

City of Kingsville, Texas

AGENDA CITY COMMISSION TUESDAY, NOVEMBER 12, 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)

Special Meeting- October 28, 2019

APPROVED BY:



Deborah Balli
Interim City Manager

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

1. None.

III. Reports from Commission & Staff.²

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2019-2020 budget to receive and expend Park donations for the Healthy Family Recreational Programs. (Parks Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2019-2020 budget to receive and expend donations for downtown holiday decorations. (Parks Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2019-2020 budget to rollover funds for projects not completed in FY18-19 and items ordered in FY18-19 but not received until FY19-20. (Finance Director).
4. Motion to approve a resolution casting the City of Kingsville's votes for candidate Alfonso "Al" Garcia to the Board of Directors for the Kleberg County Appraisal District. (City Attorney).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider accepting donations from La Posada de Kingsville, the King Ranch, and the South Texas Specialized Crimes & Narcotics Task Force for Park's Healthy Family Partners programs and events. (Parks Director).
6. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to accept and expend donations from La Posada de Kingsville, the King Ranch, and the South Texas Specialized Crimes and Narcotics Task Force for the Healthy Family Partner's Recreation Programs. (Parks Director).
7. Consider appointments to Complete Count Committee for 2020 Census. (Interim City Manager).
8. Consider a resolution providing for a revised credit/debit card convenience fee for credit/debit card transactions with the City of Kingsville. (Finance Director).
9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, providing for revision of Article 1-City Commission, Section 10-Agenda. (Commissioner Lopez).
10. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII-Traffic Code, Article 1-School Zones, Parades, Commercial

Vehicles, Temporary Street Closures, Section 15-Speed Limits in School Zones, Special Hours; providing for updated times for school zones. (Police Chief).

11. Discuss potential changes to the Interlocal for the City-County Health Unit and to City Ordinances regarding the Health Board and Department and other matter related thereto. (Mayor Fugate).

VII. Adjournment.

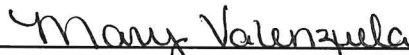
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended only with 5 affirmative Commission votes. The speaker must identify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

NOTICE

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

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

November 7, 2019 at 10:00 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

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

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

MINUTES OF PREVIOUS MEETING(S)

OCTOBER 28, 2019

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 28, 2019 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 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
Deborah Balli, Interim City Manager
Diana Gonzales, Human Resources Director
Emilio Garcia, Health Director
Ricardo Torres, Police Chief
Bill Donnell, Public Works Director
Cynthia Martin, Downtown Manager
David Soliz, Risk Manager
Rudy Mora, City Engineer
Derek Williams, IT Department
Robert Rodriguez, Library Director
Charlie Sosa, Purchasing Director
Manny Salazar, Economic Development
Janine Reyes, Tourism Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 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)

Special Meeting- October 21, 2019

Motion made by Commissioner Lopez to approve the minutes of October 21, 2019 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting “FOR”.

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

1. Public Hearing on a request for an alcohol variance for a Beer Retail Dealer's Off-Premise License (BF) and Wine Only Package Store permit (Q) and Package Store Tasting Permit (PS) for the Walmart Store (Store #442) at 1133 General Cavazos Boulevard, Kingsville, Texas through its authorized agent, Quality Licensing Corp. (Interim Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:02 p.m.

Mrs. Cynthia Martin, Interim Director of Planning & Development Services reported that Walmart would like to add a Tasting Permit to their existing alcohol license. With the addition, it would require for them to reapply for the license.

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

There being no further discussion or comments, Mayor Fugate closed this public hearing at 5:03 p.m.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, 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. Courtney Alvarez, City Attorney reported that as City offices will be closed in observance of the Veteran's Day Holiday, the next City Commission meeting is scheduled for Tuesday November 12, 2019 at 5:00 p.m.

IV. Public Comment on Agenda Items.³

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

No public comments made.

V.

Consent Agenda

Notice to the Public

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

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

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

Motion made by Commissioner Pecos to approve the consent agenda as presented, seconded by Commissioner Leubert and Commissioner Lopez. 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 KT&I Co., Block 17, Lot out of 3, also known as 1120 E. Senator Carlos Truan Blvd, Kingsville, Texas, from R3 (Multi-Family Residential District) to C2 (Retail District), Ted Figueroa, applicant. (Interim Director of Planning & Development Services).
2. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Palmer Drug Abuse Program (PDAP) of Kingsville for drug use prevention programs. (Police Chief).
3. Motion to approve a resolution of the City of Kingsville authorizing the release of Chapter 59 Funds of the Kingsville Police Department for donation to the Kingsville Amateur Boxing Club, Inc. for drug and alcohol prevention programs. (Police Chief).
4. Motion to approve a resolution authorizing the Mayor to enter into an Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to Veterinary Technology Training Program (renewal). (City Attorney).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Discuss and consider request to remove barricades from an alley that runs between North 10th and North 12th Streets (parallel to E. Ave. A and E. Nettie). (Commissioner Pecos).

Commissioner Pecos stated that he has received request from citizens around this area to have the barricades that have been in place since the 1970's removed. He stated that these citizens would like to have them removed since it involves public safety and a fire truck would not be able to go through there.

Commissioner Hinojosa commented that it was his understanding that registered letters were going to be sent out to the citizens that lived around the area. He further asked if this was done as he doesn't see a copy of the letter in the agenda packet.

Commissioner Lopez commented that the information for this item was not updated in the agenda packet.

Commissioner Hinojosa commented that this was something that was requested at the last meeting and asked if maybe it was to soon to get a response back.

Mr. Rudy Mora, Engineer stated that certified letters were sent last week and received confirmation from 10. He stated that Guadalupe Garza from 626 E. Ave. A, visited his office and stated that she would like the barricades to remain. There was another resident by the name of Hope Ramos 615 E. Ave. A stated that she would like the barricades to remain as well. Mora stated that he has received a letter from Ms. Ramos and read the letter to the City Commission: "My name is Hope Ramos, I am writing this email in regard to barricade removal in the alley North of Tranquitas Creek. I regret that I can not make tonight's meeting, but I would like my voice to be heard. I reside at 615 E. Ave A with my two daughters of one who is special needs. I often take my daughter to the back of our house for a walk and do not have to worry about too much traffic

coming from both directions at a high rate of speed. If the barricades is removed I fear that vehicles may use the alley as a shortcut to get across to the other side. The barricade helps me to rest easy at night and feel protected that no unauthorized vehicles will pass through the alley at all hours of the night. There are only four other houses on our side of the barricade, so if a car passes, more than likely they live through here. I thank you for listening to my concerns and know that you will make the right choice and ask that the barricades to be left as is for the safety of my family.”

Mayor Fugate asked if staff received any other correspondence from anyone else. Mr. Mora responded that this was the only correspondence he received.

Commissioner Lopez asked when letters were sent out. Mr. Mora responded that letters were sent out either last Monday or Tuesday. Commissioner Lopez stated that as they weren't able to see the letters, did staff give the citizens receiving the letters a time that they could respond with their concerns. Mr. Mora stated that staff mentioned in the letter that this item was being brought to the City Commission and if they would like their opinion to be heard to show up to the meeting, today at 5:00 p.m. Mora stated that it was very specific for the time and location for this. Commissioner Lopez asked if he had only received the two letters that said no. Mr. Mora responded this is correct.

Commissioner Hinojosa asked if those two letters that said no, were they the same ones that said no the previous time or are they new citizens responding?

Commissioner Lopez asked for the individuals names, as she has the list of names from the previous time. Mr. Mora responded that one was Guadalupe Garza and the other is Hope Ramos. Commissioner Lopez commented that these are two new citizens saying no to the removal of the barricades.

Commissioner Leubert asked what the count is of individual for or against the removal. Mr. Mora responded that out of the sixteen that were sent out, four were denying the removal of the barricades and three were for removing the barricades. Mora also stated that the only received, this time, two that were against the removal and did not receive any for the removal of the barricades.

Commissioner Hinojosa asked if the two that were received had stated no previously. Mr. Mora responded no. Commissioner Hinojosa commented that with the additional two, this would make it six against the removal. Mr. Mora responded that this was correct.

Commissioner Lopez commented that she would have liked to have seen updated information included into the packet for this agenda item.

Motion made by Commissioner Pecos to approve the removal of barricades from an alley that runs between North 10th and North 12th Streets (parallel to E. Ave. A and E. Nettie).

Mayor Fugate asked for a second to Commissioner Pecos motion.

Mayor Fugate asked for a second to Commissioner Pecos motion.

Mayor Fugate asked for a second to Commissioner Pecos motion.

Motion dies for a lack of a second to the original motion.

