

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, MAY 11, 2015
WORKSHOP 5:00 P.M.
REGULAR MEETING 6:00 P.M.**

**HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS
CITY HALL/200 EAST KLEBERG AVENUE**

I. Preliminary Proceedings.

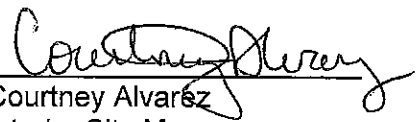
OPEN MEETING

APPROVED BY:

WORKSHOP 5:00 P.M.

Convene into Executive Session:

1. Executive Session: Pursuant to Section 551.074, Texas Open Meetings Act, the City Commission shall convene in Executive Session to deliberate the duties of the position of the City Manager. (Mayor Fugate).


Courtney Alvarez
Interim City Manager

REGULAR MEETING 6:00 P.M.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Regular Meeting – April 27, 2015

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

1. Public Hearing regarding request for an alcohol variance for Mixed Beverage Permit and Mixed Beverage Late Hours Permit, for the establishment known as Day and Night Club located at 304 E. Richard, Kingsville, Texas. (Director of Planning & Development Services).

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

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant

Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time."

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a special use permit for a display area for retail (sale and rental) of portable storage sheds, carports, parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie, Kingsville, Texas. (Director of Planning & Development Services).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

2. Consider request for an alcohol variance for a Mixed Beverage Permit and Mixed Beverage Late Hours Permit for the establishment known as Day and Night Club located at 304 E. Richard, Kingsville, Texas. (Director of Planning & Development Services).
3. Consider a resolution establishing Guidelines and Criteria for Economic Development Incentives within the City of Kingsville. (Director of Planning & Economic Development).
4. Consider a resolution authorizing participation in Click It or Ticket Grant for 2015 from the Texas Department of Transportation, authorizing the Chief of Police to act on the City's behalf with such program. (Chief of Police).
5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Section 9-3-53, providing for an increase in the impoundment, daily boarding and vaccination fees. (Director of Health).

VII. Adjournment.

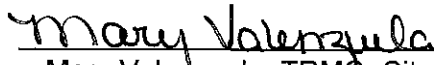
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This City of Kingsville and Commission Chambers is 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 in the City Hall, 200 East Kleberg, 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:

May 7, 2015 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, 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)

APRIL 27, 2015

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 27, 2015 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Dianne Leubert, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Courtney Alvarez, Interim City Manager/City Attorney
Mary Valenzuela, City Secretary
David Mason, Purchasing/IT Director
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
Joey Reed, Fire Chief
Cynthia Martin, Downtown Manager
Susan Ivy, Parks & Recreation Manager
Charlie Cardenas, Public Works Director/Engineer
Melissa Perez, Risk Manager
Willie Vera, Task Force Commander
Ricardo Torres, Police Chief
Leo Alarcon, Tourism Director
Bill Donnell, Assistant Public Works Director/Golf Course Manager
Tony Verdin, Information Systems Technician
Deborah Balli, Finance Director
Jimmy Saenz, Golf Course Manager

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate called the meeting to order in the Robert H. Alcorn Commission Chamber at 6:00 p.m. and announced quorum with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Regular Meeting – March 9, 2015

Mayor Fugate called for a motion to approve the minutes of March 9, 2015.

Motion made by Commissioner Pena to approve the minutes as presented, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting “FOR”.

Regular Meeting – April 13, 2015

Mayor Fugate called for a motion to approve the minutes of April 13, 2015.

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

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

1. Public Hearing regarding request for an alcohol variance for a Private Club Exemption Certificate Permit for the establishment known as The American Legion Post 99 located at 2502 E. Kenedy Ave., Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:04 p.m. He asked if there was anyone in the audience that wanted to address the City Commission regarding this public hearing may do so now, with a limit of five (5) minutes to speak. Time cannot be extended by City Commission.

Mr. Tom Ginter, Director of Planning & Development Services announced that this is a request for an alcohol variance for The American Legion Post 99 located at 2502 E. Kenedy Ave. The reason for this coming to the City Commission for approval, is that when the 1,000ft measurement was done it came across a registered daycare located at 306 S. 25th. All required notices were mailed to property owners within 300ft. A public hearing notice was placed in the newspaper on April 5, 2015. As of today, staff has not received any negative feedback from the property owners or citizens that have been noticed.

There being no further discussion, Mayor Fugate closed this public hearing at 6:06 p.m.

2. Public Hearing for an ordinance amending the zoning ordinance by granting a special use permit for a display area for retail of portable storage sheds, carports, parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate announced and opened this public hearing at 6:06 p.m. He asked if there was anyone in the audience that wanted to address the City Commission regarding this public hearing may do so now, with a limit of five (5) minutes to speak. Time cannot be extended by City Commission.

Mr. Ginter announced that this is a public hearing for a special use permit for the display of portable storage sheds, carports, parking of rental trailers, trucks and U-Haul equipment. The Planning and Zoning met on Wednesday, April 16, 2015 to consider the special use permit request and approved with a 4-0 vote. Mr. Ginter further commented that originally it was the City's recommendation to deny the request, but after being notified that the property has been vacant for years, the Planning & Zoning Commission members felt that this application was a positive one for that sight. Mr. Ginter further commented that the property owner understands that if he receives approval for this project from the City Commission, this development will be reviewed by city staff before a building permit is approved.

There being no further discussion, Mayor Fugate closed this public hearing at 6:09 p.m.

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

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

League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor. No formal action can be taken on these items at this time.”

Mrs. Courtney Alvarez, Interim City Manager/City Attorney announced that she would like to introduce Mr. Jimmy Saenz, Golf Course Manager. Mr. Saenz began his first day at work on Friday, April 24th.

Mr. Saenz gave a brief history of his past work experience and stated that he looks forward to working with the City of Kingsville and building the Golf Course up to where it needs to be.

Mrs. Alvarez thanked Mr. Bill Donnell for filling in as Interim Golf Course Manager. Alvarez further reported that the next City Commission meeting is scheduled for May 11th with agenda items due to the City Secretary by Friday, May 1st.

Mayor Fugate read and presented a proclamation to Susan Ivy, Parks & Recreation Manager for “Kids to Parks Day” scheduled for May 16, 2015.

IV. Public Comment on Agenda Items.³

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

Mayor Fugate opened public comments to anyone wishing to speak about agenda and non-agenda items.

Ms. Susan Hiley, of Nature’s Own RV Resort announced that they will be hosting a Hero’s Halo Fundraiser for the Wounded Warrior Project on May 23, 2015. This will be an all-you-can eat spaghetti dinner and the event will include a silent auction and bake sale.

Roy Leyva, 201 Helen Marie, spoke to the City Commission about development on his property in Briargrove. Mr. Leyva is asking for assistance from the City of Kingsville for a project he would like to get done at his residency on 2nd Street. This project was originally approved in 1981, but project was never started. He stated that according to the Engineering Department, he is considered a developer. He is asking for the City to assist him in paving his property which could cost about \$10,000. After speaking with the Engineering Department, he was made aware that a project like this was not within the city’s budget. Mr. Leyva is asking for the City to consider the cost in the next budget in 2016. Leyva further reported that this particular lot generates about \$100 in taxes for the City of Kingsville, so over 30 years it has generated almost \$3,000. With the property developed, the City will collect more taxes at the end of each year. Mr. Leyva stated that the property next door was paved by the City at no cost to the property owner. He stated that he would like the same courtesy as what neighbor next door received in the past.

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)

Mayor Fugate asked for a motion to approve the consent agenda items as presented.

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

- 1. Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 Fund 091-General Fund Capital Projects budget to transfer funds from 6th Street Tree project to Parks Department for Park improvements. (Director of Finance).**
- 2. Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 Fund 051-Utility Fund - Fund Balance for South Wastewater Treatment Plant repairs. (Director of Finance).**
- 3. Motion to approve final passage of an ordinance amending the Fiscal Year 2014-2015 Fund 091-General Fund Capital Projects budget to transfer four capital projects back to general fund. (Director of Finance).**
- 4. Motion to approve final passage of an ordinance amending the zoning ordinance by changing the zoning map in reference to 1.44 acres, Lots 1-9, Block 1, Eva Subdivision, known as 1100 East Kenedy and Lots 1-3, Block 2, Clyde Subdivision, known as 1116 East Lott from R2- Two Family Residential District to RP2- Planned Two Family Residential District, amending the Comprehensive plan to account for any deviations from the existing comprehensive plan, Isaac & Norma Torres owners. (Director of Planning and Development Services).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

- 5. Consider request for an alcohol variance for a Private Club Exemption Certificate Permit for the establishment known as The American Legion Post 99 located at 2502 E. Kenedy Ave, Kingsville, Texas. (Director of Planning & Development Services).**

Motion made by Commissioner Pena to approve the request for an alcohol variance, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Pena, Garcia, Leubert, Fugate voting "FOR". Pecos "ABSTAINED".

- 6. Consider introduction of an ordinance amending the zoning ordinance by granting a special use permit for a display area for retail (sale and rental) of portable storage sheds, carports, parking of rental trailers, trucks, and U-Haul equipment**

located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie, Kingsville, Texas. (Director of Planning & Development Services).

Mayor Fugate asked for the property owner Mr. Jaime to come forward for questions from the Commission regarding his request.

Jesse Jaime stated that he has been a business owner for over 30 years and owns the Farmer's Exchange on 14th Street. He purchased this property four months ago to extend his business, as he is over loaded at the current location.

Commissioner Garcia asked Mr. Jaime if he was planning on fencing the property.

Mr. Jaime responded that after speaking with the inspectors as to what type of fencing is required so that proper fencing can be placed around the property.

Mayor Fugate commented that if the City Commission grants this special use permit, the property owner would have to comply with all city codes. Fugate further commented that special use permits are only for the current property owner. If property is sold, the special use permit is voided and the new property owner would need to request their own special use permit from the City Commission.

Introduction item.

7. Consider a resolution authorizing the Mayor to enter into an agreement between the Greater Kingsville Area Economic Development Council and the City of Kingsville. (Interim City Manager).

Mrs. Alvarez reported that for several months the City of Kingsville has been working with the EDC on a new contract and the search for a new Executive Assistance. The parties have taking the older contract and inserted some newer language, which is the document brought before the City Commission during tonight's meeting. This is a two year initial contract with a one year automatic renewal, unless either party were to notify the other within 90 days that they would like to terminate the contract. Regarding compensation under the contract which is under provision 4A and 4B, states that this contract is subject to annual appropriations and if there is to be a change regards to the compensation allocated for the Economic Development Director position, which is currently in the City's compensation plan, the parties would need to notify each other of the increase or decrease by August 30th of each year. Alvarez stated that this agreement was approved by the EDC Board on Wednesday, April 15, 2015.

Mayor Fugate stated that the City has budgeted \$65,000 in this fiscal year and will not take in any more money than what has already been budgeted.

Mrs. Alvarez further commented that in provision 4A it states "that the City agrees to allocate as payment to the EDC the sum of \$65,000 for City of Kingsville Fiscal Year 2014-2015."

Mayor Fugate asked if Kleberg County has allocated their portion of the sum.

Mrs. Alvarez responded that the County has allocated half of the amount as they are half way through their fiscal year.

Commissioner Pecos asked if staff was sure the County is on board with this agreement.

Mayor Fugate commented that the County has already voted on this item.

Mrs. Alvarez stated that staff attended a County meeting where the County agreed to fund half of the \$65,000 that was requested from the EDC.

Mayor Fugate commented that he believes that the County will fund the full amount in the upcoming fiscal year 2016.

Commissioner Leubert asked if this agreement protects the City if the other parties do not pay their portion. Leubert further asked that when this individual becomes an employee of the City and with all the benefits they will be receiving, will this come out of the \$65,000 plus the combined amount of the other parties.

Mrs. Alvarez responded that with the combine amount, yes. Alvarez stated that with regards to the total funding for the position, which includes the salary and benefits, the amount will be divided amongst the parties involved. Mrs. Alvarez further stated that the sum shall be retained by the City as payment to the EDC but allocated towards the personnel expenses for the Economic Development Director position in the City's budget. The remaining funds needed to fully fund this position will be paid by the EDC to the City by October 1st of each year, unless other arrangements are mutually agreed to in writing prior to the due date.

Commissioner Leubert asked how it would work if the City Commission votes on giving city employees COLA (Cost of Living Adjustment) raises. Would this position also receive a raise and will the other parties have to increase their contribution?

Mrs. Alvarez responded that they have notified the interview committee and the Board itself that the City, after one year in position, there would be an automatic increase to the salary as the position is under the City compensation plan. If a COLA increase is given, we would notify the EDC about the increase as the additional funds would also need to be collected by the other parties.

Commissioner Leubert commented that the position will become a city employee, and will collect all the benefits. This position will be overseen by the EDC, County Judge, City Manager, and President of the EDC Board.

Mrs. Alvarez commented that this position is similar to a grant position which the funding would have to be there each year in order to keep the position.

Commissioner Garcia asked that the City's contribution for this position, being that the city is already six months into the budget, what is going to happen to the overage from the point of employment.

Mrs. Alvarez responded that the individual would have to first be hired on and from that point we could look to request funding from the EDC for this position.

Commissioner Garcia stated that his concern is that since the City is already six months into the budget, we are not going to payout that money.

Mrs. Alvarez stated that the full amount will not be paid out because the total cost for the salary and benefits for half the year does not exceed the amount that the city has currently budgeted. Any funds not expended or due to the EDC for any other purposes or reasons would probably wash to fund balance like any other line item expense that is budgeted and not expended.

Commissioner Garcia asked that if the \$65,000 that has been allocated, is going to be included regardless of what the other entities are short of to complete the total funding.

Mrs. Alvarez commented that presently the City Commission has allocated and budgeted \$65,000 towards the EDC. The EDC would be invoicing the other parties for their portion of the funds which will be used to make up the difference in the amount due for the individual's salary and benefits.

Mayor Fugate commented that he is hoping that the County budgets their full portion for the next fiscal year.

Commissioner Garcia commented that he only wants to make sure that all parties involved are allocating the same amount of money to fund this position.

Commissioner Leubert asked that if the other entities don't pay their full share, this contract is voided and we would no longer have the position.

Mayor Fugate stated that there is a 90 day clause, that if anything should go wrong, the City can opt out of the contract within 90 days.

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

8. Consider authorizing City participation in the 2015 Cinco de Mayo Celebration set for Saturday, May 9th in the 200 block of East Richard Avenue. (Downtown Manager).

