

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, MARCH 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)

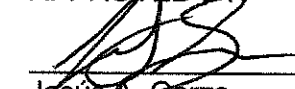
Regular Meeting – February 12, 2018

Regular Meeting – February 26, 2018

Special Meeting – March 5, 2018

Special Meeting- March 8, 2018

APPROVED BY:


Jesus A. Garza
City Manager

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

1. Public Hearing on an ordinance to change the zoning map in reference to Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family District to R2-Two-Family District. (Director of Planning & Development Services).

2. Public Hearing on an ordinance to change the zoning map in reference to 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hgts, Block 3, Lots 1-32; Henrietta Hgts, Block 4, Lots 1-32; Henrietta Hgts, Block 5, Lots 1-32; Henrietta Hgts, Block 6, Lots 1-32; Henrietta Hgts, Block 7, Lots 1-32; Henrietta Hgts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District. (Director of Planning & Development Services).

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of

Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police-Communications Update; Police & Fire Department – Grant Update, Police & Fire Reports; **Streets Update**; Public Works; Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Landfill Update, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Demolition Update, Planning Development Update, **Golf Course Update**, Municipal Court Update. No formal action can be taken on these items at this time.”

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to include a sewer line repair. (Public Works Director).
2. Motion to approve a resolution authorizing the City Manager to enter into a Memorandum of Understanding between the Texas DPS and the City of Kingsville for the Texas Statewide Interoperability Channel Plan, which is an update to existing agreement. (Police Chief).
3. Motion to approve a resolution authorizing application for, participation in, and acceptance of funds from the 2019 Operation Border Star Program with the Homeland Security Grants Division of the Governor's Office for Local Border Security to interdict criminal activity with no anticipated cash match, authorizing the Chief of police to act on the City's behalf with such program. (Police Chief).
4. Motion to approve a resolution appointing Election Judges and the Early Voting Ballot Board Judge for the City of Kingsville General Election on May 5, 2018. (City Secretary).

(MOCIÓN PARA APROBAR UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y EL JUEZ DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, QUE SE LLEVARÁN A CABO EL 5 DE MAYO DE 2018.) (SECRETARIA MUNICIPAL).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider accepting donation of \$2,500 from the Kingsville Rotary Club for the Dick Kleberg Park dog park. (City Manager).
6. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend a Park's donation from the Kingsville Rotary Club. (City Manager).
7. Consider a resolution authorizing the Mayor to enter into an Amended Interlocal Agreement between Kleberg County and the City of Kingsville for the L.E. Ramey Golf Course and area. (City Manager).
8. Consider a resolution authorizing the Mayor to enter into a Master Professional Services Agreement between LNV Engineering, Inc. and the City of Kingsville for wastewater system improvements. (Purchasing Manager).
9. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to include additional engineering services for the wastewater system. (Finance Director).
10. Consider introduction of an ordinance to change the zoning map in reference to Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family District to R2-Two-Family District. (Director of Planning & Development Services).
11. Consider introduction of an ordinance to change the zoning map in reference to 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hgts, Block 3, Lots 1-32; Henrietta Hgts, Block 4, Lots 1-32; Henrietta Hgts, Block 5, Lots 1-32; Henrietta Hgts, Block 6, Lots 1-32; Henrietta Hgts, Block 7, Lots 1-32; Henrietta Hgts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 15-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District. (Director of Planning & Development Services).
12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XI, Business Regulations, Article 3, Alcoholic Beverages, providing for a change to the distance for the sale of alcoholic beverages within 300 feet of a church, public or private school, daycare or child care facility, or hospital. (Director of Planning & Development Services).
13. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to purchase Red Ribbon Drug Awareness promotional items from previous donations to the Red Ribbon Drug Awareness Fund. (Police Chief).
14. Consider waiver of daily rental fee for JK Northway building for the International BBQ Cookers Association Heritage Cookoff event on October 26-27, 2018. (Tourism Director).
15. Discussion and consideration on street corridors, street capital improvement update, and recommendations. (City Engineer).

16. Discuss parameters for employee health care plan request for proposals. (Human Resources Director).

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

18. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

VII. Adjournment.

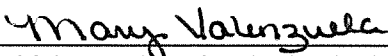
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

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

I, the undersigned authority, do hereby certify that the Notice of Meeting was posted on the bulletin board located at 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:

March 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

MINUTES OF PREVIOUS MEETING(S)

FEBRUARY 12, 2018

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 12, 2018 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Al Garcia, Commissioner
Diana Guerrero-Pena

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Kyle Benson, IT Manager
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Derek Williams, Systems Specialist
Bill Donnell, Public Works Director
Deborah Balli, Finance Director
Diana Gonzales, Human Resources Director
Leo Alarcon, Tourism Director
David Solis, Risk Manager
Israel Vasquez, Maintenance Manager
Sharam Santillan, Capital Improvements Manager
Richard Flores, Golf Course Manager
Susan Ivy, Parks Manager
Jennifer Bernal, Community Appearance Supervisor
Adrian Garcia, Fire Chief
Pete Pina, Landfill Supervisor
Charlie Sosa, Purchasing Manager
Frank Garcia, Wastewater Supervisor
Rudy Mora, Director of Engineering
Julian Cavazos, KPD Lieutenant
Marco Jimenez, Street Supervisor
Robert Rodriguez, Library Director
Cynthia Martin, Downtown Manager
Stephanie Ley, Administrative Assistant
Manuel Buentello, Planning Inspector
Richard Ortegón, Animal Control Officer
Vincent Murray, Police Officer

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – January 22, 2018

Motion made by Commissioner Lopez to approve the minutes of January 22, 2018 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Fugate voting "FOR". Guerrero-Pena "ABSTAINED".

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, Golf Course Update. No formal action can be taken on these items at this time."*

Mayor Fugate presented the Because you Care Award to Alesandra Zavala for her recycling project she has spearheaded in her neighborhood.

Mr. Garza Introduced the newly hired City Engineer, Mr. Rudy Mora. Garza also awarded the Employee of the Month to Manuel Buentello, Building Inspector for the month of December and Mr. Richard Ortegon, Animal Control Specialist Officers for the month of January.

Mr. Bill Donnell, Public Works Inspector gave an update on Streets. Donnell stated that due to the weather conditions, staff is moving on Huisache Street as best they can and had to deal with some drainage issues on the southside of the project. To remedy this issue, staff is installing a grade inlet box in order to convey the water. Staff has also been mowing the underpasses and cleaning out the planters around that area. They have mowed 6th Street, W. King Ave., and Franklin Adams. As the weather improves, staff is working in Zone 3 on curb and gutters. As the weather cooperates, staff will continue with the weed spraying in Zone 12. Staff has been working on patching in Zones 2 to 4 and 7 to 12. On Special Projects, staff has assisted the Sanitation Department with the demolition at 425 E. Kenedy. Staff has also assisted in grading the arena at the JK Northway.

Mayor Fugate thanked Mr. Donnell's staff for all their hard work. Mr. Donnell stated that TXDOT will be cleaning the overpasses. City staff was to help, but TXDOT will have their contractor from Corpus Christi and clean before March.

Mr. Garza commented that staff has asked TXDOT to pay close attention to the entrances and exits in Kingsville.

Fire Chief Garcia gave an update on the Ambulance Program. Chief Garcia stated that this is a program that had been taken care of for some time. He stated that currently they have identified ten ambulance services that use to operate within the City. Staff has reached out to these businesses and confirmed that five are still continuing to work in the City. An initial email has been sent out to notify them of the new application and asking them to register with the City. Garcia stated that as of today, he has three ambulance services that are working on their application and have scheduled follow-up appointment with the other two ambulance services that is giving staff some run around. Garcia stated that the next step is to outline the ambulance ordinance. Certified letters will be mailed to them, as it states in the ambulance ordinance, which is to explain to them that they have a certain amount of time to get this done, before pursuing other means. Garcia stated that they will continue to get their initial inspection out of the way and will continue to do unannounced inspections throughout the year. Garcia stated that they will submit the inspections and follow-up with them on what they are doing and what they are not doing. He stated that the part-time Customer Service Representative is fully trained and busy with inputting occupancies and fire inspections.

Mr. Garza presented the 1st Quarter Budget Report and the Investment Report. In the Budget Report that at the end of the first quarter we are at 27%. Ad valorem taxes are at 42%, which is trending better than expected and better than prior years. Non-property taxes, this category contains sales tax, mixed drink and franchise taxes. Only City sales taxes are received on a month basis while all other taxes are received on a quarterly or semi-annual basis. Revenues in this category are trending lower than expected at 22%. In sales tax, Garza commented that this is one of the areas that increased or expected revenue from last fiscal year to this one. Last fiscal year, staff budgeted \$4.5 million in revenues and this year it was budgeted \$4.7 million, which the city is on target to meet the \$4.7 million. City sales tax revenue is trending slightly higher than expected with the revenue percentage at 26%. In Permits & Licenses, revenues in this category are significantly lower than what was expected and in relation to prior years. Revenues should be at \$62,906 which is short about \$15,870. Almost every type of permit is under projection with building permits down \$14,000 from last year, mechanical permits down \$2,579, and food permits down \$2,030. Garza stated that through the first quarter, permits and licenses is at 18%, which is attributed to decrease in development. Garza commented that due to some large size development in the past couple of years, which caused this budget number to increase. Garza stated that staff is working on an update from the Planning Department which will be presented on a future meeting. This will give information on residential permits and commercial permits in order to give the Commission a look at what is going on with our permits and the reasoning for the decrease in permits and licenses within the Planning Department.

Commissioner Garcia commented that the report ends on December 31, 2017, and asked what is going on today, as far as permits, increase this amount starting January and February, 2018. Mr. Garza responded that at this time he does not have the numbers for January and February, and stated that in terms of development he is not sure if there is any difference from the first quarter.

Mr. Tom Ginter, Director of Planning & Development Services, commented that there is nothing significant now that would show any increase.

Commissioner Garcia further asked if there are any big projects coming in to the City. Both Mr. Ginter and Mr. Garza commented that there are no big projects coming into the City at this time.

Mr. Garza commented that Mr. Ginter is working on a more detailed report. Staff is also working on the monthly reporting with the assistance of Andrew Lugo, City Manager's Intern. Garza stated that by the end of this month, staff should be caught up with this monthly report, which will show permits on a monthly basis. This should help in showing where we are as far as permits, fines, and other issues. Garza continued with his reporting of the Quarter Budget Report. Garza reported on Municipal Court Fines, which is one that has been trending downwards over the last few years and will continue to see this through the first quarter. In fiscal year 2016, the number budgeted was \$960,000. The actuals didn't come in at \$960,000, so since then those revenues have been budgeted to be less. In fiscal year 2017, it was budgeted \$835,000, which was less than the \$960,000 from the year before and the fiscal year we are in now, we have budgeted \$760,000 which is less than the year before. Garza stated that even with this reduction in the budget, we are still at 20% with revenues from Municipal Court. Garza commented that staff has taken the time to look into the data. Some of the issues that he has verbalized last year, revolved around some staffing issues, technologies issues that we were experiencing. Staff really looked into the data which explained the reasoning for the decrease in revenues. The data shows in the last few years that there has been a decrease in citations. When you have a decrease in citations, you have a decrease in revenues, which is a way that it's worked itself out. Garza commented that staff does have the data that backs up the lower is driven with the fact that we have less citations and when you have less citations, you have less warrants which stems from the citations that are being issued. Garza commented that there is a Warrant Roundup that is coming up which will be focused on a two week period, historically this was a one week period. Municipal Court staff and the Police Chief are working together to ensure that we can maximize this warrant roundup period to get as much revenues as possible.

Commissioner Garcia asked that the uncollected warrants, have they bottomed out or have they been collected by Linebarger.

Mr. Garza's responded that he is not able to answer that question at this time, but staff can pull a report specifically showing Linebargers involvement with those collectibles. Garza continued with the Parks Department section of the report. He stated that with the Golf Course, the city is at 22% of expected revenues, which is slightly higher than last year. Last year at the end of the first quarter it was at \$47,000 and this year it's at \$61,000. He stated that it's his belief that there was some issues with the payments from the County being behind, so the number may be affected due to that. This year they are fully caught up and so we are at \$61,000 with revenues through the first quarter with the Golf Course. Garza also stated that staff added some reminders on the expenditures that he brought up through the budget process of concern. Garza further that the Golf Course is at \$52,000 at the end of the first quarter, the end of the first quarter last year it was at \$44,000. Based on the two fiscal years, it is roughly at the end of the first quarter in the low \$50's, which puts it back on track. There is also a slight increase in the Parks, compared to last year. In the solidwaste fund, it is on target as to what staff budgeted. Tourism is doing well through the end of the first quarter, on the hotel side. Staff has had some discussion about having a percentage of the Tourism funds for reserves fund. The reserves policy only addresses the general fund and the utility fund, and no other funds. Internally, staff is

working towards working their way up on having 25% reserves in the Tourism Fund. Even though it is not stated in a policy, but through practice, try and keep a healthy 25% reserve in the Tourism Fund. Garza mentioned that last year, staff transitioned the JK Northway to the Tourism Department, which the increase of revenues that is received from Tourism also helps with that. JK Northway is an expense to the City of almost \$200,000 per year. Budgeted revenues for the JK Northway for this fiscal year is \$61,000, which was an increase of about \$25,000 from last year, which was an increase due to a transfer of \$25,000 from the General Fund to the Tourism Fund due to the contributions received from Kleberg County. Garza stated that fees that are collected for the facility only brings in less than \$40,000 per year with the expenses being close to \$200,000 per year. In the Utility Fund, it is doing slightly better than budgeted, with it being at almost 27% of revenues for this fund. The Street Maintenance Fund was budgeted to receive \$812,000 through the Street User Fee for this year, which is a little over \$200,000, which is at about 25% and on track with this. Garza commented that with regards to the Health Insurance fund, there has been some conversations on where the city is with estimated expenses and expected fund balances. Garza stated that one of the questions asked was regarding the fund balance. At that time, staff mentioned that they would speak to the auditor as the numbers that were being utilized for the conversation was a number that staff came up with through the budget process. Garza stated that in the summer time, during the budget process, it's usually between three to four months prior to the end of the fiscal year, which makes the entire budget process based on projections. The auditor does not audit those number until the Spring, which is expected to be completed in the end of March to early April. At that point it is when staff receives true figures of where the City stands with fund balances, expenditures, and revenues. Garza commented that because of the timeliness on the Insurance Fund, staff spoke with the auditor to try and figure out where the city is truly at this fiscal year with the fund balance. Garza further commented that it is being estimated for the city to be at \$315,000 range, and now the auditor is coming back stating that the city will be at \$550,000 in fund balance. Garza stated that staff included some additional information relating to the Health Insurance fund on this report in the form of a bar graph, which is a new section in the quarterly report.

Mr. Garza commented that as for the Investment Report, the City Commission can review the report on their leisure. He stated that the Investment Committee met on this report to review the first Investment quarter report. The committee consist of Commissioner Pecos, Deborah Balli, Finance Director, Courtney Alvarez, City Attorney, and the City Manager.

Mrs. Courtney Alvarez, City Attorney reported that the Warrant Roundup which begins February 12th through March 9, 2018. Alvarez stated that from February 9th through February 23rd, it is a grace period. During this time anyone who may have outstanding matters with Municipal Court can come in and pay without fear of getting arrested. Beginning February 24th through March 9th, individuals are encouraged to take care of any matter they may have with Municipal Court. Municipal Court will be having extended hours for the next four Fridays. Alvarez reported that the next City Commission meeting is scheduled for February 26th with the deadline to submit agenda items for this meeting is on Friday, February 16th. She further stated that there has been some updates made to agenda items 11, 12, and 19. She further asked that those sitting in the audience during tonight's meeting, with there being an executive session agenda at the end and allow the Mayor to read the executive session item before anyone gets up and moving about and begin talking, as what the Mayor says, needs to be recorded on the record.

Mayor Fugate welcomed Commissioner Diana Guerrero-Pena for her services on the City Commission.

IV. Public Comment on Agenda Items.³

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

Mr. John Temple, 519 S. 19th Street commented that he was able to find out a few things regarding skateparks not being fenced. He stated that did some research into this and there are skateparks that are fenced throughout the country. He asked about cameras at the skatepark and asked if these had already been installed, which he feels would be a waste of money, as staff would not be able to identify the individuals that are out during late hours. Mr. Temple stated that he personally went over to Harvey School and was given a tour of the campus and personally saw the card reader ripped off the wall and stated that it doesn't take much to figure out who could have done this. He stated that he also saw light fixtures broken and have damage to the benches that are located on the eastside of the campus. He stated that he was also told that there was so much trash in the common area on the eastside, that their janitor can't keep up with it. He stated that individuals use the electrical outlets at the school to charge their electronic devices. Temple commented that Kleberg Park closes at 10:00 P.M., and if you find out that there are individuals out there having a party at 1:00 A.M., it would be considered trespassing, which would be considered the same thing at the skate park. He stated that the 10:00 p.m. hour doesn't bother him, but the midnight hour does bother him. He further stated that with Spring and Summer, the 10:00 p.m. closing time will mean nothing to the youngsters.

Vincent Murray, 1700 E. King Ave., commented that he is here tonight to express his concerns, not only as an employee but more importantly as a father. Mr. Murray made the following statement: He has been a resident and an employee of the city for 10 years. The recent talk about the large increases in health care cost is the main cause for his concern and the concern of most city employees. He has served the city as a police officer for nearly 10 years. During that time he has put in maximum effort in doing his absolute best to serve the citizens of this community. He further commented that not only does he do his job, but he also volunteers a lot of his time to schools and other programs when he is asked to volunteer due to his position as a police officer. He does these things, not because he has too, but because he wants to, because he loves to serve the community he is raising his family in. He is a head of the household for a family of four. His wife has been able to stay home and raise both children due to some strict budgeting in their part. Seven years ago, he was blessed with their third child, who is a little different than other children. He stated that his son needs things in his life that are very structured, and if everyday life is not carried in the same routine, he begins to struggle. Due to the possible rising cost of health care, his wife will no longer be able to fulfill her job as a stay at home mother as she will have to find a job to bring income into the household. This will be a difficult challenge for their son and family, that they will have to go through together. Murray further commented that this is frustrating for him and his wife, as they have done everything in their power to make sure that this would not happen. However, this is possibly no longer a reality and totally out of their control. Murray also commented that the Commission may question about all the things he has spoken about are important and what it has to do with him being hearing tonight and speaking, so allow him to explain. Murray commented that three health care options have been presented to the Commission that may help cut the cost for spending for the city. Unfortunately, all of the options presented will cost each and every employee, within the city, thousands of dollars a year on average. The third option, which is kind of similar to what we have now, family plan, will cost his family \$3,492.72 in premiums a year and another \$3,000 to pay for his family deductible. This means that the insurance will cost \$6,490.72 per year, which will take approximately \$3.12 an hour from his hourly rate. Murray further commented that although the deductible may not be used yearly, he still must plan for worst case scenario because no one can control what his or his family's health may bring forward in one year. Murray further commented that this is concerning to him as he lives on a budget as everyone sitting in the room at this moment. He stated that

most city employees may tell you that one of the main reasons that they stay gainfully employed for the city is because of the great insurance package that is offered to the employee and their family. Murray stated that Mayor Fugate made a comment that the best part of being the Mayor was the health insurance. Murray further stated that it is understandable that the cost of health insurance is increasing all over the nation and it must go up for the employees as well. He stated that he personally feels that the options being presented by city management and staff are not in the best interest of the city employee and are more focused on cutting debt for the city. Murray stated that he would like to oppose a question to the Commission that he also asked the city manager during one of the health care seminars, question was, how do you expect employees to pay for the large increases to health care when statistics show that average savings for a middle class family of four in the United States is \$500 or less, the answer given to him by the City Manager was, do what everyone else does and find the money. Murray stated that that statement concerned him. Every city employee, of the several hundred that are employed for the city, all have a different situation; some are married, single, single parent(s), divorced, widowed, head of household and any other situation that could be thought of which makes finding the money virtually impossible. Murray further stated to look at an employee who is an Equipment Operator 2 that makes a salary of \$22,000 per year and use this employee situation as an example. This employee is in the same situation as he is, when it comes to health care coverage needs.

As the allotted time was up, the Commission allowed Mr. Murray to continue with his comments.

Vincent Murray continued and stated that the first thing to do is take away \$6,490.72 from this employee salary. This will make this same employee salary \$15,509.28, before taxes and other deductibles are removed from his/her check. Murray stated that he asked the employee the following question, how do you afford to survive? The answer given was that he/she cannot survive on that salary. Murray stated that the employee stated that he/she does not have a choice other than to get rid of health care for their family, as it is not practical. Murray further commented that there are many employees in the city that are at or near the same pay as this individual employee whom he has spoken with. He stated that he asked this employee why he/she would not come forward and tell their story to the City Commission. Murray stated that the employees answer to him was, what for, it's obvious the City Manager doesn't care about the employees but more about spending money on projects. Murray further stated that the same employee stated to him that it did not matter what he or any other employee would say, because the city management and staff would make the changes anyway. Murray stated that after speaking with several other employees, he learned that they have similar feelings. Murray stated that he has confidence that the City Commission will try and do what is best for the city employees and the city. Murray commented that the City Manager opposed a question to the City Commission a few weeks ago, about how much risk the city was willing to take when it came to health care. This same question was asked from the employees when the City Manager did his health care presentation. Murray stated that he asked the question, why should he have to take a risk? The whole point of having insurance is to use it when you need. Murray commented that this is why we pay insurance on our vehicles, homes and anything that is owned. Insurance is there to protect the individual when something out of their control happens, which is what most people in insurance call an act of God. Murray commented, what is the point of having health care, if one can't afford it. Murray stated that he would like to speak about a one sided survey that was provided during one of the health care seminars. The survey provided by city management and staff was clearly geared on how they wanted to change the direction of the health care coverage, which he believes the survey was strictly one sided. He stated that it is his belief that city management and staff already knows the direction it wants to take the health care coverage and want to enforce it on the Health Care Task Force and the employees just as the City Manager attempted

the Commission to give him an answer about their views on the direction on health care during the last meeting. Murray continued to state that the word transparent was used several time during the last City Commission meeting when it came to health care. Murray stated that however, that he has spoken with several city employees that have little to no understanding about what is happening when it comes to health care. They only understand what is being conveyed to them by the members of the Health Care Task Force, and have a lot of questions about what this health care really means to them. Murray stated that he also questions the transparency about the health care as change has already been made to the prescription coverage plan; and no one has talked about how much money this has saved the city. He stated that he has already several horror stories by employees that are now being denied prescriptions that were covered by the previous plan that are paying large amounts of money for the same prescriptions. Murray commented that it is unfortunate that this is the only place he could come to express his concerns due to being denied access to the Health Insurance Task Force, which was supposed to be open to every city employee. Murray stated that he put his request in email form twice to the Chief of Police requesting access to this group. However, he was told by the Chief that he was being denied access to the group as it did not need any other union representatives; Johnny Campos was chosen to represent the Police Officers Union. Murray stated that this was unfortunate for him as he is concerned for his family and all of the city employees at the police department as well as all the city employees that work for the city. He further stated that he believes he could have assisted the city management staff in finding a health care option that was beneficial to both the city and employee. He further commented that some employees are willing to pay as high as a deductible as possible to keep premiums low, while other employees want the opposite. He stated that everyone's individual situation makes finding a happy medium difficult. He further stated that he thinks the city management and staff could be doing a better job in attempting to work with the employees, better than what it is doing. Murray stated that everyone he has talked to from the Health Care Task Force, all have the same feeling that the city management staff is forcing their proposals on them instead of working together and trying to find a solution. Vincent Murray stated that he is not here to attack anyone tonight, or blame anyone or ask for sympathy or empathy from anyone, but just simply hear his story and how the health care cost will directly affect his family. He further stated that he is asking for everyone to do a better job in working together to generate a reasonable health care plan that will benefit both the employee and the city.

Mayor Fugate commented that the Commission will stick to the three minute rule from this point forward.

Chris Loudon, President to the Firefighters Union 2390, commented that he is here in regards to the insurance as well. Loudon commented that he agrees with some of the points that were just mentioned by the previous individual as they are having some of the same issues. He stated that the average firefighter will have a 6.40% loss of take home income. He stated that it may be doable from their standpoint but not to mention that they will lose 6.40% of their income. He stated that he personally, \$172 a month increase will still equate to \$3,000 deductible, which he does not have in his bank account now. He stated that he has two children and a wife that he takes care of and there is no telling what type of health issues can arise for him or his family. Loudon stated that the individual also spoke about employees working in different departments that work at \$10.30 per hour, \$10.30 per hour with a \$172.00 per month increase, they will lose 15% of their take home wages in their annual and their monthly income will be \$966.00 per month to support a family. Loudon continued to say that the \$966.00 that they make will be expected to come up with \$3,000 in order to get some type of coverage for their family. He further stated that he is glad that they didn't move hastily as there are \$200,000 projected to be there. Loudon stated that to come up with the money, when you have a \$100,000 a year salary, and over the past few years, some of these members have gotten 10% raises and so at \$172.00 a month, for

them, it is less than a 3% take home and with their raises, it is 30.8% of their raises, which his not even not affecting their take home income, if the raises they have received are considered. He further stated that he has been affected by the prescription plan. He has been told that he cannot have the medicine that his doctor has prescribed for him. He stated that it makes him think why even go to the doctor, just go to the insurance company and they can tell him what to take. He stated that one of the beneficial things he had, was when he started he had free health insurance and now he has family and realized that he should probably pay as individual. He stated that health insurance is something that he would not want to gamble with. He stated that the way it is right now is good but he agrees with Vincent Murray's comments and feels that the staff needs to come up with a more happy medium and find something that benefits everyone.

V.

Consent Agenda

Notice to the Public

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

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

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

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

- 1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinance by amending Section 15-6-26-Home Occupations, revising Home Child Care Regulations. (Director of Planning & Development Services).**
- 2. Motion to approve final passage of an ordinance amending the FY17-18 budget to accept and expend Park donations from local hoteliers for dog park. (City Manager).**
- 3. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 Budget to accept and expend an Edward J Byrne Memorial Justice Assistance Grant for the purchase and installation of dispatch consoles at the Police Department. (Police Chief).**
- 4. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 Budget to accept and expend an Office of the Governor Criminal Justice Division Body Armor Grant. (Police Chief).**
- 5. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 Budget for additional engineering services for the Landfill. (Public Works Director).**
- 6. Motion to approve final passage of an ordinance amending the FY17-18 Budget to accept and expend a Defense Economic Adjustment Assistance Grant**

(DEAAG) for land purchase near Naval Air Station-Kingsville to prevent encroachment. (Director of Planning & Development Services).

7. Motion to approve resolution authorizing participation in the 15th Annual Ride on the Wild Side Charity Bike Ride to be held on April 28, 2018 and authorizing the City Manager to execute an Indemnity Agreement with King Ranch for said event. (City Attorney).

8. Motion to approve re-appointment of Ramon Perez to the Joint Airport Zoning Board for a two year term. (Director of Planning & Development Services).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Consider request for city participation in promotion of boxing event to be held at the JK Northway on February 17, 2018, to include marketing assistance and waiver of certain rental rates and fees. (Mayor Fugate).

Mayor Fugate stated that he asked for this item to be placed on the agenda for consideration. He stated that the 12th Street Boxing Club has volunteered in many community events and feels that it is only right to waive certain fees for the Boxing Event on February 17th. The request is for waiver of all fees involved with the rental of the J.K. Northway Exposition Coliseum and to include \$1,500 for marketing assistance from Tourism marketing dollars.

Motion made by Commissioner Lopez to approve the request for city participation in promotion of boxing event to be held at the JK Northway on February 17, 2018, to include marketing assistance and waiver of certain rental rates and fees, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Guerrero-Pena, Lopez, Pecos, Fugate voting "FOR".

At this time, City Manager Jesús Garza asked the Commission to move agenda item #22 prior to agenda item #11. No objections were made from the Commission. The Commission continued with agenda item #22.

10. Consider a resolution authorizing the City Manager to enter into the 2018 Election Services Agreement between the City of Kingsville and Kleberg County Clerk. (City Secretary).

Motion made by Commissioner Pecos to approve the resolution authorizing the City Manager to enter into the 2018 Election Services Agreement between the City of Kingsville and Kleberg County Clerk, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Guerrero-Pena, Lopez, Pecos, Garcia, Fugate voting "FOR".

11. Consider awarding RFQ#18-08 for Administration Services for the 2016 GLO CDBG Disaster Recovery Grant to Grantworks as per staff recommendation and authorizing staff to negotiate a contract. (Purchasing Manager).

Motion made by Commissioner Pecos to award RFQ#18-08 for Administration Services for the 2016 GLO CDBG Disaster Recovery Grant to Grantworks as per staff recommendation and authorizing staff to negotiate a contract, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Guerrero-Pena, Fugate voting "FOR".

12. Consider awarding RFQ#18-07 for Engineering Services for the 2016 GLO CDBG Disaster Recovery Grant to LNV Engineering, Inc. as per staff recommendation and authorizing staff to negotiate a contract. (Purchasing Manager).

Motion made by Commissioner Pecos to award RFQ#18-07 for Engineering Services for the 2016 GLO CDBG Disaster Recovery Grant to LNV Engineering, Inc., as per staff recommendation and authorizing staff to negotiate a contract, seconded by Commissioner Lopez and Commissioner Garcia. The motion was passed and approved by the following vote: Pecos, Garcia, Guerrero-Pena, Lopez, Fugate voting "FOR".

13. Consider awarding contract to Greenscape Six for the resurfacing of greens, sprigging, and bunker renovations at the L.E. Ramey Golf Course via Buyboard, as per staff recommendation. (Purchasing Manager).

Mr. Richard Flores, Golf Course Manager stated that the irrigation is at 90% completion. The contractor still has some cleanup work to do. Staff is looking for them to possibly be completed with the project by mid next week.

Mayor Fugate commented that one of the concerns is that when they start closing the course to re-do the green, are the fairways going to be done at the same time?

Mr. Flores responded that they will prioritize the work on the fairways along with some of the dirt work. This will cause for some of the holes to be closed but will leave the landing areas open. At the same time, they will be creating some temporary greens so that it won't disrupt the revenue flow. Flores stated that he is recommending to work it into the project as a whole, so that when the greens are open, which staff is shooting for June 1st, it will have some new putting surfaces and sand trap will be done at that time.

Mayor Fugate commented that he would like for the fairways and greens to get done at the same time so that staff won't have to come back and close them down again. He further commented that he is glad that the sand traps will be done as it is critical to the University with their golf program.

Mr. Charlie Sosa, Purchasing Manager reported that This item authorizes the construction of Resurfacing Greens, Sprigging, and Bunker Renovations at the L.E. Ramey Golf Course. Staff reached out to several companies on the Buyboard Cooperative Purchasing Program that would be interested in submitting proposals for these projects. Staff received a total of one responsive proposal from Greenscapes Six. After reviewing the proposal staff has selected Greenscapes Six proposal. Greenscapes is a registered vendor through Buyboard Cooperative Purchasing Program, Buyboard Contract: Grounds Maintenance Equipment, Irrigation parts, Supplies and Installation, Proposal No. 529-17. Scope of work to include approximately 115,000 sqft. strip dead grass and one inch of sand material, till and install one inch sand material, till compact and finish grade greens surface, sprig greens provided by Greenscape Six and approximately 40,000 sqft of bunker renovations including remove and dispose of existing sand, reconstruction of bunker cavity, installation of salvage drainage pipe, installation of bunker sand, finish grading, and installation of sod. Local Government Code 271, Subchapter F, allows for the use of cooperative purchasing program, specifically section 271.102(c), states, a local government that purchases good and service under this subchapter satisfies any stated law requiring the local government to seek competitive bids for the purchase of goods and services. Sosa continued to state that the financial impact will be \$224,660.13 for the construction and

installation of resurfacing greens at the L.E. Ramey Golf Course. A total of \$225,000 in funding is available through account 033-5-4502-71215, Golf Course improvements. It is staff's recommendation to contract with Greenscape Six.

Motion made by Commissioner Garcia to award contract to Greenscape Six for the resurfacing of greens, sprigging, and bunker renovations at the L.E. Ramey Golf Course via Buyboard, as per staff recommendation, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Guerrero-Pena, Lopez, Pecos, Fugate voting "FOR".

14. Consider a resolution approving an application and agreement for the Historic District Façade Grant Program from Adelmo & Yolanda Luera for Al's Hair Design for property located at 321 E. Kleberg Avenue, Kingsville, Texas. (Downtown Manager).

Motion made by Commissioner Lopez and Commissioner Garcia to approve a resolution approving an application and agreement for the Historic District Façade Grant Program from Adelmo & Yolanda Luera for Al's Hair Design for property located at 321 E. Kleberg Avenue, Kingsville, Texas, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Guerrero-Pena, Lopez, Pecos, Garcia, Fugate voting "FOR".

15. Consider resolution approving the Agreement for the Defense Economic Adjustment Assistance Grant between the City of Kingsville and the Office of the Governor, Texas Military Preparedness Commission, authorizing the City Manager to execute such agreement. (Director of Planning & Development Services).

Mr. Tom Ginter, Director of Planning & Development Services stated that the city was awarded a \$143,616.00 DEAAG to assist the city in purchasing property to prevent development encroachment near Naval Air Station-Kingsville. This grant also includes a 20% match. While the city will get reimbursed \$143,616.00, it will have to come up with \$35,904. Of the \$35,906, \$24,904 will be cash and the remaining \$11,000 will come from in-kind services, which work is done by city employees.

Motion made by Commissioner Garcia and Commissioner Pecos to approve the resolution approving the Agreement for the Defense Economic Adjustment Assistance Grant between the City of Kingsville and the Office of the Governor, Texas Military Preparedness Commission, authorizing the City Manager to execute such agreement, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Guerrero-Pena, Fugate voting "FOR".

16. Consider a resolution authorizing the City to start the process for the acquisition of land for encroachment prevention near the base pursuant to an application approved by the state Defense Economic Adjustment Assistance Grant Program. (Director of Planning & Development Services).

Mr. Ginter stated that this item will authorize staff to begin the process for the acquisition of land for encroachment prevention.

Motion made by Commissioner Garcia to approve this resolution authorizing the City to start the process for the acquisition of land for encroachment prevention near the base pursuant to an application approved by the state Defense Economic Adjustment Assistance Grant Program, seconded by Commissioner

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

17. Consider a resolution authorizing the City Manager to execute an Unlimited Managed Services Contract with Barcom Technology Solutions. (Purchasing Manager).

Mr. Philip Garza, Senior Solutions Engineers for Barcom, and Saul Lopez, General Manager for Barcom Technologies Solutions were present at this meeting.

Mr. Philip Garza provided the Commission with a slide presentation, but was not provided to the City Secretary.

Mayor Fugate called for a break at 7:32 p.m.

Mayor Fugate reconvened the meeting at 7:35 p.m.

Mr. Garza commented that staff has been looking for ways to improve customer service to our own employees. Often times, as cities there is a focus on interactions with the public and sometimes loose site that the city has a service department that provides certain services to our own employees. Garza stated that this past fiscal year, a part-time position was included in the budget for the IT Department. This position has not been filled. Staff came across this opportunity with Barcom for some services. It is staff's intention in taking the money that was budgeted for the part-time position and try in finding a more comprehensive way that staff can improve the IT Help Desk operation.

Mr. Philip Garza went over a PowerPoint presentation regarding what it is that Barcom does and how they can assist the city.

Mr. Sosa stated that 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. Barcom's services act to supplement small on-site IT departments which lack 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 situations, which is more closely aligned with the vision of the Technology Department and city overall. Additionally, Barcom offers software to aid in remoter support and maintenance which can be utilized by existing staff to increase efficiency in the performance of network and server related tasks. Sosa further stated that the amount of \$5,265.00, a one-time onboarding charge and \$3,115 per month over the 7 month term of the contract for a total of \$27,070. Fund for these costs would be covered through the reallocation of existing funds within the IT Department budget and efficiencies created through Barcom's providing of software which would otherwise be purchased separately.

Mayor Fugate commented that the IT Department already does a good job and asked if this was duplicating services.

Mr. Garza responded that part of the challenge that staff is running into is that staff is beginning a lot of the operations to technology. It is requiring for the IT Department to become more engaged with some of the bigger projects such as software development. Garza further stated that IT will also be assisting in options for the Municipal Court software. There is also beginning to be a higher presence at the Library. As the IT Department's workload increases, staff wants to make sure that we don't lose sight on day to day operations.

Commissioner Garcia asked if Barcom carries technology liability insurance, and if so, can they make the City of Kingsville as an additional insured. Mr. Philip Garza stated yes, it will be part of the onboarding process. Commissioner Garcia asked what type of insurance does Barcom carry. Mr. Garza stated that it's the same type of coverage that his company provides for their other clients. Mr. Garza made other comments that was not picked up on the audio.

Mayor Fugate asked if this was something that staff budgeted for. Mr. Garza responded that staff will be taking the budget that was approved for the part-time position and redirecting some funds in order to pay for this service. Garza further stated that Barcom will also be including antivirus as part of the package where at this time, the city pays for that separately. So by bundling that together, there is a savings from that line item. Garza stated that it is not any additional funds that staff is requesting, just a matter of reshuffling of funds within the department.

Commissioner Lopez commented that she would have liked to see for staff to have given the Commission some information to be included in the packet as to where the funds to pay for this service was coming from.

Mr. Garza asked staff if that information was not included in the memo.

Mr. Sosa stated that the information was not included in the memo as it was not available. He further stated that staff was getting that information and spoke to the Human Resources Department, after the part-time position, insurance, and benefits It's about \$40,000 that will be allocated for this contract. This is not something that needs to be acted on tonight if the Commission so wishes to wait.

Commissioner Lopez stated that she understood that, but the Commission was given that information and is new information to them.

Mr. Garza commented that as Mr. Sosa stated, this is not something that needs to be acted on tonight.

Mayor Fugate commented that if this is not a time-sensitive issue, he would like to give the Commission more time to be able to look at this, and would like to bring it up at the next meeting.

No action taken.

18. Consider a resolution adopting the FEMA approved Kleberg and Kenedy Counties and City of Kingsville, Texas Multi-Jurisdiction Hazard Mitigation Plan. (Fire Chief).

Mr. Adrian Garcia, Fire Chief, reported that the City of Kingsville is requesting to adopt the following Multi-Jurisdiction Hazard Mitigation Plan (HMP) as part of the City of Kingsville. This was a joint effort between FEMA, Kleberg County, Kenedy County, and

the City of Kingsville to develop a HMP that identifies potential threats, provides mitigation goals, and mitigation actions. Garcia further stated that the HMP was created in accordance to the Disaster Mitigation Act of 2000, which identifies mitigation goals and actions to reduce or eliminate long-term risk to our residents from potential future hazards and disasters. By adopting this HMP demonstrates the City's commitment to hazard mitigation and achieving the goals outlined in the plan. By adopting the HMP will make the City of Kingsville eligible to apply for current and future Hazard Mitigation Grants. No direct financial impact attached to the agreement, but will allow access to additional grant opportunities not available to the City of Kingsville before. Garcia commented that staff recommends approval of this item.

Motion made by Commissioner Garcia to approve the resolution adopting the FEMA approved Kleberg and Kenedy Counties and City of Kingsville, Texas Multi-Jurisdiction Hazard Mitigation Plan, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Guerrero-Pena, Lopez, Pecos, Garcia, Fugate voting "FOR".

19. Consider introduction 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 Kenedy Avenue at 20th St. and on Lott Avenue at 20th St. (City Engineer).

Mr. Rudy Mora, City Engineer stated that this item is for an ordinance authorizing the replacement of stop signs along the intersections of 20th street and E. Lott Ave. Currently the intersections of E. Kenedy and E. Lott Avenue at 20th Street are both Yield Sign condition intersections. This will prevent any vehicular accidents between vehicles and pedestrians.

Mayor Fugate commented that this is near the Brookshire Pool and the skatepark and this is a good idea.

Introduction item.

20. Consider a resolution authorizing the City to submit an application to the Office of the Governor for a Homeland Security Grant for the purpose of requesting grant funding on behalf of the City for equipment for law enforcement purposes for the Kingsville Police Department with no anticipated cash match. (Police Chief).

Motion made Commissioner Pecos to approve resolution authorizing the City to submit an application to the Office of the Governor for a Homeland Security Grant for the purpose of requesting grant funding on behalf of the City for equipment for law enforcement purposes for the Kingsville Police Department with no anticipated cash match, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Guerrero-Pena, Fugate voting "FOR".

21. Consider acceptance of donation of a drafting table for the Engineering Department. (City Engineer).

Motion made by Commissioner Lopez to accept the donation of a drafting table for the Engineering Department, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Guerrero-Pena, Lopez, Fugate voting "FOR".

22. Presentation and discussion on employee health plan and options. (City Manager).

Mayor Fugate took agenda items 22 and 23 together.

Mr. Garza stated that he would like to follow-up on his comment that he made earlier about the additional increase in the fund balance. He stated that one of the things he wants to briefly talk about is the city's stop loss insurance. The city has a stop loss insurance that the city pays for to help cover some of the more significant claims. The claims that are hundreds of thousands of dollars have a stop loss insurance that reimburses the city on some of those expenses. These reimbursements are not some that are budgeted as they are unknown. There are some years that the city gets stop loss reimbursements and some years that the city gets a little money from the stop loss reimbursement and some year that the city receives a lot. Garza stated that one of the reasons why the fund balance is at \$550,000 instead as to what staff estimated which is a little bit above \$300,000, is because some of these stop loss reimbursements that came in. He further stated that staff had a conversation with Entrust which is the City's Third Party Administrator (TPA) in order to have a more detailed conversation about the city's expected expenditures as well as trying to get a feel of where the city may be with stop loss for this year. Garza stated that at the end of the conversation, both Entrust and staff felt comfortable that even if the city is at the expenditure side close to 25% of the 4.1, that hopefully the city won't get to that point by the end of the fiscal year. Garza further stated that when you combine the fact that the fund balance is healthier than what it was, the last there was a conversation about it, as well as conversations with the city's TPA, which made staff feel comfortable that the city's expenses will not reach the 4.1. Garza stated that anything can happen when you are dealing with insurance. Garza stated that the recommendation here tonight is to proceed with not making any changes for this fiscal year. Garza stated that at the last meeting there was a conversation about possibly doing something with the May implementation date and on top of that doing something on October 1st, after going through an RFP process, but because of those two aforementioned reasons, staff is recommending not making any changes this May which would allow staff the ability to work with the Commission to develop the parameters set forth for the RFP so that we can have a October 1st implementation date for a new plan. Garza further stated that these two realities that came to staff in the last couple of weeks don't change the long term sustainability of the health insurance fund, but it does help ease into it with any potential changes. Garza at this time displayed a document that shows some of the key items that will need direction from the Commission on. Garza stated that one of the things that he was pushing for at the last meeting was some direction because of some necessity to try and make some changes this fiscal year. With that now, not being the case, staff has some time to dialogue on what parameters staff wants to set in place for this RFP, assuming that the Commission still wants to go out for a Re-RFP for a TPA this spring. Garza stated that whenever staff works to develop this RFP, there is specific information that will need to be on this RFP, for instance, if the city is going to change to an annual deductible, it will need to be spelled out on the RFP. If the city makes changes to co-insurance, it would need to be spelled out on the RFP, as well if the city makes changes to employee contributions with the tiers, as discussed. This would allow the respondents of the RFP, can respond with the adequate parameters. Garza stated that staff would need a recommendation from the Commission to proceed with. Garza went over the handouts that were passed out to the City Commission regarding deductibles. Garza stated that in prior discussion, it was discussed to shifting to an annual deductible as well as the concept of an HDAP Plan which allows for the option of a health savings account, which was a big topic of concern of the employees not being able to have the funds to cover high deductibles. Garza commented that the concept of having an HSA was received favorably and also something that staff would recommend moving towards.

Mr. Garza further discussed the document he handed to the City Commission, one was not provided to the City Secretary. He stated that the amount of \$1350 is an amount that is required by IRS in order for us to have an HDAP Plan. On this form, there are also alternative options, as it was mentioned earlier, every employee has different situations. Some are more concern with the monthly premium expense and some are concern with the deductible. What has stemmed from this, is giving the employee multiple options to choose from, which currently we only have one plan at this time. Also on this document, it discusses co-insurance, it talks about the 100% co-insurance with the monthly deductible that we are setup currently. This also list the options of shifting to an 80/20, 90/10, or continue to cover at 100%. Garza further stated that if the city is going to have multiple plans, you would have different parameters amongst those plans. Regarding premiums, this is a higher concern to the employees, on the employee contributions. Garza stated that during the scenarios that were distributed about two weeks ago, some of the employee contributions went up to \$85 for employee only. The document that has been provided to the Commission tonight will show that staff has lowered the employee contributions which brings scenario one to \$45, which is a \$15 increase for employee only; it's stays the same for employee/spouse and employee/child at \$118; with increase for employee/family to \$135. Scenario two: employee only to \$58; stays the same for employee/spouse and employee/child at \$118; and with increase for employee/family to \$165. Scenario three: employee only at \$65; employee/spouse at \$140 and employee/child at \$125; employee/family at \$195. Garza stated that this is to summarize the options that staff will need direction from the Commission on so that staff can develop the RFP. He further stated that assuming that the Commission wants to continue in doing an RFP to have a competitive process for the changes, is something from staff's perspectives that we want done in the April timeframe. The sooner staff can get direction on the parameters to be included in the RFP, the sooner staff can put out the RFP, the sooner staff receives the responses and will be able to shop the market for TPA's. The sooner this is done, the more accurate it will be through the budget process come this summer.

Mayor Fugate asked if staff is asking the Commission if they would like to do an RFP in April and to be reviewed this summer and acted upon October?

Mr. Garza responded that this doesn't have to happen tonight, but staff wanted to give the option to the Commission.

Mayor Fugate commented that he would like for everyone in the audience to understand that that the city is not moving forward on making any changes for now. The insurance will remain the same, but possible looking at a Request for Proposal (RFP) to change some things in the plan that could go into effect on October 1st. This is only a request for proposal, the Commission is not acting on it, but simply looking at it to see if maybe they would want to do it.

Mr. Garza responded that this was correct. He further stated that the action that would be beneficial for staff, which doesn't have to happen tonight.

Mayor Fugate commented that it wouldn't hurt to do an RFP. The Commission has reviewed them and have turned them down before. Fugate further commented that request for proposals have been done for ambulance service, garbage pickup, and other things. The Commission has looked at them and saw that it wouldn't work, so they turned them down. He stated that it wouldn't be a bad idea to see what is out there.

Commissioner Lopez commented that what the City Manager is asking from the Commission is to give him specifics.

Mr. Garza commented that this doesn't have to happen tonight.

Commissioner Lopez commented that the Commission would need to be allowed some time to study the information that has been provided to them, then come back to staff at a later time.

Mr. Garza commented that prior to staff developing this RFP, staff would need direction from the Commission to confirm, just for the RFP, that it shifts to monthly to annual, or with the co-insurances. Some decisions still need to be made in order for staff to develop the RFP, to then consider in the summer.

Mayor Fugate commented that he can speak for himself on this, that the Commission will need some guidance on recommendations for this.

Mr. Garza commented that one thing that staff can do for the next meeting is bring forward more specific scenarios, as samples to include in the RFP, then go from there.

Mayor Fugate commented that this would be a good idea.

Commissioner Pecos thanked Mr. Garza for working hard on trying to keep the health plan that the city has now and trying to go for RFP's. He stated that he has spoken with the City Manager, various times, on the fact that he was concerned about the employees and the amount of money they would have to contribute. Pecos further asked if staff has the figures on what the city pays for an employee's health insurance?

Mrs. Balli responded that for employee only, it's \$6,300 to \$6,400 a year for employee only and for anything other than employee only, it's about \$14,000 plus.

Commissioner Pecos commented that this is how much money the city contributes in health insurance for its employees. He further commented that in October of 2017, the commission went to Houston to attend TML Annual Conference, where he attended a session on health insurance. He stated that during that workshop, it was asked how many were with the Teachers Retirement System (TRS) health insurance, about one 1/3 of those attending the session, which were about 200 attendees, stated that they were with TRS. He further stated that TRS is having problems, just as the city is having problems. The State had to contribute millions of dollars into the TRS health plan, just to keep it afloat. He further stated that the premiums they are charging are very high. He stated that he has some friends that are retired from the University that are groundkeepers and maintenance managers that are not receiving a check as it is all going towards health insurance. Pecos commented that the Commission has asked Mr. Garza to look into the insurance plan and see how changes can occur, without hurting the city employees. He further commented that he is aware of the pay that city employees receive as well as how much they pay on health insurance. He commented that the City Manager and staff are only trying to do their job and trying to keep the city afloat with the type of revenue the city receives. The city doesn't receive a lot of money in taxation or have factories which makes our tax base not as strong as other cities, which makes it hard to have a balance budget. He commented that for this year, there will be no increase, but come next year, this cannot be promised. He stated that this is a big problem and thanked Mr. Garza for taking it on, but this is a problem that the city will be facing next year as well.

23. Consider action on employee health plan options. (City Manager).

No action taken.

24. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

Mayor Fugate announced the Executive Session and convened the meeting into closed session at 7:55 P.M.

Mayor Fugate reconvened the meeting into open session at 8:05 P.M.

25. Consider a resolution authorizing the sale of the City's 11.013 acres of land located off of US Hwy 77 Business/Loop 428 at KT&I Co., Block 18, Lot Pt 9, 10 in Kingsville, Texas. (City Manager).

Mr. Garza stated that the city received two offers for this piece of property. The property was listed at \$88,000, and the city received two offers, one for \$68,000 and the other for \$90,000. Staff is recommending proceeding and approaching the offer of \$90,000 from those sellers and continue the conversation for the purchase of that property.

