

City of Kingsville, Texas

AGENDA CITY COMMISSION

**MONDAY, SEPTEMBER 14, 2015
REGULAR MEETING**

**HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS
CITY HALL/200 EAST KLEBERG AVENUE
6:00 P.M.**

I. Preliminary Proceedings.

OPEN MEETING

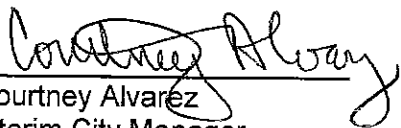
INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Special Meeting – September 2, 2015

Special Meeting – September 8, 2015

APPROVED BY:


Courtney Alvarez
Interim City Manager

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

1. NONE

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, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

IV. Public Comment on Agenda Items³

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 a resolution authorizing participation in Operation Border Star with the Homeland Security Grants Division of the Governor's Office for local border security to interdict criminal activity. (Chief of Police).
2. Motion to approve expending funds from the City of Kingsville Employee Benefit Plan Trust for the City Health Fair (for employees and eligible dependents). (Human Resources Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider final passage of an ordinance adopting the City Manager's Budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2015 and ending September 30, 2016 in the particulars hereinafter stated. (Director of Finance).
4. Consider final passage of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for the Fiscal Year beginning October 01, 2015 and ending September 30, 2016, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Director of Finance).
5. Consider ratifying the property tax increase reflected in the 2015-2016 Annual Budget of the City of Kingsville. (Director of Finance).
6. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III, Article 7, Personnel Policies. (Human Resource Director).
7. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 Utility Fund budget to cover increased utility costs. (Director of Finance).
8. Consider introduction of an ordinance amending the Fiscal Year 2014-2015 budget for deficit accounts at year end. (Director of Finance).
9. Consider a resolution abandoning 20 feet of a 40 foot road dedication easement along the West side of Lantana Street within Lot 3, Block 1 of Collegiate Station development while providing for a utility easement. (Director of Planning & Development Services).

VII. Adjournment.

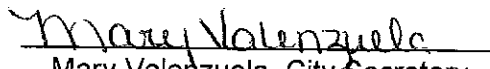
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative 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 are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board 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:

September 11, 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, 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)

SEPTEMBER 2, 2015

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON WEDNESDAY, SEPTEMBER 2, 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
Al Garcia, Commissioner
Arturo Pecos, Commissioner

CITY COMMISSION ABSENT:

Noel Pena, Commissioner

CITY STAFF PRESENT:

Courtney Alvarez, Interim City Manager/City Attorney
Mary Valenzuela, City Secretary
Tom Ginter, Director of Planning & Development Services
Deborah Balli, Finance Director
Diana Gonzales, Human Resources Director
Charlie Cardenas, Public Works Director/Engineer
Tony Verdin, IT Specialist
Willie Vera, Task Force Commander
Ricardo Torres, Police Chief
Sharam Santanilla, Engineer's Assistant
Leo Alarcon, Tourism Director
Emilio Garcia, Health Director
Melissa Perez, Risk Manager
Bill Donnell, Assistant Public Works Director
Cynthia Martin, Downtown & Volunteer Manager
Charlie Sosa, Street Supervisor
Joey Reed, Fire Chief

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 four Commission members present. Commissioner Pena absent.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

Mayor Fugate waived these proceedings and continued into Public Hearings.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

None.

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

1. Public Hearing on a proposed tax rate increase from \$.84220 to \$.89610 for Fiscal Year 2015-2016. (Finance Director).

Mayor Fugate announced and opened this public hearing at 6:02 p.m.

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

Mrs. Alvarez reported that the proposed budget that will be discussed later and hopefully introduced next Tuesday is based on the existing tax rate of \$.84220.

Mayor Fugate commented that this is done annually at this time just to out of the abundance caution because whatever you set your rate at you can't go up but always go down.

Mayor Fugate closed this public hearing at 6:04 p.m.

2. Public Hearing on proposed Fiscal Year 2015-2016 budget. (Finance Director).

Mayor Fugate announced and opened this public hearing at 6:04 p.m.

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

Mrs. Alvarez commented that this is required under the Local Government Code and was published in the newspaper as required and whatever budget the Commission adopts will then set the tax rate.

Mayor Fugate asked if the proposed budget was published on the city website.

Mrs. Alvarez responded that the draft budget is on the city website since last month.

Commissioner Pecos commented that the city hasn't raised its taxes in the last 5 years.

Mayor Fugate closed this public hearing at 6:05 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, Convention and Visitor's Bureau, 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. Alvarez reported that Monday, September 7th is the Labor Day Holiday and city offices will be closed. Also on Tuesday, September 8th there is a Special Commission Meeting scheduled to introduce the ordinances for the budget and tax rate. Monday, September 14th is the regularly scheduled meeting where we would do the final adoption of the budget and tax rate and on September 15th is the Special Commission Meeting for the City Manager interviews. Alvarez stated that the Community Appearance and staff will be hosting a trash-off on Saturday, September 19th from 8:30 a.m. to 12:00 p.m.

Mayor Fugate commented that he has volunteered to assist with the trash-off and more help is needed.

IV. Public Comment on Agenda Items³

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

No public comments were made.

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Review and discuss proposed fiscal year 2015-2016 budget for departments of the City of Kingsville. (City Manager).

Mayor Fugate commented that this isn't an action item but only for discussion.

Mrs. Alvarez responded yes.

Commissioner Leubert commented that if the Commission has anything they may want to discuss, this is the time to do it, so that if there are any changes, staff has the time to make those changes. Leubert further commented that first thing she would like to discuss is the employee pay adjustment proposals. Leubert commented that she asked that they have something a little more substantial than this and she would say that she is not comfortable about, in fact not comfortable at all about the pay increases. If we had anybody that had an anniversary or a step increase for their 1, 3, 5, 10, 15, and 20, than that's understandable because that is something that they have all agreed on, but with the new City Manager coming in it seems to her that the new City Manager should make the adjustments as some of these being proposed are very substantial. Some of them just had a substantial adjustment just two years ago. Leubert further commented that this is her opinion on this matter and would like to pull these adjustments and allow the new City Manager make these adjustments.

Mayor Fugate asked if there were any other discussions on these items.

Commissioner Pecos commented that he concurs with Commissioner Leubert.

Mrs. Alvarez asked which, to understand, because there was a couple of compensation increases that were included in the budget. She further asked which ones specifically is the Commission suggesting staff pull out.

Commissioner Leubert responded that any of the adjustments that are not required for their increased for their anniversary, anniversary increase is what they are called, whether it's 1 year or 3 year.

Mrs. Alvarez further asked if Commissioner Leubert was referring to hourly or management because there were four different proposals one of which was already pulled. Alvarez continued to state that there was one that had a smoothing and one that had adjustments between the ranges and then there was a third one that was with regards to certain supervisors and managers that were not currently within a range that was comparable to other positions within the city's plan and outside of the city's plan.

Commissioner Leubert commented that she is going to say it one more time, the people who are required to have their increases for their one year, their anniversary increases, those are set as the Commission made that policy. Any other increases are to be pulled and allow the next City Manager come in and make those adjustments themselves.

Mrs. Alvarez responded that what Commission Leubert is saying is to pull all of the management level compensation

Commissioner Leubert responded all except the anniversary increases.

Mayor Fugate commented that she started this with the fact that she didn't have enough information and he is not sure that the City Manager has enough information either and feels that she may be a bit confused of what Commissioner Leubert is asking for. Fugate further commented that he knows that we have had a proposed increase in to move some into the \$10.00 an hour.

Commissioner Leubert responded that the \$10.00 an hour yes.

Mayor Fugate responded that this does not deal with anniversary and all that, so to make that statement it really causes problems and suggest for Leubert to get with the City Manager and tell her exactly what she is talking about and bring it back to the Commission at the next meeting.

Commissioner Leubert responded so that they may have time, yes. Leubert further commented that in all fairness, we are talking about giving a lot of people substantial raises, but \$10.00 an hour, she thinks that we all agree that we need to atleast start at \$10.00 an hour. But any of the other smoothing out or whatever it is called, the other raises would be your anniversary raises. Those are those people who have 1, 3, 6, and all those, she thinks that that's something that we have had now for so many years. Leubert further commented that this is something that is set, unless we change the whole policy for anniversary raises. Leubert stated that the \$10.00 an hour has been a discussion in the past which is a good start.

Mayor Fugate responded to Commission Leubert that what he thinks she needs to do, to help him decide what he wants to do, is to be a more specific and go down the list and state who should get a raise and who shouldn't, which is what she is pretty much saying.

Commissioner Leubert responded that what she is saying is that people start at \$10.00 an hour and the anniversary and further commented that this is as clear as she can make it.

Mayor Fugate responded by stating that none of the supervisors should get the increase.

