \$1,330.00. The request comes due to insufficient funding planned to cover a request to support the NAS-Kingsville Wings Over Texas Airshow, March 24-25, 2018. The request comes from the NAS-Kingsville FD for additional fire, rescue, and EMS coverage over the two-day event. If approved, the KFD will support the event by providing a fully staffed Engine, MICU, and roving medic units throughout the duration of the event.

Background:

The following event is a recurring event that has been supported in the past and recurs every two years. By doing so, our department will provide additional fire, rescue, and EMS support to our NAS-Kingsville FD neighbors.

Lastly, the event is scheduled over two days and personnel will be working approximately ten (10) hour days, each day for a total of twenty (20) hours over the duration of the event.

Financial Impact:

In reviewing our current budgeted amount of \$3,100.00 for this event and conferring with our Finance Department, it was determined that an additional \$1,330.00 would have to be added for a total of \$4,430.00 to cover OT and benefits of our personnel during the event.

Recommendation:

The following budget amendment request supports the goals set by the Kingsville Fire Department to continue to support the NAS-Kingsville FD during the Wings Over Texas Airshow. Our recommendation is that the Commission approve the budget request, so we may continue to support this event as we have in the past.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO INCREASE KFD SPECIAL EVENTS OVERTIME FOR THE NAS KINGSVILLE WINGS OVER SOUTH TEXAS AIRSHOW.

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		\$ 1,330
Expenses					
5-2200	Fire	Overtime-Special Events	11255	\$ 1,330	

[To amend the City of Kingsville FY 17-18 budget to increase Kingsville Fire Department Special Events Overtime 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 26th day of February, 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

City of Kingsville
Parks & Recreation Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: February 19, 2018

SUBJECT: Agenda Request – Receipt of \$25 donation from the Woman’s Club of Kingsville
- Athena Department

Summary:

The Parks & Recreation Department would like approval from City Commission to receive a \$25 donation from the Woman’s Club of Kingsville – Athena Department. These funds would be used to support our recreational opportunities and programs.

Background:

The Woman’s Club of Kingsville – Athena Department, provides financial support for presentations made by community organizations. A presentation of the Parks Master Plan was made to the organization.

Financial Impact:

The donation of \$25 will help support recreational opportunities and programs for the citizens of our community.

Recommendation:

We recommend that City Commission authorize the receipt of this donation in the amount of \$25 from the Woman’s Club of Kingsville – Athena Department, and amend the budget to record the acceptance of these funds into the parks budget.



AGENDA ITEM #9

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: February 19, 2018

SUBJECT: Agenda Request – Receipt of \$25 donation from the Woman’s Club of Kingsville
- Athena Department

Summary:

The Parks & Recreation Department would like approval from City Commission to receive a \$25 donation from the Woman’s Club of Kingsville – Athena Department. These funds would be used to support our recreational opportunities and programs.

Background:

The Woman’s Club of Kingsville – Athena Department, provides financial support for presentations made by community organizations. A presentation of the Parks Master Plan was made to the organization.

Financial Impact:

The donation of \$25 will help support recreational opportunities and programs for the citizens of our community.

Recommendation:

We recommend that City Commission authorize the receipt of this donation in the amount of \$25 from the Woman’s Club of Kingsville – Athena Department, 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 BUDGET TO ACCEPT AND EXPEND PARK DONATIONS FROM THE WOMAN'S CLUB.

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					
4-4513	Parks-Recreation	Park Donations	58003	25.00	
Expenses					
5-4513	Parks-Recreation	Recreational Programs	31499	25.00	

[To amend the City of Kingsville FY 17-18 Budget to accept and expend a park donation from the Woman's Club of Kingsville – Athena Department 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 26th day of February, 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 #10

**City of Kingsville
City Manager's Office**

TO: Mayor and City Commissioners

FROM: Jesus A. Garza, City Manager

DATE: February 22, 2018

SUBJECT: Sponsorship Agreement for the 2018 Wings Over South Texas Airshow

Summary:

This item authorizes the City Manager to enter into a sponsorship agreement with NAS-Kingsville Moral, Welfare & Recreation Department in the amount of \$3,000 for the 2018 Wings Over South Texas Airshow to be held on March 24 -25, 2018.

Background:

The Wings Over South Texas Airshow has a tremendous economic impact to Kingsville. This impact comes in the form of increased Hotel Occupancy Tax Dollars and Sales Tax revenue generated by the nearly 100,000 people that visit Kingsville over the event weekend.

The City of Kingsville has been a partner of the air show for a long time with in kind assistance which the City continues to do so for this air show. However, the City now has an opportunity to be a cash sponsor of the event as well. Being a cash sponsor allows the City to receive more recognition for this partnership relationship. This specific sponsorship level for \$3,000 comes with logos, ads, exhibit space and hospitality advantages that include 10 seats in the platinum tent, 5 sponsor parking passes, complimentary shuttle service to flightline from Sponsor lot, Early access to Wings of Gold Tent ticket sales and 5 tickets to the Sponsor Appreciation Party.

Financial Impact:

\$3,000 to be split between the General Fund and Tourism Funds (\$1,500/ea.)

Recommendation:

Staff recommends approval of this sponsorship opportunity.



WINGS OVER SOUTH TEXAS AIR SHOW

PANTHER: \$3,000

PROMOTIONAL ADVANTAGES

- Company logo on website
- 1/4 page full color advertisement in Air Show program

ON-SITE ADVANTAGES

- May have 3 company provided banners throughout event
- Company message announced by Air Show announcer
- 10'x10' exhibit space

HOSPITALITY ADVANTAGES

- 1 table in Platinum Tent (10 seats total) – choice of day
- 5 Sponsor Parking Passes (per day)
- Complimentary shuttle service to flightline from Sponsor lot
- Early access to Wings of Gold Tent ticket sales
- 5 tickets to the Sponsor Appreciation Party



PANTHER and BEARCAT

The Blue Angels flew the F9F Panther from 1948-1969
and the F8F Bearcat from 1947-1948



NAS KINGSVILLE

WINGSOVERSOUTHTEXAS.COM

RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER A COMMERCIAL SPONSORSHIP AGREEMENT BETWEEN NAS-KINGSVILLE'S MORALE, WELFARE & RECREATION DEPARTMENT AND THE CITY OF KINGSVILLE FOR THE 2018 WINGS OVER SOUTH TEXAS AIRSHOW; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") and Naval Air Station-Kingsville ("NASK") assist each other when able to do so;

WHEREAS, NASK is located on the southeast side of the City in the extra-territorial jurisdiction of the City and is a major employer and economic contributor to the City and the area;

WHEREAS, NASK hosts the Wings Over South Texas Airshow every other year and the event is a major tourism draw to the City;

WHEREAS, NASK has requested City sponsorship for the event, which is to take place March 24-25, 2018 and has presented an agreement for said sponsorship;

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter a Commercial Sponsorship Agreement Between Naval Air Station Kingsville (NASK)'s Morale, Welfare & Recreation Department and the City of Kingsville relating to the 2018 Wings Over South Texas Airshow in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 26th day of February, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

MORALE, WELFARE & RECREATION DEPARTMENT
Naval Air Station Kingsville, 601 Nimitz Ave
Kingsville, TX 78363

COMMERCIAL SPONSORSHIP AGREEMENT BETWEEN
MORALE, WELFARE & RECREATION DEPARTMENT AND
CITY OF KINGSVILLE

CS/KNGV-MWR FY18-042 WOST
31 JAN 2018

This Agreement is entered into by the **Morale, Welfare and Recreation (MWR) Division, Naval Air Station Kingsville**, hereafter referred to as "Fund," and the **City of Kingsville**, hereinafter referred to as the "Sponsor." The Fund seeks to promote positive, healthy, and active participation in leisure and recreational programs for service members and their families. In consideration of the premises and mutual promises set forth herein, the parties, intending to be legally bound, hereby agree as follows:

1. Event. Fund agrees to conduct the Wings Over South Texas Air Show, 24-25 March 2018, onboard Naval Air Station Kingsville.