6. **Consider an alcohol variance for a Beer Retail Dealer's Off-Premise License (BF) and Wine Only Package Store permit (Q) and Package Store Tasting Permit (PS) for the Walmart Store (Store #442) at 1133 General Cavazos Boulevard, Kingsville, Texas through its authorized agent, Quality Licensing Corp. (Interim Director of Planning & Development Services).**

Motion made by Commissioner Leubert to approve alcohol variance for an alcohol variance for a Beer Retail Dealer's Off-Premise License (BF) and Wine

Only Package Store permit (Q) and Package Store Tasting Permit (PS) for the Walmart Store (Store #442) at 1133 General Cavazos Boulevard, Kingsville, Texas through its authorized agent, Quality Licensing Corp, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

7. Consider accepting three donations for Park's Healthy Family Partners events. (Parks Director).

Motion made by Commissioner Leubert to accept three donations for Park's Healthy Family Partners events, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

8. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to receive and expend Park donations for the Healthy Family Recreational Programs. (Parks Director).

Introduction item.

9. Consider accepting donation from La Posada de Kingsville for downtown decorations. (Parks Director).

Motion made by Commissioner Lopez and Commissioner Pecos to accept donation from La Posada de Kingsville for downtown decorations, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Leubert, Pecos, Lopez, Fugate voting "FOR".

10. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to receive and expend donations for downtown holiday decorations. (Parks Director).

Introduction item.

11. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 budget to rollover funds for projects not completed in FY18-19 and items ordered in FY18-19 but not received until FY19-20. (Finance Director).

Introduction item.

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

Mayor Fugate asked Mrs. Alvarez if all three executive sessions could be taking at once. Mrs. Alvarez responded that the Commission could do that, but times would need to be taken at the start and finish of each executive session.

Mayor Fugate announced all three executive sessions and convened the meeting into closed session at 5:21 p.m.

This executive session ended at 5:26 p.m.

13. Consider a resolution authorizing the sale of the City's 5.077 acres of land located off West General Cavazos Blvd. (KT&I Co., Block 19, Lot Pt 24) in Kingsville, Texas. (Purchasing Manager).

Motion made by Commissioner Lopez to approve the resolution authorizing the sale of the City's 5.077 acres of land located off West General Cavazos Blvd.

(KT&I Co., Block 19, Lot Pt 24) in Kingsville, Texas, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".

14. 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).

This executive session started at 5:27 p.m. and ended at 5:34 p.m.

15. Consider a resolution authorizing the Mayor to execute an Economic Development Agreement between the City of Kingsville, Texas and Libertas Real Estate Group, LLC. (Chapter 380 Agreement). (Interim City Manager).

Motion made by Commissioner Leubert to approve the resolution authorizing the Mayor to execute an Economic Development Agreement between the City of Kingsville, Texas and Libertas Real Estate Group, LLC. (Chapter 380 Agreement) and authorizing the City Attorney to finalize the definition of sales and use tax in the agreement seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

16. Executive Session: Pursuant to Section 551.074, Texas Government Code, the Personnel Exception, the City Commission shall convene in Executive Session to deliberate the appointment, employment, and duties of the City Manager position. (Mayor Fugate).

This executive session started at 5:35 p.m. and ended at 5:58 p.m.

Mayor Fugate reconvened the meeting into open session at 5:58 p.m.

17. Consider acting on the City Manager position and employment agreement. (Mayor Fugate).

Motion made by Commissioner Leubert to appoint Mark McLaughlin as the City of Kingsville's City Manager and to approve the employment agreement as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:03 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Parks & Recreation**

TO: Mayor and City Commissioners
CC: Deborah Balli, Interim City Manager
FROM: Susan Ivy, Director of Parks & Recreation
DATE: October 17, 2019
SUBJECT: Receipt of Donations to Parks & Recreation

Summary: The Parks & Recreation Department requests your approval to receipt and record donations received for sponsorship of the 2019/2020 Healthy Family Partners schedule of events.

Background: Kingsville Parks & Recreation has organized a schedule of annual events that provide youth and family recreation, physical activity and emphasize healthy lifestyles including anti drug and anti bullying for all ages. In order to provide adequate funding for these events we have found it best to solicit one time for the package of events reducing the amount of solicitation it takes to fund the projects. Many partners are returning and we have some new ones as well. We have had great success with this program and find that it helps to provide a great schedule of recreation with a limited impact on our budget.

We will also be applying for a few grants to assist with programming and will dedicate some of this funding as match for those but will return for Commission approval at that time.

Our committed donors so far are Thomas J. Henry Law Firm - \$5000.00, Christus Spohn Health Network \$2500.00, Kleberg County Sheriff's Department - \$2500.00.

Financial Impact: These donations total \$10,000.00. \$7500.00 added to 001-5-4513-31441 special events and \$2500.00 to 001-5-4513- 31499 recreation programs.

Recommendation: I respectfully request that the City Commission authorize the receipt of these donations to be used in the manner for which they were donated and approve the budget amendment that supports their recording.



ORDINANCE NO. 2019-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO RECEIVE AND EXPEND PARK DONATIONS FOR THE HEALTHY FAMILY RECREATIONAL PROGRAMS.

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 2019-2020 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues - 4</u>					
4513	Recreation	Park Donations	58003	\$10,000	
Fund 001 – General Fund					
<u>Expenditures - 5</u>					
4513	Recreation	Special Events & Festivals	31441	\$7,500	
4513	Recreation	Recreational Programs	31499	\$2,500	

[To amend the City of Kingsville FY 19-20 Budget to accept and expend Park donations for the Healthy Family recreational programs. Funds will come from the donations received.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 28th day of October 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 #2

**City of Kingsville
Parks & Recreation**

TO: Mayor and City Commissioners
CC: Deborah Balli, Interim City Manager
FROM: Cynthia Martin, Interim Director of Planning/Downtown Manager
DATE: October 17, 2019
SUBJECT: Receipt of Donations from La Posada de Kingsville for Downtown Decor

Summary: We ask that Commission approve the receipt of up to \$3716.00 to be used to purchase lighted snowflake decorations to be placed downtown during the November/December Holiday Season.

Background: La Posada de Kingsville has provided assistance to the City for Downtown Improvements several times over the years. For a couple of years, we have discussed expanding the décor downtown during the holidays further toward City Hall and the County Courthouse.

This year La Posada has agreed to donate up to \$3716.00 (depending on freight charges tbd) for the purchase of lighted snowflakes to place on electric poles downtown. This will cover the purchase of 6 new snowflakes.

Financial Impact: This will increase the line item in the Downtown Manager's budget for the purchase of the snowflakes by up to \$3716.00. Funding should be coded to 001-5-1604-31400.

Recommendation: I respectfully request that the City Commission authorize the receipt of these donations to be used in the manner for which they were donated and approve the budget amendment that supports their recording.



ORDINANCE NO. 2019-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO RECEIVE AND EXPEND DONATIONS FOR DOWNTOWN HOLIDAY DECORATIONS.

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 2019-2020 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues - 4</u>					
1604	Downtown	Donations	72030	\$3,716	
Fund 001 – General Fund					
<u>Expenditures - 5</u>					
1604	Downtown	Professional Services	31400	\$3,716	

[To amend the City of Kingsville FY 19-20 Budget to accept and expend donations for downtown holiday decorations. Funds will come from the donations received.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 28th day of October 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 #3

CITY OF KINGSVILLE



MEMORANDUM

TO: City Commissioners
FROM: Deborah Balli, Interim City Manager
DATE: October 17, 2019
SUBJECT: Budget Amendment for Rollover Projects & Purchases

Background:

At the beginning of the fiscal year, there are projects that were started and not completed by the end of September and purchases for merchandise that were ordered last fiscal year, but was not received by end of September. These items require the purchase order to be rolled over which results in the budget needing to be rolled over as well to cover the expenditure.

Recommendation:

Staff recommends approving the attached purchase orders and projects which were not completed or received in the prior fiscal year.

ORDINANCE NO. 2019-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO ROLLOVER FUNDS FOR PROJECTS NOT COMPLETED IN FY18-19 AND ITEMS ORDERED IN FY18-19 BUT NOT RECEIVED UNTIL FY19-20.

