City of Kingsville, Texas

AGENDA CITY COMMISSION

MONDAY, JULY 22, 2019 REGULAR MEETING

CITY HALL HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE 5:00 P.M.

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE — (Mayor Fugate)
MINUTES OF PREVIOUS MEETING(S)

July 8, 2019 - Regular Meeting

APPROVED BY:

Deborah Balli Interim City Manager

- II. Public Hearing (Required by Law). ** This item will be held at 6pm as per the public hearing notice.**
 - 1. Public Hearing on ordinance to change the zoning of 10th, Block 6, Lot N/2 1-2 also known as 429 West Doddridge, Kingsville, Texas from R1 (Single Family District) to R2 (Two-Family District). (Director of Planning & Development Services).
- III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Condemnation Update, 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, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."

IV. Public Comment on Agenda Items.3

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

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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 to approve final passage of an ordinance abandoning part of an alley and retaining an easement for utility purposes in Vista Alegra Addition, Block 2 between Lots 5-12 and Lots 13-20 (alley between Henrietta and Yoakum to the west of 19th Street) for Jubilee Academies. (Director of Planning & Development Services).
- 2. Motion to approve final passage of an ordinance amending Code of Ordinances Chapter VII, Article 8, Traffic Control Devices, providing for the installation of stop signs on Santa Gertrudis Ave. at its intersection with 12th Street. (City Engineer).
- 3. Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 budget to accept and expend Park Donations from the Brookshire Foundation for recreational programs and equipment. (Parks Director).
- 4. Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 Budget to expend funds for professional services related to the Landfill Permit Amendment responses and Landfill heavy equipment repairs. (Public Works Director).
- 5. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV providing for adoption of Article 12, Cross Connection Control and Backflow Prevention Program and regulation pertaining thereto to establish minimum standards within the corporate limits of the City and the extraterritorial jurisdiction. (Public Works Director).
- 6. Motion to approve the reappointment of Lance Hancock and Jonathan Plant to the Hotel Occupancy Tax Advisory Board each for a two-year term. (Tourism Director).
- 7. Motion to approve a resolution authorizing release of Chapter 59 Funds of the Kingsville Police Department for donation to the Boys and Girls Club of Kingsville for drug and alcohol prevention programs. (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

- VI. Items for consideration by Commissioners.4
 - 8. Consider appointment of Kamlesh Bhikha to the Hotel Occupancy Tax Advisory Board for a two-year term. (Tourism Director).

- 9. Consider approval of certification of 2018 excess debt collection and certification of 2019 anticipate collection rate. (Finance Director).
- 10. Consider appointments to the Charter Review Committee. (City Attorney).
- Consider a resolution nominating certain person(s) as candidate(s) for election to the Board of Directors for the Kleberg County Appraisal District (for 2020-2021 term). (City Attorney).
- 12. Consider a resolution nominating a certain person as a candidate for election to the Board of Directors for the Kleberg County Appraisal District to fill an unexpired vacancy (expiring December 31, 2019). (City Attorney).
- 13. Consider a resolution authorizing the Interim City Manager to enter into a Fifth Revised Water Utility Supply Contract (Gov. Contract #N69450-12-C-0011) between the City of Kingsville, Texas and the Federal Government for Naval Air Station-Kingsville for TCEQ requested language and to add sewer service. (City Attorney).
- 14. Consider a resolution authorizing the City to purchase 38.09 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 Interim City Manager to execute any necessary documents on the City's behalf. (Director of Planning & Development Services).
- 15. Consider a resolution authorizing participation in Federal 2019 Safe Routes to Schools-Infrastructure Program through the Texas Department of Transportation for installation and design of sidewalks, authorizing the Mayor to act on the City's behalf with such program. (City Engineer).
- 16. Consider a resolution authorizing participation in the Federal 2019 Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for installation and design of sidewalks, authorizing the Mayor to act on the City's behalf with such program. (City Engineer).
- 17. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to expend funds for permanent pens for the annual National Professional Bull Riding Event to be held at the JK Northway. (Tourism Director).
- 18. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to expend funds for water well #19 repairs. (Public Works Director).
- 19. Consider a resolution authorizing the use of excess cash match funds for pre-award expenses for Kleberg County's application to the U.S. Department of Commerce, Office of Economic Development Administration under the Disaster Supplemental Funding Economic Adjustment Program for a Regional Public Safety Training Facility and Emergency Operations and Command Center. (Mayor Fugate).
- 20. Consider appointments to the JK Northway Renovation Professional Oversight Committee. (Mayor Fugate).
- 21. Consider out-of-state travel for Commissioner Leubert to attend the Logistics Development Forum on August 5-7, 2019 in Vail, Colorado. (Commissioner Leubert).
- 22. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter IX-General Regulations, Article 8-Parks and Recreation, providing for revised fees for the L.E. Ramey Golf Course. (Parks Director).
- 23. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to 10th, Block 6, Lot N/2 1-2 also known as 429 West

Doddridge, Kingsville, Texas from R1 (Single Family District) to R2 (Two-Family District). (Director of Planning & Development Services).

VII. Adjournment.

- 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.
- 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.
- 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:

<u>July 18, 2019</u> at <u>4:45 P.M.</u> and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

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

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

MINUTES OF PREVIOUS MEETING(S)

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JULY 8, 2019 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor Edna Lopez, Commissioner Hector Hinojosa, Commissioner Dianne Leubert, Commissioner Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Mary Valenzuela, City Secretary Courtney Alvarez, City Attorney Kyle Benson, IT Manager Susan Ivy, Parks Manager Deborah Balli, Interim City Manager Tom Ginter, Director of Planning & Development Services Charlie Sosa, Purchasing Manager Diana Gonzales, Human Resources Director Emilio Garcia. Health Director Ron Lee. Fire Marshall Ricardo Torres, Police Chief Janine Reves, Tourism Director Joseph Ramirez, Engineers Assistant Bill Donnell, Public Works Director Robert Rodriguez, Library Director Cynthia Martin, Downtown Manager

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

June 24, 2019 - Regular Meeting

Motion made by Commissioner Pecos to approve the minutes of June 24, 2019 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, voting "FOR". Fugate 'ABSTAINED".

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

1. NONE.

III. Reports from Commission & Staff.²

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

League. Staff reports include the following: Building & Development, Code Enforcement, Condemnation Update, 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, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."

Mrs. Deborah Balli, Interim City Manager reported to the Commission that at this time, the Splashpad will be closed on Mondays for cleaning and maintenance.

Mr. Bill Donnell, Public Works Director gave an update on Streets.

Mayor Fugate asked how much money will be left after the Caesar Street Project. Mr. Donnell responded that there will be less than \$300,000 left. Mayor Fugate commented that he would like to see the next project started, at least to draw up plans for the next project. Mr. Donnell stated that the next project is the Santa Rosa Project.

Mr. Donnell gave an update on the Landfill Permit Amendment. He stated that staff has been working with Hanson Engineering since 2012 on this permit amendment. At this time, we have a draft permit that is deemed to be approved. Donnell stated that the city would have to advertise and give the public opportunity to make comments. If after 30 days, if there is no comments or public hearing, then that permit would go to the Executive Director for signature. He stated that they have expanded the footprint slightly for the stormwater retention. It was project to be a 43 years of life to 98 years of life on that landfill. Currently the city has spent \$695,048 on this permit process and staff will be requesting a budget amendment to finish paying the notice of deficiency responsive which was the process going through the permit and getting it approved with TCEQ. He stated that with TCEQ, they have generated a new format that they wanted on the permits, which were one of the first ones to go through it. He stated that what the permit will intel is the vertical expansion down 20 feet and vertical expansion up, to 200 feet.

Commissioner Leubert asked Mr. Donnell if the gap between Type 1 & 4 where the original one had the separation, air space separation, that is filled in and will be part of the overall.

Mr. Donnell responded that the Type 4 will become a Type 1 in this permit amendment.

Commissioner Leubert further asked if we will be able to use the airspace with this amendment. Mr. Donnell responded yes, and the old 235, in the future it will be lined and expanded up on that section as well.

Commissioner Hinojosa asked that the Type 4, the linear was installed for a Type 1? Mr. Donnell responded that this was correct.

Mrs. Courtney Alvarez, City Attorney, stated that after receiving a call from the Ladies Golf Team, staff is requesting for the Commission to not take any action on agenda item #20, as the Ladies Golf Team would like to discuss the agreement further. She updated the Commission on the Historical Board approving the demolition of the old Kingsville

Publishing building. She stated that this is a part one of the two part contingency to approve the re-plat for the Dollar General, has been met. If the Commission approves the alley abandonment ordinance tonight, then the second prong will be met because the developers have also agreed to do the line replacement that staff has requested and the specifications that staff has requested, which will end up being a note on the plat. She further reported that the next Commission meeting is set for Monday, July 22nd with agenda items due on Friday, July 12th. She also reported that staff recently received from the Appraisal District the packet about nominations for the Appraisal Review Board. She stated that all the taxing entities are able to submit a name or a nomination that they would like to be considered on the ballot. Once the all the names are submitted, the Appraisal District will send us a ballot which will be brought to the Commission for their vote. She stated that presently Al Garcia is sitting on behalf of the City, although the nominee does not need to be a Commissioner in order to serve on this Board. The nominee must be a resident of the County. There is also a vacancy to fill the unexpired term of the late Mr. Filiberto Garcia, his term will be expiring on December 2019. She further reminded the Commission of the upcoming dates for the Budget Workshops: August 19th & 20th and August 26th & 27th.

IV. Public Comment on Agenda Items.3

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

No public comments made.

V. <u>Consent Agenda</u>

Notice to the Public

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

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

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

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

- 1. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to Westside AC, Lot 10 (.9989 Acres), also known as 209 W. Corral, Kingsville, Texas, from R1 (Single Family District) to R3 (Multi-Family District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).
- Motion to approve final passage of an ordinance abandoning part of an alley and retaining an easement for utility purposes in Orig Town, Block 49, Lots 17-18; Orig Town, Block 49, Lots 19-22; and, Orig Town, Block 49, Lot 23 (alley behind 105 South 5th St. and 119 South 5th St. and 200 West King, between 5th St. and 4th

- St. off of King Ave.) for Dollar General. (Director of Planning & Development Services).
- 3. Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 budget to accept and expend the proceeds from the sale of 11 acres (off Loop 428). (Interim City Manager).
- 4. Motion to approve final passage of an ordinance amending the Fiscal Year 2018-2019 Budget to expend funds for South Plant Waste Water Clarifier. (City Engineer).
- 5. <u>Motion to approve reappointment of Steve Zamora, Debbie Tiffee, Brian Coufal, Bill Aldridge and Lupe Alvarez to the Planning & Zoning Commission each for two-year terms. (Director of Planning & Development Services).</u>
- 6. <u>Motion to approve reappointment of Dora Martinez to the Civil Service Commission for a three-year term. (Director of Human Resources).</u>
- 7. Motion to approve reappointment of Tamara Brennan to the Historic Development Board for a three-year term. (Downtown Manager).
- 8. <u>Motion to approve reappointment of Chris Maher, D'yan Lopez Garza, and Gloria Bigger Cantu to the Main Street Advisory Board each for a two-year term.</u> (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

- VI. Items for consideration by Commissioners.4
 - 9. Consider appointment of Sandra Seymour to the Parks Advisory Board for a two-year term. (Parks Director).
 - Motion made by Commissioner Hinojosa to approve the appointment of Sandra Seymour to the Parks Advisory Board for a two-year term, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".
 - 10. Consider final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to Cooper 2, Block 3, Lots 19-21, also known as 800 W. Kleberg, Kingsville, Texas, from R1 (Single Family District) to R3 (Multi-Family District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

Mrs. Alvarez stated that at the last meeting there was a public hearing for this rezone where there were a couple of individuals within the 200 foot area that had objected to the rezone. Staff has also received some written notification as well. There were sufficient to trigger the section in the code of ordinances that will require the Commission to approve the rezone, if they chose too, by a 3/4th vote if going to approve it

Mr. Ginter stated that this is a vacant lot owned by a non-profit.

Mayor Fugate asked who were the complaints received from. Mr. Ginter stated that complaints were received by people living next door; Helen Rodriguez, Gilbert Vega and received two other letters and one this morning complaining about the rezone.

Mrs. Alvarez named the individuals, Mary Villarreal, Patricia DeLeon, Michael Haney, and Joseph Figarelli.

Mayor Fugate commented that he doesn't understand why they are complaining as it is a vacant lot.

Mr. Ginter stated that it will be a four unit complex. He stated that there is a lot of cities that are providing affordable housing and have looked at R1's, single-family lots that can be developed for multi-family.

Mayor Fugate asked what was the vote from the Planning and Zoning Commission. Mr. Ginter responded that it was a 4-0 vote in favor of the rezone. Mayor Fugate further asked if there were any complaints made during the Planning & Zoning Commission meeting. Mr. Ginter responded that no complaints were made, although Mr. Vega arrived late to the meeting and the vote had already been taken.

Mayor Fugate commented that it is his understanding that a couple of the complaints that were received were from those who are in rent houses that belong to Mr. Vega.

Mr. Ginter that this could be possible.

Motion made by Commissioner Pecos to approve this ordinance amending the zoning ordinance by changing the zoning map in reference to Cooper 2, Block 3, Lots 19-21, also known as 800 W. Kleberg, Kingsville, Texas, from R1 (Single Family District) to R3 (Multi-Family District); amending the comprehensive plan to account for any deviations from the existing comprehensive plan, seconded by Mayor Fugate.

Mr. Ricardo Vega commented that he has lived in the area since 1979 and people come and go from this area. Four years ago they placed some apartments across the street from him, which bothers him. He also commented that six residents that live in the area don't want the apartments. He stated that he has signatures from these individuals opposing the rezone.

The motion FAILED with the following vote: Pecos, Fugate voting "FOR". Lopez, Hinojosa, Leubert voting "AGAINST".

11. Consider introduction of an ordinance abandoning part of an alley and retaining an easement for utility purposes in Vista Alegra Addition, Block 2 between Lots 5-12 and Lots 13-20 (alley between Henrietta and Yoakum to the west of 19th Street) for Jubilee Academies. (Director of Planning & Development Services).

Mr. Tom Ginter, Director of Planning & Development Services stated that as the Jubilee Academy School has grown in enrollment and with future plans, they would like the city to abandon the alley for the safety of the school children. The City of Kingsville and CenterPoint have lines in the alley so while the city can abandon the alley, we will have to maintain a utility easement access for maintenance.

Introduction item.

12. Consider a resolution authorizing the Mayor to sign the Standard Form of Agreement for TxCDBG No.7218269 between Owner and Contractor on the Basis of a Stipulated Price (for Manhole Rehab Project). (City Engineer).

Motion made by Commissioner Pecos and Commissioner Leubert to approve the resolution authorizing the Mayor to sign the Standard Form of Agreement for TXCDBG No. 7218269 between Owner and Contractor on the Basis of a Stipulated Price (for Manhole Rehab Project), seconded by Commissioner Lopez. The

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

13. Consider introduction of an ordinance amending Code of Ordinances Chapter VII, Article 8, Traffic Control Devices, providing for the installation of stop signs on Santa Gertrudis Ave. at its intersection with 12th Street. (City Engineer).

Mr. Rudy Mora, City Engineer stated that currently the intersection of E. Santa Gertrudis and N. 12th Street have only a two-way Stop sign condition on 12th Street. Flores Park has had various improvements, for example, splashpad, playground equipment and picnic tables. The Engineering Department recommends placing a two-way Stop sign on E. Santa Gertrudis to convert to a four-way Stop intersection. The recent and future improvements in this area have generated an increase in pedestrian traffic and tow-way Stop signs are no longer the safest intersection condition applications. Section 28.07 of the MUTCD supports the need for Stop signs at these intersections by meeting the criteria in which there is the need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes.

Commissioner Leubert asked if there would be crosswalks. Mr. Mora responded yes. Introduction item.

14. Consider accepting donation from the Brookshire Foundation for Parks Department equipment and recreational programming. (Parks Director).

Motion made by Commissioner Lopez to approve the acceptance of donation from the Brookshire Foundation for Parks Department equipment and recreational programming, seconded by Commissioner Leubert and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

15. Consider introduction of an ordinance amending the Fiscal Year 2018-2019 budget to accept and expend Park Donations from the Brookshire Foundation for recreational programs and equipment. (Parks Director).

Introduction item.

16. Consider introduction of an ordinance amending the Fiscal Year 2018-2019

Budget to expend funds for professional services related to the Landfill Permit

Amendment responses and Landfill heavy equipment repairs. (Public Works

Director).

Introduction item.

17. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter XV providing for adoption of Article 12, Cross Connection Control and Backflow Prevention Program and regulation pertaining thereto to establish minimum standards within the corporate limits of the City and the extraterritorial jurisdiction. (Public Works Director).

Mr. Donnell stated that this project shall rehabilitate 18 manholes throughout the city. 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. The City would provide a cash match of \$60,000. Staff recommends awarding the project to Etech Construction in the amount of \$168,988.00 and authorizing the City Manager to execute a contract for the same.

Introduction item.

18. <u>Consider a resolution adopting the City of Kingsville Cross Connection Control</u> Policy Manual. (Public Works Director).

Mr. Donnell stated that this item purposes an ordinance to protect the City of Kingsville water supply with a Cross Connection Control and Backflow Prevention Program. A Cross Connection Control Policy Manual is also required and will be adopted by resolution.

Motion made by Commissioner Leubert to approve the resolution adopting the City of Kingsville Cross Connection Control Policy Manual, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".

19. Consider appointments to the Charter Review Committee. (City Attorney).

Mayor Fugate asked if the Commission was ready to make their appointments to the Charter Review.

The Commission was not ready to make their appointments at this meeting and asked for more time and bring back this item at the next meeting.

Commissioner Hinojosa asked how the Commission was going to determine the two individuals that would be appointed by the Commission as a whole.

Mayor Fugate asked for each Commissioner to bring back their pick for the Charter Review Committee and one extra name for consideration.

All Commission members were in agreement with this, therefore, no action was taken on this item.

20. Consider a resolution authorizing the Interim City Manager to enter into an Interlocal Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to TAMUK Women's Golf Team and the L.E. Ramey Golf Course. (Interim City Manager).

No discussion or action taken.

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

Mayor Fugate read and convened the meeting into executive session at 6:42 p.m.

Mayor Fugate reconvened the meeting into open session at 6:49 p.m.

22. Consider a resolution authorizing the Mayor to execute an Economic Incentive Agreement between the City of Kingsville, Texas and Dueces D'Ville, LLC (Chapter 380 Agreement). (City Attorney).

Motion made by Commissioner Lopez and Commissioner Pecos to approve the resolution authorizing the Mayor to execute an Economic Incentive Agreement between the City of Kingsville, Texas and Dueces D'Ville, LLC (Chapter 380 Agreement), seconded by Commissioner Hinojosa. The motion was passed and

	"FOR"	' .										
VI.	Adjournmen	ıt.										
	There being adjourned at		business	to	come	before	the	City	Commission,	the	meeting	was

approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting

ATTEST:	Sam R. Fugate, Mayor	
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:

Deborah Balli, Interim City Manager

FROM:

Tom Ginter, Director

DATE:

July 12, 2019

SUBJECT:

Rezoning Request from Robert Gutierrez owner and applicant for 10th, Block 6,

Lot N/2 1-2 also known as 429 West Doddridge from R1 to R2

Summary: Robert Gutierrez who owns this property would like to build a house. Because the lot size is to small for R1 he needs to rezone to R2 to build a residence.

Background: This property is only 3,500 square feet in total size. To build in R1 the minimum lot size allowed to build on is 5,500 square feet. Since he has 3,500 square feet he needs to rezone to R2 which has a minimum lot size of 2,500 square feet. The rezone will allow him to build a house on the property. There are no improvements on the property currently.

Financial Impact: This will be a positive financial impact for the city, in terms of building a home on a vacant piece of ground.

Recommendation: The Planning and Zoning Commission met on Wednesday, July 17th and voted 4 to 0 to recommend approval of the rezoning request from the applicant.



To: Planning and Zoning Commissioners

From: Tom Ginter, Director

Subject: Agenda Item information #1 and #2

Agenda Items #1 and #2:

Mr. Robert Gutierrez who is the owner of the lot at 429 W. Doddridge would like to build a residence on hi slot. The lot is currently zoned R1. The minimum lot size to build in R1 is 5,500 square feet. As you can see from the Appraisal District records his lot is 50 x 70 for 3,500 square feet. Consequently for him to build, he needs to rezone to an R2 zoning district which has a 2,500 square foot minimum.

This has occurred in the past and normally it has been approved to allow the land to be developed. Currently there are no improvements on the property.

CITY OF KINGSVILLE PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)		
Project Address 129 W Dodder Ege	Nearest Intersection	
(Proposed) Subdivision Name	Lot Block	
Legal Description: 16th, BLOCK 6, Lot	N/2 1-2	
Existing Zoning Designation (C)	Future Land Use Plan Designation	R2
OWNER/APPLICANT INFORMATION: (Please PRINT of	r TYPE)	
Applicant/Authorized Agent ROSerto Got		
Email Address (for project correspondence only):	blacktrain@hotme	w1.com
Mailing Address <u> </u>	y Bishop State TX	zip_ <u>78343</u>
Property Owner	Phone FAX _	
Email Address (for project correspondence only):		
Mailing Address	City State	Zip
Select appropriate process for which approval is sough	t. Attach completed checklists with th	nis application.
Annexation RequestNo Fee	Preliminary Plat	Fee Varies
Administrative Appeal (ZBA)\$250.00	Final Plat	Fee Varies
Comp. Plan Amendment Request\$250.00 Re-zoning Request\$250.00	Minor Plat	\$100.00
	Re-plat	\$250.00
Zoning Variance Request (ZBA) \$250.00	Vacating Plat	\$50.00
	Development Plat	\$100.00
Please provide a basic description of the proposed project	Subdivision Variance Requect:	
Duilling without SSOU SOFT.	en 2 1 an prohib:	he & +rom
- 10 19 CONTOCOT 33 00 SOTA.		
John Contract 13 00 Cyth.		
JOHN CONTROL JS ON SYTE.		
I hereby certify that I am the owner and /or duly au	uthorized agent of the owner for th	ne purposes of this
I hereby certify that I am the owner and /or duly au application. I further certify that I have read and experience of the company of the com	uthorized agent of the owner for th	the same to be
I hereby certify that I am the owner and /or duly au application. I further certify that I have read and experience of the company of the com	uthorized agent of the owner for th	the same to be
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VIOLA E WATSON % LEE ORA MOORE 713 W DODDRIDGE AVE KINGSVILLE, TX 78363-5205 #21900

WALTER HUNTER ETUX RITA C 716 W RICHARD AVE KINGSVILLE, TX 78363-4270 #23968

WILLIE WILSON SR EST AND WILLIE WILSON JR (IND ADMIN) 10429 BEAR CREEK TRL FORT WORTH, TX 76244-6516 #12628

> ABEL GARZA 416 W FORDYCE KINGSVILLE, TX 78363 #16252

SCOTTS CHAPEL M E CHURCH $816 \text{ S } 2^{\text{ND}} \text{ ST}$ KINGSVILLE, TX 78363-5313 #17862

MARGIE MELTON
PO BOX 1636
KINGSVILLE, TX 78364-1636
#21138

TOWNSEND FONDRAE 1535 HANCOCK DR MESQUITE, TX 75149-1669 #20133

MYRTLE DIXON 826 PINOAK DR GRAND PRAIRIE, TX 75052 #23673

CLARENCE E LOFTON EST ETAL 615 ½ W KLEBERG KINGSVILLE, TX 78363-4325 #10047

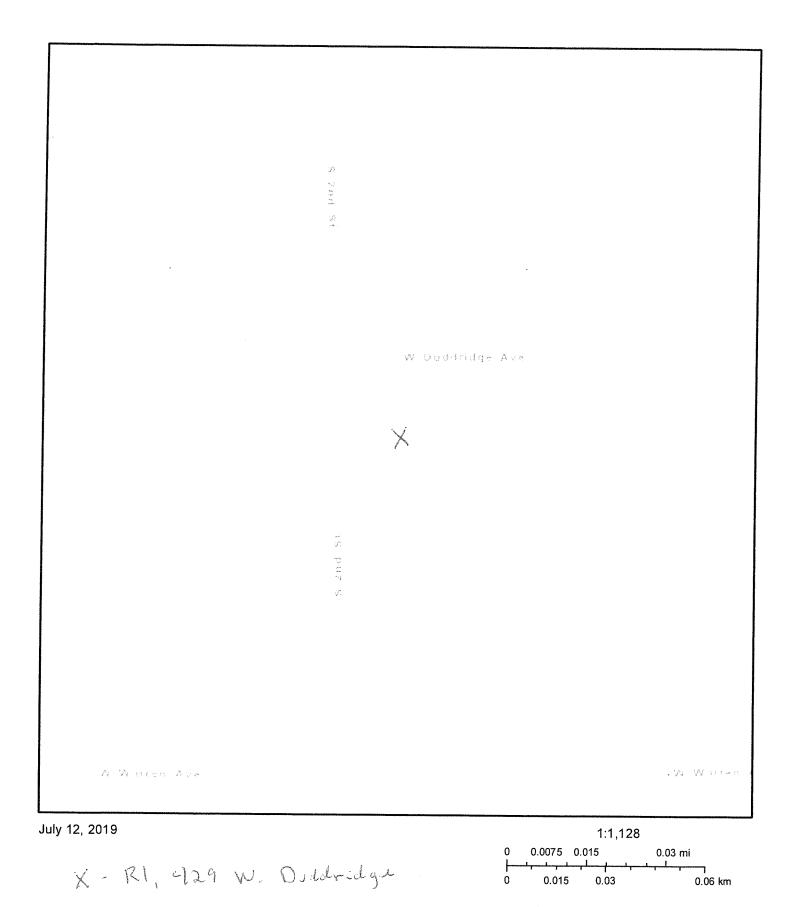
BEN C GARZA 1122 E YOAKUM AVE KINGSVILLE, TX 78363-4759 #17111 JOHN CHRISTOPHER % JEANNETTE PRICE 806 ELIZABETH AVE KINGSVILLE, TX 78363 #20381

RAY YOUNG & DENISE SCOTT W WILLIAMS 7534 LEGEND ROCK SAN ANTONIO, TX 78244-2414 #11828

> ST PAUL A M E CHURCH 529 W WARREN AVE KINGSVILLE, TX 78363 #23812

TERRY T ROBERTSON 815 S 2ND ST KINGSVILLE, TX 78363-5312 #22637

IRENE EVELYN HORN EST 304 BERYL CT ARLINGTON, TX 76002-5470 #15587



PART 2 - CODE OF ORDINANCES Chapter XV - LAND USAGE ARTICLE 6. - ZONING

APPENDIX B. SPACE REQUIREMENTS

APPENDIX B. SPACE REQUIREMENTS

Sec. 1. Space requirements for residential use.

Sec. 2. Space requirements for non-residential use.

Sec. 1. Space requirements for residential use.

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

	RESIDEN	ITIAL USE				
Lot Size	R1	R2	R3	R4	МН	Ag
Minimum lot area, sq. ft.	5,500	2,500	6,000	6,000	5 acres	10 acres
Minimum lot area per unit, sq. ft.	5,500	2,500	1,000	1,0002	3,000	10 acres
Minimum open space per unit, sq. ft.	0	0	4001	4001	О	0
Minimum lot width, ft. (measured at the setback line)	50	25	50	50	25	300
Setbacks; Lots						
Principal uses:						
Front yard, ft.	20	20	20	20	20	
Side yard (interior) ft.	5	5	5	5	5	
Side yard (on street) ft.	10	10	10	10	10	10
Rear yard ft.	10	10	10	10	10	
Accessory uses:						

Account

Property ID:

23062

Legal Description: 10TH, BLOCK 6, LOT N/2 1-2

Geographic ID:

101100601000192

Zoning:

Type:

Real

TX

Agent Code:

Property Use Code:

Property Use Description:

Location

Address:

429 W DODDRIDGE

Mapsco:

Map ID:

Neighborhood:

A2

Neighborhood CD:

Owner

Name:

GUTIERREZ ROBERTO III Owner ID:

65471

Mailing Address:

406 E 3RD ST

% Ownership:

100.0000000000%

N/A

N/A

BISHOP, TX 78343

Exemptions:

(+) Improvement Homesite Value: N/A (+) Improvement Non-Homesite Value: + N/A (+) Land Homesite Value: N/A (+) Land Non-Homesite Value: N/A Ag / Timber Use Value (+) Agricultural Market Valuation: N/A

(=) Market Value: N/A

(-) Ag or Timber Use Value Reduction: N/A (=) Appraised Value: N/A (-) HS Cap: N/A

(=) Assessed Value: N/A

Owner:

GUTIERREZ ROBERTO III

% Ownership: 100.000000000%

(+) Timber Market Valuation:

Total Value: N/A

Entity Description Tax Rate **Appraised Value** Taxable Value Estimated Tax CAD KLEBERG COUNTY APPRAISAL DISTRICT N/A N/A N/A N/A CKI CITY OF KINGSVILLE N/A N/A N/A N/A

N/A

			Taxes w/o E	xemptions:	N/A
			Taxes w/Cu	rrent Exemptions:	N/A
	Total Tax Rate:	N/A		·	•
WST	SOUTH TEXAS WATER AUTHORITY	N/A	N/A	N/A	N/A
SKI	KINGSVILLE I.S.D.	N/A	N/A	N/A	N/A
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A

No improvements exist for this property.

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	C1	C1	0.0803	3500.00	50.00	70.00	N/A	. N/A

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$660	0	660	\$ 0	\$660
2017	\$0	\$660	0	660	\$0	\$660
2016	\$0	\$660	0	660	\$0	\$660
2015	\$0	\$660	0	660	\$0	\$660
2014	\$0	\$660	0	660	\$0	\$660
2013	\$0	\$660	0	660	\$ 0	\$660
2012	\$0	\$690	0	690	;0	\$690
2011	\$0	\$690	0	690	\$0	\$690
2010	\$0	\$690	0	690	\$0	\$690
2009	\$0	\$690	0	690	\$0	\$690
2008	\$0	\$690	0	690	\$0	\$690
2007	\$0	\$690	0	690	\$0	\$690
2006	\$0	\$690	0	690	\$ 0	\$690
2005	\$0	\$690	0	690	\$0	\$690

# 1	Deed Date 12/20/2018	Type TXRS	Description TAX RESALE DEED	Grantor KLEBERG COUNTY TRUSTEE	Grantee GUTIERREZ ROBERTO III	Volume	Page	Deed Number 316854
2	11/6/2013	SHF	SHERIFF'S TAX DEED	VALLEY STAR LODGE 552	KLEBERG COUNTY TRUSTEE	502	823	
3		OT	Other	UNKNOWN	VALLEY STAR LODGE 552			

Property Tax Information as of 06/24/2019

Amount Due if Paid on:

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due	
------	------------------------	------------------	-------------	--------------------	-----------------	-------------------------------	------------------	---------------	--

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, July 17, 2019 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:

Roberto Gutierrez, owner and applicant, requesting the rezone of 10th, BLOCK 6, LOT N/2 1-2 also known as 429 West Doddridge, Kingsville, Texas from R1 (Single Family) to R2 (Two-Family).