Motion made by Commissioner Garcia to approve a resolution authorizing the sale of the City's 11.013 acres of land located off of US Hwy 77 Business/Loop 428 at KT&I Co., Block 18, Lot Pt 9, 10 in Kingsville, Texas, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Guerrero-Pena, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 8:07 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

FEBRUARY 26, 2018

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 26, 2018 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Al Garcia, Commissioner
Diana Guerrero-Pena

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Derek Williams, Systems Specialist
Diana Gonzales, Human Resources Director
Leo Alarcon, Tourism Director
Israel Vasquez, Maintenance Manager
Sharam Santillan, Capital Improvements Manager
Richard Flores, Golf Course Manager
Charlie Sosa, Purchasing Manager
Rudy Mora, Director of Engineering
Cynthia Martin, Downtown Manager
Manuel Buentello, Planning Inspector

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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."*

Mr. Garza acknowledge the Journalism and Communication Class from Texas A&M University-Kingsville, who will be observing tonight's meeting. These student have visited City Hall in the last two weeks to learn about local government. Garza announced and introduced the newly appointed Building Official, Mr. Manuel Buentello. Mr. Buentello was the Building Inspector for the City of Kingsville and has now moved up as Building Official. Garza further introduced the newly appointed Tourism Director Ms. Janine Reyes.

Ms. Janine Reyes commented that she finished her 15 year career in the media last Monday. She is eager and excited to begin her newly appointed position as Tourism Director.

Mrs. Cynthia Martin, Downtown Manager gave an update on the Historical District. Martin reported that the Downtown Historic District is being nominated as a district to the National Register of Historic Places. Part of the National Register process requires a public meeting at the local level to allow the opportunity for public comments. This meeting will be held on March 22nd at 5:30 p.m. in the Helen Kleberg Groves Community Room. Mrs. Martin stated that Judy George Garza is the Federal Programs Specialist for THC, to run the meeting. There will be no presentation at the meeting. The meeting is for Ms. George-Garza to meet with the public, answer their questions and gather their comments. These comments will be taken back with the nomination to the State Board.

Commissioner Pecos asked if the residents that will be affected by this been notified. Mrs. Martin responded that yes, and she has provided a list as Ms. George-Garza will be doing the notification. After the public comment meeting the property owners being affected will also be notified of when the nomination will be presented to the State Board. Martin commented that the State Board only meets three time per year. She further commented that the target time is for May.

Mayor Fugate asked why they wouldn't accept something like this. Mrs. Martin response was that they will accept it. It's only a matter of process.

Mr. Rudy Mora, City Engineer gave an update on Streets. He stated that there will be hot mix placed on Huisache, weather permitting. Next would be 19th Street, between King and Kenedy, which is one block. The next project would be patching in Zone 1 and 15. Sweeping of thoroughfares.

Mayor Fugate commented that he hasn't seen the sweeper in some time and further asked if both sweepers were operable.

Mr. Garza commented that he doesn't know about both sweepers, but can confirm with staff. He stated that one sweeper is working and the other, staff is in the process of getting a new one, which was approved in the budget.

Mr. Sosa commented that staff is dealing with two different manufacturer on the sweeper. Staff is only waiting to see which of the two will give a better deal. He further commented

that staff would like to go down to McAllen and see the one they are using and see if it is something that would work for Kingsville.

Mr. Mora continued with his reporting on streets. He stated that the other item was curb and gutter for Zone 4, weather permitting. Other projects include: weed spray in Zone 12; mowing FM 1717; Sage Road/Young Drive; currently mowing highway bypass; and alley repairs by work orders. Special projects, worked on the past events for the Boxing and ground leveling at Well #19.

Mayor Fugate asked about the curb and gutter project by the Pavilion and asked if the city was going to come in and do that road. Mr. Garza responded yes. It is scheduled to be reconstructed once the concrete is completely done and it is cured.

Mr. Ginter updated the Commission on permits. Ginter reported that in 2016 they had 44 R1 Single-Family, in 2017 they had 29 and in 2018 they had 3. The two areas of emphasis will be Sage Road and Wildwood Trails, where they have had most of the work done in terms of R1. In 2016, they had 24 at Wildwood Trails and in 2017, they had 10. Ginter commented that with weather permitting, permits could be increased for R1.

Mayor Fugate asked if staff has visited with Phillip Steffey on this. Mr. Garza responded that staff has met with him about three months ago. Garza stated that there is a transition with people involved with that development. With Mr. Mark Dizdar leaving, Mr. Steffey is now stepping up to the plate and now serving in that role. Mayor Fugate commented that Mr. Ginter may need to visit with Mr. Steffey as he is the one with the answers. Garza stated that the most recent meeting occurred with himself and the City Attorney about the agreement that the City has with Zarsky for that development. It is Mr. Steffey's intention to attend a City Commission meeting and make a presentation with their marketing plan and their strategy on how they will get this development going forward.

Mr. Ginter continued to report that there is a total of 184 lots at Wildwood Trails that's between the tree, parks, estates and grand. Seventy-one have been built on which leaves 60% left. Ginter further stated that building has been trailing at Wildwood Trails for four years, there is progress being made. The three different areas of different size lots have different prices. In the Multi-Family, a lot of them have been small units which are occurring near the University. Between those permits provided for building, around 45-55 are for additional units. Even though they are small, the occupancy rates are good for those developments.

Commissioner Garcia asked if there is any development in the Flato School, the whole block. Mayor Fugate responded that they have met with the owners, sometime back, and told them that the city was interested in what the city could do to help. Fugate further commented that once they could get their architect on board and get some plans, they would get back with the City. Mr. Ginter and Mr. Garza both commented that they haven't heard from them as of today.

Mr. Ginter continued with his report, with Commercial Permits. In this type of permit, there has been an increase from 2016 to 2017. In 2016 there was 7, 2017 had 13, and 2018 has 1 so far. Unfortunately the revenue gain from commercial permits does not make up for the R1 decrease. Ginter stated that when you have Commercial permit activity, you have jobs as well as an increase in property tax. As for the rezoning request, typically is a pre-cursor of development activity. As for the Historical District, there has been an increase in remodels and in Main Street there is an increase on signage, which has to do with façade agreements. Ginter further stated that in reference to the 10 year revenue comparison, the revenues for 2017 are kind of going back to 2013, in terms of the number

in the amount of \$300,000. Years 2014, 2015, and 2016, especially 2014 where it was almost \$475,000 in revenue, but they started to decrease.

Mr. Garza commented that when you look at the 10 year history, if you were to look at an average of the revenues that came in from Planning between 2008 and 2013, staff would be looking at about \$230,000 to \$240,000 per year. In 2014 it increased to \$471,000. In 2015 it was \$390,000; in 2016 it was \$338,000 and in 2017, it was \$297,000. Years 2014 and 2016 were busy development years which could be attributed to the larger projects that have occurred in our community, such as the Legends Apartments, Oak Tree Apartments, and the new hotel. Garza further stated that the combination of the decrease and single-family homes as well as the decrease in the big projects is leading towards the decline of the revenues. Garza further stated that with a community like ours, can't sustain a new apartment complex every year, so these projects will be coming in phases.

Mrs. Alvarez reported that the next regular meeting is for March 12th. As it is Spring Break and a lot of the Commission members may be out, it doesn't appear that there will be a quorum for that meeting. Reschedule of that meeting is tentative for another date. However, the next meeting after that is scheduled for March 26th. As a reminder, prior to the next meeting on March 26th, the Wings Over South Texas will take place on March 24 and March 25th.

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.)

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

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).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the city to award RFQ#18-09 and to negotiate a contract with LNV Engineering for wastewater system improvements engineering services. Staff published a request for qualifications #18-09 in the newspaper on December 17, 2017 and December 24, 2017. Responses were accepted until 2:00 p.m. on January 16, 2018. Seven responses were received from LJA 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 committee, which consisted of Jesús Garza, Courtney Alvarez, Rudy Mora, Bill Donnell, Frank Garcia, and Sharam Santillan selected four firms to be interviewed, LJA Engineering, LNV Engineering, Jacobs Engineering and Kimely Horn. Based on the interviews and the qualifications for each firm, the committee selected LNV Engineering to be the most highly qualified firm for the project. There is no financial impact at this time. Staff is recommending that the City Commission awarding the wastewater system improvements engineering services RFQ18-09 to LNV Engineering and authorize staff to negotiate a contract with LNV Engineering.

Motion made by Commissioner Garcia to approve awarding RFQ#18-09 for Wastewater System Improvements and authorize staff to negotiate a contract with LNV Engineering, Inc., as per staff recommendation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Guerrero-Pena, Lopez, Fugate voting "FOR".

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).

Mayor Fugate commented that this is a \$24,000 contract, and with the city having some money, staff is looking at doing some work on fire hydrants.

Motion made by Commissioner Garcia to approve awarding small purchase contract for CDBG Contract 7215270-Armstrong Waterline Improvements to Infinity Operations & Installations, LLC, as per staff recommendation, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Guerrero-Pena, Lopez, Pecos, Fugate voting "FOR".

6. Consider a resolution authorizing the City Manager to execute an Unlimited Managed Services Contract with Barcom Technology Solutions. (IT Manager).

Mr. Garza stated that when this item was introduced at the last meeting, the Commission had some questions as to where the money was going to be coming from and how monies were going to be readjusted in order to pay for this service. At this time, information was given to the City Commission shows what is currently budgeted as well as cost for Barcom. Garza continued to state that this information shows in two specific timeframes, one being a twelve month period with the other being a seven

month period. This will give the Commission an idea as to what the cost will be. Garza further stated that currently in the budget it already accounts for funds for a part-time help desk individual as well other funds that are utilized for support services, renewal of licenses, and other things of that sort.

Mayor Fugate commented that this will be an extra resource for the IT Department that is greatly needed.

Motion made by Commissioner Garcia to approve the resolution authorizing the City Manager to execute an Unlimited Managed Services Contract with Barcom Technology Solutions, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Guerrero-Pena, Pecos, Garcia, Fugate voting "FOR". Lopez voting "AGAINST".

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).

Mr. Garza commented that this is an item for support services for the Wings Over South Texas Airshow. The services will include additional fire, rescue, and EMS coverage over the two day event. If approved, the Kingsville Fire Department will support the event by providing fully staffed Engine, MICU, and roving medic units throughout the duration of the event. The amount is for a total of \$1,300 to supplement the \$3,100 budget.

Commissioner Lopez asked where funds would be coming from. Mr. Garza responded that it will be coming from fund balance in the general fund. Garza further stated that when the budget is adopted, staff generally leaves a cushion of about \$300,000 which is money that staff uses in case of budget amendments come forward. Garza stated that not every budget amendment comes from fund balance, as sometimes budgets amendments are done from one place to a different place, but this one would be coming from fund balance.

Mayor Fugate commented that this is a big event for Kingsville which could bring in close to 100,000 people to Kingsville.

Lopez further asked if this request was only for Fire Department and not Police Department. Mr. Garza responded that it was only for Fire Department. Lopez further asked if KPD was ok. Mr. Garza responded that from his understanding, yes, but if that changes, staff will adjust accordingly.

Introduction item.

8. Consider acceptance of donation of \$25.00 from the Woman's Club for recreational opportunities and programs. (Parks Manager).

Motion made by Commissioner Garcia to approve the acceptance of donation of \$25.00 from the Woman's Club for recreational opportunities and programs, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pecos, Garcia, Guerrero-Pena, Fugate voting "FOR".

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).

Introduction item.

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).

Mr. Garza stated that this is an item authorizing the a sponsorship to the Wings Over South Texas Airshow in the amount of \$3,000. This specific sponsorship level comes with logos, ads, exhibit space and hospitality advantages and other access to the event. The financial impact is \$3,000 to be split between the general fund and tourism fund of \$1,500 each.

Commissioner Lopez asked if the city had made a donation in the past. Mr. Garza responded no, not cash sponsorship in the past.

Mayor Fugate commented that the city has done in-kind services in the past.

Motion made by Commissioner Lopez to approve the 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, seconded by Commissioner Pecos.

Mayor Fugate commented that the City Manager may want to give access to those employees that have been recognized as Employees of the Month. Mr. Garza responded that this would be a decision to be made by the Commission.

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

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).

Introduction item.

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

Mr. Garza commented that over the last couple of years, staff has taking an approach that splits up the street improvements into two categories, one being neighborhood residential streets and separately there has been a corridor capital improvement plan that staff has tried to fund through other mean, such as the CO 2016 Series funds. Garza also stated that last year, staff was able to transfer some insurance proceeds that received from some natural disaster issues. The most recent corridor project, which is Santa Gertrudis between 6th Street and 14th Street has recently been completed, which was a complete reconstruction of the street at a cost of \$800,000. Staff is looking at the conditions of the remaining corridors and determine what type of work they need. A list of city corridor streets was given to the City Commission. This list identifies all the streets that have been a corridor street. A lot of the corridors are TXDOT maintained, which is identified by TXDOT. Garza discussed maps and a list of streets that was provided to the Commission and displayed through a PowerPoint presentation. Garza stated that the reason for this presentation, is to expose the City Commission to the streets that need improvements and their potential cost. He stated that no one has been pleased with the progress of the street division, in terms of the usage of the street user fund, but it does present an opportunity for staff to tap into the street user fund and assign to one of these projects, if the Commission chooses to do so. Currently, there is no other source to identify, if we choose to continue with these corridor streets. Garza commented that what he would like for the Commission to consider is the option to recategorize up to \$400,000 that is in the street user fund and transferring to address one of these corridor project. Long term thinking, every year the street user fee brings

in about \$812,000 and from another strategy decision, which could come later, is whether or not to address one of the corridors each year. Half of the funds would go towards corridors and the other half goes towards streets.

Commissioner Garcia commented that the rest of the streets that go unrepaired due to the \$400,000 that was mentioned, he would like some indication of the impact that it will create for the rest of the streets in town.

Mayor Fugate commented that when this fund was created, he thought it was going to be more money that they can pave.

Mr. Garza commented that in fiscal year 2017, there was a carryover amount of \$230,000 that carried over to this year.

Mayor Fugate further commented that staff may want to consider is the NCAA Division II that will be coming in in 2019 and 2020, staff may want to look at streets around the University. He further commented that Santa Rosa and Corral Streets are in terrible shape which are two streets that are not on the list. Fugate asked staff if they have had any conversation with TXDOT regarding Corral.

Mr. Garza stated that staff has had conversations with TXDOT which they are currently scheduling to let out the project to do an overlay from Corral from I69 to Armstrong, which will be let out this Fall.

Commissioner Lopez commented that she understands that streets around the University are important due to the event that will be taking place. But, right now, our residents want to see their neighborhood streets repaired. There are streets that you when you make a turn into them, and you drive into potholes. Lopez further commented that citizens want their neighborhood streets repaired. She further commented that she understands that the event is important and will bring in money to the community, but the citizens of Kingsville, have not seen any improvements done on neighborhood streets. She stated that she receives complaints about this on a daily basis.

Mr. Garza commented that staff can provide a map at the next Commission meeting, showing all the neighborhood streets that have been completed since 2013, which is when the program began. He further stated that the problem is much greater than the capacity is financially and staff wise.

Commissioner Lopez commented that the Commission and staff understand the importance of certain streets, but the residents, because they are paying the street fee, they are expecting more.

Mr. Garza responded that one thing that staff can do is that if it's the policy direction from the Commission is to focus all those monies on residential streets.

Mayor Fugate commented that staff can't spend all the money. Fugate asked what one block would cost. Mr. Santillan responded \$30,000, for material only.

Mr. Garza stated that if it's the policy direction from the Commission is to utilize all the money for residential streets, staff can supplement the existing staff and take a look at some projects and outsourcing some neighborhood projects, as oppose to outsourcing corridors.

Mayor Fugate commented that he agrees with Commission Lopez on neighborhood streets being important, and feels that staff has made some progress in paving streets, but the corridors streets are as important as well. He further stated that a good resolution is to take a street that has some residential homes on it that's a corridor.

Mr. Garza commented that staff can look into that, and report back to the Commission at its next Commission meeting.

Motion made by Commissioner Pecos.

Mayor Fugate commented that this is not an action item. He further commented that the item did state "Discussion and consideration".

Mayor Fugate stated that he would like to give staff to present on this item at the next Commission meeting and report with more information on this.

Commissioner Pecos rescinded his motion.

Commissioner Pecos commented to the City Manager, to spend the money and outsource.

Commissioner Lopez commented that she agrees with that statement, but the street employees are thinned out doing other projects and maybe the city could outsource some of the work.

Mr. Garza stated that since the discussion is about the street user fund, this fund is specifically limited to using towards streets. So the idea of potentially outsourcing somethings, can't be done through the street user fund.

Mayor Fugate commented that it should only be used on streets.

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).

Mr. Tom Ginter stated that Chris Flores approached him stating that he would like to develop a Brew Pub. He and his brother have been brewing beer at their home and feel that they have a pretty good taste on it. Ginter stated that there are no definitions in the Code of Ordinances, therefore, staff has worked on a definition and a recommendation for its location. This item has been taken to the Planning & Zoning Commission where they voted in favor of it with a 4-0 vote.

Mr. Chris Flores, 130 Corral, commented that he and his brother are in the project together. His brother has been brewing for about two years. He and his brother have created four craft beers that they are considering. They are looking at a five gallon system, which they will be providing to the local community as well as distribute. At this time, they are looking at distributing to Laredo.

Mayor Fugate asked if they had a name for this beer. Mr. Flores responded that they have no names at this time. Fugate also asked if this was only going to be a brewery or will there be a restaurant as well. Mr. Flores responded that there will be a food truck on site.

Commissioner Garcia asked how they plan to dispose of the by-product. Mr. Flores responded that they will offer to the local farmer to be used for feed to their farm animals.

Introduction item.

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).

Introduction item.

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

Mr. Ginter displayed a map of the area. The Historic District is zoned R3 and now some of the building of multi-family structures are coming close to single family homes. Ginter stated that staff has met twice with the Planning and Zoning Commission and having

provided them with several options to consider in terms of rezoning. He further stated that as the area is all R3, and what they are recommending is option 4 of the map that was given to the City Commission. Mr. Ginter does not mention the area verbally, rather displayed it on the projector. Ginter stated that there is already some transition which is a block from Santa Gertrudis. He also stated that this follows some of the guidelines from the comprehensive plan. Highly traveled streets should be left for multi-family or other affordable housing options, which are not conducive towards R1 Single Family which is why they left it as R3. The Planning and Zoning Commission has recommended to rezone the area with hatch tags to R1.

Mr. Garza commented that it is important to note that this conversation took place with both with the Historical Board and Planning & Zoning Commission. This is was collaborate effort on the recommendation that is being presented to the Commission tonight.

Mayor Fugate asked staff if Planning & Zoning Commission has already acted on this item. Mr. Ginter responded that not in terms of rezoning, just recommending the option so that the Commission is aware. Ginter further stated that this item will be on the agenda for the Planning & Zoning meeting on the second meeting in March.

Mrs. Alvarez commented that when you are looking at a rezoning, you always look at what uses are compatible in that area and it's also important that when you have the single-family district, you should try and maintain the integrity of the area. She further commented that you would look at density issues, parking, and traffic; so the higher level uses can interfere with what was intended for that area.

A map of what was discussed is attached to the minutes as Exhibit A.

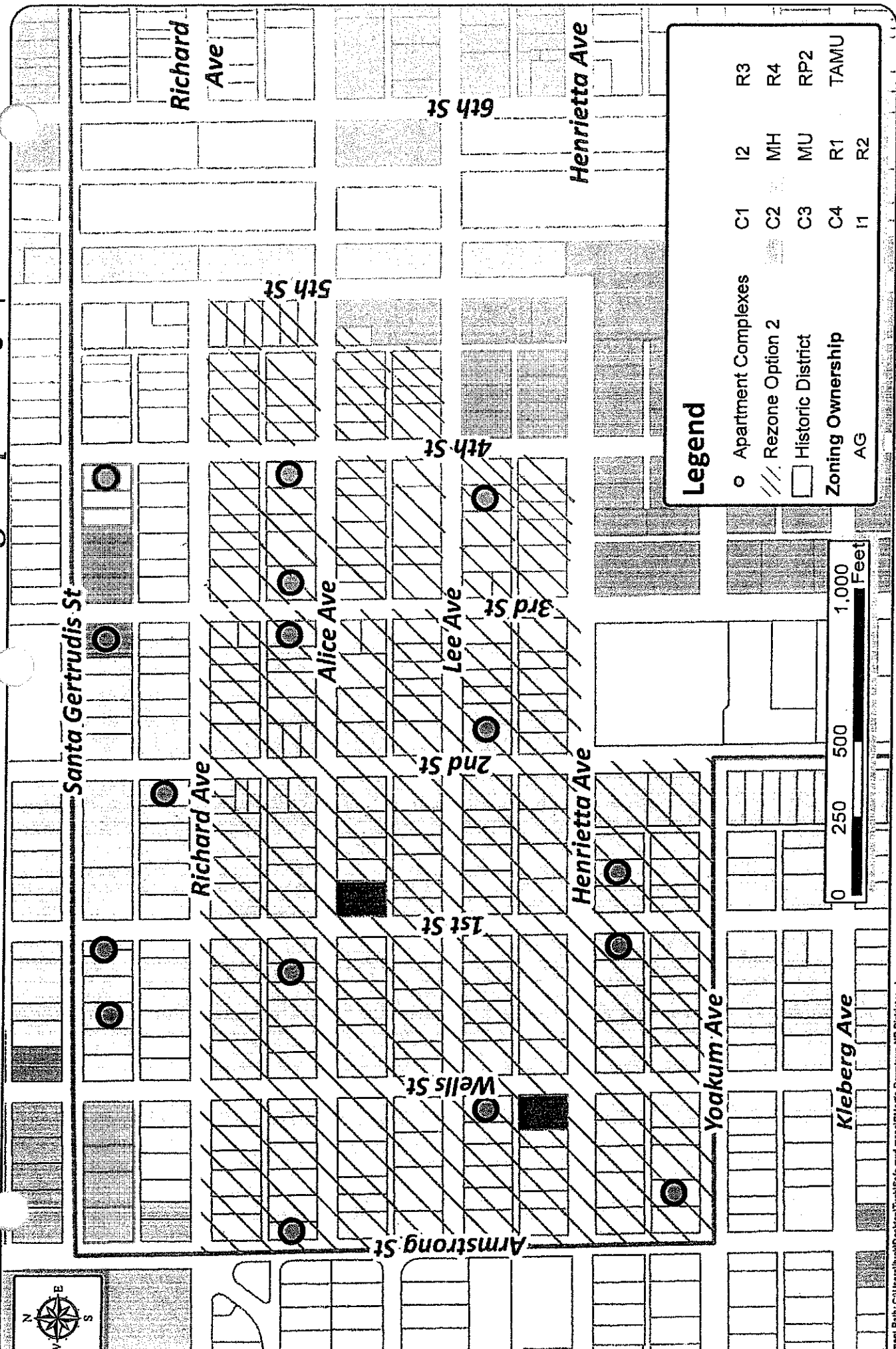
VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:02 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary



Legend

- Apartment Complexes
- /// Rezone Option 2
- Historic District
- Zoning Ownership

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

CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 400 W King Ave
 Kingsville, Texas 78363
 Office: 361-595-1007
 Fax: 361-595-0064

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

Drawn By:
Engineering Department

Last Update: 2/15/2018

Note:

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1 / 1

Exhibit A

MARCH 5, 2018

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 5, 2018 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Arturo Pecos, Commissioner
Al Garcia, Commissioner
Diana Guerrero-Pena

CITY COMMISSION ABSENT:

Edna Lopez, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Kyle Benson, IT Manager
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Derek Williams, Systems Specialist
Israel Vasquez, Maintenance Manager
Sharam Santillan, Capital Improvements Manager
Susan Ivy, Parks Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 P.M. all four Commission members present. Lopez being absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

These proceedings were waived.

MINUTES OF PREVIOUS MEETING(S)

NONE.

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."

Mrs. Courtney Alvarez, City Attorney reported that a Special meeting agenda has been posted for Thursday, March 8, 2018 at noon. She further reported that the next regularly scheduled meeting is scheduled for Monday, March 26, 2018. Deadline to submit items for this agenda is Wednesday, March 14, 2018.

IV. Public Comment on Agenda Items.³

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

No public comments made.

V.

Consent Agenda

Notice to the Public

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

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

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

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

1. Motion to approve final passage 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).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2017-2018 budget to accept and expend Park donations from the Woman's Club. (Parks Manager).

3. Motion to approve final passage 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).

4. Motion to approve final passage 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).

5. Motion to approve final passage 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).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

6. NONE.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:02 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

MARCH 8, 2018

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON THURSDAY, MARCH 8, 2018 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 12:00 P.M.

CITY COMMISSION PRESENT:

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

CITY COMMISSION ABSENT:

Edna Lopez, Commissioner
Diana Guerrero-Pena

CITY STAFF PRESENT:

Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
David Solis, Risk Manager
Frank Garcia, Wastewater Supervisor
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Deborah Balli, Finance Director
Charlie Sosa, Purchasing Manager

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

NONE.

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."

No reports made by Commission or staff.

IV. Public Comment on Agenda Items.³

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

No public comments made.

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider a resolution authorizing the City Manager to enter into a Services Agreement between the City of Kingsville and Greenscapes Six, LLC for L.E. Ramey Golf Course Greens and Bunker Renovation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the services agreement for the construction of resurfacing greens, sprigging, and bunker renovations at the L.E. Ramey Golf Course. Staff reached out to several companies on the Buyboard Cooperative Purchasing Program that would be interested in submitting proposals for these projects. We received a total of one (1) responsive proposal from Greenscapes Six. After reviewing the proposal staff has selected Greenscapes Six proposal. Greenscapes Six as a registered vendor through the Buyboard Cooperative Purchasing Program, Buyboard Contract: Grounds Maintenance Equipment, Irrigation Parts, Supplies and Installation, Proposal No. 529-17.

Mayor Fugate commented that this company has been doing for quite some time. He further asked staff for the start date on this project.

Mr. Sosa responded that the start date for the project would be March 19th.

Motion made by Commissioner Garcia to authorize the City Manager to enter into a Services Agreement between the City of Kingsville and Greenscapes Six, LLC for L.E. Ramey Golf Course Greens and Bunker Renovation, seconded by Commissioner Pecos.

Mayor Fugate commented that the liquidated damages are \$200.00 per day, which he feels are is a small amount. He stated that he will be voting on this item, but in the future staff may want to look into it as in prior time, staff has had some problems with other contractors and he feels that staff should put a \$0.00 per day, as \$200.00 is not much.

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

2. Consider introduction of an ordinance amending the Fiscal Year 2017-2018 budget to include a sewer line repair. (Public Works Director).

Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 12:04 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

City of Kingsville
Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director of Planning and Development Services

DATE: March 14, 2018

SUBJECT: Public Hearing and Action Concerning the Rezoning of 507 W. Richard from R3 to R2

Summary:

Ruben Ruiz desires to build a single family house at 507 W. Richard. The size of the lot is 50 x 75 = 3,500 square feet. The size of the lot is too small in R3 to build what he wants and also in R1 since the minimum lot size is 5,500 square feet. The only way for him to build a single family house on this lot is to rezone to R2. The minimum lot size for R2 is 2,500 square feet.

Background:

Ruben Ruiz came to me with this request to build a single family home. This lot was developed in 1950 which is before there were any rules on lot size etc. I believe that if we want infill to occur especially single family housing we will have to work our way through these issues. The tentative plan right now that if this goes through Mr. Ruiz will have the house dem'd so he can build the house.

Financial Impact:

This would be a positive impact if allowed. A single family house will be built in its place to increase property taxes and at the same time upgrade the neighborhood by taking out a structure that if not demo'd now would eventually be on our list to send to the city commission.

Recommendation:



City of Kingsville
Planning and Development Services

The Planning and Zoning Commission met on March 21, 2018 and voted 7 to 0 to recommend approval of the rezoning at 507 W. Richard from R3 to R2.



**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION**

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 507 W. Richard Nearest Intersection Richard Ave. 2nd St. &
(Proposed) Subdivision Name Original Townsite N 1/2, 13-14 Lot 13 & 14 Block 16
Legal Description: Lot 13 & 14 Original townsite N 1/2, 13-14 Block 16
Existing Zoning Designation R3 Future Land Use Plan Designation R-2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

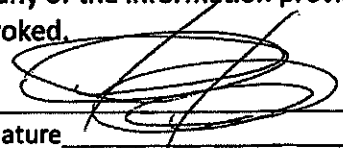
Applicant/Authorized Agent Ruben Ruiz Sr Phone 956 821-8907 FAX _____
Email Address (for project correspondence only): rubenruiz11@yahoo.com
Mailing Address 4910 June Dr - City Edinburg State TX Zip 78539
Property Owner Rosana M. Ruiz Phone 956-4608035 FAX _____
Email Address (for project correspondence only): rubenruiz11@yahoo.com
Mailing Address 4910 June Dr - City Edinburg State TX Zip 78539

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

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

Please provide a basic description of the proposed project:

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

Applicant's Signature  Date: 2-21-18
Property Owner's Signature _____ Date: 2-21-18
Accepted by: _____ Date: _____

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Ruben Ruiz Jr, applicant, Rosanna M Riojas, owner, requesting the rezone of ORIG TOWN, BLOCK 16, LOT N/2 13-14 also known as 507 West Richard from R3 (Multi-Family) to R2 (Two-Family District).

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 26, 2018 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Ruben Ruiz Jr, applicant, Rosanna M Riojas, owner, requesting the rezone of ORIG TOWN, BLOCK 16, LOT N/2 13-14 also known as 507 West Richard from R3 (Multi-Family) to R2 (Two-Family District).

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: March 14, 2018

Subject: Agenda Items #3 and #4

Ruben Ruiz desires to build a single family house at 507 W. Richard. The size of the lot is 50 x 75 = 3,500 square feet. The size of the lot is too small in R3 to build and R1 also since the minimum lot size for R1 is 5,500 square feet. The only way for him to build on this lot is to rezone to R2 which the minimum lot size is 2,500 square feet.

Attachments

- A. Draft ordinance
- B. Appendix A showing what is allowed in R1 and R2
- C. Appraisal District record reflecting size of lot
- D. Zoning map showing location of lot with X
- E. Map of buffer area
- F. List of homes that were sent letters

Recommended Action:

To approve the rezoning to R2. Since this lot was developed in 1950, which was prior to any of the rules we have today. For this lot to be developed a rezone would have to occur.

ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO ORIG TOWN, BLOCK 16, LOT N/2 13-14 ALSO KNOWN AS 507 W. RICHARD AVE. FROM R3-MULTI-FAMILY DISTRICT TO R2-TWO-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Ruben Ruiz, Jr. on behalf of Rosanna M. Riojas, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018 during a meeting of the Planning and Zoning Commission, and on Monday, March 26, 2018 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by a 0-0 vote to APPROVE/NOT APPROVE the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family to R2-Two-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

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

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

Taxes w/o Exemptions:

N/A

Improvement / Building**Improvement #1:** RESIDENTIAL **State Code:** A1 **Living Area:** 672.0 sqft **Value:** \$12,520

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	FF3	EW3	1950	672.0
OP1	OPEN PORCH BASIC (20%)	*		1950	200.0
CP1	CARPORT BASIC (10%)	*		1950	200.0
SG2	STORAGE UNFINISHED (30%)	*		1950	40.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	A1	A1	0.0803	3500.00	50.00	70.00	\$2,970	\$0

Roll Value History

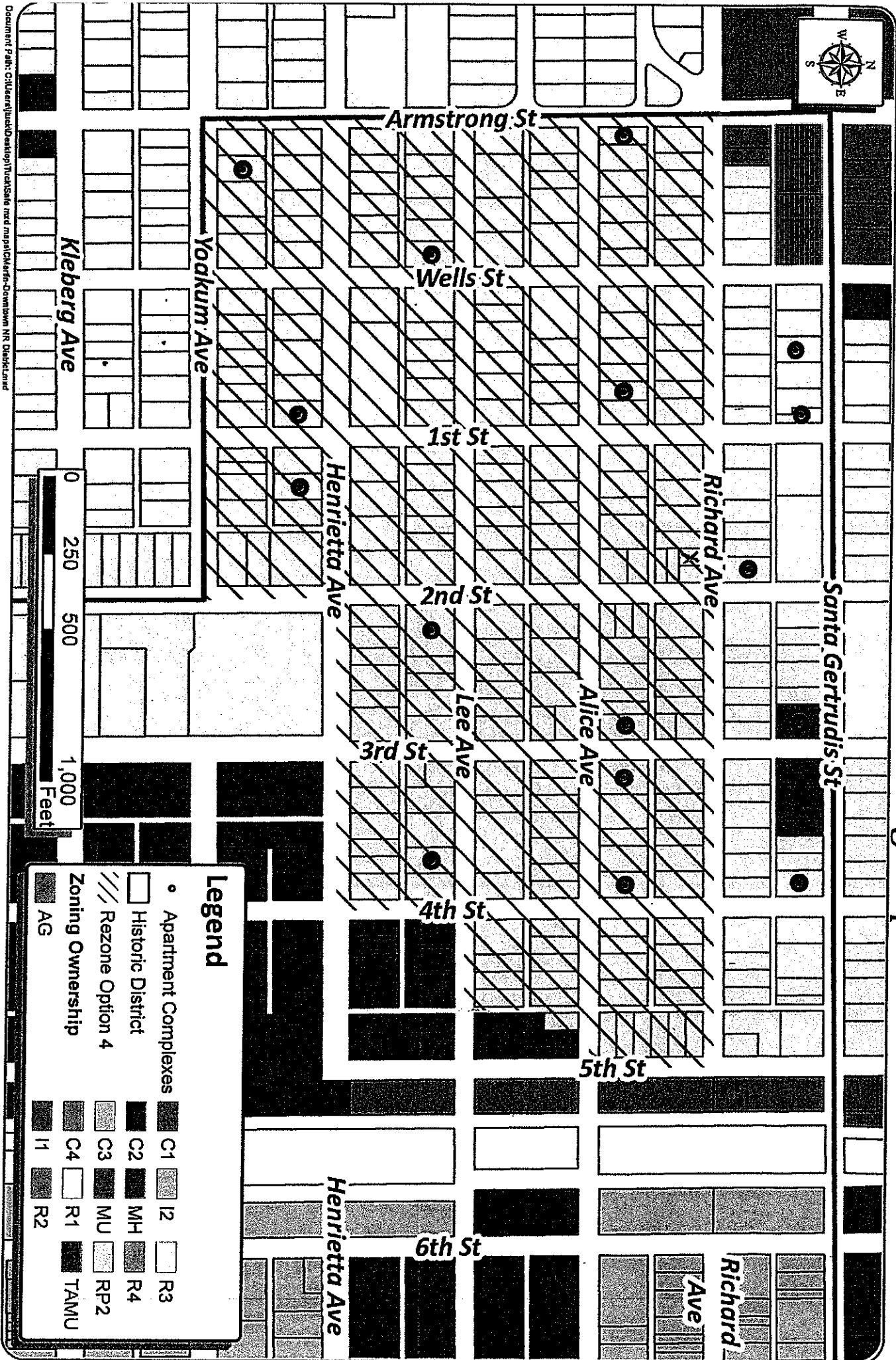
Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2018	N/A	N/A	N/A	N/A	N/A	N/A
2017	\$12,520	\$2,970	0	15,490	\$0	\$15,490
2016	\$12,520	\$2,970	0	15,490	\$0	\$15,490
2015	\$15,650	\$2,970	0	18,620	\$0	\$18,620
2014	\$15,650	\$2,970	0	18,620	\$0	\$18,620
2013	\$15,650	\$2,970	0	18,620	\$0	\$18,620
2012	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2011	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2010	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2009	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2008	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2007	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2006	\$14,800	\$3,110	0	17,910	\$0	\$17,910
2005	\$15,130	\$3,110	0	18,240	\$0	\$18,240
2004	\$15,130	\$3,110	0	18,240	\$0	\$18,240

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/28/2017	WD	WARRANTY DEED	BLUE CACTUS PROPERTIES LLC	RIOJAS ROSANA MARIE			313022
2	10/30/2017	WD	WARRANTY DEED	RHODE JANET K	BLUE CACTUS PROPERTIES LLC			312326
3	12/16/2016	5PWD	SPECIAL WARRANTY DEED	RHODE ROBERT D EST	RHODE JANET K			308650

Questions Please Call (361) 595-5775

Historic District Rezoning - Option 4



Legend

- Apartment Complexes
- Historic District
- Rezoning Option 4
- Zoning Ownership

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



Drawn By: Engineering Department

Last Update: 2/22/2018

Page 1/1

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CITY OF KINGSVILLE

ENGINEERING DEPARTMENT

400 W King Ave

Kingsville, Texas 78363

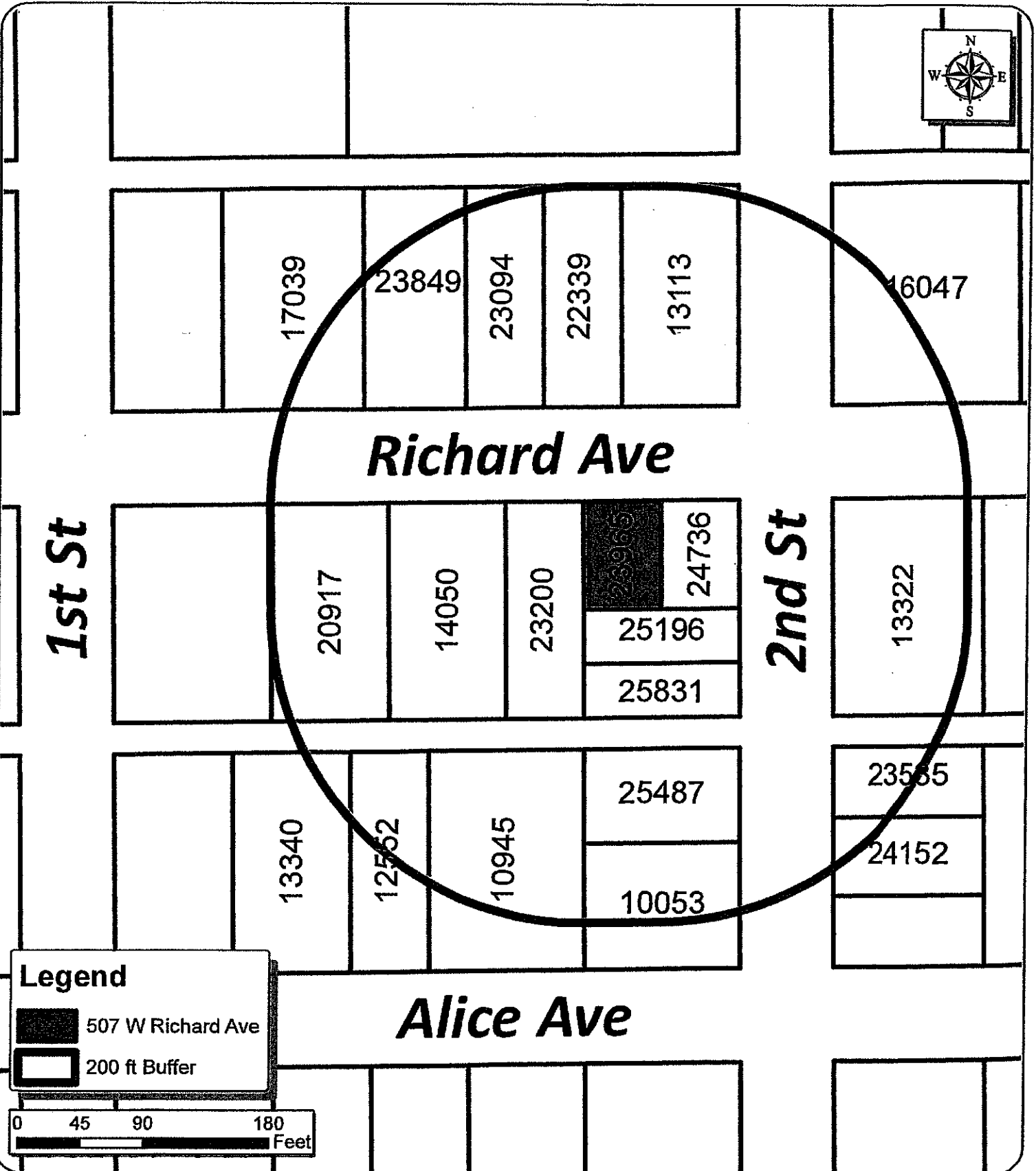
Office: 361-595-8007

Fax: 361-595-8004

X-507 W. Richard Ave

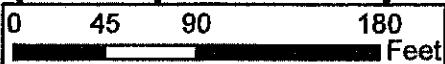
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507 W Richard Ave




Legend

- 507 W Richard Ave
- 200 ft Buffer



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1/1 Page	Drawn By: Engineering Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Office: 361-595-8007 Fax: 361-595-8064
	Last Update: 2/22/2018		
	Note:		

ANNA RAMIREZ
425 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363-3842
#17039

RENE GARCIA HERNANDEZ
508 W RICHARD AVE
KINGSVILLE, TX 78363-4361
#22339

ANDRES GARCIA JR
ETUX SHERRI GARCIA
390 W CO RD 2160
KINGSVILLE, TX 78363
#14050

EMMA SANCHEZ
12376 PAULINE RD
LYFORD, TX 78569
#24736

JOSE G ANDRADE
ETUX EMMA S (LIFE EST)
509 N 2ND ST
KINGSVILLE, TX 78363-4348
#25487

JOSE F VELA JR
ETUX DIANA I EST
PO BOX 5341
KINGSVILLE, TX 78364-5341
#12552

ROGER ALLEN POLLARD
ETAL
412 E TRAND RD
KINGSVILLE, TX 78363
#13322

RUBEN A PENIA
ETUX MARTHA V
3411 S BRAHMA BLVD
KINGSVILLE, TX 78363-7303
#23849

RAMON ISASSI JR
ETUX CYNTHIA A
421 S WANDA DR
KINGSVILLE, TX 78363-4966
#13113

NORBERTO REYES
ETUX YOLANDA CASTRO
2618 STACY LANE
AUSTIN, TX 78704
#23200

MLC HOMES LLC
% VICTOR ENRIQUEZ
4696 HERRERA ST
ROBSTOWN, TX 78380
#25196

GUADALUPE ALVARADO
ETUX ROSIE
503 N 2ND ST
KINGSVILLE, TX 78363
#10053

RAJAB CHALLOO
ETUX LINDA
PO BOX 867
KINGSVILLE, TX 78364-0867
#13340

JUAN MACARENO
MARGARET MACARENO
508 N 2ND ST
KINGSVILLE, TX 78363
#23535

ROSARIO G HERNANDEZ
510 W RICHARD AVE
KINGSVILLE, TX 78363-4361
#23094

RAJAB CHALLOO
ETUX LINDA
PO BOX 867
KINGSVILLE, TX 78364-0867
#20917

ROSANA MARIA RIOJAS
4910 JUNE DR
EDINBURG, TX 78539
#23965

MLC HOMES LLC
% MELISSA E ENRIQUEZ
4696 HERRERA ST
ROBSTOWN, TX 78380
#25831

WILLIAM DANIEL GARZA
620 E KING AVE
KINGSVILLE, TX 78363-5721
#10945

DANELL FLEMING
430 W RICHARD ST
KINGSVILLE, TX 78363
#16047

JESUS P RODRIGUEZ JR
ETUX MARIA ELENA
506 N 2ND ST
KINGSVILLE, TX 78363-4349
#24152

Election

held for 38 years by Romeo Lomas, who resigned in December 2016 and passed away in April of last year, following an automobile accident. Lomas' daughter, Crystal Runyon, was appointed to fill his unexpired term and has served on the court since January.

Runyon has filed for election to the office, along with fellow candidates David Garcia, Manuel Salazar Jr. and Zaragoza "Shorty" Salinas Jr. One Republican, Rene Lomas Bazan, has also filed for the Pct. 4 County Commissioner position and is opposed on the Primary ballot.

The Democratic ballot also features a contested race for the Pct. 4 Justice of the Peace spot. Incumbent Cheque De La Paz has two challengers, Ofelia "Ofie" Gutierrez and Maria C. "Tina" Lopez-Galvan.

If a candidate in either of those races does not receive at least 50.01 percent of the vote, the top two vote getters will face each other in a run-off election on May 22.

The Pct. 3 Kleberg County Justice of the Peace race includes four candidates. On the Republican side, incumbent Christopher Lee is challenged by John David Rubalcaba Sr. On the Democrats' side, Joe "Pepe" Figueroa faces off against Robert Zavala.

Election results will be posted to KingsvilleRecord.com Tuesday night as they become available.

Polling locations by precinct

Precinct	Polling Location	Polling Address
11	Wild Horse Mall	1601 S. Hwy 77, Kingsville
12	Kleberg County Precinct 1 Building	1910 E. Trant Rd., Kingsville
13, 14	Law Enforcement Center, Courthouse A	1500 E. King, Kingsville
21	Kleberg Elementary School	900 N. 6th St. at Nettie Ave., Kingsville
22, 23	University Baptist Church - Rear Building	1324 N. Armstrong, Kingsville
24	Santa Gertrudis School	803 Santa Rosa, Kingsville
31	Knights of Columbus Hall Council 3389	320 General Cavazos, Kingsville
32	St. Paul's AME Church	529 E. Warren, Kingsville
33, 34	Riviera County Building	103 N. 7th St., Riviera
35	Ricardo Senior Center	109 N. Nix St., Ricardo
41, 42	Gillett School	900 N. 17th St., Kingsville
43	Early Voting Annex Office	720 E. King at 12th St., Kingsville
44	KISD Administration Bldg. - Rear Building	207 N. 3rd St., Kingsville
45	St. Martin's Parish Church Hall	504 E. Ella, Kingsville

Plea

in the case previously reached an agreement in March 2017 that would have capped a prison term at 10 years.

After testimony from several witnesses - including a Kingsville Police Department detective, employees of the bank at the time of the robbery and an ex-girlfriend of Martinez's - that lasted nearly two hours, Pulcher stopped the hearing and said he was unable to support the plea deal's prison sentence cap.

Both tellers testified that they suffered

emotional distress because of the incident, with one stating that she was later diagnosed with depression and post-traumatic stress disorder.

Security video from the robbery showed a man clad in black and wearing a motorcycle helmet jumping onto the tellers' counter and brandishing a black handgun.

Bank officials testified in 2017 that a little more than \$51,000 was stolen at the time of the robbery, though some of that was later recovered in an alley behind the bank

and is still being held as evidence.

IBC Bank was never reimbursed for the money that was stolen through insurance, bank officials said during the 2017 hearing, and the remainder of the missing cash has not been recovered.

A co-defendant in the case, Joanna Cantu, is still set to go to trial on felony charges of aggravated robbery. Cantu was an employee of the bank at the time and is accused of helping Martinez carry out the crime.

Visit us at KingsvilleRecord.com



ELECT JD RUBALCABA

Kleberg County Justice of the Peace, Pct. 3

I would like to thank everyone I came in contact with during the primary election cycle that I began on Oct. 11, 2017 for 2018, to the 75 people that shared my passion to buy our Republic an incredible Kleberg County Justice of the Peace. I would like to thank the donors that supported my campaign with contributions that added to a little over \$1,800.00, to the 26 individuals that I registered to vote in this upcoming Primary Election, to the 450 plus constituents that permitted me to share my platform, that at times lasted for an hour and a half. I have been humbled by the experience and it was most definitely a learning experience. My hope is that you go out and cast your vote for the person that you believe will do the best job. With a lot of love, we know I did my best. I decided to use your next Republican JP candidate for the General election on Nov. 6, 2018. I will work diligently to meet the 4,000 or so that I was not able to meet this time around. Again, thank you!! And we meet again.

Respectfully,
JD Rubalcaba

God Bless America, God Bless our Troops and May God Bless Kleberg County Precinct 3.

PRIMARY ELECTIONS
TUESDAY MARCH 6
I appreciate your support.

★★★★★★★★★★★★★★★★

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 50.769 ACRES OUT OF COOPER, BLOCK 2-1, LOTS 1-32; COOPER 2-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 9, LOTS 1-32; LUKER ADDN, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N/2 17-20, S/2 17-20, 21-24 ACRES 0.3214, 25-31; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W/2 11-14, 23-28; ORIG TOWN, BLOCK 20, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) TO R1 (SINGLE-FAMILY).

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 26, 2018 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 50.769 ACRES OUT OF COOPER, BLOCK 2-1, LOTS 1-32; COOPER 2-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; LUKER ADDN, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 9, LOTS 1-32; LUKER ADDN, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N/2 17-20, S/2 17-20, 21-24 ACRES 0.3214, 25-31; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W/2 11-14, 23-28; ORIG TOWN, BLOCK 20, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) TO R1 (SINGLE-FAMILY).

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

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- ◆ Insurance accepted and filed for you ◆ New patients welcomed

MARCH SPECIALS

PRESENT THESE COUPONS FOR THE MONTH OF MARCH 2018

Orthodontic (Braces)
Exam & Records
\$100

Limited Dental Exam
NEW PATIENTS ONLY
NO CHARGE

Dr. E.C. McCall III, D.D.S.

116 South P. Street
Kingsville, Texas 78640 (361) 595-4424

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Ruben Ruiz Jr, applicant, Rosanna M Rijoas, owner, requesting the rezone of ORIG TOWN, BLOCK 16, LOT N/2 13-14 also known as 507 West Richard from R3 (Multi-Family) to R2 (Two-Family District).

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 26, 2018 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Ruben Ruiz Jr, applicant, Rosanna M Rijoas, owner, requesting the rezone of ORIG TOWN, BLOCK 16, LOT N/2 13-14 also known as 507 West Richard from R3 (Multi-Family) to R2 (Two-Family District).

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO ORIG TOWN, BLOCK 16, LOT N/2 13-14 ALSO KNOWN AS 507 W. RICHARD AVE. FROM R3-MULTI-FAMILY DISTRICT TO R2-TWO-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Ruben Ruiz, Jr. on behalf of Rosanna M. Riojas, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018 during a meeting of the Planning and Zoning Commission, and on Monday, March 26, 2018 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by a 7-0 vote to APPROVE the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family to R2-Two-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

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

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

PUBLIC HEARING #2

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: March 15, 2018

SUBJECT: Rezoning of area in Historical Development District from R3 to R1

Summary: Due to recent events in a part of the Historical Development District there has been concern on the part of the homeowners on the increase number of multi family buildings. To protect the homeowners but also to provide the building of multi family projects, the Planning and Zoning Commission will be recommending a portion of the Historical Development, west of 6th Street to be rezoned from R3 to R1.