Commissioner Leubert responded that at this point no because some of these are just, these, these, we got a new one here so it really shows you the adjustment. Leubert further stated that if we are cutting back and doing all these things, she thinks that the Commission needs to wait on those. She commented that the next person that comes in, give them the opportunity to see the employees and make those choices.

Mrs. Alvarez commented that even with all the increases with regards to smoothing between the ranges and also making sure that the people got up to \$10.00 an hour, which would be proposal #2 and then proposal #3 was with regards to management level employees. Alvarez further asked Leubert that what she is saying proposal #1 for \$10.00 an hour is good, proposal #2 with regards to smoothing in between the ranges.

Mayor Fugate asked what the dollar amount staff is talking about is.

Commissioner Leubert commented that some of them are \$4,000; \$5,000; \$6,000 and \$3,000. Leubert further commented that she thinks that they need to allow the new City Manager come in and make those decisions.

Mrs. Alvarez responded that even though we know that these positions are currently not being compensated based on outside salaries then we need to go ahead and let them wait another year.

Commissioner Leubert responded that she thinks this was a subjective statement. She thinks that the person who comes in, next City Manager that comes in should make that choice.

Mrs. Diana Gonzales, Human Resource Director, commented that the previous City Manager in 2012-2013 instead of doing a 3% across the board COLA it was decided to do a 1 ½ and allow her to opportunity submit information on positions that needed increases. This was put into the 2012-2013 City Manager's Budget Message. Gonzales further commented that all the positions were included on what went up and what stayed the same, so all this information, if Commission is looking at the increases that were done in 2012-2013 were in the Budget Message from the previous City Manager. Gonzales further stated that this information is in there. She further stated that if there is any specific one that is being requested to be pulled, why not address that issue and allow the others to go through. Because if under the \$10.00 will cost about \$42,607 and the cost of the partial smoothing and to get the 3% between the step, as much as we could, it was partial, was going to be a total of \$7,944. The position adjustments that included non-civil service, correction, non-exempt positions equaled \$12,377 which is on Schedule F which is the Equipment Operator 1, and the Animal Control. Gonzales stated that those positions, the Equipment Operator 1 changed because of the changes to \$10.00 an hour, a couple of the classes were combined. So to eliminate a Maintenance Worker getting the same thing as an Operator 1 that position is proposed to be adjusted. On the Animal Control Officer, right now they are earning \$9.73 at date of hire. With a movement they will come in at \$11.50, which is still a bit low but it's more in line what they should be receiving. These positions are listed in Schedule F, and those are non-exempt positions. Gonzales further commented that by not considering those positions, would throw off \$10.00 an hour.

Mayor Fugate asked that what Gonzales is saying is that when we raise the \$10.00 an hour across the board you get compression.

Mrs. Gonzales responded yes, there is some compression.

Mayor Fugate further commented that we dealt with this last year.

Commissioner Leubert commented that this is just going to happen at some point. When we get this straightened out and start at \$10.00 an hour, you're going to have some compression; we will have to deal with this no matter what.

Mayor Fugate asked why we couldn't start with it now.

Commissioner Leubert responded that we can, but that's was not very clear here, the first piece of paper the Commission received. Leubert continued to state that now we are receiving these others, the raises that are listed on this paper is what she has a problem with. Leubert stated that the guys that are making the least amount of money, she has no problem with that. People who need to make a living wage that's terrific, staff needs to do something, and staff needs to keep the COLA across the board of 1.5%.

Mrs. Gonzales made the correction that the COLA is scheduled for 1%.

Commissioner Leubert further stated that this is not what we're talking about here.

Mrs. Gonzales responded that if there are certain positions that is preventing from.

Mayor Fugate asked for staff to hold off on any other comments at this time. Fugate further asked for the total amount that staff is asking for on these particular increases.

Mrs. Gonzales responded that the total on the exempt employees with benefits.

Mayor Fugate asked for the total amount of those positions to which Commissioner Leubert is objecting to.

Mrs. Gonzales responded that the amount is \$56,222.00.

Mayor Fugate further asked if this money goes to decompress what staff is trying to do, some of it goes to supervisors and administration staff that are more competitive with their fellow employees that are at the same level making more money than them.

Mrs. Gonzales response was, yes.

Mayor Fugate further stated that what staff is working on is trying to make it a fair situation.

Mrs. Alvarez commented that as with the prior City Manager, staff has looked at the positions and what the market is, and internally as well, and the City Manager of the course of the last three years has recommended, and the Commission approved, certain changes within certain positions. Alvarez further commented that this is done because you can't take everybody all at one time. There are still over \$224,000 fund balance in General Fund with these included in there.

Mayor Fugate asked if what we are talking about \$56,000.00 and what the overall budget is for the City.

Mrs. Balli responded that with all the changes that have been presented so far, the general fund reserves \$228,000 above the minimum.

Mayor Fugate stated that what he is talking about is the overall budget.

Mrs. Balli responded that the overall budget is \$45,000,000.00.

Mayor Fugate commented that we are fight over \$56,000.00 that is going to our employees that deserve everything. Fugate further commented that he will not support this and asked other members of the Commission for their opinion and stated that he feels that the employees are not getting paid enough for the work they do. Fugate also commented that his opinion is that our employees deserve every dime they get and he is not prepared to wait for the next City Manager to come in to make those decisions.

Fugate further stated that the rest of this Commission can do what they want and instruct the City Manager on what they want her to do.

Commissioner Garcia asked that in the salary study, was there a salary study conducted outside the City of Kingsville, comparing salaries with comparable positions.

Mrs. Gonzales responded that staff has done some salary studies last year and she went through Waters Consulting to look at some of the positions, but if Garcia is talking about the some of our Management Level 4 (ML4) positions it's getting those more in-line what we have. Gonzales further stated that we can't get in line right now with the State or with surrounding areas. Staff is trying to get at least in-line with what we have here.

Commissioner Garcia asked how far we are from getting in-line with others.

Mrs. Gonzales responded that she doesn't have the exact percentage at this time. Some of the positions under ML 4 did receive an increase in 2012-2013 which had four to six positions that received a substantial amount during that fiscal year that are on this same list. Gonzales further stated that as she has mentioned at previous meetings and in the information that the previous City Manager presented in his different budget messages, not the entire increase can go in all at one time. This is because the budget will not support and if you start putting one position to market, it throws everybody off. This is the reason to work it a little at a time which is what staff is trying to do. This was spelled out in the 2012-2013 Budget Message and she has done a paper on it on the steps that staff is looking to do which was included in budget. This has been in the works for several years already. This is not just something that staff has decided to do at the last minute. Gonzales further stated that back in 2012-2013 she spoke about getting the percentages between the steps as well as trying to eliminate the 25 year to a 15 year. All this was discussed in the past and this is just another part of that as we cannot do all at one time.

Commissioner Garcia responded that if he is getting his message right, some opinions are that some of the employees received raises in 2012-2013 and now the same employees are receiving a substantial amount of raises again.

Mrs. Gonzales responded yes.

Commissioner Garcia continued to state that he understands what Mrs. Gonzales just explained but in the sense of fairness, where do the rest of the employees fall into this as they would like to receive the same thing to.

Mrs. Gonzales responded that this is correct, but we have hired a lot of people since then, and the ones that are being discussed are those that have been here since 2009 and before that year. Gonzales stated that the ones coming in in 2009 are more comparable right now, so increases to them would not be as significant as those from before. Gonzales continued to state that we have had example, the Police Chief, when the City hired the Police Chief he was hired at \$60,000.00 which was over ten years ago. Now trying to hire a Police Chief for \$60,000.00, the city will not be able to that. This is shows that yes, people were hired at a certain rate but the step increases and the COLA's were not comparable to one the State and our area. There were some years the City received nothing and other times the hourly employees were revamped and 2012-2013 was one of those years. We had reclassifications of non-exempt employees that totaled, that year, \$300,000.00. Staff has tried over the years to do some revamping but it cannot be done all at one time. The employees that are listed here are definitely ML-4's and are definitely in need of the extra compensation to get them in-line with those that have been hired since 2009 and forward. The city has had to hire at a higher rate in the last few years, in order to get someone into the position. Someone who has been

here longer unfortunately are stuck and only receive the cost of living unless there is some adjustment.

Commissioner Garcia commented that this happened when they hired a City Manager.

Mayor Fugate commented that was Commission needs to do is decide what positions are we talking about and go down the line item and tell staff which ones they want to finance. Fugate further commented that he supports all raises that have been proposed and stated that he is not sure what everyone else wants to do but they may voice their opinions on this issue and will do as the Commission wants.

Commissioner Leubert commented that she feels that we need to continue the COLA and people that are in the middle that deserve a living wage, as they are the ones need to be looked at, but that's not what the Commission is talking about here. Leubert further commented that a lot of these people have received a nice large sum and if staff looks at some companies or some cities such as the Police Chief and asked what the Police Chief in Corpus Christi is making.