Mrs. Cynthia Martin, Downtown Manager, reported that the Hispanic Chamber of Commerce has applied for sponsorship of the 2015 Cinco de Mayo Celebration from the City of Kingsville in terms of waiver of fees and support costs from City departments for this event. The event will be held on Saturday, May 9th from 10:00 a.m. to 2:00 p.m. in the 200 block of East Richard Avenue. The Committee is requesting City support in the form of barricades, trash and recycling containers and a waiver of the street closing fee. The estimated cost of waiver is \$208.

Motion made by Commissioner Pena to authorize City participation in the 2015 Cinco de Mayo Celebration, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Garcia, Fugate voting "FOR".

9. Consider the Parks & Recreation Department's summer recreation program for 2015. (Parks & Recreation Manager).

Mrs. Susan Ivy, Parks & Recreation Manager stated this request is for approval of summer recreation program for 2015. The goal of this program is to introduce kids to local facilities like L.E. Ramey Golf Course, fishing Baffin Bay, kayaking at the State Park in Mathis, Texas State Aquarium, Port Aransas Dolphin Watch boat trip, Coastal Bend Bays & Estuaries Natural Area, and many others. Other local activities have included such as the Recycling Center, Conner Museum and the skeet range.

Motion made by Commissioner Leubert to approve the Parks & Recreation Department's summer recreation program for 2015, seconded by Commissioner Pecos.

Commissioner Garcia asked if kids usually get turned away once registration is full for that day.

Mrs. Ivy stated that children are turned away but they are more than welcome to sign up for a different day. There are a limited number of registrations per day of 50 children due to funding and limited staff.

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

10. Discuss the National Kids to Parks Day initiative set for Saturday, May 16th at Dick Kleberg Park playground. (Parks & Recreation Manager).

Mrs. Ivy reported that this is a day that was initiated by the National Park Trust, which is an organization that has the best interest of National State and local parks. This is an awareness day to get families to go out and get familiar with their local and State Parks

within their area. Parks staff will be hosting some activities at Dick Kleberg Park on this day.

Discussion item only.

11. Discuss a marketing plan for billboards by the Tourism Department. (Tourism Director).

Mr. Leo Alarcon reported that he is looking for a location to place a billboard sign to help promote Kingsville. Mr. Alarcon further stated that he has recorded a thirty second and a two minute commercial which airs on K-99 and KSAB Radio Stations. At this time, Mr. Alarcon played the recorded commercial for the City Commission.

Mayor Fugate stated that he would like to see a slogan created for Kingsville.

Discussion item only.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:58 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary


PUBLIC HEARING(S)

PUBLIC HEARING #1

Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Courtney Alvarez, Interim City Manager

FROM: Tom Ginter, Planning & Development Services Director 

SUBJECT: **Request for Alcohol Variance at 304 E. Richard**

DATE: May 5, 2015

Mrs. Mary Guzman Freelon, operator of the Day & Night Club, is requesting an alcohol variance for a Mixed Beverage Permit and Mixed Beverage Late Hours Permit. This address is located at 304 E. Ricard. and is within 1,000 ft. boundary of 1 daycare. The property in question therefore requires a variance according to City ordinance ORD-2004-20.

Also, all required notices have been sent to the property owners within 300ft. Additionally, a public hearing notice was placed in the newspaper on April 19, 2015. As of this point, we have not received any negative feedback from the property owners or citizens that have been noticed.

Sunday's Paper - April 19, 2015

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 11, 2015, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Mixed Beverage Permit and Mixed Beverage Late Hours Permit, for the establishment known as Day and Night Club located at 304 E. Richard.

The meeting will be held at City Hall, 200 East Kleberg Ave., Kingsville, Texas in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

City of Kingsville

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FILED: 4/14/2015
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4-14-2015 1:24 PM

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CLERK



received
4-1-15

On-Premise Prequalification Packet

L-ON
(09/2013)

Please complete this Prequalification Packet with information concerning your proposed business location for which you are applying to sell/serve alcoholic beverages. This information will be used to obtain your pre-qualification to hold a license/permit. You will submit this information to the proper governmental entities for certification that your proposed location is legal for the type of license/permit for which you are applying.

Please immediately contact your local TABC office to determine if you must post a 60 Day Sign at your proposed location, and for more information.

LOCATION INFORMATION

1. Type of On-Premise License/Permit

- | | |
|---|---|
| <input type="checkbox"/> BG Wine and Beer Retailer's Permit | <input checked="" type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> Y Wine & Beer Retailer's Permit for Railway Dining Car | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input checked="" type="checkbox"/> MB Mixed Beverage Permit | |

2. Indicate Primary Business at this Location

- | | |
|--|--|
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel |
| <input checked="" type="checkbox"/> Bar | <input type="checkbox"/> Miscellaneous _____ |
| <input type="checkbox"/> Sexually Oriented | |

3. Trade Name of Location

DAY and NIGHT CLUB

4. Location Address

304 E. RICHARD

City

~~CORPUS CHRISTI~~ KINGSVILLE

County

KLEBERG

State

TX

Zip Code

78363

5. Mailing Address

609 E. ELLA

City

KINGSVILLE

State

TX

Zip Code

78363

6. Business Phone No.

(361) 595-1125

Alternate Phone No.

() -

E-mail Address

OWNER INFORMATION

7. Type of Owner

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Individual | <input type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

8. Entity/Applicant

MARY GUZMAN FREELON

9. If Applicant Is/Must Be Listed Below (attach L-OIC if additional space is needed).

Individual/Individual Owner

Limited Liability Company/All Officers or Managers

Partnership/All Partners

Joint Venture/Venturers

Limited Partnership/All General Partners

Trust/Trustee(s)

Corporation/All Officers

City, County, University/Official

Last Name

FREELON

First Name

MARY

MI

G

Title

OWNER

Last Name

First Name

MI

Title

Last Name

First Name

MI

Title



CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, April 7, 2015

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for 304 E Richard

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 304 E Richard, we have concluded that the property in question does fall within the 1,000 ft boundary of 1 of school, 2 churches, and a daycare; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

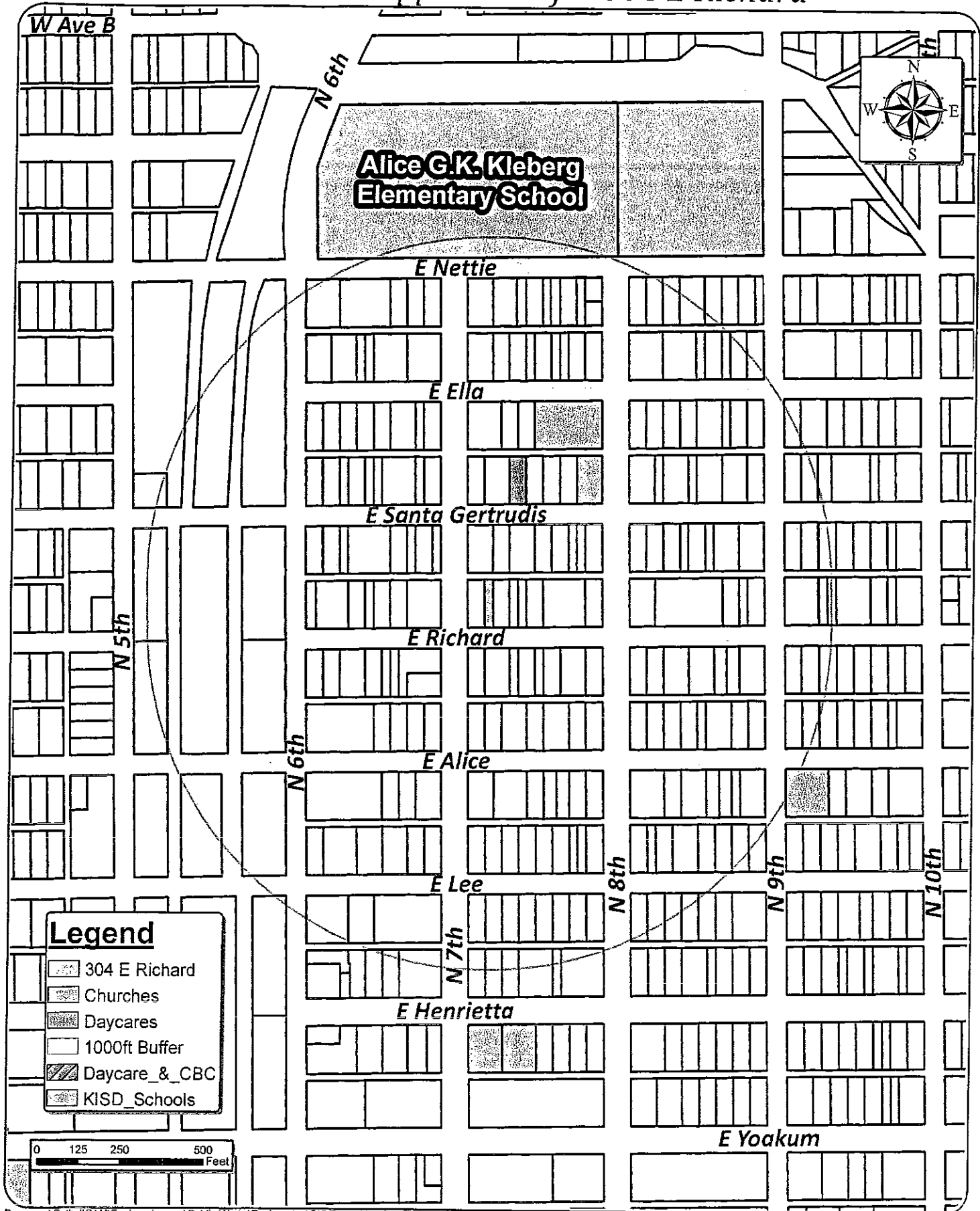
Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the 1 school, 2 churches, and daycare; suspected to be close to the property. Alice G.K. Kleberg Elementary School, Catholic Diocese of CC, Mex Methodist Church, and a daycare located at 312 E Santa Gertrudis are within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

Alcohol Application for 304 E Richard

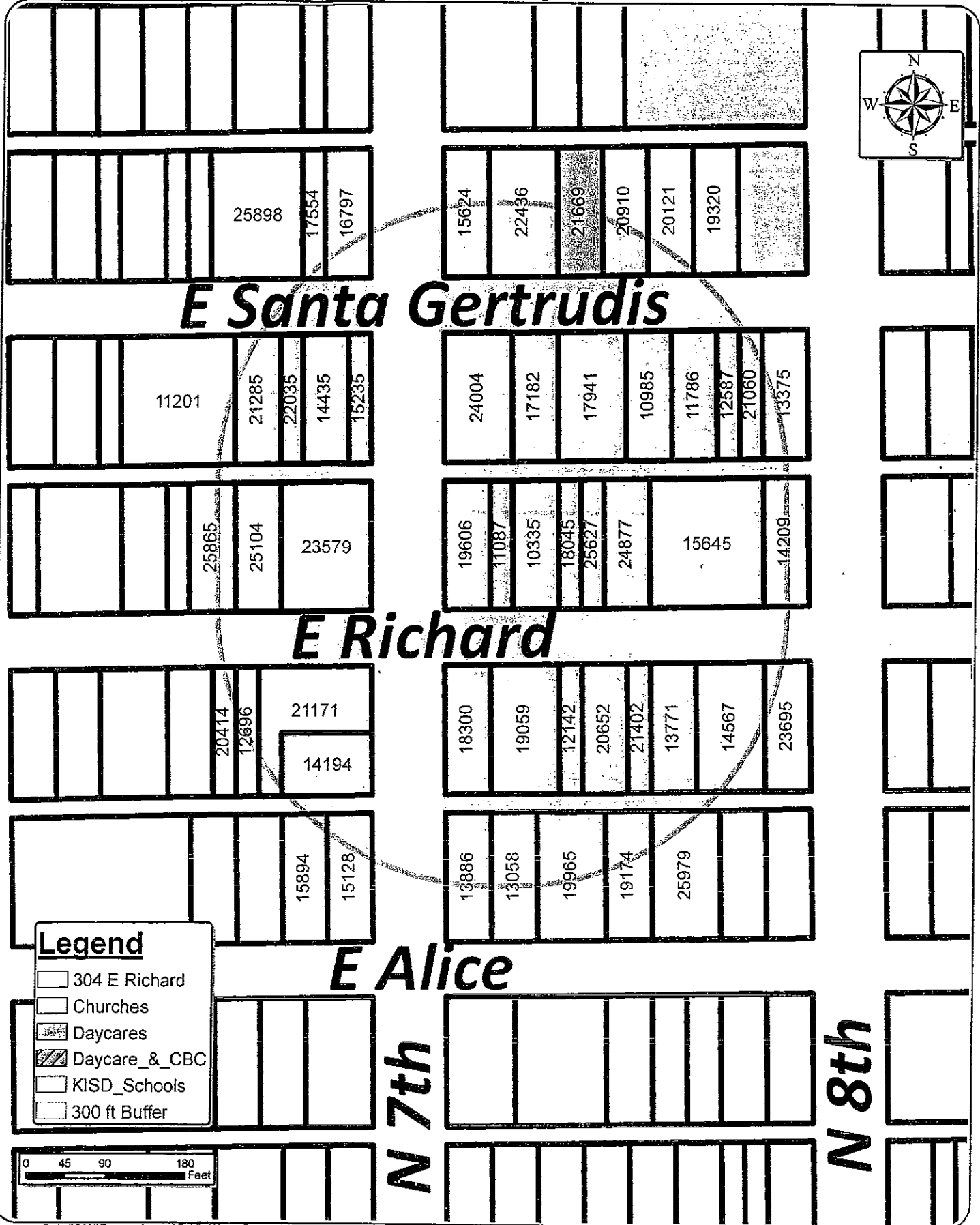


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Page 1/1	Drawn By: Engineering Dept.	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	
	Last Update: 4/7/2015		
	Note: Please see attached documents.		

CITY OF KINGSVILLE
ENGINEERING DEPARTMENT
 200 East Kleberg
 Kingsville, Texas 78363
 Office: 361-595-8005
 Fax: 361-595-8035

Alcohol Application for 304 E Richard



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	Last Update: 4/7/2015		
	Note: Please see attached documents.		