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, July 22, 2019 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:

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Fourth of July events set for next week

By Anthony Ruiz

For those looking for ways to celebrate the Fourth of July holi-day next week, Kingsville will be host to a handful of patriotic cel-

ebrations.
Festivities will kick off on Wednesday, July 3, at Naval Air Station-Kingsville with its "Big Bang Boom" event at the Captain's Club from 6:30-11 p.m. The event is presented by the Richard Captain's clab from 6.20-1 p.lin. The event is presented by the Bishop Cel-anese Plant, and is open to anyone who has normal base access or an MWR Guest Card. Available to the civilian public,

Available to the civilian pulsoit, the MWR Guest Card allows ac-cess to NASK's Captain's Club for one year and costs \$30 for adults and \$20 for children ages 6-17, while children 5 years and under are allowed access at no cost when accompanied by a card holder.

Members of the community who wish to apply for the card may pick up an application at the Kingsville Chamber of Commerce or visit https://www.navymwrkingsville.com/GuestCard/. Once approved, applicants will be con-tacted for an appointment time to come to NAS Kingsville Base Security and obtain their MWR

The event will feature bounce houses for children and live music from country music artist Robert

Guest Card.

Ray.

Food and beverages will be available for purchase during "Big Bang Boom" from a variety of NASK fundraising groups. However, no outside food or beverages will be allowed during the event.

The award will cognitive with

The event will conclude with a fireworks show lighting up the night sky. Because seating is lim-ited, attendees are encouraged to bring their own chairs.

For more information on the event or the MWR Guest Card program, call the MWR Administration Office at (361) 516-6232.

On Thursday, July 4, the City of Kingsville and Kingsville Cham-ber of Commerce will hold their annual general, pet and bike pa-rades in Downtown Kingsville.

Registration will be on site start-ing at 9:30 a.m., or participants can pick up forms at the Kingsville Visitors Center, located at 1501 N. Highway 77, the Kingsville Chamber of Commerce, located at 635 E. King Avenue, or the Kingsville Parks and Recreation Department at Dick Kleberg Park. There is no entry fee for participating in any of the parades.

The general parade will begin at 10:30 a.m. starting at the Kleberg County Courthouse and travel along Kleberg Street to the Down-

town Pavilion on Sixth Street. The

town raylinion of sixth street. Ine pet and bike parades will follow the general parade. After the conclusion of the parades, the public is invited to the presentation of awards at the Downtown Pavilion on Sixth Street. Hot dogs, lemonade, water and watermelon will be available. and watermelon will be available

for free during the event.
Pet parade awards will include
Most Patriotic, Most Family Oriented, Best Pet/Owner Lookalike,

Most Original and Judges' Choice. For the bike parade, awards include Most Patriotic for both children and adults, Most Original Decor, Best Family Participation, Best Group Participation and Best

Wagon.
The general parade will have awards pending on the number of

entries.

Also during and after the parades, the 1904 Train Depot Mu-

seum, located at 102 E. Kleberg seum, located at 102 E. Kleberg Ave, will be open until 1 p.m. for attendees to visit and learn about the city's history as July 4 is not only the United States of America's 234th birthday, but also Kingsville's 115th. For more information, call the Kingsville Visitors Center at (361)

592-8516 or visit its Facebook

p.m. the Kingsville Elks Lodge lo-cated at 1404 5. Sixth St. will host a Fourth of July Celebration fea-turing free hamburgers, hot dogs, snow cones, a waterslide and mu

sic performed by DJ Louie.
For more information, contact
the Elks Lodge at (361) 592-4444 or visit the organization's Face-

book page.

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

Guitar





Above, left, Boys and Girls Club Kingsville CEO John Perez helps 11-year-old Dani Cantu review some of the chords she learned during the club's summer guitar class. Above right, Blain Garcia, 11, practices a chord during the BGCK's summer guitar class. (Photos by Anthony Ruiz)

the guitar."

Perez said the club had considered offering a guitar class several years ago, but at that time he said there was not much interest from the children. "We've had music class-

es, and we've always had instruments around (the clubhouse), but there was never the interest to where we would take it to another

we would take it to another level," he said.

A guitarist himself, Perez said he has had a passion for the instrument since he

was six years old.
"Music has always been a part of my life, and it's something that I've wanted to have be a part of the club," he said.

club," he said. bers.

The initial guitar summer class is comprised of 10 the strings (transitioning

to the instrument when they started. They meet for hour-long sessions with Pe-

rez twice a week. "We started with the ba-sics, learning finger place-ment before they even be-gan learning the chords," he said. "But in just this short time, they now know the seven major chords of the scale, how to play them at a regular tempo and how to switch between chords," he

Madison said in the past few weeks, she has learned
"a lot of cool stuff" in the
class, although she admitted that she has had to put in a lot of work to keep up with her fellow club mem-

"I still need a lot of (time)

"I still need a lot of (time) to move my grip."
Madison said she also practices at home, often showing her parents what she's learned in the guitar

"I also try to sing while (practicing) what we learned, and try to make my own kind of music," she said. "But then I start work-

ing on what we are actually supposed to be practicing." Perez said the first class has been so successful, he is considering a future inter-mediate-level class where students will learn about minor chords and different

strumming patterns.
"It would definitely be a part two," he said. "And maybe it could then lead into an advanced class if the

of us are having fun playing students who were all new between chords)," she said. kids want to take it to another level. Of course, time will tell with that."

Madison said while she

plans to continue practicing the guitar, she would like to take more classes. "I want to learn the elec-

tric guitar and stuff like that," she said. "I really like all of the switches and it sounds real good if you

know how to play it."

Perez said he has also
heard further interest from the community for another

beginner class.
"So we might first start over and offer (the beginner class) to more kids," he said. "We already have people calling and asking if we're going to be doing it again." For the summer class, the

price was \$75 per student. Participants were also re-



quired to bring their own

guitar.

"We're going to be looking at what we'll be doing (in the future) as far as pric-ing these classes, but we are seeing that it's been very effective and the kids are loving it," he said. The Boys and Girls Club

of Kingsville is located at

1238 E. Kenedy Street.
For more information on club membership and summer programs, call (361) 592-2100 or visit bgckings-

ville.org.

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, July 17, 2019 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:

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www.LawhonDental.com

- Teeth Whitening

MAY SPECIAL Orthodontic (Braces) \$100

Dr. Tanya P. Lawhon, D.D.S. General Dentistry



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

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	R	RD	RDIN	RDINA	RDINAN	RDINANC	RDINANCE	RDINANCE #2	RDINANCE #20	RDINANCE #201	RDINANCE #2019	RDINANCE #2019-

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 10TH, BLOCK 6, LOT N/2 1-2, ALSO KNOWN AS 429 W. DODDRIDGE, KINGSVILLE, TEXAS, FROM R1 (SINGLE FAMILY DISTRICT) TO R2 (TWO-FAMILY DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Roberto Gutierrez, owner applicant, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, July 17, 2019 during a meeting of the Planning and Zoning Commission, and on Monday, July 22, 2019 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the item was <u>APPROVED</u> with a 4-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 10th, Block 6, Lot N/2 1-2, also known as 429 W. Doddridge from R1-Single Family District to R2-Two-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

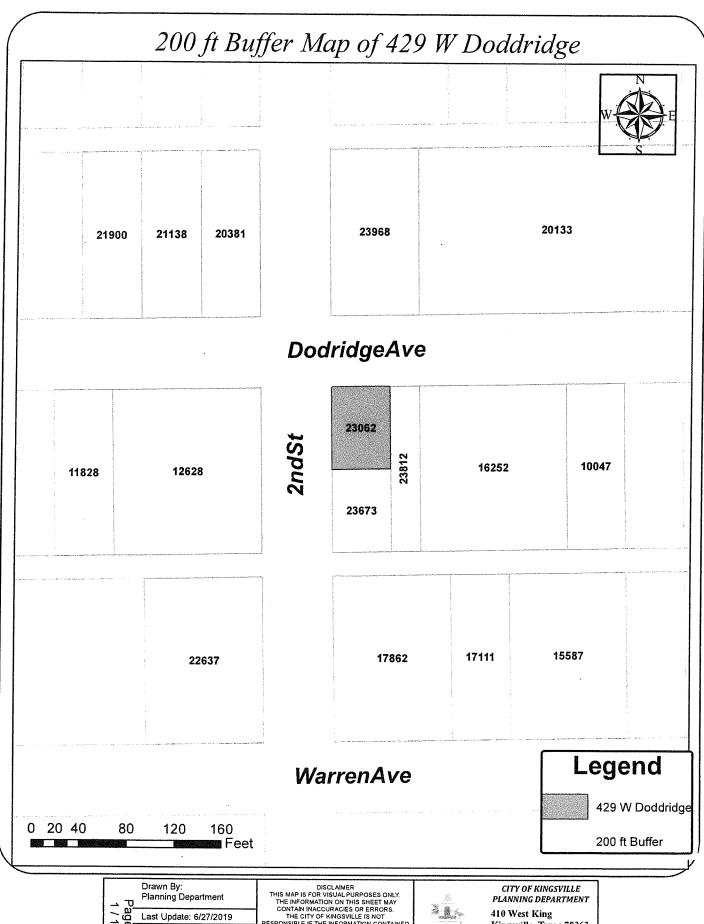
SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

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

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

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

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.
INTRODUCED on this the 22nd day of July , 2019.
PASSED AND APPROVED on this the <u>12th</u> day of <u>August</u> , 2019.
Effective Date:
THE CITY OF KINGSVILLE
Sam R. Fugate, Mayor
ATTEST:
Mary Valenzuela, City Secretary
APPROVED:
Courtney Alvarez, City Attorney



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



Kingsville, Texas 78363 Office: 361-595-8055

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:

June, 26, 2019

SUBJECT:

Abandonment of alley with retention of a utility easement for south right of way

of Lot 1 to Lot 12, Block 2. Vista Alegre-Jubilee Academies

Summary:

Mr. Steven Solis Associate Director for Jubilee Academies has requested that the city of Kingsville abandon lots 5-12 between East Henrietta and East Yoakum. Since the Jubilee Academies has grown in enrollment and with future plans they would like the city to abandon the alley for the safety of the school children. The City of Kingsville and CenterPoint have lines in the alley so while we can abandon it the alley we will have to maintain a utility easement for access.

Background:

The Jubilee Academies has grown in enrollment. This past year they have added a gymnasium to the campus and I believe it should be ready for the fall of 2019. To enhance the safety for the school children is the reason for this request. Again with a utility line in the alley along with a Centerpoint line we will still have to access for maintenance of those lines.

Financial Impact:

None



City of Kingsville Planning and Development Services

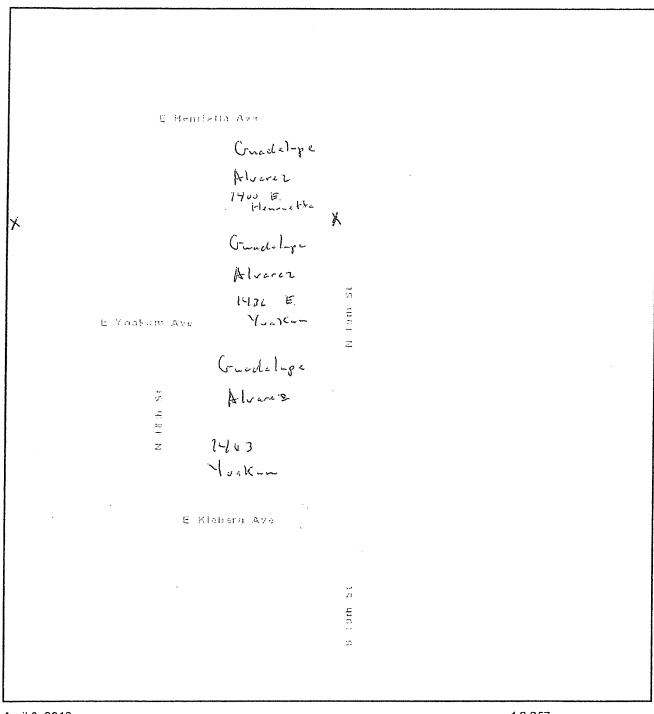
Recommendation:

Jubilee Academies request is a valid concern for the children there. I recommend that the City of Kingsville abandon the utility easement and retain access for the utility lines that are located there.



Sewer Lines - 225 E Kleberg 10th Clay Sewer Henrietta Ave Olin Clay Sewer 2th PVG Water 19th St 8 mpv water Yoakum Ave Legend Water Line Diameter 2 Sin Clay Sewer 2mPV@Water Sewer Mai Sewer Lin Diameter (ir 8 ==== OM PYOWATER --- 10 Kleberg Ave 8lbPV@Water Ownership DISCLAIMER
THIS MAP IS FOR VISUAL PURPOSES ONLY.
THE INFORMATION ON THIS SHEET MAY
CONTAIN INACCURACIES OR ERRORS.
THE CITY OF KINGSVILLE IS NOT
RESPONSIBLE IF THE INFORMATION CONTAINED
HEREIN IS USED FOR ANY DESIGN. CITY OF KINGSVILLE Drawn By: Engineering Department ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Last Update: 3/28/2019

Office: 361-595-8007



0	RI	DI	N	Α	N	C	E	M	Į	O.	 20	1	Ç)	-

AN ORDINANCE ABANDONING PART OF AN ALLEY AND RETAINING AN EASEMENT FOR UTILITY PURPOSES IN VISTA ALLEGRA ADDITION, BLOCK 2, BETWEEN LOTS 5-12 AND LOTS 13-20 (ALLEY BETWEEN HENRIETTA AND YOAKUM TO THE WEST OF 19TH STREET) FOR JUBILEE ACADEMIES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a twenty (20) foot alley right of way lies between Vista Alegra Addition, Block 2, Lots 5-12 and Vista Alegra Addition, Block 2, Lots 13-20 in the City of Kingsville as more fully stated on the legal description and map attached hereto;

WHEREAS, Guadalupe Alvarez owns the lots contiguous to the alley and he leases property to Jubilee Academies for a school and desires to close part of the alley for the safety of the school children, all the parties now desire that part of the alley right of way be closed for public use for the redevelopment of the area;

WHEREAS, AEP, AT&T, CMA/NewWave, Center Point and the City water and sewer departments have verified there are existing utilities running through the alley right of way (City and Center Point), for which they would need continued access;

WHEREAS, staff recommends the alley right of way be vacated but a utility easement be retained, with the alley being equally split among the adjoining property owners;

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:

L

THAT the City of Kingsville abandons and relinquishes any and all interest in the following described property as an alley to the adjoining property owners, but retains an easement for utility purposes. All documentation of the vacating of the land and retention of the utility easement will be appropriately recorded by the new property owner at the Kleberg County Clerk's Office pursuant to state law with the property owner being responsible for any and all filing fees.

Said property to be abandoned being a tract of land containing 0.095 of one acre situated in Kleberg County, Texas, being a part or portion of a 20.0-foot Alley located in Block 2, Vista Alegra Addition, according to the plat thereof recorded in Volume 1, Page 34 of the map records of Kleberg County, Texas, said 0.095 of one acre is more particularly described as follows:

1. BEGINNING at the Southwest corner of Lot 5, Block 2, Vista Alegra Addition as it exists in February, 1946, Kingsville, Kleberg County, Texas;

- THENCE, East a distance of 208 feet to the Southeast corner of Lot 12, Block 2, Vista Alegra Addition at its intersection with the western right-of-way on 19th Street;
- 3. THENCE, South along the western right-of-way of 19th Street a distance of 20 feet to the Northeast corner of Lot 13, Block 2, Vista Alegra Addition;
- 4. THENCE, West along the North right-of-way of Lot 13, Block 2, Vista Alegra Addition a distance of 208 feet to the Northwest corner of Lot 20, Block 2, Vista Alegra Addition;
- 5. THENCE, North a distance of 20 feet to the Southwest corner of Lot 5, Block 2, Vista Alegra Addition, said point also being the POINT OF BEGINNING, and containing 0.095 of one acre of land, more or less.

11.

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

III.

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

IV.

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

INTRODUCED on this the 8th day of July, 2019.

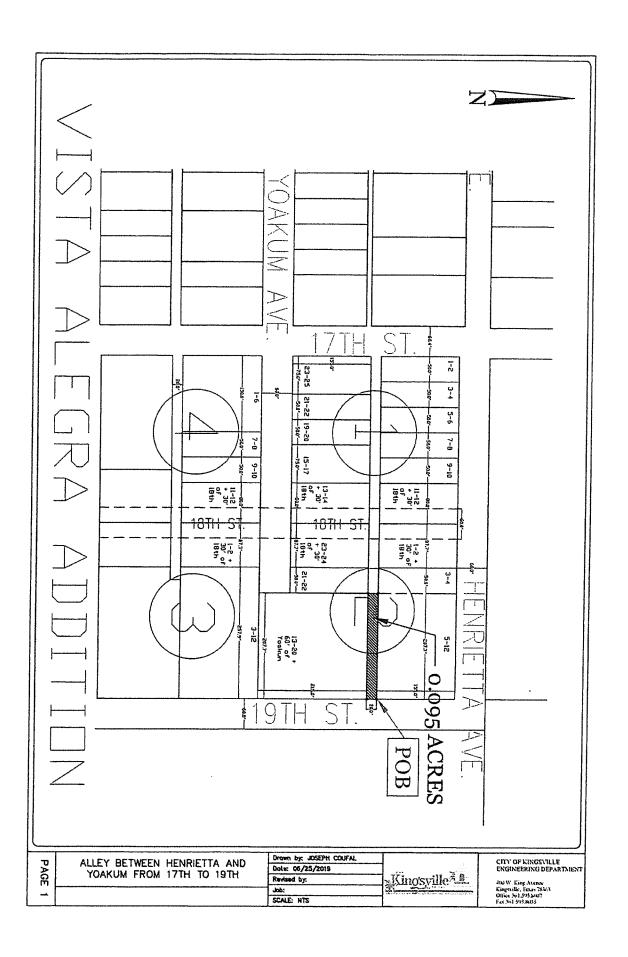
PASSED AND APPROVED on this the 22nd day of July	, 2019.
Sam R. Fugate, Mayor	
ATTEST:	

Mary Valenzuela, City Secretary
APPROVED AS TO FORM:
Courtney Alvarez, City Attorney

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City of Kingsville Engineering/Public Works

TO:

Mayor and City Commissioners

CC:

Deborah Balli, Interim-City Manager

FROM:

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

DATE:

Monday, July 8, 2019

SUBJECT:

Ordinance authorizing the placement of stop signs, crosswalks and stop bars on

E. Santa Gertrudis at the N. 12th St. intersection.

Summary:

This item is for an ordinance authorizing the placement of stop signs, crosswalks and stop bars at the intersection of E. Santa Gertrudis and N. 12th St.

Background:

Currently the intersection of E. Santa Gertrudis and N. 12th Street have only a two-way STOP sign condition on 12th Street. Flores Park has had various improvements, for example, splash pad, playground equipment and picnic tables. The Engineering Department recommends placing a two-way STOP sign in E. Santa Gertrudis to convert to a four-way STOP intersection.

The recent and future improvements in this area have generated an increase in pedestrian traffic and two-way STOP signs are no longer the safest intersection condition applications. Section 2B.07 "Multiway Stop Applications" of the MUTCD (Manual for Uniform Traffic Control Devices) supports the need for STOP signs at these intersections by meeting the criteria in which there is "the need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes".

A pedestrian was struck by a vehicle on May 2019.

Financial Impact:

The improvements are estimated to cost \$1,300.00 and monies are available in the General Fund. Account No. 092-5-3050-52100.



City of Kingsville Engineering/Public Works

Recommendation:

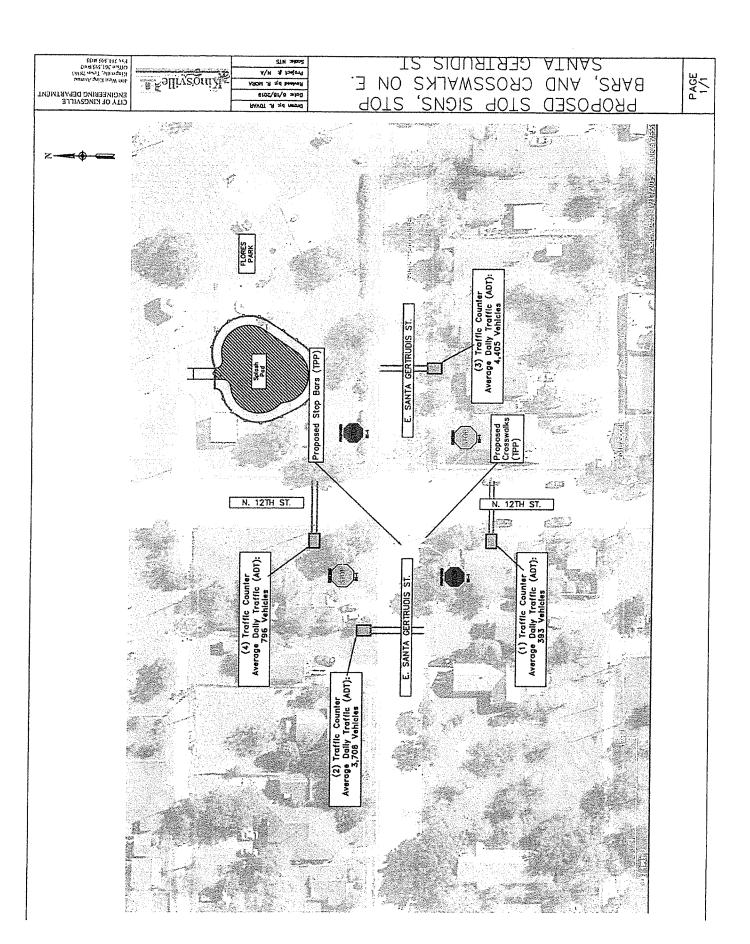
Staff recommends the authorization of this item as presented to ensure the safety of our citizens.

Attachments:

Manual on Uniform Traffic Control Device – Section 2B.07 Multi-Way Stop Applications
Proposed Stop Sign, Stop Bars and Crosswalks on E. Santa Gertrudis – Location Map
Proposed Cost Estimate for Stop Signs, Crosswalks and Stop Bars at the Intersection of 12th and Santa Gertrudis



Proposed Cost Estimat	te for Stop	Signs o	on the Inter	section of 12th and Santa						
Gertrudis										
Description	Quantity	Units	Unit Price	Amount						
Stop Signs										
Sign	2	EA	\$38.50	\$77.00						
Post	2	EA	\$20.70	\$41.40						
Hardware	2	EA	\$43.70	\$87.40						
	Sto	p Sign Inst	allation Subtotal:	\$205.80						
Crosswalks	 	<u> </u>								
8" Wide Thermo Plastic White Lines	1	EA	\$215.00	\$215.00						
	Cros	sswalk Inst	allation Subtotal:	\$215.00						
Stop Bars										
8" Wide Thermo Plastic White Lines	4	EA	\$215	\$860.00						
	Sto	op Bar Insta	allation Subtotal:	\$860.00						
	ļ		Total Cost:	\$1,280.80						
	<u> </u>	<u> </u>								



Manual on Uniform Traffic Control Devices (MUTCD)

2009 Edition Chapter 2B. Regulatory Signs, Barricades, and Gates

Section 2B.07 Multi-Way Stop Applications

Support:

01 Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

02 The restrictions on the use of STOP signs described in $\underline{\text{Section 2B.04}}$ also apply to multi-way stop applications.

Guidance:

03 The decision to install multi-way stop control should be based on an engineering study.

04 The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

- A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.
- C. Minimum volumes:
 - 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and
 - 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but
 - 3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.
- D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

Option

05 Other criteria that may be considered in an engineering study include:

- A. The need to control left-turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

ORDINANCE NO. 2019-

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 8, TRAFFIC CONTROL DEVICES; PROVIDING FOR THE INSTALLATION OF STOP SIGNS ON SANTA GERTRUDIS AVE. AT ITS INTERSECTION WITH 12TH STREET; 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:

1.

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

§ 7-8-3 TRAFFIC CONTROL AREAS.

(B)

	AREA C										
	Intersection	Direction	Device								
•••											
22.	Ninth St. at Santa Gertrudis Ave.	Northbound - Southbound	Install stop sign								
23.	Nettie Ave. at Second St.	Eastbound - Westbound Northbound - Southbound	Install traffic signal								

24. Santa Gertrudis Ave. at Twelfth St.	Eastbound - Westbound	Install stop signs
	11.	L
THAT all Ordinances or parts of Ordinances or		this Ordinance are
	III.	
THAT if for any reason any section, por provision of this ordinance shall judgment of a court of competent jurisparagraph, subdivision, clause, phrasis the definite intent of this City C subdivision, clause, phrase, word of effect for its purpose.	be held invalid or unco sdiction, it shall not affect se, word or provision of to commission that every s	nstitutional by fina t any other section his ordinance, for it ection, paragraph,
THAT this Ordinance shall be cod adoption and publication as required by		ctive on and after
INTRODUCED on this the 8th day	of <u>July</u> , 2019.	
PASSED AND APPROVED on this th	ne <u>22nd</u> day of <u>J</u> u	<u>uly</u> , 2019.
Effective Date:		
Sam Fugate, Mayor		
ATTEST:		
Mary Valenzuela, City Secretary		
APPROVED AS TO FORM:		

Courtney Alvarez, City Attorney

City of Kingsville Parks & Recreation Department

TO:

Mayor and City Commissioners

CC:

Deborah Balli, Interim City Manager

FROM:

Susan Ivy, Parks Director

DATE:

June 19, 2019

SUBJECT:

Agenda Request - Receipt of donation from Brookshire Foundation

Summary: We are requesting that Commission authorize the receipt of up to \$13600.00 from the B.C. & Addie Brookshire Foundation for assistance with recreational programming and equipment for the Kingsville Parks & Recreation Department.

Background: The Brookshire Foundation has a long history of supporting youth programming in Kleberg County. The Parks Department has received tens of thousands of dollars over the years that have benefitted our programs and facilities. They have been a faithful supporter of needs of the Brookshire Pool and our summer programming. Attached you will find a listing of the items we requested and were approved.

Financial Impact: These donations will increase our funding for recreational needs as follows:

 Minor Equipment -4513-21700
 - \$6923.00

 Swim Team
 4513-31497
 1500.00

 Track Team
 4513-31496
 1500.00

 Rec Program
 4513-31499
 3600.00

Recommendation: We ask that Commission authorize the receipt of up to \$13600.00 in donations and approve the associated budget amendment needed to record the funds in the Parks Department line items as shown above.





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

May 18, 2019

Brookshire Foundation

Via email to Sylvia Woelfel

Dear Board Members,

Thank you for the opportunity to present a proposal to you for funding. As always, Kingsville Parks and Recreation appreciates the years of support you have provided.

We would like to ask your assistance with providing transportation for our summer program in the amount of \$3000.00 and tshirts for 50 kids and 10 counselors in the amount of \$500. We will provide an additional 50 shirts and and additional shirt for our counselors. Information about our daily activities in our summer camp is attached. We are again partnering with Kingsville Independent School District for this service and the Kleberg Kenedy County Agri-Life Extension for programming assistance. We are reducing our camp to three days and combining ages at the request of parents. With the additional movie nights on Fridays that we host having camp and those events makes a long day for our staff. We hope to work toward extending camp to all day next year but that will be addressed in the City's Budget process and grant and foundation applications.

We are asking for \$1000 for 2 new speakers for our sound system that we use for movie nights and festival/special events. And another \$1000.00 for two new laptops with dvd players, one for our recreation program and one for the brookshire pool to assist with weekly inservice trainings.

We are again asking for \$1500.00 for each of the Swim Team and Track Team to assist with their sanctioning fees and uniforms.

Last year you were able to fund 4 starting blocks for our swim team as well. We need one more to complete that need. They are priced at \$1850 each and we need 1.

We are asking for some new lifesaving equipment needed for the guards at Brookshire Pool, 4 new umbrellas for the lifeguard chairs and Dri Deck Flooring for the restroom area. These items total \$3073.20.

We would like to invite you to come see all the new improvements at the pool once we get it up and running for the summer. New decking, new sand filter, new fencing, the kiddie pool and shade structures. We think you will be proud.

To summarize our request:

Summer Youth Challenge Yourself Camp

Transportation 6 trips @ \$500.00 each	\$3000.00
Tshirts for 50 campers & 10 counselers	600.00
2 new computers for Rec and Pool	\$1000.00
Speakers for Sound System	\$1000.00
Summer Track Team Support	\$1500.00
Swim Team Support	\$1500.00
1 new starting Block	\$1850.00
Lifeguarding equipment and dri decking	\$3073.20

Total Request

\$ 13,523.20

If you would like for me to come talk to you all about our projects at the Park I would gladly do that or if you need any additional information please contact me and I will furnish it promptly.

Again, thank you for your continued support.

Sincerely,

Susan Ivy,

Parks Director

City of Kingsville

Parks & Recreation

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AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO ACCEPT AND EXPEND PARK DONATIONS FROM THE BROOKSHIRE FOUNDATION FOR RECREATIONAL PROGRAMS & EQUIPMENT.

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

1.

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 0	01 – General Fu	nd			
Reven	ues_				
4513	Recreation	Park Donations	58003	\$13,523	
Expend	ditures				
4513	Recreation	Minor Equipment	21700	\$6,923	
4513	Recreation	Swim Team	31497	\$1,500	
4513	Recreation	Track Team	31496	\$1,500	
4513	Recreation	Recreation Programs	31499	\$3,600	

[To amend the City of Kingsville FY 18-19 Budget to accept and expend park donations for recreational programs and equipment. Funds will come from donations received for the stated purpose.]

11.

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 8 th day of July 2019.
PASSED AND APPROVED on this the <u>22nd</u> day of <u>July</u> , 2019.
EFFECTIVE DATE:
Sam R. Fugate, Mayor
ATTEST:
Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

City of Kingsville Public Works, Wastewater Division

TO:

Mayor and City Commissioners

CC:

Deborah Balli, Interim City Manager

FROM:

William Donnell, Director of Public Works

DATE:

June 27, 2019

SUBJECT:

Landfill Closure Post Closure Fund Budget Amendment

Summary:

This item authorizes funding for professional services related to Landfill Permit Amendment responses to TCEQ and repairs to landfill heavy equipment.

Background:

Hanson Engineering has completed the final phase of the NOD responses for the Landfill Permit Amendment. The TCEQ Executive Director has completed the technical review which the amendment is determined to meet the all statutory and regulatory requirements of the TCEQ and the goals and policies of the Texas Coastal Management Program and has prepared a preliminary decision and draft permit. Final permit amendment process is advertising and accepting public comment which may require a public meeting.

To remain in compliance with TCEQ equipment regulations, major unpredicted maintenance repairs to the Bomag compactor planetary drive (\$39,406.10) and the John Deere 550k dozer final drive (\$10,243.61) are in process of repair.

Financial Impact:

This will reduce Unrestricted Landfill Closure Post Closure Fund 090 balance by \$163,600.17. Increase Professional Services account 090-5-170.3-314.00 by \$113,950.46 and increase Vehicle Maintenance account 090-5-170.3-411.00 by \$49,649.71.

Recommendation:

Staff is recommending approval of funds for completion of the permit amendment response process and to complete unexpected equipment repairs.



ORD	INA	NCE	NO.	2019-	•

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO EXPEND FUNDS FOR PROFESSIONAL SERVICES RELATED TO THE LANDFILL PERMIT AMENDMENT RESPONSES AND LANDFILL HEAVY EQUIPMENT REPAIRS.

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

1.

