

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION MONDAY, MARCH 14, 2016 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)**

Regular Meeting – February 22, 2016

APPROVED BY:

  
Jesús A. Garza  
City Manager

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

1. NONE.

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

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, 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 Items.<sup>3</sup>**

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

V.

**Consent Agenda**

**Notice to the Public**

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 Budget to use remaining funds in CO Series 1998 and CO Series 2011 for street maintenance funding. (Finance Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 Budget for the retainage portion of the Water Well #25 drilling contract. (Finance Director).
3. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 8, Section 3- Traffic Control Devices, providing for the authority to replace yield sign with stop sign on Armstrong Ave. at Caesar Ave. (City Engineer/Public Works Director).
4. Motion to approve the Historical Development Board decision on an application for a building permit for remodeling at 429 E. Kenedy Ave., which was approved by the board. (Downtown Manager).

**REGULAR AGENDA**

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

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

5. Consider a resolution appointing Election Judges and the Early Voting Ballot Board Judge for the City of Kingsville General Election on May 7, 2016. (City Secretary).

*(CONSIDERE UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y EL JUEZ DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE, QUE SE LLEVARÁN A CABO EL 7 DE MAYO DE 2016.) (SECRETARIA MUNICIPAL).*

6. Consider a resolution authorizing the Mayor to enter into a revised agreement with the Texas Department of Transportation to contribute right-of-way funds (fixed price) for improvements to US 77 for right-of-way acquisition and the relocation and adjustment of utilities from General Cavazos Blvd. to the Southern city limits along US 77. (City Attorney)
7. Consider a resolution authorizing the City Manager to enter into an Interlocal Cooperation Agreement between the City of Kingsville and Texas A&M University-Kingsville relating to Street Services. (City Engineer/Public Works Director).

8. Consider out-of-state travel for City Commission and staff to attend the ICSC RECon 2016 Exhibition and Conference in Las Vegas, Nevada on May 22-25, 2016. (City Manager).
9. Consider out-of-state travel for Task Force Commander and Agent Tamez to attend the 2016 National Interdiction Conference (NIC) in Reno, Nevada on March 15-17, 2016. (Task Force Commander).
10. Consider accepting donation/fundraiser money from Keep Kingsville Beautiful "Fill the Flower Pot" fund drive. (Planning & Development Services Director).
11. Consider the Historical Development Board decision on an application for a building permit for a sidewalk renovation at 200 E. Yoakum, which was approved by the board. (Downtown Manager).
12. Consider the Historical Development Board decision on an application for a sign permit at 200 E. Yoakum, which was approved by the board. (Downtown Manager).
13. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by adopting Chapter XV, Land Use, Article 11, Vacant Buildings and Property; establishing definitions, applicability, and location. (Planning & Development Services Director).
14. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Land Use, Article 6, Zoning, amending Section 15-6-21 definitions to add dwelling above business and work/live units and revising the definition of mixed use; adopting sections 15-6-29 work/live units and 15-6-30 dwelling above business; and amending Appendix A-Land Use Categories to add dwelling/ above business and work/live units. (Planning & Development Services Director).
15. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget for Fund 033 Co Series 2016 for project and debt issuance costs. (Finance Director).
16. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget for Street Maintenance Projects funded by the street maintenance fee. (Finance Director).
17. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget to include a TXDOT refund in CO Series 2011 to be used for City Hall complex improvements. (Finance Director).
18. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Utility Fund Budget for expenditures for the Texas Department of Agriculture Community Development Block Grant (TXCDBG #7215270) for water system improvements. (Finance Director).
19. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 General Fund Budget to transfer the Risk Management Department under the Personnel (Human Resources) Department. (City Manager).
20. Consider request for waiver of ZBA fee for 412 W. Henrietta. (Planning & Development Services Director).
21. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

22. Consider resolution authorizing the City Manager to execute a property contract for the acquisition of real property for a new Tourism/Visitors Center site. (Purchasing & Technology Director).

23. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

## VII. Adjournment.

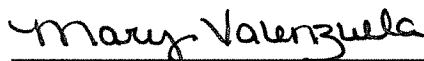
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative 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](mailto: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:

March 11, 2016 at 4:30 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

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

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



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

FEBRUARY 22, 2016

**A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 22, 2016 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 5:30 P.M.**

**CITY COMMISSION PRESENT:**

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

**CITY COMMISSION ABSENT:**

Al Garcia, Commissioner

**CITY STAFF PRESENT:**

Jesús Garza, City Manager  
Courtney Alvarez, City Attorney  
Tom Ginter, Director of Planning & Development Services  
Deborah Balli, Finance Director  
Charlie Cardenas, Public Works Director/Engineer  
Susan Ivy, Parks Manager  
Emilio Garcia, Health Director  
Robert Rodriguez, Library Director  
David Mason, Purchasing Director  
Willie Vera, Task Force Commander  
Melissa Perez, Risk Manager  
Leo Alarcon, Tourism Director  
Bill Donnell, Assistant Public Works Director  
Diana Gonzales, Human Resources Director  
Jimmy Saenz, Golf Course Manager  
Tony Verdin, System Specialist  
Jim DeVisser, Interim Fire Chief  
Carol Rogers, Administrative Assistant I  
Pete Pina, Landfill Supervisor

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate announced that four Commission members are present for this meeting.  
Commissioner Garcia absent.

**WORKSHOP:** Presentation from the EDC and the Retail Coach. (City Manager).

Mr. Manny Salazar, Director of Economic Development, gave a brief presentation on the Retail Coach. Mr. Salazar stated that he is looking into working on business retention expansion, community development, retail recruitment and finance.

Mr. Aaron Farmer of Retail Coach made a PowerPoint presentation to the City Commission. Main focus is to go out and recruit retailers and restaurants and assist existing businesses. Mr. Farmer reported that Retail Coach has been in work for sixteen years and has worked with over 375 communities. Retail recruitment is important as a long term process rather than just good for one year. The Retail Coach has identified five submarkets in town, University, downtown,

14<sup>th</sup> Street, Greater Walmart, and Hwy 77 submarket. Each submarket must be looked into individually. An analysis and strategy has to be developed for each of the submarkets. The list of retailers that fit one submarket will be different from the others. One of the analyses that have been done is through a license plate analysis to see where consumers are coming from. An analysis can also be done through cell phone GPS. This information will assist retailers and developers look at Kingsville and decide if there business could work in this city. A retail gap analysis will be done, this shows how much money is leaving the City and being spent in other surrounding areas such as Corpus Christi. Sites and properties will be identified for development and redevelopment. Retail Coach will be hosting a booth at the National Retailer Conference that will be held on May 22<sup>nd</sup> through May 25<sup>th</sup> in Las Vegas, NV.

Mayor Fugate commented that the Kingsville Regional Alliance has been discussing how to market Kingsville to bring in other retailer shops and restaurant.

City Commission recessed the workshop session of this meeting at 5:51 P.M.

### **REGULAR MEETING RESUMES**

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

### **INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

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

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

Regular Meeting – February 8, 2016

Mayor Fugate called for a motion to approve the minutes of February 8, 2016.

**Motion made by Commissioner Pena to approve the minutes of January 11, 2016 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote Pecos, Pena, Fugate voting “FOR”. Leubert “ABSTAIN”.**

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

1. NONE.

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

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

Mr. Garza reported that at a past City Commission meeting it was reported that the City of Kingsville had received recognition for its participation in the Discovery Program through Texas Municipal League (TML). Representatives from TML Mr. Irvin Yaneck and Art Alvarez are here tonight to present the City with the Discovery Team Program Award.

Mrs. Courtney Alvarez, City Attorney reported that the Warrant Roundup is in progress. The grace period to take care of your business without being arrested is February 19<sup>th</sup> through March 13<sup>th</sup>. The courts regular hours are Monday through Friday from 8:00 A.M. to 5:00 P.M. with three extended hour dates on February 19<sup>th</sup>, February 26<sup>th</sup>, and March 4<sup>th</sup> from 8:00 A.M. to 6:30 P.M. The Bigger Event will be held on Saturday, February 27<sup>th</sup>. Next regular City Commission is scheduled for Monday, March 14<sup>th</sup> with agenda items due by Friday, March 4<sup>th</sup>. Alvarez reported that the Kleberg County Commissioners Court has approved the Election Services Agreement which is up for approval during tonight's meeting. The Kleberg County Commissioners also passed a burned ban for the next 90 days.