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 2019-2020 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
Expenditures – 5					
4503	Park Maint	Minor Equip – PO #192265	21700	\$2,063.99	
4503	Park Maint	Minor Equip – PO #192285	21700	\$1,557.00	
4501	Park Admin	Minor Equip – PO #192331	21700	\$1,625.00	
4513	Recreation	Minor Equip – PO #192310	21700	\$4,845.00	
4503	Park Maint	Minor Equip – PO #192299	21700	\$1,000.00	
2200	Fire	Uniforms – PO #191909	21200	\$756.00	
1601	Planning	Prof Services–PO #190952	31400	\$1,760.88	
4502	Golf	Mach & Equip–PO #192350	71200	\$9,150.00	
3050	Street	Prof Services-PO #192264	31400	\$2,500.00	
2200	Fire	Uniforms – PO #191787	21200	\$368.05	
2200	Fire	Uniforms – PO #191647	21200	\$10,616.00	
2200	Fire	Medical Sup-PO #191473	22400	\$69.36	
2200	Fire	Vehicle Maint-PO #192295	41100	\$830.78	
4503	Park Maint	Dog Park Project	71309	\$23,250.00	
6900	Transfer	Transfer To Fund 098	80095	\$5,000.00	
1601	Planning	Profess Svc-PO #192358	31400	\$4,000.00	

[To amend the City of Kingsville FY 19-20 Budget to rollover projects that were not completed last FY18-19 and to cover purchases that were ordered in FY18-19 but will not be received until this FY19-20.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 28th day of October 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

**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192265

Date: 09/13/2019

Requisition #: REQ16085

Vendor #: 8414

ISSUED TO: PLAYCORE WISCONSIN INC
544 CHESTNUT ST
CHATTANOOGA, TN 37402-

SHIP TO: Susan Ivy
Attn: Susan Ivy
P.O. Box 1458
Kingsville, TX 78364

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	1 swings donated by civitan	001-5-4503-21700		1,812.36	2,063.99
<i>In Delivery Now</i>					

Authorized by: 

SUBTOTAL:	1,812.36
TOTAL TAX:	0.00
SHIPPING:	251.63
TOTAL	2,063.99

1. Original invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
2. Payment may be expected within 30 days of receipt of goods and invoice.
3. C.O.D. shipment will not be accepted.
4. Purchase Order numbers must appear on all shipping containers, packing slips and invoices. Failure to comply with the above request may delay payment.
5. All goods are to be shipped F.O.B. Destination unless otherwise stated.
6. All materials and services are subject to approval based on the description on the face of the purchase order or appendages thereof. Substitutions are not permitted without approval of the Requesting Department. Material not approved will be returned at no cost to the City.
7. All goods and equipment must meet or exceed all necessary city, state and federal standards and regulations.
8. Vendor or manufacturer bears risk of loss or damage until property received and/or installed.
9. Seller acknowledges that the buyer is an equal opportunity employer. Seller will comply with all equal opportunity laws and regulations that are applicable to it as a supplier of the buyer.
10. The City is exempt from all federal excise and state tax - ID# 74-6001513

**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192285

Date: 09/18/2019

Requisition #: REQ16111

Vendor #: 8363

ISSUED TO: LIFEGUARD STORE INC
2012 W COLLEGE AVENUE
NORMAL, IL 61761-

SHIP TO: Susan Ivy
Attn: Susan Ivy
P.O. Box 1458
Kingsville, TX 78364

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	1 starting block	001-5-4503-21700		1,260.00	1,557.00

Procured - 10-12-19

Authorized by: 

SUBTOTAL:	1,260.00
TOTAL TAX:	0.00
SHIPPING:	297.00
TOTAL	1,557.00

1. Original Invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
2. Payment may be expected within 30 days of receipt of goods and invoice.
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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192331

Date: 09/25/2019

Requisition #: REQ16165

Vendor #: 3991

ISSUED TO: Gateway Printing & Office Supplies
315 S Closner
Edinburg, TX 78539

SHIP TO: Susan Ivy
Attn: Susan Ivy
P.O. Box 1458
Kingsville, TX 78364

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	1 Shredder for Park Office	001-5-4501-21700		1,625.00	1,625.00
Delivered 10-14-19					

Authorized by: _____

SUBTOTAL:	1,625.00
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	1,625.00

1. Original Invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192310

Date: 09/23/2019

Requisition #: REQ16139

Vendor #: 6042

ISSUED TO: AQUATIC RENOVATIONS & SERVICES INC
16734 CRYSTAL GLADE
SAN ANTONIO, TX 78247-

SHIP TO: Susan Ivy
Attn: Susan Ivy
P.O. Box 1458
Kingsville, TX 78364

ITEM	UNITS	DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	1	VACUUM FOR BROOKSHIRE POOL	001-5-4513-21700		4,700.00	4,845.00

For Order Per Phone 10-1679

Authorized by: 

SUBTOTAL:	4,700.00
TOTAL TAX:	0.00
SHIPPING:	145.00
TOTAL	4,845.00

1. Original Invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
2. Payment may be expected within 30 days of receipt of goods and invoice.
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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192299

Date: 09/20/2019

Requisition #: REQ16127

Vendor #: 8151

ISSUED TO: RAIN DROP PRODUCTS LLC
2121 COTTAGE STREET
ASHLAND, OH 44805-

SHIP TO: Susan Ivy
Attn: Susan Ivy
P.O. Box 1458
Kingsville, TX 78364

ITEM	UNITS	DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1		0 Motor control for pump at Splash Pad	001-5-4503-21700		0.00	1,000.00

m Brockard Du Pree Phone 10-17-19

Authorized by: _____

SUBTOTAL:	1,000.00
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	1,000.00

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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 191909-R1

Date: 10/01/2019

Requisition #: REQ15692

Vendor #: 1535

ISSUED TO: G T Distributors Inc
P O Box 16080
Austin, TX 78761-6080

SHIP TO: Adrian Garcia
Attn: Adrian Garcia
119 N. 10th
Kingsville, TX 78363

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	5 Stryke Class B Midnight Navy Shirt	001-5-2200-21200		68.65	343.25
2	5 Stryke Class B Midnight Navy Pant	001-5-2200-21200		68.65	343.25
3	10 Cloth Name Tape	001-5-2200-21200		5.95	59.50
4	5 EMT Certification Patch	001-5-2200-21200		2.00	10.00

Rolled over P.O. -
Budget Amendment

Authorized by: _____

SUBTOTAL:	756.00
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	756.00

1. Original invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
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Encumbrance Report

Encumbrance Date Range: 10/01/2018 - 09/20/2019

001 - GENERAL FUND

001-5-1601-31400 - Professional Services

1601 - Planning/DevelopSvcs

Type: Purchase Order

Purchase Order	Description	Vendor	Status	Issued Date	Enc. Balance
	Item		Project Account Key	Post Date	Amount
190952	Accela Training	CARASOFT TECHNOLOGY CORPOR.	Outstanding	02/12/2019	1,760.88
	Remote Instructor Lead Training			02/12/2019	1,760.88
				Encumbrance Balance:	1,760.88
				Total 1601 - Planning/DevelopSvcs:	1,760.88

PO Followed ✓

Budget Amendment

**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192350

Date: 09/27/2019

Requisition #: REQ16185

Vendor #: 8680

ISSUED TO: LUBER BROS., INC
P O BOX 22666
OKLAHOMA CITY, OK 73123-1666

SHIP TO: L.E. Ramey Golf Course
Attn: Israel Vasquez
P.O. Box 1458
Kingsville, TX 78364

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	0 Greens tournament roller	001-5-4502-59100	71200	0.00	9,150.00

Roll over P.C.
Need budget Amendment

Authorized by: 

SUBTOTAL:	9,150.00
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	9,150.00

1. Original invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192264

Date: 09/13/2019

Requisition #: REQ16087

Vendor #: 1423

ISSUED TO: LNV Engineering
801 Navigation
Suite 300
Corpus Christi, TX 78408

SHIP TO: Purchasing Dept.
Attn: Charlie Sosa
400 W King
Kingsville, TX 78363

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	0 Engineering Services for Corral Ave/Santa Rosa	092-5-3050-31400		0.00	2,500.00
<p>09/20/19 - Roll po # - Charlie</p> <p>Roll P.O. Over Budget Amendment</p>					

Received by: _____ Date: _____

SUBTOTAL:	2,500.00
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	2,500.00

1. Original Invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 191787-R1

Date: 10/01/2019

Requisition #: REQ15561

Vendor #: 1535

ISSUED TO: G T Distributors Inc
P O Box 16080
Austin, TX 78761-6080

SHIP TO: Adrian Garcia
Attn: Adrian Garcia
119 N. 10th
Kingsville, TX 78363

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	2 Fech Nomex Navy Cargo Pants	001-5-2200-21200		157.25	314.50
2	9 Embolder Name Tape for 3 new FF	001-5-2200-21200		5.95	53.55

Roll'd over P.O.'s
Budget Amendments

Authorized by: _____

SUBTOTAL:	368.05
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	368.05

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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 191647-R1