CONSENT AGENDA

AGENDA ITEM #1

ORDINANCE #2015-_____

AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR A DISPLAY AREA FOR RETAIL (SALE AND RENTAL) OF PORTABLE STORAGE SHEDS, CARPORTS, PARKING OF RENTAL TRAILERS, AND U-HAUL EQUIPMENT AT 714 E. AISLIE AVE., WHICH IS SOUTHMORE AC, LOT PT 172, PT 185-193; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION;

WHEREAS, the Planning and Zoning Commission has forwarded to the City Commission it's reports and recommendations concerning the application of Jesse J. Jaime, for amendment to the zoning map of the City of Kingsville for a special use permit to operate a retail business at this location;

WHEREAS, the City's Land Use Zoning Chart allows for trailer and mobile home sales in a C2 zoned area by Special Use Permit only and the property in question is zoned C2; and

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, April 15, 2015 during a meeting of the Planning and Zoning Commission, and on Monday, April 27, 2015 during a meeting of the City Commission, in the Alcorn Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning and Zoning Commission by an unanimous 4-0 vote APPROVED the requested special use permit; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for a retail business for the sale and rental of portable storage sheds, carports, parking of rental trailers, and U-Haul equipment at the premises known as 714 E. Ailsie (also known as Southmore AC, Lot PT 172, PT 185-193) as more specifically describe on site plan attached as Exhibit A.

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

1. **ALLOWED USE:** The only use authorized by this Special Use Permit is a permitted retail business for the sale and rental of portable storage sheds, carports, parking of rental trailers, and U-Haul equipment at the premises known as 714 E. Ailsie (also known as Southmore AC, Lot PT 172, PT 185-193).

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

3. **SPECIAL CONDITIONS:** (3.1) The applicant shall obtain all required licenses for

operating the business and permits for building, fire and health thereby meeting all adopted codes to operate said business, and shall cooperate with all annual fire safety, health, and sanitation inspections, in order to maintain compliance with state and city regulations for the operation of the business. (3.2) All activity on site shall be in complete compliance of all City codes, and comply with all requirements of state statutes. .

SECTION 3. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 4. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 5. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

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

SECTION 7. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 27th day of April, 2015.

PASSED AND APPROVED on this the 11th day of May, 2015.

EFFECTIVE DATE: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor


ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

By: _____
Courtney Alvarez, City Attorney

To: City Commission

From: Tom Ginter, Director of Planning and Development Services 

Date: May 1, 2015

Subject: Special Use Permit Request – Jesse Jaime, Owner

At your April 27, 2015 meeting a public hearing was held and the ordinance was introduced for this special use permit application.

We have had no complaints concerning this application and I believe that the conversations that we have had with the applicant have been positive so staff looks forward to this development at this property which has gone undeveloped for a significant period of time.

Staff recommends approval of this request for a special use permit.

To: Mayor and City commission

From: Tom Ginter, Director of Planning and Development Services



Date: April 16, 2015

Subject: Special Use Request – Planning and Zoning Commission Meeting Agenda

The Planning and Zoning met on Wednesday, April 16, 2015 to consider a special use request application from Jesse J. Jaime for the sale and rental of trailers, portable sheds and other items. The address of the proposed location for the business is 714 E. Ailsie. Attached is information pertaining to this request. The City's recommendation was to deny the request. That was based on the fact that it is believed that the city should try to maximize its revenue potential from the property. It was brought up that the property itself has been vacant for years and the Commission members felt that this application was a positive one for that sight. No doubt that the historical knowledge should come into play and have a factor in their decision. Mr. Jaime understands that if he receives approval for this project from the City Commission that his development will be reviewed by staff before a building permit is approved. **Subsequently a motion was made and the Planning and Zoning Commission approved the special use request 4 in favor none opposed.**

PLANNING & ZONING COMMISSION AGENDA

Wednesday, April 15, 2015, 6:00 p.m.

Regular Meeting

Honorable Robert H. Alcorn Commission Chambers,
1st Floor – City Hall, 200 E. Kleberg Ave., Kingsville, Texas

PLANNING & ZONING COMMISSION SEATING ARRANGEMENT

COMMISSION MEMBERS

Steve Zamora, *NS*

COMMISSION MEMBERS

Robert McCreight *NS*

Chairman

Lupe Alvarez *NS*

Albert Garcia *NS*

Debbie Tiffie *NS*

Ramon Perez *NS*

Bill Aldrich *NS*

CITY STAFF

Adela Barrientes,
Administrative Assistant II

Tom Ginter,
Director of Planning
& Development Services

The following rules of conduct have been adopted by this Commission:

1. Give your name and complete address.
2. No one may speak more than twice on the same item.
3. No one may speak more than 5 minutes at a time without permission from the Chairman.
4. No one may speak a second time on a question until every person who wants to speak has done so.
5. All submissions of evidence, i.e., photos, drawings, will be retained by the Planning & Zoning Commission and will become a part of the permanent file.

A COPY OF CHAPTER 15 "LAND USAGE", FROM THE CITY OF KINGSVILLE CODE OF ORDINANCES, IS AVAILABLE.

AGENDA

- CALL TO ORDER
- ROLL CALL
- APPROVAL OF MINUTES OF SPECIAL MEETING – April 8, 2015 - *Approved*
- PUBLIC COMMENTS FOR ALL AGENDA & NON-AGENDA ITEMS
- POSTPONEMENTS/ADJUSTMENTS TO THE AGENDA
- OLD BUSINESS – *None*
- NEW BUSINESS

ITEM #1 Jesse J. Jaime, owner – requesting a special use permit for a display area for retail of portable storage sheds, carport parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie.

MISCELLANEOUS: Any topic may be discussed but no action may be taken at this time;

- ADJOURNMENT

Please call the CITY SECRETARY at 595-8003 to obtain definitive and final City Commission Hearing Date.

It is the intention of the City of Kingsville to comply in all aspects with the Americans with Disabilities Act (ADA). If you plan on attending a meeting to participate or to observe and need special assistance beyond what is routinely provided, the city will attempt to accommodate you in every reasonable manner. Please contact the Planning Secretary, 361-595-8055, at least two business days prior to the meeting to inform the City of your specific needs and to determine if accommodation is feasible.

I certify that this agenda was posted at least seventy-two (72) hours before the commencement of the Planning and Zoning Commission Meeting scheduled for Wednesday, April 15, 2015.

Tom Ginter
Director of Planning & Development Services

Posted
@_____
On_____
By_____

PLANNING AND ZONING COMMISSION
MEETING MINUTES
April 15, 2015

Planning and Zoning Members Present

Steve Zamora, Chairman
Robert McCreight
Debbie Tiffie
Albert Garcia

Citizens Present

Jesse Jaime

Staff Present

Tom Ginter, Director of Planning & Development Services
Adela Barrientes, Administrative Assistant II

Base Representative

Glenn Jones

1. The meeting was called to order at 6:15 p.m.

2. Discuss and take action on the meeting minutes of February 18, 2015.

Debbie Tiffie made a motion to approve the minutes. Robert McCreight seconds. All in favor none opposed.

3. Miscellaneous/Public Comments on or off the agenda.

Glenn Jones, the Community Planning and Liaison Officer for the Naval Air Station Kingsville, informed the Commission and the Director of Planning because of all the rain and standing water, detention ponds are being built to control the flooding, but they can become a bird attraction. The Federal Aviation Administration (FAA) recommends that you do not create a bird attraction within five miles of the airport. That does not apply in all instances because of the proximity of traffic and people these ponds don't attract birds however, they would like the opportunity to review the potential ponds. The FAA recommends that drainage ponds drain completely within 48 hours and should remain completely dry in between rain events. Mr. Jones will work with the Development Review Team and the P&Z Committee when new developments come in and detention ponds are being built to control the flooding.

4. Old Business/Postponements.

N/A

5. Discuss and take action on -- Jesse J. Jaime, owner -- requesting a special use permit for a display area for retail of portable storage sheds, carport parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie.

Mr. Ginter showed the Committee a map where Jesse Jaime would like to start his business at 714 E. Ailsie. Currently Mr. Jaime is selling the portable storage sheds on his property located at 1818 N. 14th. Mr. Ginter recommended for the Commission not to approve this because the land could be used and maximized as an additional shopping area, but also stated that the land is not being utilized and this opportunity may not come up again.

Mr. McCreight asked for clarification regarding the carport parking of rental trailers. Jesse Jaime introduced himself and told the Commission he has been in business for over 35 years. Mr. Jaime stated his current business is getting too congested and wants to expand his business.

Mrs. Tiffie asked Mr. Jaime if he plans to do something with the grade of the land and driveways.

Mr. Jaime explained he currently does not have access to the property. But once his special use permit is approved he plans to build an entrance.

Mr. McCreight stated that he noticed three things 1)display area for portable buildings, 2)display area for retail trailers and 3)and the use of a portable building for an office. Mr. McCreight stated he did not find anything in the land use chart comparable to the sale of portable buildings or the sale of retail buildings. In doing some research he noticed on C-4 zoning the sale of retail trailers and on C-2 zoning the sale of portable buildings. Mr. McCreight further stated he does not have a problem with the sale of rental trailers and portable buildings. But he does see a problem with the use of a portable building as an office. Mr. McCreight asked about the landscaping ordinance application. Mr. Ginter responded the City will have Mr. Jaime follow the landscaping and the fence ordinance. Mr. Zamora stated to the Commission this is a preliminary step for Mr. Jaime in starting his business, once plans are turned in and permits are issued the City will make sure Mr. Jaime follows all City ordinances.

Mrs. Tiffie asked for clarification regarding the land use chart, her thought is that Mr. Jaime's special use request fits under transfer storage terminal instead of trailer and mobile home sales because he is not selling trailers. Mrs. Tiffie asked the Committee if Mr. Jaime should have requested for rezoning instead of a special use permit.

The Committee decided the best remedy would be for Mr. Jaime to stay with the special use permit instead of rezoning. This special use permit will apply to Mr. Jaime only and in the future if other businesses want to start in this area, they will have to apply for a special use permit depending on the type of business. If the area was rezoned from C-2 to C-3 or C-4 this will open the door for any type of business to be able to open in this area.

Albert Garcia made a motion to approve the special use permit for a display area for retail of portable storage sheds, carport parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie. Robert McCreight seconds. All in favor none opposed.

Mr. Zamora stated the City should make sure all ordinances are followed once Mr. Jaime starts his business.

6. Miscellaneous

Mr. Garcia asked if the portable movable storage bails bond building located across the street from the sheriff department if that was brought before the City and if the City approved it, because, it's an eye soar. Mr. Garcia further asked if the building has plumbing and is wired correctly. Mr. Ginter stated he will follow-up.

7. Adjournment

Meeting adjourned at 6:49 p.m.

CITY OF KINGSVILLE

200 E. Kleberg Avenue
Planning & Development Services Dept.
Planning & Zoning Division

Kingsville, Texas 78363
Phone: (361) 595-8053
Fax: (361) 595-8065

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 714 E. Aussie Ave Located in the City yes ETJ

(Proposed) Subdivision Name Total number of Lots

Legal Description: Southmore Ac - Lot P+172, P+185-193

Existing Zoning Designation C-2 Future Land Use Designation C-2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Jesse J. Jaime Phone (361) 595-4744 FAX (SAME)

Email Address (for project correspondence only): Farmersexchange361@gmail

Mailing Address P.O. Box 769 City KINGSVILLE State TX Zip 78363

Property Owner Jesse J. Jaime Phone 595-4744 FAX (SAME)

Email Address (for project correspondence only): farmersexchange361@gmail

Mailing Address P.O. Box 769 City Kingsville State TX Zip 78363

Select appropriate request(s) for which approval is sought. Attach appropriate checklist(s) with this application.

<input type="checkbox"/> Annexation Request.....	No Fee	<input type="checkbox"/> Preliminary Plat.....	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA).....	\$250.00	<input type="checkbox"/> Final Plat.....	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request.....	\$250.00	<input type="checkbox"/> Minor Plat.....	\$100.00
<input type="checkbox"/> Re-zoning Request.....	\$250.00	<input type="checkbox"/> Re-plat.....	\$200.00
<input checked="" type="checkbox"/> SUP Request/Renewal.....	\$250.00	<input type="checkbox"/> Vacating Plat.....	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA).....	\$250.00	<input type="checkbox"/> Conceptual Development Plat.....	\$100.00
<input type="checkbox"/> PUD Request.....	\$250.00	<input type="checkbox"/> Subdivision Variance Request.....	\$25.00 ea
<input type="checkbox"/> Lot Line Adjustment Plat.....	\$100.00	<input type="checkbox"/> Amending Plat.....	\$100.00

Please provide a basic description of the proposed project:

Display Area for retail of portable storage sheds, airports
parking of rental trailers, trucks, etc (U-haul equip.)
the portable office Bldg for office use to process
necessary transaction, computer office, phone etc.

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

Applicant's Signature: Jesse J. Jaime Date: 3-17-15

Property Owner's Signature: Jesse J. Jaime Date: 3-17-15

Application and Fee Accepted by: Adela Barrientes Date: 3-18-15

	R1	R2	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Lithographer or print shop							P	P	P	P	P	
Lumber yard							S	P	P	S	P	
Dairy or ice cream plant									S	P	P	P
Maintenance or repair service for buildings									P	P	P	
Laboratory, scientific or research							S	S	S	P	P	S
Paint shop							S	P	P	P	P	
Plumbing shop							S	S	P	P	P	
Railroad or bus passenger							S	P	P	P		
Railroad team tracks, freight depot or docks									P	P	P	P
Storage warehouse									S	S	S	
Trade, vocational or commercial schools							S	P	P	S	S	
* Trailer and mobile home sales							S		P	P	P	
Transfer storage terminal									P	P	P	
Welding or machine shop									P	P	P	
Wholesale office, storage, sales not elsewhere listed									P	P	P	
Milk depot						S	S	P	P	P		

PINNER WILLIAM EST
7600 BROADWAY ST
APT B4
SAN ANTONIO, TX 78209
#10153

PREMIER SAND PALM LLC
PO BOX 25
PORTLAND, TX 78374
#11390

MAYORGA TERESA A
ETVIR MACARIO R
729 ELIZABETH AVE
KINGSVILLE, TX 78363
#17098

COASTAL BARCELONA
PO BOX 6502
SAN ANTONIO, TX 78205
#19008

KINGSVILLE RETAIL GROUP, LP
TODD ROUTH
1601 PALOMINO RIDGE
AUSTIN, TX 78733
#11611

FARIAS MIGUEL A
MARIA G SAENZ
1006 SUSAN ST
HARLINGEN, TX 78550
#31897

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, April 15, 2015 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Jesse J. Jaime, owner – Requesting a special use permit for a display area for retail of portable storage sheds, carport parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the item on the agenda, please contact the Planning Department at (361) 595-8055.

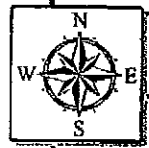
PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, April 27, 2015 at 6:00 p.m. wherein the City Commission will discuss the following item and at which time all interested persons will be heard:

Jesse J. Jaime, owner – Requesting a special use permit for a display area for retail of portable storage sheds, carport parking of rental trailers, trucks, and U-Haul equipment located at Southmore AC, Lot PT 172, PT 185-193 also known as 714 E. Ailsie.