Mrs. Gonzales responded that Corpus Christi is not a very good comparable as they are a city of over 300,000 in population.

Commissioner Leubert responded that the Corpus Christi is paying \$150,000 to 160,000.

Mrs. Alvarez commented that the University Police Chief makes more than our Chief.

Mayor Fugate commented to Commissioner Leubert that he is only going to ask one more time, to go through the list and tell staff which individuals should and should not get an increase. Fugate stated that he is talking line item, each individual position, don't be vague, as he can't understand what Leubert is saying and staff doesn't either.

Commissioner Leubert responded that she will not do that and thanked Fugate for asking, but it isn't going to happen. Leubert further responded that she has made it clear that everybody on this list. The people, who are not making a living wage, keep the \$10.00 going. The individuals on this list need to go, and allow the new City Manager make their choice on that.

Mayor Fugate commented that if he can read between the lines, when we raise it up to \$10.00 an hour, and madam you are getting very close, anybody making \$10.00 an hour then they can keep their raises, all others don't get one, as per Commissioner Leubert's statement. Fugate further stated that he will be living it up to the two other Commissioners' to decide what they want to do.

Commissioner Pecos commented that he concurs with Commissioner Leubert on this matter. The individuals who are getting the salary wages increase, not the anniversary and the other stuff, as that is policy already, but the salary increases that the new City Manager should come and evaluate those positions. If the new City Manager feels that they should be given that amount of money, it will be in the budget in the general fund, and the Commission can approve the increase.

Mayor Fugate asked for Commissioner Garcia's opinion on this matter.

Commissioner Garcia commented that he had the same situation at the Appraisal District. To give an example, they had a salary study statewide and comparable with Appraisal Districts to our size and the Appraisal District is pretty far behind the Chief Appraisers salary as well as the Assistant Chief Appraiser. It's like this throughout the State and they had a large spread sheet with all the salaries listed from all the Appraisal Districts in the State and its mind boggling to put this information together, let alone make a decision on what to do. Garcia further commented that unfortunately, he is on the opinion of fairness even though some of the positions are behind, but as both

Commissioner's Leubert and Pecos have stated, they wish to have the new City Manager appraise their performance and do his diligence duties and recognizing where they are, that they need a raise or whatever. Garcia stated that his is incompetent upon the City Manager, although Mrs. Alvarez has been the Acting City Manager and has done a fantastic job considering her two positions she holds, as well as the Finance Director. Garcia stated that in all fairness we just need to go that route at this moment.

Mayor Fugate asked Commissioner Garcia as to what route he would like for staff to take.

Commissioner Garcia responded that he follows Commissioner Leubert's recommendation.

Mayor Fugate directed Mrs. Alvarez to take out all raises except for COLA'S, anniversaries, and individuals that are raised to \$10.00 an hour.

Mrs. Alvarez responded that she will do as directed.

Mayor Fugate further asked if there was anything else within this budget that needed to be discussed.

Mrs. Gonzales asked for clarification because there is some of the smoothing which may just be a few cents in the hourly rate schedule.

Mayor Fugate commented that it has all been pulled out.

Commissioner Leubert asked if she could clarify something.

Mayor Fugate responded "no you may not" and would like to move on to the next item on the agenda.

Commissioner Leubert responded that she would like to clarify something and stated that this is what she was talking about.

Mayor Fugate responded that marching orders have been given.

2. Discussion of the City of Kingsville Street Improvement & Maintenance Program and financing options. (City Engineer/Public Works Director).

Mr. Charlie Cardenas, City Engineer/Public Works Director, reported on the Street Improvement & Maintenance Program. Mr. Cardenas reported that this is part 2 of the workshop and is the same at the last time where the target amount is \$1.6 million which includes full depth construction, street overlay, seal coats, crack sealing, and equipment maintenance. Any monetary amount less than \$1.6 million will extend the plan and limit yearly production. At this time it is a 20 year plan and the limit of the year production. The yearly production is 40 blocks a year (3 miles of street). So if we do less than \$1.6 million, we can only do 30-35 blocks a year and the 20 year plan will turn into a 25 year plan. Cardenas further stated that approximately 69% of Kingsville streets are classified as residential. The base residential fee, which includes single family residents (6636), apartments/Mobile Homes (3999) and Multi-Family units (170), and staff, is sticking to the 85% occupancy rate or more. With a fee of \$5.00 on the residential rate per month, \$620,979.00 is the residential of contribution cost. On the non-residential rates, registered non-profit organizations and lodges are exempt as well as churches.

Mayor Fugate commented that a lot of these organizations are barely hanging on and if we assess this fee, we will push them over.

Mr. Cardenas stated that he agrees with this comment and the non-profits will be exempt. The equation is \$5.00 plus the equivalent residential units (ERU) divided by

\$24.25 times .3 of the trip factor. It was also decided to give the Commission three options to look at. One was being capping the final cost of \$250, \$150, and \$125.

Commissioner Pecos asked if this was a per year cost. Mr. Cardenas responded that this would be per month.

Mr. Cardenas stated that we do the non-residential at \$250, with the \$620,979 we will collect \$1.2 million. If broken down to percentages, 51% of the total number is residential, 49% is non-residential with the \$250 cap. If capped at \$150 it is \$1,070,705.09 with percentages at 58% is residential and 42% non-residential. If capped at \$125 it is at \$1,022,223.22 with percentages at 61% residential and 39% non-residential.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:15 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

SEPTEMBER 8, 2015

A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON TUESDAY, SEPTEMBER 8, 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
Arturo Pecos, Commissioner
Al Garcia, Commissioner

CITY STAFF PRESENT:

Courtney Alvarez, Interim City Manager/City Attorney
Mary Valenzuela, City Secretary
Toni Verdin, Systems Specialist
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
Cynthia Martin, Downtown Manager
Charlie Cardenas, Public Works Director/Engineer
Ricardo Torres, Police Chief
Deborah Balli, Finance Director
Susan Ivy, Parks Manager
Frank Garcia, Waste Water Supervisor
Leo Alarcon, Tourism Director
Bill Donnell, Assistant Public Works Director
Charlie Cardenas, Public Works Director/Engineer
Ken Starrs, Assistant Task Force Commander

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 Mrs. Courtney Alvarez, Interim City Manager/City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S) – Required by Law

Special Meeting, August 20, 2015

Mayor Fugate called for a motion to approve the minutes of August 20, 2015 as presented.

Motion made by Commissioner Pecos to approve the August 20th minutes as presented, seconded by Commissioner Leubert. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting “FOR”.

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

1. NONE

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, Historical Survey Presentation. No formal action can be taken on these items at this time.”

Mrs. Courtney Alvarez, Interim City Manager/City Attorney, reported that the City of Kingsville will be hosting its next Trash-Off on September 19th from 8:30 a.m. to 12:00 p.m. The next regular scheduled City Commission meeting is on Monday, September 14, 2015 at 6:00 p.m. and a Special City Commission meeting on Tuesday, September, 15, 2015 at 1:00 p.m. for interviews of the City Manager applicants. The last regular meeting for this month is on September 28, 2015.

IV. Public Comment on Agenda Items³

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

No public comments made.

V.

Consent Agenda

Notice to the Public

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

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Consider introduction of an ordinance adopting the City Manager's Budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2015 and ending September 30, 2016 in the particulars hereinafter stated. (Director of Finance).

Mrs. Alvarez reported that the budget is built on the tax rate of the prior year of \$.84220 and the Commission is looking to adopt this budget based on that tax rate on Monday, September 14th.

Commissioner Pecos asked for the fund balance.

Mrs. Alvarez responded that after the changes that were requested last Wednesday, the Finance Director prepared that today.

Mrs. Deborah Balli, Finance Director responded that the fund balance with all the changes that were made its \$334,000.00 above reserves minimum.

Mayor Fugate responded that there is a surplus of \$334,000.00 for general fund.

Mrs. Alvarez responded that there is a three month operating and in addition to our three months operating, there is \$334,000.00.

Mayor Fugate stated that this is under, considering all the construction that looks like it's going to this year. With moving the Tourism Department and finishing up the new City Hall, it wouldn't be a bad idea to have that built in.

Introduction item.

2. Consider introduction of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for the Fiscal Year beginning October 01, 2015 and ending September 30, 2016, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Director of Finance).

Mayor Fugate commented that this is the same tax rate as previous years.

Mrs. Alvarez responded yes.

Mayor Fugate asked how many years in a row has the City kept the same tax rate.

Commissioner Pecos responded 5 years.

Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:06 p.m.