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 0	90 – Landfill Clo	sure Fund			
Expend	ditures - 5		T .		
1703	Landfill	Professional Services	31400	\$113,950.46	
1703	Landfill	Vehicle Maintenance	41100	\$49,649.71	
		Total Budget Amendment		\$163,300.17	

[To amend the City of Kingsville FY 18-19 Budget to expend funds for professional services related to the landfill permit amendment responses and landfill heavy equipment repairs. Funds will come from the Fund 090 Fund Balance.]

11.

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.

City of Kingsville Public Works Department

TO:

Mayor and City Commissioners

CC:

Deborah Balli, Interim City Manager

FROM:

William Donnell, Director of Public Works

DATE:

June 26, 2019

SUBJECT:

Cross Connection Control and Backflow Prevention Program

Summary:

This item proposes an ordinance to protect the City of Kingsville water supply with a Cross Connection Control and Backflow Prevention Program. A Cross Connection Control Policy Manual is also required and will be adopted by resolution.

Background:

The State of Texas is granted primacy over the water program and the Texas Commission on Environmental Quality (TCEQ) is designated the implementing agency for all purposes of the Safe Drinking Water Act by the Texas Administrative Code, [30 TAC Chapter 290]. Pursuant to the Texas Commission on Environmental Quality and the Safe Drinking Water Act (42 U.S.C. 300f et seq.), owners and official custodians of a public water supply in the State of Texas shall provide continuous operation and maintenance of public water supply facilities so that the water shall be assuredly safe in quality, clean, adequate in quantity, and of satisfactory mineral characteristics for ordinary domestic consumption. The public water system purveyor is required to adopt and enforce an active cross-connection control program that contains the minimum components specified in Texas Administrative Code, [30 TAC Chapter 290].

Financial Impact:

There is no financial impact to the City.

Recommendation:

Staff is recommending approval of the proposed ordinance to protect the City of Kingsville water supply with a Cross Connection Control and Backflow Prevention Program and approval of the resolution to adopt the Cross Connection Control Policy Manual.



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AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER XV; PROVIDING FOR ADOPTION OF ARTICLE 12, CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM AND REGULATIONS PERTAINING THERETO TO ESTABLISH MINIMUM STANDARDS WITHIN THE CORPORATE LIMITS OF THE CITY AND THE EXTRATERRITORIAL JURISDICTION; AND PROVIDING FOR A CRIMINAL PENALTY, CLASS C MISDEMEANOR NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR VIOLATION OF THE CODE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City Commission of the City of Kingsville has determined that water conservation and environmental protection are important issues and concerns affecting the city; and

WHEREAS, TCEQ requires the owners of a public water supply system to provide continuous operation and maintenance of public water supply facilities so that the water shall be assuredly safe in quality, clean, adequate in quantity and of satisfactory minor characteristics for ordinary domestic consumption;

WHEREAS, accordingly, TCEQ requires the owners of a public water supply system to adopt and enforce an active cross-connection control program that contains the minimum components specified in Texas Administrative Code, 30 TAC Chapter 290;

WHEREAS, the City of Kingsville owns a public water supply system and must adopt and enforce an active cross-connection control program that contains the minimum components specified in Texas Administrative Code, 30 TAC Chapter 290 to try and ensure the public water supply system can provide safe drinking water;

WHEREAS, the City has developed a Cross Connection Control Policy Manual and an ordinance to codify the regulates required by TCEQ to regulate the safety of the public water supply system within the corporate limits of the city as well as the city's customers in the extraterritorial jurisdiction; and

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public by creating an urban environment that is protective of the city's water supply and provides an enhanced quality of life for the citizens of the City of Kingsville.

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

1.

THAT Article 12: Cross Connection Control and Backflow Prevention Program of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas shall be adopted to read as follows:

Article 12 - CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM

§15-12-1 PURPOSE.

The purpose of this Chapter is:

- A) Compliance of all cross connection and backflow prevention related regulations as established by Texas Commission on Environmental Quality (TCEQ), Title 30 of the Texas Administrative Code (30 TAC) and with the current Plumbing Code as adopted by the city.
- B) Protect the City of Kingsville Public Water Supply from contamination or pollution due to cross connections
- C) Provide for a continuing cross connection control program as required by this ordinance, plumbing code and state regulations as detailed in the City of Kingsville Cross Connection Control Manual.

§15-12-2 - APPLICABILITY.

This Chapter applies to all customers with service connections to the City's potable water supply.

§15-12-3 – DEFINITIONS.

Backflow - The undesirable flow in the direction opposite to the normal flow; or the introduction of any foreign liquids, gases, or substances into the public water system.

Certified backflow prevention assembly tester or certified tester - A person who: (1) holds a current professional certification as a backflow prevention assembly tester as required by 30 Texas Administrative Code § 290.44(h)(4)(A), as amended; and (2) is currently registered as a certified tester with the City of Kingsville.

City - The City of Kingsville.

Cross connection - A physical connection between a public water system and either another supply of unknown or questionable quality, any source which may contain contaminating or polluting substances, or any source of water treated to a lesser degree in the treatment process.

Customer - A person or public water supply that receives potable water from the City.

Director - The Director of Public Works or appointed designee to administer and enforce this Chapter.

Distribution system - A system of pipes that conveys potable water from a treatment plant to the consumers. The term includes pump stations, ground and elevated storage tanks, potable water mains, and potable water service lines and all associated valves, fittings, and meters, but excludes potable water customer service lines.

Health Hazard - A cross-connection, potential contamination hazard, or other situation involving any substance that can cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply.

Non-Health Hazard - A cross-connection, potential contamination hazard, or other situation involving any substance that generally will not be a health hazard, but will constitute a nuisance, or be aesthetically objectionable, if introduced into the public water supply.

Plumbing inspector - Any person employed by a political subdivision for the purpose of inspecting plumbing work and installations in connection with health and safety laws and ordinances, who has no financial or advisory interest in any plumbing company, and who has successfully fulfilled the examinations and requirements of the Texas State Board of Plumbing Examiners.

Potable water customer service line - The sections of potable water pipe between the customer's meter and the customer's point of use.

Potable water service line - The section of pipe between the potable water main to the customer's side of the water meter. In cases where no customer water meter exists, it is the section of pipe that is under the ownership and control of the public water system.

Potable water main - A pipe or enclosed constructed conveyance operated by a public water system which is used for the transmission or distribution of drinking water to a potable water service line.

Texas Commission on Environmental Quality (TCEQ) - The environmental agency for the State of Texas.

§15-12-4 CITY OF KINGSVILLE CROSS CONNECTION CONTROL MANUAL.

The City of Kingsville Cross Connection Control Manual is a document established by the City to supplement this Chapter. It outlines established safe working practices of an effective cross connection program and is enforced by this Chapter.

§15-12-5 CROSS CONNECTIONS PROHIBITED.

Title 30 of the Texas Administrative Code (30 TAC), Chapter 290, prohibits Public Water Supplies from connecting to an actual or potential contamination hazard without first protecting the potable-water supply.

(A) A person may not:

- (1) install or maintain a potable water supply, plumbing fixture, equipment, or construction device that creates a cross-connection, or allows reclaimed, contaminated, or polluted water, mixtures or other substances, or gases, to enter potable water by back siphoning, backpressure, or other means;
- (2) connect an auxiliary water supply to the City's public water system or a private plumbing system unless a backflow prevention assembly or air gap is installed as required by this chapter;
- (3) use a chemical or substance that may cause pollution or contamination of the public water system without installing a backflow prevention assembly or device as required by this chapter;
- (4) connect to the public water system a mechanism or system designed to return reclaimed or used water to the public water system;
- (5) connect a reclaimed water system to the City's public water system or to the potable water system of a customer who receives potable water service from the City's public water system; or
- (6) connect a vehicle or equipment capable of producing backsiphonage or backpressure without installing a backflow prevention assembly or device as required by this chapter.
- (B) A person may not install a backflow prevention assembly in a private plumbing system, fire protection system, process water system, irrigation system, or other water distribution system connected to the City's public water system unless:
 - (1) The assembly has been designed, manufactured, and tested in accordance with the standards adopted by the American Water Works Association;
 - (2) The assembly has been tested and listed as an approved backflow prevention assembly by the University of Southern California Foundation for Cross Connection Control and Hydraulic Research; and
 - (3) The installation complies with the City of Kingsville Cross Connection Manual.

§15-12-6 CITY OF KINGSVILLE RESPONSIBILITIES.

- (A) The City shall have the authority and responsibility, in accordance with this Chapter and Title 30, Chapter 290 of the Texas Administrative Code, both as amended, for enforcing the requirements of this Chapter and may establish policies to implement the purposes of this Chapter.
- (B) The City, to ensure adequate protection in individual cases, may assess and determine the degree of hazard to the City's potable water system posed in the case of individual connections, customers or users. When the City determines that a backflow prevention assembly is required for the protection of the City water system, the City will require the customer, at the customer's expense, to properly install an approved assembly at each service connection or hazard point.
- (C) The City shall require a certified testing report for all required and testable assemblies where an actual or potential hazard has been determined to exist in accordance with this Chapter:
 - (1) Prior to providing continuous water service to new construction;
 - (2) After any installation, repair, relocation, alteration, or addition to a customer's system that may affect the system's compliance with this Chapter;
 - (3) Establish a testing schedule for all existing backflow prevention assemblies on an annual basis.
- (D) The City may require from any person the submission of any records relating to the installation, maintenance, repair or testing of backflow prevention assemblies performed in accordance with this Chapter.
- (E) The City may refuse to initiate service or discontinue present service to any customer where the City determines that:
 - (1) An actual or potential hazard in the customer's system exists; and/or
 - (2) Adequate protection against backflow has not been provided or reported in accordance with this Chapter. Notice of terminating service is not required where the actual or potential threat of contamination endangers the health, safety and welfare of the City water system and the customers the system serves.
- (F) The City may revoke a certified tester's registration if the City determines the certified tester has:
 - (1) Failed to follow the requirements of this Chapter creating a threat to public health or environment;
 - (2) Used a test gauge that is inaccurate or does not meet the manufacturer's standards;
 - (3) Submitted false, incomplete or inaccurate test reports;
 - (4) Used Improper certification methods;
 - (5) Failed to maintain licensure with TCEQ:
 - (6) Failed to maintain registration with the City of Kingsville; or
 - (7) Failed to submit completed test reports within ten (10) days of test.
- (G)Revocation of a registered certified tester with the City is effective five (5) calendar days after the City has given written notice from the City sent via certified mail, return receipt requested. Non-receipt of the notice does not affect the validity of a

- revocation notice. Written notice shall provide specific written findings justifying revocation.
- (H) A request for appeal and reconsideration of registration revocation by a certified tester shall be delivered to the City within fifteen (15) calendar days of receipt of the revocation notice and shall specifically contest or justify the City's findings as outlined in the revocation notice. The City shall have fifteen (15) calendar days to reconsider revocation and shall then issue a written final determination via certified mail, return receipt requested.

§15-12-7 CUSTOMER RESPONSIBILITIES.

- (A) Each customer, beginning at the point of delivery and including the customer's entire internal water system, has a duty to prevent contaminants from entering into the customer's and City's water system.
- (B) Each customer, as a condition of receiving water service, consents to allow City personnel access to the customer's property during normal business hours to inspect and survey the customer's system for potential contamination, backflow hazards and cross-connections. If a customer refuses to allow access to City personnel for an inspection, the City may immediately discontinue or refuse the customer's water service, and/or assume that a high contamination health hazard exists and, therefore, require the highest degree of protection to be used in the customer's system prior to providing water service. The termination of service may continue until proper backflow protection is installed.
- (C) Each customer, at the customer's expense, shall cause to have the installation, operation, maintenance and testing of approved backflow prevention assemblies as required by this Chapter.
- (D) Each customer, when contracting for the installation, repair or maintenance of backflow prevention assemblies shall employ a person, entity or contractor lawfully permitted to perform such services under state law. Each customer must ensure all required permits are acquired before installing, replacing, re-piping or relocating a backflow prevention assembly is performed.
- (E) With the installation of backflow prevention assemblies, the potential for creating a "closed-system" occurs. This closed system could result in injury to the water system customer if adequate safety measures, including thermal expansion valves, are not functioning properly. Thermal expansion of heated water may occur wherever potable water is heated in a closed system. This expansion may cause damage ranging from leaking faucets to a ruptured water heater if the condition is not addressed. The City shall not accept any liability resulting from the implementation of this Chapter.

§15-12-8 CERTIFIED BACKFLOW PREVENTION ASSEMBLY TESTER RESPONSIBILITIES.

(A) Each certified tester must be registered with the City. In order to register, the certified tester must provide a valid copy of their TCEQ Backflow Prevention Assembly Tester license and current copy of their Certificate of Calibration for each

test gauge used to perform testing. Upon submission and approval, the tester will be added to the approved list which can be furnished to all customers requiring testing of their backflow prevention assemblies. Test and maintenance reports shall not be accepted if the tester is not currently registered with the City.

- (B) A certified tester's register shall remain in effect unless:
 - (1) The certified tester fails to recertify and maintain their BPAT license;
 - (2) The certified tester fails to obtain an annual Certificate of Calibration for each test gauge;
 - (3) The certified tester's registration is revoked by the Public Works Director for reasons outlined previously in this Chapter.
- (C) Each certified tester is responsible for the competency and accuracy of all tests and reports certifying assemblies to be operating within specifications performed or submitted by the certified tester. Certified testers shall certify that all backflow prevention assemblies comply with the specifications provided in the University of Southern California's Manual of Cross Connection Control (latest edition) and that such assemblies are otherwise in compliance with this Chapter.
- (D) Each certified tester must submit to the City within ten (10) days the completed test results for record keeping purposes.
- (E) If a backflow prevention assembly test fails or an assembly malfunctions and the actual or potential hazard of contamination is not immediately curable through repair or replacement, the certified tester shall notify the City and the customer immediately in person or by telephone. This notification shall also be submitted in writing within five (5) calendar days. If the failure or malfunction of a backflow prevention assembly is not immediately curable through repair or replacement, the City upon notification, shall take all necessary steps, including the immediate cessation of water service through the assembly, to prevent the possible contamination of the City's water system.
- (F) It is a violation of this article for a certified tester to alter the design, material, or operational characteristics of a backflow prevention assembly during testing, repairing or maintaining the assembly.
- (G) Certified backflow prevention assembly testers are qualified to test and repair assemblies on any domestic, commercial, industrial, or irrigation service. However, certified testers shall only test and repair assemblies on fire lines if they are permanently employed by an approved fire line contractor as required by the State of Texas Fire Marshal's office.

§15-12-9 TESTING AND INSPECTION OF BACKFLOW PREVENTION ASSEMBLIES.

- (A) The City shall require all backflow prevention devices and assemblies to be both field inspected and tested in each of the following circumstances:
 - (1) Immediately after installation;
 - (2) Immediately after repairs;
 - (3) Whenever the assembly is moved;
 - (4) A minimum of once a year for all commercial applications other than residential lawn irrigation systems;
 - (5) Once every three (3) years for resident lawn irrigation systems;

- (6) If chemical additives are induced into the irrigation system, the backflow assembly shall be a reduced pressure principle assembly and shall be tested annually;
- (7) For premises that have been vacated and unoccupied for one year, prior to re-occupancy.

§15-12-10 CUSTOMER SERVICE INSPECTIONS.

- (A) The City shall complete or cause to be completed a customer service inspection prior to providing continuous water service under the following conditions:
 - (1) All new construction;
 - (2) On any existing service when the City has reason to believe that crossconnections or other contaminant hazards exist; or
 - (3) After any material improvement, correction, or addition to the private waterdistribution facilities.
- (B) Only individuals with the following credentials shall be recognized as capable of conducting a customer service inspection:
 - (1) Plumbing inspectors and water-supply-protection specialists that have been licensed by the Texas State Board of Plumbing Examiners.
 - (2) Customer service inspectors that have been licensed by the TCEQ.
- (C) The customer service inspection must certify that:
 - (1) No direct connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination must be isolated from the public water system by a properly installed air gap or an appropriate backflow prevention assembly.
 - (2) No cross connection between the public water supply and a private water source exists. Where an actual, properly installed air gap is not maintained between the public water supply and a private water supply, an approved reduced-pressure-zone backflow prevention assembly is properly installed, and a service agreement exists for annual inspection and testing by a recognized backflow prevention assembly tester.
 - (3) No connection exists that allows water to be returned to the public drinking water supply.
 - (4) No pipe or pipe fitting that contains more than 0.25 percent lead is used for the installation or repair of plumbing at any connection that supplies water for human use
 - (5) No solder or flux that contains more than 0.2 percent lead is used for the installation or repair of plumbing at any connection that provides water for human use.

§ 15-12-11 ENFORCEMENT.

(A) The City shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person, firm, corporation or agent who shall violate a provision of this code, or fails to comply therewith, or with any of the

requirements thereof, is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of the ordinance codified in this article is declared to be a nuisance.

- (B) Any person violating any provision of this article shall, upon conviction, be fined a sum not exceeding \$2,000.00. Each day that a provision of this article is violated shall constitute a separate offense. An offense under this chapter is a Class C misdemeanor, punishable by a fine of up to \$2,000.00.
- (C) Nothing in this article shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including, but not limited to the following:
 - (1) Injunctive relief to prevent specific conduct that violates the ordinance or to require specific conduct that is necessary for compliance with the ordinance; and
 - (2) Other available relief.

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, as required by the Open Meetings Act, it is officially found and determined that the meeting at which this Ordinance is passed was open to the public and that the public notice of the time, place and purpose was given.

V.

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

INTRODUCED on this the <u>8th</u> day of July, 2019.
PASSED AND APPROVED on this the 22nd day of July , 2019.
Effective Date:
Sam R. Fugate, Mayor
ATTEST:
Mary Valenzuela, City Secretary
APPROVED AS TO FORM:
Courtney Alvarez, City Attorney

CITY OF KINGSVILLE



P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: July 15, 2019

To: City Commission via Interim City Manager Deborah Balli

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Janine Reyes, Director of Tourism Services

Summary: The Hotel Occupancy Tax Advisory Board was created in 2016 by City of Kingsville City Commissioners. The board meets quarterly and makes recommendations for activities, programs and expenditures authorized by state tax code guiding appropriate use of occupancy tax funds.

All members will be appointed to the board by the City Commission at the recommendation of the City Manager.

Interim city manager Deborah Balli is making the following recommendation for HOT Advisory Board reappointments:

- Lance Hancock, King Ranch representative
- Jonathan Plant, Conner Museum representative

Both have agreed to serve another two-year term on the board.

The HOT Advisory Board also consists of two members who represent the Hotel Industry. Raj Bhakta, owner of Super 8 has asked that we replace his seat with another hotelier.

Interim city manager Deborah Balli is making the following recommendation for the HOT Advisory Board Hotel Industry Representative:

- Kamlesh Bhikha, Quality Inn Owner

Mr. Bhikha recently acquired the Quality Inn. He serves as the Chairman of the Education Service Center, region 2. He is Vice Chairman of the Texas Association of Education Services Center, a Leadership Corpus Christi graduate and a former board member of Corpus Christi CVB.

Board members serve two-year terms and receive no compensation.



City of Kingsville Police Department

TO:

Mayor and City Commissioners

CC:

Debra Balli, I/City Manager

FROM:

Ricardo Torres, Chief of Police

DATE:

July 15, 2019

SUBJECT:

Donation to Boys and Girls Club from Chapter 59 Funds

Summary:

The police department is in receipt of a request for a donation to Boys and Girls Club.

Background:

I am in receipt of a letter from the Boys and Girls Club soliciting a donation for the Kingsville, Texas program. The Boys and Girls Club Program provides anti-drug programs to the youths of the city and the area by providing educational studies opportunities, athletic programs, and other activities with a drug-free message that have a positive impact on the children of Kingsville. We here at the City of Kingsville Police Department have a longstanding relationship with the Boys and Girls Club and would like to assist them in our goal.

Financial Impact:

Donation in the amount of \$5,000.00 to assist Boys and Girls Club with our mission to help young people to stay drug free and succeed.

Recommendation:

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



APPLICATION FOR CHAPTER 59 DONATIONS 2019

City of Kingsville - Kingsville Police Department-Chief Torres

1. APPLICANT'S

NAME John Perez

ADDRESS 1238 E. Kenedy, Kingsville, TX PHONE 361-592-2100

2. ORGANIZATION'S

NAME Boys & Girls Club of Kingsville ADDRESS 1238 E. Kenedy, Kingsville, TX

PHONE 361-592-2100

3. NARRATIVE: To provide daily programs that instill good decision making in our children. To provide SMART moves that entails skills, mastery and resistance training.

Boys & Girls Club of Kingsville – Project Learn – SMART Moves

High Yield Activities for academic success. Project Learn reinforces the academic enrichment and school engagement of young people during the time they spend at the Club.

Students do much better in school when they spend their non-school hours engaged in fun, but academically beneficial, activities. Through Project Learn, Club staff use all the areas and programs in the Club to create opportunities for these high-yield learning activities, including leisure reading, writing activities, discussions with knowledgeable adults, helping others, homework help, tutoring and games that develop young people's cognitive skills. Project Learn also emphasizes parent involvement as well as collaboration between Club and school professionals.

The Boys & Girls of Kingsville runs year round programs. Educational life skills and sports. We feed more than 150 students on a daily basis and serve more than 40 thousand meals per year. Our evenings consist of over 200 people in our facility for sports. This brings us to nearly 350 people being served in our facility on an average day. Summer programs run all day as well as evening sports and recreation. Our targeted population primarily targets youth ranging from age 6-17. BGCK has been serving children since 1963. With this type of programming, we have been successful in making an impact in our community. Children continue to pour in our facility and are given opportunities of a lifetime.

Our primary goal is to ensure every child enters our facility and is given the proper guidance and material to strategize his or her future. We allow students to take part in 3 component groups with a professional staff and mentor at their side every moment. Our education, life skills and healthy lifestyles programs each help every child reach their full potential.

Each day, every child will enter a power hour session that entails Homework and tutoring help. This is our very first component being offered on a daily basis. Each child is then fed and on the next component which is Life Skills. During this hour, our children receive life skills training and is backed up by our evidence based core curriculum SMART Moves. This entails, Skills, Mastery and Resistance Training. This cycle usually runs for 8 weeks at a time with bench mark scores and measuring tools. Our final hour is our Physical Activity/Healthy Lifestyles program. This varies from exercises to making healthy foods on a daily basis.

The reason for our ongoing programs is to ensure that our children get a great opportunity of a lifetime and we need your help. The Boys and Girls Club of Kingsville is asking for your financial support to continue our evidenced based programs. You can ensure that our Project Learn program will help them to make better decisions and avoid peer pressure involving drugs and alcohol. We want to see brighter futures for our children.

Thank you,

John Perez, CEO Boys and Girls Club of Kingsville



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A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO THE BOYS & GIRLS CLUB OF KINGSVILLE FOR DRUG AND ALCOHOL 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 Boys & Girls Club of Kingsville is a non-profit organization that provides anti-drug programs (including the Project Learn and the SMARTMoves programs which will assist in the prevention of alcohol, tobacco, and other drugs) to the youths of the city and the area by providing educational study opportunities, athletic programs, field trips and other activities with a drug-free message that have a positive impact on the children of Kingsville;

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

1.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000 donation to the Boys & Girls Club of Kingsville, to help educate young people about living a drug-free and alcohol-free lifestyle. The Boys & Girls Club of Kingsville will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

11.

THAT local elected representatives shall be encouraged to promote, endorse, and support the Boys & Girls Club of Kingsville in their efforts for the benefit of the community through drug abuse prevention programs.

PASSED AND APPROVED by a majority vote of the City Commission on the 22nd day of July, 2019.

Sam R. Fugate, Mayor
ATTEST:
Mary Valenzuela, City Secretary
APPROVED AS TO FORM:
Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #8

CITY OF KINGSVILLE



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: July 15, 2019

To: City Commission via Interim City Manager Deborah Balli

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Janine Reyes, Director of Tourism Services

Summary: The Hotel Occupancy Tax Advisory Board was created in 2016 by City of Kingsville City Commissioners. The board meets quarterly and makes recommendations for activities, programs and expenditures authorized by state tax code guiding appropriate use of occupancy tax funds.

All members will be appointed to the board by the City Commission at the recommendation of the City Manager.

Interim city manager Deborah Balli is making the following recommendation for HOT Advisory Board reappointments:

- Lance Hancock, King Ranch representative
- Jonathan Plant, Conner Museum representative

Both have agreed to serve another two-year term on the board.

The HOT Advisory Board also consists of two members who represent the Hotel Industry. Raj Bhakta, owner of Super 8 has asked that we replace his seat with another hotelier.

Interim city manager Deborah Balli is making the following recommendation for the HOT Advisory Board Hotel Industry Representative:

- Kamlesh Bhikha, Quality Inn Owner

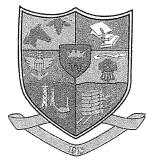
Mr. Bhikha recently acquired the Quality Inn. He serves as the Chairman of the Education Service Center, region 2. He is Vice Chairman of the Texas Association of Education Services Center, a Leadership Corpus Christi graduate and a former board member of Corpus Christi CVB.

Board members serve two-year terms and receive no compensation.



AGENDA ITEM #9

MELISSA T. DE LA GARZA, PCC Kleberg County Tax Assessor-Collector



P.O. Box 1457

Phone: 361-595-8541 Phone: 361-595-8542 Fax: 361-595-8546

COUNTY OF KLEBERG

78364-1457

July 11, 2019

City of Kingsville Deborah Balli, Interim City Manager P O Box 1458 Kingsville TX 78364-1458

Dear Ms. Balli:

Pursuant to Section 26.04(b) of the Texas Property Tax Code, I, Melissa T. De La Garza, PCC, do hereby submit the certification of 2018 excess debt collections and the certification of 2019 anticipated collection rate.

I hereby request the foregoing certifications be accepted and incorporated in the minutes of the next regular scheduled City Commissioners' Court Meeting.

Respectfully,

Melissa T. De La Garza, PCC

Kleberg County Tax Assessor-Collector

Enc.

CERTIFICATION OF 2018 EXCESS DEBT COLLECTIONS

CITY OF KINGSVILLE INTEREST & SINKING FUND

"I, Melissa T. De La Garza, Collector for the City of Kingsville solemnly swear, that the amount of excess debt service funds collected in 2018 for the City of Kingsville, Interest & Sinking Fund has been determined to be \$-0-."

COLLECTOR

July 11, 2019 DATE

CERTIFICATION OF 2019 ANTICIPATED COLLECTION RATE

CITY OF KINGSVILLE INTEREST & SINKING FUND

"I, Melissa T. De La Garza, Collector for the City of Kingsville solemnly swear, that the anticipated collection rate for 2019 for the City of Kingsville, Interest & Sinking Fund has been estimated to be 100%."

COLLECTOR

July 11, 2019

AGENDA ITEM #10



CITY OF KINGSVILLE LEGAL DEPARTMENT

P.O. Box 1458, Kingsville Texas 78364 Phone: 361-595-8016 Fax: 361-592-4696

Date: July 12, 2019

To: City Commission Members

From: Courtney Alvarez, City Attorney

Re: Charter Review Committee-Update

Background: At the City Commission meeting on May 28, 2019, the City Commission voted to create a new charter review committee. The Commission determined the Charter Review Committee would be comprised of seven (7) positions with each City Commission Member appointing one person to the Committee with the entire Commission appointing the remaining two (2) positions to the Committee.

The committee members once appointed would work on reviewing the City's charter and making recommendations for changes with the assistance of the City Attorney. If the intent is that any recommendations for changes to the charter be determined by the committee, then the City Commission would place them on the ballot for the next city election scheduled for May of 2020.

The Committee will provide recommendations to the City Commission by January 13, 2020 so that the Commission can make a decision on or about February 10, 2020 as to what should be on the May 2020 City General Election ballot.

Analysis: The charter was last amended in 2006 and could benefit from a review.

Staff Recommendation: Appoint citizens of the City to the Charter Review Committee.

Commission Action: Appoint citizens of the City to the Charter Review Committee.

AGENDA ITEM #11



MEMORANDUM

To:

Taxing Units

From:

Ernestina Flores R.P.A., Chief Appraiser of Kleberg County

Date:

June 25, 2019

Referance:

1. The 2019 Filling of Vacancy on Kleberg County Appraisal District Board of

Directors



The 2019 Board of Director Election Process (For Board Members for the 2020

and 2021 Years)

Kleberg County is providing you with two letters for two different year's appointment of Board of Director Election Information. One letter will inform you of the process of for the Board of Director Election in 2019 for service for the 2020 and 2021 years. The other letter will inform you of the process that will occur for the Filling of a Vacancy on the Kleberg County Appraisal District Board of Directors for the 2019 year. These are two separate issues and please treat them as such. If you have any questions, please feel free to contact me at 361-595-5775.

Ernestina Flores, R.P.A.

Chief Appraiser of Kleberg County

KLEBERG COUNTY APPRAISAL DISTRICT

P.O. BOX 1027 * 502 E. KLEBERG * KINGSVILLE, TEXAS 78364 PHONE: (361) 595-5775 * FAX: (361) 595-7984

June 25, 2019

City of Kingsville Sam Fugate, Mayor P.O. Box 1458 Kingsville, TX 78364

Dear Mayor Fugate:

It is time for the selection of the Kleberg County Appraisal District Board of Directors for the 2020-2021 term. The board consists of 5 members. Every odd year, Board of Director elections for the Kleberg County Appraisal District take place. Please take the time to consider who your district would like to nominate to serve on the Kleberg County Appraisal District's board of directors. The quality of the property tax system depends on the appraisal district board of directors. Individuals nominated should bring the board knowledge, judgment and expertise in establishing policies and procedures for the district's organization and operation.

I am enclosing information on what is involved in the Board of Director elections process. This process requires interaction between each taxing entity and the appraisal district. The number of votes allocated to a voting unit is based on the ratio of its tax levy on the preceding year to the total tax levy of all voting units. The Chief Appraiser is required to use the most recent official tabulation of each voting unit's prior year levy. This is the amount levied not the amount allocated by the voting unit. The votes for each jurisdiction are as shown in the enclosed document titled Calculation of Votes.

The information I have enclosed is taken out of the state comptroller's Board of Directors Manual and Texas Property Tax Code. I have also enclosed an outline of required dates for your records. Please be sure to review the eligibility guidelines for appointed members located in your Governance enclosure on pages 4 and 5.

I have enclosed a copy of the Texas Property Tax Code section 6.03 Board of Directors, which discusses the Board of Directors election and your roll in the process.

If you have any questions, please feel free to contact me at 595-5775.

Sincerely,

Ernestina "Tina" Flores, R.P.A.

Chief Appraiser

Cc: Deborah Balli, Interim City Manager Mary Valenzuela, City Secretary

KLEBERG COUNTY APPRAISAL DISTRICT 2020-2021 BOARD OF DIRECTORS TAXING ENTITY VOTES

TAXING JURISCTIONS	2018 LEVIES	PERCENT	TOTAL VOTES	CALCULATED DISTRICT VOTES	ACTUAL VOTES
KLEBERG COUNTY	\$11,732,050.30	0.299826	2000	1499	1500
CITY OF KINGSVILLE	\$7,032,360.67	0.179720	2000	899	006
KINGSVILLE 1.S.D.	\$12,930,372.30	0.330451	2000	1652	1650
RICARDO I.S.D.	\$1,970,713.42	0.050364	2000	252	250
RIVIERA I.S.D.	\$2,944,861.60	0.075259	2000	376	375
SANTA GERTRUDIS I.S.D.	\$1,499,800.11	0.038329	2000	192	190
SOUTH TEXAS WATER AUTHORITY	\$987,655.10	0.025241	2000	126	125
KENEDY COUNTY GROUNDWATER	\$25,982.47	0.000664	2000	m	Ŋ
CITY OF CORPUS CHRISTI	\$5,694.45	0.000146	2000	Н	Z
TOTAL	\$39,129,490.42	100.00%		4999	2000

KLEBERG COUNTY APPRAISAL DISTRICT 2018-2019 BOARD OF DIRECTORS TAXING ENTITY CALCULATION OF VOTES

KLEBERG COUNTY

\$11,732,050.30	÷	\$39,129,490.42
0.299826	Χ	1000
299.83	=	300
300	Χ	5
	=	1500

CITY OF KINGSVILLE

\$7,032,360.67	÷	\$39,129,490.42
0.179720	Χ	1000
179.72	=	180
180	X	5
	=	900

KINGSVILLE I.S.D.

