

City of Kingsville, Texas

AGENDA CITY COMMISSION TUESDAY, NOVEMBER 13, 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 – October 22, 2018

APPROVED BY:


Jesús A. Garza
City Manager

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

1. Public hearing on changes to the current Conceptual Development Plan for the Torres Estates Development located at 1.44 acres Eva, Block 1, Lot 1-9 also known as 1100 East Kenedy and Clyde, Block 2, Lot 1-3, also known as 1116 East Lott, at the request of the new owner Ruben Ruiz. (Director of Planning and Development Services).
2. Public hearing on changing the name of the plat/subdivision from Torres Estates to Heritage Estates located at 1.44 acres Eva, Block 1, Lot 1-9 also known as 1100 East Kenedy and Clyde, Block 2, Lot 1-3, also known as 1116 East Lott, at the request of the new owner Ruben Ruiz. (Director of Planning and Development Services).

III. Reports from Commission & Staff.²

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, **Investment Report**, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; **Streets Update**; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, **Employee Recognition**, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main*

Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a special use permit to place an additional building for storage/meetings at Flato, Block 11, (exempt), 2.0661 acres, also known as 702 W. Avenue B, Kingsville, Texas. (Director of Planning and Development Services).
2. 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 tiny homes. (Director of Planning and Development Services).
3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, Zoning, Amending Appendix A-Land Use Categories to add tiny homes. (Director of Planning and Development Services).
4. 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 B-Space Requirements, Section One Space Requirements for Residential Use to add requirements for tiny homes. (Director of Planning and Development Services).
5. Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for the purchase of a new ambulance. (Fire Chief).
6. Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for land acquisition costs in relation to the old county hospital. (Director of Planning and Development Services).
7. Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for Police Department rollover projects. (Police Chief).
8. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies (amending the FY 2018-2019 comp plan). (Human Resources Director).
9. Motion to approve the re-appointment of Nick Harrel to the Civil Service Commission for a three-year term. (Human Resources Director).

10. Motion to approve the appointment of Antwan Johnson to the Main Street Advisory Board to fill the unexpired portion of a two-year term due to the resignation of Jeffrey Chavez, who recently moved. (Downtown Manager).
11. 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 Palmer Drug Abuse Program (PDAP) of Kingsville for drug abuse prevention programs. (Police Chief).
12. Motion to approve a resolution recognizing the importance of Municipal Courts, the rule of law, and the fair and impartial administration of justice in recognition of Municipal Court Week- November 5-9, 2018. (City Attorney).
13. Motion to accept two \$500 donations for Parks Department's recreational programing: Healthy Family Events. (Parks Manager).
14. Motion to approve out-of-state travel for the Finance Director and Accounting Manager to attend the annual GFOA conference in Los Angeles, California from May 19-22, 2018 with preconference sessions May 17-18, 2018. (Finance Director).
15. Consider a resolution of the City of Kingsville authorizing the honorary designation of Los Kineños Trail on 6th Street from its intersection with North 14th Street to Loop 428 (with no name change of 6th Street). (City Manager).
16. Motion to approve out-of-state travel for one Fire Department personnel to attend the Health Care Coalition Response Leadership Course at FEMA's Center for Domestic Preparedness from January 28, 2019-February 1, 2019 in Anniston, Alabama. (Fire Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

17. Presentation and discussion regarding Wastewater System analysis and suggested improvements by contract engineer, LNV Engineering, Inc. (City Engineer).
18. Consider introduction of an ordinance granting to AEP Texas Inc., its successors and assigns a non-exclusive franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under and through the streets, avenues, alleys and public places of the City of Kingsville, Texas. (City Attorney).
19. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinance Chapter VII, Article 5, Traffic Schedule II, providing for a new school zone on N. 19th Street and E. Henrietta Avenue for the Jubilee Academies School and the installation of school zone signs and for the removal of a school zone on E. Ailsie Avenue for Christian Life Academy. (City Engineer).
20. Consider a resolution adopting the map for the Tax Increment Reinvestment Zone (TIRZ) Zone #1, Historical Downtown District Kingsville, Texas. (Downtown Manager).
21. Consider a resolution to change the current Conceptual Development Plan for the Torres Estates Development located at 1.44 acres Eva, Block 1, Lot 1-9 also known as 1100 East Kenedy and Clyde, Block 2, Lot 1-3, also known as 1116 East Lott (1.44 acres). (Director of Planning and Development Services).
22. Consider a resolution to change the name of the plat/subdivision from Torres Estates to Heritage Estates located at Eva, Block 1, Lot 1-9 also known as 1100 East Kenedy

and Clyde, Block 2, Lot 1-3, also known as 1116 East Lott (1.44 acres). (Director of Planning and Development Services).

23. Consider a resolution authorizing the Police Chief to enter into an ERAD-Recovery Agreement between the City of Kingsville (Police Department) and ERAD Group, LLC for additional asset recovery tools. (Chief Torres).
24. Consider a resolution authorizing the Mayor to enter into an Interlocal Agreement related to Expanded Participation in ACS Services between the City of Kingsville and the Alliance for Community Solutions Ltd. (ACS) for the Police Department's State Homeland Security Program. (Chief Torres).
25. Consider a resolution authorizing the City to submit an application to the Fire House Subs Grant requesting grant funding for extrication tools on behalf of the Kingsville Fire Department with no anticipated cash match. (Fire Chief).
26. Consider a resolution authorizing the Fire Chief to enter into a Memorandum of Understanding for Hospital Preparedness Program between the Coastal Bend Regional Advisory Council and the City of Kingsville-Fire Department. (Fire Chief).
27. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget for Park Recreation Programs due to donations received. (Parks Manager).
28. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for TCEQ SEP for Wastewater effluent violation fees (from failure of blower and back-up blower in June). (Public Works Director).
29. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for Water Well #22 emergency repairs. (Public Works Director).
30. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget for the cash match for CDBG Grant #7218269 for manhole rehabilitation (sewer line system improvements). (Public Works Director).
31. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget for the purchase of additional Police Department software and equipment. (Police Chief).
32. Consider a resolution of the City Commission of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TXCDBG) Contract Number 7218269. (City Engineer).
33. Consider a resolution authorizing the Mayor to enter into a Grant Administration Services Agreement between the City of Kingsville, Texas and GrantWorks, Inc. (For TxCDBG #7218269), for sewer line system improvements. (City Engineer).
34. Consider a resolution of the City of Kingsville, Texas regarding civil rights, citizen participation plan, Section 3, excessive force, Section 504, fair housing, and code of conduct policies for TxCDBG compliance. (City Engineer).
35. Consider a resolution of the City of Kingsville designating the month of April as Fair Housing Month and supporting fair housing activities within the City. (City Engineer).
36. Consider authorizing the purchase of additional Police Department software and equipment related to eForce enhancement project via state TIPS/TAPS purchasing cooperative, as per staff recommendation. (Purchasing Manager).

VII. Adjournment.

1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.

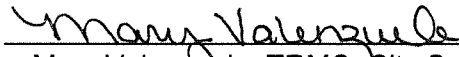
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative Commission votes. The speaker must identify himself by name and address.
4. Items being considered by the Commission for action except citizen's comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.

NOTICE

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

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

November 9, 2018 at 11:00 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

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

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

MINUTES OF PREVIOUS MEETING(S)

OCTOBER 22, 2018

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 22, 2018 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Edna Lopez, Mayor Pro-Tem
Dianne Leubert, Commissioner
Hector Hinojosa, Commissioner
Arturo Pecos, Commissioner

CITY COMMISSION ABSENT:

Sam Fugate, Mayor

CITY STAFF PRESENT:

Jesus Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Tom Ginter, Director of Planning & Development Services
Bill Donnell, Public Works Director
Rudy Mora, City Engineer
Derek Williams, IT
David Solis, Risk Manager
Diana Gonzales, Human Resources Director
Susan Ivy, Parks Manager
Cynthia Martin, Downtown Manager
Charlie Sosa, Purchasing Manager
Emilio Garcia, Health Director
Israel Vasquez, Interim Golf Course Manger
Adrian Garcia, Fire Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Pro-Tem Lopez opened the meeting at 6:00 P.M. with four Commission members present. Mayor Sam Fugate absent.

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 – September 24, 2018

Motion made by Commissioner Pecos to approve the minutes of September 24, 2018 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Luebert, Pecos, Lopez voting “FOR”.

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

1. Public Hearing on ordinance amending the zoning ordinance by granting a special use permit to place an additional building for storage/meetings at Flato, Block 11, (exempt), 2.0661 acres, also known as 702 W. Avenue B, Kingsville, Texas; Sultan Sheikh, applicant. (Director of Planning and Development Services).

Mayor Pro-Tem Lopez announced and opened this public hearing at 6:02 P.M.

Mr. Tom Ginter reported that the North American Islamic Trust, Inc. would like to add an additional structure to their property. There is a mosque currently on their property, and their intent is to add a combination storage/meeting structure. The Land Use Table in R3, requires a special use permit review by the Planning and Zoning Commission and the City Commission. Ginter stated that there is enough ground for the placement of this structure. The Planning and Zoning Commission has met on October 17, 2018 and voted 4 to 0 to approve the special use permit request with the following condition; the building will not be utilized for a business or housing.

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

Mr. Hassahn, 3103 S. Brahma Blvd., representative for the mosque stated that they are space limited and they would like to add additional space but with the cost being high, they are not able to raise that money. This would be a temporary fix for storage space and every so often, host some meetings within this space. He stated that the unit has been purchased which meets all city specifications.

A map of the location where the unit will be placed, was displayed on the screen for the City Commission and public

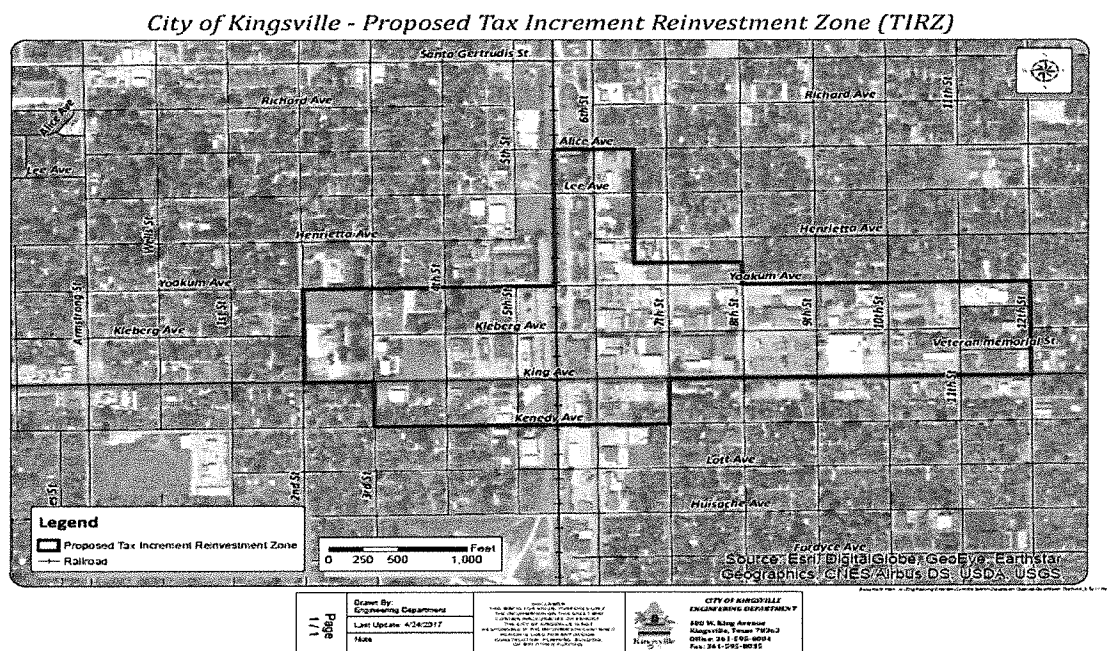
There being no further comments, Mayor Fugate closed this public hearing at 6:06 P.M.

2. Public Hearing on the creation of Tax Reinvestment Zone #1, Historical Downtown District Kingsville, Texas under Chapter 311, Texas Tax Code. (Director of Planning and Development Services).

Mayor Pro-Tem Lopez announced and opened this public hearing at 6:06 P.M.

Mrs. Cynthia Martin, Downtown Manager stated that this public hearing is to address the vision and benefits behind the TIRZ as well as allow residents the opportunity to express their concerns regarding whether they are in or out of the Tourist District.

The proposed district was show on a map that was displayed to the Commission and the public on screen. The map is shown below. The area framed in red includes all of the Main Street District area.



Mrs. Martin stated that the tax is not a new tax, it is just redirecting the current tax. This will have no effect to any of those that are within the Tourist District. Money that is collected from the TIRZ, will be used for the Downtown District for improvements.

Mr. Jesús Garza, City Manager commented that as it was just mentioned, property taxes from these properties towards the TIRZ, it is the increment of the property tax, not all the property taxes that are being paid from these properties. Once the amount is established, a certain amount will continue to go into the General Fund and as it grows and gets better, which is estimated to be 1% to 3%, depending on how is it accessed, that amount is the only part that goes into the TIRZ. Garza further commented that it's important to convey the difference, cause the city's general fund will not see an impact today, it only means that the increments for those specific properties in the future won't go into the city's general fund but will go into the TIRZ's Fund, which will be used specifically for Downtown purposes.

Commissioner Leubert asked who will be paying this increment tax?

Mr. Garza commented that this is not an additional tax, but in essence over the year, properties within the city and county get accessed, and so every year they may be accessed a different amount. For example, if a property is accessed at \$200,000.00, a property tax is being paid based on the \$200,000.00 evaluation. The following year, it may get accessed at \$202,000.00, the original \$200,000.00 and the property tax that that amount generates will still go wherever it goes now, and the taxes on the \$2,000.00 will go into the TIRZ. This would still make the property owner paying their same taxes, it's just how the money is being directed. Garza stated that this is not a new tax or an additional tax, it is simply saying that that increment is going to a specific use.

Commissioner Leubert further asked that the increment amount that is going to be paid into the TIRZ, what properties will pay this increment, and asked if only those within the red (on the map, Exhibit A) will be paying. Mr. Garza responded that only those that are within the red on the map (Exhibit A).

Commissioner Hinojosa asked if there was a reason for the boundaries to go through certain areas of the map and further asked if these boundaries could be adjusted.

Mrs. Martin responded that the boundaries can be adjusted, but the reasoning for the odd boundaries is to not include residential within the boundaries.

Commissioner Leubert asked if there were alleys in the area as well which is cutting the blocks but not cutting the properties.

Mrs. Martin commented that it is more commercial verses residential property.

Mr. Garza commented that one thing that staff can do to clarify the issue further, is to take the map and overlay it with the actual property lines, just to make sure that a are property is not being cut in half and to make sure that staff is prioritizing commercial properties verses residential.

Mr. Ginter commented that the key for tonight's public hearing is to move forward with the map. The next step is to meet with the other taxing entities then come back to the City Commission to determine who will be on the Board of Directors.

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

There being no further comments, Mayor Fugate closed this public hearing at 6:15 P.M.

III. Reports from Commission & Staff.²

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

Mr. Garza reported that the Commission has received the September Monthly Performance Report as well as the Staff Report. A street update has also been provided to the Commission. Garza further updated the Commission on the Municipal Building. Staff has begun to move into the first floor of the Municipal Building. This should be completed by November. Garza spoke about what the city is doing regarding pedestrian safety around the schools. He stated that staff has met with various stakeholders on how we can improve safety around our schools. Staff is working on the school flashers throughout the city and making the necessary changes that are needed. City will be making assessments for safety around the schools in the city. Garza further commented that Kingsville National Historic Downtown has been placed on the historic registry. He further mentioned some events that will take place this upcoming weekend. City of Kingsville will host a Safe Trick or Treating event at the Downtown Pavilion from 4:00 p.m. to 6:00 p.m. He further mentioned that there is also a Cook-off at the JK Northway.

Mrs. Courtney Alvarez, City Attorney, reported that the next Commission meeting is scheduled for Tuesday, November 13th due to Monday, November 12th being a holiday. Agenda items will be due on Friday, November 2nd.

Commissioner Lopez commented that she read and presented a Proclamation for Red Ribbon Kickoff at the High School.

Commissioner Pecos thanked Health Department staff for spraying for mosquitos. He further thanked staff for their hard work in cleaning ditches around the city.

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

- 1. Motion to approve final passage of an ordinance adopting the City of Kingsville Drainage Master Plan. (City Engineer).**
- 2. Motion to approve renewal of membership with Electric Reliability Council of Texas (ERCOT) for 2018. (City Attorney).**
- 3. Motion to approve re-appointment of Dr. Tadeo Reyna, Jr. to the Library Board for a three-year term. (Library Director).**
- 4. Motion to approve the acceptance of \$611.46 from the Keep Kingsville Beautiful "Fill the Flower Pot" fundraiser for various beautification projects or clean ups. (Community Appearance Supervisor).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

- 5. Presentation and discussion on proposal for historical memorial street designation signs (not renaming) of Los Kineños Trail for 6th Street. (City Manager).**

Mr. Garza displayed a sign of the Los Kineños Trail. He commented that not too long ago, the city completed a project for La Colonia Mexicana which honored the original street names. This project, Los Kineños Trail would simply see four signs placed at various points throughout a section of 6th Street. Letters were sent to business and homeowners along the stretch of 6th Street notifying them of the City's intent to create this honorary designation. They were also invited to a public meeting that was held on October 17, 2018. Over 80 letters were sent out, but there was not a big turnout at the public meeting. Garza further stated that the plan is to have a dedication of Los Kineños Trail sometime in December, 2018. The estimated financial impact for this project is between \$5,000 to \$10,000.

Commissioner Lopez thanked Mr. Garza for seeing this project through.

- 6. Consider introduction of an ordinance amending the zoning ordinance by granting a special use permit to place an additional building for storage/meetings at Flato, Block 11, (exempt), 2.0661 acres, also known as 702 W. Avenue B, Kingsville, Texas. (Director of Planning and Development Services).**

Introduction item.

- 7. 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 tiny homes. (Director of Planning and Development Services).**

Mr. Ginter stated that the Planning and Zoning Commission has been discussing this concept for inclusion into the code of ordinances for the last two meetings. They are supportive of the concept and believe that this will assist those property owners of these size lots to develop them for housing. Over time, this will be a positive financial impact for the increase of property taxes and reduction of expense in mowing these properties. The Planning and Zoning Commission has recommended the following as a definition: A dwelling that is a minimum of 200 square feet. The Planning and Zoning Commission voted in favor by a 6-0 vote.

Commissioner Hinojosa asked that on the maximum size of a tiny home, it will be controlled by the setback? Mr. Ginter responded that this is correct. Hinojosa further asked if the tiny homes will be allowed to be on wheels or are they to be built on the ground. Mr. Ginter commented that the tiny homes will not be mobile.

Introduction item.

8. 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 tiny homes. (Director of Planning and Development Services).

Mr. Ginter stated that this ordinance will state where tiny homes will be allowed to be built in the City. The Planning and Zoning Commission voted 6-0 to permit them in R2; staff is creating a new district to allow tiny homes which will be R2A. Mr. Ginter commented that the goal is, as mobile homes get older, they will be replaced with a tiny home.

Commissioner Lopez asked that as the city has some mobile homes in the area, are residents allowed to remove that mobile home and build a tiny home? Mr. Ginter responded that this would be allowed.

Introduction item.

9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 6, Zoning, Amending Appendix B-Space Requirements, Section One Space Requirements for Residential Use to add requirements for tiny homes. (Director of Planning and Development Services).

Mr. Ginter stated that this will create a new district called R2A, which will allow those lots to be developed in Kingsville. He further stated that the Planning and Zoning Commission made one change which was he 18 to a 15 in the R2A column and in the minimum lot width. With that change being made, the Planning and Zoning Commissioner vote 6 to 0 in favor of recommending approval of this ordinance.

Introduction item.

10. Consider a resolution of the City Commission of Kingsville, Texas, authorizing the submission of an application to the Texas Community Development Block Grant Program, Texas Capital Fund; and authorizing the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program for improvements in the downtown area. (Downtown Manager).

Mrs. Martin stated that this resolution would authorize the submission of an application for a grant funding in the amount of \$250,000 for ADA improvements and sidewalk repairs under the Texas Community Block Grant Program. If awarded, the grant will be used to construct twelve new ADA compliant ramps downtown and replace deteriorated

curb, gutter, and sidewalk in the designated Main Street area. The cash match of 20% or \$50,000 will come from the Downtown Certificate of Obligation.

Mr. Garza commented that the city has received this type of grant a couple of year ago which was used for the sidewalk improvements off 7th Street.

Commissioner Hinojosa asked if the city has the match of \$50,000. Mr. Garza responded that the money has been allocated from the 2016 Certificate of Obligation Series.

Motion made by Commissioner Pecos to approve the resolution authorizing the submission of an application to the Texas Community Development Block Grant Program, Texas Capital Fund; and authorizing the City Manager to act as the City's Executive Officer and Authorized Representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant Program for improvements in the downtown area, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Pecos, Hinojosa, Leubert, Lopez voting "FOR".

11. Consider a resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for SCBA respirator units and extrication tools on behalf of the Kingsville Fire Department with an anticipated \$28,688 cash match. (Fire Chief).

Mr. Adrian Garcia, Fire Chief stated that an assessment of the department's SCBA's identifies the inventory was two NFPA editions out of compliance and nearing their end of life cycle. Recent assessments of failing SCBA units are costing close or as much as a new unit. The SCBA units and required spare bottles will be replaced with up-to-date SCBA's, which will increase personnel safety on the fire ground and other hazardous atmospheres. The total grant request is for \$315,361.00 with the City responsible for a cost share of \$28,668.00 when the grant is awarded and fulfilled. As funds are not currently available, the cost sharing portion will have to be included into the Fiscal Year 2020 budget. Deadline to submit application is October 26th. It will take about 6 to 8 months for grant to be awarded.

Commissioner Lopez asked who will be writing this grant. Chief Garcia commented that he has a team of individuals within his department that have received training in writing grants, who will be assisting in writing this grant.

Motion made by Commissioner Pecos to approve this resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for SCBA respirator units and extrication tools on behalf of the Kingsville Fire Department with an anticipated \$28,688 cash match, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez voting "FOR".

12. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for the County Veterans Service Office (for computer stations that benefit veteran citizens). (City Manager).

Mr. Garza commented that the County is relocating the Veteran Service Office to the newly remodeled Pete de la Garza Building and has requested a financial contribution from the City to go towards the outfitting of the space. This will include computer and printing equipment for a new resource library for the veterans. He further stated that staff is recommending \$2,500 be available for this project.

Commissioner Hinojosa asked if the County has provided staff with a budget for the equipment that will be purchased?

Mr. Garza commented that the money will be sent to the County as a reimbursement once they have submitted copies of invoice for the purchase of equipment.

Commissioner Hinojosa commented that he is not against the city contributing this money and is willing to contribute \$500 from his travel & training and ask if the other Commission members are willing to give the same amount, verses having to do a budget amendment.

Mr. Garza commented that he is brought this item to the commission to get their support as it is a collaborative effort with the County.

Commissioner Hinojosa commented that he is in support of this item.

Introduction item.

13. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for the purchase of a new ambulance. (Fire Chief).

Chief Garcia stated that during a budget workshop, they were participating in an ambulance supplemental program that provided \$126,000, which was place in a vehicle replacement plan. He further stated that what they are doing with the vehicle replacement plan is that they are doing an assessment and created a replacement cycle in which the department will be replacing ambulances every six years. The last ambulance replacement occurred in 2017 and this one would be scheduled for 2019. Year 2021 would see a third new ambulance and Year 2023 would see the replacement of the one purchased in 2017 in accordance to the six-year replacement cycle.

Commissioner Hinojosa asked if the plan was to try and keep it at \$200,000.00. Chief Garcia responded that the last ambulance purchased in 2017 was \$201,000.00.

Mr. Garza commented that if it ends up being slightly above \$200,000.00, staff will find the difference from somewhere else, in order to complete the purchase.

Commissioner Hinojosa commented that there is already \$225,000.00 in the replacement fund, as \$25,000 was moved from the EDC.

Introduction item.

14. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for land acquisition costs in relation to the old county hospital. (Director of Planning and Development Services).

Mr. Ginter stated that staff has received feedback to move forward with the potential purchase of the building to obtain the grant, though no range has been determined at this point. He further stated that an offer has been made to the owner, but no response has been received from the owner.

Commissioner Hinojosa asked that as for the city portion, does the city have to come up with the amount then get reimbursed. Mr. Garza responded yes.

Introduction item.

15. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to provide funds for Police Department rollover projects. (Police Chief).

Mr. Garza stated that is item is for the request to rollover several projects that were not completed during the FY 2017-2018 budget period into the FY 2018-2019 budget.

Introduction item.

16. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies (amending the FY 2018-2019 comp plan). (Human Resources Director).

Mrs. Diana Gonzales, Human Resources Director stated that an amendment is being requested to reclassify a vacant position of Facilities & Events Specialist Class 17 to Special Events Coordinator Class 14. In addition, Class 8 Step 2 requires adjustment of \$0.03 cents to change from \$13.86 to \$13.83. The adjustment will not affect any employee as there are no employee in the Class 8. The annual savings to the position may range from \$3,845.47 to \$2,110.59, depending on rate placement.

Introduction item.

17. Consider a resolution amending the City of Kingsville Administrative Policies and Procedures Manual, Policy No.720.02-Compensation for Holidays for additional clarification. (Human Resources Director).

Mrs. Gonzales stated this revision is requested to clarify Policy 720.02 Compensation for Holidays reference to part-time employees' eligibility for holiday overtime only and not the other holiday benefits associated with full-time employees. Policy 720.02 Compensation for Holidays was updated on September 10, 2018 to allow for part-time employees to be eligible for overtime when working on City authorized holidays. The original intention was for part-time employees, required to work on a city authorized holiday, to receive overtime for the hours worked on the holiday only.

Motion made by Commissioner Pecos to approve a resolution amending the City of Kingsville Administrative Policies and Procedures Manual, Policy No.720.02-Compensation for Holidays for additional clarification, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Leubert, Pecos, Hinojosa, Lopez voting "FOR".

18. Consider a resolution authorizing the City to purchase 5.02 acres of land near NAS-Kingsville for encroachment prevention near the base pursuant to the State Defense Economic Adjustment Assistance Grant Program award and authorizing the City Manager to execute any necessary documents on the City's behalf. (Director of Planning & Development Services).

Mr. Ginter stated that there were four pieces of property that were approved in the grant application, when submitted to the Texas Military Preparedness Commission. Jody Van Fleet is one of the owners that the city has come to an agreement with and has accepted an offer. Staff is asking for the Commission to approve this so that staff continue with the purchase of this property. The Finance Department will produce a check to the seller on the agreed amount. After documents have been executed, staff will then send out all necessary documents to the Texas Military Preparedness Commission for reimbursement.

Motion made by Commissioner Hinojosa to approve a resolution authorizing the City to purchase 5.02 acres of land near NAS-Kingsville for encroachment prevention near the base pursuant to the State Defense Economic Adjustment Assistance Grant Program award and authorizing the City Manager to execute any necessary documents on the City's behalf, seconded by Commissioner

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

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:04 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

City of Kingsville
Department of Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: November 2, 2018

SUBJECT: Review of Conceptual Plan for Torres States

Summary: When Mark Dizdar rezoned this development to a planned unit development one of the requirements was to submit a conceptual plan of the development. This was done in April of 2015. Attached is a copy of the memo that spells out the conceptual plan. Mark never did go through with this project and subsequently has sold the land/project to Ruben Ruiz. It is Ruben Ruiz's intent to request a change in the conceptual plan.

Background: This development is the small home project that Mark Dizdar wanted to develop. Enclosed is the information concerning this development. At the time and still today there is the belief that this kind of project can work in Kingsville. Ruben Ruiz has purchased the ground and wants to continue with the project. He wants to develop it as the original plan but due to costs he would like to change the requirements of the conceptual plan. Enclosed is a memo that I have put together for the Planning and Zoning Commission which compares to as what was agreed upon and what Ruben Ruiz would like to do. As you can see from the comparison, there are two changes, 1 less tree and no installation of the sprinkler system. As he has stated to me, the current costs of building have put the cost of a sprinkler system too much to bear for this project. It is also Ruben Ruiz's intent to build the homes without garages.

Financial Impact: The belief today is the same as 3 years ago that this kind of project would work in Kingsville. It is my belief that this size of house in this location will work and provide home ownership for several citizens. This development would improve the tax base for the city and provide a single-family home for those who can afford it, which is a positive long term financial impact.



City of Kingsville
Department of Planning and Development Services

Recommendation: The Planning and Zoning Commission met on November 7th and voted 4 to 0 to recommend approval of the changes to the conceptual plan as submitted for the Torres Estates/Heritage Estates development.



To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: November 2, 2018

Subject: Agenda Item Information for #1

In April of 2015, the Planning and Zoning Commission approved a Conceptual Development Plan for Torres Estates. At the time, Mark Dizdar was the owner of the property. Currently, the property has been sold to a Ruben Ruiz. While he wants to develop the property as shown in the final plat, he does due to cost make some changes to the Conceptual Plan.

Enclosed is a copy of the memo that was approved in April 2015

Conceptual Plan, 4-2015	Ruben Ruiz – Submittal
1. Build 18 ft Driveway which will have room for 2 cars for each house	1. No change
2. Plant 2 trees in the front yard of the property of each lot where a home is being built	2. Plant 1 tree, his choice in the front yard of the property of each lot where a house is being built
3. install a sprinkler system	3. Delete installation of sprinkler system installation
4. Build 6ft sidewalk on the perimeter of property	4. No change
5. Build fence on the frontage of the property	5. No change

Summary:

My conversations with him have centered on the costs which have increased in the last 3 years which now make the numbers tough to reach where some changes are made. He does want to stay with the concept, he believes it has merit for Kingsville. Just reminder that no garages will be built in this development.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Conceptual Development Plan – Torres Estate

1. Planned Unit Development

In April of 2014 the Planned Unit Development (PUD) was amended to have a planned district for each zoning district. The purpose of the equivalent district provides for and encourages latitude and flexibility in the location of buildings, structures which would be approved by local officials. Variations and departures from normal requirements may be permitted.

2. History of Torres Estates Development

This particular project I believe started in the summer of 2014. When I came on board in October 2014 the project was presented as an R1 project. This project doesn't meet the lot size minimum so it was submitted as an R2 development. This is reflected in the January minutes which are in the packet. The memo dated March 13, 2014 brings the project up to this point. As a part of the RP2 zoning a Conceptual Development Plan is required to be submitted.

3. Torres Estates

As has previously been discussed this project is an infill development that would have a positive impact for the community and that neighborhood. As noted in the site plan and other minutes the developer Mark Dizdar has agreed to the following:

- A. Build an 18 foot wide driveway which will have room for 2 cars for each house
- B. Plant 2 trees in the front yard of the property of each lot where a home is being built
- C. Install a sprinkler system on each lot where a home is going to be built
- D. Build a 6 foot sidewalk on the perimeter of the property
- E. Build a fence on the frontage of the property

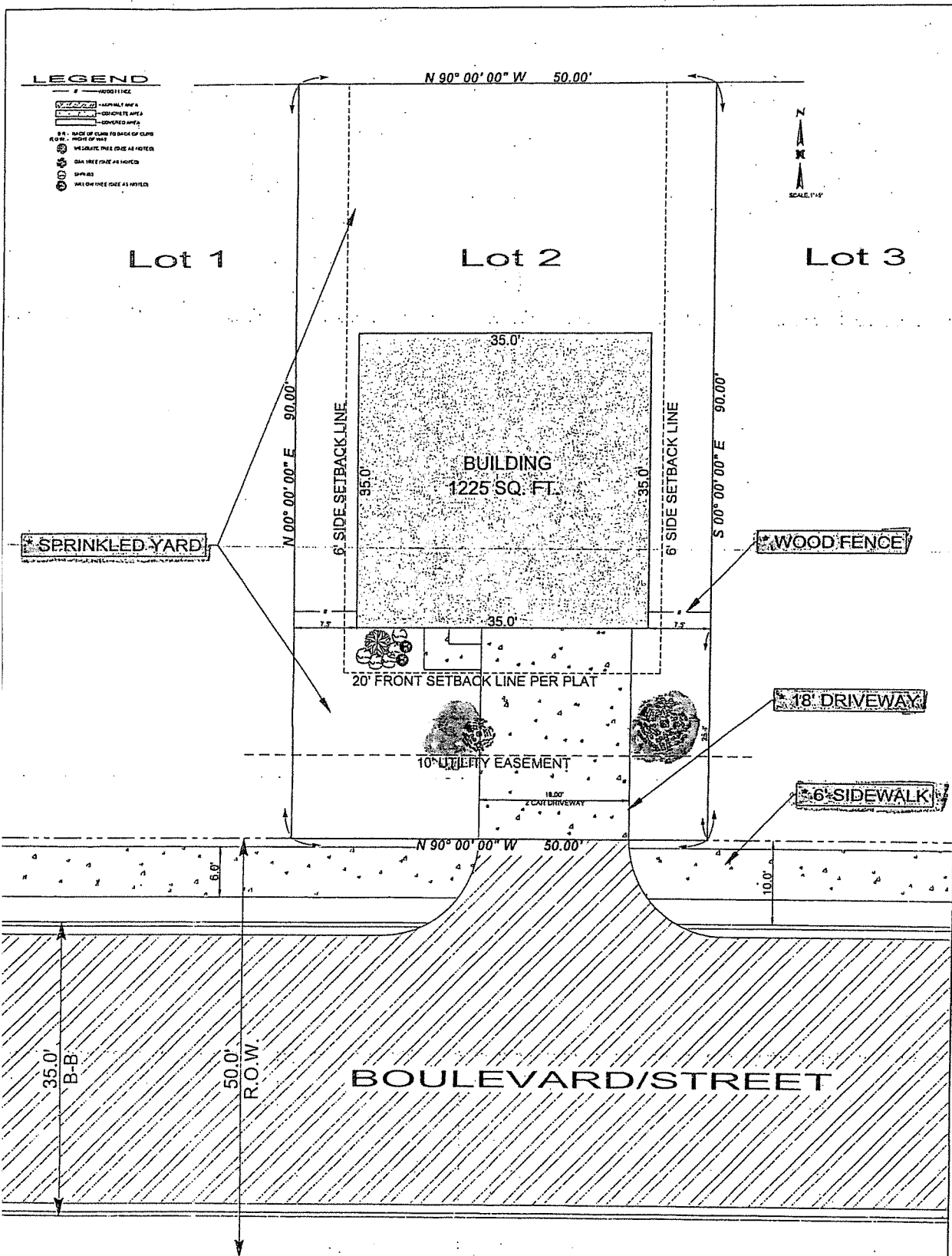
In return Mr. Dizdar will not be building garages with these homes.

Staff recommendation:

Approve the Conceptual Development Plan for the following reasons:

- A. This development takes advantage of the utilities that are already in place
- B. It is an housing option that is believed to be affordable for a significant number of the population

- C. It redevelops property that at one time a mobile home park which is not conducive for the neighborhood, while this project is compatible with the surrounding uses
- D. This development could initiate development to the south



Special Meeting – March 16, 2015

Motion made by Commissioner Pecos to approve the minutes of March 16, 2015 as presented, seconded by Commissioner Garcia. Motion was passed and approved by the following vote: Garcia, Pecos, Leubert voting "FOR". Pena "ABSTAIN".

Regular Meeting – March 23, 2015

Motion made by Commissioner Pena to approve the minutes of March 23, 2015 as presented, seconded by Commissioner Pecos. Motion was passed and approved by the following vote: Pecos, Pena, Garcia, Leubert voting "FOR".

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

- ✕ **1. Public hearing for the adoption of a Conceptual Development Plan for the Torres Estate Development located at 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott, Isaac & Norma Torres owners. (Director of Planning and Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:03 P.M.

Mayor Pro-tem Leubert stated that this is a public hearing and anyone who would like to comment on this item can do so at this time with a five minute time limit.

Mr. Ginter reported that a public hearing was published in the Kingsville Record regarding the Conceptual Development Plan. Staff did not receive any calls from the public for or against the public hearing.

Mayor Pro-tem closed this public hearing at 6:04 P.M.

- 2. Public hearing for an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from R2- Two Family Residential District to RP2- Planned Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan, Isaac & Norma Torres owners. (Director of Planning and Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:04 P.M.

Mayor Pro-tem Leubert stated that this is a public hearing and anyone who would like to comment on this item can do so at this time with a five minute time limit.

Mr. Ginter reported that a public hearing was published in the Kingsville Record regarding the rezone. Staff did not receive any calls from the public for or against the public hearing.

Mayor Pro-tem closed this public hearing at 6:06 P.M.

III. Reports from Commission & Staff.² (City Manager's Staff Report Attached).

"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, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance,

6. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Fund 051-Utility Fund Fund Balance for South Wastewater Treatment Plant repairs. (Director of Finance).

Mrs. Alvarez stated that this item has not been brought to the Commission in the past. She further stated that there have been some issues with the blower at the South Wastewater Plant.

Mr. Charlie Cardenas stated that this is for an overhaul of the existing blower which will expend \$27,000. The Plant is on a backup blower at this time.

Commissioner Pecos asked if this was for regular maintenance to the blower. Mr. Cardenas responded that this is preventative maintenance. Mr. Cardenas further commented that the North Wastewater Plant will be budgeted for next fiscal year.

Introduction item.

7. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Fund 091-General Fund Capital Projects budget to transfer four capital projects back to general fund. (Director of Finance).

Mrs. Alvarez stated that in the agenda packet, Mrs. Balli has submitted a memo for this item. If any questions, Mrs. Balli can address them at the next City Commission meeting.

Introduction item.

***8. Consider approval of the Conceptual Development Plan for Torres Estates. (Director of Planning & Development Services).**

Mr. Tom Ginter reported that this project is for the built of 11 homes with 1100 square feet each. As has previously been discussed this project is an infill development that would have a positive impact for the community and that neighborhood. Developer Mark Dizdar has agreed to the following; build an 18 foot wide driveway which will have room for 2 cars for each house; plant 2 trees in the front yard of the property of each lot where a home is being built; install a sprinkler system on each lot where a home is going to be built; build a 6 foot sidewalk on the perimeter of the property; and build a fence on the frontage of the property. Staff recommends the approval of the Conceptual Development Plan.

Commissioner Garcia asked in the developing the Conceptual Development Plan, what are the variations and departure.

Mr. Ginter stated that they are not defined, they are allowed. The ordinance states that variations and departures could be from the R2 District. In this case, the significant one is the garages. There are no garages in this project. In a basic R2 District, there would be garages.

Commissioner Leubert stated that her concern is that with liveoak trees being planted near the driveway, the roots to the tree will damage the driveways. Her other concern is having space in front of the home to allow vehicles to park.

Mr. Mark Dizdar, 1596 Wildwood Trails Court, responded that there is space for two parked cars on concrete. Cars can park on the side of the street but not onto the property.

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

PUBLIC HEARING NOTICE

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Ruben Ruiz, owner – On the changes to the current Conceptual Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

Ruben Ruiz, owner – On the change of the name of the plat/subdivision from Torres Estates to Heritage Estates located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

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.

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Fundraiser

living in Kleberg and Kenedy counties as well as in Bishop.

While in past years the kickoff event did not serve as a fundraiser, co-coordinators Sanchez and Stefanie Perryman decided to make a change after the campaign lost a significant amount of funding when Toys 'R' Us closed all of its stores in August of this year after filing for Chapter 11 bankruptcy in 2017.

"We were literally, every year, receiving \$9,000 from Toys 'R' Us to help buy toys," Sanchez said. "That's gone."

Sanchez said that amount provides toy donations for about 500 children.

As self-proclaimed "karaoke-holics," Perryman and Sanchez decided to incorporate a "Lip Sync Battle" into this year's kickoff event with pre-selected individuals and teams competing in a karaoke-style competition where they did their best to match their lip movements with pre-recorded songs.

Various community leaders, elected officials and organizations were invited to participate in the event, while attendees were able to cast votes for their favorite in the "Lip Sync Battle" by donating monetary funds to the campaign via cash, check or credit card.

Performers were also allowed to solicit votes prior to the event, which counted in their overall total in the "Lip Sync Battle"

standings.

Lip sync performers for the event included Kleberg County Assistant District Attorney J. Dean Craig and Ricki Cunningham with Coldwell Banker, KIII-TV news anchor John-Thomas Kobos, Kleberg Bank Executive Vice-President Brad Womack and his nine-year-old daughter Sienna and teams comprised of Kleberg County Sheriff's deputies, U.S. Border Patrol agents, the Javelina Women's Golf Team and the United States Marines Corps.

Brad and Sienna Womack were replacements for Kingsville Mayor Sam Fugate, who was unable to attend the event.

"We got approached on Tuesday to do this," Brad Womack said.

Brad Womack said he and his daughter went through 10 different songs before settling on Miley Cyrus's "Party in the USA." Sienna Womack said the dance was one that she and her friends had come up with at a birthday party.

"She taught it to me yesterday," Brad Womack said. "We had to do it a bunch of times, but it went great."

The final act included Perryman and Sanchez lip-syncing to Journey's "Don't Stop Believing" while the rest of the performers joined them on stage.

By the end of the event, Perryman and Sanchez, both in tears, revealed the

total amount raised to be \$7,830.

"We weren't expecting half that amount," Sanchez said. "That made up for Toys 'R' Us."

As they thanked the audience, more donations came in, bringing the total raised to more than \$8,000. Sanchez said the Kingsville community "is just amazing."

"Everybody told us that it wouldn't work, and that we couldn't do it," she said. "But look. We did, and it was amazing. I'm going to cry again."

The winners of the "Lip Sync Battle" were the duet of Craig and Cunningham, who performed like and Tina Turner's "Proud Mary" while students with the Academy High School drill team served as backup dancers.

The duet raised a total of \$3,318 both during their performance and soliciting prior to the event.

"It was a lot of fun," Craig said.

Craig said he and Cunningham spent "almost zero hours" practicing their performance, but they both had a great time with the fundraiser.

"It was all about support for the kids, not about talent," Craig said. "Otherwise, we would not have won."

Craig credited Perryman and Sanchez for their hard work in coordinating the Toys for Tots campaign every year, especially in getting the community excited to be involved.

"They make sure that nobody forgets about Toys for Tots," he said. "And their involvement makes it easy to say yes."

Sanchez said the "Lip Sync Battle" would definitely be coming back for next year's campaign.

"This was the first, and next year will be the second and hopefully there

will be a third," she said.

In 2017, the Kleberg-Kenedy County Toys for Tots served 1,783 children, about 260 more than the previous year, and doubled its 2016 donations with nearly 2,000 toys and more than \$10,000 in monetary donations.

For more information or to make a donation, con-

tact coordinator Stefanie Perryman at (417) 496-6071 or co-coordinator Rebecca Sanchez at (361) 474-0710.

The organization can also be reached on Facebook by typing "kingsvilletoysfortots" in the site's search bar or in messenger.

Anthony Ruiz can be contacted at aruiz@king-ranch.com or (361) 221-0251.

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Open Letter to the Public:

Two weeks ago, a political hate ad was published attacking incumbent County Court-at-Law Judge, Jaime E. Carrillo, for supporting Congressman Beto O'Rourke, Candidate for U.S. Senate, in the upcoming election.

The author of the ad claimed that he drove to the Carrillo Law Office to speak to Judge Carrillo. If he had driven to the office he would have noticed that Judge Carrillo's name was no longer on the office signage. A sitting County Court-at-Law Judge cannot practice law as an attorney while serving on the Bench. For that reason, the Carrillo Law Office is now owned and run by Ricardo Carrillo, with Cynthia Carrillo Garcia and David T. Garcia also practicing law out of the office. Judges can be sanctioned for endorsing political candidates. For the reasons cited above, Judge Carrillo was not informed of the decision to use the office as the Beto Headquarters. Judge Carrillo has run a campaign that adheres to all the regulations applicable to judges who are running for office. However, the smear campaign that began by placing a half-page ad in the Kingsville Record, cannot go unanswered.