ATTEST:

Sam R. Fugate, Mayor

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

CONSENT AGENDA

AGENDA ITEM #1

RESOLUTION 2015-_____

A RESOLUTION AUTHORIZING PARTICIPATION IN OPERATION BORDER STAR WITH THE HOMELAND SECURITY GRANTS DIVISION OF THE GOVERNOR'S OFFICE FOR LOCAL BORDER SECURITY TO INTERDICT CRIMINAL ACTIVITY; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Homeland Security Grants Division of the Governor's Office has invited the City of Kingsville Police Department to participate in a grant for Local Border Security in an effort to deter and facilitate directed actions to interdict criminal activity; and

WHEREAS, the City of Kingsville has previously allowed to apply for reimbursement of overtime for law enforcement personnel and dispatchers, and other allowed costs associated with this project that will assist with the deterrence of illegal activity in our area;

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

I.

THAT the City authorizes the Kingsville Police Department through the Chief of Police to participate in Operation Border Star with the Homeland Security Grants Division of the Governor's Office and to seek reimbursement for the allowed expenses of law enforcement and dispatcher overtime, and other allowable costs necessary to assist with the deterrence of illegal activity in our area in conformance with this program.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to Operation Border Star 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 14th day of September, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

MEMORANDUM

TO : Courtney Alvarez, I/City Manager
Deborah Balli, Finance Director

FROM : Ricardo Torres, Chief of Police

DATE : September 8, 2015

SUBJECT : Grant Cycle 2016 Operation Border Star

The Homeland Security Grants Division (HGSD) of the Governor's Office is soliciting grant applications for projects that support Operation Border Start during the 2016 grant cycle. The Kingsville Police Department has been invited to participate in this project. The grant associated with this operation will reimburse certain operational expenses incurred by the City of Kingsville Police Department for project activities awarded for this purpose. The grant for "Operation Border Star" is a reimbursement type but does not require any cash match.

The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols in an effort to deter and facilitate directed actions to interdict criminal activity. Program participants shall assist in the execution of coordinated border security. We see this grant as an opportunity to address local issues such as disrupting and deterring operations where drugs are being sold, decrease use of specific areas for crime as targeted in directed action missions, and disrupt and deter the operation of criminal organizations in our city and the surrounding areas.

We would request a resolution supporting our application for funds from the City of Kingsville City Commission. Please place this on the next available agenda. Thank you for your assistance regarding this matter.

Request for Applications – Grants for Local Border Security

The Homeland Security Grants Division (HSGD) of the Governor's Office is soliciting grant applications for projects that support Operation Border Star during the 2016 grant cycle.

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

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

Available Funding: State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 27.

Funding Levels:

Minimum: None

Maximum: None

Match Requirement: None

Standards: Applicants must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards, and all statutes, requirements, and guidelines applicable to this funding.

Prohibitions: Grant funds may not be used to support the following services, activities, and costs:

- 1) regular time worked as part of the employee's normal duty period;
- 2) augmentees – law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during a period of "Surge";
- 3) any portion of the salary of, or any other compensation for, an elected or appointed government official;
- 4) time spent by certified peace officers on administrative duties;

Request for Applications – Grants for Local Border Security

- 5) backfill costs for personnel participating in these operations;
- 6) meals if they are provided at no cost by a governmental entity or a volunteer group;
- 7) transportation, lodging, per diem, training fees or any related costs associated with participants who attend a training event;
- 8) purchase of vehicles or equipment;
- 9) weapons, ammunition, tasers, explosives or military vehicles;
- 10) postage;
- 11) supplanting or use of grant funds to replace any other existing federal, state or local funds;
- 12) inherently religious activities such as prayer, worship, religious instruction, or proselytization;
- 13) lobbying;
- 14) admission fees or tickets to any amusement park, recreational activity or sporting event;
- 15) promotional gifts;
- 16) food, meals, beverages, or other refreshments (except for per diem as allowable);
- 17) membership dues for individuals;
- 18) fundraising;
- 19) construction;
- 20) medical services;
- 21) legal fees; or
- 22) legal services for adult offenders.

Eligible Applicants:

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

Eligible Costs:

- 1) Overtime for increased patrol and investigative capacity for certified peace officers along with limited support for other law enforcement support personnel (i.e. Communications Officers/Dispatchers, Jailers). Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:
 - a) OT is time actually worked that exceeds the required number of hours during an employee's designated work period.
 - b) OT may be worked to increase patrol and/or in an investigative capacity.

Request for Applications – Grants for Local Border Security

- c) The project OT rate will be no more than one-and-one-half (1.5) times the employee's regular hourly rate of pay.
- d) Exempt salaried employees may not be reimbursed for overtime unless the grantee's overtime policy specifically allows for this.
- e) HSGD will only reimburse the grantee for OT that does not exceed a total of 16-hours (regular +OT) worked during any 24-hour period.
- 2) Law enforcement support personnel costs may be reimbursed up to 5% of the award or \$5,000 whichever is less. These costs include:
 - a) Communications Officers/Dispatcher costs necessary to maintain a safe Officer to Dispatcher ratio when supporting law enforcement personnel that are on patrol and participating in border operations.
 - b) Jailer costs for personnel necessary to support officers that are on patrol and participating in border operations.
- 3) Certain operational costs incurred as part of these overtime patrols and investigations may be reimbursed, such as mileage while traveling in a government vehicle or fuel, transportation, lodging, per diem, or additional costs for minor emergency repairs as described below.
 - a) The cost of fuel, if mileage is not claimed, and lubricants for vehicles, aircraft, boats, generators, and similar equipment, used during the pay period in which the OT is worked.
 - b) The cost of consumables; such as flashlight and radio batteries, film, flares, and first aid supplies which are used during the operation can be replaced, provided that these items are replaced within the time frame of the operation.
 - c) The cost of minor emergency repairs, such as tire repair or fan belt replacement, to vehicles or equipment used in program operations is allowable.
 - d) Transportation, lodging, mileage, and per diem costs may be reimbursed for personnel who work on program activities more than 50 miles from their program duty station.
 - e) Costs for rentals of equipment or other services critical to success of the program, and that have been pre-approved by the HSGD, are also allowable.

Eligibility Requirements:

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

Request for Applications – Grants for Local Border Security

JOIC and are submitted within the timeframes established by the JOIC. The grantee shall report all activities that are considered Steady State activities in addition to Enhanced Operation activities to the JOIC. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall LBSP mission (organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, home invasions with a border or organized crime nexus, illegal immigration, border related murders, gang related murders, or drug trafficking). Enhanced (Surge) Operations originate out of the use of LBSP funds when the local agency chooses to increase the hours of patrol or investigative bodies.

- 3) In order for an applicant to be eligible, the county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2009 through 2013. This requirement must be met by August 1, 2015.
- 4) Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety for inclusion in the annual Uniform Crime Report (UCR) and must have been current for the three previous years.
- 5) Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>).
- 6) Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/> and maintain an active registration throughout the grant period.

Project Period: Projects selected for funding with must begin on or after October 1, 2015 and expire on or before August 31, 2016.

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

Preferences: Preference will be given to applicants who demonstrate cost effective delivery of training.

Closing Date for Receipt of Applications: All applications must be certified via HSGD's grant management website on or before September 25, 2015.

Selection Process: Applications will be reviewed by HSGD staff members in consultation with TXDPS Regional JOIC representatives. HSGD will make all final funding decisions based on eligibility and operational content which includes but is not limited to the following:

- 1) Compliance - Past compliance with grant requirements, reporting, and information sharing.
- 2) Performance – Impact and effectiveness of the Applicant's participation in previous border security operations or activities and effectiveness in using grant funds awarded for border security.
- 3) Risk – The Applicant's need as indicated by data available on border related criminal activity, population, number of officers, and other factors.
- 4) Other Funding – The Applicant's history of applying for, receiving, and/or effectively utilizing other sources of funding available to support border security activities (e.g. Operation Stonegarden).

Contact Information: If additional information is needed, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

AGENDA ITEM #2



MEMORANDUM

From
The Human Resource Department

Date: September 10, 2015

To: Courtney Alvarez
Interim City Manager

From: Diana Gonzales, SPHR *DG*
Human Resources Director

Subject: 2015 Health Fair

A health fair proposal is submitted for your consideration to expend an estimated \$13,000 from the City of Kingsville Benefit Plan Trust account for a 2015 Health Fair for employees and their eligible dependents covered under the health plan. The proposed expense is included in expected health claims for Fiscal Year 2015-2016. Eligible employees signing up for exams or flu shots will not experience any out of pocket expense.

All employees are welcome to visit and pick up information from vendor tables without signing up for exams. The proposed date is October 23, 2014 from 12:00 p.m. to 5:00 p.m. at JK Northway at Dick Kleberg Park.

History of past health fair participation and expenditures:

Year	Actual Cost	# of Heart Studies	# of Flu Vaccines	# of PSA's
2005	\$ 2,900	-	-	-
2006	\$ 3,470	63	59	21
2007	\$ 5,340	64	82	30
2008	\$ 4,780	64	68	24
2009	\$ 5,500	53	101	25
2010	\$10,570	98	104	52
2011	\$ 9,842	112	103	44
2012	\$ 8,708	88	94	45
2013	\$10,707	99	111	49
2014	\$10,250	100	118	20

This year the City is proposing to join the County in a joint employee health fair utilizing the services of Texas A&M Health Science Center's Irma Rangel School of Pharmacy and Christus Spohn.

Services proposed to be offered are as follows and NO fasting is required.

A1C (blood sugar), lipid panel (cholesterol), blood pressure, weight, body mass index (BMI) and results counseling

*** PSA (Prostate Specific Antigen) – blood test only

This is a screening test for men 50 and over, who have a family history of prostate cancer or African-American men at least 45 years of age

*** Seasonal Flu Vaccinations – for ages 19 and above only

The flu is a contagious respiratory illness caused by influenza viruses. The best way to prevent the flu is by getting a flu vaccination each year. On average, every year in the United States, 5% to 20% of the population gets the flu; 200,000 people are hospitalized from flu complications and 36,000 people die from flu.

Wellness Education to include vaccine awareness, exercise/cooking demonstrations, diabetes education mental health and drug awareness.

*** Information obtained from Christus Spohn Health System Community Health and Wellness

REGULAR AGENDA

AGENDA ITEM #3

ORDINANCE NO. 2015-_____

AN ORDINANCE ADOPTING THE CITY MANAGER'S BUDGET, AS AMENDED, OF THE CITY OF KINGSVILLE, TEXAS, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2015 AND ENDING SEPTEMBER 30, 2016 IN THE PARTICULARS HEREINAFTER STATED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the budget for FY 2015-2016 is adopted as follows:

Section One: The official budget for the City of Kingsville for the fiscal year beginning October 01, 2015 and ending September 30, 2016 has been presented to the City Commission by the City Manager, several budget workshops were conducted on such budget, along with a duly noticed public hearing, and the budget is hereby approved.

Section Two: The budget contains a complete financial statement of the City and shows (1) the outstanding obligations of the City of Kingsville, Texas, (2) the cash on hand to the credit of each fund, (3) the funds received from all sources during the preceding year, (4) the funds available from all sources during the ensuing year, (5) the estimated revenue available to cover the proposed budget, and, (6) the estimated tax rate required to cover the proposed budget. The budget shows each of the projects for which expenditures are set up and the estimated amount of money appropriated for each project.

Section Three: The sum of \$44,884,363 is hereby appropriated for the budget revenues and expenses in the amounts shown on the attached Condensed Statement of all Operating and General Obligation Debt Service Funds – Summary of Revenues and Expenditures. The General Obligation Debt Service principle is \$1,210,000 and interest is \$240,688.

Section Four: The budget and all the attached support material as outlined in the above sections shall be deemed the official budget for the City of Kingsville, Texas, for the fiscal year starting October 01, 2015 and ending September 30, 2016. A copy of the official budget shall be kept by the City Secretary with the designation thereon as the official budget for FY 2015-2016, with the date of the adoption clearly stated, and filed with the County Clerk's Office. The official budget shall be available for inspection by any taxpayer.

Section Five: The City Commission is authorized to levy taxes in accordance with this budget. The City Commission may authorize the expenditure of City funds only in strict compliance with the budget, except in an emergency. The City Commission may authorize an emergency expenditure as an amendment to

the original budget only in case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent care and attention. If the City Commission amends the original official budget to meet an emergency, the City Commission shall file a copy of its ordinance amending the budget with the City Secretary, and the City Secretary shall attach it to the original budget. The City Manager shall provide for the filing of true copy of the approved budget in the office of the County Clerk of Kleberg County. The City Commission reserves the right to make changes in the official budget for municipal purposes.

Section Six: All Ordinances of parts of Ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

Section Seven: 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.

Section Eight: This Ordinance shall NOT be codified but will become effective on and after adoption and publication as required by law.

Section Nine: This Ordinance was considered, passed, and approved at a regular meeting of the City Commission of the City of Kingsville, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code, and Chapter 102 of the Texas Local Government Code.

INTRODUCED on this the 8th day of September, 2015.

PASSED on this the 14th day of September, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #4

ORDINANCE NO. 2015-_____

AN ORDINANCE ESTABLISHING AND ADOPTING THE AD VALOREM TAX RATE FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF KINGSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2015 AND ENDING SEPTEMBER 30, 2016, DISTRIBUTING THE TAX LEVY AMONG THE VARIOUS FUNDS, AND PROVIDING FOR A LIEN ON REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES ASSESSED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the ad valorem tax rate for all taxable property within the city limits of Kingsville, Texas for FY 2015-2016 be established and adopted as follows:

Section One: **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 0.65 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.09.

Section Two: That there be and there is hereby levied and ordered collected on each One Hundred Dollar (\$100) valuation of all taxable property, real, personal, and mixed, within the corporate limits of the City of Kingsville, Texas, for the tax corporate limits of the City of Kingsville, Texas, for the tax year 2015 starting October 01, 2015 and ending September 30, 2016, the sum of \$.84220 based on 100% of the fair market value.

Section Three: Said levy shall be distributed in the following manner:

FOR GENERAL FUND EXPENDITURES (Maintenance & Operations), the sum of \$.65567 on each one hundred dollar (\$100.00) assessed valuation of such property.

FOR DEBT SERVICE FUND EXPENDITURES of annual principal, interest, and service fees of all General Obligation Bonds, Warrants, Certificates of Obligation, and Combination Tax and Junior Lien Revenue

Certificates of Obligations, of the City of Kingsville, the sum of \$.18553 on each one hundred dollar (\$100) assessed valuation of such property.

Section Four: That said taxes shall be due and payable at the time and in the manner provided by ordinances of the City of Kingsville and laws of the State of Texas, relating to the payment of taxes and providing for penalties and interest on delinquent taxes.

Section Five: There is hereby fixed, levied on each and every item of taxable property a lien for the purpose of securing the certain payment of the taxes assessed against said item of property and said lien shall continue to exist against any item of property against which a tax is assessed hereunder until such tax together with all penalties and interest shall be paid.

Section Six: This ordinance shall be in full force and effective ten days from and after the date of the second publication in a local newspaper as provided by law and the City Charter of the City of Kingsville.

Section Seven: The tax rate established and adopted by this ordinance and a copy of this ordinance shall be filed in the office of the Tax Assessor Collector.

Section Eight: That no discounts or split payments are allowed for the 2015 tax year.

Section Nine: That an exemption of \$8,400.00 be granted for any person of age sixty-five (65) or over.

Section Ten: The Kleberg County Tax Assessor-Collector is hereby authorized to assess and collect the taxes of the City of Kingsville employing the above tax rate.

INTRODUCED on this the 8th day of September, 2015.

PASSED on this the 14th day of September, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #5

AGENDA ITEM #6

ORDINANCE NO. _____

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

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

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

I.

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

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

The City of Kingsville Classification and Compensation Plan dated effective as of October ____, 2015 is hereby adopted by reference providing for certain classifications and positions as more particularly defined therein. Classified positions and incumbents thereof who have completed the designated probationary period and any extensions thereof shall be subject to the terms and conditions of all policies incorporated by reference and adopted by the City Commission by resolution. Except members of the Fire and Police collective bargaining units, all other employees (executive, managerial, or hourly) serve at will, at the pleasure of the City Manager, or designee, or at the pleasure of the City Commission if appointed by the City Commission, and shall have and continue such at-will status, notwithstanding any other provision of this Classification Plan, any other City Ordinance, or any rule or regulation of the City.

All Non-Exempt Non-Civil Service employees of the City of Kingsville, in their current positions, are placed in the step corresponding to the anniversary of their current hire date with the City according to Fiscal Year 2015-2016 Hourly Chart.

New hires shall be placed at the compensation Class for the designated positions. New hires may be placed in the Step within the designated Class corresponding to the years of experience the new employee brings to the City correlating to the designated duties of the position not to exceed the Ten (10) Year Step unless approved by City Commission.

Non-Exempt employees promoted, transferred or temporarily assigned to a position in a higher classification range shall commence at the first step of the higher Class that causes an increase in the employees' hourly pay rate. Each promoted, transferred or temporarily assigned employee shall then proceed to the next step after one (1) year in their current position and shall proceed to each step thereafter on the 3rd, 6th, 10th, 15th, 20th and 25th year or until the employee reaches the last step of the compensation schedule.

Employees demoted, transferred, temporarily assigned, or accepting a position in a lower Class shall commence at the same step of pay in the lower Class as the employee held at the time of such demotion, transfer, temporary assignment or acceptance of the lower Class position. Employees meeting these criteria shall proceed to the next step of the compensation plan, as scheduled, based on years of City service.

All management employees of the City of Kingsville shall be placed in a step program to receive a scheduled salary increase on the anniversary date of their 1st, 3rd, 6th, 10th, 15th, 20th and 25th year of

service in the Management Level position. Percentage increases shall correspond to the Management Level Step Program included in the Classification and Compensation Plan for Fiscal Year 2015-2016.

Executive Level 1 & 2 positions shall receive a cost of living adjustment when Non-Exempt Non-Civil Service employees receive a cost of living adjustment. The City Commission shall evaluate the performance of and recommend salaries for Executive Level 1 & 2 positions each July to prepare for the up-coming fiscal year.

II.

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

III.

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

IV.

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

INTRODUCED on this the ____ day of September, A. D., 2015.

PASSED AND APPROVED on this the ____ day of _____, A. D., 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

Approved As to Form:

Courtney Alvarez, City Attorney

DRAFT
FISCAL YEAR 2015-2016

NON-EXEMPT / NON-CIVIL SERVICE

		<u>MIN</u>	<u>MAX</u>
CLASS 7	Custodian	\$ 9.36	\$11.56
	Equipment Service Worker	\$ 10.00	\$11.68
	Golf Pro-Shop Attendant		
	Library Assistant FT/PT		
	Maintenance Worker		
	Plant Helper		
	Utility Worker		
CLASS 8	Animal Control Specialist	\$ 9.73	\$11.69
	Animal Care Attendant	\$ 10.00	\$11.81
	Children's Services Librarian		
	Equipment Operator I		
	Recycling Technician		
CLASS 9	Customer Service Representative	\$ 9.90	\$12.42
	Municipal Court Deputy Clerk	\$ 10.00	\$12.54
	Reference/Information Librarian		
CLASS 10	Circulation Librarian	\$ 10.17	\$12.51
	Technician Services Assistant	\$ 10.27	\$12.64
CLASS 11	Pump Operator	\$10.69	\$13.06
	Fire Telecommunications Operator	\$ 10.80	\$13.19
CLASS 12	Information and Technology Librarian	\$10.92	\$13.72
	Inventory Clerk	\$ 11.03	\$13.86
CLASS 13	Tourism Services Technician	\$11.39	\$14.19
		\$ 11.50	\$14.33
CLASS 14	Customer Billing Specialist	\$11.90	\$14.71
	Engineering Technician	\$ 12.02	\$14.86
	Equipment Operator II		
	GIS Technician		
	Meter Reader Technician		
	Police Telecommunications Operator		
	Municipal Court Specialist		
CLASS 15	Administrative Assistant I	\$12.42	\$15.23
		\$ 12.54	\$15.38
CLASS 16	Lead Telecommunications Operator	\$13.05	\$16.36
		\$ 13.18	\$16.52
CLASS 17	A/P Specialist	\$13.59	\$16.38
	Accounting Assistant	\$ 13.73	\$16.54
	Administrative Assistant II		
	Assistant Library Administrator		
	Equipment Operator III		
	Help Desk Coordinator		
	Maintenance Technician		
	Payroll Specialist		
	Water/Wastewater Operator		
	Welder/Fabricator		
CLASS 18	Lab Technician	\$14.16	\$16.96
	Legal Assistant/Paralegal	\$ 14.30	\$17.13
CLASS 19	Community Appearance Inspector	\$14.82	\$17.22
	Lead Maintenance Technician	\$ 14.97	\$17.39
CLASS 20	Foreman	\$15.88	\$18.29
		\$ 16.04	\$18.47
CLASS 21	Crime Scene Specialist	\$17.96	\$20.61
	Health Inspector I	\$ 18.14	\$20.82
CLASS 22	Building Inspector	\$19.10	\$21.76
	Engineer's Assistant	\$ 19.29	\$21.98
	Health Inspector II		
CLASS TF	City Marshal	\$ 18.76	\$ 21.12
		\$ 18.95	\$ 21.33
CLASS TFS	Senior City Marshal	\$ 21.55	\$ 24.27
		\$ 21.77	\$ 24.51

OTHER POSITIONS

Seasonal/Temporary Employees

Example of positions include: Brookshire Pool Attendants/Instructors,
Lifeguards/Park Recreational Program Assistants, etc.

\$ 8.00	\$12.00
<u>\$ 10.00</u>	<u>\$12.12</u>

Probationary Firefighters (0-12 months)

\$ 13.87	\$14.08
<u>\$ 14.08</u>	<u>\$14.22</u>

Probationary Police Officers (0-12 months)

\$ 17.00	\$18.85
<u>\$ 17.25</u>	<u>\$19.00</u>

PROPOSED RATE SCHEDULE FY 2015-2016

Per City Commission - Schedule reflects 1% COLA increase

		B	C	D	E	F	G	H	I
		New Hire	1	3	6	10	15	20	25
7		\$ 9.36	\$ 9.72	\$ 10.08	\$ 10.43	\$ 10.88	\$ 11.15	\$ 11.39	\$ 11.56
	Per City Commission 9/2/15 Meeting	\$ 10.00	\$ 10.00	\$ 10.18	\$ 10.53	\$ 10.99	\$ 11.26	\$ 11.50	\$ 11.68
8		\$ 9.73	\$ 10.09	\$ 10.44	\$ 10.81	\$ 11.15	\$ 11.52	\$ 11.69	
	Per City Commission 9/2/15 Meeting	\$ 10.00	\$ 10.19	\$ 10.54	\$ 10.92	\$ 11.26	\$ 11.64	\$ 11.81	
9		\$ 9.90	\$ 10.33	\$ 10.76	\$ 11.19	\$ 11.61	\$ 12.06	\$ 12.24	\$ 12.42
	Per City Commission 9/2/15 Meeting	\$ 10.00	\$ 10.43	\$ 10.87	\$ 11.30	\$ 11.73	\$ 12.18	\$ 12.36	\$ 12.54
10		\$ 10.17	\$ 10.53	\$ 10.89	\$ 11.24	\$ 11.63	\$ 12.09	\$ 12.33	\$ 12.51
	Per City Commission 9/2/15 Meeting	\$ 10.27	\$ 10.64	\$ 11.00	\$ 11.35	\$ 11.75	\$ 12.21	\$ 12.45	\$ 12.64
11		\$ 10.69	\$ 11.07	\$ 11.48	\$ 11.88	\$ 12.27	\$ 12.66	\$ 13.06	\$ 13.06
	Per City Commission 9/2/15 Meeting	\$ 10.80	\$ 11.18	\$ 11.59	\$ 12.00	\$ 12.39	\$ 12.79	\$ 13.19	\$ 13.19
12		\$ 10.92	\$ 11.32	\$ 11.72	\$ 12.13	\$ 12.53	\$ 12.92	\$ 13.32	\$ 13.72
	Per City Commission 9/2/15 Meeting	\$ 11.03	\$ 11.43	\$ 11.84	\$ 12.25	\$ 12.66	\$ 13.05	\$ 13.45	\$ 13.86
13		\$ 11.39	\$ 11.78	\$ 12.20	\$ 12.59	\$ 12.99	\$ 13.39	\$ 13.79	\$ 14.19
	Per City Commission 9/2/15 Meeting	\$ 11.50	\$ 11.90	\$ 12.32	\$ 12.72	\$ 13.12	\$ 12.52	\$ 13.93	\$ 14.33
14		\$ 11.90	\$ 12.30	\$ 12.71	\$ 13.10	\$ 13.50	\$ 13.91	\$ 14.33	\$ 14.71
	Per City Commission 9/2/15 Meeting	\$ 12.02	\$ 12.42	\$ 12.84	\$ 13.23	\$ 13.64	\$ 14.05	\$ 14.47	\$ 14.86
15		\$ 12.42	\$ 12.82	\$ 13.23	\$ 13.63	\$ 14.02	\$ 14.42	\$ 14.83	\$ 15.23
	Per City Commission 9/2/15 Meeting	\$ 12.54	\$ 12.95	\$ 13.36	\$ 13.77	\$ 14.16	\$ 14.56	\$ 14.98	\$ 15.38
16		\$ 13.05	\$ 13.52	\$ 13.99	\$ 14.46	\$ 14.93	\$ 15.41	\$ 15.88	\$ 16.36
	Per City Commission 9/2/15 Meeting	\$ 13.18	\$ 13.66	\$ 14.13	\$ 14.60	\$ 15.08	\$ 15.56	\$ 16.04	\$ 16.52