Background: In the past few months, the approval of a multi family structure at 531 W. Alice and the demo of the house at 702 W. Henrietta which could allow the building a multi family structure there has ignited a concern by the surrounding property owners. The discussion with the Planning and Zoning Commission went well with the goal of protecting homeowners and allowing the building of multi family structures for an affordable housing option. The Historical Development Board has been involved in this discussion and are in agreement with the rezoning area that is under consideration. Since the last City Commission meeting , letters have been sent to the property owners within the rezoning area and the buffer area. The calls I have received are generally supportive of the rezoning area and action. The other type of call that I have been receiving are from owners of multi family structures and how that impacts them. I have been telling them that since we are changing the zoning that their property will be grandfathered in and can continue to be operated as multi family. I also tell them that in so many years from now if the structure is torn down then the grandfather dies and the R1 zone would then kick in.

Financial Impact: The financial impact could actually see an increase depending upon the path that the future development takes place. Obviously it is hoped that this rezoning will offer



City of Kingsville
Department of Planning and Development Services

protection for those who want to build a single family home . That in turn would improve the overall stability of the area and the appraisals that go along with it. In addition the area left as R3 is still ripe for development of this type in the future.

Recommendation: The Planning and Zoning Commission met on March 21, 2018 and voted 7 to 0 to recommend approval of the rezoning as submitted from R3 to R1.

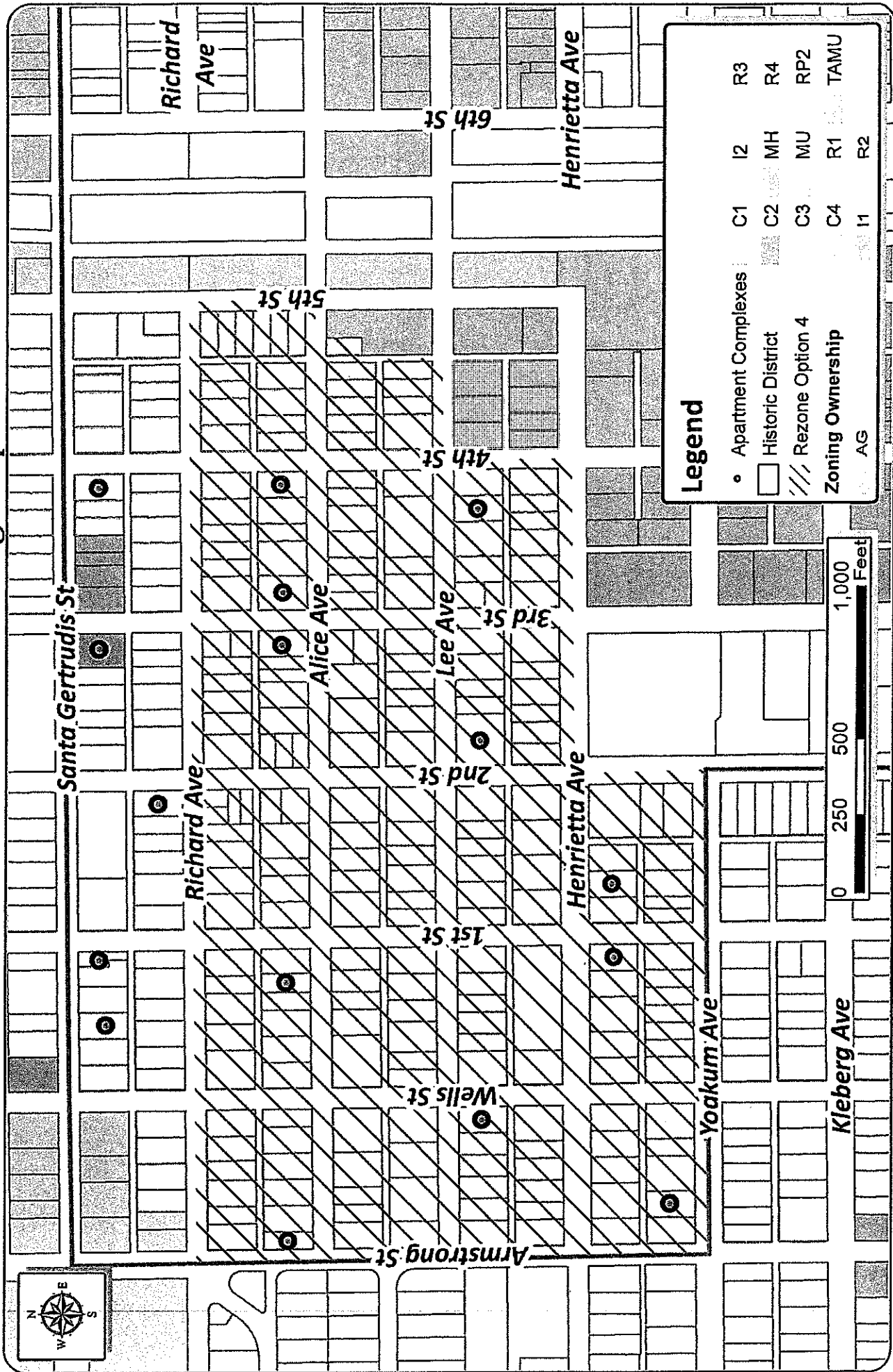
Attachments

- A. Rezoning Map
- B. Previous memo for City Commission
- C. Legal description of rezoning
- D. Map of Subdivision Detail
- E. Map of rezoned are in pink and buffer area in blue. This map was included with the letter that was sent to all property owners in both areas.
- F. Draft Ordinance
- G. Rezoning map with lot number of property owners in the buffer area
- H. Application and list of property owners who were mailed letters



Historic District Rezoning - Option 4

A



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<p>Drawn By: Engineering Department</p>	<p>Page 1/1</p>
	<p>Last Updated: 2/22/2018</p>
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<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Office: 361-595-8007 Fax: 361-595-8084</p>	

B

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



C

General Description of Historic District Rezoning

Beginning at a point that lies in the center of the intersection of Armstrong Street and Richard Avenue, said point also being described as the "Point of Beginning";

Thence due east along the centerline of the aforementioned Richard Avenue approximately three thousand one hundred fourteen feet to a point that lies in the center of the intersection of Richard Avenue and 5th Street, said point also being the easternmost point herein described;

Thence due south along the centerline of the aforementioned 5th Street approximately four hundred eight feet to a point that lies in the center of the intersection of 5th Street and Alice Avenue;

Thence due west along the centerline of the aforementioned Alice Avenue approximately one hundred ten feet to a point that lies on the centerline of Alice Avenue north of Lot W 50' 11-14, Block 20, Original Town;

Thence due south along the east parcel line of Lot W 50' 11-14, Block 20, Original Town approximately one hundred twenty feet to the southeast corner of Lot W 50' 11-14, Block 20, Original Town;

Thence due west along the south parcel line of Lot W 50' 11-14, Block 20, Original Town approximately sixty-five feet to the centerline of the alley in Block 20, Original Town that runs north-to-south from Alice Avenue to Lee Avenue;

Thence due south along the centerline of the aforementioned alley approximately two hundred forty feet to a point that lies in the center of the intersection of the north-to-south alley in Block 20, Original Town and Lee Avenue;

Thence due west along the centerline of the aforementioned Lee Avenue approximately three hundred thirty feet to a point that lies in the center of the intersection of Lee Avenue and 4th Street;

Thence due south along the centerline of the aforementioned 4th Street approximately four hundred twenty feet to a point that lies in the center of the intersection of 4th Street and Henrietta Avenue;

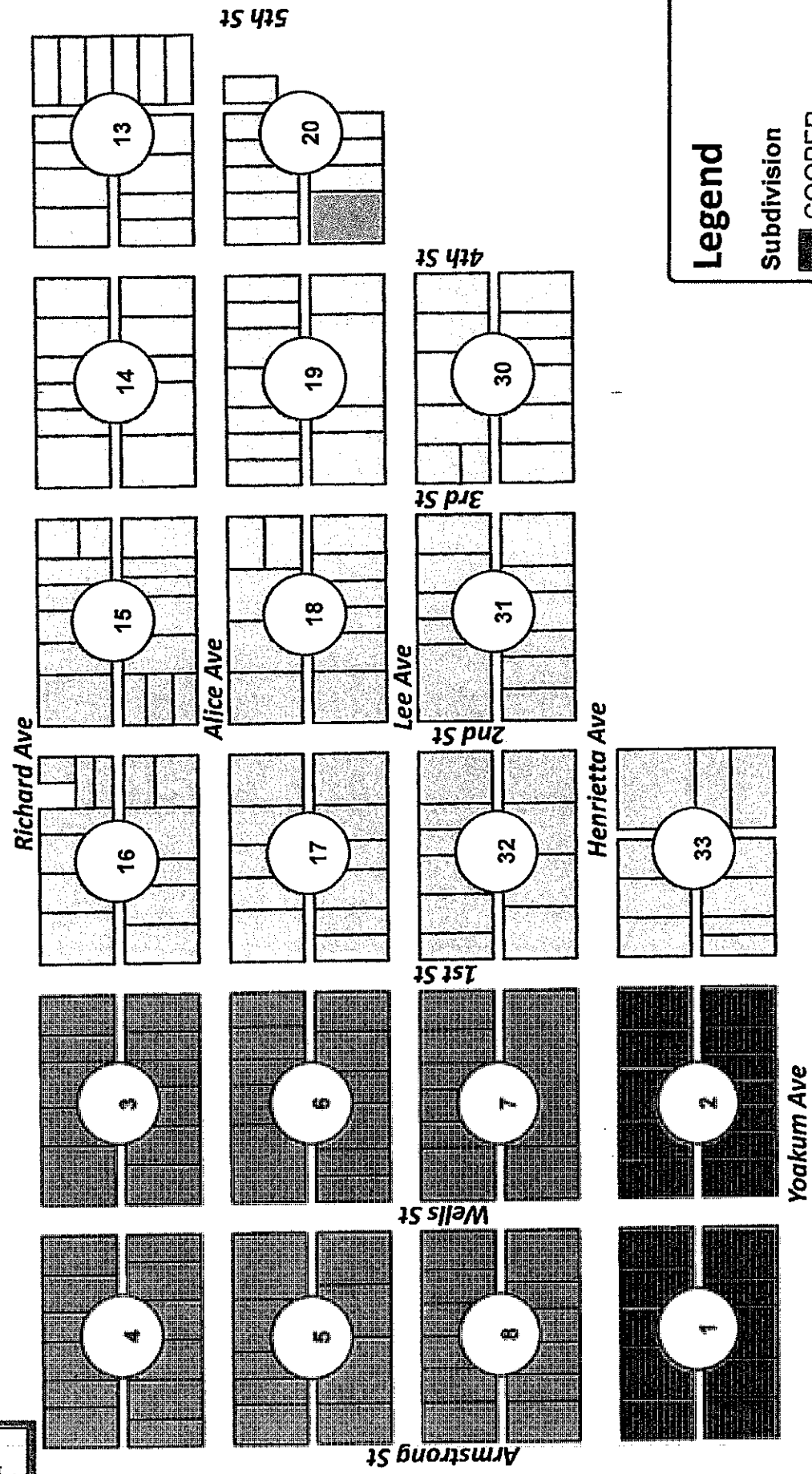
Thence due west along the centerline of the aforementioned Henrietta Avenue approximately one thousand thirty feet to a point that lies in the center of the intersection of Henrietta Avenue and 2nd Street;

Thence due south along the centerline of the aforementioned 2nd Street approximately four hundred thirty feet to a point that lies in the center of the intersection of 2nd Street and Yoakum Avenue;

Thence due west along the centerline of the aforementioned Yoakum Avenue approximately one thousand five hundred sixty-six feet to a point that lies in the center of the intersection of Yoakum Avenue and Armstrong Street;

Thence due north along the centerline of the aforementioned Armstrong Street approximately one thousand six hundred sixty-five feet to the "Point of Beginning".

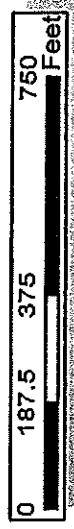
Rezoning Option 4 - Subdivision Detail



Legend

Subdivision

- COOPER
- HENRIETTA HGTS
- LUKER ADDN
- ORIG TOWN



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Last Update: 3/1/2018	
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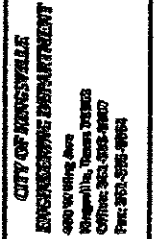
CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 400 W King Ave
 Kingsville, Texas 78365
 Office: 361-595-8007
 Fax: 361-595-8064

<p>Cooper COOPER, BLOCK Z-1, LOTS 1-32 AREA = 2.571 ACRES</p> <p>COOPER, BLOCK Z-2 LOTS 1-32 AREA = 2.571 ACRES</p>	<p>Henrietta Heights HENRIETTA HGTS, BLOCK 3 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 4 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 5 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 6 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 7 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 8 LOTS 1-32 AREA = 2.57 ACRES</p>
<p>Luker LUKER ADDN, LOTS 1-2 AREA = 0.3214 ACRES</p>	<p>Original Town ORIG TOWN, BLOCK 13 LOTS 1-32 AREA = 2.5023 ACRES</p> <p>ORIG TOWN, BLOCK 14 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 15 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 16 LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24, ACRES 0.3214 25-32 AREA = 2.4908 ACRES</p>

<p>Original Town ORIG TOWN, BLOCK 17 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 18 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 19 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 20 LOTS 1-10, W50' 11-14, 23-28 AREA = 1.400</p> <p>ORIG TOWN, BLOCK 30 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 31 LOTS 1-24 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 32 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 33 LOTS 1-24 AREA = 2.571</p>	
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11

Drawn By:
Engineering Department
Last Update: 3/5/2018
Note:

Page
1 / 1

Legend

- ☐ 200 ft Buffer
☒ 200ft Buffer Properties
☐ Rezone

0	215	430	860
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F

ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER, BLOCK Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGHTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGHTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50' 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) DISTRICT TO R1 (SINGLE-FAMILY) DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning an application by the City of Kingsville for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018, during a meeting of the Planning & Zoning Commission and on Monday, March 26, 2018, during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the majority of the Planning Commission by a 0-0 vote to APPROVE/NOT APPROVE the requested rezone with _____ abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hgts, Block 3, Lots 1-32; Henrietta Hgts, Block 4, Lots 1-32; Henrietta Hgts, Block 5, Lots 1-32; Henrietta Hgts, Block 6, Lots 1-32; Henrietta Hgts, Block 7, Lots 1-32; Henrietta Hgts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig

Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

PASSED AND APPROVED on this the 9th day of April, 2018.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

By: _____
Courtney Alvarez, City Attorney

b



Note:

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



H

**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION**

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address Sec Ordinance Nearest Intersection _____

(Proposed) Subdivision Name Cooper, Henrietta, Luker Addn, Orig town Lot _____ Block _____

Legal Description: See ordinance

Existing Zoning Designation R3 Future Land Use Plan Designation R1

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent City of kingsville Phone 361-595-8055 FAX _____

Email Address (for project correspondence only): tginter@cityofkingsville.com

Mailing Address P.O Box 1458 City kingsville State TX Zip 78364

Property Owner see attachment s Phone _____ FAX _____

Email Address (for project correspondence only): tginter@cityofkingsville.com

Mailing Address P.O Box 1458 City kingsville State TX Zip 78364

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

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

Please provide a basic description of the proposed project:

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

Applicant's Signature Ta Ginter Date: 2-27-18

Property Owner's Signature _____ Date: _____

Accepted by: _____ Date: _____

Precinct 3.

**PRIMARY ELECTIONS
TUESDAY MARCH 6.**
I appreciate your support.

and my best interest to be your next Republican JP candidate for the General election on Nov. 6, 2018, I will work diligently to meet the 4,000 or so that I was not able to meet this time around. Again, thank you!! Until we meet again.



*Respectfully,
JD Rubalcaba*

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard: **CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60° 17-20, S80° 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50° 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) TO R1 (SINGLE-FAMILY).** The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 26, 2018 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard: **CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60° 17-20, S80° 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50° 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) TO R1 (SINGLE-FAMILY).** The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

DIANA L GARZA
AND ROSALINDA PEREZ
629 W LEE AVE
KINGSVILLE, TX 78363-4331
#21242

KIMBERLY A NIELSEN WEBB
511 NATCHEZ
CONROE, TX 77302
#10451

JOYCE MOONEY
709 W RICHARD AVE
KINGSVILLE, TX 78363-4269
#21282

RICARDO A GARCIA
JUANITA GARCIA
13821 RIVER RIDGE DR
CORPUS CHRISTI, TX 78410-5248
#13887

RAJAB CHALLOO
ETUX LINDA
PO BOX 867
KINGSVILLE, TX 78364-0867
#19330

DENNIS P GREIF
521 N 5TH ST
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ELIOT SALINAS
AND ELENA E SALINAS
8203 S BRAESWOOD BLVD
HOUSTON, TX 77071
#15081

LETICIA GARCIA
607 W ALICE
KINGSVILLE, TX 78363
#10754

ROSANA MARIE RIOJAS
4910 JUNE DR
EDINGBURG, TX 78539
#23965

VERONICA V GONZALEZ
ETVIR HECTOR
1826 N BLUEBIRD LN
HARLIGEN, TX 78550
#11366

JACKY R WILLOUGHY
ETUX STACY B
629 W HENRIETTA
KINGSVILLE, TX 78363
#22394

SALVADOR FLORES JR
ETUX TERI
719 W RICHARD AVE
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21020 DONEGAL
MATHIS, TX 78368
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& LORIE VILLARREAL
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BEVERLY ANNE NIELSEN
REVOCABLE TRUST % RANDAL E
NIELSEN
403 S 6TH ST
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ETUX EMMA S (LIFE EST)
JOSE GILBERTO DELAGARZA
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#25487

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AUSTIN, TX 78749-2323
#20541

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WASHINGTON, DC 20009-6145
#12265

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1700 W WISCONSIN RD
EDINGBURG, TX 78539
#23806

ANDRES GARCIA JR
ETUX SHERRI GARCIA
390 W CORD 2160
KINGSVILLE, TX 78363
#14050

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GARLAND, TX 75040-4848
#14285

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APT 3
HARLIGEN, TX 78550-8545
#10004

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% PATRICIA TRISTAN
16531 VISTA OAK DR
HOUSTON, TX 77073
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SHAD SHAW
ETUX SARAH
1403 W AILSIE AVE
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#25171

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ETUX JANETTE
519 N 3RD ST
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#25716

JUAN MACARENO
MARGARET MACARENO
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#23535

LYNN V GUTIERREZ
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KINGSVILLE, TX 78363-4405
#21204

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KINGSVILLE, TX 78363-3815
#14553

SANDRA D CISNEROS
AKA SANDRA D RHONE
211 W FAIRVIEW DR
KINGSVILLE, TX 78363-4115
#16882

PAUL J LONEY JR
1004 GIBSON DR
ALICE, TX 78332-3612
#23082

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#17423

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ETUX JUDY M DE LA GARZA
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#12172

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JENNIFER L BERNAL
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#10291

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ETUX MARIA ELENA
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#24152

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HEBBRONVILLE, TX 78361-
0725
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CYNTHIA ANN SALINAS
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#17631

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ETUX LEA
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#25889

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#24248

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CRYSTAL CASSANDRA LOPEZ
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#24439

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ASSOCIATION
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OWENSBORO, KY 42301
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#24789

JUAN CARLOS MEJIA
ETUX MELINDA MEJIA
620 W YOAKUM AVE
KINGSVILLE, TX 78363-4343
#24020

HUMBERTO VILLARREAL
ETUX AMMA T
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KINGSVILLE, TX 78363
#23264

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CLAUDIA TREVINO
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AUDELIA GONZALEZ
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MIDLAND, TX 79707
#19875

GERARDO ESCOBEDO
4009 A FOX HOLLOW COURT
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#10579

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DENA M LOMAS
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ETUX DIANA H
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#19710

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AMY M NARANJO
PO BOX 1827
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#15814

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AND GLORIA B CANTU
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#24910

YESENIA OLIVAREZ
AKA YESENIA OLIVAREZ NIETO
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#16487

MARIA CYNTHIA SALDANA
715 W HENRIETTA
KINGSVILLE, TX 78363
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LEONARD A BRENNAN III
709 W HENRIETTA AVE
KINGSVILLE, TX 78363-4209
#19642

JENNIFER KILLION
703 W HENRIETTA AVE
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ETUX JENNIFER
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509 W LEE AVE
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#10070

ANTHONY R DEROUEN
730 W HENRIETTA AVE
KINGSVILLE, TX 78363-4210
#15065

JERY LYNN SNYDER MOREY
ETVIR PHILIP STOCKTON MOREY
JR
506 MCMANUS ST
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#14270

ANTHONY A GUTIERREZ
ETUX SABRINA A
7510 MIRIAM VALE CT
CORPUS CHRISTI, TX 78414
#20356

DANIEL CARRALES
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CAROLYN R FRANKLIN
220 N COUNTY ROAD 1080
KINGSVILLE, TX 78363-2623
#18008

ENRIQUE L GALLEGOS
1100 W CORRAL AVE
APT 181
KINGSVILLE, TX 78363-3014
#17129

DANIEL J BURT
ETUX ASHLEE J
504 W HENRIETTA AVE
KINGSVILLE, TX 78363-4320
#12417

CARLOS BLAS PALOS III
318 W HENRIETTA AVE
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#16742

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ETUX DIANA GUERRERO-PENA
416 W HENRIETTA AVE
KINGSVILLE, TX 78363-4318
#22013

JOSE ALFONSO ORTEGA
292 N COUNTY ROAD 1070
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#14974

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ETUX OSTINE E WATTS
1415 E FM 1717
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ETUX MARIA OFELIA GARZA
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KINGSVILLE, TX 78363-4320
#15613

MAURICE SCHMIDT
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#19029

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LILLIAN CHAPA GOMEZ
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CORPUS CHRISTI, TX 78413-6064
#15999

KAREN F MARQUARDT
723 W LEE
KINGSVILLE, TX 78363
#21028

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#24075

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KINGSVILLE, TX 78363-6470
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DENNIS L YAKLIN
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KINGSVILLE, TX 78363
#19421

SABAS PEREZ JR
PO BOX 1754
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#12794

GARY R TAUB
ETUX SHELIA S
714 W LEE
KINGSVILLE, TX 78363-4229
#15786

NICK M HARREL III
ETUX JONI B
305 N 1ST ST
KINGSVILLE, TX 78363-4308
#11265

RANDY A BRIGHT
512 W HENRIETTA AVE
KINGSVILLE, TX 78363-4320
#14032

MICHAEL S HOUF
ETUX SANDRA E
322 W HENRIETTA AVE
KINGSVILLE, TX 78363-4426
#25838

MANUEL ESQUIVEL
1315 E HENRIETTA AVE
KINGSVILLE, TX 78363-4739
#15218

ROSITA LARA
ETVIR ERNESTO
719 W LEE AVE
KINGSVILLE, TX 78363-4228
#14166

SAENZ FAMILY REV LIVING
TRUST
CONRADO & MARIA (CO-TR)
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MISSION, TX 78573-0032
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#10826

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409 W LEE AVE
KINGSVILLE, TX 78363-4327
#19565

STEPHEN R RUSSELL
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#11084

ANSELMO GUTIERREZ
405 E 3RD STREET
BISHOP, TX 78343-2243
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#23794

CONSUELO R HERRERA EST
ETVIR JUAN G GARCIA
725 W ALICE AVE
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#17179

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ETUX DELMA
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KINGSIVLLE, TX 78363
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421 W ALICE
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#18099

JUAN ADRIAN
ETUX SYLVIA LYNN
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KINGSVILLE, TX 78363-4332
#25393

LIECK HUGH ETUX PAMELA S
AND KALEEN E LIECK
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#13961

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ETUX LAURA L
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KINGSVILLE, TX 78363
#17445

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ETUX LANII
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#17972

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ETUX MARTHA V
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#16684

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#17211

CONCEPCION FUENTES
AND MARY D FUENTES
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717 W ALICE
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NEAL A LAHUE
ETUX MARGARET G LAHUE
219 STILL HOLLOW CRK
BUDA, TX 78610-3068
#19848

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ETUX DAHLIA
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#17519

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#13997

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REVOCABLE TRUST % RANDAL E
NIELSEN
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ETUX EMMA S (LIFE EST)
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6122 JAKES WAKE RUN
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OMAHA, NE 68179-1640
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ALVAR J HANCOCK
ETUX ELVIA
4021 WOOD RIVER DR APT 110
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#10031

ERISTEO CALDERON
ETUX ALICIA H
11630 FLAGSTONE CREEK DR
CORPUS CHRISTI, TX 78410
#18396

SAMANTHA EDLIN
807 W LEE AVE
KINGSVILLE, TX 78363-4230
#17511

ISMAEL H ESQUIVEL
ETUX LISA
804 W LEE AVE
KINGSVILLE, TX 78363-4231
#17978

JUAN A SAUCEDA
ETUX NOELIA
1011 GREENJAY
KINGSVILLE, TX 78363-2784
#25568

ANGELA R NAIR
ETVIR KRISHNA
724 W RICHARD AVE
KINGSVILLE, TX 78363-4270
#15262

JARNAIL DHALLA
916 MADISON DR
MOUNTAIN VIEW, CA 94040-
4027
#19776

SEAN T OHARA
620 W RICHARD AVE
KINGSVILLE, TX 78363
#13411

THEMLA L DAVIS
602 W RICHARD AVE
KINGSVILLE, TX 78363-4363
#10279

DAVID CANTU
530 W RICHARD AVE
KINGSVILLE, TX 78363-4361
#10079

RENE GARCIA HERNANDEZ
508 W RICHARD AVE
KINGSVILLE, TX 78363-4361
#22339

JOEL GONZALEZ
LETICIA GONZALEZ
404 W RICHARD
KINGSVILLE, TX 78363
#20580

JULIO C GOMEZ
324 W RICHARD AVE
KINGSVILLE, TX 78363-4474
#22626

JEANETTE GARRIGA
PO BOX 5258
KINGSVILLE, TX 78364-5258
#19538

CRUZ A RANGEL
ETUX HERMILA RANGEL
3144 JUNIPER ST
SAN DIEGO, CA 92104-5624
#20868

MAHENDRA PATEL
RANJANBEN PATEL
2225 N HWY 77
ROBSTOWN, TX 78380
#14681

LOK INVESTMENTS LLC
124 W CORRAL AVE
KINGSVILLE, TX 78363
#18226

UNION PACIFIC RAILROAD COMPANY
PERSONAL PROPERTY
C/O PROPERTY TAX
1400 DOUGLAS ST STOP 1640
OMAHA, NE 68179-1640
#15639

TERESA ANN ORR
208 W RICHARD AVE
KINGSVILLE, TX 78363-4472
#24582

RUBEN A PENNA
ETUX MARTHA V
3411 S BRAHMA BLVD
KINGSVILLE, TX 78363-7303
#23849

RAMON ISASSI JR
ETUX CYNTHIA A
421 S WANDA DR
KINGSVILLE, TX 78363-4966
#13113

JOEL GONZALEZ
ETUX LETICIA M
PO BOX 5137
KINGSVILLE, TX 78364-5137
#19780

MARIO A BAZAN
821 E RICHARD AVE
KINGSVILLE, TX 78363-4611
#13416

FERNANDO MORENO
ETUX DAHLIA
519 E JOHNSTON AVE
KINGSVILLE, TX 78363-5648
#10284

SYLVIA B SILGUERO
218 W RICHARD AVE
KINGSVILLE, TX 78363-4472
#10297

DANELL FLEMING
430 W RICHARD ST
KINGSVILLE, TX 78363
#22759

UNION PACIFIC RAILROAD COMPANY
PERSONAL PROPERTY
C/O PROPERTY TAX
1400 DOUGLAS ST STOP 1640
OMAHA, NE 68179-1640
#24977

VELMA VELIZ
PO BOX 5202
KINGSVILLE, TX 78364-5202
#22990

JUAN A SOLIZ
714 S 18TH ST
KINGSVILLE, TX 78363-6447
#17753

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KINGSVILLE, TX 78363-4361
#23094

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ETAL
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#21321

PENDLETON HOLDINGS LLC
312 N PASADENA
KINGSVILLE, TX 78363
#23388

LOIS SCHULTZ EST
% KATHY KEATON
PO BOX 794
BANDERA, TX 78003-0794
#20331

VICTOR MANUEL
HERNANDEZ JR
232 W RICHARD
KINGSVILLE, TX 78363
#21641

FRANCISCO GARZA
ETUX MARIA OLGA
210 W RICHARD AVE
KINGSVILLE, TX 78363-4472
#19282

PAUL J LONEY JR
1004 GIBSON DR
ALICE, TX 78332-3612
#17462

UNION PACIFIC RAILROAD COMPANY
PERSONAL PROPERTY
C/O PROPERTY TAX
1400 DOUGLAS ST STOP 1640
OMAHA, NE 68179-1640
#12741

VELMA VELIZ
PO BOX 5202
KINGSVILLE, TX 78364-5202
#4005495

CHRIS CERNOSEK
ETUX JENNIFER L
905 E TRANT RD
KINGSVILLE, TX 78363-7333
#12910

DANELL FLEMING
430 W RICHARD ST
KINGSVILLE, TX 78363
#16047

TEXAS A&M UNIVERSITY
ATTN: SYSTEM REAL ESTATE
301 TARROW STREET, 6TH FLOOR
COLLEGE STATION, TX 77840-7896
#12246

SANTOS ROJAS
211 W SANTA GERTRUDIS ST
KINGSVILLE, TX 78363-4475
#21525

EVA L FLOYD
% DELOIS F MOORE
3362 FOREST LAND APT 308
DALLAS, TX 75234
#24288

JOSEPH VILLARREAL
AMANDA LEE AMADOR-
VILLARREAL
805 W HENRIETTA AVE
KINGSVILLE, TX 78363
#40029668

RAMIRO O CORONADO
ETUX ANNETTE Y
204 E ST JOSEPH
SAN DIEGO, TX 78384
#24818

CITY OF KINGSVILLE
ETAL
PO BOX 1458
KINGSVILLE, TX 78364-1458
#36886

ANNA RAMIREZ
425 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363-3842
#17039

ELIOT SALINAS
AND ELENA E SALINAS
8203 S BRAESWOOD BLVD
HOUSTON, TX 77071
#15268

UNION PACIFIC RAILROAD COMPANY
PERSONAL PROPERTY
C/O PROERTY TAX
1400 DOUGLAS ST STOP 1640
OMAHA, NE 68179-1640
#15186

MAHENDRA PATEL
ETUX RANJANBEN PATEL
2225 N HWY 77
ROBSTOWN, TX 78380
#13567

SCOTT R CONARD
ETUX CLAUDIA A
1119 KATHLEEN ST
KINGSVILLE, TX 78363-6833
#13303

DIANA NARANJO
213 W SANTA GERTRUDIS
KINGSVILLE, TX 78363-4475
#22289

AMANDA M GALVAN
807 W HENRIETTA AVE
KINGSVILLE, TX 78363-4211
#4002967

INTERNATIONAL BANK OF
COMMERCE
PO BOX 1030
ZAPATA, TX 78076-1030
#15177

ISRAEL TORRES
ETUX SABRINA C
517 W YOAKUM AVE
KINGSVILLE, TX 78363-4341
#35240

JASON DALE GONZALES
ETUX COURTNEY G
808 W ALICE AVE
KINGSVILLE, TX 78363
#16275

MILLEDGE B MITCHELL JR
PO BOX 5627
KINGSVILLE, TX 78364-5627
#10420

BALDEMAR B GALINDO
ETUX LISA P
1293 E CO RD 2327
RIVIERA, TX 78379
#22307

LEILA M SAMADI
700 S 14TH ST STE A
KINGSVILLE, TX 78363
#42589

JAMES EDWARD CARRALES
10225 WHUTE BONNET ST
SAN ANTONIO, TX 78240-2044
#13572

CHRIS CERNOSEK
ETUX JENNIFER L
905 E TRANT RD
KINGSVILLE, TX 78363-7333
#22524

DANELL FLEMING
430 W RICHARD ST
KINGSVILLE, TX 78363
#23515

JORGE A ESCUDERO
NORMA L ESCUDERO
9510 E CHRISTI
HELOTES, TX 78023
#4002970

DENNIS L YAKLIN
618 W AVE C (OFFICE)
KINGSVILLE, TX 78363
#25572

ISRAEL TORRES
ETUX SABRINA C
517 W YOAKUM AVE
KINGSVILLE, TX 78363-4341
#21142

INTERNATIONAL BANK OF
COMMERCE
% INDUSTRY CONSULTING GROUP,
INC
PO BOX 810490
DALLAS, TX 75381-0490
#32781
ELIOT SALINAS
AND ELENA SALINAS
8203 S BRAESWOOD BLVD
HOUSTON, TX 77071
#22093

UNION PACIFIC RAILROAD COMPANY
PERSONAL PROPERTY
C/O PROPERTY TAX
1400 DOUGLAS ST STOP 1640
OMAHA, NE 68179-1640
#23525

K I S D
PO BOX 871
KINGSVILLE, TX 78364-0871
#24265

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.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: March 14, 2018

Subject: Rezoning of area in Historical Development District from R3 to R1

The City Commission reviewed your Option 4 – Rezoning Map and was in agreement with the area chosen by the Planning and zoning commission. Since that meeting staff has started the rezoning process to have it ready for your March 21st meeting. On the March 21st agenda there will be a public hearing and an action item concerning the rezoning.

Since the letters have been mailed out I have spoken to a number of citizens who are either in the rezoning area or in the buffer. Essentially the callers are in favor of the area chosen and agree with the block south of Santa Gertrudis to kept R3. One caller inquired about the north side of Santa Gertrudis and its zoning which is R3 and some C2. I told the caller that the desire for the rezoning came from property owners further south which is why we stopped at Santa Gertrudis. At this point there hasn't been a negative phone call. The other category of phone calls has been from individuals who own the multifamily property and what happens to them. I tell them that their use is grandfathered in and can stay that way until the use changes or the structure is removed due to being substandard. I believe they understand that our goal is to protect the value of the homes that are there and at the same time allow multifamily development in a location that fits the area.

Attachment

- A. Option 4 Rezoning Map
- B. Memo to City Commission for February 21st meeting
- C. Legal description of Historic District Rezoning
- D. Subdivision Detail of Rezoning Map
- E. Map used to determine lots within the rezone area and the buffer, this was included with a letter
- F. Draft ordinance
- G. Map showing property lot numbers in buffer
- H. List of property owners sent letters in area and buffer

Recommended Action:

Recommend approval of rezoning the area as submitted from R3 to R1.

Election

held for 38 years by Romeo Lomas, who resigned in December 2016 and passed away in April of last year, following an automobile accident. Lomas' daughter, Crystal Runyon, was appointed to fill his unexpired term and has served on the court since January.

Runyon has filed for election to the office, along with fellow candidates David Garcia, Manuel Salazar Jr. and Zangrona "Shorty" Salinas Jr. One Republican, Rene Lomas Bazar, has also filed for the Pct. 4 County Commissioner position and is unopposed on the Primary ballot.

The Democratic ballot also features a contested race for the Pct. 4 Justice of the Peace spot. Incumbent Cheque De La Paz has two challengers, Ofelia "Ofie" Gutierrez and Maria C. "Tina" Lopez-Galvan.

If a candidate in either of these races does not receive at least 50.01 percent of the vote, the top two vote getters will face each other in a run-off election on May 22.

The Pct. 3 Kleberg County Justice of the Peace race includes four candidates. On the Republican side, incumbent Christopher Lee is challenged by John David Rubalcaba Sr. On the Democrats' side, Joe "Pepe" Figueroa faces off against Robert Zavala.

Election results will be posted in KingsvilleRecord.com Tuesday night as they become available.

Polling locations by precinct

Precinct	Polling Location	Polling Address
11	Wild Horse Mall	1601 S. Hwy 77, Kingsville
12	Kleberg County Precinct 1 Building	1910 E. Trant Rd., Kingsville
13, 14	Law Enforcement Center, Courthouse A	1500 E. King, Kingsville
21	Kleberg Elementary School	900 N. 6th St. at Nettie Ave., Kingsville
22, 23	University Baptist Church - Rear Building	1324 N. Armstrong, Kingsville
24	Santa Gertrudis School	803 Santa Rosa, Kingsville
31	Knights of Columbus Hall Council 3389	320 General Cavazos, Kingsville
32	St. Paul's AME Church	529 E. Warren, Kingsville
33, 34	Riviera County Building	103 N. 7th St., Riviera
35	Ricardo Senior Center	109 N. Nix St., Ricardo
41, 42	Gillett School	900 N. 17th St., Kingsville
43	Early Voting Annex Office	720 E. King at 12th St., Kingsville
44	KISD Administration Bldg. - Rear Building	207 N. 3rd St., Kingsville
45	St. Martin's Parish Church Hall	504 E. Elia, Kingsville

Plea

In the case previously reached an agreement in March 2017 that would have capped a prison term at 10 years.

After testimony from several witnesses - including a Kingsville Police Department detective, employees of the bank at the time of the robbery and an ex-girlfriend of Martinez's - that lasted nearly two hours, Pulcher stopped the hearing and said he was unable to support the plea deal's prison sentence cap.

Both tellers testified that they suffered

emotional distress because of the incident, with one stating that she was later diagnosed with depression and post-traumatic stress disorder.

Security video from the robbery showed a man clad in black and wearing a motorcycle helmet jumping onto the tellers' counter and brandishing a black handgun.

Bank officials testified in 2017 that a little more than \$51,000 was stolen at the time of the robbery, though some of that was later recovered in an alley behind the bank

and is still being held as evidence.

IBC Bank was never reimbursed for the money that was stolen through insurance, bank officials said during the 2017 hearing, and the remainder of the missing cash has not been recovered.

A co-defendant in the case, Joanna Cantu, is still set to go to trial on felony charges of aggravated robbery. Cantu was an employee of the bank at the time and is accused of helping Martinez carry out the crime.

Visit us at KingsvilleRecord.com



ELECT JD RUBALCABA

Kleberg County Justice of the Peace, Pct. 3

I would like to thank everyone I came in contact with during the primary election cycle that I began on Oct. 11, 2017 for 2018. To the thousands of hard working citizens of Kleberg County who voted for me, I thank you. I am honored to represent you in the upcoming primary election. I am also grateful for the support of my family and friends. I am committed to serving the citizens of Kleberg County and to making a positive difference in the lives of all who live here. I am confident that I will be able to do this and I am grateful for the support of my family and friends. I am committed to serving the citizens of Kleberg County and to making a positive difference in the lives of all who live here. I am confident that I will be able to do this and I am grateful for the support of my family and friends.

God Bless America, God Bless our Troops and may God Bless Kleberg County Precinct 3.

PRIMARY ELECTIONS
TUESDAY MARCH 6
I appreciate your support.

★★★★★★★★★★★★★ Respectfully,
JD Rubalcaba

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 56.7569 ACRES OUT OF COOPER, BLOCK 2, LOTS 1-32; COOPER, LOTS 1-32; HENRIETTA HTGS, BLOCK 1, LOTS 1-32; HENRIETTA HTGS, BLOCK 2, LOTS 1-32; HENRIETTA HTGS, BLOCK 3, LOTS 1-32; HENRIETTA HTGS, BLOCK 4, LOTS 1-32; HENRIETTA HTGS, BLOCK 5, LOTS 1-32; HENRIETTA HTGS, BLOCK 6, LOTS 1-32; HENRIETTA HTGS, BLOCK 7, LOTS 1-32; HENRIETTA HTGS, BLOCK 8, LOTS 1-32; HENRIETTA HTGS, BLOCK 9, LOTS 1-32; HENRIETTA HTGS, BLOCK 10, LOTS 1-32; HENRIETTA HTGS, BLOCK 11, LOTS 1-32; HENRIETTA HTGS, BLOCK 12, LOTS 1-32; HENRIETTA HTGS, BLOCK 13, LOTS 1-32; HENRIETTA HTGS, BLOCK 14, LOTS 1-32; HENRIETTA HTGS, BLOCK 15, LOTS 1-32; HENRIETTA HTGS, BLOCK 16, LOTS 1-32; HENRIETTA HTGS, BLOCK 17, LOTS 1-32; HENRIETTA HTGS, BLOCK 18, LOTS 1-32; HENRIETTA HTGS, BLOCK 19, LOTS 1-32; HENRIETTA HTGS, BLOCK 20, LOTS 1-32; HENRIETTA HTGS, BLOCK 21, LOTS 1-32; HENRIETTA HTGS, BLOCK 22, LOTS 1-32; HENRIETTA HTGS, BLOCK 23, LOTS 1-32; HENRIETTA HTGS, BLOCK 24, LOTS 1-32; HENRIETTA HTGS, BLOCK 25, LOTS 1-32; HENRIETTA HTGS, BLOCK 26, LOTS 1-32; HENRIETTA HTGS, BLOCK 27, LOTS 1-32; HENRIETTA HTGS, BLOCK 28, LOTS 1-32; HENRIETTA HTGS, BLOCK 29, LOTS 1-32; HENRIETTA HTGS, BLOCK 30, LOTS 1-32; HENRIETTA HTGS, BLOCK 31, LOTS 1-32; HENRIETTA HTGS, BLOCK 32, LOTS 1-32; HENRIETTA HTGS, BLOCK 33, LOTS 1-32; HENRIETTA HTGS, BLOCK 34, LOTS 1-32; HENRIETTA HTGS, BLOCK 35, LOTS 1-32; HENRIETTA HTGS, BLOCK 36, LOTS 1-32; HENRIETTA HTGS, BLOCK 37, LOTS 1-32; HENRIETTA HTGS, BLOCK 38, LOTS 1-32; HENRIETTA HTGS, BLOCK 39, LOTS 1-32; HENRIETTA HTGS, BLOCK 40, LOTS 1-32; HENRIETTA HTGS, BLOCK 41, LOTS 1-32; HENRIETTA HTGS, BLOCK 42, LOTS 1-32; HENRIETTA HTGS, BLOCK 43, LOTS 1-32; HENRIETTA HTGS, BLOCK 44, LOTS 1-32; HENRIETTA HTGS, BLOCK 45, LOTS 1-32; HENRIETTA HTGS, BLOCK 46, LOTS 1-32; HENRIETTA HTGS, BLOCK 47, LOTS 1-32; HENRIETTA HTGS, BLOCK 48, LOTS 1-32; HENRIETTA HTGS, BLOCK 49, LOTS 1-32; HENRIETTA HTGS, BLOCK 50, LOTS 1-32; HENRIETTA HTGS, BLOCK 51, LOTS 1-32; HENRIETTA HTGS, BLOCK 52, LOTS 1-32; HENRIETTA HTGS, BLOCK 53, LOTS 1-32; HENRIETTA HTGS, BLOCK 54, LOTS 1-32; HENRIETTA HTGS, BLOCK 55, LOTS 1-32; HENRIETTA HTGS, BLOCK 56, LOTS 1-32; HENRIETTA HTGS, BLOCK 57, LOTS 1-32; HENRIETTA HTGS, BLOCK 58, LOTS 1-32; HENRIETTA HTGS, BLOCK 59, LOTS 1-32; HENRIETTA HTGS, BLOCK 60, LOTS 1-32; HENRIETTA HTGS, BLOCK 61, LOTS 1-32; HENRIETTA HTGS, BLOCK 62, LOTS 1-32; HENRIETTA HTGS, BLOCK 63, LOTS 1-32; HENRIETTA HTGS, BLOCK 64, LOTS 1-32; HENRIETTA HTGS, BLOCK 65, LOTS 1-32; HENRIETTA HTGS, BLOCK 66, LOTS 1-32; HENRIETTA HTGS, BLOCK 67, LOTS 1-32; HENRIETTA HTGS, BLOCK 68, LOTS 1-32; HENRIETTA HTGS, BLOCK 69, LOTS 1-32; HENRIETTA HTGS, BLOCK 70, LOTS 1-32; HENRIETTA HTGS, BLOCK 71, LOTS 1-32; HENRIETTA HTGS, BLOCK 72, LOTS 1-32; HENRIETTA HTGS, BLOCK 73, LOTS 1-32; HENRIETTA HTGS, BLOCK 74, LOTS 1-32; HENRIETTA HTGS, BLOCK 75, LOTS 1-32; HENRIETTA HTGS, BLOCK 76, LOTS 1-32; HENRIETTA HTGS, BLOCK 77, LOTS 1-32; HENRIETTA HTGS, BLOCK 78, LOTS 1-32; HENRIETTA HTGS, BLOCK 79, LOTS 1-32; HENRIETTA HTGS, BLOCK 80, LOTS 1-32; HENRIETTA HTGS, BLOCK 81, LOTS 1-32; HENRIETTA HTGS, BLOCK 82, LOTS 1-32; HENRIETTA HTGS, BLOCK 83, LOTS 1-32; HENRIETTA HTGS, BLOCK 84, LOTS 1-32; HENRIETTA HTGS, BLOCK 85, LOTS 1-32; HENRIETTA HTGS, BLOCK 86, LOTS 1-32; HENRIETTA HTGS, BLOCK 87, LOTS 1-32; HENRIETTA HTGS, BLOCK 88, LOTS 1-32; HENRIETTA HTGS, BLOCK 89, LOTS 1-32; HENRIETTA HTGS, BLOCK 90, LOTS 1-32; HENRIETTA HTGS, BLOCK 91, LOTS 1-32; HENRIETTA HTGS, BLOCK 92, LOTS 1-32; HENRIETTA HTGS, BLOCK 93, LOTS 1-32; HENRIETTA HTGS, BLOCK 94, LOTS 1-32; HENRIETTA HTGS, BLOCK 95, LOTS 1-32; HENRIETTA HTGS, BLOCK 96, LOTS 1-32; HENRIETTA HTGS, BLOCK 97, LOTS 1-32; HENRIETTA HTGS, BLOCK 98, LOTS 1-32; HENRIETTA HTGS, BLOCK 99, LOTS 1-32; HENRIETTA HTGS, BLOCK 100, LOTS 1-32; HENRIETTA HTGS, BLOCK 101, LOTS 1-32; HENRIETTA HTGS, BLOCK 102, LOTS 1-32; HENRIETTA HTGS, BLOCK 103, LOTS 1-32; HENRIETTA HTGS, BLOCK 104, LOTS 1-32; HENRIETTA HTGS, BLOCK 105, LOTS 1-32; HENRIETTA HTGS, BLOCK 106, LOTS 1-32; HENRIETTA HTGS, BLOCK 107, LOTS 1-32; HENRIETTA HTGS, BLOCK 108, LOTS 1-32; HENRIETTA HTGS, BLOCK 109, LOTS 1-32; HENRIETTA HTGS, BLOCK 110, LOTS 1-32; HENRIETTA HTGS, BLOCK 111, LOTS 1-32; HENRIETTA HTGS, BLOCK 112, LOTS 1-32; HENRIETTA HTGS, BLOCK 113, LOTS 1-32; HENRIETTA HTGS, BLOCK 114, LOTS 1-32; HENRIETTA HTGS, BLOCK 115, LOTS 1-32; HENRIETTA HTGS, BLOCK 116, LOTS 1-32; HENRIETTA HTGS, BLOCK 117, LOTS 1-32; HENRIETTA HTGS, BLOCK 118, LOTS 1-32; HENRIETTA HTGS, BLOCK 119, LOTS 1-32; HENRIETTA HTGS, BLOCK 120, LOTS 1-32; HENRIETTA HTGS, BLOCK 121, LOTS 1-32; HENRIETTA HTGS, BLOCK 122, LOTS 1-32; HENRIETTA HTGS, BLOCK 123, LOTS 1-32; HENRIETTA HTGS, BLOCK 124, LOTS 1-32; HENRIETTA HTGS, BLOCK 125, LOTS 1-32; HENRIETTA HTGS, BLOCK 126, LOTS 1-32; HENRIETTA HTGS, BLOCK 127, LOTS 1-32; HENRIETTA HTGS, BLOCK 128, LOTS 1-32; HENRIETTA HTGS, BLOCK 129, LOTS 1-32; HENRIETTA HTGS, BLOCK 130, LOTS 1-32; HENRIETTA HTGS, BLOCK 131, LOTS 1-32; HENRIETTA HTGS, BLOCK 132, LOTS 1-32; HENRIETTA HTGS, BLOCK 133, LOTS 1-32; HENRIETTA HTGS, BLOCK 134, LOTS 1-32; HENRIETTA HTGS, BLOCK 135, LOTS 1-32; HENRIETTA HTGS, BLOCK 136, LOTS 1-32; HENRIETTA HTGS, BLOCK 137, LOTS 1-32; HENRIETTA HTGS, BLOCK 138, LOTS 1-32; HENRIETTA HTGS, BLOCK 139, LOTS 1-32; HENRIETTA HTGS, BLOCK 140, LOTS 1-32; HENRIETTA HTGS, BLOCK 141, LOTS 1-32; HENRIETTA HTGS, BLOCK 142, LOTS 1-32; HENRIETTA HTGS, BLOCK 143, LOTS 1-32; HENRIETTA HTGS, BLOCK 144, LOTS 1-32; HENRIETTA HTGS, BLOCK 145, LOTS 1-32; HENRIETTA HTGS, BLOCK 146, LOTS 1-32; HENRIETTA HTGS, BLOCK 147, LOTS 1-32; HENRIETTA HTGS, BLOCK 148, LOTS 1-32; HENRIETTA HTGS, BLOCK 149, LOTS 1-32; HENRIETTA HTGS, BLOCK 150, LOTS 1-32; HENRIETTA HTGS, BLOCK 151, LOTS 1-32; HENRIETTA HTGS, BLOCK 152, LOTS 1-32; HENRIETTA HTGS, BLOCK 153, LOTS 1-32; HENRIETTA HTGS, BLOCK 154, LOTS 1-32; HENRIETTA HTGS, BLOCK 155, LOTS 1-32; HENRIETTA HTGS, BLOCK 156, LOTS 1-32; HENRIETTA HTGS, BLOCK 157, LOTS 1-32; HENRIETTA HTGS, BLOCK 158, LOTS 1-32; HENRIETTA HTGS, BLOCK 159, LOTS 1-32; HENRIETTA HTGS, BLOCK 160, LOTS 1-32; HENRIETTA HTGS, BLOCK 161, LOTS 1-32; 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HENRIETTA HTGS, BLOCK 459, LOTS 1-32; HENRIETTA HTGS, BLOCK 460, LOTS 1-32; HENRIETTA HTGS, BLOCK 461, LOTS 1-32

ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER, BLOCK Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGHTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGHTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 15-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50' 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) DISTRICT TO R1 (SINGLE-FAMILY) DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning an application by the City of Kingsville for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018, during a meeting of the Planning & Zoning Commission and on Monday, March 26, 2018, during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the majority of the Planning Commission by a 7-0 vote to APPROVE the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hgts, Block 3, Lots 1-32; Henrietta Hgts, Block 4, Lots 1-32; Henrietta Hgts, Block 5, Lots 1-32; Henrietta Hgts, Block 6, Lots 1-32; Henrietta Hgts, Block 7, Lots 1-32; Henrietta Hgts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig

Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 15-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

PASSED AND APPROVED on this the 9th day of April, 2018.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

By: _____
Courtney Alvarez, City Attorney

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Public Works**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: William Donnell, Public Works Director
DATE: March 5, 2018
SUBJECT: Budget Amendment Wastewater Collections Division

Summary:

This budget amendment allocates funding to the current year wastewater collections budget. The Wastewater Collections Division has a collapsed sewer main requiring contractor repairs.