I do not believe the author of the ad knows Jaime, but I do; let me tell you who Jaime Carrillo really is:

1. He follows God's greatest commandment to Love God above all else, and your neighbor as yourself;
2. He believes strongly in Christ's own edict, that whatever one does to the least of one's brethren, one does to God;
3. He is a family man who is keenly aware of how important it is to make decisions that are in the best interest of children and strives to make parents understand that their actions can have a lasting impact on their children;
4. His 20 plus years of practicing Family, Civil, and Criminal Law in Kleberg County has prepared him to be a knowledgeable, fair and experienced Judge;
5. His commitment to his community, his church, the university, and civic organizations is consistent and on-going, whether there is a political race at stake or not.

A vote for Judge Jaime E. Carrillo, is a vote for all Kleberg County.

Respectfully,
David T. Garcia

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: November 2, 2018

SUBJECT: Review of name change for Torres Estates plat/subdivision

Summary: Ruben Ruiz, the new owner of the property would like to change the name of the plat/subdivision from Torres Estates to Heritage Estates

Background: As you know Mark Dizdar was the original developer of this project. Ruben Ruiz is now the owner of the property and wants to develop the project as was originally submitted with some changes. One of the changes he is requesting is to change the name. Enclosed is an email from him asking for that name change. He has used the word Heritage in his other projects.

Financial Impact: None to the city that I know of. I believe that his name change makes it consistent with his other projects and would help him in his marketing of this project.

Recommendation: The Planning and Zoning Commission met on November 7th and voted 4 to 0 recommend approval of the name change from Torres Estates to Heritage Estates.



Tom Ginter

From: Ruben Ruiz <[REDACTED]>
Sent: Saturday, September 29, 2018 11:57 AM
To: Tom Ginter
Subject: torres estates

we want to change the name of the subdivision to heritage estates,

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standings.

Lip sync performers for the event included Kleberg County Assistant District Attorney J. Dean Craig and Ricki Cunningham with Coldwell Banker, KIII-TV news anchor John-Thomas Kobos, Kleberg Bank Executive Vice-President Brad Womack and his nine-year-old daughter Sienna and teams comprised of Kleberg County Sheriff's deputies, U.S. Border Patrol agents, the Javelina Women's Golf Team and the United States Marines Corps.

Brad and Sienna Womack were replacements for Kingsville Mayor Sam Fugate, who was unable to attend the event.

"We got approached on Tuesday to do this," Brad Womack said.

Brad Womack said he and his daughter went through 10 different songs before settling on Miley Cyrus's "Party in the USA." Sienna Womack said the dance was one that she and her friends had come up with at a birthday party.

"She taught it to me yesterday," Brad Womack said. "We had to do it a bunch of times, but it went great."

The final act included Perryman and Sanchez lip-syncing to Journey's "Don't Stop Believing" while the rest of the performers joined them on stage.

By the end of the event, Perryman and Sanchez, both in tears, revealed the

total amount raised to be \$7,630.

"We weren't expecting half that amount," Sanchez said. "That made up for Toys 'R' Us."

As they thanked the audience, more donations came in, bringing the total raised to more than \$8,000. Sanchez said the Kingsville community "is just amazing."

"Everybody told us that it wouldn't work and that we couldn't do it," she said. "But look, we did, and it was amazing. I'm going to cry again."

The winners of the "Lip Sync Battle" were the duo of Craig and Cunningham, who performed like and Tina Turner's "Proud Mary" while students with the Academy High School drill team served as backup dancers.

The duo raised a total of \$3,318 both during their performance and soliciting prior to the event.

"It was a lot of fun," Craig said.

Craig said he and Cunningham spent "almost some hours" practicing their performance but they both had a great time with the fundraiser.

"It was all about support for the kids, not about talent," Craig said. "Otherwise, we would not have won."

Craig credited Perryman and Sanchez for their hard work in coordinating the Toys 'R' Us campaign every year, especially in getting the community excited to be involved.

"They make sure that nobody forgets about Toys for Tots," he said. "And their involvement makes it easy to say yes."

Sanchez said the "Lip Sync Battle" would definitely be coming back for next year's campaign.

"This was the first, and next year will be the second and hopefully there

will be a third," she said.

In 2017, the Kleberg-Kenedy County Toys for Tots served 1,783 children, about 260 more than the previous year, and doubled its 2016 donations with nearly 2,000 toys and more than \$10,000 in monetary donations.

For more information or to make a donation, con-

tact coordinator Stefanie Perryman at (417) 496-6071 or co-coordinator Rebecca Sanchez at (361) 474-0710.

The organization can also be reached on Facebook by typing "kingsvilletoystots" in the site's search bar or in messenger.

Anthony Ruiz can be contacted at aruiz@king-ranch.com or (361) 221-0251.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, November 7, 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, owner - On the changes to the current Conceptual Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

Ruben Ruiz, owner - On the change of the name of the plat/subdivision from Torres Estates to Heritage Estates located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

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 Special Public Hearing Tuesday, November 13, 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, owner - On the changes to the current Conceptual Development Plan for the Torres Estate Development located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

Ruben Ruiz, owner - On the change of the name of the plat/subdivision from Torres Estates to Heritage Estates located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

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.

Open Letter to the Public:

Two weeks ago, a political hate ad was published attacking incumbent County Court-at-Law Judge, Jaime E. Carrillo, for supporting Congressman Beto O'Rourke, Candidate for U.S. Senate, in the upcoming election.

The author of the ad claimed that he drove to the Carrillo Law Office to speak to Judge Carrillo. If he had driven to the office he would have noticed that Judge Carrillo's name was no longer on the office signage. A sitting County Court-at-Law Judge cannot practice law as an attorney while serving on the Bench. For that reason, the Carrillo Law Office is now owned and run by Ricardo Carrillo, with Cynthia Carrillo Garcia and David T. Garcia also practicing law out of the office. Judges can be sanctioned for endorsing political candidates. For the reasons cited above, Judge Carrillo was not informed of the decision to use the office as the Beto Headquarters. Judge Carrillo has run a campaign that adheres to all the regulations applicable to judges who are running for office. However, the smear campaign that began by placing a half-page ad in the Kingsville Record, cannot go unanswered.

I do not believe the author of the ad knows Jaime, but I do; let me tell you who Jaime Carrillo really is:

1. He follows God's greatest commandment to Love God above all else, and your neighbor as yourself;
2. He believes strongly in Christ's own edict, that whatever one does to the least of one's brethren, one does to God;
3. He is a family man who is keenly aware of how important it is to make decisions that are in the best interest of children and strives to make parents understand that their actions can have a lasting impact on their children;
4. His 20 plus years of practicing Family, Civil, and Criminal Law in Kleberg County has prepared him to be a knowledgeable, fair and experienced Judge;
5. His commitment to his community, his church, the university, and civic organizations is consistent and on-going, whether there is a political race at stake or not.

A vote for Judge Jaime E. Carrillo, is a vote for all Kleberg County.

Respectfully,
David T. Garcia

CONSENT AGENDA

AGENDA ITEM #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: October 15, 2018

SUBJECT: Special Use permit as submitted by Sultan Sheikh agent for the North Islamic Trust at Flato, Block11, (exempt) 2.0661 acres also known as 702 W. Avenue B

Summary:

The North American Islamic Trust, Inc. would like to add an additional structure to their property. There is a mosque currently on the property. Their intent is to add a combination storage/meeting building. The meeting component for this building brings into play the other residential accessory and incidental use. In our land use table in R3 this use requires a special use permit review by the Planning and Zoning Commission and the City Commission.

Background:

There is plenty of ground for the placement of this structure. This item will be on the Planning and Zoning Commission October 17th agenda for their review.

Financial Impact:

Minimal if any.

Recommendation:

The Planning and Zoning Commission met Wednesday, October 17, 2018 regarding this request. They voted 4 to 0 to approve the special use permit request with the following conditions, the building will not be utilized for a business or housing.



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: October 15, 2018

SUBJECT: Special Use permit as submitted by Sultan Sheikh agent for the North Islamic Trust

Summary:

The North American Islamic Trust, Inc. would like to add an additional structure to their property. There is a mosque currently on the property . Their intent is to add a combination storage/meeting building. The meeting component for this building brings into play the other residential accessory and incidental use. In our land use table in R3 this use requires a special use permit review by the Planning and Zoning Commission and the City Commission.

Background:

There is plenty of ground for the placement of this structure. This item will be on the Planning and Zoning Commission October 17th agenda for their review.

Financial Impact:

Minimal if any.

Recommendation:

Once the Planning and Zoning Commission meets on this I will get to you their vote on a recommendation.



To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: October 12, 2018

Subject: Agenda Item #1 & #2

The North American Islamic Trust, Inc., would like to add an additional structure to their property. Currently there is a mosque on the property. They're intent is to add a structure that would be a combination storage/meeting building. Because of the meeting component, it is my opinion that this falls under the use that requires a Special Use Permit.

The property is zoned R3, which requires a special use permit for the use.

Summary:

At this point, there is plenty of ground for them to locate this building within setback and other requirements. Staff review of the building will consider other aspects, such as parking and location. If this board recommends approval, I would add conditions that the structure not be used for a business or housing.

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 702 W Ave B Nearest Intersection _____

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation _____ Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent SULTAN SHEIKH Phone 361-218-5196 FAX _____

Email Address (for project correspondence only): Sultan 2222@yahoo.com

Mailing Address 702 W Ave B City Kingsville State Tx Zip 78363

Property Owner NAIT Phone _____ FAX _____

Email Address (for project correspondence only): _____

Mailing Address _____ City _____ State _____ Zip _____

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 checked="" 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:

Islamic Society of Kingsville is put a building on the
property it had used as storage and meeting
to be held.

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 Sultan Sheikh Date: 9/18/18

Property Owner's Signature _____ Date: _____

Accepted by: _____ Date: _____

YOUNG H LEE
ETUX EUN Y IM
3042 NECHES DR
CORPUS CHRISTI, TX 78414-4413
#11810

DANIEL MENDIETTA
ETUX ANNA D EST
708 W C AVE
KINGSVILLE, TX 78363-3624
#18519

OSCAR MONTALVO
ETUX ISABEL
624 W C AVE
KINGSVILLE, TX 78363-3622
#11923

YOLANDA ZAPATA
1923 RETTYE DR
KINGSIVLLE, TX 78363-6961
#12703

PATRICIA A MENDEZ
707 W C AVE
KINGSVILLE, TX 78363-3623
#18817

ANGEL RANGEL BELTRAN
ETUX ROSA
200 W COUNTY ROAD 2170
KINGSVILLE, TX 78363-8892
#14384

YOLANDA ZAPATA
1923 RETTYE DR
KINGSVILLE, TX 78363-6961
#11869

HOMER R HUFFMAN
721 W B AVE
KINGSVILLE, TX 78363-3615
#12838

CESAR SILVA
4005 S FRANKLIN ADAMS
KINGSVILLE, TX 78363
#11807

FRANK R MENDEZ
1402 KENEDY AVE
KINGSVILLE, TX 78363
#17739

DENNIS YAKLIN
618 W AVE C (OFFICE)
KINGSVILLE, TX 78363
#13403

ADAM REID STEHLE
702 W AVE C
KINGSVILLE, TX 78363-3624
#11561

DENNIS L YAKLIN
618 W AVE C (OFFICE)
KINGSIVLLE, TX 78363
#25682

YOLANDA ZAPATA
1923 RETTYE DR
KINGSVILLE, TX 78363-6961
#20427

ANGEL BELTRAN
% ANGEL & ROSA BELTRAN
200 W COUNTY ROAD 2170
KINGSVILLE, TX 78363
#31735

YOLANDA ZAPATA
1923 RETTYE DR
KINGSVILLE, TX 78363-6961
#11924

JOSE G GARZA JR
ETUX LUCY M
4087 JAMLIE AVE
KINGSVILLE, TX 78363-7409
#24295

DAVID P FAREK
ETUX BRIDGETT S
719 W B AVE
KINGSVILLE, TX 78363-3615
#22074

FELIPE M GARZA EST
627 W B AVE
KINGSIVLLE, TX 78363-3613
#13401

JOSEPH D MCCAULEY JR
603 W B AVE
KINGSVILLE, TX 78363-3613
#10780

MARLA ETAL SALINAS
JUAN A CANTU TRUSTEE
725 W HENRIETTA AVE
KINGSVILLE, TX 78363-4209
#15813

TADEO REYNA
ETUX MELINDA S
1325 MICHAEL ST
KINGSVILLE, TX 78363-6952
#12736

EDUARDO P SALDANA
264 E COUNY ROAD 2150
KINGSVILLE, TX 78363-8806
#24928

LISA M MORENO
4601 SCHANEN BLVD
CORPUS CHRISTI, TX 78413
#18037

ANGEL RANGEL BELTRAN
ETUX ROSA
200 W COUNTY ROAD 2170
KINGSVILLE, TX 78363-8892
#22770

YOLANDA ZAPATA
1923 RETTYE DR
KINGSVILLE, TX 78363-6961
#20468

RODOLFO E RAMOS
1418 E KING AVE
KINGSVILLE, TX 78363-5938
#12046

ZAHRA KAZERANI
4224 N MCCOLL RD APT 5104
MCALLEN, TX 78504-4487
#17973

NOEMI FARAGOZA GOMEZ
623 W B AVE
KINGSVILLE, TX 78363-3613
#24564

of the center in the future know of her legacy and students of Texas A&M University-Kingsville who earn the scholarship have

little bit easier on them."

Loredo said they hope to raise as much as \$25,000 in donations and contributions for the scholarship.

be providing the food for the event.

Frank Cardenas can be contacted at fcardenas@king-ranch.com or (361) 221-0243.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, October 17, 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:

Sultan Sheikh, applicant, requesting a Special Use Permit for a residential accessory and incidental use located at FLATO, BLOCK 11, (EXEMPT), ACRES 2.0661 also known as 702 W. AVE. B, Kingsville, Texas.

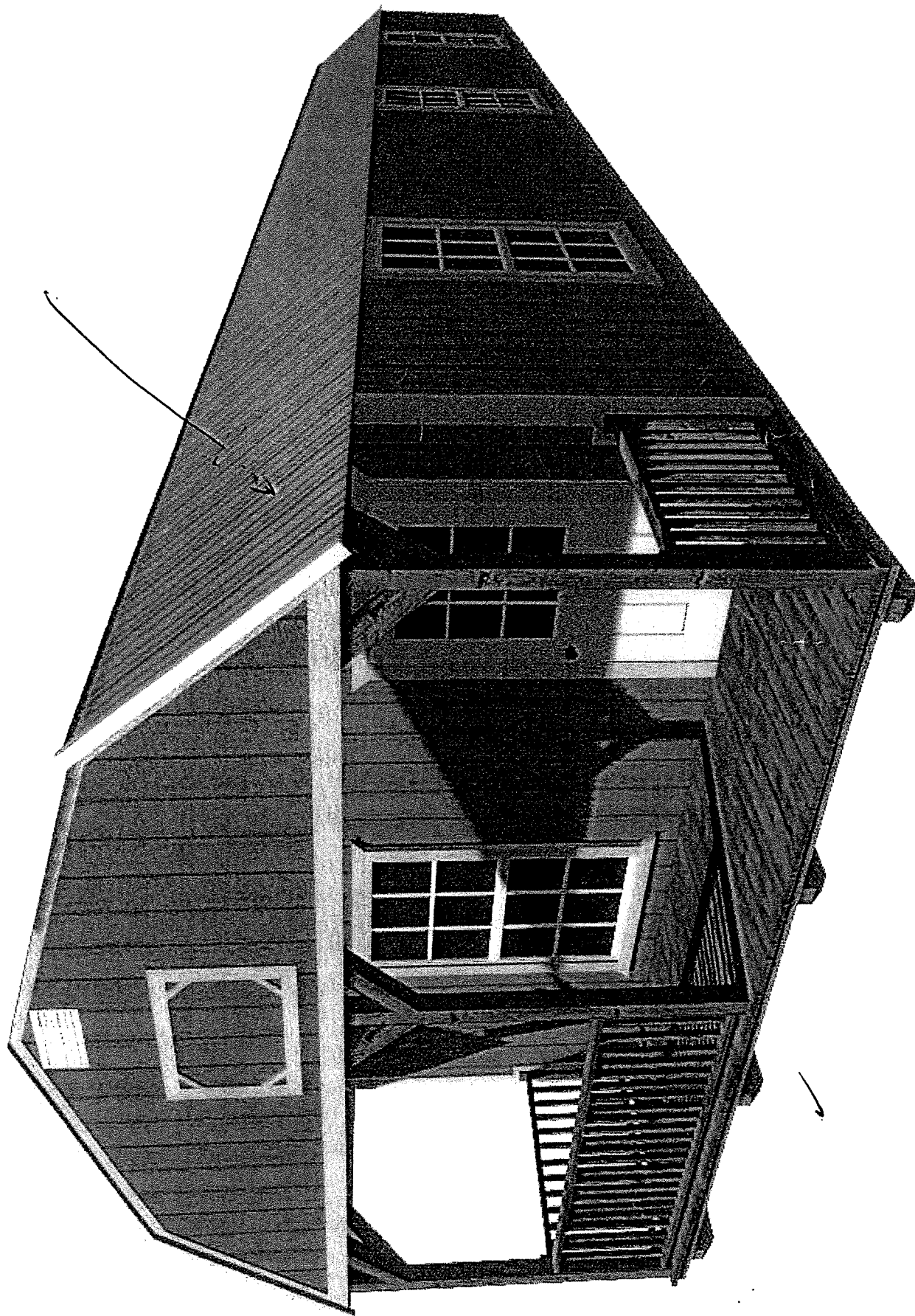
The meeting will be held at City Hall, 400 West King, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, October 22, 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:

Sultan Sheikh, applicant, requesting a Special Use Permit for a residential accessory and incidental use located at FLATO, BLOCK 11, (EXEMPT), ACRES 2.0661 also known as 702 W. AVE. B, Kingsville, Texas.

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.



Neigh Dist Cental Com
 R1 R2 R3 R4 MH C1 C2 C3 C4 I1 I2 A

Dwelling, one family det.	P	P	P	P	P	P	P	P				P
Dwelling, one family att.		P	P	P		S	P					P
Dwelling, two family		P	P	P		S	P					
Dwelling, multi-family			P	P		P	P	P				
Boarding or rooming house				P			S	P	P			
Hotel or motel				P			S	P	P			
Dormitory				P								
Fraternity, sorority				P								
Mobile home/manufactured home park or mobile home/manufactured home on lot	S'	S'	S'	S'	P					S	S	S
Recreational vehicle park					P		S		S			
Secondary res. structure				P	P		S	S		S	S	S
Other residential accessory and incidental uses	S	S	S	S	S					S	S	
Accessory building	P	P	P	P	P	P	P	P	P	P	P	P
Community center (private)	S	S	S	S	S	P	P	P				
Accessory farm building				P	P	P	P	P	P	P	P	P

X

Property Search Results > 22353 NORTH AMERICAN ISLAMIC TRUST INC for Year 2018

Property

Account

Property ID: 22353 Legal Description: FLATO, BLOCK 11, (E X E M P T), ACRES 2.0661
 Geographic ID: 126701101000192 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 702 W AVE B TX *600 W. Ave B* Mapsco:
 Neighborhood: Map ID: A1
 Neighborhood CD:

Owner

Name: NORTH AMERICAN ISLAMIC TRUST INC Owner ID: 18681
 Mailing Address: 715 ENTERPRISE DR % Ownership: 100.0000000000%
 OAK BROOK, IL 60523
 Exemptions: EX-XV *2 zoning R3*

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$77,750	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$33,480	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$111,230	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$111,230	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$111,230	

Taxing Jurisdiction

Owner: NORTH AMERICAN ISLAMIC TRUST INC
 % Ownership: 100.0000000000%
 Total Value: \$111,230

Entity Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$111,230	\$0	\$0.00
CKI CITY OF KINGSVILLE	0.830000	\$111,230	\$0	\$0.00
GKL KLEBERG COUNTY	0.781450	\$111,230	\$0	\$0.00
SKI KINGSVILLE I.S.D.	1.518900	\$111,230	\$0	\$0.00
WST SOUTH TEXAS WATER AUTHORITY	0.086664	\$111,230	\$0	\$0.00
Total Tax Rate:	3.217014			

Taxes w/Current Exemptions: \$0.00
Taxes w/o Exemptions: \$3,578.28

Improvement / Building

Improvement #1: COMMERCIAL **State Code:** F1 **Living Area:** 2086.0 sqft **Value:** \$77,750

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	CH2L		2000	2086.0
OP1	OPEN PORCH BASIC (20%)	*		2000	160.0
CON	CONCRETE SLAB COMMERCIAL	SP		2000	6880.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	F1	F1	2.0661	90000.00	300.00	300.00	\$33,480	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$77,750	\$33,480	0	111,230	\$0	\$111,230
2017	\$77,750	\$33,480	0	111,230	\$0	\$111,230
2016	\$77,750	\$33,480	0	111,230	\$0	\$111,230
2015	\$77,750	\$33,480	0	111,230	\$0	\$111,230
2014	\$77,750	\$33,480	0	111,230	\$0	\$111,230
2013	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2012	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2011	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2010	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2009	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2008	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2007	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2006	\$77,750	\$15,300	0	93,050	\$0	\$93,050
2005	\$77,750	\$15,300	0	93,050	\$0	\$93,050

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1		OT	Other	DAVENPORT J E	NORTH AMERICAN ISLAMIC TRUST INC	74	133	
2		OT	Other	UNKNOWN	DAVENPORT J E	250	101	

Questions Please Call (361) 595-5775



Date: 08/08/2018

Al's Affordable Buildings - Corpus Christi
 866 S Padre Island Dr
 Corpus Christi TX 78416-2540
 (361) 290-5407
 Prepared by: Melissa

SOLD TO: Islamic society Of
 kingsville
 702 W. Ave B
 Kingsville TX 78363
 Home:
 zicoay@gmail.com

CUSTOMER RECEIPT - 00250457

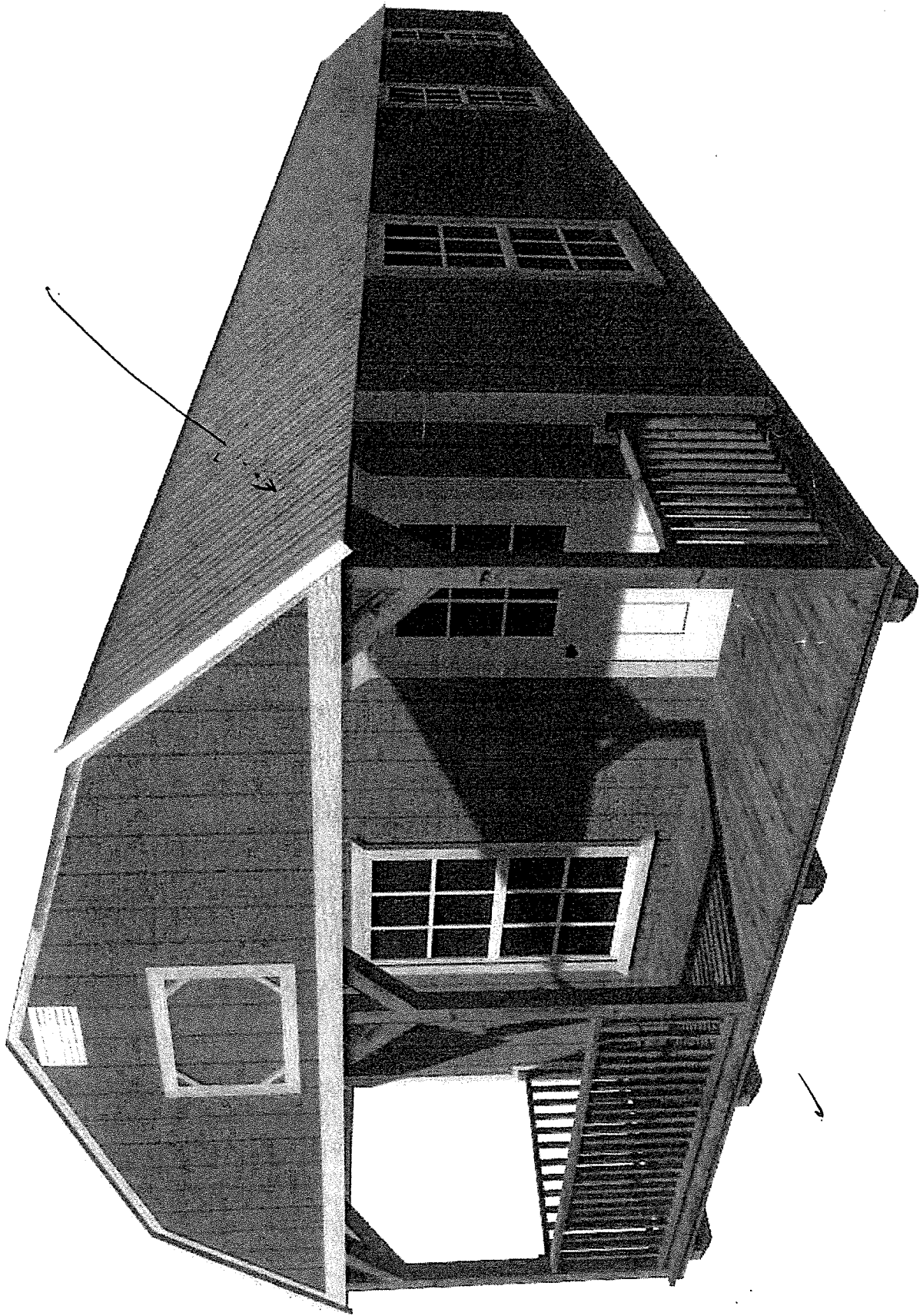
DELIVER TO:
 702 W. Ave B
 Kingsville TX 78363
 Mobile: (361) 960-5082

PRODUCT / OPTIONS	UNIT PRICE	QUANTITY	TOTAL PRICE
LOFTED BARN CABIN 16x50 Siding Color: Almond Paint Roofing Color: Alamo White Metal Trim Color: White Paint	\$17,220.00	1	\$17,220.00
9 Lite 36" Door (Pre Hung)	\$250.00	1	\$250.00
8' Walls On Lofted Style TX Only	\$500.00	1	\$500.00
3x5 TP Windows - 3x5 Thermopane Window	\$225.00	8	\$1,800.00
Anchors \$25.00 Each (Installed) - **Does not include Straps**	\$25.00	12	\$300.00
Strap - **Does not include Anchors**	\$10.00	12	\$120.00
Porch Rails Up To 3 Rails	\$150.00	1	\$150.00
Total Pretax			\$20,340.00
Total Tax			\$0.00
TOTAL DUE			\$20,340.00
PAID AMOUNT			\$0.00
AMOUNT DUE			\$20,340.00

Please make checks Payable to Derksen Portable Buildings

Derksen Portable Buildings and its agents are NOT responsible for permits, setbacks, restrictions, or covenants. Please contact your local codes department or Homeowners Association. It is up to the customer to decide whether ground conditions are suitable for delivery. Derksen Buildings is NOT responsible for yard or driveway damage. Free delivery and set up includes ONE TRIP. Additional trips may incur CHARGES to the customer. I, the customer, have read the disclosure, Terms And Conditions Of Sale and fully accept the terms provided therein. First 50 miles Free Delivery (From Lot Thereafter \$3.00 Per Mile).

* Hamed I. Ali
 Customer Signature



ORDINANCE #2018-_____

AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT TO PLACE AN ADDITIONAL BUILDING FOR STORAGE/MEETINGS AT FLATO, BLOCK 11, (EXEMPT) 2.0661 ACRES, KNOWN AS 702 W. AVENUE B, KINGSVILLE, TEXAS; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION.

WHEREAS, the Planning and Zoning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Sultan Sheikh, for amendment to the zoning map of the City of Kingsville with the request based on City Code sections 15-6-23 and 15-2-3 and Chapter XV-Land Usage, Article 6-Zoning, Appendix A-Land Usage Categories as this property is zoned R3 (Multi-Family District);

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, October 17, 2018, during a meeting of the Planning and Zoning Commission, and on Monday, October 22, 2018, during a meeting of the City Commission, in the Helen Kleberg Groves Community Room-Commission Chambers, 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 4-0 voted to **APPROVE** the requested special use permit; and

WHEREAS, the property is currently zoned R3-Multi-Family District and to add an additional structure for storage/meeting space to the property is only allowed under the land use chart with a special use permit; and

WHEREAS, the City of Kingsville Code of Ordinances Chapter XV-Land Usage, Article 6-Zoning, Appendix A-Land Usage Categories states that for an area zoned R3 Multi-Family, a special use permit is required to have a residential and accessory use structure at this location; and

WHEREAS, the City of Kingsville Code of Ordinances section 15-6-142 regulates special use permits; 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 and a Special Use Permit is granted for an additional structure for storage/meetings on the premises known as 702 W. Avenue B as more specifically describe on site plan attached as Exhibit A.

SECTION 2. That the Special Use Permit granted in Section 1 of this Ordinance is subject the following conditions:

1. ALLOWED USE: The only uses authorized by this Special Permit other than the permitted "R3" Multi-Family uses is for an additional building for storage/meetings.

2. TIME LIMIT: This Special Permit is good for the duration of the additional building for storage/meetings from the date of this ordinance **unless** (a) the property is not being used for the purpose outlined in Condition 1, or (b) any other conditions have not been complied with, or (c) there is a change in ownership of the business.

3. SPECIAL CONDITION: (3.1) The applicant shall obtain all required licenses for operating the business (if any), and shall obtain all permits for building, fire and health thereby meeting all adopted codes to operate said business (if any), and shall cooperate with all annual fire safety, health, and sanitation inspections, in order to maintain compliance with state and city regulations for the additional building for storage/meetings regardless of use of structures. (3.2) All activity on site shall be in complete compliance of all City codes, especially the nuisance, fire, building and zoning codes.

SECTION 3. 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 4. 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 5. 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 6. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 7. 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 22nd day of October, 2018.

PASSED AND APPROVED on this the 13th day of November, 2018.

EFFECTIVE DATE: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

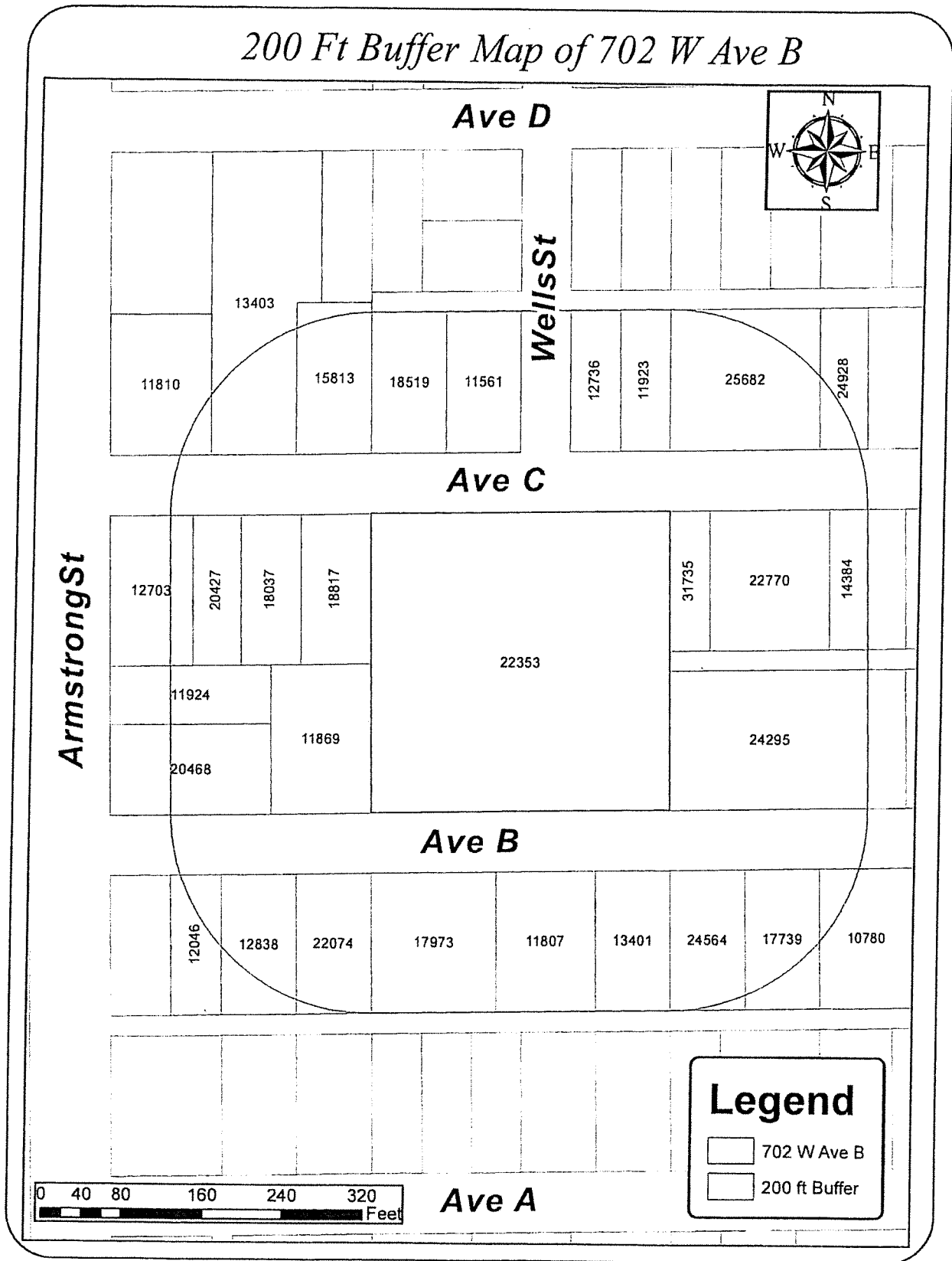
ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

By: _____
Courtney Alvarez, City Attorney

200 Ft Buffer Map of 702 W Ave B



AGENDA ITEM #2

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: October 12, 2018

SUBJECT: Amending Section 15-6-21 definitions to include a definition for Tiny Homes

Summary:

The Planning and Zoning Commission has been discussing this concept for inclusion into our code of ordinances for the last 2 meetings. They are supportive of the concept and believe that this will assist those property owners of these size lots to develop them for housing as an example. This ordinance strictly gives us a definition for tiny homes.

Background:

This idea grew out of property owner concerns as to what to do with their small lot (25x140) is the typical size and a commissioner expressing the idea in a workshop. After several meetings discussing this ordinance and the other ordinances to follow will put the concept into reality within our code of ordinances.

Financial Impact:

We believe over time that this will be a positive financial impact for the increase of property taxes and a reduction of expense in mowing these properties.

Recommendation:

The Planning and Zoning Commission has recommended the following as a definition: A dwelling that is a minimum of 200 square feet. They voted 6 to 0 in favor of approval of this ordinance.



ORDINANCE NO.2018-_____

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

WHEREAS, the City Planning and Zoning Commission has been discussing a recent nationwide trend of tiny homes, but there is no suitable definition for tiny homes or related zoning designations, which prompted the Planning and Zoning Commission and the City Commission to recommend such changes to the Code of Ordinances;

WHEREAS, while the City Planning and Zoning Commission considered that request they discussed the possible need for the definition and zoning category for tiny homes;

WHEREAS, the City Planning and Zoning Commission considered the definition and zoning category for tiny homes at a publicly posted meeting on October 3, 2018 and voted 6-0 for the changes stated herein;

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

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

I.

THAT Sections 15-6-21 of Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-6-21 DEFINITIONS.

...

TIA/EIA-222. Telecommunications Industry Association/Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures."

Tiny Homes. A dwelling that is a minimum of 200 square feet.

Tower, electric transmission. A self-supporting structure over 50 feet (15 meters) in height, designed to support high-voltage electric lines. This does not include local utility or distribution poles (with or without transformers) designed to provide electric service to individual customers.

...

II.

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

III.

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

IV.

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

V.

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

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

PASSED AND APPROVED on this the 13th day of November, 2018.

EFFECTIVE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

**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: October 12, 2018

SUBJECT: Amending code of ordinances Chapter XV, Article 6, Zoning, amending Appendix A-Land Use Categories

Summary:

This ordinance amendment will state in what districts where we will allow tiny homes to be built.

Background:

This amendment was clear for the commission. They are receptive for this to happen but understand that in a single-family housing development such as Wild Wood Trail it would not work. That is the logic why the building of tiny homes will only be allowed in R2, R2A (the new district) and MH (mobil home). It is not allowed in any other district nor will a special use permit process be used for any other district in the ordinance current form.

Financial Impact:

The financial impact is the same as I have written for the other two ordinances.

Recommendation:

The Planning and Zoning Commission voted 6 to 0 in favor of an approval recommendation for this ordinance.



ORDINANCE NO. 2018-_____

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

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

WHEREAS, the item was approved with a 6-0 vote of the Planning Commission on the requested zoning chart change with no abstentions on October 3, 2018; and

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

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

I.

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

Use Regulations and Districts

...

APPENDIX A. - LAND USE CATEGORIES

Sec. 1. - Land use chart.

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

P = Permitted

S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

[Land Use Chart on the following pages]

Land Use Chart													
Land Use Descriptions	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
...													
Dwelling, multi-family				P	P		P	P	P				
<u>Tiny Homes</u>		P	P			P							
Dwelling, above business									P				
...													

...

II.

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

III.

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

IV.

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

Effective Date: _____, 2018

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

PASSED AND APPROVED on this the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4

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: October 12, 2018

SUBJECT: Amending the city code of ordinances Chapter XV, Article 6, Zoning, Amending Appendix B-Space Requirement

Summary:

This is one of three ordinances that will implement the concept of tiny homes. A key element is adapting the space requirements for homes of this size within lot dimensions. This also creates a new district called R2A which will allow those lots to be developed in Kingsville.

Background:

This ordinance did take some time because of the three it is the most crucial. There was the balancing act of setting the numbers for those property owners who would want to take advantage of this opportunity and also keeping an eye on not letting it get out of hand or in areas that it wouldn't be compatible.

Financial Impact:

The belief is that with this new zoning district and for those who own properties that meet the space requirement will develop and consequently increase the property tax base. I believe that other indirect financial positives could occur such as the purchase of materials for construction and an increase in home ownership.



City of Kingsville
Planning and Development Services

Recommendation:

The Planning and Zoning Commission made one change which was the 18 to a 15 in the R2A column and in the minimum lot width. With that change the Planning and Zoning Commission voted 6 to 0 in favor of recommending approval of the ordinance.



ORDINANCE NO. 2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER XV, ARTICLE 6, ZONING, AMENDING APPENDIX B-SPACE REQUIREMENT, SECTION ONE SPACE REQUIREMENTS FOR RESIDENTIAL USE TO ADD REQUIREMENTS FOR TINY HOMES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

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

WHEREAS, the item was approved with a 6-0 vote of the Planning Commission on the requested zoning chart change with no abstentions on October 3, 2018; and

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

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

I.

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

Use Regulations and Districts

...

APPENDIX B. – SPACE REQUIREMENTS

Sec. 1. – Space Requirements for Residential Use.

The following chart sets out the space requirements for residential uses within the city:

<i>Lot Size</i>	R1	R2	<u>R2A</u>	R3	R4	MH	Ag
Minimum lot area, sq.ft.	5,500	2,500	<u>2,000</u> ⁴	6,000	6,000	5 acres	10 acres
Minimum lot area per unit, sq.ft.	5,500	2,500	<u>2,000</u>	1,000	1000	3,000	10 acres
Minimum open space per unit, sq.ft.	0	0		4,001	4,001	0	0
Minimum lot width, ft. (measured at the setback line)	50	25	<u>15</u>	50	50	25	300
<i>Setback; Lots</i>							
Principal Uses:							
Front yard, ft.	20	20	<u>20</u> ⁵	20	20	20	
Side yard (interior), ft.	5	5	<u>5</u>	5	5	5	
Side yard (on street), ft.	10	10	<u>5</u>	10	10	10	10
Rear yard, ft.	10	10	<u>5</u> ⁵	10	10	10	
Accessory Uses:							
...							

¹ The 400 square foot open space requirement may or may not be additional to the required lot size, depending on the size of the lot. Before the building permit can be issued all space requirements must be met in whole.

² See Section 15-6-86(B)(1) for area requirements for additional structures.

³ Fences within the required front yard are limited. No fence or wall may exist within the area formed by an arc of 20 feet from a street intersection. Fences not within a required yard area shall not exceed 10 feet.

⁴ The minimum lot area for a tiny home will be 2, 000 square feet and the maximum lot size is 3,700 square feet.

⁵ The front 20 feet setback can be used for parking and the front porch and the rear yard setback can be used for a porch.

...

II.

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

III.

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

IV.

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

Effective Date: _____, 2018

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

PASSED AND APPROVED on this the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief / EMC

DATE: October 22nd, 2018

SUBJECT: Budget Amendment Vehicle Replacement Account – New Ambulance (MICU)

Summary:

The Kingsville Fire Department is requesting a budget amendment to the Vehicle Replacement Account (097-5-220.0-71100) in the amount of \$200,000.00. The request comes due to the need to replace an aging ambulance fleet.

Background:

The new ambulance will replace one of the existing ambulances, which is showing the most wear, increased maintenance cost, and increased down time. By doing so, our department will continue to provide excellent EMS services to our Kingsville community.

Lastly, the KFD Fleet Management Team conducted an analysis of our current fleet and recommend replacing ambulances every six (6) years with a replacement occurring every two (2) years. The last ambulance replacement occurred in 2017 and this one would be scheduled to occur in 2019. Year 2021 would see a third new ambulance and Year 2023 would see the replacement of the one purchased in 2017 in accordance to the six (6) year replacement cycle.

Financial Impact:

In researching ambulance replacements, \$200,000.00 should be sufficient to cover the replacement cost of a new ambulance. This is also equal to the amount that was budgeted in 2016 when the City acquired a new ambulance in 2017.

Recommendation:

The following budget amendment request supports the goals set by the Kingsville Fire Department to continue to provide excellent EMS services to our Kingsville community. Our recommendation is that the Commission consider approving the budget request.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO PROVIDE FUNDS FOR THE PURCHASE OF A NEW AMBULANCE.

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 2018-2019 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 097 Vehicle Replacement Fund					
Expenses					
5-2200	Vehicle		71100	<u>\$200,000</u>	

[To amend the City of Kingsville FY 18-19 Budget to include a \$200,000 purchase of a new ambulance.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of October, 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 #6

City of Kingsville
Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus Garza, City Manager

FROM: Tom Ginter, Director

DATE: October 17, 2018

SUBJECT: Budget Amendment for the purchase of the Old Hospital at 400 E. Caesar

Summary:

The City of Kingsville is putting a grant application together to submit for a Brownfields grant with the intent of using the grant funds for the abatement of the asbestos in the building. One of the stipulations of the grant is that the building be owned by the applicant, which in this case would be the City of Kingsville. The budget amendment is to cover the expense of that purchase.

Background:

Staff had been working for some time on having the necessary studies done that are a part of the grant application. A Phase 1 has been completed and also a Phase 2. The grant application itself is due approximately end of December/January. The current amount of back taxes owed and other fees is \$43,863.14. Staff has received feedback to move forward with the potential purchase of the building to obtain the grant though no range has been determined at this point. An offer has been made to the owner but no response has been received from the owner yet.

Financial Impact:

The cost of the purchase of the building is the main financial impact. If able to purchase and have the grant awarded to the City, this would give us \$200,000 toward the abatement of the asbestos in the building.

Recommendation:

Approve the budget amendment which would allow the city to make an attempt to purchase the building.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO PROVIDE FUNDS FOR LAND ACQUISITION COSTS IN RELATION TO THE OLD COUNTY HOSPITAL.