Date: 10/01/2019

Requisition #: REQ15403

Vendor #: 3245

ISSUED TO: Metro Fire
1745 Parana Dr
Houston, TX 77080-7115

SHIP TO: Adrian Garcia
Attn: Adrian Garcia
119 N. 10th
Kingsville, TX 78363

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	4 SCX Coat Pioneer	001-5-2200-21200		1,099.00	4,396.00
2	4 Traditional Matte Helmet, Faceshield, Lighting	001-5-2200-21200		330.00	1,320.00
3	4 PBI 2 Ply Hood	001-5-2200-21200		33.00	132.00
4	4 Fire Hunter Leather Structural Fire Boot	001-5-2200-21200		310.00	1,490.00
5	4 Sewn Leather Front	001-5-2200-21200		60.00	240.00
6	4 SCX Pant Pioneer	001-5-2200-21200		756.00	3,024.00
7	4 Pro-Tech 8 Structural Fire Fighting Glove	001-5-2200-21200		66.00	264.00

Authorized by: _____

SUBTOTAL:	10,616.00
TOTAL TAX:	0.00
SHIPPING:	250.00
TOTAL	10,866.00

1. Original Invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 191473-R1

Date: 10/01/2019

Requisition #: REQ15209

Vendor #: 4440

ISSUED TO: Henry Schein EMS
Dept CH10241
Palatine, IL 60055-0241

SHIP TO: Adrian Garcia
Attn: Adrian Garcia
119 N. 10th
Kingsville, TX 78363

ITEM	UNITS DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	8 Dextrose 50%	001-5-2200-22400		8.67	69.36

Authorized by: _____

SUBTOTAL:	69.36
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	69.36

1. Original Invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
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**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER

PO Number: 192295-R1

Date: 10/01/2019

Requisition #: REQ16122

Vendor #: 4434

ISSUED TO: Siddons-Martin Emergency Group
P O Box 679827
Dallas, TX 75267-9827

SHIP TO: Adrian Garcia
Attn: Adrian Garcia
119 N. 10th
Kingsville, TX 78363

ITEM	UNITS	DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1		0 Bumper Damage Repair plus parts	001-1-21403		0.00	8,066.95
		Vehicle Maint	001-5-2200-41150			830.78

Authorized by: _____

SUBTOTAL:	8,066.95
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	8,066.95

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001-5-4503-71309

Fiscal

10/1/2018 - 9/30/2019

Balance: 12,250.00

Pending: 0.00

Parks-Dog Park

General

Budget Summary

Segmentation

Report Groups

Notes

Budget

Summary

Detail

Period Distributions

Adjustments

Budget Notes

History

Detail

Period Activity

Fiscals

Journal Entries

Encumbrances

Reserves

Legacy History

Account

Documents

Original Budget 35,500.00

Adjustments 0.00

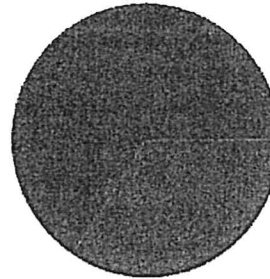
Current Budget 35,500.00

Activity 12,250.00Encumbrances 0.00Reserves 0.00

Budget Remaining 23,250.00

Pending 0.00

Budget Available 23,250.00



■ Budget Used ■ Budget Remaining

Budget Remaining 23,250.00 Percent Remaining 65.49%

Budget Used 12,250.00 Percent Used 34.51%

Budget Amendment



City of Kingsville, TX

Budget Report Account Summary

For Fiscal: 10/2018-09/2019 Period Ending: 06/30/2019

Fund: 001 - GENERAL FUND
Expense
001-5-6900-80095

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Transfer to Fund 095	0.00	5000 X 0.00	0.00	0.00	0.00	0.00 %
Expense Total:	0.00	0.00	0.00	0.00	0.00	0.00 %
Fund: 001 - GENERAL FUND Total:	0.00	0.00	0.00	0.00	0.00	0.00 %
Report Total:	0.00	0.00	0.00	0.00	0.00	0.00 %

Need Budget Amendment

Budget
Amendments

**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER**PO Number:** 192358 -21**Date:** 09/30/2019**Requisition #:** REQ16195**Vendor #:** 7919

ISSUED TO: CIVILCORP, LLC
4611 E AIRLINE ROAD
SUITE 300
VICTORIA, TX 77904-

SHIP TO: Purchasing Dept.
Attn: Charlie Sosa
400 W King
Kingsville, TX 78363

ITEM	UNITS	DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	1	Retracement Survey City Parks 2	001-5-1601-31400		4,000.00	4,000.00

10/21/19
- per Charlie

Rollover PO

Budget Amendment

Received by: _____ Date: _____

SUBTOTAL:	4,000.00
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	4,000.00

1. Original invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
2. Payment may be expected within 30 days of receipt of goods and invoice.
3. C.O.D. shipment will not be accepted.
4. Purchase Order numbers must appear on all shipping containers, packing slips and invoices. Failure to comply with the above request may delay payment.
5. All goods are to be shipped F.O.B. Destination unless otherwise stated.
6. All materials and services are subject to approval based on the description on the face of the purchase order or appendages thereof. Substitutions are not permitted without approval of the Requesting Department. Material not approved will be returned at no cost to the City.
7. All goods and equipment must meet or exceed all necessary city, state and federal standards and regulations.
8. Vendor or manufacturer bears risk of loss or damage until property received and/or installed.
9. Seller acknowledges that the buyer is an equal opportunity employer. Seller will comply with all equal opportunity laws and regulations that are applicable to it as a supplier of the buyer.
10. The City is exempt from all federal excise and state tax - ID# 74-6001513

AGENDA ITEM #4

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

DATE: October 30, 2019

TO: SAM FUGATE, CITY OF KINGSVILLE MAYOR

FROM: ERNESTINA (TINA) FLORES, R.P.A.
CHIEF APPRAISER OF KLEBERG COUNTY

Enclosed is the ballot listing the nominees for the Board of Directors of the Kleberg County Appraisal District in alphabetical order by candidate's last name. According to the Property Tax Code, I should deliver this ballot before October 30th.

I have also enclosed another copy of the 2020-2021 Board of Directors Votes Per Voting Unit spreadsheet and another copy of the Calculation of Voting Entitlement For Each Voting Unit spreadsheet that were included in the Board of Directors election letter that was dated June 25, 2019.

The Texas Property Tax Code states that the governing body of each taxing unit entitled to vote shall determine its vote **by resolution** and submit it the chief appraiser **before December 15th** *(if the last day of the performance of an act is Saturday, Sunday or legal state or national holiday, the act is timely if performed on the next regular business day)*. You may cast all your votes for one candidate or you may distribute the votes among any number of candidates, but the casting of votes must be in the form of a motion in order to be a resolution.

According to the Property Tax Code, a voting entity must cast its votes for a person named on the ballot. The Chief Appraiser may not count any votes for someone not listed on the official ballot. The Chief Appraiser will count the votes and notify the taxing units and the candidates of the results before December 31, 2019.

Thank you for your cooperation in this matter. Please feel free to call me if you have any questions.

Sincerely,



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

Enclosures

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

ELECTION OF BOARD OF DIRECTORS
FOR THE
KLEBERG COUNTY APPRAISAL DISTRICT
FOR THE 2020 – 2021 TERM

BALLOT

INSTRUCTION NOTE: All votes may be cast for one candidate or may
be distributed among any number of candidates.

<i>CANDIDATES</i>	<i>VOTES</i>
<u>Garcia, Alfonso "Al"</u> →	_____
<u>Greenwood, Brandon</u> →	_____
<u>Higginbotham, Al</u> →	_____
<u>Morales, Daniel</u> →	_____
<u>Yaklin, Lynn</u> →	_____
TOTAL	_____

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

TAXING JURISDICTIONS	2018 LEVIES	PERCENT	TOTAL VOTES	CALCULATED DISTRICT VOTES	ACTUAL VOTES
KLEBERG COUNTY	\$11,732,050.30	0.299826	5000	1499	1500
CITY OF KINGSVILLE	\$7,032,360.67	0.179720	5000	899	900
KINGSVILLE I.S.D.	\$12,930,372.30	0.330451	5000	1652	1650
RICARDO I.S.D.	\$1,970,713.42	0.050364	5000	252	250
RIVIERA I.S.D.	\$2,944,861.60	0.075259	5000	376	375
SANTA GERTRUDIS I.S.D.	\$1,499,800.11	0.038329	5000	192	190
SOUTH TEXAS WATER AUTHORITY	\$987,655.10	0.025241	5000	126	125
KENEDY COUNTY GROUNDWATER	\$25,982.47	0.000664	5000	3	5
CITY OF CORPUS CHRISTI	<u>\$5,694.45</u>	0.000146	5000	1	5
TOTAL	\$39,129,490.42	100.00%		4999	5000

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

KLEBERG COUNTY

$$\begin{array}{rcl}
 \$11,732,050.30 & \div & \$39,129,490.42 \\
 0.299826 & \times & 1000 \\
 299.83 & = & 300 \\
 300 & \times & 5 \\
 & = & 1500
 \end{array}$$