Background:

In the area between E. Corral Ave and E. Santa Gertrudis Ave is a collapsed 12" sewer trunk line, flow is still moving but at a low volume. This line is 14' deep and has a 12" and a 20" water line on either side of the sewer main. Due to the depth and poor soil conditions this repair will require shoring and potential water line supports to make the needed repairs. A contractor is requested to perform the work due the hazards and the unknown time that it will take to make the repair.

Financial Impact:

This budget amendment for the Wastewater Collections Division will reallocate funding of \$33,333.00 from Unassigned Utility Fund Balance to 051-5-7003-54300 (\$33,333.00) for this unforeseen sewer main repair.

Recommendation:

Staff recommends approval of this budget amendment to cover this unforeseen sewer main repair expense.



ORDINANCE NO. 2018- _____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO INCLUDE A SEWER LINE REPAIR.

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 051-Utility Fund					
Equity					
2		Unrestricted Fund Balance	61004		\$ 33,333
Expenses					
5-7003		Utility Plant	54300	\$ 33,333	

[To amend the City of Kingsville FY 17-18 Utility Fund Budget to include an unexpected and complicated repair to the sanitary sewer line south of the north wastewater treatment plant as per the attached memo from the Public Works Director.]

II.

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

III.

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

IV.

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

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

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

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 8, 2018

SUBJECT: Memorandum of Understanding
Texas Statewide Interoperability Channel Plan (TSICP)

Summary:

The City of Kingsville needs to sign an updated Memorandum of Understanding with regards to the Texas Statewide Interoperability Channel Plan (TSICP). The current MOU was signed in 2005.

Background:

The MOU establishes permission and guidelines for use of interoperability or mutual aid radio channel by:

- Local government jurisdictions and their associated emergency response agencies;
- State agencies in Texas and their associated emergency response organizations;
- Federal agency local units in Texas and their associated emergency response organizations.
- Local agency units in Texas and their associated emergency response organizations to use designated Federal interoperability channels, and;
- Private section emergency response organizations licensed or otherwise entitled to operate in the Public Safety Pool as defined in Federal Communications Commission (FCC) Rules, Part 90 (47CFR, subpart B, paragraphs 90.15-90.20).

It imposes certain protocols, procedures, and obligations upon jurisdictions hereby authorized to use state-licensed radio channels held by the Texas Department of Public Safety (TxDPS).

This agreement supersedes any other previous versions of the MOU.

Financial Impact:

The City of Kingsville not incur any cost just by signing the MOU.



**City of Kingsville
Police Department**

Recommendation:

We request that City Manager Jesus A. Garza be allowed to enter this MOU for the continued cooperation of both Public Safety and Private Sector partners as authorized.



RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE TEXAS DPS AND THE CITY OF KINGSVILLE FOR THE TEXAS STATEWIDE INTEROPERABILITY CHANNEL PLAN; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville promotes the health and safety of the community and is constantly looking for new ways to improve communication strategies with the public, staff, and community partners;

WHEREAS, the City has previously approved a Memorandum of Understanding (MOU) with the Texas Department of Public Safety (DPS) for the Texas Statewide Interoperability Channel Plan (TSICP) back in 2005 and it is time to update the MOU;

WHEREAS, the MOU establishes permission and guidelines for use of interoperability or mutual aid radio channel by local, state, and federal emergency response agencies and was updated in January 2018;

WHEREAS, City, its citizens, and the State benefit from the parties continued participation in the TSICP;

WHEREAS, there is no financial impact to the City just by signing the MOU;

WHEREAS, this new agreement would supersede any other previous versions of the MOU.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Memorandum of Understanding between the Texas DPS and the City of Kingsville for the Texas Statewide Interoperability Channel Plan (TSICP), 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 March, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Texas Statewide Interoperability Channel Plan

For FCC Designated Public Safety Interoperability Channels 150 MHz – 800 MHz Bands

Developed By

**Texas Statewide Interoperability Executive Committee (TSIEC),
the Texas Interoperable Communications Coalition (TxICC), and
the Texas Department of Public Safety (TxDPS)**

Revised January 2018 (Change #19)

RECORD OF CHANGES

Texas Statewide Interoperability Channel Plan

CHANGE #	DATE OF CHANGE	CHANGE	DATE ENTERED
Issued	04-1-2005	Initial Issue	04-1-2005
1	4-6-2005	Deleted "narrowband" from phrase "narrowband 800", pg. 14.	4-6-2005
2	4-6-2005	Frequencies transposed in Figure 5, pgs. 15 & 30.	4-6-2005
3	4-6-2005	Deleted word "refarming" from "refarming order", pgs. 15 & 30.	4-6-2005
4	9-7-2006	Corrected error in 700 MHz channel frequencies, pgs. 13-14, & 29.	9-7-2005
5	6-10-2007	General edit; simplify provision for encryption; add new/changed channel labels, clarify 1/1/2013 deadlines	6-10-2007
6	9-25-2007	Name of plan changed to add the word "Statewide". General edit; Modified background note and text to require P25 NLT 1/1/2013; added tactical repeaters; dropped 700 MHz channels 1 MHz; changed 800 MHz NPSPAC channels by 15 MHz.	10-20-2007
7	01-22-2008	Corrected order of frequencies used in 8TAC95D and 8TAC96D. Extended transition date for P25 CAI digital until 1-1-2015. Changed VTAC17 and VTAC19 availability date to 7/1/2008.	01-22-2008
8	06-09-2008	Removed Texas Government Code Chapter 411.0105 (Public Safety Radio Communications Council)	06-09-2008
9	06-24-2008	Changed marine channel date due to FCC delay	06-24-2008
10	11-05-2008	Removed Marine channels from plan due to FCC rule amendments	11-05-2008
11	04-20-2009	Updated narrowbanding requirements for 1/1/2013	04-20-2009
12	08-31-11	Updated MOU language	08-31-11
13	03-06-12	Updated Modulation requirements, removed Digital P25 Requirements, Added Fed VHF Repeaters, Changed Channel Coordination to IC, Updated SWIC	03-06-2012
14	03-22-12	<ul style="list-style-type: none"> Changed Texas Law 1 to TXCALL1D and Texas Law 2 to 	03-22-12

		<p>TXCALL2D</p> <ul style="list-style-type: none"> • Added 'Office of the Texas SWIC' or 'TxICC' to SIEC references • Removed references to P25 compliance by 2015 • Added reference to compelling reason exception for P25 • Clarified wideband and narrowband for modulation and encryption • Added footnote about how to access additional VHF Repeater Channels in an emergency • Updated tables to ensure headings were consistent throughout • Created separator line for Repeater Base Configuration in Tables 2 and 5 • Separated Table 3 into two tables, changing the Tactical Repeater Configuration to Table 4 • Created a new Table 6 for Use within Border Area for Rebanding Border communications • Changed Emission Designator to 20K0F3E for 800 NPSPAC Interoperability Channels • Updated MOU language to clarify VFD signatures 	
15	1-25-13	<ul style="list-style-type: none"> • Fixed Portable channel table on page 19/20 to properly show mobile and repeater channels 	1-25-13
16	5-13-14	<ul style="list-style-type: none"> • Added Mobile Satellite Talkgroup, section 8 • Updated MOU to include MSAT • Added Statewide Radio ID Plan, section 9 • Added Acronym List, section 10 • Removed wideband and narrowband references • Updated table numbers to align with section numbers • Added VTAC17&17D 	5-13-14
17	5-27-15	<ul style="list-style-type: none"> • Added recommended short list of VHF and 700 channels for programming • Added 7CALL70 and 7CALL70D channels • Added text that 700 MHz interoperability channels must always use P25 CAI digital conventional Modulation • Removed emission designators 	5-27-15

		11K2G2E and 11K3F3E <ul style="list-style-type: none"> Updated Station Class field in 700 MHz and 800 MHz channel tables from FX1T/MO to FB2T/MO and FX1T to FBT for direct channels Indicated which 700 MHz channels should not be used within 70 miles of the US / Mexico border 	
18	12-07-17	<ul style="list-style-type: none"> Updated Statewide Coordinated P25 Radio Unit Identification (ID) Plan guidance Added new 700 MHz Air-to-Ground Channels Added new UHF and VHF Federal Interoperability Channels Added reminder: Fixed base repeaters as secondary use – all frequencies Updated MOU to reflect new Air-to-Ground and Federal Interop Channels Changed section headings to match with NIFOG color shading Updated VHF and 800 MHz CTCSS tones in compliance with the NIFOG 	12-07-17
19	1-29-18	<ul style="list-style-type: none"> Updated Federal Agency table 4.4 with correct RX frequency Updated FM emission for new Federal Agency channels from 11K25F3E to 11K2F3E (*note the emission is published in the NIFOG is incorrect) Updated Federal Agency tables 4.5 and 5.3 to list CTCSS tones. 	1-29-18

Texas Statewide Interoperability Channel Plan

For FCC Designated Public Safety Interoperability Channels 150 MHz – 800 MHz

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MEMORANDUM OF UNDERSTANDING
Texas Statewide Interoperability Channel Plan (TSICP)
(Original issue, April 1, 2005)

Texas Department of Public Safety
and the identified *Federal Agency, State Agency, Local Jurisdiction, or Emergency Service Organization*

Purpose

This Memorandum of Understanding (MOU) establishes permissions and guidelines for use of interoperability or mutual aid radio channels by:

- Local government jurisdictions and their associated emergency response agencies;
- State agencies in Texas and their associated emergency response organizations;
- Federal agency local units in Texas and their associated emergency response organizations,
- Local agency units in Texas and their associated emergency response organizations to use designated Federal interoperability channels, and;
- Private sector emergency response organizations licensed or otherwise entitled to operate in the Public Safety Pool as defined in Federal Communication Commission (FCC) Rules, Part 90 (47CFR, subpart B, paragraphs 90.15-90.20).

It imposes certain protocols, procedures, and obligations upon jurisdictions hereby authorized to use state-licensed radio channels held by the Texas Department of Public Safety (TxDPS).

This agreement supersedes any other previous versions of the MOU.

Authority

Execution of this agreement by state and local entities is authorized by Texas Government Code, Chapter 791 (local governments), Chapter 771 (state agencies), and Texas Government Code Chapter 411.0105 (Public Safety Radio Communications Council). This MOU satisfies FCC Part 90 rules for extending license privileges to others by agreement.

Federal agencies are permitted access to interoperability channels as authorized by the National Communications & Information Administration (NTIA) Manual, 47 CFR, Parts 2.102(c), 2.103; and 7.12. Federal agencies may execute this MOU and shall adhere to the attached guidelines.

Applicability

This MOU authorizes the use of certain radio frequencies by emergency response organizations as defined by the U.S. Department of Homeland Security's Office of Emergency Communications and the Texas Division of Emergency Management. Generally, this includes organizations in the following governmental disciplines:

**Emergency Management
Law Enforcement
Fire Service
Emergency Medical Services
Public Works / Transportation**

**Public Safety Communications
Public Health
Health Care
Hazardous Materials
Governmental Administration**

This MOU authorizes use of state-licensed frequencies for the purpose of coordination between emergency response agencies and resources. Such coordination may occur during interagency operations, en route travel, or on-incident communications in accordance with an Incident Communications Plan.

Background

The 77th Legislature, in an effort to provide for effective emergency radio communications by state agencies, called for an Interagency Radio Work Group (IRWG) to develop a state agency communications network. That group developed a preliminary plan that was accepted by the state IRWG and the Sheriffs' Association of Texas on March 27, 2001.

Subsequently, the IRWG determined that the state agency communications network should be expanded to include all public safety agencies in the state. This was accomplished by IRWG's development of the IRCIP of January, 2003.

In response to an FCC requirement for establishment of state / regional advisory committees, the Texas Interoperable Communications Coalition (TxICC) and the Texas Statewide Interoperable Communications Plan Executive Committee (SEC) were formally established as advisory committees to TxDPS.

The Texas Statewide Interoperability Channel Plan (TSICP), developed by the TxICC and included in this MOU, provides essential guidance for interoperable radio communications using VHF, UHF, 700 MHz, 800 MHz, and mobile satellite radio equipment for interagency coordination, en route travel, or on-incident communications.

Understandings

TxDPS will:

- Manage and maintain proper licenses for the use of the interoperability frequencies identified herein;
- Manage and maintain an accurate database of federal and state agencies and local government jurisdictions that have accepted and signed this MOU, and;
- Issue updates and revisions to the TSICP contained herein, upon request by the TxICC and the Director of the TxDPS.

Jurisdiction will:

- Participate in regional communications planning (generally arranged by a regional Council of Governments) that provides for regional radio communications interoperability.

- Manage use of the interoperability frequencies by its employees, ensuring compliance with the TSICP and federal / state / local laws, ordinances, and rules.
- Use the interoperability frequencies authorized hereby for their intended purpose of coordination between emergency response agencies and resources. Such coordination may occur during interagency operations, en route travel, or at the scene of an incident.
- Use the interoperability frequencies for operational and en route communications in accordance with local and regional policies and procedures.
- Use the interoperability frequencies for on-incident communications in accordance with the Incident Communications Plan established by the on-scene Incident Commander.
- Prioritize use of the interoperability frequencies:
 1. Emergency or urgent operation involving imminent danger to life or property;
 2. Disaster or extreme emergency operation requiring extensive interoperability and inter-agency communications;
 3. Special event, generally of a pre-planned nature;
 4. Joint training exercises, and
 5. Inter-agency and en route communications.
- Implement radio communications procedures consistent with the National Incident Management System (NIMS) and Incident Command System (ICS) including:
 - Use "plain language" without 10-codes or agency-specific codes/jargon;
 - Use the calling protocol: "Agency-Unit #, **this is** Agency-Unit #", rather than "Unit # **to** Unit #".

Examples: *"Bryan EMS 1605, this is Tyler Fire 2102" or "Incident Command, this is DPS 505"*
- Ensure that mobile, portable, and temporary base radios intended for use by agency leadership (officers) are configured with the appropriate in-band interoperability frequencies as found in the TSICP. This means that, as a minimum, the interoperable frequencies would be added to the day-to-day frequencies used by that entity.
- Ensure that interoperability calling channels are monitored at the Incident Command Post on major incidents requiring significant aid from agencies beyond routine local interoperability. Monitoring shall include one or more of the following:

CALLING CHANNEL NAME	USE
VCALL10	Analog VHF Calling Channel
UCALL40	Analog UHF Calling Channel
7CALL50	Digital P25 700 MHz Calling Channel
8CALL90	Analog National Calling Channel

Agreement

This Memorandum of Understanding was agreed to _____ day of _____, _____.
Please **complete, sign, scan, and then email THIS PAGE ONLY** as attached file to txswic@dps.texas.gov.

WHO SHOULD EXECUTE THIS AGREEMENT: Each jurisdiction must individually sign this agreement.

- An authorized representative of a City may sign for all public safety agencies in that city.
- A County may sign for volunteer fire departments (VFD) if the VFD is recognized in the county emergency management plan; however,
- A County CANNOT sign for all cities or other public safety agencies in the county that are not a part of county government since they are separate legal entities.
- A Council of Governments (COG) CANNOT sign for all jurisdictions within the COG.

Compliance with this TSICP and the SCIP are required to receive grant funds for communications equipment. Agencies and programmers should verify the latest version of these documents are being referenced; they can be found at <https://www.dps.texas.gov/LawEnforcementSupport/communications/interop/index.htm>

FOR JURISDICTION

Jurisdiction Name: _____

Authorized Signature: _____

Print Name: _____

Title: _____

Jurisdiction Address: _____

Phone: _____ e-mail: _____

Indicate the NUMBER of mobile, portable, temporary base, and/or mobile relay radios to be operated under TxDPS licenses or MSAT Authorization. For Federal Entity Interop and 700 Air-to-Ground channels, please mark the appropriate box with a checkmark or "X" if these channels are programmed or if programming is planned for the future.

	Mobile	Portable	Temporary Base- Mobile Relay	Federal Entity Interop Channels	700 Air-to- Ground Channels
150 MHz					N/A
450 MHz					N/A
700 MHz				N/A	
800 MHz NPSPAC				N/A	N/A
Mobile Satellite (MSAT)				N/A	N/A

(This information is required by TxDPS as a condition of its licenses from the FCC.)

TEXAS DEPARTMENT OF PUBLIC SAFETY AUTHORIZED SIGNATURE

Signature: _____

Todd M. Early, Director Public Safety Communications Service
Texas DPS Law Enforcement Support Division, 5805 N. Lamar Boulevard, Austin, TX 78752

Incident Command Post monitoring may be implemented using cross-band repeaters, communications operator console patching, or VHF/UHF/700/800 MHz fixed or mobile gateway.

It is suggested that the band-relevant interoperable call channel listed above be included in the 'home zone' used for day-to-day operations. This will enable radio users to easily turn to the interoperable channel on their mobile or portable radio when needed.

The parties mutually agree:

- Jurisdiction and TxDPS agree that their mutual interests will be furthered by continued coordination between the jurisdiction and the Office of the Texas Statewide Interoperability Coordinator (SWIC).
- Jurisdiction and TxDPS agree that this Memorandum of Understanding may be cancelled at any time, by written notice to the other party, or by subsequent agreements.
- Only one MOU per Jurisdiction or Governing Body is required to cover the departments and/or sub-agencies of each jurisdiction, as long as each department or sub-agency is listed on an accompanying attachment.

The attached *TSICP (Original Issue March 25, 2005)* is incorporated into this MOU in its entirety. The TSICP may be revised by TSICP Strategic Advisory Group (SAG) and TxDPS as needed, and revisions will be provided to Jurisdictions by TxDPS.

Should Jurisdiction elect to withdraw from this MOU because of TSICP revisions, notice shall be given by mail to:

Texas Department of Public Safety
Public Safety Communications Service
5805 N. Lamar Boulevard
Austin, TX 78752

Background Note to Users of the Texas Statewide Interoperability Channel Plan

Nationwide, public safety communications is in a period of great change driven by FCC regulatory changes, new technology, and federal grant funding requirements.

Specifically:

- The Texas Interoperable Communications Coalition (TxICC) anticipates that all federal grants will soon require that grant funds be spent only for P25-compliant digital-capable equipment and advises all jurisdictions to purchase P25-compliant equipment.
- Hurricane Katrina re-emphasized the need for common mutual aid/interoperability channels in public safety radios. Also highlighted was the need for all public safety radio users to have common labels for these channels. In response to the U.S. Congress and to U.S. Department of Homeland Security, a national ANSI standard has been established for use in all jurisdictions within the United States.
http://www.npstc.org/download.jsp?tableId=37&column=217&id=17&file=11042-2017_CommonChannelNamingDocument.pdf . These names are reflected in this document.
- This Channel Plan is consistent with current regulatory requirements, technical standards, and grant guidelines as they are understood at the time of issue.

Texas Statewide Interoperability Channel Plan

For FCC Designated Public Safety Interoperability Channels 150 MHz–800 MHz

1. INTRODUCTION

This Channel Plan describes conditions and guidelines for use of state-licensed interoperability or mutual-aid radio channels by:

- Local government jurisdictions and their associated emergency response agencies;
- Federal agency offices in Texas and their associated emergency response organizations, and;
- Private emergency response organizations licensed or eligible to operate in the Public Safety Pool as defined in the Federal Communication Commission (FCC) Rules, Part 90, (47CFR, subpart B paragraphs 90.15-90.20). For further information on FCC public safety radio pool eligibility for statewide use of interoperability channels within Texas, see <http://wireless.fcc.gov/publicsafety/pspool.html>.

License privileges are extended to organizations that have executed an acceptable Memorandum of Understanding (MOU) with the Texas Department of Public Safety (TxDPS). These licenses provide for:

- Operation of VHF, UHF, 700 MHz band, and 800 MHz band radio equipment on interoperability or mutual aid channels within the boundaries of Texas;
- Operation of mobile, portable, temporary base, temporary repeater and temporary control station radios only. Fixed-base stations, such as dispatch points, PSAP's, etc., must be separately licensed by the jurisdiction, agency, or private emergency response organization, and
- Permanently-installed standby repeaters must be licensed separately.

By executing an acceptable MOU associated with this Texas Statewide Interoperability Channel Plan (TSICP), public safety entities may operate under existing FCC licenses issued to TxDPS:

Channel Band	FCC License
150 & 450 MHz	WQBC290
700MHz Narrowband	WPTZ776
¹ 700 MHz Air-to-Ground	TBD
800 MHz NPSPAC	WPGV572
800 MHz Mutual Aid	WQDW771

¹ The 700MHz Air-to-Ground license is not yet official, thus the license information is listed as TBD. However, if an agency is reprogramming radios before the official license is obtained, they can include these channels now, but are not able to use them until the license is officially in place.

By signing this MOU, entities agree to only use the interoperability channels for the purposes outlined herein, and are NOT to be used for routine day-to-day dispatch operations.

2. GENERAL CONDITIONS FOR USE OF TEXAS DEPARTMENT OF PUBLIC SAFETY LICENSED INTEROPERABILITY CHANNELS

By executing the MOU associated with this TSICP, signatories agree to abide by the following general conditions:

2.1. Operational

- Interoperability calling channels and tactical channels should be programmed into all mobile, portable, and temporary base radios operated by signatory agencies and organizations. At a minimum, the channels should be programmed into all radios that can reasonably be expected to be operated by an agency or organization leadership (officers, incident commanders, etc.).
- Use of the interoperability channels shall be limited to their designated purpose of coordination between emergency response agencies, dispatchers, and resources in the field. Such coordination may occur during en route travel, during exercises, or on-incident.
- The interoperability channels are not to be used for routine dispatch operations, but may be used by dispatchers for communications with personnel in the field, in accordance with local and regional policies and procedures. The interoperability tactical channels may be used for day-to-day emergency operations in the absence of higher priority events.
- Use of the interoperability channels shall be prioritized as follows:
 1. Emergency or urgent operation involving imminent danger to life or property;
 2. Disaster or extreme emergency operation requiring extensive interoperability and inter-agency communications;
 3. Special event, generally of a pre-planned nature;
 4. Joint training exercises;
 5. Inter-agency and en route communications in accordance with local and regional policies and procedures; and
 6. Day-to-day tactical communications on scene.
- Use of the interoperability channels for on-incident communications shall be in accordance with an Incident Communications Plan established by the on-scene incident commander. The controlling agency for an incident shall, through its Incident Commander, assign and/or reassign interoperability channels for each operational period as required to support incident operations.

- Radio communications procedures on the interoperability channels must be consistent with the National Incident Management System (NIMS) and Incident Command System (ICS) and shall be implemented, specifically including:
 - Use "plain or commonly understood language" without 10-codes or agency-specific codes/jargon, and
 - Use the calling order "Agency-Unit #, this is Agency-Unit #" calling order, rather than "Unit # to Unit #".

Example: "Bryan 1605 this is Tyler 2102" or "Incident Command this is DPS 505"

- Interoperability channels may be used only for voice traffic with the exception of specifically-identified data-only channels (see Tables 5.1 and 5.2). Paging, alert tones, and SCADA operations are not permitted on interoperability calling or tactical channels. Mobile data operations may be conducted on 700 MHz channels labeled for data in the tables. User-initiated telephone interconnect, e.g., phone patch, is not permitted on the interoperability channels.
- All mobile and portable radio equipment should employ a time-out timer set to limit transmission duration to a period of no greater than 120 seconds (2 minutes).
- To alleviate confusion, the standard channel names listed in this plan shall be used in all equipment to refer to individual channels. Previously used mutual-aid channel designations (Intercity, VTAC1, etc.), are no longer valid, and shall be removed from equipment in the field.
- Radios not capable of displaying alphanumeric channel labels should be placarded to indicate the channel names and their corresponding positions on the radio's channel selector switch.

2.2. Co-Channel and Adjacent Channel Interference

The statewide interoperability channels, Continuous Tone Coded Squelch System (CTCSS) tones, and Network Access Codes (NAC) are designated statewide under this plan and thus co-channel interference by/with other simultaneous incidents is possible. If effective radiated power (ERP) is limited to the minimum level required to maintain reliable communications at each incident, and given adequate geographic separation, coordinated co-channel operations at separate incidents and venues may be conducted successfully.

If interference to the interoperability channels from licensed users who are signatory to this plan occurs during an incident, those licensed users should consider their communications to be secondary to emergency interoperability traffic on the interoperability channels.

Co-channel and adjacent channel interference issues during an incident or event must be resolved by the on-scene designated COM-L. TxDPS should immediately be notified of interference to the interoperability channels in order to assist in resolution of the problem.

2.3. Calling Channels

Initial radio contact during travel to or arrival at an emergency incident may be established on an appropriate interoperability calling channel.

- **Calling channels designated as VCALL10, UCALL40, 7CALL50, and 8CALL90 are intended to provide for local and itinerant-user communications with local public safety dispatchers. TXCALL1D is designated as a mobile-to-mobile Calling Channel. TXCALL2D is designated as a Calling Channel for state and federal aircraft to/from a base station. It also will serve as a backup to VCALL10 for other applications.**
- Additionally, the calling channels may be used by responding emergency resources seeking to make contact with the Incident Command Post or staging area(s) at a large-scale incident.
- If a region (or an adjacent region) has jurisdictions that use VHF equipment, the channel VCALL10 should be continually monitored by appropriate dispatch points within the affected regions.
- If a region (or an adjacent region) has jurisdictions that use UHF equipment, the channel UCALL40 should be continually monitored by appropriate dispatch points within the affected regions.
- If a region (or an adjacent region) has jurisdictions that use 700 MHz band equipment, the channel 7CALL50 should be continually monitored by appropriate dispatch points within the affected regions.
- If a region (or an adjacent region) has jurisdictions that use 800 MHz equipment, the channel 8CALL90 should be continually monitored by appropriate dispatch points within the affected regions.

2.4. CTCSS Coded Squelch for VHF, UHF, and 800 MHz

CTCSS shall be used on the interoperability calling and tactical channels to mask interference, in accordance with the figures and dates listed in this plan.

The CTCSS tone of 156.7 Hz shall be used for all analog operation on VHF **simplex**, all UHF, and 800 MHz interoperability channels (including fixed, temporary, mobile, and portable analog transmitters). For VHF **repeater** CTCSS and channel programming, see Table 4.4.

- CTCSS tone programming for VHF, UHF, and 800 MHz must be in compliance with the NIFOG version 1.6.1 and any subsequent revisions by **January 2020**.
- It is recommended that if the capability exists, a monitor button should be programmed to allow channel monitoring in open carrier squelch, per FCC Rules, Part 90.

Only the CTCSS tones identified in this channel plan are allowed on the interoperability channels within the state. These tones and codes shall not be changed nor others added by an individual agency, communications vendor, or maintenance service provider.

2.5. Modulation and Encryption

This plan identifies allowable modulation and encryption on calling and tactical channels:

- VHF/UHF Analog Modulation at 2.5 kHz is mandatory on all calling and tactical channels to facilitate interoperability with legacy radio equipment in the field.
- 800 MHz Calling Channels: Analog Modulation at 4 kHz is mandatory on all calling and tactical channels to facilitate interoperability with legacy radio equipment in the field.
- 700 MHz interoperability channels must always use P25 CAI digital conventional Modulation.
 - The TIA 102 standard is the Project 25 standard. The following list includes but is not all encompassing of proprietary formats that do not meet the TIA 102 P25 standard: NEXEDGE, IDAS, MOTOTRBO, TETRA, EDACS, OPENSky, ASTRO 3600, and DMR.
- For occasional pre-planned events where communications security is an issue, encrypted P25 Phase 1 CAI modes are authorized on tactical channels. Specific encryption algorithms and encryption keys shall be as defined by the event COM-L.

2.6. Temporary Base and Repeater/Mobile Relay Stations

Temporary base stations and repeater/mobile relay stations are permitted by the MOU associated with this channel plan, with the following conditions or restrictions:

- Temporary base stations and temporary repeater/mobile relays antennas may not exceed 13.3 meters (40 feet) above terrain or structure.
- Temporary base stations and temporary repeater/mobile relays that are deployed under this plan may not exceed FCC licensed limitations:

	<u>Transmitter Power</u>	<u>Effective Radiated Power (ERP)</u>
○ VHF	50	100
○ UHF	100	200
○ 700 MHz P25	35	35
○ 800 MHz Temp Base	35	35
○ 800 MHz Repeater	75	75

- Temporary base stations and repeater/mobile relay stations must incorporate automatic station identification, using the appropriate call sign(s) per FCC Rules, Part 90.
- Temporary base and repeater/mobile relay stations shall have a time-out timer limiting transmit duration to no greater than 120 seconds (2 minutes).
- Temporary base and repeater/mobile relay stations, when operating in the repeater mode, shall be configured to immediately drop transmit carrier upon cessation of input signal (no "hang

time"). Reasonable squelch hang time for weak received signals or signals that have achieved a critical bit error rate (BER) is permitted.

- Temporary base stations, repeaters or mobile relays must utilize manual switching or dedicated RF control links, wire line, microwave, fiber, or satellite circuits as a means of primary control. Interoperability channels shall not be enabled, disabled, or muted by any over-the-air signaling device (selective or dual-tone multi-frequency signaling, etc.) as a primary means of control.
- Temporary base and repeater/mobile relay stations shall not be left in permanent operation and must be disabled upon conclusion of an incident or exercise. Permanently installed Standby Repeaters, if identified in regional interoperability plans, must be separately licensed. Contact Texas DPS RF/Technical Services at 512-424-7134 for assistance.
- End-of-transmission "courtesy tones" or "beeps" are not allowed on any interoperability channel.

2.7. Conditions for Use of VHF and UHF Federal Entity Interoperability Channels

2.7.1. Requirements per the MOU between the State of Texas and the FCC

Consistent with Section 4.3.16 of the NTIA Manual, the Parties agree that they shall abide but the following conditions for the use of the Federal Interoperability Channels listed in tables 4.4 and 4.5 for VHF, and tables 5.2 and 5.3 for UHF of this TSICP:

1. These channels are available for use among Federal agencies and between Federal agencies and non-Federal entities with which Federal agencies have a requirement to operate.
2. These channels are available to non-Federal entities to enable joint Federal / non-Federal operations for law enforcement and incident response, subject to the condition that harmful interference will not be caused to Federal stations.
3. These channels are restricted to interoperability communications and are not authorized for routine or administrative uses as defined by the NTIA Manual.
4. Extended operations and congestion may lead to frequency conflicts. Coordination with NTIA (through sponsoring Federal agency) is required to resolve these conflicts.
5. Only narrowband emissions are to be used on the Federal Entity Interoperability Channels
6. This MOU does not authorize the provisioning or use of the frequencies listed in tables 4.4, 4.5, 5.2, and 5.3 in any permanent infrastructure.
7. Default operation should be carrier squelch receive, CTCSS 167.9 transmit. If the user can enable/disable CTCSS without reprogramming the radio, the indicated CTCSS tone also could be programmed for receive, and the user instructed on how and when to enable/disable.

Federal Agency Interoperability channels may NOT be used for State-to-State, State-to-Local, or Local-to-Local interoperability. A Federal entity must be involved when these channels are used.

2.7.2. Suggestions per the National Interoperability Field Operations Guide (NIFOG)

1. The "VHF Incident Response (IR) Federal Interoperability Channel Plan", the "UHF Incident Response (IR) Federal Interoperability Channel Plan", the "VHF Law

Enforcement (LE) Federal Interoperability Channel Plan”, and the “UHF Law Enforcement (LE) Federal Interoperability Channel Plan” show frequencies available for use by all Federal agencies to satisfy law enforcement and public safety incident response interoperability requirements. These frequencies will be referred to hereinafter as “Federal Interoperability Channels”.

2. **The Federal Interoperability Channels are available for use among Federal agencies and between Federal agencies and non-federal entities with which Federal agencies have a requirement to operate.**
3. The channels are available to non-federal entities to enable joint Federal/non-federal operations for law enforcement and incident response, subject to the condition that harmful interference will not be caused to Federal stations. These channels are restricted to interoperability communications and are not authorized for routine or administrative uses.
4. Extended operations and congestion may lead to frequency conflicts. Coordination with NTIA is required to resolve these conflicts.
5. Only narrowband emissions are to be used on the Federal Interoperability Channels.
6. Equipment used (transmitters and receivers) must meet the standards established in Section 5.3.5.2 of the NTIA Manual:
 - a. T I A/E I A 603-B for narrowband analog;
 - b. T I A TSB 102.CAAB-A for narrowband digital
7. A complete listing of conditions for use by Federal users can be found in Section 4.3.16 of the NTIA Manual.
8. Use of these frequencies within 75 miles of the Canadian border and 5 miles of the Mexican border require special coordination and in some cases will not be available for use.

Law Enforcement Plans

1. Frequencies 167.0875 MHz (Channel Name: LE A) and 414.0375 MHz (Channel Name: LE B) are designated as National Calling Channels for initial contact and will be identified in the radio as indicated in the Law Enforcement Federal Interoperability Channel Plans.
2. Initial contact communications will be established using narrowband analog FM emission (11K2F3E).
3. The interoperability channels will be identified in mobile and portable radios as indicated in the Law Enforcement Federal Interoperability Channel Plans with Continuous Tone-Controlled Squelch Systems (CTCSS) frequency 167.9 Hz and/or Network Access Code (NAC) \$68F (1679₁₀).

Incident Response Plans

1. Frequencies 169.5375 MHz (Channel Name: NC 1) (paired with 164.7125 MHz) and 410.2375 MHz (Channel Name: NC 2) (paired with 419.2375 MHz) are designated as the calling channels for initial contact and will be identified in the radio as indicated in the Incident Response Federal Interoperability Channel Plans.
2. Initial contact will be established using narrowband analog FM emission (11K2F3E).
3. To ensure access by stations from outside the normal area of operation, Continuous Tone-Controlled Squelch Systems (CTCSS) will not be used on the calling channels.
4. The interoperability channels will be identified in mobile and portable radios as indicated in the “VHF Incident Response (IR) Federal Interoperability Channel Plan” and the “UHF Incident Response (IR) Federal Interoperability Channel Plan”.

3. TRUNKED RADIO SYSTEMS

3.1. Statewide Coordinated P25 Radio Unit ID Range Management Plan

WHAT:

The Statewide Coordinated P25 Radio Unit ID² Range Management Plan is an effort to coordinate the distribution of unique identifiers for P25 subscriber radios across the state of Texas. P25 IDs are assigned to create service for a subscriber on a P25 network. P25 subscribers come in a variety of forms, including portable handheld radios, mobile radios, consolettes, and console operator positions.

The Project 25 Standard defines just over 16 million unit IDs which can be used by any one system. For proper operation, subscriber devices MUST be using a UNIQUE identifier, which functions exactly like a telephone number. The Statewide Coordination Plan pre-allocates the IDs in blocks by COG, which can then be further subdivided as desired.

The Statewide Coordinated P25 Radio Unit ID Plan ONLY applies to the coordination of ID Ranges, and does not address, and is not intended to, coordinate, allocate, or otherwise control the activation or allocation of individual Radio IDs.

WHY:

The purpose of this initiative is to reduce duplication of IDs across the state so that each P25 subscriber and mobile ID has a unique identifier, and such that each user can use the assigned P25 Unit ID no matter where they are operating in the state.

The Agencies that have implemented this approach have experienced a number of benefits:

- **Allows Distributed Governance and Local Control Over ID Ranges** – The primary goal of this approach is to achieve both the benefits of centralized coordination, while allowing local and regional controls over range management.
- **Improved Disaster Response Times** – This method greatly simplifies the mechanisms for enabling First Responders to operate on different systems throughout the State, saving precious time during disaster response.
- **One ID per Radio** – System owners only need to track one Radio Unit ID per radio, which makes tracking and managing radios, users, and radio programming profiles (“codeplugs”) much easier.
- **Reduces Duplicate Radio Unit IDs** – Time and troubleshooting efforts are greatly reduced for radio system support teams.
- **Simplifies Management & Allocation** – Helps eliminate errors in assigning IDs because they are organized into the Radio Unit ID fleetmap³ structure.
- **Easier to Connect Systems** – For systems that are already coordinated, this approach removes one of the significant obstacles to integrating systems, which is the need to coordinate and reprogram Radio Unit IDs in order to remove duplications.
- **Improves Recovery of Lost or Stolen radios, Reduces Security Risk** – Allows a lost, or stolen device to be disabled or inhibited across multiple networks increasing the likelihood of recovery and without worry of “disabling” an authorized local, radio subscriber unit.

² The term “ID” is an abbreviation for “Identifier” in P25, a term rarely used and so just “ID” is used here.

³ In this instance, fleetmap refers to P25 Radio Unit ID fleetmaps.

- **Enables quick identification of a Home jurisdiction by ID Range** – Entities are able to determine the subscriber's jurisdiction by viewing the leading numbers of the P25 Unit ID because they are allocated by COG/Tribe/Jurisdiction.

HOW:

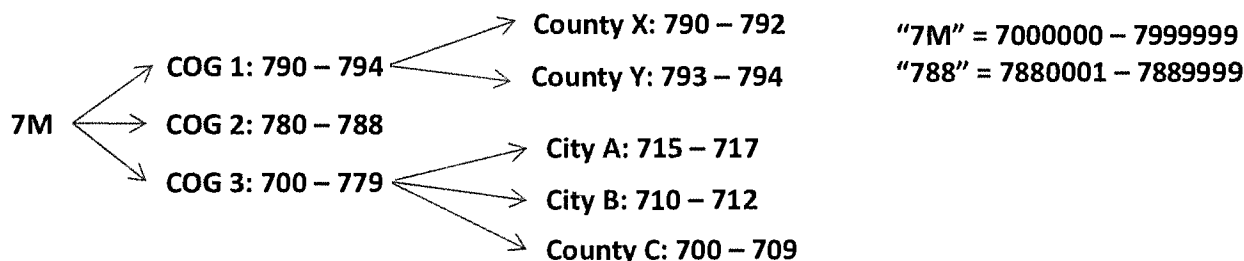
Some COGs have begun allocating ID ranges from within their allocated range at the 'million level,' further dividing their range by creating ranges for counties and cities, as desired.

COGs that share an allocated 'million level' range with other COGs must first coordinate to determine which COG will have which block of ID ranges within the 'million level' range.

Once the COG-level ID range is known, each COG can determine how they prefer to address ID range ownership and range management. To implement the Plan, points of contact at the COG and, in many cases, county level must be identified to manage the allocation of ID ranges.

Some regions may have one point of contact to own the range at the COG level and manage all IDs that are assigned to agencies across the COG. In other areas, there may be multiple range owners within the geography range of the COG – at the county, city, and agency levels.

The graphic below is **only an example** to illustrate the concept of ID allocation beginning at the 'million level' range down to the agency level. This illustration uses a shorthand nomenclature; examples are shown at right.



While the concept of dividing and allocating an ID range seems relatively simple, there needs to be strict attention to detail and specific tracking of ID range assignments to ensure successful ID range allocations. There are numerous real world scenarios where ID range assignments were not carefully managed and extensive problems arose, from both a financial perspective and the level of effort to repair the problems.

To prevent this from happening in other areas, tools are being developed to assist entities in allocating and managing ID ranges and to determine the appropriate point of contact to obtain a range of IDs. These tools will be made available at:

www.dps.texas.gov/LawEnforcementSupport/communications/interop/

WHEN:

The State has not established a deadline for migration to coordinated ID range management. For existing radios using uncoordinated IDs, the change requires radio reprogramming. Because it is understood that radios across the state may not be able to be reprogrammed immediately, it is strongly encouraged that entities reprogram radios with new IDs as their radios are programmed for other or additional reasons.

As radios are reprogrammed, it is EXTREMELY important that the entity reprogramming the radios obtain the latest version of the TSICP and verify if any necessary channel programming updates must be made to be in compliance with the TSICP. **Grant funding is evaluated based upon verification of radio programming compliance with the TSICP, including compliance with the Statewide Coordinated P25 Radio Unit ID Range Management Plan.**

The table below shows the allocation of Statewide Coordinated P25 Radio Unit IDs at the millions level or "M" ranges. The M range indicates the leading one or two digits and are allocated as below, as of the publication date of this document. A brief description of each range and an explanation of the acronyms is provided following the table.

Table 3.1: Statewide Coordinated P25 Radio Unit IDs – Current Range Allocations

Range Abbreviation	P25 UNIT ID RANGE		Allocation
	Low	High	
<i>Legacy (0M)</i>	<i>0000001</i>	<i>0999999</i>	<i>uncoordinated</i>
1M	1000000	1999999	HGAC, TxWARN
2M	2000000	2999999	TxWARN, HGAC, BVCOG / BVWACS, ETMC, MTA
3M	3000000	3999999	DETCOG, ETCOG, SETRPC
4M	4000000	4999999	Unallocated
5M	5000000	5999999	TxDPS, State, Tribal & Federal Agencies
6M	6000000	6999999	AACOG, CBCCOG
7M	7000000	7999999	ATCOG, NCTCOG, CONNCT, TEXOMA, FWRRS
8M	8000000	8999999	LRGVDC, LCRA
9M	9000000	9999999	PBRPC, RGCG
10M	10000000	10999999	GATRRS, GCRPC, CAPCOG, CTCOG, HOTCOG
11M	11000000	11999999	STDC, MRGDC, GATRRS
12M	12000000	12999999	CVCOG, WTCOG, NORTEX

13M	13000000	13999999	Reserved for system level temporary usage (ISSI)
14M	14000000	14999999	PRPC, SPAG
15M	15000000	15999999	Unallocated
16M	16000000	16077700	Unallocated

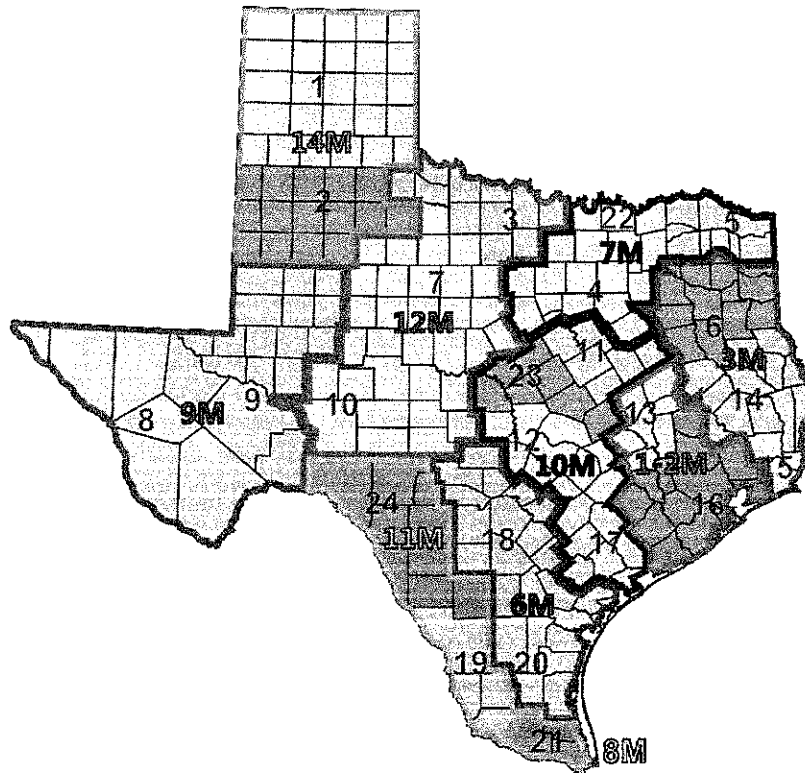
Range Allocation Descriptions

- **Legacy “0M”** – This is the range used by systems prior to or instead of the unique range allocation approach. These IDs are only 7 digits in length and lead with a “0” or null characters. This range is uncoordinated.
- **1M Range** – These IDs are used by the Harris County TxWARN system and are allocated to cities and counties in the Harris-Galveston Area Council (HGAC) COG. The range is fully allocated and in active use on TxWARN.
- **2M Range** – This range is used by the Brazos Valley Council of Governments (BVCOG), the Brazos Valley Wireless Access Communications System (BVWACS), the East Texas Medical Center (ETMC) and the Metropolitan Transit Authority (MTA). Some ranges are in active use on TxWARN.
- **3M Range** – The 3M IDs are allocated to the East Texas COG (ETCOG), Deep Texas COG (DETCOG) and South East Texas Regional Planning Commission (SETRPC).
- **5M Range** – Texas DPS manages this range which is allocated to TxDPS, other Texas State Agencies, Tribal Agencies, and Federal Agencies (all).
- **6M Range** – The 6M Range is allocated to the Alamo Area Council of Governments (AACOG), supporting the greater San Antonio region, and Coastal Bend COG, (CBCOG), supporting a vulnerable part of the Gulf Coast. Part of this allocation geographically overlaps with LCRA range 8M.
- **7M Range** – The 7M Range is allocated to the North Central region surrounding the Dallas/Fort Worth area, North Central Texas COG (NCTCOG), the Ark-Tex COG (ATCOG) and the Texoma Council of Governments (TEXOMA). Primary ID range and coordination is provided by the CONNCT consortium and the Fort Worth Regional Radio System (FWRRS).
- **8M Range** – The 8M range is allocated to the LCRA P25 system and the Lower Rio Grande Valley Development Council (LRGVDC).
- **9M Range** – The Rio Grande Council of Governments (RGCG) and Permian Basin Regional Planning Commission (PBRPC) have split this range into equal parts.
- **10M Range** – The 10M range begins the 8-digit IDs. The range has been allocated to the Central Texas COG (CTCOG), Heart of Texas COG (HOTCOG), Capital Area COG (CAPCOG), the Greater Austin Travis Regional Radio System (GATRRS), and the Golden Crescent Regional Planning Commission (GCRPC). Two counties, Karnes and Wilson from AACOG have also been allocated to this range.
- **11M Range** – The 11M range is allocated to the South Texas Development Council (STDC) and the Middle Rio Grande Development Council (MRGDC) with county by county allocations.
- **12M Range** – Concho Valley COG (CVCOG), Nortex Regional Planning Commission (NORTEX) and West Central Texas COG (WCTCOG)

- **13M Range** – For temporary system use, including ISSI roaming.
- **14M Range** – The 14M range is allocated to the northern parts of the state, accommodating the Panhandle Regional Planning Commission (PRPC) and the South Plains Association of Governments (SPAG).

Note: The 4M, 13M, 15M and 16M ranges remain unallocated.

Coordinated P25 ID Allocations by COG



Notes & Assumptions

The following notes and assumptions are provided to explain the source and status of the Current Range table presented below.

- **Process Applies to ID Range Allocations** – This process has been developed to coordinate the assignment of the ID Ranges, rather than the activation of IDs into a device for operation on P25 Network(s).
 - Many system owners provide and support both functions
 - Only system owners can authorize operation/Unit ID activations
- **Subject to Change** – The range allocations will be updated and further defined by various stakeholder entities. Please contact the Texas SWIC Office for most current view.
- **Levels of Implementation Varies** – Some ranges are fully implemented and support thousands of operating radios, some ranges have not been implemented beyond this allocation document.
- **Please Submit Corrections & Suggestions** – Should you have a need for a range allocation or you have an update to this suggested approach, please contact the Texas SWIC Office.

4. VHF 150 MHz Channels – SPECIFIC GUIDELINES

The VHF channels described in Table 4.2 are licensed for simplex or half-duplex operation as indicated. These may be used in accordance with regional interoperability plans. Table 4.1 includes the recommended “short list” of VHF interoperable channels.

All channels may be used in conjunction with a temporary patch or temporary gateway connection, provided that they do not cause interference. **None of the interoperability channels may be used for routine dispatch operations.**

Note the following:

- Table 4.1 outlines the recommended short list of VHF channels that all Texas public safety agencies should program into their VHF capable radios. For radios with limited channel capacity, these channels may be the only ones programmed. For larger-capacity radios, it is recommended that these channels be programmed into the **first VHF zone** in the radio.
 - With larger channel capacity radios, where possible, it is also recommended that other VHF zones are populated in numerical order, regardless of discipline association. (e.g. VFIRE24, VFIRE25, VFIRE26, VMED28, VMED29, VLAW31, VLAW32, etc.)
 - Users should also be aware that even though some channels have a discipline associated with the name (LAW, FIRE, MED, etc.), ALL disciplines can still use those channels when specified by the COML or incident commander.
- The VHF interoperability channels VCALL10 through TXCALL2D are identified for interoperability use within Texas. The channel VCALL10 is designated by this plan as a multi-discipline, multi-agency public safety interoperability calling channel for all public safety agencies and other signatories to the MOU associated with this channel plan.
- The tactical channels, except where designed for use with state and federal aircraft ONLY, are identified by this plan as multi-discipline, multi-agency public safety interoperability tactical channels for all public safety agencies and other signatories to the MOU associated with this channel plan. The tactical channels may be used for day-to-day agency operations, secondary to users at higher priority incidents requiring interoperability. Additionally, these channels can only be used in the manner intended with this plan. Using them for local repeater inputs or outputs is not allowable.
- At large incidents, all of the tactical channels including those that are identified by discipline (Law, Fire, and Med) may be assigned by the on-incident commander as needed without regard to discipline.
- **VFIRE26 is designated for tactical Ground-to-Air/Air-to-Ground communications with State and Federal aircraft ONLY.**
- **VMED28, in addition to being a medical tactical and mutual aid channel, is also designated for Ground-to-Air communications with EMS helicopters and other aircraft that may be assigned to an incident or event.**

- TXCALL1D will be used as a calling channel for mobile-to-mobile applications. This will provide a common channel for an interagency/inter-discipline mobile to call another mobile, especially while in travel status. It is recommended for all VHF mobile radios to have this calling channel programmed into them and have the ability to be monitored while in scan mode.
- TXCALL2D is designated as a Calling Channel for state and federal aircraft to/from a base station.
- Mobile Command Posts (MCPs) should monitor VCALL10 at all times when in Operation. They should have equipment to transmit and receive all VHF interoperable simplex and repeater channels.
- National standards for interoperability channel names have been adopted so that all public safety equipment has a common naming convention. In accordance with APCO/NPSTC 1.104.2-2017, these labels are listed in the Tables below and all participating agencies must use these labels.
- Federal agency channels identified in tables 4.4 and 4.5 should only be used per the guidelines listed in pages 18 – 19 of this document.