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City of Kingsville



Elizabeth

17098

10153

11611

S 14th

E Ailsie




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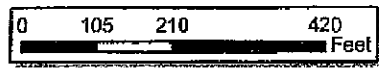
19008

31897


US Hwy 77V (Bus)

Legend

-  714 E Ailsie Ave.
-  200 ft. Radius
-  City Limits



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<div>Page</div> <div>1 / 1</div>	<div>Drawn By: Engineering Department</div>	<div>DISCLAIMER</div> <div>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</div>	<div>  </div> <div> CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035 </div>
	<div>Last Update: 3/26/2015</div>		
	<div>Note:</div>		

REGULAR AGENDA

AGENDA ITEM #2

Planning & Development Services Department

TO: Mayor & City Commission

THROUGH: Courtney Alvarez, Interim City Manager

FROM: Tom Ginter, Planning & Development Services Director

SUBJECT: **Request for Alcohol Variance at 304 E. Ricahrd**

DATE: May 1, 2015



Mrs. Mary Guzman Freelon, operator of the Day & Night Club, is requesting an alcohol variance for a Mixed Beverage Permit and Mixed Beverage Late Hours Permit. This address is located at 304 E. Ricard. and is within 1,000 ft. boundary of 1 daycare. The property in question therefore requires a variance according to City ordinance ORD-2004-20.

Also, all required notices have been sent to the property owners within 300ft. Additionally, a public hearing notice was placed in the newspaper on April 19, 2015. As of this point, we have not received any negative feedback from the property owners or citizens that have been noticed.



CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, April 7, 2015

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for 304 E Richard

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 304 E Richard, we have concluded that the property in question does fall within the 1,000 ft boundary of 1 of school, 2 churches, and a daycare; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

Notices must be sent to the property owners within the 300 foot boundary and a public hearing and publication in the local newspaper is required.

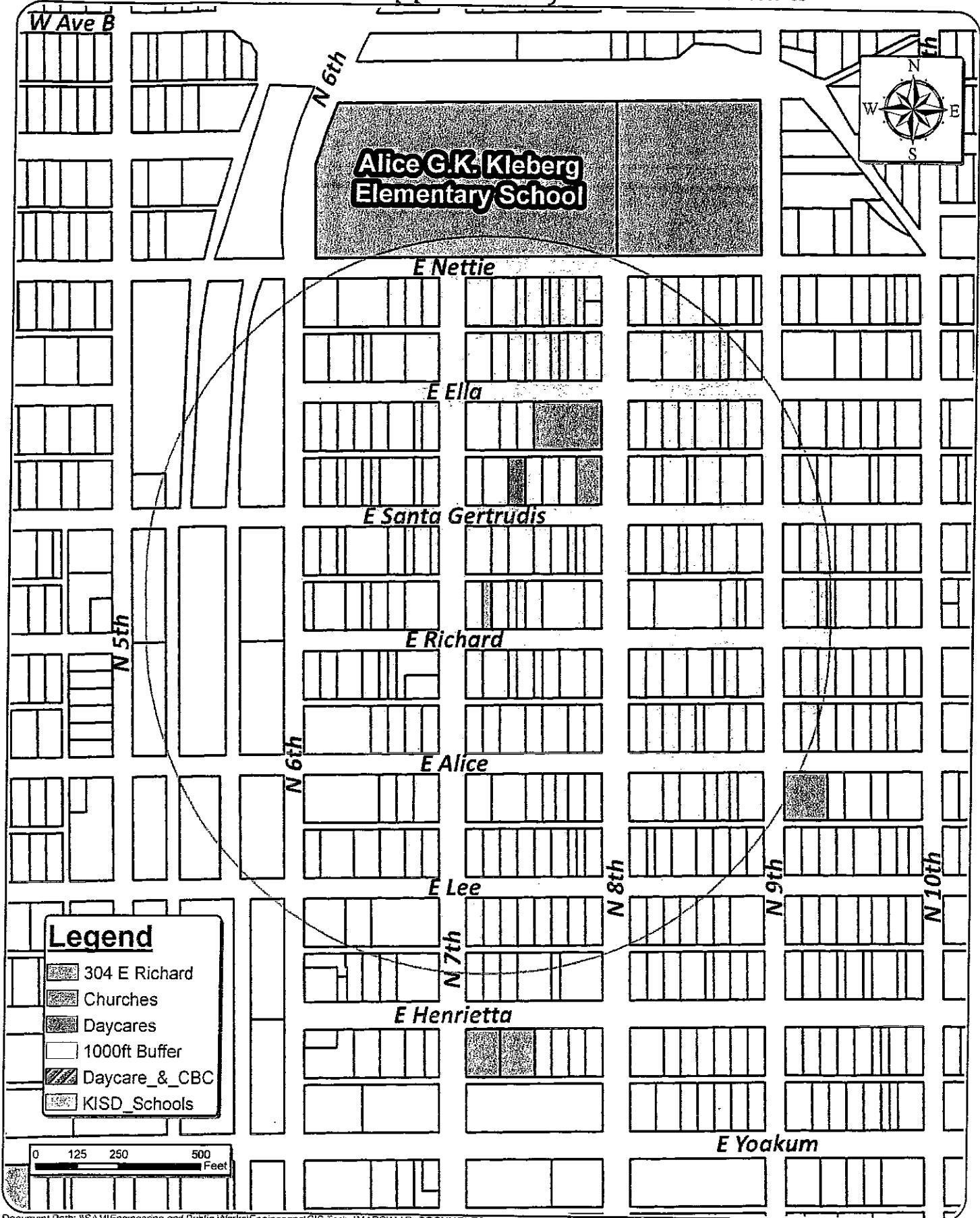
Thank you,

Engineering Department


Attachment 1 shows the property and the relative location of the 1 school, 2 churches, and daycare; suspected to be close to the property. Alice G.K. Kleberg Elementary School, Catholic Diocese of CC, Mex Methodist Church, and a daycare located at 312 E Santa Gertrudis are within the 1,000 foot boundary.

Attachment 2 shows all properties within the 300 foot boundary in correlation with their Short ID provided by the Kleberg County Appraisal District.

Alcohol Application for 304 E Richard



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	Last Update: 4/7/2015		
	Note: Please see attached documents.		

HERRERA JOSE D IV
503 S 19TH ST
KINGSVILLE, TX 78363
#17941

ISASSI ROBERTO G
606 W D AVE
KINGSVILLE, TX 78363
#10985

GOMEZ JOSE M
5302 MASADA CT
CORPUS CHRISTI, TX 78413
#11786

BENITEZ ANTONIO
159 E COUNTY ROAD 2130
KINGSVILLE, TX 78363
#12587

BENITEZ ANTONIO
159 E COUNTY ROAD 2130
KINGSVILLE, TX 78363
#21060

TREVINO CORANDO
209 KISSLING AVE
ROBSTOWN, TX 78380
#13375

TUDON TECLA EST
226 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#17554

TUDON ENCARNACION JR EST
226 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#16797

RAMIREZ - SALINAS FUNERAL HOME
230 E ELLA AVE
KINGSVILLE, TX 78363
#15624

LOPEZ JUAN M
310 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#22436

ALANIZ NORMA G EST
217 W WALNUT
MCALLEN, TX 78501
#21669

MATA ELENA H EST
314 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#20910

DIOCESE OF C C
620 LIPAN ST
CORPUS CHRISTI, TX 78401
#20121

TREJO LEONEL B
1724 TINA ST
ALICE, TX 78332
#11201

SOLIZ ARMELA L
PO BOX 1826
KINGSVILLE, TX 78364
#20414

GARZA FELIPE M
627 W B AVE
KINGSVILLE, TX 78363
#12696

TORRES CARLOS
303 E JOHNSTON AVE
KINGSVILLE, TX 78363
#25865

OLSEN ERIN
9224 VANCOUVER DR
SACRAMENTO, CA 95826
#15894

V- envelope

CANTU JAMIE
627 E MILLER AVE
KINGSVILLE, TX 78363
#15128

PALACIOS LEANDRO
5034 CRUSADE DR
SAN ANTONIO, TX 78218
#13058 4-28-15

LOPEZ JOSE A
927 HALL AVE
KINGSVILLE, TX 78363
#19174

MARTINEZ MARIA C
PO BOX 546
KINGSVILLE, TX 78364
#13886

MARTINEZ CARLOS
1911 OKLAHOMA ST
KINGSVILLE, TX 78363
#25979

RODRIGUEZ MARIO
517 N 7TH ST
KINGSVILLE, TX 78363
#14194 4-28-15

SOLIS ENRIQUE JR
301 E RICHARD AVE
KINGSVILLE, TX 78363
#18300

ARCE ROSENDO EST
864 E COUNTY ROAD 2200
KINGSVILLE, TX 78363
#19059

GARCIA GUADALUPE C
307 E RICHARD AVE
KINGSVILLE, TX 78363
#12142

PENDLETON HOLDINGS
312 N PASADENA
KINGSVILLE, TX 78363
#20652

MENDIETTA AURORA EST
317 E RICHARD AVE
KINGSVILLE, TX 78363
#21402

JIMENEZ DOMINGO SR
317 E RICHARD AVE
KINGSVILLE, TX 78363
#13771

MUNOZ LUISANA
3101 STOP31A
ZAPATA, TX 78076
#14567

CONSANO CORPORATION
5344 FRYE RD
IRVING, TX 75061
#23695

SOLIS ERNESTO ESTATE
320 E RICHARD AVE
KINGSVILLE, TX 78363
#21171

TORRES CARLOS
224 E RICHARD AVE
KINGSVILLE, TX 78363
#25104

GUEVARA ALONZO
726 E AVENUE A
KINGSVILLE, TX 78363
#28579

FRELON MARY GUZMAN
609 E ELLA
KINGSVILLE, TX 78363
#19606

VELA MARIA ALICIA
324 E ELLA AVE
KINGSVILLE, TX 78363
#10335

ESPINOSA VICENTE R JR EST
1510 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#18045

ESPINOSA VICENTE R JR EST
1510 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#25627

ESPINOSA VICENTE R JR EST
1510 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#24877

SOLIS ELI
320 E RICHARD AVE
KINGSVILLE, TX 78363
#15645

SOLIS IRMA G
320 E RICHARD AVE
KINGSVILLE, TX 78363
#14209

MENDEZ JOE VELA
265 N COUNTY ROAD 1040
KINGSVILLE, TX 78363
#21285

RIOS CAROLINA R (LIFE EST)
225 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#22035 4-28-15

SALAZAR HERIBERTO EST
229 E SANTA GERTRUDIS ST
KINGSVILLE, TX 78363
#14435

SIMONEAU VIOLA SALAZAR
PO BOX 381
KINGSVILLE, TX 78364
#15235

GARCIA SEVERO EST
324 E ELLA AVE
KINGSVILLE, TX 78363
#24004

HERRERA JOSE D IV
503 S 19TH ST
KINGSVILLE, TX 78363
#17182

CITY OF KINGSVILLE

200 E. Kleberg Avenue
Planning & Development Services Dept.
Planning & Zoning Division

Kingsville, Texas 78363
Phone: (361) 595-8055
Fax: (361) 595-8065

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 304 E Richard Located in the City X ETJ

(Proposed) Subdivision Name Total number of Lots

Legal Description:

Existing Zoning Designation Future Land Use Designation

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Mary Guzman Freelon Phone 361 455 2805 FAX

Email Address (for project correspondence only):

Mailing Address 609 E ELLA City Kingsville State TX Zip 78363

Property Owner Mary G Freelon Phone 361 455 2805 FAX

Email Address (for project correspondence only): Reervantes07@yahoo.com

Mailing Address 609 E ELLA City Kingsville State TX Zip 78363

Select appropriate request(s) for which approval is sought. Attach appropriate checklist(s) with this application.

<input type="checkbox"/> Annexation Request.....	No Fee	<input type="checkbox"/> Preliminary Plat.....	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA).....	\$250.00	<input type="checkbox"/> Final Plat.....	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request.....	\$250.00	<input type="checkbox"/> Minor Plat.....	\$100.00
<input type="checkbox"/> Re-zoning Request.....	\$250.00	<input type="checkbox"/> Re-plat.....	\$200.00
<input checked="" type="checkbox"/> SUP Request/Renewal.....	\$250.00	<input type="checkbox"/> Vacating Plat.....	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA).....	\$250.00	<input type="checkbox"/> Conceptual Development Plat.....	\$100.00
<input type="checkbox"/> PUD Request.....	\$250.00	<input type="checkbox"/> Subdivision Variance Request.....	\$25.00 ea
<input type="checkbox"/> Lot Line Adjustment Plat.....	\$100.00	<input type="checkbox"/> Amending Plat.....	\$100.00

Please provide a basic description of the proposed project:

Mixed Beverage License

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

Applicant's Signature: Mary Guzman Date: 4/9/15

Property Owner's Signature: Mary Guzman Date: 4/9/15

Application and Fee Accepted by: Date:



received
4-7-15

On-Premise Prequalification Packet

L-ON
(09/2013)

Please complete this Prequalification Packet with information concerning your proposed business location for which you are applying to sell/serve alcoholic beverages. This information will be used to obtain your pre-qualification to hold a license/permit. You will submit this information to the proper governmental entities for certification that your proposed location is legal for the type of license/permit for which you are applying.

Please immediately contact your local TABC office to determine if you must post a 60 Day Sign at your proposed location, and for more information.

LOCATION INFORMATION

1. Type of On-Premise License/Permit

- | | |
|---|---|
| <input type="checkbox"/> BG Wine and Beer Retailer's Permit | <input checked="" type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> Y Wine & Beer Retailer's Permit for Railway Dining Car | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input checked="" type="checkbox"/> MB Mixed Beverage Permit | |

2. Indicate Primary Business at this Location

- | | |
|--|--|
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel |
| <input checked="" type="checkbox"/> Bar | <input type="checkbox"/> Miscellaneous _____ |
| <input type="checkbox"/> Sexually Oriented | |

3. Trade Name of Location

DAY and NIGHT CLUB

4. Location Address

304 E. RICHARD

City

~~CORPUS CHRISTI~~ KINGSVILLE

County

KLEBERG

State

TX

Zip Code

78363

5. Mailing Address

609 E. ILLA

City

KINGSVILLE

State

TX

Zip Code

78363

6. Business Phone No.

(361) 595-1125

Alternate Phone No.