2. Fund Responsibilities. Fund will:

- a) Provide adequate professional staff to plan, organize, promote, conduct, and evaluate the event.
- b) Recognize Sponsor in conjunction with the events, in the following ways (**Panther**):
 - a. Company logo on website
 - b. One-fourth page full color advertisement in Air Show Program
 - c. Hang three (3) company provided banners throughout Air Show event
 - d. Company message announced by Air Show announcer
 - e. 10'x10' exhibit space
 - f. One (1) table in Platinum Tent (10 seats total) - choice of day
 - g. Five (5) sponsor parking passes (per day)
 - h. Complimentary shuttle service to flight line from Sponsor lot
 - i. Early access to Wings of Gold Tent ticket sales
 - j. Five (5) tickets to the Sponsor Appreciation Party
- c) Fund installation point of contact: Krystal Emery, 361-516-6371, 601 Nimitz Ave, Kingsville, Texas 78363, krystal.emery@navy.mil.

3. Sponsor Responsibilities. In exchange for promotional tie-ins with the event, Sponsor will:

- a) Sign Agreement and return to Fund no later than 10 FEB 2018.
- b) Pay the Fund **\$3,000.00** by check made payable to Naval Air Station Kingsville MWR Fund, no later than 20 FEB 2018.
- c) Provide the requisite disclaimer found in paragraph 12 of this Agreement on all promotional or advertising materials that it produces for and provides to Fund. Sponsor will seek Fund approval of the materials prior to printing, providing, or otherwise producing such materials.
- d) Sponsor point of contact: Jesus A. Garza, 361-595-8002, P.O. Box 1458, Kingsville, Texas, 78364, jgarza@cityofkingsville.com

4. Trademark License. Sponsor grants the Fund a royalty-free, non-exclusive license to use and display the trademarks associated with the Sponsor's products. Such use shall be limited solely to the sponsorship of the events and any advertising or promotional activities related to this Agreement and all placements must be approved by the Sponsor prior to use. The use of Sponsor's trademarks or company name will not be used in a way which would cause any person to reasonably infer, or would otherwise convey the impression, that the Fund and Sponsor are in any way affiliated with, or otherwise acting on behalf of one of the other parties. Sponsor and Fund acknowledge that the provisions of this paragraph do not convey to either party any right, title or ownership interest in any trademarks. Sponsor will review and approve trademark and logo used for advertisement. Sponsor's name, logo and trademark will remain its exclusive property and any use by Fund of such name, logo and trademark shall be for Sponsor's benefit. Except as expressly provided herein, neither the Sponsor nor Fund shall have the right to use in any way the commercial or trade name, trademark(s), service mark(s), logo(s), or other identification of the other party without their prior written consent.

5. Disputes, Termination and Damages: This Agreement shall be effective from the date of execution through the end of the aforementioned event.

- a) **Disputes.** Except as otherwise provided in this Agreement, any dispute or claim concerning this Agreement which is not disposed of by consensus among the parties shall be decided by the Fund Representative signing this document, who shall state his/her decision in writing and mail or otherwise furnish a copy of it to the Sponsor. Within 30 days from the date of receipt of such copy, the Sponsor may appeal by mailing or otherwise furnishing a written appeal addressed to the Regional Commander. The decision of the Regional Commander shall be final and conclusive provided that the Sponsor shall be afforded an opportunity to be heard and to offer evidence in support of any appeal under this clause. Pending final decision on such a dispute; however, the Sponsor

and Fund shall proceed diligently with the performance of this Agreement.

- b) **Termination for Default.** The Fund, by written notice, may terminate this Agreement in whole or in part for failure of the Sponsor to perform any of the provisions herein. In such event, the Sponsor shall be liable for damages, including the excess cost of procuring similar supplies or services, unless it is determined that (i) for any reason the Sponsor was not in default, or (ii) Sponsor's failure to perform was outside its or its subcontractor's control, fault or negligence, in which case the termination must be deemed to be a termination for convenience. The term "subcontractor," as used in this clause, means subcontractor of the Sponsor at any tier.
- c) **Termination for Convenience.** Either party may terminate this agreement in whole or part with 30 days' notice. Sponsor and Fund may agree to a schedule of payments in those cases where the Agreement must be terminated due to cancellation of the event by the Commanding Officer or higher authority for any reason. Such agreement shall be added to this Agreement at the end thereof as an amendment. If no such agreement is reached, Sponsor is not entitled to any damages due to the cancellation of this Agreement. In lieu of damages, Fund and Sponsor may agree to apply any funds or in-kind services to an upcoming MWR program or event in accordance with Section 7 below. However, if such agreement is not reached, any goods, services or funds already committed to or received by the Fund, shall remain the property of the Fund.

6. Independent Contractor. Sponsor and Fund shall be and act as independent contractors, and under no circumstances shall this Agreement be construed as one of agency, legal partnership, or joint venture of employment between Fund and Sponsor. None of the personnel under contract to, employed by, or volunteering for Fund shall be deemed in any way to have any contractual relationship with Sponsor whatsoever. Fund shall be solely responsible for the conduct of its employees, personnel, and agents in connection with their performance of Fund's obligation hereunder.

7. Force Majeure. No party shall be responsible for events beyond its reasonable control, such as acts of God, weather delays, government restrictions, military operations and exercises, security alerts or unforeseen commercial delays. If the event is postponed due to inclement weather or other conditions beyond the Fund's control, it may be rescheduled for another time. The Sponsor shall then be entitled to, and Fund agrees to give Sponsor, all of the advertising and sponsorship rights set forth herein at no additional charge to Sponsor.

8. Liability of Officers and Directors. Fund acknowledges that this Agreement is an obligation of Sponsor, and agrees that no personal liability shall extend to any officer, director, member, agent or employee of Sponsor. Sponsor acknowledges that this Agreement is an obligation of Fund, and agrees that no personal liability shall extend to any officer, director, member, agent or employee of Fund.

9. Notices. All notices required or permitted hereunder shall be deemed duly given if sent by email or certified mail, postage prepaid, addressed to the parties as follows:

If to Sponsor:

CITY OF KINGSVILLE
ATTN: JESUS A GARZA
PO BOX 1458
KINGSVILLE, TX 78364

If to Fund:

MWR DEPARTMENT
ATTN: KRYSTAL EMERY
601 NIMITZ AVE
KINGSVILLE, TX 78363

10. Assignment. This Agreement is not assignable in whole or in part by any party hereto in the absence of the prior written consent of the other party.

11. Entire Agreement. This Agreement contains the entire understanding between the parties hereto relating to the subject matter contained herein and supersedes any and all prior agreements, arrangements, communications, or representations, whether oral or written. This Agreement may not be amended, altered, modified or changed except when approved in writing and signed by both parties hereto.

12. Disclaimer. The Navy, the Department of Defense, and the Federal Government of the United States do not officially endorse any company, sponsor, advertiser, or their products or services.

13. Costs of Agreement. Sponsor by signing this Agreement acknowledges that its costs of the sponsorship has not and will not be charged to any part of the Federal Government.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

Sponsor's Agent Signature:

Date:

Installation Program Director:

Date:

NAS Kingsville

BILL TO: City of Kingsville
Attn: Jesus A. Garza
PO Box 1458
Kingsville TX 78364
Phone: 361-595-8002
Email: jgarza@cityofkingsville.com

Make all checks payable to Naval Air Station Kingsville MWR Fund
If you have any questions concerning this invoice,
please contact Krystal Emery at
361-516-6371 or krystal.emery@navy.mil

THANK YOU FOR YOUR BUSINESS!

AGENDA ITEM #11

**City of Kingsville
City Manager's Office**

TO: Mayor and City Commissioners

FROM: Jesus A. Garza, City Manager

DATE: February 22, 2018

SUBJECT: Sponsorship Agreement for the 2018 Wings Over South Texas Airshow

Summary:

This item authorizes the City Manager to enter into a sponsorship agreement with NAS-Kingsville Moral, Welfare & Recreation Department in the amount of \$3,000 for the 2018 Wings Over South Texas Airshow to be held on March 24 -25, 2018.

Background:

The Wings Over South Texas Airshow has a tremendous economic impact to Kingsville. This impact comes in the form of increased Hotel Occupancy Tax Dollars and Sales Tax revenue generated by the nearly 100,000 people that visit Kingsville over the event weekend.