Table 4.1: Recommended Short List of VHF Interoperability Channels for Texas Public Safety Agencies

- To enable efficient and effective use of interoperability channels when multiple disciplines and jurisdictions respond to an incident, it is recommended that this short list of channels be the first channels programmed into VHF radios.
- For agencies with radios that are limited to 16 channels, these may be the only channels programmed.
- For radios with larger channel capacity, it is recommended that these 16 channels be programmed into the first VHF zone, and the channels on the following tables to be programmed in remaining available zones.

Ch #	Label (Channel Name / Trunked Radio System Talkgroup)	RX Freq	RX Tone/NAC	TX Freq	TX Tone/NAC	Mode (A, D, M)	Use
1	VCALL10	155.7525	156.7	155.7525	156.7	A	Calling Channel
2	VTAC11	151.1375	156.7	151.1375	156.7	A	Generic Public Safety Tactical
3	VTAC12	154.4525	156.7	154.4525	156.7	A	Generic Public Safety Tactical
4	VTAC13	158.7375	156.7	158.7375	156.7	A	Generic Public Safety Tactical
5	VTAC14	159.4725	156.7	159.4725	156.7	A	Generic Public Safety Tactical
6	VFIRE21	154.2800	156.7	154.2800	156.7	A	Fire Tactical
7	VFIRE22	154.2650	156.7	154.2650	156.7	A	Fire Tactical
8	VFIRE23	154.2950	156.7	154.2950	156.7	A	Fire Tactical
9	VFIRE26	154.3025	156.7	154.3025	156.7	A	Fire Tactical and Air-to-Ground with State & Federal Aircraft ONLY
10	VMED28	155.3400	156.7	155.3400	156.7	A	Medical Tactical & Air-to-Ground with Medical Aircraft
11	VMED29	155.3475	156.7	155.3475	156.7	A	Medical Tactical
12	VLA31	155.4750	156.7	155.4750	156.7	A	Law Enforcement Tactical
13	VLA32	155.4825	156.7	155.4825	156.7	A	Law Enforcement Tactical
14	TXCALL1D	154.950	156.7	154.950	156.7	A	Generic Mobile Calling Channel
15	TXCALL2D	155.370	156.7	155.370	156.7	A	Flight-following and Air-to-Ground with State/Federal Aircraft ONLY
16	VTAC36	151.1375	156.7	159.4725	136.5	A	Generic Public Safety Repeater (Preferred 1 VHF)

Table 4.2: Complete list of VHF 150 MHz Simplex Interoperability Channels (12.5 kHz)

Emission Designator 11K2F3E

Mobile and Portable Configuration*					
Label	Receive	Transmit	Station Class	CTCSS RX /TX	Use
VCALL10	155.7525	155.7525	FBT / MO	156.7 / 156.7	Calling Channel
VTAC11	151.1375	151.1375	FBT / MO	156.7 / 156.7	Tactical Channel
VTAC12	154.4525	154.4525	FBT / MO	156.7 / 156.7	Tactical Channel
VTAC13	158.7375	158.7375	FBT / MO	156.7 / 156.7	Tactical Channel
VTAC14	159.4725	159.4725	FBT / MO	156.7 / 156.7	Tactical Channel
VTAC17 ⁴	161.8500	157.2500	FBT / MO	156.7 / 156.7	Tactical Channel
VTAC17D ⁵	161.8500	161.8500	FBT / MO	156.7 / 156.7	Tactical Channel
VFIRE21	154.2800	154.2800	FBT / MO	156.7 / 156.7	Tactical Channel
VFIRE22	154.2650	154.2650	FBT / MO	156.7 / 156.7	Tactical Channel
VFIRE23	154.2950	154.2950	FBT / MO	156.7 / 156.7	Tactical Channel
VFIRE24	154.2725	154.2725	FBT / MO	156.7 / 156.7	Tactical Channel
VFIRE25	154.2875	154.2875	FBT / MO	156.7 / 156.7	Tactical Channel
VFIRE26	154.3025	154.3025	FBT / MO	156.7 / 156.7	Tactical Channel (for Air-to-Ground with state/federal Aircraft ONLY)
VMED28	155.3400	155.3400	FBT / MO	156.7 / 156.7	Tactical Channel (and for Air-to-Ground use)
VMED29	155.3475	155.3475	FBT / MO	156.7 / 156.7	Tactical Channel
VLAWS1	155.4750	155.4750	FBT / MO	156.7 / 156.7	Tactical Channel
VLAWS2	155.4825	155.4825	FBT / MO	156.7 / 156.7	Tactical Channel
TXCALL1D	154.9500	154.9500	FBT / MO	156.7 / 156.7	Mobile-to-Mobile Calling Channel
TXCALL2D	155.3700	155.3700	FBT / MO	156.7 / 156.7	Primary: Flight following between State and Federal aircraft. Secondary: Air-to-Ground for State/Federal Aircraft

⁴ **Allowable use for VTAC17 and VTAC17D:** Base stations: 50 watts max, antenna HAAT 400 feet max. Mobile stations: 20 watts max, antenna HAAT 15 feet max. These channels are for tactical use and may not be operated on board aircraft in flight. These channels use narrowband FM and are available only in certain inland areas at least 100 miles from a major waterway. These channels use the same frequencies as VHF Marine channel 25, which uses wideband FM. Use only in authorized counties listed below. In these authorized areas, interoperability communications have priority over grandfathered public coast and public safety licensees.

⁵ **VTAC17 and VTAC17D may ONLY be used in the following counties:** Andrews Armstrong Bailey Borden Brewster Briscoe Callahan Carson Castro Childress Cochran Coke Collingsworth Concho Cottle Crane Crockett Crosby Culberson Dallam Dawson Deaf Dickens Donley Ector Edwards El Paso Fisher Floyd Gaines Garza Glasscock Gray Hale Hall Hansford Hartley Haskell Hockley Howard Hudspeth Hutchinson Irion Jeff Davis Jones Kent Kimble King Kinney Knox Lamb Lipscomb Loving Lubbock Lynn Martin McCulloch Menard Midland Mitchell Moore Motley Nolan Ochiltree Oldham Parmer Pecos Potter Presidio Randall Reagan Reeves Roberts Runnels Schleicher Scurry Sherman Sterling Stonewall Sutton Swisher Taylor Terrell Terry Tom Green Upton Val Verde Ward Wheeler Winkler Yoakum (extracted from the **National Interoperability Field Operations Guide** <https://www.dhs.gov/national-interoperability-field-operations-guide>)

**Table 4.3: VHF 150 MHz Repeater Pair Interoperability Channel Configuration
(12.5 kHz)⁽⁶⁾⁽⁷⁾**

Emission Designator 11K2F3E

When assigning repeater channels, be aware that the VTAC33-38 repeater pairs are made up of various combinations of the simplex channels VTAC11, VTAC12, VTAC13 and VTAC14. Attention must be given to avoid assigning overlapping repeater channels and those simplex channels on the same incident or nearby incident.

CTCSS tone programming for VHF frequencies must be in compliance with the NIFOG version 1.6.1 and any subsequent revisions by January 2020.

Label	Receive	Transmit	Station Class	CTCSS RX /TX	Use
NOTE: The sub-audible tones of the following are different from simplex programming!					
Mobile and Portable Configuration					
VTAC33	159.4725	151.1375	FBT / MO	156.7 / 136.5	Tactical Repeater Secondary 1
VTAC34	158.7375	154.4525	FBT / MO	156.7 / 136.5	Tactical Repeater Secondary 2
VTAC35	159.4725	158.7375	FBT / MO	156.7 / 136.5	Tactical Repeater Secondary 3
VTAC36 ⁸	151.1375	159.4725	FBT / MO	156.7 / 136.5	Tactical Repeater Preferred 1
VTAC37	154.4525	158.7375	FBT / MO	156.7 / 136.5	Tactical Repeater Preferred 2
VTAC38	158.7375	159.4725	FBT / MO	156.7 / 136.5	Tactical Repeater Preferred 3
Repeater / Base Configuration					
VTAC33	151.1375	159.4725	FB2T	136.5 / 156.7	Tactical Repeater Secondary 1
VTAC34	154.4525	158.7375	FB2T	136.5 / 156.7	Tactical Repeater Secondary 2
VTAC35	158.7375	159.4725	FB2T	136.5 / 156.7	Tactical Repeater Secondary 3
VTAC36 ⁸	159.4725	151.1375	FB2T	136.5 / 156.7	Tactical Repeater Preferred 1
VTAC37	158.7375	154.4525	FB2T	136.5 / 156.7	Tactical Repeater Preferred 2
VTAC38	159.4725	158.7375	FB2T	136.5 / 156.7	Tactical Repeater Preferred 3

⁶ VTAC33-38 recommended for deployable tactical repeater use only (FCC Station Class FB2T). VTAC36-38 are preferred; VTAC33-35 should be used only when necessary due to interference.

⁷ In an emergency, additional Department of Defense VHF Repeater Channels (below 150.8 MHz) can be made available through coordination with the Communications Coordination Group (CCG). Please contact the CCG through your local Disaster District Committee. Alternate contact information is: ccg@dps.texas.gov and 512-424-2755.

⁸ VTAC36 repeater pair is the preferred repeater configuration for usage in Texas.

NEW! Table 4.4: Federal Agency VHF Incident Response Interoperability Channels

Ch #	Label	RX Freq	RX Tone/NAC *	TX Freq	TX Tone/NAC	Mode (A, D, M)	Use
1	NC 1	169.5375	CSQ	164.7125	167.9	A	Incident Calling
2	IR 1	170.0125	CSQ	165.2500	167.9	A	Incident Command
3	IR 2	170.4125	CSQ	165.9625	167.9	A	Medical Evacuation Control
4	IR 3	170.6875	CSQ	166.5750	167.9	A	Logistics Control
5	IR 4	173.0375	CSQ	167.3250	167.9	A	Interagency Convoy
6	IR 5	169.5375	CSQ	169.5375	167.9	A	Incident Calling – Direct for NC 1
7	IR 6	170.0125	CSQ	170.0125	167.9	A	Incident Command – Direct for IR 1
8	IR 7	170.4125	CSQ	170.4125	167.9	A	Medical Evacuation Control – Direct for IR 2
9	IR 8	170.6875	CSQ	170.6875	167.9	A	Logistics Control – Direct for IR 3
10	IR 9	173.0375	CSQ	173.0375	167.9	A	Interagency Convoy – Direct for IR 4

Default operation should be carrier squelch receive, CTCSS 167.9 transmit. If the user can enable/disable CTCSS without reprogramming the radio, the indicated CTCSS tone also could be programmed for receive, and the user instructed how and when to enable/disable. All channels on this page are NARROWBAND only.

NEW! Table 4.5: Federal Agency VHF Law Enforcement Interoperability Channels

Ch #	Label	RX Freq	RX Tone/NAC *	TX Freq	TX Tone/NAC	Mode (A, D, M)	Use
1	LE A	167.0875	CSQ	167.0875	167.9 Tx, CSQ Rx	A	Calling
2	LE 1	167.0875	CSQ	162.0875	167.9 Tx, CSQ Rx	A	Tactical
3	LE 2	167.2500	\$68F (1679 ₁₀)	162.2625	\$68F (1679 ₁₀)	D	Tactical
4	LE 3	167.7500	\$68F (1679 ₁₀)	162.8375	\$68F (1679 ₁₀)	D	Tactical
5	LE 4	168.1125	\$68F (1679 ₁₀)	163.2875	\$68F (1679 ₁₀)	D	Tactical
6	LE 5	168.4625	\$68F (1679 ₁₀)	163.4250	\$68F (1679 ₁₀)	D	Tactical
7	LE 6	167.2500	\$68F (1679 ₁₀)	167.2500	\$68F (1679 ₁₀)	D	Tactical – Direct for LE2
8	LE 7	167.7500	\$68F (1679 ₁₀)	167.7500	\$68F (1679 ₁₀)	D	Tactical – Direct for LE3
9	LE 8	168.1125	\$68F (1679 ₁₀)	168.1125	\$68F (1679 ₁₀)	D	Tactical – Direct for LE4
10	LE 9	168.4625	\$68F (1679 ₁₀)	168.4625	\$68F (1679 ₁₀)	D	Tactical – Direct for LE5

CTCSS on receive only if user selectable; else CSQ. See “Conditions for Use of Federal Entity Interoperability Channels” on pages 18 – 19 of this document. All channels on this page are NARROWBAND only.

5. UHF 450 MHz Channels – SPECIFIC GUIDELINES

The eight UHF channels described in Table 5.1 may be used in accordance with regional interoperability plans. However, users should recognize that in-coming resources from out-of-region may not yet be equipped with these channels.

All channels may be used in conjunction with a temporary patch or temporary gateway connection provided they do not cause interference. None of the interoperability channels may be used for routine dispatch operations. For UHF interoperability, the four repeater channels (with direct) described in Table 5.1 below will be used.

Note the following:

- The UHF interoperability channels UCALL40 through UTAC43 are identified for interoperability use within Texas. The channel UCALL40 is designated by this plan as a multi-discipline, multi-agency public safety interoperability calling channel for all public safety agencies and other signatories to the MOU associated with this channel plan.
- The tactical channels UTAC41 through UTAC43 are identified by this plan as multi-discipline, multi-agency public safety interoperability tactical channels for all public safety agencies and other signatories to the MOU associated with this channel plan. The tactical channels may be used as day-to-day emergency operations channels, secondary to users at higher priority incidents requiring interoperability. Additionally, these channels can only be used in the manner intended with this plan. Using them for local repeater inputs or outputs is not allowable.
- At large incidents, all tactical channels may be assigned by the on-incident commander as needed without regard to discipline.
- The channels UCALL40 and UCALL40D are designated as multi-discipline, multi-agency public safety interoperability calling channels for all public safety agencies and other signatories to the MOU associated with this channel plan.
- The UCALL40 channels are designated for interoperable UHF communications between mobile/portable radios and base stations, temporary base stations and incident commander.
- The tactical repeater channels UTAC41 – UTAC43 and talk-around channels UTAC41D-UTAC43D should be assigned by the incident commander.
- National standards for interoperability channel names have been adopted so that all public safety equipment has a common naming convention. In accordance with APCO/NPSTC 1.104.2-2017, these labels are listed in Table 5.1 and all participating agencies must use these labels.
- Federal agency channels identified in tables 5.2 and 5.3 should only be used per the guidelines listed in pages 18 – 19 of this document.

Table 5.1: UHF 450 MHz Interoperability Channels (12.5 kHz)**Emission Designator 11K2F3E**

CTCSS tone programming for UHF channels must be in compliance with the NIFOG version 1.6.1 and any subsequent revisions by **January 2020**.

Label	Receive	Transmit	Station Class	CTCSS RX/TX	Use
Mobile and Portable Configuration					
UCALL40	453.2125	458.2125	FB2T / MO	156.7 / 156.7	Calling Channel (Repeater)
UCALL40D	453.2125	453.2125	FBT / MO	156.7 / 156.7	Calling Channel (Direct)
UTAC41	453.4625	458.4625	FB2T / MO	156.7 / 156.7	Tactical Repeater Channel
UTAC41D	453.4625	453.4625	FBT / MO	156.7 / 156.7	Tactical Repeater (Direct)
UTAC42	453.7125	458.7125	FB2T / MO	156.7 / 156.7	Tactical Repeater Channel
UTAC42D	453.7125	453.7125	FBT / MO	156.7 / 156.7	Tactical Repeater (Direct)
UTAC43	453.8625	458.8625	FB2T / MO	156.7 / 156.7	Tactical Repeater Channel
UTAC43D	453.8625	453.8625	FBT / MO	156.7 / 156.7	Tactical Repeater (Direct)
Repeater / Base Configuration					
UCALL40	458.2125	453.2125	FB2T	156.7 / 156.7	Mobile Command Post Calling Channel Base
UTAC41	458.4625	453.4625	FB2T	156.7 / 156.7	Incident Temporary Repeater Channels
UTAC42	458.7125	453.7125	FB2T	156.7 / 156.7	Incident Temporary Repeater Channels
UTAC43	458.8625	453.8625	FB2T	156.7 / 156.7	Incident Temporary Repeater Channels

NEW! Table 5.2: Federal Agency UHF Incident Response Interoperability Channels

Ch #	Label	RX Freq	RX Tone/NAC	TX Freq	TX Tone/NAC	Mode (A, D, M)	Use
1	NC 2	410.2375	CSQ	419.2375	167.9	A	Incident Calling
2	IR 10	410.4375	CSQ	419.4375	167.9	A	Ad hoc assignment
3	IR 11	410.6375	CSQ	419.6375	167.9	A	Ad hoc assignment
4	IR 12	410.8375	CSQ	419.8375	167.9	A	SAR Incident Command
5	IR 13	413.1875	CSQ	413.1875	167.9	A	Ad hoc assignment
6	IR 14	413.2125	CSQ	413.2125	167.9	A	Interagency Convoy
7	IR 15	410.2375	CSQ	410.2375	167.9	A	Incident Calling – Direct for NC 2 Calling
8	IR 16	410.4375	CSQ	410.4375	167.9	A	Ad hoc assignment – Direct for IR 10
9	IR 17	410.6375	CSQ	410.6375	167.9	A	Ad hoc assignment – Direct for IR 11
10	IR 18	410.8375	CSQ	410.8375	167.9	A	SAR Incident Command - Direct for IR 12

Default operation should be carrier squelch receive, CTCSS 167.9 transmit. If the user can enable/disable CTCSS without reprogramming the radio, the indicated CTCSS tone also could be programmed for receive, and the user instructed how and when to enable/disable. All channels on this page are NARROWBAND only.

NEW! Table 5.3: Federal Agency UHF Law Enforcement Interoperability Channels

Ch #	Label	RX Freq	RX Tone/NAC*	TX Freq	TX Tone/NAC	Mode (A, D, M)	Use
1	LE B	414.0375	CSQ	414.0375	167.9	A	Calling
2	LE 10	409.9875	CSQ	418.9875	167.9	A	Tactical
3	LE 11	410.1875	\$68F (1679 ₁₀)	419.1875	\$68F (1679 ₁₀)	D	Tactical
4	LE 12	410.6125	\$68F (1679 ₁₀)	419.6125	\$68F (1679 ₁₀)	D	Tactical
5	LE 13	414.0625	\$68F (1679 ₁₀)	414.0625	\$68F (1679 ₁₀)	D	Tactical
6	LE 14	414.3125	\$68F (1679 ₁₀)	414.3125	\$68F (1679 ₁₀)	D	Tactical
7	LE 15	414.3375	\$68F (1679 ₁₀)	414.3375	\$68F (1679 ₁₀)	D	Tactical
8	LE 16	409.9875	\$68F (1679 ₁₀)	409.9875	\$68F (1679 ₁₀)	D	Tactical - Direct for LE 10 Analog
9	LE 17	410.1875	\$68F (1679 ₁₀)	410.1875	\$68F (1679 ₁₀)	D	Tactical - Direct for LE 11
10	LE 18	410.6125	\$68F (1679 ₁₀)	410.6125	\$68F (1679 ₁₀)	D	Tactical - Direct for LE 12

CTCSS on receive only if user selectable; else CSQ. See "Conditions for Use of Federal Entity Interoperability Channels" on pages 18 – 19 of this document. All channels on this page are NARROWBAND only.

6. 700 MHz Channels – SPECIFIC GUIDELINES

For 700 MHz interoperability, the 32 repeater channels, with their associated 32 direct channels, are described in Table 6.1 below. Table 6.1 includes the corresponding Tactical Repeater Configuration. Table 6.1 includes the recommended "short list" of 700 MHz channels.

Note the following:

- 700 MHz interoperability channels are identified by the FCC for interoperability use within Texas. All fixed 700 MHz interoperable channel locations must be reviewed by the Office of the Texas SWIC prior to implantation. Some of these interoperable channels may already be licensed by multiple agencies for interoperability use throughout the state.
- All 700 MHz interoperability channels are to be used as multi-discipline, multi-agency public safety interoperability calling channels for all public safety agencies and other signatories to the MOU associated with this channel plan. These channels are designated for interoperable 700 MHz communications between mobile/portable radios and base stations, temporary base stations, and on-incident incident commander.
- Table 6.1 outlines the recommended short list of 700 MHz channels that all Texas public safety agencies should program in their 700 MHz capable radios. For radios with limited channel capacity, these channels may be the only ones programmed. For larger-capacity radios, it is recommended that these channels be programmed into the **first** 700MHz zone in the radio.
 - Where possible, it is also recommended that additional 700MHz zones are populated in numerical order, with Direct channels following their associated repeater channel, regardless of discipline association. (E.g. 7LAW62D, 7FIRE63, 7FIRE63D, 7FIRE64, 7FIRE64D, 7MED65, 7MED65D)
 - Numerical order programming should continue through additional zones as local agencies are able and interested in programming all 700 MHz channels in their radios.
 - Users should also be aware that even though some channels have a discipline associated with the name (LAW, FIRE, MED, etc.), ALL disciplines can still use that channel when specified by the COML or incident commander.
- The tactical repeater channels and direct channels identified in Table 6.2 should be assigned on-incident by the incident commander.
- 700 MHz channels with a "+" indicated in the "Use" column should not be used within 70 miles of the US / Mexico border.
- National standards for interoperability channel names have been adopted so that all public safety equipment has a common naming convention. In accordance with APCO/NPSTC 1.104.2-2017, these labels are listed in the Tables below and all participating agencies must use these labels.

Table 6.1: Recommended SHORT List 700 MHz Interoperability Channels for Texas Public Safety Agencies

To enable efficient use of channels when multiple disciplines and jurisdictions respond to an incident, it is recommended that this short list of channels be the first channels programmed into 700 MHz radios. For agencies with radios that are limited to 16 channels, these may be the only channels programmed. For radios with larger channel capacity, it is recommended that these 16 channels be programmed into the first 700 MHz zone, and the channels on the following tables to be programmed in remaining available zones.

Mobile and Portable Configuration					
Label	Receive	Transmit	Station Class	P25 NAC Hex/Dec	Use
7CALL50	769.24375	799.24375	FB2T	\$293 / 659	Temporary Calling Channel Repeater
7CALL50D	769.24375	769.24375	FBT / MO	\$293 / 659	Calling Channel (Direct)
7TAC51	769.14375	799.14375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC51D	769.14375	769.14375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC52	769.64375	799.64375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC52D	769.64375	769.64375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC53	770.14375	800.14375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC53D	770.14375	770.14375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC54	770.64375	800.64375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC54D	770.64375	770.64375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC55	769.74375	799.74375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC55D	769.74375	769.74375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC56	770.24375	800.24375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC56D	770.24375	770.24375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7GTAC57	770.99375	800.99375	FB2T	\$293 / 659	Temporary Tactical Repeater
7GTAC57D	770.99375	770.99375	FBT / MO	\$293 / 659	Tactical Channel (Direct)

Table 6.2: 700 MHz Interoperability Channels (12.5 kHz)

Emission Designator 8K10F1E

Mobile and Portable Configuration					
Label	Receive	Transmit	Station Class	P25 NAC Hex/Dec	Use
7CALL50	769.24375	799.24375	FB2T / MO	\$293 / 659	Calling Channel
7CALL50D	769.24375	769.24375	FBT / MO	\$293 / 659	Calling Channel (Direct)
7TAC51	769.14375	799.14375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7TAC51D	769.14375	769.14375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC52	769.64375	799.64375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7TAC52D	769.64375	769.64375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC53	770.14375	800.14375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7TAC53D	770.14375	770.14375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC54	770.64375	800.64375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7TAC54D	770.64375	770.64375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC55	769.74375	799.74375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7TAC55D	769.74375	769.74375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC56	770.24375	800.24375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7TAC56D	770.24375	770.24375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7GTAC57	770.99375	800.99375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7GTAC57D	770.99375	770.99375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7MOB59	770.89375	800.89375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7MOB59D	770.89375	770.89375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7LAW61	770.39375	800.39375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7LAW61D	770.39375	770.39375	FBT / MO	\$293 / 659	Tactical Channel (Direct)

**Table 6.2 (cont.)
700 MHz Interoperability Channels (12.5 kHz)**

Emission Designator 8K10F1E

Mobile and Portable Configuration					
Label	Receive	Transmit	Station Class	P25 NAC Hex/Dec	Use
7LAW62	770.49375	800.49375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7LAW62D	770.49375	770.49375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7FIRE63	769.89375	799.89375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7FIRE63D	769.89375	769.89375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7FIRE64	769.99375	799.99375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7FIRE64D	769.99375	769.99375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7MED65	769.39375	799.39375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7MED65D	769.39375	769.39375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7MED66	769.49375	799.49375	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7MED66D	769.49375	769.49375	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7DATA69	770.74375	800.74375	FB2T / MO	\$293 / 659	Tactical Data Repeater Channel
7DATA69D	770.74375	770.74375	FBT / MO	\$293 / 659	Tactical Data Channel (Direct)
7CALL70	773.25625	803.25625	FX1T / MO	\$293 / 659	Tactical Data Repeater Channel
7CALL70D	773.25625	773.25625	FBT / MO	\$293 / 659	Tactical Data Channel (Direct)
7TAC71	773.10625	803.10625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7TAC71D	773.10625	773.10625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC72	773.60625	803.60625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7TAC72D	773.60625	773.60625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC73	774.10625	804.10625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7TAC73D	774.10625	774.10625	FBT / MO	\$293 / 659	Tactical Channel (Direct)

**Table 6.2 (cont.)
700 MHz Interoperability Channels (12.5 kHz)**

Emission Designator 8K10F1E

Mobile and Portable Configuration					
Label	Receive	Transmit	Station Class	P25 NAC Hex/Dec	Use
7TAC74	774.60625	804.60625	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7TAC74D	774.60625	774.60625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC75	773.75625	803.75625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7TAC75D	773.75625	773.75625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7TAC76	774.25625	804.25625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7TAC76D	774.25625	774.25625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7GTAC77	774.85625	804.85625	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7GTAC77D	774.85625	774.85625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7MOB79	774.50625	804.50625	FB2T / MO	\$293 / 659	Tactical Repeater Channel
7MOB79D	774.50625	774.50625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7LAW81	774.00625	804.00625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7LAW81D	774.00625	774.00625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7LAW82	774.35625	804.35625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7LAW82D	774.35625	774.35625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7FIRE83	773.50625	803.50625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7FIRE83D	773.50625	773.50625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7FIRE84	773.85625	803.85625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7FIRE84D	773.85625	773.85625	FBT / MO	\$293 / 659	Tactical Channel (Direct)

**Table 6.2 (cont.)
700 MHz Interoperability Channels (12.5 kHz)**

Emission Designator 8K10F1E

Mobile and Portable Configuration					
Label	Receive	Transmit	Station Class	P25 NAC Hex/Dec	Use
7MED86	773.00625	803.00625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7MED86D	773.00625	773.00625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7MED87	773.35625	803.35625	FB2T / MO	\$293 / 659	Tactical Repeater Channel+
7MED87D	773.35625	773.35625	FBT / MO	\$293 / 659	Tactical Channel (Direct)
7DATA89	774.75625	804.75625	FB2T / MO	\$293 / 659	Tactical Data Repeater Channel
7DATA89D	774.75625	774.75625	FBT / MO	\$293 / 659	Tactical Data Channel (Direct)

NOTE: Channels with a "+" indicated in the "Use" column should not be used within 70 miles of the US / Mexico Border.

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Table 6.3: 700 MHz Interoperability Channels (12.5 kHz)

Emission Designator 8K10F1E

Temporary Calling Channel / Tactical Repeater Configuration					
Label	Transmit	Receive	Station Class	P25 NAC Hex/Dec	Use
7CALL50	769.24375	799.24375	FB2T	\$293 / 659	Temporary Calling Channel Repeater
7TAC51	769.14375	799.14375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC52	769.64375	799.64375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC53	770.14375	800.14375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC54	770.64375	800.64375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC55	769.74375	799.74375	FB2T	\$293 / 659	Temporary Tactical Repeater
7TAC56	770.24375	800.24375	FB2T	\$293 / 659	Temporary Tactical Repeater
7GTAC57	770.99375	800.99375	FB2T	\$293 / 659	Temporary Tactical Repeater
7MOB59	770.89375	800.89375	FB2T	\$293 / 659	Temporary Tactical Repeater
7LAW61	770.39375	800.39375	FB2T	\$293 / 659	Temporary Tactical Repeater
7LAW62	770.49375	800.49375	FB2T	\$293 / 659	Temporary Tactical Repeater
7FIRE63	769.89375	799.89375	FB2T	\$293 / 659	Temporary Tactical Repeater
7FIRE64	769.99375	799.99375	FB2T	\$293 / 659	Temporary Tactical Repeater
7MED65	769.39375	799.39375	FB2T	\$293 / 659	Temporary Tactical Repeater
7MED66	769.49375	799.49375	FB2T	\$293 / 659	Temporary Tactical Repeater
7DATA69	770.74375	800.74375	FB2T	\$293 / 659	Temporary Tactical Data Repeater
7CALL70	773.25625	803.25625	FB2T	\$293 / 659	Temporary Calling Channel
7TAC71	773.10625	803.10625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7TAC72	773.60625	803.60625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7TAC73	774.10625	804.10625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7TAC74	774.60625	804.60625	FB2T	\$293 / 659	Temporary Tactical Repeater

**Table 6.3 (cont.)
700 MHz Interoperability Channels (12.5 kHz)**

Emission Designator 8K10F1E

Temporary Calling Channel / Tactical Repeater Configuration					
Label	Transmit	Receive	Station Class	P25 NAC Hex/Dec	Use
7TAC75	773.75625	803.75625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7TAC76	774.25625	804.25625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7GTAC77	774.85625	804.85625	FB2T	\$293 / 659	Temporary Tactical Repeater
7MOB79	774.50625	804.50625	FB2T	\$293 / 659	Temporary Tactical Repeater
7LAW81	774.00625	804.00625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7LAW82	774.35625	804.35625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7FIRE83	773.50625	803.50625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7FIRE84	773.85625	803.85625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7MED86	773.00625	803.00625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7MED87	773.35625	803.35625	FB2T	\$293 / 659	Temporary Tactical Repeater+
7DATA89	774.75625	804.75625	FB2T	\$293 / 659	Temporary Tactical Data Repeater

NOTE: Channels with a "+" indicated in the "Use" column should not be used within 70 miles of the US / Mexico Border.

NEW! Table 6.4: 700 MHz Interoperability Channels (12.5 kHz)
Air-to-Ground

Label	Mobile RX (MHz)	Mobile TX (MHz)	Use
7AG58	769.13125	799.13125	Air-Ground
7AG58D	769.13125	769.13125	Air-Ground
7AG60	769.63125	799.63125	Air-Ground
7AG60D	769.63125	769.63125	Air-Ground
7AG67	770.13125	800.13125	Air-Ground
7AG67D	770.13125	770.13125	Air-Ground
7AG68	770.63125	800.63125	Air-Ground
7AG68D	770.63125	770.63125	Air-Ground
7AG78	773.11875	803.11875	Air-Ground
7AG78D	773.11875	773.11875	Air-Ground
7AG80	773.61875	803.61875	Air-Ground
7AG80D	773.61875	773.61875	Air-Ground
7AG85	774.11875	804.11875	Air-Ground
7AG85D	774.11875	774.11875	Air-Ground
7AG88	774.61875	804.61875	Air-Ground
7AG88D	774.61875	774.61875	Air-Ground Landing Zone

* 7AG88D is recommended for **Landing Zone** use.

TX NAC: \$293 (659 10). RX NAC \$F7E (3966 10). These channels are reserved for air-ground communications to be used by low-altitude aircraft and ground based stations: See FCC rule 90.531(7). (i) Airborne use of these channels is limited to aircraft flying at or below **457 meters (1500 feet) above ground level**. (ii) **Aircraft are limited to 2 watts effective radiated power (ERP)** when transmitting while airborne on these channels. (iii) Aircraft may transmit on either the mobile or base transmit side of the channel pair. (iv) States are responsible for the administration of these channels. *These are NOT nationwide interoperability channels.*

7. 800 MHz Channels – SPECIFIC GUIDELINES

For 800 MHz interoperability, the repeater channels (with direct) described in Table 7.1 below will be used. Table 7.2 includes descriptions for use within the Border Area (rebanding).

Note the following:

- 800 MHz interoperability channels are identified by the FCC for interoperability use within Texas. Some of these interoperable channels may already be licensed by multiple agencies for interoperability use throughout the state.
- The channel 8CALL90 is designated as a multi-discipline, multi-agency public safety interoperability calling channel for all public safety agencies and other signatories to the MOU associated with this channel plan.
- The tactical repeater channels 8TAC91 - 8TAC94 and talk-around channels 8TAC91D - 8TAC94D should be assigned on-incident by the incident commander.
- National standards for interoperability channel names have been adopted so that all public safety equipment has a common naming convention. In accordance with APCO/NPSTC 1.104.2-2017, these labels are listed in Tables 7.1 and 7.2 and all participating agencies must use these labels.

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**Table 7.1: 800 NPSPAC Interoperability Channels (20 kHz)
Emission Designator 16K0F3E**

CTCSS tone programming for 800 MHz channels must be in compliance with the NIFOG version 1.6.1 and any subsequent revisions by **January 2020**.

Label	Receive	Transmit	Station Class	CTCSS RX/TX	Use
8CALL90	851.0125	806.0125	FB2T / MO	156.7 / 156.7	Calling Channel (Repeater)
8CALL90D	851.0125	851.0125	FBT / MO	156.7 / 156.7	Calling Channel (Direct)
8TAC91	851.5125	806.5125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC91D	851.5125	851.5125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
8TAC92	852.0125	807.0125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC92D	852.0125	852.0125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
8TAC93	852.5125	807.5125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC93D	852.5125	852.5125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
8TAC94	853.0125	808.0125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC94D	853.0125	853.0125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
8TAC95D	851.5500	851.5500	MO	156.7 / 156.7	Incident Control Channel (Direct)*
8TAC96D	853.0500	853.0500	MO	156.7 / 156.7	Incident Control Channel (Direct)*
8TAC97D	853.3500	853.3500	MO	156.7 / 156.7	Incident Control Channel (Direct)*
Repeater / Base Configuration					
8CALL90	806.0125	851.0125	FB2T	156.7	Mobile Command Post Calling Channel Base
8TAC91	806.5125	851.5125	FB2T	156.7	Incident Temporary Repeater Channels
8TAC92	807.0125	852.0125	FB2T	156.7	
8TAC93	807.5125	852.5125	FB2T	156.7	
8TAC94	808.0125	853.0125	FB2T	156.7	

*These low-power mobile/portable channels may not be used in a repeater configuration nor patched with other channels through a gateway or patching device. ERP is limited to 20 watts and only mobile and portable operation is allowed. Base stations are not permitted.

**Table 7.2: 800 NPSPAC Interoperability Channels (20 kHz)
For Use within Border Area for Rebanding**

Emission Designator 16K0F3E

CTCSS tone programming for 800 MHz channels must be in compliance with the NIFOG version 1.6.1 and any subsequent revisions by **January 2020**.

Label TX / NIFOG*	Receive	Transmit	Station Class	CTCSS RX/TX	Use
8CALL / ICALL	866.0125	821.0125	FB2T / MO	156.7 / 156.7	Calling Channel (Repeater)
8CALLD / ICALLD	866.0125	866.0125	FBT / MO	156.7 / 156.7	Calling Channel (Direct)
8TAC1 / ITAC1	866.5125	821.5125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC1D / ITAC1D	866.5125	866.5125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
8TAC2 / ITAC2	867.0125	822.0125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC2D / ITAC2D	867.0125	867.0125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
8TAC3 / ITAC3	867.5125	822.5125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC3D / ITAC3D	867.5125	867.5125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
8TAC4 / ITAC4	868.0125	823.0125	FB2T / MO	156.7 / 156.7	Incident Temporary Repeater Channel
8TAC4D / ITAC4D	868.0125	868.0125	FBT / MO	156.7 / 156.7	Tactical Channel (Direct)
Repeater / Base Configuration					
8CALL / ICALL	821.0125	866.0125	FB2T	156.7	Mobile Command Post Calling Channel Base
8TAC1 / ITAC1	821.5125	866.5125	FB2T	156.7	Incident Temporary Repeater Channels
8TAC2 / ITAC2	822.0125	867.0125	FB2T	156.7	
8TAC3 / ITAC3	822.5125	867.5125	FB2T	156.7	
8TAC4 / ITAC4	823.0125	868.0125	FB2T	156.7	

**TX naming convention preferred for Texas border region programming.*

8. Mobile Satellite (MSAT) Talkgroups – SPECIFIC GUIDELINES

Table 8.1 below lists statewide, regional, and national MSAT talkgroups for use by Texas public safety agencies. Texas has two statewide mutual aid talkgroups: TXSMRT and INAGY. **TXSMRT** is used for communication between Texas public safety agencies and private sector partners, and **INAGY** is used by government agencies ONLY.

The talkgroups designated as SMART/SMRT (Satellite Mutual Aid Radio Talkgroup) are for multi-agency coordination during large-scale events or disasters, potentially involving public safety agencies at the regional and national levels.

Each agency should determine which talkgroups are best suited for their agency's needs and purpose.

Table 8.1: Mobile Satellite Talkgroups

MSAT Talkgroup Name (7 char. Radio)	Legacy MSAT Talkgroup Name* (6 char. Radio)	Authorizing Agency	Agencies Supported	Use
00	00	DPS Operations	All Texas Public Safety and Private Sector Partners	Point-to-Point 4-digit DN call feature. No per-minute cost for DN calls
DPS1	DPS1	DPS Operations	DPS	Incident Command / Calling Channel
DPS2	DPS2	DPS Operations	DPS	DPS Daily Use
TFS1	TFS1	TFS EOC	TFS	TFS Daily Use
TEEX1	TEEX1	TEEX	TTF1, TTF2, Quick Response Force & Water	TEEX-TTF1 Search and Rescue Calling Channel
STRAC1	STRC1	STRAC Comms	STRAC and San Antonio Area Public Safety	STRAC Daily Use Calling Channel
STRAC2	STRC2	STRAC Comms	STRAC Regional	Regional Medical
INAGY	INAGY	TFS EOC	TFS and Texas Public Safety Agencies	Interagency Coordination (Texas only)
TXSMRT	TXSMT	DPS Operations	All Texas Public Safety and Private Sector Partners	Statewide Channel for Public and Private Sector
G-SMART	GSMRT	LA Homeland Security and Emergency Preparedness	Gulf Coast Regional Agencies	Gulf States Public Safety Mutual Aid Regional / National
SWSMART	SWSMT	Contra Costa (CA) Fire Protection District	Southwest Regional Agencies	Southwest Public Safety Mutual Aid
I-SMART	ISMRT	Seattle Public Utilities	Regional / National Agencies	Critical Infrastructure Mutual Aid
E-SMART	ESMRT	KY Dept. of Public Health	Regional / National Agencies	EMS Mutual Aid
F-SMART	FSMRT	Seattle Fire Dept.	Regional / National Agencies	Fire Service Mutual Aid

J-SMART	JSMRT	U.S. Dept. of Justice	All Gov't and Public Safety Regional / National Agencies	Public Safety Mutual Aid Regional
L-SMART	LSMRT	U. S. Marshals Service	All LE Regional / National Agencies	LE Enforcement Mutual Aid
U-SMART	USMRT	Montgomery Co. (MD) Fire & Rescue	All Urban Search and Rescue Regional / National Agencies	Urban Search and Rescue Mutual Aid
NPHST2	NPH	KY Dept. for Public Health	All Health Depts. and Medical Facilities Regional / National Agencies	Public Health Mutual Aid TG

* Abbreviated names are for older MSAT radios that have less than 7-character capacity for talkgroup names.

Obtaining Access to MSAT Talkgroups

To obtain access, please follow the process found at this link.

<http://www.txdps.state.tx.us/LawEnforcementSupport/communications/interop/>

Note: Authorization letters need to be obtained before scheduling on-air programming for the radios.

9. INTEROPERABILITY CROSS-BAND SYSTEMS – SPECIFIC GUIDELINES

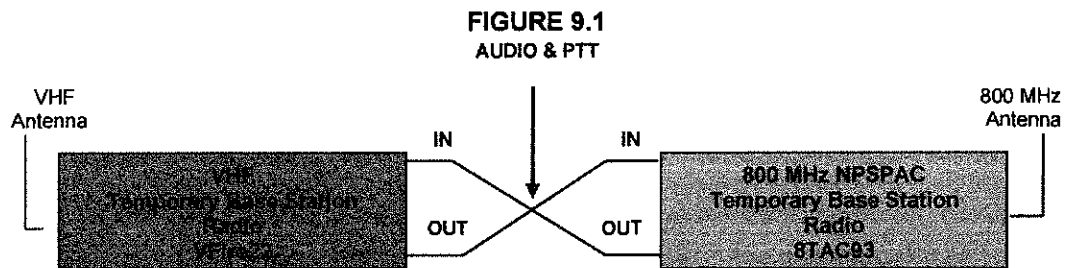
Cross-band interconnection between radio equipment operating under state-licensed channels is authorized with three conditions:

- Cross-band operation is authorized as may be required to interconnect channels identified in this channel plan, and interconnect to other channels that may be required on a particular incident. On incidents, tactical channels and other local channels may be interconnected at the direction of the incident commander.
- Cross-band operation should conform to planning requirements, as established in a RICP, typically produced by a regional COG.
- Patching to/between interoperability tactical channels and local radio systems is permitted during incidents or events involving interagency personnel, if so directed by the incident commander. This is only allowed through concurrence from the system manager / dispatch center.
- 800 MHz NPSPAC (conventional) channels may be cross-banded with other interoperability channels. **Caution should be used when performing in-field cross-band connections with VHF/700/800 MHz trunked channels due to potential push-to-talk (PTT) delay.**
- Supervised gateways, console-initiated patching or cross-band repeating of tactical channels to tactical channels in other bands is permitted under positive control of a trained dispatcher or on-incident Communications Unit Leader (COML). A dispatcher or COML who establishes such a calling channel patch must be capable of disabling the patch in the event of unexpected or unacceptable interference on any of the patched calling channels.

Cross-band interconnections can be implemented in several ways:

9.1 Simple Cross-band Repeater

This approach interconnects two radios “back-to-back” such that received signals on either receiver are re-transmitted by the other transmitter.



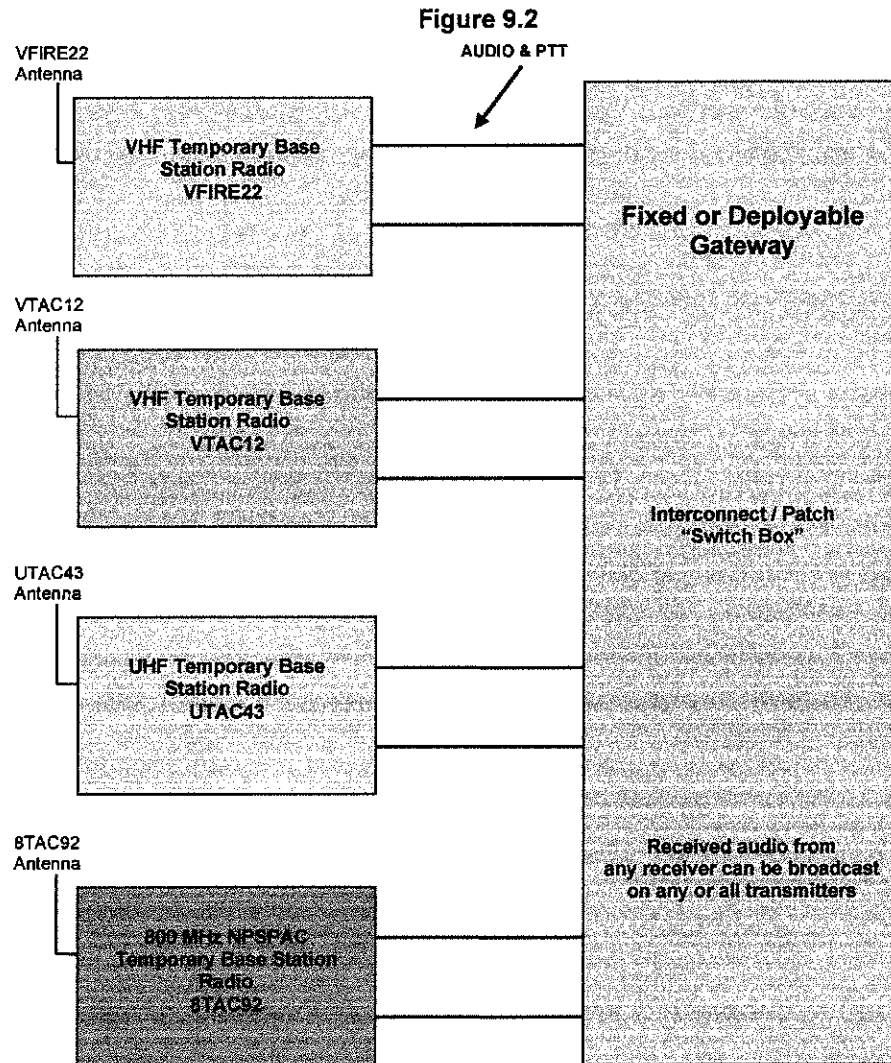
Simple Cross-Band Repeater

Operationally, the two channels selected will seem to be one channel, as long as all radio users are within the coverage “footprint” of the cross-band repeater and antennas. Some PTT delay should be expected. In this example, two tactical channels are interconnected to enable tactical communications between resources equipped with differing equipment.

9.2 Mobile Tactical Interconnect or Radio Interoperability Gateway

This approach interconnects several radios “back-to-back” so that received signals on any receiver are re-transmitted by all selected transmitters.

Operationally, all channels selected will seem to be one channel, as long as all radio users are within the coverage “footprint” of the antennas being used. Some PTT delay should be expected. In this example, several tactical channels are interconnected to enable tactical communications between resources equipped with differing equipment.

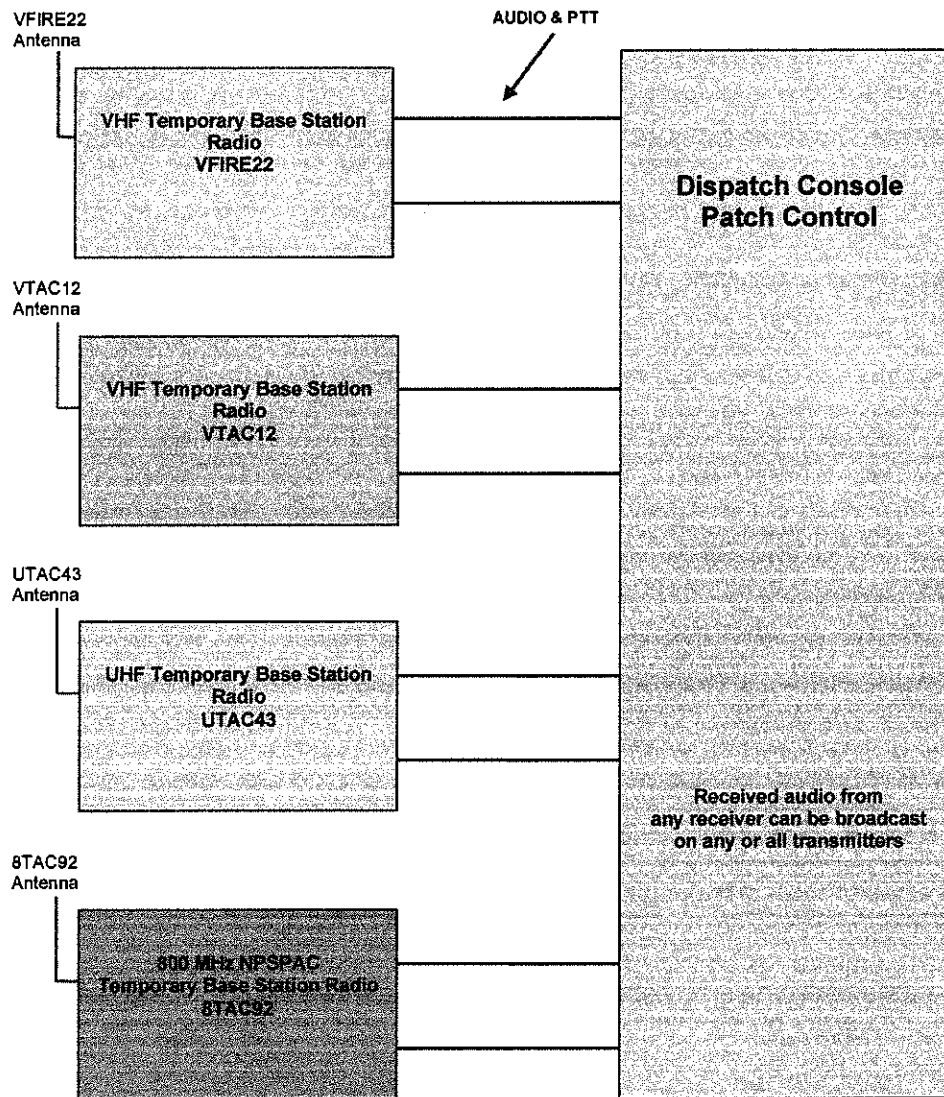


Mobile Tactical Interconnect or Radio Interoperability Gateway

9.3 Dispatch Console Patching

Console patching utilizes dispatch point base radios and the patching capability of a common console system to accomplish the same interconnections described above. However, in the case of console patching, all radio users must be within the coverage "footprint" of the base station antenna at the dispatch point. Some PTT delay should be expected. Operationally, all channels patched by the dispatcher will seem to be one channel.

Figure 9.3



Console Patch

Note that console patching at fixed-site base stations is not authorized under state licenses for interoperability channels. Such installations must be licensed separately.