() -

E-mail Address

OWNER INFORMATION

7. Type of Owner

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Individual | <input type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

8. Entity/Applicant

MARY GUZMAN FREELON

9. If Applicant Is/Must Be Listed Below (attach L-OIC if additional space is needed).

- | | |
|--|--|
| Individual/Individual Owner | Limited Liability Company/All Officers or Managers |
| Partnership/All Partners | Joint Venture/Venturers |
| Limited Partnership/All General Partners | Trust/Trustee(s) |
| Corporation/All Officers | City, County, University/Official |

Last Name

FREELON

First Name

MARY

MI

G

Title

OWNER

Last Name

First Name

MI

Title

Last Name

First Name

MI

Title

Sunday's Paper - April 19, 2015

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, May 11, 2015, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Mixed Beverage Permit and Mixed Beverage Late Hours Permit, for the establishment known as Day and Night Club located at 304 E. Richard.

The meeting will be held at City Hall, 200 East Kleberg Ave., Kingsville, Texas in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

City of Kingsville

1

REQ#: 01290893 4/09/2015 2:29 PM
OPER: CF TERM: 001
REF#: 2738

TRAN: 125.0000 001-4-160-533.10
MARY FREELON
DAY & NIGHT CLUB
Zoning Fee 250.000R

TENDERED: 250.00 CHECK
APPLIED: 250.00-

AGENDA ITEM #3

RESOLUTION #2015-_____

A RESOLUTION ESTABLISHING GUIDELINES AND CRITERIA FOR ECONOMIC DEVELOPMENT INCENTIVES WITH THE CITY OF KINGSVILLE; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City passed and approved Guidelines and Criteria for Stimulating Economic Development within the City of Kingsville (EDA Guidelines) on January 28, 2013, which were good for a two year period;

Whereas, a need for economic development, especially single-family residential development, still exists within the City based on current demand and new job creation and the City desires to increase the amount of new residential single-family units built within the city, thereby increasing the sales tax and ad valorem tax base of the City to the benefit of citizens and other local taxing entities;

Whereas, the City believes the offering of local economic incentives will stimulate new residential single-family development within the city and stimulate economic activity and development within the city;

Whereas, additional single-family residential units will benefit the citizens, expand the tax base, and increase the population by capturing a larger share of the workforce that may be living elsewhere due to lack of adequate local housing stock;

Whereas, the City desires to approve qualifying applications for Economic Development Assistance to stimulate residential and economic development within the city as a local incentive to create additional housing, a higher level of employment, economic activity and stability within the City of Kingsville, which serves a public purpose;

Whereas, the approved EDA Guidelines provide for the administration of a program that provides personnel and services and/or money of the city to promote local economic development and to stimulate business and commercial activity in the city, pursuant to authority found in section 380.001 of the Local Government Code;

Whereas, the City the existing guidelines have expired and need to be renewed;

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

I.

THAT the Guidelines and Criteria for Economic Development Incentives with the City of Kingsville (the "Guidelines", attached as Exhibit A) are hereby approved for two years from the effective date of this resolution.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
_____ 11th day of May _____, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**GUIDELINES AND CRITERIA
FOR
ECONOMIC DEVELOPMENT INCENTIVES
WITH
THE CITY OF KINGSVILLE**

SECTION I. General Purpose:

The City of Kingsville, Texas, is committed to the promotion of economic development in all parts of the City and to an ongoing improvement in the quality of life for the citizens residing within the City. The City recognizes that these objectives are generally served by enhancement and expansion of the local economy and tax base. The City will, on a case by case basis, give consideration to providing economic incentives, as authorized by Vernon's Texas Code Annotated (V.T.C.A.), Local Government Code, Chapter 380, as stimulation for economic development within the City of Kingsville. It is the policy of the City that said consideration will be provided in accordance with the guidelines and criteria herein set forth and in conformity with the Local Government Code.

Nothing contained herein shall imply, suggest or be understood to mean that the City is under any obligation to provide economic incentives to any applicant and adoption of these GUIDELINES AND CRITERIA GOVERNING ECONOMIC DEVELOPMENT INCENTIVES. (these "Guidelines") The Guidelines shall not create any property, contract, or other legal right in any person to have the governing body of the City consider or grant a specific application or request for economic incentives. With the above rights reserved all applications for economic incentives will be considered on a case by case basis.

SECTION II. Definitions:

As used within these guidelines and criteria, the following words or phrases shall have the following meaning:

1. Program Time Limit: Development Agreements may be approved by the governing body of the City of Kingsville for a period not to exceed five (5) years.
2. Agreement Time Limit: An applicant for a Development Agreement shall have all infrastructure improvements and development of the lots fully developed within 5 years of execution of said Residential Development Agreement.
3. Economic Incentives: The City of Kingsville may provide a maximum of one hundred percent (100%) of the total labor and equipment cost (to be determined by the City Engineer) of infrastructure (water and/or sewer or street) in the form of man-power and equipment, both of which will be provided by the City of Kingsville,

that are to be located on real property within the city limits of the City of Kingsville, Texas for economic development purposes as designated in the Development Agreement for a period of time not to exceed five (5) years. The City of Kingsville may also provide a grant of money and/or reimbursables for infrastructure (water &/or sewer or street) that are to be located on real property within the city limits of the City of Kingsville, Texas for economic development purposes as designated in the Development Agreement for a period of five (5) years, with the ability of an extension upon request by the applicant for up to an additional 5 years to be approved by the City Commission, but shall not exceed a total term of 10 years.

4. The City: The City of Kingsville, a municipal corporation, located within the city limits of City of Kingsville, Texas.
5. Development Agreement: A contract between a property owner and the City for the economic incentives to be provided by the City of Kingsville for qualified property located within the City of Kingsville.
6. Base Year Value: The assessed value as determined by the Kleberg County Tax Assessor of property eligible for economic incentives as of January 1 preceding the execution of a Development Agreement as herein defined.
7. Facility: The building, units or structures erected on the Real Property.
8. Improvements to Real Property or Improvements: Shall mean the construction and completion of any Facility located upon, or to be located upon Real Property, as herein defined.
9. Owner: The record title owner of Real Property.
10. Real Property: Land on which Improvements are to be made located within the city limits.
11. Plat: A map of a subdivision showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys, easements, etc., usually drawn to scale.
12. Living Space: The area of the house that is heated and/or cooled.

SECTION III. Intent of Criteria and Guidelines: The intent of the criteria and guidelines, as herein set forth, is to establish the minimum standards which an applicant for economic incentives must meet in order to be considered for such status by the City.

SECTION IV: Criteria and Guidelines for Economic Incentives:

1. Real Property will be eligible for economic incentives consideration provided such property meets the following guidelines and criteria:
 - (a) Creation of new value: Economic incentives may only be granted for newly platted single family residential development lots that result in the development of single family residential units with a minimum of 1,300 square feet of living space, and/or multi-family apartment buildings with a minimum of 12 total dwelling units, and/or commercial and retail development that creates jobs, sales taxes & additional property value.
2. If the water and/or sewer infrastructure must pass undeveloped land, the applicant must pay 100% of the cost for that section of infrastructure and may seek reimbursement from the future developer of said undeveloped land as development occurs.
3. If the water and/or sewer infrastructure must pass developed land and the property owner of the developed land wants to connect to the infrastructure, then said property owner must pay 100% of the cost for the section of infrastructure crossing the entirety of his property.
4. The developer/contractor shall abide by and not solicit or/seek undue relief from all applicable building codes and or site development standards as approved by the City Commission and/or promulgated by other industry rulemaking bodies.
5. The total amount or value of economic incentives may not exceed that which is required to complete the project including a reasonable, but not excessive return on investment under existing market conditions.
6. The following types of property shall be ineligible for economic incentives status:
 - a. manufactured homes;
 - b. modular homes;
 - c. homes built with open foundations (eligible for street infrastructure assistance);
 - d. apartments with 11 or fewer dwelling units;
 - e. duplexes, triplexes and quadplexes (eligible for street infrastructure assistance);
 - f. hotel accommodations (unless part of a large scale apartment development wherein extended stay units are developed);
 - g. motel accommodations;
 - h. property owned by the State of Texas or any State agency; and,
 - i. property owned or leased by a member of the City Commission of the City of Kingsville.
7. In order for a Facility to qualify for economic incentives, all of the following conditions must apply:

- a. the Real Property must be owned by the same person, corporation, partnership or other business entity;
- b. the Real Property must be located in the city limits of the City of Kingsville;
- c. there can be no liens on the property and all property taxes must be current;
- d. the applicant or his developer must put up a cash bond/performance bond or irrevocable letter of credit in the amount of 105% of the cost of the economic incentives;
- e. the improvements to the Real Property must be for single family residential development lots that result in the development of single family residential units with a minimum of 1300 square feet of living space; and/or multi-family apartment buildings with a minimum of 12 total dwelling units; and/or commercial and retail development that creates jobs, sales taxes & additional property value; and
- f. construction must be a minimum 100% completed no later than the expiration of the Residential Development Agreement.

6. Bond/Irrevocable Letter of Credit

a. The Applicant shall submit to the city, no later than the date the Development Agreement is approved by the Kingsville City Commission, a cash bond/performance bond or irrevocable letter of credit in the amount of 105% of the cost of the economic incentives, from a surety authorized to do business in the State of Texas. The bond or irrevocable letter of credit shall be valid for a period of *no less than* five years from the date that the application is submitted to the City Commission for approval.

b. The bond or irrevocable letter of credit shall provide, but not be limited to, the following condition: there shall be recoverable by the city, jointly and severally from the principal and surety any and all financial loss, or costs suffered or incurred by the city in connection with Applicant's development within the city.

c. The bond or irrevocable letter of credit shall contain the following endorsement: "it is hereby understood and agreed that this bond/irrevocable letter of credit may not be canceled by the surety company until the term of the Development Agreement expires, or at which time the project is completed and approved by the City for which release of the bond has been granted in writing"; the rights to the city with respect to the bond/irrevocable letter of credit are in addition to all other rights of the city; and no action, proceeding, or exercise of a right with respect to such bond/irrevocable letter of credit shall affect any other rights of the city."

d. Notwithstanding anything contained to the contrary, the Development Agreement shall not be effective unless and until a copy of the agreement, signed by an authorized officer of the Applicant, and the bond or irrevocable letter of credit have been filed with the City Secretary.

7. The amount and term of economic incentives shall be determined by the City Commission of the City of Kingsville on a case by case basis; however, in no event

shall economic incentives be offered by the City of Kingsville for a term in excess of ten(10) years.

8. No property shall be eligible for economic incentives unless such property meets the requirements of V.T.C.A. Local Government Code, Section 380 et seq.

9. The economic qualification for economic incentives shall be as follows:

a. Facility:

i. The creation of a Facility, which has not previously existed within the City, and will be new development or approved redevelopment of a blighted property; and,

ii. The development to be erected or affixed in or on the Real Property within the city limits of the City of Kingsville, Texas, for which economic incentives are sought must consist of single family residential development lots that result in the development of single family residential units with a minimum of 1300 square feet of living space; and/or multi-family apartment buildings with a minimum of 12 total dwelling units; and/or commercial and retail development that creates jobs, sales taxes & additional property value. All construction must be a minimum 100% completed no later than the expiration of the Residential Development Agreement.

b. Notwithstanding any of the requirements set forth herein, the governing body of the City of Kingsville, upon the affirmative vote of three-fourths of its members, may vary any of the above requirements when variation is demonstrated by the applicant for Economic Incentives to be in the best interest of the City and that it will enhance the economic development of the City.

c. By signing a Development Agreement, an applicant whereby agrees that once a Development Agreement has been executed by all necessary parties applicant will not seek a real estate inventory discount with the Kleberg County Appraisal District for the real property and any improvements thereon.

10. Value of Facility:

a. The value of the development lots and/or improvements to be made, comprising the Facility shall be determined by the Kleberg County Appraisal District in accordance with the terms and provisions of a Development Agreement executed between the City and the owner of the Real Property.

11. Authority

a. The governing body of the City shall have total discretion as to whether economic incentives are to be granted. Such discretion, as herein retained, shall be exercised on a case by case basis by the City Commission of the City of Kingsville. The adoption of these guidelines and criteria by the governing body of the City of Kingsville does not:

- i. Limit the discretion of the governing body to decide whether to enter into a specific economic incentives agreement;
 - ii. Limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for economic incentives; or,
 - iii. Create any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for economic incentives.
- b. The burden to demonstrate that an application for economic incentives should be granted shall be upon the applicant. The City shall have full authority to request any additional information from the applicant that the City deems necessary to assist it in considering such application.

SECTION V. Development Agreement:

1. A Development Agreement may be executed between the owner of Real Property and the City. A Development Agreement shall:

- a. Establish and set forth the Base Year assessed value of the property for which economic incentives are sought.
- b. Provide that ineligible property as described in Section IV, Subsection 4, hereinabove shall not be subject to a Development Agreement.
- c. Fully describe and list the kind, number and location of all of the improvements to be made in or on the Real Property.
- d. Set forth the estimated value of all improvements to be made in or on the Real Property.
- e. Clearly provide that economic incentives shall be granted only to the extent:
 - i. The City has sufficient resources and labor to complete the project; and,
 - ii. That the Kingsville City Commission approves the application submitted for a Development Agreement.
- f. Provide for the portion of the total square footage of each single family residential unit to be built, number of dwelling units per multi-family structure,

and/or the number and type of jobs and/or forecasted sales tax increases and forecasted property tax value increases on Property.

- g. Provide for the commencement date and the termination date of the agreement. In no event shall said date exceed a total period of ten years.
- h. Describe the development of and improvements to Real Property including:
 - i. What type of economic assistance for water &/or sewer or street infrastructure is being sought.
 - ii. The nature of the construction, proposed time table of completion, a map or drawings of the improvements above mentioned.
 - iii. The amount of investment.
 - iv. A list containing the kind, number and location of all proposed improvements.
 - v. Any other information required by the City.
- i. Provide a legal description of the Real Property upon which improvements are to be made.
- j. Provide access to and authorize inspection of the Real Property or improvements by employees of the City, which has executed a Development Agreement with owner to insure improvements are made according to the specifications and conditions of the Development Agreement and all relevant codes and ordinances.
- k. Provide for the limitation of the uses of the Real Property or improvements consistent with the general purpose of encouraging development during the period covered by Development Agreement.
- l. Provide for contractual obligations in the event of default by owner, violation of the terms or conditions by owner, recapturing economic assistance provided by the city in the event owner defaults or otherwise fails to make improvements as provided in said Development Agreement, and any other provision as may be required or authorized by State Law.
- m. Contain each term agreed to by the owner of the property.
- n. Provide that the governing body of the City of Kingsville may cancel or modify the agreement if the property owner fails to comply with the agreement. If the completion of the project is delayed due to the fault of the City, then the Agreement Time Limit will be extended by an equivalent amount of time.
- o. Applicant is responsible for the cost and accuracy of all surveying and stakework.
- p. Applicant shall be responsible for any additional cost incurred for additional work due to changes in layout or due to errors in surveying or stakework.

q. Upon approval by the Kingsville City Commission, the City will provide a maximum of 100% of the total labor cost (to be determined by the City Engineer) of the water &/or sewer or street infrastructure in the form of man-power and equipment and/or money. The City shall not perform nor be responsible for excavation work performed in excess of five feet. In the event that the excavation for water and/or sewer exceeds five feet, the City of Kingsville will provide assistance by providing backfill material, hauling, waiving of any landfill tipping fees for backfill material only, and final (finish) grading on all excavated areas, to exclude existing infrastructure such as, but not limited to, curbs, sidewalks, driveways, stormdrains, etc.

r. The city shall not run any water and sewer lines or install any meters or taps on the private property to connect to the structure(s) as a part of the Development Agreement.

s. The city shall not be responsible for any meters fees or tap fees.

t. The tap from the city's main line will be laid in accordance with an exhibit to the application for Development Agreement.

u. Development within the subdivision is not exclusive to one contractor.

v. New phases of existing subdivisions are allowed.

w. Notwithstanding anything contained to the contrary, the Development Agreement shall not be effective unless and until a copy of the agreement, signed by an authorized officer of the applicant/property owner, and the cash bond/performance bond/irrevocable letter of credit, have been filed with the City Secretary.

2. Any notice, as provided for herein, is presumed delivered when placed in the mail, postage paid and properly addressed to the appropriate presiding officer. A notice properly addressed and sent by registered or certified mail for which a return receipt is received by the sender is considered to have been delivered to the addressee.

SECTION VI. Application:

1. Any owner of taxable property located within the City of Kingsville, which has no liens on the property, may apply for economic incentives by filing an application with the City of Kingsville and by paying an application fee of \$750.00 at the time of filing said application.

2. The application shall consist of a completed application form accompanied by:

a. A general description of the improvements to be undertaken.

- b. A map indicating the approximate location of improvements on the Real Property, together with the location of any or all development located on the Real Property or Facility.
- c. A list of any and all Tangible Personal Property presently existing on the Real Property or located in an existing Facility.
- d. A proposed time schedule for undertaking and completing the proposed improvements.
- e. A statement of the additional value to the Real Property as a result of the proposed improvements.
- f. A statement of the assessed value of the Real Property, for the Base Year.
- g. Information concerning the total square footage and number of new single family residential units, and/or number of multi-family residential units and/or the commercial and retail development and/or the number of new jobs and/or forecasted new sales tax information and also the assumed additional property tax value that will be created as result of the improvements undertaken.
- h. Any other information which the City deems appropriate for evaluating the financial capacity of the applicant and compatibility of the proposed improvements with these guidelines and criteria.
- i. Information that is provided to the City in connection with an application or request for Development Economic Incentives and which describes the specific plans for facilities to be constructed on the property for which economic incentives are sought is confidential and not subject to public disclosure until the Development Agreement is executed. Information in the custody of the City after the agreement is executed is not confidential.

SECTION VII. Recapture:

- 1. In the event that any type of Development Agreement:
 - a. has been entered into but the owner or applicant fails to undertake or complete such improvements;
 - b. has been entered into and development begins but subsequently discontinues for any reason, excepting fire, explosion or other casualty or accident or natural disaster or other event beyond the reasonable control of applicant or owner for a period of 90 days during the term of a Development Agreement, or
 - c. has been entered into but the City determines that the applicant or owner is in default of any of the terms or conditions contained in the Development Agreement,

then in such event the Development Agreement shall terminate and all economic assistance shall likewise terminate. The City shall give the applicant or owner sixty (60) days written notice to cure such default. In the event such default is not cured to the satisfaction of the City within the sixty (60) days notice period, then the Development Agreement shall terminate and all economic incentives shall likewise terminate and the City shall be entitled to reimbursement.

The burden shall be upon the applicant or owner to prove to the satisfaction of the City that the discontinuance of development was as a result of fire, explosion, or other casualty or accident or natural disaster or other event beyond the reasonable control of applicant or owner. In the event the applicant or owner meets this burden and the City is satisfied that the discontinuance of the development was the result of events beyond the reasonable control of the applicant or owner, then such applicant or owner shall have a period of sixty days from written notice of the City that an exception was met in which to resume the development. In the event that the applicant or owner fails to resume the development within sixty days, the Development Agreement shall terminate and the City shall be entitled to reimbursement.

2. The date of termination, as that term is used in this document shall, in every instance, be the 60th day after the day the City sends notice of default in the mail to the address shown in the Development Agreement to the Applicant or Owner. Should the default be cured by the owner or applicant within the sixty (60) day notice period, the Owner/Applicant shall be responsible for so advising the City, failing in which, the Development Agreement remains terminated and the economic incentive provided by the City must be reimbursed.
3. The City shall be reimbursed a percentage of the total economic incentives (cash, labor, and equipment), plus a 5% penalty for administrative expenses, within 60 days of the date of termination. The percentage of economic incentives to be reimbursed is based on the total number of undeveloped lots (or in the case of a non-residential project the total percentage of the undeveloped project value) at the time of default divided by the total number of lots (or in the case of a non-residential project the total percentage of the anticipated project value) to have been developed as stated in the Development Agreement, plus an additional 5% penalty for administrative expenses.
4. In the event that a Development Agreement is terminated for any reason what so ever and economic incentives are not paid within the time period herein specified, then in such event, the city may seek recourse by filing suit in a court of competent judisdiction in Kleberg County, Texas.
5. If the completion of the project is delayed due to the fault of the City, then the Development Agreement Time Limit will be extended by an equivalent amount of time.

6. By way of example as to how a reimbursement calculation should work, see the following:

- a. Development Agreement states a total amount of economic incentives of \$400,000 (cash, labor and equipment) will be received by developer.
- b. Development Agreement states 60 lots are to be developed.
- c. At the time of default, only 30 lots are developed.
- d. Then 30 divided by 60 equals 50%.
- e. Add the 5% penalty to the 50% and the sum is 55%.
- f. Multiply the total economic incentives of \$400,000 by 55% to get the amount to be repaid to the city (\$220,000) within 60 days.

SECTION VIII. Miscellaneous:

1. Any notice required to be given by these criteria or guidelines shall be given in the following manner:

- a. To the owner or applicant: written notice shall be sent to the address appearing on the Development Agreement.
- b. To the City: written notice shall be sent to the address appearing on the Development Agreement.

2. Upon the completion of improvements made to any real property as set forth in these criteria and guidelines, a designated employee or employees of the City, having executed a Development Agreement with applicant or owner, shall have access to the real property to insure compliance with the Development Agreement.

3. A Development Agreement may be assigned to a new property owner but only after written consent has been obtained from the City that executed such an agreement with the applicant or owner.

4. These guidelines and criteria are effective upon the date of their adoption by the City Commission of the City of Kingsville and shall remain in force for two years. At the end of the two year period, these guidelines and criteria may be readopted, modified, amended or rewritten as the conditions may warrant.

5. The guidelines and criteria once adopted by the City may be amended or repealed by a vote of three-fourths of the members of the governing body of the City during the term in which these guidelines and criteria are effective.

6. Notwithstanding anything contained to the contrary, the Development Agreement shall not be effective unless and until a copy of the agreement, signed by an authorized officer of the Applicant, and the cash bond/performance bond or irrevocable letter of credit have been filed with the City Secretary.

7. In the event that the excavation for sewer and/or water exceeds five feet, the City of Kingsville will provide assistance by providing backfill material, hauling, waiving of any landfill tipping fees, and final (finish) grading on all excavated areas, to exclude existing infrastructure such as, but not limited to, curbs, sidewalks, driveways, stormdrains, etc.



**APPLICATION FOR ECONOMIC DEVELOPMENT INCENTIVES
WITH THE CITY OF KINGSVILLE**

FILING INSTRUCTIONS:

Applicant should complete and submit no later than NINETY (90) DAYS prior to the anticipated commencement of construction of improvements. The applicant acknowledges that they have read and understand these guidelines and criteria for economic development incentives with the City of Kingsville (Copy attached). This application will become a part of any later agreement or contract. Knowingly false representations herein may result in voiding of any subsequent agreements or contracts.

**AN ORIGINAL COPY OF THIS APPLICATION AND ATTACHMENTS SHOULD BE
SUBMITTED TO:**

Director of Planning & Development Services
City of Kingsville
P.O. Box 1458
Kingsville, Texas 78364

Section 1 - APPLICANT INFORMATION

Date of Application: _____

Applicant Name: _____

Company Name: _____

Address: _____

Phone: _____

Email: _____

Applicant's Representative on this project:

Name: _____

Address: _____

Phone: _____

Email: _____

(a) Type of Ownership (check one):

Corporation () Partnership () Proprietorship ()

(b) Parent Company(ies)_____

Subsidiary Company(ies)_____

Affiliated Company(ies)_____

(c) Are the property taxes on said property described below current?

Yes No

(d) Are there any recorded or unrecorded liens on the property?

Yes No If yes, amount. \$_____

(e) Have you, your partners or business associates ever been charged and or convicted of any felony crimes?

Yes No

(f) Has the cash bond/performance bond/irrevocable letter of credit been provided in the amount of 105% of the cost of the economic incentives to be received?

Yes No

(g) Is the above stated cash bond/performance bond/irrevocable letter of credit valid for a period of no less than five years from the date that the application is submitted to the City Commission for approval?

Yes No

(h) Are the required endorsement and conditions stated in section IV of the Guidelines included on the cash bond/performance bond/irrevocable letter of credit?

Yes No

(i) The Applicant agrees to provide access to and authorize inspection of the Real Property or improvements to the Real Property by employees of the City to ensure improvements are made according to the specification and conditions of the Development Agreement and all relevant codes and ordinances.

Yes No

- (j) The Applicant agrees to provide for contractual obligations in the event of default by owner, violation of the terms or conditions by owner, recapturing economic assistance provided by the city in the event owner defaults or otherwise fails to make improvements as provided in the Development Agreement, and any other provision as may be required or authorized by State law.

Yes No

Section II –DEVELOPMENT/PROJECT INFORMATION

- (a) Describe the type of development or project development for which economic development incentives are requested:

- (b) Address of proposed development and legal description: _____.

- (c) The proposed development is located in the following taxing jurisdictions:

School District: _____

Water District: _____

City: _____

County: _____

Other: _____

City: Kingsville, Texas

- (d) This application is for a New Development _____ or an Expansion _____.

- (e) State the exact type of economic development assistance you are seeking from the city.

- (f) What is the current zoning?

- (g) Will there be any other land use applications associated with this project (i.e. rezoning, subdivision, etc.)?

(h) State the monetary amount and timing of requested economic development incentives, if any.

(i) Specify the nature and timing of request for in-kind (i.e. streets, sewers, waterline) economic development incentives, if any.

Section III – DEVELOPMENT DESCRIPTION

Please attach the following:

(a) A general description of the infrastructure improvements to be undertaken.

(b) A descriptive list of the improvements for which assistance is requested.

(c) A list of the kind, number and location of all proposed improvements to Real Property.

(d) A site map indicating the approximate location of the proposed improvements on the Real Property, together with the location of any or all existing improvements located on the Real Property.

(e) A list of any and all Tangible Personal Property presently existing on the Real Property.

(f) A proposed time schedule for undertaking and completing the proposed improvements.

(g) A general description stating whether the proposed improvements are in connection with:

- (1) construction of a New Development (of any type herein defined); or,
- (2) expansion of an existing Development (of any type herein defined); or,
- (3) other.

(h) A statement of the additional market value to the Real Property resulting from the proposed improvements.

- (i) A statement listing the dollar amount of investment via a cash flow pro forma with an indicated rate of return once calculated against the estimated construction valuations and hard/soft costs.
- (j) A statement of the assessed value of the Real Property for the Base Year.
- (k) Provide that ineligible property as described in Section IV, Subsection 4 of the Economic Development Guidelines, shall not be subject to a Development Agreement.
- (l) Provide information concerning the type of development and the specific result that will be garnered as a result of the improvements undertaken. This shall be in conformance with the criteria listed in the Economic Development Guidelines.
- (m) Provide information concerning the total square footage of each of the single family residential units, and/or number of multi-family dwelling units, and/or the number of new jobs to be created or forecasted sales tax increases.

Section IV - ECONOMIC IMPACT INFORMATION

Part A - Current Investment in Existing Improvements:

Opening of improvements:

Month: _____ Year: 20____

Part B – Construction:

(a) Construction start date:

Month: _____ Year: 20____

(b) Development Total (S.F. Dwellings, M.F. Dwellings, # of jobs):

At Start: _____

Finish: _____

Part C - School District Impact Estimates:

Give estimated number of population increase: _____

Estimates of families to be transferred to area: _____

Estimates of children to be added to ISD's: _____

Part D - City Impact Estimates:

- (a) Volume of treated water required from City in gallons per day:_____
- (b) Volume of effluent water to be treated by City in gallons per day:_____
- (c) Please provide a statement on planned water and sewer treatment methods, and disposal of effluent water if the Development is to be located outside City systems._____

- (d) Has the required TCEQ permitting process been started (circle one)?
Yes No

Part E - Estimated Appraised Value on Site: (Land/ Personal Improvements/ Personal Property)

- (a) Valuation of Development on January 1 Preceding Proposed Assistance:_____
- (b) Value of Development upon completion of the project, and other associated improvements:_____
- (c) Estimated Value of Eligible Improvements after Economic Development Agreement expiration: _____

Section V - OTHER AGREEMENT APPLICATIONS

- (a) Has applicant made application for economic development assistance for this Development to any other taxing jurisdictions (circle one)?
Yes No
- (b) If "Yes", please provide:
(1) Dates of Application:
(2) Hearing Dates:
(3) Name of Jurisdiction(s) and Contact(s):
(4) Any letters of intent to abate or applications submitted:

Section VI - DECLARATION

To the best of my knowledge, the above information is an accurate description of the project details.

Applicant's Signature

Date

Owner's Signature

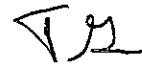
Date

Receiving For City

Date

To: City Commission

From: Tom Ginter, Director of Planning and Development Services



Date: May, 1, 2015

Subject: Re – Authorization of Guidelines and Criteria for Economic Development Incentives with the City of Kingsville

It has come to my attention that this document's authorization has expired. We have an individual interested in submitting an application but when we were going over the document we noted that the date for being valid was past due. Since I have been here I have not had any feedback on the guidelines or any changes recommended to me. If the Commission has any changes or recommendation to the guidelines I would be glad to add those to the document if that is what is desired.

If there are no changes then I would recommend that the Guidelines and Criteria for Economic Development Incentives with the City of Kingsville be effective until May 11, 2017.

AGENDA ITEM #4

RESOLUTION #2015-_____

A RESOLUTION AUTHORIZING PARTICIPATION IN CLICK IT OR TICKET GRANT FOR 2015 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville Police Department has been approved for \$7,000 worth of funding from the Texas Department of Transportation for the Click It or Ticket campaign which is set to take place May 18th through May 31st, 2015; and

WHEREAS, the funds cover the cost of additional law officer traffic enforcement during this period as part of a nationwide crackdown to reduce traffic crashes, injury and deaths for this particular period; and

WHEREAS, the there is no cash match for the Click It or Ticket Grant; and

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 the Texas Department of Transportation's Click It or Ticket 2015 campaign and to seek any funding or reimbursements for the allowed expenses of law enforcement personnel overtime and operational costs necessary to assist with improved traffic enforcement in our area in conformance with this program. The City is approving the application and acceptance of any Click It or Ticket grant funds that the Texas Department of Public Safety issues for the period of performance of May 18, 2015 through May 31, 2015.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the Click It or Ticket 2015 campaign 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 11th
day of May, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**KINGSVILLE POLICE DEPARTMENT
INTER-OFFICE MEMORANDUM**

May 6, 2015

To: I/City Manager, Courtney Alvarez

From: Chief of Police, Ricardo Torres

Subject: Click it or Ticket it! CIOT Grant

We are pleased to inform you that the Kingsville PD has been approved for funding for the 2015 Click it or Ticket Campaign.

Our funding is approved at **\$7,000** for the enforcement period. The Click it or Ticket campaign centers around the Memorial Day holiday, and enforcement is **May 18th through May 31**.

There is no cash match for CIOT.

Description of the campaign:

The CIOT funding is part of a nationwide crackdown to reduce traffic crashes, injury and death for this particular period.

The goal of every Law Enforcement Officer that I have ever known is Voluntary Compliance. That would make our job very easy. However, there are those who do not follow the rules. For those individuals, Enforcement is the only method of compliance.

The "Click It or Ticket" campaign is credited with motivating millions of motorists to always use their seat belts. Only 76 percent of Texans used seat belts when the campaign began in 2002. Today, 9 out of 10 Texans buckle up. The National Highway Traffic Safety estimates that since its inception, the "Click It or Ticket" campaign in Texas has resulted in 3,962 fewer traffic fatalities while preventing 66,823 serious injuries and saving more than \$15 billion in related economic costs.

We would request that this item be placed on the next City of Kingsville, City Commission Agenda for consideration for approval and acceptance. Thank you for your assistance regarding this matter.

AGENDA ITEM #5

ORDINANCE NO. 2015-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING SECTION 9-3-53; PROVIDING FOR AN INCREASE IN THE IMPOUNDMENT, DAILY BOARDING AND VACCINATION FEES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

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

WHEREAS, the fees for animal impoundment, daily boarding and vaccination have not been increased since their last adoption on October 26, 2009 (Ord. #2009-33) nearly six year ago;

WHEREAS, the cost for providing the services these fees are meant to help cover has gone up since 2009 without a corresponding increase in the fees;

WHEREAS, the City-County Board of Health met on January 15, 2015 at a duly posted, notice meeting and approved the fee increases proposed in this ordinance by a 6-0 vote.

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

I.

THAT Section 9-3-53 of Article 3: Animals of Chapter IX, General Regulations, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

ANIMAL CONTROL IMPOUNDMENT; FEES

...

Sec. 9-3-53. Time; fees: impoundment; bite; boarding; vaccination or license.

(A) Impounded animals, including those released from quarantine, shall be kept for three (3) business days from the date of impoundment. In calculating the length of this time, the first day after impoundment shall be day one. If the owner of such impounded animal does not redeem it within three (3) business days after impoundment, disposition will be in accordance with this chapter. The animal may be disposed of prior to the expiration of such time if in the opinion of the animal control personnel disposition is necessary to avoid the unnecessary suffering of a sick or injured animal.

(B) Impounded and quarantine animals, shall be available for immediate redemption to their owner upon presenting photo identification to the city (of which the city shall copy) and paying all applicable fees. Impounded prohibited animals shall be available for immediate redemption by the owner after presenting photo identification (of which the city shall copy) and paying all applicable fees.

(1) Animals impounded may be reclaimed and redeemed by the owner upon paying applicable fees to Animal Control Center. An impoundment fee of ~~\$25.00~~ \$15.00 and ~~\$6.00~~ \$5.00 per day for each day of impoundment plus any other applicable fees shall be paid before release of animal. This impoundment fee is subject to increase for additional animal impoundments for the same owner that occur multiple times in a calendar year.

(2) The increasing impoundment fee scale for multiple impoundments from the same owner in a calendar year are as follows:

<u>Impoundment Number</u>	<u>Fee</u>
<u>1st Impoundment</u>	<u>\$25.00</u>
<u>2nd Impoundment</u>	<u>\$50.00</u>
<u>3rd Impoundment or more</u>	<u>\$75.00</u>

~~(2)~~ (3) Where an owner cannot provide proof to the animal control personnel at the time of release from impoundment that the impounded animal is currently vaccinated against rabies, then a ~~\$20.00~~ \$15.00 deposit for the legally required vaccination will be made.

~~(3)~~ (4) A copy of the current "applicable fees" for reclaiming impounded or quarantined animals is available for review at the animal control center.

~~(4)~~ (5) It is not a defense to prosecution of any citations that applicable impoundment, bite, boarding, or rabies vaccination fees have been paid.

...

II.

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

III.

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

IV.

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

INTRODUCED on this the 11th day of May, 2015.

PASSED AND APPROVED on this the 26th day of May, 2015.

Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

Memorandum



To: Courtney Alvarez, Interim City Manager
Cc: Mayor and City Commissioners
From: Emilio H. Garcia, City-County Health Director 
Subject: Section 9-3-53. – Time, fees: Impoundment; bite; boarding; vaccination or license
Date: April 30, 2015

The City-County Board of Health held their bi-monthly meeting on Thursday, January 15, 2015 at the City-County Health Department. Several fees for Animal Control were introduced to the Board of Health for their review and consideration for approval. The fees for Animal Control have not be evaluated and increased since October 26, 2009 (Ord. #2009-33) 6 years ago. The fees that are in the City of Kingsville Ordinance are for impoundment, daily boarding and a vaccination fee. The impoundment fee for the City of Kingsville is \$15.00 the daily boarding fee is \$5.00 per day and a \$15.00 vaccination fee; which is refunded once proof is provided to the Animal Control Center of the animal being vaccinated.

After some discussion the City-County Board of Health agreed to increase the impoundment fee to \$25.00, the boarding fee to \$6.00 daily and to increase the vaccination fee to \$20.00 (refundable). Also the Board of Health would like to have an increasing scale for impoundments for example; 1st impoundment \$25.00, 2nd impoundment \$50.00 and 3rd impoundment \$75.00 within a calendar year. This will be a new add-on to the City Animal Control Ordinance. With increasing costs for fuel (gasoline), employee salaries, vehicle insurances and employee health insurances; it is time to increase the City of Kingsville Animal Control fees to a more reasonable level.

Therefore we are requesting that this item be placed on the agenda for the next City Commissioners meeting. Also attached you will find the Board of Health minutes and approval (The motion Passed: 6-0) for all animal control fees. The City-County Board of Health requests that the City Commission also approves their recommendation to increase the fees for Animal Control.

Thank you,

CITY COUNTY HEALTH BOARD

REGULAR MEETING MINUTES

JANUARY 15, 2015

Health Board Members Present

Otis Myers, Chairman

Joni Harrel

Ben Salinas

Judy Anthony

Karen Tallant

Dr. Justin Harkey

Health Board Members Absent

Norma Sue Adrian

Citizens Present

Lisa Bockholt

Staff Present

Emilio H. Garcia, Health Director

Monica Longoria, Administrative Assistant II

1. Call meeting to order.

The meeting was called to order at 4:30 pm.

Chairman Otis Myers conducted the meeting.

2. Public comments on items on or off the agenda*:

Lisa Bockholt commented on the policy currently in place at Animal Control regarding Rescue groups and the citations issued to insure sterilization. She commented this discourages volunteers from assisting rescue groups. She asked that the board review this procedure.

3. Discuss and approve minutes of October 30, 2014;

Motion to approve minutes was made by Karen Tallant and seconded by Judy Anthony.

The motion Passed: 6/0

4. Discuss and approve October, November and December 2014 Monthly Reports;

The Board discussed the monthly reports.

Motion to approve reports was made by Karen Tallant and seconded by Ben Salinas.

The motion Passed: 6/0

5. Reports from Board & Staff:

The board had a short discussion regarding the Food Service Reports.

Motion to accept reports was made Judy Anthony and seconded by Ben Salinas.

The motion Passed: 6/0

6. Discuss old business;

a. Review and Approve New Animal Control Fees

The Board reviewed the New Animal Control Fees. Judy Anthony made a motion to approve the ordinance fees as follows:

Impoundment (1st occurrence)-\$25.00

Impoundment (2nd occurrence)-\$50.00

Impoundment (3rd occurrence)-\$75.00

Within a one year period of 1st occurrence

Boarding-\$6.00/day

Rabies Vaccination Deposit-\$20.00

(Refundable upon proof of vaccination and within allotted time)

Motion was seconded by Karen Tallant.

The motion passed: 6/0

Karen Tallant made a motion to approve the following internal fees:

Pet Adoption

Dogs-\$25.00

Cats-\$20.00

Small Animals-\$10.00 (chicken, ducks, reptiles, ferrets)

Livestock-\$50.00 (goats, pigs, horses, donkeys)

Animal Bite

Impoundment-\$30.00

Observation/Quarantine (10-days)-\$60.00

(\$6.00 x 10 days of boarding)

Refundable Vaccination Deposit-\$20.00

(Refundable upon proof of vaccination and within allotted time)

Livestock Impoundment

Horse/Cattle-\$50.00

Boarding-\$25.00/day

Goats/Pigs-\$25.00

Boarding-\$20.00/day

Poultry/Rabbits-\$10.00

Boarding-\$5.00/day

Trap Rental

Trap Rental fee-\$10.00/week (2 week minimum)

Deposit-\$30.00 (refundable upon return of trap on time and in working condition)

Motion was seconded by Dr. Justin Harkey.

The motion passed: 6/0

7. Discuss new business;

a. Review and Approve new Animal Release Form

Item tabled until next meeting. Verify with City Attorney if 3rd paragraph is necessary. Refers back to Sterilization Agreement/Citations for rescue groups.

b. Review and Approve new Rescue Transfer Form

Reviewed and made correction to wording on Rescue Transfer Form.

A motion was made by Ben Salinas to approve the Rescue Transfer Form with correction of "leach" to "leash". The motion was seconded by Judy Anthony.

The motion passed: 6/0

c. Review and Approve new Euthanasia Form

The board reviewed the purpose of the Euthanasia Form. They determined the Euthanasia Fee should be added on this form. Dr. Harkey also recommended including a statement declaring the animal has not been involved in any kind of bite within the last 10 days. Item was tabled to review at next meeting with all corrections.

Dr. Harkey gave his recommendation for what age animals should be sterilized. His recommendation is 4 months old or over 2 pounds. This recommendation will be added into the Sterilization Contract and presented to the board for approval.

Emilio Garcia noticed Karen Tallant's appointment term on the board was expired. Mr. Garcia asked if she would like to be reappointed. She stated she would. Ben Salinas' appointment term on the board was also expired. Mr. Garcia asked if he would like to be reappointed. He said he would.

Set date for next Health Board meeting-March 26, 2015.

8. Adjourn.

Motion to adjourn was made by Judy Anthony and seconded by Dr. Justin Harkey.

The motion Passed 6/0.

Meeting adjourned at 6:08 pm.

Current Fees

- **Sec. 9-3-53. - Time; fees: Impoundment; bite; boarding; vaccination or license.**

(A)

Impounded animals, including those released from quarantine, shall be kept for three business days from the date of impoundment. In calculating the length of this time, the first day after impoundment shall be day one. If the owner of such impounded animal does not redeem it within three business days after impoundment, disposition will be in accordance with this chapter. The animal may be disposed of prior to the expiration of such time if in the opinion of the Animal Control Personnel disposition is necessary to avoid the unnecessary suffering of a sick or injured animal.

(B)

Impounded and quarantine animals, shall be available for immediate redemption to their owner upon presenting photo identification to the city (of which the city shall copy) and paying all applicable fees. Impounded prohibited animals shall be available for immediate redemption by the owner after presenting photo identification (of which the city shall copy) and paying all applicable fees.

(1)

Animals impounded may be reclaimed and redeemed by the owner upon paying applicable fees to Animal Control Center. An impoundment fee of \$15.00 and \$5.00 per day for each day of impoundment plus any other applicable fees shall be paid before release of animal.

(2)

Where an owner cannot provide proof to the Animal Control Personnel at the time of release from impoundment that the impounded animal is currently vaccinated against rabies, then a \$15.00 deposit for the legally required vaccination will be made.

(3)

A copy of the current "applicable fees" for reclaiming impounded or quarantined animals is available for review at the Animal Control Center.

(4)

It is not a defense to prosecution of any citations that applicable impoundment, bite, boarding, or rabies vaccination fees have been paid.

(Ord. No. 2009-33, § 1, passed 10-26-09)

Proposed Fee Increases

- **Sec. 9-3-53. - Time; fees: Impoundment; bite; boarding; vaccination or license.**

(A)

Impounded animals, including those released from quarantine, shall be kept for three business days from the date of impoundment. In calculating the length of this time, the first day after impoundment shall be day one. If the owner of such impounded animal does not redeem it within three business days after impoundment, disposition will be in accordance with this chapter. The animal may be disposed of prior to the expiration of such time if in the opinion of the Animal Control Personnel disposition is necessary to avoid the unnecessary suffering of a sick or injured animal.

(B)

Impounded and quarantine animals, shall be available for immediate redemption to their owner upon presenting photo identification to the city (of which the city shall copy) and paying all applicable fees. Impounded prohibited animals shall be available for immediate redemption by the owner after presenting photo identification (of which the city shall copy) and paying all applicable fees.

(1)

Animals impounded may be reclaimed and redeemed by the owner upon paying applicable fees to Animal Control Center. An impoundment fee of \$25.00 and \$6.00 per day for each day of impoundment plus any other applicable fees shall be paid before release of animal.

(2)

Where an owner cannot provide proof to the Animal Control Personnel at the time of release from impoundment that the impounded animal is currently vaccinated against rabies, then a \$20.00 deposit for the legally required vaccination will be made.

(3)

A copy of the current "applicable fees" for reclaiming impounded or quarantined animals is available for review at the Animal Control Center.

(4)

It is not a defense to prosecution of any citations that applicable impoundment, bite, boarding, or rabies vaccination fees have been paid.

(Ord. No. 2009-33, § 1, passed 10-26-09)

New increase scale fees for impoundment.

Impoundment	Fee
1 st Impoundment	\$25.00
2 nd Impoundment	\$50.00
3 rd Impoundment	\$75.00

*Within a calendar year

CITY-COUNTY HEALTH UNIT

INTEROFFICE MEMORANDUM

TO: Courtney Alvarez, Interim City Manager
FROM: Emilio H. Garcia, City-County Health Director *EH Garcia*
CC: Deborah Balli, Finance Director
SUBJECT: Animal Control Fees- Impoundment, Daily Boarding, Surrender/Drop off, Euthanasia, Animal Bite, Vaccination and Quarantine Fees
DATE: 4/30/2015

Attached you will find a spreadsheet of several cities from around the region that have different fees for Animal Control Services. These include impoundment, daily boarding, surrender/drop-off, euthanasia, animal bite, vaccinations and quarantine fees. These fees are the norm among all city animal control services. The City-County Health Department/Animal Control Center fees have not been evaluated or reviewed for a proposed increase in several years. The last time the fees were increased was October 26, 2009 (Ord. No 2009-33, § 1,) some five years ago and the increase was minimal at that. I strongly recommend that we increase our fees to a more reasonable level. This increase in fees will generate more revenue for the City-County Health Department and hopefully encourage better behaviors and responsible pet ownership through our City Animal Control Ordinances.

Impoundment fees are implemented by all cities. These fees range from \$15.00 to \$215.00 for impoundment. Some cities base their fee on whether your animal is unaltered, or altered (Sterilized), City licensed or not, rabies vaccinated or not and some cities just have a flat fee for impoundment of animal that are running-at-large. Some cities even have an incremental increase for every time your animal is impounded (ex 2nd so much, 3rd so much more etc.). The City-County Health Department/Animal Control Center impoundment fee is \$15.00 at a flat rate. It is my recommendation that the City-County Health/Animal Control Center increase their impoundment fee by \$15.00 for a total of \$30.00 for 1st Impoundment. In fiscal year 2012 -2013, 275 dogs were reclaimed/released by their owners at just the minimum impoundment fee of \$15.00 the total was \$4,125.00 which does not include any extra revenue from extent days of boarding. Now our real revenue from dog reclaimed/releases was \$7607.00 which includes any extra days of boarding. If our impoundment fees are raised to \$30.00 and we release about the same amount it would generate an extra \$4,125.00 totaling \$8,250.00. Extra days of boarding would be extra.

All cities charge a boarding fee for every day thereafter. The daily boarding fees range from \$5.00 to \$25.00 per day. These fees are usually included with the impoundment fee, but only if your dog has extra days of boarding. (Impoundment fee + # of days of boarding = \$\$). The City-County Health Department/Animal Control Center charges \$5.00 per day of boarding. It is my recommendation that the City-County Health Department/Animal Control Center increase their boarding fees by \$1.00 to \$6.00 per day for boarding. These fees are not tracked because it gets included when a pet owner releases or reclaims their animal if their animal was impounded with extra days of boarding.

Adoption fees range from \$1.00 to \$100.00 per dog(s) and \$1.00 to \$96.00 per cat(s). Included in the Adoption for most cities is Spayed/Neuter surgery (sterilization), rabies vaccination, microchip, City license tag and age-appropriate vaccinations for dogs and cats. The larger cities that can provide all of these things usually have a Licensed Veterinarian on staff or some type of grant to help in vetting their adoptable animals. For the smaller cities they require the pet adopter to be responsible in vaccinating and sterilizing the pet by issuing a citation as the City of Kingsville does.

In Fiscal year 2013-2014 the City Commissioners approved \$1000.00 for minor vet care. This line item has been used to administer minor vet care to any animal needing veterinarian care for cuts, skin and eye disorders, age appropriate shots, rabies vaccinations and any other veterinarian care which has never been done before. Since then, \$2000.00 has been moved into the minor vet care line item from our chemical and building line items. With that being said, forty-three dogs and cats have received age appropriate shots, rabies vaccinations and minor vet care which has contributed greatly to our adoption rates as well as rescued rate. People like the idea of the animal(s) they are adopting already having age appropriate shots, rabies vaccination, being sterilized, micro-chipped and licensed. Last fiscal year we had 204 dogs and 26 cats adopted on just refundable vaccination fee and citation for sterilization. I'm hoping to double our adoption rates now that we are administering more vet care services. I will be requesting an increase for minor vet care to continue providing vet care to our impounded, unwanted, abandoned and stray animals, therefore increasing their odds for adoption.

To off-set this cost, I recommend that we increase our adoption fees for those animals that have been rabies vaccinated by the City-County Health Department. If a dog or a cat has gotten a rabies vaccination, I recommend that a \$15.00 fee is added to the \$20.00 adoption fee totaling \$35.00 for the adoption. Even with just a \$15.00 increase in our adoption fees, the City of Kingsville will still rank low in the cost of adoptions. Those animals that are not rabies vaccinated, I recommend that the adoption fee is increased to \$25.00 up from \$20.00 and still require a \$15.00 refundable vaccination fee.

Most cities do not have an owner surrender or drop off fees per say. This is done so people to not abandon their unwanted animals out on the street. The City-County Health Department does not have such a fee and recommends not imposing such a fee.

Most Cities do charge a euthanasia fee. Some cities base it on the size of the animal, a flat cost and some cities do not charge at all to euthanize an animal. Other cities will not euthanize animals for the public in general at all. This fee is to off-set the cost of syringes, needles, and the euthanasia solution being used. The City-County Health Department charges \$10.00 to euthanize an animal. It is my recommendation that we increase our euthanasia to \$15.00. The City-County Health Department does about a hand full of these types of owner requests. This small increase would help off-set our cost, now that we are using a licensed Veterinarian to euthanize our unwanted animals.

Animal bite fees are implemented by all cities and are the same as their quarantine fees. These fees range from \$50.00 to \$100.00 plus 10 days of observation. Which is the same as your boarding fees (10 days x boarding daily rate = \$\$).

Most cities do not charge a separate vaccination fee, because it is already included in their adoption fees. The City-County Health Department adds on a \$15.00 refundable vaccination fee for those animals being adopted. The \$15.00 refundable vaccination fee is also applied to those who have their dogs impounded for running at large. This action secures that all animals within the city limits are rabies vaccinated as per city ordinance 9-3-50 Rabies vaccination. It is my recommendation that those animals that are vaccinated by City-County Health Department the adoption fee be increased to \$35.00 per animal. Therefore the adoption fee is \$20.00 plus \$15.00 for the vaccination fee equaling \$35.00.

All City Animal Control facilities charge a quarantine fee. These fees range from \$50.00 to \$100.00 for quarantine plus a 10 day boarding fee. The City-County Health Department quarantine fee \$15.00, \$15.00 refundable vaccination and a 10 day boarding fee of \$5.00 per day totaling \$80.00 for the owner to reclaim his or her dog. In fiscal year 2012-3012, 52 dogs were quarantine at our Animal Control Center. It is my recommendation that we increase our quarantine fee to \$30.00 up from \$15.00; keep the refundable vaccination fee the same at \$15.00 and the 10 day boarding fee of \$6.00 per day which will total \$105.00 to reclaim your animal(s).

All of these animal control fee increases will help with employee salaries, animal control supply (such as towels, cots or dog beds, shampoos, gloves, restrainers, nets), equipment (such as a grooming tub, a pet hair dryer, washer & dryer), training (Continue Education Units/CEU's), food & treats, new animal control vehicles, and bigger animal control unit boxes to transport more than just 2 animals at a time.

If all new fees are approved by Interim City Manager, Courtney Alvarez, the Mayor and the City Commission the new fees will go into effect in January 1, 2016.

Animal Control Fees from surrounding Cities

Cities	Impoundment Fees	Boarding Fees for every day thereafter	Adoption Fees	Surrender/ Drop off Fees	Euthanasia Fees	Animal Bite Running at Large	Vaccination Refundable Fee	Quarantine Fee / 10 day Observation
Kingsville, Texas	\$15.00	\$5.00 per day	\$20.00	\$0.00	\$10.00	\$50.00	\$20.00	\$15.00 plus refundable vaccination fee and \$5.00 per day
Alice, Texas	\$75.00	\$5.00 per day	Currently Waived Normally \$15.00	\$10.00	\$10.00	Same as Quarantine	Owner responsible for all vaccinations	\$75.00 plus \$5.00 per day
Arlington, Texas	1 st Impoundment (Unaltered) \$55.00 1 st Impoundment (Altered) \$35.00 2 nd Impoundment (Unaltered) \$110.00 2 nd Impoundment (Altered) \$65.00 3 rd Impoundment (Unaltered) \$135.00 3 rd Impoundment (Altered) \$85.00	\$10.00 per day	\$100.00 Dogs \$90.00 Cats Includes Adoption, city license, sterilization, core microchipping, core vaccine, rabies vaccine, and heartworm or FeLV/FIV testing services	\$0.00	Cats \$15.00 Small Dogs <10 Pds \$15.00 11-25 Pds \$25.00 26-50 Pds \$35.00 >50 Pds \$45.00	Same as Quarantine	All animals already vaccinated	\$100.00 plus \$20.00 per day
Corpus Christi, Texas	Not Licensed, Vac, or Altered \$97.00 Not Licensed, Altered but Vaccinated \$87.00 Not Licensed, Vac but Altered \$64.00 Not Licensed, but Altered & Vac \$ 54.00 Not Altered, but licensed & Vac \$50.00 Licensed, Vac and Altered \$25.00	\$6.00 per day	\$25.00 Includes Spayed/Neuter surgery Age-appropriate Vaccinations Microchip City License Tag	\$0.00	Animal Care Services does not Euthanize for the Public	Same as Quarantine	All animals already vaccinated	\$60.00 plus \$6.00 per day

Animal Control Fees from surrounding Cities

Fort Worth, Texas	Level one (one officer, animal restrained or confined): \$65.00 Level one (one officer, animal unrestrained): \$105 Level three (two officers, animal unrestrained): \$160.00 Level four (three or more officers, animal unrestrained) \$215.00 Rabbits, fowl, reptiles: \$15.00 Miscellaneous livestock: \$100.00 Prohibited animals: \$200.00	\$8.00 per day	\$49.00 Dogs \$25.00 Cats Includes Sterilization Rabies vac. (tag) City License tag Microchipped	Do not except surrendered animals	No fees	Same as Quarantine	All animals already vaccinated	\$50.00 plus \$8.00 per day
McAllen, Texas								
Brownsville, Texas	1 st Impoundment \$10.00 if spayed or neutered \$20.00 if not spayed or neutered	\$10.00 if S/N \$20.00 if not S/N per day	\$96.00 Dogs \$96.00 Cats Includes Spay/Neuter Op. Physical Exam Rabies Vac. (tag) City License (tag) De-worming 1 st dose Distemper/Parvo vac. Microchip Heartworm Tested Or FDV vac. Feline Leukemia test Microchip	\$0.00	No charge for Euthanasia Free service	Same as Quarantine	All animals already vaccinated	\$100.00 Flat Fee

Animal Control Fees from surrounding Cities

Portland, Texas	1 st Impoundment \$50.00	\$15.00 per day	No Adoptions	No Fees	Animal Care Services does not Euthanize for the Public	Same as Quarantine	City Citation issued	\$50.00 plus \$15.00 per day
Ingleside, Texas	1 st Impoundment \$100.00	\$25.00 per day	\$90.00 Dogs \$60.00 Cats Includes Rabies vac. (tag) Sterilization Adoption fee	\$75.00	No charge for Euthanasia	Same as Quarantine	All animals already vaccinated	\$100.00 Flat Fee
Port Aransas, Texas	First Impoundment \$25.00 Second Impoundment within 12 months \$35.00 Third Impoundment \$45.00 Fourth Impoundment \$65.00	\$5.00 per day	Dogs \$20.00 Puppy \$10.00 Cats \$10.00 Kitten \$10.00 They have a volunteer group that sterilize, vaccinates all animals ready for adoption	Dogs \$20.00 Puppy \$10.00 Cats \$10.00 Kitten \$5.00	Dog \$10.00 Cats \$10.00	Same as Quarantine	All animals already vaccinated	\$25.00 plus \$5.00 per day
Aransas Pass, Texas	1 st Impoundment \$20.00	\$5.00 per day	\$20.00	No Fees	Voucher for Rabies shots \$10.00	Same as Quarantine	Voucher	\$15.00 plus \$5.00 per day
Harlingen, Texas	1 st Impoundment \$20.00	\$15.00 per day	\$100.00 Dogs \$75.00 Cats Includes Spay/Neuter Surgery Rabies shot Heartworm test FDV Vac.	\$0.00	No fees for Euthanasia, but will expect any donations	Same as Quarantine	All animals already vaccinated	\$75.00 plus \$20.00 per day

Animal Control Fees from surrounding Cities

San Antonio, Texas	1 st Occurrence \$50.00 2 nd Occurrence \$100.00 3 rd Occurrence \$150.00 4 th Occurrence \$200.00	\$10.00 per day	Dogs \$81.00 Cats \$29.00 Includes Spay/Neuter Surgery, Microchip, Rabies Vac., City License (tag), Flea & tick preventative and 1 st round of vaccinations	\$40.00	\$25.00	Same as Quarantine	All animals already vaccinated	1 st Occurrence \$75.00 2 nd Occurrence \$100.00 3 rd Occurrence \$200.00 Plus \$20.00 per day
Eagle Pass, Texas	1 st Impoundment \$15.00	\$3.00 per day	Fee Adoption, only pay a \$1.00 City License Fee	No Fee	No Fee Free Service	Same as Quarantine	No vaccination Owner responsible for vaccinations	\$15.00 plus \$3.00 per day

City ranking of Animal Control fees (revenues) from the highest to the lowest in the region!

1. San Antonio
2. Corpus Christi
3. Fort Worth
4. Ingleside
5. Arlington
6. Alice
7. Portland
8. Port Aransas
9. Harlingen
10. Aransas Pass
11. Brownsville
12. McAllen
13. Kingsville
14. Eagle Pass