The City of Kingsville has been a partner of the air show for a long time with in kind assistance which the City continues to do so for this air show. However, the City now has an opportunity to be a cash sponsor of the event as well. Being a cash sponsor allows the City to receive more recognition for this partnership relationship. This specific sponsorship level for \$3,000 comes with logos, ads, exhibit space and hospitality advantages that include 10 seats in the platinum tent, 5 sponsor parking passes, complimentary shuttle service to flightline from Sponsor lot, Early access to Wings of Gold Tent ticket sales and 5 tickets to the Sponsor Appreciation Party.

Financial Impact:

\$3,000 to be split between the General Fund and Tourism Funds (\$1,500/ea.)

Recommendation:

Staff recommends approval of this sponsorship opportunity.



WINGS OVER SOUTH TEXAS AIR SHOW

PANTHER: \$3,000

PROMOTIONAL ADVANTAGES

- Company logo on website
- 1/4 page full color advertisement in Air Show program

ON-SITE ADVANTAGES

- May have 3 company provided banners throughout event
- Company message announced by Air Show announcer
- 10'x10' exhibit space

HOSPITALITY ADVANTAGES

- 1 table in Platinum Tent (10 seats total) – choice of day
- 5 Sponsor Parking Passes (per day)
- Complimentary shuttle service to flightline from Sponsor lot
- Early access to Wings of Gold Tent ticket sales
- 5 tickets to the Sponsor Appreciation Party



WINGSOVERSOUTHTEXAS.COM

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO INCLUDE A SPONSORSHIP FOR THE NAS-KINGSVILLE WINGS OVER SOUTH TEXAS AIR SHOW.

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		\$ 1,500
Expenses					
5-1030	City Special	Prof Serv-NASK Air Show	31431	\$ 1,500	
Fund 002 Tourism Fund					
Equity					
2		Restricted-Tourism	61002		\$ 1,500
Expenses					
5-1071	Tourism Admin	Prof Serv-NASK Air Show	31431	\$ 1,500	

[To amend the City of Kingsville FY 17-18 General Fund and Tourism Fund budgets to include a sponsorship for the NAS Kingsville Wings Over South Texas Air Show as per the attached memo from the City 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 26th day of February, 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

AGENDA ITEM #13

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: February 16, 2018

SUBJECT: The approval of the definition of a Brewpub and the Amending of Appendix A Land Use Category

Summary: An individual in the community is interested in putting in a brewpub. Since this constitutes the brewing of beer on site that would be light manufacturing. We do not have anything in the zoning ordinance that gives us a good definition of a brewpub and where they should be located. The Planning and Zoning Commission has met once and has given staff direction on these issues.

Background: Brewpubs have become popular in the last 5 to 10 years and are now reaching Kingsville for the location of one. A former graduate of TAMUK is interested in establishing one here. We made an presentation to the Planning and Zoning Commission and also discussed his business model. They were receptive to the idea and want to work with him on moving this forward. To move it forward I gave them examples of definitions of a brewpub, how TABC is involved and how other cities classify them. Since there is brewing on site and the delivery of products it makes it different than a bar or a tavern. In this case if food is involved they often use food trucks to do that. He has looked at a site in the 5 points area on 14th. From that discussion and my research I have come up with a definition and a recommendation for its location when it comes to where it would not be allowed, permitted or a special use permit is required.

Financial Impact: I think the financial impact would be a positive one for the use of a vacant space for a business, sales tax and an entertainment type niche that is desired for our community.



City of Kingsville
Department of Planning and Development services

Recommendation: The Planning and Zoning Commission met on Thursday, February 22nd and voted 4 to 0 to make a recommendation to approve the definition of a brewpub as cited in the ordinance and to where brewpubs will be allowed as shown in the 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: February 16, 2018

SUBJECT: The approval of the definition of a Brewpub and the Amending of Appendix A
Land Use Category

Summary: An individual in the community is interested in putting in a brewpub. Since this constitutes the brewing of beer on site that would be light manufacturing. We do not have anything in the zoning ordinance that gives us a good definition of a brewpub and where they should be located. The Planning and Zoning Commission has met once and has given staff direction on these issues.

Background: Brewpubs have become popular in the last 5 to 10 years and are now reaching Kingsville for the location of one. A former graduate of TAMUK is interested in establishing one here. We made an presentation to the Planning and Zoning Commission and also discussed his business model. They were receptive to the idea and want to work with him on moving this forward. To move it forward I gave them examples of definitions of a brewpub, how TABC is involved and how other cities classify them. Since there is brewing on site and the delivery of products it makes it different than a bar or a tavern. In this case if food is involved they often use food trucks to do that. He has looked at a site in the 5 points area on 14th. From that discussion and my research I have come up with a definition and a recommendation for its location when it comes to where it would not be allowed, permitted or a special use permit is required.

Financial Impact: I think the financial impact would be a positive one for the use of a vacant space for a business, sales tax and an entertainment type niche that is desired for our community.



City of Kingsville
Department of Planning and Development services

Recommendation: The Planning and Zoning Commission will be meeting to make a recommendation on the definition of a brewpub and where it can be located. I will be able to get to the City Secretary on Thursday the 22nd as to how that vote went in regards to the recommendation. I have attached memos that I have given to the Planning and Zoning Commission. While you will see a microbrewery mentioned it was determined that it was best to concentrate on a brewpub first and work on the other type of establishments in the future.



To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: February 16, 2018

Subject: Agenda items concerning Brewpubs

At our last meeting we discussed brewpubs with a potential owner present to talk about what his plan was for the business. We also talked about what makes them different from other like businesses and where they should be located. Here is my recommendation for the two items that would allow us to go forward with this request.

I have given you examples of definitions in a previous packet. From those examples, I would like to suggest the following:

Brewpub

An establishment which holds a valid permit from the Texas Alcohol Beverage Control Board for the manufacture, processing and packaging of alcoholic beverages. Can make and sell beer on site to sell off and on site. Can self-distribute to stores and bars. Can sell other beers for onsite consumption but only their own beer to go. Limited to 10,000 barrels a year in production.

In the example that was given to us if a food truck is utilized then the food truck ordinance would be used comparing to what they would want to do.

Where allowed in Appendix A – Land Use Category

Not allowed in R1, R2, R3, R4 and A

Permitted in C2, C4, I1 and I2

Special Use in C3

To: Planning and Zoning Commission

From: Tom Ginter, Director

Date: February 2, 2018

Subject: Agenda Items

1. As you recall I distributed information to you about this subject matter. Please review this information. The first thing to understand is how these uses are defined. There are two sources of definitions, one that I have found through research through the Planners Dictionary and one that TABC uses. The one that TABC uses is in the document that I have included is in the packet(which has an asterisk next to it). There is also a table that shows the differences. I would like to add one more definition to the list of two and that is the definition of a microbrewery Microbrewery is a facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail or wholesale, on or off premise, with a capacity of not more than 15,000 barrels per year. The development may include the uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district. As you review the differences of the three the microbrewery would be able to brew more beer than a brewpub but not as much as a brewery.
The next thing is to give you an idea of where related uses are allowed in Kingsville. So I have broken these into two categories uses related to a brew pub, microbrewery and a brewery.

Related uses to a brewpub and a microbrewery

Restaurant: Special use in C1, Permitted in C2, C3, C4, I1 and I2

Package Liquor: Special use in C1, C2 Permitted in C3 C4

Tavern: Special Use in C1, C2 Permitted in C3, C4

Dance Hall, Night Club: Special use in C2 Permitted in C3, C4, I1

Related uses to a brewery

Bakery, Wholesale: Special use in C3, Permitted in C4, I1

Cabinet, Furniture Upholstery Shop: Permitted in C2, C3, C4, I1, I2

Cleaning Laundry: Special Use C3, Permitted C3, C4, I1

Code of Ordinances for the City of Nacodogches, TX

Definition of Microbrewery: Means a business which:

1. Operates under a manufacturer's license as described in VTCA Alcoholic Beverage Code Chapter 62 issues by the TABC
2. May operate, but is not required to operate under a brewer's permit as described in VTCA ABC Chapter 12 issued by the TABC
3. Has a total maximum production per year of beer, malt liquor and ale of not more than 15,000 barrels (465,000 standard gallons)
4. Does not produce or generate any generally obnoxious odors

Land Use Table for a Microbrewery

Special Use in B2, B3

Permitted in I1, I2

ORDINANCE NO.2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING SECTION 15-6-21-DEFINITIONS TO INCLUDE A DEFINITION FOR BREWPUB; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City received a request from an individual in the community who is interested in establishing a brewpub, but there is no suitable definition for a brewpub or related zoning designations;

WHEREAS, the City Planning and Zoning Commission considered this request at a publicly posted meeting on February 21, 2018 and voted [REDACTED] 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 15-6-21 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:

...