CITY OF KINGSVILLE

$$\begin{array}{rcl}
 \$7,032,360.67 & \div & \$39,129,490.42 \\
 0.179720 & \times & 1000 \\
 179.72 & = & 180 \\
 180 & \times & 5 \\
 & = & 900
 \end{array}$$

KINGSVILLE I.S.D.

$$\begin{array}{rcl}
 \$12,930,372.30 & \div & \$39,129,490.42 \\
 0.330451 & \times & 1,000 \\
 330.45 & = & 330 \\
 330 & \times & 5 \\
 & = & 1650
 \end{array}$$

RICARDO I.S.D.

$$\begin{array}{rcl}
 \$1,970,713.42 & \div & \$39,129,490.42 \\
 0.050364 & \times & 1000 \\
 50.36 & = & 50 \\
 50 & \times & 5 \\
 & = & 250
 \end{array}$$

RIVIERA I.S.D.

$$\begin{array}{rcl}
 \$2,944,861.60 & \div & \$39,129,490.42 \\
 0.075259 & \times & 1,000 \\
 75.26 & = & 75 \\
 75 & \times & 5 \\
 & = & 375
 \end{array}$$

SANTA GERTRUDIS I.S.D.

$$\begin{array}{rcl}
 \$1,499,800.11 & \div & \$39,129,490.42 \\
 0.038329 & \times & 1,000 \\
 38.33 & = & 38 \\
 38 & \times & 5 \\
 & = & 190
 \end{array}$$

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

SOUTH TEXAS WATER AUTHORITY

$$\begin{array}{rcl}
 \$987,655.10 & \div & \$39,129,490.42 \\
 0.025241 & \times & 1,000 \\
 25.24 & = & 25 \\
 25 & \times & 5 \\
 & = & \underline{125}
 \end{array}$$

KENEDY COUNTY GROUNDWATER

$$\begin{array}{rcl}
 \$25,982.47 & \div & \$39,129,490.42 \\
 0.000664 & \times & 1,000 \\
 0.66 & = & 1 \\
 1 & \times & 5 \\
 & = & \underline{5}
 \end{array}$$

CITY OF CORPUS CHRISTI

$$\begin{array}{rcl}
 \$5,694.45 & \div & \$39,129,490.42 \\
 0.00015 & \times & 1,000 \\
 0.15 & = & 1 \\
 1 & \times & 5 \\
 & = & \underline{5}
 \end{array}$$

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.

RESOLUTION NO. 2019-_____

A RESOLUTION CASTING THE CITY OF KINGSVILLE'S VOTES FOR CANDIDATE ALFONSO "AL" GARCIA TO THE BOARD OF DIRECTORS FOR THE KLEBERG COUNTY APPRAISAL DISTRICT; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Texas Property Tax Code states that the governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it the Chief Appraiser before December 15th; and

WHEREAS, the governing body may cast all its votes for one candidate or distribute the votes among any number of candidates for persons named on the ballot; and

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

I.

THAT pursuant to Texas Property Tax Code Section 6.03, the City of Kingsville is entitled to cast votes for candidates to the local appraisal district board of directors.

II.

THAT the City of Kingsville hereby casts all of its votes for candidate Alfonso "Al" Garcia for election to the Board of Directors for the Kleberg County Appraisal District for the 2020-2021 term.

III.

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

IV.

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

PASSES AND APPROVED by a majority vote of the City Commission on the 12 th day of November, 2019.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #5

**City of Kingsville
Parks & Recreation**

TO: Mayor and City Commissioners

CC: Deborah Balli, Interim City Manager

FROM: Susan Ivy, Director of Parks & Recreation

DATE: November 4, 2019

SUBJECT: Receipt of Donations to Parks & Recreation

Summary: The Parks & Recreation Department requests your approval to receipt and record donations received for sponsorship of the 2019/2020 Healthy Family Partners schedule of events.

Background: Kingsville Parks & Recreation has organized a schedule of annual events that provide youth and family recreation, physical activity and emphasize healthy lifestyles including anti drug and anti bullying for all ages. In order to provide adequate funding for these events we have found it best to solicit one time for the package of events reducing the amount of solicitation it takes to fund the projects. Many partners are returning, and we have some new ones as well. We have had great success with this program and find that it helps to provide a great schedule of recreation with a limited impact on our budget.

We will also be applying for a few grants to assist with programming and will dedicate some of this funding as match for those but will return for Commission approval at that time.

Our committed donors are La Posada de Kingsville \$1200.00, King Ranch \$1300.00, South Texas Specialized Crimes and Narcotics Task Force \$3500.00.

Financial Impact: These donations total \$6,000.00. \$3500.00 added to 001-5-4513-31441 special events and \$2500.00 to 001-5-4513- 31499 recreation programs.

Recommendation: I respectfully request that the City Commission authorize the receipt of these donations to be used in the manner for which they were donated and approve the budget amendment that supports their recording.



AGENDA ITEM #6

**City of Kingsville
Parks & Recreation**

TO: Mayor and City Commissioners
CC: Deborah Balli, Interim City Manager
FROM: Susan Ivy, Director of Parks & Recreation
DATE: November 4, 2019
SUBJECT: Receipt of Donations to Parks & Recreation

Summary: The Parks & Recreation Department requests your approval to receipt and record donations received for sponsorship of the 2019/2020 Healthy Family Partners schedule of events.

Background: Kingsville Parks & Recreation has organized a schedule of annual events that provide youth and family recreation, physical activity and emphasize healthy lifestyles including anti drug and anti bullying for all ages. In order to provide adequate funding for these events we have found it best to solicit one time for the package of events reducing the amount of solicitation it takes to fund the projects. Many partners are returning, and we have some new ones as well. We have had great success with this program and find that it helps to provide a great schedule of recreation with a limited impact on our budget.

We will also be applying for a few grants to assist with programming and will dedicate some of this funding as match for those but will return for Commission approval at that time.

Our committed donors are La Posada de Kingsville \$1200.00, King Ranch \$1300.00, South Texas Specialized Crimes and Narcotics Task Force \$3500.00.

Financial Impact: These donations total \$6,000.00. \$3500.00 added to 001-5-4513-31441 special events and \$2500.00 to 001-5-4513- 31499 recreation programs.

Recommendation: I respectfully request that the City Commission authorize the receipt of these donations to be used in the manner for which they were donated and approve the budget amendment that supports their recording.



ORDINANCE NO. 2019-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO ACCEPT AND EXPEND DONATIONS FROM LA POSADA DE KINGSVILLE, THE KING RANCH AND THE SOUTH TEXAS SPECIALIZED CRIMES AND NARCOTICS TASK FORCE FOR THE HEALTHY FAMILY PARTNER'S RECREATION PROGRAMS.

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 2019-2020 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues - 4</u>					
4513	Recreation	Park Donations	58003	\$6,000	
<u>Expenditures - 5</u>					
4513	Recreation	Special Events	31441	\$3,500	
4513	Recreation	Recreational Programs	31499	\$2,500	

[To amend the City of Kingsville FY 19-20 Budget to accept and expend donations from La Posada de Kingsville, the King Ranch, and the South Texas Specialized Crimes and Narcotics Task Force for Healthy Family Partner's Recreational Programs and special events. Funding will come from the donations received for this purpose.]

II.

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

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause,

phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 12th day of November 2019.

PASSED AND APPROVED on this the ____ day of ____ November ____, 2019.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7



UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Dallas Regional Census Center
Irving, TX 75038-6563

Judge Rudy Marid

7/29/2019

Kleberg County

P.O. Box 752

Kingsville, TX 78364

Judge Marid,

The U.S. Constitution requires that each decade we take a count or a census of America's population. The 2020 Census goal is to count everyone once, only once, and in the right place. Each year, the federal government distributes hundreds of billions of dollars to states and communities based on US Census Bureau data. For State X, according to a recent study by the George Washington Institute of Public Policy, \$43,334,650,874 were distributed based on decennial numbers. While so much is riding on the Census, how does a city motivate people to respond? The Complete Count Committee (CCC) was one of the most effective outreach strategies in the 2010 Census. That is why we are promoting CCC's once again for 2020 Census. The CCC is charged with developing and implementing a 2020 Census outreach plan of action designed to target and address the needs of its communities.

How does it work? A City Complete Count Committee is a mutually beneficial partnership at the highest level within each city or county. The Mayor or County Judge appoints members of the CCC. Committees consist of influential leaders who are charged with developing a census awareness campaign that:

- Increases the city's/county's self- response rate. (The new way to self- respond by internet/phone should spark new ideas about engaging communities to respond)
- Communicates the importance of the census through local messaging. (Social media, anyone?)
- Raises awareness of the census throughout the city/county.