\$12,930,372.30	÷	\$39,129,490.42
0.330451	Χ	1,000
330.45	=	330
330	Χ	5
	=	1650

RICARDO I.S.D.

RIVIERA I.S.D.

SANTA GERTRUDIS I.S.D.

\$1,499,800.11	÷	\$39,129,490.42
0.038329	X	1,000
38.33	=	38
38	Χ	5
	=	190

KLEBERG COUNTY APPRAISAL DISTRICT 2018-2019 BOARD OF DIRECTORS TAXING ENTITY CALCULATION OF VOTES

SOUTH TEXAS WATER AUTHORITY

\$987,655.10	÷	\$39,129,490.42
0.025241	Х	1,000
25.24	=	25
25	Χ	5
	=	125

KENEDY COUNTY GROUNDWATER

CITY OF CORPUS CHRISTI

\$5,694.45	÷	\$39,129,490.42
0.00015	Χ	1,000
0.15	=	1
1	Χ	5
	=	5

Governance

Composition of Board of Directors

The board of directors is composed of five members.⁴ The number of directors can be increased up to 13 by action of the board of directors.⁵ However, in most cases, the board of directors may not make this change if a voting taxing unit adopts a resolution opposing the change.⁶

Taxing units participating in the CAD may increase the number of directors up to 13 members if three-fourths of voting taxing units adopt resolutions. A change is not valid if it reduces the voting entitlement of one or more taxing units (unless the taxing unit adopts one of two specified resolutions) or if it expands the types of taxing units that are entitled to vote on the appointment of directors.

The county TAC is a nonvoting director, if not appointed as a voting director. If a commissioner's court of the county enters into a contract for assessment and collections under Tax Code Section 6.24(b) or if the CAD board of directors enters into a contract for appraisal under Tax Code Section 6.05(b), then the county TAC is ineligible to serve on the board of directors. In

Board members may not receive compensation for service on the board but are entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.¹¹ This reimbursement is as provided by the budget adopted the board of directors.¹²



Appointment, Eligibility and Terms

Appointment: Taxing units—counties, cities/towns, school districts, junior colleges and certain conservation and reclamation districts—select directors in the fall of odd-numbered years.¹³ Conservation and reclamation districts may participate in this process if at least one conservation and reclamation district in the CAD delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year.¹⁴ On request, the chief appraiser must certify all eligible conservation and reclamation districts that are imposing taxes and that participate in the CAD by June 15.¹⁵

The board of directors is selected by appointment; it is not an election governed by the Texas Election Code.¹⁶ The method or procedure for appointing members can be changed by the board of directors or by three-fourths of the voting taxing units acting through resolutions.¹⁷

The voting entitlement of a taxing unit is determined by a calculation that takes into account a taxing unit's share of the total dollar amount of property taxes imposed in the CAD.¹⁸ The chief appraiser makes this calculation for each taxing unit (other than conservation and reclamation districts) and delivers written notice before Oct. 1 of each odd-numbered year of the number of votes to which each taxing unit is entitled.¹⁹ Each taxing unit (other than a conservation and reclamation district)

⁴ Tex. Tax Code §6.03(a)

⁵ Tex. Tax Code §6.031(a)

⁶ Tex. Tax Code §6.031(a)

⁷ Tex. Tax Code §6.031(b)

⁸ Tex. Tax Code §6.031(b)

⁹ Tex. Tax Code §6.03(a)

¹⁰ Tex. Tax Code §6.03(a)

¹¹ Tex. Tax Code §6.04(c)

¹² Tex. Tax Code §6.04(c)

¹³ Tex. Tax Code §6.03

¹⁴ Tex. Tax Code §6.03(c)

¹⁵ Tex. Tax Code §6.03(c)

¹⁶ Tex. Att'y Gen. Op. JM-166 (1984)

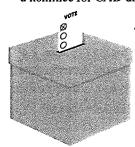
¹⁷ Tex. Tax Code §6.031(a) and (b)

¹⁸ Tex. Tax Code §6.03(d)

¹⁹ Tex. Tax Code §6.03(e)

that is entitled to vote may submit to the chief appraiser one nominee for each position to be filled before Oct. 15.20

The chief appraiser also must calculate the number of votes that an eligible conservation and reclamation district is entitled to and must deliver before July 1 of each odd-numbered year, a written notice to the district of its voting entitlement and right to nominate one candidate for director.21 All eligible conservation and reclamation districts must submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year.²² Before Aug. 1, the chief appraiser must prepare a nominating ballot listing all the nominees of conservation and reclamation districts and deliver a ballot to the presiding officer of the board of directors of each district.²³ The board of directors of each district must submit its vote for the nominee of conservation and reclamation districts before Aug. 15.24 The winning nominee of the conservation and reclamation districts in the CAD becomes a nominee for CAD director.25



The chief appraiser must prepare a ballot before Oct. 30 with candidates whose names were timely submitted, including the nominee of conservation and reclamation districts if applicable.²⁶ Each taxing unit entitled to vote must determine its vote by resolution and

submit it to the chief appraiser before Dec.

15.²⁷ The five candidates who receive the largest cumulative vote totals become the board of directors.²⁸ The chief appraiser announces the new directors before Dec. 31.²⁹ Ties must be resolved by the chief appraiser by any method of chance.³⁰

Both the board of directors and taxing units may propose to change the method or procedure for appointing directors.³¹ If the board of directors makes the proposal, then a voting

taxing unit may veto the proposal by filing a resolution before Sept. 1.³² If a participating taxing unit proposes a change, the change is adopted if three-fourths of the voting taxing units adopt resolutions providing for the change.³³ A resolution to change the method or procedure for appointing directors must be filed with the chief appraiser after June 30 and before Oct. 1 of a year in which members are appointed, or the resolution is ineffective.³⁴

Throughout the selection process, the Tax Code specifies dates for action by the chief appraiser and the taxing units. The dates provided in Tax Code Section 6.03(f) and (g) are directory and not mandatory.³⁵ However, the advice of legal counsel should be obtained in such situations.

Eligibility: To be eligible to serve on a board of directors, an individual must be a resident of the CAD and must have resided in the CAD for at least two years immediately preceding the date of taking office.³⁶ This residency requirement does not apply to a county TAC serving as a nonvoting director.³⁷

An employee of a taxing unit that participates in the CAD is not eligible to serve on the board of directors, unless that individual also is a member of the governing body of the taxing unit or an elected official of a taxing unit.³⁸ Membership on the governing body of a taxing unit does not make an otherwise eligible individual ineligible to serve on the board of directors.³⁹

Owing delinquent property taxes disqualifies a person from serving on the CAD board of directors.⁴⁰ The person is ineligible if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency.⁴¹ This disqualification does not apply if the person is paying the delinquent taxes and any penalties and interest under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.⁴²

²⁰ Tex. Tax Code §6.03(g)

²¹ Tex. Tax Code §6.03(f) and (h)

²² Tex. Tax Code §6.03(h)

²³ Tex. Tax Code §6.03(h)

²⁴ Tex. Tax Code §6.03(h)

²⁵ Tex. Tax Code §6.03(h)

²⁶ Tex. Tax Code §6.03(j)

²⁷ Tex. Tax Code §6.03(k)

²⁸ Tex. Tax Code §6.03(k)

²⁹ Tex. Tax Code §6.03(k)

³⁰ Tex. Tax Code §6.03(k)

³¹ Tex. Tax Code §6.031(a) and (b)

³² Tex. Tax Code §6.031(a)

³³ Tex. Tax Code §6.031(b)

³⁴ Tex. Tax Code §6.031(c)

³⁵ Tex. Att'y Gen. Op. JM-166 (1984)

³⁶ Tex. Tax Code §6.03(a)

³⁷ Tex. Tax Code §6.03(a)

³⁸ Tex. Tax Code §6.03(a)

³⁹ Tex. Tax Code §6.03(a)

⁴⁰ Tex. Tax Code §6.035(a)(2)

⁴¹ Tex. Tax Code §6.035(a)(2)

⁴² Tex. Tax Code §6.035(a)(2)

Degrees of Consanguinity and Affinity

18t Degree

2nd 2degree

31d DEGREE

By Consanguinity

- Parents
- Children

By Affinity

- Spouses of relatives listed under first degree consanguinity
- Spouse
- Spouse's parents
- · Spouse's children
- Stepparents
- Stepchildren

By Consanguinity

- Grandparents
- Grandchildren
- · Brothers & sisters

By Affinity

- Spouses of relatives listed by second degree consanguinity
- Spouse's grandparents
- Spouse's grandchildren
- Spouse's brothers & sisters

By Consanguinity

- · Great grandparents
- · Great grandchildren
- Nieces & nephews
- Aunts & uncles

By Affinity

No prohibitions

A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding five years is ineligible to serve on the board of directors.⁴³

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:

- an appraiser who appraises property for use in a proceeding under the Tax Code; or
- a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.⁴⁴

A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.⁴⁵

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD.⁴⁶ This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity

governed by the Tax Code.⁴⁷ A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest.⁴⁸ A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which the taxing unit participates or with a business entity in which a board member has a substantial interest.⁴⁹

An individual has substantial interest in a business entity if:

- the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director's spouse is a partner, limited partner or officer of the business entity.⁵⁰



Term of Office and Vacancy: CAD directors serve two-year terms.⁵¹ Each term begins on Jan. 1 of an even-numbered year.⁵² The two-year term of office does not apply to the county TAC who serves as a nonvoting director.⁵³

⁴³ Tex. Tax Code §6.035(a-1)

⁴⁴ Tex. Tax Code §6.035(a)(1)

⁴⁵ Tex. Tax Code §6.035(b)

⁴⁶ Tex. Tax Code §6.036(a)

⁴⁷ Tex. Tax Code §6.036(a)

⁴⁸ Tex. Tax Code §6.036(b)

⁴⁹ Tex. Tax Code §6.036(c)

⁵⁰ Tex. Tax Code §6.036(d)

Tex. Tax Code §6.03(b)
 Tex. Tax Code §6.03(b)

⁵³ Tex. Tax Code §6.03(b)

Voting taxing units may adopt staggered one and two-year terms.⁵⁴ To adopt staggered terms, taxing units must take two actions.⁵⁵ First, at least three-fourths of the voting taxing units are required to adopt resolutions for staggered terms.⁵⁶ Second, the voting taxing units must have changed the method for appointing members to end cumulative voting (casting all or part of the votes to which the taxing unit is entitled). These two actions may be proposed concurrently.⁵⁷

A resolution proposing staggered terms must be filed with the chief appraiser after June 30 and before Oct. 1.58 If the chief appraiser determines that enough taxing units filed valid resolutions, he or she must notify all taxing units of the change before Oct. 10.59 Staggered terms take effect on Jan. 1 of the next even-numbered year.60 To start staggering terms, all members are appointed for that year without regard to staggered terms.61 At the earliest practical date after Jan. 1, the board determines by lot which of its members will serve one- and two-year terms.62

Boards with an even number of members divide the one- and two-year terms in half. Boards with an odd number of members must have one more member with a two-year term than members with one-year terms. For example, a six-member board would choose three members to serve one-year terms. A five-member board would choose two.

For each director's term that expires on Jan. 1, the CAD must annually appoint directors for a term that begins on that Jan. 1.64

Staggered terms may be rescinded by resolution of a majority of voting taxing units.⁶⁵ The resolution must be adopted and filed with the chief appraiser after June 30 and before Oct. 1 of odd-numbered years.⁶⁶ After a valid rescission, the terms of all current members expire on the next Jan. 1, even if a member

will have only served one year of a two-year term.⁶⁷ The entire board will be appointed for two-year terms on that date.⁶⁸ Staggered terms are automatically rescinded if the CAD makes a change in the method of appointing board members that results in a method of using cumulative voting.⁶⁹



If a vacancy occurs on the board, each voting taxing unit nominates by resolution a candidate to fill the vacancy.⁷⁰ Within 45 days after receiving

notice from the board of directors

that a vacancy exists, a taxing unit must submit the nomination to the chief appraiser.⁷¹ The chief appraiser delivers a list of the nominees to the directors within the next five days.⁷² Directors select by majority vote one of the nominees to fill the vacancy.⁷³ If a vacancy occurs for a board with staggered terms, the vacancy is filled by appointment of the voting taxing unit that nominated the person whose departure caused the vacancy.⁷⁴

Conflicts of Interest

Board members are subject to conflict of interest provisions in law, including Tax Code Section 6.036 which excludes certain individuals from serving on the board of directors. Local Government Code Chapter 171 applies to all local officials, including boards of directors of CADs. Local Government Code Chapter 176 applies to officers of political subdivisions of the state.⁷⁵

For more information, see the Texas Ethics Commission's conflict of interest forms at www.ethics.state.tx.us/filinginfo/conflict_forms.htm.

Ex Parte Communications

A board member commits a Class C misdemeanor offense if the member directly or indirectly communicates with the chief appraiser on any matter relating to the appraisal of

⁵⁴ Tex. Tax Code §6.034(a)

⁵⁵ Tex. Tax Code §6.034(a)

⁵⁶ Tex. Tax Code §6,034(a)

⁵⁷ Tex. Tax Code §6.034(a)

⁵⁸ Tex. Tax Code §6.034(b)

⁵⁹ Tex. Tax Code §6.034(c)

⁶⁰ Tex. Tax Code §6.034(d)

⁶¹ Tex. Tax Code §6.034(d)

⁶² Tex. Tax Code §6.034(d)

⁶³ Tex. Tax Code §6.034(d)

⁶⁴ Tex. Tax Code §6.034(e)

⁶⁵ Tex. Tax Code §6.034(g)

⁶⁶ Tex. Tax Code §6.034(g)

⁶⁷ Tex. Tax Code §6.034(g)

⁶⁸ Tex. Tax Code §6.034(g)

⁶⁹ Tex. Tax Code §6.034(h)

⁷⁰ Tex. Tax Code §6.03(1)

⁷¹ Tex. Tax Code §6.03(1)

⁷² Tex. Tax Code §6.03(1)

 ⁷³ Tex. Tax Code §6.03(1)
 74 Tex. Tax Code §6.034(i)

⁷⁵ Tex. Local Government Code §171.001(1) and §176.001(3) and (4)

property by the CAD.⁷⁶ However, this type of communication is allowed in:

- an open meeting of the CAD board of directors or another public forum; or
- a closed meeting of the board of directors held to consult
 with its attorney about pending litigation, at which the
 chief appraiser's presence is necessary for full communication between the board and its attorney.⁷⁷

These ex parte communication provisions do not apply to a routine communication between the chief appraiser and the county TAC relating to the administration of an appraisal roll, including a communication made in connection with the certification, correction or collection of an account. This exception applies regardless of whether the county TAC was appointed to the board of directors or serves as a nonvoting director.

Oath of Office





The Texas Constitution requires all elected and appointed officers to sign an anti-bribery statement and take an oath of office before beginning the duties of the office.⁸⁰

The constitutionally prescribed anti-bribery statement is located on the Secretary of State's website as Form 2201 at www.sos.state.tx.us/statdoc/forms/2201.pdf. A director signs this statement before the oath of office is administered.⁸¹ Directors should retain the statement in the official records of the appraisal district.⁸²

The official oath of office is found on the Secretary of State's website as Form 2204 at www.sos.state.tx.us/statdoc/forms/2204.pdf.

Recalling a Director

A taxing unit may ask for the recall of any director the taxing unit voted for in the appointment process.⁸³ A recall starts when a taxing unit files a resolution with the chief appraiser stating that the taxing unit is calling for the recall of a named member.⁸⁴ Within 10 days after a taxing unit files a recall resolution, the chief appraiser must give written notice of the filing of the resolution to the presiding officer of each voting taxing unit.⁸⁵

Only the taxing units that voted for the member may vote. 86 A recall-voting taxing unit has the same number of votes in the recall that it cast in appointing the board member. 87 A taxing unit votes by submitting a resolution to the chief appraiser on or before the 30th day after the recall resolution is filed. 88

Not later than the 10th day after the last day for voting in favor of the recall, the chief appraiser must count the casted votes. ⁸⁹ A director is recalled if the number of votes cast in favor of recall equals or exceeds a majority of the votes cast appointing the board member. ⁹⁰ The chief appraiser must immediately notify in writing the presiding officer of the board of directors and the governing body of each recall-voting taxing unit of the results. ⁹¹ If the chair is the subject of the recall, the board secretary shall also be notified. ⁹²

After a recall, the director's vacancy is filled by the recall-voting taxing units appointing a new board member.⁹³ Each recall-voting taxing unit may nominate by resolution one candidate and is entitled to the same number of votes it originally cast to appoint the recalled member.⁹⁴

On or before the 15th day after the last day nominations must be submitted, the chief appraiser must prepare a ballot and deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote to fill

⁷⁶ Tex. Tax Code §6.15(a) and (d)

⁷⁷ Tex. Tax Code §6.15(a)

⁷⁸ Tex. Tax Code §6.15(c)

⁷⁹ Tex. Tax Code §6.15(c)

⁸⁰ Tex. Const. XVI, §1(a) and (b)

⁸¹ Tex. Const. XVI, §1

⁸² Tex. Const. XVI, §1(c)

⁸³ Tex. Tax Code §6.033(a)

⁸⁴ Tex. Tax Code §6.033(a)

⁸⁵ Tex. Tax Code §6.033(a)

⁸⁶ Tex. Tax Code §6.033(b)

⁸⁷ Tex. Tax Code §6.033(b)

⁸⁸ Tex. Tax Code §6.033(b)

⁸⁹ Tex. Tax Code §6.033(c)

⁹⁰ Tex. Tax Code §6.033(c)

⁹¹ Tex. Tax Code §6.033(c)

⁹² Tex. Tax Code §6.033(c)

⁹³ Tex. Tax Code §6.033(d)

⁹⁴ Tex. Tax Code §6.033(d)

Sec. 6.03. Board of Directors.

- (a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the county assessor-collector is ineligible to serve into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.
- (b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.
- (c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.
- (d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.
- (e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:
 - (1) to the county judge and each commissioner of the county served by the appraisal district;
 - (2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;
 - (3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and
 - (4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.
- (f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.
- (g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.
- (h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.
- (i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The

chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

- (j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.
- (k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.
- (l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.
 - (m) [Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008.]

HISTORY: Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 15, 167(a), effective January 1, 1982; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 1, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 270 (H.B. 268), § 1, effective August 31, 1987; am. Acts 1989, 71st Leg., ch. 1123 (H.B. 2301), § 2, effective January 1, 1990; am. Acts 1991, 72nd Leg., ch. 20 (S.B. 351), § 15, effective August 26, 1991; am. Acts 1991, 72nd Leg., ch. 371 (H.B. 864), § 1, effective September 1, 1991; am. Acts 1993, 73rd Leg., ch. 347 (S.B. 7), § 4.06, effective May 31, 1993; am. Acts 1997, 75th Leg., ch. 165 (S.B. 898), § 6.73, effective September 1, 1997; am. Acts 1997, 75th Leg., ch. 1039, § 2, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 705 (H.B. 834), § 1, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 629 (H.B. 2043), effective June 20, 2003; am. Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008; am. Acts 2013, 83rd Leg., ch. 1161 (S.B. 359), § 1, effective June 14, 2013.

Sec. 6.031. Changes in Board Membership or Selection.

- (a) The board of directors of an appraisal district, by resolution adopted and delivered to each taxing unit participating in the district before August 15, may increase the number of members on the board of directors of the district to not more than 13, change the method or procedure for appointing the members, or both, unless the governing body of a taxing unit that is entitled to vote on the appointment of board members adopts a resolution opposing the change, and files it with the board of directors before September 1. If a change is rejected, the board shall notify, in writing, each taxing unit participating in the district before September 15.
- (b) The taxing units participating in an appraisal district may increase the number of members on the board of directors of the district to not more than 13, change the method or procedure for appointing the members, or both, if the governing bodies of three-fourths of the taxing units that are entitled to vote on the appointment of board members adopt resolutions providing for the change. However, a change under this subsection is not valid if it reduces the voting entitlement of one or more taxing units that do not adopt a resolution proposing it to less than a majority of the voting entitlement under Section 6.03 of this code or if it reduces the voting entitlement of any taxing unit that does not adopt a resolution proposing it to less than 50 percent of its voting entitlement under Section 6.03 of this code and if that taxing unit's allocation of the budget is not reduced to the same proportional percentage amount, or if it expands the types of taxing units that are entitled to vote on appointment of board members.
- (b-1) If an appraisal district increases the number of members on the board of directors of the district or changes the method or procedure for appointing the members as provided by this section, the board of directors by resolution shall provide for the junior college districts that participate in the appraisal district to collectively participate in the selection of directors in the same manner as the school district that imposes the lowest total dollar amount of property taxes in the appraisal district among all of the school districts with representation in the appraisal district. A resolution adopted under this section is not subject to rejection by a resolution opposing the change filed with the board of directors by a taxing unit under Subsection (a).
- (c) An official copy of a resolution under this section must be filed with the chief appraiser of the appraisal district after June 30 and before October 1 of a year in which board members are appointed or the resolution is ineffective.
- (d) Before October 5 of each year in which board members are appointed, the chief appraiser shall determine whether a sufficient number of eligible taxing units have filed valid resolutions proposing a change for the change to take effect. The chief appraiser shall notify each taxing unit participating in the district of each change that is adopted before October 10.

OUTLINE OF REQUIRED DATES

- 1. Before October I of an odd-numbered year, the chief appraiser must notify each voting taxing unit of the number of votes it may cast.
- 2. Before October 15 each voting unit may nominate by resolution adopted by its governing body, one candidate for each position on the board of directors and must submit the names and addresses of the nominees to the chief appraiser.
- 3. Before October 30 the chief appraiser must prepare a ballot listing all nominees alphabetically by each candidate's last name. The chief appraiser must deliver a copy of this ballot to the presiding officer of the governing body of each voting unit.
- 4. Before December 15 the governing body of each taxing unit entitled to vote may cast votes for one candidate or may distribute the votes among a number of candidates on the ballot and shall determine its vote by resolution and submit it to the chief appraiser.
- 5. Before December 31 the chief appraiser must count the votes and declare the candidates who received the largest vote totals elected and submit the results to the governing body of each taxing unit in the district and to the candidates.

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A RESOLUTION NOMINATING CERTAIN PERSON(S) AS CANDIDATE(S) FOR ELECTION TO THE BOARD OF DIRECTORS FOR THE KLEBERG COUNTY APPRAISAL DISTRICT; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is time to select the Kleberg County Appraisal District Board of Directors for the 2020-2021 term and the City (as a taxing unit) has the right to nominate a candidate(s) to the Board and later will have the right to vote on candidates for the Board;

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

1.

THAT the City of Kingsville herewith nominates the following person(s) as candidate(s) for election to the Board of Directors for the Kleberg County Appraisal District:

KINGSVILLE, TEXAS 78363

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 <u>22</u> nd day of July, 2019.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12



MEMORANDUM

To:

Taxing Units

From:

Ernestina Flores R.P.A., Chief Appraiser of Kleberg County

Date:

June 25, 2019

Referance:

(1)

The 2019 Filling of Vacancy on Kleberg County Appraisal District Board of

Directors

2. The 2019 Board of Director Election Process (For Board Members for the 2020

and 2021 Years)

Kleberg County is providing you with two letters for two different year's appointment of Board of Director Election Information. One letter will inform you of the process of for the Board of Director Election in 2019 for service for the 2020 and 2021 years. The other letter will inform you of the process that will occur for the Filling of a Vacancy on the Kleberg County Appraisal District Board of Directors for the 2019 year. These are two separate issues and please treat them as such. If you have any questions, please feel free to contact me at 361-595-5775.

Ernestina Flores, R.P.A.

Chief Appraiser of Kleberg County

Kleberg County Appraisal District 502 E. Kleberg - P. O. Box 1027 Kingsville, Texas 78364

Date: June 25, 2019

Please consider this Kleberg County Appraisal District Board of Director's Notification that there is a vacancy on its Board of Directors. One of its members, Mr. Filiberto Garcia passed away.

In order to fill the vacancy, the appraisal district will follow the process in Section 6.03 (I) of the Texas Property Tax Code which states that if a vacancy occurs on the board of directors, other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate **by resolution adopted by its governing body** a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the Board of Directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The Board of directors shall elect by majority vote by its members one of the nominees to fill the vacancy. The nominee that is elected to the board will complete the previous members term which will terminate December 31, 2019. The appraisal district will provide you with the results once the board of directors has voted on a member. A copy of Section 6.03 (I) of the Texas Property Tax Code is attached for your review.

Kleberg County Appraisal District would like all the taxing entities to participate in this process.

Thank you for your time and help in this matter. It is greatly appreciated.

Sincerely,

Lynn Yaklin.

Kleperg County Appraisal District Board of Director Secretary

KLEBERG COUNTY APPRAISAL DISTRICT 2020-2021 BOARD OF DIRECTORS TAXING ENTITY VOTES

TAXING JURISCTIONS	2018 LEVIES	PERCENT	TOTAL VOTES	CALCULATED DISTRICT VOTES	ACTUAL VOTES
KLEBERG COUNTY	\$11,732,050.30	0.299826	2000	1499	1500
CITY OF KINGSVILLE	\$7,032,360.67	0.179720	2000	899	006
KINGSVILLE I.S.D.	\$12,930,372.30	0.330451	2000	1652	1650
RICARDO I.S.D.	\$1,970,713.42	0.050364	2000	252	250
RIVIERA I.S.D.	\$2,944,861.60	0.075259	2000	376	375
SANTA GERTRUDIS I.S.D.	\$1,499,800.11	0.038329	2000	192	190
SOUTH TEXAS WATER AUTHORITY	\$987,655.10	0.025241	2000	126	125
KENEDY COUNTY GROUNDWATER	\$25,982.47	0.000664	2000	ĸ	ī
CITY OF CORPUS CHRISTI	\$5,694.45	0.000146	2000	ᆏ	ī
TOTAL	\$39,129,490.42	100.00%		4999	2000

KLEBERG COUNTY APPRAISAL DISTRICT 2018-2019 BOARD OF DIRECTORS TAXING ENTITY CALCULATION OF VOTES

KLEBERG COUNTY

\$11,732,050.30	÷	\$39,129,490.42
0.299826	Χ	1000
299.83	=	300
300	Χ	5
	=	1500

CITY OF KINGSVILLE

\$7,032,360.67	÷	\$39,129,490.42
0.179720	Χ	1000
179.72	=	180
180	Χ	5
	=	900

KINGSVILLE I.S.D.

\$12,930,372.30	÷	\$39,129,490.42
0.330451	Χ	1,000
330.45	=	330
330	Χ	5
	=	1650

RICARDO I.S.D.

RIVIERA I.S.D.

SANTA GERTRUDIS I.S.D.

KLEBERG COUNTY APPRAISAL DISTRICT 2018-2019 BOARD OF DIRECTORS TAXING ENTITY CALCULATION OF VOTES

SOUTH TEXAS WATER AUTHORITY

\$987,655.10	÷	\$39,129,490.42
0.025241	Χ	1,000
25.24	=	25
25	Χ	5
	=	125

KENEDY COUNTY GROUNDWATER

CITY OF CORPUS CHRISTI

\$5,694.45	÷	\$39,129,490.42
0.00015	Χ	1,000
0.15	=	1
1	Χ	5
	=	5

Governance

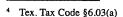
Composition of Board of Directors

The board of directors is composed of five members.⁴ The number of directors can be increased up to 13 by action of the board of directors.⁵ However, in most cases, the board of directors may not make this change if a voting taxing unit adopts a resolution opposing the change.⁶

Taxing units participating in the CAD may increase the number of directors up to 13 members if three-fourths of voting taxing units adopt resolutions. A change is not valid if it reduces the voting entitlement of one or more taxing units (unless the taxing unit adopts one of two specified resolutions) or if it expands the types of taxing units that are entitled to vote on the appointment of directors.

The county TAC is a nonvoting director, if not appointed as a voting director. If a commissioner's court of the county enters into a contract for assessment and collections under Tax Code Section 6.24(b) or if the CAD board of directors enters into a contract for appraisal under Tax Code Section 6.05(b), then the county TAC is ineligible to serve on the board of directors.

Board members may not receive compensation for service on the board but are entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.¹¹ This reimbursement is as provided by the budget adopted the board of directors.¹²



⁵ Tex. Tax Code §6.031(a)



Appointment, Eligibility and Terms

Appointment: Taxing units—counties, cities/towns, school districts, junior colleges and certain conservation and reclamation districts—select directors in the fall of odd-numbered years.¹³ Conservation and reclamation districts may participate in this process if at least one conservation and reclamation district in the CAD delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year.¹⁴ On request, the chief appraiser must certify all eligible conservation and reclamation districts that are imposing taxes and that participate in the CAD by June 15.¹⁵

The board of directors is selected by appointment; it is not an election governed by the Texas Election Code.¹⁶ The method or procedure for appointing members can be changed by the board of directors or by three-fourths of the voting taxing units acting through resolutions.¹⁷

The voting entitlement of a taxing unit is determined by a calculation that takes into account a taxing unit's share of the total dollar amount of property taxes imposed in the CAD.¹⁸ The chief appraiser makes this calculation for each taxing unit (other than conservation and reclamation districts) and delivers written notice before Oct. 1 of each odd-numbered year of the number of votes to which each taxing unit is entitled.¹⁹ Each taxing unit (other than a conservation and reclamation district)

⁶ Tex. Tax Code §6.031(a)

⁷ Tex. Tax Code §6.031(b)

⁸ Tex. Tax Code §6.031(b)

Tex. Tax Code §6.03(a)

¹⁰ Tex. Tax Code §6.03(a)

¹¹ Tex. Tax Code §6.04(c)

¹² Tex. Tax Code §6.04(c)

¹³ Tex. Tax Code §6.03

¹⁴ Tex. Tax Code §6.03(c)

¹⁵ Tex. Tax Code §6.03(c)

¹⁶ Tex. Att'y Gen. Op. JM-166 (1984)

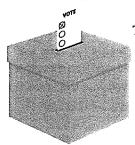
¹⁷ Tex. Tax Code §6.031(a) and (b)

¹⁸ Tex. Tax Code §6.03(d)

¹⁹ Tex. Tax Code §6.03(e)

that is entitled to vote may submit to the chief appraiser one nominee for each position to be filled before Oct. 15.20

The chief appraiser also must calculate the number of votes that an eligible conservation and reclamation district is entitled to and must deliver before July 1 of each odd-numbered year, a written notice to the district of its voting entitlement and right to nominate one candidate for director.21 All eligible conservation and reclamation districts must submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year.²² Before Aug. 1, the chief appraiser must prepare a nominating ballot listing all the nominees of conservation and reclamation districts and deliver a ballot to the presiding officer of the board of directors of each district.²³ The board of directors of each district must submit its vote for the nominee of conservation and reclamation districts before Aug. 15.24 The winning nominee of the conservation and reclamation districts in the CAD becomes a nominee for CAD director.25



The chief appraiser must prepare a ballot before Oct. 30 with candidates whose names were timely submitted, including the nominee of conservation and reclamation districts if applicable.²⁶ Each taxing unit entitled to vote must determine its vote by resolution and

submit it to the chief appraiser before Dec.