§ 15-6-21 DEFINITIONS.

...

Bakery or confectionery shop, retail. A place for preparing, baking, or selling all products on the premises where prepared (no deliveries to buyers, wholesaler, or other retail outlets).

Basement. A story below the first story as hereinafter defined.

Boarding or rooming house. A building other than a hotel, where lodging is permitted or meals are served for compensation.

Brewpub. An establishment which holds a valid permit from the Texas Alcohol Beverage Control Board for the manufacture, processing and packaging of alcoholic beverages that can make and sell beer on-site to sell off and on site, that can self-distribute to stores and bars, that can sell other beers for on-site consumption but only their own beer to-go, and that is limited in production to 10,000 barrels a year.

Cargo containers. A metal structure specifically constructed for shipment of goods by ship, rail, or truck that is later used as a place to store goods and materials.

Cleaning or laundry self service shop. Self service shop with customer operated machines.

...

(1962 Code, § 11-2-7; Ord. 99036, passed 10-25-99; Ord. 2001-15, passed 8-13-01; Ord. 2003-11, passed 5-12-03; Ord. 2009-20, § I, passed 8-10-09; Ord. 2010-12, passed 5-17-10; Ord. 2014-27, § I, passed 4-23-14; Ord. 2016-20, § I, passed 3-28-16; Ord. 2017-34, passed 8-29-17)

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 26th day of February, 2018.

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

EFFECTIVE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

ORDINANCE NO.2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING SECTION 15-6-21-DEFINITIONS TO INCLUDE A DEFINITION FOR BREWPUB; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City received a request from an individual in the community who is interested in establishing a brewpub, but there is no suitable definition for a brewpub or related zoning designations;

WHEREAS, the City Planning and Zoning Commission considered this request at a publicly posted meeting on February 21, 2018 and voted 4-0 for 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 15-6-21 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:

...

§ 15-6-21 DEFINITIONS.

...

Bakery or confectionery shop, retail. A place for preparing, baking, or selling all products on the premises where prepared (no deliveries to buyers, wholesaler, or other retail outlets).

Basement. A story below the first story as hereinafter defined.

Boarding or rooming house. A building other than a hotel, where lodging is permitted or meals are served for compensation.

Brewpub. An establishment which holds a valid permit from the Texas Alcohol Beverage Control Board for the manufacture, processing and packaging of alcoholic beverages that can make and sell beer on-site to sell off and on site, that can self-distribute to stores and bars, that can sell other beers for on-site consumption but only their own beer to-go, and that is limited in production to 10,000 barrels a year.

Cargo containers. A metal structure specifically constructed for shipment of goods by ship, rail, or truck that is later used as a place to store goods and materials.

ORDINANCE NO. 2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER XV, ARTICLE 6, ZONING, AMENDING APPENDIX A-LAND USE CATEGORIES TO ADD BREWPUB; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the Planning & Zoning Commission has forwarded to the City Commission its reports and recommendations concerning the proposed zoning ordinance changes; and

WHEREAS, the item PASSED with a 4-0 vote of the Planning Commission on the requested zoning chart change with no abstentions; and

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

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

I.

THAT Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, Appendix A-Land Use Categories, Section 1-Land Use Chart shall be amended to read as follows:

Use Regulations and Districts

...

APPENDIX A. - LAND USE CATEGORIES

Sec. 1. - Land use chart.

The following chart shall set out the land uses within the city:

P = Permitted

S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

[Land Use Chart on the following pages]

Cleaning or laundry self service shop. Self service shop with customer operated machines.

...

(1962 Code, § 11-2-7; Ord. 99036, passed 10-25-99; Ord. 2001-15, passed 8-13-01; Ord. 2003-11, passed 5-12-03; Ord. 2009-20, § I, passed 8-10-09; Ord. 2010-12, passed 5-17-10; Ord. 2014-27, § I, passed 4-23-14; Ord. 2016-20, § I, passed 3-28-16; Ord. 2017-34, passed 8-29-17)

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 26th day of February, 2018.

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

EFFECTIVE: _____

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: February 16, 2018

SUBJECT: The approval of the definition of a Brewpub and the Amending of Appendix A Land Use Category

Summary: An individual in the community is interested in putting in a brewpub. Since this constitutes the brewing of beer on site that would be light manufacturing. We do not have anything in the zoning ordinance that gives us a good definition of a brewpub and where they should be located. The Planning and Zoning Commission has met once and has given staff direction on these issues.

Background: Brewpubs have become popular in the last 5 to 10 years and are now reaching Kingsville for the location of one. A former graduate of TAMUK is interested in establishing one here. We made an presentation to the Planning and Zoning Commission and also discussed his business model. They were receptive to the idea and want to work with him on moving this forward. To move it forward I gave them examples of definitions of a brewpub, how TABC is involved and how other cities classify them. Since there is brewing on site and the delivery of products it makes it different than a bar or a tavern. In this case if food is involved they often use food trucks to do that. He has looked at a site in the 5 points area on 14th. From that discussion and my research I have come up with a definition and a recommendation for its location when it comes to where it would not be allowed, permitted or a special use permit is required.

Financial Impact: I think the financial impact would be a positive one for the use of a vacant space for a business, sales tax and an entertainment type niche that is desired for our community.



City of Kingsville
Department of Planning and Development services

Recommendation: The Planning and Zoning Commission met on Thursday, February 22nd and voted 4 to 0 to make a recommendation to approve the definition of a brewpub as cited in the ordinance and to where brewpubs will be allowed as shown in the ordinance.



ORDINANCE NO. 2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER XV, ARTICLE 6, ZONING, AMENDING APPENDIX A-LAND USE CATEGORIES TO ADD BREWPUB; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the Planning & Zoning Commission has forwarded to the City Commission its reports and recommendations concerning the proposed zoning ordinance changes; and

WHEREAS, the item PASSED/FAILED with a 0-0 vote of the Planning Commission on the requested zoning chart change with no abstentions; and

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

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

I.

THAT Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, Appendix A-Land Use Categories, Section 1-Land Use Chart shall be amended to read as follows:

Use Regulations and Districts

...

APPENDIX A. - LAND USE CATEGORIES

Sec. 1. - Land use chart.

The following chart shall set out the land uses within the city:

P = Permitted

S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

[Land Use Chart on the following pages]

Land Use Chart													
<i>Retail or Related Uses</i>	R1	R2	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag	
...													
Bakery, wholesale								S	P	P			
<u>Brewpub</u>							P	S	P	P	P		
Building materials sales							S	P	P	S			
...													

...

II.

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

III.

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

IV.

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

Effective Date: _____, 2017

INTRODUCED on this the 26th th day of February, 2018.

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

City of Kingsville
Department of Planning and Development services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: February 16, 2018

SUBJECT: The approval of the definition of a Brewpub and the Amending of Appendix A Land Use Category

Summary: An individual in the community is interested in putting in a brewpub. Since this constitutes the brewing of beer on site that would be light manufacturing. We do not have anything in the zoning ordinance that gives us a good definition of a brewpub and where they should be located. The Planning and Zoning Commission has met once and has given staff direction on these issues.

Background: Brewpubs have become popular in the last 5 to 10 years and are now reaching Kingsville for the location of one. A former graduate of TAMUK is interested in establishing one here. We made an presentation to the Planning and Zoning Commission and also discussed his business model. They were receptive to the idea and want to work with him on moving this forward. To move it forward I gave them examples of definitions of a brewpub, how TABC is involved and how other cities classify them. Since there is brewing on site and the delivery of products it makes it different than a bar or a tavern. In this case if food is involved they often use food trucks to do that. He has looked at a site in the 5 points area on 14th. From that discussion and my research I have come up with a definition and a recommendation for its location when it comes to where it would not be allowed, permitted or a special use permit is required.