- Motivates every city/county household to participate in the census.

The size and makeup of the CCC is determined by each city/county. In addition, mayors and city councils or County Judges and Commissioners Courts may allocate funding to support CCC activities. Cities view this funding as a sound investment in the future. Failure to count residents could result in a substantial loss of revenue for the next decade.

Who should be on the committee?

Potential representatives may include but are not limited to:

- Public School System Heads
- Faith based organization Leaders
- Heads of Large Universities/colleges
- Heads of Community Organizations
- Council Members from Priority Target Areas
- Heads of Business Associations, Corporate Leaders and Small Business Leaders
- Heads of Relevant Government Agencies and Departments
- Foundations
- Advocacy Organizations such as LGBTQ, immigrant rights
- Major media organizations

How do we get started?

- Schedule a CCC formation meeting with your Partnership Specialist to discuss creating a Citywide/Countywide committee, training available in the Spring, and committee membership.
- Strategize internally about funding.
- What are steps in your city government that need to be initiated to create the committee? Does the City Council need to pass a resolution or to confirm the members of the selected committee?

Remember the Partnership Specialist is an advisor and Census liaison to your committee. It is our plan to help you with your successful 2020 Census mobilization efforts. Good luck.

Best regards,

Juan Miguel Gonzalez

Partnership Specialist

U.S. Census Bureau-Denver Region

Mobile # 956-572-1025

Juan.M.Gonzalez@2020Census.gov

Census.gov

AGENDA ITEM #8



MEMORANDUM

TO: City Commissioners
FROM: Deborah Balli, Interim City Manager
DATE: October 24, 2019
SUBJECT: Credit Card Convenience Fee

In working with our credit/debit card processors to implement the \$2.50 flat fee, there have been some changes via recent court cases that changes the way municipalities can charge convenience fees. VISA will no longer allow a flat fee to be assessed and makes it a requirement for additional fees to be variable. If we want to retain the \$2.50 flat fee that staff recommend and Commission approved based on staff's recommendation, we would not be allowed to take VISA credit cards.

In keeping with the need to offset some of the costs of credit card discount fees, staff recommends going to the 2.75% variable rate on all debit/credit card transactions. For all credit/debit card payments under \$100 a 2.75% fee plus \$.50 would be assessed. No fee would be assessed on an eCheck payment. Our eCheck fees have been averaging approximately \$370 per month which we will continue to incur. This would allow an alternative method for customers who do not wish to pay the additional fee when making their payment. For those customers using PSN, the payment portal will notify them of the fee before they complete that transaction and provide options to pay by a different method to not incur the fee.

By going to a variable rate, the City would no longer pay any credit/debit credit card fees. From our current provider PSN, we would be charged a monthly \$79.95 gateway fee and fees for declined transactions.

Going with a variable rate also solves the issue on smaller transaction amounts at the Golf Course and Park and Tourism events.

Staff recommends changing the \$2.50 flat convenience fee to the variable rate as described above.

RESOLUTION NO. 2019-_____

A RESOLUTION PROVIDING FOR A REVISED CREDIT/DEBIT CARD CONVENIENCE FEE FOR CREDIT/DEBIT CARD TRANSACTIONS WITH THE CITY OF KINGSVILLE.

WHEREAS, the City of Kingsville (hereinafter "City") offers customers the ability to make certain types of payments with credit/debit cards; and

WHEREAS, the City is assessed a fee by the credit/debit card processor for each credit/debit card transaction; and

WHEREAS, the use of credit/debit card transactions has increased thereby increasing the cost to the City without any offset to date;

WHEREAS, during budget workshops for the FY19-20 budget, staff suggested the City implement a credit/debit card convenience fee of \$2.50 per credit/debit card transaction, even though the fee will not fully cover the cost assessed to the City it should help reduce the processing cost being absorbed by the City;

WHEREAS, the \$2.50 fee was approved by City Commission via Resolution #2019-87 on September 23, 2019 for proposed implementation on October 1st.

WHEREAS, staff recently learned that one of the card issuers would not be able to assess this fee on their transactions, so staff worked to locate the next best available option which is the assessment of a variable 2.75% transaction fee.

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

I.

THAT a credit/debit card convenience fee at a variable rate of 2.75% for each credit/debit card transaction be implemented when processing credit/debit card transaction for payments due to the City, instead of the previously approved \$2.50 fee per transaction, and any payments under \$100 would be assessed the 2.75% variable rate plus \$0.50.

II.

THAT the new credit/debit card convenience fee be effective as of December 1, 2019;

III.

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

IV.

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 12th day of November, 2019.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #9

ORDINANCE # 2019 _____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER III-ADMINISTRATION; PROVIDING FOR REVISION OF ARTICLE 1-CITY COMMISSION, SECTION 10-AGENDA; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City Commission of the City of Kingsville needs to amend its Code of Ordinances from time to time for statutory compliance and to address issues that arise; and

WHEREAS, there is an interest in placing a limit on the time period for the return of an item to the agenda after it has failed to be approved;

WHEREAS, the provisions herein are necessary to promote and protect the health, safety, and welfare of the public and to comply with State Law.

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

I.

THAT Article 1: City Commission of Chapter III- Administration, of the Code of Ordinances of the City of Kingsville, Texas shall be amended to read as follows:

Article 1 – City Commission

GENERAL PROVISIONS

...

RULES BEFORE THE CITY COMMISSION

§ 3-1-10. - Agenda.

(A) The City Manager shall be responsible for preparation of an agenda for each City Commission meeting.

(B) The agenda shall conform to all applicable laws of the state and the following special regulations:

(1) The City Manager, City Attorney, any department head with consent of the City Manager, any member of the City Commission or the City Commission itself may place an item on the agenda; however, unless the City Manager is directed in open session to place an item on the agenda, each agenda item shall reflect the person by name or title who requested that such item be placed on the agenda.

(2) Any resident who wishes to address the City Commission on any matter may do so by notifying the City Secretary in accordance with the Texas Open Meetings Law. Any such address during the Public Comment portion of the agenda shall not exceed three minutes without permission of a majority of the Commission.

(3) Any non-resident wishing to address the Commission shall notify the City Secretary and specify his interests in the matter being considered. The City Secretary shall present such requests to the City Manager for approval before placing the name on the agenda. Any such address during the Public Comment portion of the agenda shall not exceed three minutes without permission of a majority of the Commission.

(4) Prior to considering any item on the agenda which requires deliberation, discussion, action, or consideration by the Commission, a Public Comments section will be on the agenda prior to the agenda items listed to permit persons to comment on the items set out on the agenda. Such comments shall not exceed three minutes without permission of a majority of the Commission. If a member of the public addresses the Commission through a translator, they will be given twice the amount of time as a member of the public who does not require the assistance of a translator. The provisions of this subsection shall have no application in the case of a public hearing required by law where comments shall not exceed five minutes.

(Ord. 96002, passed 1-22-96)

(5) After an item has been considered by the City Commission and fails to be approved, the item shall not be considered on an agenda again until 180 days have passed.

...

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 12th day of November, 2019.

PASSED AND APPROVED on this the 25th day of November, 2019.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #10

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Deborah Balli, I/City Manager

FROM: Ricardo Torres, Chief of Police

DATE: November 5, 2019

SUBJECT: Request for Amendment to Code of Ordinances of the City of Kingsville Texas

Summary:

We request to amend the Code of Ordinances of the City of Kingsville Texas, Chapter VII, Traffic Code, Article 1, School zones, parades, commercial vehicles, temporary street closures, Section 15 Speed limits in school zones.

Background:

We are in receipt of school zone time information from the Office of Interim Superintendent Kamara Adams for all the Kingsville Independent School District Schools. We have noted changes in KISD school start and dismissal times which in turn led to changes in times when school zone signals are to be activated and turned off.

The changes in times for schools to be dismissed is the reason for this request. Schools start from 7:00am until 8:45am. Schools dismissal beginning at 3:00 pm until 4:15 pm. We therefore request that Code of Ordinances of the City of Kingsville Texas, Chapter VII, Traffic Code, Article 1, School zones, parades, commercial vehicles, temporary street closures, Item 15 Speed limits in school zones as noted in the attached ordinance.

Financial Impact:

None

Recommendation:

We request that the amended ordinance be approved for the health and safety of the children of our community.



Kingsville Independent School District



Kamara Adams
Interim Superintendent

P.O. Box 871
Kingsville, Texas 78363
(P): 361-592-3387
(F): 361-595-7805

Kingsville Independent School District 2019-2020

Name of School		Harrel Elementary 925 W. Johnston
1. Date of First Day of School		August 26, 2019
2. Date of Last Day of School		June 5, 2020
3. Time school zone flasher to START each Morning		7:00 a.m.
4. Time school zone flasher to STOP each Morning		7:45 a.m.
5. Time school zone flasher to START for Afternoon		3:00 p.m.
6. Time school zone flasher to STOP for Afternoon		3:45 p.m.