15.²⁷ The five candidates who receive the largest cumulative vote totals become the board of directors.²⁸ The chief appraiser announces the new directors before Dec. 31.²⁹ Ties must be resolved by the chief appraiser by any method of chance.³⁰

Both the board of directors and taxing units may propose to change the method or procedure for appointing directors.³¹ If the board of directors makes the proposal, then a voting

taxing unit may veto the proposal by filing a resolution before Sept. 1.³² If a participating taxing unit proposes a change, the change is adopted if three-fourths of the voting taxing units adopt resolutions providing for the change.³³ A resolution to change the method or procedure for appointing directors must be filed with the chief appraiser after June 30 and before Oct. 1 of a year in which members are appointed, or the resolution is ineffective.³⁴

Throughout the selection process, the Tax Code specifies dates for action by the chief appraiser and the taxing units. The dates provided in Tax Code Section 6.03(f) and (g) are directory and not mandatory.³⁵ However, the advice of legal counsel should be obtained in such situations.

Eligibility: To be eligible to serve on a board of directors, an individual must be a resident of the CAD and must have resided in the CAD for at least two years immediately preceding the date of taking office.³⁶ This residency requirement does not apply to a county TAC serving as a nonvoting director.³⁷

An employee of a taxing unit that participates in the CAD is not eligible to serve on the board of directors, unless that individual also is a member of the governing body of the taxing unit or an elected official of a taxing unit.³⁸ Membership on the governing body of a taxing unit does not make an otherwise eligible individual ineligible to serve on the board of directors.³⁹

Owing delinquent property taxes disqualifies a person from serving on the CAD board of directors.⁴⁰ The person is ineligible if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency.⁴¹ This disqualification does not apply if the person is paying the delinquent taxes and any penalties and interest under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.⁴²

²⁰ Tex. Tax Code §6.03(g)

²¹ Tex. Tax Code §6.03(f) and (h)

²² Tex. Tax Code §6.03(h)

²³ Tex. Tax Code §6.03(h)

²⁴ Tex. Tax Code §6.03(h)

²⁵ Tex, Tax Code §6.03(h)

²⁶ Tex. Tax Code §6.03(j)

²⁷ Tex. Tax Code §6.03(k)

²⁸ Tex. Tax Code §6.03(k)

²⁹ Tex. Tax Code §6.03(k)

³⁰ Tex. Tax Code §6.03(k)

³¹ Tex. Tax Code §6.031(a) and (b)

³² Tex. Tax Code §6.031(a)

³³ Tex. Tax Code §6.031(b)

³⁴ Tex. Tax Code §6.031(c)

³⁵ Tex. Att'y Gen. Op. JM-166 (1984)

³⁶ Tex. Tax Code §6.03(a)

³⁷ Tex. Tax Code §6.03(a)

³⁸ Tex. Tax Code §6.03(a)

³⁹ Tex. Tax Code §6.03(a)

⁴⁰ Tex. Tax Code §6.035(a)(2)

⁴¹ Tex. Tax Code §6.035(a)(2)

⁴² Tex. Tax Code §6.035(a)(2)

Degrees of Consanguinity and Affinity

1St Degree

2nd 2degree

3rd

By Consanguinity

- · Parents
- Children

By Affinity

- Spouses of relatives listed under first degree consanguinity
- Spouse
- Spouse's parents
- Spouse's children
- Stepparents
- Stepchildren

By Consanguinity

- Grandparents
- Grandchildren
- · Brothers & sisters

By Affinity

- Spouses of relatives listed by second degree consanguinity
- Spouse's grandparents
- Spouse's grandchildren
- · Spouse's brothers & sisters

By Consanguinity

- · Great grandparents
- · Great grandchildren
- Nieces & nephews
- Aunts & uncles

By Affinity

· No prohibitions

A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding five years is ineligible to serve on the board of directors.⁴³

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:

- an appraiser who appraises property for use in a proceeding under the Tax Code; or
- a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.⁴⁴

A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.⁴⁵

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD.⁴⁶ This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity governed by the Tax Code.⁴⁷ A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest.⁴⁸ A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which the taxing unit participates or with a business entity in which a board member has a substantial interest.⁴⁹

An individual has substantial interest in a business entity if:

- the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director's spouse is a partner, limited partner or officer of the business entity.⁵⁰



Term of Office and Vacancy: CAD directors serve two-year terms.⁵¹ Each term begins on Jan. 1 of an even-numbered year.⁵² The two-year term of office does not apply to the county TAC who serves as a nonvoting director.⁵³

⁴³ Tex. Tax Code §6.035(a-1)

⁴¹ Tex. Tax Code §6.035(a)(1)

⁴⁵ Tex. Tax Code §6.035(b)

⁴⁶ Tex. Tax Code §6.036(a)

⁴⁷ Tex. Tax Code §6.036(a)

⁴⁸ Tex. Tax Code §6.036(b)

⁴⁹ Tex. Tax Code §6.036(c)

⁵⁰ Tex. Tax Code §6.036(d)

 ⁵¹ Tex. Tax Code §6.03(b)
 52 Tex. Tax Code §6.03(b)

⁵³ Tex. Tax Code §6.03(b)

Voting taxing units may adopt staggered one and two-year terms.⁵⁴ To adopt staggered terms, taxing units must take two actions.⁵⁵ First, at least three-fourths of the voting taxing units are required to adopt resolutions for staggered terms.⁵⁶ Second, the voting taxing units must have changed the method for appointing members to end cumulative voting (casting all or part of the votes to which the taxing unit is entitled). These two actions may be proposed concurrently.⁵⁷

A resolution proposing staggered terms must be filed with the chief appraiser after June 30 and before Oct. 1.58 If the chief appraiser determines that enough taxing units filed valid resolutions, he or she must notify all taxing units of the change before Oct. 10.59 Staggered terms take effect on Jan. 1 of the next even-numbered year.60 To start staggering terms, all members are appointed for that year without regard to staggered terms.61 At the earliest practical date after Jan. 1, the board determines by lot which of its members will serve one- and two-year terms.62

Boards with an even number of members divide the one- and two-year terms in half. Boards with an odd number of members must have one more member with a two-year term than members with one-year terms.⁶³ For example, a six-member board would choose three members to serve one-year terms. A five-member board would choose two.

For each director's term that expires on Jan. 1, the CAD must annually appoint directors for a term that begins on that Jan. 1.64

Staggered terms may be rescinded by resolution of a majority of voting taxing units.⁶⁵ The resolution must be adopted and filed with the chief appraiser after June 30 and before Oct. 1 of odd-numbered years.⁶⁶ After a valid rescission, the terms of all current members expire on the next Jan. 1, even if a member

will have only served one year of a two-year term.⁶⁷ The entire board will be appointed for two-year terms on that date.⁶⁸ Staggered terms are automatically rescinded if the CAD makes a change in the method of appointing board members that results in a method of using cumulative voting.⁶⁹



If a vacancy occurs on the board, each voting taxing unit nominates by resolution a candidate to fill the vacancy.70 Within 45 days after receiving

notice from the board of directors

that a vacancy exists, a taxing unit must submit the nomination to the chief appraiser. The chief appraiser delivers a list of the nominees to the directors within the next five days. Directors select by majority vote one of the nominees to fill the vacancy. If a vacancy occurs for a board with staggered terms, the vacancy is filled by appointment of the voting taxing unit that nominated the person whose departure caused the vacancy.

Conflicts of Interest

Board members are subject to conflict of interest provisions in law, including Tax Code Section 6.036 which excludes certain individuals from serving on the board of directors. Local Government Code Chapter 171 applies to all local officials, including boards of directors of CADs. Local Government Code Chapter 176 applies to officers of political subdivisions of the state.⁷⁵

For more information, see the Texas Ethics Commission's conflict of interest forms at www.ethics.state.tx.us/filinginfo/conflict_forms.htm.

Ex Parte Communications

A board member commits a Class C misdemeanor offense if the member directly or indirectly communicates with the chief appraiser on any matter relating to the appraisal of

⁵⁴ Tex. Tax Code §6.034(a)

⁵⁵ Tex. Tax Code §6.034(a)

⁵⁶ Tex. Tax Code §6.034(a)

⁵⁷ Tex. Tax Code §6.034(a)

⁵⁸ Tex. Tax Code §6.034(b)

⁵⁹ Tex. Tax Code §6.034(c)

⁶⁰ Tex. Tax Code §6.034(d)

 ⁶¹ Tex. Tax Code §6.034(d)
 ⁶² Tex. Tax Code §6.034(d)

⁶³ Tex. Tax Code §6.034(d)

⁶⁴ Tex. Tax Code §6.034(e)

⁶⁵ Tex. Tax Code §6.034(g)

⁶⁶ Tex. Tax Code §6.034(g)

⁶⁷ Tex. Tax Code §6.034(g)

⁶⁸ Tex. Tax Code §6.034(g)

⁶⁹ Tex. Tax Code §6.034(h)

⁷⁰ Tex. Tax Code §6.03(1)

⁷¹ Tex. Tax Code §6.03(1)

⁷² Tex. Tax Code §6.03(1)

 ⁷³ Tex. Tax Code §6.03(I)
 74 Tex. Tax Code §6.034(i)

⁷⁵ Tex. Local Government Code §171.001(1) and §176.001(3) and (4)

property by the CAD.⁷⁶ However, this type of communication is allowed in:

- an open meeting of the CAD board of directors or another public forum; or
- a closed meeting of the board of directors held to consult with its attorney about pending litigation, at which the chief appraiser's presence is necessary for full communication between the board and its attorney.⁷⁷

These ex parte communication provisions do not apply to a routine communication between the chief appraiser and the county TAC relating to the administration of an appraisal roll, including a communication made in connection with the certification, correction or collection of an account. This exception applies regardless of whether the county TAC was appointed to the board of directors or serves as a nonvoting director.

Oath of Office





The Texas Constitution requires all elected and appointed officers to sign an anti-bribery statement and take an oath of office before beginning the duties of the office.⁸⁰

The constitutionally prescribed anti-bribery statement is located on the Secretary of State's website as Form 2201 at www.sos.state.tx.us/statdoc/forms/2201.pdf. A director signs this statement before the oath of office is administered.⁸¹ Directors should retain the statement in the official records of the appraisal district.⁸²

The official oath of office is found on the Secretary of State's website as Form 2204 at www.sos.state.tx.us/statdoc/forms/2204.pdf.

Recalling a Director

A taxing unit may ask for the recall of any director the taxing unit voted for in the appointment process.⁸³ A recall starts when a taxing unit files a resolution with the chief appraiser stating that the taxing unit is calling for the recall of a named member.⁸⁴ Within 10 days after a taxing unit files a recall resolution, the chief appraiser must give written notice of the filing of the resolution to the presiding officer of each voting taxing unit.⁸⁵

Only the taxing units that voted for the member may vote. 86 A recall-voting taxing unit has the same number of votes in the recall that it cast in appointing the board member. 87 A taxing unit votes by submitting a resolution to the chief appraiser on or before the 30th day after the recall resolution is filed. 88

Not later than the 10th day after the last day for voting in favor of the recall, the chief appraiser must count the casted votes. ⁸⁹ A director is recalled if the number of votes cast in favor of recall equals or exceeds a majority of the votes cast appointing the board member. ⁹⁰ The chief appraiser must immediately notify in writing the presiding officer of the board of directors and the governing body of each recall-voting taxing unit of the results. ⁹¹ If the chair is the subject of the recall, the board secretary shall also be notified. ⁹²

After a recall, the director's vacancy is filled by the recallvoting taxing units appointing a new board member.⁹³ Each recall-voting taxing unit may nominate by resolution one candidate and is entitled to the same number of votes it originally cast to appoint the recalled member.⁹⁴

On or before the 15th day after the last day nominations must be submitted, the chief appraiser must prepare a ballot and deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote to fill

⁷⁶ Tex. Tax Code §6.15(a) and (d)

⁷⁷ Tex. Tax Code §6.15(a)

⁷⁸ Tex. Tax Code §6.15(c)

⁷⁹ Tex. Tax Code §6.15(c)

⁸⁰ Tex. Const. XVI, §1(a) and (b)

⁸¹ Tex. Const. XVI, §1

B2 Tex. Const. XVI, §1(c)

g Tex. Tax Code §6.033(a)

⁸⁴ Tex. Tax Code §6.033(a)

⁸⁵ Tex. Tax Code §6.033(a)

⁸⁶ Tex. Tax Code §6.033(b)

⁸⁷ Tex. Tax Code §6.033(b)

⁸⁸ Tex. Tax Code §6.033(b)

⁸⁹ Tex. Tax Code §6.033(c)

⁹⁰ Tex. Tax Code §6.033(c)

⁹¹ Tex. Tax Code §6.033(c)

⁹² Tex. Tax Code §6.033(c)

⁹³ Tex. Tax Code §6.033(d)

⁹⁴ Tex. Tax Code §6.033(d)

Sec. 6.03. Board of Directors.

- (a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.
- (b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.
- (c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.
- (d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.
- (e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:
 - (1) to the county judge and each commissioner of the county served by the appraisal district;
 - (2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;
 - (3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and
 - (4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.
- (f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.
- (g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.
- (h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.
- (i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The

chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

- (j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.
- (k) The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.
- (l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.
 - (m) [Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008.]

HISTORY: Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 15, 167(a), effective January 1, 1982; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 1, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 270 (H.B. 268), § 1, effective August 31, 1987; am. Acts 1989, 71st Leg., ch. 1123 (H.B. 2301), § 2, effective January 1, 1990; am. Acts 1991, 72nd Leg., ch. 20 (S.B. 351), § 15, effective August 26, 1991; am. Acts 1991, 72nd Leg., ch. 371 (H.B. 864), § 1, effective September 1, 1991; am. Acts 1993, 73rd Leg., ch. 347 (S.B. 7), § 4.06, effective May 31, 1993; am. Acts 1997, 75th Leg., ch. 165 (S.B. 898), § 6.73, effective September 1, 1997; am. Acts 1997, 75th Leg., ch. 1039, § 2, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 705 (H.B. 834), § 1, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 629 (H.B. 2043), effective June 20, 2003; am. Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008; am. Acts 2013, 83rd Leg., ch. 1161 (S.B. 359), § 1, effective June 14, 2013.

Sec. 6.031. Changes in Board Membership or Selection.

- (a) The board of directors of an appraisal district, by resolution adopted and delivered to each taxing unit participating in the district before August 15, may increase the number of members on the board of directors of the district to not more than 13, change the method or procedure for appointing the members, or both, unless the governing body of a taxing unit that is entitled to vote on the appointment of board members adopts a resolution opposing the change, and files it with the board of directors before September 1. If a change is rejected, the board shall notify, in writing, each taxing unit participating in the district before September 15.
- (b) The taxing units participating in an appraisal district may increase the number of members on the board of directors of the district to not more than 13, change the method or procedure for appointing the members, or both, if the governing bodies of three-fourths of the taxing units that are entitled to vote on the appointment of board members adopt resolutions providing for the change. However, a change under this subsection is not valid if it reduces the voting entitlement of one or more taxing units that do not adopt a resolution proposing it to less than a majority of the voting entitlement under Section 6.03 of this code or if it reduces the voting entitlement of any taxing unit that does not adopt a resolution proposing it to less than 50 percent of its voting entitlement under Section 6.03 of this code and if that taxing unit's allocation of the budget is not reduced to the same proportional percentage amount, or if it expands the types of taxing units that are entitled to vote on appointment of board members.
- (b-1) If an appraisal district increases the number of members on the board of directors of the district or changes the method or procedure for appointing the members as provided by this section, the board of directors by resolution shall provide for the junior college districts that participate in the appraisal district to collectively participate in the selection of directors in the same manner as the school district that imposes the lowest total dollar amount of property taxes in the appraisal district among all of the school districts with representation in the appraisal district. A resolution adopted under this section is not subject to rejection by a resolution opposing the change filed with the board of directors by a taxing unit under Subsection (a).
- (c) An official copy of a resolution under this section must be filed with the chief appraiser of the appraisal district after June 30 and before October 1 of a year in which board members are appointed or the resolution is ineffective.
- (d) Before October 5 of each year in which board members are appointed, the chief appraiser shall determine whether a sufficient number of eligible taxing units have filed valid resolutions proposing a change for the change to take effect. The chief appraiser shall notify each taxing unit participating in the district of each change that is adopted before October 10.

OUTLINE OF REQUIRED DATES

- 1. Before October 1 of an odd-numbered year, the chief appraiser must notify each voting taxing unit of the number of votes it may cast.
- 2. Before October 15 each voting unit may nominate by resolution adopted by its governing body, one candidate for each position on the board of directors and must submit the names and addresses of the nominees to the chief appraiser.
- 3. Before October 30 the chief appraiser must prepare a ballot listing all nominees alphabetically by each candidate's last name. The chief appraiser must deliver a copy of this ballot to the presiding officer of the governing body of each voting unit.
- 4. Before December 15 the governing body of each taxing unit entitled to vote may cast votes for one candidate or may distribute the votes among a number of candidates on the ballot and shall determine its vote by resolution and submit it to the chief appraiser.
- 5. Before December 31 the chief appraiser must count the votes and declare the candidates who received the largest vote totals elected and submit the results to the governing body of each taxing unit in the district and to the candidates.

R	ES	OL	LL	JT	ION	NO.	2019	•
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A RESOLUTION NOMINATING A CERTAIN PERSON AS A CANDIDATE FOR ELECTION TO THE BOARD OF DIRECTORS FOR THE KLEBERG COUNTY APPRAISAL DISTRICT TO FILL AN UNEXPIRED VACANCY; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Kleberg County Appraisal District Board member Filiberto Garcia recently passed away creating a vacancy on the Board for his term that expires on December 31, 2019 and the Kleberg County Appraisal District Board of Directors needs to fill that vacancy and has requested nominations from each eligible taxing unit;

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

I.

THAT the City of Kingsville herewith nominates the following person as a candidate for election to the Board of Directors for the Kleberg County Appraisal District to fill an unexpired vacancy for a term expiring on December 31, 2019:

KINGSVILLE, TEXAS 78363

11.

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 22 nd day of July, 2019.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

P	FC	OI.	LITI	ON	#	2019-
П	EJ	UL	.U I I	UN	#	ZU 13-

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A FIFTH REVISED WATER UTILITY SUPPLY CONTRACT (GOV. CONTRACT #N69450-12-C-0011) BETWEEN THE CITY OF KINGSVILLE, TEXAS AND THE FEDERAL GOVERNMENT FOR NAVAL AIR STATION-KINGSVILLE FOR TCEQ REQUESTED LANGUAGE AND TO ADD SEWER SERVICE; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville recognizes that the continued operation of Naval Air Station Kingsville (NAS Kingsville) is important to the economy of the City of Kingsville, Kleberg County, and the region and that its future operational capacity should be protected because it fulfills an essential community purpose; and

WHEREAS, the NAS Kingsville desires to continue purchasing water from the City of Kingsville and the parties approved a ten (10) year water utility supply contract in 2012; and

WHEREAS, in January 2013, the parties approved an amendment to the agreement to install an emergency water line connection from the City's main water line to the new base wide water distribution system on Naval Air Station Kingsville and amended that agreement in August 2013 to include a 16" bypass to allow for emergency services during meter testing or repairs; and

WHEREAS, the parties now desire to amend the agreement to 1) add language to section C.8. to satisfy TCEQ's request to the Navy for such contractual language, 2) add sewer services, and 3) clarify the contract end date is 5/31/2022; and

WHEREAS, the parties believe the contract amendment to be in the best interest of both parties;

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

١.

THAT the Interim City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Fifth Revised Water Utility Supply Contract with the federal government to supply water and sewer services to Naval Air Station-Kingsville in accordance with Exhibit A hereto attached and made a part hereof.

THAT all resolutions or parts of repealed to the extent of such confl		n conflict	with	this	resolution	are
,	III.					

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

That this recolution shall be and become enective on and after adoption.
PASSED AND APPROVED by a majority vote of the City Commission on the 22nd day of July , 2019.
Sam R. Fugate, Mayor
ATTEST:
Mary Valenzuela, City Secretary
APPROVED AS TO FORM:
Courtney Alvarez, City Attorney

A MEDIDA KENTE OTI COX XCVT	TIONATORE	TO A THOM OF CONTROL CO		1. CONTRACT ID CO	DE	PAGE OF	PAGES			
AMENDMENT OF SOLICITA	•	J		1 1	6					
2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.		5. PR	OJECTN	NO.(Ifapplica	able)			
P00005	01-Jul-2019			1						
6. ISSUED BY CODE	N69450	7. ADMINISTERED BY (Ifother than item 6)		CODE						
NAVFAC SOUTHEAST ACQ CORE UTILITIES BLDG 903, PO BOX 30 JACKSONVILLE FL 32212-0030		See Item 6								
8. NAME AND ADDRESS OF CONTRACTOR (KINGSVILLE, CITY OF	No., Street, County, S	tate and Zip Code)	9	A. AMENDMENT	OF SOL	ICITATIO	ON NO.			
1700 E KING ST KINGSVILLE TX 78363-5928			B. DATED (SEE IT							
			^ 「	0A. MOD. OF CON 069450-12-C-0011			NO.			
CODE 5VBD8	FACILITY COD	E		0B. DATED (SEE I 01-Jun-2012	TEM 1	3)				
11.	THIS ITEM ONLY A	PPLIES TO AMENDMENTS OF SOLIC	CITA	TIONS						
The above numbered solicitation is amended as set forth	in Item 14. The hour and d	ate specified for receipt of Offer	is	extended, is n	ot extend	ied.				
Offer must acknowledge receipt of this amendment prior (a) By completing Items 8 and 15, and returning or (c) By separate letter or telegram which includes a ref RECEIVED ATTHE PLACE DESIGNATED FOR TH REJECTION OF YOUR OFFER. If by virtue of this am provided each telegram or letter makes reference to the s 12. ACCOUNTING AND APPROPRIATION DA	copies of the amendment erence to the solicitation as E RECEIPT OF OFFERS P endment you desire to chan olicitation and this amendi	; (b) By acknowledging receipt of this amendme nd amendment numbers. FAILURE OF YOUR A RIOR TO THE HOUR AND DATE SPECIFIED ge an offer already submitted, such change may b	nt on e ACKNO MAY be made	ach copy of the offer subm OWLEDGMENT TO BE RESULT IN by telegramor letter,	nitted;	***************************************				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.										
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.										
B. THE ABOVE NUMBERED CONTRACT/OI office, appropriation date, etc.) SET FORT	H IN ITEM 14, PURS	UANT TO THE AUTHORITY OF FAI			nges in	paying				
X C. THIS SUPPLEMENT AL AGREEMENT IS FAR 52.243-1 Changes Fixed Price Alt. I	ENTERED INTO PUI	RSUANT TO AUTHORITY OF:								
D. OTHER (Specify type of modification and a	uthority)									
E. IMPORTANT: Contractor is not,	is required to sign	this document and return 1	copie	es to the issuing offic	e.					
14. DESCRIPTION OF AMENDMENT/MODIFIC where feasible.) Modification Control Number: rbell192027 Prepared by: rbell IGF::OT::IGF Mod for water s Quantity. to comply with Notice Of Violatation, must allow for at least 2.0 gpm per connection 2) include CLIN 002 for Sewage services. 3) C	ervice at NAS Kingsv dtd 24 May 2019 by 1 or provide at least 1,	rille with the City of Kingsville. 1) Addi ECQ, requiring additional language tha 000 gpm and be able to meet peak hou	ing lar	nguage to SOW Para purchase water co	ı C.8. ntract					
Acceptance of this modification by the contract money and for any and all costs, impact effect		·	•							
Except as provided herein, all terms and conditions of the doc	rument referenced in Item 9/	A or 10A, as heretofore changed, remains unchan	ged and	d in full force and effect.						
15A. NAME AND TITLE OF SIGNER (Type or p	orint)	16A. NAME AND TITLE OF COM	VTRA	CTING OFFICER (1	ype or	print)				
		TEL:	TEL: EMAIL:							
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMER	ICA		16C.	DATE SIG	JNED			
		BY								
(Signature of person authorized to sign)		(Signature of Contracting Off	icer)							

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text: P00005

Added:

CLIN 0002 - Sewage Service for Account Number: 03902212000

CLIN 0001 – Corrected POP from 6/1/2012 - 3/31/2022 to 6/1/2012 - 5//31/2022

Added:

C.1.2 SCOPE OF SEWER SERVICE

The Contractor shall furnish a sanitary sewer connection and sanitary sewerage service as required by the Government and shall receive, carry, treat and dispose of all sanitary sewage originating at the project in such amounts as the Government desires to release into Contractor's sewer system and in a manner and by such means as will constitute no hazard to the public health.

The Contractor shall operate his sewage disposal and treatment facilities in conformity with applicable laws, rules, codes, industry standards, permits and regulations promulgated by Federal, state and local authorities having jurisdiction.

All meters (if any) shall be installed by the contractor in a manner that allows verification by Government personnel. The Government reserves the right to have the contractor install meters at any location served by the system. The cost of such installations will be negotiated by the Government contracting officer and contractor.

C.8. QUANTITY

Added:

The contractor shall make available for purchase by the Government at the delivery point or points (NAS Kingsville,TX), potable water at the maximum hourly rate of 2.0 gallons per minute per number of connections as may exist from time to time or provide at least 1,000 gallons per minute and be able to meet peak hourly demands, whichever is less, as required by Texas Administrative Code, Title 30, Part, Chapter 290, Subchapter D, Section 290.45(f)(5). Further, the City shall provide and operate service pumps to meet the maximum hourly rate. The words "connection" and "service pump" as used in this paragraph shall have the same meaning as in Texas administrative Code, Title 30, Part 1, Chapter 290, Subchapter D, Rule 290.38.

The following have been deleted:

P00002 P00003

SECTION A - SOLICITATION/CONTRACT FORM

The total cost of this contract was increased by \$1,004,758.00 from \$1,735,087.00 (EST) to \$2,739,845.00 (EST).

The vendor signature required has changed from required to not required.

The standard size code \$27,500,000 has been added.

The NAICS code 221310 has been added.

The 'Payment will be made by' organization has changed from

DFAS-CLEVELAND, NORFOLK ACCOUNTS PAYABLE PO BOX 998022

to

DFAS-CLEVELAND PO BOX 998022 CLEVELAND OH 44199

CLEVELAND OH 44199

SECTION B - SUPPLIES OR SERVICES AND PRICES

SUBCLIN 000101

The FOB Destination has been deleted.

The PSC code S114 has been deleted.

The PROG code S10 has been deleted.

The NAICS code 221310 has been deleted.

The MDAP/MAIS Code 000 has been deleted.

SUBCLIN 000102

The FOB Destination has been deleted.

The PSC code S114 has been deleted.

The PROG code S10 has been deleted.

The NAICS code 221310 has been deleted.

The MDAP/MAIS Code 000 has been deleted.

CLIN 0002 is added as follows:

N69450-12-C-0011 (rbell192027) Page 4 of 6

ITEM NO 0002

SUPPLIES/SERVICES

QUANTITY 1 UNIT Project UNIT PRICE \$1,004,758.00

AMOUNT \$1,004,758.00 EST

Sewage Services

FFP

Existing Account Number: 03902212000 Sewage

SE 16 SE 00001

Follow-

on contract for water/sewage service at NAS Kingsville with the City of Kingsville. Service address: 2801 E. Santa Gertudis, Kingsville, TX 78363

FOB: Destination PSC CD: S114

NET AMT

\$1,004,758.00 (EST.)

SECTION E - INSPECTION AND ACCEPTANCE

The Acceptance/Inspection Schedule for SUBCLIN 000101 has been changed from:

INSPECT AT

INSPECT BY

ACCEPT AT

ACCEPT BY

Destination

Government

Destination

Government

To:

INSPECT AT

INSPECT BY

ACCEPT AT

ACCEPT BY

N/A

N/A

N/A

N/A

The Acceptance/Inspection Schedule for SUBCLIN 000102 has been changed from:

INSPECT AT Destination

INSPECT BY Government ACCEPT AT Destination

ACCEPT BY
Government

To:

INSPECT AT

INSPECT BY

ACCEPT AT

ACCEPT BY

. . .

N/A

N/A

N/A

N/A

The following Acceptance/Inspection Schedule was added for CLIN 0002:

INSPECT AT Destination

INSPECT BY Government

ACCEPT AT Destination

ACCEPT BY Government

SECTION F - DELIVERIES OR PERFORMANCE

The following Delivery Schedule Item has been deleted from CLIN 0001:

DELIVERY DATE

QUANTITY

SHIP TO ADDRESS

DODAAC / CAGE POP 01-JUN-2012 TO N/A N/A

01-MAR-2022 FOB: Destination

The following Delivery Schedule item has been added to CLIN 0001:

DELIVERY DATE QUANTITY SHIP TO ADDRESS DODAAC /

CAGE

POP 01-JUN-2012 TO N/A N/A

31-MAY-2022 FOB: Destination

The following Delivery Schedule for SUBCLIN 000101 has been deleted:

DELIVERY DATE QUANTITY SHIP TO ADDRESS DODAAC /

CAGE

POP 07-JAN-2013 TO N/A N/A

01-JUL-2013 FOB: Destination

The following Delivery Schedule for SUBCLIN 000102 has been deleted:

DELIVERY DATE QUANTITY SHIP TO ADDRESS DODAAC /

CAGE

N69450

POP 02-JUL-2013 TO N/A NAVFAC SOUTHEAST 15-OCT-2013 JACK R KOPATZ

PWD KINGSVILLE

201 NIMITZ AVE, BLDG 4711 KINGSVILLE TX 78363-5103

361-516-6044 FOB: Destination

The following Delivery Schedule for CLIN 0002 has been added:

DELIVERY DATE QUANTITY SHIP TO ADDRESS DODAAC /

CAGE

POP 01-JUN-2015 TO N/A N/A

31-MAY-2022 FOB: Destination

SECTION I - CONTRACT CLAUSES

The following included by reference have been revised:

52.222-26 Equal Opportunity MAR 2007

52.222-40 Notification of Employee Rights Under the National Labor DEC 2010

Relations Act

252.203-7000

Requirements Relating to Compensation of Former DoD Officials

SEP 2011

(End of Summary of Changes)

AGENDA ITEM #14

City of Kingsville Planning and Development Services

TO:

Mayor and City Commissioners

CC:

Deborah Balli, Interim city Manager

FROM:

Tom Ginter, Director

DATE:

July 12, 2019

SUBJECT:

Approval to purchase property from Kingsville Area Industrial Development

Foundation, pertaining to Defense Economic Adjustment Assistance Grant

Summary: As you recall there were four pieces of property that were approved in the grant application, when submitted to the Texas Military Preparedness Commission. The Kingsville Area Industrial Development Foundation is one of the owners that we have come to an agreement with. I do not have the closing documents yet but attached is the acceptance of the offer from the City to the KAIF and a description of the property per the Appraisal District records.

Background: The last appraisal value of the property was done in 2008 and it was \$71,000.00 dollars. The \$80,000 offered and accepted is within the budgeted number that was submitted in the grant application.