10. LIST OF ACRONYMS

Abbreviation	Description
AACOG	Alamo Area Council of Governments
ATCOG	Ark-Tex Council of Governments
BER	Bit Error Rate
BVCOG	Brazos Valley Development Council
BWWACS	Brazos Valley Wireless Access Communications System
CA	California
CAI	Common Air Interface
CAPCOG	Capital Area Council of Governments
CBCOG	Coastal Bend Council of Governments
CCG	Communications Coordination Group
CFR	Code of Federal Regulations
COG	Council of Government
COM-L	Communications Leader
CTCOG	Central Council of Governments
CTCSS	Continuous Tone Coded Squelch System
CVCOG	Concho Valley Council of Governments
DETCOG	Deep East Texas Council of Governments
DFW	Dallas / Ft. Worth
DN	Directory Number
DPS	Department of Public Safety
EMS	Emergency Medical Service
ERP	Effective Radiated Power
ETCOG	East Texas Council of Governments
ETMC	East Texas Medical Center
FCC	Federal Communications Commission
GCRPC	Golden Crescent Regional Planning Commission
H-GAC	Houston-Galveston Area Council
HOTCOG	Heart of Texas Council of Governments
Hz	Hertz
ICS	Incident Command System
IRCIP	Immediate Radio Communications Interoperability Plan
IRWG	Interagency Radio Work Group
KHz	Kilohertz
KY	Kentucky
LA	Louisiana
LCRA	Lower Colorado River Authority
LE	Law Enforcement
LRGVDC	Lower Rio Grande Valley Development Council
MCPs	Mobile Command Posts
MHz	Megahertz
MD	Maryland
MOU	Memorandum of Understanding
MRGDC	Middle Rio Grande Development Council
MSAT	Mobile Satellite
MTA	Metropolitan Transit Authority

NAC	Network Access Codes
NCTCOG	North Central Texas Council of Governments
NIMS	National Incident Management System
NPSPAC	National Public Safety Planning Advisory Committee
NORTEX	Nortex Regional Planning Commission
NTIA	National Telecommunications and Information Administration
OPS	Operations
PBRPC	Permian Basin Regional Planning Commission
PRPC	Panhandle Regional Planning Commission
PSAP	Public Safety Answering Point
PTT	Push-To-Talk
RGCOG	Rio Grande Council of Governments
SCADA	Supervisory Control and Data Acquisition
SCIP	Statewide Communications Interoperability Plan
SETRPC	South East Texas Regional Planning Commission
SMART	Satellite Mutual Aid Radio Talkgroup
SPAG	South Plains Association of Governments
STDC	South Texas Development Council
STRAC	Southwest Texas Regional Advisory Council (Emergency Healthcare)
SWIC	Statewide Interoperability Coordinator
TCOG	Texoma Council of Governments
TFS	Texas A&M Forest Service
TFS EOC	Texas A&M Forest Service Emergency Operations Center
TDEM	Texas Division of Emergency Management
TEEX	Texas Engineering Extension Service (Training Academy)
TTF	Texas Task Force
TG	Talkgroup
TSIEC	Texas Statewide Interoperability Executive Committee
TxDPS	Texas Department of Public Safety
TxICC	Texas Interoperable Communications Coalition
UHF	Ultra High Frequency
VFD	Volunteer Fire Department
VHF	Very High Frequency
WCTCOG	West Central Texas Council of Governments

AGENDA ITEM #3

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 14, 2018

SUBJECT: 2019 Local Border Security Program (LBSP)

Summary:

The Kingsville Police Department has been invited to participate in the 2019 Local Border Security Program (LBSP)

Background:

The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations to:

- 1) Increase the effectiveness and impact of Steady State and Surge Operations.
- 2) Reduce border-related criminal activity in Texas.
- 3) Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
- 4) Decrease the supply of drugs smuggled into and through Texas from Mexico.
- 5) Disrupt and deter operations of gang and cartel criminal organizations.
- 6) Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
- 7) Decrease use of specific areas for crime as targeted in directed action missions.
- 8) Increase the effectiveness of air operations mission planning and prioritization.
- 9) Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.



**City of Kingsville
Police Department**

- 10) Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
- 11) Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
- 12) Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

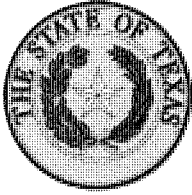
Financial Impact:

The grant for "Operation Border Star" is a reimbursement type but does not require any cash match. We are requesting \$81,400.00 in funds to cover personnel costs, fuel and equipment.

Recommendation:

We would request a resolution authorizing applying for, participation, acceptance of funds when awarded and a budget amendment for use of the funds from the 2019 Operation Border Star Program. Please place this on the next available agenda. Thank you for your assistance regarding this matter.





Office of the Governor - Homeland Security Grants Division 2019 Local Border Security Program (LBSP) Request for Applications (RFA)

The Homeland Security Grants Division (HSGD) of the Governor's Office is soliciting grant applications under the Local Border Security Program (LBSP) for projects that support Operation Border Star during state fiscal year 2019.

Purpose: Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. **For FY 2019 the LBSP allowable costs have been expanded in an effort to better meet the needs of local departments and enhance funding that is available through other sources (e.g. Operation Stonegarden).**

The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

- 1) Increase the effectiveness and impact of Steady State and Surge Operations.
- 2) Reduce border-related criminal activity in Texas.
- 3) Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
- 4) Decrease the supply of drugs smuggled into and through Texas from Mexico.
- 5) Disrupt and deter operations of gang and cartel criminal organizations.
- 6) Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
- 7) Decrease use of specific areas for crime as targeted in directed action missions.
- 8) Increase the effectiveness of air operations mission planning and prioritization.
- 9) Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.
- 10) Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
- 11) Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
- 12) Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

Available Funding: State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 21 for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Funding Levels:
Minimum: None

HSGD Funding Announcement: 2019 Local Border Security Program (LBSP)

Maximum: None

Match Requirement: None

Standards: Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards (UGMS), and all statutes, requirements, and guidelines applicable to this funding.

Prohibitions: Grant funds may **not** be used to support the following services, activities, and costs:

- 1) inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- 2) lobbying;
- 3) any portion of the salary of, or any other compensation for, an elected or appointed government official;
- 4) backfill costs for personnel participating in operations;
- 5) transportation, lodging, per diem, training fees or any related costs associated with participants who attend a training event;
- 6) purchase of vehicles;
- 7) purchase of equipment for government agencies that is solely for general agency use;
- 8) weapons, ammunition, tasers, or explosives;
- 9) postage;
- 10) admission fees or tickets to any amusement park, recreational activity or sporting event;
- 11) promotional gifts;
- 12) food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel;
- 13) membership dues for individuals;
- 14) any expense or service that is readily available at no cost to the grant project;
- 15) any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
- 16) fundraising;
- 17) construction;
- 18) medical services;
- 19) legal fees;
- 20) legal services for adult offenders; and
- 21) any other prohibition imposed by federal, state, or local law.

Eligible Applicants:

- 1) Units of local government; and
- 2) Federally Recognized Native American tribes.
- 3) Eligible applicants must be located within a County within one of the six DPS Joint Operations and Intelligence Centers (JOIC) Regions including:
 - a) El Paso JOIC – El Paso County.
 - b) Coastal Bend JOIC – Aransas County, Bee County, Calhoun County, Dewitt County, Fayette County, Goliad County, Gonzales County, Guadalupe County, Jackson County,

HSGD Funding Announcement: 2019 Local Border Security Program (LBSP)

- Jim Wells County, Karnes County, Kleberg County, Lavaca County, Live Oak County, Matagorda County, McMullen County, Nueces County, Refugio County, San Patricio County, Victoria County, and Wharton County.
- c) Marfa JOIC – Brewster County, Culberson County, Hudspeth County, Jeff Davis County, Pecos County, Presidio County, Reeves County, and Terrell County.
 - d) Del Rio JOIC – Dimmit County, Edwards County, Kinney County, Maverick County, Real County, Uvalde County, Val Verde County, and Zavala County.
 - e) Laredo JOIC – Duval County, Frio County, Jim Hogg County, La Salle County, Webb County, and Zapata County.
 - f) Rio Grande Valley JOIC – Brooks County, Cameron County, Hidalgo County, Kenedy County, Starr County, and Willacy County.

Eligible Costs:

1) PERSONNEL - OVERTIME

- a) Overtime for increased patrol and/or investigative capacity for certified peace officers.
- b) Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in border security operations, such as Jailer overtime, or Communications Officer/Dispatcher overtime, necessary to maintain a safe Officer to Dispatcher ratio.
- c) Overtime for administrative personnel supporting border security grants.
- d) Overtime for law enforcement support and administrative personnel should be limited and anything greater than 10% may not be funded or may require significant additional data and justification.
- e) Applicants must provide a copy of the local overtime policy as approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period. The policy must:
 - i. Clearly describe how overtime will be calculated;
 - ii. Be consistent with the agency's local overtime policy;
 - iii. Treat overtime for grant-paid personnel the same as non-grant paid personnel.
- f) Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:
 - i. OT is time actually worked that exceeds the required number of hours during an employee's designated work period, as per grantee's policies and procedures.
 - ii. OT must be worked to support border security operations.
 - iii. The project OT rate shall be no more than one-and-one-half (1.5) times the employee's regular pay rate.
 - iv. Exempt salaried employees may not be reimbursed for overtime unless the grantee's overtime policy specifically allows for this.
 - v. HSGD will only reimburse the grantee for OT that does not exceed a total of 16-hours worked (regular plus OT) during any 24-hour period.

HSGD Funding Announcement: 2019 Local Border Security Program (LBSP)

2) PERSONNEL - REGULAR or STRAIGHT-TIME

- a) Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during a period of "surge."
- b) Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- c) Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.
- d) Regular time for administrative personnel supporting border security grant activities.

3) EQUIPMENT: Costs for equipment, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during border security operations.

4) SUPPLIES and DIRECT OPERATING EXPENSE: Certain operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by the HSGD that are critical to success of the program.

- a) The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, aircraft, boats, generators, and similar equipment used during the hours in which grant-funded staff are working.
- b) Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.
- c) Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.
- d) The cost of minor emergency repairs, such as tire repair or fan belt replacement, to vehicles or equipment used in program operations is allowable.

Eligibility Requirements:

1) Eligible applicants must agree to perform the following activities:

- a) Conduct Steady State operations and respond to calls for service.
- b) Conduct enhanced law enforcement patrolling activities.
- c) Conduct surveillance, interdictions, investigations, and collect and disseminate information within its jurisdiction or cross-jurisdiction lines as required.
- d) Recognize and react to information/intelligence to adjust times and locations of enhanced patrol activities.
- e) Report significant border-related events that occur during each 24-hour period.
- f) Identify significant border-related trends or areas of interest that may be developed into focus areas for future operations.
- g) Integrate air, ground, marine, and remote operations.

HSGD Funding Announcement: 2019 Local Border Security Program (LBSP)

- h) Participate in operational planning and coordination meetings, information/intelligence sharing meetings, and After Action Reviews (AARs) established by the Texas Department of Public Safety's (DPS) Joint Operations and Intelligence Centers (JOIC).
 - i) Participate weekly on the JOIC Unified Command conference calls or meetings as required by the JOIC.
- 2) Eligible applicants must agree to submit the Daily Border Incident Assessment Report (BIAR). The BIAR is the primary incident and information-reporting tool for the grantee in local border security operations. The grantee shall ensure all BIARs conform to the respective standards outlined by the JOIC and are submitted within 24 hours of the end of shift and/or the timeframes established by the JOIC. The grantee shall report all activities that are considered Steady State activities, in addition to Enhanced Operation activities, to the JOIC. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall LBSP mission (organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, human trafficking, human smuggling, home invasions with a border or organized crime nexus, illegal immigration, border-related murders, gang-related murders, vehicle thefts, or drug trafficking). Enhanced (Surge) Operations originate out of the use of LBSP funds when the local agency chooses to increase the hours of patrol or investigative bodies.
- 3) In order for an applicant to be eligible, the county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2012 through 2016. This requirement must be met by August 1, 2018.
- 4) Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.
- 5) An application requirement pertaining to full compliance with Department of Homeland Security detainer requests applies to all municipal or county governments that operate a subdivision or department that detains individuals after arrest for a criminal violation. Full text of this certification can be found on the Narrative tab of each application or at http://gov.texas.gov/cjd/dhs_detainerrequest. All applicants must select one of four options in their eGrants application to be considered for funding under this announcement.
- 6) Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>).
- 7) Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/>.
- 8) Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

Project Period: Projects selected for funding must begin on or after September 1, 2018 and expire on or before August 31, 2019.

HSGD Funding Announcement: 2019 Local Border Security Program (LBSP)

Application Process: Applicants must access HSGD's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. Additional requirements are included within the online application form.

NOTE: Applicants must upload the required Texas Direct Deposit Authorization Form, Texas Application for Payee Identification Number Form, and the IRS W9 Form for each application prior to submission. The eGrants system will not allow an application to be submitted until these forms are attached to the application. These forms are available for download from eGrants at <https://egrants.gov.texas.gov/updates.aspx> under the Financial Management section of Forms and Guides or from the Forms link on the Profile/Grant.Vendor tab within the grant application.

Closing Date for Receipt of Applications: All applications must be submitted, and certified, via HSGD's eGrants grant management website on or before Thursday, **March 29, 2018** by 5:00 PM CST.

Selection Process: Applications will be reviewed by HSGD staff members in consultation with DPS Regional JOIC representatives. HSGD will make all final funding decisions based on eligibility and operational content which includes but is not limited to the following:

- 1) Compliance - Past compliance with grant requirements, reporting, and information sharing.
- 2) Performance – Impact and effectiveness of the Applicant's participation in previous border security operations or activities and effectiveness in using grant funds awarded for border security.
- 3) Risk – The Applicant's need as indicated by data available on border-related criminal activity, population, number of officers, and other factors.
- 4) Other Funding – The Applicant's history of applying for, receiving, and/or effectively utilizing other sources of funding available to support border security activities (e.g. Operation Stonegarden).

Contact Information: For technical assistance or additional information, contact HSGD at eGrants@gov.texas.gov or (512) 463-8382.

RESOLUTION NO. 2018-_____

A RESOLUTION AUTHORIZING APPLICATION FOR, PARTICIPATION IN, AND ACCEPTANCE OF FUNDS FROM THE 2019 OPERATION BORDER STAR PROGRAM WITH THE HOMELAND SECURITY GRANTS DIVISION OF THE GOVERNOR'S OFFICE FOR LOCAL BORDER SECURITY TO INTERDICT CRIMINAL ACTIVITY WITH NO ANTICIPATED CASH MATCH; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Homeland Security Grants Division of the Governor's Office has invited the City of Kingsville Police Department to participate in a grant for THE 2019 Local Border Security Program (Operation Border Star) in an effort to deter and facilitate directed actions to interdict criminal activity; and

WHEREAS, the City of Kingsville has previously been allowed to apply for reimbursement of overtime personnel costs for law enforcement personnel and dispatchers, and other allowed costs associated with this project that will assist with the deterrence of illegal activity in our area;

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to the Office of the Governor's Homeland Security Grant Division for the 2019 Local Border Security Program (also known as Operation Border Star) for grant monies for reimbursement for personnel costs, fuel, equipment, and maintenance for law enforcement purposes for grant cycle of September 1, 2018 to August 31, 2019; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project, if any, as required by the Office of the Governor for the Operation Border Star Grant Program grant application; and

WHEREAS, the City agrees that in the event of loss or misuse of the Office of the Governor grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full;

WHEREAS, the City Commission of the City of Kingsville designates the Kingsville Chief of Police as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency;

WHEREAS, the City Kingsville Police Department was recently notified that it has been conditionally approved \$81,400.00 in funds for the Operation Border Star Program grant, which is a reimbursement type grant that does not require any cash match.

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

I.

THAT the City Commission of the City of Kingsville approves the submission of the grant application for the 2019 Operation Border Star Grant Program and participation in and acceptance of grant funds reimbursement for personnel costs, fuel, equipment, and maintenance for law enforcement purposes through the Office of the Governor.

II.

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

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #4

RESOLUTION #2018-_____

A RESOLUTION APPOINTING ELECTION JUDGES AND THE EARLY VOTING BALLOT BOARD JUDGE FOR THE CITY OF KINGSVILLE GENERAL ELECTION ON MAY 5, 2018.

BE IT RESOLVED, by the City Commission of the City of Kingsville (City) that the following named persons are hereby appointed as Election Judges for the City Election to be conducted on Saturday, May 5, 2018.

<u>CITY POLLING PLACE</u>	<u>PRESIDING JUDGE</u>	<u>ALTERNATE JUDGE</u>
1 - McRoberts Elementary School	Velma Reyes	Ofelia Garza
2 - KISD Administration Bldg.	Julie Flores	Bonnie Gonzales
3 - Kleberg County Annex Bldg.	Laura Garza-Trebotich	Fe Oballo
4 - Gillett Intermediate School	Deeann Esquivel	Sonya Reyna
5 - Harvey Elementary School	Frances Garcia	Dalilah Caldera
6 - H.M. King High School	Sylvia Martinez	Anna Ramirez

BE IT FURTHER RESOLVED that each Presiding Judge is authorized to appoint one clerk to assist him/her with the election and that each Presiding Judge and each Alternate Judge shall be compensated twelve dollars (\$12.00) per hour for each hour worked and that the judge delivering the election returns and supplies to the central counting station shall be compensated an additional twenty-five dollars (\$25.00) for that service, and that Clerks shall be compensated ten dollars (\$10.00) per hour for each hour worked.

BE IT FURTHER RESOLVED that Connie Cashen be appointed as the Presiding Judge of the Early Voting Ballot Board. That said Presiding Judge is authorized to appoint two clerks to assist him/her and the members shall be paid the same wage as regular election judges. If the Board concludes its work in less than 10 hours, the compensation paid may exceed that regularly payable for the amount of time worked, but cannot exceed the amount payable for ten hours' work.

PASSED AND APPROVED by the majority vote of the City Commission of the City of Kingsville, Texas this the 26th day of March, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

RESOLUCIÓN #2018-_____

UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y EL JUEZ DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE QUE SE LLEVARÁN A CABO EL 5 DE MAYO DE 2018.

SE HA RESUELTO, por parte de la Comisión Municipal de la Ciudad de Kingsville (Ciudad) que las personas mencionadas a continuación sean nombradas como Jueces Electorales para las Elecciones que se realizarán el sábado 5 de mayo de 2018.

<u>SITIO DE VOTACIÓN EN LA CIUDAD</u>	<u>JUEZ PRESIDENTE</u>	<u>JUEZ SUPLENTE</u>
1 - Escuela Primaria McRoberts	Velma Reyes	Ofelia Garza
2 - Edificio de Administración del KISD	Julie Flores	Bonnie Gonzales
3 - Edificio anexo del condado de Kleberg	Laura Garza-Trebotich	Fe Oballo
4 - Escuela Intermedia Gillett	Deeann Esquivel	Sonya Reyna
5 - Escuela Primaria Harvey	Frances Caldera	Dalilah Caldera
6 - Escuela H.M. King High School	Sylvia Martinez	Anna Ramirez

SE RESUELVE ADEMÁS QUE: Cada Juez Presidente está autorizado para nombrar un secretario que le ayudará en las elecciones, y que cada Juez Presidente y cada Juez Suplente deberán recibir un pago de doce dólares (\$12.00) por hora, por cada hora trabajada, y que el juez que entrega los resultados electorales y los materiales de las elecciones a la estación central de conteo debe recibir un pago adicional de veinticinco dólares (\$25.00) por ese servicio, y que los Secretarios deben recibir un pago de diez dólares (\$10.00) por hora, por cada hora trabajada.

SE RESUELVE ADEMÁS QUE: Connie Cashen es nombrado Juez Presidente de la Junta de Votación Anticipada. Que dicho Juez Presidente está autorizado para nombrar dos secretarios que le ayudarán, y que los miembros deberán recibir el mismo pago que los jueces electorales regulares. Si la Junta termina su trabajo en menos de 10 horas, la remuneración pagada puede exceder la remuneración pagada regularmente por la cantidad de tiempo trabajado, pero no puede sobrepasar la suma pagada por diez horas de trabajo.

APROBADA por voto mayoritario de la Comisión Municipal de la Ciudad de Kingsville, Texas, este día 26 de marzo de 2018.

Sam R. Fugate, Alcalde

DA FE:

Mary Valenzuela, Secretaria Municipal

APROBADA RESPECTO A FORMA:

Courtney Álvarez, Abogado Municipal

REGULAR AGENDA

AGENDA ITEM #5

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

TO: Mayor and City Commissioners
FROM: Jesus A. Garza, City Manager
DATE: March 20, 2018
SUBJECT: Noon Rotary Club Donation for Dog Park

Summary:

This action item approves a donation of \$2,500 from the local Noon Rotary Club of Kingsville to go towards a Dog Park located within Dick Kleberg Park.

Background:

The City of Kingsville received an original donation of \$25,000 from the Vishal Raju Bhagat Foundation for the Dog Park to be located within Dick Kleberg Park. The Dog Park concept came from the Parks Master Plan adopted in 2017. The City of Kingsville currently does not have a specific Dog Park. After that donation from the Foundation the City also received an additional \$7,000 donation from various local hotel and business owners and \$1,000 donation from Commissioner Garcia winning a Texas Got Talent competition during TML 2017 Conference. The grand total for donations up to this point is \$33,000. After the acceptance of the donation from the Noon Rotary Club the total for donations will be \$35,500. The total expected cost of the Dog Park will range between \$80,000 - \$100,000.

Financial Impact:

The donation of \$2,500 will be incorporated into the budget for the Dog Park.

Recommendation:

Staff recommends approving the donation.



Kingsville Rotary Club
P. O. Box 1738
Kingsville, TX 78364

Kleberg First National Bank
Kingsville, Texas 78364
BR-1288 / 1149

011003

PAY TO THE
ORDER OF City of Kingsville

3/5/2018

\$ 2,500.00

Two Thousand Five Hundred and 00/100

DOLLARS

City of Kingsville
P. O. Box 1458
Kingsville, TX 78364

MEMO

VOID AFTER 90 DAYS

⑈011003⑈ ⑆11491288⑆ ⑈0205501⑈

Kingsville Rotary Club
City of Kingsville
5260 - Project Expenses

Dog Park Donation

3/5/2018

2,500.00

011003

KFNB - 6601

2,500.00

AGENDA ITEM #6

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

TO: Mayor and City Commissioners

FROM: Jesus A. Garza, City Manager

DATE: March 20, 2018

SUBJECT: Noon Rotary Club Donation for Dog Park

Summary:

This action item approves a donation of \$2,500 from the local Noon Rotary Club of Kingsville to go towards a Dog Park located within Dick Kleberg Park.

Background:

The City of Kingsville received an original donation of \$25,000 from the Vishal Raju Bhagat Foundation for the Dog Park to be located within Dick Kleberg Park. The Dog Park concept came from the Parks Master Plan adopted in 2017. The City of Kingsville currently does not have a specific Dog Park. After that donation from the Foundation the City also received an additional \$7,000 donation from various local hotel and business owners and \$1,000 donation from Commissioner Garcia winning a Texas Got Talent competition during TML 2017 Conference. The grand total for donations up to this point is \$33,000. After the acceptance of the donation from the Noon Rotary Club the total for donations will be \$35,500. The total expected cost of the Dog Park will range between \$80,000 - \$100,000.

Financial Impact:

The donation of \$2,500 will be incorporated into the budget for the Dog Park.

Recommendation:

Staff recommends approving the donation.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-18 BUDGET TO ACCEPT AND EXPEND A PARKS DONATION FROM THE KINGSVILLE ROTARY 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					
Revenue					
4-0000		Donations	72030	\$ 2,500.00	
Expenses					
5-4503		Parks-Dog Park	71309	\$ 2,500.00	

[To amend the City of Kingsville FY 17-18 budget to accept and expend a parks donation awarded by the Kingsville Rotary to be used towards a dog park 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 March, 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

Kingsville Rotary Club
P. O. Box 1738
Kingsville, TX 78364

Kisberg First National Bank
Kingsville, Texas 78364
888-2566 / 1143

011003

3/5/2018

PAY TO THE
ORDER OF City of Kingsville

\$ 2,500.00

Two Thousand Five Hundred and 00/100ths

DOLLARS

City of Kingsville
P. O. Box 1458
Kingsville, TX 78364

Kinda M. Hula
VOID AFTER 90 DAYS

MEMO

⑆011003⑆ ⑈114912686⑈ ⑈0206601⑈

Kingsville Rotary Club
City of Kingsville
5260 · Project Expenses

3/5/2018

011003

2,500.00

Dog Park Donation

KFNB - 6601

2,500.00

AGENDA ITEM #7

RESOLUTION # 2018-____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED INTERLOCAL AGREEMENT BETWEEN KLEBERG COUNTY AND THE CITY OF KINGSVILLE FOR THE L. E. RAMEY GOLF COURSE & AREA; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County of Kleberg and the City of Kingsville have previously entered into interlocal agreements to share expenses for various departments for the residents of their respective entities; and

WHEREAS, these interlocal agreements were enacted to reduce duplicitous services and expenses from having each entity provide the same services; and

WHEREAS, on October 13, 2014 the City Commission via Resolution #2014-58 approved an Interlocal Agreement, also known as Concession Agreement, with the County, who at the time was responsible for the operation and maintenance of the L.E. Ramey Golf Course located just outside the city limits within the City's extraterritorial jurisdiction

WHEREAS, the County and the City desire to see the continued operation of the L.E. Ramey Golf Course within Kleberg County; and

WHEREAS, the County and the City previously agreed for the City to take over responsibility for the operation and maintenance of the approximately 534 acres the County had that includes the L.E. Ramey Golf Course and its surrounding land for its continued use as parks and recreation purposes, and

WHEREAS, the County recently came up with a proposal to use approximately 147.9 acres of the afore-mentioned property for a law enforcement shooting range (at the site of the old skeet range) and potentially a regional law enforcement training center, and

WHEREAS, the County now desires to remove the 147.9 acres from the previously approved agreement between the parties through an amended agreement, which is attached hereto and titled Concession Agreement Amendment One, and

WHEREAS, the County and the City believe the continued operation of the golf course and surrounding area will improve the health and quality of life of the residents of their jurisdictions.

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

I.

THAT the City authorizes and directs the Mayor, as an act of the City of Kingsville, Texas, to enter into an Amended Interlocal Cooperation Agreement Between Kleberg County and the City of Kingsville (as known as Concession Agreement Amendment One) for maintenance and operation of the 534 acres of land the County is currently under contract with the U.S. Department of the Interior for which includes the L. E. Ramey Golf Course, less the 147.9 acres described by metes and bounds in Exhibit B-1, for continued use as a golf course and recreation area.

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 ____ March, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**KLEBERG COUNTY
AND
CITY OF KINGSVILLE
CONCESSION AGREEMENT
AMENDMENT ONE**

This Concession Agreement, hereinafter referred to as the "Agreement" is made and entered into this _____ day of _____, 2018, between Kleberg County, Texas hereinafter referred to as the "County" a body and corporate and politic under the laws of the State of Texas, and the City of Kingsville, Texas, hereinafter called the "Concessionaire", a home rule municipal corporation under the laws of the State of Texas.

Witnesseth:

Whereas, the County, owns certain land totaling 533.88 acres, obtained by the County from the United States of America (hereinafter referred to as the "USA", as surplus property, known as the L.E. Ramey Golf Course and property, and deeded to the County on March 16, 1973. Said Quitclaim Deed (hereinafter "Deed") is attached and hereinafter referred to as **Exhibit A**; and

Whereas, Condition No. C on Page 2 of said Deed provides that the County shall not sell, lease, assign or otherwise dispose of the premises, except to another eligible government agency. However, nothing in this provision shall preclude the County from providing related recreational facilities and services compatible with the approved application, through concession agreements entered into with third parties, provided prior concurrence to such agreements is provided in writing by the Secretary of the Interior or his/her delegated representative, NPS; and

Whereas, the County and Concessionaire desire to provide a golf, food service, and other recreational activities on a portion of L.E. Ramey Golf Course and property for the use and benefit of the general public; and

Whereas, the County has developed a proposal for use of 147.9 acres of the 533.88 acres and said 147.9 acres are not part of the area used for the L.E. Ramey Golf Course; and

Whereas, the County is requesting and the City is in agreement with removing from the Concessionaire's Agreement the 147.9 acres described in the metes and bounds description which is attached and hereinafter referred to as **Exhibit "B-1"**; and

Whereas, the County is satisfied that provision of additional services and facilities at L.E. Ramey Golf Course and property is in the County's best interest.

NOW, THEREFORE, for the reasons set forth above, and in consideration of the mutual covenants and agreements as hereinafter set forth, the County agrees to allow Concessionaire to provide maintenance and operation for golf, food service, and other recreational services and facilities hereinafter to be mentioned upon a portion of the real property described in Exhibit A attached hereto and incorporated herein by this reference and located at the L.E. Ramey Golf Course and property.

1. **Location**: The County does hereby assign to the Concessionaire the use of the land, buildings, and facilities which is located on the property as described in Exhibit A, reduced by the property as described in Exhibit B-1, such land remaining in Exhibit A hereinafter "Assigned Premises".
2. **Use of Premise**: (a) Concessionaire shall use, occupy and maintain the Assigned Premises in a business like, careful, clean and non-hazardous manner for the sole purpose of golf, food service, and other recreational activities; (b) Such use shall be considered Concessionaire's concession operation (hereinafter "Concession Operation"); (c) Concessionaire shall conduct the Concession Operation in strict compliance with, and subject to all of the restrictions, covenants, terms and provisions imposed by the Secretary on the Assigned Premises as set forth in Exhibit A; (d) Written approval by the County and written concurrence by the Secretary shall be required for any other proposed use(s) in conjunction with or in addition to those specified above.

The L.E. Ramey Golf Course and property will be open to the general public for parks and recreational activities during normal working hours established by Concessionaire, except when closed due to necessity.

3. **Personal Property**: Concessionaire shall have use of the following personal property which shall be maintained in good working condition, subject to reasonable wear and tear. The equipment, maintenance tools, kitchen equipment and appliances, golf carts, golf supplies and equipment, inventory, cash registers, computers, phones, fax machines, furniture, and office supplies, and other like items. Upon completion/termination of this Agreement, all items shall be accounted for and returned to County. During the course of this Agreement any damage to personal equipment shall be reported to County.
4. **Term**: This amendment shall not affect the term stated in the original Agreement, which stated the Agreement shall be effective from October 1, 2014 to September 30, 2034.
5. **Renewal**: Concessionaire will have an option to renew this Agreement for two (2) consecutive ten (10)-year terms upon conditions to be mutually agreed upon at that time. Any agreement reached by the County and Concessionaire for renewal of this agreement shall be subject to the written approval of the Secretary if any significant changes to the

Agreement are proposed for inclusion in any subsequent renewal. Any renewal of this Agreement shall require Concessionaire to comply with all of the terms and conditions in the Deed and this Agreement, specifically including but not limited to paragraph 2(c) herein.

Each option to renew term shall be deemed to be automatically exercised by Concessionaire, unless Concessionaire gives County written notice that Concessionaire will not extend the term, such notice to be given at least one hundred eighty (180) days prior to the expiration of the primary term with respect to the first option to renew term, and at least one hundred eighty (180) days prior to the expiration of the option to renew term then in effect with respect to the successive option renewal terms thereafter.

6. **Concession Payments:** The County agrees to pay the Concessionaire Thirty-five Thousand and No/100 Dollars (\$35,000.00) per year. Said sum to be paid in equal monthly installments within the first fifteen (15) days of each month. After the first two years of this agreement, the Concessionaire will set aside three percent (3%) of the revenues after taxes received at the L.E. Ramey Golf Course and property to be placed in a golf course capital maintenance fund. Fees charged by Concessionaire for activities at the L.E. Ramey Golf Course and property are the same fees that have been charged by the County for those same activities. The fees are reasonable, do not deny participation by the general public, and have been adopted via ordinance after two readings by the City Commission of the Concessionaire at a duly posted meeting, without objection by the County or any other individual.
7. **Concessionaire's records and documents:** With respect to all matters covered by this Agreement concessionaire's records and documents shall be subject at all times to inspection review or audit by the County. Concessionaire will supply County any documentation that may be needed by the County to file required compliance reports to the Secretary.
8. **Operations and Maintenance:** Concessionaire should offer reasonable prices, establish minimum hours of operation, provide courteous service, maintain the building and grounds in as good or better a condition than that which they receive the property. County should assist with capital improvements and other assistance when requested and feasible.
9. **Licenses and Permits:** All necessary licenses and permits to operate concession must be obtained from the appropriate offices before operation may begin. All licenses are subject to Code of Enforcement for safety, health and fire inspections.
10. **Operating Expenses and Utilities:** Concessionaire is responsible for operating expenses and utilities. Concessionaire may request assistance from the County for the costs associated with installation/upgrade of

systems that are required by building codes and local ordinances relating to safety, health and fire. These systems must meet all local, state and federal requirements.

11. **Non-discrimination:** County and Concessionaire agree to comply with all Federal laws relating to nondiscrimination in connection with any use, operation, program, or activity on or related to the previously described property, including, but not limited to:

All requirements imposed by or pursuant to the non-discrimination regulations of the U.S. Department of the Interior (43 C.F.R. Part 17);

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d-1), which prohibits discrimination on the basis of race, color, or national origin;

The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age;

Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicap;

The Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151), which requires facilities located on the property to be accessible to the physically handicapped; and

The Americans with Disabilities Act of 1990 (42 U.S.C. 12181), which requires that no otherwise qualified handicapped individual shall, solely by reason of his or her handicap, be excluded from the participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

12. **Alterations and Improvements:** Concessionaire may not make alterations or improvements in an amount or having a market value exceeding \$25,000 to the Assigned Premises without notification to the County Judge representing the County. Objection to such written notification will not be unreasonably withheld or delayed.

If structural changes are required, the Concessionaire shall arrange for and supervise all necessary construction work and be responsible for all costs associated with providing the changes.

13. Concessionaire acknowledges that the Assigned Property is subject to the possibility of reversion back to the United States *without compensation being paid to the Concessionaire* by the United States should there be a material breach of noncompliance by the County or the Concessionaire for not adhering to the covenants, restrictions and agreements contained within Exhibit A. Should Concessionaire make capital or other

improvements that exceed \$50,000 and the depreciable expense or expected useful life for such improvements has not been exhausted when reversion occurs, then Concessionaire shall be entitled to compensation for such remaining depreciable expense or expected useful life.

14. **Maintenance and Repair:** The Concessionaire shall at its sole cost and expense maintain the Assigned Premises in good condition and perform such repairs that become necessary from time to time during the term of this Agreement and any renewals hereof as set forth herein.
15. **Inspection of Concession Areas:** Concessionaire shall allow the County Judge representing the County, or his designee and/or the Secretary's designated representative, herein the NPS, at any and all reasonable times to inspect the Assigned Premises, including or improvement thereon.
16. **Indemnity:** Concessionaire hereby expressly agrees to indemnify, save and hold harmless, and defend the County and the United States against all fines, claims, damages, liens, losses, judgments, and expenses arising out of, or from any act or omission by the Concessionaire and its representatives, agents, employees, or any others in or on the Assigned Premises on the Concessionaire's behalf.
17. **Insurance:** Concessionaire shall, at its own expense, provide such public liability insurance that will protect Concessionaire and the County from all claims for damages to property and persons, including death, and particularly the use of products prepared, and/or sold, which may arise in the operation of the activities conducted under this Agreement or anyone directly or indirectly employed by Concessionaire. All policies shall name the County as a named insured. The public liability insurance shall provide limits of not less than \$1 million dollars for one person or occurrence, \$1 million dollars for more than one person injured or killed in any one accident or occurrence, and shall include products liability coverage. Property damage liability insurance shall provide a limit of not less than \$1 million dollars.

Concessionaire agrees to provide evidence to the County that insurance is current based on subsequent renewal information.

18. **Assignment and Subletting:** Concessionaire shall not assign this Agreement or any interest therein, nor let or sublet the said premises or any part thereof or any right or privilege appurtenant thereto, nor permit the occupancy or use of any part thereof by any other person. Said let or underlet shall be grounds for termination of Agreement by the County or possible reversion by the USA.

19. **Amendment to Concession Agreement:** This Agreement contains all the terms and conditions between the parties, and no alteration, amendment, or addition shall be valid unless in writing and signed by both parties with written concurrence by the Secretary of the Interior or his/her delegated representative, NPS.
20. **Laws and Regulations:** Concessionaire is aware of and agrees that it will use the Assigned Premises so as to conform with deeded environmental and usage controls and not violate any laws, regulations and /or requirements of the United States of America and/or State of Texas and/or any ordinance, rule or regulation of the County now or hereafter made, relating to the use of the Assigned Premises.
21. **Surrender; Waste:** Concessionaire agrees that upon expiration of this Agreement or earlier termination thereof, it shall surrender the Assigned Premises to the County in as good or better condition as they were in at the time of execution of this Agreement, ordinary wear excepted.
- Concessionaire shall remove its personal property from the Assigned Premises at the end of this Agreement. Concessionaire further agrees that it shall permit no waste nor suffer the same to be committed, nor injure nor misuse the Assigned Premises, and that upon termination of this Agreement for any reason, Concessionaire shall remove any of its personal property, that is not listed in paragraph 3 or otherwise belonging to the County, within 30 days of such termination.
22. **Liens:** Concessionaire shall keep the Assigned Premises free from any and all liens arising out of any work performed, materials furnished, or obligations incurred by Concessionaire during the term of this Agreement or any extension or renewal thereof.
23. **Waiver:** Failure of either party to complain of any act or omission on the part of the other party, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of said party's rights hereunder. No waiver by either party at any time, expressed or implied, of any breach of any provision of this Agreement shall be deemed a waiver of breach of any other provision of this Agreement or a consent to any subsequent breach of the same or any other provision. If any action by either party shall require the consent and approval of the other party, the other party's consent to or approval of such action on any one occasion shall not be deemed to be a consent to or approval of said action on any subsequent occasion. Any and all rights and remedies which either party may have under this Agreement, upon any breach, shall be distinct, separate and cumulative and shall not be deemed inconsistent with each other; and no one of them, whether exercised by said party or not, shall be deemed to be an exclusion of any other.

24. **Termination:** This Agreement shall terminate automatically upon the occurrence of any one or more of the following events:

- a. The County unilaterally terminates the Agreement upon 180 days written notice for cause and specifying the date of termination, after giving written notice and at least 90 days opportunity to cure.
- b. Concessionaire materially violates any provision of the Agreement and after receiving written notice fails to cure within 90 days.
- c. The expiration of the term of this Agreement or any renewal thereof.
- d. The Concessionaire unilaterally terminates the Agreement upon 180 days written notice for whatever cause and specifying the date of termination, after giving written notice and at least 90 days opportunity to cure.

25. **No Conveyance:**

Nothing in this Agreement conveys, or shall be construed as conveying, any estate or interest in the Assigned Premises, or in any of the property described in Exhibit A or paragraph 3 in this Agreement, from the County to the Concessionaire, nor does this Agreement surrender absolute control over and possession of the Assigned Premises to the Concessionaire. The County, by this Agreement, conveys, and the Concessionaire, by this Agreement, receives only such authority as is set forth in this Agreement, and that may be necessary and appropriate to use the Assigned Premises in a manner that is consistent with the Concession Operation specified herein.

26. **Acknowledgement:**

This Agreement and the obligations of the parties hereto are subject to the terms and conditions set forth in the Deed from the United States of America to the County, dated March 16, 1974, and recorded at the Kleberg County Registry of Deeds/Clerks Office at Book Volume 272, Page 175 (attached hereto as Exhibit A), and the current Program of Utilization which governs the use of the Assigned Premises. Violations of the said terms and conditions may be grounds for reversion to the United States of America, at its discretion and termination of this Agreement. In the event of a reversion as described in this paragraph, Concessionaire-owned personal and real property improvements associated with the Assigned Premises, may be subject to seizure, without compensation, by the United States.

27. **Notice:** Any notice by either party to the other shall be in writing and shall be deemed to be given only if delivered personally or mailed by registered or certified mail as follows:

County:	County Judge representing the County of Kleberg, Texas Rudy Madrid
---------	--

P.O. Box 752
Kingsville, TX 78364

Concessionaire: City Manager representing the City of
Kingsville, Texas
Jesus A. Garza
P.O. Box 1458
Kingsville, TX 78364

Other addresses may be established as the parties hereto may designate by written notice to the other party and delivered in accordance with the provisions of this paragraph.

IN WITNESS WHEREOF, the County has authorized its County Judge representing the County to sign this Agreement and Concessionaire has approved the Agreement and signed as of the date first noted above.

WITNESS:

COUNTY (OWNER)

_____ BY:

Rudy Madrid
County Judge, Kleberg County
P.O. Box 752
Kingsville, TX 78364

WITNESS:

CONCESSIONAIRE

_____ BY:

Jesus A. Garza
City Manager, City of Kingsville
P.O. Box 1458
Kingsville, TX 78364

[illegible]

On this _____ day of _____, 2018 before
me, _____, personally
appeared _____, representing the County of Kleberg,
Texas, known to be the person described in the foregoing instrument and
acknowledged that he/she executed the same in the capacity therein stated and
for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand.

Notary Public
My Commission Expires: _____

[illegible]

On this _____ day of _____, 2018 before
me, _____, personally
appeared _____, representing Concessionaire, known
to be the person described in the foregoing instrument and acknowledged that
he/she executed the same in the capacity therein stated and for the purposes
therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand.

Notary Public
My Commission Expires: _____

TITLE REPORT

**THE STATE OF TEXAS
COUNTY OF KLEBERG**

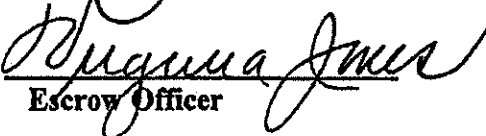
The KLEBERG COUNTY TITLE CO. does hereby certify that we have carefully checked the records in the office of the County Clerk of Kleberg County, Texas, through March 4, 2014 on the following:

**Part of Block 32, of The Kleberg Town and Improvement Company
Subdivision, Kleberg County, Texas, known as L.E. Ramey Golf
Course**

**Appears to be vested in: County of Kleberg by Quitclaim Deed dated March 16,
1973, and recorded in Vol. 272, Page 175, Deed Records, Kleberg County, Texas.**

**This title report is delivered with the understanding, evidenced by the acceptance
hereof that it is neither a guaranty, warranty nor opinion of title and any liability
arising hereunder shall be limited to the cost of this title report.**

KLEBERG COUNTY TITLE CO.

BY: 
Escrow Officer

QUITCLAIM DEED
(Texas Form)

VOL 272 PAGE 175

THE UNITED STATES OF AMERICA, by and through the Secretary of the Interior or his authorized representative, hereinafter referred to as GRANTOR, pursuant to the Federal Property and Administrative Service Act of 1949 (63 Stat. 377), as amended, in particular as amended by P.L. 91-485, 84 Stat. 1084 (1970), for good and valuable consideration paid by the GRANTEE herein, has bargained, sold, quitclaimed, and released, and by these presents does bargain, sell, quitclaim, and release unto the County of Kleberg, State of Texas, hereinafter referred to as GRANTEE, all right, title, interest, and estate in and to 533.88 acres of land situated in Kleberg County, Texas, being a portion of Kingsville Naval Air Station, Texas, and more particularly described in the Exhibit "A" attached hereto; together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining.

The subject lands are conveyed, subject to the reservations, conditions, restrictions, and easements as set forth in that certain letter assignment dated September 26, 1972, as amended by letter dated October 20, 1972, and letter dated March 13, 1973, all letters being from the General Services Administration to the Department of the Interior, attached hereto as Exhibit "B" and made a part hereof.

This conveyance is further subject to the following covenants which shall run with the land:

become part of the original application; PROVIDED, HOWEVER, in the event the conveyed premises cease to be used for said public purposes, all right, title, and interest in and to all or any portion of said premises, in its then existing condition, shall revert at the option of GRANTOR to the GRANTOR.

B. That the GRANTEE shall, within six (6) months of the date of this Quitclaim Deed, erect and maintain a permanent sign near the principal access to the premises, indicating that the property is a park or recreation area that has been acquired from The United States of America for use by the public.

C. That the property shall not be sold, leased, assigned or otherwise disposed of except to another eligible governmental agency with the written consent of the Secretary of the Interior; PROVIDED, HOWEVER, nothing in this provision shall preclude GRANTEE from providing recreational facilities and services through concession agreements with third parties, provided prior concurrence to such agreements is obtained in writing from the Secretary of the Interior.

D. That the GRANTEE, its successors and assigns, shall submit biennial reports to the Secretary of the Interior, setting forth the use made of the property during the preceding two-year period, and other pertinent data establishing its continuous use for the purposes set forth above, for ten consecutive reports and as further determined by the Secretary of the Interior.

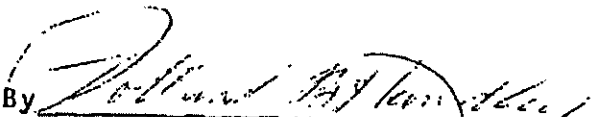
F. That the GRANTEE, its successors and assigns, will obtain from each other person (any legal entity) who, through contractual or other arrangements, is authorized to provide services or benefits under said program, a written agreement that such other person shall comply with this covenant, and furnish a copy of such agreement to the Secretary of the Interior or his successor.

In the event there is a breach of any of the conditions and covenants herein contained by the GRANTEE, its successors and assigns, for any cause, all right, title, and interest in and to the said premises shall revert to GRANTOR, at its option, which, in addition to all other remedies for such breach, shall have the right of entry upon said premises, and the GRANTEE, its successors and assigns, shall forfeit all right, title, and interest in said premises and any and all the tenements, hereditaments, and appurtenances thereunto belonging; PROVIDED, HOWEVER, that the failure of the Secretary of the Department of the Interior to require in any one or more instances complete performance of any of the conditions or covenants shall not be construed as a waiver or relinquishment of such future performance, but the obligation of the GRANTEE, its successors and assigns, with respect to such future performance shall continue in full force and effect.

To have and to hold the subject premises unto the said

IN WITNESS WHEREOF, the GRANTOR has caused these
presents to be executed in its name and on its behalf this,
the 16th day of March, 1973.

THE UNITED STATES OF AMERICA

By 
Regional Director
South Central Region
Bureau of Outdoor Recreation

ACKNOWLEDGMENT

STATE OF TEXAS }
COUNTY OF KLEBERG } SS:

VOL 272 PAGE 179

On this 16th day of March, 1973

before me, the subscriber, personally appeared ROLLAND
B. HANDLEY, to me known and known to me to be the
Regional Director, South Central Region, Bureau of Outdoor
Recreation, of The United States Department of the Interior, a
governmental agency of The United States of America, and known
to me to be the same person described in and who executed the
foregoing instrument as such Regional Director, aforesaid, as
the act and deed of The United States of America, for and on
behalf of the Secretary of the Interior, duly designated, em-
powered and authorized so to do by said Secretary, and he ack-
nowledged that he executed the foregoing instrument for and
on behalf of The United States of America, for the purposes
and uses therein described.

Bertha S. Brackens
Notary Public

My Commission expires: June 1, 1973

The foregoing conveyance is hereby accepted and the under-
signed agrees, by this acceptance, to assume and be bound by all
the ~~obligations~~ conditions, covenants and agreements therein

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF KLEBERG) SS:

VOL 272 PAGE 180

On this 16th day of March, 1973,

before me, the undersigned officer, personally appeared _____
W. C. McDaniel, to me known and known to me to be the
same person whose name is subscribed to the foregoing acceptance,
who being by me duly sworn, did depose and say that he is the
County Judge of Kleberg County, Texas; that he is duly designated,
empowered and authorized by a resolution adopted by the Commission-
ers' Court of Kleberg County, Texas, on August 21, 1972, to execute
the foregoing acceptance and sign his name thereto; and that he
signed his name thereto and acknowledged that he executed the
foregoing instrument for and on behalf of said County for the
purposes and uses therein described.



Bertha S. Brashears
Notary Public

My Commission expires: June 1, 1973

BEGINNING at a point being the Southwest corner of Farm Lot 2 and the Southeast corner of Farm Lot 3, Section 23, of the Kleberg Town and Improvement Company's Subdivision to Kleberg County, Texas, said point being herein termed "Point of Beginning."

THENCE S. 0° 26' E. for a distance of 1870.0' to an iron pin;

THENCE N. 89° 34' E. for a distance of 1817.0' to an iron pin;

THENCE S. 0° 26' E. for a distance of 4596.3' to an iron pin;

THENCE S. 89° 34' W. for a distance of 820.0' to an iron pin;

THENCE S. 0° 26' E. for a distance of 883.0' to a point marked by an iron pin set in a chain link fence;

THENCE N. 74° 27' E. for a distance of 386.4' for a corner in the chain link fence;

THENCE S. 60° 30' E. for a distance of 293.5' to a corner in the chain link fence;

THENCE N. 53° 50' E. for a distance of 636.1' for a corner in the chain link fence;

THENCE N. 88° 28' E. for a distance of 446.4' for a corner in the chain link fence;

THENCE N. 89° 34' E. for a distance of 1238.6' for a corner in said chain link fence;

THENCE S. 0° 27' E. for a distance of 752.3' to a point on the North bank of Santa Gertrudis Creek;

THENCE the following courses and distances along said creek;
N. 76° 52' W. 50.66', N 42° 18' W. 299.04', N 18° 26' E. 40.59',
N. 45° 25' W. 288.09', N. 60° 55' W. 141.26', N. 79° 08' W. 295.16',

THENCE leave Santa Gertrudis Creek on a bearing of S. 25° 38' W. for a distance of 880.74' to a point;

THENCE S. 89° 34' W. for a distance of 555.17';

THENCE S. 0° 26' W. for a distance of 272.8' for a point;

THENCE S. 89° 34' W. for a distance of 60.7' for a point;

THENCE N. 16° 36' W. for a distance of 525.0' for a point;

THENCE S. 89° 34' W. for a distance of 108.55' for a point;

THENCE N. 12° 30' W. for a distance of 170.37' for a point;

THENCE N. 31° 40' W. for a distance of 272.99' for a point;

THENCE S. 85° 34' W. for a distance of 342.0' for a point;

THENCE N. 6° 44' E. for a distance of 401.55' to a point;

THENCE N. 51° 17' W. for a distance of 325.29' to a point;

THENCE N. 31° 03' W. for a distance of 178.77' for a point;

THENCE S. 89° 36' W. for a distance of 145.76' for a point;

THENCE N. 0° 27' W. along a chain link fence for a distance of 2819.3' to a point, said point being an iron bolt 79 feet S. 0° 27' E. from fence corner post;

THENCE S. 89° 34' W. for a distance of 3121.8' along U. S. Government property line to a point, said point being a bent iron bolt;

THENCE N. 0° 26' W. for a distance of 1596.41' along U. S. Government property line;

THENCE S. 83° 18' 30" E. for a distance of 350' along U. S. Government property line;

THENCE S. 89° 34' E. for a distance of 294.0' along U. S. Government property line to a point, said point being an iron bolt 30 feet from center line of Kleberg County road on East edge of Right of Way and Western edge of U. S. Government line;

THENCE N. 44° 36' 20" E. for a distance of 1387.6' along U. S.
Government property line to a point;
THENCE N. 89° 35' E. for a distance of 1545.25' along U. S. Government
property line to the "Point of Beginning".
The above described tract contains 533.88 acres, more or less.