17		\$ 13.59	\$ 13.97	\$ 14.38	\$ 14.78	\$ 15.18	\$ 15.57	\$ 15.97	\$ 16.38
	Per City Commission 9/2/15 Meeting	\$ 13.73	\$ 14.11	\$ 14.52	\$ 14.93	\$ 15.33	\$ 15.73	\$ 16.13	\$ 16.54
18		\$ 14.16	\$ 14.56	\$ 14.96	\$ 15.37	\$ 15.77	\$ 16.17	\$ 16.56	\$ 16.96
	Per City Commission 9/2/15 Meeting	\$ 14.30	\$ 14.71	\$ 15.11	\$ 15.52	\$ 15.93	\$ 16.33	\$ 16.73	\$ 17.13
19		\$ 14.82	\$ 15.23	\$ 15.61	\$ 16.02	\$ 16.42	\$ 16.84	\$ 17.22	
	Per City Commission 9/2/15 Meeting	\$ 14.97	\$ 15.38	\$ 15.77	\$ 16.18	\$ 16.58	\$ 17.01	\$ 17.39	
20		\$ 15.88	\$ 16.29	\$ 16.68	\$ 17.09	\$ 17.49	\$ 17.88	\$ 18.29	
	Per City Commission 9/2/15 Meeting	\$ 16.04	\$ 16.45	\$ 16.85	\$ 17.26	\$ 17.66	\$ 18.06	\$ 18.47	
21		\$ 17.96	\$ 18.57	\$ 19.19	\$ 19.10	\$ 20.21	\$ 20.61		
	Per City Commission 9/2/15 Meeting	\$ 18.14	\$ 18.76	\$ 19.38	\$ 19.29	\$ 20.41	\$ 20.82		
22		\$ 19.10	\$ 19.71	\$ 20.34	\$ 20.96	\$ 21.37	\$ 21.76		
	Per City Commission 9/2/15 Meeting	\$ 19.29	\$ 19.91	\$ 20.54	\$ 21.17	\$ 21.58	\$ 21.98		
TF		\$ 18.76	\$ 19.13	\$ 19.52	\$ 19.90	\$ 20.71	\$ 21.12		
	Per City Commission 9/2/15 Meeting	\$ 18.95	\$ 19.32	\$ 19.72	\$ 20.10	\$ 20.92	\$ 21.33		
TFS		\$ 21.55	\$ 21.97	\$ 22.42	\$ 22.87	\$ 23.79	\$ 24.27		
	Per City Commission 9/2/15 Meeting	\$ 21.77	\$ 22.19	\$ 22.64	\$ 23.10	\$ 24.03	\$ 24.51		

HOURLY CHART

- STEP B -** New Hire
STEP C - Step following completion of one (1) year of employment.
STEP D - Step for eligible employees with three (3) years of current uninterrupted City service.
STEP E - Step for eligible employees with six (6) years of current uninterrupted City service.
STEP F - Step for eligible employees with ten (10) years of current uninterrupted City service.
STEP G - Step for eligible employees with fifteen (15) years of current uninterrupted City service.
STEP H - Step for eligible employees with twenty (20) years of current uninterrupted City service.
STEP I - Step for eligible employees with twenty-five (25) years of current uninterrupted City service.

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

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

Class/Grade/Unit	Monthly	Per Pay Period Basis *
TCEQ I or D	\$ 30.00	\$ 13.85
TCEQ C	\$ 40.00	\$ 18.47
TCEQ II or B	\$ 55.00	\$ 25.39
TCEQ III or A	\$ 85.00	\$ 39.24
Intermediate Peace Officer	\$ 30.00	\$ 13.85
Advanced Peace Officer	\$ 52.00	\$ 24.00
Master Peace Officer	\$ 100.00	\$ 46.15

*** Rounding may be required for payroll purposes.**

MANAGEMENT LEVEL STEP PROGRAM INCREASE DUE ON ANNIVERSARY DATE OF MANAGEMENT LEVEL POSITION.

1 ST YEAR	3%
3 RD YEAR	3%
6 TH YEAR	3%
10 TH YEAR	2%
15 TH YEAR	2%
20 TH YEAR	2%
25 TH YEAR	2%

**CLASSIFICATION PLAN
EXEMPT LEVEL SALARY PLAN
Draft FY 2015-2016**

	<u>MIN</u>	<u>MAX</u>
EXECUTIVE OFFICER – 1		
City Manager	\$ 95,000	\$140,000
	<u>\$ 95,950</u>	<u>\$141,400</u>
EXECUTIVE OFFICER - 2		
City Attorney Municipal Court Judge	\$ 80,000	\$120,000
	<u>\$ 80,800</u>	<u>\$121,200</u>
MANAGEMENT LEVEL - 1		
Economic Development Director	\$ 70,000	\$100,000
Fire Chief	<u>\$ 70,700</u>	<u>\$101,000</u>
Finance Director		
Police Chief		
City Engineer/Public Works Director		
Planning & Development Services Director		
MANAGEMENT LEVEL - 2		
Assistant City Attorney	\$ 50,000	\$ 78,155
Human Resources Director	<u>\$ 50,500</u>	<u>\$ 78,937</u>
Parks and Recreation Director		
Purchasing and Technology Director		
Task Force Commander		
Tourism Services Director		
MANAGEMENT LEVEL - 3		
Accounting Manager	\$ 41,209	\$ 68,005
Assistant Task Force Commander	<u>\$ 41,621</u>	<u>\$ 68,685</u>
Assistant Public Works Director		
Golf Course Manager		
Health Director		
Library Director		
Parks & Recreation Manager		
Risk Manager		
MANAGEMENT LEVEL - 4		
Accounting Supervisor	\$ 36,058	\$ 55,825
Building Official	<u>\$ 36,419</u>	<u>\$ 56,383</u>
City Secretary		
Collection's Supervisor		
Police Communication's Supervisor		
Community Appearance Supervisor		
Downtown and Volunteer Supervisor		
Garage Supervisor		
Landfill Supervisor		
Municipal Court Supervisor		
Sanitation Supervisor		
Street Supervisor		
Systems Specialist		
Wastewater Supervisor		
Water Production Supervisor		
Water Supervisor		

AGENDA ITEM #7

ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 UTILITY FUND BUDGET TO COVER INCREASED UTILITY COSTS.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2014-2015 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
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Fund 051 Utility Fund

Capital

2		Unreserved Fund Balance	61002		<u>\$62,000</u>
					<u>\$62,000</u>

Expenses

5-7001 WW North Plant	Utilities	32300	\$13,000	
5-7002 WW South Plant	Utilities	32300	\$44,000	
5-7003 WW Sewer	Utilities	32300	<u>\$ 5,000</u>	
Construction				<u>\$62,000</u>

[To amend the FY 14-15 Utility Fund Budget due to an increase in utility charges. The Waste Water Plants experienced higher than anticipated utility usage as per the attached memo from the Finance Director.]

II.

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

III.

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

that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 14th day of September, 2015.

PASSED AND APPROVED on this the 28th day of September, 2015.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



MEMORANDUM

To: COURTNEY ALVAREZ, INTERIM CITY MANAGER
From: DEBORAH BALLI, FINANCE DEPARTMENT DIRECTOR
Date: 09/02/2015
Subject: UTILITIES

The Finance Department is requesting a budget amendment to cover increased utility charges received by the Waste Water Department. Due to heavy rains the utility usage increased at all Waste Water locations. Since the departments will not be able to cover the entire amount of the increased charges with line item transfers we are asking for a \$62,000 budget amendment for utility expenditures.

Location	Requested Amount
Waste Water-North Plant	\$13,000
Waste Water-South Plant	\$44,000
Waste Water-Sewer Construction	\$5,000
Total	\$62,000

This budget amendment, given your approval, would be on the Commission Meeting agenda September 14, 2015 for first reading.

Sincerely,
Deborah Balli

AGENDA ITEM #8

ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 BUDGET FOR FOR DEFICIT ACCOUNTS AT YEAR END.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2014-2015 budget be amended as follows:

**CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT**

Dept. No.	Department Name:	Account Name:	Account Number:	Budget Increase	Budget Decrease
Fund 001 General Fund					
<u>Revenues</u>					
4-0000	Non-Dept	Transfer from Fund 038	75038	\$204.60	
Fund 017 PD Grant Border Star-LBSP					
<u>Revenues</u>					
4-2100	Police Dept	State Grants	72010	\$40,000	
<u>Expenses</u>					
5-2100	Police Dept	Overtime	11200	\$40,000	
Fund 038 CO Series 2001-General					
<u>Capital</u>					
2		Restricted for Capital Outlay	74002		\$204.60
<u>Expenses</u>					
5-6900	Fund Trsfrs	Transfer Out to Fund 001	80001	\$204.60	
Fund 410 Activity Fund					
<u>Revenues</u>					
4-1200	Risk Mgr	Donations-Safety	72031	\$200	
<u>Expenses</u>					
5-1200	Risk Mgr	Minor Eq/Furniture	21700	\$200	

[To amend the City of Kingsville FY 14-15 Budget for deficit accounts at year end as per the attached memo from the Finance Director.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 14th day of September, 2015.

PASSED AND APPROVED on this the __ day of September, 2015.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



MEMORANDUM

To: COURTNEY ALVAREZ, INTERIM CITY MANAGER
From: DEBORAH BALLI, FINANCE DEPARTMENT DIRECTOR
Date: 09/10/2015
Subject: FY 2012-2013 End of Year Budget Amendment

Attached is the Ordinance to adopt the Fiscal Year End 2014-2015 End of Year Budget Amendment. A summary for each fund is provided below.

Fund 001- The attached budget amendment will budget for the closing transfer from Fund 038.

Fund 017-The attached budget amendment will budget the anticipated revenues and expenditures for the Borderstar Grant.

Fund 038-The attached budget amendment will budget for the close of Fund 038 and transfer the remaining fund balance to General Fund.

Fund 410-The attached budget amendment will budget for revenues and expenditures received for the Safety Week Committee.

This budget amendment, given your approval, would be on the Commission Meeting agenda September 14, 2015 for first reading.

Sincerely,
Deborah Balli

AGENDA ITEM #9

RESOLUTION # 2015-_____

A RESOLUTION ABANDONING 20 FEET OF A 40 FOOT ROAD DEDICATION EASEMENT ALONG THE WEST SIDE OF LANTANA STREET WITHIN LOT 3, BLOCK 1 OF COLLEGIATE STATION DEVELOPMENT WHILE PROVIDING FOR A UTILITY EASEMENT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a forty foot (40') road dedication easement was established along Lantana Street via a deed filed October 27, 1924; and

WHEREAS, the road dedication easement was recorded on Volume 19, Page 483 at the Deed of Records of the Kleberg County Clerk's Office; and

WHEREAS, the Oldham-Goodwin Group, LLC has submitted a request on behalf of the property owner, Javelina Village, LP, to have the western most twenty (20) feet of the forty (40) foot road dedication easement located on Lot 3, Block 1 of Collegiate Station Development abandoned for future development of the area; and

WHEREAS, the City has no need for the western most twenty (20) feet of the forty (40) foot road dedication easement, though it does need to provide for a ten (10') foot utility easement immediately adjacent to the eastern most twenty (20) feet of the forty (40) foot road dedication easement and none of the parties are opposed to the abandonment of the road dedication easement or creation/retention of the utility easement; and

WHEREAS, it has been determined that regarding Lot 3, Block 1 of Collegiate Station Development it is feasible and advantageous to the City of Kingsville to abandon the western most twenty (20) feet of the forty (40) foot road dedication easement and to provide for the utility easement; and

WHEREAS, the property owner will pay the filing fees to have the documentation for abandonment of this easement filed with the Kleberg County Clerk's Office and property owner will execute an instrument granting the utility easement described above.

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

I.

THAT regarding Lot 3, Block 1 of Collegiate Station Development, the western most twenty (20) feet of the forty (40) foot road dedication easement located thereon due to the 1924 deed, recorded on Volume 19, Page 483 at the Deed of Records of the Kleberg County Clerk's Office is hereby abandoned, while a ten (10') foot utility easement is to be created immediately adjacent to the portion of road dedication easement not being abandoned by the City mentioned herein and as depicted in accordance with Exhibits A, B, & C hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the Kingsville City Commission on the 14th day of September, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

[illegible]

receipt of which is hereby acknowledged, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said E. F. Elder of the County of Kleberg, State of Texas, all that certain lot, piece, parcel or tract of land lying and being situated in the County of Kleberg, and State of Texas, and more particularly described as Town Lots numbered Seventeen (17) Eighteen (18), and the East one-half (2½) of Nineteen (19), in Block numbered Seventy five (75) of and in the surveyed and plotted limits of the Town of Kingsville, according to the survey, map or plat of said town as recorded in the office of the County Clerk of Kleberg County, Texas, which map or plat, and the record thereof, are each now referred to and made part hereof for more particular description of the land hereby conveyed.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said E. F. Elder, his heirs and assigns forever; and it does hereby bind itself, its successors or receivers to Warrant and Forever Defend, all and singular the said premises unto the said E. F. Elder, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF the said The Kingsville Lumber Company has caused these presents to be signed in its corporate name by its Vice President, Edwin F. Flato, and its seal to be hereto affixed by its Secretary, Caesar Kleberg, on this the 1st day of November, A. D. 1924.

ATTEST: Caesar Kleberg Its Secretary/
(\$2 stamp applied.)
(SEAL) THE KINGSVILLE LUMBER COMPANY
By Edwin F. Flato
Its Vice President

THE STATE OF TEXAS
COUNTY OF KLEBERG
Before me, H. L. Cook, a Notary Public, in and for Kleberg County, and State of Texas, on this day personally came THE KINGSVILLE LUMBER COMPANY, by its Vice President Edwin F. Flato known to me to be the person whose name is subscribed to the foregoing instrument as Vice President of THE KINGSVILLE LUMBER COMPANY and who acknowledged the same to be the act of said Corporation, and that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 5th day of November, A. D. 1924.

(SEAL) H. L. Cook
Notary Public, Kleberg County, Texas.

THE STATE OF TEXAS
COUNTY OF KLEBERG
I, H. W. Bludworth, Clerk of the County Court in and for said County and State aforesaid, do hereby certify that the foregoing instrument of writing was filed for record in my office on the 14 day of Nov. A. D. 1924 at 9:10 o'clock a.m., and duly recorded this the 19 day of Nov. A. D. 1924 at 2:10 o'clock p.m.

Given under my hand and seal of office the day and year last above written.

(SEAL) H. W. Bludworth Clerk
County Court Kleberg County, Texas.
By Deputy

SAM SPARKE
TO
PUBLIC ROAD DEDICATION

W. H. BRASHER
THE STATE OF TEXAS
COUNTY OF TRAVIS:
KNOW ALL MEN BY THESE PRESENTS: That, we, Sam Sparks of Travis County, Texas, and W. H. Brasher of Kleberg County, Texas, do hereby dedicate for a public road and for public road purposes the following described strip of land situated in Kleberg County, Texas, to-wit:

A strip of land 40 feet wide in the center of Block No. 3 of The Kleberg Town and Improvement Company's Subdivision said road being described by metes and bounds as follows:

Beginning 1262.6 feet West from the N. E. corner of Lot No. 1 in said Block No. 8; then parallel with the East line of said Block No. 8 to the 80 th line thereof; thence West 40 feet thence North to the North line of said Block No. 8; thence East 40 feet to the place of beginning.

Witness our hands, this the 27 day of October, A. D. 1924.

Sam Sparks
W. H. Brasher

THE STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared Sam Sparks, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 27 day of October, A. D. 1924.

(SEAL)

S. R. Fulmore
Notary Public, Travis County, Texas.

THE STATE OF TEXAS

COUNTY OF KLEBERG

BEFORE ME, the undersigned authority, on this day personally appeared W. H. Brasher, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 31st day of October, A. D. 1924.

(SEAL)

J. C. McLaughlin
Notary Public, Kleberg County, Texas.

THE STATE OF TEXAS

COUNTY OF KLEBERG

I, E. W. Bludworth, Clerk of the County Court in and for said County and State aforesaid, do hereby certify that the foregoing instrument of writing was filed for record in my office on the 14 day of Nov. A. D. 1924 at 2 o'clock p.m., and duly recorded this the 19 day of Nov. A. D. 1924 at 3:30 o'clock p.m.

Given under my hand and seal of office the day and year last above written.

(SEAL)

E. W. Bludworth
County Court Kleberg County, Texas.
By J. C. McLaughlin Deputy

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To: Courtney Alvarez, Interim City Manager

From: Tom Ginter, Director of Planning and Development Services



Date: September 2, 2015

Subject: Agenda Item - Abandonment of Easement -

Sometime in the summer of 2014 the Oldham Goodwin Group, LLC requested from the City abandoning a part of the easement on north Lantana. Due to turnover and other reasons, the request didn't go any further. The Oldham Goodwin Group is now asking of the City to abandon a part of the easement for future development. After conferring with the City Engineer it was determined that the City could abandon 20 feet of the 40 feet easement that has been dedicated to the City. We feel that the 20 feet left will give us enough room for widening Lantana.. The 10 foot utility easement will allow us to put a utility line along the side of the road if and when that is necessary.

We have asked as to why they need for us to abandon a part of the easement and they stated for future development. They were not specific on the type of development or when it will occur. They were also asked if they had any intentions to compensate the City for the ground and the answer was no.

The documents that are attached are:

- A. A resolution which reflects how the property is apportioned to the two parties
- B. This document with the highlighted language reflects that the 40 feet easement was dedicated for a public road
- C. This document shows the entire plat of the area
- D. The area that is red lined is the actual easement that we are being asked to abandon. The measurement of the easement is 20 feet by 343.18 feet.