Financial Impact: I think the financial impact would be a positive one for the use of a vacant space for a business, sales tax and an entertainment type niche that is desired for our community.



City of Kingsville
Department of Planning and Development services

Recommendation: The Planning and Zoning Commission will be meeting to make a recommendation on the definition of a brewpub and where it can be located. I will be able to get to the City Secretary on Thursday the 22nd as to how that vote went in regards to the recommendation. I have attached memos that I have given to the Planning and Zoning Commission. While you will see a microbrewery mentioned it was determined that it was best to concentrate on a brewpub first and work on the other type of establishments in the future.



To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: February 16, 2018

Subject: Agenda items concerning Brewpubs

At our last meeting we discussed brewpubs with a potential owner present to talk about what his plan was for the business. We also talked about what makes them different from other like businesses and where they should be located. Here is my recommendation for the two items that would allow us to go forward with this request.

I have given you examples of definitions in a previous packet. From those examples, I would like to suggest the following:

Brewpub

An establishment which holds a valid permit from the Texas Alcohol Beverage Control Board for the manufacture, processing and packaging of alcoholic beverages. Can make and sell beer on site to sell off and on site. Can self-distribute to stores and bars. Can sell other beers for onsite consumption but only their own beer to go. Limited to 10,000 barrels a year in production.

In the example that was given to us if a food truck is utilized then the food truck ordinance would be used comparing to what they would want to do.

Where allowed in Appendix A – Land Use Category

Not allowed in R1, R2, R3, R4 and A

Permitted in C2, C4, I1 and I2

Special Use in C3

To: Planning and Zoning Commission

From: Tom Ginter, Director

Date: February 2, 2018

Subject: Agenda Items

1. As you recall I distributed information to you about this subject matter. Please review this information. The first thing to understand is how these uses are defined. There are two sources of definitions, one that I have found through research through the Planners Dictionary and one that TABC uses. The one that TABC uses is in the document that I have included is in the packet(which has an asterisk next to it). There is also a table that shows the differences. I would like to add one more definition to the list of two and that is the definition of a microbrewery Microbrewery is a facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail or wholesale, on or off premise, with a capacity of not more than 15,000 barrels per year. The development may include the uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district. As you review the differences of the three the microbrewery would be able to brew more beer than a brewpub but not as much as a brewery.

The next thing is to give you an idea of where related uses are allowed in Kingsville. So I have broken these into two categories uses related to a brew pub, microbrewery and a brewery.

Related uses to a brewpub and a microbrewery

Restaurant: Special use in C1, Permitted in C2, C3, C4, I1 and I2

Package Liquor: Special use in C1, C2 Permitted in C3 C4

Tavern: Special Use in C1, C2 Permitted in C3, C4

Dance Hall, Night Club: Special use in C2 Permitted in C3, C4, I1

Related uses to a brewery

Bakery, Wholesale: Special use in C3, Permitted in C4, I1

Cabinet, Furniture Upholstery Shop: Permitted in C2, C3, C4, I1, I2

Cleaning Laundry: Special Use C3, Permitted C3, C4, I1

Code of Ordinances for the City of Nacodogches, TX

Definition of Microbrewery: Means a business which:

1. Operates under a manufacturer's license as described in VTCA Alcoholic Beverage Code Chapter 62 issues by the TABC
2. May operate, but is not required to operate under a brewer's permit as described in VTCA ABC Chapter 12 issued by the TABC
3. Has a total maximum production per year of beer, malt liquor and ale of not more than 15,000 barrels (465,000 standard gallons)
4. Does not produce or generate any generally obnoxious odors

Land Use Table for a Microbrewery

Special Use in B2, B3

Permitted in I1, I2

ORDINANCE NO. 2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER XV, ARTICLE 6, ZONING, AMENDING APPENDIX A-LAND USE CATEGORIES TO ADD BREWPUB; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the Planning & Zoning Commission has forwarded to the City Commission its reports and recommendations concerning the proposed zoning ordinance changes; and

WHEREAS, the item PASSED with a 4-0 vote of the Planning Commission on the requested zoning chart change with no abstentions; and

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

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

I.

THAT Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, Appendix A-Land Use Categories, Section 1-Land Use Chart shall be amended to read as follows:

Use Regulations and Districts

...

APPENDIX A. - LAND USE CATEGORIES

Sec. 1. - Land use chart.

The following chart shall set out the land uses within the city:

P = Permitted

S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

[Land Use Chart on the following pages]

Land Use Chart													
<i>Retail or Related Uses</i>	R1	R2	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag	
...													
Bakery, wholesale								S	P	P			
<u>Brewpub</u>							P	S	P	P	P		
Building materials sales							S	P	P	S			
...													

...

II.

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

III.

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

IV.

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

Effective Date: _____, 2017

INTRODUCED on this the 26th day of February, 2018.

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #15

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: February 16, 2018

SUBJECT: Planning and Zoning commission recommendation regarding rezoning of a portion of the Historical Development District and the City initiating the rezoning process

Summary: Because of two events in the last 6 months there is a desire to review and rezone a portion of the Historic District. A portion of the Historic District is zoned R3 and now some of the building of multi family structures are coming close to single family homes. A permit was approved for a multi-family structure at 531 W. Alice and the lot that is now vacant at 702 W. Henrietta has been rumored to become a location for a multi-family structure. Consequently the Planning and Zoning Commission will be making a recommendation to the City Commission on an area to initiate a rezone to R1.

Background: Prior to the events in the last 6 months, we have seen an uptick in small apartment projects on the fringes of the Historic Development District. While they can be seen as a positive for a number of reasons, they are now getting close to single family homes in the HDD which we do want to protect. The Planning and Zoning Commission has met and determined that they do want to rezone some of the district to R1 to protect the single family homes but also leave some area available for multifamily development. Staff has put together map options for the Planning and Zoning Commission to review and hopefully recommend one for the City Commission to consider. Since a city can initiate the rezoning process the Planning and Zoning Commission will make a recommendation on authorizing staff to initiate that process.

Financial Impact: It is possible that by rezoning a portion of the land to R1 and leaving some available for development to R3 could provide a positive impact down the road. We realize that its location to the university can provide additional options for students and also provide single family housing for professors and other staff employees.



City of Kingsville
Department of Planning and Development services


Recommendation: The Planning and Zoning Commission met on Thursday, February 22nd and voted 4 to 0 to recommend option 4 to the City Commission for the area to rezone in the Historic District. A layout of option 4 is included in the packet. They also voted 4 to 0 to approve of staff to start the rezoning process for the area that is stated in option 4.

Summary of Documents

1. Memo to Planning and Zoning
2. Map of entire Historic District
3. Option 1 for rezoning
4. Option 2 for rezoning
5. Option 3 for rezoning
6. Email from resident in the Historic District
7. Email from resident in Historic District
8. General Policy statements from Comp Plan 2008





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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: February 16, 2018

SUBJECT: Planning and Zoning commission recommendation regarding rezoning of a portion of the Historical Development District and the City initiating the rezoning process

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Financial Impact: It is possible that by rezoning a portion of the land to R1 and leaving some available for development to R3 could provide a positive impact down the road. We realize that its location to the university can provide additional options for students and also provide single family housing for professors and other staff employees.



City of Kingsville
Department of Planning and Development services

Recommendation: The Planning and Zoning Commission will be meeting February 21st to consider action on recommendations to the City Commission. The recommendations will concern the area to be rezoned and authorizing city staff to initiate the rezoning process. On Thursday the 22nd I will be able to provide the City Secretary as to the vote on the recommendations from the Planning and Zoning Commission.