Financial Impact: This is a reimbursement grant with an 80/20 split. Once completed we will then submit the paperwork to the Texas Military Preparedness Commission for reimbursement.

Recommendation: Approve the purchase of the property from the Kingsville Area Industrial Foundation.





P.O. BOX 1458 - KINGSVILLE, TEXAS 78364

June 21, 2019

Kingsville Area Industrial Development Foundation Po Box 5032 Kingsville, Texas 78364

Dear KAIDF:

The City of Kingsville desires to purchase ground near NAS – Kingsville to prevent encroachment.

The appraisal value in 2008 was \$71,000.

In Consideration, the Owner agrees to the following:

- 1. Sell the property to the City of Kingsville for \$80,000.00 dollars.
- 2. The legal description of the property is KT & I CO, BLOCK 13, LOT P2, 38.09 acres.

Please check the following and get back with me:

Owner agrees to the offer made by the City of Kingsville and authorizes the City to finalize documents to complete the property transaction.
 Owner has additional questions and/or information to provide the City of Kingsville prior to finalizing the documents to complete the transaction.

If you have any questions, please feel free to contact me at 361-595-8053

Sincerely,

Tom Ginter

Director of Planning and Development Services

Kleberg CAD

Property Search > 14521 KINGSVILLE AREA INDUSTRIAL for Tax Year: 2019 - Values not available Year 2019

Property

Account

Property ID:

14521

Real

290001302100192

Legal Description: KT&ICO, BLOCK 13, LOT PT 2, ACRES 38.09

Geographic ID:

Zoning: Agent Code:

Type: Property Use Code:

Property Use Description:

Location

Address:

E SANTA GERTRUDIS AVE

Mapsco:

Neighborhood:

Map ID:

В1

Neighborhood CD:

Owner

Name:

KINGSVILLE AREA INDUSTRIAL Owner ID:

30959

Mailing Address:

DEVELOPMENT FOUNDATION % Ownership:

100.0000000000%

PO BOX 5032

KINGSVILLE, TX 78364

Exemptions:

Values

N/A (+) Improvement Homesite Value: (+) Improvement Non-Homesite Value: + N/A (+) Land Homesite Value: N/A N/A (+) Land Non-Homesite Value:

Ag / Timber Use Value (+) Agricultural Market Valuation: N/A N/A N/A N/A (+) Timber Market Valuation:

(=) Market Value: N/A (–) Ag or Timber Use Value Reduction: N/A N/A (=) Appraised Value: (-) HS Cap: N/A

(=) Assessed Value: N/A

Taxing Jurisdiction

Owner:

KINGSVILLE AREA INDUSTRIAL

% Ownership: 100.000000000%

Total Value:

N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A
SKI	KINGSVILLE 1.S.D.	N/A	N/A	N/A	N/A

WST SOUTH TEXAS WATER AUTHORITY N/A N/A N/A N/A
Total Tax Rate: N/A

Taxes w/Current Exemptions: N/A
Taxes w/o Exemptions: N/A

Improvement / Building

Improvement #1: RESIDENTIAL State Code: E3 Living Area: 1560.0 sqft Value: N/A

Type Description Class CD Exterior Wall Year Built SQFT MA MAIN AREA ES3L 0 1560.0

Land

Type Description Acres Sqft Eff Front Eff Depth Market Value Prod. Value
1 E0 E0 38.0900 1659200.40 0.00 0.00 N/A N/A

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	\$0	\$0	0	0	\$0	\$0
2017	\$0	\$0	0	0	\$0	\$0
2016	\$0	\$0	0	0	\$0	\$0
2015	\$0	\$0	0	0	\$0	\$0
2014	\$0	\$0	0	0	\$0	\$0
2013	\$0	\$0	0	0	\$0	\$0
2012	\$0	\$0	0	0	\$0	\$0
2011	\$0	\$0	0	0	\$0	\$0
2010	\$0	\$0	0	0	\$0	\$0
2009	\$0	\$0	0	0	\$0	\$0
2008	\$3,150	\$67,860	0	71,010	\$0	\$71,010
2007	\$3,150	\$48,750	0	51,900	\$0	\$51,900
2006	\$3,150	\$48,770	0	51,920	\$0	\$51,920
2005	\$3,150	\$48,200	0	51,350	\$0	\$51,350

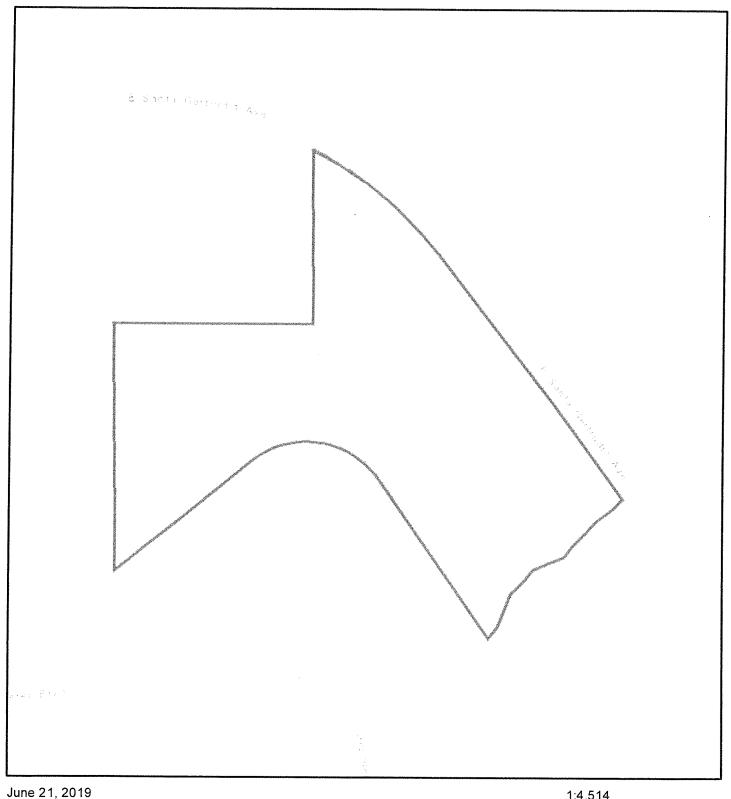
Questions Please Call (361) 595-5775

This year is not cartified and ALL values will be represented with "M/A".

Website version: 1.2.2.30

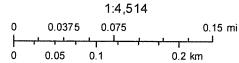
Database last updated on: 6/27/2019 8:17 PM

© N. Harris Computer Corporation



X- Property in blue Kingswille Area Industrial Occalopment Foundation

38 09 - Acres



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

R	E	S	0	L	U	T	ľ	0	۱	V	١	J	O	2	0	1	9	-

A RESOLUTION AUTHORIZING THE CITY TO PURCHASE 38.09 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 INTERIM CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS ON THE CITY'S BEHALF.

WHEREAS, the City Commission of the City of Kingsville found on October 9, 2017 via Resolution #2017-72 that it was in the best interest of the citizens of Kingsville, that the City apply for a Defense Economic Adjustment Assistance Grant (DEAAG) Program with the State of Texas to apply for grant monies for the acquisition of property to prevent encroachment around the local military base; and

WHEREAS, the State budgeted money for this grant program to assist military communities in Texas with infrastructure projects and other initiatives to increase military value and mitigate any potential negative effects to the military institutions in future BRAC rounds; and

WHEREAS, acquiring land around the military institutions to protect them from encroachment issues is a tool that many other defense communities around the country have used to ensure the long-term viability of their local military institutions; and

WHEREAS, the base is a large employer of local civilian personnel and the base has a significant economic impact on the City, County, and State, such that the proposed land acquisition could be deemed for a public purpose; and

WHEREAS, the City has worked with the local base to identify properties that would be viable for this program; and

WHEREAS, the City was awarded the DEAAG grant and authorized execution of a contract with the state for such grant; and

WHEREAS, on February 12, 2018 via Resolution #2018-10 the City Commission authorized city staff to negotiate with landowners, survey properties, and begin the acquisition process so that deeds of sale can be brought back to the Commission for approval using the DEAAG Grant; and

WHEREAS, this is the second of four properties identified for acquisition by the grant as the first property, a 5.02 acre tract of land located at Pt of Lots 6 & 7, Block Section 12, Kleberg Town and Improvement Company Subdivision, Kleberg County, Texas, was authorized for acquisition from property owner Jody Van Fleet via resolution #2018-61 on October 22, 2018; and

WHEREAS, the staff has negotiated with property owner Kingsville Area Industrial Development Foundation a price of \$80,000 for a 38.09 acre tract of land located at Pt of Lot 2, Block 13, Kleberg Town and Improvement Company Subdivision, Kleberg County, Texas, which is near NAS-Kingsville and is one of the properties originally identified for acquisition through the grant; and

WHEREAS, the transactional documents have been prepared and staff needs approval from the City Commission of the City of Kingsville through this resolution to finalize the purchase of the property.

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

١.

THAT the City Commission authorizes City staff to finalize the purchase of a 38.09 acre tract of land located at Pt of Lot 2, Block 13, Kleberg Town and Improvement Company Subdivision, Kleberg County, Texas for a price of \$80,000 with property owner Kingsville Area Industrial Development Foundation in compliance with the agreement with the State of Texas for the Defense Economic Adjustment Assistance Grant Program for funding for land acquisition to prevent encroachment around the local military base.

11.

THAT the City Commission authorizes the Interim City Manager to act on the City's behalf in executing any necessary documents for this action.

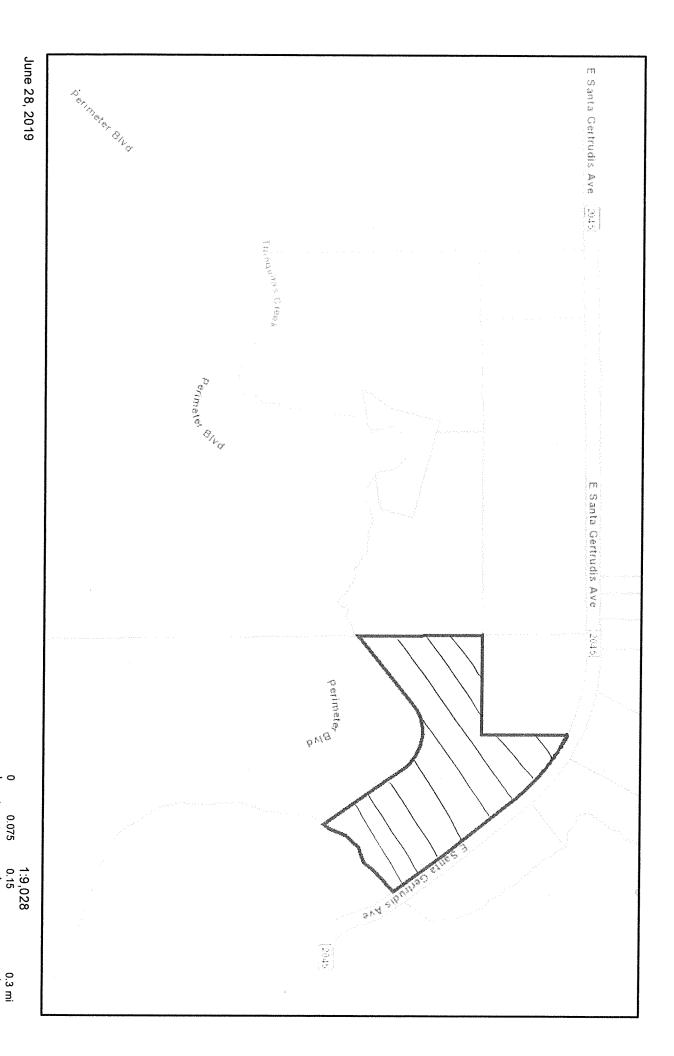
III.

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

PASSED AND APPROVED by a majority vote of the City Commission the <u>22nd</u> day of <u>July</u>, 2019.

Sam R. Fugate, Mayor	
ATTEST:	
Mary Valenzuela, City Secretary	
APPROVED AS TO FORM	

Courtney Alvarez, City Attorney



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

0.1

0.2

0.4 km

AGENDA ITEM #15

City of Kingsville Engineering Dept.

TO: Mayor and City Commissioners

CC: Deborah Balli, City Manager

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

DATE: July 22, 2019

SUBJECT: Consider and act upon approving submitting a Detailed Application and a

resolution supporting The City of Kingsville Application to the Texas

Department of Transportation's 2019 Safe Routes to School-Infrastructure

(SRTS) Call for Projects.

Summary:

The purpose of the resolution it is a requirement of the Detailed Application for SRTS funding. The application is part of a two-part process in being selected for Federal funds through the State. The Engineering Dept. submitted a Preliminary Application to TxDOT on April 12, 2019. On May 20, 2019, the Engineering Dept met with the TxDOT District Coordinator to discuss our Preliminary Application. We had submitted improvements for bike lanes, sidewalks, and ADA ramps. The improvements would be around the Harvey Elementary, Jubilee Leadership Academy, Memorial Middle School and Harrel Elementary campuses.

After the meeting, we were asked to focus on Harvey and Jubilee which would give us the best chance in receiving the funds. The resolution is needed as part of the Step 2 process. The project cost will be approximately \$850,000.00, when submitting for the SRTS application a match is not required.

The Engineering services would be complete in-house and are considered reimbursable for activities done after an Advance Funding Agreement is executed as per attached email.

We are in the process of gathering letters of support for the project. I have included a letter of support from State Representative J.M. Lozano.

Background:

The City submitted a 2017 Nomination Form: Transportation Alternatives Set-Aside Program application. The project included improvements to sidewalks and ADA ramps.



City of Kingsville Engineering Dept.

The project was supported by Kingsville ISD. It also included a 20% match. The construction cost was approximately \$890,000.00.

Financial Impact:

The project is a reimbursement grant of federal funds.

Recommendation:

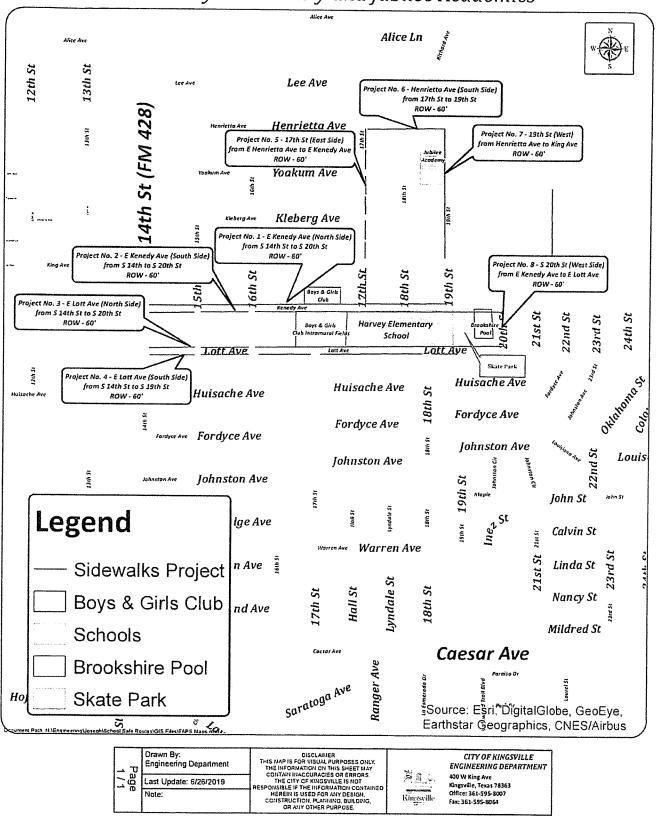
Staff recommends approving the resolution as presented.

Attachments:

SRTS Resolution
2019 City of Kingsville SRTS Improvements – Harvey Elementary and Jubilee Academies
Eligible Activity for Safe Route to Schools Program – Email
State Letter of Support – J.M. Lozano
Table 1 TxDOT's 2019 TA/SRTS Call for Projects Important Dates
2017 TASAP agenda item



2019 City of Kingsville Safe Route to Schools Improvements Harvey Elementary and Jubilee Academics



Kingsville

Note:

Rutilio "Rudy" Mora

From:

Jason Alvarez < Jason. Alvarez@txdot.gov>

Sent:

Tuesday, May 21, 2019 2:34 PM

To:

Rutilio "Rudy" Mora

Cc:

Joseph Ramirez; Roel Tovar

Subject:

FW: Eligible activity for Safe Routes to School Program

Rudy,

See below to the answer of the City gerting communical for design bruit. The answer is yes to instruction done offer that Advance Funding Agreement (AFA) is a termed. Men will not be state that design is being done in-house on your application. Let makeness if you have any more questions

Thanks. Jason

From: Noah Heath

Sent: Tuesday, May 21, 2019 12:52 PM

To: Jason Alvarez Cc: Bonnie Sherman

Subject: FW: Eligible activity for Safe Routes to School Program

Jason,

Below is this approve for the project spirits that then ad its dereing plans insteads. If the hare extended SAEC funding. They would not receive reimbursement for activities completed before the AFA and TrDOT authorization to proceed. They also need to indicate that they would be doing the design work in-house in the detailed application.

Thanks. Moah

From: Danielle Johnson-Robinson Sent: Tuesday, May 21, 2019 10:44 AM

To: Noah Heath

Subject: Re: Eligible activity for Safe Routes to School Program

Noah,

They can do the design in-house and still get reimbursed. They would have to show their direct/indirect cost to the district. They will have to submit timesheets and invoices just like a consultant would have to for the district. They also need to state they are doing the design work in-house in the application for approval.

Sent from Danielle Robinson's iPhone

On May 20, 2019, at 4:44 PM, Noah Heath < Noah. Heath@txdot.gov > wrote:

Hey Danielle,

We received a question from one of the applications for our call for projects in the Corpus Christi District? They applied for Safe Routes to School funds which are 100% reimbursable and include development activities such as construction plan development. The LG wants to do the construction plans in house instead of hiring a consultant and wanted to know if they could be reimbursed for that activity? If so, what steps would they need to talk if they wanted to pursue that option?

Thanks,

Noah Heath, AICP Bicycle & Pedestrian Planner TxDOT - Public Transportation Division Noah.Heath@txdot.gov (512) 486-5973 (o)

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STATE OF TEXAS HOUSE OF REPRESENTATIVES

J.M. LOZANO

District 13

Environmental Restriction, Chair + Defense & Verteins Afraga

June 26, 2019

Jason Alvarez
Texas Department of Transportation
1701 South Padre Island Drive
Corpus Christi, TX 78416

Re: Request for consideration of 2019 Safe Routes to Schools grant (2019 City of Kingsville SRTS Improvements – Harvey Elementary and Jublice Academies) sponsored by City of Kingsville, TX

Dear Mr. Alvarez.

I am writing this letter to express my support for the Safe Routes to School grant which would provide sidewalks and pedestrian improvements for the City of Kingsville. These improvements would serve to connect schools, neighborhood parks, recreational fields, and low-to moderate income residential areas for Kingsville residents. The proposed projects would create continuity among heavy foot traffic areas, increase pedestrian and bicyclist safety, and relieve parking and traffic congestion along the proposed routes. This proposed project will only use land currently in the City's right of way, eliminating the need for land acquisition. Bridging previously separated paths and roadways will serve to enhance the overall utility and connectivity of the downtown Kingsville area, creating a more functional, safe, and enjoyable experience for those who choose to walk or bike to schools, parks, and businesses.

Thank you for giving your full attention to this request. Please feel free to call my office if I can answer any further questions you might have.

Sincerely,

J.M. Lozano

A. SUMMARY OF PROJECT OPPORTUNITY

On February 8, 2019, the Texas Department of Transportation (TxDOT or the department) announced a statewide Call for Projects for two non-motorized infrastructure funding sources: The Transportation Alternatives Set-Aside (TA) program (including available and anticipated future funds) and available Safe Routes to School (SRTS) infrastructure funding. In order to assign projects to an appropriate funding source, TxDOT's 2019 TA/SRTS Call for Projects features a new, two-step application process, described further in this program guide. Additionally, this program guide outlines the requirements of each funding source and the evaluation and selection processes for this competitive Call for Projects. Important dates to remember are provided in Table 1.

Table 1: TxDOT's 2019 TA/SRTS Call for Projects Important Dates

		ation Pool					
		Available	Funds	Anticipated	Future Funds		
,	Milestones	Non Urban TA* SRTS		Non Urban TA*	Small Urban TA*		
	TxDOT's 2019 TA/SRTS Call for Projects opens	February 8	8, 2019	February 8, 2019			
	Workshops	February 12 - Ma	arch 13, 2019	February 12 - N	March 13, 2019		
p 1	Preliminary Application (PA) deadline	April 12,	2019	April 12, 2019			
Step	District coordination	before June	7, 2019	before June 7, 2019	before Aug. 2, 2019**		
	TxDOT PA Review complete	June 14,	2019	June 14, 2019	before Aug. 15, 2019**		
	TxDOT notifies sponsors of application pool	June 18,	2019	June 18, 2019			
	Detailed Application (DA) deadline	August 15	, 2019	October 30, 2019**			
p 2	TxDOT DA Review complete	Fall 20	019	Winter 2020**			
Ste	Final project award	December	2019**				
	Conditional Project List			Winter 2020**			

^{*} TxDOT administers TA funds for Nonurban (populations of 5,000 or less) and Small Urban (populations of 5,001 to 200,000) areas located outside the smoothed boundaries of Census Urbanized Areas of 200,000 or greater, known as TMAs.

^{**} target dates

City of Kingsville Engineering/Public Works

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Charlie Cardenas, P.E., City Engineer/Director of Public Works

DATE: April 28, 2017

SUBJECT: Transportation Alternatives Set-Aside Program (TASAP) to fund sidewalks in the

City of Kingsville.

Summary:

This item authorizes a resolution for support from the City of Kingsville to apply for the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation (TXDOT) for the installation and design of sidewalks and hike and bike trails on several roadways leading to area schools and parks.

Background:

In March 2017, TXDOT called for projects from cities under a population of 200,000 for transportation alternatives such as sidewalks and hike and bike trails. A workshop was conducted in March 2017 at the Corpus Christi TXDOT District office describing the process for selection. The funding can be used for projects that are "off system" from TXDOT roadways on local streets. The Engineering Department feels that the City of Kingsville has several projects that can be candidates for this type of funding:

- A. Sidewalk along the west side of Armstrong Street from King Street to Johnston Street.
- B. Sidewalks along both sides Lott Street from 14th Street to 20th Street (Some sections of this stretch have existing sidewalks).
- C. Sidewalk on the west side of 20th Street from Lott Street to Kenedy Street.
- D. Sidewalks along both sides of Kenedy Street from 14th Street to 20th Street (Some sections of this stretch have existing sidewalks).
- E. Sidewalk along the north side of 17th Street from Henrietta to Kenedy Street.

Financial Impact:

This grant is an 80/20 match. The total estimate construction cost is \$939,300.00, of which the city will be responsible for \$187,860.00.

Recommendation:

Staff recommends that the city supports this initiative so that staff can proceed with the application process.



RESOLUTION #2017- 29

A RESOLUTION AUTHORIZING PARTICIPATION IN THE FEDERAL TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND DESIGN OF SIDEWALKS; AUTHORIZING THE MAYOR TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") seeks to apply to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for the installation and design of sidewalks; and

WHEREAS, the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation provides for the installation and design of sidewalks and hike and bike trails on several roadways leading to area schools and parks; and

WHEREAS, the City has several areas in town near local schools and parks that it believes would be good candidates for this program, as per the memo and exhibits attached hereto; and

WHEREAS, it appears this program requires an 80/20 percent grant match; and

WHEREAS, the estimated total construction cost is \$939,300, of which the City would be responsible for an estimated \$187,860 (from CO 2016 funds); and

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

1.

THAT the City authorizes the Mayor, or his designee, to apply to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for the installation and design of sidewalks with any matching funds to come from the CO2016.

11.

THAT the Mayor, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation including any certifications, amendments or representations stipulated therein and that the Mayor, or his designee, will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

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

APPROVED AS TO FORM:

Courtney Alvarez, Sity Attorney

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A RESOLUTION AUTHORIZING PARTICIPATION IN THE FEDERAL 2019 SAFE ROUTES TO SCHOOL- INFRASTRUCTURE PROGRAM THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND DESIGN OF SIDEWALKS; AUTHORIZING THE MAYOR TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") seeks to apply to the Federal 2019 Safe Routes to Schools - Infrastructure ("SRTS") Program through the Texas Department of Transportation for the installation and design of sidewalks; and

WHEREAS, the SRTS Program is administered through the Texas Department of Transportation and SRTS funds may be used for development of plans, specifications, and estimates; environmental documentation; and construction of pedestrian and/or bicycle infrastructure; and

WHEREAS, the SRTS funds do not require a local match; however, the City would be responsible for all non-reimbursable costs and 100% of overruns, if any, for SRTS funds; and

WHEREAS, the City has several areas in town near local schools and parks that it believes would be good candidates for this program, as per the memo and exhibits attached hereto; and

WHEREAS, it appears this program does not require a grant match; and

WHEREAS, the estimated total construction cost is \$850,000.00.

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

I.

THAT the City Commission of the City of Kingsville supports funding the projects for Harvey Elementary and Jubilee Academies as described in the City's 2019 TASA/SRTS Detailed Application (including the construction budget, TxDOT's administrative cost, and the required local match, if any) and is willing to commit to the projects' development, implementation, construction, maintenance, management, and financing. The City is willing and able to authorize by resolution that it enter into an agreement with TxDOT should the project be selected for funding.

11.

THAT the City authorizes the Mayor, or his designee, to apply to the Federal 2019 Safe Routes to Schools – Infrastructure Program through the Texas Department of Transportation.

THAT the Mayor, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Federal 2019 Safe Routes to Schools - Infrastructure Program through the Texas Department of Transportation including any certifications, amendments or representations stipulated therein and that the Mayor, or his designee, will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

IV.

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	22 nd
day of <u>July</u> , 2019.	
Sam R. Fugate, Mayor	
ATTEST:	
Mary Valenzuela, City Secretary	
APPROVED AS TO FORM:	
Courtney Alvarez, City Attorney	

AGENDA ITEM #16

City of Kingsville Engineering Dept.

TO: Mayor and City Commissioners

CC: Deborah Balli, City Manager

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

DATE: July 22, 2019

SUBJECT: Consider and act upon approving submitting a Detailed Application and a

resolution supporting The City of Kingsville Application to the Texas Department of Transportation's 2019 Transportation Alternatives Set-

Aside (TASA) Call for Projects.

Summary:

The purpose of the resolution, it is a requirement of the Detailed Application for Transportation Alternatives Set-Aside (TASA) funding. The application is part of a two-part process in being selected for Federal funds through the State. The Engineering Dept. submitted a Preliminary Application to TxDOT on April 12, 2019. On May 20, 2019, the Engineering Dept met with the TxDOT District Coordinator to discuss our Preliminary Application. We had submitted improvements for bike lanes, sidewalks, and ADA ramps. The improvements would be around the Harvey Elementary, Jubilee Leadership Academy, Memorial Middle School and Harrel Elementary campuses.

After the meeting, we were asked to focus on Harvey and Jubilee which would give us the best chance in receiving the funds. The resolution is needed as part of the Step 2 process. I have included a Table 1 schedule with milestones and important dates. The estimated project cost is approximately \$850,000.00, when submitting for the TASA application a 20% match is required

The Engineering services would be complete in-house and are considered reimbursable for activities done after an Advance Funding Agreement is executed as per attached email.

We are in the process of gathering letters of support for the project.

Background:

The City submitted a 2017 Nomination Form: Transportation Alternatives Set-Aside Program application. The project included improvements to sidewalks and ADA ramps.



City of Kingsville Engineering Dept.

The project was supported by Kingsville ISD. It also included a 20% match. The construction cost was approximately \$890,000.00.

Financial Impact:

If the State awards the funds thru the Transportation Alternative Set-Aside program the City would incur a 20% match of \$850,000.00, which would be \$170,000.00. To meet the potential cash match, in the budget for next year (FY19-20), a transfer out of General Fund to Fund 100 - TASA Grant from account number is 001-5-6900-80100 has been created. If the City does not receive the grant, GF will not make this transfer.

Recommendation:

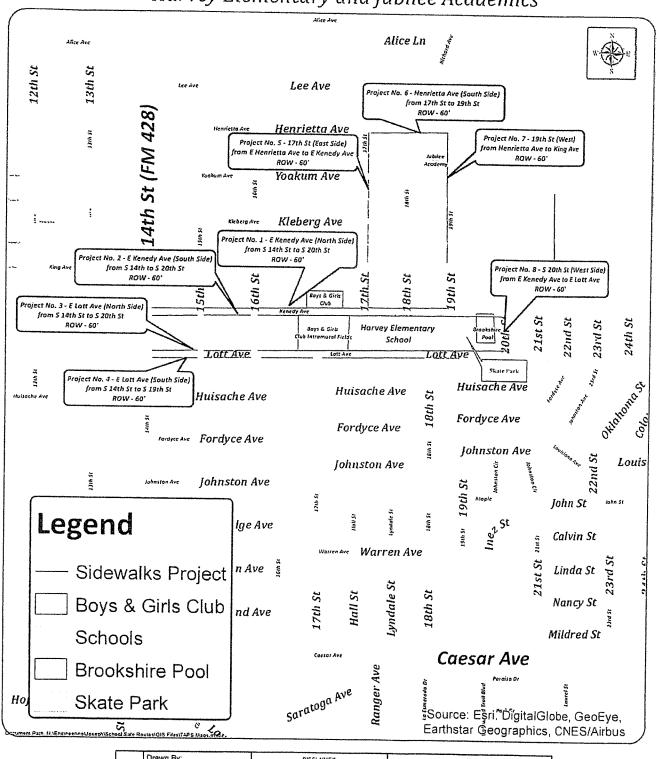
Staff recommends approving the resolution as presented.

Attachments:

TASA Resolution
2019 City of Kingsville SRTS Improvements – Harvey Elementary and Jubilee Academies
Eligible Activity for Safe Route to Schools Program – Email
State Letter of Support – J.M. Lozano
Table 1 TxDOT's 2019 TA/SRTS Call for Projects Important Dates
2017 TASAP agenda item



2019 City of Kingsville Safe Route to Schools Improvements Harvey Elementary and Jubilee Academics



Drawn By: Engineering Department Last Update: 6/26/2019 Note:	DISCLAMER THIS MAP IS FOR YISUAL PURPOSES ONLY. THE INFORMATION OF THIS SHEET MAY CONTAIN IMACCURACIES OR ERRORS. THE INFORMATION OF THE INFORMATION CONTAINED HEREIN IS USED OR ANY DESIGN, CONSTRUCTION, PLAYMING, BUILDING, OR ANY OTHER PURPOSE.	Ningsville	CITY OF KINGSVILLE ENGINEERING DEPARTMENT 400 W King Ave Kingsville, Texas 78363 Office: 361-595-8064 fax: 361-595-8064
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Rutilio "Rudy" Mora

From:

Jason Alvarez < Jason. Alvarez@txdot.gov>

Sent:

Tuesday, May 21, 2019 2:34 PM

To:

Rutilio "Rudy" Mora

Cc:

Joseph Ramirez; Roel Tovar

Subject:

FW: Eligible activity for Safe Routes to School Program

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Manta. Diser

From: Noah Heath

Sent: Tuesday, May 21, 2019 12:52 PM

To: Jason Alvarez Cc: Bonnie Sherman

Subject: FW: Eligible activity for Safe Routes to School Program

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Kasalia Roma

From: Danielle Johnson-Robinson Sent: Tuesday, May 21, 2019 10:44 AM

To: Noah Heath

Subject: Re: Eligible activity for Safe Routes to School Program

Noah,

They can do the design in-house and still get reimbursed. They would have to show their direct/indirect cost to the district. They will have to submit timesheets and invoices just like a consultant would have to for the district. They also need to state they are doing the design work in-house in the application for approval.