Temporarily discontinue flashers for Holidays:

Thanksgiving November 25-29, 2019

Christmas Break December 23, 2019 – January 3, 2020

Spring Break March 9-13, 2020

Kamara Adams

Kingsville Independent School District



Kamara Adams
Interim Superintendent

P.O. Box 871
Kingsville, Texas 78363
(P): 361-592-3387
(F): 361-595-7805

Name of School		Harvey Elementary
		1301 E. Kenedy
1. Date of First Day of School		August 26, 2019
2. Date of Last Day of School		June 5, 2020
3. Time school zone flasher to START each Morning		7:00 a.m.
4. Time school zone flasher to STOP each Morning		7:45 a.m.
5. Time school zone flasher to START for Afternoon		3:00 p.m.
6. Time school zone flasher to STOP for Afternoon		3:45 p.m.

Temporarily discontinue flashers for Holidays:

T Thanksgiving November 25-29, 2019

Christmas Break December 23, 2019 – January 3, 2020

Spring Break March 9-13, 2020

Kamara Adams

Kingsville Independent School District



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Interim Superintendent

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(F): 361-595-7805

Name of School		Kleberg Elementary 900 6 th Street
4. Date of First Day of School		August 26, 2019
5. Date of Last Day of School		June 5, 2020
6. Time school zone flasher to START each Morning		7:00 a.m.
4. Time school zone flasher to STOP each Morning		7:45 a.m.
5. Time school zone flasher to START for Afternoon		3:00 p.m.
6. Time school zone flasher to STOP for Afternoon		3:45 p.m.

Temporarily discontinue flashers for Holidays:

Thanksgiving November 25-29, 2019

Christmas Break December 23, 2019 – January 3, 2020

Spring Break March 9-13, 2020

Kamara Adams

Kingsville Independent School District



Kamara Adams
Interim Superintendent

P.O. Box 871
Kingsville, Texas 78363
(P): 361-592-3387
(F): 361-595-7805

	Name of School	Perez Elementary 1111 E. Ailsie
7. Date of First Day of School		August 26, 2019
8. Date of Last Day of School		June 5, 2020
9. Time school zone flasher to START each Morning		7:00 a.m.
4. Time school zone flasher to STOP each Morning		7:45 a.m.
5. Time school zone flasher to START for Afternoon		3:00 p.m.
6. Time school zone flasher to STOP for Afternoon		3:45 p.m.

Temporarily discontinue flashers for Holidays:

Thanksgiving November 25-29, 2019

Christmas Break December 23, 2019 – January 3, 2020

Spring Break March 9-13, 2020

Kamara Adams

Kingsville Independent School District



Kamara Adams
Interim Superintendent

P.O. Box 871
Kingsville, Texas 78363
(P): 361-592-3387
(F): 361-595-7805

Name of School		Memorial Middle School 915 Armstrong
1. Date of First Day of School		<u>August 26, 2019</u>
2. Date of Last Day of School		<u>June 5, 2020</u>
3. Time school zone flasher to START each Morning		<u>7:30 a.m.</u>
4. Time school zone flasher to STOP each Morning		<u>8:15 a.m.</u>
5. Time school zone flasher to START for Afternoon		<u>3:30 p.m.</u>
6. Time school zone flasher to STOP for Afternoon		<u>4:15 p.m.</u>

Temporarily discontinue flashers for Holidays:

Thanksgiving November 25-29, 2019

Christmas Break December 23, 2019 – January 3, 2020

Spring Break March 9-13, 2020

Kamara Adams

Kingsville Independent School District



Kamara Adams
Interim Superintendent

P.O. Box 871
Kingsville, Texas 78363
(P): 361-592-3387
(F): 361-595-7805

Name of School		Gillett Intermediate 1007 N. 17 th Street
1. Date of First Day of School		<u>August 26, 2019</u>
2. Date of Last Day of School		<u>June 5, 2020</u>
3. Time school zone flasher to START each Morning		<u>7:30 a.m.</u>
4. Time school zone flasher to STOP each Morning		<u>8:15 a.m.</u>
5. Time school zone flasher to START for Afternoon		<u>3:30 p.m.</u>
6. Time school zone flasher to STOP for Afternoon		<u>4:15 p.m.</u>

Temporarily discontinue flashers for Holidays:

Thanksgiving November 25-29, 2019

Christmas Break December 23, 2019 – January 3, 2020

Spring Break March 9-13, 2020

Kamara Adams

Kingsville Independent School District



Kamara Adams
Interim Superintendent

P.O. Box 871
Kingsville, Texas 78363
(P): 361-592-3387
(F): 361-595-7805

	<u>Name of School</u>	<u>H. M. King High</u> <u>2210 S. Brahma Blvd.</u>
1. Date of First Day of School		<u>August 26, 2019</u>
2. Date of Last Day of School		<u>June 5, 2020</u>
3. Time school zone flasher to START each Morning		<u>7:45 a.m.</u>
4. Time school zone flasher to STOP each Morning		<u>8:45 a.m.</u>
5. Time school zone flasher to START for Afternoon		<u>4:00 p.m.</u>
6. Time school zone flasher to STOP for Afternoon		<u>4:45 p.m.</u>

Temporarily discontinue flashers for Holidays:

Thanksgiving November 25-29, 2019

Christmas Break December 23, 2019 – January 3, 2020

Spring Break March 9-13, 2020

Kamara Adams

ORDINANCE NO.2019-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII-TRAFFIC CODE, ARTICLE 1-SCHOOL ZONES, PARADES, COMMERCIAL VEHICLES, TEMPORARY STREET CLOSURES, SECTION 15-SPEED LIMITS IN SCHOOL ZONES, SPECIAL HOURS; PROVIDING FOR UPDATED TIMES FOR SCHOOL ZONES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City of Kingsville has received updated school start and stop times from the Kingsville Independent School District and now needs to revise the school zone ordinance to reflect the new school times;

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

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

I.

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

**ARTICLE 1. - SCHOOL ZONES, PARADES, COMMERCIAL VEHICLES,
TEMPORARY STREET CLOSURES**

...

SCHOOL ZONES

§ 7-1-15. - Speed limits in school zones; special hours.

(A) It shall be unlawful for any person to operate a motor vehicle of any kind or description at a speed in excess of the established speed limits as set forth herein in any school zone within the corporate limits of the city between the hours of 7:00 a.m. to 9:00 a.m. and ~~2:30~~ **3:00** p.m. to ~~4:00~~ **5:00** p.m., on Monday, Tuesday, Wednesday, Thursday, Friday or other designated school days; except that the speed limit on Monday, Tuesday, Wednesday, Thursday and Friday for **Harrel Elementary, Harvey Elementary, Alice G.K. Kleberg Elementary, School** and **Perez Elementary Charles H. Flato School** shall be as follows:

- (1) ~~7:00~~ **6:30** a.m. to ~~9:00~~ **8:00** a.m. - 15 mph.
- (2) 10:45 a.m. to 12:30 p.m. - 15 mph.
- (3) ~~2:00~~ **2:30** p.m. to 4:00 p.m. - 15 mph.

(B) On official school holidays falling on the above days, the speed limit will not apply unless controlled by a flashing light, then in such event the speed limit shall apply only when such light is flashing.

(1962 Code, § 10-16-1; Ord. 88023, passed 9-12-88)

Statutory reference— Powers and limitations of local authorities, see Tex. Trans. Code, §§ 542.202 and 542.203; Public hearing to consider school speed limits, see Tex. Trans. Code, § 545.357.

II.

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

III.

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

IV.

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

INTRODUCED on this the 12 th day of November, 2019.

PASSED AND APPROVED on this the 25 th day of November, 2019.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF KINGSVILLE
AND KLEBERG COUNTY
RELATING TO HEALTH DEPARTMENT**

STATE OF TEXAS §
 §
COUNTY OF KLEBERG §

I. PARTIES. The parties to this Interlocal Agreement ("Agreement") are Kleberg County, Texas ("County"), a political subdivision of the State of Texas, and the City of Kingsville ("City"), a Texas home rule municipality.

II. PURPOSE.

A. In a continuing effort to consolidate activities within the appropriate jurisdictions in order to promote efficiency in local government, the City and the County mutually agree to replace the Interlocal Agreement entered by the City and County on December 11, 1978 relating to the Health Department with this new agreement between the parties.

B. The parties enter into this Interlocal Agreement under the Texas Government Code Chapter 791 (Interlocal Cooperation Act) and under the terms of Texas Local Government Code §242.001(c).