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

Region 7
819 Taylor Street
Fort Worth, Texas 76102



September 26, 1972

Mr. Rolland B. Handley
Regional Director, South Central Region
Bureau of Outdoor Recreation
U. S. Department of the Interior
5301 Central Avenue, N. E.
Albuquerque, New Mexico 87108

Dear Mr. Handley:

Your letter of September 14, 1972, requested assignment of 511.53 acres of land at the Kingsville Naval Air Station, Kleberg County, Texas, for conveyance to Kleberg County, Texas, for park or recreation use.

Pursuant to the authority vested in the Administrator of General Services by the provisions of the Federal Property and Administrative Services Act of 1949, as amended, and a delegation of that authority by him, I hereby assign the property described in Attachment "A" to the Secretary of the Interior for conveyance to Kleberg County, Texas, for public park or recreation purposes in accordance with Section 203(k)(2) of said Act, as amended.

Any conveyance of the property should contain the following conditions, restrictions, and reservations:

a. Existing public utility easements and existing oil line, gas line, water line, irrigation canal, road and drainage easements, including but not limited to the following:

(1) Easement NOy(R)-49375 dated June 18, 1954, granted by the United States of America to the Southwestern Bell Telephone Company for a period of fifty (50) years for the construction, installation, maintenance, repair and replacement of an underground telephone cable through and under a strip of land ten (10) feet in width, said strip running in a generally north-south direction, running through and across and being the western portion of Lots 12 and 13, Section 23, Kleberg Town and Improvement Company Subdivision.

(2) Easement NOy(R)-53017 dated November 5, 1958, granted by the United States of America to the Houston Natural Gas Corporation for a period of fifty (50) years for the construction, installation, maintenance, operation and repair of an 8-inch high pressure gas pipe line under and across a ten (10) foot strip of land running in a north-south direction

(3) Easement NOy(R)-95907 dated April 25, 1966, granted by the United States of America to Kleberg County, Texas, in perpetuity for the construction, use, maintenance, operation, repair and replacement of a road over and across a sixty (60) foot wide strip of land running in an east-west direction, a distance of 596.30 feet, being out of an 0.82 acre parcel of land designated as Tract T in Civil Action No. 1399, in the United States District Court for the Southern District of Texas, Corpus Christi Division.

b. With regard to the southern portion of the property lying along Santa Gertrudis Creek, the intermittent regional flood can be expected at an elevation of 35 to 45 feet above mean sea level. Therefore, any conveyance document should contain a requirement that first floor elevations of habitable structures be constructed above the intermittent regional flood and any other restrictions you deem appropriate.

c. There should be reserved to the United States of America and its assigns all right, title and interest in and to all oil, gas, and other minerals underlying that portion of the property assigned which lies within property acquired by the United States of America from Herbert Andrews, et al, in Civil Action No. 210 in the United States District Court for the Southern District of Texas, Corpus Christi Division, identified as Parcels 9, 12, 15, and 17, and parts of Parcels 7, 11, 13, 14, and 16, covering in all 427.98 acres, together with the right of the United States of America and its assigns to enter upon the land at any time and prospect for and/or mine and remove such minerals.

d. Negative easement in and upon that portion of the property assigned which lies within property acquired by the United States of America in Civil Action No. 1399 in the United States District Court for the Southern District of Texas, Corpus Christi Division, from L. D. Nix, et al, which consists of 83.55 acres, including all of Tracts D, E, FF, R, S, T, U, and V in Civil Action No. 1399, to prohibit any operations on the surface of said lands for the purpose of developing or exploiting oil, gas, or other hydrocarbons, or for any other purpose, but reserving to the owners, their successors, or assigns, the right of developing and exploiting the oil, gas, or other hydrocarbons by directional or slant drilling from sites located outside the boundary of the land.

e. If at any time the United States of America shall determine that the premises herein conveyed, or any part thereof, are needed for the national defense, all right, title and interest in and to said premises, or part thereof, determined to be necessary to such national defense, shall revert to and become the property of the United States of America.

3

f. A restriction that usage of that portion of the property assigned which is described as follows shall be restricted to park or recreation or agricultural usage:

Beginning at a point marked by an iron bolt on U. S. Government property fence corner, said point being the southwest corner of Farm Lot 2 and the southeast corner of Farm Lot 3, Section 23, Kleberg Town and Improvement Subdivision, Kleberg County, Texas;

Thence South 00° 26' East 1,870 feet;

Thence North 89° 34' East 2,055 feet;

Thence South 00° 26' East 300 feet;

Thence South 89° 34' West 2,355 feet;

Thence North 00° 26' West 2,170 feet;

Thence North 89° 35' East 300 feet to point of beginning.

The property, which had an acquisition cost of \$1,156,797, has an estimated fair market value of \$158,000.

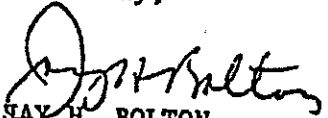
We have no objection to the proposed transfer of this property by your Department to Kleberg County, subject to the usual terms and conditions of such transfers of real property and subject to the conditions, restrictions, and reservations stated above.

Responsibility for custody and accountability of the property and the protection and maintenance thereof pending disposal will be governed by the provisions of the Federal Property Management Regulations, Subchapter H, Subpart 101-47.402.

The Department of the Navy is the holding agency for this property. When you are ready for possession of the property to be granted to Kleberg County, you should advise the Director, Real Estate Division, Naval Facilities Engineering Command, P. O. Box 10068, Charleston, South Carolina 29411 and request that possession be granted to the County.

When the transfer has been consummated, please furnish us two copies of the transfer document.

Sincerely,


SAY H. BOLTON
Regional Administrator

Enclosure

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

DATE: October 20, 1972

REPLY TO
ATTN OF: 7DR

SUBJECT: N-Tex-608-J

Region 7
819 Taylor Street
Fort Worth, Texas 76102



Mr. Villere Reggio
U. S. Bureau of Outdoor Recreation
South Central Region
5301 Central Avenue
Albuquerque, NM 87108

By letter dated September 26, 1972, we assigned 511.53 acres of land at the Kingsville Naval Air Station, Kleberg County, Texas, to your Department for conveyance to Kleberg County for park and recreation uses.

The third paragraph of our September 26 letter is hereby amended to add the following:

g. Grantee will at no expense to the Government relocate the security fence on the property conveyed to the boundary line between Grantee and the Kingsville Naval Air Station using such portions of the existing boundary fence on the property conveyed as are suitable for such use, the resultant relocated boundary fence to conform in configuration substantially to that of the existing boundary fence located on that portion of the Station remaining in Government ownership.

JAMES K. WINSOR
Director, Real Property Division
Property Management & Disposal Service

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION



DATE March 13, 1973
REPLY TO
ATTN OF: 7DR
FOUR/207 N-Tex-608-J

Region 7
819 Taylor Street
Fort Worth, TX 76102

Regional Director
Bureau of Outdoor Recreation
Department of the Interior
5391 Central Avenue, NE
Albuquerque, NM 87108

By our letter dated September 26, 1972, we assigned to your Department for conveyance to Kleberg County, Texas, for park and recreational uses certain land at the Kingsville Naval Air Station, Kleberg County, Texas. Our letter of assignment was amended by letter dated October 28, 1972, concerning the requirement for relocation of fencing.

We are now further amending our assignment of the property to change the description of the property. Attachment A to our letter of September 26, 1972, consisted of a description covering 511.53 acres of land. The land has now been surveyed and it has been found to contain 533.88 acres. Attached Exhibit A is the description of the land for your use in the conveyance document.

We have today checked with a Navy official at the Station and he has advised us that the 533.88 acre description is correct.


JAMES K. KIASOR

Acting Regional Commissioner
Property Management & Disposal Service

Enclosure

UPON RECEIPT PLEASE TELEPHONE MR. VILLERE REGGIO 843-3502

118607

FILED FOR RECORD

2.35

2.16.12

USA DEAN WYNN

Post Office Box, Albany, New York

272 189

Kleberg County
Proposed Law Enforcement Regional Training Center Site
Exhibit "B-1"

COMMENCING at a point on the southeast corner of the proposed site and the NAS – Kingsville Property Line located in Kleberg County, Texas; and also being the **POINT OF BEGINNING** as shown on Exhibit "A" and described herein.

Thence S89°27'40"W approximately 1,800 feet to a point and also being the southwest corner of said property described herein;

Thence N00°32'20"W approximately 3,580 feet to a point and also being the northwest corner of said property described herein;

Thence N89°27'40"E approximately 1,800 feet to a point and also being the northeast corner of said property described herein;

Thence S00°32'20"W approximately 3,580 feet to a point and also being the southeast corner of said property described herein, also being the **POINT OF BEGINNING** of this approximately 147.9 acre tract.

This description is based on graphic scale of Maps of the Kleberg County and is not intended to represent a survey made on the ground.

AGENDA ITEM #8

**City of Kingsville
Purchasing Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Charlie Sosa, Purchasing Manager
DATE: March 20, 2018
SUBJECT: 2018 Wastewater System Improvements Engineering Services

Summary:

This item authorizes the City to enter into 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. Staff reviewed the responses received and found the information received to be responsive to the RFQ. A review committee had interviews with the top four respondents and made a recommendation to City Commission. On February 26, 2018, at a City Commission Meeting, the Commission awarded the RFQ and authorized staff to negotiate a contract with the recommended engineering firm, LNV Engineering, Inc.

Financial Impact:

None in the Master Services Agreement. The Agreement for Professional Services is a master agreement that does not require the expenditure of funds by itself. As task orders are prepared under the master agreement, then funds will be needed to pay for the agreed upon task orders.

\$25,000 in Task Order No.1 under the Master Services Agreement. The parties have proposed an initial task order (Task Order No.1) for the evaluation of flow options for the South WWTP at a cost of \$25,000. The budget amendment for the Wastewater Collections Division will reallocate funding of \$25,000 from Unrestricted Utility Fund Balance to 051-5-7003-31400 Professional Services to cover this anticipated expense.

Recommendation:

It is recommended that the City Commission authorizes staff to enter into a contract with LNV Engineering, Inc., of 801 Navigation BLVD. Corpus Christi, Texas, 78408.



RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO MASTER PROFESSIONAL SERVICES AGREEMENT BETWEEN LNV ENGINEERING, INC. AND THE CITY OF KINGSVILLE FOR WASTEWATER SYSTEM IMPROVEMENTS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville went out for RFQ's for engineering services for wastewater system improvements in December 2017 via RFQ#18-09 and held interviews with the top four engineering firms submitting proposals, and

WHEREAS, at a City Commission on February 26, 2018, the City Commission made an award to LNV Engineering, Inc. (hereafter "LNV") and authorized staff to negotiate a contract with LNV;

WHEREAS, the City and LNV have worked to prepare an Agreement for Professional Services for wastewater system improvements, which will be a master service agreement that provides for the use of task orders, as needed and agreed to by the parties, to engage engineering services.

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to enter into an Agreement for Professional Services (Master Agreement) between LNV Engineering, Inc. and the City of Kingsville for Professional Engineering Services relating to Wastewater System Improvements in accordance with Exhibit A hereto attached and to enter into Task Orders under that agreement.

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 March, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**CITY OF KINGSVILLE
AGREEMENT FOR PROFESSIONAL SERVICES**

This AGREEMENT made and entered into this ____ day of _____, 2018 by and between City of Kingsville, Texas. (hereinafter "OWNER"), and LNV, Inc. (hereinafter "ENGINEER").

WITNESSETH:

WHEREAS, the OWNER and the ENGINEER wish to enter into an AGREEMENT (hereinafter "AGREEMENT") for the furnishing of services in connection with the City of Kingsville (hereinafter "OWNER") Wastewater System Improvements Program RFQ No. 18-09 (hereinafter "Project"), and

NOW THEREFORE, in consideration of the mutual promises and covenants of the parties hereto, it is agreed as follows:

SECTION 1 - GENERAL

- 1.1. The services required under this AGREEMENT shall be set forth in one or more Task Orders issued by OWNER to ENGINEER as required by the needs of the Project. In performance of these services, the ENGINEER shall provide qualified, and where required, licensed personnel. Task Orders shall include designation of a Project Manager and, if required by OWNER, a list of proposed personnel. The ENGINEER shall promptly notify the OWNER of any changes in the ENGINEER's initial organization.
- 1.2. It is intended that each additional sequentially numbered Task Order setting forth the ENGINEER's Services, Time of Performance, and Payment, or any other conditions, shall become a supplement to and a part of this AGREEMENT.
- 1.3. The ENGINEER shall provide the OWNER with separate invoices for each Task Order authorized unless otherwise directed by the OWNER.

SECTION 2 - PAYMENT

- 2.1. Compensation shall be set forth in each task order issued by OWNER in accordance with Section 1 of this AGREEMENT.
- 2.2. The ENGINEER shall submit invoices to the OWNER once per month. Invoices shall be prepared in such form and supported by documentation as the OWNER may reasonably require and in compliance with the OWNER's requirements. Invoices must include the OWNER's Purchase Order Number.
- 2.3. Final payment of any balance will be made upon completion of the ENGINEER's services and acceptance by the OWNER.

SECTION 3 - TIME OF PERFORMANCE

- 3.1. The Time of Performance under this AGREEMENT shall be defined in the Task Orders issued to ENGINEER by OWNER.

- 3.2. The ENGINEER shall report, from time to time as requested by the OWNER, its progress under this AGREEMENT. The ENGINEER shall plan its performance of services to accomplish its timely completion, and shall promptly notify the OWNER of any anticipated delay which may affect the ENGINEER's Time of Performance.

SECTION 4 - LEGAL RELATIONS

- 4.1. The ENGINEER is for all purposes an independent contractor. In no event shall the ENGINEER or any personnel retained by the ENGINEER be deemed to be an agent or employee of the OWNER or engaged by the OWNER for the account of or on behalf of the OWNER. Full control of means and methods of work including provisions for required safety precautions shall be the responsibility of the ENGINEER.
- 4.2. The ENGINEER shall be responsible to the level of competency presently maintained by other practicing professional consultants performing the same or similar work in the state where the project is located.
- 4.3. The ENGINEER agrees, to the fullest extent permitted by law, to indemnify and hold harmless the OWNER, its officers, directors, employees and other subconsultants against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the ENGINEER's negligent performance of professional services under this AGREEMENT and that of anyone for whom the ENGINEER is legally liable.

The OWNER agrees, to the fullest extent permitted by law, to indemnify and hold harmless the ENGINEER, its officers, directors, and employees

against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the OWNER's negligent acts in connection with the Project or anyone for whom the OWNER is legally liable.

- 4.4. In the event of legal action brought by either party against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amount for fees, costs and expenses, including attorney's fees, as may be set by the court or the actual costs incurred by the prevailing party if the dispute does not reach final judgment.
- 4.5. The ENGINEER shall not make, sublet or assign any of the services covered by this AGREEMENT, except with the prior written approval of the OWNER and in compliance with the terms, provisions and conditions of the AGREEMENT.
- 4.6. The ENGINEER shall, upon request and without cost, provide OWNER and the OWNER all directly pertinent books, documents, papers and records including electronic data of the ENGINEER involving transactions related to this AGREEMENT.
- 4.7. If the project involves construction of any kind, the parties agree that OWNER and ENGINEER shall be indemnified to the fullest extent permitted by law for all claims, damages, losses and expense including attorney's fees arising out of or resulting from construction contractor's performance of work including injury to any worker on the job site except for the sole negligence of OWNER OR ENGINEER. OWNER AND ENGINEER shall be named as

additional primary insured(s) by the construction contractor's General Liability and Builders All Risk insurance policies without offset and all Construction Documents and Insurance certificates shall include wording acceptable to the parties herein with reference to such provisions.

SECTION 5 - INSURANCE

- 5.1. Business Insurance. ENGINEER shall maintain, at its own expense, 1) Workers' Compensation and Employer's Liability pursuant to state law, and 2) Commercial General Liability and Automobile Liability with limits at or above that which is reasonably required of other firms in the industry for their protection and management of business risks. If requested, ENGINEER shall promptly furnish to OWNER insurance certificates evidencing such.
- 5.2. Professional Liability Insurance. A current Professional Liability insurance certificate providing minimum limits of \$1,000,000 is required. ENGINEER shall attach the certificate to the signed AGREEMENT before returning to OWNER. This AGREEMENT is not final and invoices cannot be paid until a Professional Liability insurance certificate is received.

SECTION 6 - INDEPENDENT INVESTIGATIONS

- 6.1. The ENGINEER has reviewed the services required under the AGREEMENT and has made his own investigation concerning services. The ENGINEER has determined that he has sufficient information to enter into the AGREEMENT and perform the services called for herein. The ENGINEER agrees and acknowledges that the OWNER has

made no representations or warranties concerning the services provided and that the ENGINEER has relied solely upon his own review and investigation prior to entering into this AGREEMENT.

SECTION 7 - TERMINATION OF AGREEMENT

- 7.1. The OWNER may terminate this AGREEMENT at any time by giving the ENGINEER written notice thereof. Upon said termination, the ENGINEER will be reimbursed for that portion of the work completed prior to termination less expenses or costs incurred as a result of the ENGINEER's default.

SECTION 8 - ENTIRE AGREEMENT

- 8.1. This AGREEMENT including attachments incorporated herein by reference represents the entire AGREEMENT and understanding between the parties and any negotiations, proposals or oral AGREEMENTs are intended to be superseded by this written AGREEMENT. Any supplement or amendment to this AGREEMENT to be effective shall be in writing and signed by the parties.

SECTION 9 - REQUIRED PROVISIONS

- 9.1. The ENGINEER shall exercise the usual and customary professional care in its efforts to comply with applicable laws, codes and regulations in effect as of the date of this AGREEMENT. Design changes made necessary by laws, codes and regulations enacted after the date of this AGREEMENT shall entitle the ENGINEER to an equitable adjustment in time of performance and in compensation.

9.2. Deliverables. All deliverables associated with the Task Order(s) shall be delivered to the OWNER as follows:

A. Text Documents - in Microsoft Word, in accordance with the OWNER's format, AND

As collated, multi-page, full text searchable PDF format.

Text documents shall have all tables, figures, photographs, drawings and appendices converted and included in the PDF file.

B. Drawings/Large Figures - (22 inch by 34 inch) - In AutoCAD version 2000 or greater in accordance with the OWNER's format, AND

In PDF format conforming to the following:

- a. Image only PDF.
- b. 200 to 400 dpi scanning resolution.
- c. Pure black and white scanning using, Group IV compression.
- d. One PDF file per drawing set (not per drawing).
- e. Electronically stored and delivered on CD ROM or DVD.

9.3. Ownership and Use of Documents. The ENGINEER agrees that items such as plans, drawings, photos, designs, studies, specifications, data, computer programs, schedules, and technical reports specified to be delivered under this AGREEMENT, and paid for by the OWNER, and hereinafter referred to as OWNER's property, are subject to the rights of the OWNER in effect on the date of execution of this AGREEMENT. These rights include the right to duplicate and archive by digital storage for disclosure to, in whole or in part, and future access by OWNER'S staff.

9.4. In addition to the insurance requirements of Section 5, ENGINEER shall provide insurance coverage of the types and amounts specified in Exhibit A.

SECTION 10 - GOVERNING LAW

10.1. This AGREEMENT is to be governed and construed in accordance with the laws of the State of Texas.


10.2. Venue for any matters related to this contract shall be in Kleberg County, Texas.

IN WITNESS WHEREOF, duly authorized representatives of the parties have signed in confirmation of this AGREEMENT, with effective date the day and year first above written.

LVN, Inc.

City of Kingsville, Texas

By:



Robert M. Viera
Vice President
LVN, Inc.
801 Navigation Suite 300
Corpus Christi, Texas 78408

By:

Sam R. Fugate, Mayor
City of Kingsville
400 W. King Avenue
Kingsville, Texas 78363

Date

3/20/2018

Date

City of Kingsville- Engineering Professional Consulting Services

TASK ORDER NO. ____

Project Name

City of Kingsville, Texas

AND

LNV, Inc.

This Task Order is issued by the OWNER and accepted by the ENGINEER pursuant to the mutual promises, covenants and conditions contained in the Agreement between the above named parties dated the ____ day _____, 20__, in connection with City of Kingsville, (OWNER) Wastewater System Improvements Program (RFQ No. 18-09).

PURPOSE

The purpose of this Task Order is to set forth the requirements, schedule, and payment associated with the ENGINEER's tasks in accordance with the Agreement between OWNER and ENGINEER.

ENGINEER'S SERVICES

General: ENGINEER's services to be provided under this Task Order include Basic and Additional Services outlined below:

Basic Services:

- _____
- _____

Additional Services

- N/A

TIME OF PERFORMANCE

Time is of the essence. All work in this Task Order shall be completed by the ENGINEER on or before the dates indicated in the following table.

Task	Completion Date
BASIC	Date
ADDITIONAL	Date

PAYMENT

Payment to ENGINEER will be made in accordance with the following:

Payment for Basic Services: OWNER will pay ENGINEER a fee for providing for all "Basic Services" authorized, in accordance with the following table. The fees for Basic Services will not exceed those identified in the table below and will be full and total compensation for all services outlined in this Task Order under "Basic Services." ENGINEER invoicing shall comply with the provisions of the Agreement between OWNER and ENGINEER. OWNER reserves the right to pay ENGINEER a fixed fee for Basic Services at OWNER'S discretion.

Fee for Additional Services: Fees for Additional Services shown in the following table are an allowance for potential services to be provided as part of the project, and are subject to modification by the OWNER based on the actual needs of the project. Work will not begin on any Additional Services until requested in writing by the ENGINEER, and until written authorization to proceed with the additional services is provided by the OWNER. Additional Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Additional Services at OWNER'S discretion.

FEE BREAKDOWN FOR SERVICES BY ENGINEER	
	FEE
BASIC SERVICES	
SUBTOTAL BASIC SERVICES:	
ADDITIONAL SERVICES	
SUBTOTAL ADDITIONAL SERVICES:	
TOTAL FEE:	

EFFECTIVE DATE

This Task Order No. ____ is effective as of the _____ day of _____, 20__.

IN WITNESS WHEREOF, duly authorized representatives of the OWNER and of the ENGINEER have executed this Task Order No. ____ evidencing its issuance by OWNER and acceptance by ENGINEER.

City of Kingsville, Texas

LVN, Inc.

By: _____
City Representative
City of Kingsville
400 W. King Avenue
Kingsville, Texas 78363

By: _____
Robert M. Viera, P.E.
Vice President
LVN, Inc.
801 Navigation, Suite 300
Corpus Christi, Texas 78408

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

LNV, Inc.
Corpus Christi, TX United States

Certificate Number:
2018-326564

Date Filed:
03/15/2018

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Kingsville

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

RFQ 18-09 WW Sys. Imprv. Prog.
Professional engineering, architectural, and/or surveying services.

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Viera, Robert	Corpus Christi, TX United States	X	
	Trejo, Eric	Corpus Christi, TX United States	X	
	Burton, W. Logan	Corpus Christi, TX United States	X	
	Sanderfer, Byron	San Antonio, TX United States	X	
	Naiser, Marcus	Austin, TX United States	X	
	Leyendecker, Dan	Corpus Christi, TX United States	X	
	Naiser, Derek	San Antonio, TX United States	X	

5 Check only if there is NO Interested Party. ☐

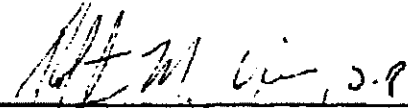
6 UNSWORN DECLARATION

My name is Robert M. Viera, and my date of birth is 02/20/1970

My address is 801 Navigation, Suite 300, Corpus Christi, TX, 78408, USA
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Nueces County, State of Texas, on the 15th day of March, 2018
(month) (year)


Signature of authorized agent of contracting business entity
(Declarant)

AGENDA ITEM #9

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Charlie Sosa, Purchasing Manager

DATE: March 20, 2018

SUBJECT: Budget Amendment Wastewater Collections Division for Engineering Services

Summary:

This budget amendment allocates funding to the current year wastewater collections budget. The Wastewater Collections Division is needing additional engineering services to evaluate flow options.

Background:

The capacity analysis completed in 2017 by Kimley Horn revealed the South Plant WWTP was at approximately 70% of capacity. Additional engineering services are required to evaluate options to reduce flow at the South Plant. After releasing and awarding RFQ#18-09, the City has negotiated a master Professional Services Agreement for engineering services for wastewater system improvements. Task Order No.1 under that agreement would provide for the evaluation of options to reduce capacity at the South Plant. These services would be provided for \$25,000.00.

Financial Impact:

\$25,000. This budget amendment for the Wastewater Collections Division will reallocate funding of \$25,000 from Unrestricted Utility Fund Balance to 051-5-7003-31400 Professional Services.

Recommendation:

Staff recommends authorization of this budget amendment to the FY 17-18 budget to cover the engineering professional services needed under Task Order No. 1 for wastewater system improvements.



City of Kingsville- Engineering Professional Consulting Services

TASK ORDER NO. 1

Report for Flow Transfer

City of Kingsville, Texas

AND

LVN, Inc.

This Task Order is issued by the OWNER and accepted by the ENGINEER pursuant to the mutual promises, covenants and conditions contained in the Agreement between the above named parties dated the ____ day _____, 20__, in connection with City of Kingsville, (OWNER) Wastewater System Improvements Program (RFQ No. 18-09).

PURPOSE

The purpose of this Task Order is to set forth the requirements, schedule, and payment associated with the ENGINEER's tasks in accordance with the Agreement between OWNER and ENGINEER.

ENGINEER'S SERVICES

General: ENGINEER's services to be provided under this Task Order include Basic and Additional Services outlined below:

Basic Services:

- Prepare a report for flow transfer in sufficient detail to indicate clearly the problems involved and the alternate solutions available to the City, to include preliminary layouts, sketches and cost estimates.
- Report will evaluate three (3) options: 1. Redirect/transfer flow (approx. 0.2 MGD) from an existing LS to the NWWTP collection system or directly to the NWWTP. 2. Transfer flow (approx. 0.2 MGD) from the SWWTP to the NWWTP., and 3. Expand capacity of the SWWTP
- Transfer options should include a new lift station and force main, reusing an existing lift station, and/or tying into an existing force main.
- All options shall consider potential negative impacts on the collection system condition and capacity.
- Report shall also include recommendations and cost estimates for critical items that may need repair at both wastewater treatment plants.
- Report shall be signed and sealed by a Texas Licensed Professional Engineer.

Additional Services

- N/A

TIME OF PERFORMANCE

Time is of the essence. All work in this Task Order shall be completed by the ENGINEER on or before the dates indicated in the following table.

Task	Completion Date
BASIC	October 2018
ADDITIONAL	N/A

PAYMENT

Payment to ENGINEER will be made in accordance with the following:

Payment for Basic Services: OWNER will pay ENGINEER a fee for providing for all "Basic Services" authorized, in accordance with the following table. The fees for Basic Services will not exceed those identified in the table below and will be full and total compensation for all services outlined in this Task Order under "Basic Services." ENGINEER invoicing shall comply with the provisions of the Agreement between OWNER and ENGINEER. OWNER reserves the right to pay ENGINEER a fixed fee for Basic Services at OWNER'S discretion.

Fee for Additional Services: Fees for Additional Services shown in the following table are an allowance for potential services to be provided as part of the project, and are subject to modification by the OWNER based on the actual needs of the project. Work will not begin on any Additional Services until requested in writing by the ENGINEER, and until written authorization to proceed with the additional services is provided by the OWNER. Additional Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Additional Services at OWNER'S discretion.

FEE BREAKDOWN FOR SERVICES BY ENGINEER	
	FEE
BASIC SERVICES	
Report for Flow Transfer	\$25,000
SUBTOTAL BASIC SERVICES:	\$25,000
ADDITIONAL SERVICES	N/A
SUBTOTAL ADDITIONAL SERVICES:	N/A
TOTAL FEE:	\$25,000

EFFECTIVE DATE


This Task Order No. ____ is effective as of the ____ day of _____, 20__.

IN WITNESS WHEREOF, duly authorized representatives of the OWNER and of the ENGINEER have executed this Task Order No. 1 evidencing its issuance by OWNER and acceptance by ENGINEER.

City of Kingsville, Texas

LNV, Inc.

By: _____
Sam R. Fugate, Mayor
City of Kingsville
400 W. King Avenue
Kingsville, Texas 78363

By:  _____
Robert M. Viera, P.E.
Vice President
LNV, Inc.
801 Navigation, Suite 300
Corpus Christi, Texas 78408

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-2018 BUDGET TO INCLUDE ADDITIONAL ENGINEERING SERVICES FOR THE WASTEWATER SYSTEM.

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 051-Utility Fund					
Equity					
2		Unrestricted Fund Balance	61004		\$ 25,000
Expenses					
5-7003		Professional Services	31400	\$ 25,000	

[To amend the City of Kingsville FY 17-18 Utility Fund Budget to include additional engineering services for the Waste Water Collections Division as per the attached memo from the Purchasing 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 March, 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
Planning and Development Services**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director of Planning and Development Services

DATE: March 14, 2018

SUBJECT: Public Hearing and Action Concerning the Rezoning of 507 W. Richard from R3 to R2

Summary:

Ruben Ruiz desires to build a single family house at 507 W. Richard. The size of the lot is 50 x 75 = 3,500 square feet. The size of the lot is too small in R3 to build what he wants and also in R1 since the minimum lot size is 5,500 square feet. The only way for him to build a single family house on this lot is to rezone to R2. The minimum lot size for R2 is 2,500 square feet.

Background:

Ruben Ruiz came to me with this request to build a single family home. This lot was developed in 1950 which is before there were any rules on lot size etc. I believe that if we want infill to occur especially single family housing we will have to work our way through these issues. The tentative plan right now that if this goes through Mr. Ruiz will have the house dem'd so he can build the house.

Financial Impact:

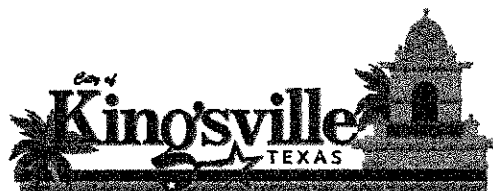
This would be a positive impact if allowed. A single family house will be built in its place to increase property taxes and at the same time upgrade the neighborhood by taking out a structure that if not demo'd now would eventually be on our list to send to the city commission.

Recommendation:



City of Kingsville
Planning and Development Services

The Planning and Zoning Commission met on March 21, 2018 and voted 7 to 0 to recommend approval of the rezoning at 507 W. Richard from R3 to R2.



**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION**

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 507 W. Richard Nearest Intersection Richard Ave. 2nd St. &
(Proposed) Subdivision Name Original Townsite N 1/2, 13-14 Lot 13 & 14 Block 16
Legal Description: Lot 13 & 14 Original townsite N 1/2, 13-14 Block 16
Existing Zoning Designation R3 Future Land Use Plan Designation R-2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Ruben Ruiz Sr Phone 956 821-8902 FAX _____
Email Address (for project correspondence only): rubenruiz11@yahoo.com
Mailing Address 4910 June Dr - City Edinburg State Tx Zip 78539
Property Owner Rosana M. Ruiz Phone 956-4608035 FAX _____
Email Address (for project correspondence only): rubenruiz11@yahoo.com
Mailing Address 4910 June Dr - City Edinburg State Tx Zip 78539

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

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

Please provide a basic description of the proposed project:

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

Applicant's Signature [Signature] Date: 2-21-18
Property Owner's Signature _____ Date: 2-21-18
Accepted by: _____ Date: _____

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Ruben Ruiz Jr, applicant, Rosanna M Riojas, owner, requesting the rezone of ORIG TOWN, BLOCK 16, LOT N/2 13-14 also known as 507 West Richard from R3 (Multi-Family) to R2 (Two-Family District).

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 26, 2018 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Ruben Ruiz Jr, applicant, Rosanna M Riojas, owner, requesting the rezone of ORIG TOWN, BLOCK 16, LOT N/2 13-14 also known as 507 West Richard from R3 (Multi-Family) to R2 (Two-Family District).

The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: March 14, 2018

Subject: Agenda Items #3 and #4

Ruben Ruiz desires to build a single family house at 507 W. Richard. The size of the lot is 50 x 75 = 3,500 square feet. The size of the lot is too small in R3 to build and R1 also since the minimum lot size for R1 is 5,500 square feet. The only way for him to build on this lot is to rezone to R2 which the minimum lot size is 2,500 square feet.

Attachments

- A. Draft ordinance
- B. Appendix A showing what is allowed in R1 and R2
- C. Appraisal District record reflecting size of lot
- D. Zoning map showing location of lot with X
- E. Map of buffer area
- F. List of homes that were sent letters

Recommended Action:

To approve the rezoning to R2. Since this lot was developed in 1950, which was prior to any of the rules we have today. For this lot to be developed a rezone would have to occur.

ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO ORIG TOWN, BLOCK 16, LOT N/2 13-14 ALSO KNOWN AS 507 W. RICHARD AVE. FROM R3-MULTI-FAMILY DISTRICT TO R2-TWO-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Ruben Ruiz, Jr. on behalf of Rosanna M. Riojas, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018 during a meeting of the Planning and Zoning Commission, and on Monday, March 26, 2018 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by a 0-0 vote to APPROVE/NOT APPROVE the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family to R2-Two-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

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

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

Taxes w/o Exemptions:

N/A

Improvement / Building

Improvement #1: RESIDENTIAL State Code: A1 Living Area: 672.0 sqft Value: \$12,520

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	FF3	EW3	1950	672.0
OP1	OPEN PORCH BASIC (20%)	*		1950	200.0
CP1	CARPORT BASIC (10%)	*		1950	200.0
SG2	STORAGE UNFINISHED (30%)	*		1950	40.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	A1	A1	0.0803	3500.00	50.00	70.00	\$2,970	\$0

X

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2018	N/A	N/A	N/A	N/A	N/A	N/A
2017	\$12,520	\$2,970	0	15,490	\$0	\$15,490
2016	\$12,520	\$2,970	0	15,490	\$0	\$15,490
2015	\$15,650	\$2,970	0	18,620	\$0	\$18,620
2014	\$15,650	\$2,970	0	18,620	\$0	\$18,620
2013	\$15,650	\$2,970	0	18,620	\$0	\$18,620
2012	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2011	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2010	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2009	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2008	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2007	\$15,650	\$3,110	0	18,760	\$0	\$18,760
2006	\$14,800	\$3,110	0	17,910	\$0	\$17,910
2005	\$15,130	\$3,110	0	18,240	\$0	\$18,240
2004	\$15,130	\$3,110	0	18,240	\$0	\$18,240

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/28/2017	WD	WARRANTY DEED	BLUE CACTUS PROPERTIES LLC	RIOJAS ROSANA MARIE			313022
2	10/30/2017	WD	WARRANTY DEED	RHODE JANET K	BLUE CACTUS PROPERTIES LLC			312326
3	12/16/2016	SPWD	SPECIAL WARRANTY DEED	RHODE ROBERT D EST	RHODE JANET K			308650

Questions Please Call (361) 595-5775



Page 1 / 1

Drawn By:
Engineering Department
Last Update: 2/22/2018
Note:

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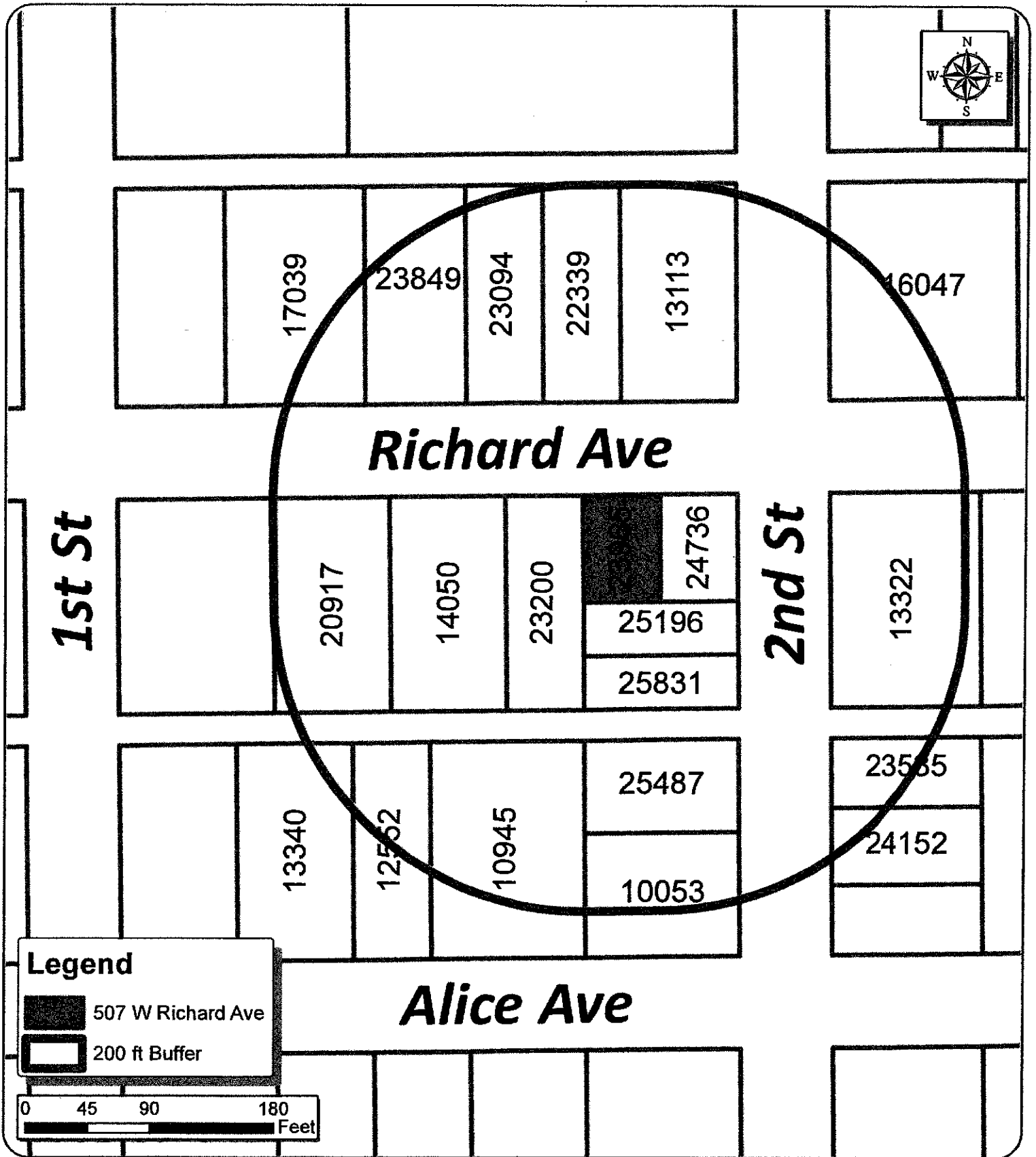


**CITY OF KINGSTVILLE
ENGINEERING DEPARTMENT**
400 W King Ave
Kingsville, Texas 78363
Office: 361-595-8007
Fax: 361-596-8064

Legend

- | | | | | | | |
|-------------------------|--|----|--|----|--|------|
| • Apartment Complexes | | C1 | | I2 | | R3 |
| Historic District | | C2 | | MH | | R4 |
| Rezone Option 4 | | C3 | | MU | | RP2 |
| Zoning Ownership | | C4 | | R1 | | TAMU |
| AG | | I1 | | R2 | | |

507 W Richard Ave



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Arc_City_Base_Map_3.5x11.mxd

Page 1 / 1	Drawn By: Engineering Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Office: 361-595-8007 Fax: 361-595-8064
	Last Update: 2/22/2018		
	Note:		

ANNA RAMIREZ
425 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363-3842
#17039

RENE GARCIA HERNANDEZ
508 W RICHARD AVE
KINGSVILLE, TX 78363-4361
#22339

ANDRES GARCIA JR
ETUX SHERRI GARCIA
390 W CO RD 2160
KINGSVILLE, TX 78363
#14050

EMMA SANCHEZ
12376 PAULINE RD
LYFORD, TX 78569
#24736

JOSE G ANDRADE
ETUX EMMA S (LIFE EST)
509 N 2ND ST
KINGSVILLE, TX 78363-4348
#25487

JOSE F VELA JR
ETUX DIANA I EST
PO BOX 5341
KINGSVILLE, TX 78364-5341
#12552

ROGER ALLEN POLLARD
ETAL
412 E TRAND RD
KINGSVILLE, TX 78363
#13322

RUBEN A PENIA
ETUX MARTHA V
3411 S BRAHMA BLVD
KINGSVILLE, TX 78363-7303
#23849

RAMON ISASSI JR
ETUX CYNTHIA A
421 S WANDA DR
KINGSVILLE, TX 78363-4966
#13113

NORBERTO REYES
ETUX YOLANDA CASTRO
2618 STACY LANE
AUSTIN, TX 78704
#23200

MLC HOMES LLC
% VICTOR ENRIQUEZ
4696 HERRERA ST
ROBSTOWN, TX 78380
#25196

GUADALUPE ALVARADO
ETUX ROSIE
503 N 2ND ST
KINGSVILLE, TX 78363
#10053

RAJAB CHALLOO
ETUX LINDA
PO BOX 867
KINGSVILLE, TX 78364-0867
#13340

JUAN MACARENO
MARGARET MACARENO
508 N 2ND ST
KINGSVILLE, TX 78363
#23535

ROSARIO G HERNANDEZ
510 W RICHARD AVE
KINGSVILLE, TX 78363-4361
#23094

RAJAB CHALLOO
ETUX LINDA
PO BOX 867
KINGSVILLE, TX 78364-0867
#20917

ROSANA MARIA RIOJAS
4910 JUNE DR
EDINBURG, TX 78539
#23965

MLC HOMES LLC
% MELISSA E ENRIQUEZ
4696 HERRERA ST
ROBSTOWN, TX 78380
#25831

WILLIAM DANIEL GARZA
620 E KING AVE
KINGSVILLE, TX 78363-5721
#10945

DANELL FLEMING
430 W RICHARD ST
KINGSVILLE, TX 78363
#16047

JESUS P RODRIGUEZ JR
ETUX MARIA ELENA
506 N 2ND ST
KINGSVILLE, TX 78363-4349
#24152

Election

held for 38 years by Romeo Lomas, who resigned in December 2016 and passed away in April of last year, following an automobile accident. Lomas' daughter, Crystal Runyon, was appointed to fill his unexpired term and has served on the court since January.

Runyon has filed for election to the office, along with fellow candidates David Garcia, Manuel Salazar Jr. and Zaragoza "Shorty" Salinas Jr. One Republican, Rene Lomas Bazar, has also filed for the Pct. 4 County Commissioner position and is unopposed on the Primary ballot.

The Democratic ballot also features a contested race for the Pct. 4 Justice of the Peace spot. Incumbent Cheque De La Paz has two challengers, Ofelia "Ofie" Gutierrez and Maria C. "Tina" Lopez-Galvan.

If a candidate in either of those races does not receive at least 50.01 percent of the vote, the top two vote getters will face each other in a run-off election on May 22.

The Pct. 3 Kleberg County Justice of the Peace race includes four candidates. On the Republican side, incumbent Christopher Lee is challenged by John David Rubalcaba Sr. On the Democrats' side, Joe "Pepe" Figueroa faces off against Robert Zavala.

Election results will be posted in KingsvilleRecord.com Tuesday night as they become available.

Polling locations by precinct

Precinct	Polling Location	Polling Address
11	Wild Horse Mall	1601 S. Hwy 77, Kingsville
12	Kleberg County Precinct 1 Building	1910 E. Trant Rd., Kingsville
13, 14	Law Enforcement Center, Courthouse A	1500 E. King, Kingsville
21	Kleberg Elementary School	900 N. 6th St. at Nellie Ave., Kingsville
22, 23	University Baptist Church - Rear Building	1324 N. Armstrong, Kingsville
24	Santa Gertrudis School	803 Santa Rosa, Kingsville
31	Knights of Columbus Hall Council 3389	320 General Cavazos, Kingsville
32	St. Paul's AME Church	529 E. Warren, Kingsville
33, 34	Riviera County Building	103 N. 7th St., Riviera
35	Ricardo Senior Center	109 N. Nix St., Ricardo
41, 42	Gillett School	900 N. 17th St., Kingsville
43	Early Voting Annex Office	720 E. King at 12th St., Kingsville
44	KISD Administration Bldg. - Rear Building	207 N. 3rd St., Kingsville
45	St. Martin's Parish Church Hall	504 E. Ella, Kingsville

Plea

in the case previously reached an agreement in March 2017 that would have capped a prison term at 10 years.

After testimony from several witnesses - including a Kingsville Police Department detective, employees of the bank at the time of the robbery and an ex-girlfriend of Martinez's - that lasted nearly two hours, Pulcher stopped the hearing and said he was unable to support the plea deal's prison sentence cap.

Both tellers testified that they suffered

emotional distress because of the incident, with one stating that she was later diagnosed with depression and post-traumatic stress disorder.

Security video from the robbery showed a man clad in black and wearing a motorcycle helmet jumping onto the tellers' counter and brandishing a black handgun.


Bank officials testified in 2017 that a little more than \$51,000 was stolen at the time of the robbery, though some of that was later recovered in an alley behind the bank

and is still being held as evidence.

IBC Bank was never reimbursed for the money that was stolen through insurance, bank officials said during the 2017 hearing, and the remainder of the missing cash has not been recovered.

A co-defendant in the case, Joanna Cantu, is still set to go to trial on felony charges of aggravated robbery. Cantu was an employee of the bank at the time and is accused of helping Martinez carry out the crime.

Visit us at KingsvilleRecord.com



ELECT JD RUBALCABA

Kleberg County Justice of the Peace, Pct. 3

I would like to thank everyone I came in contact with during the primary's election cycle that I began on Oct. 11, 2017 for 2018. To the 75 people that signed my petition to be your Republican candidate for Kleberg County Justice of the Peace Precinct 3, to the donors that supported my campaign with contributions that added to a little over \$1,800.00, to the 25 individuals that I registered to vote in the upcoming Primary Election, to the 450 plus constituents that permitted me to share my platform, that all, times lasted for an hour and a half. I have been humbled by the response and it was most definitely a learning experience. My hope is that you go out and cast your vote for the person that you believe will do the best job. Win or lose, we know I did my best. If elected to be your next Republican JP candidate for the General election on Nov. 6, 2018, I will work diligently to meet the 4,000 or so that I was out able to reach this time around.

Again, thank you!! Until we meet again.

Respectfully,
JD Rubalcaba

God Bless America, God Bless our Troops and God Bless Kleberg County Precinct 3.

PRIMARY ELECTIONS
TUESDAY MARCH 6
I appreciate your support.

★★★★★★★★★★★★★★★★★★★★

Trusted Family Dental Care



Keeping your smile healthy and bright through the ages!

Complete dentistry for the whole family.

Give your smile the TLC it deserves. We offer a full range of general and cosmetic dentistry services for a healthy mouth and beautiful, bright teeth.

All the comforts of home to ensure the best dental experience possible.

- ◆ Se habla español ◆ Cosmetic dentistry ◆ Movies, music, magazines
- ◆ Teeth whitening ◆ TV with video capability ◆ Orthodontics (braces)
- ◆ Insurance accepted and filed for you ◆ New patients welcomed

MARCH SPECIALS

PRESENT THESE COUPONS FOR THE MONTH OF MARCH 2018

Orthodontic (Braces)

Exam & Records

\$1.00

EE-MARCH01-DRL-RC - (361) 595-8055

Limited Dental Exam

NEW PATIENTS ONLY

NO CHARGE

EE-MARCH01-DRL-RC - (361) 595-8055

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK 2-1, LOTS 1-32; COOPER 2-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-32; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-32; N/2 15-16, N/2 5/2 13-16, 5/2 5/2 13-16, N40° 17-20, S80° 17-20, 11-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-16, W50° 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-32; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-32; ORIG TOWN, BLOCK 34, LOTS 1-32; ORIG TOWN, BLOCK 35, LOTS 1-32; ORIG TOWN, BLOCK 36, LOTS 1-32; ORIG TOWN, BLOCK 37, LOTS 1-32; 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ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO ORIG TOWN, BLOCK 16, LOT N/2 13-14 ALSO KNOWN AS 507 W. RICHARD AVE. FROM R3-MULTI-FAMILY DISTRICT TO R2-TWO-FAMILY DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Ruben Ruiz, Jr. on behalf of Rosanna M. Riojas, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018 during a meeting of the Planning and Zoning Commission, and on Monday, March 26, 2018 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by a 7-0 vote to APPROVE the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Orig Town, Block 16, Lot N/2 13-14 also known as 507 W. Richard Ave. from R3-Multi-Family to R2-Two-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

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

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

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: March 15, 2018

SUBJECT: Rezoning of area in Historical Development District from R3 to R1

Summary: Due to recent events in a part of the Historical Development District there has been concern on the part of the homeowners on the increase number of multi family buildings. To protect the homeowners but also to provide the building of multi family projects, the Planning and Zoning Commission will be recommending a portion of the Historical Development, west of 6th Street to be rezoned from R3 to R1.