Sent from Danielle Robinson's iPhone

On May 20, 2019, at 4:44 PM, Noah Heath < Noah. Heath@txdot.gov > wrote:

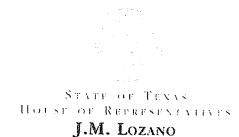
Hey Danielle,

We received a question from one of the applications for our call for projects in the Corpus Christi District? They applied for Safe Routes to School funds which are 100% reimbursable and include development activities such as construction plan development. The LG wants to do the construction plans in house instead of hiring a consultant and wanted to know if they could be reimbursed for that activity? If so, what steps would they need to talk if they wanted to pursue that option?

Thanks,

Noah Heath, AICP Bicycle & Pedestrian Planner TxDOT - Public Transportation Division Noah.Heath@txdot.gov (512) 486-5973 (o)

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| District 13 | | Etc. degeneral Restriction, Course Observe & Vertical Newson

June 26, 2019

Jason Alvarez
Texas Department of Transportation
1701 South Padre Island Drive
Corpus Christi, TX 78416

Re: Request for consideration of 2019 Safe Routes to Schools grant (2019 City of Kingsville SRTS Improvements – Harvey Elementary and Jublice Academies) sponsored by City of Kingsville, TX

Dear Mr. Alvarez,

I am writing this letter to express my support for the Safe Routes to School grant which would provide sidewalks and pedestrian improvements for the City of Kingsville. These improvements would serve to connect schools, neighborhood parks, recreational fields, and low-to moderate income residential areas for Kingsville residents. The proposed projects would create continuity among heavy foot traffic areas, increase pedestrian and bicyclist safety, and relieve parking and traffic congestion along the proposed routes. This proposed project will only use land currently in the City's right of way, eliminating the need for land acquisition. Bridging previously separated paths and roadways will serve to enhance the overall utility and connectivity of the downtown Kingsville area, creating a more functional, safe, and enjoyable experience for those who choose to walk or bike to schools, parks, and businesses.

Thank you for giving your full attention to this request. Please feel free to call my office if I can answer any further questions you might have.

Sincerely,

J.M. Lozano

A. SUMMARY OF PROJECT OPPORTUNITY

On February 8, 2019, the Texas Department of Transportation (TxDOT or the department) announced a statewide Call for Projects for two non-motorized infrastructure funding sources: The Transportation Alternatives Set-Aside (TA) program (including available and anticipated future funds) and available Safe Routes to School (SRTS) infrastructure funding. In order to assign projects to an appropriate funding source, TxDOT's 2019 TA/SRTS Call for Projects features a new, two-step application process, described further in this program guide. Additionally, this program guide outlines the requirements of each funding source and the evaluation and selection processes for this competitive Call for Projects. Important dates to remember are provided in Table 1.

Table 1: TxDOT's 2019 TA/SRTS Call for Projects Important Dates

			Applic	ation Pool	on Pool			
		Available	Funds	Anticipated Future Funds				
	Milestones	Non Urban TA*	SRTS	Non Urban TA*	Small Urban TA*			
	TxDOT's 2019 TA/SRTS Call for Projects opens	February 8	ruary 8, 2019 February 8, 2019					
	Workshops	February 12 - Ma	arch 13, 2019	February 12 - N	March 13, 2019			
p 1	Preliminary Application (PA) deadline	April 12,	2019	April 12, 2019				
Step	District coordination			before June 7, 2019	before Aug. 2, 2019**			
	TxDOT PA Review complete			June 14, 2019	before Aug. 15, 2019**			
	TxDOT notifies sponsors of application pool	June 18,	2019	June 18, 2019				
	Detailed Application (DA) deadline	August 15, 2019		October 30, 2019**				
Step 2	TxDOT DA Review complete	Fall 20)19	Winter 2020**				
St	Final project award	December	2019**					
	Conditional Project List			Winter 2	020**			

^{*} TxDOT administers TA funds for Nonurban (populations of 5,000 or less) and Small Urban (populations of 5,001 to 200,000) areas located outside the smoothed boundaries of Census Urbanized Areas of 200,000 or greater, known as TMAs.

^{**} target dates

City of Kingsville Engineering/Public Works

TO:

Mayor and City Commissioners

CC:

Jesus A. Garza, City Manager

FROM:

Charlie Cardenas, P.E., City Engineer/Director of Public Works

DATE:

April 28, 2017

SUBJECT:

Transportation Alternatives Set-Aside Program (TASAP) to fund sidewalks in the

City of Kingsville.

Summary:

This item authorizes a resolution for support from the City of Kingsville to apply for the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation (TXDOT) for the installation and design of sidewalks and hike and bike trails on several roadways leading to area schools and parks.

Background:

In March 2017, TXDOT called for projects from cities under a population of 200,000 for transportation alternatives such as sidewalks and hike and bike trails. A workshop was conducted in March 2017 at the Corpus Christi TXDOT District office describing the process for selection. The funding can be used for projects that are "off system" from TXDOT roadways on local streets. The Engineering Department feels that the City of Kingsville has several projects that can be candidates for this type of funding:

- A. Sidewalk along the west side of Armstrong Street from King Street to Johnston Street.
- B. Sidewalks along both sides Lott Street from 14th Street to 20th Street (Some sections of this stretch have existing sidewalks).
- C. Sidewalk on the west side of 20th Street from Lott Street to Kenedy Street.
- D. Sidewalks along both sides of Kenedy Street from 14th Street to 20th Street (Some sections of this stretch have existing sidewalks).
- E. Sidewalk along the north side of 17th Street from Henrietta to Kenedy Street.

Financial Impact:

This grant is an 80/20 match. The total estimate construction cost is \$939,300.00, of which the city will be responsible for \$187,860.00.

Recommendation:

Staff recommends that the city supports this initiative so that staff can proceed with the application process.



RESOLUTION #2017- 29

A RESOLUTION AUTHORIZING PARTICIPATION IN THE FEDERAL TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND DESIGN OF SIDEWALKS; AUTHORIZING THE MAYOR TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") seeks to apply to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for the installation and design of sidewalks; and

WHEREAS, the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation provides for the installation and design of sidewalks and hike and bike trails on several roadways leading to area schools and parks; and

WHEREAS, the City has several areas in town near local schools and parks that it believes would be good candidates for this program, as per the memo and exhibits attached hereto; and

WHEREAS, it appears this program requires an 80/20 percent grant match; and

WHEREAS, the estimated total construction cost is \$939,300, of which the City would be responsible for an estimated \$187,860 (from CO 2016 funds); and

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

1.

THAT the City authorizes the Mayor, or his designee, to apply to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for the installation and design of sidewalks with any matching funds to come from the CO2016.

11.

THAT the Mayor, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Federal Transportation Alternatives Set-Aside Program through the Texas Department of Transportation including any certifications, amendments or representations stipulated therein and that the Mayor, or his designee, will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

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

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, Sity Attorney

A RESOLUTION AUTHORIZING PARTICIPATION IN THE FEDERAL 2019 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR INSTALLATION AND DESIGN OF SIDEWALKS; AUTHORIZING THE MAYOR TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") seeks to apply to the Federal 2019 Transportation Alternatives Set-Aside ("TSA") Program through the Texas Department of Transportation for the installation and design of sidewalks; and

WHEREAS, the TASA Program is administered through the Texas Department of Transportation and TASA funds may be used for construction of pedestrian and/or bicycle infrastructure; and

WHEREAS, the TASA Program requires a local match comprised of cash plus in-kind contributions, if any, and the City would be responsible for all non-reimbursable costs and 100% of overruns, if any, for TASA funds; and

WHEREAS, the City has several areas in town near local schools and parks that it believes would be good candidates for this program, as per the memo and exhibits attached hereto; and

WHEREAS, it appears this program requires an 80/20 percent grant match; and

WHEREAS, the estimated total construction cost is \$850,000.00 of which the City would be responsible for an estimated \$170,000.00 with those funds coming from FY19-20 line item 001-5-6900-80100 should the grant be awarded; and

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

١.

THAT the City Commission of the City of Kingsville supports funding the projects for Harvey Elementary and Jubilee Academies as described in the City's 2019 TASA/SRTS Detailed Application (including the construction budget, TxDOT's administrative cost, and the required local match, if any) and is willing to commit to the projects' development, implementation, construction, maintenance, management, and financing. The City is willing and able to authorize by resolution that it enter into an agreement with TxDOT should the project be selected for funding.

THAT the City authorizes the Mayor, or his designee, to apply to the Federal 2019 Transportation Alternatives Set-Aside Program through the Texas Department of Transportation for the installation and design of sidewalks with any matching funds to come from FY19-20 line item 001-5-6900-80100 should the grant be awarded.

Ш.

THAT the Mayor, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Federal 2019 Transportation Alternatives Set-Aside Program through the Texas Department of Transportation including any certifications, amendments or representations stipulated therein and that the Mayor, or his designee, will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

IV.

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

PASSED AND APPROVED by 22nd day of July , 2019.	a majority	vote	of	the	City	Commission	on	the
Sam R. Fugate, Mayor								
ATTEST:	i			,				
Mary Valenzuela, City Secretary		and the second s						
APPROVED AS TO FORM:								
Courtney Alvarez, City Attorney								

AGENDA ITEM #17



P. O. BOX 1458 - KINGSVILLE, TEXAS 78364

Date: July 12, 2019

To: City Commission via Interim City Manager Deborah Balli

CC: Courtney Alvarez, City Attorney and Mary Valenzuela, City Secretary

From: Janine Reyes, Director of Tourism Services

Summary: The JK Northway has been the site for an annual National Professional Bull Riding Event for 20 years. The NPBR brings visitors from around the region and worldwide participants. Their event requires sturdy bull pens at the JK Northway, which were installed the facility. After a tornado impacted the facility in May 2016, the pens were removed. Since that date, Tourism has funded temporary pens in order to keep the event housed in Kingsville. Funds for the pens have come from Fund 096.

This year's event was held February 22nd and 23rd and Tourism once again incurred the cost for temporary pens. This year's cost was \$4,420. Tourism is requesting a partial reimbursement to offset the cost of the pens from the remainder of Fund 096. There is \$3,873.38 remaining in Fund 096.

Tourism is currently in the process of working with Facilities to replace the pens permanently in time for next year's bull riding event and the Kleberg-Kenedy County Junior Livestock Show so that this expense for temporary facilities is no longer incurred.



0	RD	IN	A٨	ICE	NO	. 201	19	-

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO EXPEND FUNDS FOR PERMANENT PENS FOR THE ANNUAL NATIONAL PROFESSIONAL BULL RIDING EVENT TO BE HELD AT THE JK NORTHWAY.

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	Dept Name Account Name		Budget Increase	Budget Decrease
Fund 0	96 – Insurance F	Recovery Fund			
Expend	ditures - 5				
1076	JK Northway	JK Cattle Staging	93004	\$3,873.38	
		Total Budget Amendment		\$3,873.38	

[To amend the City of Kingsville FY 18-19 Budget to expend funds for permanent pens for the annual National Professional Bull Riding Event to be held at the JK Northway. Funds will come from the Fund 096 Fund Balance.]

11.

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 22 nd day of July 2	2019.	
PASSED AND APPROVED on this the	day of	, 2019.
EFFECTIVE DATE:		
Sam R. Fugate, Mayor		
ATTEST:		
Mary Valenzuela, City Secretary		
APPROVED AS TO FORM:		
Courtney Alvarez, City Attorney		

AGENDA ITEM #18

City of Kingsville Public Works, Wastewater Division

TO:

Mayor and City Commissioners

CC:

Deborah Balli, Interim City Manager

FROM:

William Donnell, Director of Public Works

DATE:

July 15, 2019

SUBJECT:

CO Series 2011 Fund 066 Budget Amendment

Summary:

This item authorizes funding for water well services related to the repairs required at Well #19.

Background:

Water well #19 is one of the best producing wells for the City of Kingsville. Early June the pump locked up which directly affected the motor causing it to short out. During removal and inspection of the column pipe it is recommended to be replaced due to severe pitting and corrosion. The submersible motor cable and airline was also damaged when the pump locked up. Anodes are also to be installed to minimize electrolysis in the well. This well was last serviced 2012 replacing the column pipe, anodes and check valve.

Financial Impact:

This will reduce CO Series 2011 Fund 066 balance by \$119,544.00. Increase Professional Services account 066-5-600.2-314.00 by \$119,544.00.

Recommendation:

Staff is recommending approval of funds to continue unexpected repairs for Water Well #19.



0	RI	IIC	N	A	N	C	E	١	V	0	2	0	1	9	-

AN ORDINANCE AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO EXPEND FUNDS FOR WATER WELL #19 REPAIRS.

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

1.

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 0	66 – CO Series	2011			
Expend	ditures - 5				
6002	Water Prod	Professional Services	31400	\$119,544	
		Total Budget Amendment		\$119,544	

[To amend the City of Kingsville FY 18-19 Budget to expend funds for water well #19 repairs. Funds will come from the Fund 066 Fund Balance.]

11.

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 July 2019.

PASSED AND APPROVED on this the	day of	, 2019.
EFFECTIVE DATE:		
Sam R. Fugate, Mayor		
ATTEST:		
Mary Valenzuela, City Secretary		
APPROVED AS TO FORM:		
Courtney Alvarez, City Attorney		

AGENDA ITEM #19

RESOLUTION #2019-____

A RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS AUTHORIZING THE USE OF EXCESS CASH MATCH FUNDS FOR PRE-AWARD EXPENSES FOR KLEBERG COUNTY'S APPLICATION TO THE U.S. DEPARTMENT OF COMMERCE, OFFICE OF ECONOMIC DEVELOPMENT ADMINISTRATION UNDER THE DISASTER SUPPLEMENTAL FUNDING ECONOMIC ADJUSTMENT PROGRAM FOR A REGIONAL PUBLIC SAFETY TRAINING FACILITY AND EMERGENCY OPERATIONS AND COMMAND CENTER.

WHEREAS, the City of Kingsville is the county seat of Kleberg County and the two governmental entities try to work together when mutually beneficial for their citizenry;

WHEREAS, Kleberg County previously approached the City about its desire to apply for grant funds from the U.S. Department of Commerce, Office of Economic Development Administration under the Disaster Supplemental Funding Economic Adjustment Program for a Regional Public Safety Training Facility and Emergency Operations and Command Center for the citizens of Kleberg County, which includes the City of Kingsville;

WHEREAS, Kleberg County applied for \$4.8 million in financial assistance, which required a \$1.2 million cash match for a total project amount of \$6 million;

WHEREAS, Kleberg County asked and the City previously agreed on April 22, 2019 via Resolution #2019-37 to each provide \$600,000 to meet the total anticipated cash match for the grant;

WHEREAS, the City previously provided Kleberg County a letter of commitment stating the City has available and unencumbered and is willing to commit \$600,000 for half of the \$1.2 million anticipated cash match;

WHEREAS, the proposed project would provide a regional public safety training center for first responders, a regional emergency operations and command center, and could provide additional economic benefits to the City from hotel occupancy tax dollars, sales tax dollars and possibly ad valorem tax dollars from additional retail growth;

WHEREAS, the proposed location for the project would be at Dick Kleberg Park in the J.K. Northway & Exposition Center;

WHEREAS, Kleberg County was recently notified that it was conditionally awarded \$4.3 million in grant funds that reduced the total cash match to \$1,075,000, so that each entity would now provide \$537,500 in cash match, which is a reduction of \$62,500 each from what the entities previously encumbered for the grant cash match;

WHEREAS, Kleberg County must complete and pay for certain pre-award expenses and has asked the City to equally split the cost of two of those items using the moneys left over from the amount encumbered for the cash match and the amount actually needed for the cash match;

WHEREAS, Kleberg County has asked the City to pay \$43,000 for grant services performed thus far and \$4,250 for an archeological survey for a total of \$47,250;

WHEREAS, the City could use the \$62,500 of encumbered cash match residual money to pay the \$47,250 in pre-award expenses and still have \$15,250 remaining.

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

١.

THAT the City Commission of the City of Kingsville is in support of Kleberg County's application to the U.S. Department of Commerce, Office of Economic Development Administration under the Disaster Supplemental Funding Economic Adjustment Program for a Regional Public Safety Training Facility and Emergency Operations and Command Center.

11.

THAT the City Commission authorizes the use of some of the residual cash match encumbered but not needed to assist the County with payment of some required preaward grant expenses that total \$47,250.

III.

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

PASSED AND APPROVED by a majority vote of the Kingsville City Commission on the 22nd day of July, 2019.

ATTEST:
Mary Valenzuela, City Secretary
APPROVED AS TO FORM:
Courtney Alvarez, City Attorney

AGENDA ITEM #20



CITY OF KINGSVILLE

MEMORANDUM

TO:

CITY COMMISSIONERS

FROM:

DEBORAH R BALLI, FINANCE DIRECTOR

DATE:

JULY 17, 2019

SUBJECT:

JK NORTHWAY RENOVATION PROFESSIONAL OVERSIGHT

COMMITTEE

The County has been awarded an EDA Grant to renovate the JK Northway for various projects and the City has committed matching funds for this project. As this is a joint effort, the County and City concurred that it would be best to create an oversight committee to review plans and make decisions to ensure a cohesive project that fit the needs of both the County and the City.

AGENDA ITEM #21



Welcome

ACTUAL ACTUAL

August 5-7, 2019 Vail, CO

Sonnenalp Hotel

20 Vail Road Vail, Colorado 81657

This Forum brings together site consultants and economic developers to better understand the role of logistics in the location selection and trade development process. The Forum is designed to create a two-way dialogue that provides individual meetings, educational sessions and networking in a relaxed business setting.

New Registration
Modify Registration

For assistance, contact Event Registration Coordinator at bnp@executivevents.com or call 844-644-7449.



Home (/)

» Agenda

Agenda

Monday, August 5

Tuesday, August 6

Wednesday, August 7

Tuesday, August 6

7:00am - 8.30am

Breakfast

7.30am - 8.30am



One-on-One Meetings with Speakers

8.30am - 9.00am

Welcome & Introduction

Tim Feemster, Managing Principal, Foremost Quality Logistics

9.00am - 9.45am

Ben Conwell, Senior Managing Director, Cushman & Wakefield

Ben is Senior Managing Director and Practice Leader for Cushman & Wake-field's eCommerce and Electronic Fulfillment Specialty Practice Group for the Americas. His responsibilities include counsel on strategy, site selection, design and execution for leading retail and logistics occupiers and investors, intellectual property presentation and business development. As lead-

er of the Special Practice Group, Ben provides Cushman & Wakefield clients the most up to date market-leading counsel to effectively plan and execute their supply chain and fulfillment and real estate strategies. He is a Senior Certified Supply Chain Professional and a member of the Council of Supply Chain Management Professionals. Ben serves on the C&W Industrial and Logistics Services Leadership Team and its Executive Committee.

9.45am - 10.30am

Site, Community and Workforce Readiness: How to Prepare Yourself for the Win

Benton Blaine, Vice President, McGuireWoods Consulting

This session will use "hypotheticals" to walk through a best practices for economic developers. This includes:

Preparing your City/County Council: when they should be involved, confidentiality, do's and don'ts, and making public comments; Selecting your best sites: municipal owned, privately held and/or how to work with developers;

Submitting your RFI: highlighting the top ten worst RFI answers and how they occur more often than you think;

Leading your best site tour: who should be involved, what is being presented and whether to show the actual site; and

Understanding disruptors to get ahead: how autonomous vehicles will affect your infrastructure and employment base.

As a vice president on McGuireWoods Consulting's infrastructure and economic development team, Benton assists companies in their expansion and development projects. His experience with site selection, incentives negotiation and public-private partnerships allows him to provide value-added services to a range of internal company stakeholders including finance, operations, real estate, government relations and tax. Benton has successfully orchestrated inbound projects from countries such as China, Germany, Hungary, Israel, Italy, Switzerland and the U.K., among others. In assisting inbound and U.S.-based companies, Benton has analyzed hundreds of loca-

tions for companies across 30+ U.S. states and secured capital savings and/or mitigated risk that has had a direct reduction in a client's initial or recurring costs.

10.30am -10.45am

Break

10.45am - 11.30am

Greg Arnold, Partner, Dermody Properties

Greg Arnold joined Dermody Properties as a partner in the northeast regional office in West Conshohocken, PA, outside of Philadelphia. With more than 26 years of real estate experience he lead sDermody's national customer relationship initiative. Arnold most recently served as a principal at NorthPointe. He also spent 16 years at ProLogis where he held the position of senior vice president.

11.30am - 12.15pm

Al & Technology- the Impact on Supply Chains and Site Selection Chad Redfern, Strategic Markets and Analytics Management, Mohr Partners

Mastering Logistic Complexity via technology and data intelligence.
Autonomous innovation and automation
New Technology, Cloud-Based Systems and IoT Deployment
Ongoing Data, IoT, Technology Security Concerns

Chad is an experienced Managing Partner with a demonstrated history of working in the venture capital and private equity industry. Prior to joining Mohr Partners, Chad was the Founder of several extremely successful technology and service-based businesses with outstanding exits. Chad has been in the commercial real estate industry for over 10 years, with a long track record of success in representing office and industrial tenants on both a local and national level. He is an experienced C-Level Executive and Managing Partner with a demonstrated history of working in operations, negotiation, business planning, turnarounds, cutting-edge robotics, technology disrupt-

ers, blockchain, logistics, and marketing. Extremely strong understanding of global business operations, business development, planning, and execution.

12.15pm - 1.00pm

Lunch

1.00pm - 5.00pm



One-on-One Meetings with Speakers

6.00pm - 8.00pm



Group Networking Dinner

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» Agenda

Agenda

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Lunch

1.00pm - 5.00pm



One-on-One Meetings with Speakers

6.00pm - 8.00pm



Group Networking Dinner

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» Agenda

Agenda

Monday, August 5

Tuesday, August 6

Wednesday, August 7

Wednesday, August 7

7:00am - 8.30am

Breakfast

7.30am - 8.30am



One-on-One Meetings with Speakers

8.45am - 9.30am

Site Selection for Food Processing/Manufacturing Facilities Amy Gerber, Executive Managing Director, Cushman & Wakefield

Recent mergers & acquisitions in the industry and the openings and closings of facilities related to these activities

FDI in food – impacts of supply chain costs in bringing mfg to the US Identifying and mitigating delivery and operating risks through the site selection process

Real estate, Regulatory, Utility capacity and infrastructure (incl. rail), Permits & zoning, Supply chain, Financial, Unemployment Insurance An integrated financial model

What EDOs can do- developing the message and team

Amy Gerber brings over 19 years of industry experience and is an Executive Managing Director in our Business Incentives Practice at Cushman & Wakefield. The practice helps companies negotiate with state and local governments to mitigate both up-front costs and on-going taxes and expenses. Ms. Gerber specializes in state incentive and tax negotiation and implementation. Ms. Gerber utilizes her state and local tax background when working with economic development teams to interpret and amend tax statutes that generate significant operating and tax savings for her clients.

9.30am - 10.15am

Foreign Direct Investment - How to Navigate a Changing Landscape Morgan Berryhill Crapps, Consultant, Parker Poe Consulting

In today's economic climate, drivers for investment decisions continue to evolve due to changing conditions around the globe – including the changing conditions here in the United States. In this session, we'll discuss how domestic FDI activity and international supply chains are fluctuating and evolving because of new regulations under the Trump administration and actions taking place worldwide.

Morgan Crapps works with corporate clients to find optimal locations for their entry, expansion, or relocation in North America. She also negotiates and structures incentive agreements with state and local governments. Morgan frequently advises companies on manufacturing, distribution, office, and development projects and has significant experience working with global businesses to facilitate foreign direct investment (FDI) in the United States.

10.15am - 10.30am

Break

10.30am - 11.15am

Incentives in the Post Amazon/Foxconn Era George Francis, Managing Director, Deloitte Tax LLP

A review of the "state of the union" in regards to the current landscape for economic development and relocation related incentives.

This session will cover examples of the heightened focus on these pro-

grams, as evidenced by increased focus on transparency, scrutiny by press, public, and governmental agencies. Also a discussion of any tangible changes seen in the actions or awards by relevant jurisdictions.

George Francis is Managing Director at Deloitte Tax LLP. His focus is on Site Selection and Discretionary and Statutory Incentives, Grants, and Tax Credits.

11.15am - 12.00pm

How Corporate America Can Save Capital in Site Selection and HOT Tertiary Markets

Steve Pastor, VP of Global Supply Chain & Ports Logistics Practice, NAI James E Hanson

Why and how corporate America in changing their entire methodology on their site selection process

What is triggering the growth of hot tertiary markets and why we need them for positive growth in the US

Steve is the Team Leader for the NAI Global National Logistics & Ports/Rail Practice Group, which represents companies operating within the industrial sector on a local, regional and national basis. Steve's depth of experience and his straight forward approach to serving his clients have enabled him to become one of the foremost experts/consultants in the industry.

12.00pm - 12.15pm

Closing Summary

Tim Feemster, Managing Principal, Foremost Quality Logistics

12.15pm - 1.00pm

Lunch

1.00pm - 4.00pm



One-on-One Meetings with Speakers

5.30pm - 7.00pm



Closing Networking Reception

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» Venue

Venue



VENUE:

Sonnenalp Hotel 20 Vail Road Vail CO, 81657

We have secured a conference block at a

discounted group rate of \$229/night

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AGENDA ITEM #22

City of Kingsville Parks & Recreation Department

TO: May

Mayor and City Commissioners

CC:

Deborah Balli, Interim City Manager

FROM:

Susan Ivy, Parks Director

DATE:

July 12, 2019

SUBJECT:

Agenda Request - Alignment of Golf Course Fees

Summary: We are asking that City Commission approve a new fee schedule for the L.E. Ramey Golf Course.

Background: The fees at the Golf Course were amended through revision to ordinance back in June, 2018 by City Commission. We have found that some of the fees approved by Commission last June were never implemented and are still being charged incorrectly. In reviewing the fees to implement the changes we have found that fees for memberships were not set at the level to provide proper discount for paying annually or semi- annually. We have made a few small changes to the fees to indicate the proper level of discount on memberships and have added a few fees that needed to be added to the list. Some fees are not as high as originally intended and we feel that with further improvements to the course we will be able to increase them closer to market rates when we have accomplished more of our goals.

Financial Impact: Fees reflected in the updated rate schedule should result in a small increase in revenue.

Recommendation: We ask that Commission authorize the revision of the ordinance for L.E. Ramey Golf Course Fees per schedule attached.





MASTER FEE SCHEDULE

FEES	ORDINANCE APPROVAL DATE	APPROVED FEE	PROPOSED FEE	
GENERAL FUND	4/18/15	6/25/18	7/22/19	
L.E. RAMEY GOLF COURSE				
(Ord. No. 2014-64, § I, passed 9-22-14; Ord. No. 2015-10, § I, passed 3-23-15, eff. 4-8-15) (Ord. No 2018-35, passed 06-25-18)				
College Student Fees: Golf course green fees for persons in the classification of a college student.				
18 Holes of Play:				
Weekdays	8.75	12	12t	
Weekdays with 1/2 cart fee	16.25	18.60	18.60t	
9 Holes of Play:			*********	
Weekdays	5.75	8	8t	
Weekdays with 1/2 cart fee	13.25	12	12t	
Daily Green Fees: Golf course green fees for persons 18 year of age or older.				
18 Holes of Play:				
Weekends and holidays	\$14.75	\$17.00	17.00t	
Weekends and holidays with 1/2 cart fee	25.25	-		
Weekend twilight with 1/2 cart fee	20.25	-	-	
Weekdays	\$12.75	15.00	15.00t	
Weekdays with 1/2 cart fee	23.25	-	-	
Weekdays twilight with 1/2 cart fee	\$19.25	-	-	
9 Holes of Play:				
Weekends and holidays	\$8.25	12.00	12.00t	
Weekends and holidays with 1/2 cart fee	15.75	-	-	
Weekdays	\$7.25	\$10.00	13.00t	
Weekdays with 1/2 cart fee	14.75	-	-	
Junior Fees: Golf course green fees for persons in classification Jr.				
18 Holes of Play:		****		
Weekdays	\$7.75	\$8.00	8.00t	
Weekdays: with 1/2 cart fee	\$15.25	-	***************************************	
9 Holes of Play:				
Weekdays	\$4.75	\$6.00	6.00t	
Weekdays with 1/2 cart fee	\$12.25	-	-	

Military Fees: Golf course green fees for persons in the classification of Military receive 20% discount of daily rates* College Student Fees: Golf course green fees for persons in the classification of College Student receive 20% discount of daily rates* Senior Fees: Golf course green fees for persons 62 years of age or older. 18 Holes of Play: Weekdays Weekdays With ½ cart fee 20.25 Annual membership fees: Annual membership entitles customer to unlimited green fees for 365 days from date of purchase. Annual individual membership rate \$540 - College Student Student Military annual membership rate 25% disc. * College Student Student Minimal membership fees: 6 month membership entitles customer to unlimited green fees for 180 days from date of purchase. 6 month membership fees: 6 month membership entitles customer to unlimited green fees for 180 days from date of purchase. 6 month individual membership rate Ø60 X 6 Monthly Membership fees: 6 month membership entitles customer to unlimited green fees for 180 days from date of purchase. 6 month individual membership rate Ø60 X 6 Monthly Membership fees - Green fees only for 30 days from purch individual Rembership fees - Green fees only for 30 days from purch individual Spouse 155.00 Monthly Membership fees - Green fees only for 30 days from purch individual Spouse 155.00 Locker Fees (Proposed) monthly 80 30 30 30 10dividual Locker Fee - 1 wear Stabol Locker Fee - 5 months 15120 120 Individual Locker Fee - 1 months 5120 Daily golf club rental fee: Daily golf club fee is per player and entitles player to use of a set of golf clubs.	FEES	ORDINANCE APPROVAL DATE	APPROVED FEE	PROPOSED FEE
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entitles player to use of a set of golf clubs.				
Daily golf club rental fee \$8 \$15 15t	Daily golf club rental fee: Daily golf club fee is per player and entitles player to use of a set of golf clubs.			
	Daily golf club rental fee	\$8	\$15	15t

FEES	ORDINANCE APPROVAL DATE	APPROVED FEE	PROPOSED FEE
Driving Range Fee (Proposed) monthly	80		
Individual Fee - 3 months		\$90	90
Individual Fee - 6 months		\$120	120
Individual Fee - 1 year		\$200	200
Range ball bucket fee: Range ball bucket fee entitles player to the use of the bucket of balls once.			
XL Bucket		\$15	15t
Large bucket (135 balls)	\$9	\$10	10t
Medium bucket (75 balls)	\$7	\$7	7t
Small bucket (35 balls)	\$3	\$5	5t
Annual Cart Fee and Green fee:			
Annual individual cart fee and green fee	2000.00	2500.00	2500
Annual individual & spouse cart fees and green fee	3190.00	-	_
Monthly Cart Fee & Green Fee:			
Individual	185.00	~	<u> </u>
Individual and spouse	360.00	_	-
Daily Cart Rental Fee		***************************************	
18 holes		\$11 per player	 11t
9 holes		\$7 per player	7t
Miscellaneous Fees:			
Clubhouse Rental Deposit		W- 44 - 44 - 44 - 44 - 44 - 44 - 44 - 4	50
Clubhouse Rental Fee			150
Tournament Deposit			100
Snag Golf Clinic Fee			60
City Employee Wellness Pgm. Discount: Golf course green fees for persons employed by the City of Kingsville receive 20% discount of daily rates*			*
Monthly specials to be approved by Parks Director			

ORDINANCE NO. 2019-____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENEDING CHAPTER IX-GENERAL REGULATIONS, ARTICLE 8-PARKS AND RECREATION, PROVIDING FOR REVISED FEES FOR THE L.E. RAMEY GOLF COURSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, in 2014 the City and County approved interlocal agreements to transfer operations and maintenance of all of the parks within the city limits and the L.E. Ramey Golf Course from the County to the City;

WHEREAS, the approval of these interlocal agreements necessitated the City to enact regulations and fees for the properties covered under the interlocal agreements; and

WHEREAS, in the first half of 2018, the City made several hundred thousand dollars of improvements at the L.E. Ramey Golf Course and determined that it needed to increase user fees to help offset the cost of the improvements and those revisions were approved on June 25, 2018, via Ordinance #2018-35; and

WHEREAS, it has been discovered that some of the fees for membership were not set at the level to provide the proper discount for paying annually or semi-annually and other minor changes are needed, staff has prepared suggested revisions as noted herein; 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;

1.