Commissioner Leubert commented that the Farmer's Market will be celebrating its 1<sup>st</sup> Birthday. During this month's Farmer's Market, there will be a raffle that will include a little bit of each vendors products. Leubert congratulated Mr. Tim Acosta for his promotion of Managing Editor for the Kingsville Record. She further stated that she would like for staff to look into the sidewalk issues as sidewalks are important.

Mrs. Alvarez commented that with regards to the article that was in the Kingsville Record, that this was discussed during the summer of 2015. Mr. Charlie Cardenas, City Engineer/Public Works Director asked TXDOT about the sidewalks but due to the fact that on the East side of the road, there is a utility line which does not allow them to place a sidewalk underneath a utility line; and on the West side of South Brahma, there is not sufficient right-of-way to place a sidewalk, which is the reason why the City of Kingsville's request was denied at that time.

Mr. Charlie Cardenas, Public Works Director/City Engineer commented that the City did enter into an advance funding agreement with TXDOT for the same project when they were doing General Cavazos. The City did pay for the sidewalks that are being used in front of Casa Del Rey Apartments. A proactive approach was taken on the construction that TXDOT was doing on General Cavazos.

Mayor Fugate asked Mr. Garza asked if he was aware as to why TAMUK was no longer videotaping the City Commission meetings.

Commissioner Pena commented that he had heard that New Wave has a new process that is no longer controlled in Kingsville and is now being controlled in Victoria.

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

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

No public comments made.

V.

**Consent Agenda**

**Notice to the Public**

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

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

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

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

**1. Motion to approve final passage of an ordinance amending Chapter VII, Article 5, Traffic Schedules, reducing the speed limit on certain areas of Santa Gertrudis (from Seale Street west to Santa Monica Street) to 20 miles per hour, providing for appropriate penalties, fines, and fees regarding the regulation thereof. (City Engineer/Public Works Director).**

**2. Motion to approve a resolution authorizing the City Manager to enter into an Interlocal Agreement for Cooperative Purchasing of goods and services between the City of Kingsville and the City of Frisco, Texas, as per staff recommendation. (Purchasing & Technology Director).**

**REGULAR AGENDA**

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

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

**3. Consideration and approval of an ordinance authorizing the issuance of "City of Kingsville, Texas Certificates of Obligation, Series 2016" and approving all other matters related to the issuance of the certificates of obligation. (Finance Director).**

Mrs. Ann Burger Entrekin of First Southwest presented the City Commission with a presentation of Transaction Summary Certificates of Obligation, Series 2016. Mrs. Entrekin began her presentation with the Market Update, Bond Buyer's Index of 20 Municipal Bonds. The Economic indicator which comes out every Thursday and while it does not affect the City's exact interest rate, it is an excellent barometer of what is going on in this market. The high was in January 2011 at a 5.41% when we got to the low in December 6, 2012 of 3.27% was not only the low for that period, but went all the way back to 1964, which reflects a 50 year low. We are at this again and the timing for the bond buyer's index came out last Thursday at 3.27% except for last week it was at 3.27% and December 6, 2012 it was at 3.27% and if you go back to 1964 before we see Municipal rates at this level. Entrekin further reported that the chart being presented today is the exact information which goes back to 1981 that shows it's been a long time since we've been in this interest rate environment, except when we took the dip in 2012. Credit Rating Commentary; Standard & Poor's (S&P) "A+"/Stable Outlook. The rating reflects the city's strong management; very strong liquidity; strong debt and contingent liability position; and strong institutional framework score. It is viewed that the City's