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 2018-2019 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 098 Economic Development Fund					
Expenses					
5-1060		Professional Services	31400	<u>\$44,939</u>	

[To amend the City of Kingsville FY 18-19 Budget to include \$44,939 for land acquisition costs in relation to the old County hospital on East Caesar Avenue with funding to come from fund balance.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of October, 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 #7

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: October 8, 2018

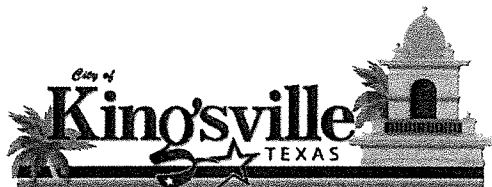
SUBJECT: Request for Budget Amendment, General Fund and Chapter 59

Summary:

The police department is requesting to rollover several projects that were not completed during the FY2017-2018 budget period into the FY2018-2019 budget. This process requires a budget amendment.

Background:

PO#182268	Sam Houston State University (Crimes Software) \$24,750.00 KPD is in the process of migrating over to eForce CAD/RMS software and we are in receipt of a grant in the amount of \$224,654.53 to pay for the new software. During the transition period from old to new software, we expect this to take six months, we need to maintain our old CAD/RMS. SHSU requires payment prior to service being rendered. We have paid for six months and would request to roll over \$24,750.00 in case this process takes longer.
PO#181704	Storm Siren (Upgrade to City's Storm Siren) \$10,940.00 A new name brand PC with: I-5 Or Greater Core Processor 8 GB or Greater RAM 1 TB or Greater of Memory The InfoStorm PC SD2300 Interface Box & Software which replaces the Zetron unit. The InfoStorm SD2300 is a new faster independent interface between the computer and radio transmitter. New 30" Dish & Receiver with EMWIN Software: GOES 16 Compatible. Almost doubles the data transfer speed from 19.2K to 30.0K. We have received CPU but not the Satellite Dish. Only then will we make payment.



**City of Kingsville
Police Department**

PO#181814	VistaCom Voice recorder for incoming phone lines and radio system. Telephone project has continued into FY2018-2019 and should be completed soon.	\$6,105.00
PP#182038	Absolute Communications New phone system for PD, project to be completed soon	\$25,476.50
PO#182074	Silynx Communications Equipment ordered via grant in FY2017-2018 but won't be delivered until FY2018-2019.	\$5,256.80
PO#182190	ERAD Group PO was sent in but working on Agreement to insure protection of the City of Kingsville.	\$3,000.00

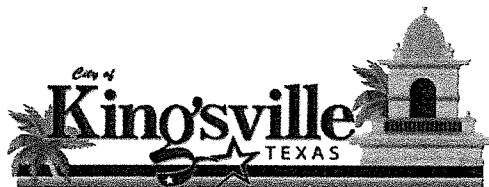
Financial Impact:

Impact to General Fund is \$70,271.50.

SHSP grant impact is \$5,256.80 of which it is all reimbursable to the City of Kingsville.

Recommendation:

We request that the budget amendment be approved to cover the costs of these items in FY2018-2019.
Thank you for your assistance.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO PROVIDE FUNDS FOR POLICE DEPARTMENT ROLLOVER PROJECTS.

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 2018-2019 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					
<u>Expenses</u>					
5-2103	Police	Professional Services	31400	\$24,750	
5-2101	Police	Computers & Associated Equip	22600	\$10,940	
5-2101	Police	Computers & Associated Equip	22600	\$6,105	
5-2101	Police	Computers & Associated Equip	72600	\$25,477	
		Total General Fund		\$67,272	
Fund 029 JAG Grant					
<u>Expenses</u>					
5-2100	Police	Minor Equipment	21700	\$5,257	
Fund 005 PD State Seizure Fund					
<u>Expenses</u>					
5-2100	Police	Professional Services	31400	\$3,000	

[To amend the City of Kingsville FY 18-19 General Fund Budget for \$67,272, JAG Grant Budget for \$5,257 and Police State Seizure Fund for \$3,000 for Police Department Rollover Projects. All of these items were included in the estimated annual budget allowing funding to come from the respective fund balances.]

II.

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

III.

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

IV.

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

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

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

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney

AGENDA ITEM #8

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Diana Gonzales, Human Resource Director 

DATE: October 16, 2018

SUBJECT: Ordinance – Amending City of Kingsville Classification & Compensation Plan FY 18-19

Summary: Amendment requested to reclassify a vacant position of Facilities & Events Specialist Class 17 to Special Events Coordinator Class 14. In addition, Class 8 Step 2 requires adjustment of 3 cents to change from \$13.86 to \$ 13.83. The adjustment will not affect any employee as there are no employees in the Class 8.

Background: City of Kingsville Classification and Compensation Plan Fiscal Year 2018-2019 was introduced on September 10, 2018 and approved by City Commission on September 24, 2018. A position has vacated and has been re-evaluated for duties and placement on the Classification and Compensation Plan.

Financial Impact: The annual savings to the position may range from \$3,845.47 to \$2,110.59 depending on rate placement.

Recommendation: To consider reclassifying and renaming the Facilities & Events Specialist Class 17 to Special Events Coordinator Class 14 and adjusting Class 8 Step 2 rate from \$13.86 to \$ 13.83.



ORDINANCE NO. 2018-_____

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

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

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

I.

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

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

The City of Kingsville Classification and Compensation Plan dated effective as of October 1, 2018 is hereby adopted by reference providing for certain classifications and positions as more particularly defined therein. Classified positions and incumbents thereof who have completed the designated probationary period and any extensions thereof shall be subject to the terms and conditions of all policies incorporated by reference and adopted by the City Commission by resolution. Except members of the Fire and Police collective bargaining units, all other employees (executive, exempt and non-exempt) serve at will, at the pleasure of the City Manager, or designee, or at the pleasure of the City Commission if appointed by the City Commission, and shall have and continue such at-will status, notwithstanding any other provision of this Classification Plan, any other City Ordinance, or any rule or regulation of the City.

All Non-Exempt Non-Civil Service employees of the City of Kingsville are placed in a step according to the City of Kingsville Fiscal Year 2018-2019 Non-Exempt Chart.

New hires shall be placed at the compensation Class for the designated positions. New hires may be placed in the Step within the designated Class corresponding to the years of experience the new employee brings to the City correlating to the designated duties of the position not to exceed Step 5 unless approved by City Commission.

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

Employees demoted, transferred, temporarily assigned, or accepting a position in a lower Class shall commence at a step of pay in the lower Class. Employees shall proceed to the next step of the compensation plan, as scheduled, based on years of City service.

All Exempt Class employees of the City of Kingsville shall be placed in a step program to receive a scheduled salary increase on the anniversary date of their 1st, 3rd, 6th, 10th, 15th, 20th and 25th year of service in the Exempt Class position. Percentage increases shall correspond to the Exempt Class Step Program included in the Classification and Compensation Plan for Fiscal Year 2018-2019.

Executive Level 1 & 2 positions shall receive a cost of living adjustment when Non-Exempt Non-Civil Service employees receive a cost of living adjustment. The City Commission shall evaluate the

performance of and recommend salaries for Executive Level 1 & 2 positions each July to prepare for the up-coming fiscal year.

II.

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

III.

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

IV.

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

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

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

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**CITY OF KINGSVILLE
CLASSIFICATION AND COMPENSATION PLAN
FISCAL YEAR 2018-2019**

Original Introduction: September 10, 2018

Approved: September 24, 2018

Amendment Introduction: October 22, 2018

Step 7 & 8 available to employees
in these steps as of October 1,
2016

Class

1

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6		Step 7	
\$ 10.20	\$ 10.51	\$ 10.83	\$ 11.15	\$ 11.48	\$ 11.83		\$ 12.18	

Animal Care Attendant
Children's Services Librarian
Custodian
Equipment Operator I
Equipment Service Worker
Golf Pro Shop Attendant

Library Assistant
Maintenance Worker
Plant Helper
Recycling Technician
Utility Worker

Step 7 & 8 available to employees
in these steps as of October 1,
2016

2

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6		Step 7	Step 8
\$ 10.61	\$ 10.93	\$ 11.26	\$ 11.60	\$ 11.94	\$ 12.30		\$ 12.67	\$ 13.05

Circulation Librarian
Customer Service Representative

Reference/Information Librarian
Technical Services Assistant

3

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
\$ 11.04	\$ 11.37	\$ 11.71	\$ 12.06	\$ 12.42	\$ 12.79

Pump Operator

4

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
\$ 11.48	\$ 11.83	\$ 12.18	\$ 12.55	\$ 12.92	\$ 13.31

5

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
\$ 11.94	\$ 12.30	\$ 12.66	\$ 13.04	\$ 13.43	\$ 13.84

Animal Control Specialist
Inventory Clerk
Tourism Services Technician

Step 7 & 8 available to employees
in these steps as of October 1,
2016

6

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6		Step 8
\$ 12.41	\$ 12.79	\$ 13.17	\$ 13.57	\$ 13.97	\$ 14.39		\$ 15.26

Customer Billing Specialist
Deputy Clerk
Engineering Technician
Equipment Operator II

GIS Technician
Meter Reader Technician
Telecommunications Operator
Street Equipment Operator I

7

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
\$ 12.91	\$ 13.30	\$ 13.70	\$ 14.11	\$ 14.53	\$ 14.97

Administrative Assistant I

8

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
\$ 13.43	\$ 13.86	\$ 14.24	\$ 14.67	\$ 15.11	\$ 15.56

\$ 13.83

* calculation correction

Step 7 & 8 available to employees
in these steps as of October 1,
2016

9	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6		Step 8
	\$ 13.96	\$ 14.38	\$ 14.81	\$ 15.26	\$ 15.72	\$ 16.19		\$ 17.17

A/P Specialist
Accounting Assistant
Administrative Assistant II
Assistant Library Administrator
Digital Services Librarian
Equipment Operator III

Help Desk Technician
Maintenance Technician
Street Equipment Operator II
Water/Wastewater Operator
Welder/Fabricator

10	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 14.52	\$ 14.96	\$ 15.41	\$ 15.87	\$ 16.34	\$ 16.83

Human Resource Specialist
Lab Technician
Payroll Specialist

11	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 15.10	\$ 15.56	\$ 16.02	\$ 16.50	\$ 17.00	\$ 17.51

Community Appearance Inspector
Lead Maintenance Technician
Lead Telecommunications Operator

Paralegal
Street Equipment Operator III

12	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 15.71	\$ 16.18	\$ 16.66	\$ 17.16	\$ 17.68	\$ 18.21

13	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 16.34	\$ 16.82	\$ 17.33	\$ 17.85	\$ 18.38	\$ 18.94

Foreman

14	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 16.99	\$ 17.50	\$ 18.02	\$ 18.56	\$ 19.12	\$ 19.69

Special Events Coordinator (moved from Class 17) *Street Foreman*

15	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 17.67	\$ 18.20	\$ 18.74	\$ 19.31	\$ 19.88	\$ 20.48

Building Inspector
Crime Scene Specialist
Health Inspector I

16	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 18.37	\$ 18.93	\$ 19.49	\$ 20.08	\$ 20.68	\$ 21.30

Engineer's Assistant

17	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
	\$ 19.11	\$ 19.68	\$ 20.27	\$ 20.88	\$ 21.51	\$ 22.15

Facilities & Event Specialist (renamed and moved to Class 14)
Health Inspector II

OTHER POSITIONS

Min	
\$ 7.50	

Seasonal/Temporary Employees

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

Step increases are calculated from Step placement at time of hire. Employees progress to the next Step upon completion of 1 year, 3 year, 6th year, 10th year and 15th year or until reach Step 6. Steps 7 & Step 8 are limited to employees in those steps as of October 1, 2016.

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

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

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

* Rounding may be required for payroll purposes.

CITY OF KINGSVILLE
CLASSIFICATION COMPENSATION PLAN - EXEMPT
FISCAL YEAR 2018-2019

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

EXEMPT CLASS STEP PROGRAM - ANNIVERSARY INCREASES BASED ON CURRENT POSITION

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

AGENDA ITEM #9

City of Kingsville
Department Name

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

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

DATE: October 22, 2018

SUBJECT: Civil Service Commission Reappointment

Summary: Mr. Nick Harrel has served as one of the City's Civil Service Commissioner for three consecutive terms with the current appointment expiring on 12/14/2018. Mr. Harrel is interested in continuing his service on the Civil Service Commission. Request consideration to re-appointment Mr. Nick Harrel for a fourth consecutive term as Civil Service Commissioner with term expiring on December 15, 2021.

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

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

Additional exceptions to (c)5 above,
"the municipality's chief executive may reappoint a commission member to consecutive terms. A commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body."

Financial Impact: None

Recommendation: Re-appointment of Mr. Nick Harrel to the Civil Service Commission.



AGENDA ITEM #10

**City of Kingsville
Planning Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Cynthia Martin, Downtown Manager
DATE: November 1, 2018
SUBJECT: Main Street Advisory Board Appointment

Summary: The Main Street Advisory Board currently has an opening due to the recent resignation of Jeffrey Chavez. Mr. Antwan Johnson is applying for this position.

Background: Mr. Chavez, former Assistant Store Director, Kingsville HEB, filled the one of the four seats on the Board reserved for representatives of Main Street businesses and had to resign when he was transferred to the HEB in Flour Bluff. Jim Stout, Unit Director, HEB, has recommended Antwan Johnson, current Assistant Store Director, Kingsville HEB to fill the remainder of Mr. Chavez term that expires June 26, 2019.

Financial Impact: None

Recommendation: It is recommended that Antwan Johnson be appointed to the Main Street Advisory Board for the unexpired portion of a two year term due to Jeffrey Chavez's resignation.



Antwan Johnson

Corpus Christi, TX

Cell 361

Professional Experience:

12/06-present H.E.B.

Corpus Christi and Sinton TX

Center Store Leader/Assistant Store Director

Responsibilities:

- Grocery Department
- GM/Drug Store Department
- Receiving Department
- Shelf Edge Department
- All store functions
- Inventory levels
- Sales goals
- Department audits
- Coaching and training of partners
- Customer cultivation
- Day by day reflection of company culture

Key Accomplishment Summary

- Started company under S.O.R.L./within year promoted to Assistant Store Director
- Broke sales records in grocery department and total store
- Highest audit scores in region for cash office and receiving
- Nominated for Excellence in Management and the H.E.B. Spirit Award 2011

01/06-11/06 Harbor Freight Tools

Corpus Christi, TX

Assistant Store Manager

Responsibilities:

- Supervision of 10 associates
- Receiving
- Accounts payable
- Inventory control
- Opening and Closing of store
- Processing daily paper work
- House fund audit
- Safety walks daily with resolve
- Human Resource function's
- Hazard check follow up
- Coaching and Motivating of staff
- Customer Cultivation
- Processing Weekly reports for District Manager

10/02-6/05 Bed Bath & Beyond

Corpus Christi TX

Operations Manager

Responsibilities:

- Responsible for supervision of Receiving department
- RTVs
- Payroll and all Manager and Associate hours
- Front end and all Cashiers
- Teaching Training and Counseling of associates
- Interviews
- Orientation
- Weekly updates of store checklist
- Accounts payable and Receivable
- Responsible for Merchandising
- Ordering
- Staffing departments
- Inventory and Inventory prep of departments
- Weekly Safety Audits
- Freight Put away and Merchandise Rotation

Key Accomplishment Summary

- * Promotion in three months after hire to Merchandising Assistant Store Manager
- * Operations Manager Promotion after one year
- * Reduction of loss due to poor Inventory by 75,000.
- * Increase Associate Productivity by 50%
- * Through aggressive actions increasing sales in department by 35% after viewing Store walk report
- * Reduce Labor cost by 2,000.00 by monitoring associates time punches daily

03/94 - 10/02 Home Depot

Corpus Christi, Austin TX

Assistant Store Manager

Responsibilities:

- Responsible for Supervision of six departments 50 associates and Sales Goals for departments
- Prepare schedule Weekly, Input Time corrections and monitor associate time punches
- Provide training to associates on Companies policy and procedures
- Interview, Hire and Teach Orientation to new associates
- Prepare price adjustments
- Inventory Prep Departments
- Order Department Products and Maintain balanced Inventory
- Monthly profit and loss report resolution
- Daily Safety walks with immediate resolve if needed
- Responsible for all chemical spills in store
- Calibrating machines in four departments

Key Accomplishment Summary

- * Increased Sales by 5,000.00 in Special Service area
- * Reduced Shrink number by 50,000.00
- * Received letters of appreciation for Outstanding Customer Service from CEO of Home depot
- * Reduced cost of Office supplies by 500.00 monthly working profit and loss report
- * Increased sales in merchandising department by 500.00 monthly by creative cross merchandising

AGENDA ITEM #11

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: October 29, 2018

SUBJECT: Donation to Palmer Drug Abuse Program from Chapter 59 Funds

Summary:

The police department is in receipt of a request for a donation to PDAP, a non-profit organization, for the prevention and treatment of drug abuse.

Background:

I am in receipt of a letter from the Palmer Drug Abuse Program soliciting a donation for the Kingsville, Texas program. The Palmer Drug Abuse Program provides a proactive means in our continued battle against the abuse of drugs. We here at the City of Kingsville Police Department have a longstanding relationship with PDAP and would like to assist them in our goal.

Financial Impact:

Donation in the amount of **\$5,000.00** to assist PDAP with our mission to help young people and families recover from chemical abuse and addiction

Recommendation:

We request that our request be granted for our donation in the amount of \$5,000.00





3104 S. Alameda Street • Corpus Christi, TX 78404 • Tel. 361-887-8900

September 21, 2018

Chief Ricardo Torres
Kingsville Police Dept.
Emailed

Dear Chief Torres,

We are requesting the annual donation from Chapter 59 drug forfeiture funds to help continue funding our services for PDAP Kingsville. The number of people that we offer our services to in Kingsville continues to grow. We appreciate your continuous support from your office. . Thank you in advance for your consideration.

We are a 501 c 3 non-profit organization and our tax i.d. # is 74-2200058.

With the blessing of PDAP,

A handwritten signature in black ink, appearing to read "Wade H. Fjeld".

Wade H. Fjeld
Executive Director

RESOLUTION #2018-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO THE PALMER DRUG ABUSE PROGRAM (PDAP) OF KINGSVILLE FOR DRUG ABUSE PREVENTION PROGRAMS.

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

WHEREAS, the Palmer Drug Abuse Program (PDAP) is a non-profit organization working to (1) turn the tide against drug and alcohol abuse in the Kingsville community and (2) make a positive statement to our young people about living a drug-free and alcohol-free lifestyle; and

WHEREAS, PDAP provided several hundred initial and follow-up appointments to community members of Kleberg County in recent years and worked with countless youth in Kingsville;

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

I.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000.00 donation to the Palmer Drug Abuse Program (PDAP) to help educate young people about living a drug-free and alcohol-free lifestyle. PDAP will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support Palmer Drug Abuse Program for the benefit of the community.

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

RESOLUTION NO. 2018-_____

**A RESOLUTION RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE
RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE
IN RECOGNITION OF MUNICIPAL COURT WEEK- NOVEMBER 5-9, 2018.**

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Texas;

WHEREAS, more people come in contact with municipal courts than all other Texas courts combined and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court;

WHEREAS, the City of Kingsville has hosted the Kingsville Municipal Court for decades;

WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Kingsville Municipal Court is a state court and its judges are members of the state judiciary;

WHEREAS, the procedures for the Kingsville Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas;

WHEREAS, the City of Kingsville is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary;

WHEREAS, Kingsville Municipal Judges are not policy makers for the City of Kingsville but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Commission, city officials, and employees;

WHEREAS, the City Commission recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Kingsville Municipal Court in complying with such legal requirements.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS THAT THE WEEK OF NOVEMBER 5 – 9, 2018 IS HEREBY RECOGNIZED AS MUNICIPAL COURT WEEK IN RECOGNITION OF THE FAIR AND IMPARTIAL JUSTICE OFFERED TO OUR CITIZENS BY THE MUNICIPAL COURT OF THE CITY OF KINGSVILLE, TEXAS.

PASSED AND APPROVED on this the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

for donation

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Susan Ivy, Parks Manager
DATE: November 2, 2018
SUBJECT: Agenda Request – Receipt of donations for Healthy Family Events

Summary: We are requesting that Commission authorize the receipt of a \$500.00 donation from Coldwell Banker Real Estate Company and \$500.00 from Castaneda Clinic. While we have other sponsors committed, we do not yet have their payments. We will process those donations through commission when received.

Background: Information about our Healthy Family Events and Sponsorship packages is attached.

Financial Impact: These donations will increase our funds available for recreational programming by \$1000.00.

Recommendation: We ask that Commission authorize the receipt of \$1000.00 in donations and approve the associated budget amendment needed to record the funds in the Parks Department line item for recreational programming 001-5-4513-31499.





P. O. Box 1458
Kingsville, Texas 78364
361-221-8705
Cell: 361-522-1202
sivy@cityofkingsville.com

September 24, 2018

To: Kingsville Area Businesses and Parks Supporters



Re: Sponsorship Request for Healthy Family Events in Kingsville

Dear Friends,

Kingsville Parks & Recreation is soliciting assistance to fund a series of events that will provide healthy opportunities for families to enjoy Nature Based, Drug/Alcohol/Bully Free, Healthy Lifestyle and FUN Educational, volunteer events and Recreational Entertainment at our community events and programming.

Our Parks budget has been blessed with some funds to provide a limited number of events and staffing for same, but we need assistance in order to provide the extended services our community has requested and deserves.

Instead of asking for assistance multiple times for each event for which we need assistance, we are expanding our current Healthy Family events schedule to incorporate all of our events and programming. Advertising your business will be included at each one of the events and/or programming listed on the attachment. All sponsors are for the October 1, 2018 through September 30, 2019 fiscal year.

\$3500.00 – 1only - Naming rights to Ranch Hand Festival Kids Corral and large logo and name on Healthy Family Banner along with all other \$2500.00 sponsor benefits.

\$2500.00 – 3 available – Business name and logo on Healthy Family event banner to be placed at each event scheduled. Also included in each Parks event poster/ad, feature story on your business support on our social media page, verbal acknowledgements through sound system at events and invitation to year end wrap up on our events. If Tshirts are printed for events your logo will be on them.

\$1000.00 4 available– Business name and logo on supporting sponsors event banner to be placed at each event scheduled. Verbal acknowledgements through sound system at events Feature story on your business support on our social media page and invitation to year end wrap up on our events. If Tshirts are printed for events your business name will be on them.

\$500.00 –6 available - Business name Bolded Print on supporting sponsors event banner to be placed at each event scheduled and verbal acknowledgements through sound system at events. Recognition on our Social Media pages and invitation to year end wrap up of our events.

\$100.00 - 10 available– Business name on supporting sponsors event banner to be placed at each event scheduled. Verbal Acknowledgements through sound system at events, recognition on our Social Media pages and invitation to year end wrap up of our events.

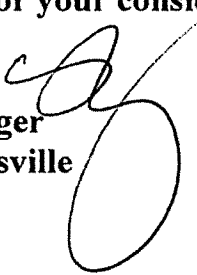
Deadline for response with commitment and logo is November 1st. Need immediate notification if you are interested in the sponsoring the Kids Corral at Ranch Hand Festival so that media can get started.

Attached you will find a list of events from which your business will be included in marketing.

If you have any questions, please feel free to call me at any time. 361-522-1202.

Thank you for your consideration.

**Susan Ivy,
Parks Manager
City of Kingsville**

A handwritten signature in black ink, appearing to be 'S Ivy', written over the typed name and title.

Healthy Family Event Schedule

Providing Healthy opportunities for families to enjoy:

Nature Based, Drug/Alcohol/Bully Free, Healthy Lifestyle and
FUN Educational and Recreational Entertainment

Events Include:

- *TAMUK/Kingsville Parks Walk/Jog in DKP series spring/fall
- *KKB/Kingsville Parks Fall Festival
- *Kingsville Recycles Day
- *Ranch Hand Festival Kids' Corral
- *La Posada de Kingsville Snow Day
- *Winter Break 5k Run/Walk & Teen Dance
- *MLK celebration at Thompson Park with KPD
- *Spring Break Events
- *Fiesta de Loteria
- *Summer Family and Kids Mud Run
- *Summer Camps
- *Cinema Summer – must be sponsored individually at \$450.00
- *Back to School 5k Run/Walk
- *Fiesta de Paloma
- *Arts & Outdoors events at each neighborhood Park
- *Volunteers In Parks 3rd Saturday Work Days



AGENDA ITEM #14

CITY OF KINGSVILLE



MEMORANDUM

TO: Jesus Garza, City Manager
FROM: Deborah Balli, Finance Director
DATE: November 5, 2018
SUBJECT: Out of State Travel Request

Background:

GFOA is holding their annual conference in Los Angeles, California, May 19–22, 2018 with preconference sessions May 17-18, 2018. Finance is requesting approval for out of state travel for the Finance Director and Accounting Manager to attend. The annual conference provides valuable information to governmental finance professionals and provides required CPE credits for the Finance Director's CPA license.

Financial Impact:

The approved FY 18-19 training and travel budget will cover the cost of this travel.

Recommendation:

Staff recommends the approval of out of state travel to the spring GFOA annual conference in Los Angeles, California.

AGENDA ITEM #15

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

TO: Mayor and City Commissioners
FROM: Jesus A. Garza, City Manager
DATE: October 17, 2018
SUBJECT: Honorary Designation for Los Kineños Trail

Summary:

This item authorizes the honorary designation for 6th Street within the City Limits from State Loop 428 on the southern end to its intersection with 14th street on the northern end. The honorary name for this stretch will be known as "Los Kineños Trail" in honor of the important legacy that they played in the development of both the King Ranch and the City.

Background:

This overall effort is part of an ongoing effort, spearhead by community leaders, to highlight the City's historical beginnings. Last year a similar effort for La Colonia Mexicana was sought that led to the honoring of the original street names. Both efforts will not change the name of the streets and even though the La Colonia Mexicana effort did see the changing of dozens of street signs, the Los Kineños Trail effort would not. Los Kineños Trail would simply see 4 signs placed at various points throughout this section of 6th Street.

Letters were sent to business and homeowners along this stretch of 6th Street two weeks notifying them of the City's intent to create this honorary designation. They were invited to a public meeting that was held on Wednesday October 17, 2018.

Financial Impact:

Estimated between \$5,000 to \$10,000.

Recommendation:

Staff recommends approval of the honorary designation along 6th Street as noted above.



RESOLUTION #2018- _____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE HONORARY DESIGNATION OF LOS KINEÑOS TRAIL ON 6TH STREET FROM ITS INTERSECTION WITH NORTH 14TH STREET TO LOOP 428 (WITH NO NAME CHANGE OF 6TH STREET).

WHEREAS, the City Commission seeks to promote the history and heritage of Kingsville; and

WHEREAS, a request has been received from community leaders to highlight the City's historical beginnings by recognizing the vital role that Los Kineños played in settling this area; and

WHEREAS, the request is to place four honorary designation signs stating "Los Kineños Trail" on 6th Street from its intersection with North 14th Street to its intersection with Loop 428; and

WHEREAS, this action would not be a street renaming but merely an honorary historical designation, so the current addresses in the area would remain the same and the historical designation would not negatively affect any citizens; and

WHEREAS, this action would serve to preserve some of the history and culture of the founding of the City and there is funding in the FY18-19 budget for this project, which would require four new signs.

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

I.

THAT four honorary designation signs stating "Los Kineños Trail" be placed on 6th Street with the trail being designated on 6th Street from its intersection with North 14th Street to its intersection with Loop 428.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #16

City of Kingsville Fire Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief

DATE: November 13th, 2018

SUBJECT: Health Care Coalition Response Leadership Course – Out of State Travel

Summary:

The Kingsville Fire Department is requesting approval to send one (1) Fire Department personnel out of state to attend a Health Care Coalition Response Leadership Course at FEMA's Center for Domestic Preparedness (CDP) in Anniston, AL on January 28 – February 1, 2019.

Background:

The National Healthcare Preparedness Program and FEMA's Center for Domestic Preparedness (CDP) are seeking health care coalitions to participate in their jointly developed Health Care Coalition Response Leadership Course at the CDP's campus in Anniston, Alabama.

Lastly, the course is to provide instruction and practical experience in the best practice procedures for preparing and responding as a health care coalition leadership team to community and regional public health and medical emergencies.

Financial Impact:

The course is fully funded by FEMA & CDP, the program covers all associated course costs to include: airfare, lodging, meals, and course registration. The only cost not covered will be participant's incidentals, such as parking fees with funds available within the Travel and Training account.

Recommendation:

The following out of state travel is in support of goals set by the Kingsville Fire Department to insure adequate training and preparation is made in case of a community health care response. Our recommendation is that the Commission approve the out of state travel for (1) FD personnel to attend the course.



**Request for Coalitions to Participate in the
Health Care Coalition Response Leadership Course**

FY 2019 Course Offerings

ASPR's National Healthcare Preparedness Program and FEMA's Center for Domestic Preparedness (CDP) are seeking health care coalitions to participate in their jointly developed Health Care Coalition Response Leadership Course at the CDP's campus in Anniston, Alabama.

FOR 2019 THERE ARE ELEVEN CLASSES.

- **For nurses and physicians:** We anticipate Continuing Nursing Education and Continuing Medical Education Credits will be available for each course.
- **We still require 9 participants (see details below) for each course. The 9th participant can represent any coalition member organization.**

Course purpose. The purpose of the course is to provide instruction and practical experience in the best practice procedures for preparing and responding as a health care coalition leadership team to community and regional public health and medical emergencies.

Time commitment: Five days: one day travel to FEMA CDP Anniston, three days of instruction, one day travel from CDP Anniston.

Course instruction length: 3 days, 8 hours per day.

Location: The course will be delivered in residence at FEMA's Center for Domestic Preparedness in Anniston, Alabama.

Class size: Three coalitions with 9 participants per coalition, total of 27 participants.

Target audience. The target audiences for this course are representatives from core members of health care coalitions: hospital leaders, emergency medical service leaders, public health, and emergency management leaders.

To ensure an optimal student experience for the course, the 9 participants from each coalition should include representatives from the following disciplines:

- Hospital Leaders (2 participants)
- Emergency Medical Services Leaders (2 participants)
- Emergency Management Leaders (2 participants)
- Public Health Agency Leaders (2 participants)
- A leader representing any of the coalition's member organizations. (1 participant)
- ***At least one of the above 9 participants must be a nurse or physician***

Cost: Course participation is fully funded for non-federal attendees. Travel, lodging, and meals will be provided for non-federal participants who are registered through CDP for the course. (Note there are rare exceptions to this.)

FY 2019 HEALTH CARE COALITION RESPONSE LEADERSHIP COURSE

COURSE DATES AND APPLICATION SUBMISSION DEADLINES

NOTE: TRAINING WEEK NUMBERS CORRESPOND TO FEMA CDP ANNISTON TRAINING WEEKS

- Training Week 2: Travel Tues, Oct 9; Class Oct 10-12; Travel Sat, Oct 13, 2018.
NOTE: Mon, Oct 8, Columbus Day.

Deadline for application submissions: COB Mon, August 27, 2018.

- Training Week 5: Travel Mon, Oct 29; Class Oct 30-Nov 1; Travel Fri, Nov 2, 2018.

Deadline for application submissions: COB Mon, Sept 17, 2018.

- Training Week 11: Travel Mon, Dec 10, 2018; Class Dec 11 -13; Travel Fri, Dec 14, 2018.

Deadline for application submissions: COB Mon, Oct 29, 2018.

- Training Week 15: Travel Mon, Jan 7; Class Jan 8 - 10; Travel Fri, Jan 11, 2019.

Deadline for application submissions: COB Mon, Nov 26, 2018.



- Training Week 18: Travel, Mon, Jan 28; Class Jan 29 – Jan 31; Travel, Fri, Feb 1, 2019.

Deadline for application submissions: COB Mon, Dec 10, 2018.

- Training Week 21: Travel Tues, Feb 19; Class Feb 20 - 22; Travel Sat, Feb 23, 2019.
NOTE: Mon, Feb 18, President's Day.

Deadline for application submissions: COB Mon, Jan 7, 2019.

- Training Week 29: Travel Sun, Apr 14; Class Apr 15 - 17; Travel Thurs, April 18, 2019.

Deadline for application submissions: COB Mon, March 4, 2019.

- Training Week 35: Travel Tue, May 28, Class May 29 - 31; Travel Sat, June 1, 2019.
NOTE: Mon, May 27, Memorial Day

Deadline for application submissions: COB Monday, Apr 15, 2019.

- Training Week 41: Travel Mon, July 8; Class July 9 -11; Travel Fri, July 12, 2019.

Deadline for application submissions: COB Mon, May 27, 2019.

- Training Week 45: Travel Mon, Aug 5; Class Aug 6 - 8; Travel Fri, Aug 9, 2019.

Deadline for application submissions: COB Mon, June 24, 2019.

- Training Week 51: Travel Mon, Sept 16; Class Sept 17-19; Travel Fri, Sept 20, 2019.

Deadline for application submissions: COB Mon, Aug 5, 2019.

2019 HEALTH CARE COALITION RESPONSE LEADERSHIP COURSE

APPLICATION PROCESS

READ CAREFULLY

- A coalition may submit application(s) for one or more course dates.
- Coalitions should complete and *submit a separate application for each date* they are applying for.
- One application cannot be used for multiple dates.
- Applications submitted for one course date will not be considered for other course dates.
- To be considered, applications must be complete and submitted by the application deadline for each course.
- Applications are considered for a course offering only after the submission deadline has passed.
- Applications will be considered complete only if all 9 of the coalition's confirmed participants, including their names and titles, are identified and submitted at the time of the original application.
- NHPP will review all applications received for a course shortly after the each course's application submission deadline.
- All applicants for a course offering will be notified whether or not they have been selected to participate in that course shortly after all applications have been reviewed.
- After acceptance to a course, NHPP will connect the coalition's POC to CDP Anniston regarding registration, travel, and logistics.
- If not accepted for one course date, we encourage coalitions to apply for future course dates if they have not done so already.

**APPLICATION FOR COALITIONS TO PARTICIPATE IN THE
FY 2019 HEALTH CARE COALITION RESPONSE LEADERSHIP COURSE
Page 1**

To apply for any of the Health Care Coalition Response Leadership Courses offered in FY 2019 please provide the following information by COB of the deadline date for the course you are applying for.

Send completed applications to: Richard.Hunt@hhs.gov

Coalition Name / State: _____

Date application submitted: _____

Which one of the course Training Weeks are you applying for?

SELECT ONLY ONE WEEK PER APPLICATION. You may use copies of this form to apply for additional date(s) at any time prior to the submission deadline(s) for each course. Note: Training week numbers correspond to FEMA CDP Anniston Training Weeks.

_____ Training Week 2: Travel Tues, Oct 9; Class Oct 10-12; Travel Sat, Oct 13, 2018.
NOTE: Mon, Oct 8, Columbus Day.

Deadline for application submissions: COB Mon, August 27, 2018.

_____ Training Week 5: Travel Mon, Oct 29; Class Oct 30-Nov 1; Travel Fri, Nov 2, 2018.

Deadline for application submissions: COB Mon, Sept 17, 2018.

_____ Training Week 11: Travel Mon, Dec 10, 2018; Class Dec 11 -13; Travel Fri, Dec 14, 2018.

Deadline for application submissions: COB Mon, Oct 29, 2018.

_____ Training Week 15: Travel Mon, Jan 7; Class Jan 8 - 10; Travel Fri, Jan 11, 2019.

Deadline for application submissions: COB Mon, Nov 26, 2018.

_____ Training Week 18: Travel, Mon, Jan 28; Class Jan 29 – Jan 31; Travel, Fri, Feb 1, 2019.

Deadline for application submissions: COB Mon, Dec 10, 2018.

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NOTE: Mon, Feb 18, President's Day.

Deadline for application submissions: COB Mon, Jan 7, 2019.

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Deadline for application submissions: COB Mon, March 4, 2019.

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NOTE: Mon, May 27, Memorial Day

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Deadline for application submissions: COB Mon, May 27, 2019.

_____ Training Week 45: Travel Mon, Aug 5; Class Aug 6 - 8; Travel Fri, Aug 9, 2019.

Deadline for application submissions: COB Mon, June 24, 2019.

_____ Training Week 51: Travel Mon, Sept 16; Class Sept 17-19; Travel Fri, Sept 20, 2019.

Deadline for application submissions: COB Mon, Aug 5, 2019.

**APPLICATION FOR COALITIONS TO PARTICIPATE IN THE
FY 2019 HEALTH CARE COALITION RESPONSE LEADERSHIP COURSE
Page 2**

Coalition Name / State: _____

Restate the Training Week are you applying for (e.g., Week 41): _____

A single POC for communications re: application and registration. The POC identified should be the coalition leader.

Name/Title: _____

Email address: _____

Phone numbers: _____

Confirmation of your coalition's 9 participants and identification of nurse or physician participant(s):
The names and titles of all 9 participants must be submitted with the original application.

- **Hospital Leaders (2 participants)**

Name/Title: _____

Name/Title: _____

- **Emergency Medical Services Leaders (2 participants)**

Name/Title: _____

Name/Title: _____

- **Emergency Management Leaders (2 participants)**

Name/Title: _____

Name/Title: _____

- **Public Health Agency Leaders (2 participants)**

Name/Title: _____

Name/Title: _____

- **A leader representing any of the coalition's member organizations. (1 participant)**

Name/Title: _____

- **Which of the above 9 participants is a nurse or physician? (At least one)**

Name/Title: _____

REGULAR AGENDA

AGENDA ITEM #17

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: November 13, 2018

SUBJECT: Presentation and discussion on the 0.2 MGD Wastewater Re-route Report

Summary:

The purpose of this report to inform the Commission of the options needed to address the South Wastewater Treatment Plant (WWTP) capacity. At 75% capacity the City must begin the planning process for expansion. At 90% capacity construction of WWTP expansion must begin. The SWWTP is designed for 1.0 MGD. TCEQ enforces these rules within our WWTP Permit. Based on the estimated population projections provided by the TWBD the South WWTP would reach its 90% capacity near year 2025. If the City were to focus on future expansion on the south side it must begin planning as soon as possible.

Background:

The City of Kingsville requested Wastewater System Improvements RFQ's for Professional Engineering Services on January 16, 2018. On March 26, 2018 the City Commission awarded a contract for Professional Engineering Services to LNV Engineering.

Financial Impact:

The financial impact with choosing and of these options would be in the range of \$1.5 to \$6 million dollars.

Recommendation:

Staff recommends approval of option A-1 as stated in the presentation.

Attachments:

0.2 MGD Wastewater Re-route – Final Report





engineers | architects | contractors

Solutions Today with a
Vision for Tomorrow

October 23, 2018

Rutilio "Rudy" P. Mora Jr., P.E., CFM
City Engineer
City of Kingsville
400 W. King Avenue
Kingsville, Texas 78364

Re: **0.2 MGD Wastewater Re-route – FINAL Report**
Master Agreement – Task Order No. 1 (Resolution #2018-24)
LNV Proj. No. 170415.010.2

Dear Mr. Mora:

On April 9, 2018, the City of Kingsville ("City") authorized LNV, Inc. ("LNV") via City Commission Resolution #2018-24 to undertake *Task Order No. 1* of our Master Services Agreement (Resolution #2018-22). The south side of Kingsville has the potential for growth and development, but the South Wastewater Treatment Plant (SWWTP) is near capacity. The North Wastewater Treatment Plant (NWWTP), however, has capacity for additional wastewater flows. The purpose of *Task Order No. 1* is to determine the most advantageous way for the City to re-route 0.2 MGD of average daily wastewater flow from the SWWTP to the NWWTP to accommodate future southside growth without having to expand the SWWTP. The proposed 0.2 MGD of average daily wastewater flow equates to approximately 572 single-family homes and a flowrate of 139 gpm, or 0.31 cfs. The peak flow generated from 0.2 MGD is approximately 1 MGD (695 gpm, or 1.55 cfs). Three (3) options were to be considered to accomplish this task including: **Option 'A'** – Redirect flow from an existing lift station; **Option 'B'** – Transfer flow from the SWWTP to the NWWTP; and **Option 'C'** – Expand the SWWTP. LNV has reviewed the three (3) options as described further below (see attached *Exhibit A* for a graphical depiction of the proposed options).

OPTION 'A'

With **Option 'A'**, 0.2 MGD of average daily wastewater flow currently directed to the SWWTP would be intercepted from the existing collection systems and directed to the NWWTP via a new lift station and forcemain. **Option 'A-1'** would convey the intercepted 0.2 MGD flow from the new lift station to the closest north-flowing gravity wastewater lines with capacity to convey the flow to the NWWTP. **Option 'A-2'** would convey the intercepted flow from the new lift station all the way to the NWWTP via forcemain. The original thought for **Option 'A'** was to obtain the 0.2 MGD flow from an existing lift station; however, after analyzing the locations of south lift stations, LNV recommended to City staff that a new lift station be constructed at the intersection of W. Ailsie Avenue and S. 6th Street. This location is adjacent to an existing 24" wastewater line from which the 0.2 MGD flow could be intercepted, and the location is close to existing north-flowing gravity lines in 14th Street, requiring a shorter length of new forcemain. After discussions with City staff, an alternate location was chosen east of Pasadena Street on the south side of Bus Hwy 77. This location is even closer to the existing gravity lines in 14th Street and still adjacent to the existing 24" wastewater line. There are open areas at this location suitable for construction of the new lift station. City staff indicated that the City may own property near this location. The Opinion of Probable Cost in *Exhibit B* includes land acquisition

costs in the event land purchase is required for the new lift station. The drainage basin for the existing 24" line at this location appears to be approximately 682 acres and developed enough to generate the required 0.2 MGD of average daily flow.

In **Option 'A-1'**, the 0.2 MGD average daily wastewater flow would be conveyed from the new lift station via a new 4" forcemain to the upstream manhole in the existing 18" gravity wastewater line in 14th Street located at E. Alexander Avenue - a distance of approximately 3,700 linear feet along the south side of Bus Hwy 77. The route is relatively open with few driveway or street crossings, providing a cost-effective installation. From E. Alexander Avenue, the existing 18" wastewater line runs beneath 14th Street to E. Lee Avenue, then turns east along Lee Avenue to the *17th and Lee Lift Station*, a distance of approximately 7,800 linear feet. The *17th and Lee Lift Station* conveys wastewater flows to the NWWTP via a forcemain composed of 18" and 24" pipe. Per the capacity evaluation of the *17th and Lee Lift Station* prepared by LNV in October 2013, the lift station has a peak capacity of 10,800 gpm. As stated above, 0.2 MGD of average daily flow equals 139 gpm, which represents only 1.3% of the capacity of the lift station. As such, LNV does not anticipate a capacity issue at the *17th and Lee Lift Station* resulting from re-routing the additional flow to the lift station. Refer to *Exhibit 'A'*, accompanying this letter, for an illustration of **Option 'A-1'**.

Key to the viability of **Option 'A-1'** is the condition and capacity of the existing 18" gravity line in 14th Street to convey the additional 0.2 MGD flow to the *17th and Lee Lift Station*. LNV recommends that the 7,800 linear feet of 18" line be cleaned and inspected using robotic CCTV video inspection equipment. LNV anticipates that there may be several locations along the 7,800 LF route that are obstructed, preventing the CCTV camera to pass. Point repairs will be required at these locations to remove the obstruction and repair the 18" line. LNV has included six (6) point repairs in the cost estimate for **Option 'A-1'**. Upon completion of the CCTV inspection of the 18" line, LNV recommends that three (3) flow monitoring stations be established along the route for a period of three (3) months. These monitoring stations will measure the current flowrates through the line during dry and wet periods (assuming it rains within the 3-month monitoring period).