THAT Chapter IX- General Regulations, Article 8-Parks and Recreation, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

ARTICLE 8 PARKS AND RECREATION

GOLF COURSE

§ 9-8-38 DEFINITIONS.

The following definitions shall apply to this article:

- (1) College Student. Any person actively enrolled in a minimum of twelve hours of college.
- (2) Golf Course Manager. The administrator in charge of the municipal golf course, who shall be employed and discharged by the City Manager.
- (3) *Junior*. Any person 18 years of age or younger, currently enrolled in high school or below. A junior under the age of 12 must be accompanied by an adult.
- (4) Lessee. Any person or organization of whatever nature that uses the municipal golf course premises, facilities or equipment.
- (5) Military. Any person actively enlisted in the U.S. military.
- (6) Municipal Golf Course. The L.E. Ramey Golf Course and the entire premises thereof, including but not limited to the clubhouse, restaurant, pro shop, cart shed and golf course itself, and all other parts or portions thereof.
- (7) Nine hole fee. Paid by persons wishing to play nine holes of golf.
- (8) Senior. Any person who is 62 years of age or older.

§ 9-8-39 USE FEES.

The Golf Course Manager is hereby authorized to collect fees for the use of all golf course facilities and equipment, such fees to be set from time to time by the City Commission. All fees charged for the use of facilities or equipment under this section shall be due and payable to the City. Persons who have paid fees under the old fee schedule are required to pay the difference in accordance with the new fee schedule. The free use of all facilities and equipment of the municipal golf course is hereby prohibited to any individual or group or to any employee or officer of the city, except as provided for in this article. Taxes will be assessed and collected on fees as required and are not included in the fees listed in this Article.

§ 9-8-40 SALE OF MERCHANDISE; CONCESSIONS.

(A) Only the city and its assigns may sell merchandise at the municipal golf course. The use of any portion of the municipal golf course by any individual, group, firm, or corporation other than the City for the purpose of selling merchandise is hereby prohibited without the written consent of the Golf Course Manager. Sale of merchandise by tax-exempt/nonprofit charitable organizations or civic groups is hereby excepted from such prohibition and shall be permitted upon the approval of the Golf Course Manager.

(B) Only the City and its assigns shall have the right to operate concessions for the sale of food, drinks (including alcoholic beverages), programs, novelties, souvenirs, etc. Sale of concessions by tax-exempt charitable organizations and civic groups are hereby exempted from such prohibition and shall be permitted upon the approval of the Golf Course Manager.

§ 9-8-41 GOLF COURSE FEES.

The following schedule of fees shall be paid by the patrons of the municipal golf course. The Golf Course Manager may negotiate rates for golf course special events and promotions.

(A) Daily Green Fees:

Golf course green fees for persons 18 years of age or older (non-refundable).

(1) 18-Holes of Play:

Weekends and holidays: \$17.00

Weekdays: \$15.00

(2) 9-Holes of Play:

Weekends and holidays: \$12.00

Weekdays: \$10.00 \$13.00

(B) Junior Fees:

Golf course green fees for persons in the classification of junior (non-refundable).

(1) 18-Holes of Play:

Weekdays: \$8.00

(2) 9-Holes of Play:

Weekdays: \$6.00

(C) College Student Fees:

Golf course green fees for persons in the classification of College Student (non-refundable) can receive a twenty percent (20%) discount off the Daily Green Fees.

(D) Military Fees:

Golf course green fees for persons in the classification of Military (non-refundable) can receive a twenty percent (20%) discount off the Daily Green Fees.

(E) Senior Fees:

Golf course green fees for persons 62 years of age or older (non-refundable).

18-Holes of Play:

Weekdays: \$11.00

(F) Annual membership fees:

Annual membership entitles that person to unlimited green fees for 365 days from date of purchase (non-refundable).

Annual individual membership rate: \$850.00 \$660.00

Military annual membership rate: can receive a 25% discount off of an annual individual membership rate.

(G) Semi-Annual membership fees:

Semi-Annual membership entitles player to unlimited green fees for six (6) months from date of purchase (non-refundable) for \$450.00 \$360.00.

(H) Monthly membership fees:

Monthly membership entitles an individual player to unlimited green fees for 30 days from date of purchase (non-refundable).

Monthly individual rate: \$65.00

Monthly individual rate per school team member: \$35.00

(I) (H) Annual cart fee and green fee:

Annual cart fee is per player and entitles player to unlimited carts for 365 days from date of purchase (non-refundable) and unlimited green fees for 365 days from date of purchase (non-refundable).

Annual individual cart fee and green fee: \$2,500.00

(J) (I) Monthly Locker Fee:

Monthly locker fee is per player and entitles player to use of a locker for 30 days from date of purchase (non-refundable).

Monthly individual locker fee: \$30.00 for one month

\$75.00 for three months

\$120.00 for six months

\$180.00 for twelve months

(K) (J) Daily Golf Club Rental Fee:

Daily golf club fee is per player and entitles player to use of a set of golf clubs (non-refundable).

Daily golf club rental fee: \$15.00

(L) (K) Monthly Driving Range Membership Fee:

Monthly driving range membership entitles player to unlimited driving range fees for 30 days from date of purchase (non-refundable).

Monthly individual membership rate: \$90.00 for three months

\$120 for six months

\$200.00 for twelve months

(M) (L) Range Ball Bucket Fee:

Range ball bucket fee entitles player to the use of the bucket of balls once (non-refundable).

Jumbo Bucket: \$15.00

Large Bucket (135 balls): \$10.00

Medium Bucket (75 balls): \$7.00

Small Bucket (35 balls): \$5.00

- (N) (M) Minors less than 16 years of age shall not operate golf carts on municipal golf course property.
- (O) (N) Each golf course green fee shall entitle payee to play a maximum of 18 holes of golf on the date paid. Additional payment of green fees shall be required if more than 18 holes of golf are to be played.
- (P) (O) All members of any authorized golf team from a school or institution of higher education located within Kleberg County may play a maximum of two rounds per week Monday-Thursday, excluding holidays, at no charge during their respective schoolyears. The following limit will apply to such golf players:

Teams are limited to 15 players per school at any one time.

(Q) (P) Cart Rental Fee:

18-Holes: \$11.00 per player

9-Holes: \$7.00 per player

(R)Miscellaneous Fees:

Clubhouse Rental Deposit	\$50.00
Clubhouse Rental Fee	\$150.00
Tournament Deposit	\$100.00
Snag Golf Clinic Fee	\$60.00

City Employees Wellness Program Discount: Golf course green fees for persons who are current City Employees can receive a twenty percent (20%) discount off the Daily Green Fees.

11.

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 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, work or ordinance hereof be given full force and effect for its purpose.

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

INTRODUCED on this 22 nd day of July, 2019.
PASSES AND APPROVED on this the 12th day of August, 2019.
Effective Date:
Sam R. Fugate, Mayor
ATTEST:
Mary Valenzuela, City Secretary
APPROVED AS TO FORM:
Courtney Alverez, City Atterney
Courtney Alvarez, City Attorney

AGENDA ITEM #23

City of Kingsville Department of Planning and Development services

TO:

Mayor and City Commissioners

CC:

Deborah Balli, Interim City Manager

FROM:

Tom Ginter, Director

DATE:

July 12, 2019

SUBJECT:

Rezoning Request from Robert Gutierrez owner and applicant for 10th, Block 6,

Lot N/2 1-2 also known as 429 West Doddridge from R1 to R2

Summary: Robert Gutierrez who owns this property would like to build a house. Because the lot size is to small for R1 he needs to rezone to R2 to build a residence.

Background: This property is only 3,500 square feet in total size. To build in R1 the minimum lot size allowed to build on is 5,500 square feet. Since he has 3,500 square feet he needs to rezone to R2 which has a minimum lot size of 2,500 square feet. The rezone will allow him to build a house on the property. There are no improvements on the property currently.

Financial Impact: This will be a positive financial impact for the city, in terms of building a home on a vacant piece of ground.

Recommendation: The Planning and Zoning Commission met on Wednesday, July 17th and voted 4 to 0 to recommend approval of the rezoning request from the applicant.



To: Planning and Zoning Commissioners

From: Tom Ginter, Director

Subject: Agenda Item information #1 and #2

Agenda Items #1 and #2:

Mr. Robert Gutierrez who is the owner of the lot at 429 W. Doddridge would like to build a residence on hi slot. The lot is currently zoned R1. The minimum lot size to build in R1 is 5,500 square feet. As you can see from the Appraisal District records his lot is 50 x 70 for 3,500 square feet. Consequently for him to build, he needs to rezone to an R2 zoning district which has a 2,500 square foot minimum.

This has occurred in the past and normally it has been approved to allow the land to be developed. Currently there are no improvements on the property.

CITY OF KINGSVILLE PLANNING AND ZONING DIVISION MASTER APPLICATION

Project Address 124 M Dock 1 C Nearest Intersection (Proposed) Subdivision Name Legal Description: 16th, BLOCK & Lot N/2 1-2 Existing Zoning Designation R Future Land Use Plan Designation R 2 OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE) Applicant/Authorized Agent ROSC 1 Color FAX Email Address (for project correspondence only): 12 CKKTAIN Chatrail Com Mailing Address (for project correspondence only): 15 State T Zip 783 Property Owner Phone FAX Email Address (for project correspondence only): 16 State T Zip 783 Property Owner Phone FAX Email Address (for project correspondence only): 17 State T Zip 783 Select appropriate process for which approval is sought. Attach completed checklists with this application. Annexation Request No Fee Preliminary Plat Fee Var Administrative Appeal (ZBA) \$250.00 Final Plat Fee Var Administrative Appeal (ZBA) \$250.00 Final Plat Fee Var SUP Requesty Renewal \$250.00 Re-plat \$250.00 Zoning Variance Request \$250.00 Nor Plat \$50.00 PUD Request \$250.00 Development Plat \$50.00 PUD Request \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 PUD Request \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 Pub Plate Fee Var Advert \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 Pub Plate Fee Var Advert \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 Pub Plate Fee Var Advert \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance	PROPERTY INFORMATION: (Please PRINT or TYP	•		
Proposed Subdivision Name	Project Address 129 W Dodderidge	Nearest Intersect	tion	
Legal Description: 10", BLOCK V, LOT N/2 1-2 Existing Zoning Designation R	(Proposed) Subdivision Name	Lot	Block	
Existing Zoning Designation	Legal Description: 16th, BLOCK 6, Lo	ot N/2 1-2		
OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE) Applicant/Authorized Agent ROSCY O GATANA Phone SGAGGE FAX Email Address (for project correspondence only):	Existing Zoning Designation R	Future Land Use		
Email Address (for project correspondence only):	OWNER/APPLICANT INFORMATION: (Please PRIN	T or TYPE)		
Email Address (for project correspondence only):	Applicant/Authorized Agent Roberto be	HIWIZ Phone	756-650-62	2 <i>○</i> FAX
Property Owner	Email Address (for project correspondence only):	Lblacktrain	(Chotra')	1.60m
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. Annexation Request Administrative Appeal (ZBA) S250.00 Final Plat Fee Var Administrative Appeal (ZBA) S250.00 Minor Plat S100.0 LRe-zoning Request S250.00 Zoning Request S250.00 Zoning Variance Request S250.00 PUD Request S250.00 PUD Request S250.00 PUD Request S250.00 Please provide a basic description of the proposed project: Tony have 3 soc Settem Tony Subdivision Variance Request S250.00 I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of thi application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked. Applicant's Signature Date:	Mailing Address <u>H O レ E 3 (と S</u> +	City B:Shop	State TX_	Zip_7834_
Select appropriate process for which approval is sought. Attach completed checklists with this application.	Property Owner	Phone	FAX	
Select appropriate process for which approval is sought. Attach completed checklists with this application. Annexation Request No Fee Preliminary Plat Fee Var Administrative Appeal (ZBA) \$250.00 Final Plat Fee Var Comp. Plan Amendment Request \$250.00 Minor Plat \$100.00 kRe-zoning Request \$250.00 Re-plat \$250.00 SUP Request/Renewal \$250.00 Vacating Plat \$550.00 Zoning Variance Request (ZBA) \$250.00 Development Plat \$100.00 PUD Request \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 Final Plate Subdivision Variance Request \$250.00 Subdivision Variance Request \$250	Email Address (for project correspondence only):			
Annexation Request No Fee Preliminary Plat Fee Var Administrative Appeal (ZBA) \$250.00 Final Plat Fee Var Comp. Plan Amendment Request \$250.00 Minor Plat \$100.00 Re-plat \$250.00 Re-plat \$250.00 SUP Request/Renewal \$250.00 Pevelopment Plat \$50.00 Development Plat \$100.00 PUD Request \$250.00 Development Plat \$100.00 PUD Request \$250.00 Subdivision Variance Request \$250.00 Subdivision Variance Request \$250.00 Please provide a basic description of the proposed project: The provi				
Administrative Appeal (ZBA) \$250.00 Final Plat Fee Var Comp. Plan Amendment Request \$250.00 Minor Plat \$100.0 Re-zoning Request \$250.00 Re-plat \$250.00 SUP Request/Renewal \$250.00 Vacating Plat \$50.00 Zoning Variance Request (ZBA) \$250.00 Development Plat \$100.0 PUD Request \$250.00 Subdivision Variance Request \$25.00	Select appropriate process for which approval is sou	ight. Attach completed	checklists with this	application.
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of thi application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked. Applicant's Signature Date:	Administrative Appeal (ZBA)\$250.00Comp. Plan Amendment Request\$250.00Ke-zoning Request\$250.00SUP Request/Renewal\$250.00Zoning Variance Request (ZBA)\$250.00PUD Request\$250.00 Please provide a basic description of the proposed put	Final Pla Minor Pl Re-plat_ Vacating Develop Subdivisi	t lat g Plat ment Plat ion Variance Reques	Fee Varies \$100.00 \$250.00 \$50.00 \$100.00 t \$25.00 ea
Application. 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	building without 55 ou sof.	an & I an	prohib: H	2 from
Applicant's Signature Date: Da	true and correct. If any of the information provious approval may be revoked.	l examined this applic ded on this applicatio	ation and know the n is incorrect the p	e same to be ermit or
Accepted by:Date:	1 () 1 () Containing 1			
Date:	Applicant's Signature		Date: <u></u>	-25-14
Date.	Applicant's Signature Property Owner's Signature Accepted by:		Date: 	-25-14

VIOLA E WATSON % LEE ORA MOORE 713 W DODDRIDGE AVE KINGSVILLE, TX 78363-5205 #21900

WALTER HUNTER ETUX RITA C 716 W RICHARD AVE KINGSVILLE, TX 78363-4270 #23968

WILLIE WILSON SR EST AND WILLIE WILSON JR (IND ADMIN) 10429 BEAR CREEK TRL FORT WORTH, TX 76244-6516 #12628

> ABEL GARZA 416 W FORDYCE KINGSVILLE, TX 78363 #16252

SCOTTS CHAPEL M E CHURCH 816 S 2ND ST KINGSVILLE, TX 78363-5313 #17862 MARGIE MELTON PO BOX 1636 KINGSVILLE, TX 78364-1636 #21138

TOWNSEND FONDRAE 1535 HANCOCK DR MESQUITE, TX 75149-1669 #20133

MYRTLE DIXON 826 PINOAK DR GRAND PRAIRIE, TX 75052 #23673

CLARENCE E LOFTON EST ETAL 615 ½ W KLEBERG KINGSVILLE, TX 78363-4325 #10047 BEN C GARZA 1122 E YOAKUM AVE

KINGSVILLE, TX 78363-4759

#17111

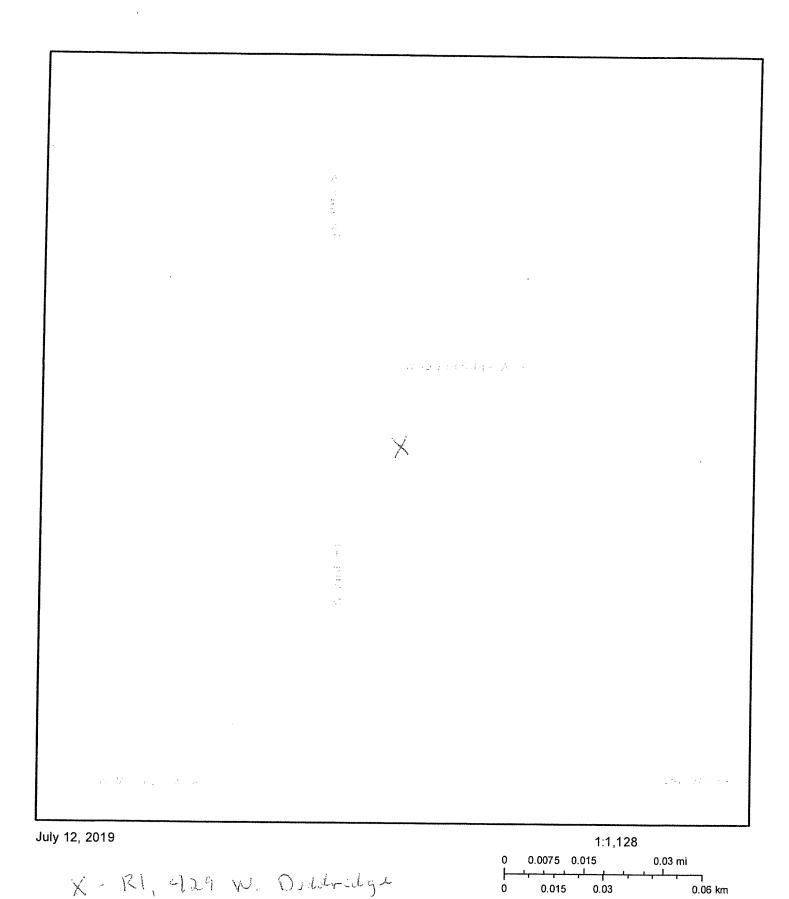
JOHN CHRISTOPHER % JEANNETTE PRICE 806 ELIZABETH AVE KINGSVILLE, TX 78363 #20381

RAY YOUNG & DENISE SCOTT W WILLIAMS 7534 LEGEND ROCK SAN ANTONIO, TX 78244-2414 #11828

ST PAUL A M E CHURCH 529 W WARREN AVE KINGSVILLE, TX 78363 #23812

TERRY T ROBERTSON 815 S 2ND ST KINGSVILLE, TX 78363-5312 #22637

IRENE EVELYN HORN EST 304 BERYL CT ARLINGTON, TX 76002-5470 #15587



PART 2 - CODE OF ORDINANCES Chapter XV - LAND USAGE ARTICLE 6. - ZONING

APPENDIX B. SPACE REQUIREMENTS

APPENDIX B. SPACE REQUIREMENTS

Sec. 1. Space requirements for residential use.

Sec. 2. Space requirements for non-residential use.

Sec. 1. Space requirements for residential use.

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

RESIDENTIAL USE							
Lot Size	R1	R2	R3	R4	МН	Ag	
Minimum lot area, sq. ft.	5,500	2,500	6,000	6,000	5 acres	10 acres	
Minimum lot area per unit, sq. ft.	5,500	2,500	1,000	1,0002	3,000	10 acres	
Minimum open space per unit, sq. ft.	О	О	4001	4001	0	0	
Minimum lot width, ft. (measured at the setback line)	50	25	50	50	25	300	
Setbacks; Lots							
Principal uses:							
Front yard, ft.	20	20	20	20	20		
Side yard (interior) ft.	5	5	5	5	5		
Side yard (on street) ft.	10	10	10	10	10	10	
Rear yard ft.	10	10	10	10	10		
Accessory uses:							

Account

Property ID:

23062

Legal Description: 10TH, BLOCK 6, LOT N/2 1-2

Geographic ID: Type:

Real

Zoning: Agent Code:

Property Use Code:

Property Use Description:

Location

Address:

429 W DODDRIDGE

101100601000192

Mapsco:

TX

Neighborhood:

Neighborhood CD:

Map ID:

A2

Owner

Name:

GUTIERREZ ROBERTO III Owner ID:

65471

Mailing Address:

406 E 3RD ST **BISHOP, TX 78343**

% Ownership:

100.0000000000%

Exemptions:

(+) Improvement Homesite Value: N/A (+) Improvement Non-Homesite Value: + N/A (+) Land Homesite Value: N/A

(+) Land Non-Homesite Value: N/A Ag / Timber Use Value (+) Agricultural Market Valuation: N/A N/A (+) Timber Market Valuation: N/A N/A

(=) Market Value: N/A (-) Ag or Timber Use Value Reduction: N/A

(=) Appraised Value: N/A (-) HS Cap: N/A

(=) Assessed Value: N/A

Owner:

GUTIERREZ ROBERTO III % Ownership: 100.000000000%

Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CKI	CITY OF KINGSVILLE	N/A	N/A	N/A	N/A

			Taxes w/o E	xemptions:	N/A
				rrent Exemptions:	N/A
	Total Tax Rate:	N/A		·	.,,
WST	SOUTH TEXAS WATER AUTHORITY	N/A	N/A	N/A	N/A
SKI	KINGSVILLE I.S.D.	N/A	N/A	N/A	N/A
GKL	KLEBERG COUNTY	N/A	N/A	N/A	N/A

No improvements exist for this property.

1	Type C1		Acres Sc 0.0803 35			Eff Depth 70.00		alue Prod N/A	. Value N/A
	ar Im	aprovements N/A		et A g /A	Valuation N/A	Appraised N/A	HS Cap	Assessed N/A	

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$660	0	660	, \$0	\$660
2017	\$0	\$660	0	660	\$0	\$660
2016	\$0	\$660	0	660	\$0	\$660
2015	\$0	\$660	0	660	\$0	\$660
2014	\$0	\$660	0	660	\$0	\$660
2013	\$0	\$660	0	660	\$0	\$660
2012	\$0	\$690	0	690	\$0	\$690
2011	\$0	\$690	0	690	\$0	\$690
2010	\$0	\$690	0	690	\$0	\$690
2009	\$0	\$690	0	690	\$0	\$690
2008	\$0	\$690	0	690	\$0	\$690
2007	\$0	\$690	0	690	\$0	\$690
2006	\$0	\$690	0	690	\$0	\$690
2005	\$0	\$690	0	690	\$0	\$690
					7	7050

# 1	Deed Date 12/20/2018	Type TXRS	Description TAX RESALE DEED	Grantor KLEBERG COUNTY TRUSTEE	Grantee GUTIERREZ ROBERTO III	Volume	Page	Deed Number 316854
2	11/6/2013	SHF	SHERIFF'S TAX DEED	VALLEY STAR LODGE 552	KLEBERG COUNTY TRUSTEE	502	823	
3		ОТ	Other	UNKNOWN	VALLEY STAR LODGE 552			

Property Tax Information as of 06/24/2019

Amount Due if Paid on:

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due	
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PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, July 17, 2019 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:

Roberto Gutierrez, owner and applicant, requesting the rezone of 10th, BLOCK 6, LOT N/2 1-2 also known as 429 West Doddridge, Kingsville, Texas from R1 (Single Family) to R2 (Two-Family).

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, July 22, 2019 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:

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Fourth of July events set for next week

By Anthony Ruiz

For those looking for ways to celebrate the Fourth of July holiday next week, Kingsville will be host to a handful of patriotic cel-

Festivities will kick off on Wednesday, July 3, at Naval Air Station-Kingsville with its "Big Bang Boom" event at the Captain's Club from 6:30-11 p.m. The event is presented by the Bishop Cel-anese Plant, and is open to anyone who has normal base access or an MWR Guest Card.

Available to the civilian public. the MWR Guest Card allows ac-cess to NASK's Captain's Club for one year and costs \$30 for adults and \$20 for children ages 6-17, while children 5 years and under are allowed access at no cost when accompanied by a card holder.

Members of the community who wish to apply for the card may pick up an application at the Kingsville Chamber of Commerce

or visit https://www.navymwrkor visit https://www.navymerk-ingsville.com/GuestCard/. Once approved, applicants will be con-tacted for an appointment time to come to NAS Kingsville Base Security and obtain their MWR Guest Card.

The event will feature bounce houses for children and live music from country music artist Robert

Ray.
Food and beverages will be available for purchase during "Big Bang Boom" from a variety of NASK fundraising groups. How-ever, no outside food or beverages

will be allowed during the event.

The event will conclude with
a fireworks show lighting up the night sky. Because seating is limited, attendees are encouraged to

bring their own chairs.

For more information on the event or the MWR Guest Card program, call the MWR Admin-

on Thursday, July 4, the City of Kingsville and Kingsville Chamber of Commerce will hold their annual general, pet and bike pa-rades in Downtown Kingsville.

Registration will be on site starting at 9:30 a.m., or participants can pick up forms at the Kingsville Visitors Center, located at 1501 N. Highway 77, the Kingsville Cham ber of Commerce, located at 635 E. King Avenue, or the Kingsville Parks and Recreation Department at Dick Kleberg Park. There is no entry fee for participating in any of the parades.

The general parade will begin at 10:30 a.m. starting at the Kleberg County Courthouse and travel along Kleberg Street to the Downtown Pavilion on Sixth Street. The pet and bike parades will follow

pet and bike parades will follow the general parade.

After the conclusion of the parades, the public is invited to the presentation of awards at the Downtown Pavilion on Sixth Street. Hot dogs, lemonade, water and watermelon will be available

for free during the event.
Pet parade awards will include
Most Patriotic, Most Family Oriented, Best Pet/Owner Lookalike,

Most Original and Judges' Choice. For the bike parade, awards in-clude Most Patriotic for both chil-dren and adults, Most Original Decor, Best Family Participa Best Group Participation and Best

Wagon.
The general parade will have awards pending on the number of

Also during and after the parades, the 1904 Train Depot Mu-

Ave., will be open until 1 p.m. for attendees to visit and learn about the city's history as July 4 is not only the United States of America's 234th birthday, but also Kingsville's 115th.
For more information, call the Kingsville Visitors Center at (361) 592-8516 or visit its Facebook

page. Also on July 4, from noon-3

seum, located at 102 E. Kleberg

Also on July 4, from noon-3 p.m. the Kingsville Elks Lodge lo-cated at 1404 S. Sixth St. will host a Fourth of July Celebration fea-turing free hamburgers, hot dogs, snow cones, a waterslide and mu-sic performed by DJ Louie. For more information, contact the Elks Lodge at (361) 592-4444 or visit the organization's Face-book page.

book page.

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

Guitar





Above, left, Boys and Girls Club Kingsville CEO John Perez helps 11-year-old Dani Cantu review some of the chords she learned during the club's summer guitar class. Above right, Blain Garcia, 11, practices a chord during the BGCK's summer guitar class. (Photos by Anthony Ruiz)

considered offering a guitar class several years ago, but at that time he said there was not much interest from the children.

We've had music classes, and we've always had instruments around (the clubhouse), but there was never the interest to where we would take it to another

level," he said.
A guitarist himself, Perez

A guitarist himself, Perez said he has had a passion for the instrument since he was six years old.

"Music has always been a part of my life, and it's something that I've wanted to have be a part of the club," he said.

The initial euitar sum-

of us are having fun playing the guitar." to the instrument when Perez said the club had they started. They meet for

hour-long sessions with Perez twice a week.
"We started with the basics, learning finger placement before they even began learning the chords," he said. "But in just this short time, they now know the seven major chords of the scale, how to play them at a regular tempo and how to switch between chords," he

Madison said in the past few weeks, she has learned "a lot of cool stuff" in the class, although she admitted that she has had to put in a lot of work to keep up with her fellow club mem-

bers. The initial guitar sum- "I go kind of slow with mer class is comprised of 10 the strings (transitioning

between chords)," she said.
"I still need a lot of (time)

to move my grip."

Madison sald she also practices at home, often showing her parents what she's learned in the guitar

class "I also try to sing while (practicing) what we learned, and try to make my own kind of music," she said. "But then I start work-ing on what we are actually supposed to be practicing."

Perez said the first class has been so successful, he is considering a future inter-mediate-level class where students will learn about minor chords and different

strumming patterns.
"It would definitely be a 'part two," he said. "And maybe it could then lead into an advanced class if the other level. Of course, time will tell with that"

Madison said while she plans to continue practicing the guitar, she would like to take more classes.

"I want to learn the elec-tric guitar and stuff like that," she said. "I really like all of the switches and it sounds real good if you know how to play it." Perez said he has also

heard further interest from the community for another beginner class.

So we might first start

over and offer (the beginner class) to more kids," he said. "We already have people calling and asking if we're

going to be doing it again."
For the summer class, the price-was \$75 per student. Participants were also re-



quired to bring their own

"We're going to be look-ing at what we'll be doing (in the future) as far as pricing these classes, but we are seeing that it's been very ef-fective and the kids are loving it," he said.

The Boys and Girls Club

of Kingsville is located at

1238 E. Kenedy Street. For more information on club membership and summer programs, call (361) 592-2100 or visit bgckingsville.org.

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, July 17, 2019 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:

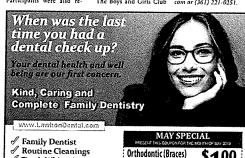
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Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.



General Dentistry

Dr. Tanya P. Lawhon, D.D.S.



Teeth Whitening

Braces (Orthodontics)

312 South Ave. B, Bishop, Tx. 78343

(361) 584-2217

Exam & Records

ORDINANCE	#2019-
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AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO 10TH, BLOCK 6, LOT N/2 1-2, ALSO KNOWN AS 429 W. DODDRIDGE, KINGSVILLE, TEXAS, FROM R1 (SINGLE FAMILY DISTRICT) TO R2 (TWO-FAMILY DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Roberto Gutierrez, owner applicant, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, July 17, 2019 during a meeting of the Planning and Zoning Commission, and on Monday, July 22, 2019 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the item was <u>APPROVED</u> with a 4-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of 10th, Block 6, Lot N/2 1-2, also known as 429 W. Doddridge from R1-Single Family District to R2-Two-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.
INTRODUCED on this the 22nd day of July, 2019.
PASSED AND APPROVED on this the 12th day of August , 2019.
Effective Date:
THE CITY OF KINGSVILLE
Sam R. Fugate, Mayor
ATTEST:
Mary Valenzuela, City Secretary
APPROVED:
Courtney Alvarez, City Attorney