management as strong, with good financial policies and practices under our Financial Management Assessment methodology, indicating financial practices exist in most areas... The City maintains a five-year capital improvement plan that is annually updated. Kingsville's budget flexibility is very strong, in our view, with available fund balance in fiscal 2014 of 26% of operating expenditures. In their opinion, Kingsville's liquidity is very strong, with total governmental available cash at 60.6% of total government fund expenditures and 7.8x governmental debt service in 2014. Entrekin stated that they went on a path of a competitive sale which is what was recommended. There were seven different bidders within this transaction is reflective that a competitive sale was the best alternative. The low bid that was received was from SAMCO Capital Markets at a rate 2.06 to put this into perspective, their cover rate was at 2.07 and behind that was a 2.08. One basis point was at 0.01% between the top three bids. The high bid was City Securities Corp at 2.35 which is a 29 basis point differential. There were several sales today that showed that kind of difference. Two reasons for that were treasuries were off this morning which impacted some of the bidders versus other bidders. The other reason was because investors are pushing back because these absolute rates are so low. Through guidance, the projected goes back to the end of December to the beginning of January, so at this point in time they thought they would only be able to issue \$6,175,000 in par amount of bonds, but because the interest rate came in so low today, they have for the City Commission consideration \$6,740,000 in bonds. The numbers that were shown in that point in time were at 2.84% the actual bid for consideration today is 2.068% which is slight different than their bid but this is because more principal was added. Total interest is at \$1.4 million and the call date is August 1, 2024. Average life is 8.253 years and the structure of a tax rate capacity. True interest cost is 75 basis points lower than initial projections. Total project fund is \$517,193 more than projected. In summary of this, it is recommended the City approve the Bid from SAMCO Capital Markets. The proposed bid and debt service structure optimizes the current interest rate environment while preserving future capacity and flexibility. Mrs. Entrekin stated that they would like to express their appreciation to City Staff, especially Mr. Jesús Garza, Mrs. Courtney Alvarez, and Mrs. Deborah Balli for all their assistance in making this a successful process and transaction. She further thanked the Bond Counsel, Winstead PC for their efforts and thanked the City for their honor of serving Kingsville as its Financial Advisor.

Mr. Garza commented that when the initial recommendation was made for funding back in December, the City was looking at \$5.7 million. Staff has reconsidered a different set of assumptions and was able to jump that to \$6.3 million. Staff was already anticipating being close to \$6.3 million, so when the Commission sees the number of \$6.1 million, staff was already thinking ahead at getting \$6.3 million. Now, we are at \$6.7 million which has added because of the market conditions and changing assumptions adding a million dollars of capacity for the City. The latest list that was provided to the City Commission was up to \$6.3 million dollars. This project included \$500,000 for phase one of Sixth Street and so now the difference of \$400,000 will allow staff to go out and explore possibility of doing all of Sixth Street all at once instead of it being phased out.

Mayor Fugate asked if money the City is borrowing is \$6,740,000 and will cost the City \$1,412,000 in interest. Mrs. Entrekin responded that this was correct.

**Motion made by Commissioner Leubert and Commissioner Pena this ordinance authorizing the issuance of "City of Kingsville, Texas Certificates of Obligation, Series 2016" and approving all other matters related to the issuance of the certificates of obligation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Leubert, Fugate voting "FOR".**

**4. Consider a resolution authorizing the City Manager to enter into the 2016 Election Services Agreement between the City of Kingsville and Kleberg County Clerk. (City Secretary).**

Mrs. Alvarez commented that this agreement was approved by the Kleberg County Commissioners during a meeting they had today.

**Motion made Commissioner Pena to approve this resolution authorizing the City Manager to enter into the 2016 Election Services Agreement between the City of Kingsville and Kleberg County Clerk, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Fugate voting "FOR".**

**5. Consider a resolution authorizing the City to submit an application to the State Defense Economic Adjustment Assistance Grant (DEAAG) Program for the purpose of requesting grant funding for land acquisition for encroachment prevention near the base. (Planning & Development Services Director).**

Mr. Tom Ginter, Planning & Development Services Director reported that the State budgeted \$30 million dollars for the use by military communities to assist with certain projects. City staff intends to use this money for the purchase of nearby properties to make sure an encroachment does not occur and impact NAS Kingsville.

Mr. Garza commented that the application deadline for this grant is early March. Those that get awarded will be notified in April or May, 2016. The matching that the city will provide, as it states in the resolution, not to exceed \$55,000 which will come from next fiscal year.