Full flow capacity of an 18" line is 1,831 gpm. 0.2 MGD equals a flow of 139 gpm, or 8% of the capacity of an 18" line. The best outcome for **Option 'A-1'** would be that the CCTV inspections and flow monitoring reveal that the existing line is in good condition and has the capacity to handle an 8% increase in average daily flow. If the best outcome is realized, LNV estimates the Project Cost of **Option 'A-1'** to be approximately \$1.5 million. Reference *Exhibit 'B'* for an itemized Opinion of Probable Cost.

If the inspection and monitoring results are negative – unacceptable pipe condition, or too much existing flow – the only alternative to continuing pursuit of **Option 'A-1'** would be to improve the existing 18" wastewater line in 14th Street. The City has a project on its long-range CIP budget for the rehabilitation of the existing 18" wastewater line in 14th Street. If it is determined that the existing 18" line is not capable of conveying the additional 0.2 MGD flow, and City staff decides to continue pursuit of **Option 'A-1'** and improve the existing 18" line, then the City would be accomplishing two (2) of its wastewater goals with one (1) project. By combining the two (2) projects, the City would also realize cost savings, because both projects share the need for several project components such as the capacity and condition assessment of the existing 18" wastewater line, wastewater bypass operations, traffic control, stormwater pollution prevention plan, and mobilization costs. The long-range CIP project is programmed for Fiscal Year '22-'23 with a budget of \$2.2 million, including inflation. If it is necessary due to the condition/capacity of the existing 18" wastewater line and City staff decides to combine the two (2) projects, the City could potentially save approximately \$600,000 on the long-range CIP project; that savings being composed of inflation costs and the cost of shared activities.

As a final comment on **Option 'A-1'**, the new wastewater lift station could be designed for expansion should the drainage basin to the lift station experience significant growth in the future. If it is determined that the existing 18" wastewater line in 14th Street does not have capacity to receive and convey the additional 0.2 MGD of wastewater flow, and it is decided to expand the capacity of the line, the new infrastructure should be designed for a fully-developed condition in the 682-acre drainage basin to the new lift station.

To avoid the complications of utilizing existing lines to convey the additional wastewater flows to the NWWTP, **Option 'A-2'** provides for the construction of the new 4" forcemain from the new lift station site to the NWWTP. The route of the new forcemain would entail construction along Bus. Hwy 77 to Ailsie Street, then along Ailsie Street to Hwy 77, then north along Hwy 77 to the NWWTP, a total distance of approximately 19,500 linear feet, crossing 33 existing driveways and nine (9) city streets. Due to the limited amount of space available for construction along Ailsie Street and the existing infrastructure along the route, LNV has budgeted 5,000 linear feet of pipe installation via boring to accomplish the construction of the new 4" forcemain. Refer to *Exhibit 'A'*, accompanying this letter, for an illustration of **Option 'A-2'**. In discussions with City staff, it was presented that an alternate route east of Hwy 77 may present a better route. The alternate route is indicated on *Exhibit 'A'*. Additional research and field investigations will be required at a later date to identify route obstructions and the need for and availability of easements to make a final determination on the best route. LNV estimates the Project Cost of **Option 'A-2'** to be approximately \$4.8 million. Reference *Exhibit 'B'* for an itemized Opinion of Probable Cost.

OPTION 'B'

Option 'B-1' involves the installation of a new lift station at the SWWTP and a new 4" forcemain from the SWWTP to the NWWTP. **Option 'B-1'** is similar to **Option 'A-2'** above, but the route of the new 4" forcemain in **Option 'B-1'** is far less complicated. In **Option 'B-1'**, the new 4" forcemain could be installed along FM 3320 – a county road with roadside ditches and far fewer obstructions. The **Option 'B-1'** route crosses approximately ten (10) driveways, six (6) city streets, and requires only four (4) bores totaling 435'. The route provides significantly more room for construction with fewer obstructions, which should reduce construction costs. The length of new 4" forcemain required in **Option 'B-1'** is approximately 23,500' – 4,000' longer than **Option 'A-2'**, but the estimated project cost is only \$2.8 million - \$2 million less than **Option 'A-2'** due to the more construction-friendly route. Reference attached *Exhibit 'A'* and *Exhibit 'B'*. As with **Option 'A-2'**, an alternate route east of Hwy 77 may be preferred.

For additional consideration, **Option 'B-1'** could be upgraded to **Option 'B-2'** for an additional \$1.3 million. In **Option 'B-2'**, the new lift station installed at the SWWTP would be upsized to handle the Peak Flow generated by an 0.2 MGD average daily flow, and the size of the forcemain would be increased from 4" to 8". **Option 'B-2'** would not only accomplish the goal of transferring 0.2 MGD average daily flow from the SWWTP to the NWWTP, but it would also provide the City with the added benefit of a backup to the SWWTP, capable of transferring the entire plant capacity of 1 MGD to the NWWTP, should the SWWTP go down in the future, or need to be shut down for maintenance. The estimated project cost of **Option 'B-2'** is \$4.1 million (see attached *Exhibit 'B'*).

OPTION 'C'

In lieu of transferring wastewater flow from the SWWTP to the NWWTP, **Option 'C'** provides for expansion of the SWWTP to accommodate increased flows. In order to provide an accurate estimate of cost for expanding the SWWTP, LNV would need to perform a complete analysis of the existing SWWTP to determine necessary repairs to existing components and to determine the best way to

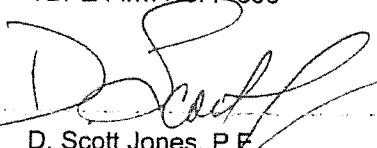
expand the plant. That said, we estimate the minimum cost to expand the plant to 1.5 MGD average daily flow (a 0.5 MGD increase) would be on the order of \$6 million.

CONCLUSIONS

The goal of this assessment is to determine the best (most advantageous to the City) way to transfer 0.2 MGD of average daily wastewater flow from the SWWTP to the NWWTP. After meeting with City staff and discussing the options proposed in this report, City staff has indicated a preference for **Option 'A-1'**. **Option 'A-1'** is the least expensive of the four (4) options should the existing 18" wastewater line in 14th Street prove capable of conveying the additional flow. If it proves necessary to improve the existing 18" line, combining this project with the future CIP project to improve the 18" wastewater line would accomplish two (2) of the City's wastewater improvement goals in one project at a cost of approximately \$3.1 million, saving over \$600,000 on the budget proposed for the future CIP project. At \$3.1 million, the combined project would still be close to the least expensive of the five (5) proposed options, being only \$300,000 more than **Option 'B-1'** at \$2.8 million. LNV agrees that **Option 'A-1'** is a beneficial and cost-effective option for the City.

If you have any questions concerning this report, please do not hesitate to call me at 361-883-1984.

Sincerely,
LNV, Inc.
TBPE Firm No. E-366

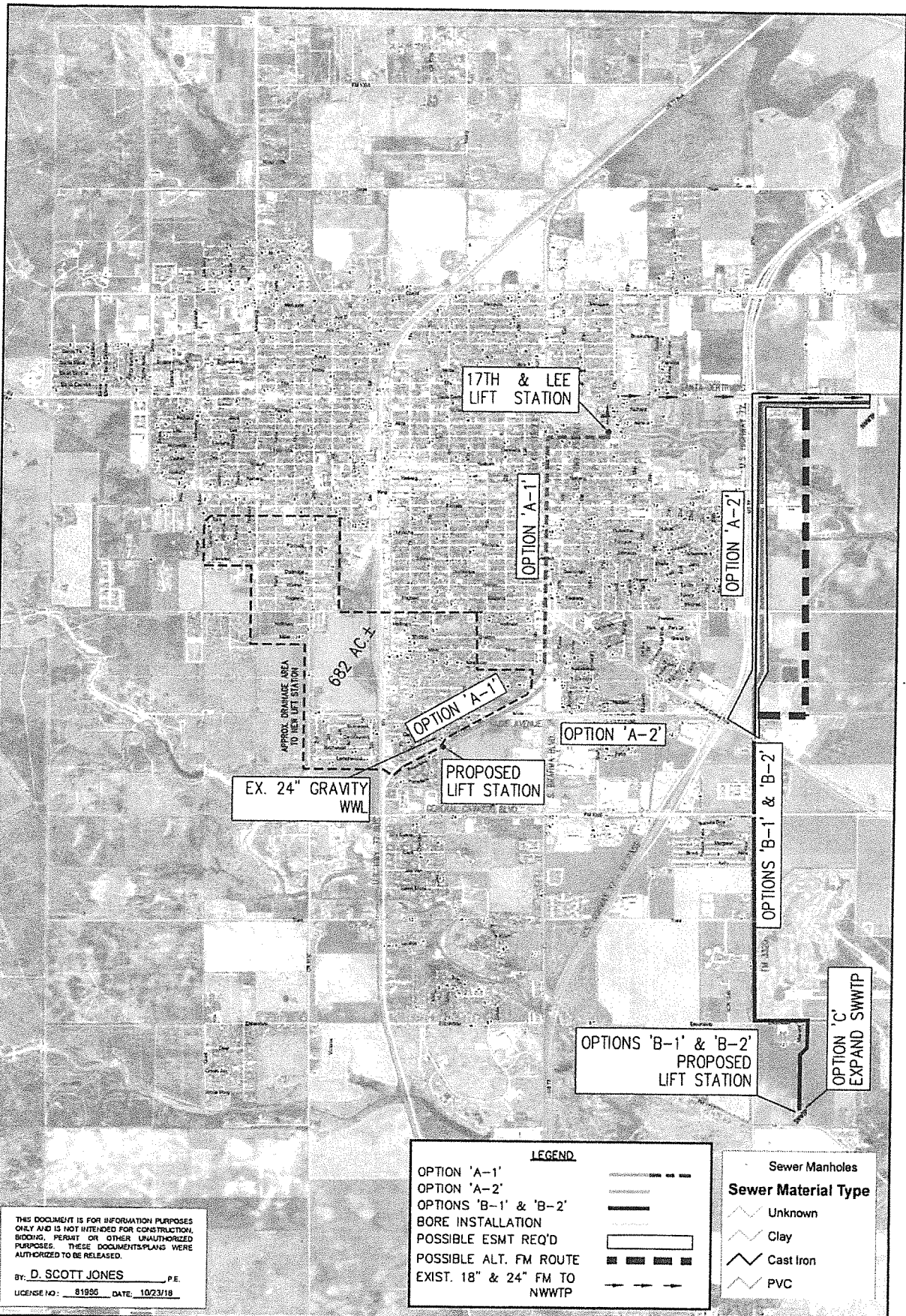

D. Scott Jones, P.E.
Senior Project Manager

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THIS DOCUMENT IS AUTHORIZED TO BE
RELEASED FOR STATED PURPOSE BY
D. SCOTT JONES, P.E., LICENSE NO.
81986 ON OCTOBER 23, 2018.

Attachments

Cc: File

DSJ/dsj



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BY: D. SCOTT JONES P.E.
 LICENSE NO.: 81995 DATE: 10/23/18

LEGEND	
OPTION 'A-1'	
OPTION 'A-2'	
OPTIONS 'B-1' & 'B-2'	
BORE INSTALLATION	
POSSIBLE ESMT REQ'D	
POSSIBLE ALT. FM ROUTE	
EXIST. 18" & 24" FM TO NWWTP	

Sewer Manholes	
Sewer Material Type	
	Unknown
	Clay
	Cast Iron
	PVC

Project Name: Kingville - 0.2 MGD WW Re-Run													
Project Number: 190115.010.2													
Owner: City of Kingville, Texas													
Designer: LNW, Inc.													
OPINION OF PROBABLE PROJECT COST													
Item	DESCRIPTION	UNIT	UNIT PRICE	OPTION 'A-1'		OPTION 'A-2'		OPTION 'B-1'		OPTION 'B-2'		OPTION 'C'	
				EST. QUANTITY	EXTENDED AMOUNT	EST. QUANTITY	EXTENDED AMOUNT	EST. QUANTITY	EXTENDED AMOUNT	EST. QUANTITY	EXTENDED AMOUNT	EST. QUANTITY	EXTENDED AMOUNT
Construction Items													
1	Traffic Control	LS	Varies	1	\$ 100,000.00	1	\$ 75,000.00	1	\$ 50,000.00	1	\$ 50,000.00	0	\$ -
2	WW Hydrop	LS	Varies	1	\$ 100,000.00	1	\$ 15,000.00	1	\$ 15,000.00	1	\$ 15,000.00	0	\$ -
3	SWPPP	LS	\$ 10,000.00	1	\$ 10,000.00	1	\$ 10,000.00	1	\$ 10,000.00	1	\$ 10,000.00	0	\$ -
4	New Lift Station (4" FM)	LS	\$ 173,000.00	1	\$ 173,000.00	1	\$ 173,000.00	1	\$ 173,000.00	0	\$ -	0	\$ -
5	New 4" Force Main (City Street)	LF	\$ 50.00	3,500	\$ 337,500.00	3,500	\$ 315,000.00	0	\$ -	0	\$ -	0	\$ -
6	New 4" Force Main (County Road Hwy Frontage)	LF	\$ 50.00	0	\$ -	11,000	\$ 550,000.00	21,000	\$ 1,050,000.00	0	\$ -	0	\$ -
7	Contract New 4" FM to Existing Manhole	EA	\$ 2,500.00	1	\$ 2,500.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -
8	Air Release Valve (4" FM)	EA	\$ 2,500.00	0	\$ -	5	\$ 12,500.00	5	\$ 12,500.00	0	\$ -	0	\$ -
9	Bare Right-of-Way (4" FM)	LF	\$ 350.00	100	\$ 35,000.00	5,000	\$ 1,750,000.00	415	\$ 147,250.00	0	\$ -	0	\$ -
10	New Lift Station (6" FM)	LS	\$ 150,000.00	0	\$ -	0	\$ -	0	\$ -	1	\$ 150,000.00	0	\$ -
11	New 4" Force Main (County Road Hwy Frontage)	LF	\$ 75.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -
12	Air Release Valve (6" FM)	EA	\$ 6,000.00	0	\$ -	0	\$ -	0	\$ -	5	\$ 30,000.00	0	\$ -
13	Bare Right-of-Way (6" FM)	LF	\$ 500.00	0	\$ -	0	\$ -	0	\$ -	415	\$ 207,500.00	0	\$ -
14	Open-Cut Street Repairs	SF	\$ 120.00	210	\$ 25,200.00	220	\$ 26,400.00	200	\$ 24,000.00	200	\$ 24,000.00	0	\$ -
15	Driveway Repairs	SF	\$ 10.00	0	\$ -	1,600	\$ 16,000.00	1,000	\$ 10,000.00	1,000	\$ 10,000.00	0	\$ -
16	Expand South Wastewater Treatment Plant	LS	\$ 4,000,000.00	0	\$ -	0	\$ -	0	\$ -	0	\$ -	1	\$ 4,000,000.00
17	Block Bond Insurance (7%)	LS	Varies	1	\$ 55,000.00	1	\$ 206,500.00	1	\$ 112,500.00	1	\$ 170,000.00	1	\$ 200,000.00
SUBTOTAL					\$ 4,420,000.00		\$ 4,159,100.00		\$ 1,720,500.00		\$ 2,613,310.00		\$ 4,230,000.00
Condition and Capacity Assessment of Existing 18" Wastewater Line beneath 14th Street													
1	Manure Pile in Existing Grassy WW Manhole (Months)	LS	\$ 42,000.00	1	\$ 42,000.00		\$ -		\$ -		\$ -		\$ -
2	CCTV	LF	\$ 10.00	7,500	\$ 75,000.00		\$ -		\$ -		\$ -		\$ -
3	Pipe Repair	EA	\$ 20,000.00	6	\$ 120,000.00		\$ -		\$ -		\$ -		\$ -
SUBTOTAL					\$ 241,000.00		\$ -		\$ -		\$ -		\$ -
TOTAL					\$ 1,082,000.00		\$ 4,159,100.00		\$ 1,720,500.00		\$ 2,613,310.00		\$ 4,230,000.00
10% Contingency					\$ 108,200.00		\$ 415,910.00		\$ 172,050.00		\$ 261,331.00		\$ 423,000.00
TOTAL CONSTRUCTION COST					\$ 1,190,200.00		\$ 4,575,010.00		\$ 1,892,550.00		\$ 2,874,641.00		\$ 4,653,000.00
15% Engineering Costs					\$ 178,530.00		\$ 686,251.50		\$ 283,882.50		\$ 412,041.65		\$ 694,500.00
Land Acquisition (New Lift Station Site)					\$ 12,500.00		\$ 12,500.00		\$ 12,500.00		\$ 12,500.00		\$ 12,500.00
Permit Acquisition (Placemore Road)					\$ 2,500.00		\$ 2,500.00		\$ 2,500.00		\$ 2,500.00		\$ 2,500.00
ESTIMATED PROJECT COST					\$ 1,407,500.00		\$ 5,278,261.50		\$ 2,181,000.00		\$ 3,301,682.65		\$ 5,986,000.00

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EXHIBIT 'B'

AGENDA ITEM #18

**City of Kingsville
Legal Department**

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Courtney Alvarez, City Attorney

DATE: November 2, 2018

SUBJECT: AEP Texas Non-Exclusive Franchise Agreement

Summary: The City has a non-exclusive franchise agreement with AEP Texas, Inc. (formerly known as Central Power and Light Company) that is coming to the end of its term. The parties have worked on a new non-exclusive Franchise Agreement that they seek to have approved.

Background: The two parties have had a mutually beneficial thirty- year non-exclusive franchise agreement together. They seek to enter into a new thirty-year non-exclusive franchise agreement on substantially similar terms.

Financial Impact: None. The State of Texas sets the franchise fee rates. The City will continue to get the rate allowed by law until such time as the Legislature makes a change.

Recommendation: Approve the ordinance granting AEP Texas, Inc. its successors and assigns, a non-exclusive franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under, and through the streets, avenues, alleys, and public places of the City of Kingsville, as allowed by law.



ORDINANCE NO. 2018-_____

AN ORDINANCE GRANTING TO AEP TEXAS INC., ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR CONDUCTING ELECTRICITY IN, OVER, UNDER AND THROUGH THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES OF THE CITY OF KINGSVILLE, TEXAS

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, A MAJORITY OF MEMBERS CONCURRING:

SECTION 1: That AEP Texas Inc., formerly known as Central Power and Light Company, a corporation organized under the laws of the State of Texas, its successors and assigns, (hereinafter called "Company") is hereby granted the non-exclusive right, privilege, franchise and authority until November 22, 2048, to acquire, construct, maintain and operate in, above, under, across, over and along the streets, alleys, thoroughfares, bridges, and public places (hereinafter "Public Rights-of-Way"), as the same now exist or may hereafter be laid out, in the City of Kingsville, State of Texas, (hereinafter called "City"), lines for the transmission and distribution of electric energy and services incidental thereto, either by means of overhead or underground conductors with all necessary or desirable appurtenances and appliances as currently installed or that may be installed in the future, including but not limited to electric substations, underground conduits, poles, towers, wires and transmission and distribution lines, and fiber optic cable and telegraph and telephone wires for audio, video, and data communications for use in support of transmission and distribution operations and the electric system and grid and matters appurtenance thereto, all for the purpose of transmitting and distributing electrical energy to the City and the inhabitants thereof, and persons and corporations within and beyond

the limits thereof, for light, heat, power, and any other purpose or purposes for which electric energy is now or may hereafter be used, and to license or lease space on or within the Company's poles, conduit, and appurtenant facilities for the attachment of third-party facilities, and for all other facilities Company deems reasonably necessary for the provision of safe, reliable, and economical electric service to the City.

SECTION 2: Poles and towers shall be erected so as not to interfere unreasonably with traffic over streets and alleys, and City may make and impose reasonable requirements fixing the location of poles, towers, and conduits, provided that no such requirement shall be unreasonably burdensome upon Company or unreasonably interfere with the operation or maintenance of said facilities.

SECTION 3: City hereby grants to Company permission to cut down, trim, remove, and otherwise control using herbicides or tree growth regulators, any trees, branches, vegetation, or brush upon and overhanging the Public Rights-of-Way of the City in the vicinity of Company's electric facilities where such trees and other vegetation, in Company's reasonable opinion, may endanger the safety of Company's personnel or interfere with the construction, operation or maintenance of Company's facilities or ingress or egress to, from or along the Public Rights-of-Way.

SECTION 4: The Company shall fully indemnify and save harmless the City from any and all damage, loss, action or cause of action arising in whole or in in part from Company's exercise of any of its rights, privileges, franchises and obligations hereunder, except to the extent arising out of City's negligence or willful misconduct.

SECTION 5: For and as full consideration and compensation for this franchise and the rights, privileges, and easements granted and conferred thereby and as rental for the use of the Public Rights-of-Way within or that may hereafter be within said City, the Company shall pay said City an amount calculated in accordance with the methodology prescribed by applicable law, as it exists today in the form and substance of the Texas Public Utilities Regulatory Act (PURA) Section 33.008(b), Texas Utilities Code, currently the product of a factor of \$0.002607 per kilowatt hour multiplied times the number of kilowatt hours delivered by Company to retail customers within the City's boundaries, as such charge may be revised from time to time in accordance with Section 33.008(b) of the Texas Utilities Code or any other applicable provision of law regarding franchise fee payments. A payment made on the basis of the foregoing applicable law or any change, modification or replacement thereof will be made each month throughout the term herein provided for, with each such payment to be made on the first business day of the second month following the month in which the deliveries occurred, for the billing cycle for that month.

The City shall notify the Company in writing of newly annexed and de-annexed areas. The notice shall include the ordinance number authorizing the action, and appropriate map identifying the areas and documentation of the notice to the State of Texas regarding the annexation or de-annexation. The Company shall have no responsibility for commencing payments to City for kilowatt hours delivered in newly annexed areas until it shall have received City's notification. Upon City's notification and starting the 91st day after receipt of such notice, the Company will commence payments to the City for kilowatt hours delivered in newly annexed area and will make any

appropriate adjustments in payments reflecting over deliveries of kilowatt hours in any prior month resulting from inclusion of kilowatt hours from de-annexed areas in the calculation of the monthly charge. Payments for deliveries in newly annexed areas and adjustments for over deliveries in de-annexed areas shall be made back to the effective date of the ordinance.

SECTION 6: Whenever in this ordinance the City or Company is referred to, such reference shall be deemed to include the respective successor or assign of either, and all rights, privileged, franchises, and obligation herein contained shall bind and inure to the benefit of such successor or assign, in which event the predecessor or such successor or assign is divested of all such rights, privileges, franchises or obligations, whether so expressed or not.

SECTION 7: The terms and provisions of this ordinance are joint and several, and the invalidity of any part shall not affect the validity of the remainder of the ordinance.

SECTION 8: This ordinance shall take effect from and after the earliest period allowed by law, provided that Company shall file its written acceptance of this franchise within ninety (90) days after the adoption of this ordinance. Once this ordinance takes effect, the electric franchise under which the City has been operating heretofore, shall stand surrendered.

INTRODUCED, READ FOR THE FIRST TIME AND PASSED to the second reading at a regular meeting duly and regularly called and held on the ____ day of _____, 2018.

**INTRODUCED, READ FOR THE SECOND TIME AND PASSED AND
ADOPTED** in written form at a regular meeting, duly and regularly called and held on the
_____ day of _____, 2018, by the following vote:

AYES: _____

NAYES: _____

APPROVED, this the _____ day of _____, 2018.

The Honorable Mayor of the City of Kingsville, Texas
Sam R. Fugate

ATTEST:

City Secretary
Mary Valenzuela

COUNTY OF KLEBERG §

IN TESTIMONY WHEREOF, witness my hand and seal of office, this ____ day of _____, 2018.

7

AGENDA ITEM #19

City of Kingsville
Engineering/Public Works

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Rudy Mora, City Engineer

DATE: Monday, October 29, 2018

SUBJECT: Ordinance authorizing the placement of school zone and signage for Jubilee Academies on E. Henrietta to N. 19th and from there to E. King Ave. and removing a school zone for Christian Life Academy

Summary:

This item is for an ordinance authorizing the placement of school zone and signage for Jubilee Academies on E. Henrietta east to N. 19th and from there south along N. 19th to almost E. King Ave. during specified times in school operation hours. The established speed in the school zone shall be 15 miles per hour (15 MPH). This ordinance will also authorize the removal of school zone and signage for the now closed Christian Life Academy.

Background:

Charter school Jubilee Academies has expanded their Kingsville campus with the addition of a gym and more parking. With these changes, traffic patterns and driveway configurations were changed. As part of the driveway changes, there are now ingress and egress to the school from E. Henrietta Ave. to N. 19th St. The existing speed limit on E. Henrietta Ave. to N. 19th St. is 30 MPH. Due to the new traffic patterns, it is important to reduce the speed in the area during school drop off and pick up hours. The standard practice (and maximum amount to reduce a posted speed) is to reduce the speed by 15 MPH. Therefore, the speed should be reduced from 30 MPH to 15 MPH during specified times in school operation hours. The Christian Life Academy no longer exists, so the school zone is not needed. The school zone signs at the former Christian Life Academy will be repurposed for use at the new Jubilees Academies school zone.

Financial Impact:

The school zone will be placed with signs only during designated times. Flashing beacons are not a requirement and are used only to supplement the static signs. However, two of the six signs will have flashers. The total estimated cost of the installation of all six signs is (\$10,665.62 + \$600) \$11,265.62. The cost is budgeted through our Street Department from 001-5-3050-52200 Signs & Signals in the General Fund for this project. Establishing the school zone will be in accordance with state and federal guidelines and the Manual of Uniform Traffic Control Devices (MUTCD).

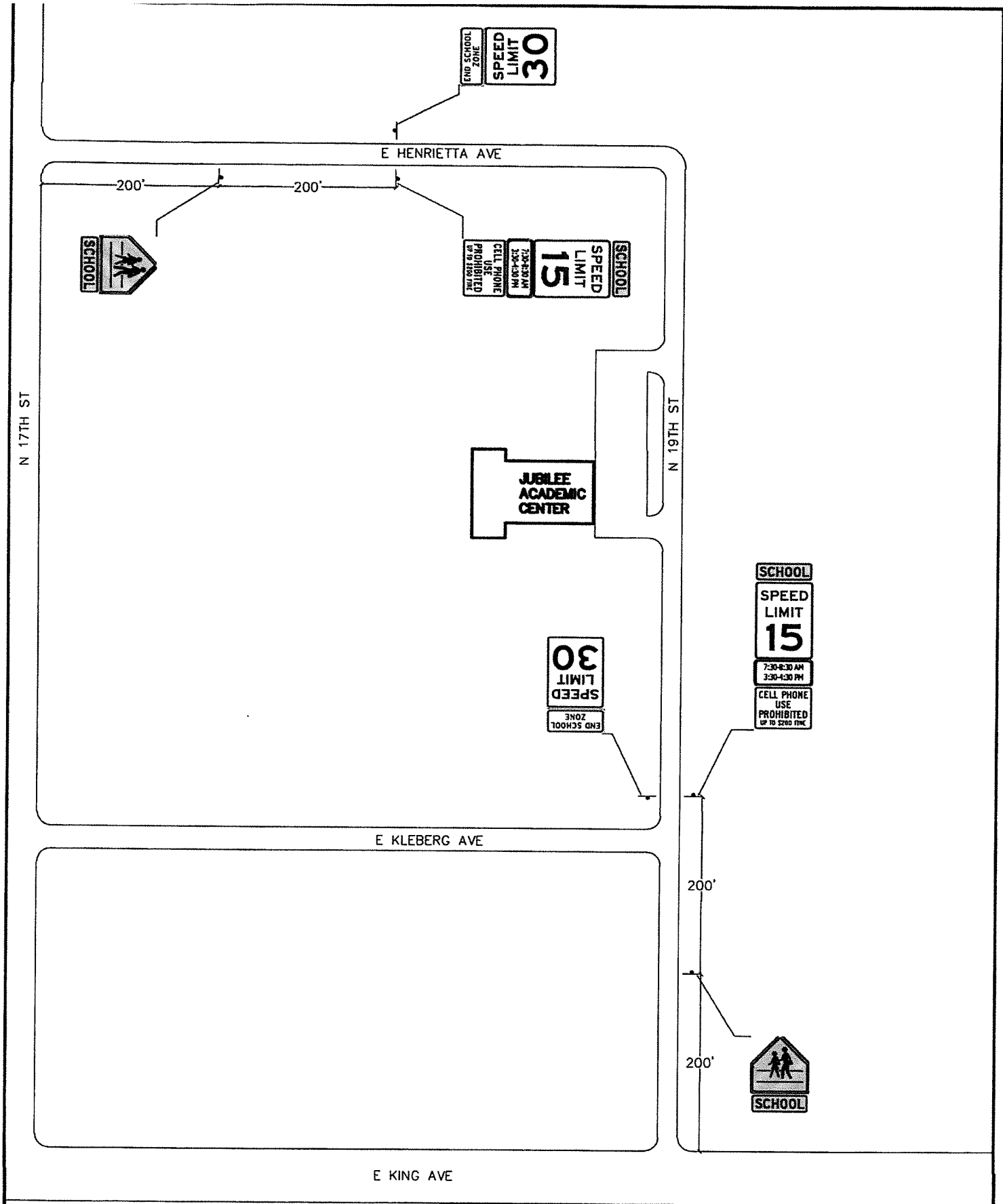


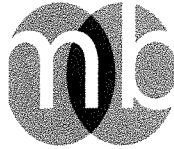
City of Kingsville Engineering/Public Works

Recommendation:

Staff recommends establishing a school zone on E. Henrietta Ave. east to N. 19th St. and then south on N. 19th St. from E. Henrietta to almost E. King Ave. reducing the speed from 30 MPH to 15 MPH during specified times in school operation hours to ensure the safety of our citizens. Staff also recommends removal of school zone and signage for the now closed Christian Life Academy at Ailsie Avenue and Senator Carlos Truan Blvd.







MALDONADO-BURKETT

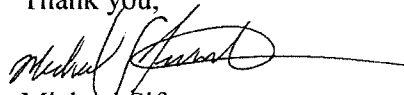
"Innovative Engineering Services"

November 7, 2018

City of Kingsville

	EA	UNIT PRICE	EXT.	
SZ Removal at Ailsie Ave cross street Lisa Dr. Remove existing SZs and salvage cabinet and solar panel. All other signal equipment, hardware and signs are unusable	2	\$850.00	\$1,700.00	
Install of SZ at Henrietta Ave./16th St.	2	\$4,482.81	\$8,965.62	
			<u>\$10,665.62</u>	TOTAL
New Material				
2 POLE BASES WITH SCREW IN ANCHORS 15FT PED POLE AND CAPS				
4ea ALUM 1 SEC SIGNAL HEADS W/ MOUNTING BRACKETS				
4ea ALUM TUNNEL VISORS				
4ea DURALIGHT 12 VOLT LED YELLOW				
4ea CABINET MOUNTING BRACKETS				
2ea 15MPH SCHOOL ZONE SPEED LIMIT SIGNS				
Re-used Material				
2 Reinstall of SZ cabinet w/cable				
2 Reinstall of Solare panel w/cable				

Thank you,


Michael Sifuentes

ORDINANCE NO.2018-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 5, TRAFFIC SCHEDULE II; PROVIDING FOR A NEW SCHOOL ZONE ON N. 19th STREET AND E. HENRIETTA AVENUE FOR THE JUBILEE ACADEMIES SCHOOL AND THE INSTALLATION OF SCHOOL ZONE SIGNS AND FOR THE REMOVAL OF A SCHOOL ZONE ON E. AILSIE AVENUE FOR CHRISTIAN LIFE ACADEMY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City of Kingsville proposes to add a school zone and signage for Jubilee Academies charter school has recently undergone additional renovation and now has additional entrances and exits on N. 19th Street, where there was none before and the existing speed limit on that street is 30 miles per hour;

WHEREAS, the City of Kingsville proposes to remove a school zone and signage for Christian Life Academy that has closed;

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 Schedule II: Speed Limits in School Zones of Article 5: Traffic Schedules of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

Sec. 7-5-2. - Schedule II, Speed Limits in School Zones.

SCHEDULE II: SPEED LIMITS IN SCHOOL ZONES.

The school zones defined herein, when properly marked, shall have speed limits as follows:

<i>School</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
...				
Christian Life Academy	Beginning at a point 450 feet west of Senator Carlos Truan Blvd. on East Ailsie Ave. and proceeding in a westerly direction along East Ailsie Ave. to a point 430 feet from the point of origin.	15 mph	2007-21	09-10-07
...				
H.M. King High School	Beginning at a point 400 feet south of Ailsie Avenue extending south on Shelly Blvd. to a point 400 feet north of General Cavazos Blvd.	15 mph	2014-49	8-25-14
<u>Jubilee Academies</u>	<u>Beginning at a point 400 feet east of N. 17th St. on E. Henrietta Avenue extending east to N. 19th St. and then extending south on N. 19th St. to a point 400 feet north of E. King Ave.</u>	15 mph	2018-__	11-26-18
...				

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 13 th day of November, 2018.

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

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #20

**City of Kingsville
Planning Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Cynthia Martin, Downtown Manager

DATE: November 2, 2018

SUBJECT: Approval of Map for Proposed Tax Increment Reinvestment Zone #1

Summary: A Tax Increment Reinvestment Zone #1 is being proposed in Kingsville's historic downtown district. As determination of the district boundaries is one of the first steps to the creation of such a district, it is requested that City Commission approve a map of the proposed district.

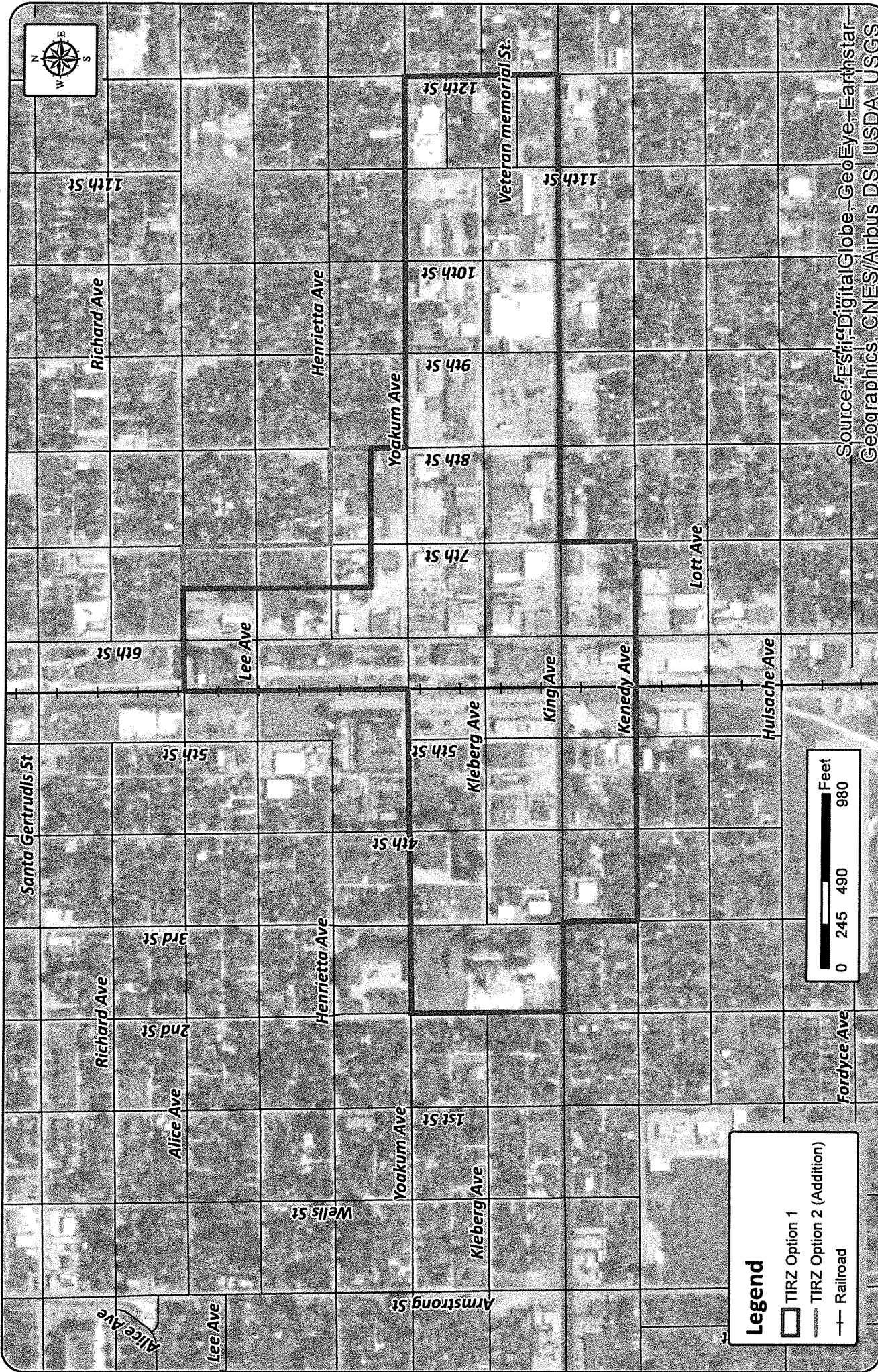
Background: At the October 22, 2018 public hearing on the proposed Tax Increment Reinvestment Zone (TIRZ), questions were raised as to the boundaries of the proposed district presented at that time (TIRZ Option 1). In consideration of those comments, staff has drafted a second area (TIRZ Option 2) along the suggested lines expanding the TIRZ. This expansion adds twelve (12) residential properties including three vacant lots. Commercial properties added include two (2) commercial buildings, one of which houses a non-profit, and two (2) churches.

Financial Impact: None

Recommendation: City staff recommends staying with Option 1. Of primary concern when laying out district boundaries for a TIRZ is to put the district on the best financial footing possible. When analyzed, the additional properties added to the proposed TIRZ#1 would be of little benefit to it adding mostly residential properties to a TIRZ designed to grow the commercial sector.




City of Kingsville - Proposed Tax Incremental Reinvestment Zone (TIRZ)



Source: Esri, DigitalGlobe, GeoEye, Earthstar
Geographics, CNES/Airbus DS, USDA, USGS,

Document Path: M:\Engineering\Sharon\Cypress North\Downtown District\Downtown District_8-

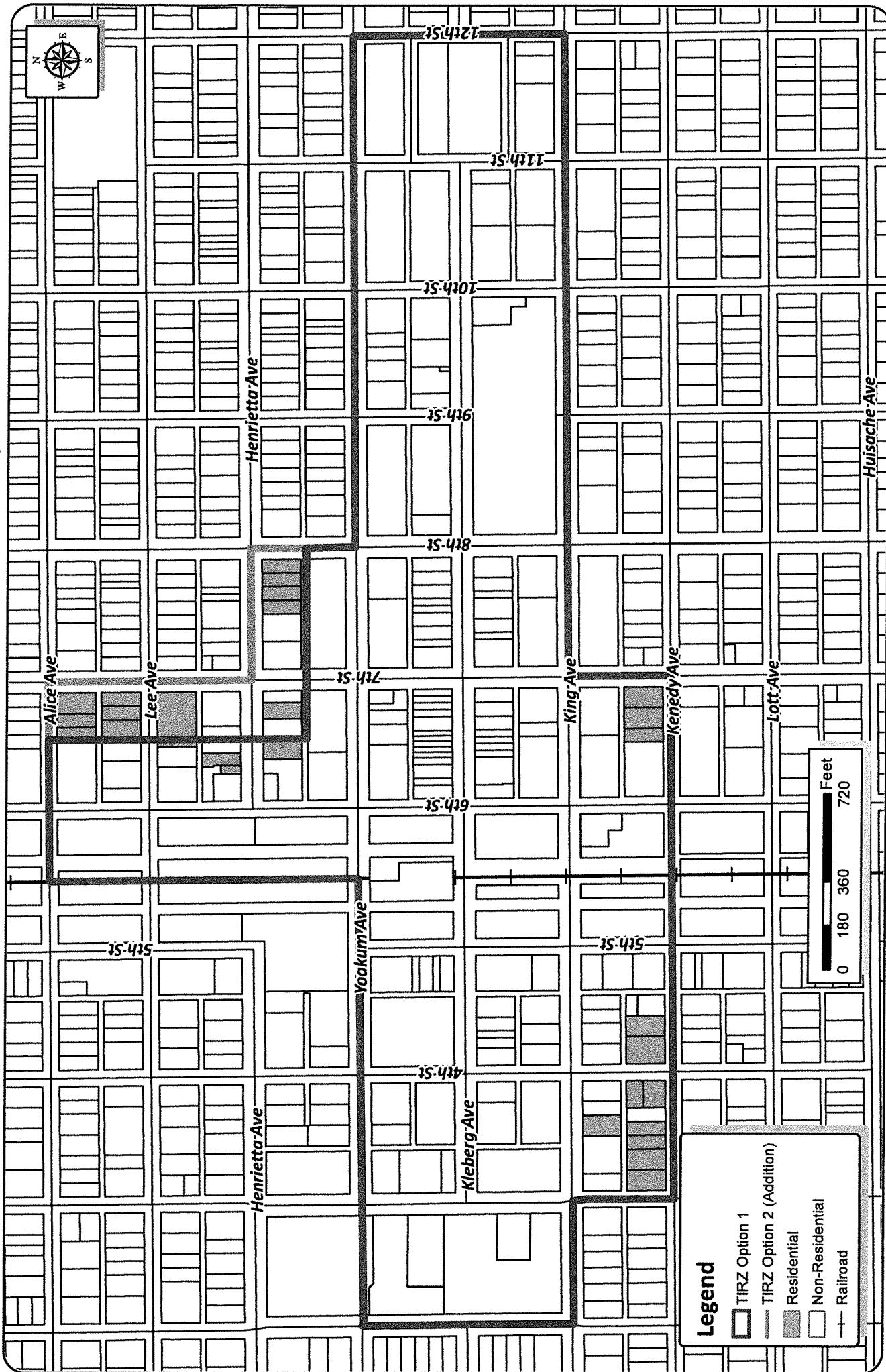
CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
400 W. King Avenue
Kingsville, Texas 78363
Office: 361-595-8004
Fax: 361-595-8035



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HEREIN IS USED FOR ANY PURPOSE OTHER THAN
CONSTRUCTION, PLANNING, BUILDING,
OR ANY OTHER PURPOSE.

Drawn By: Engineering Department	
Last Update: 11/2/2018	
Note:	

City of Kingsville - TIRZ Parcel Use Classification



Document Path: M:\Engineering\Sharon\Cybilin Media\Downtown District\Parcel_Use_Classification

CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 400 W. King Avenue
 Kingsville, Texas 78363
 Office: 361-595-8004
 Fax: 361-595-8035



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 OR ANY OTHER PURPOSE.

Drawn By:
 Engineering Department
 Last Update: 11/2/2018
 Note:

RESOLUTION NO. 2018-_____

A RESOLUTION ADOPTING THE MAP FOR THE TAX INCREMENT REINVESTMENT ZONE (TIRZ) #1 HISTORIC DOWNTOWN DISTRICT, KINGSVILLE, TEXAS.

WHEREAS, the City Commission desires to create a Tax Increment Reinvestment Zone (TIRZ) #1 Historic Downtown District in Kingsville, Texas and needs to adopt a map of the proposed TIRZ; and

WHEREAS, the City Commission has previously held a public hearing on the proposed TIRZ and had a discussion item on the potential map of the area and the TIRZ; and

WHEREAS, staff has worked to develop a map for the TIRZ #1 Historic Downtown District that it presents for approval;

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

I.

THAT the map for the TIRZ #1 Historic Downtown District, presented as Option #1, (attached as Exhibit A) is hereby approved.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of November, 2018.

Sam R. Fugate, Mayor

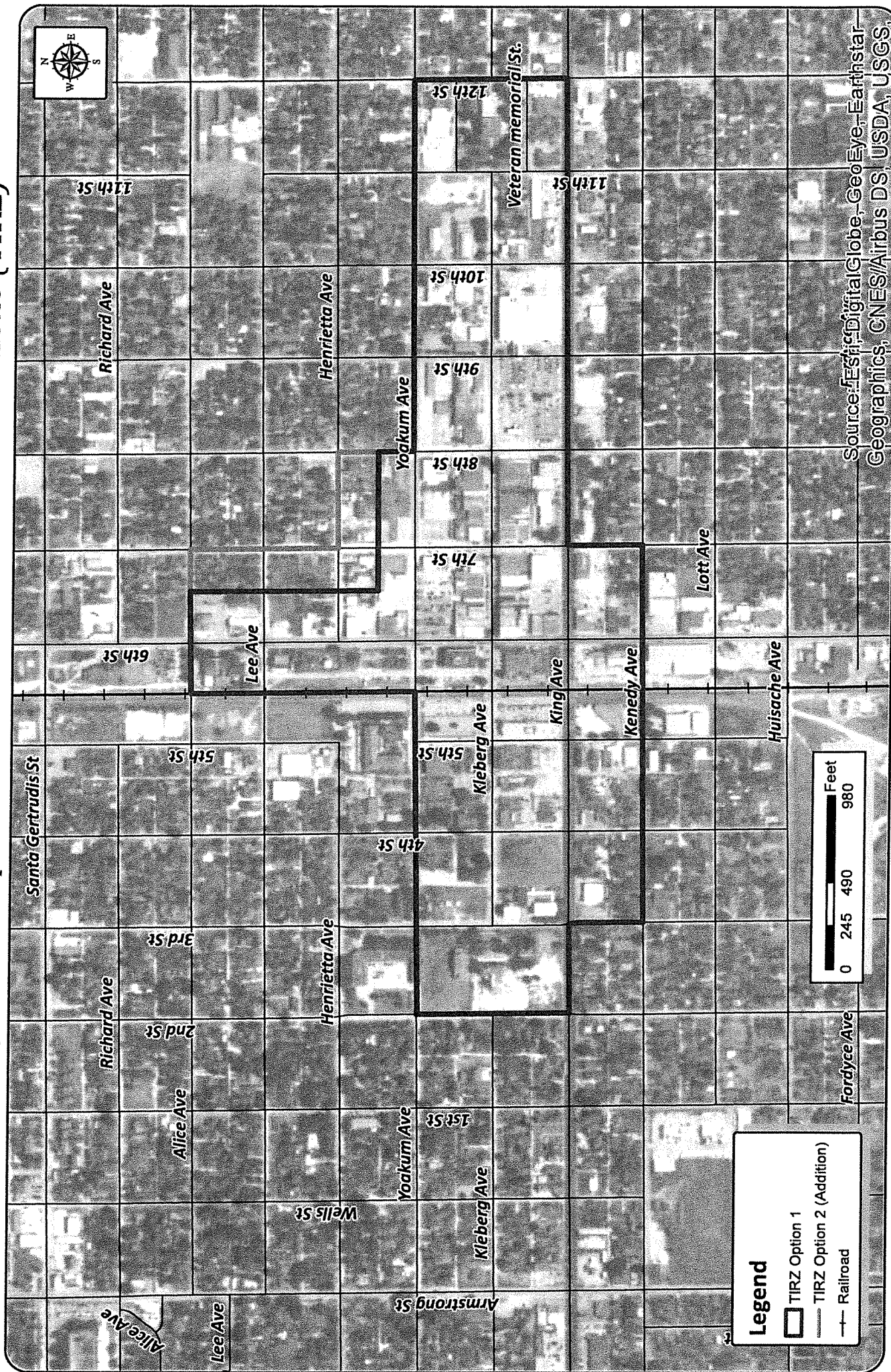
ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:


Courtney Alvarez, City Attorney

CITY OF KINGSVILLE - Proposed Tax Increment Reinvestment Zone (TIRZ)



Source: Esri, DigitalGlobe, GeoEye, Earthstar
Geographics, CNES/Airbus DS, USDA, USGS,

Document Path: K:\Engineering\GIS\Kingsville\Map\Kingsville\TIRZ\Kingsville_TIRZ_Map.aprx

 CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W. King Avenue Kingsville, Texas 78363 Office: 361-595-8004 Fax: 361-595-8035	DISCLAIMER THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN & IS USED FOR ANY PURPOSE, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	
	Drawn By: Engineering Department	Last Update: 11/2/2018
Page 1 / 1		
Note:		

AGENDA ITEM #21

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: November 2, 2018
SUBJECT: Review of Conceptual Plan for Torres States

Summary: When Mark Dizdar rezoned this development to a planned unit development one of the requirements was to submit a conceptual plan of the development. This was done in April of 2015. Attached is a copy of the memo that spells out the conceptual plan. Mark never did go through with this project and subsequently has sold the land/project to Ruben Ruiz. It is Ruben Ruiz's intent to request a change in the conceptual plan.

Background: This development is the small home project that Mark Dizdar wanted to develop. Enclosed is the information concerning this development. At the time and still today there is the belief that this kind of project can work in Kingsville. Ruben Ruiz has purchased the ground and wants to continue with the project. He wants to develop it as the original plan but due to costs he would like to change the requirements of the conceptual plan. Enclosed is a memo that I have put together for the Planning and Zoning Commission which compares to as what was agreed upon and what Ruben Ruiz would like to do. As you can see from the comparison, there are two changes, 1 less tree and no installation of the sprinkler system. As he has stated to me, the current costs of building have put the cost of a sprinkler system too much to bear for this project. It is also Ruben Ruiz's intent to build the homes without garages.

Financial Impact: The belief today is the same as 3 years ago that this kind of project would work in Kingsville. It is my belief that this size of house in this location will work and provide home ownership for several citizens. This development would improve the tax base for the city and provide a single-family home for those who can afford it, which is a positive long term financial impact.



City of Kingsville
Department of Planning and Development Services

Recommendation: The Planning and Zoning Commission met on November 7th and voted 4 to 0 to recommend approval of the changes to the conceptual plan as submitted for the Torres Estates/Heritage Estates development.



To: Planning and Zoning Commission Members

From: Tom Ginter, Director

Date: November 2, 2018

Subject: Agenda Item Information for #1

In April of 2015, the Planning and Zoning Commission approved a Conceptual Development Plan for Torres Estates. At the time, Mark Dizdar was the owner of the property. Currently, the property has been sold to a Ruben Ruiz. While he wants to develop the property as shown in the final plat, he does due to cost make some changes to the Conceptual Plan.

Enclosed is a copy of the memo that was approved in April 2015

Conceptual Plan, 4-2015	Ruben Ruiz – Submittal
1. Build 18 ft Driveway which will have room for 2 cars for each house	1. No change
2. Plant 2 trees in the front yard of the property of each lot where a home is being built	2. Plant 1 tree, his choice in the front yard of the property of each lot where a house is being built
3. install a sprinkler system	3. Delete installation of sprinkler system installation
4. Build 6ft sidewalk on the perimeter of property	4. No change
5. Build fence on the frontage of the property	5. No change

Summary:

My conversations with him have centered on the costs which have increased in the last 3 years which now make the numbers tough to reach where some changes are made. He does want to stay with the concept, he believes it has merit for Kingsville. Just reminder that no garages will be built in this development.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director of Planning and Development Services

Date: April 1, 2015

Subject: Conceptual Development Plan – Torres Estate

1. Planned Unit Development

In April of 2014 the Planned Unit Development (PUD) was amended to have a planned district for each zoning district. The purpose of the equivalent district provides for and encourages latitude and flexibility in the location of buildings, structures which would be approved by local officials. Variations and departures from normal requirements may be permitted.

2. History of Torres Estates Development

This particular project I believe started in the summer of 2014. When I came on board in October 2014 the project was presented as an R1 project. This project doesn't meet the lot size minimum so it was submitted as an R2 development. This is reflected in the January minutes which are in the packet. The memo dated March 13, 2014 brings the project up to this point. As a part of the RP2 zoning a Conceptual Development Plan is required to be submitted.

3. Torres Estates

As has previously been discussed this project is an infill development that would have a positive impact for the community and that neighborhood. As noted in the site plan and other minutes the developer Mark Dizdar has agreed to the following:

- A. Build an 18 foot wide driveway which will have room for 2 cars for each house
- B. Plant 2 trees in the front yard of the property of each lot where a home is being built
- C. Install a sprinkler system on each lot where a home is going to be built
- D. Build a 6 foot sidewalk on the perimeter of the property
- E. Build a fence on the frontage of the property

In return Mr. Dizdar will not be building garages with these homes.

Staff recommendation:

Approve the Conceptual Development Plan for the following reasons:

- A. This development takes advantage of the utilities that are already in place
- B. It is a housing option that is believed to be affordable for a significant number of the population

- C. It redevelops property that at one time a mobile home park which is not conducive for the neighborhood, while this project is compatible with the surrounding uses
- D. This development could initiate development to the south

Special Meeting – March 16, 2015

Motion made by Commissioner Pecos to approve the minutes of March 16, 2015 as presented, seconded by Commissioner Garcia. Motion was passed and approved by the following vote: Garcia, Pecos, Leubert voting "FOR". Pena "ABSTAIN".

Regular Meeting – March 23, 2015

Motion made by Commissioner Pena to approve the minutes of March 23, 2015 as presented, seconded by Commissioner Pecos. Motion was passed and approved by the following vote: Pecos, Pena, Garcia, Leubert voting "FOR".

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

- ✱ **1. Public hearing for the adoption of a Conceptual Development Plan for the Torres Estate Development located at 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott, Isaac & Norma Torres owners. (Director of Planning and Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:03 P.M.

Mayor Pro-tem Leubert stated that this is a public hearing and anyone who would like to comment on this item can do so at this time with a five minute time limit.

Mr. Ginter reported that a public hearing was published in the Kingsville Record regarding the Conceptual Development Plan. Staff did not receive any calls from the public for or against the public hearing.

Mayor Pro-tem closed this public hearing at 6:04 P.M.

- 2. Public hearing for an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from R2- Two Family Residential District to RP2- Planned Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan, Isaac & Norma Torres owners. (Director of Planning and Development Services).**

Mayor Pro-tem Leubert announced and opened this public hearing at 6:04 P.M.

Mayor Pro-tem Leubert stated that this is a public hearing and anyone who would like to comment on this item can do so at this time with a five minute time limit.

Mr. Ginter reported that a public hearing was published in the Kingsville Record regarding the rezone. Staff did not receive any calls from the public for or against the public hearing.

Mayor Pro-tem closed this public hearing at 6:06 P.M.

III. Reports from Commission & Staff.² (City Manager's Staff Report Attached).

"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, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance,

6. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Fund 051-Utility Fund Fund Balance for South Wastewater Treatment Plant repairs. (Director of Finance).

Mrs. Alvarez stated that this item has not been brought to the Commission in the past. She further stated that there have been some issues with the blower at the South Wastewater Plant.

Mr. Charlie Cardenas stated that this is for an overhaul of the existing blower which will expend \$27,000. The Plant is on a backup blower at this time.

Commissioner Pecos asked if this was for regular maintenance to the blower. Mr. Cardenas responded that this is preventative maintenance. Mr. Cardenas further commented that the North Wastewater Plant will be budgeted for next fiscal year.

Introduction item.

7. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Fund 091-General Fund Capital Projects budget to transfer four capital projects back to general fund. (Director of Finance).

Mrs. Alvarez stated that in the agenda packet, Mrs. Balli has submitted a memo for this item. If any questions, Mrs. Balli can address them at the next City Commission meeting.

Introduction item.

***8. Consider approval of the Conceptual Development Plan for Torres Estates. (Director of Planning & Development Services).**

Mr. Tom Ginter reported that this project is for the built of 11 homes with 1100 square feet each. As has previously been discussed this project is an infill development that would have a positive impact for the community and that neighborhood. Developer Mark Dizdar has agreed to the following; build an 18 foot wide driveway which will have room for 2 cars for each house; plant 2 trees in the front yard of the property of each lot where a home is being built; install a sprinkler system on each lot where a home is going to be built; build a 6 foot sidewalk on the perimeter of the property; and build a fence on the frontage of the property. Staff recommends the approval of the Conceptual Development Plan.

Commissioner Garcia asked in the developing the Conceptual Development Plan, what are the variations and departure.

Mr. Ginter stated that they are not defined, they are allowed. The ordinance states that variations and departures could be from the R2 District. In this case, the significant one is the garages. There are no garages in this project. In a basic R2 District, there would be garages.

Commissioner Leubert stated that her concern is that with liveoak trees being planted near the driveway, the roots to the tree will damage the driveways. Her other concern is having space in front of the home to allow vehicles to park.

Mr. Mark Dizdar, 1596 Wildwood Trails Court, responded that there is space for two parked cars on concrete. Cars can park on the side of the street but not onto the property.

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

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Ruben Ruiz, owner – On the changes of the name of the plat/subdivision from Torres Estates to Heritage Estates located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

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.

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Fundraiser

living in Kleberg and Kenedy counties as well as in Bishop.

While in past years the kickoff event did not serve as a fundraiser, co-coordinators Sanchez and Stefanie Perryman decided to make a change after the campaign lost a significant amount of funding when Toys 'R' Us closed all of its stores in August of this year after filing for Chapter 11 bankruptcy in 2017.

"We were literally every year, receiving \$9,000 from Toys 'R' Us to help buy toys," Sanchez said. "That's gone."

Sanchez said that amount provides toy donations for about 500 children.

As self-proclaimed "karaoke-holics," Perryman and Sanchez decided to incorporate a "Lip Sync Battle" into this year's kickoff event with pre-selected individuals and teams competing in a karaoke-style competition where they did their best to match their lip movements with pre-recorded songs.

Various community leaders, elected officials and organizations were invited to participate in the event, while attendees were able to cast votes for their favorite in the "Lip Sync Battle" by donating monetary funds to the campaign via cash, check or credit card.

Performers were also allowed to solicit votes prior to the event, which counted in their overall total in the "Lip Sync Battle"

standings.

Lip sync performers for the event included Kleberg County Assistant District Attorney J. Dean Craig and Ricki Cunningham with Coldwell Banker, KIII-TV news anchor John-Thomas Kobos, Kleberg Bank Executive Vice-President Brad Womack and his nine-year-old daughter Sienna and teams comprised of Kleberg County Sheriff's deputies, U.S. Border Patrol agents, the Javelina Women's Golf Team and the United States Marines Corps.

Brad and Sienna Womack were replacements for Kingsville Mayor Sam Fugate, who was unable to attend the event.

"We got approached on Tuesday to do this," Brad Womack said.

Brad Womack said he and his daughter went through 10 different songs before settling on Miley Cyrus's "Party in the USA."

Sienna Womack said the dance was one that she and her friends had come up with at a birthday party.

"She taught it to me yesterday," Brad Womack said. "We had to do it a bunch of times, but it went great."

The final act included Perryman and Sanchez lip-syncing to Journey's "Don't Stop Believing" while the rest of the performers joined them on stage.

By the end of the event, Perryman and Sanchez, both in tears, revealed the

total amount raised to be \$7,830.

"We weren't expecting half that amount," Sanchez said. "That made up for Toys 'R' Us."

As they thanked the audience, more donations came in, bringing the total raised to more than \$8,000. Sanchez said the Kingsville community "is just amazing."

"Everybody told us that it wouldn't work, and that we couldn't do it," she said. "But look. We did, and it was amazing. I'm going to cry again."

The winners of the "Lip Sync Battle" were the duet of Craig and Cunningham, who performed like and Tina Turner's "Proud Mary" while students with the Academy High School drill team served as backup dancers.

The duet raised a total of \$3,516 both during their performance and soliciting prior to the event.

"It was a lot of fun," Craig said.

Craig said he and Cunningham spent "almost zero hours" practicing their performance, but they both had a great time with the fundraiser.

"It was all about support for the kids, not about talent," Craig said. "Otherwise, we would not have won."

Craig credited Perryman and Sanchez for their hard work in coordinating the Toys for Tots campaign every year, especially in getting the community excited to be involved.

"They make sure that nobody forgets about Toys for Tots," he said. "And their involvement makes it easy to say yes."

Sanchez said the "Lip Sync Battle" would definitely be coming back for next year's campaign.

"This was the first, and next year will be the second and hopefully there

will be a third," she said.

In 2017, the Kleberg-Kenedy County Toys for Tots served 1,783 children, about 260 more than the previous year, and doubled its 2016 donations with nearly 2,000 toys and more than \$10,000 in monetary donations.

For more information or to make a donation, con-

tact coordinator Stefanie Perryman at (417) 496-6071 or co-coordinator Rebecca Sanchez at (361) 474-0710.

The organization can also be reached on Facebook by typing "kingsvilletoysoftots" in the site's search bar or in messenger.

Anthony Ruiz can be contacted at aruiz@king-ranch.com or (361) 221-0251.

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Ruben Ruiz, owner – On the change of the name of the plat/subdivision from Torres Estates to Heritage Estates located at 1.44 acres EVA, BLOCK 1, LOT 1-9 also known as 1100 East Kenedy and CLYDE, Block 2, Lot 1-3 also known as 1116 East Lott.

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Open Letter to the Public:

Two weeks ago, a political hate ad was published attacking incumbent County Court-at-Law Judge, Jaime E. Carrillo, for supporting Congressman Beto O'Rourke, Candidate for U.S. Senate, in the upcoming election.

The author of the ad claimed that he drove to the Carrillo Law Office to speak to Judge Carrillo. If he had driven to the office he would have noticed that Judge Carrillo's name was no longer on the office signage. A sitting County Court-at-Law Judge cannot practice law as an attorney while serving on the Bench. For that reason, the Carrillo Law Office is now owned and run by Ricardo Carrillo, with Cynthia Carrillo Garcia and David T. Garcia also practicing law out of the office. Judges can be sanctioned for endorsing political candidates. For the reasons cited above, Judge Carrillo was not informed of the decision to use the office as the Beto Headquarters. Judge Carrillo has run a campaign that adheres to all the regulations applicable to judges who are running for office. However, the smear campaign that began by placing a half-page ad in the Kingsville Record, cannot go unanswered.

I do not believe the author of the ad knows Jaime, but I do; let me tell you who Jaime Carrillo really is:

1. He follows God's greatest commandment to Love God above all else, and your neighbor as yourself;
2. He believes strongly in Christ's own edict, that whatever one does to the least of one's brethren, one does to God;
3. He is a family man who is keenly aware of how important it is to make decisions that are in the best interest of children and strives to make parents understand that their actions can have a lasting impact on their children;
4. His 20 plus years of practicing Family, Civil, and Criminal Law in Kleberg County has prepared him to be a knowledgeable, fair and experienced Judge;
5. His commitment to his community, his church, the university, and civic organizations is consistent and on-going, whether there is a political race at stake or not.

A vote for Judge Jaime E. Carrillo, is a vote for all Kleberg County.

Respectfully,
David T. Garcia

RESOLUTION #2018-_____

A RESOLUTION TO CHANGE THE CURRENT CONCEPTUAL DEVELOPMENT PLAN FOR THE TORRES ESTATES DEVELOPMENT LOCATED AT EVA, BLOCK 1, LOT 1-9 ALSO KNOWN AS 1100 EAST KENEDY AND CLYDE, BLOCK 2, LOT 1-3, ALSO KNOWN AS 1116 EAST LOTT (1.44 ACRES).

WHEREAS, the City Commission of the City of Kingsville previously approved a Conceptual Plan for a planned unit development known as Torres Estates in April 2015; and

WHEREAS, that property was not developed and has been sold to a new developer who is requesting two changes to the Conceptual Plan based on cost increases since the plan was first approved; and

WHEREAS, the proposed changes would reduce the number of trees planted on each lot from two to one and would not require the installation of a sprinkler system; and

WHEREAS, the City could use additional single family residential housing of the size proposed in the Conceptual Plan and this would still be a good in-fill project; and

WHEREAS, notices were published on October 21, 2018 in the newspaper about the public hearing and action items to be considered by both the Kingsville Planning and Zoning Commission and the Kingsville City Commission regarding this requested change; and

WHEREAS, the Planning and Zoning Commission had a meeting on Wednesday, November 7, 2018 where a public hearing was held on the item and an action item was considered on the item; and

WHEREAS, the Planning and Zoning Commission voted 4 to 0 at that meeting to recommend APPROVAL of the two requested changes to the Conceptual Plan for Torres Estates; and

WHEREAS, the City Commission had a meeting on Tuesday, November 13, 2018 where a public hearing was held; and

WHEREAS, the City Commission hereby approves the recommendation of the Planning & Zoning Commission to allow the two changes to the Conceptual Plan for Torres Estates that were requested by the new property owner.

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

I.

THAT the City Commission hereby approves the recommendation of the Planning & Zoning Commission to allow the two changes to the Conceptual Plan for Torres Estates (reduce the number of trees planted on each lot from two to one and not require the installation of a sprinkler system on each lot) that were requested by the new property owner.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #22

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: November 2, 2018
SUBJECT: Review of name change for Torres Estates plat/subdivision

Summary: Ruben Ruiz, the new owner of the property would like to change the name of the plat/subdivision from Torres Estates to Heritage Estates

Background: As you know Mark Dizdar was the original developer of this project. Ruben Ruiz is now the owner of the property and wants to develop the project as was originally submitted with some changes. One of the changes he is requesting is to change the name. Enclosed is an email from him asking for that name change. He has used the word Heritage in his other projects.

Financial Impact: None to the city that I know of. I believe that his name change makes it consistent with his other projects and would help him in his marketing of this project.

Recommendation: The Planning and Zoning Commission met on November 7th and voted 4 to 0 recommend approval of the name change from Torres Estates to Heritage Estates.



Tom Ginter

From: Ruben Ruiz <[REDACTED]>
Sent: Saturday, September 29, 2018 11:57 AM
To: Tom Ginter
Subject: torres estates

we want to change the name of the subdivision to heritage estates,

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2. He believes strongly in Christ's own edict, that whatever one does to the least of one's brethren, one does to God;
3. He is a family man who is keenly aware of how important it is to make decisions that are in the best interest of children and strives to make parents understand that their actions can have a lasting impact on their children;
4. His 20 plus years of practicing Family, Civil, and Criminal Law in Kleberg County has prepared him to be a knowledgeable, fair and experienced Judge;
5. His commitment to his community, his church, the university, and civic organizations is consistent and on-going, whether there is a political race at stake or not.

A vote for Judge Jaime E. Carrillo, is a vote for all Kleberg County.

Respectfully,
David T. Garcia

RESOLUTION #2018-_____

A RESOLUTION TO CHANGE THE NAME OF THE PLAT/SUBDIVISION FROM TORRES ESTATES TO HERITAGE ESTATES LOCATED AT EVA, BLOCK 1, LOT 1-9 ALSO KNOWN AS 1100 EAST KENEDY AND CLYDE, BLOCK 2, LOT 1-3, ALSO KNOWN AS 1116 EAST LOTT (1.44 ACRES).

WHEREAS, the City Commission of the City of Kingsville previously approved a Conceptual Plan and plat/subdivision for a planned unit development known as Torres Estates in 2015; and

WHEREAS, that property was not developed and has been sold to a new developer who is requesting to change the name of the plat/subdivision for the development so that it fits better with the name and marketing program of his other developments; and

WHEREAS, the proposed change would have no negative effect to the City or citizens as the property has not been developed yet; and

WHEREAS, the City could use additional single family residential housing of the size proposed in the plat/subdivision and Conceptual Plan and this would still be a good in-fill project; and

WHEREAS, notices were published on October 21, 2018 in the newspaper about the public hearing and action items to be considered by both the Kingsville Planning and Zoning Commission and the Kingsville City Commission regarding this requested change; and

WHEREAS, the Planning and Zoning Commission had a meeting on Wednesday, November 7, 2018 where a public hearing was held on the item and an action item was considered on the item; and

WHEREAS, the Planning and Zoning Commission voted 4 to 0 at that meeting to recommend APPROVAL of the requested name change to the plat/subdivision for what is now known as Torres Estates; and

WHEREAS, the City Commission had a meeting on Tuesday, November 13, 2018 where a public hearing was held; and

WHEREAS, the City Commission hereby approves the recommendation of the Planning & Zoning Commission to change the name of the plat/subdivision from Torres Estates to Heritage Estates as requested by the new property owner.

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

I.

THAT the City Commission hereby approves the recommendation of the Planning & Zoning Commission to change the name of the plat/subdivision from Torres Estates to Heritage Estates as was requested by the new property owner.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #23

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: November 6, 2018

SUBJECT: Request for Resolution to enter MOA with ERAD Group, LLC

Summary:

We are requesting approval of a resolution to allow the Chief of Police, as the City Manager's designee, to enter an MOA with ERAD.

Background:

The Kingsville Police Department has been successful in the seizure of US Currency with a criminal nexus on I69/South US 77 over the course of several years. Over the last 5 years US Currency seizures have seen a reduction of 75% nationwide and 80% in the State of Texas.

To fully leverage our resources, we must develop new tools to assist us in the seizure of illicit funds. The agreement with ERAD Group, LLC will provide us another tool in our tool box for the seizure of funds used by human and drug trafficking organizations as well as other criminal activities.

Financial Impact:

Annual Enterprise License \$3,000.00 annually, and 5.7% per seizure or 7.7% per forfeiture dependent on filing and disposition of cases. Sharing is also dependent on whether the cases are filed in state or federal court based on long standing agreements with those entities.

Recommendation:

We request that the resolution be approved to allow the Chief of Police, as the City Manager's designee, to enter this MOA.



RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE POLICE CHIEF TO ENTER INTO AN ERAD-RECOVERY AGREEMENT BETWEEN THE CITY OF KINGSVILLE (POLICE DEPARTMENT) AND ERAD GROUP, LLC FOR ADDITIONAL ASSET RECOVERY TOOLS; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville Police Department has been successful in the seizure of US currency with a criminal nexus over the years which has caused the criminal element to modify their methods for transferring funds;

WHEREAS, the ERAD Group, LLC has products that can assist law enforcement with reading prepaid access devices and other payment cards, identifying the monetary amount of funds stored on said cards and devices, and freezing and seizing funds on prepaid access cards, prepaid access devices, and debit cards;

WHEREAS, the City of Kingsville desires to have these asset recovery tools available to the Kingsville Police Department to assist in the seizure of illicit funds;

WHEREAS, the parties have negotiated an agreement that they now seek to have approved by City Commission;

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

I.

THAT the City of Kingsville Chief of Police is authorized and directed as an act of the City of Kingsville, Texas to enter into an ERAD-Recovery Agreement between the City of Kingsville (Police Department) and ERAD Group, LLC 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
_____ 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



ERAD-RECOVERY™ AGREEMENT

This ERAD-Recovery Agreement is made between ERAD Group, LLC ("EGL") and Kingsville Police Department ("Agency").

1. **Introduction.** Agency will use EGL's ERAD-Recovery software ("Product") to access the client processing service described herein ("Payment Processing Service") in order to: (i) determine relevant issuer and processor information from prepaid access devices and other payment cards; (ii) identify the monetary amount of funds stored on prepaid access cards and other prepaid access devices; and (iii) freeze and seize funds on prepaid access cards, prepaid access devices, and debit cards for subsequent deposit to an authorized depository account owned and controlled by Agency.

2. **Term.** This Agreement is effective as of November 1, 2018 ("Agreement Effective Date"), and shall remain in effect for an initial period of One (1) year ("Initial Period"). After the Initial Period, this Agreement shall be extended automatically for successive One (1) year periods (each a "Renewal Term"). Either party may terminate this Agreement as of the end of the then-current term by giving written notice at least ninety (90) days prior to the end of the then-current term. The Initial Term and all Renewal Terms shall be referred to as the "Term."

3. **Fees.** Agency shall pay EGL the following fees:

Annual Enterprise License \$3,000.00

Service Fee (Initial One)

Seizure: Five and seven-tenths (5.7%) of the total dollar amount seized during the term of this contract using the Payment Processing Service. EGL will invoice Agency the Service Fee after the seized funds are deposited in the designated Agency account. Agency will be responsible for paying the Service Fee unless a court of competent jurisdiction that adjudicated the case which gave rise to the Seizure, rules the seizure funds must be returned to the defendant.

Forfeiture: Seven and seven-tenths (7.7%) percent of the total dollar amount seized, during the term of this contract, using the Payment Processing Service. EGL will invoice Agency the Service Fee upon determination by a court of competent jurisdiction that has adjudicated the case which gave rise to the Seizure. Agency will be responsible for paying the Service Fee unless the court rules the seizure funds must be returned to the defendant.

EGL Pass-Through Fees

Agency must pay any fees, anticipated returns, fines or other third party charges associated with use of the Product (collectively, "Pass-Through Fees"), including, chargeback fees, retrievals and fines.

4. **Payment Processing Service.** Agency shall use the Product to access the Payment Processing Service.

5. **Agency Reports.** If requested by EGL, Agency will provide EGL detailed reports, no later than the 5th of each month, detailing the case number, status and value of all prepaid access cards seized using the Payment Processing Service. The report will include sufficient detail such that EGL can independently verify accuracy of the information. EGL reserves the right to audit Agency records related to the status of cases involving the Payment Processing Service.

6. **Exclusivity.** EGL shall be the sole and exclusive provider of the Payment Processing Service to Agency and its affiliates, and neither Agency nor any of its affiliates shall engage a third party to provide the same or similar service, nor shall Agency provide same on its own behalf.

By signing below, you agree to the terms of this Agreement and the ERAD Agreement General Terms & Conditions version 1.4 incorporated herein by reference.

Kingsville Police Department
1700 E. King Avenue
Kingsville, TX 78363
(361) 592-4311

Ricardo Torres, Chief of Police Date

ERAD Group, LLC
8528 Davis Blvd., Suite 134-343
Fort Worth, TX 76182,
Tel: (571) 207-3723

Steve Beckerman, COO Date

ERAD Client Application		(Shaded areas are for internal use only) Partner Code:	
Account Representative:		Submission Date:	
Card Readers	Quantity: N/A	Price per reader:	\$ N/A
		Target Live Date:	
Client Profile			
Client Legal Name as filed with the IRS: Kingsville Police Department		Federal Tax ID:	
DBA:			
Physical Address: 1700 East King Avenue			
City: Kingsville		State: TX	Zip: 78363
Website Address:		Phone # to display on customer receipts: 361-592-4311	
Contacts			
Primary Contact Name:		Primary Phone #:	Primary Email:
Steve Beckerman		727-781-7308	Steve.beckerman@erad-group.com
Accounting Contact:		Accounting Phone #:	Accounting Email:
Steve Beckerman		727-781-7308	Steve.beckerman@erad-group.com
Payment Types			
Visa, MasterCard Discover AMEX			
Fee Summary			
Fees Paid by ERAD		Fees Paid by Client	
Debit Card – Flat Fee	\$0.025	E-check – Returned Item Fee	\$ N/A
Debit Card – Interchange Fee	Actual	E-check – Flat Fee	\$ N/A
Debit Card - Percentage Fee	0.10%	Visa Tax Program –Debit	\$ N/A
Debit Card - Minimum Fee	\$ 0.00	MasterCard Tax Program–Debit	\$ N/A
Debit Card - Chargeback Fee	\$15.00		
		Other (See Notes)	
Product Summary			
Software Partner: ERAD Group			
Product Name		Total Annual Collections for Payment Type	Average Payment Amount
ERAD FCIS		\$900,000	\$10,000
			Highest Payment Amount
			\$150,000
Banking Summary			
Deposit Structure: Gross Settlement Debit			
Product Name (or # from above)	Bank Name	Routing #	Account #
ERAD FCIS (DEPOSITS)			
ERAD FCIS (FEES)	First Financial Bank		
			X Check. Savings
			X Check. Savings
Channels / Notes			
POS IVR Web Web/EBPP If all products do not match each channel, please note details below			
Gross Settlement – Interchange Plus			

Signature	
The undersigned agrees to abide by the Terms and Conditions of the Point and Pay Merchant Services Agreement viewable at https://intel.erad-group.com/Content/Documents/pnp.pdf	
Signature	Title Chief of Police
Name Ricardo Torres	Date

AGENDA ITEM #24

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: November 2, 2018

SUBJECT: Request to Enter into Interlocal Agreement with ACS Services for our Office of the Governor – Homeland Security Grants Division 2018 State Homeland Security Program (SHSP)

Summary:

The police department is requesting entering an Interlocal Agreement related to expanded participation in ACS Services for our Homeland Security Grant Project.

Background:

Kingsville PD is the host site for the VIPER 9-1-1 system supporting the southern portion of the Cities and Counties in the Coastal Bend Council of Governments. To prevent, damage or destruction of the system by an act of terrorism we propose obtaining an access control system for the City of Kingsville Law Enforcement Center. Not only will this system maintain the security of the facility the system will work with the CBCAN regional responder ID/access program, as well as the CBCAN communications capabilities.

Financial Impact:

New access control system for Kingsville Law Enforcement Center.

1. Removal of existing old access components - \$250/door \$2,500 for 10 doors
2. Replacement of existing door lock mechanical hardware - \$1,500 per door or \$15,000 for 10 doors
3. Adding new card readers and cabling - \$750/door – or \$7,500 for 10 doors
4. Backup (onsite) server – \$2,000 for project
5. IP connectors (control panel) for controlling door schedule - \$400/door or \$4,000
6. Power supplies and battery backup - \$1,500 for project
7. Mobilization, Consulting - \$4,000
8. Project Management w/ACS overhead (10%) - \$3,500
9. Recommended Contingency (5%) - \$2,000



**City of Kingsville
Police Department**

Cost for access control project \$40,650.00

Recommendation:

We request entering approval of the Interlocal Agreement by our City Commission so that we can are able to get better pricing for materials with our Office of the Governor – Homeland Security Grants Division 2018 State Homeland Security Program (SHSP)



RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT RELATED TO EXPANDED PARTICIPATION IN ACS SERVICES BETWEEN THE CITY OF KINGSVILLE AND THE ALLIANCE FOR COMMUNITY SOLUTIONS LTD. (ACS) FOR THE POLICE DEPARTMENT'S STATE HOMELAND SECURITY PROGRAM; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Kingsville Police Department is the host site for the VIPER 9-1-1 system supporting the southern portion of the cities and counties in the Coastal Bend Council of Governments and wants to protect the system by obtaining an access control system for the City of Kingsville Law Enforcement Center;

WHEREAS, the department would like to enter into an Interlocal Agreement with ACS Services for their Office of the Governor-Homeland Security Grants Division 2018 State Homeland Security Program in an effort to procure funding for the system controls for the Law Enforcement Center;

WHEREAS, the City of Kingsville desires for the Kingsville Police Department to have expanded participation in ACS Services for the department's Homeland Security Grant Project;

WHEREAS, the parties have negotiated an agreement that they now seek to have approved by City Commission;

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to enter into an Interlocal Agreement related to Expanded Participation in ACS Services between the City of Kingsville and The Alliance for Community Solutions Ltd. 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
13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

INTERLOCAL AGREEMENT RELATED TO EXPANDED PARTICIPATION IN ACS SERVICES

This Interlocal Agreement (“Agreement”) is entered into pursuant to the authority granted in Texas Government Code, Chapter 791 titled the Interlocal Cooperation Act (“Act”), by and between City of Kingsville, Texas (“Community Member or Member”), having its principle place of business at 400 W. King Ave., Kingsville, TX 78363 and The Alliance for Community Solutions Ltd (“ACS”), having its principle place of business at 19953 W 162nd Street, Olathe, Kansas 66062. Community Member and ACS may be referred to individually as “Party” and jointly as “Parties”.

WHEREAS, the Community Member is a local government as defined by Section 791.003, Texas Government Code; and

WHEREAS, ACS is nonprofit organization; as determined by the Internal Revenue Service (IRS), created for the purpose of promoting collaboration, resiliency, and the general welfare of communities and their citizens as permitted under Section 501(c)(3) of the IRS Code and to reduce the burden to government and promote such other charitable and educational endeavors as may be permitted under the same Code; and

WHEREAS, the ACS IRS-approved bylaws define “*Community Members*” as “governmental and quasi-governmental entities, jurisdictions or other public-sector organizations as well as not-for-profit organizations that are willing to actively pursue enhancement of the overall welfare and resiliency of their communities by use of cost-effective and sustainable technological solutions that are inter-agency based and shared”; and

WHEREAS, Section 791.025(b), Texas Government Code provides that “A local government, including a council of governments, may agree with another local government, including a nonprofit corporation that is created and operated to provide one or more governmental functions and services, or with the state or a state agency, including the comptroller, to purchase goods and any services reasonably required for the installation, operation, or maintenance of the goods”; and

WHEREAS, Section 791.025(c), Texas Government Code provides that “A local government that purchases goods and services under this section satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and services.”; and

WHEREAS, Member now desires to document its direct subscription and participation in Services available through ACS under the authorities granted by the Act.

NOW THEREFORE, the Parties agree as follows:

I. PURPOSE

The purpose of this Agreement is to enable Member to increase its participation in the collaborative efforts of the ACS membership; including regional member group efforts (e.g. Teams, Chapters, Committees, Advisory Groups, Governing Council) to cooperatively design, plan, fund, implement, host and support technical solutions, equipment, services and supplies (“Services”) related to public safety issues that mutually benefit some or all of the ACS members; to participate in shared efforts to educate the public on public safety matters of universal concern; and, to jointly work to reduce the cost of public safety-related goods and services by sharing the cost of solution development through local and grant funded projects, as well as leveraging the collective purchasing power of the ACS membership. This Agreement enables Member to further subscribe to the growing number of discounted Services available through ACS. These Services are only available to ACS members.

II. DUTIES OF ACS

1. ACS will maintain and on request, provide Member with an overview list of ACS Services. It should be noted that this list will continue to grow as ACS Community Members continue to recommend, help advance and approve new public-safety related technological solutions, augmenting the number of solutions and Technology Members involved in the delivery of Services and identifying new cost-effective sources for the goods and supplies necessary to support those solutions.
2. Upon request, ACS will counsel Member on currently available Services that could be used to meet one or more of Member's public safety needs and if requested, ACS will assist Member in defining ACS Services to meet, one or more, specific public safety needs.
3. If authorized by Member, ACS will perform an on-site technical assessment of Member's public safety plans, projects or initiatives in order to develop a detailed Scope of Work (SOW) to support its implementation. The cost of this on-site assessment will be established and approved by Member prior to authorization.
4. Upon request by Member, ACS can, as allowed by law, act as a member, or in an advisory capacity, to any designated technology or security committee for the Member. This can involve an increase to the Member's annual subscription, based upon the requested level of participation and added expenses.
5. ACS will, upon request, provide to Member the SOW, identifying any requested Services, combined with an itemized invoice of deliverables ("Invoice"). Any Member approved Invoice shall become an integral part of the Agreement.
6. ACS will provide negotiated discounts that include pre-payment or early payment to vendors and suppliers with limited risk to Community Members. ACS will perform financial administrative services on behalf of Member for all Services provided. These Advance Payment Discounts will be provided to Member based on the advance payment of project costs in accordance with the provisions below.
7. The advance payment of the ACS vendor and supplier contracts involved with the project's implementation will result in a significant cost savings to Member versus using the pay-as-you-go approach. By default, all estimates, quotes and invoices will reflect the Advanced Payment Discounts.
8. In order to avail itself of these Advance Payment Discounts, Member will be required to pay ACS in full prior to undertaking a specific project. This payment will serve as the Notice to Proceed with the SOW established for the project. ACS will hold all designated vendor and supplier funds, assigned to each specific project, until distributed per discounted terms with each provider.
9. ACS will assess a nominal fee for managing the vendor and supplier plans, schedules, payments and designated grants that are involved with the implementation of SOW. This fee will be assessed and provided as part of each Invoice.
10. ACS is responsible for working with vendors and suppliers to resolve any reported problems. Member will work directly with ACS assigned project staff, while onsite during installation and setup. ACS will maintain a help desk number and email to report issues with performance or technical functionality, for all Services that are completed and sign-off or part of Member annual subscription.

11. In order to facilitate Member's project and cost justification process, upon request, ACS can provide an estimate for providing the same Services under a pay-as-you go model, recognizing that pay-as-you-go, is not available as an option for many of the Services provided.
12. Member Advance Payment Discounts will also apply to the purchase of consumable supplies (e.g., badge card stock) and equipment (e.g., badge printers) necessary to support the use of Services being utilized by Member.

III. DUTIES OF MEMBER

1. Member commits to work with ACS to review options and purchase Services that are in the best interest of Member.
2. Member will review each Invoice and document its approval of the scope, cost and additional terms & conditions of undertaking Services with the issuance of a purchase order or payment to ACS.
3. For Member to take advantage of Advance Payment Discounts, the payment in full of a particular Invoice will serve as the Notice to Proceed with the work (with exception noted in Paragraph IV.8 below); enabling ACS to make all the vendor and supplier contract obligations necessary to carry out the work.
4. If Member chooses to not take Advance Payment Discounts, Member will notify ACS, in advance for each specific quote for Services that will not be pre-paid; such decision will impact the level of discounts, if available.
5. For each Services project or initiative undertaken by Member, Member will designate a Project Lead who has been authorized by Member to coordinate with and give ACS direction throughout the project or initiative.
6. Member designated Project Lead will notify ACS of all requested changes in the invoice or project deliverables. ACS will provide documentation of agreed upon changes and resulting cost changes. The Parties will work to reasonably accommodate requests.
7. If Member chooses to undertake Services without exercising Advance Payment Discounts, Member agrees to promptly pay all Invoices within thirty (30) calendar days of receipt. Either way, Member will provide ACS with a Point of Contact and an alternate Point of Contact (including their current email addresses) who have been designated to receive and process Member's payment obligations.
8. In the event Member encounters inaccuracies in an Invoice, Member agrees to promptly notify ACS and then work with ACS to resolve the issue within seven (7) calendar days of the Invoice's receipt.
9. Member agrees to accept shipments of products or delivery of services ordered from ACS in accordance with Invoice and communicate with ACS regarding receipt and condition.
10. Member is responsible for notifying ACS, in a timely manner, of any substantial problems in quality of Services provided.
11. Member warrants that all payments, or other disbursements required under this Agreement will be made from current revenues budgeted and available to Member.

IV. MUTUAL UNDERSTANDINGS

1. The intent of this Agreement is, in part, to help facilitate Member's compliance with state bidding requirements, to identify qualified vendors of certain public safety-related commodities, goods and services, to relieve the burdens of the governmental purchasing and other functions, and to realize the various potential economies, including discount cost savings, for Member.
2. ACS will help Community Members maintain, improve and expand the types and availability of Services through shared education and advocacy to gain new community participation in current Services, as well as, ongoing initiatives that support goals for multi-regional response and recovery Services, that can include any recognized and supporting community inside or outside the State.
3. It is acknowledged that many of the goods and services provided through ACS represent a blend of patented, sole-source and commercially-available Services and that the commercially-available Services have been selected by ACS Members, at large, based on their proven ability to integrate with one or more of the existing patented, sole-source technologies, as well as, the demonstrated benefit for inter-agency cross-community sharing and on their overall cost-effectiveness.
4. Any technologies recommended or requested by Member, that are not already provided through ACS Services, will require participation on part of the Member to help evaluate, including any competition between vendors, to become Technology Members of ACS. Competition for new vendor solutions or services conducted by Member in support of ACS, shall comply with the State Procurement Policy.
5. Most Services will include documentation and proven practices developed in coordination with vendors and other community members of ACS and as such, Member acknowledges that the work provided to Member by ACS will benefit from lessons learned with other Members and, as such, will also be used to update the knowledge-base of ACS, to benefit future projects of the membership.
6. It is recognized that if Services requested are related to construction or renovation, then as allowed by the Act; 1) the project is either below the \$50,000 limit, or 2) the project does not require architectural or engineering plans and specifications, or 3) the project plans and specifications have or will be obtained separately from this Agreement.
7. It is understood that none of the Services offered or typically provided by ACS will require either architectural or engineering plans and specifications. However, should Member designate and provide access to such engineering plans and specifications in advance of the quote, ACS can work with vendors for both Parties to meet those requirements.
8. ACS maintains an escrow account and payment process specifically for projects scheduled to last longer than four (4) months in duration and where the total project Invoice exceeds \$250,000, of which more than \$100,000 will not be spent until after the fourth month. After the initial Notice to Proceed, subsequent payments will require Member and ACS approval to release subsequent funds from the escrow account.
9. Should Member wish to participate in ACS Services to utilize ACS grant funding for projects, an additional fee will apply to manage the grant process and the Member may be requested to provide a designated participant as part of an ACS project team and help fulfill the tasks required to plan, prepare and gather resources needed for grant submittal. If the grant requires match funding,

Member will be required to provide that payment to ACS per the terms above, prior to project initiation.

10. Agreement Term. This Agreement will be for one year, which shall run from Jan 1 through December 31 of each year (“Subscription Period”) and will become effective upon approval by both Member’s governing body and ACS. This Agreement shall automatically renew for successive one-year terms, unless terminated sooner as provided below. The terms and conditions of this Agreement shall apply to the initial term and all renewals, unless the terms and conditions are modified and approved in writing by both Parties.
11. Annual Payments. The payment of annual Services is due to ACS not later than a minimum of 30 days prior to the end of the annual Subscription Period (e.g. before December 1st of each year), as defined on the ACS Invoice.
12. Termination. This Agreement shall continue as long as Member is using or wants to use Services. Otherwise, either party may terminate this Agreement, providing the other Party with at least thirty (30) days written notice in advance of the end of the Subscription Period, with or without cause, which will terminate all associated Services. If Member terminates its participation during the term of this Agreement or if ACS terminates participation of Member under any provision of this Article, Member will bear the full financial responsibility for any purchases, requests for Services or financial commitments made by Member prior to or after the termination date.
13. Conflict. For any conflicts that arise between Agreement, Invoice, other contracts, other interlocal agreements, or external covenants involving ACS Services, whether directly or indirectly provided to Member, Agreement will prevail.
14. Amendment. During the initial and any subsequent terms of this Agreement, if certain areas need further clarification or revision, the Parties will work in good faith to arrive at written memorandums of understandings regarding those areas. Any amendment of this Agreement must be in writing and executed by a duly authorized representative of each Party.
15. Notice. Official notices or correspondence pertaining to this Agreement to either Party from the other may be personally delivered, emailed with read receipt requested or sent by either First Class Mail or another reliable courier, with signature required.

If sent by email, it shall be the responsibility of the emailing Party to confirm receipt of the Notice with the other.

Notice to ACS shall be sent to:
ACS Chairman
19953 W 162nd Street
Olathe, KS 66062
Email: Chairman@YourACS.org

Notice to Member shall be sent to:
City Manager
400 W. King Ave.
Kingsville, TX 78363
Email: [kdavis@Kingsville-](mailto:kdavis@Kingsville-tx.org)
rgjarza@cityofkingsville.com

16. Assignment. This Agreement and the rights and obligations contained herein may not be assigned by either Party without the prior written approval of the other Party to this Agreement. Member may authorize the usage of Member purchased Services by another entity recognized under ACS bylaws.

17. Force Majeure. To the extent that either Party shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such Party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the Party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed; provided, however, force majeure shall not excuse an obligation solely to pay funds.
18. Not a Joint Venture. The Parties agree that this is not a joint venture or partnership and that neither Party will have the authority to bind or incur liability for the other.
19. Severability. No partial invalidity of this Agreement shall affect the remainder of the Agreement.
20. Governing Law. The laws of the State of Texas shall govern this Agreement, except where clearly superseded by federal law.
21. Venue. Venue of any dispute arising out of this Agreement or performance hereunder shall be fixed for all purposes in Kleberg County, Texas.
22. Authorization. The persons executing this Agreement hereby represent and affirm that they have the authorization to sign on behalf of their respective entities.
23. Entire Agreement. This Agreement contains the entire agreement of the Parties and supersedes all other agreements and understandings, oral or written, with respect to the matters contained herein.

The persons executing this Agreement hereby represent that they have authorization to sign on behalf of their respective entities. This Agreement becomes effective as of the last signature date given below.

BY ACS:

BY MEMBER:

 10/31/18

Joe G. Abrams, Chairman Date

Sam Fugate, Mayor Date

AGENDA ITEM #25

City of Kingsville Fire Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief

DATE: November 13th, 2018

SUBJECT: Fire House Sub Grant – Replacement of Rescue Extrication Tools

Summary:

The Kingsville Fire Department is requesting approval to apply for a Fire House Subs Grant, which if awarded will assist in replacing the department's outdated rescue extrication tools. The total grant request is for \$32,298.51 with no cost share.

Background:

An assessment of our current rescue extrication tools revealed a need to update our extrication equipment. Updated extrication tools are better suited to utilize on the advancements of new vehicle construction and modern technology such as boron and martensite. Also, newer tools are lighter and not tethered to a hydraulic plant, which can create the potential for fire fighter injury due the weight. By updating this equipment, we will continue insure the safety of our firefighters working around motor vehicle accidents.

Lastly, if awarded this grant it would allow us to provide the most effective response to our Kingsville residents and insure the safety of our fire fighters that serve our Kingsville community.

Financial Impact:

If awarded the Fire House Grant will cover cost of equipment in its entirety (\$32,298.51) with no cost share required. No additional financial impact.

Recommendation:

The following grant request supports the goals set by the Kingsville Fire Department to insure the safety and continued operational effectiveness of our department. Our recommendation is that the Commission approve the request to apply for the Fire House Sub Grant.





GRANT APPLICATION

APPLICANT AND DEPARTMENT INFORMATION

Information

Please complete all fields on the form.

First Name Kevin
Last Name Speaker
Title/Position Firefighter

Organization/Department (this must be your organization's official name) Kingsville Fire Department

Department Tax ID # XXXXXXXXXX (xx-xxxxxxx)

Mailing Address 1 PO BOX 1458

Mailing Address 2

City KINGSVILLE

State Texas ▼

Zip 78364

Same as above ☐

Shipping Address (Required even if same as above) 119 N 10TH ST

Shipping Address 2

Shipping City KINGSVILLE

Shipping State Texas ✓

Shipping Zip 78363

Organization Phone Number 361-592-6445 (xxx-xxx-xxxx)

Organization Phone Ext 5520

Alternate Contact Name Adrian Garcia
(Must be different from applicant name)

Alternate Contact Phone Number 361-219-8300 (xxx-xxx-xxxx)
(Must be different from applicant phone number)

Alternate Contact Ext

Alternate Contact Email Address Agarcia@cityofkingsville.com
(Must be different from applicant email)

Communities Served Kingsville, TX

Population 27000

Number of Runs/Calls for Service Per Year 3609
(for fire, EMS and police only)

Local Approval Pre-Qualifications

(Select the option that applies to your department/organization)

- ☒ As required by our community, this request has been presented and approved by our local government as part of our process when applying for external funding.
- ☐ Our jurisdiction requires approval from local officials once the award is granted.
- ☐ Our jurisdiction does not require pre-approval from local officials.

» NEXT



GRANT APPLICATION

REQUIRED DOCUMENTS

Attachments must be in the form of Word document, PDF, JPEG or Excel file (.doc, .pdf, .jpeg or .xlsx)

Background/History

Brief history of your department or organization, and how this grant will benefit your community. If there are multiple documents, they must be combined into one PDF document. Please note, file size cannot exceed 20 MB.

UPLOAD FILE Kingsville Hist.pdf

Information

The first four documents are required to complete the application.

If you need to replace an uploaded file, click the upload file button and choose the updated attachment you would like to upload. This will automatically delete the previous file and replace it with your new attachment.

Vendor Equipment Quote

Online quotes will not be accepted.

NOTE: Our organization accepts one vendor quote per application, multiple quotes will not be accepted. You must provide an official vendor quote with the following information for your grant request to be considered. Submitted quotes **MUST** meet the requirements below, please read carefully

- Only one vendor quote can be submitted, our organization no longer accepts multiple quotes. If more than one quote is submitted, your application will be marked incomplete
- Online quotes will not be accepted
- Must be dated within six months of the application deadline
- Vendor sales representative first and last name & email address must be included
- The name & physical address of your organization, and a contact person from your organization must be included
- Must contain *only* the item(s) pertaining to your grant request
- The total dollar amount and equipment quantities in the vendor quote **MUST MATCH** the total that your department is requesting
- Include sales tax if applicable and an estimated freight charge if applicable
- The cost of maintenance plans and extended warranties are not permissible
- Firehouse Subs Public Safety Foundation will not be responsible for restocking fees or costs related to errors within your quote
- Firehouse Subs Public Safety Foundation will not be responsible for additional shipping costs or tax not included in the submitted quote

NOTE: When requesting a quote from a vendor, we highly recommend sharing our quote requirements with the sales representative and making them aware the quote is for a Firehouse Subs Public Safety Foundation grant application.

UPLOAD FILE Kingaville fire dept quot hurst.pdf

Most recent financial information

If there are multiple documents, they must be combined into one PDF document. Please note, file size cannot exceed 20 MB.

Your financials must be no more than two years old, and meet the requirements below. One of the following options must be submitted.

- A recent - within one month - Balance Sheet which consists of Assets and Liabilities
- A recent - within one month - Profit & Loss Statement also called an Income Statement
- A current year annual budget showing projected income and expenses
- A previous year audit or 990

NOTE: Financials must show revenue and expenses.

UPLOAD FILE cityofkingsville_2018-05-31_14-03-43 final.pdf

Equipment Inventory

If there are multiple documents, they must be combined into one PDF document. Please note, file size cannot exceed 20 MB.

Please include a list of apparatus such as vehicles and other major equipment. The lists we receive vary in length depending on the size of the department.

UPLOAD FILE KFD Heavy Equip List - Sheet1.pdf

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Historic Kingsville is located near the Texas Gulf of Mexico about 35 miles southwest of Corpus Christi, Texas. Kingsville is the seat of Kleberg County. It encompasses 14 square miles with a population of approximately 27,000 residents. The daily population increases by as much as 12,000 from people who commute to Kingsville to work or to go to school, and to as much as 75,000 due to surrounding towns/county for municipal/commerce functions. The city is surrounded by large agricultural farms and ranches. Kingsville is the home of the world-famous King Ranch. Kingsville is a tourist attraction for its rich history of the Old West. Since July 4, 1942, Kingsville has been home to the Training Air Wing 2, Naval Air Station, Kingsville Texas, which is seated on the eastern city limits. Texas A&M University Kingsville is located on the City's west side. This beautiful University has a chemical and electrical engineering department that attracts students from all over the world. The exact date that the Kingsville Fire Department (KFD) came into existence is sketchy, but its beginnings are not too long after the founding of the city of Kingsville in 1913. Like most departments in the U.S., the KFD started as a volunteer outfit that gradually shifted to a paid/career service as the needs of the city evolved. The KFD consists of 31 personnel with 2 fire stations. The KFD provides fire suppression, fire prevention and inspection, rescue services, operations level hazmat response and emergency medical transport with MICU/ALS capability. The KFD has a long-standing commitment to protecting its citizens as well as providing mutual aid to neighboring jurisdictions. The KFD has multiple formal mutual aid agreements with neighboring fire departments that can provide services to an additional 30,000 residents in an area of 871 square miles. KFD is also proud to serve in the biennial Wings over South Texas Air Show that features the Famous Blue Angels flight demonstration Team.



MES - Texas
600 Century Plaza Dr.
Suite C-160
Houston, TX 77073

Quote

Date 10/5/2018
Quote # QT1209913
Expires 11/4/2018
Sales Rep Guzman, Patrick L
PO #
Shipping Method FedEx Ground

Bill To
KINGSVILLE FIRE DEPT
P.O. BOX 1458
KINGSVILLE TX 78364
United States

Ship To
KINGSVILLE FIRE DEPARTMENT
119 N 10TH STREET
KINGSVILLE TX 78363
United States

Item #	Alt Item #	Unit	Description	Qty	Unit Price	Amount
271555000			SP 555E2 Spreader Package w/ charger and 2 EXL batteries	1	11,360.54	11,360.54
274085000			R 421E2 Ram Package (includes R 421E2 Ram, charger, and 2 EXL batteries)	1	7,949.31	7,949.31
272788000			S 788E2 Package (includes S 788E2, charger, and 2 EXL batteries)	1	10,189.85	10,189.85
PPS788E2			Horizontal Mounting Bracket for S788E2 Cutter	1	247.52	247.52
PPR421E2			Horizontal Bracket for R421E2 Ram	1	247.52	247.52
PPSP555			Horizontal Mounting Bracket for SP555 spreader	1	234.53	234.53
PPHUR-CHG-BKT			Bracket for Hurst eDraulic battery charger (Wall or Flat Mountable)	3	75.00	225.00
272085410			Hurst EXL eDRAULIC Battery	3	548.08	1,644.24

Subtotal 32,098.51
Shipping Cost (FedEx Ground) 200.00
Total \$32,298.51

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1209913

Vehicle Designation	Make	Model	Year	Location
Engine 1	Navstar International / Pierce	4900 4x2		1999 Station 1
Engine 2	Spartan	ISL		2016 Station 2
Tower 1	Spartan	Gladiator		2008 Station 1
Rescue 1	Ford	F550 XL Superduty		2011 Station 1
Brush 1	Ford	F550 XL Superduty		2004 Station 1
Brush 2	Stewart Stevenson	M1078		1998 Station 1
Kubota 1	Kubota			2008 Station 1
Boat 1				Station 1
Emergency Response Trailer				Station 1
ERT Truck 1	Ford	F350		2015 Station 1
Medic 1	Ford	F450		2016 Station 1
Medic 2	GM	G33503		2007 Station 2
Medic 3	GM	G33503		2007 Station 1
100	Chevrolet	Tahoe		2016 Station 1
FM 1	Ford	F150		2014 Station 1
Not able to be used for service				
Training Engine 1	Navstar International / Pierce			1985 Station 1



GRANT APPLICATION

APPLICATION REQUEST INFORMATION

Please select the type of grant you are requesting:

- ☒ Equipment Donation/Prevention Education Items
- ☐ Scholarships/Continuing Education
- Please note, our Foundation only reviews scholarship/continuing education grants connected with accredited schools
- For all-terrain wheelchair grant applications, email foundation@firehousesubs.com (<mailto:foundation@firehousesubs.com>) to request a paper all-terrain wheelchair grant application, please title the email All-Terrain Wheelchair Grant Request

The Foundation will determine the procurement method if your grant is approved. The equipment purchase will be implemented in one of two ways:

1) The Foundation Team will purchase the requested equipment on your behalf, and the vendor will ship it directly to your organization. Upon delivery, you must email a signed & dated copy of the packing slip to the Foundation.

OR

2) You will receive a Memo of Understanding from the Foundation. Once it is signed by both parties, you will receive a check to make your purchase according to the vendor quote. After you receive your equipment, you must email signed and dated copies of all invoices to the Foundation within one week of delivery.

What Equipment are you requesting? Please include the quantity of each item.

Electric Spreader type SP 555E2 package with batteries -1, Electric Ram type R 421E2 package with batteries - 1, Electric Spreader type S788E2 -1, Mounting brackets for each package-1 of each, bracket for battery charger-3, extra batteries-3

Limit 300 characters

Vendor company name Municipal Emergency Servi

Sales representative first and last name Patrick Guzman

Sales representative email address pguzman@mesfire.com

What is the TOTAL cost of the equipment? (including sales tax and shipping,
where applicable)

32298.51

☐ I understand that in order to be considered for funding, the total dollar amount and
equipment quantities listed on the submitted quote must match the total above.

Has your department applied for this specific request in the past and been denied?
☐ Yes ☒ No

If yes, how many times, prior to this application, has this request been submitted?
0

Briefly explain how the equipment will benefit your community and your department.

KFD owns 1 set of hydraulic rescue tools, located on the Rescue 1 vehicle.
Engine 2 has 1 combination hydraulic tool. None of the current tools are able
to complete rescues in the new vehicles that utilize some of the new alloys
that vehicles are made out of today. The current rescue tools are also bulky
and limited in use due to the need for the hydraulic power supply needed to
power them. E-hydraulic tools will allow for faster, more effective
breakthroughs with more mobility.

Limit 500 characters

This would have a direct impact on more than 0 children in our community.

(For prevention education items)

This would have a direct impact on more than 0 senior citizens in our community.

(For prevention education items)

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GRANT APPLICATION

COMMUNITY IMPACT

Have you unsuccessfully reached out to the city for funds to purchase the equipment?

Yes

Was there a particular instance where a life would have been positively impacted if you would have had the equipment available?

Yes

What positive effects will the equipment specifically have? Please use statistics when possible.

Current hydraulic rescue tools are not able to enter a fire scene due to the limitation of their hydraulic lines. E-tools would allow firefighters to make faster, safer entry into structures. E-tools do not have a time delay when being utilized, thus can decrease strain on the firefighter utilizing them and decrease rescue times/time to patient access. Current hydraulic tools are out dated and not designed to handle the new car designs and materials. New E-tools will allow the fire/rescue teams to effectively help all within the service

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GRANT APPLICATION

FIREHOUSE SUBS RELATIONSHIP

Address of Firehouse Subs location nearest you:

6418 S Staples St #140, Corpus Christi, TX 78413

Information

Please answer the questions with as much detail as possible.

How far is this location from your department? 38 Miles

How did you hear about our organization?

Advertisement at local restaurant

Has your department received funding from Firehouse Subs Public Safety Foundation in the past two years? This information will be verified, if submitted incorrectly it will result in an automatic denial.

☐ Yes ☒ No

It is strongly recommended and greatly appreciated that your organization acknowledges the donation by displaying our Foundation logo on donated items/equipment whenever possible. Please note that the artwork will need to be approved by our Foundation team before being displayed.

If approved for funding we may facilitate a media presentation/press event at a local Firehouse Subs restaurant to demonstrate the equipment and acknowledge the donation. It may take up to a year depending on location and donation delivery time frame. In the meantime, we ask that any immediate media announcements regarding the grant award be approved by the Foundation.

By applying, you grant Firehouse Subs Public Safety Foundation (the "Foundation") permission to use your organization's name and identifying trademarks in connection with this application and in connection with the Foundation's solicitations for support.

KDS

Initial Acceptance

PIO (Public Information Officer) Name: Adrian Garcia
(If you do not have a PIO, please list a contact for event planning and publicity. This individual will need to be readily available by email and phone.)

PIO Email: Agarcia@cityofkingsville.co

PIO Phone Number: 361-219-8300 (xxx-xxx-xxxx)

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GRANT APPLICATION

FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION PRINT/VIDEO RELEASE

Applicant First and Last
Name:

Applicant Organization:

Date: 10/31/2018

The undersigned representing the organization listed above, and its members, hereby grants Firehouse Subs Public Safety Foundation, Firehouse Restaurant Group, Inc. (including its subsidiaries and affiliates) and its officers, directors, nominees, designees, successors, and assigns (hereinafter called "Producer"), permission to use, sell, assign, convey, reproduce, copyright, and publish images or visual likeness, names, and/or voices ("Personal Information") in any motion picture, videotape, photograph, sound or other recording, and/or other media for commercial, informational, educational, advertising, or promotional purposes.

I hereby waive any right that I may have to inspect or approve the finished product or the advertising copy which may be used in connection therewith, or the use to which it may be applied.

I hereby release, discharge, and agree to hold harmless Producer from any liability of any nature or description by virtue of any use whatsoever of my Personal Information, whether intentional or otherwise, including but not limited to any change that may occur or be produced in the taking of said pictures or images or in the recording of any sound, or in any processing in connection with the completion of the finished product.

☐ I Accept the Terms of the Agreement

« BACK » SUBMIT

Information

Please enter your full name and organization, check the Acceptance box, then click Next to submit your application.

RESOLUTION # 2018-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE FIRE HOUSE SUBS GRANT REQUESTING GRANT FUNDING FOR EXTRICATION TOOLS ON BEHALF OF THE KINGSVILLE FIRE DEPARTMENT WITH NO ANTICIPATED CASH MATCH.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Fire Department participate in an application for grant monies from the Fire House Subs Grant for extrication tools; and

WHEREAS, the new extrication tools would replace the existing tools as the new tools are better suited to utilize on new vehicle advancements in construction and materials as well as being lighter which provides safer working conditions for firefighters; and

WHEREAS, the Fire House Subs Grant has no cash match if approved; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the Fire Chief to submit the grant and administer the grant and necessary paperwork if the grant is awarded to the City;

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

I.

THAT the City Commission approves the submission of a grant application to the Fire House Subs Grant for extrication tools on behalf of the City of Kingsville Fire Department, with no anticipated cash match.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #26

**City of Kingsville
Fire Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief

DATE: November 13th, 2018

SUBJECT: CBRAC Hospital Preparedness Program MOA

Summary:

The Kingsville Fire Department (KFD) is requesting to enter into an agreement between Coastal Bend Regional Advisory Council (CBRAC) and the City of Kingsville Fire Department (KFD) for the purposes of allowing us to be eligible for pre-hospital care grants that accessible through the Hospital Preparedness Program and continue to allow us to be members of the Health Care Coalition (HCC).

Background:

The agreement will allow the KFD to obtain pre-hospital care equipment and remain a member of the HCC, allowing us the opportunity to give input from the pre-hospital care perspective and voice concerns, when necessary.

Financial Impact:

No financial impact.

Recommendation:

Our recommendation is that the Commission enter into an agreement with the CBRAC, specifically, the HPP.



RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE FIRE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR HOSPITAL PREPAREDNESS PROGRAM BETWEEN COASTAL BEND REGIONAL ADVISORY COUNCIL AND THE CITY OF KINGSVILLE-FIRE DEPARTMENT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville promotes the safety, health and general well-being of the community and works with other local and state agencies to provide exceptional service to its citizens;

WHEREAS, the Coastal Bend Regional Advisory Council (CBRAC) Trauma Service Area (TSA-U) has sent over an Memorandum of Understanding (MOU) for Hospital Preparedness Program (HPP) and requests the City's Fire Department, who is the primary EMS provider within the City, to participate;

WHEREAS, the US Department of Health & Human Services (HHS) provides funding for community preparedness and hospital preparedness and funding from that agency is awarded via two separate but interrelated cooperative agreements and participation in this MOU would enhance the City's chances for funding and equipment;

WHEREAS, the HHS funds are provided to the Texas Department of State Health Services in Trauma Service Areas and the state agency has contracted with the CBRAC for the implementation of health care initiatives, but the City must approve the MOU to be eligible for grant fund participation.

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

I.

THAT the Fire Chief is authorized and directed as an act of the City of Kingsville, Texas to enter into a Memorandum of Understanding for Hospital Preparedness Program between the Coastal Bend Regional Advisory Council and the City of Kingsville, 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
_____ 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



**Coastal Bend Regional Advisory Council
(CBRAC)
Trauma Service Area U (TSA-U)**

P.O. Box 18460, Corpus Christi, TX, 78480

361-939-7177 phone 361-939-7117 fax

www.cbrac.org



**Coastal Bend Regional Advisory Council (CBRAC)
Hospital Preparedness Program (HPP)
Memorandum of Agreement**

Background

The US Department of Health & Human Services (HHS) provides funding for community preparedness and hospital preparedness. The HHS funding is awarded via two separate but interrelated cooperative agreements. HHS Centers for Disease Control and Prevention (CDC) provides funds for strengthening public health preparedness to address bioterrorism, outbreaks of infectious diseases and public health emergencies. This funding stream focuses on the critical tasks necessary for the public health community to prepare for and respond to a terrorist event or other public health emergencies, emphasizing integrated response systems. The ability to quickly and effectively distribute preventive medication in affected areas is one of the nation's top priorities to be addressed by these funds.

Hospital Preparedness Program (HPP) – The HHS Office of the Assistant Secretary for Preparedness and Response (OASPR) provides funds for states to develop hospital response capability (for responding to All Hazards Events), through the HPP. This program includes the identification of available hospital beds, development of a regional healthcare coalition for preparedness, development of an advance registration system for identifying additional healthcare personnel, development of a healthcare recovery system, planning for mass fatalities, evaluation and strengthening of plans into local and regional plans, development of surge capacity, incident information sharing, and responder health and safety. Healthcare facilities and healthcare delivery systems play a critical role in both identifying and responding to any potential natural disaster, terrorism attack or infectious disease outbreak.

To accomplish these goals, HHS has developed Healthcare Capabilities. These capabilities describe demonstrable criteria that must be achieved as a condition of accepting OASPR HPP funds.

The funding is provided to the Texas Department of State Health Services (DSHS). For preparedness efforts in the Trauma Service Areas (TSA-U, -T and -V). DSHS has contracted with the Coastal Bend Regional Advisory Council, hereinafter referred to as CBRAC for the implementation of the four (4) Healthcare Capabilities of the OASPR HPP.

PURPOSE

The purpose of this agreement between the Coastal Bend Regional Advisory Council (CBRAC) – as the DSHS subcontractor – and the City of Kingsville, Texas-Fire Department, is to outline the responsibilities of each party. As a condition of grant funds participation, the Health Care Coalition (HCC) member agrees to:

1. Work to achieve Healthcare Preparedness Capabilities and performance measures.
2. Maintain minimum levels of readiness.
3. Participate in planning and exercises.
4. Monitor progress for each capability as described by OASPR Texas Hospital Preparedness Program.

A summary of the capabilities pertaining to healthcare facilities is shown in the Conditions section of this agreement. The full listing of the capabilities and DSHS annual requirements as described in the HPP Grant Year Work Plan is available upon request.

CONDITIONS

The Coastal Bend Regional Advisory Council (CBRAC), TSA-U, administers the HPP funds as a contractor of DSHS. As a contractual requirement for the HPP Work Plan, a Healthcare Coalition (HCC) must be created and consist of healthcare facilities/providers in each TSA area, TSA-T, TSA-U and TSA-V. Examples of membership include but are not limited to, EMS providers, Emergency Management/Public Safety, Public Health Department, long term care providers, mental/behavioral health providers, private entities associated with healthcare (e.g. hospital associations) specialty service providers (e.g. dialysis, pediatrics, women's health, stand-alone surgery, urgent care), support service providers (e.g. laboratories, pharmacies, blood banks, poison control), primary care providers, community health centers, tribal healthcare and federal entities, representatives of Emergency Medical Services, as well as other interested agencies and individuals.

HCC Members agree to participate in all actual emergency response activities in the region.

HCC Members agree to comply with the CBRAC procurement process outlined in the DSHS Contractors Financial Procedures Manual and understand that HCC expenditure decisions are developed on a consensus basis to address required HPP capabilities and related goals. A summary of both parties' responsibilities follows:

CBRAC Responsibilities:

- CBRAC shall perform activities in support of the Department of State Health Services (DSHS) Cooperative Agreement (CA) from the ASPR Healthcare

Preparedness Program and Centers for Disease Control and Prevention (CDC) FFY18 Cooperative Agreements.

- CBRAC shall provide services in the following counties: Aransas, Bee, Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, Refugio, San Patricio, Starr, Webb, Willacy, and Zapata.
- CBRAC in its role as regional Hospital Preparedness Program implementation contractor, shall administer the available federal HPP services funds as specified in this Cooperative Agreement, lead the efforts to establish and implement regional Healthcare Coalitions and assist DSHS HPP in the administration, planning and evaluation of services.
 - If available, distribute equipment, supplies and services to participating members according to the HPP distribution/work plan in support of and in compliance with the OASPR guidelines.
 - Ensure compliance with the DSHS HPP contract, including monitoring of the progress of required capabilities.
 - Provide administrative support to the HPP main meetings and HPP workgroups.
 - Represent the HPP in the DDC, EOC, RHMO or MACC. In planning for exercises, and other pertinent meetings on an “as needed” basis.
 - Report periodically to member hospital/facility senior leadership on the status of reaching benchmark metrics.
- CBRAC staff shall enhance the ability of participating hospitals and healthcare organizations to improve healthcare surge capacity and enhance community and hospital preparedness for public health emergencies by conducting activities at the local/regional level related to Healthcare Preparedness Capabilities designated by the ASPR HPP FY18 Cooperative Agreements.
- CBRAC staff shall represent HPP HCC members at multi-jurisdictional planning meetings that address public health and medical service issues.
- CBRAC cannot require HPP HCC members to pay a “membership fee” as a condition of receiving HPP funds or as a means of recovering HPP related costs.
- CBRAC in TSA –T, U & V staff shall conduct and facilitate the local/regional HPP HCC meetings and provide materials as needed in each respective area.
- All CBRAC staff shall comply with all applicable federal and state laws, rules, regulations, standards and guidelines including, but not limited to, the following:

The Hospital Preparedness Program (HPP) and Public Health Emergency Preparedness (PHEP) Cooperative Agreement, Department of Health and Human Services, Office of Assistant Secretary for Preparedness and Response (ASPR) and Centers for Disease Control and Prevention (CDC);

2017 – 2022 Health Care Preparedness and Response Capabilities, Office of the Assistant Secretary for Preparedness and Response, November 2016.
<https://www.phe.gov/Preparedness/planning/hpp/reports/Documents/2017-2022-healthcare-pr-capabilities.pdf>

National Response Framework located at
<http://www.fema.gov/pdf/emergency/nrf/nrf-core.pdf>

State of Texas Emergency Management Plan, Annexes and Appendices located at: <http://www.txdps.state.tx.us/dem/downloadableforms.htm>

Texas Homeland Security Strategic Plan located at:
<https://www.preparingtexas.org/Resources/documents/Texas%20HS%20Strategic%20Plan%202015-2020.pdf>

Medical Surge Capacity and Capability (MSCC) A Management System for Integrating Medical and Health Resources during Large-Scale Emergencies, The CNA Corporation, September 2007 or latest version located at:

<http://www.phe.gov/preparedness/planning/mscc/handbook/pages/default.aspx>

OSHA Best Practices for Hospital-Based First Receivers of Victims from Mass Casualty Incidents involving the Release of Hazardous Substances. Located at:

http://www.osha.gov/dts/osta/bestpractices/html/hospital_firstreceivers.html

Most current Texas Statewide Communications Interoperability Plan located at:
<http://www.dps.texas.gov/LawEnforcementSupport/communications/interop/txicc/scip.htm>

Licensing Of Wholesale Distributors Of Prescription Drugs -Including Good Manufacturing *Practices* (25 Texas Administrative Code, §§229.419 – 229.430):

<http://www.dshs.state.tx.us/dmd/>

- CBRAC staff shall develop, implement, and maintain a system for accurately tracking expenditures by participating hospitals, healthcare entities, or any other entities that receive funds, reimbursement, equipment, or supplies purchased with HPP funds.

- CBRAC staff, as part of the regional HPP Healthcare Coalition Development, shall coordinate activities and healthcare systems preparedness response plans within each TSA regional safety/emergency response agencies, hospitals, and other healthcare providers, community health centers, long-term care providers, local health departments, DSHS Health Service Region staff, and Councils of Government (COG), Emergency Medical Services (EMS) providers mental/behavioral health providers, private entities associated with healthcare, specialty service providers, support service providers, primary care providers, Tribal Healthcare, and federal entities, etc. This coordination shall be conducted in accordance with the ASPR FFY18 HPP Cooperative Agreement, and the tiered response outlined in the MSCC Management System handbook. Regional HPP Healthcare /Coalitions must include other emergency response partners at meetings during which allocation of HPP funds are discussed and when the tiered hospital response system is addressed.
- CBRAC staff must ensure that all HPP participating hospitals and health care facilities participate in at least one regional or statewide HSEEP-based functional or full-scale exercise during the five-year project period (SFY 17 – healthcare SFY 22) and test all of the preparedness capabilities. All other HPP funded exercises shall test, as a minimum, components of Capability 2: Health Care and Medical Response Coordination; Objective 2: Utilize Information Sharing Procedures and Platforms; Activity 1: Develop Information Sharing Procedures and Objective 3: Coordinate Response Strategy, Resources, and Communications: Activity 1: Identify and Coordinate Resource Needs during an Emergency. Also during this exercise, at least one healthcare preparedness capability must be tested.
- CBRAC staff shall also participate in statewide exercises planned by DSHS or other state and federal agencies, as needed, to assess the response capacity and capability of the regional HPP to respond to a terrorism event, outbreak of infectious disease, and other public health threats and emergencies.
- CBRAC staff shall prepare and submit to DSHS Homeland Security Exercise and Evaluation Program (HSEEP) compliant exercise after-action reports and improvement plans that document required corrective actions for identified gaps or weaknesses in hospital preparedness plans within ninety (90) days of the exercise.
- CBRAC staff will be required to provide DSHS situational awareness during drills, emergencies and disasters that are related to healthcare preparedness in their assigned TSA region.
- CBRAC staff shall allow DSHS to conduct on-site quality assurance reviews of Contractor and participating hospitals/healthcare facilities and medical service providers as deemed necessary by DSHS. Contractor shall require access for

DSHS and federal personnel for monitoring purposes in its agreements with the hospitals/facilities.

- CBRAC staff shall monitor all subcontractors, including participating hospitals/healthcare facilities and medical service providers and ensure that they are tracking, and have an inventory system for all HPP funded equipment.

Participating Healthcare Facility Responsibilities:

1. Designate - Healthcare Preparedness Coalition Committee Representative per agency.
2. Representative or designee will attend at least 75% of regularly scheduled meetings of CBHCPC, or TSA-T and TSA-V, Healthcare Preparedness Coalition Committee, and be responsible for participation in committee discussions and disseminating HPP information and actions to the facility they represent.
3. Education and Preparedness Training: The Healthcare Coalition Member will continue to participate in education and preparedness training opportunities and programs for healthcare personnel, both pre-hospital and hospital based, that will respond to an incident or emergency in accordance with the healthcare preparedness capabilities noted below. Training and education should be linked to exercises/drills.
4. Exercises, Evaluations, and Corrective Actions: The Healthcare Coalition Member will continue to participate in drills, exercises, and responses in conjunction and collaboration with local, regional, State, and Federal partners. Exercises should address the capabilities listed below and should address special need population's requirements. Evaluations (after action reviews) will be completed after each exercise and corrective action implemented as a result of the evaluations.
5. Addressing the Needs of "At Risk" Populations: Capabilities will be addressed in such a way that the needs of "at risk" patient populations are accounted for in planning. "At Risk" populations are defined as children, pregnant women, senior citizens, and other individuals that have special needs to include those with chemical dependency and mental health issues.

The Four Health Care Preparedness and Response Capabilities are:

Capability 1: Foundation for Health Care and Medical Readiness

Goal of Capability 1: The community's health care organizations and other stakeholders—coordinated through a sustainable HCC—have strong relationships, identify hazards and risks, and prioritize and address gaps through planning, training, exercising, and managing resources.

Capability 2: Health Care and Medical Response Coordination

Goal of Capability 2: Health care organizations, the HCC, their jurisdiction(s), and the ESF-8 lead agency plan and collaborate to share and analyze information, manage and share resources, and coordinate strategies to deliver medical care to all populations during emergencies and planned events.

Capability 3: Continuity of Health Care Service Delivery

Goal of Capability 3: Health care organizations, with support from the HCC and the ESF-8 lead agency, provide uninterrupted, optimal medical care to all populations in the face of damaged or disabled health care infrastructure. Health care workers are well-trained, well-educated, and well-equipped to care for patients during emergencies. Simultaneous response and recovery operations result in a return to normal or, ideally, improved operations.

Capability 4: Medical Surge

Goal of Capability 4: Health care organizations—including hospitals, EMS, and out-of-hospital providers—deliver timely and efficient care to their patients even when the demand for health care services exceeds available supply. The HCC, in collaboration with the ESF-8 lead agency, coordinates information and available resources for its members to maintain conventional surge response. When an emergency overwhelms the HCC's collective resources, the HCC supports the health care delivery system's transition to contingency and crisis surge response and promotes a timely return to conventional standards of care as soon as possible.

2017-2022 Health Care Preparedness and Response Capabilities
Summary of Capabilities followed by Objectives and Activities

Capability 1: Foundation for Health care and Medical Readiness

- O1) Establish and Operationalize a Health Care Coalition.
 - A1) Define Health Care Coalition Boundaries
 - A2) Identify Health Care Coalition Members
 - A3) Establish Health Care Coalition Governance
- O2) Identify Risk and Needs
 - A1) Assess Hazard Vulnerabilities and Risks
 - A2) Assess Regional Health Care Resources
 - A3) Prioritize Resource Gaps and Mitigation Strategies
 - A4) Assess Community Planning for Children, Pregnant Women, Seniors, Individuals with Access and Functional Needs, Including People with Disabilities, and Others with Unique Needs
 - A5) Assess and Identify Regulatory Compliance Requirements
- O3) Develop a Health Care Coalition Preparedness Plan

- O4) Train and Prepare the Health Care and Medical Workforce
 - A1) Promote Role-Appropriate National Incident Management System Implementation
 - A2) Educate and Train on Identified Preparedness and Response Gaps
 - A3) Plan and Conduct Coordinated Exercises with Health Care Coalition Members and Other Response Organizations
 - A4) Align Exercises with Federal Standards and Facility Regulatory and Accreditation Requirements
 - A5) Evaluate Exercises and Responses to Emergencies
 - A6) Share Leading Practices and Lessons Learned
- O5) Ensure Preparedness is Sustainable
 - A1) Promote the Value of Health Care and Medical Readiness
 - A2) Engage Health Care Executives
 - A3) Engage Clinicians
 - A4) Engage Community Leaders
 - A5) Promote Sustainability of Health Care Coalitions

Capability 2: Health Care and Medical Response Coordination

- O1) Develop and Coordinate Health Care Organizations and Health Care Coalition Response Plans
 - A1) Develop a Health Care Organization Emergency Operations Plan
 - A2) Develop a Health Care Coalition Response Plan
- O2) Utilize Information Sharing Procedures and Platforms
 - A1) Develop Information Sharing Procedures
 - A2) Identify Information Access and Data Protection Procedures
 - A3) Utilize Communications Systems and Platforms
- O3) Coordinate Response Strategy, Resources, and Communications
 - A1) Identify and Coordinate Resource Needs during an Emergency
 - A2) Coordinate Incident Action Planning During an Emergency
 - A3) Communicate with Health Care Providers, Non-Clinical Staff, Patients and Visitors during an Emergency
 - A4) Communicate with the Public during an Emergency

Capability 3: Continuity of Health Care Service Delivery

- O1) Identify Essential Functions for Health Care Delivery
- O2) Plan for Continuity of Operations
 - A1) Develop a Health Care Organization Continuity of Operation Plan
 - A2) Develop a Health Care Coalition Continuity of Operations Plan
 - A3) Continue Administrative and Finance Functions
 - A4) Plan for Health Care Organization Sheltering-in-Place
- O3) Maintain Access to Non-Personnel Resources during an Emergency
 - A1) Assess Supply Chain Integrity
 - A2) Assess and Address Equipment, Supply, and Pharmaceutical Requirements

- O4) Develop Strategies to protect Health Care Information Systems and Networks
- O5) Protect Responders' Safety and Health
 - A1) Distribute Resources Required to Protect the Health Care Workforce
 - A2) Train and Exercise to Promote Responders' Safety and Health
 - A3) Develop Health Care Worker Resilience
- O6) Plan for and coordinate Health Care Evacuation and Relocation
 - A1) Develop and Implement Evacuation and Relocation Plans
 - A2) Develop and Implement Evacuation Transportation Plans
- O7) Coordinate Health Care Delivery System Recovery
 - A1) Plan for Health Care Delivery System Recovery
 - A2) Assess Health Care Delivery System Recovery after an Emergency
 - A3) Facilitate Recovery Assistance and Implementation

Capability 4: Medical Surge

- O1) Plan for Medical Surge
 - A1) Incorporate Medical Surge Planning into a Health Care Organization Emergency Operations Plan
 - A2) Incorporate Medical Surge into an Emergency Medical Services Emergency Operations Plan
 - A3) Incorporate Medical Surge into a Health Care Coalition Response Plan
- O2) Respond to a Medical Surge
 - A1) Implement Emergency Department and Inpatient Medical Surge Response
 - A2) Implement Out-of-Hospital Medical Surge Response
 - A3) Develop an Alternate Care System
 - A4) Provide Pediatric Care during a Medical Surge Response
 - A5) Provide Surge Management during a Chemical or Radiation Emergency Event
 - A6) Provide Burn Care during a Medical Surge Response
 - A7) Provide Trauma Care during a Medical Surge Response
 - A8) Respond to Behavioral Health Needs during a Medical Surge Response
 - A9) Enhance Infections Disease Preparedness and Surge Response
 - A10) Distribute Medical Countermeasures during a Medical Surge Response
 - A11) Manage Mass Fatalities

Funding Restrictions which apply to COUNTY and 911 PROVIDER recipients are as follows:

- Recipients may not use funds for fund raising activities or lobbying;
- Recipients may not use funds for research;
- Recipients may not use funds for construction or major renovations;
- Recipients may not use funds for clinical care;
- Recipients may not use funds to purchase vehicles;
- Recipients may not use funds for reimbursement of pre-award costs;
- Recipients may supplement but not supplant existing state or federal funds for activities described in the budget.

TERM

1. The terms of this agreement will commence upon signature and continue in full force and in effect until June 30, 2022. This agreement will have a final end date of June 30, 2022, unless terminated sooner as provided herein.
2. Either Party may terminate this Agreement upon providing 30 days prior written notice of the intended date of termination. Termination of agreement would include the timely return of HPP-associated funds and equipment. Should the HCC Member elect to terminate this Agreement and such termination is not the result of a material breach of this agreement by the HCC Member shall bear the costs of the return of any unused HPP funds and all preparedness equipment and supplies to CBRAC. In all other circumstances, including the HCC Member decision to not renew this agreement beyond the term set forth herein, the HCC Member shall bear the costs of the return of any unused HPP funds and all preparedness equipment and supplies to CBRAC.
 - (a) The Subcontractor/Participating Healthcare Coalition Member may retain preparedness equipment and supplies received as part of the HPP, with conditions as follow below. In order to do so, the Healthcare Coalition Member must agree to:
 - (i) Certify in writing that the Healthcare Coalition Member will continue to fulfill an active role with DSHS – EMTF 11, the local or regional emergency management system or response plan and continue to be a Healthcare Coalition Member in the community.
 - (ii) Should the terminating Healthcare Coalition Member elect to fully disassociate from the HPP program, then all received supplies and equipment including equipment purchased by the Healthcare Coalition Member and the Healthcare Coalition Member received reimbursement as part of the HPP program, must be returned at the Healthcare Coalition Member's expense to CBRAC.
 - (iii) Healthcare Coalition Member ceases operations and/or no longer a Healthcare Coalition Member, experience business closure, bankruptcy proceedings, otherwise meets the provisions of section 2, ii, the Healthcare Coalition Member will immediately notify

CBRAC. Then all received supplies and equipment including equipment purchased by the Healthcare Coalition Member and the Healthcare Coalition Member receive reimbursement part of the HPP program and retained by that Healthcare Coalition Member, as designated on property transfer documents, and which are determined by CBRAC as retaining value to the HPP program, must be returned at that Healthcare Coalition Member expense to CBRAC.

- (b) The Healthcare Coalition Member which ceases operations and/or is no longer a Healthcare Coalition Member, including business closure or bankruptcy proceedings, shall notify CBRAC immediately and arrange for the transfer or return of all funds, received supplies, and equipment including equipment purchased by the Healthcare Coalition Member and received reimbursement as part of the HPP program, must be returned. Such transfer of equipment shall be accompanied by closure inventory and transfer documentation.
- 3. The Healthcare Coalition Member which experiences a change in ownership or similar circumstances, which invalidates the previous commitment to the HPP as agreed herein, shall notify CBRAC of this change in status. The Healthcare Coalition Member may continue to participate in the program by submission of this agreement and the accompanying mutual aid agreement, under new signature to CBRAC. Failure to submit a new agreement in a timely manner shall be considered as a termination indicated in section 2.i above.
- 4. The Healthcare Coalition Member must have an executed agreement with Coastal Bend Regional Advisory Council (CBRAC) to participate with the Department State Health Services - Emergency Medical Task Force 11(DSHS – EMTF 11) or enter into an agreement with CBRAC to participate with the DSHS - EMTF 11 within ninety days of this executed agreement with CBRAC. If the Healthcare Coalition Member does not enter into an agreement with CBRAC to participate with DSHS – EMTF 11 or does not maintain an active agreement with CBRAC to participate with DSHS – EMFT 11, then all received supplies and equipment including equipment purchased by the Healthcare Coalition Member and Healthcare Coalition Member received reimbursement as part of the HPP program, must be returned at that Healthcare Coalition Member's expense to CBRAC or an agency / location within TSA's, T, U, or V as reasonably designated by CBRAC.
- 5. Ownership and, where applicable, title to all equipment and consumable supplies purchased by and/or funded by CBRAC with HPP funds and made available to Healthcare Coalition Member, shall vest with Healthcare Coalition Member subject to the Texas Department of State Health Services Contractor's Financial Procedures Manual provisions regarding closeout procedures and DSHS final determination and process requirements.

6. Any notice required or desired to be given under this agreement will be deemed given upon the earlier of:

Actual delivery, if by hand delivery, courier, electronic confirmation of delivery, if by facsimile, to the intended recipient or its agent;

OR

The third business day following deposit in the U.S. Mail, postage prepaid, certified or registered mail, return receipt requested to the respective addresses set out above, or to such other address as a Party shall specify in writing.

7. This agreement contains or references the entire agreement of the parties and supersedes any and all prior agreements, contracts and understandings, whether written or otherwise, between the parties relating to the subject matter herein.
8. The Healthcare Coalition Member may not assign any of its rights or obligations under this agreement without the prior written consent of CBRAC.
9. This agreement shall be governed by the laws of the State of Texas and performable in Kleberg County, TX.
10. In the event the DSHS extends the time frame for the OASPR Year 18 contracts with CBRAC, CBRAC will notify the Memorandum of Agreement signatories of the extension in writing and this agreement will be extended to match the contract period extension(s).

I understand that signatories to the Agreement are subject to Federal *A-133* audits and other performance measures related specifically to expenditures of the OASPR funds.

By my signature, I attest to understanding the goals of OASPR Hospital Preparedness Program (HPP) will support and comply with the HPP Capabilities as displayed in this Agreement and its attachments.

Participating Healthcare Coalition Member. Please fill in all information below:

Agency/ Organization: City of Kingsville, TX-Fire Department

Address: 119th N. 10th Street

City, State, Zip: Kingsville, TX 78363

HPP Representative: _____

Name (please print): _____

Title: _____

Signature: _____

Date: _____

Coastal Bend Regional Advisory Council
PO Box 18460
Corpus Christi, TX 78480

Name: Hilary Watt

Title: Executive Director

Signature: _____

Date: _____

AGENDA ITEM #27

for budget
amendment

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Susan Ivy, Parks Manager
DATE: November 2, 2018
SUBJECT: Agenda Request – Receipt of donations for Healthy Family Events

Summary: We are requesting that Commission authorize the receipt of a \$500.00 donation from Coldwell Banker Real Estate Company and \$500.00 from Castaneda Clinic. While we have other sponsors committed we do not yet have their payments. We will process those donations through commission when received.

Background: Information about our Healthy Family Events and Sponsorship packages is attached.

Financial Impact: These donations will increase our funds available for recreational programming by \$1000.00.

Recommendation: We ask that Commission authorize the receipt of \$1000.00 in donations and approve the associated budget amendment needed to record the funds in the Parks Department line item for recreational programming 001-5-4513-31499.





P. O. Box 1458
Kingsville, Texas 78364
361-221-8705
Cell: 361-522-1202
sivy@cityofkingsville.com

September 24, 2018



To: Kingsville Area Businesses and Parks Supporters

Re: Sponsorship Request for Healthy Family Events in Kingsville

Dear Friends,

Kingsville Parks & Recreation is soliciting assistance to fund a series of events that will provide healthy opportunities for families to enjoy Nature Based, Drug/Alcohol/Bully Free, Healthy Lifestyle and FUN Educational, volunteer events and Recreational Entertainment at our community events and programming.

Our Parks budget has been blessed with some funds to provide a limited number of events and staffing for same, but we need assistance in order to provide the extended services our community has requested and deserves.

Instead of asking for assistance multiple times for each event for which we need assistance, we are expanding our current Healthy Family events schedule to incorporate all of our events and programming. Advertising your business will be included at each one of the events and/or programming listed on the attachment. All sponsors are for the October 1, 2018 through September 30, 2019 fiscal year.

\$3500.00 – 1only - Naming rights to Ranch Hand Festival Kids Corral and large logo and name on Healthy Family Banner along with all other \$2500.00 sponsor benefits.

\$2500.00 – 3 available – Business name and logo on Healthy Family event banner to be placed at each event scheduled. Also included in each Parks event poster/ad, feature story on your business support on our social media page, verbal acknowledgements through sound system at events and invitation to year end wrap up on our events. If Tshirts are printed for events your logo will be on them.

\$1000.00 4 available– Business name and logo on supporting sponsors event banner to be placed at each event scheduled. Verbal acknowledgements through sound system at events Feature story on your business support on our social media page and invitation to year end wrap up on our events. If Tshirts are printed for events your business name will be on them.

\$500.00 –6 available - Business name Bolded Print on supporting sponsors event banner to be placed at each event scheduled and verbal acknowledgements through sound system at events. Recognition on our Social Media pages and invitation to year end wrap up of our events.

\$100.00 - 10 available– Business name on supporting sponsors event banner to be placed at each event scheduled. Verbal Acknowledgements through sound system at events, recognition on our Social Media pages and invitation to year end wrap up of our events.

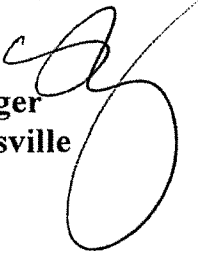
Deadline for response with commitment and logo is November 1st. Need immediate notification if you are interested in the sponsoring the Kids Corral at Ranch Hand Festival so that media can get started.

Attached you will find a list of events from which your business will be included in marketing.

If you have any questions, please feel free to call me at any time. 361-522-1202.

Thank you for your consideration.

**Susan Ivy,
Parks Manager
City of Kingsville**

A handwritten signature in black ink, appearing to be 'S Ivy', written over the typed name and title.

Healthy Family Event Schedule

Providing Healthy opportunities for families to enjoy:

Nature Based, Drug/Alcohol/Bully Free, Healthy Lifestyle and
FUN Educational and Recreational Entertainment

Events Include:

- *TAMUK/Kingsville Parks Walk/Jog in DKP series spring/fall
- *KKB/Kingsville Parks Fall Festival
- *Kingsville Recycles Day
- *Ranch Hand Festival Kids' Corral
- *La Posada de Kingsville Snow Day
- *Winter Break 5k Run/Walk & Teen Dance
- *MLK celebration at Thompson Park with KPD
- *Spring Break Events
- *Fiesta de Loteria
- *Summer Family and Kids Mud Run
- *Summer Camps
- *Cinema Summer – must be sponsored individually at \$450.00
- *Back to School 5k Run/Walk
- *Fiesta de Paloma
- *Arts & Outdoors events at each neighborhood Park
- *Volunteers In Parks 3rd Saturday Work Days



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET FOR PARK RECREATION PROGRAMS DUE TO DONATIONS RECEIVED.

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 2018-2019 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					
<u>Revenues</u>					
4503	Parks	Donations	58003	\$1,000	
<u>Expenses</u>					
4503	Parks	Recreation Programs	31499	\$1,000	

[To amend the City of Kingsville FY 18-19 General Fund Budget for \$1000 for Parks recreation programs. The funds will come from donations received for park programs.]

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 13th day of November, 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 #28

City of Kingsville
Public Works, Wastewater Division

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: William Donnell, Director of Public Works

DATE: November 1, 2018

SUBJECT: Utility Fund Budget Amendment

Summary:

This item authorizes funding for the TCEQ settlements for wastewater effluent violations for exceedances of Dissolved Oxygen, Total Suspended Solids, Ammonia Nitrogen and Escherichia Coli levels at the South Treatment Plant due to blower malfunctions in June 2018.

Background:

This action is based on South Wastewater Treatment Plant Docket No. 2018-1065-MWD-E for exceeding Dissolved Oxygen, Total Suspended Solids, Ammonia Nitrogen and Escherichia Coli effluent discharge limits due to blower malfunctions (main and back-up blowers) during the period of June 14 through 18, 2018. Resulting in 16 dead fish and the conveyance of bloodworms into the receiving stream. The blowers have been repaired and effluent discharge is within permit limits. Staff is submitting documentation for a Third Party SEP for Wastewater Treatment Assistance.

Financial Impact:

This will reduce Unrestricted Utility Fund balance by \$48,125.00. Increase State Fees account 051-5-700.2-321.00 by \$48,125.00.

Recommendation:

Staff is recommending approval of funds for violation fees that will go toward a supplemental environmental project in the area.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO PROVIDE FUNDS FOR TCEQ SEP FOR WASTEWATER EFFLUENT VIOLATION FEES.

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 2018-2019 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					
<u>Expenses</u>					
7002	WW-South Plant	State Fees	32100	\$48,125	

[To amend the City of Kingsville FY 18-19 Utility Fund Budget for \$48,125 for TCEQ SEP for Wastewater Effluent Violation Fees. The funds will come from the Utility fund balance.]

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 13th day of November, 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 #29

City of Kingsville Public Works

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: William Donnell, Public Works Director
DATE: November 1, 2018
SUBJECT: Budget Amendment Well #22 Emergency Repairs

Summary:

This budget amendment allocates funding to the current year Water Production budget for emergency repairs to Well #22.

Background:

On September 18, 2018 water well #22 lost production. During this time the area was receiving large amount of rain. The first week of October Advanced Water Well Technologies was able to get a rig into position at Well #22 to pull the well. At this day it was discovered that only four column pipes remain connected to the well head. The rest of column pipe (380 LF), cable and airline were pulled into the well. Well #22 video was taken and determined the column pipe went to the bottom of the well casing. Advanced Water Well Technologies is confident they can remove the items from the well and replace the components to get the well back in production.

Financial Impact:

This budget amendment for Well #22 replacement of parts (estimated \$71,272.00) and removal of the components in the well (estimated \$40,875.00). This will reallocate funding of \$112,147.00 from CO Series 2011 to 066-5-6002-54400 for emergency repairs to the well. One of the purposes of CO2011 was rehabilitation of existing water wells.

Recommendation:

Staff recommends approval of this budget amendment to return Well #22 back in service.



ADVANCED WATER WELL TECHNOLOGIES

14394 E INTERSTATE HWY 10
CONVERSE, TX 78109
OFFICE: (830) 865-2362
FAX: (830) 865-2362

Well #22
133 W. Ave C.
Kingsville TX 78363

QUOTATION

PROJECT NAME / NUMBER: CITY OF KINGSVILLE
QUOTATION NUMBER: 20181011-3
DATE: 10/11/18
CUSTOMER P.O. NUMBER:
CUSTOMER NAME: CITY OF KINGSVILLE
ADDRESS (LINE 1):
ADDRESS (LINE 2):
PHONE NUMBER:
EMAIL ADDRESS: ASILLAS@CITYOFKINGSVILLE.COM

PRIMARY SCOPE OF WORK: PULL PUMP, LIST OF REPLACEMENT MATERIALS IF NEEDED		SALES REP: Daniel Adams		
No.	DESCRIPTION	Unit	Price	Line Total
1	MOBILIZE SERVICE RIG AND CREW, PULL PUMP, HAUL PUMP AND MOTOR TO SHOP FOR INSPECTION, DEMOBILIZE	16	\$ 215.00	\$ 3,440.00
2	SHOP LABOR TO DISASSEMBLE PUMP AND INSPECT EQUIPMENT REMOVED	2	\$ 100.00	\$ 200.00
3	CAMERA SURVEY	1	\$ 1,750.00	\$ 1,750.00
4	ROOM AND BOARD FOR CREW AND SUPERVISOR \$450.00 PER DAY 1.5 DAYS ESTIMATED	1.5	\$ 450.00	\$ 675.00
5		1		\$ -
6	PARTS LIST BELOW:	1		\$ -
7	FRANKLIN STANDARD 125 HP 460 VOLT MOTOR \$ 19,975.00 EACH	1		\$ 19,975
8	4/0 SUBMERSIBLE FLAT JACKETED SERVICE WIRE \$ 32.75 PER FT. 462 LF	1		\$ 15,130.50
9	8" CHECK VALVE WITH BREAK OFF PLUG \$ 1,812.00 EACH	1		\$ 1,812
10	8" X 20' .277 WALL T AND C PIPE \$ 875.00 EACH X 22	1		\$ 19,250
11	1/4" STAINLESS STEEL AIRLINE \$ 2.25 PER FT 462 LF	1		\$ 1,039.50
12	PUMP BOWL ASSEMBLY ?? THIS ITEM IS TO BE DETERMINED ONCE INSPECTED AND THE PUMP MODEL IS KNOWN	1		\$ 8,000
13		1		\$ -
14	PLEASE NOTE: IT WAS MENTIONED THAT THE PUMP MAY HAVE FAIL OFF AND TOOK THE ELECTRICAL SERVICE WIRE DOWN IN THE HOLE, LABOR HRS TO PULL PUMP ARE ESTIMATED, DO TO THE SITUATION THAT THE PUMP MAY BE PARTED OR SEPARATED WE MUST TAKE PRECAUTION IN REMOVING PUMP. CUSTOMER WILL BE INVOICED FOR ACTUAL HRS SPENT TO REMOVE PUMP AND ACTUAL DAYS OF ROOM USED, IN THE EVENT FISHING OPERATION ARE NEEDED FISHING CAN BE QUOTED UPON REVIEW OF CAMERA SURVEY RESULTS	1		\$ -
15	THE PARTS LIST IS SUBJECT TO CHANGE DEPENDING ON ACTUAL MATERIALS NEEDED UPON INSPECTION OF EQUIPMENT REMOVED	1		\$ -

Taxable (Yes/No): TBD Tax Rate: TBD % Applicable sales tax will be charged when invoiced.

Subtotal: \$ 6,065.00
Sales Tax: \$ -
Total: \$ 6,065.00

ALTERNATES:

ALT 1		\$ -	\$ 65.20
ALT 2		\$ -	\$ -

Regulated by:

Texas Department of Licensing and Regulation

PO Box 12157 Austin, TX 78157

1-800-403-8202

Subtotal with Alternate:

Sales Tax with Alternate:

Total with Alternate:

ALL HRS AND ROOM AND BOARD TO COMPLETE SCOPE OF WORK ARE ESTIMATED, ANY ADDITIONAL HRS OR ROOM AND BOARD OVER THE ESTIMATE WILL BE INVOICED PER THE PRICE SCHEDULE ABOVE.

SHIPMENT:

SHIPPING DETAILS:

Proposed Start Date:

All prices above are subject to Federal, State and Local Sales Taxes.

This quotation will automatically expire if Purchaser does not deliver

a written acceptance to this contract by: 11/11/18

Advanced Water Well Technologies
14394 E INTERSTATE HIGHWAY 10
CONVERSE, TX 78109
(Contractor)

ACCEPTANCE OF THIS CONTRACT: The above prices, specifications, and conditions are satisfactory to the purchaser and are hereby accepted with signature below, Fax, Email, or verbal confirmation. Purchaser authorizes Advanced Water Well Technologies ("AWWT") and its subcontractors to do the work as specified. All work is to be completed as specified and according to standard industry practices. Any additional work or materials required due to unknown well conditions will result in an extra charge over and above the estimate. Our workers are fully covered by Workman's Compensation Insurance. We warrant our craftsmanship against craftsmanship defects for one year; defects to be determined on a case by case basis by AWWT. There is a manufacturers warranty on equipment for one year. The manufacturer determines if the equipment will be warranted or not on a case by case basis. Payment is due upon receipt of invoice and balances past due after 30 days are subject to 15% interest per annum.

PURCHASER: _____

ADDRESS (LINE 1): _____

SIGNATURE: _____

ADDRESS (LINE 2): _____

DATE: _____

PHONE NUMBER: _____

ADVANCED WATER WELL TECHNOLOGIES

14394 E INTERSTATE HWY 10
CONVERSE, TX 78109
OFFICE: (830) 865-2362
FAX: (830) 865-2362

QUOTATION

PROJECT NAME / NUMBER: CITY OF KINGSVILLE WELL 22
QUOTATION NUMBER: 20181024-1
DATE: 10/24/18
CUSTOMER P.O. NUMBER:
CUSTOMER NAME: CITY OF KINGSVILLE
ADDRESS (LINE 1):
ADDRESS (LINE 2):
PHONE NUMBER:
EMAIL ADDRESS:

PRIMARY SCOPE OF WORK: FISHING SERVICES IN ATTEMPT TO RETRIEVE MULTIPLE ITEMS OF PUMPING EQUIPMENT		SALES REP: Daniel Adams		
No.	DESCRIPTION	Unit	Price	Line Total
1	LOAD OUT, MOBILIZE SERVICE RIG, CRANE TRUCK AND WORK STRING TO SITE IN PREPARATION TO PERFORM FISHING SERVICES NEEDED FOR FISHING OPERATIONS	1	\$ 1,800.00	\$ 1,800.00
2	RIG UP, SET UP LOCATION, UNLOAD WORK STRING AT SITE, PREPARE FOR FISHING OPERATIONS	8	\$ 225.00	\$ 1,800.00
3	ALL NECESSARY MOB AND DEMOB OF CREW AND SUPERVISOR, RIG TIME AND CREW LABOR AND LICENSED SUPERVISOR FOR FISHING SERVICES NEEDED IN ATTEMPT TO RETRIEVE MULTIPLE PIECES OF PUMPING EQUIPMENT THAT SEPARATED AND DROPPED IN WELL (RIG TIME ESTIMATED AT 80 HRS OF SERVICE, ANY ADDITIONAL RIG TIME OVER 80 HRS OF SERVICE WILL BE SOLD AT 225.00 PER HR)	80	\$ 225.00	\$ 18,000.00
4	ALLOWANCE FOR CAMERA SURVEYS NEEDED IN ATTEMPT TO FISH OUT MULTIPLE ITEMS LOST IN WELL (OUR PRICE FOR CAMERA SURVEYS HAVE BEEN DISCOUNTED FROM 1750.00 TO 1500.00, ANY ADDITIONAL SURVEYS NEEDED OVER QTY 4 WILL BE INVOICED AT 1500.00 PER SURVEY COMPLETED)	4	\$ 1,500.00	\$ 6,000.00
5	ALLOWANCE FOR SHOP BUILT FISHING TOOLS NEEDED IN ATTEMPT TO RETRIEVE PUMPING EQUIPMENT DROPPED IN WELL, SUCH AS SHOP BUILT FISHING SPEARS AND SHOP BUILT OVER SHOT FISHING TOOLS. (IN THE EVENT WE REQUIRE A SPECIALIZED FISHING TOOL SUCH AS A GRAPPLE, ETC., ADDITIONAL COST WILL APPLY AND CAN BE QUOTED AT TIME OF RENTAL. GRAPPLE RENTAL TOOLS CAN OFTEN COST AS MUCH AS 3,500 TO AROUND \$5,000.00 PER DAY)	1	\$ 2,950.00	\$ 2,950.00
6	ALLOWANCE FOR ROOM AND BOARD NEEDED DURING FISHING OPERATIONS (ROOM AND BOARD FOR LICENSED SUPERVISOR AND 3 MAN CREW SOLD PER DAY ON SITE \$ 475.00, ANY ADDITIONAL ROOM AND BOARD NEEDED OVER THE ESTIMATED 11 DAYS WILL BE INVOICED AT 475.00 PER DAY)	11	\$ 475.00	\$ 5,225.00
7	IF CREW IS ONSITE WHILE PERFORMING SURVEYS DURING FISHING PROCEDURES CREW STAND BY TIME SOLD AT 150.00 PER HR., ANY ADDITIONAL CREW STAND BY TIME OVER THE ESTIMATED 10 HRS WILL BE INVOICED AT 150.00 PER HR.]	10	\$ 150.00	\$ 1,500.00
8	RIG DOWN, LOAD OUT ALL TOOLING NEEDED IN FISHING OPERATIONS, CLEAN LOCATION	8	\$ 225.00	\$ 1,800.00
9	DEMOLIBIZE SERVICE RIG AND CRANE TRUCK TO SHOP LOADED WILL ALL EQUIPMENT NEEDED FOR FISHING OPERATIONS, OFF LOAD	1	\$ 1,800.00	\$ 1,800.00
10		1		\$ -
11		1		\$ -
12	PLEASE NOTE: ADVANCED WATER WELL TECHNOLOGIES WILL TRY OUR VERY BEST TO HELP FISH OUT MULTIPLE ITEMS OF PUMPING EQUIPMENT THAT BECAME SEPARATED, PARTED AND FELL INTO THE WELL, BUT THERE IS NO GUARANTEES IN SUCCESS AND ADVANCED WATER WELL TECHNOLOGIES WILL NOT BE RESPONSIBLE FOR ANY DAMAGES, WILL NOT BE HELD RESPONSIBLE FOR ANY LACK OF RESULTS, AND WILL REQUIRE PAYMENT IN FULL FOR THE TIME AND MATERIALS REGARDLESS OF THE OUTCOME. ALTHOUGH MANY ATTEMPTS AT FISHING ARE SUCCESSFUL AND CAN SAVE SIGNIFICANT AMOUNTS OF MONEY THERE ARE NO GUARANTEES OF A FUNCTIONAL WELL AFTER FISHING OPERATIONS. WHEN ADVANCED WATER WELL TECHNOLOGIES IS FISHING WE ARE WORKING WITH THE UNKNOWN, DEEP BELOW THE GROUND IN A PITCH BLACK CONFINED SPACE THAT WE CANNOT SEE, HEAR OR FEEL AND THERE IS A CHANCE THAT "FISHING" IN YOUR WELL COULD RESULT IN NO REPAIR TO THE STATE OF THE WELL, AND THE WELL COULD REMAIN OR BECOME UNUSABLE. BY SIGNING BELOW THE CITY OF KINGSVILLE UNDERSTANDS THE RISK AND POSSIBLE OUTCOMES OF A " FISHING " PROJECT.	1		\$ -
13		1		\$ -
14		1		\$ -
15		1		\$ -

Taxable (Yes/No): TBD Tax Rate: TBD % Applicable sales tax will be charged when invoiced. Subtotal: \$ 40,875.00
Sales Tax: \$ -
Total: \$ 40,875.00

ALTERNATES:			
Alt. 1		\$ -	\$ -
Alt. 2		\$ -	\$ -

Regulated by:
Texas Department of Licensing and Regulation
PO Box 12157 Austin, TX 78157 1-800-803-6202

Subtotal with Alternate: \$ 40,875.00
Sales Tax with Alternate: \$ -
Total with Alternate: \$ 40,875.00

ALL HRS TO MOB, DEMOB, FISHING SERVICES, TOOLING, CAMERA SURVEYS AND ROOM AND BOARD ARE ESTIMATED, ANY ADDITIONAL SERVICES NEEDED OVER THE ESTIMATED QUANTITIES OF SERVICES OUTLINED IN OUR PROPOSAL WILL BE ADDITIONAL COST TO CUSTOMER AND INVOICED PER THE PRICE SCHEDULE ABOVE. ANY SPECIALIZED FISHING TOOLS NEEDED SUCH AS A GRAPPLE ETC., WILL BE QUOTED TO CUSTOMER AT TIME OF RENTAL)

SHIPMENT:

SHIPPING DETAILS:
Proposed Start Date:
All prices above are subject to Federal, State and Local Sales Taxes.
This quotation will automatically expire if Purchaser does not deliver a written acceptance to this contract by: 11/23/18

Advanced Water Well Technologies
14394 E INTERSTATE HIGHWAY 10
CONVERSE, TX 78109
(Contractor)

ACCEPTANCE OF THIS CONTRACT: The above prices, specifications, and conditions are satisfactory to the purchaser and are hereby accepted with signature below, Fax, Email, or verbal confirmation. Purchaser authorizes Advanced Water Well Technologies ("AWWT") and its subcontractors to do the work as specified. All work is to be completed as specified and according to standard industry practices. Any additional work or materials required due to unknown well conditions will result in an extra charge over and above the estimate. Our workers are fully covered by Workman's Compensation Insurance. We warrant our craftsmanship against craftsmanship defects for one year; defects to be determined on a case by case basis by AWWT. There is a manufacturer's warranty on equipment for one year. The manufacturer determines if the equipment will be warranted or not on a case by case basis. Payment is due upon receipt of invoice and balances past due after 30 days are subject to 15% interest per annum.

PURCHASER: ADDRESS (LINE 1):
SIGNATURE: ADDRESS (LINE 2):
DATE: PHONE NUMBER:

ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO PROVIDE FUNDS FOR WATER WELL #22 EMERGENCY REPAIRS.

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 2018-2019 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 066 CO Series 2011					
<u>Expenses</u>					
6002	Water Production	Water Well #22 Repairs	54400	\$112,147	

[To amend the City of Kingsville FY 18-19 CO Series 2011 Fund Budget for \$112,147 for emergency repairs to water well #22. The funds will come from the CO Series 2011 fund balance.]

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 13th day of November, 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 #30

City of Kingsville
Public Works, Wastewater Division

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: William Donnell, Director of Public Works

DATE: November 1, 2018

SUBJECT: TxCDBG Cash Match-UF Fund Balance Budget Amendment

Summary:

This item authorizes \$60,000 matching funds for the Texas Community Block Grant Program for sewer improvements.

Background:

This action is based on an application submitted in 2017 through the Texas Department of Agriculture for a \$300,000 grant in support of sewer system improvements. Notice of Award was received October 23, 2018. Due to the timeframe, this item was not included as part of the budget process. This grant will be used to replace deteriorated manholes in the sewer collections system.

Financial Impact:

The Utility Fund 051 will transfer \$60,000 for the cash match into the CDBG Grant Fund 086. Both of these funds will see an increase in their FY 18-19 expenditure budget.

Recommendation:

Staff is recommending approval of funds for grant match.



ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET FOR THE CASH MATCH FOR CDBG GRANT #7218269 FOR MANHOLE REHABILITATION.

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 2018-2019 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT REVENUES & EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 051 Utility Fund					
<u>Expenses</u>					
6900	Transfers	Transfer To Fund 086	80086	\$60,000	
Fund 086 CDBG Grant #7218269					
<u>Revenues</u>					
0000	Non-Dept	Transfer From Fund 051	75010	\$60,000	
<u>Expenses</u>					
7003	Sewer Construction	Manhole Rehab-CDBG	54111	\$60,000	

[To amend the City of Kingsville FY 18-19 Utility Fund Budget and CDBG Grant #7218268 Fund Budget for \$60,000 for cash match for the Manhole Rehabilitation Grant received. The funds will come from the fund balance of the Utility Fund.]

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 13th day of November, 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 #31

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: November 5, 2018

SUBJECT: NIBRS/CAD/RMS eForce project enhancement project

Summary:

We request a budget amendment and purchase of equipment to further enhance our ability to use the full capabilities of the eForce software acquired via the NIBRS Grant thru the Office of the Governor, Criminal Justice Division.

Background:

The State of Texas solicited applications for projects that enable local law enforcement agencies to upgrade their technology infrastructure to allow for and support the submission of data to the Uniform Crime Reporting (UCR) Incident Based System (NIBRS), particularly solutions that support the subsequent submission of incident data to the National Data Exchange (NDEx). Our department is in receipt of said grant and our vendor eForce has installed the appropriate software on our servers. To utilize all the capabilities of the software we need some additional software and hardware upgrades as outlined below.

Financial Impact:

The City of Kingsville Police Department utilized this grant to install a NIBRS compliant Records Management System to include the Records Management System, Computer-Aided Dispatch and Mobile Records Software. This system also has interface capabilities with the Kingsville Fire Departments ERS System, emergency 911 and for the Incode/Brazostech software for the City of Kingsville Municipal Court. The primary vendor for this project is shi Government Solutions and they have a TIPS/TAPS SHI-GS Contract #161202 for electronic good and appliances which expires on 2/23/2020.

The Mobile Data Terminals (MDT's) are being replaced with iPads and Zebra Ticket Writers. This will also require the purchase of Mobile Device Management Software and additional hardware and software.

Recommendation:



**City of Kingsville
Police Department**

We respectfully request approval of the budget amendment and request approval to purchase additional software and equipment in the amount of \$102,217.29. Chapter 59 will cover \$91,217.29 of that amount with \$11,000.00 from fund 001-1-08080 Child Safety Fund.

ITEM	VENDOR	Explanation	COST
Vmware (Mobile Device Management)	shi Government Solutions	CJIS Compliance 3 yrs	\$ 8,459.77
35 Ipads	Verizon	Verizon	\$ 16,099.65
Zebra Printers	shi Government Solutions	write citations	\$ 36,458.54
SQL Licences 2019/2017/server OS	shi Government Solutions	Infrastructure/Eforce	\$ 3,017.03
SSL Cert	Thought	Secure Socket Certificate	\$ 150.00
Havis Mounts/charging	shi Government Solutions	eForce/MDT	\$ 31,382.30
Installation of equipment	Hernandez Industries	MDT/Printers/Etc.	\$ 6,650.00

Grand Total	\$ 102,217.29
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ORDINANCE NO. 2018-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET FOR THE PURCHASE OF ADDITIONAL POLICE DEPARTMENT SOFTWARE AND EQUIPMENT.

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 2018-2019 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT REVENUES & EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 General Fund					
<u>Revenues</u>					
2100	Police	Child Safety Fund Rev	56680	\$11,000	
<u>Expenses</u>					
2101	Police Admin	Computers & Assoc Equip	22600	\$11,000	
Fund 005 – Police Seizure Fund					
<u>Expenses</u>					
2100	Police	Computers & Assoc Equip	22600	\$91,217.29	

[To amend the City of Kingsville FY 18-19 General Fund Expenditure Budget by \$11,000 and Police Seizure Fund Expenditure Budget for \$91,217.29 for the purchase of additional software and equipment. The funds will come partially from the Child Safety Revenues and the remainder from the fund balance of the Police Seizure Fund.]

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 13th day of November, 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 #32

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: November 13, 2018

SUBJECT: Consider and act upon approving Grant Administration Services Contract with GrantWorks and resolutions associated with Texas Department Administration documentation on the TxCDBG Contract #7218269 for the Wastewater Improvements Manhole Rehabilitation Project.

Summary:

The project shall rehabilitate 18 manholes throughout the City as indicated in the attached exhibit. These manholes have deteriorated, and the proposed scope of work would reduce inflow and infiltration. It is estimated to benefit approximately 24,000 residents.

The grant is to assist low-to-moderate income communities using state funds. The resolutions included are a requirement by the state.

It is a requirement to assign a grant administrator to this grant. The Grant Administration Services Contract with GrantWorks will need to be approved to satisfy this requirement.

Background:

The City applied for a Grant to help pay for the construction. The total grant will be \$360,000 including the City's cash match of \$60,000.

November 16, 2016 – City awards professional services for grant management to GrantWorks (RFP#17-04) in the amount of \$33,000. and profession services for engineering to LNV (RFP#17-03) in the amount of \$50,000.

Financial Impact:

The city would provide a cash match of \$60,000 as indicated in resolution #2017-04. The funds are allocated in Utility Fund Account# 051-5-7003-55104 in the amount of \$42,000.



**City of Kingsville
Engineering Dept.**

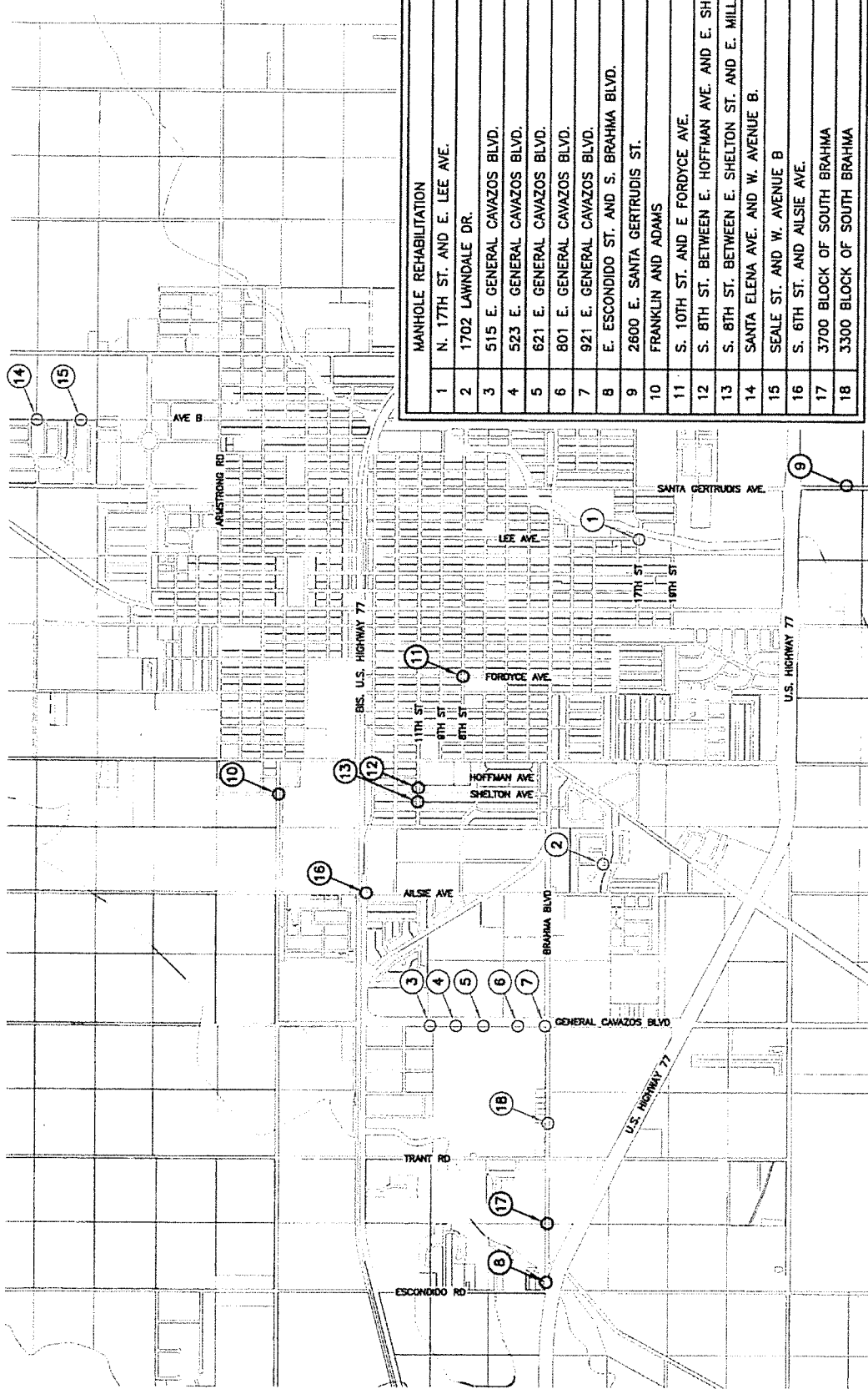
Recommendation:

Staff recommends approval of all items as presented.

Attachments:

Wastewater Improvements Manhole Rehabilitation – Exhibit
Grant Table 2 Budget Justification
Grant Administration Services Contract
Resolution Authorizing Signatories – A201
Resolution Regarding Civil Rights – A1014
City of Kingsville – Citizen Participation Plan TxCDBG – A1013
Section 3 Policy – A1002
Excessive Force Policy – A1003
Section 504 Policy against Discrimination based on Handicap and Grievance Procedures
– A1004
Over 5% Limited English Proficiency Plan – A1010
Fair Housing Policy – A1015
Code of Conduct Policy of the City of Kingsville
Proclamation of April as Fair Housing Month – A1007





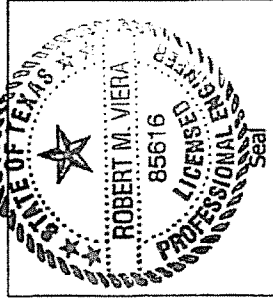
MANHOLE REHABILITATION	
1	N. 17TH ST. AND E. LEE AVE.
2	1702 LAWNDALE DR.
3	515 E. GENERAL CAVAZOS BLVD.
4	523 E. GENERAL CAVAZOS BLVD.
5	621 E. GENERAL CAVAZOS BLVD.
6	801 E. GENERAL CAVAZOS BLVD.
7	921 E. GENERAL CAVAZOS BLVD.
8	E. ESCONDIDO ST. AND S. BRAHMA BLVD.
9	2600 E. SANTA GERTRUDIS ST.
10	FRANKLIN AND ADAMS
11	S. 10TH ST. AND E. FORDYCE AVE.
12	S. 8TH ST. BETWEEN E. HOFFMAN AVE. AND E. SHELTON ST.
13	S. 8TH ST. BETWEEN E. SHELTON ST. AND E. MILLER AVE.
14	SANTA ELENA AVE. AND W. AVENUE B.
15	SCALE ST. AND W. AVENUE B.
16	S. 6TH ST. AND ALSIE AVE.
17	3700 BLOCK OF SOUTH BRAHMA
18	3300 BLOCK OF SOUTH BRAHMA

CITY OF KINGSVILLE, TEXAS
WASTEWATER IMPROVEMENTS
MANHOLE REHABILITATION - EXHIBIT

LNV
engineers | architects
10000 W. 10TH ST., SUITE 100
KINGSVILLE, TEXAS 78343
TEL: 361.571.1111
WWW.LNVARCH.COM

TABLE 2 - BUDGET JUSTIFICATION OF RETAIL COSTS

Activity Description	HUD Act #	Materials/Facilities/Services	\$/Unit	Unit	Quantity	Construction	Acquisition	Total
Sewer Improvements	03J	Sanitary Sewer Manhole Rehabilitation	\$10,000.00	EA	18	\$180,000	\$0	\$180,000
Sewer Improvements	03J	New Manhole Ring & Cover Including Conc Collar	\$1,250.00	EA	18	\$22,500	\$0	\$22,500
Sewer Improvements	03J	Manhole Bench & Invert	\$1,250.00	EA	18	\$22,500	\$0	\$22,500
Sewer Improvements	03J	Pavement Repair	\$52,000.00	LS	1	\$52,000	\$0	\$52,000
						\$277,000	\$0	\$277,000



Robert M. Viera

Signature of Registered Engineer/Architect Responsible For Budget Justification:

Jan 23, 2017

+1 (361) 883-1984

Date:

Phone Number

RESOLUTION AUTHORIZING SIGNATORIES

A RESOLUTION BY THE CITY COMMISSION OF CITY OF KINGSVILLE DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) CONTRACT NUMBER 7218269.

WHEREAS, the City of Kingsville has received a 2018 Texas Community Development Block Grant award to provide Sewer Improvements; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture, and;

WHEREAS, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution, and;

WHEREAS, the City of Kingsville acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form (Form A202)*.

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

The Mayor and City Manager are authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2018 Texas Community Development Block Grant Program

The City Secretary is authorized to execute the *State of Texas Purchase Voucher and Request for Payment Form* documents required for requesting funds approved in the 2018 Texas Community Development Block Grant Program

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS,
on _____, 2018.

APPROVED:

Mayor

ATTEST:

City Secretary

Resolution Regarding Civil Rights

The City of Kingsville, Texas

Whereas, the City of Kingsville, Texas, (hereinafter referred to as "City of Kingsville") has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as "TDA");

Whereas, the City of Kingsville, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the City of Kingsville, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the City of Kingsville, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

Whereas, the City of Kingsville, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the City of Kingsville, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project;

Whereas, the City of Kingsville, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds;

Whereas, the City of Kingsville, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period to affirmatively further fair housing; and

Whereas, the City of Kingsville, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

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

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form A1003);
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Limited English Proficiency (LEP) Standards (Form A1010);
6. Fair Housing Policy (Form 1015); and
7. Code of Conduct Policy.

Passed and approved this _____ day of _____, 2018.

Signature of Elected Official
City of Kingsville

Printed Name of Elected Official

09/01/2017

**CITY OF KINGSVILLE
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have "meaningful access" to all aspects of the TxCDBG project. To provide 'meaningful access', Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents include Citizen Participation notices (e.g. complaint procedures, hearing notices) civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Kingsville offices, 400 W. King, Kingsville, TX 78363, PO Box 1458, Kingsville, TX 78364-1458, (361) 595-8001 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the Mayor, at City of Kingsville at 400 W. King, Kingsville, TX 78363, PO Box 1458, or may call (361) 595-8001.
2. A copy of the complaint or grievance shall be transmitted by the Mayor to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The Mayor shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3. above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing prior to submitting the application to the Texas Department of Agriculture.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Sam R. Fugate, Mayor

Date

**LA CIUDAD DE KINGSVILLE
PLAN DE PARTICIPACIÓN CIUDADANA
PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés.

Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Ciudad de Kingsville, 400 W. King, Kingsville, TX 78363, PO Box 1458, Kingsville, TX 78364-1458, (361) 595-8001, en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la Mayor, a City of Kingsville, 400 W. King, Kingsville, TX 78363, PO Box 1458, Kingsville, TX 78364-1458, (361) 595-8001.
2. Una copia de la queja o reclamación se transmitirá por el alcalde a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El alcalde deberá cumplir una investigación de la queja o reclamación, si es posible, y dar una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia será notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se deba completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.
6. Se proporcionará copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad/, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad/ debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado. Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso.

Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.

4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad/ recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad/ celebrará una audiencia pública y revisara el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

Sam R. Fugate, Alcalde de la ciudad

Fecha

SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u, (Section 3), the City of Kingsville agrees to implement the following steps, which, to the *greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of Kingsville, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Sam R. Fugate, Mayor

Date

A1003

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the City of Kingsville hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Kingsville to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of Kingsville to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction; and
3. The City of Kingsville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kingsville, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature

Mayor

Date

Section 504 Policy against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Kingsville hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. City of Kingsville does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. City of Kingsville's recruitment materials or publications shall include a statement of this policy in 1. above.
4. City of Kingsville shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, City of Kingsville shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Kingsville) to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to the Mayor, PO Box 1458, Kingsville, TX, 78364-1458 or call (361) 595-8001, who has been designated to coordinate Section 504 compliance efforts.
 - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
 - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
 - f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mayor, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
 - g. The Section 504 coordinator shall maintain the files and records of the City of Kingsville relating to the complaints files.

- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Kingsville within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Kingsville complies with Section 504 and HUD regulations.

Sam R. Fugate, Mayor

Date

Over 5% Limited English Proficiency Plan

Name Grantee:	City of Kingsville
Community Population:	24,278
LEP Population:	10.4%
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries	Spanish

Program activities to be accessible to LEP persons:	
<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input checked="" type="checkbox"/>	Publications regarding Tx CDBG application, grievance procedures, <i>complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input checked="" type="checkbox"/>	Other program documents: Documents available in Spanish for directly assisted beneficiaries, if applicable.

Resources available to Grant Recipient:	
<input checked="" type="checkbox"/>	Translation services: available upon request
<input checked="" type="checkbox"/>	Interpreter services: available upon request with prior notice
	Other resources: _____

Language Assistance to be provided:	
<input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: <u>Public hearing, Complaint and Grievance, Equal Opportunity, Policy of Non-discrimination Based on Disability Status and Fair Housing notices are available in Spanish. Other CDBG required program notices are available in Spanish upon request.</u>
<input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons <u>Spanish-speaking liaisons are available upon request.</u>
<input checked="" type="checkbox"/>	Public meetings conducted in multiple languages: <u>Available upon request with two days advance notice.</u>
<input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: <u>Included in translated notices.</u>
	Other services: _____

Signature - Chief Elected Official or Civil Rights Officer

Date

See also: http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Fair Housing Policy

In accordance with Fair Housing Act, the City of Kingsville hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Kingsville agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Kingsville agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Kingsville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kingsville, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature

Mayor

Date

Code of Conduct Policy of the City of Kingsville

As a Grant Recipient of a TxCDBG contract City of Kingsville shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Kingsville shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Kingsville shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to the City of Kingsville Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

Passed and approved this _____ day of _____, 2018.

Mayor, City of Kingsville

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Texas Community Development Block Grant (TxCDBG) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) &(h), and 2 CFR 200.318

PROCLAMATION OF APRIL AS FAIR HOUSING MONTH

WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, WE, the City Commission of the City of Kingsville, do proclaim April as Fair Housing Month in City of Kingsville and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

Passed and adopted by the City Commission of the City of Kingsville, Kleberg County, State of Texas, on the _____ day of _____, 2018.

APPROVED:

Mayor

ATTEST:

City Secretary

RESOLUTION # 2018-_____

A RESOLUTION OF THE CITY COMMISSION OF KINGSVILLE, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) CONTRACT NUMBER 7218269.

WHEREAS, the City of Kingsville has applied for and received a 2018 Texas Community Development Block Grant award to provide Sewer Improvements; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture; and

WHEREAS, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution; and

WHEREAS, the City of Kingsville acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form (Form A202)*.

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

I.

THAT the Mayor and City Manager are authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2018 Texas Community Development Block Grant Program.

II.

THAT the Mayor, City Manager, and City Engineer be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2018 Texas Community Development Block Grant Program.

III.

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

IV.

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

PASSED AND APPROVED by a majority vote of the City Commission the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #33

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: November 13, 2018

SUBJECT: Consider and act upon approving Grant Administration Services Contract with GrantWorks and resolutions associated with Texas Department Administration documentation on the TxCDBG Contract #7218269 for the Wastewater Improvements Manhole Rehabilitation Project.

Summary:

The project shall rehabilitate 18 manholes throughout the City as indicated in the attached exhibit. These manholes have deteriorated, and the proposed scope of work would reduce inflow and infiltration. It is estimated to benefit approximately 24,000 residents.

The grant is to assist low-to-moderate income communities using state funds. The resolutions included are a requirement by the state.

It is a requirement to assign a grant administrator to this grant. The Grant Administration Services Contract with GrantWorks will need to be approved to satisfy this requirement.

Background:

The City applied for a Grant to help pay for the construction. The total grant will be \$360,000 including the City's cash match of \$60,000.

November 16, 2016 – City awards professional services for grant management to GrantWorks (RFP#17-04) in the amount of \$33,000. and profession services for engineering to LNV (RFP#17-03) in the amount of \$50,000.

Financial Impact:

The city would provide a cash match of \$60,000 as indicated in resolution #2017-04. The funds are allocated in Utility Fund Account# 051-5-7003-55104 in the amount of \$42,000.



**City of Kingsville
Engineering Dept.**

Recommendation:

Staff recommends approval of all items as presented.

Attachments:

Wastewater Improvements Manhole Rehabilitation – Exhibit
Grant Table 2 Budget Justification
Grant Administration Services Contract
Resolution Authorizing Signatories – A201
Resolution Regarding Civil Rights – A1014
City of Kingsville – Citizen Participation Plan TxCDBG – A1013
Section 3 Policy – A1002
Excessive Force Policy – A1003
Section 504 Policy against Discrimination based on Handicap and Grievance Procedures
– A1004
Over 5% Limited English Proficiency Plan – A1010
Fair Housing Policy – A1015
Code of Conduct Policy of the City of Kingsville
Proclamation of April as Fair Housing Month – A1007



RESOLUTION #2018-_____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A GRANT ADMINISTRATION SERVICES AGREEMENT BETWEEN CITY OF KINGSVILLE, TEXAS AND GRANTWORKS, INC. (FOR TXCDBG #7218269); REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville has been awarded a Texas Department of Agriculture Community Development Block Grant #7218269 for sewer system improvements and desires to hire a grant administrator to assist with grant compliance for this project with funding for such services coming from the grant;

WHEREAS, after advertising and scoring requests for proposals for grant administration services, the City Commission on November 28, 2016 awarded RFP #17-04 for professional services related to grant management for the Texas Department of Agriculture Community Development Block Grant projects to the firm/applicant scoring the highest in the RFP process, which was GrantWorks, Inc.;

WHEREAS, the City and GrantWorks, Inc. have worked to prepare a contract for Grant Administration Services between the City of Kingsville and GrantWorks, Inc. for the sewer system improvements grant (TXCDBG #7218269) and the parties both agree to the terms of the proposed contract.

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 a Grant Administration Services Agreement between the City of Kingsville, Texas and GrantWorks, Inc. for grant administration services for Sewer Systems Improvements Project TxCDBG #7218269 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
13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

GRANT ADMINISTRATION SERVICES

THIS AGREEMENT, MADE THIS 28th DAY OF NOVEMBER, 2016 BY AND BETWEEN THE CITY OF KINGSVILLE, hereinafter referred to as the Client, and GRANTWORKS, INC., Austin, Texas, hereinafter referred to as the Consultant, procured in conformance with Texas Government Code Chapter 2254, Subchapter A, "Professional Services"

I. SCOPE OF BASIC SERVICES

Consultant agrees to render Client grant administration services for Client's 2018 Program Year Texas Community Development Block Grant Program Contract Number 7218269 - Community Development Fund (the "Contract"), as administered by the Texas Department of Agriculture - Office of Rural Affairs (the "Department"), as provided in the provisions titled, "Part III, Scope of Basic Services" and attached hereto and incorporated by reference herein (the "Services").

II. TIME OF PERFORMANCE

The time of services of Consultant shall commence no earlier than upon execution of this agreement. In any event, Consultant shall use commercially reasonable efforts to perform all services required and performed hereunder within either 730 calendar days or the project's administrative closure date, as defined by Department, whichever is later.

III. COMPENSATION AND METHOD OF PAYMENT

For and in consideration of the foregoing, Client agrees to pay Consultant a base fee of Thirty-Three Thousand and no/100 Dollars, (\$33,000.00) in accordance with the following schedule. Listing of specific milestones shall not be construed as a representation or warranty, and Consultant makes no representations or warranties, that these milestones measure overall contract progress facilitated by the Consultant's performance of the services, and any particular milestone will be achieved or that any specific Department or other requirements ultimately will be met. The fee schedule shall be based upon identified contract milestones, as follows:

1	Establish files, record keeping system, and accounting system, complete environmental exemption and civil rights requirements	\$9,900.00
2	Prepare Environmental Review Record, Coordinate Environmental Notices	\$6,600.00
3	Complete Start of Construction Documents	\$6,600.00
4	25% of Grant funds Requested and Admin. Activities* To Date	\$3,300.00
5	75% of Grant funds Requested and Admin. Activities* To Date	\$3,300.00
6	Submit Project Completion Report and Administrative Closure	\$3,300.00
Contract Amount		\$33,000.00

*Administrative Activities include General Administration, Financial Management, Basic Acquisition, and Construction Phase Management services as referenced in the attached Part III—Scope of Grant Administration Services.

IV. ADDITIONAL SERVICES

- A. If authorized by Client, the Consultant shall furnish Additional Services of the following types which are not considered normal or customary Basic Services; these will be paid for by the Client at an hourly rate of Ninety-five and no/100 Dollars (\$95.00).
1. Services resulting from significant changes in general scope of project necessitating the revision of previously accepted reports, documents, and studies or requiring programmatic amendments to Client's Contract with the Department.
 2. Reassessment of the environmental review, republication of environmental notices, and other actions necessary to re-secure clearance from the Department required by an amendment, other Contract modification, or a change in Department policy or practice.

3. Additional door-to-door income survey work required as part of an amendment, other Contract modification, or a change in Department policy or practice.
 4. New and/or additional acquisition activities resulting from unknown needs prior to project initiation, site changes, and/or condemnation proceedings.
 5. Additional services resulting from new or revised program guidelines or regulations as mandated by the state or federal administering agency during the term of this Agreement.
 6. Additional monitoring visits (other than the normal interim and final) which are conducted by the state or federal administering agencies as necessitated by actions or non-actions other than those of the Consultant.
 7. Preparing to serve, or serving, as a consultant or witness for Client in any litigation, other legal or administrative proceeding involving this project.
 8. Preparation of financial statements and records such as audits, check registers, and ledgers that are required for project implementation and are typically generated by the Client in the normal course of business.
 9. Additional or extended services made necessary by: 1) a significant amount of defective work of any construction contractor, consulting engineer and/or architect; 2) prime construction contractor utilizing more than three (3) sub-contractors; 3) more than two (2) prime construction contracts; 4) force account documentation for labor, equipment and materials valued at over \$25,000; 5) default of any construction contractor, consulting engineer and/or architect.
- B. Fees for any professional services required to carry out project-related activities that must be furnished by a third party professional including but not limited to accountant, appraiser, archaeologist, architect, attorney, auditor, biologist or other natural scientist, engineer, historic preservationist, or surveyor, shall be in addition to the base fee payable to Consultant specified in Section III. Expenditures for such services shall require prior approval by Client.

V. CHANGES AND AMENDMENTS

The Client may, from time to time, request changes in the scope of services of the consultant to be performed hereunder. Such changes, including any increase or decrease in the amount of the Consultant's compensation, must be mutually agreed upon by and between the Client and the Consultant and shall be incorporated in written amendments to this Agreement. If a change is requested but the parties cannot agree on the specific terms of such change, the parties may mutually agree to terminate this Agreement. Absent such agreement to terminate, the Agreement will continue without the change.

VI. ASSIGNABILITY

Neither party shall assign any interest in this Agreement or transfer any interest in the same, without the prior written consent of the other party, not to be unreasonably withheld, provided, however, that claims for money by the Consultant from the Client under this Agreement may be assigned to a bank, trust company, or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished reasonably promptly to the Client.

VII. RECORDS AND AUDITS

During the term of this Agreement, the Consultant shall assist the Client in maintaining fiscal records and supporting documentation for all expenditures of funds made under the Contract. Such records must include data on racial, ethnic, and gender characteristics of persons who are applicants for, participants in, or beneficiaries of the funds provided under the Contract. Client shall retain such records, and any supporting documentation, for the greater of three years from closeout of the Contract or the period required by other applicable laws and regulations.

VIII. MISCELLANEOUS PROVISIONS

- A. Governing Law. This Agreement shall be construed under and accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in the county in which Client's primary office is located.
- B. Binding Effect; No Third Party Beneficiaries. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representative, successors and permitted assigns. This Agreement does not, and is not intended to confer any rights or remedies to any person other than the parties to this Agreement.

- C. Severability. In any case one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- D. Attorneys' Fees. If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs, and necessary disbursement in addition to any other relief to which such party may be entitled.
- E. Provision of Information. It is agreed that all information, data, reports and records and maps as are existing, available and necessary for the carrying out of the work outlined in this Agreement shall be furnished to the Consultant by the Client and its agencies. No charge will be made to Consultant for such information and the Client and its agencies will cooperate with Consultant in every way possible to facilitate the performance of the work described in this Agreement.
- F. Local Program Liaison. For purposes of this Contract, the Mayor or equivalent authorized person will serve as the Local Program Liaison and primary point of contact for the Consultant. All required progress reports and communication regarding the project shall be directed to this liaison and other local personnel as appropriate.
- G. Waiver of Consequential Damages. Neither party will be liable to the other party or any other person or entity for any special, incidental, indirect, consequential, punitive or exemplary damages arising out of or relating to this Agreement, regardless of the form of action and whether or not such party has been informed of or otherwise might have anticipated the possibility of such damages.
- H. Limitation of Liability. Each party agrees that, regardless of the type, nature or number of causes of action or claims by the Client (including without limitation claims for indemnity under this Agreement) or any third party claiming by, through or under the Client, the maximum amount of damages, individually or in the aggregate, that either party will be liable for or can be required to pay to the other or any other claimant is the amount of fees to be paid to the Consultant by the Client under this Agreement. The parties agree that this limitation of damages is reasonable and acknowledge that but for this limitation, neither party would enter into this Agreement.
- I. Entire Agreement. This Agreement constitutes the sole and entire agreement of the parties with regard to contemporaneous understandings or written or oral agreements between the parties respecting the subject matter of this Agreement.
- J. Negotiated Terms. The parties agree that the terms and conditions of this Agreement are the result of negotiations between the parties and that this Agreement shall not be construed in favor of or against either party by reason of the extent to which such party or its professional advisors participated in the preparation of this Agreement.
- K. Ownership of Work and Copyright. The parties agree that the Consultant retains all ownership rights to forms, reports, and other documents produced in whole or in part under this Agreement until such documents are completed as contemplated under this Agreement and placed in the official Contract record or submitted as final documents to the Client or the Department. Consultant shall retain all ownership rights to templates, internal tracking systems, and other documents produced by Consultant that have a common use applicable to multiple clients and are not produced specifically for the Client under this Agreement. No report, maps, or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Consultant.
- L. Remedies, Alternative Dispute Resolution, and Program Non-Compliance. The parties hereto agree to resolve all disputes arising hereunder in accordance with this section. If a dispute arises out of or relates to this Agreement or any alleged breach hereof, including determination of responsibility for any costs disallowed as a result of non-compliance with federal, state or CDBG program requirements, the party

desiring to resolve such dispute shall deliver a written notice of the dispute, including the specific claim in the dispute to the other party. Following the delivery of such notice, the parties involved in the dispute shall meet at least twice within the thirty (30) day period commencing with the date of the notice and in good faith shall attempt to resolve such dispute through negotiation. If any dispute is not resolved or settled by the parties as a result of such negotiation, the parties in good faith shall submit the dispute to non-binding mediation before a retired judge of a federal district court or Texas district court or a similarly qualified, mutually agreeable individual in ~~Austin~~Kingsville, Texas. The parties shall bear the costs of such mediation equally. If the dispute is not resolved through such mediation, either party may proceed to file suit.

- M. **Force Majeure.** A "Force Majeure Event" means any event or cause beyond a party's reasonable control (including without limitation, construction delays, fire, flood, rain, weather, casualty, explosions, damage by third parties whether negligently or intentionally caused, strikes, work stoppages, picketing, acts of God or other casualties, or the laws or actions of any governmental authority), as a result of which at any time a party is unable to perform any of its obligations under this Agreement. If a Force Majeure Event occurs during the term of this Agreement that prevents the Consultant from performing its obligations hereunder, the Consultant and the Client will in good faith mutually agree on one of the following alternatives: (1) extend the time for performance, or (2) terminate this Agreement and, as mutually agreed, cause the payment to Consultant of fees not yet paid for services performed prior to the occurrence of the Force Majeure Event or cause the refund to Client of fees previously paid for services that were not performed prior to the occurrence of the Force Majeure Event.


IX. TERMS AND CONDITIONS

This Agreement is subject to the provisions titled "Part II Terms and Conditions" and "Part III Scope of Basic Services," which each are attached hereto and hereby are incorporated by reference.

IN WITNESSETH HEREOF, the Client and the Consultant have executed this Agreement as of the date indicated above.

GrantWorks, Inc.
2201 Northland Drive
Austin, TX 78756

City of Kingsville
PO Box 1458
Kingsville, Texas 78364-1458

BY: 

Bruce J. Spitzengel
President

BY: _____
Mayor

ATTEST:

BY: _____
City Secretary

**AGREEMENT FOR ADMINISTRATIVE MANAGEMENT SERVICES
PART II - TERMS AND CONDITIONS**

1. **PERSONNEL.** The Consultant represents it has or will secure at its own expense, all personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with the Client. The Consultant may subcontract any of the work or services covered by this Agreement, provided that (a) any subcontracted work or services must be the subject of a written approval written contract or agreement, (b) the Consultant shall be responsible to Client for the acts or omissions of any such subcontractor, and (c) such subcontractors shall be subject to the requirements of the program.
2. **REPORTS AND INFORMATION.** The Consultant, at such times and in such forms as the Client may reasonably require, shall furnish the Client periodic reports as it may request pertaining to the work or services undertaken pursuant to this Agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Agreement.
3. **RECORD RETENTION.** In accordance with 2 CFR 200 (formerly 24 CFR §85.36(i)(11)), Consultant shall provide to Client all records pertinent to the Contract. Client shall retain all required records for at least three (3) years after making final payments and all other pending matters are closed.
4. **ACCESS TO RECORDS.** In accordance with 2 CFR 200 (formerly 24 CFR §85.36(i)(10)), during the Agreement's time of performance the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives will have access to any books, documents, papers, and records maintained by the Consultant which are directly pertinent to the Contract for the purpose of making audit, examination, excerpts, and transcriptions.
5. **FINDINGS CONFIDENTIAL.** All of the reports, information, data, etc., prepared or assembled by the Consultant under this Agreement are confidential and the Consultant agrees that they shall not be made available to any individual or organization without the prior written approval of the Client except where required by law or by court order.
6. **COMPLIANCE WITH LOCAL LAWS; INDEMNIFICATION.** Consultant shall comply with the requirements of all applicable laws, rules and regulations, and shall, indemnify, and hold harmless the Client from and against them, and shall indemnify and hold harmless the Client from and against liability for payments of Federal, State and local taxes on contributions imposed or required under the Social Security, worker's compensation and income tax laws associated solely with Consultant's performance of the services required to be performed by Consultant under this Agreement.
7. **TERMINATION OF AGREEMENT FOR CAUSE.** In accordance with 2 CFR 200 APPENDIX II (B), if the Consultant shall fail to fulfill in a timely and proper manner his/her obligations under this Agreement, or if the Consultant shall violate any of the covenants, agreements, or stipulations of this Agreement, the Client shall provide written notice to Consultant reasonably specifying the failure or violation. If Consultant fails to cure such failure or violation within five (5) business days of receiving such notice or, if the failure or violation is incapable of cure within such time frame, to begin to take actions to cure such failure or violation and to diligently pursue them to completion, Client thereupon shall have the right to terminate this Agreement immediately by giving written notice to the Consultant. Consultant shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder. In such event, all finished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by the Consultant under this Agreement shall, at the option of the Client, become its property.

8. **TERMINATION OF AGREEMENT FOR CONVENIENCE.** Either the Client or the Consultant may terminate this Agreement at any time by providing at least ten (10) days' notice in writing to the other party to this Agreement. If the Agreement is terminated as provided herein, the Consultant will be paid for the time provided and expenses incurred up to the termination date. In such event, all finished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by the Consultant under this Agreement shall, at the option of the Client, become its property.
9. **CONFLICTS OF INTEREST**
- A. **Governing Body:** Client agrees that no member of its governing body, no other public official of Client, and no other officer, employee, or agent of the Client who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this Agreement, and Client shall take appropriate steps to assure compliance with this requirement.
 - B. **Other Local Public Officials.** No other public official who exercises any functions or responsibilities in connection with the planning and carrying out of administration, construction, engineering or implementation of the CDBG award between the Department and the City/County shall have any personal financial interest, direct or indirect, in the Consultant or this Agreement; and the Consultant shall take appropriate steps to assure compliance.
 - C. **Consultant and Employees.** The Consultant warrants and represents that it has no conflict of interest associated with the CDBG award between the Department and the Client or this Agreement. The Consultant further warrants and represents that it shall not acquire an interest, direct or indirect, in any geographic area that may benefit from the CDBG award between the Department and the Client or in any business, entity, organization or person that may benefit from the award. The Consultant further agrees that it will not employ an individual with a conflict of interest as described herein.
10. **DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689).** The Consultant certifies, by entering into this Agreement, that neither it nor its principals are presently debarred, suspended, or otherwise excluded from or ineligible for participation in federally-assisted programs under Executive Orders 12549 (1986) and 12689 (1989). The term "principal" for purposes of this Agreement is defined as an officer, director, owner, partner, key employee, or other person with primary management or supervisory responsibilities, or a person who has a critical influence on or substantive control over the operations of the Consultant. The Consultant understands that it must not make any award or permit any award (or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension."
11. **FEDERAL COMPLIANCE.** During the term of this Agreement, the parties shall comply with all Federal laws, regulations, and rules including the following:
- A. **CIVIL RIGHTS ACT OF 1964.** Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
 - B. **Section 504 Rehabilitation Act of 1973, as amended.** The Consultant agrees that no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be denied the benefits of, or be subjected to discrimination, including discrimination in employment, under any program or activity receiving federal financial assistance.
 - C. **AGE DISCRIMINATION ACT OF 1975.** The Consultant shall comply with the Age Discrimination Act of 1975 which provides that no person in the United States shall on the basis of age be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
 - D. **SECTION A109 OF THE HOUSING & COMMUNITY DEVELOPMENT ACT OF 1974.**
 - i. Under Title VI of the Civil Rights Act of 1964, no person shall on the ground of race, color, religion, national origin or sex be excluded from participation in, be denied the benefits of,

or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Title.

E. EQUAL OPPORTUNITY CLAUSE. During the performance of this Agreement, the Consultant agrees as follows:

- i. The Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
- ii. The Consultant will, in all solicitations or advertisements for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.
- iii. The Consultant will not discourage or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the Consultant's legal duty to furnish information.
- iv. The Consultant will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Consultant's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- v. The Consultant will comply with all provisions of Executive Order 11246 of September 24, 1965, "Equal Employment Opportunity," and of the rules, regulations, and relevant orders of the Secretary of Labor.
- vi. The Consultant will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- vii. In the event of the Consultant's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Consultant may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- viii. The Consultant will include the portion of the sentence immediately preceding paragraph (i) and the provisions of paragraphs (i) through (vii) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant

to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Consultant will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, however, that in the event a Consultant becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the Consultant may request the United States to enter into such litigation to protect the interests of the United States.

12. ECONOMIC OPPORTUNITIES FOR SECTION 3 RESIDENTS AND SECTION 3 BUSINESS CONCERNS.

- A. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this Agreement will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 C.F.R. 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this Agreement. The parties to this Agreement certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- C. The Client shall require each contractor to send to each labor organization or representative of workers with which he/she has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his/her commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- D. The Client shall require that this Section 3 clause is included in every contract or subcontract for work in connection with the project and will, take appropriate action upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 C.F.R. Part 135. The Client shall not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 C.F.R. Part 135 and will terminate any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with requirements of the regulations. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- E. Compliance with the provisions of Section 3, the regulations set forth in 24 C.F.R. Part 135, and all applicable rules and orders of the Department issued hereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon the applicant or recipient for such assistance, its successors and assigns. Failure to fulfill these requirements shall subject the applicant, its contractors and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 C.F.R. Part 135.
- F. The Contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the Contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- G. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this Agreement for default, and debarment or suspension from future HUD assisted contracts.

- H. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this Agreement. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this Agreement that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

13. **CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS.**

- A. The Consultant must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- B. Affirmative steps must include:
- i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
 - vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

14. **REPORTING REQUIREMENTS.** The Consultant shall comply with the requirements and regulations pertaining to reporting (24 CFR 85.36 (i) (7)).

15. **RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT.** If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency. (2 CFR 200 Appendix II (B))

16. **COPYRIGHTS AND RIGHTS IN DATA.** The Consultant shall comply with the requirements and regulations pertaining to copyrights and rights in data. (24 CFR 85.36 (i) (9)).

17. **ENERGY EFFICIENCY.** The Consultant shall comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94A 163, 89 Stat. 871). (24 CFR 85.36 (i) (13)).

18. **VERIFICATION NO BOYCOTT ISRAEL.** As required by Chapter 2270, Government Code, the Consultant hereby verifies that it does not boycott Israel and will not boycott Israel through the term of this Agreement. For purposes of this verification, "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict

economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

19. **NO FOREIGN TERRORIST ORGANIZATIONS.** Pursuant to Chapter 2252, Texas Government Code, the Consultant represents and certifies that, at the time of execution of this Agreement neither the Consultant, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code, or Subchapter F of Chapter 2252 of the Texas Government Code, or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term "foreign terrorist organization" in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.

AGREEMENT FOR GRANT ADMINISTRATION SERVICES
PART III - SCOPE OF BASIC SERVICES

Note: Listed services may not be required for this Texas CDBG project, particularly those listed in Sections E, F, G and H. Consultant shall furnish only those services appropriate to the project.

A. General Administration

1. Provide general advice to the Client and its staff with respect to the implementation of the project and regulatory matters.
2. Furnish forms, policies, and procedures for implementation of the project.
3. Provide technical assistance to Client personnel who will be directly involved in the program for routine tasks, using the Texas Community Development Block Grant Program (Texas CDBG) - Project Implementation Manual (IM).
4. Assist Client in developing a record keeping system consistent with program guidelines, including the establishment and maintenance of program files.
5. Serve as liaison for the Client during normal monitoring visits by staff representatives from either the Texas Department of Agriculture - Office of Rural Affairs (Department) or the U.S. Department of Housing and Urban Development (HUD).
6. Prepare and submit to Department Client's required Quarterly Progress Reports and Financial Interest Reports.
7. Assist Client in meeting citizen participation, personnel, and Section 504 requirements as may be required for participation in the Texas CDBG program.
8. Assist Client in preparing Contract Amendments and Modifications along with related documentation, public hearings, and notices as requested by Client.*
9. Other general administration tasks not listed here that are requested by Client and agreed to in writing by Consultant.

B. Financial Management

1. Assist Client in proving its ability to manage the grant funds to the state's audit division.
2. Assist Client in establishing and maintaining a Direct Deposit account and/or separate local bank account, journals and ledgers.
3. Assist Client in submitting the Direct Deposit Authorization Form and/or Depository/Authorized Signatory form to Department.
4. Assist Client in preparation of drawdown requests from Department and disbursements of funds within the allotted time period.
5. Assist the Client in establishing procedures to handle the use of any Texas CDBG program income.

C. Environmental Review*

1. Prepare environmental assessment.
2. Coordinate environmental clearance procedures with other interested parties.
3. Coordinate any third-party professional services required to complete the assessment (third-party professional services are outside the scope of this agreement and their costs shall not be borne by Consultant, see Section IV of this Agreement)
4. Document consideration of any public comments.
5. Assist with compliance with Executive Order 11988 for projects located in flood plain.
6. Prepare and submit related public notices.
7. Prepare Request for Release of Funds and Certifications.

D. Basic Acquisition Activities**

1. Prepare required acquisition report(s).
2. Advise Client of general procedures required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as they pertain to the project.

- E. Construction Phase Management—Force Account (if required)*
1. Assist Client in determining whether and/or what Texas CDBG contract activities will be carried out in whole or in part via force account labor.
 2. Assist Client in determining whether or not it will be necessary to hire temporary employees to specifically carry out Texas CDBG contract activities.
 3. Assist Client in maintaining adequate documentation of personnel, equipment and materials expended/used and their costs.
- F. Construction Phase Management—Bid/Contract Type (if required)
1. Assist Client in documenting compliance with all federal and state requirements related to equal employment opportunity.
 2. Assist Client in documenting compliance with all federal and state requirements related to minimum wage and overtime pay requirements.
 3. Provide assistance to or act as local labor standards officer for this project.
 4. Select and verify wage rate with Department.
 5. Request bid packet, bid advertisement, bid tabulation, and contract prepared by engineer to review upon receipt for compliance with Texas CDBG requirements.
 6. Make ten-day call to Department.
 7. Verify construction contractor and any subcontractors for eligibility.
 8. Submit start of construction documents to Department.
 9. Attend (conduct if necessary) pre-construction conference and prepare minutes.
 10. Review weekly payrolls and conduct compliance follow-ups.
 11. Submit any additional classifications to Department.
 12. Coordinate employee interviews to evaluate Davis-Bacon wage compliance.
 13. Request from engineer and upon receipt process and submit change orders to Department.
 14. Obtain Certificate of Construction Completion/Final Wage Compliance Report and submit to Department.
- G. Construction Phase Management—Housing Rehabilitation/On-Site Sewage Facility (if required)
1. Assist Client in documenting compliance with all federal and state requirements related to equal employment opportunity, minimum wage and overtime pay requirements
 2. Develop/edit Housing/OSSF Program Guidelines
 3. Coordinate with client personnel on guidelines, process/procedures
 4. Publicize and conduct program applicant in-take sessions
 5. Review program applications for eligibility
 6. Track then score/rank completed, eligible participant applications for Client approval
 7. Develop/coordinate applicant agreements
 8. Coordinate procurement of third-party experts as needed (lead paint, soil/site evaluator)
 9. Coordinate with local officials as needed (inspection, permitting)
 10. Develop bid packages
 11. Verify construction contractor and any subcontractors for eligibility with Department
 12. Conduct pre-construction conferences
 13. Process and submit change orders to Client and Department
 14. Conduct (Housing) or coordinate (OSSF) required inspections
 15. Obtain final permit/inspection reports and submit to Department
- H. Service Line Replacement on Private Property (if required)
1. Assist Client in establishing local program guidelines.
 2. Prepare proposed guidelines for review by Client and Department.
 3. Prepare resolution for Client adopting local program guidelines.
- I. Equal Opportunity/Fair Housing
1. Maintain documentation of all project beneficiaries by ethnicity and gender.
 2. Prepare Section 3 and Affirmative Action Plan.
 3. Prepare all Section 504 requirements.

4. Assist the Client in developing, implementing and documenting new activities to affirmatively further fair housing activities during the contract period.
 5. Provide all applicable equal opportunity provisions and certifications for inclusion in bid packet
- J. Audit/Close-out Procedures
1. Prepare the final Project Completion Report, including General Report, Beneficiary Report***, Financial Interest Reports, documentation of fair housing activities, citizen participation and equal rights, and Certificate of Completion.
 2. Assist Client in responding to any monitoring and audit findings and resolving any third party claims.
 3. Provide auditor with Texas CDBG audit guidelines.

*Services related to contract amendments or modifications, reassessment of the Environmental Review Record resulting from a contract amendment, or documentation of in-kind contributions or force account labor exceeding \$25,000 may be subject to additional charges payable to GrantWorks (see Section IV of this Agreement).

**Acquisition Activities may not be required in each project other than the submittal of an "acquisition report" documenting no activities. If additional acquisition services are required, including any or all of the following activities, an additional charge may be negotiated with the Client: obtaining documentation of property ownership, correspondence and notifications to property owners, negotiations, securing signatures, filing of records, securing appraisals or surveys, providing market value estimates, coordinating with appraisers, surveyors, or other third parties. These additional charges will be paid using grant funds if available. At its sole discretion, GrantWorks may choose to donate any additional acquisition services in the interest of successful program implementation and enhanced client relationship. However, costs for any third-party acquisition services shall be the Client's responsibility.

Additional General Terms Regarding Third-Party Services

Some services will be performed by third-party service providers.

Assistance by Consultant with (1) verification of construction contractors or other service contractors, (2) selection of bid award winners, or (3) any other activity relating to contractors, subcontractors, bid award winners or any other third party not directly engaged through a written agreement with Consultant to provide services required to be provided by Consultant under this Agreement (collectively "Third Parties") is not intended to be and shall not be construed as an endorsement, representation or warranty by Consultant of any kind relating to such Third Party Service Providers or of the quality of such Third Parties work, and all such endorsements, representations or warranties hereby are expressly disclaimed.

Assistance by Consultant with the fulfillment of any requirements imposed by Third Parties, governmental or otherwise, shall not be construed as a representation or warranty, and Consultant makes no representations or warranties, that any particular requirement will be achieved or met, and Consultant assumes no responsibility for the achievement or failure to achieve such requirements.

All assistance by Consultant described in this Agreement based on information provided by Third Parties shall be considered information provided by Client, and Consultant shall be entitled to rely on such information without any additional duty of inquiry or investigation.

AGENDA ITEM #34

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: November 13, 2018

SUBJECT: Consider and act upon approving Grant Administration Services Contract with GrantWorks and resolutions associated with Texas Department Administration documentation on the TxCDBG Contract #7218269 for the Wastewater Improvements Manhole Rehabilitation Project.

Summary:

The project shall rehabilitate 18 manholes throughout the City as indicated in the attached exhibit. These manholes have deteriorated, and the proposed scope of work would reduce inflow and infiltration. It is estimated to benefit approximately 24,000 residents.

The grant is to assist low-to-moderate income communities using state funds. The resolutions included are a requirement by the state.

It is a requirement to assign a grant administrator to this grant. The Grant Administration Services Contract with GrantWorks will need to be approved to satisfy this requirement.

Background:

The City applied for a Grant to help pay for the construction. The total grant will be \$360,000 including the City's cash match of \$60,000.

November 16, 2016 – City awards professional services for grant management to GrantWorks (RFP#17-04) in the amount of \$33,000. and profession services for engineering to LNV (RFP#17-03) in the amount of \$50,000.

Financial Impact:

The city would provide a cash match of \$60,000 as indicated in resolution #2017-04. The funds are allocated in Utility Fund Account# 051-5-7003-55104 in the amount of \$42,000.



**City of Kingsville
Engineering Dept.**

Recommendation:

Staff recommends approval of all items as presented.

Attachments:

Wastewater Improvements Manhole Rehabilitation – Exhibit
Grant Table 2 Budget Justification
Grant Administration Services Contract
Resolution Authorizing Signatories – A201
Resolution Regarding Civil Rights – A1014
City of Kingsville – Citizen Participation Plan TxCDBG – A1013
Section 3 Policy – A1002
Excessive Force Policy – A1003
Section 504 Policy against Discrimination based on Handicap and Grievance Procedures
– A1004
Over 5% Limited English Proficiency Plan – A1010
Fair Housing Policy – A1015
Code of Conduct Policy of the City of Kingsville
Proclamation of April as Fair Housing Month – A1007



RESOLUTION # 2018-_____

A RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS, REGARDING CIVIL RIGHTS, CITIZEN PARTICIPATION PLAN, SECTION 3, EXCESSIVE FORCE, SECTION 504, FAIR HOUSING, AND CODE OF CONDUCT POLICIES FOR TXCDBG COMPLIANCE.

WHEREAS, the City of Kingsville, Texas, (hereinafter referred to as "City of Kingsville") has been awarded Texas Community Development Block Grant (hereinafter referred to as "TxCDBG") funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as "TDA");

WHEREAS, the City of Kingsville, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

WHEREAS, the City of Kingsville, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

WHEREAS, the City of Kingsville, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

WHEREAS, the City of Kingsville, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

WHEREAS, the City of Kingsville, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project;

WHEREAS, the City of Kingsville, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

WHEREAS, the City of Kingsville, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period, to affirmatively further fair housing;

WHEREAS, the City of Kingsville, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

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

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form A1003)
4. Section 504 Policy and Grievance Procedures (Form A1004);
5. Limited English Proficiency (LEP) Standards (Form A1010);
6. Fair Housing Policy (Exhibit 1015); and
7. Code of Conduct Policy.

I.

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

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

**CITY OF KINGSVILLE
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have "meaningful access" to all aspects of the TxCDBG project. To provide 'meaningful access', Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents include Citizen Participation notices (e.g. complaint procedures, hearing notices) civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Kingsville offices, 400 W. King, Kingsville, TX 78363, PO Box 1458, Kingsville, TX 78364-1458, (361) 595-8001 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the Mayor, at City of Kingsville at 400 W. King, Kingsville, TX 78363, PO Box 1458, or may call (361) 595-8001.
2. A copy of the complaint or grievance shall be transmitted by the Mayor to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The Mayor shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3. above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.
2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Sam R. Fugate, Mayor

Date

**LA CIUDAD DE KINGSVILLE
PLAN DE PARTICIPACIÓN CIUDADANA
PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés.

Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Ciudad de Kingsville, 400 W. King, Kingsville, TX 78363, PO Box 1458, Kingsville, TX 78364-1458, (361) 595-8001, en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la Mayor, a City of Kingsville, 400 W. King, Kingsville, TX 78363, PO Box 1458, Kingsville, TX 78364-1458, (361) 595-8001.
2. Una copia de la queja o reclamación se transmitirá por el alcalde a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El alcalde deberá cumplir una investigación de la queja o reclamación, si es posible, y dar una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia será notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se deba completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.
6. Se proporcionará copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad/, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad/ debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado. Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.
3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso.

Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.

4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad/ recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad/ celebrará una audiencia pública y revisara el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de

Sam R. Fugate, Alcalde de la ciudad

Fecha

SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u, (Section 3), the City of Kingsville agrees to implement the following steps, which, to the *greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by TxCDBG grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in TxCDBG funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of Kingsville, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Sam R. Fugate, Mayor

Date

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), the City of Kingsville hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Kingsville to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of Kingsville to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction; and
3. The City of Kingsville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kingsville, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature

Mayor

Date

Section 504 Policy against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Kingsville hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. City of Kingsville does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. City of Kingsville's recruitment materials or publications shall include a statement of this policy in 1. above.
4. City of Kingsville shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, City of Kingsville shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Kingsville) to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to the Mayor, PO Box 1458, Kingsville, TX, 78364-1458 or call (361) 595-8001, who has been designated to coordinate Section 504 compliance efforts.
 - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
 - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
 - f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mayor, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
 - g. The Section 504 coordinator shall maintain the files and records of the City of Kingsville relating to the complaints files.

- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Kingsville within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Kingsville complies with Section 504 and HUD regulations.

Sam R. Fugate, Mayor

Date

Over 5% Limited English Proficiency Plan

Name Grantee:	City of Kingsville
Community Population:	24,278
LEP Population:	10.4%
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries	Spanish

Program activities to be accessible to LEP persons:	
<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input checked="" type="checkbox"/>	Publications regarding Tx CDBG application, grievance procedures, <i>complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input checked="" type="checkbox"/>	Other program documents: Documents available in Spanish for directly assisted beneficiaries, if applicable.

Resources available to Grant Recipient:	
<input checked="" type="checkbox"/>	Translation services: available upon request
<input checked="" type="checkbox"/>	Interpreter services: available upon request with prior notice
	Other resources: _____

Language Assistance to be provided:	
<input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: <u>Public hearing, Complaint and Grievance, Equal Opportunity, Policy of Non-discrimination Based on Disability Status and Fair Housing notices are available in Spanish. Other CDBG required program notices are available in Spanish upon request.</u>
<input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons <u>Spanish-speaking liaisons are available upon request.</u>
<input checked="" type="checkbox"/>	Public meetings conducted in multiple languages: <u>Available upon request with two days advance notice.</u>
<input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: <u>Included in translated notices.</u>
	Other services: _____

Signature - Chief Elected Official or Civil Rights Officer

Date

See also: http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Fair Housing Policy

In accordance with Fair Housing Act, the City of Kingsville hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Kingsville agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Kingsville agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Kingsville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kingsville, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature

Mayor

Date

Code of Conduct Policy of the City of Kingsville

As a Grant Recipient of a TxCDBG contract City of Kingsville shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of the City of Kingsville shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of the City of Kingsville shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to the City of Kingsville Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

Passed and approved this _____ day of _____, 2018.

Mayor, City of Kingsville

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Texas Community Development Block Grant (TxCDBG) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) &(h), and 2 CFR 200.318

PROCLAMATION OF APRIL AS FAIR HOUSING MONTH

WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, WE, the City Commission of the City of Kingsville, do proclaim April as Fair Housing Month in City of Kingsville and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

Passed and adopted by the City Commission of the City of Kingsville, Kleberg County, State of Texas, on the _____ day of _____, 2018.

APPROVED:

Mayor

ATTEST:

City Secretary

AGENDA ITEM #35

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: November 13, 2018

SUBJECT: Consider and act upon approving Grant Administration Services Contract with GrantWorks and resolutions associated with Texas Department Administration documentation on the TxCDBG Contract #7218269 for the Wastewater Improvements Manhole Rehabilitation Project.

Summary:

The project shall rehabilitate 18 manholes throughout the City as indicated in the attached exhibit. These manholes have deteriorated, and the proposed scope of work would reduce inflow and infiltration. It is estimated to benefit approximately 24,000 residents.

The grant is to assist low-to-moderate income communities using state funds. The resolutions included are a requirement by the state.

It is a requirement to assign a grant administrator to this grant. The Grant Administration Services Contract with GrantWorks will need to be approved to satisfy this requirement.

Background:

The City applied for a Grant to help pay for the construction. The total grant will be \$360,000 including the City's cash match of \$60,000.

November 16, 2016 – City awards professional services for grant management to GrantWorks (RFP#17-04) in the amount of \$33,000. and profession services for engineering to LNV (RFP#17-03) in the amount of \$50,000.

Financial Impact:

The city would provide a cash match of \$60,000 as indicated in resolution #2017-04. The funds are allocated in Utility Fund Account# 051-5-7003-55104 in the amount of \$42,000.



**City of Kingsville
Engineering Dept.**

Recommendation:

Staff recommends approval of all items as presented.

Attachments:

Wastewater Improvements Manhole Rehabilitation – Exhibit

Grant Table 2 Budget Justification

Grant Administration Services Contract

Resolution Authorizing Signatories – A201

Resolution Regarding Civil Rights – A1014

City of Kingsville – Citizen Participation Plan TxCDBG – A1013

Section 3 Policy – A1002

Excessive Force Policy – A1003

Section 504 Policy against Discrimination based on Handicap and Grievance Procedures
– A1004

Over 5% Limited English Proficiency Plan – A1010

Fair Housing Policy – A1015

Code of Conduct Policy of the City of Kingsville

Proclamation of April as Fair Housing Month – A1007



RESOLUTION #2018-_____

A RESOLUTION OF THE CITY OF KINGSVILLE DESIGNATING THE MONTH OF APRIL AS FAIR HOUSING MONTH AND SUPPORTING FAIR HOUSING ACTIVITIES WITHIN THE CITY.

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS, the principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS, this proclamation, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

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

I.

THAT the City Commission recognizes the month of April as Fair Housing Month and supports fair housing activities within the city throughout the year.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of November, 2018.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #36

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: November 5, 2018

SUBJECT: NIBRS/CAD/RMS eForce project enhancement project

Summary:

We request a budget amendment and purchase of equipment to further enhance our ability to use the full capabilities of the eForce software acquired via the NIBRS Grant thru the Office of the Governor, Criminal Justice Division.

Background:

The State of Texas solicited applications for projects that enable local law enforcement agencies to upgrade their technology infrastructure to allow for and support the submission of data to the Uniform Crime Reporting (UCR) Incident Based System (NIBRS), particularly solutions that support the subsequent submission of incident data to the National Data Exchange (NDEx). Our department is in receipt of said grant and our vendor eForce has installed the appropriate software on our servers. To utilize all the capabilities of the software we need some additional software and hardware upgrades as outlined below.

Financial Impact:

The City of Kingsville Police Department utilized this grant to install a NIBRS compliant Records Management System to include the Records Management System, Computer-Aided Dispatch and Mobile Records Software. This system also has interface capabilities with the Kingsville Fire Departments ERS System, emergency 911 and for the Incode/Brazostech software for the City of Kingsville Municipal Court. The primary vendor for this project is shi Government Solutions and they have a TIPS/TAPS SHI-GS Contract #161202 for electronic good and appliances which expires on 2/23/2020.

The Mobile Data Terminals (MDT's) are being replaced with iPads and Zebra Ticket Writers. This will also require the purchase of Mobile Device Management Software and additional hardware and software.

Recommendation:



**City of Kingsville
Police Department**

We respectfully request approval of the budget amendment and request approval to purchase additional software and equipment in the amount of \$102,217.29. Chapter 59 will cover \$91,217.29 of that amount with \$11,000.00 from fund 001-1-08080 Child Safety Fund.

ITEM	VENDOR	Explanation	COST
Vmware (Mobile Device Management)	shi Government Solutions	CJIS Compliance 3 yrs	\$ 8,459.77
35 Ipads	Verizon	Verizon	\$ 16,099.65
Zebra Printers	shi Government Solutions	write citations	\$ 36,458.54
SQL Licences 2019/2017/server OS	shi Government Solutions	Infrastructure/Eforce	\$ 3,017.03
SSL Cert	Thought	Secure Socket Certificate	\$ 150.00
Havis Mounts/charging	shi Government Solutions	eForce/MDT	\$ 31,382.30
Installation of equipment	Hernandez Industries	MDT/Printers/Etc.	\$ 6,650.00

Grand Total	\$ 102,217.29
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