Background: In the past few months, the approval of a multi family structure at 531 W. Alice and the demo of the house at 702 W. Henrietta which could allow the building a multi family structure there has ignited a concern by the surrounding property owners. The discussion with the Planning and Zoning Commission went well with the goal of protecting homeowners and allowing the building of multi family structures for an affordable housing option. The Historical Development Board has been involved in this discussion and are in agreement with the rezoning area that is under consideration. Since the last City Commission meeting , letters have been sent to the property owners within the rezoning area and the buffer area. The calls I have received are generally supportive of the rezoning area and action. The other type of call that I have been receiving are from owners of multi family structures and how that impacts them. I have been telling them that since we are changing the zoning that their property will be grandfathered in and can continue to be operated as multi family. I also tell them that in so many years from now if the structure is torn down then the grandfather dies and the R1 zone would then kick in.

Financial Impact: The financial impact could actually see an increase depending upon the path that the future development takes place. Obviously it is hoped that this rezoning will offer



City of Kingsville
Department of Planning and Development Services

protection for those who want to build a single family home . That in turn would improve the overall stability of the area and the appraisals that go along with it. In addition the area left as R3 is still ripe for development of this type in the future.

Recommendation: The Planning and Zoning Commission met on March 21, 2018 and voted 7 to 0 to recommend approval of the rezoning as submitted from R3 to R1.

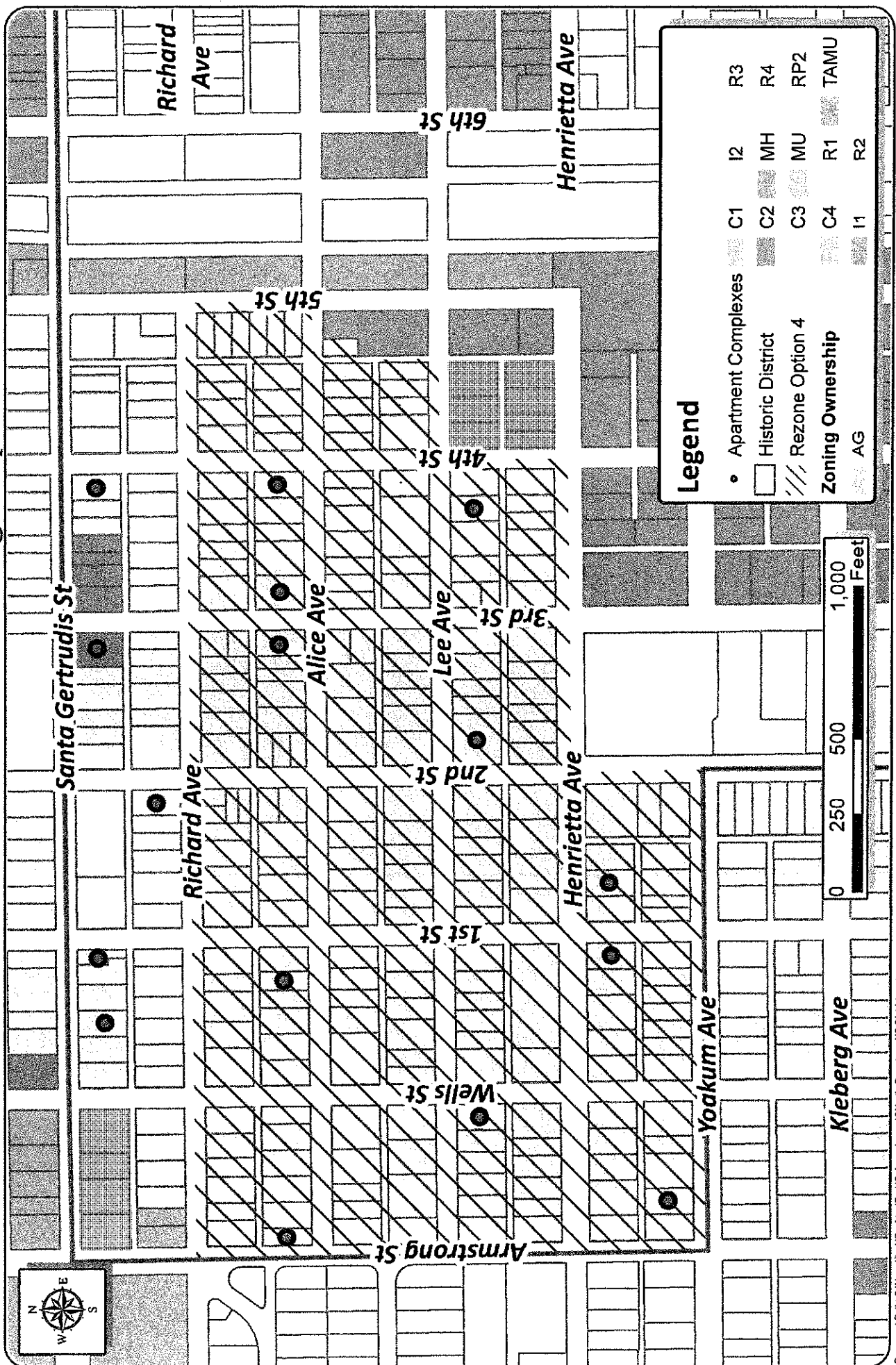
Attachments

- A. Rezoning Map
- B. Previous memo for City Commission
- C. Legal description of rezoning
- D. Map of Subdivision Detail
- E. Map of rezoned are in pink and buffer area in blue. This map was included with the letter that was sent to all property owners in both areas.
- F. Draft Ordinance
- G. Rezoning map with lot number of property owners in the buffer area
- H. Application and list of property owners who were mailed letters



Historic District Rezoning - Option 4

A



Document Path: C:\Users\thuck\Desktop\TuckSafe.mxd map\CityMap\In-Downtown NR District.mxd

<p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Office: 361-595-8007 Fax: 361-595-8064</p>	
<p>Drawn By: Engineering Department</p>	<p>Page 1 / 1</p>
<p>Last Update: 2/22/2018</p>	<p>Note:</p>
<p><small>DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</small></p>	

B

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



C

General Description of Historic District Rezoning

Beginning at a point that lies in the center of the intersection of Armstrong Street and Richard Avenue, said point also being described as the "Point of Beginning";

Thence due east along the centerline of the aforementioned Richard Avenue approximately three thousand one hundred fourteen feet to a point that lies in the center of the intersection of Richard Avenue and 5th Street, said point also being the easternmost point herein described;

Thence due south along the centerline of the aforementioned 5th Street approximately four hundred eight feet to a point that lies in the center of the intersection of 5th Street and Alice Avenue;

Thence due west along the centerline of the aforementioned Alice Avenue approximately one hundred ten feet to a point that lies on the centerline of Alice Avenue north of Lot W 50' 11-14, Block 20, Original Town;

Thence due south along the east parcel line of Lot W 50' 11-14, Block 20, Original Town approximately one hundred twenty feet to the southeast corner of Lot W 50' 11-14, Block 20, Original Town;

Thence due west along the south parcel line of Lot W 50' 11-14, Block 20, Original Town approximately sixty-five feet to the centerline of the alley in Block 20, Original Town that runs north-to-south from Alice Avenue to Lee Avenue;

Thence due south along the centerline of the aforementioned alley approximately two hundred forty feet to a point that lies in the center of the intersection of the north-to-south alley in Block 20, Original Town and Lee Avenue;

Thence due west along the centerline of the aforementioned Lee Avenue approximately three hundred thirty feet to a point that lies in the center of the intersection of Lee Avenue and 4th Street;

Thence due south along the centerline of the aforementioned 4th Street approximately four hundred twenty feet to a point that lies in the center of the intersection of 4th Street and Henrietta Avenue;

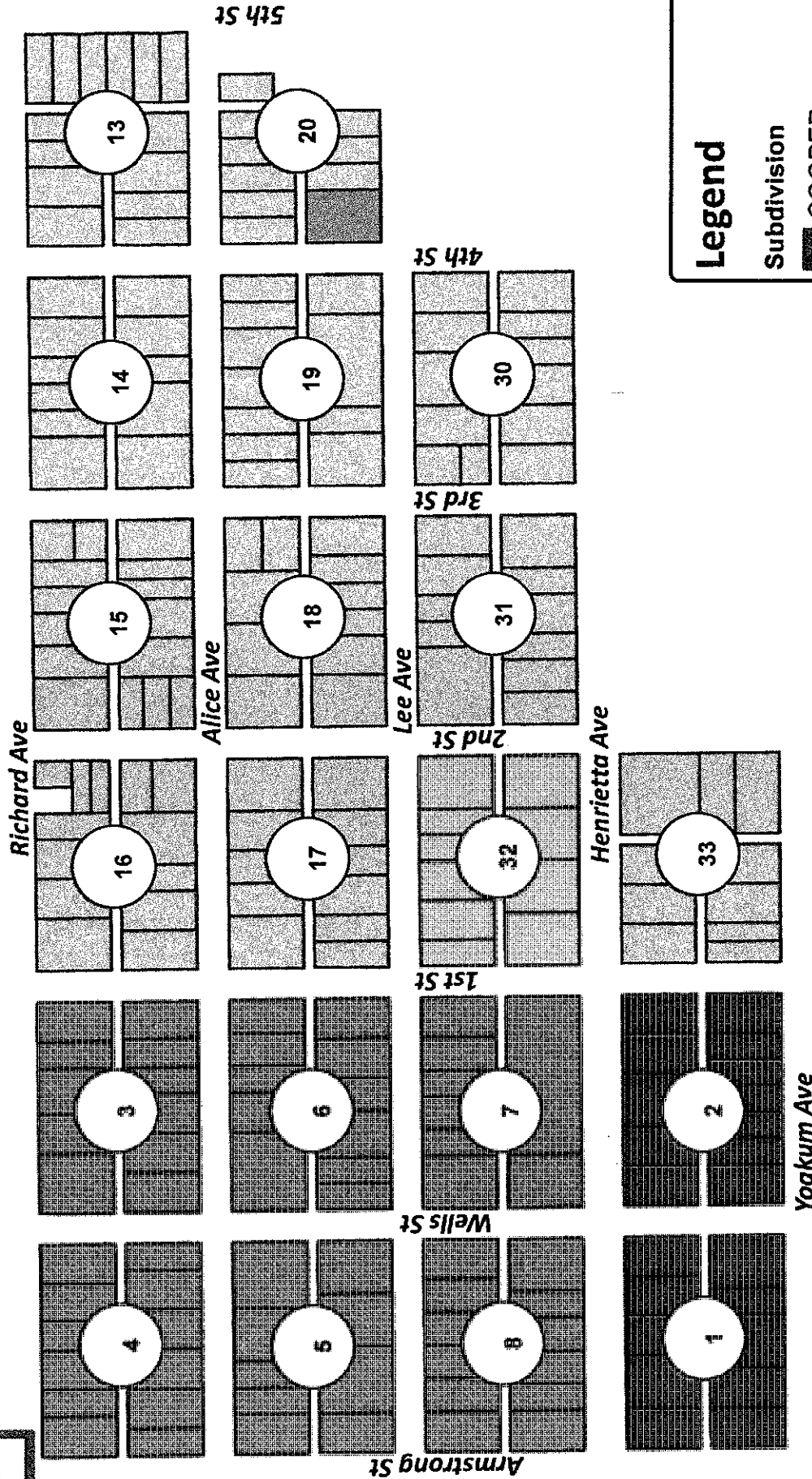
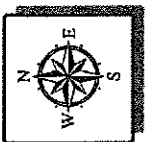
Thence due west along the centerline of the aforementioned Henrietta Avenue approximately one thousand thirty feet to a point that lies in the center of the intersection of Henrietta Avenue and 2nd Street;

Thence due south along the centerline of the aforementioned 2nd Street approximately four hundred thirty feet to a point that lies in the center of the intersection of 2nd Street and Yoakum Avenue;

Thence due west along the centerline of the aforementioned Yoakum Avenue approximately one thousand five hundred sixty-six feet to a point that lies in the center of the intersection of Yoakum Avenue and Armstrong Street;

Thence due north along the centerline of the aforementioned Armstrong Street approximately one thousand six hundred sixty-five feet to the "Point of Beginning".

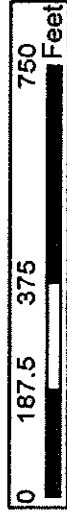
Rezoning Option 4 - Subdivision Detail



Legend

Subdivision

- COOPER
- HENRIETTA HGTS
- LUKER ADDN
- ORIG TOWN



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Drawn By:
Engineering Department

Last Update: 3/1/2018

Note:

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CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
400 W King Ave
Kingsville, Texas 78663
Office: 361-595-8007
Fax: 361-595-8064

<p>Cooper COOPER, BLOCK Z-1, LOTS 1-32 AREA = 2.571 ACRES</p> <p>COOPER, BLOCK Z-2 LOTS 1-32 AREA = 2.571 ACRES</p>	<p>Henrietta Heights HENRIETTA HGTS, BLOCK 3 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 4 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 5 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 6 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 7 LOTS 1-32 AREA = 2.57 ACRES</p> <p>HENRIETTA HGTS, BLOCK 8 LOTS 1-32 AREA = 2.57 ACRES</p>
<p>Luker LUKER ADDN, LOTS 1-2 AREA = 0.3214 ACRES</p>	<p>Original Town ORIG TOWN, BLOCK 13 LOTS 1-32 AREA = 2.5023 ACRES</p> <p>ORIG TOWN, BLOCK 14 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 15 LOTS 1-32 AREA = 2.571</p> <p>ORIG TOWN, BLOCK 16 LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60° 17-20, S80° 17-20, 21-24, ACRES 0.3214 25-32 AREA = 2.4908 ACRES</p>

Original Town

ORIG TOWN, BLOCK 17

LOTS 1-32

AREA = 2.571

ORIG TOWN, BLOCK 18

LOTS 1-32

AREA = 2.571

ORIG TOWN, BLOCK 19

LOTS 1-32

AREA = 2.571

ORIG TOWN, BLOCK 20

LOTS 1-10,

W50' 11-14,

23-28

AREA = 1.400

ORIG TOWN, BLOCK 30

LOTS 1-32

AREA = 2.571

ORIG TOWN, BLOCK 31

LOTS 1-24

AREA = 2.571

ORIG TOWN, BLOCK 32

LOTS 1-32

AREA = 2.571

ORIG TOWN, BLOCK 33

LOTS 1-24

AREA = 2.571

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1-800-222-2222
 4100-7000-2222
 2222-2222-2222
 2222-2222-2222

F

ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER, BLOCK Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50' 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) DISTRICT TO R1 (SINGLE-FAMILY) DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning an application by the City of Kingsville for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018, during a meeting of the Planning & Zoning Commission and on Monday, March 26, 2018, during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the majority of the Planning Commission by a 0-0 vote to APPROVE/NOT APPROVE the requested rezone with _____ abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hgts, Block 3, Lots 1-32; Henrietta Hgts, Block 4, Lots 1-32; Henrietta Hgts, Block 5, Lots 1-32; Henrietta Hgts, Block 6, Lots 1-32; Henrietta Hgts, Block 7, Lots 1-32; Henrietta Hgts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig

Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

PASSED AND APPROVED on this the 9th day of April, 2018.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

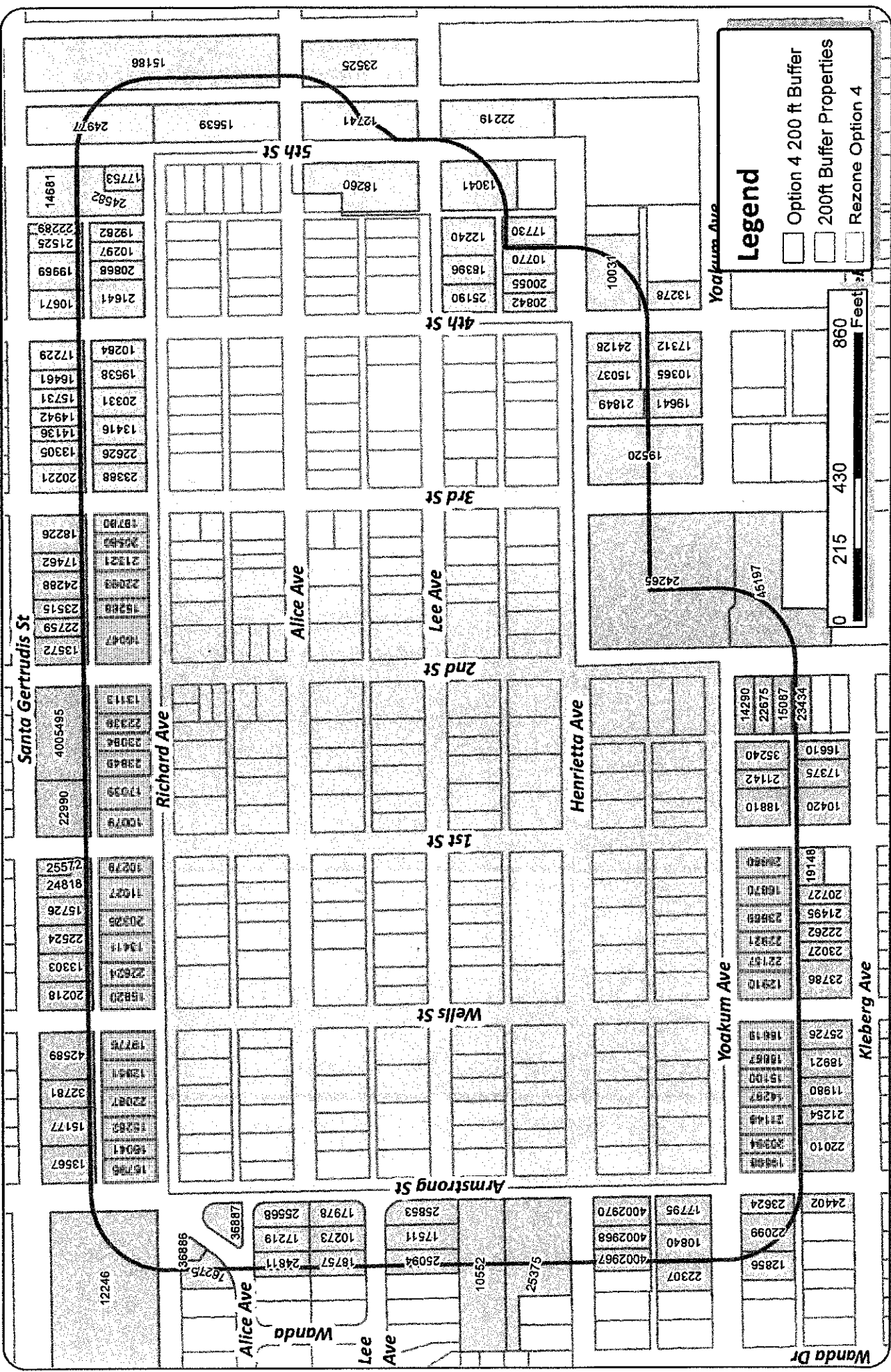
ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

By: _____
Courtney Alvarez, City Attorney

Historic District Rezoning - Option 4 - 200ft Buffer



CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 400 W King Ave
 Kingsville, Texas 78363
 Office: 361-595-8007
 Fax: 361-595-8064

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 OR ANY OTHER PURPOSE.

Drawn By: Engineering Department	Page 1 / 1
Last Update: 2/22/2018	
Note:	

H

**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION**

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address Sec Ordinance Nearest Intersection _____
 (Proposed) Subdivision Name Cooper, Henrietta, Luker Addn, Orig town Lot _____ Block _____
 Legal Description: see ordinance
 Existing Zoning Designation R3 Future Land Use Plan Designation R1

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent City of kingsville Phone 361-595-8055 FAX _____
 Email Address (for project correspondence only): tginter@cityofkingsville.com
 Mailing Address P.O Box 1458 City Kingsville State TX Zip 78364
 Property Owner see attachments Phone _____ FAX _____
 Email Address (for project correspondence only): tginter@cityofkingsville.com
 Mailing Address P.O Box 1458 City Kingsville State TX Zip 78364

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

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

Please provide a basic description of the proposed project:

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

Applicant's Signature Ta Ginter Date: 2-27-18
 Property Owner's Signature _____ Date: _____
 Accepted by: _____ Date: _____

Precinct 3.

**PRIMARY ELECTIONS
TUESDAY MARCH 6.**
I appreciate your support.

I did my best, I elected to be your next Republican JP candidate for the General election on Nov. 6, 2018, I will work diligently to meet the 4,000 or so that I was not able to meet this time around. Again, thank you!! Until we meet again.



*Respectfully,
JD Rubalcaba*

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 21, 2018, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard: **CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60° 17-20, S80° 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50° 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) TO R1 (SINGLE-FAMILY).** The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 26, 2018 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard: **CITY OF KINGSVILLE, APPLICANT, REQUESTING BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 13-16, S/2 S/2 13-16, N60° 17-20, S80° 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50° 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) TO R1 (SINGLE-FAMILY).** The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

H

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AND ROSALINDA PEREZ
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#21242

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CONROE, TX 77302
#10451

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#21282

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JUANITA GARCIA
13821 RIVER RIDGE DR
CORPUS CHRISTI, TX 78410-5248
#13887

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ETVIR HECTOR
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ETUX STACY B
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ETUX TERI
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#14432

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& LORIE VILLARREAL
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ETUX EMMA S (LIFE EST)
JOSE GILBERTO DELAGARZA
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#25487

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ETUX SHERRI GARCIA
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% PATRICIA TRISTAN
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ETUX SARAH
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#24248

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CRYSTAL CASSANDRA LOPEZ
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ETUX CHRISTINA
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140A
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#23484

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#24248

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ETUX AMMA T
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AND GLORIA B CANTU
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AKA YESENIA OLIVAREZ NIETO
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ETUX JENNIFER
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#10070

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#19641

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ALICIA CALDERON
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UNION PACIFIC RAILROAD COMPANY
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#222219

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ALVAR J HANCOCK
ETUX ELVIA
4021 WOOD RIVER DR APT 110
CORPUS CHRISTI, TX 78410-5647
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ETUX YOLANDA G
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BEATRICE GUERRERO
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#22624

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ETUX
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CONROE, TX 77302-3806
#11027

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SAN ANTONIO, TX 78209-0885
#21849

KLEBERG COUNTY LIBRARY
220 N 4TH ST
KINGSVILLE, TX 78363-4410
#10031

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11630 FLAGSTONE CREEK DR
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#12246

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% DELOIS F MOORE
3362 FOREST LAND APT 308
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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.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: March 14, 2018

Subject: Rezoning of area in Historical Development District from R3 to R1

The City Commission reviewed your Option 4 – Rezoning Map and was in agreement with the area chosen by the Planning and zoning commission. Since that meeting staff has started the rezoning process to have it ready for your March 21st meeting. On the March 21st agenda there will be a public hearing and an action item concerning the rezoning.

Since the letters have been mailed out I have spoken to a number of citizens who are either in the rezoning area or in the buffer. Essentially the callers are in favor of the area chosen and agree with the block south of Santa Gertrudis to kept R3. One caller inquired about the north side of Santa Gertrudis and its zoning which is R3 and some C2. I told the caller that the desire for the rezoning came from property owners further south which is why we stopped at Santa Gertrudis. At this point there hasn't been a negative phone call. The other category of phone calls has been from individuals who own the multifamily property and what happens to them. I tell them that their use is grandfathered in and can stay that way until the use changes or the structure is removed due to being substandard. I believe they understand that our goal is to protect the value of the homes that are there and at the same time allow multifamily development in a location that fits the area.

Attachment

- A. Option 4 Rezoning Map
- B. Memo to City Commission for February 21st meeting
- C. Legal description of Historic District Rezoning
- D. Subdivision Detail of Rezoning Map
- E. Map used to determine lots within the rezone area and the buffer, this was included with a letter
- F. Draft ordinance
- G. Map showing property lot numbers in buffer
- H. List of property owners sent letters in area and buffer

Recommended Action:

Recommend approval of rezoning the area as submitted from R3 to R1

The meeting will be held at City Hall, 400 West King, in the Helen Kieberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 50.7369 ACRES OUT OF COOPER, BLOCK Z-1, LOTS 1-32; COOPER, BLOCK Z-2, LOTS 1-32; HENRIETTA HGTS, BLOCK 3, LOTS 1-32; HENRIETTA HGHTS, BLOCK 4, LOTS 1-32; HENRIETTA HGTS, BLOCK 5, LOTS 1-32; HENRIETTA HGHTS, BLOCK 6, LOTS 1-32; HENRIETTA HGTS, BLOCK 7, LOTS 1-32; HENRIETTA HGTS, BLOCK 8, LOTS 1-32; LUKER ADDN, LOTS 1-2; ORIG TOWN, BLOCK 13, LOTS 1-32; ORIG TOWN, BLOCK 14, LOTS 1-32; ORIG TOWN, BLOCK 15, LOTS 1-32; ORIG TOWN, BLOCK 16, LOTS 1-12, N/2 15-16, N/2 S/2 15-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 ACRES 0.3214, 25-32; ORIG TOWN, BLOCK 17, LOTS 1-32; ORIG TOWN, BLOCK 18, LOTS 1-32; ORIG TOWN, BLOCK 19, LOTS 1-32; ORIG TOWN, BLOCK 20, LOTS 1-10, W50' 11-14, 23-28; ORIG TOWN, BLOCK 30, LOTS 1-32; ORIG TOWN, BLOCK 31, LOTS 1-24; ORIG TOWN, BLOCK 32, LOTS 1-32; ORIG TOWN, BLOCK 33, LOTS 1-24 FROM R3 (MULTI-FAMILY) DISTRICT TO R1 (SINGLE-FAMILY) DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning an application by the City of Kingsville for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 21, 2018, during a meeting of the Planning & Zoning Commission and on Monday, March 26, 2018, during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the majority of the Planning Commission by a 7-0 vote to APPROVE the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 50.7369 Acres out of Cooper, Block Z-1, Lots 1-32; Cooper, Block Z-2, Lots 1-32; Henrietta Hgts, Block 3, Lots 1-32; Henrietta Hgts, Block 4, Lots 1-32; Henrietta Hgts, Block 5, Lots 1-32; Henrietta Hgts, Block 6, Lots 1-32; Henrietta Hgts, Block 7, Lots 1-32; Henrietta Hgts, Block 8, Lots 1-32; Luker Addn, Lots 1-2; Orig

Town, Block 13, Lots 1-32; Orig Town, Block 14, Lots 1-32; Orig Town, Block 15, Lots 1-32; Orig Town, Block 16, Lots 1-12, N/2 15-16, N/2 S/2 15-16, S/2 S/2 13-16, N60' 17-20, S80' 17-20, 21-24 Acres 0.3214, 25-32; Orig Town, Block 17, Lots 1-32; Orig Town, Block 18, Lots 1-32; Orig Town, Block 19, Lots 1-32; Orig Town, Block 20, Lots 1-10, W50' 11-14, 23-28; Orig Town, Block 30, Lots 1-32; Orig Town, Block 31, Lots 1-24; Orig Town, Block 32, Lots 1-32; Orig Town, Block 33, Lots 1-24 from R3 (Multi-Family) District To R1 (Single-Family) District as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

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

PASSED AND APPROVED on this the 9th day of April, 2018.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

By: _____
Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Planning and Development Services**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: March 14, 2018

SUBJECT: Amendments Article 3 – Alcoholic Beverages

Summary:

To amend Article 3 – Alcoholic Beverages by deleting the distance requirement of 1,000 feet for a variance and by leaving 300 feet as the distance requirement for a variance if needed.

Background:

As you know a restaurant opened up approximately 2 years ago near downtown and at that time a variance was not needed. Since that time a church opened up downtown at 224 E. Kleberg. When the above mentioned restaurant decided to downgrade its license it had to go through the distance requirement process which found it to be within 1,000 feet of a church. Consequently they had to go to the City Commission to get a variance for their TABC license. While the variance was approved it caused us to re think the benefits and or necessity of having the 1,000 feet benchmark. The 1,000 feet benchmark is not a requirement of state law; it is strictly a city determination. One could make the argument that if we want to develop our downtown into more of an entertainment center for the community is the 300 feet benchmark sufficient for a variance process. If we had just 300 feet as the benchmark when the above restaurant went through the process they would have not had to get a variance. Could the 1,000 feet benchmark hurt us when it comes to our Downtown Vision and the desire to recruit and or add entertainment spots in our downtown? In the past 3 years 2015, 2016, 2017 there were a total of 19 variances requests taken to the City Commission because of the distance benchmark in relationship to a church, school and daycare. Of those 19, 16 were in between 300 feet and 1,000 feet of the 3 samples listed above. That means 16 had to pay \$250.00 dollars (a piece) for the variance request. I believe that this could be a regulatory burden that



City of Kingsville
Planning and Development Services

could be reduced by deleting the 1,000 feet requirement and have the distance benchmark at 300 feet only.

Financial

From the background information it could be possible that permit revenue in this category would decrease. By using the number in the last 3 years \$4,000 dollars would not have been received in variance requests. I think that an argument could be made that if the distance is only 300 feet, that recruitment of this type of business might increase which could make the \$4,000 dollars a wash in increased property tax and sales tax.

Recommendation:

The Planning and Zoning Commission met on March 21st and voted 7 to 0 to recommend approval of the change in Article 3 by deleting the 1,000 feet requirement and keeping 300 feet.



To Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: March 14, 2018

Subject: Agenda Item #5

Since we did not have a quorum for the March 7th meeting, to discuss this we will have on the March 21st meeting in addition an action item for the Planning and Zoning Commission to consider. The attached memo explains the reason for the Planning and Zoning to be reviewing this ordinance language.

Attachments:

- A. Appendix A used allowed in C3
- B. Article 3 – Alcoholic Beverages, specifically Section 11-3-4
- C. Exhibit C – Chapter 109, Title 4 state law on Alcohol Beverage Code which says may on the distance requirement
- D. The list of variances that went to the city commission pertaining to the distance requirement.
- E. Memo to the Planning and Zoning Commissioners for March 7th meeting
- F. Draft ordinance

Recommendation:

Recommend approval of the ordinance that deletes 1,000 feet and leaves 300 feet in place for a distance requirement pertaining to a church, school, daycare or child care facility.

Exhibit A

R1 R2 R3 R4 MH C1 C2 C3 C4 I1 I2 Ag

Off-street parking incidental to main use	P	P	P	P	P	P	P	P	P	P	P	P
Private swimming pool	P	P	P	P	P	P	P	P	P	P	P	P
Home Occupation	P	P	P	P	P							P
Apartment or secondary residence for servants or family members	S	P	P	P	P	P	S	P				P
Institutional and Special Service												
Airport, hellport		S	S	S	S	S	S	S	S	S	S	S
Cemetery, mausoleum	S	S	S	S			S					S
Church, rectory	P	P	P	P	P	P	P	P				P
Convent, monastery or other dwelling for pursuit of group religious ideals	S	S	S	P	S	S	P	P				P
Private country club	S	S	P	P	P	P	P					P
Day nursery or kinder	S	S	S	P	P	P	P	P	P	P		P
Farm, ranch, or orchard												P
Lodge or club			S		P	P	S					P
Home, halfway house, or other group dwelling for alcoholic, narcotic, psychiatric patients or felons and delinquents		S	S	S		P	S					S

[illegible]

Exhibit B

ARTICLE 3. - ALCOHOLIC BEVERAGES⁽²⁾

Sec. 11-3-1. - Revocation of license.

The Commissioner shall have the power to revoke the retail beer or light wine permit or license issued by the city to any retailer of beer or light wine found guilty of a violation of any provision of the Texas Liquor Control Act. The permit may be temporarily or permanently revoked depending upon the gravity of the offense convicted of and whether or not the party charged is a first offender.

(1962 Code, § 5-6-1)

Sec. 11-3-2. - Local permit fee.

The owner of each permit issued by the Texas Alcoholic Beverage Commission for any premises located within the corporate limits of the city shall pay to the city a fee, which shall not exceed one-half the fee paid the State of Texas as determined by the state fee schedule as it exists or may be hereafter amended, subject, however, to such exemptions as set forth in Tex. Alco. Bev. Code, § 11.38 as currently enacted or hereafter amended.

(1962 Code, § 5-6-3; Ord. 82052, 11-22-82)

Sec. 11-3-3. - Hours consumption permitted.

Any person who is the holder of a retail dealer's on premise late hours license as issued by the Alcoholic Beverage Commission of the State of Texas may also sell, offer for sale, and deliver beer and/or mixed beverages between midnight and 2:00 a.m. on any day.

(1962 Code, § 5-6-4; Ord. 83043, passed 10-17-83)

Statutory reference— Authority to extend hours, see Tex. Alco. Bev. Code, § 105.05(d)(2).

* Sec. 11-3-4. - Sales near school, church or hospital.

The sale of alcoholic beverages by a dealer whose place of business is within 1,000 feet of a church or public hospital or within 1,000 feet of a public or private school, daycare or child care facility is prohibited, unless a variance is obtained from the City Commission.

(Ord. 98007, passed 4-13-98; Ord. 2003-07, passed 4-28-03)

Cross reference— Penalty, see § 1-1-99.

Sec. 11-3-5. - Variances.

- * (A) The City Commission may grant a variance to the prohibition of the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a church, public or private school, daycare or child care facility, or hospital upon application for a variance with the city and a determination by the City Commission that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Commission, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community. The method of measurement of the distance between the place of business where alcoholic beverages are to be sold and the church, public or private school, daycare or child care facility, or hospital shall be taken in accordance with the Texas Alcoholic Beverage Code.
- (B) The City Manager, or his or her designee, shall receive applications for a variance to the prohibition of the sale of alcoholic beverages under this chapter. Once an application for a variance has been received and all necessary documentation completed, a public hearing shall be conducted on the request for a variance. The City Commission shall conduct a public hearing, announcement of which shall be published once in a newspaper of local circulation 15 days prior to such hearing before acting upon any variance matter. All property owners within 300 feet of the property on which the change is proposed shall be sent written notice not less than 15 days before the hearing date. The list of property owners shall be prepared from the last city tax roll listing all property owners who have rendered their property for city taxes. Notice is adequately served by depositing properly addressed and postage paid notice with the city post office. Property owners whose names do not appear on the city tax roll are adequately notified by the publication in a newspaper of local circulation. Majority vote of the members of the City Commission shall be necessary to approve a request for a variance under this chapter. A fee of \$250.00 shall accompany each application for a variance, since they require notification or publication. An applicant for a variance for on-premise

consumption must: (1) either apply for a food and beverage certificate issued by the Texas Alcoholic Beverage Commission or; (2) be open six days a week (excluding national holidays), serve any combination of two out of three meals each day open (breakfast, lunch, dinner), have daily hours of operation not exceeding 16 hours, and have an area for dining that is at least as large as the area for drinking alcoholic beverages. An applicant for a variance for off-premise consumption must apply for an off-premise certificate issued by the Texas Alcoholic Beverage Commission.

- (C) In the event a variance is granted by the City Commission and the establishment operating under the variance has a change in owners, officers, stockholders, corporations, entities, or names, then the variance expires with such change.
- (D) A business currently licensed or with a pending application to be licensed to sell alcoholic beverages will be grandfathered under this chapter until such time that there is a change in ownership, officers, stockholders, corporations, entities or names. At that time that business will be required to apply under this chapter.

(Ord. 2003-07, passed 4-28-03; Ord. 2003-13, passed 7-18-03; Ord. 2004-20, passed 8-9-04)

evaluation at an organized tasting competition that is closed to the general public or by a reviewer whose reviews are published if:

(1) no charge of any kind is made for the wine, ale, malt liquor, or beer, for its delivery, or for attendance at the event; and

(2) the commission consents in writing to the delivery.

(c) Nothing in this section shall be construed to authorize an increase in the quantity of wine, ale, malt liquor, or beer authorized to be produced by a person under the authority of Section 109.21(a) of this code.

Added by Acts 1989, 71st Leg., ch. 310, Sec. 2, eff. June 14, 1989.

Title 4 - Chapter 109 - Exhibit C

SUBCHAPTER C. LOCAL REGULATION OF ALCOHOLIC BEVERAGES

Sec. 109.31. MUNICIPAL REGULATION OF LIQUOR. A city by charter may prohibit the sale of liquor in all or part of the residential sections of the city.

Acts 1977, 65th Leg., p. 525, ch. 194, Sec. 1, eff. Sept. 1, 1977.

Sec. 109.32. MUNICIPAL AND COUNTY REGULATION OF BEER. (a) An incorporated city or town by charter or ordinance may:

(1) prohibit the sale of beer in a residential area; and
(2) regulate the sale of beer and prescribe the hours when it may be sold, except the city or town may not permit the sale of beer when its sale is prohibited by this code.

(b) In a county that has only one incorporated city or town that has a majority of the population of the county, according to the most recent federal census, and where the city or town has shortened the hours of sale for beer on Sundays by a valid charter amendment or ordinance before January 1, 1957, the commissioners court may enter an order prohibiting the sale of beer on Sundays during the hours it is prohibited in the city or town. The order may apply to all or part of the area of the county located outside the city or town. The commissioners court may not adopt the order unless it first publishes notice for four consecutive weeks in a newspaper of general circulation in the county published in the county or a nearby county.

(c) In exercising the authority granted by this section, the city, town, or county may distinguish between retailers selling beer for on-premises consumption and retailers, manufacturers, or distributors who do not sell beer for on-premises consumption.

Acts 1977, 65th Leg., p. 525, ch. 194, Sec. 1, eff. Sept. 1, 1977.

X Sec. 109.33. SALES NEAR SCHOOL, CHURCH, OR HOSPITAL. (a) The commissioners court of a county may enact regulations applicable in areas in the county outside an incorporated city or town, and the governing board of an incorporated city or town may enact regulations applicable in the city or town, prohibiting the sale of alcoholic beverages by a dealer whose place of business is within:

(1) 300 feet of a church, public or private school, or public hospital;

(2) 1,000 feet of a public school, if the commissioners court or the governing body receives a request from the board of trustees of a school district under Section 38.007, Education Code; or

(3) 1,000 feet of a private school if the commissioners court or the governing body receives a request from the governing body of the private school.

(b) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

(1) in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or

(2) if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

Exhibit D

Name of business	Address	Year	Distance	Type
Tequila's	1406 N 14th	2015	~830 ft	Church
American Legion Post 99	2502 E Kenedy	2015	~900 ft	Daycare
Day and Night Club	304 E Richard	2015	~300ft/~450-600ft	Daycare/Churches
Colors Bar	1206 N 6th	2015	~650ft	School
Javelina Mart	1202 N Armstrong	2015	~150 ft/~460ft	School/Church
Double Seven Drive-Thru	1414 N 14th St	2015	800ft	Daycares
Wingstop	1310 E General Cavazos	2015	500ft	School
Ez Stop, LLC	201 S Hwy 77	2015	~470ft	Daycare
Pizza Hut	1330 S 14th	2015	~500ft/~900ft	Daycare/School
Double Seven	1414 North 14th Street	2016	~800ft	Daycares
Murphy USA	1127 East General Cavazos	2016	~300ft	School
Sunny Mini Mart	1230 E Santa Gertrudis	2016	~230 ft	School
Rita's Superstore	227 W King Ave	2016	~400ft/~900ft	Church/Church
Nucky's Cocktail Bar	1406 North 14th St	2016	~800ft	Church
Spice Station Food Mart	606 E King	2017	~150ft	Daycare
Hoggies Sports Bar	1206 N 6th St	2017	~800ft/~900ft	School/Daycare
Shrim 6 Groceries	620 N Armstrong St, Suite A	2107	~330 ft	Church
Rox Sports Lounge	1701 South Brahma Blvd	2017	~500 ft/1000ft/~500	Church/ School/Daycare
Pizza Parlor	816 W King	2017	~400 ft	Daycare

Total 19 variance requests

Exhibit E

To: Planning and Zoning Commissioners

From: Tom Ginter, Director

Date: March 2, 2018

Subject: Agenda Item – Alcohol Beverages – Article 3

This item is on the agenda due to an event in the past few months, which caused staff to bring it to your attention. Approximately 2 years ago a restaurant was opened up near downtown and at the time a variance to serve alcohol was not needed. Since then a church has located downtown at 224 E. Kleberg. A church and other religious institutions are permitted downtown (C3) which are identified in (Exhibit A). When the above mentioned restaurant decided to downgrade its alcohol license it had to go to TABC for a new one which also means that it had to be determined whether there was a church, daycare, school within 1,000 feet or 300 feet. Attached is a copy of Article 3 Alcohol Beverages, (Exhibit B pay attention to 11-3-4 and 11-3-5). Consequently it is within 1,000 feet of the church at 224 E. Kleberg which means it had to file a variance and appear in front of the City Commission to be approved to sell alcohol. The variance was approved but it did cause us to rethink the benefits of having the 1,000 feet variance benchmark. The 1,000 feet benchmark is not a requirement of state law (Exhibit C) it is strictly a City of Kingsville determination. One could make the argument that if we want to develop our downtown into more of an entertainment center for the community is the 300 feet benchmark sufficient for a variance process? Could the 1,000 feet benchmark hurt us when it comes to our Downtown Vision and the desire to recruit and or add entertainment spots in our downtown?

In the past 3 calendar years 2015, 2016, 2017 there were a total of 19 variance requests (Exhibit D) taken to the City Commission because of the distance benchmark in relationship to a church, school and daycare. Of those 19, 16 were in between 300 and 1,000 feet of the 3 institutions mentioned above. That means 16 had to pay \$250.00 dollars (a piece) for the variance request and then wait for 2 weeks approximately or longer before it was approved by the City Commission. I can tell you that the City Commission regularly approves the variance request. Nonetheless is this a regulatory burden that we think should be reduced by deleting the 1,000 feet requirement and have the distance benchmark at 300 feet only?

ORDINANCE NO. 2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XI, BUSINESS REGULATIONS ARTICLE 3, ALCOHOLIC BEVERAGES; PROVIDING FOR A CHANGE TO THE DISTANCE FOR THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A CHURCH, PUBLIC OR PRIVATE SCHOOL, DAYCARE OR CHILD CARE FACILITY OR HOSPITAL; 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 11-3-4 Variances, Article 3: Alcoholic Beverages of Chapter XI, Business Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 11-3-4 SALES NEAR SCHOOL, CHURCH OR HOSPITAL.

The sale of alcoholic beverages by a dealer whose place of business is within 300 ~~1,000~~ feet of a church or public hospital or within 300 ~~1,000~~ feet of a public or private school, daycare or child care facility is prohibited, unless a variance is obtained from the City Commission.

(Ord. 98007, passed 4-13-98; Ord. 2003-07, passed 4-28-03)

Cross reference— Penalty, see § 1-1-99.

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 26th day of March, 2018.

PASSED AND APPROVED on this the 9th day of April, 2018.

EFFECTIVE DATE: _____, 2018

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 14, 2018

SUBJECT: Budget Amendment to Expend Fund 030—Red Ribbon Awareness

Summary:

The police department raised funds locally in fundraisers from 2002-2005. The funds for Red Ribbon week were never spent

Background:

We will be purchasing Red Ribbon Drug Awareness promotional items with the funds.

Financial Impact:

No funds were budgeted for this budget year under this line item. We are requesting to expend the \$2,365.02 available in this fund

Recommendation:

Request that we be allowed to expend the \$2,365.02 for Red Ribbon Drug Awareness items.





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Shopping Cart



Our School Rocks Bully & Drug Free Self-Stick Satin Gold Foil-Stamped Red Ribbons (100 Pack) (/our-school-rocks-bully-drug-free-self-stick-satin-gold-foil-ribbon-100-pack/p/stk794p/)

STK794P (/our-school-rocks-bully-drug-free-self-stick-satin-gold-foil-ribbon-100-pack/p/stk794p/)

-	8	+
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Unit Price: \$10.20

Setup Fee

Line Total \$81.60



United We Stand Against Bullying & Drugs Self-Stick Satin Gold Foil-Stamped Ribbon (/united-we-stand-against-bullying-drugs-self-stick-satin-gold-foil-stamped-ribbon/p/stk841p/)

STK841P (/united-we-stand-against-bullying-drugs-self-stick-satin-gold-foil-stamped-ribbon/p/stk841p/)

-	8	+
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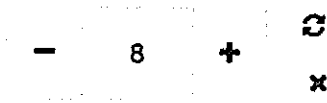
Unit Price: \$10.20

Setup Fee

Line Total \$81.60



I Tune Out Drugs Self-Stick Satin Gold Foil-Stamped Ribbon (/i-tune-out-drugs-self-stick-satin-gold-foil-stamped-ribbon/p/stk845p/)
STK845P (/i-tune-out-drugs-self-stick-satin-gold-foil-stamped-ribbon/p/stk845p/)



Unit Price: \$10.20

Setup Fee

Line Total \$81.60



No Drugs! No Bullies! No Excuses! Self-Stick Red Satin Gold Foil-Stamped Ribbon (/no-drugs-no-bullies-no-excuses-self-stick-red-satin-gold-foil-stamped-ribbon/p/stk856p/)
STK856P (/no-drugs-no-bullies-no-excuses-self-stick-red-satin-gold-foil-stamped-ribbon/p/stk856p/)



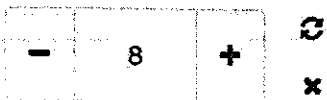
Unit Price: \$10.20

Setup Fee

Line Total \$81.60



Be Strong Be True Be You Drug Free! Red Satin Gold Foil-Stamped Self-Stick Ribbons (/be-strong-be-true-be-you-self-stick-red-satin-gold-foil-ribbons/p/stk807p/)
STK807P (/be-strong-be-true-be-you-self-stick-red-satin-gold-foil-ribbons/p/stk807p/)



Unit Price: \$10.20

Setup Fee

Line Total \$81.60



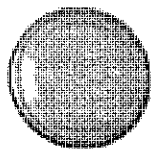
Celebrate Red Ribbon Week Foil Ribbon Stickers (/celebrate-red-ribbon-week-foil-ribbon-stickers/p/rs-1224/)
RS-1224 (/celebrate-red-ribbon-week-foil-ribbon-stickers/p/rs-1224/)

-	20	+
		x

Unit Price: \$3.95

Setup Fee

Line Total \$79.00



Reach For The Stars, Not Drugs High Flying Disc (/reach-for-the-stars-not-drugs-high-flying-disc/p/ios828v/)
IOS828V (/reach-for-the-stars-not-drugs-high-flying-disc/p/ios828v/)

-	55	+
		x

Unit Price: \$12.95

Setup Fee

Line Total \$712.25



I "Mustache" You Not To Do Drugs! Die-Cut Bookmark (/i-mustache-you-not-to-do-drugs-die-cut-bookmark/p/km-878p/)
KM-878P (/i-mustache-you-not-to-do-drugs-die-cut-bookmark/p/km-878p/)

-	13	+
		x

Unit Price: \$19.95

Setup Fee

Line Total \$259.35



Band Together Against Bullying & Drugs Pen Assortment Pack (/band-together-against-bullying-and-drugs-pen-assortment-pack/p/pn2197v/)
PN2197V (/band-together-against-bullying-and-drugs-pen-assortment-pack/p/pn2197v/)

-	12	+
		x

Unit Price: \$25.95

Setup Fee

Line Total \$311.40



Stay Sharp Live Drug Free! Heat-Sensitive Pencils (/stay-sharp-live-drug-free-heat-sensitive-pencils/p/pl1478p/)
PL1478P (/stay-sharp-live-drug-free-heat-sensitive-pencils/p/pl1478p/)

- 10 +  

Unit Price: \$36.95

Setup Fee

Line Total \$369.50

Enter Promo Code

Apply

We accept these payment methods:

VISA



PayPal

Purchase Order

What if I am tax exempt?

Orders are subject to NY State sales tax. Tax exempt organizations may enter their tax I.D. in checkout.

United States 

- State/Region - 

Zip/Postal Code

Shipping method

☒ **\$224.65 - Standard (5 - 8 Business Days)**

MERCHANDISE SUBTOTAL:

\$2,139.50

Tax: **\$0.00**

Shipping Total: **\$224.65**

Order Total: **\$2,364.15**

Shipping Information (<https://www.positivepromotions.com/articledialog.aspx?a=7>)

Checkout

(<https://www.positivepromotions.com/checkout.aspx>)



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Google
Customer Reviews

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2017-18 BUDGET TO PURCHASE RED RIBBON DRUG AWARENESS PROMOTIONAL ITEMS FROM PREVIOUS DONATIONS TO THE RED RIBBON DRUG AWARENESS FUND.

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 030 Red Ribbon Drug Awareness					
Equity					
2		Assigned - Drug Awareness	61002	\$ 2,365.02	
Expenses					
5-2100		Supplies	21100	\$ 2,365.02	

[To amend the City of Kingsville FY 17-18 budget to purchase Red Ribbon Drug Awareness promotional items from previous donations received in 2002-2005 to the Red Ribbon Drug Awareness Fund as per the attached memo from the Chief of Police.]

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 March, 2018.

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

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14

CITY OF KINGSVILLE

P. O. BOX 1458 - KINGSVILLE, TEXAS 78364
TOURISM & HERITAGE



Date: March 14, 2018

To: City Commission via City Manager Jesus Garza

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Janine Reyes, Director of Tourism Services for IBCA event

Summary:

Roddy Trevino and Lars Flores are requesting a complete fee waiver with the rental of the J. K. Northway Expo Center for the International BBQ Cookers Association Heritage cookoff to take place on Friday and Saturday, October 26 and 27, 2018. This event would be the first time the IBCA cook off is hosted south of Houston and is anticipated to draw an estimated 250 teams comprised of 4 people per team. Organizers expect the IBCA Heritage event to bring 1,000 people to Kingsville and the crowds are expected to fill the city's hotel rooms. IBCA hopes to allow for check in Thursday and departure Sunday, so while the facilities will be in use Friday and Saturday, crowds are anticipated in Kingsville for three nights.

Event Background:

IBCA hosted last year's event in San Angelo, Texas with a payout purse of \$50,000. The city donated the use of Old Fort Concho and surrounding buildings for the event. This year's proposed event in Kingsville is slotted for an \$80,000 payout purse. In order to achieve the payout that will draw hundreds of participants to the event, IBCA is requesting the JK Northway Expo Center and fairgrounds at no cost. Entry fee for participants is \$200, however, with the savings in entry fee expenditures, IBCA plans to increase the prize purse in order to draw more participants to the event.

Organizers are also hoping their event may draw a concert to the facilities, which could bring even more visitors to the City of Kingsville and allow for compensation in the form of a concessions fee of 15% of sales or a flat fee of \$1,000 for the event.

Financial Impact:

Fees being requested for waiver:

J.K. Northway Daily Rental Rate: \$1,500 x 2 days = \$3,000



AGENDA ITEM #15

AGENDA ITEM #16

AGENDA ITEM #17

AGENDA ITEM #18