III. TERMS.

- A. BOARD. The City and County agree to create a Board of Health, by Ordinance and Resolution respectively; for the purpose of advising the City-County Health Unit. Such Ordinance and Resolution shall provide for the appointment of Board members, their terms of office, their duties and responsibilities, compensation and regular or special meetings of the Board.
- B. MANAGEMENT. The City shall manage the day to day operations of the City-County Health Unit.
- C. REVENUES. All revenues earned by the City-County Health Unit shall be split 50-50 and will be received by the City. Revenues will be paid to the County by the fifteenth (15th) of the month following the month of receipt.
- D. EXPENDITURES. The City and County shall, during each fiscal year, establish and set forth in their respective budgets a sum of money for maintenance, operation, and administration of the City-County Health Unit. For financial planning and budgeting purposes, the City Manager and County Judge shall exchange copies of the proposed budgets for the City-County Health Department as soon as possible but no later than August 15th each year. Contributions from both the City and County shall be on an equal basis. Nothing herein shall be construed as a relinquishment of the City and County and said governmental

bodies shall have the final determination as to the annual budget of the City-County Health Unit. Once the budget is set for the upcoming year, the County shall pay on a monthly basis, one twelfth or 8.334% of the appropriated budget to the City. At the end of the fiscal year, any County funds not spent will be returned to the County by November 15th. All budget amendments must be approved by both the City Commission and County Commission.

- E. PURCHASING. All purchases required by the City-County Health Unit shall have been previously budgeted and shall be processed by the City in compliance with applicable State law and in the same manner as other City departments.
- F. PERSONNEL. All personnel shall be considered as employees of the City and subject to City personnel policies. Such employees shall be further entitled the same benefits and privileges, enjoyed by other non-uniformed City employees, including but not limited to vacation time, sick leave, health and life insurance. The standard to be applied in complying with this provision of the agreement shall be conformance with the Civilian Civil Service Ordinance of the City as it exists presently or may be hereafter amended. Nothing herein shall be construed, however to expand the rights and privileges of those employees of the City-County Health Unit, who would otherwise be categorized as unclassified employees within the meaning of the Civilian Civil Service Ordinance. Salaries and wages shall be paid by the City and on the same basis as other City employees and the County shall reimburse the City on the basis of fifty (50%) percent of such costs with payment for these items being apportioned as stated in Section D-Expenditures.

IV. TERMINATION.

This Agreement shall be automatically renewed without further action unless terminated by either party. This Agreement may be terminated at any time by any party with or without cause upon 180 days advance written notice. Any notice of termination shall be sent to the other party to this Agreement at the address listed in Section V of this Agreement.

V. MISCELLANEOUS PROVISIONS.

A. Notice. Notice required by this Interlocal Agreement may be given or served by depositing the notice in the United States Mail, in certified or registered form, postage prepaid, addressed to the other party, or by delivering the notice in person to the other party. Notice deposited in the United States Mail in the manner prescribed in this subsection is effective upon deposit. The addresses of the parties are:

City of Kingsville, Texas
Attention: City Manager
P.O. Box 1458
Kingsville, Texas 78364
Telephone: (361) 595-8002
Facsimile: (361) 595-8035

Kleberg County
Attention: Kleberg County Judge
P.O. Box 752
Kingsville, Texas 78364
Telephone: (361) 595-8585
Facsimile: (361) 592-0838

B. Effect of Waivers. No waiver by either party of any default, violation, or breach of the terms, provisions, and covenants contained in this Interlocal Agreement may be deemed or construed to constitute a waiver of any other violation or breach of any of the terms, provisions, and covenants of this Agreement.

C. Amendment of Interlocal Agreement. This Agreement may be amended at any time. Any amendment to this Agreement must be in writing and agreed to by the governing bodies of the parties. No officer or employee of any of the parties has authority to waive or otherwise modify the limitations in this Agreement, without the express action of the governing body of the party.

D. Not For Benefit of Third Parties. This Agreement and all activities under this Agreement are solely for the benefit of the parties and not the benefit of any third parties.

E. Exercise of Police Powers. This Agreement and all activities under this Agreement are undertaken solely as an exercise of the police power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.

F. Immunities Not Waived. Nothing in this Agreement waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Agreement and the performance of the covenants contained in this Agreement.

G. No Civil Liability to Other Party. One party may not be responsible to and may not be civilly liable to another party for any act or omission under this Agreement. Each party waives all claims against the other party for

compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement.

H. Captions. Captions to provisions of this Interlocal Agreement are for convenience and shall not be considered in the interpretation of the provisions.

I. Fiscal Obligations. Each party which performs services or furnishes aid under this Agreement must do so with funds available from current revenues of the party.

J. Interlocal Cooperation Act Applies. The parties agree that activities under this Agreement are "governmental functions and services" and that the parties are "local governments" as that term is defined in this Agreement and in the Interlocal Cooperation Act.

K. Approval by Governing Bodies. Each party represents that this Agreement has been duly passed and approved by the governing body of the party as required by the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code.

L. Entirety of Agreement. This Agreement contains all the terms agreed to by the parties. No other oral or written commitments of the parties with respect to the City-County Health Department may have any force or effect if not contained in this Interlocal Agreement.

M. Severability. If any provision contained in this Agreement is held invalid for any reason, the invalidity does not affect other provisions of the Agreement that can be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.

N. Validity and Enforceability. If any current or future legal limitations affect the validity or enforceability of a provision of this Agreement, then the legal limitations are made a part of this Agreement and operate to amend this Agreement to the minimum extent necessary to bring this Agreement into conformity with the requirements of the limitations, and so modified, this Agreement continues in full force and effect.

O. Warranty. The Agreement has been officially authorized by the governing body of each party, and each signatory guarantees and warrants that the signatory has full authority to execute this Agreement and to legally bind the respective party to this Agreement.

P. Governing Laws. This Agreement shall be governed by the laws of the State of Texas.

Q. Venue. Venue for an action arising under this Agreement is in Kleberg County, Texas.

R. Effective Date. This Agreement is effective on the date when the last party executes this agreement.

S. Multiple Originals. Two (2) copies of this Agreement are executed; each shall be deemed an original.

EXECUTED by the County of Kleberg on the _____ day of _____, 200__.

Rudy Madrid
County Judge

ATTEST:

Stephanie Garza
County Clerk

APPROVED AS TO FORM:

Kira Talip Sanchez
County Attorney

EXECUTED by the City of Kingsville on the _____ day of _____, 200__.

Sam R. Fugate
Mayor

ATTEST:

Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

ORDINANCE NO. 2019-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III-ADMINISTRATION, ARTICLE 3-DEPARTMENTS, BOARDS, & COMMISSIONS, BY AMENDING SECTION 3-3-53, PROVIDING FOR REVISIONS TO THE DIRECTOR SECTION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City Commission of the City of Kingsville has proposed changes to the Interlocal Agreement with Kleberg County for the Health Department and some of those changes would require revision to the ordinance for consistency; and

WHEREAS, the City of Kingsville believes the changes necessary and appropriate as the items have not been updated since 1978; and

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

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

I.

THAT Chapter III-Administration, Article 3- Departments, Boards & Commissions of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to as follows:

BOARD OF HEALTH

...

§ 3-3-53 DIRECTOR OF HEALTH.

There is hereby created the office of Director of Health of the City-County Health ~~Board~~ Unit. The Director shall be a thoroughly qualified environmental and consumer health administrator. The Director of Health is a city employee under the direction of the City Manager and subject to all City Personnel Policies. ~~The City-County Health Board shall have authority to recommend appointment and removal of the Director of Health; however, the City Manager and the County Judge shall have final joint authority to appoint and remove the Director of Health. If, upon removal, however, the Director considers himself or herself to have been wrongfully removed, he or she may within ten days of the removal file an appeal to the City Commission and the County Commissioner's Court. Such~~

~~appeal must be made in writing and filed with both the Mayor and the County Judge. The time limit in which an appeal may be filed shall be jurisdictional. Any appeal shall require joint action of the City Commission and the Commissioner's Court of the county.~~ Among the duties of the Director shall be to prepare and file written monthly operational reports of the department with the Board, the City Commission and the Commissioner's Court. On or before January 10 of each year, the Director will prepare and file a written annual report reviewing operations and accomplishments of the department for the past year and projecting the level of services planned to be provided in the ensuing year. ~~The Director shall perform his or her duties at the direction of the city and county.~~

(1962 Code, § 2-7-4; Ord. 2006-03, passed 1-30-06)

....

II.

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

III.

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

IV.

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

INTRODUCED on this the _____ day of _____, 20____.

PASSED AND APPROVED on this the _____ day of _____, 20____.

EFFECTIVE DATE: _____, 20____.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney