

# *City of Kingsville, Texas*

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**AGENDA  
CITY COMMISSION  
MONDAY, MARCH 9, 2020  
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)**

Regular Meeting – February 24, 2020

APPROVED BY:

  
Mark McLaughlin  
City Manager

**II. Public Hearing - (Required by Law).<sup>1</sup>**

1. None.

**III. Reports from Commission & Staff.<sup>2</sup>**

*"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.<sup>3</sup>**

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)*

None.

**REGULAR AGENDA**

**CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

**VI. Items for consideration by Commissioners.<sup>4</sup>**

1. Consider a resolution authorizing participation in Local Border Security Program FY2021 with the Texas Public Safety Office for law enforcement personnel costs, fuel, and equipment; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).
2. Consider a resolution authorizing participation in Homeland Security Grant Program with the Texas Public Safety Office for law enforcement equipment; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).
3. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 Budget to accept and expend LEOSE Grant funds for Police Department training expenditures. (Police Chief).
4. Consider accepting a donation for K9 body armor and cooling vests. (Police Chief).
5. Consider introduction of an ordinance amending the Fiscal Year 2019-2020 Budget to accept and expend donation received for bullet proof armor for Police K-9's. (Police Chief).

**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.

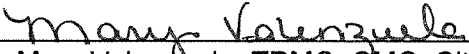
**NOTICE**

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:

March 5, 2020 at 10:00 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

  
\_\_\_\_\_  
Mary Valenzuela, TRMC, ~~CMC~~, City Secretary  
City of Kingsville, Texas

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

By: \_\_\_\_\_  
City Secretary's Office  
City of Kingsville, Texas

# **MINUTES OF PREVIOUS MEETING(S)**

FEBRUARY 24, 2020

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 24, 2020 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:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Kyle Benson, IT Manager  
Deborah Balli, Finance Director  
Derek William, IT Department  
Susan Ivy, Parks & Recreation Director  
Emilio Garcia, Health Director  
Bill Donnell, Public Works Director  
Cynthia Martin, Downtown Manager  
Rudy Mora, City Engineer  
Charlie Sosa, Purchasing Manager  
Courtney Alvarez, City Attorney  
Ron Lee, Interim Fire Chief  
Diana Gonzales, HR Director  
Janine Reyes, Tourism Director  
Robert Rodriguez, Library Director  
Ricardo Torres, Police Chief

**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)**

**Regular Meeting- February 10, 2020**

Motion made by Commissioner Lopez to approve the minutes of February 10, 2020 as presented, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

**II. Public Hearing - (Required by Law).<sup>1</sup>**

- 1. Public Hearing on request for an alcohol variance for a Beer Retail Dealer's Off-Premise Permit (BF) and Package Store Permit (P) and Local Cartage Permit (E) and Package Store Tasting Permit (PS) for the establishment known as Malibooze Liquor, Wine, Spirits, Cigars, Beer & Kegs at 1701 Brahma Blvd. Suite D, Kingsville, Texas. (Director of Planning and Development Services).**

Mayor Fugate read and opened this public hearing at 5:04 p.m.

Mrs. Cynthia Martin, Downtown Manager stated that this location was formerly known as Squirrely's Liquor Store. This property falls within 300-foot boundary of one school, Coastal Bend College therefore requiring a variance. Notice of this public hearing was published in the Kingsville Record and notices were mailed to those within the 300-foot boundary. Staff received no feedback from citizens.

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 5:06 p.m.

### **III. Reports from Commission & Staff.<sup>2</sup>**

*"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."*

Mr. Mark McLaughlin, City Manager welcomed and introduced Professor Nicole Morris and her Journalism Class of Texas A&M University-Kingsville that are present during this meeting. McLaughlin reported that over 500 kids have signed-up for the youth baseball and softball and is still growing. He further stated that it looks like we will have 12 girl teams and 26 boy teams.

Mrs. Courtney Alvarez, City Attorney reported that the next regular meeting is scheduled for Monday, March 9<sup>th</sup> with a deadline to staff for submittal of agenda items for this meeting scheduled for Friday, February 28<sup>th</sup>. She further reminded the Commission that a second meeting will be schedule with Kleberg County Commissioners' Court on Tuesday, March 17, 2020 at the Dick Kleberg Park Recreation Hall.

### **IV. Public Comment on Agenda Items.<sup>3</sup>**

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

1. **Motion to approve a resolution of the City of Kingsville, Texas revising the Designation of Signatories form for TXCDBG#7219012 (stating signatories for environmental review documents too). (Director of Planning & Development Services).**

## **REGULAR AGENDA**

### **CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:**

#### **VI. Items for consideration by Commissioners.<sup>4</sup>**

2. **Consider an alcohol variance for a Beer Retail Dealer's Off-Premise Permit (BF) and Package Store Permit (P) and Local Cartage Permit (E) and Package Store Tasting Permit (PS) for the establishment known as Malibooze Liquor, Wine, Spirits, Cigars, Beer & Kegs at 1701 Brahma Blvd. Suite D, Kingsville, Texas. (Director of Planning and Development Services).**

**Motion made by Commissioner Lopez and Commissioner Pecos to approve this alcohol variance for a Beer Retail Dealer's Off-Premise Permit (BF) and Package Store Permit (P) and Local Cartage Permit (E) and Package Store Tasting Permit (PS) for the establishment known as Malibooze Liquor, Wine, Spirits, Cigars, Beer & Kegs at 1701 Brahma Blvd. Suite D, Kingsville, Texas, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".**

3. **Consider a resolution approving an application and agreement for the Historic District Façade Grant Program from Mary Lou and Tony Gonzalez for property located at 323 E. Kleberg Avenue, Kingsville, Texas. (Downtown Manager).**

**Mrs. Martin stated that Mary Lou and Tony Gonzalez recently purchased the building and wish to restore its' appearance both inside and outside to the days when it housed the C.R. Anthony Company which was a local clothing store. The project includes replacing the front and rear entrances, repairing exterior walls, making roof repairs and bringing electrical power to the building.**

**Motion made by Commissioner Leubert to approve the resolution approving an application and agreement for the Historic District Façade Grant Program from Mary Lou and Tony Gonzalez for property located at 323 E. Kleberg Avenue, Kingsville, Texas, seconded by Commissioner Lopez and Commissioner Pecos.**

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

4. **Consider a resolution authorizing the City to submit an application to the State Defenses Economic Adjustment Assistance Grant program for the purpose of requesting grant funding for a new HVAC in the Captain's Club Building at NAS-Kingsville. (Director of Planning and Development Services).**

Mayor Fugate asked City Manager McLaughlin where the city intends in getting the match for this project. Mr. McLaughlin responded that there is some savings from positions that have not been filled yet. He also stated that the city has two years to put the match amount in. McLaughlin also stated that he has spoken to the Skipper of NAS Kingsville mentioning to him that if this happens, NAS Kingsville needs to find a way to open it up as it would be the City's Bowling Alley.

Mayor Fugate also asked about the status on hooking up the wastewater plants. Mr. McLaughlin stated that this is part one of two awards. The DEAAG Grant would be connecting the North and South Wastewater Treatment Plant and lift stations. He further stated that this application needs to be submitted in September 2020. This would be a project in the \$300,000,000.00 range therefore the City would need to figure out what kind of match we will be doing and what fiscal year we will be doing in. McLaughlin commented that the higher the match, the better chances on the city's scoring.

**Motion made by Commissioner Pecos to approve the resolution authorizing the City to submit an application to the State Defenses Economic Adjustment Assistance Grant program for the purpose of requesting grant funding for a new HVAC in the Captain's Club Building at NAS-Kingsville, seconded by Commissioner Leubert.**

Commissioner Leubert asked when the grant is due to go in and when do they allocate.

Mr. McLaughlin responded that the application is due at the end of February 2020, which the packet is ready. The award will be sometime in April 2020 with two years to execute the awarded grant. He further stated that even though the Captain's Club is a Navy structure, it is designed as a multifacility that has held many city functions in the past.

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

5. **Consider a resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for SCBA respirator units, masks, and air cylinders on behalf of the Kingsville Fire Department with an anticipated \$32,357 cash match. (Interim Fire Chief).**

Mr. Ron Lee, Interim Fire Chief stated that this is the same grant that was applied for last year. Unfortunately, the grant was awarded to the Fire Department. If awarded the grant this year, it would allow for the replacement of aging Self-Contained Breathing Apparatus that will become non-compliant this year. He further stated that they would be replacing 31 units, 31 masks, and 62 air cylinders. The grant request is for \$355,929. The City would be responsible for a cost share match of \$32,357 when the grant is awarded and fulfilled.

**Motion made by Commissioner Lopez and commissioner Leubert to approve the resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for SCBA respirator units, masks, and air cylinders on behalf of the Kingsville Fire Department with an anticipated \$32,357 cash match, seconded by Commissioner Hinojosa. The motion was**



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

6. Consider a resolution appointing Election Judges and the Early Voting Ballot Board Judge for the City of Kingsville General and Special Election on May 2, 2020. (City Secretary). CONSIDERE UNA RESOLUCIÓN QU NOMBRA JUECES ELECTORALES Y EL JUEZ DE LAS JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES Y ESPECIALES DE LAS CIUDAD DE KINGSVILLE QUE SE LLEVARAN A CABO EL 2 DE MAYO DE 2020. (SECRETARIA MUNICIPAL).

Motion made by Commissioner Pecos to approve the resolution appointing Election Judges and the Early Voting Ballot Board Judge for the City of Kingsville General and Special Election on May 2, 2020, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Leubert, Pecos, Lopez, Hinojosa, Fugate voting "FOR".

7. Consider a resolution authorizing the City Manager to enter into the 2020 Election Services Agreement between the City of Kingsville and the Kleberg County Clerk. (City Secretary).

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to enter into the 2020 Election Services Agreement between the City of Kingsville and the Kleberg County Clerk, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Lopez, Hinojosa, Leubert, Fugate voting "FOR".

8. Consider out of state travel for the Finance Director to attend the GFOA Annual Conference in New Orleans, Louisiana from May 17-20, 2020. (Finance Director).

Motion made by Commissioner Leubert to approve out of state travel for the Finance Director to attend the GFOA Annual Conference in New Orleans, Louisiana from May 17-20, 2020, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Hinojosa, Leubert, Pecos, Fugate voting "FOR".

9. Discussion of projects and interlocal agreements with Kleberg County. (City Manager).

Mr. McLaughlin started the discussion by stating that he has previously meet with city staff to discuss the recommendations he is about to mention. He stated that what he is looking at is four interlocal agreement that he would like to break up into five, making it three and getting rid of two. The first interlocal agreement McLaughlin discussed was the Parks Interlocal agreement. This agreement is a large agreement and has been modified multiple times and has changed hands on who controls what. McLaughlin stated that his recommendation is to take the Parks Interlocal agreement and address only the nine parks inside the city limits and remove any mention of the JK Northway and readjust the County's contribution. The Parks revenues are budgeted at \$658,764, of which \$500,000 came from the County, with actual revenues of \$656,824. In addition, budgeted expenses \$995,296, with actual expenses at \$911,009. The City lost \$254,185 managing all nine parks last year. McLaughlin further stated that he recommends the new Parks Interlocal seek a County match of \$500,000 vice \$550,000. The \$50,000 reduction to the County will be reapportioned to \$25,000 for JK Northway and an increase of \$25,000 to the Golf Course. Even though the City takes a loss on the Parks, they are still a quality of life multiplier for citizens. Mr. McLaughlin further stated that the JK Northway interlocal is a new idea. This would separate it from the Parks System with a whole number of reasons why. He stated that it will be a training venue that the County would like to create with the EDA Grant. The new interlocal for the JK Northway would address a number of topics to include, who insurer's the building and grounds, who schedules, pays for maintenance and operations, pays for capital

improvements, staffing and personnel, who pays utilities and how the revenue is split. He stated that if the County host large events, such as police training with at least 500 police officers going through training and being charged about \$100 each, where is all this profit going? As the both the City and County would be responsible for this building, there should be profit sharing between both entities. He further commented that last fiscal year, the budgeted revenues for the JK were \$49,000 with actuals of \$52,143, which includes a \$25,000 transfer from the Park's Department from the \$550,000 we received from the County. Budgeted expenses were \$157,147 with actuals of \$140,237. The City lost \$88,095 last year on the JK Northway. McLaughlin further went on discussing the Golf Course. He stated that he recommends amending the interlocal to raise the County's contribution from \$35,000 annually to \$60,000 but leave the City fully in charge of managing and operating the Golf Course. Golf Course budgeted revenues were \$330,000 with actuals of \$288,327. Budgeted expenses last year were \$529,811, actuals were \$452,302. The City lost \$163,975 on the Golf Course last fiscal year. McLaughlin commented that all three of the above actions incur no extra cost to the County.

Mr. McLaughlin further discussed the Library and Health Departments. He stated that the Library employs 12 employees of which 8 are fulltime employees and 4 part-time employees. Of those 8 fulltime employees, 6 employees are fully vested in the City's retirement system making them eligible for full retirement. He further stated staff has added up the total cost and divide it 50/50, yet all the labor is on the city's budget as they are city employees. He further stated that what is not captured are any claims on health insurance that could change and increase our health care overall. Long time retirement benefits are also on the city's money. He commented that sharing labor is hard to determine who is paying what. McLaughlin commented that the Library is a City building on County land and they perform library functions outside Kleberg County as well. This interlocal was created in 1979 and has never been modified. McLaughlin further stated that any revenue from the Library and this action will save the City \$280,671. This interlocal agreement has never captured the true cost of the employees being on the City's payroll, which includes extra cost for health insurance claims and the cost of retirements on the City. Mr. McLaughlin stated that it is his recommendation to submit 180-day notice stating the intent to get out of the Library Interlocal effective October 1, 2020. This would save the city about \$280,000 per year.

McLaughlin then went on to speak about the Health Department interlocal agreement. He stated that the Health Department like the County you add up the total cost which is about \$750,000 total and split it down the middle with all the employees being a city employee using our retirement and health insurance. The Health Department has 9 fulltime employees and 2 part-time employees. All employees are on the City's payroll with City benefits. The Health Department budgeted revenues for last year were \$30,000, actuals were \$29,575. He further stated that there are more revenues that come in that the city has not collected since 1985 as it has been going to the County, these would be the animal shelter fees. He stated that the city has an ordinance which state that 100% of these fees are to go to the City, but for whatever reason the City hasn't been holding those back and going straight to the County. McLaughlin stated that the amount runs up to \$700,000 of Health Department animal shelter fees that have been going to the County since 1985. He further stated that it is his recommendation to submit the City's 180-day notice stating the intent to get out of the Health Department interlocal agreement effective October 1, 2020. On October 1, 2020, the City still has a Health Department performing all the functions it does today with all the same employees. All revenues of the Health Department go to the City. He further stated that it is City's land and building, half the building is the City's, with Emilio's office being County building but sitting on City land. The City has more than paid for it already, as the County has kept all of the City's profits. By giving up the Library, the City saves \$28,671, however, we would incur an extra \$364,419 in expenses by assuming the

Health Department 100%. This is an increased net cost to the City of \$83,748, however, by keeping the \$45,000 in annual revenue the City should have been receiving all along since 1985, the true deficit is \$38,748. The City can make this up by asking the County to provide a defined contribution of, for example \$40,000 to perform the current Health Department tasks for the County. Mr. McLaughlin stated that being doing all this, it cleans up the interlocal agreements that are sharing labor and have cost against the city that are not quite fully understood. He further commented that this is something that he and staff have looked at and before going into the March 17<sup>th</sup> joint meeting with the County, he would like to give the Commission the opportunity to ask questions regarding his recommendation.

Commissioner Hinojosa asked how retirement for those employees is going to work and has the city asked if the County retirement will be accepting years of service with the City for those employees going to the County. Will they be fully vested?

Mr. McLaughlin responded that he does not have the answer to the question, as he has not approached the County yet.

Mrs. Alvarez commented that as staff just had this conversation this past Friday, but as she had worked for the County a year prior to working with the City, the City retirement system allowed her to claim the year worked with the County.

Commissioner Hinojosa stated that yes, the City has it, but his question was, does the County allow it?

Mrs. Alvarez commented that staff would need to verify this incase their plan has changed at all, but it is her understanding that there is a reciprocity agreement between the plans that they would also recognize municipal service towards that, but staff would still need to verify that before representing it to the Commission.

Commissioner Hinojosa further asked if they would start the highest three years here or over there and how would this work.

Mr. McLaughlin commented that these are questions that he is unable to answer at this time.

Commissioner Hinojosa also commented that these are questions he would like answers to and further commented if employees are willing to go or not.

Commissioner Pecos commented that the County has a retirement for their employees and once the City makes this happen, employees going to the County will not lose their retirement as they will have the City's retirement and pick up the County's retirement when they go in as employees to the County.

Commissioner Lopez commented that she recalls back in the day, when the City was thinking about doing this, those employees would be able to retire from the City and then be hired by the County.

Mr. McLaughlin commented that of the 8 fulltime employees at the Library, 6 are fully vested. He further stated that after speaking with the Human Resources Director, all of them should be retirement eligible from that day. The other two are less than a year with the Library.

Commissioner Leubert commented that once you leave the City, you wouldn't lose the city's retirement.

Commissioner Hinojosa stated that his question is, when do those employees that go to the County get vested and will they be able to carry the service credits from the City to the County.

Mr. McLaughlin commented that he wouldn't be recommending this if he thought it would be hurting the employees, but this cleans up the interlocal agreements. He

further commented that if he thought it was going to hurt them, he wouldn't be recommending this. Since the younger employees are in the Health Department there is no change for them as they would be staying on with the City. McLaughlin further stated that the City is required to have a Health Department as per the City Charter.

Mrs. Alvarez commented that the city has gone into interlocal with other neighboring counties for assistance in certain services. She further stated that what the City Manager is proposing, is not unheard of.

Commissioner Hinojosa commented that he is not against the recommendation, but he wants the city to cover all its bases prior to acting on it.

Commissioner Pecos commented that the employees are already vested, they can retire from the City then go with the new retirement they must start over again which is 8 years for the County.

Commissioner Hinojosa commented that this is the information he was looking for. He further stated that when you work for the County then move to the City, the City's retirement system allows credit for year worked with the County. But when you go from the City to the County, will they honor it.

Mr. McLaughlin commented that this is a question that can be asked. He further stated that it wouldn't be any different then when he entered into the TMRS System and they accepted his time in the military and not have to wait the five years to be fully vested.

Mrs. Alvarez commented that each employer can set its own vesting period. The City of Kingsville has a five-year vesting period, where if someone comes to work for the City must work for the five years before they are vested in our plan in order to be eligible for retirement benefits. With Commissioner Pecos stating that the County's vesting plan may be at eight years, it would still be different from the State retirement plan.

Mr. McLaughlin stated that Judge Rudy Madrid has hired an attorney to look at the interlocal's and probably drafting their own ideas.

Mayor Fugate commented that the City has some authority to make some of these interlocal agreements go away and make some of them happen. Fugate further commented that one of the concerns he has about the Library is what is going to happen to the Library. He stated that he saw what the parks looked like when the City took over them. He further stated that he understands staff's recommendation regarding dividing it up, which is probably a long time coming. He further stated that as for the Health Department, he could not understand how you can manage something with two bosses. He stated that these are good thing for the City, but he is still concerned about the Library. Fugate further asked if staff wants for the Commission to wait on these notices as they are action items.

Mrs. Alvarez commented that this is one of the reasons why the City Manager was bringing the issues up now is to bring some things to light. This would give the Commission some time to think about it before the next meeting with the County. She further stated that in the event the Commission were to decide at a future meeting, at that point in time there would be an action item on a future agenda to do that exact same, to authorize giving notice of the intent to dissolve the agreement. She further stated that regards to the Health and Library, those only require 180 days written notice. One of the reasons why staff thought it was good time to bring this up, is so everybody can start thinking about it, hear the questions and find answers to the questions as the opportune time to make a decision or have a decision reached from the City Commission would be no later than the last meeting in March; such that notice could be provided by the end of March which would make the 180-day notice period expire the first of each entity fiscal year. This way people know how to budget moving forward into the upcoming budget season.

Commissioner Leubert commented that this makes sense for both City and County. She further commented on the statement made by Fugate regarding the Library, it is true about the past, but the County seems to be doing better on maintenance and management.

Mayor Fugate commented that he agrees with Commission Leubert and giving them the benefit of the doubt.

Mr. McLaughlin commented that the intent was not to shaft the County, if anything they will come out on ahead at the end if they agreed to all of this.

Commissioner Leubert asked what if the County does not want to wait the 180-days and say they just want to get it done.

Mrs. Alvarez commented that both parties would have to mutually agree.

Commissioner Hinojosa asked if the County has any idea of what the City is thinking of doing.

Mr. McLaughlin responded that the Judge knows about his idea with regards to the Library and the Health Department.

Mayor Fugate asked how the Judge reacted to receiving the news. Mr. McLaughlin responded that he didn't seem that he was opinionated one way or the other.

#### **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 5:45 P.M.

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Sam R. Fugate, Mayor

#### **ATTEST:**

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Mary Valenzuela, TRMC, CMC, City Secretary

# **REGULAR AGENDA**

# **AGENDA ITEM #1**

**City of Kingsville**  
**Police Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: February 26, 2020

SUBJECT: 2021 Local Border Security Program (LBSP)

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**Summary:**

The Kingsville Police Department has been invited to participate in the 2020 Local Border Security Program (LBSP). The grant period is from 09/01/2020 to 08/31/2021.

**Background:**

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

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





**City of Kingsville  
Police Department**

11. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
12. Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

**Financial Impact:**

The grant for "Operation Border Star" is a reimbursement type but does not require any cash match. We are requesting \$81,407.00 in funds to cover personnel costs, fuel and equipment.

**Recommendation:**

We would request a resolution authorizing applying for, participation, acceptance of funds when awarded. Please place this on the next available agenda. Thank you for your assistance regarding this matter.





Office of the Governor, Public Safety Office  
**Homeland Security Grants Division**  
Funding Announcement: FY2021 Local  
Border Security Program (LBSP)

## **Purpose**

The Homeland Security Grants Division (HSGD) is soliciting grant applications under the Local Border Security Program (LBSP) for projects that support Operation Border Star during state fiscal year 2021.

Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

1. Increase the effectiveness and impact of Steady State and Surge Operations.
2. Reduce border-related criminal activity in Texas.
3. Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
4. Decrease the supply of drugs smuggled into and through Texas from Mexico.
5. Disrupt and deter operations of gang and cartel criminal organizations.
6. Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
7. Decrease use of specific areas for crime as targeted in directed action missions.
8. Increase the effectiveness of air operations mission planning and prioritization.
9. Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.
10. Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
11. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
12. Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

## **Available Funding**

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 20 for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

## **Eligible Organizations**

1. Units of local government; and

2. Federally Recognized Native American tribes.
3. Eligible applicants must be located within a County within one of the six DPS Joint Operations and Intelligence Centers (JOIC) Regions including:
  - a) **El Paso JOIC** – El Paso County.
  - b) **Coastal Bend JOIC** – Aransas County, Bee County, Calhoun County, Dewitt County, Goliad County, Gonzales County, Guadalupe County, Jackson County, Jim Wells County, Karnes County, Kleberg County, Lavaca County, Live Oak County, Matagorda County, McMullen County, Nueces County, Refugio County, San Patricio County, Victoria County, and Wharton County.
  - c) **Marfa JOIC** – Brewster County, Culberson County, Hudspeth County, Jeff Davis County, Pecos County, Presidio County, Reeves County, and Terrell County.
  - d) **Del Rio JOIC** – Dimmit County, Edwards County, Kinney County, Maverick County, Real County, Uvalde County, Val Verde County, and Zavala County.
  - e) **Laredo JOIC** – Duval County, Frio County, Jim Hogg County, La Salle County, Webb County, and Zapata County.
  - f) **Rio Grande Valley JOIC** – Brooks County, Cameron County, Hidalgo County, Kenedy County, Starr County, and Willacy County.

## Application Process

Applicants must access the Office of the Governor's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. Additional requirements are included within the online application.

**Note for All Applicants:** Applicants must upload the required Texas Direct Deposit Authorization Form, Texas Application for Payee Identification Number Form, and the IRS W9 Form for each application prior to submission. The eGrants system will not allow an application to be submitted until these forms are attached to the application. These forms are available for download from eGrants at <https://egrants.gov.texas.gov/updates.aspx> under the Financial Management section of "Forms and Guides" or from the "Forms" link on the Profile/Grant.Vendor tab within the grant application.

## Key Dates

Action	Date
<b>Funding Announcement Release</b>	01/10/20
<b>Online System Opening Date</b>	01/10/20
<b>Final Date to Submit and Certify an Application</b>	03/12/20 at 5:00pm CST

## Project Period

Projects selected for funding must begin on or after September 1, 2020 and expire on or before August 31, 2021.

## Funding Levels

Minimum: None

Maximum: None

Match Requirement: None

## Standards

Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards ([UGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

### 1. PERSONNEL - OVERTIME

- a) Overtime for increased patrol and/or investigative capacity for certified peace officers.
- b) Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in border security operations, such as Jailer overtime, or Communications Officer/Dispatcher overtime, necessary to maintain a safe Officer to Dispatcher ratio.
- c) Overtime for non-exempt administrative personnel supporting border security grants.
- d) Overtime for law enforcement support and administrative personnel should be limited and anything greater than 10% may not be funded or may require significant additional data and justification.
- e) Applicants must provide a copy of the local overtime policy as approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period. The policy must:
  - i. Clearly describe how overtime will be calculated;
  - ii. Be consistent with the agency's local overtime policy;
  - iii. Treat overtime for grant-paid personnel the same as non-grant paid personnel.
- f) Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:
  - i. OT is time actually worked that exceeds the required number of hours during an employee's designated work period, as per grantee's policies and procedures.
  - ii. OT must be worked to support border security operations.
  - iii. The project OT rate shall be no more than one-and-one-half (1.5) times the employee's regular pay rate.
  - iv. Exempt salaried employees working border security operations may be reimbursed for overtime only if the grantee's overtime policy specifically allows for this.
  - v. HSGD will only reimburse the grantee for OT that does not exceed a total of 16 hours worked (regular plus OT) during any 24-hour period.

### 2. PERSONNEL - REGULAR or STRAIGHT-TIME

- a) Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during a period of "surge."
- b) Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- c) Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.

- d) Regular time for administrative personnel supporting border security grant activities.
3. **EQUIPMENT:** Costs for equipment, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during border security operations.
4. **SUPPLIES and DIRECT OPERATING EXPENSE:** Certain operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by the HSGD that are critical to success of the program.
- a) The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, aircraft, boats, generators, and similar equipment used during the hours in which grant-funded staff are working.
  - b) Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.
  - c) Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.
  - d) The cost of minor emergency repairs, such as tire repair or fan belt replacement, to vehicles or equipment used in program operations is allowable.

## Program-Specific Requirements

1. Eligible applicants must agree to perform the following activities:
  - a) Participate in operational planning and coordination meetings, information/intelligence sharing meetings, and After Action Reviews (AARs) established by the Texas Department of Public Safety's (DPS) Joint Operations and Intelligence Centers (JOIC).
  - b) Participate weekly on the JOIC Unified Command conference calls or meetings as required by the JOIC.
  - c) Report significant border-related events that occur during each 24-hour period.
  - d) Conduct enhanced law enforcement patrolling activities.
  - e) Recognize and react to information/intelligence to adjust times and locations of enhanced patrol activities.
  - f) Identify significant border-related trends or areas of interest that may be developed into focus areas for future operations.
  - g) Conduct surveillance, interdictions, investigations, and collect and disseminate information within its jurisdiction or cross-jurisdiction lines as required.
  - h) Conduct Steady State operations and respond to calls for service.
  - i) Integrate air, ground, marine, and remote operations.
2. Eligible applicants must agree to submit the daily Border Incident Assessment Report (BIAR).

The grantee shall report all border-related events to the JOIC using the BIAR. BIAR reporting shall include events that occur during Enhanced Operation activities AND events that occur during Steady State activities. Enhanced (Surge) Operations originate out of the use of LBSP funds when the local agency chooses to increase the hours of patrol or the number of investigative bodies. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall LBSP mission, such as organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, human trafficking, human smuggling, home invasions with a border or organized crime nexus, illegal immigration, border-related murders, gang-related murders, vehicle thefts, or drug trafficking.

The BIAR is the primary incident and information-reporting tool for the grantee in local border security operations. The grantee shall ensure all BIARs conform to the respective standards outlined by the JOIC and are submitted within 24 hours of the end of shift and/or the timeframes established by the JOIC.

## Eligibility Requirements

1. Entities receiving funds from HSGD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. This disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.
2. Beginning January 1, 2020, counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions within seven business days to the Criminal Justice Information System at the Department of Public Safety. By January 1, 2021, such reporting must take place within five business days.
3. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.
4. The Texas Department of Public Safety (DPS) has established a goal set by the Texas Legislature for all local law enforcement agencies to implement and report crime statistics data by using the requirements of the National Incident-Based Reporting System (NIBRS). Additionally, the Federal Bureau of Investigations (FBI) will collect required crime statistics solely through the NIBRS starting January 1, 2021. Due to the upcoming federal deadline, grantees are advised that eligibility for future grant funding may be tied to compliance with NIBRS. Financial grant assistance for transitioning to NIBRS may be available for your jurisdiction from the Public Safety Office.
5. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

6. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>).
7. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

Grant funds may **not** be used to support the unallowable costs listed in the [Guide to Grants](#) or any of the following unallowable costs:

1. inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. lobbying;
3. any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. backfill costs for personnel participating in operations;
5. vehicles or equipment for government agencies that are for general agency use;
6. weapons, ammunition, tasers, or explosives;
7. admission fees or tickets to any amusement park, recreational activity or sporting event;
8. promotional gifts;
9. food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel;
10. membership dues for individuals;
11. any expense or service that is readily available at no cost to the grant project;
12. any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
13. fundraising;
14. construction;
15. medical services;
16. legal services for adult offenders; and
17. any other prohibition imposed by federal, state, or local law.

## Selection Process

**Application Screening:** HSGD will screen all applications to ensure that they meet the requirements included in the funding announcement. HSGD will make all final funding decisions as described below.

**Peer/Merit Review:** Applications will be reviewed by HSGD staff in consultation with DPS Regional JOIC representatives. Funding decisions will be based on eligibility and operational content, which includes, but is not limited to, the following:

1. Compliance - Past compliance with grant requirements, reporting, and information sharing.
2. Performance – Impact and effectiveness of the Applicant’s participation in previous border security operations or activities, and effectiveness in using grant funds awarded for border security.

3. Risk – The Applicant’s need as indicated by data available on border-related criminal activity, population, number of officers, and other factors.
4. Other Funding – The Applicant’s history of applying for, receiving, and/or effectively utilizing other sources of funding available to support border security activities (e.g. Operation Stonegarden).

**Final Decisions – All Projects:** The Executive Director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, HSGD or state government priorities and strategies.

## **Contact Information**

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.



**RESOLUTION #2020-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING PARTICIPATION IN LOCAL BORDER SECURITY PROGRAM FY2021 WITH THE TEXAS PUBLIC SAFETY OFFICE FOR LAW ENFORCEMENT PERSONNEL COSTS, FUEL, AND EQUIPMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Local Border Security Program (LBSP) FY2021 has funding to provide additional manpower by local law enforcement agencies for state led border security enhancement operations for improved border security via a grant to local law enforcement agencies for payment of personnel costs, fuel, and equipment for local law enforcement officers (commissioned peace officers); and

**WHEREAS**, the Texas Department of Public Safety is providing grants through funding from Local Border Security Program FY2021; and

**WHEREAS**, the City of Kingsville has previously applied for similar grants for the reimbursement of law enforcement personnel costs, fuel, and equipment that will assist with improved border security through enhanced patrolling of the roadways through our city, especially US 77/I-69; and

**WHEREAS**, the City agrees to provide the applicable matching funds for the said project, if any, as required by the Office of the Governor for the Local Border Security Grant Program grant application; and

**WHEREAS**, the City agrees that in the event of loss or misuse of the Office of the Governor grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full;

**WHEREAS**, the City Commission of the City of Kingsville designates the Kingsville Chief of Police as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

I.

**THAT** the City authorize the Kingsville Police Department through the Chief of Police to participate in Local Border Security Program FY2021 and to seek reimbursement for the allowed expenses of law enforcement personnel costs, fuel, and equipment necessary

to assist with improved border security in our area in conformance with this program. The City is approving the application and acceptance of any LBSP grant funds that the Office of the Governor, Public Safety Office, Homeland Security Grants Division allows for the period of performance of September 1, 2020 through August 31, 2021.

II.

**THAT** the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to Local Border Security Program FY2021 including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

**PASSED AND APPROVED** by a majority vote of the City Commission on the 9th day of March, 2020.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #2**

## City of Kingsville Police Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: February 25, 2020

SUBJECT: Request for Application to the Office of the Governor – Homeland Security Grants Division 2020 State Homeland Security Program (SHSP)

### **Summary:**

The police department is requesting a resolution for administration and acceptance of a State Homeland Security Grant Project.

### **Background:**

Critical gear replacement for our tactical team operations will be purchased with this funding. Our current gear is well over ten years 02/04. Kingsville SWAT members will be able to enter facilities to halt or secure terrorism related threats and other threats or hazards within our region with multipurpose equipment. We would like to purchase the FM54 by AVON fire hardened Air Purifying Respirator will provide our Operators maximum level of protection to the face, eyes and respiratory tract from Chemical Biological, Radiological and Nuclear (CBRN), Riot Agents, Toxic Industrial Chemicals (TICs) and Toxic Industrial Materials (TIMs) while maintaining extreme user flexibility as mission profiles change. This essential equipment also comes with a full range of filters to meet a variety of mission profiles along with full range of removable vision outserts to provide additional ballistic protection and comfortable operation. The flexibility also spills over to an optional low-profile voice projection unit with internal microphone that can be purchased separately should the need arise.

In addition to this equipment being stand alone is also quick connect to the ST54 enhanced multi-mission tactical operator SCBA with a 60 minute duration air tank. specifically designed for the tactical officer and technician application. The warning bells to this system can also be silenced for stealth applications. The system also comes with Voice Projection unit/amplifier with water proof microphone and a 3 pin electronic communications port (ECP) for radio interface.



**City of Kingsville  
Police Department**

**Financial Impact:**

<i><b>DESCRIPTION</b></i>	<i><b>TOTAL COST</b></i>
Avon Protection FM54 single mask air purifying respirators will protector operators during entry into areas where the air maybe toxic or just unbreathable enhancing their ability to complete their mission. 20 @ \$820.00 each.	\$16,400.00
ST54 enhanced multi-mission tactical operator scba provides positive pressure and/or PAPR capability to further enhance air quality but the operator can now remain on target because of enhanced capabilities of the unit itself other available attachments. 6 @ \$5,085.00 each	\$30,510.00
Spare 60 minute cylinders 6 @ \$1,240.80 each.	\$7,444.80
The Voice Projection System Blue blocker Outsert with internal microphone provides clear communication while wearing the mask and has an electronic pass through for external radio use. 6@500 each.	\$3,000.00
<b>GRAND TOTAL</b>	<b>\$57,354.80</b>

This grant does not normally require a cash match, however as the grant process within our Council of Governments becomes competitive some entities may only be partially funded so it is possible that the City of Kingsville could have a portion of this cost to match.

**Recommendation:**

We have applied for the equipment listed and request a resolution that the we be allowed to administer and purchase the equipment if approved.





## FM54 | APR | RESPIRATOR | CBRN PROTECTION



Overview



## FM54, Maximum Protection, Total Flexibility

The Avon fire hardened FM54 Air Purifying Respirator provides Specialist Operators maximum level of protection to the face, eyes and respiratory tract from Chemical, Biological, Radiological and Nuclear (CBRN), Riot Agents, Toxic Industrial Chemicals (TICS) and Toxic

WEBSITE FEEDBACK

Industrial Materials while maintaining extreme user flexibility as mission profiles change.

The FM54 functions in both negative and positive pressure modes (APR, SCBA, CCBA and PAPR). The enhanced, robust lever located on the VREU (Variable Resistance Exhalation Unit), switches mode from positive to negative pressure without removal of optional VPU (Voice Projection Unit) or loss of protection.

Ideally suited for the following applications; Special Response Teams, Law Enforcement, Clandestine Drug Lab, Entry & Remediation, Bomb Squads, First Responders, SWAT / ERT Teams, Civil Support Teams, Chemical Spill Clean-up and Bio Identification & Clean-up.

Features & Benefits

Technical Spec

Accessories

WEBSITE FEEDBACK

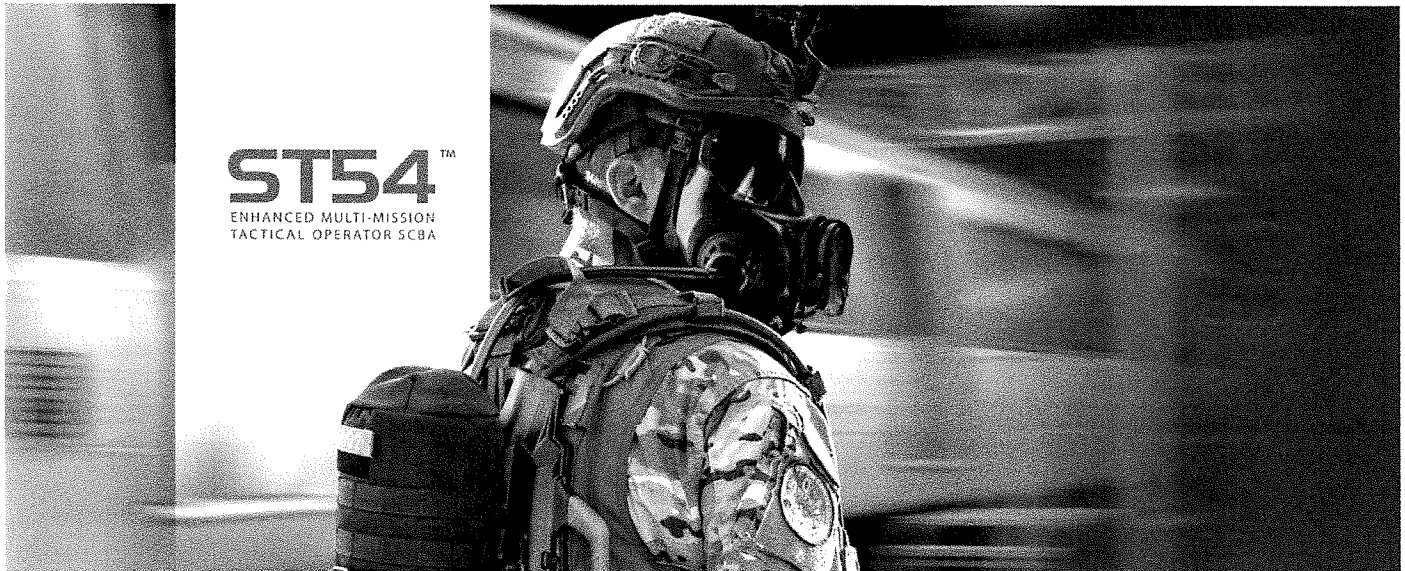


WEBSITE FEEDBACK





ST54



Overview

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## ST54 - Enhanced Multi-Mission Tactical Operators SCBA

Avon's state-of-the-art ST54™ Tactical Operator SCBA has been developed specifically for the tactical officer and technician applications where the operator needs to respond to ever changing operational conditions.

The ST54™ SCBA is the base to a multi-mission Respiratory Protection System which provides for operational flexibility to the operator and mission commanders in the field to tailor the PPE

WEBSITE FEEDBACK

response based on the available intelligence. Depending on the threat or operational situation at the scene of an incident, the ST54 SCBA can be configured to provide the appropriate protection.

The ST54™ SCBA combines Avon Protection Systems' M53A1, FM53 and FM54 respirators (see respirator datasheets for further details) with new and innovative modular breathing apparatus technology to provide positive pressure SCBA and/or PAPR capability. The ST54™ system provides the operator with total flexibility to select the necessary level of protection quickly and efficiently without degradation of operational effectiveness.

Designed with the tactical mission in mind, the system incorporates non-reflective black components and warning whistle, which can be silenced.

Features & Benefits

Technical Spec

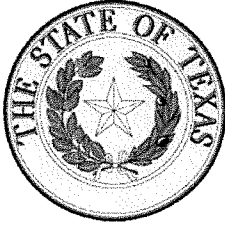
Accessories

WEBSITE FEEDBACK



WEBSITE FEEDBACK

FOR FURTHER INFORMATION  
PLEASE DOWNLOAD THE ST54 BROCHURE



# Office of the Governor, Public Safety Office Homeland Security Grants Division Funding Announcement: 2019 State Homeland Security Program – LETPA Projects (SHSP-L)

## Purpose

The Homeland Security Grants Division (HSGD) is soliciting applications for projects that support state and local efforts to prevent terrorism and other catastrophic events and prepare for the threats and hazards that pose the greatest risk to the security of Texas citizens. HSGD provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving a secure and resilient state.

Per Congressional mandate (911 Act), at least twenty-five percent (25%) of the combined Homeland Security Grant Program funding must be used for Law Enforcement Terrorism Prevention Activities (LETPA). The purpose of this solicitation is to support state, tribal and local preparedness activities that continue to build law enforcement capabilities to prevent terrorist attacks and provide law enforcement and public safety communities with funds to support critical prevention and protection activities. All LETPA investments must be consistent with capability targets set during the Threat and Hazard Identification and Risk Assessment (THIRA) process, and gaps identified in the State Preparedness Report (SPR).

The SHSP is intended to support investments that improve the ability of jurisdictions to:

- **Prevent** a threatened or an actual act of terrorism;
- **Protect** its citizens, residents, visitors, and assets against the greatest threats and hazards;

Prevention is defined as the capabilities necessary to avoid, prevent, or stop a threatened or actual act of terrorism.

Many activities which support the achievement of target capabilities related to terrorism preparedness may simultaneously support enhanced preparedness for other hazards unrelated to acts of terrorism. However, **all SHSP-LEPTA projects must assist grantees in achieving target capabilities related to preventing, preparing for, or protecting against acts of terrorism.**

## Available Funding

Federal funds are authorized under Section 2002 of the Homeland Security Act of 2002, as amended (Pub. L. No. 107-296), (6 U.S.C. 603). State Homeland Security Program (SHSP) funds are made available through a Congressional appropriation to the United States Department of Homeland Security (DHS). All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

## Eligible Organizations

1. State agencies;
2. Regional councils of governments;
3. Units of local government;
4. Nonprofit organizations;
5. Universities or Colleges; and
6. Federally recognized Native American tribes.

## Application Process

Applicants must access the Office of the Governor's eGrants website at <https://eGrants.gov.texas.gov> to register and apply for funding.

1. For eligible local and regional projects:
  - a. Applicants must contact their applicable regional council of governments (COG) regarding their application.
  - b. Each of Texas' 24 COGs holds its own application planning workshops, workgroups, and/or subcommittees and facilitates application prioritization for certain programs within its region. Failure to comply with regional requirements imposed by the COG may render an application ineligible.
2. State agencies, and other organizations proposing projects to increase preparedness statewide, may submit applications directly to HSGD.

**Note for All Applicants:** Applicants must upload the required Texas Direct Deposit Authorization Form, Texas Application for Payee Identification Number Form, and IRS W9 Form for each application prior to submission. The eGrants system will not allow an application submission until these forms are attached to the application. These forms are available at <https://egrants.gov.texas.gov/updates.aspx> under the Financial Management section of "Forms and Guides" or by clicking on the hyperlink above.

## Key Dates

Action	Date
Funding Announcement Release	December 21, 2018
Online System Opening Date	December 21, 2018
Final Date to Submit and Certify an Application	5:00 P.M. CST, February 28, 2019

## Project Period

Projects selected for funding must begin between September 1, 2019 and March 1, 2020, and expire on or before August 31, 2021. Additional guidelines are below:

1. Project periods should be structured so that projects that include grant-funded salaries and/or annual recurring costs do not overlap with the project periods of previous or future grant awards with the same costs.
2. Project periods should be structured so that projects that include grant-funded salaries and/or annual recurring costs are on a 12 or 24-month grant cycle/performance period.
3. Project periods for equipment only projects are generally awarded for a 6 to 12-month grant period.
4. HSGD will consider proposed start or end dates falling outside of these guidelines on a case-by-case basis.

## Funding Levels

Minimum: \$2,500

Maximum: None. However, HSGD uses a risk-based formula to determine regional allocations. Local agencies should contact their regional COG for amounts historically available to the region and any maximum established by their COG. Additionally, HSGD expects to make available approximately \$1.6 million to state agencies in support of 10 – 12 projects under this solicitation and the SHSP-Regular solicitation. The maximum for Urban Area Security Initiative (UASI) jurisdictions that did not receive a direct allocation from DHS is \$450,000 and may only be used to support a Fusion Center project.

Match Requirement: None

## Standards

Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards (UGMS), Federal Uniform Grant Guidance, and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

1. Grant projects must be consistent with the Federal Emergency Management Agency (FEMA) Information Bulletin (IB) 412 which discusses eligible activities outlined in:
  - a. The National Prevention Framework;
  - b. The National Protection Framework where capabilities are shared with the prevention mission area;
  - c. Section 2006 of the Homeland Security Act of 2002, as amended; and
  - d. The FY 2007 Homeland Security Grant Program Guidance and Application Kit.
2. Grant projects must be consistent with the program purpose stated above and must be submitted in support of one of the following approved activity areas:
  - a. **Critical Infrastructure**
    - i. Implementing target hardening and other measures associated with increased security at critical infrastructure sites including backfill and overtime to staff emergency operations centers and contracted security at critical infrastructure sites.
    - ii. Identifying critical infrastructure, collecting and maintaining data, and prioritizing critical infrastructure assets, clusters, and systems.
    - iii. Assessing critical infrastructure vulnerabilities and interdependencies, particularly those involving multiple sites and/or sectors.
    - iv. Planning, training, exercises, equipment, and modeling enabling responsible jurisdictions to mitigate threats to and vulnerabilities of critical infrastructure facilities, assets, networks, and systems.
    - v. Analyzing critical infrastructure threats and information sharing with private sector partners.
    - vi. Enhancing public awareness education and communications and increasing reporting of suspicious activities related to critical infrastructure.
  - b. **Cybersecurity**
    - i. Assessing organizational cybersecurity risk and potential risk.
    - ii. Creating or updating strategic cybersecurity plans and related response and recovery plans and exercises.
    - iii. Developing approaches for identifying, authenticating and authorizing individuals to access an organization's assets and systems.
    - iv. Purchasing software such as anti-virus, anti-malware, continuous monitoring, encryption, enhanced remote authentication, patch management or distributed denial of service protection.
    - v. Purchasing hardware such as intrusion detection systems, firewalls, additional servers, routers or switches.
    - vi. Implementing awareness and training measures.
    - vii. Establishing anomalous activity detection and system/asset monitoring.

- viii. Developing or sustaining response activities, including information sharing or other mitigation efforts.
  - ix. Conducting other cyber-related activities derived from a prioritized, risk management decision and consistent with objectives of the Texas Cybersecurity Framework (TXCSF) or other comparable framework.
- c. **Fusion Centers**
- i. Funding support for a recognized fusion center (please refer to <http://www.dhs.gov/fusion-center-locations-and-contact-information>).
  - ii. Must directly align to any capability gaps identified (if applicable) and leverage the data the fusion center used to complete DHS's annual Fusion Center Assessment of the national network.
  - iii. Facilitating the implementation of plans and procedures to work in conjunction with the Texas Joint Crime Information Center, and achieve and maintain baseline capabilities for Major Urban Area Fusion Centers.
  - iv. Implementing suspicious activity reporting tools for fusion centers.
  - v. Urban Areas Security Initiative jurisdictions that are no longer separately funded will be allowed to submit a request for the Regionally Recognized Fusion Center in their jurisdiction directly to HSGD.
- d. **Intelligence and Information Sharing (Non-Fusion Center requests )**
- i. Identifying, developing, providing, and sharing timely, accurate, and actionable information, data, or knowledge among government or private sector entities.
  - ii. Enabling interdiction and disruption of terrorist activity through enhanced understanding and recognition of pre-operational activity and other crimes that may be precursors or indicators of terrorist activity.
  - iii. Paying for personnel or contractors to serve as qualified intelligence analysts and/or to participate in information, investigative, and intelligence sharing activities specifically related to homeland security.
  - iv. Assessing threat information to inform continued prevention operations and ongoing response activities.
  - v. Implementing and maintaining suspicious activity reporting initiatives.
  - vi. Implementing or sustaining public information and warning systems to relay information regarding terrorism threats.
- e. **Interoperable Emergency Communications**
- i. Building capabilities to meet P-25 standards.
  - ii. Sustaining existing capabilities (e.g. life cycle replacement of equipment).
  - iii. Projects must enhance current capabilities or address capability gaps identified by the Texas Department of Public Safety (DPS) or Texas Interoperable Communications Coalition (TxICC) in either the Texas Statewide Communications Interoperability Plan (SCIP) or DPS Report on Interoperable Communications to the Texas Legislature. **Note:** *Projects to increase voice communications interoperability for counties with the lowest interoperability levels are preferred over other types of communications projects.*
  - iv. If a project is funded (once an agency receives a grant award), the planned expenditures must be submitted to and receive validation from the Statewide Interoperability Coordinator (SWIC) prior to purchase. **Note:** *Radios purchased must: a) follow the Statewide Radio ID Management Plan; b) be programmed following the Statewide Interoperability*

*Channel Plan, and c) include encryption options capable of Advanced Encryption Standard (AES) encryption, IF encryption is being purchased.*

**f. Operational Coordination**

- i. Establishing and maintaining a unified and coordinated operational structure and process that integrates critical stakeholders across and among all levels of government and with critical private and nonprofit sectors to protect against potential threats, conduct law enforcement investigations, or engage in enforcement, protective, and response activities.
- ii. Implementing WebEOC and other situational awareness and decision support tools.
- iii. Enhancing emergency operations centers.
- iv. Conducting or participating in incident management training and/or exercises.

**g. State, Regional and Local Planning**

- i. Developing state and regional risk and preparedness assessments, including those related to special events.
- ii. Core capability development planning, to include typing and tracking of equipment and special response teams.
- iii. Planning and execution of training and exercises focused on terrorism prevention, protection and response.
- iv. Multi-jurisdictional operational planning to include plans for regional operational coordination of terrorism prevention, protection, and response capabilities.
- v. Maintaining or updating Emergency Operations Plans, consistent with guidance in CPG 101.v2 and the whole community approach to security and emergency management.
- vi. Planning and implementation of initiatives to enhance the Citizen Corps Program and other community resilience initiatives.
- vii. Planning for continuity of operations.

**h. Sustaining Special Response Teams and First Responder Capabilities**

- i. Sustaining and enhancing capacity to detect and resolve threats involving chemical, biological, radiological, nuclear and explosive (CBRNE) devices or weapons of mass destruction (WMD).
- ii. Sustaining and enhancing tactical teams including HAZMAT response and decontamination, Urban Search and Rescue, and SWAT.
- iii. Sustaining equipment needs, including personal protective equipment, WMD pharmaceuticals, calibration and maintenance for WMD-related detection and identification systems, and closely related investments to update or sustain current equipment.
- iv. Sustaining and enhancing efforts to delay, divert, intercept, halt, apprehend, or secure threats or hazards (includes capabilities related to Border Security).
- v. Coordinating regional training exercises with federal, state and local law enforcement participation focused on responding to terrorism-related events and increasing participation with community and business organizations.
- vi. Identifying or locating terrorists through active and passive surveillance and search procedures including systematic examinations and assessments, bio-surveillance, sensor technologies, or physical investigation and intelligence.



## Program-Specific Requirements

1. All capabilities being built or sustained must have a clear link to one or more of the following Core Capabilities in the National Preparedness Goal: Planning; Public Information and Warning; Operational Coordination; Intelligence and Information Sharing; Interdiction and Disruption; Screening, Search and Detection; and Forensics and Attribution
2. Many capabilities which support terrorism preparedness simultaneously support preparedness for other hazards. Grantees must demonstrate this dual-use quality for any activities implemented under this program that are not explicitly focused on terrorism preparedness. Law Enforcement Terrorism Prevention Activities implemented under SHSP must support terrorism preparedness by building or sustaining capabilities that relate to the prevention of terrorism.
3. Grantees are required to maintain adoption and implementation of the National Incident Management System (NIMS). The NIMS uses a systematic approach to integrate the best existing processes and methods into a unified national framework for incident management across all homeland security activities including prevention, protection, response, mitigation, and recovery. Grantees must use standardized resource management concepts for resource typing, credentialing, and an inventory to facilitate the effective identification, dispatch, deployment, tracking and recovery of resources.
4. Cities and counties must have a current emergency management plan or be a legally established member of an inter-jurisdictional emergency management program with a plan on file with the Texas Department of Public Safety, Texas Division of Emergency Management (TDEM). Plans must be maintained throughout the entire grant performance period and must be at least at the Intermediate Level. If you have questions concerning your Emergency Management Plan (preparedness) level, contact your Emergency Management Coordinator (EMC) or your regional Council of Governments (COG). For questions concerning plan deficiencies, contact TDEM at [tdem.plans@dps.texas.gov](mailto:tdem.plans@dps.texas.gov).

## Eligibility Requirements

1. Entities receiving funds from HSGD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 60. This disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.
2. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.

**Note:** The Texas Department of Public Safety (DPS) has established a goal set by the Texas Legislature for all local law enforcement agencies to implement and report crime statistics data by using the requirements of the National Incident-Based Reporting System (NIBRS) no later than September 1, 2019. Additionally, the Federal Bureau of Investigations (FBI) will collect required crime statistics solely through the NIBRS starting January 1, 2021. Due to these upcoming state and federal deadlines, grantees are advised that eligibility for future grant funding may be tied to compliance with NIBRS. Financial grant assistance for transitioning to NIBRS may be available for your jurisdiction from the Criminal Justice Division (CJD).

3. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).

4. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/>.

Failure to comply with program or eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

Grant funds may not be used to support the unallowable costs listed in the [Guide to Grants](#) or any of the following unallowable costs:

1. inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. lobbying;
3. any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. vehicles or equipment for government agencies that are for general agency use and/or do not have a clear nexus to terrorism prevention, interdiction, and disruption (i.e. mobile data terminals, body cameras, in-car video systems, or radar units, etc. for officers assigned to routine patrol; general firefighting equipment or uniforms);
5. weapons, ammunition, tasers, weaponized vehicles or explosives (exceptions may be granted when explosives are used for bomb squad training);
6. admission fees or tickets to any amusement park, recreational activity or sporting event;
7. promotional gifts;
8. food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel or where pre-approved for working events;
9. membership dues for individuals;
10. any expense or service that is readily available at no cost to the grant project;
11. any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
12. fundraising;
13. legal services for adult offenders;
14. amateur radios and equipment, FMS radios, GMRS radios, or other radio equipment that is not P25 compliant;
15. riot equipment including but not limited to shields, batons, less-lethal ammunition, and grenades designed or intended for dispersing crowds;
16. weapons or weapons accessories to include but not limited to optics/sights, ammunition pouches, slings, or other accessories designed for use with any firearms/weapon; and
17. any other prohibition imposed by federal, state, or local law.

## Selection Process

**Application Screening:** HSGD will screen all applications to ensure that they meet the requirements included in the funding announcement.

1. **Peer/Merit Review:** For eligible local and regional projects:
  - a. Each COG's homeland security advisory committee will prioritize all eligible applications using the region's risk-informed methodology.
  - b. HSGD will accept priority listings that are approved by the COG's executive committee.
  - c. HSGD will make all final funding decisions based on eligibility, COG priorities, reasonableness, availability of funding, and cost-effectiveness.
2. For statewide discretionary projects, applications will be reviewed by HSGD staff members or a review group selected by the executive director. The qualitative scores from the review team will be one factor used during HSGD's prioritization of the statewide projects.

**Final Decisions – All Projects:** The executive director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, HSGD or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

HSGD may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, HSGD may revise projects to address a more limited focus.

## Contact Information

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING PARTICIPATION IN HOMELAND SECURITY GRANT PROGRAM WITH THE TEXAS PUBLIC SAFETY OFFICE FOR LAW ENFORCEMENT EQUIPMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM.**

**WHEREAS**, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to the Office of the Governor for the Homeland Security Grant Program for grant monies for respirators, tactical scba, cylinders, voice projection systems, and other equipment for law enforcement personnel from the Office of the Governor-Homeland Security Grants Division 2020 State Homeland Security Program; and

**WHEREAS**, the City agrees to provide the applicable matching funds for the said project, if any, as required by the Office of the Governor for the Homeland Security Grant Program grant application; and

**WHEREAS**, the City agrees that in the event of loss or misuse of the Office of the Governor grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the Office of the Governor in full;

**WHEREAS**, the City Commission of the City of Kingsville designates the Kingsville Chief of Police as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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

I.

**THAT** the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the Homeland Security Grant Program for respirators, tactical scba, cylinders, voice projection systems, and other equipment for law enforcement personnel to the Office of the Governor.

II.

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

**PASSED AND APPROVED** by a majority vote of the City Commission the 9th day of March, 2020.

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #3**

**City of Kingsville  
Police Department**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: February 28, 2020

SUBJECT: Receipt of the Law Enforcement Officer Standards and Education (LEOSE) Funds from Texas Comptroller of Public Accounts

---

**Summary:**

The police department is requesting approval for acceptance of funds from the Texas Comptroller of Public Accounts and a budget amendment to place the funds in Fund 009 for training.

**Background:**

A direct deposit was made into the City of Kingsville account from the Law Enforcement Officer Standards and Education (LEOSE) account. This payment is necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide necessary training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in our agency.

The Comptroller is directed by the Occupations Code, Section 1701.157 to make an annual allocation from the LEOSE account to qualified law enforcement agencies for expenses related to the continuing education of persons licensed under Chapter 1701, Occupations Code. Of the account, 20 percent is allocated equally among the qualified agencies. The remaining 80 percent is allocated on the basis of the number of eligible law enforcement positions each agency has as of January 1 of the preceding calendar year.

**Financial Impact:**

A total of \$3,349.19 was received for use for training of City of Kingsville Police personnel.

**Recommendation:**

We request that the City Commission authorized the receipt and expenditure of these funds in the manner for which they were provided by the Texas Comptroller of Public Accounts.





## TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O.Box 13528 • Austin, TX 78711-3528

February 19, 2020

CITY OF KINGSVILLE POLICE DEPARTMENT  
1700 E KING AVE  
KINGSVILLE TX 78363-5928

Vendor number: 17460015138-009

A direct deposit was made into your account from the Law Enforcement Officer Standards and Education (LEOSE) account in the amount of \$ 3,349.19.

This payment must be used as necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide necessary training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in your agency.

Your agency must maintain a complete and detailed record of all money received and spent. All money received is subject to audit by the Comptroller of Public Accounts and all money spent is subject to audit by the State Auditor.

The Comptroller is directed by the Occupations Code, Section 1701.157 to make an annual allocation from the LEOSE account to qualified law enforcement agencies for expenses related to the continuing education of persons licensed under Chapter 1701, Occupations Code. Of the account, 20 percent is allocated equally among the qualified agencies. The remaining 80 percent is allocated on the basis of the number of eligible law enforcement positions each agency had as of January 1 of the preceding calendar year.

An eligible law enforcement position is defined as one held by a person licensed under Chapter 1701, Occupations Code, who works as a peace officer, licensed jailer or telecommunicator on the average of at least 32 hours a week, is compensated by a political subdivision of the state at the minimum wage rate or higher, and is entitled to all employee benefits offered to a peace officer.

To receive your agency's share of the LEOSE account in 2021, you must complete and return the enclosed Law Enforcement Officer Standards and Education Account 2021 Allocation Basis form to us no later than October 31, 2020. The information provided in this report must be accurate and returned timely to our office to ensure the correct allocation of the LEOSE account.

Please call us at 800-531-5441, ext. 3-4530, or 512-463-4530 if you have any questions or if we can be of assistance.

Enclosures



**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO ACCEPT AND EXPEND LEOSE GRANT FUNDS FOR POLICE DEPARTMENT TRAINING EXPENDITURES.**

**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
<b>Fund 009 – LEOSE Grant</b>					
<u>Revenues – 4</u>					
2100	Police	State Grants	72010	\$3,349.19	
<u>Expenditures – 5</u>					
2100	Police	Training & Travel	31600	\$3,349.19	

[To amend the City of Kingsville FY 19-20 Budget to accept and expend grant funds for Police Department training expenditures eligible for grant funding. Funding will come from the grant award.]

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 9th day of March 2020.

**PASSED AND APPROVED** on this the 23rd day of March, 2020.

**EFFECTIVE DATE:** \_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney

# **AGENDA ITEM #4**

**City of Kingsville  
Police Department**

---

TO: Mayor and City Commissioners  
CC: Mark McLaughlin, City Manager  
FROM: Ricardo Torres, Chief of Police  
DATE: February 28, 2020  
SUBJECT: Donation for Purchase of K-9 Ballistic and Cooling Vests

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**Summary:**

The police department is requesting approval for acceptance of a donation and budget amendment to purchase K-9 ballistic and cooling vests.

**Background:**

The department was contacted by Mr. Allen R. Ware DBA King's Inn who was interested in donating funds to our department for the purchase of K-9 ballistic vests, and cooling vest for KPD's two K-9's, Brit and Nicky. Mr. Ware has seven dogs of his own and has family members who are employed in the law enforcement field. He wanted to give back to the community and believed this was a need that he could assist in.

After researching K-9 body armor we decided on the following equipment:

TEX 10 K-9 armor that features dual crowd control handles, two D-rings for short or long leads, MOLLE webbing for attaching flashlight and tracking devices as well as left, right and front ID tags. The vests are made from durable nylon material and has three buckles for ease of getting into, adjusting and removing. This K-9 vest provides maximum coverage to vital organs.

**Financial Impact:**

The total cost for the K-9 armor and accessories is \$2,156.45 and has been donated by Mr. Ware. No other costs are associated with this donation and subsequent purchase.

**Recommendation:**

We request that the City Commission authorized the receipt and expenditure of this donation in the manner for which they were donated.





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Total \$2,139.40

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ACCOUNT INFO

#### Basket

If you have a coupon code, please enter it.

[click here to estimate shipping cost](#)

Remove	Qty	Description	Total
<input type="checkbox"/>	<input type="text" value="1"/>	 TEX 10 Ballistic Vest - Medium with Spike package Black Item: MBV200M B Price: \$999.95	\$999.95
<input type="checkbox"/>	<input type="text" value="1"/>	 TEX 10 Ballistic Vest - XL with Spike package Multicam Item: MBV200XL MC Price: \$899.95	\$899.95
<input type="checkbox"/>	<input type="text" value="1"/>	 K9 Cooling Vest Med 24-28" Girth around Chest Item: KV04 M Price: \$69.95	\$69.95
<input type="checkbox"/>	<input type="text" value="1"/>	 K9 Cooling Vest X-Large 34-40" Girth around Chest Item: KV04 XL Price: \$129.95	\$129.95
<input type="checkbox"/>	<input type="text" value="8"/>	 Coyote Brown Police ID panel 8" x 2" 8 x 2 Black Letters with Coyote Background Item: ID805 Price: \$4.95	\$39.60

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Subtotal: \$2,139.40

544\*17.05

[PROCEED TO CHECKOUT](#)

✓ Norton

\$2,156.45





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K-9 Camera  
K-9 ProLaunch  
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TEX 10 Ballistic Vest - Medium with Spike package

[View Additional Images](#)

Item Number: MBV200M

Size/Color

Black \$999.95

X2

Quantity 1

1-Med

1-XL

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Norton

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## Detailed Description

## TEX 10 Ballistic Vest - Medium with Spike package

We've got your K-9 partner covered with our K-9 armor. With improved comfort, mobility and reduced weight, the TEX 10 K-9 armor offers outstanding functionality.

The vest features dual crowd control handles, two D-Rings for short or long leads, MOLLE webbing for attaching flashlights and tracking devices, as well as optional left, right, and front ID tags.

Made from durable nylon material, the K-9 vest has three buckles for ease of getting into, adjusting and removing. This K-9 vest provides maximum coverage to the vital organs.

## Standard Features:

- Front and side ID badge attachment points
- Belly and chest coverage
- Wireless camera mount system
- Chest and side adjustment and release points
- D-Rings for short or long leads
- Dual point crowd control handles
- 3-Dimensional Spacer Mesh Lining for comfort and cooling
- Multiple sizes fitting a range of breeds

\*\*This item will only be shipped within the Continental United States and Canada

Shipping approx \$17.05





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Home > K-9 Vest

K9 Cooling Vest



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Item Number: KV04

Choose size Medium \$69.95

Price: Starting at \$69.95

Quantity 1

x 2 = \$129.95

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## Detailed Description

### K-9 Cooling Vest

The canine body cooling vest safely increases work tolerance time and reduces the negative effects associated with heat stress. This vest increases the efficiency of detector dogs and helps keep the canine alert and vigilant. (pictured with optional ID panels)

- Micro-mesh pockets for maximum body heat absorption
- Designed to cool a dog while working or training
- Full stomach, chest, and back coverage
- Reusable cool packs made from a non-toxic material
- Cool packs are safe, even if contents are ingested
- 8" x 2" loop Velcro area on both sides for optional ID panels

**Sizing:** Measure the circumference around the largest part of the dog's chest. Then the length of the dogs back. Each vest size offers several inches of girth adjustability using hook and loop velcro straps. If the dogs girth is close to the max girth it is better to go up one size.

Size	Girth	Length (measured from base of neck to base of tail)
Small	24" to 25"	27" to 31"
Medium	26" to 28"	31" to 35"
Large	29" to 33"	35" to 41"
X-Large	34" to 40"	41" to 47"

Also available:

[Replacement Cooling Packs](#)





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Coyote Brown Police ID panel 8" x 2"

Item Number: ID805

Unit Price: \$4.95

Quantity 1 x8



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### Detailed Description

#### 8" Coyote Brown I.D. Panel with Black Lettering

Our ID panels are made from quality and strong materials that offer a professional appearance for your working dog. All panels are backed with industrial strength Velcro to securely attach. Panels are a perfect fit for our Elite K-9 Harnesses and other similarly designed harnesses, as well as ID collars, pouches, and bags that Elite K-9 offers. Most are available in multiple colors.

- 8" long x 2" high
- Fits the harness models H01, H02, H017, MH01, MH02 & MH017
- Also fits the ID collar models C-ID & MC-ID.

**NOTE:** Although we use the very best materials to make our ID panels, it is still possible for the lettering to become worn through normal use, such as the dog going through heavy brush or the dog laying or rolling around on concrete with his harness and ID panels on. Therefore we cannot guarantee the life of the lettering.





# **AGENDA ITEM #5**

**City of Kingsville  
Police Department**

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TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: February 28, 2020

SUBJECT: Donation for Purchase of K-9 Ballistic and Cooling Vests

---

**Summary:**

The police department is requesting approval for acceptance of a donation and budget amendment to purchase K-9 ballistic and cooling vests.

**Background:**

The department was contacted by Mr. Allen R. Ware DBA King's Inn who was interested in donating funds to our department for the purchase of K-9 ballistic vests, and cooling vest for KPD's two K-9's, Brit and Nicky. Mr. Ware has seven dogs of his own and has family members who are employed in the law enforcement field. He wanted to give back to the community and believed this was a need that he could assist in.

After researching K-9 body armor we decided on the following equipment:

TEX 10 K-9 armor that features dual crowd control handles, two D-rings for short or long leads, MOLLE webbing for attaching flashlight and tracking devices as well as left, right and front ID tags. The vests are made from durable nylon material and has three buckles for ease of getting into, adjusting and removing. This K-9 vest provides maximum coverage to vital organs.

**Financial Impact:**

The total cost for the K-9 armor and accessories is \$2,156.45 and has been donated by Mr. Ware. No other costs are associated with this donation and subsequent purchase.

**Recommendation:**

We request that the City Commission authorized the receipt and expenditure of this donation in the manner for which they were donated.





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Total \$2,139.40

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If you have a coupon code, please enter it.

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Description

Total

<input type="checkbox"/>	<input type="text" value="1"/>		TEX 10 Ballistic Vest - Medium with Spike package Black Item: MBV200M.B Price: \$999.95	\$999.95
<input type="checkbox"/>	<input type="text" value="1"/>		TEX 10 Ballistic Vest - XL with Spike package Multicam Item: MBV200XL MC Price: \$899.95	\$899.95
<input type="checkbox"/>	<input type="text" value="1"/>		K9 Cooling Vest Med 24-28" Girth around Chest Item: KV04 M Price: \$69.95	\$69.95
<input type="checkbox"/>	<input type="text" value="1"/>		K9 Cooling Vest X-Large 34-40" Girth around Chest Item: KV04 XL Price: \$129.95	\$129.95
<input type="checkbox"/>	<input type="text" value="8"/>		Coyote Brown Police ID panel 8" x 2" 8 x 2 Black Letters with Coyote Background Item: ID805 Price: \$4.95	\$39.60

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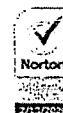
Subtotal: \$2,139.40

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\$2,156.45





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TEX 10 Ballistic Vest - Medium with Spike package

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Item Number: MBV200M

Size/Color

Black \$999.95

X2

Quantity 1

1-M, A

1-XL

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## Detailed Description

## TEX 10 Ballistic Vest - Medium with Spike package

We've got your K-9 partner covered with our K-9 armor. With improved comfort, mobility and reduced weight, the TEX 10 K-9 armor offers outstanding functionality.

The vest features dual crowd control handles, two D-Rings for short or long leads, MOLLE webbing for attaching flashlights and tracking devices, as well as optional left, right, and front ID tags.

Made from durable nylon material, the K-9 vest has three buckles for ease of getting into, adjusting and removing. This K-9 vest provides maximum coverage to the vital organs.

## Standard Features:

- Front and side ID badge attachment points
- Belly and chest coverage
- Wireless camera mount system
- Chest and side adjustment and release points
- D-Rings for short or long leads
- Dual point crowd control handles
- 3-Dimensional Spacer Mesh Lining for comfort and cooling
- Multiple sizes fitting a range of breeds

**\*\*This item will only be shipped within the Continental United States and Canada**

Shipping approx \$17.05





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K9 Cooling Vest

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Item Number: KV04

Choose size Medium \$69.95

Price: Starting at \$69.95

Quantity 1

x 2 = \$129.95

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## Detailed Description

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The canine body cooling vest safely increases work tolerance time and reduces the negative effects associated with heat stress. This vest increases the efficiency of detector dogs and helps keep the canine alert and vigilant. (pictured with optional ID panels)

- Micro-mesh pockets for maximum body heat absorption
- Designed to cool a dog while working or training
- Full stomach, chest, and back coverage
- Reusable cool packs made from a non-toxic material
- Cool packs are safe, even if contents are ingested
- 8" x 2" loop Velcro area on both sides for optional ID panels

**Sizing:** Measure the circumference around the largest part of the dog's chest. Then the length of the dogs back. Each vest size offers several inches of girth adjustability using hook and loop velcro straps. If the dogs girth is close to the max girth it is better to go up one size.

Size	Length	Width (from base of neck to base of tail)
Medium	24" to 28"	21" to 23"
Large	30" to 35"	23" to 25"
X-Large	36" to 40"	25" to 28"

Also available:

[Replacement Cooling Packs](#)



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Coyote Brown Police ID panel 8" x 2"

Item Number: ID805

Unit Price: \$4.95

Quantity 1 x 8



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#### Detailed Description

##### 8" Coyote Brown I.D. Panel with Black Lettering

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- Also fits the ID collar models C-ID & MC-ID.

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**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2019-2020 BUDGET TO ACCEPT AND EXPEND DONATION RECEIVED FOR BULLET PROOF ARMOR FOR POLICE K-9'S.**

**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
<b>Fund 001 – General Fund</b>					
<u>Revenues – 4</u>					
2102	Patrol	Donations	72030	\$2,156.45	
<u>Expenditures – 5</u>					
2102	Patrol	Uniforms & Personal Wear	21200	\$2,156.45	

[To amend the City of Kingsville FY 19-20 Budget to accept and expend donation for bullet proof armor for Police K-9's. Funding will come from the donation 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 9th day of March 2020.

**PASSED AND APPROVED** on this the 23rd day of March, 2020.

**EFFECTIVE DATE:**\_\_\_\_\_

\_\_\_\_\_  
Sam R. Fugate, Mayor

**ATTEST:**

\_\_\_\_\_  
Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Courtney Alvarez, City Attorney