Summary of Documents

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3. Option 1 for rezoning
4. Option 2 for rezoning
5. Option 3 for rezoning
6. Email from resident in the Historic District
7. Email from resident in Historic District
8. General Policy statements from Comp Plan 2008



To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: February 16, 2018

Subject: Agenda items information related to the rezoning in the Historical Development District

I discussed at the last meeting because of the two events, in the last 6 months, the approval of a multi-family structure at 531 W. Alice and a rumored multi family structure at 702 W. Henrietta there is a desire to protect some of the single family homes. Due to a portion of the area already zoned R3 there is a desire to rezone some of the area to R1. From the discussion that we had at the last meeting it was determined that while there is an area that needs to be protected, there is also area that can be left at R3. While the entire Historical Development District is rather large, we are only looking at the area between Armstrong on the west, 6th Street on the east, Santa Gertrudis on the north and Yoakum to the south. Staff did the following before putting the options maps together:

1. Did a drive through in the area that is currently zoned R3. The area is the one that I outlined in the above paragraph.
2. Reviewed policy statements on development in the Comprehensive Plan 2008, to give us additional guidance. Consequently we have come up with the following option maps:

Option 1: The green dots on the map reflect multi family structures on that lot. The magenta squares are 531 W. Alice and 702 W. Henrietta. As you can see there are a good number of multifamily structures south of Santa Gertrudis. Also reviewing policy statements, high traffic streets, (Santa Gertrudis) should be geared toward multifamily, since R1 homes are unlikely to be built on Santa Gertrudis. In addition to its direct access to TAMUK lends itself for student apartment living.

Option 2: Much like Option 1, but it only goes 1 block south from Santa Gertrudis and it stops at 3rd going east.

Option 3: Shows the entire area that is under discussion.

Summary of documents:

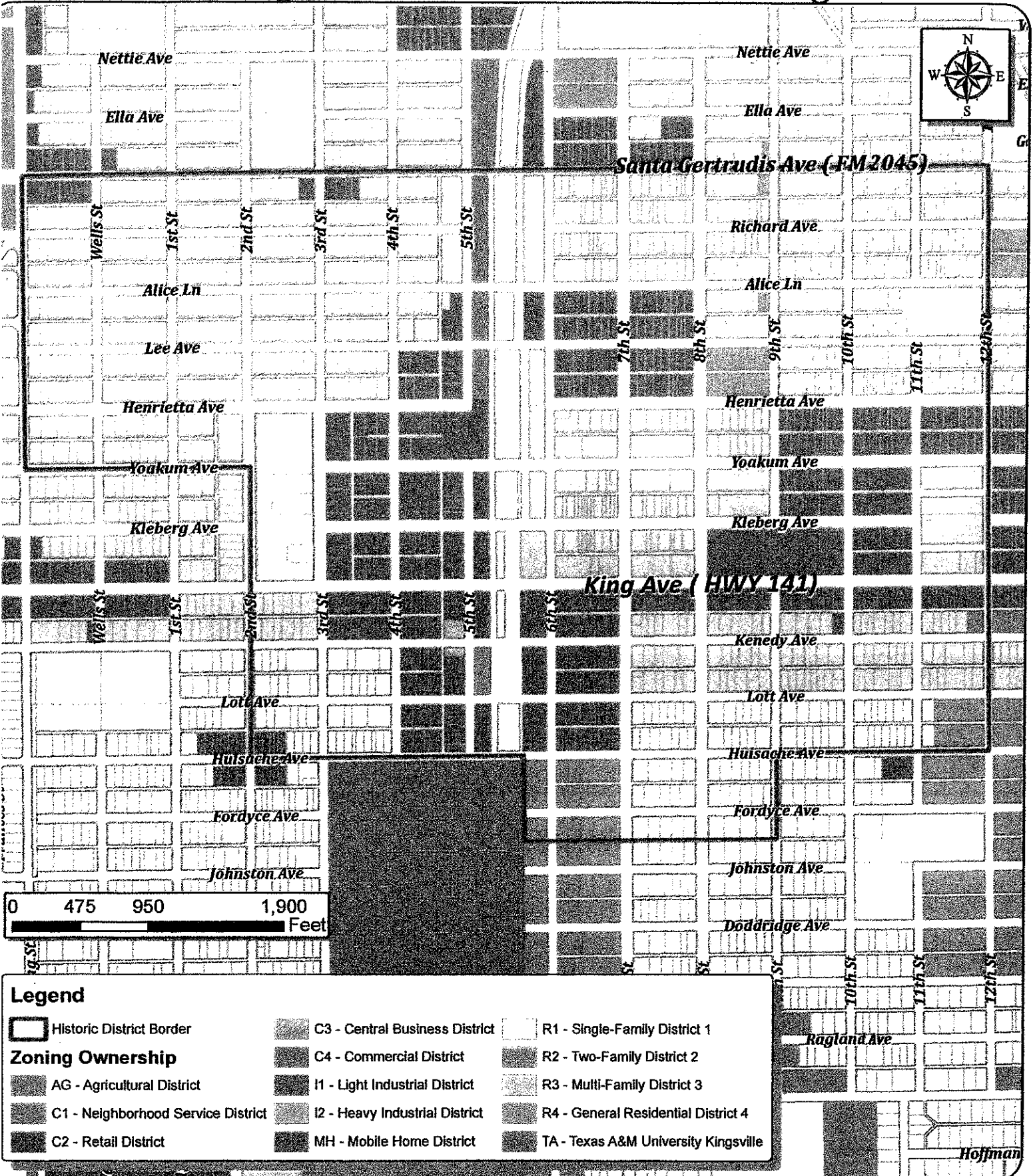
1. Map of entire Historical Development District
2. Option map 1
3. Option map 2

4. Option map 3
5. Email from Tamara Brennan who lives in HDD
6. Email from Daniel Canales who is also a resident of the HDD
7. General policy statements from Comp Plan 2008. I believe 3, 4, 5,9,10 and 13 are relevant to this issue.

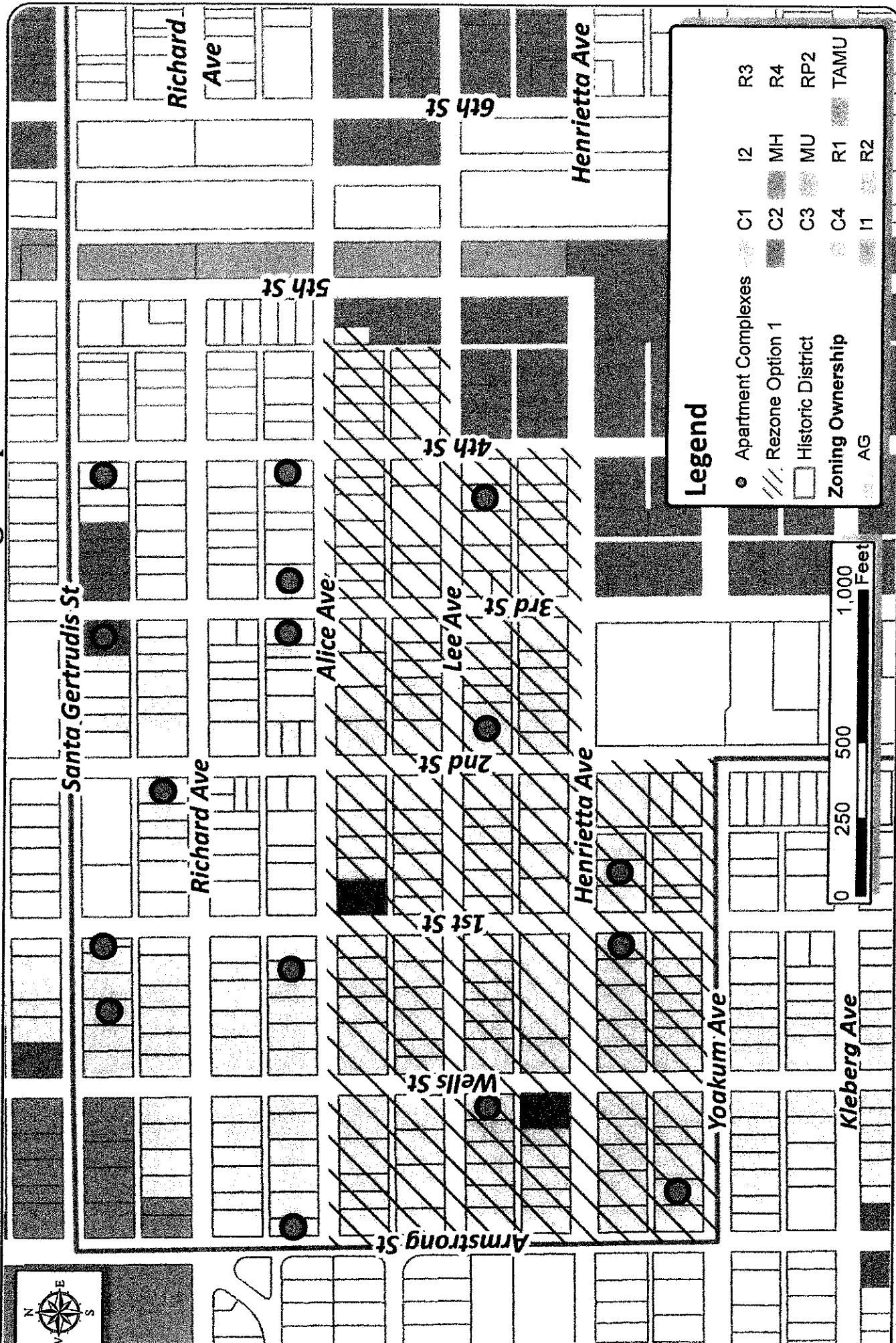
Recommendation:

Staff recommends Option 1 for you to recommend to the City Commission. We believe that this option best protects the single family homes and also provides housing options. It should also be noted that the Planning and Zoning Commission can come up with a map of their own if they desire.

Kingsville Historic District Zoning



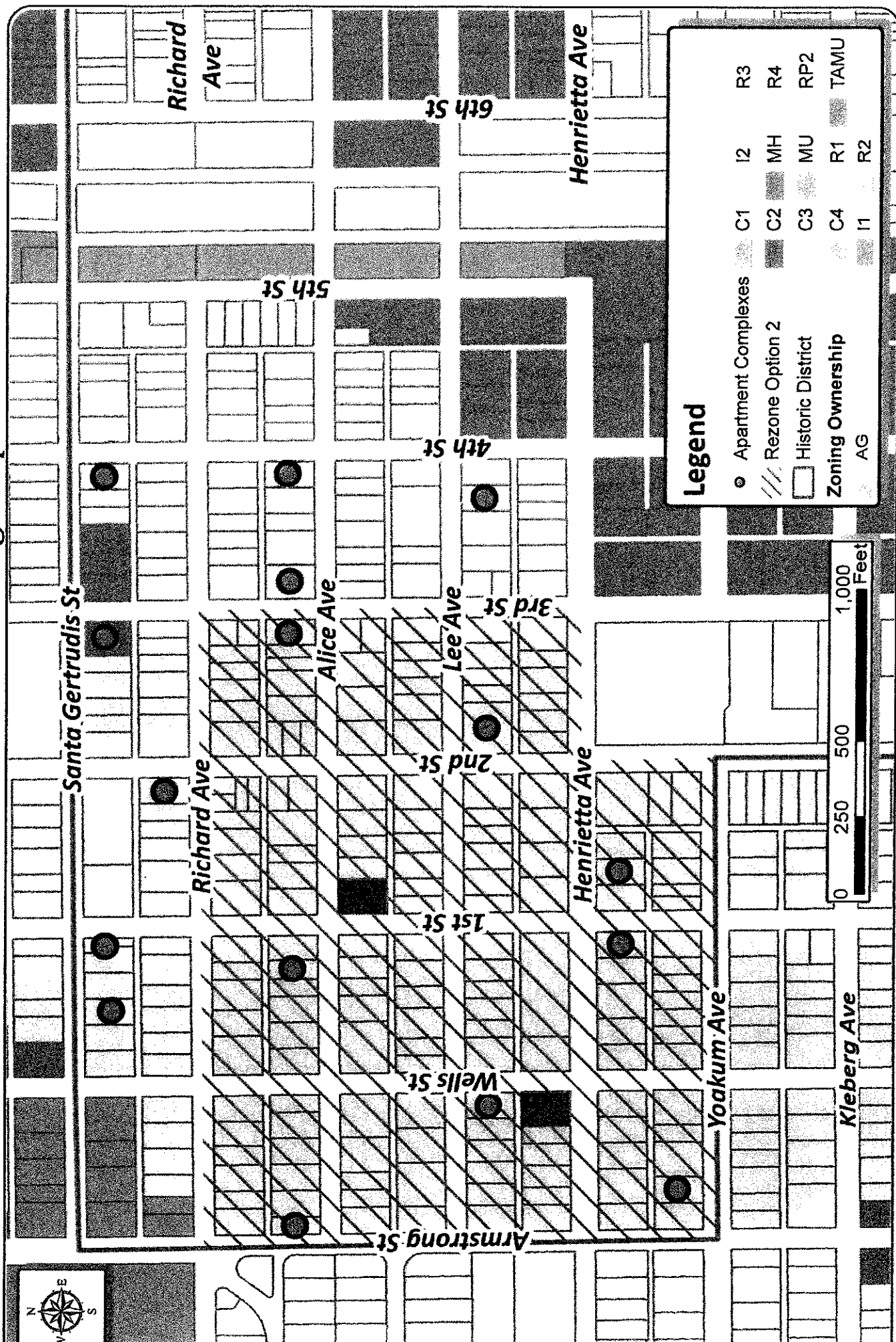
Document Path: N:\Engineering\GIS Tools\MAPSWAP_DOCUMENTS\Historic Dist with Zoning Colors.mxd



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 400 W King Ave
 Kingsville, Texas 75363
 Office: 361-595-8007
 Fax: 361-595-8064

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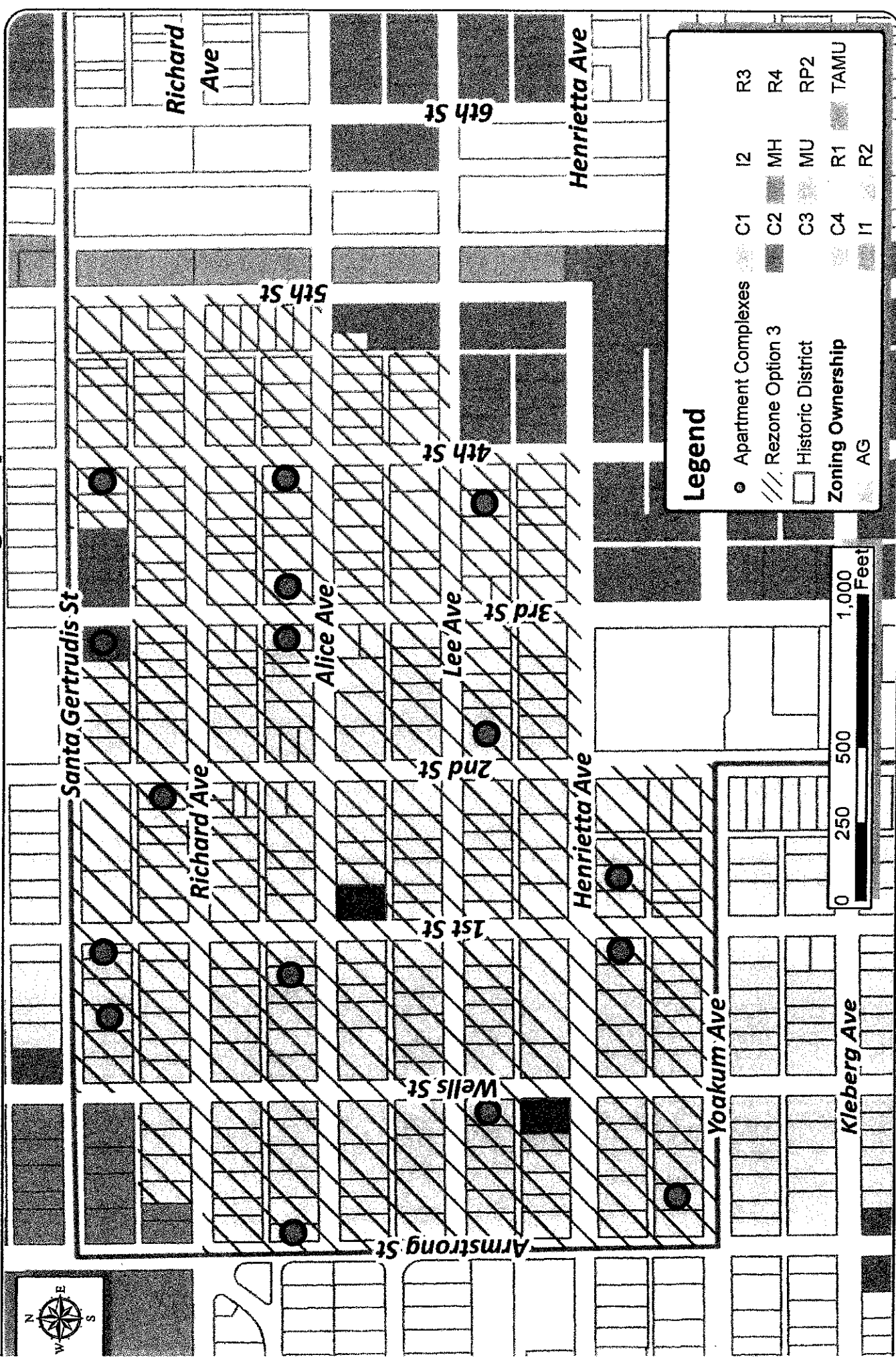
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HISTORIC DISTRICT REZONING - Option 3



Legend

- Apartment Complexes
- Rezoned Option 3
- Historic District
- Zoning Ownership

C1	I2	R3
C2	MH	R4
C3	MU	RP2
C4	R1	TAMU
I1	R2	
AG		

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Kingsville, Texas 78363
Office: 361-595-8007
Fax: 361-595-8064

Tom Ginter

From: Tamara Brennan <tbrennan713@yahoo.com>
Sent: Wednesday, February 07, 2018 4:55 PM
To: Cynthia Martin; Tom Ginter
Subject: Zoning change for Historic District

As residents of a home in the Kingsville Historic District, we would like to ask that the Planning and Zoning Commission consider a modification to the current zoning for property surrounding the university and located in the Historic District. The current trend of demolishing property in the Historic District so that multi family units can be built is eroding the very fabric and purpose of having the district. The current glut of multi-family units is negating any possible increased value of the historic homes that are unfortunate enough to be located near one of these multi-family projects.

Perhaps a complete overhaul of the historic district zone is in order? We believe that it is important to keep the historic character of some of the more prominent neighborhoods near the university campus. The current configuration of the Historic District in general may be too inclusive, or in other words, too large.

As neighborhoods deteriorate, properties becomes less attractive for individuals or single families. Rather, such properties become a target for the investor as rental property who are often motivated to raze the existing house and replace it with apartments. This is an unfortunate trend that will result in the end of the historic district.

Studies show that single-family homes in a protected neighborhood increase in value by 5-35% per decade over homes not in a historic district.

If the current trend of replacing single-family homes with apartment units continues, the Historic District in Kingsville will, at some point, no longer be historic.

Sincerely,

Dr. and Mrs. Leonard A. Brennan
709 West Henrietta Avenue
Kingsville, Texas

Tom Ginter

From: Cynthia Martin
Sent: Thursday, February 08, 2018 11:20 AM
To: Tom Ginter
Cc: Stephannie Resendez
Subject: FW: Modification and refining our Historical District

Tom,

I received another letter from a resident about rezoning a portion of the Historic District. The email came in after the P & Z meeting started last evening and I did not see it until today.

Cynthia Martin, Downtown Manager
Historic Preservation Officer
City of Kingsville
410 W King Ave.
Kingsville, TX 78363
361.221.6754 office
361.219.9325 cell

-----Original Message-----

From: Daniel Carrales [<mailto:capttdancarrales@yahoo.com>]
Sent: Wednesday, February 07, 2018 6:37 PM
To: Cynthia Martin <CMartin@cityofkingsville.com>
Subject: Modification and refining our Historical District

Throughout my life, I've lived in the historical District, and still do currently. And, I've noticed that for every single family home in the historical district, there are 4 multi family units. Also, when a single family home gets demolished in the district, a multi family unit replaces it. At the current rate, single family homes will be extinct in the near future if something isn't done to stop the building of the multi family unit fm being built in the historical district.

So, I wld like to propose that the historical district be modified and rezoned to restrict any and all multi family units fm being built surrounding the university and within the historical district in order to protect and raise the value of the single family homes. In doing so, it would probably reduce the crime rate as well which we know is real high presently. It is imperative we move on modifying, rezoning and protecting the core and value of our single family homes within our Historical District.

Daniel Carrales
710 W. Henrietta Ave
Kingsville, Tx. 78363

Contact me at: 361-488-2468

Sent from my iPhone

General Policies

This plan is intended to provide a policy framework that guides development and redevelopment in a manner that will positively contribute to the community's character and, hence, economic development, environmental sensitivity, and livability. Well-managed and orderly development also leads to more effective use of limited public funds in providing adequate public services and needed capital improvements.

The following general policy statements indicate the City's intentions for managing its future growth and development character. These policies reflect the future vision of the community and its desired land use pattern. They will serve to guide decision-making by City staff, the Planning & Zoning Commission, and City Commission as they implement this Master Plan.

1. The City should encourage new development and significant redevelopment where adequate public services and utility capacity are already in place or projected for improvement.
2. Development should occur first on vacant infill areas and/or areas contiguous to existing development and then sequentially outward as adequate facilities become available.
3. Development patterns should provide appropriate transitions and buffering between differing land use intensities. Where developments of incompatible intensities abut, there should be adequate landscaping to separate them.
4. Residential areas should not be situated next to intense nonresidential uses without provisions for increased separation and buffering. Less intense nonresidential development may be appropriate next to residential development with regulatory performance standards to mitigate adverse impacts.
5. Neighborhoods should be designed with a variety of housing types and sizes, thereby offering affordable living options.
6. Development form should be such that neighborhoods are highly walkable, meaning there is a mixture of uses within convenient distance so that automobiles are not essential for relatively short trips. Appropriate standards should be adopted that ensure the compatibility and visual cohesiveness of mixed-use development, with provisions for buffering and impact mitigation.
7. New development or redevelopment on "infill" parcels should maintain compatibility with existing uses and the prevailing character of the area.
8. Development should not occur within floodplains unless there is compliance with stringent floodplain management practices.
9. Areas of historic value should be maintained and enhanced in accordance with preservation guidelines and development standards.

10. Multiple-family housing should be developed at a density and scale that is compatible with the surrounding neighborhood and available utilities and roadway capacity. Larger multi-family developments should be located on sites with adequate space for off-street parking, accessory structures, and recreational activity and toward the edge of single-family residential areas where higher traffic levels and taller building heights can be better accommodated.
11. Uses that commonly have moderate- to large-scale assemblies of people such as churches, schools, membership organizations, and other institutions should be appropriately located on adequate-size parcels. They should provide sufficient space to accommodate the off-street parking and accessory needs. Such uses should be located so as to minimize any adverse or undue significant burden on adjacent or adjoining land uses, as well as that portion of the street network.
12. Commercial development should be concentrated in nodes at major intersections and along major streets, as opposed to scattered areas and/or "strip" development. This encourages more integrated, pedestrian-oriented commercial settings and is safer and more efficient.
13. Smaller-scale neighborhood commercial development should be located at intersections of collector and arterial streets and at the edge of logical neighborhoods – or within neighborhoods where suitable and convenient.
14. Industrial activities should be conducted within enclosed structures, whenever possible, and outdoor activities and/or storage should be properly screened from public view.
15. Less intensive industrial and intensive commercial development should be encouraged in high-quality business park settings (e.g., master-planned design, enhanced building exteriors, increased landscaping and amenities, and more open space).
16. Redevelopment of past industrial or "brownfield" sites should respect the character of surrounding development, with adequate precautions to prevent undue impact. Where feasible, consideration should be given for reuse as public open space.
17. Particular emphasis should be given to the enhancement of community entrances by creating "signature gateways."
18. Space should be maintained adjacent to each significant natural drainage course to facilitate future development of walkways and trails. Maintenance of the ditches also requires additional open space along drainageways.

Sustaining Small-Town Character

Until recently, Kingsville has consisted mainly of a compact network of neighborhoods situated at the crossroads of Business 77 and King Avenue. Over the years, the City has grown to 14 square miles and has a population exceeding 25,000 residents. The economic engines of the University, Naval Air Station, and local industry will continue to contribute long-term population growth and the development of new subdivisions. This changes the once rural landscape – for good. To ensure high quality development, Kingsville must take a proactive stance