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

**6. Consider authorizing the purchase of an Air Curtain Incinerator for the Landfill via BuyBoard, as per staff recommendation. (Purchasing & Technology Director).**

Mr. David Mason reported that the current trench burner at the City Landfill has reached the end of its useful life and needs to be replaced. With some of the new CO money, staff would like to purchase an Air Curtain Brush burner and rake. This purchase will expend \$106,983.08 and is available under the BuyBoard Contact #424-13 from H&V Equipment of Corpus Christi.

Commissioner Pecos asked if this was an additional to the other burner the City already has. Mr. Mason responded by stating that the other burner is still functional at this time, but it is about 15 years old and at this point as long as there is available space, and as long as the old burner is working, both burners can be used.

**Motion made by Commissioner Pena to authorize this purchase, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Pena, Fugate voting "FOR". Leubert voting "AGAINST".**

**7. Consider a resolution authorizing the submission of an application to the Coastal Bend Council of Governments for the purpose of requesting prescription drug collection units. (Commissioner Leubert).**

Commissioner Leubert commented that this item is for a grant application to be submitted to the Coastal Bend Council of Governments requesting prescription drug collection units.

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

**8. Consider final passage of an ordinance amending the Chapter III, Article 7, Personnel Policies, Section 1 Classification and Compensation Plan to add a Capital Improvements Manager position and correct clerical error to the City of Kingsville Classification and Compensation Plan for Fiscal Year 2015-2016. (City Manager).**

Mr. Garza commented that by approve this item, it reliefs some of the duties of certain staff members that deal with day to day projects. This position will help with focus with certain needs, keep utility projects moving forward as well as identify and find solutions for some challenges that staff faces now.

Mayor Fugate commented that one of the concerns he has is the time it takes to complete capital projects. He is aware that staff is overworked, he can see that a position like this is important but he can see where this can be used on the Maintenance & Operation side as well as there are project on that side as well.

Mr. Garza stated that this position is not involved in the day to day and has no oversight over the supervisor. This position will report directly to the City Engineer and City Manager. This position will solely focus on capital improvements only.

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

**9. Consider final passage of an ordinance amending the Fiscal Year 2015-2016 Utility Fund Budget for the addition of a Capital Improvements Manager. (Finance Director).**

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

**10. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget to use remaining funds in CO Series 1998 and CO Series 2011 for street maintenance funding. (Finance Director).**

Mrs. Balli reported that there are some funds that remain from past Certificates of Obligations and staff would like to use these funds to assist in street maintenance projects.

Introduction item.

**11. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 Budget for the retainage portion of the Water Well #25 drilling contract. (Finance Director).**



Mrs. Balli stated this item authorizes funding of the retainage portion for Water Well #25 drilling contract in the Water Production Division. The allocation of the retainage funds was missed during the prior budget amendment to complete the Water Well #25 driller's portion of the project. This requested budget amendment reduces the Restricted for Capital Outlay Fund Balance in the amount of \$64,545.00 to Fund 066.

Introduction item.

**12. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 8, Section 3- Traffic Control Devices, providing for the authority to replace yield sign with stop sign on Armstrong Ave. at Caesar Ave. (City Engineer/Public Works Director).**

Mr. Cardenas reported that this item authorizes the approval to replace a yield condition on Armstrong Ave. at Caesar Street with a Stop sign.

Introduction item.

**13. Consider authorizing the purchase of a fire apparatus (engine) and equipment from Metro Fire Apparatus Specialists, Inc. via HGAC, as per staff recommendation. (Purchasing & Technology Director).**

Mr. Mason reported that this item authorizes the purchase of a new Fire Engine. This purchase will expend a total of \$400,000 of which \$359,100 is grant funded and the remaining \$40,900 is already budgeted as cash match. Staff recommends the purchase of the Spartan ERV Pumper on a Metro Star Chassis as specified from Metro Fire. This item is available through the HGAC Purchasing Cooperative thereby meeting competitive bid requirements under Government Code 252 and 271.

Commissioner Pecos asked what the time frame to receive this Fire Engine is. Mr. Mason responded about 390 days.

Interim Fire Chief Jim DeVisser commented that the latest to receive it is February 27, 2017.

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

**14. Consider authorizing the purchase and installation of driving range improvements at the City's L.E. Ramey Golf Course with Synlawn via TCPN Purchasing Cooperative, as per staff recommendation. (Purchasing & Technology Director).**

Mr. Mason reported that this item will expend no more than \$125,000 from CO 2016 funds allocated to the Golf Course from account 001-052-016. It is recommended the City purchase the aforementioned products/services under the TCPN Purchasing Cooperative thereby meeting competitive bid requirements under Government Codes 252 and 271. The purchase and installation will be contracted with Synlawn of Dalton, GA.

**Motion made by Commissioner Pena to authorize this purchase and installation, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Leubert, Pecos, Pena, Fugate voting "FOR".**

## **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 7:11 P.M.

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

### **ATTEST:**

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

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# **CONSENT AGENDA**

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# **AGENDA ITEM #1**

**City of Kingsville**  
**Finance Department**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah R Balli, Finance Director

DATE: February 9 2016

SUBJECT: Fund 034-CO Series 1998 & Fund 065 – CO Series 2011 Appropriation

---

**Summary:**

The Street Department is in need of additional funding for street maintenance projects for FY 15-16. In looking at available funding, there are unspent funds in Fund 034 – CO Series 1998 and Fund 065 – CO Series 2011 General.

**Background:**

The City went out for \$3,000,000 in Certificates of Obligation in 1998 for various capital improvement programs and equipment purchases as stated in the Official Statement and the audited financial statements for FY 97-98. Attached is the listing of projects and equipment that were included in the CO Series 1998 of which included seal coating materials. Therefore, street maintenance was a designated project which these bonds were sold for.

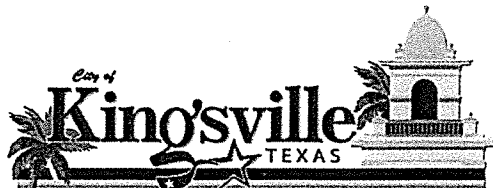
The City also went out for \$10,000,000 in Certificates of Obligation in 2011 for various capital improvement programs which included street and related drainage system repairs. In years past, the City has funded street maintenance projects with these funds, therefore, street maintenance was a designated project which these bonds were sold for. Attached is a document that details what this CO Series was to fund.

**Financial Impact:**

Using the remaining funds of \$41,215.93 in Fund 034, and \$53,199.60 in Fund 065 for a total of \$94,415.53 to provide funding for street maintenance in FY 15-16.

**Recommendation:**

Staff is recommending \$94,415.53 to be appropriated for street maintenance funding.



**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET TO USE REMAINING FUNDS IN CO SERIES 1998 AND CO SERIES 2011 FOR STREET MAINTENANCE FUNDING.**

**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 2015-2016 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 034-CO Series 1998-General**

Equity

2		Unrestricted Fund Balance	61002		\$50.77
2		Restricted for Capital Outlay	74002		\$41,165.16
					<u>\$41,215.93</u>

Expenses

5-6900		Transfer Out to Fund 065	80065	\$41,215.93	
				<u>\$41,215.93</u>	

**Fund 065-CO Series 2011 General**

Equity

2		Restricted for Capital Outlay	74002		\$53,199.60
					<u>\$53,199.60</u>

Revenue

4-0000		Transfer In From Fund 065	75034	\$41,215.93	
				<u>\$41,215.93</u>	

Expenses

5-3050		Street & Bridge	52100	\$94,415.53	
				<u>\$94,415.53</u>	

[To amend the City of Kingsville FY 15-16 Budget to use remaining funds in CO 1998 and CO 2011 for street maintenance in FY 15-16 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 22<sup>nd</sup> day of February, 2016.

**PASSED AND APPROVED** on this the \_\_\_\_ day of March, 2016.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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## **AGENDA ITEM #2**



**City of Kingsville**  
**Public Works, Water Production Division**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

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

DATE: February 12, 2016

SUBJECT: Utility Fund Budget Amendment

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**Summary:**

This item authorizes funding of the retainage portion for Water Well #25 drilling contract in the Water Production Division.

**Background:**

The allocation of the retainage funds was missed during the prior budget amendment to complete the Water Well #25 driller's portion of the project.

**Financial Impact:**

This requested budget amendment reduces the Restricted for Capital Outlay Fund Balance in the amount of \$64,545.00 to (Fund 066-5-6002-72025).

**Recommendation:**

The contractor, Alsay, has completed their portion of the water well project. Staff is recommending approval of funds to complete the retainage payment to the contractor.



**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR THE RETAINAGE PORTION OF THE WATER WELL #25 DRILLING CONTRACT.**

**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 2015-2016 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 066-CO Series 2011-Utility**

Equity

2	Restricted for Capital Outlay	74002			<u>\$64,545.00</u>
					<u>\$64,545.00</u>

Expenses

5-6002	Water Well #25	72025	\$64,545.00		
			<u>\$64,545.00</u>		

[To amend the City of Kingsville FY 15-16 Budget for the retainage portion of the Water Well #25 drilling contract as per the attached memo from the Director of Public Works/City Engineer.]

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 22<sup>nd</sup> day of February, 2016.

**PASSED AND APPROVED** on this the \_\_\_\_ day of March, 2016.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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## **AGENDA ITEM #3**

**City of Kingsville**  
**Engineering/Public Works**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

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

DATE: February 11, 2016

SUBJECT: Replace yield condition with stop condition on Armstrong Ave. at Caesar Street

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**Summary:**

This item authorizes the approval to replace a yield condition on Armstrong Ave. at Caesar Street with a stop condition.

**Background:**

The Engineering department received several request in November and December of 2015 from citizen's to evaluate the safety of the intersection of Armstrong Ave. and Caesar Street. It was observed that the traffic control at this intersection is a yield condition on Armstrong Ave. and free flow movement on Caesar Street. Furthermore, it was determined that part of Caesar Street is owned and maintained by the Texas Department of Transportation and serves as the primary collector street and Armstrong Ave. serves as the secondary collector street terminating at Caesar Street. It was observed that vehicles on Armstrong Ave. are not yielding to vehicles flowing through Caesar Street (headed to the cemeteries) causing a dangerous condition. An Engineering study was conducted for this condition and meets a "STOP" warrant.

**Financial Impact:**

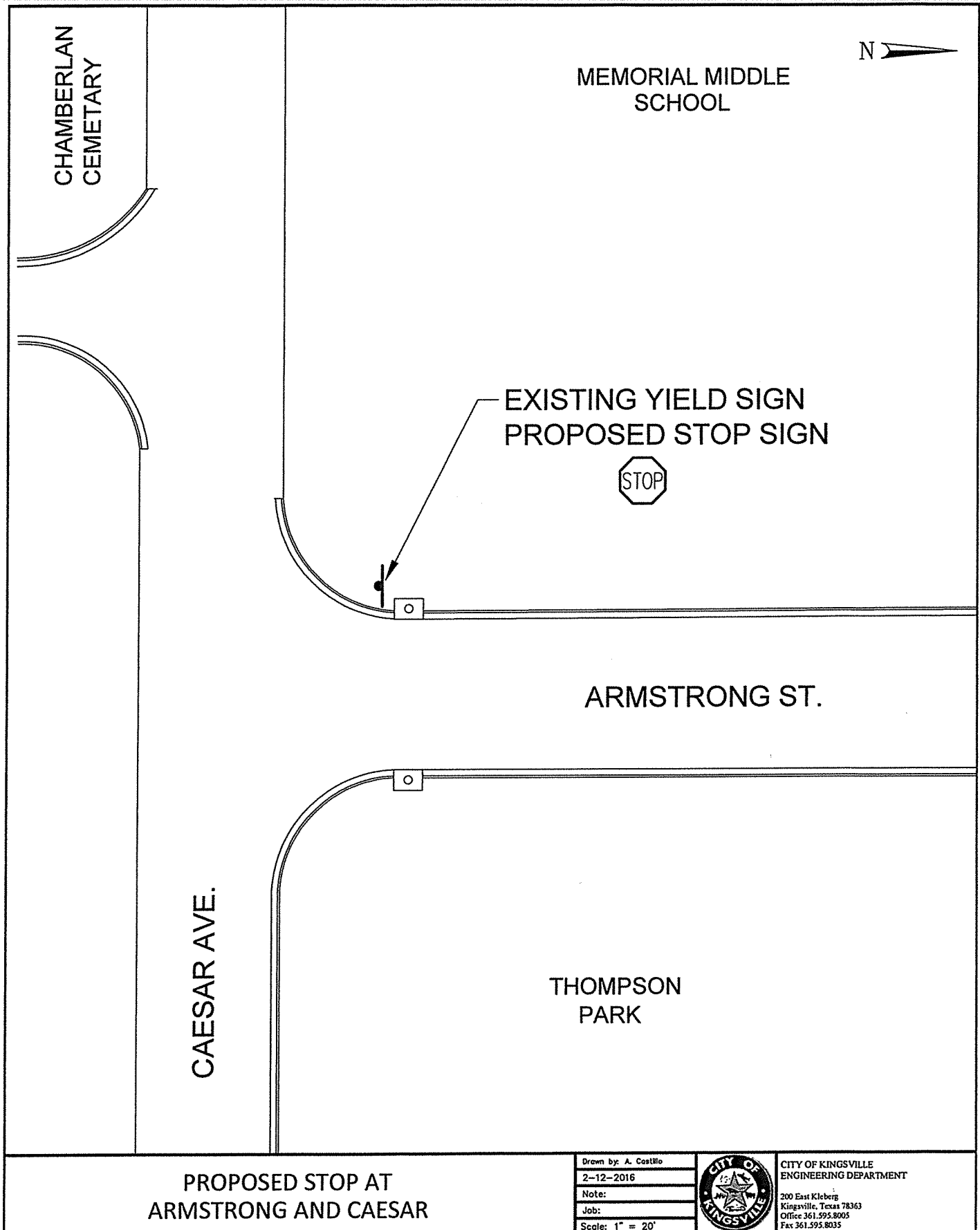
No financial impact to the City of Kingsville. Changing this condition is in accordance with state and federal guidelines and the Manual of Uniformed Traffic Control Devices (MUTCD).

**Recommendation:**

Staff recommends that the yield condition on Armstrong Ave. at Caesar Street be changed to a stop condition.



# EXHIBIT "A"



**ORDINANCE NO. 2016-**\_\_\_\_\_

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER VII, ARTICLE 8, SECTION 3-TRAFFIC CONTROL DEVICES; PROVIDING FOR THE AUTHORITY TO REPLACE YIELD SIGN WITH STOP SIGN ON ARMSTRONG AVE. AT CAESAR AVE.; 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 7-8-3 of Article 7: Traffic Control Devices of Chapter VII, Traffic Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

**§7-8-3 TRAFFIC CONTROL AREAS.**

....

(I) AREA I:

AREA I		
Intersection	Direction	Device
1. Kenedy Ave. at May St.	Southbound	Install stop sign
2. Kenedy Ave. at Milton St.	Southbound	Install stop sign
3. Kenedy Ave. at Frances St.	Northbound	Install stop sign
4. Lott St. at Williams St.	Eastbound	Install yield sign
5. Huisache Ave. at Lantana Dr.	Westbound	Install stop sign
6. Huisache Ave. at Williams St.	Eastbound - Westbound	Install yield signs
7. Huisache Ave. at Wanda Dr.	Eastbound - Westbound	Install yield signs
8. Warren Ave. at Armstrong Ave.	Westbound	Delete yield sign Install stop sign

9. Ragland Ave. at Armstrong Ave.	Westbound	Delete yield sign Install stop sign
10. Jackson Ave. at Kenedy Ave.	Southbound	Install stop sign
11. <u>Armstrong Ave. at Caesar Ave.</u>	<u>Southbound</u>	<u>Delete yield sign</u> <u>Install stop sign</u>

....

## II.

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

## III.

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

## IV.

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

**INTRODUCED** on this the \_\_\_\_th day of February, 2016.

**PASSED AND APPROVED** on this the \_\_\_\_th day of March, 2016.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



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## **AGENDA ITEM #4**

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**City of Kingsville  
Planning Department**

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**TO:** Mayor and City Commissioners  
**CC:** Jesus A. Garza, City Manager  
**FROM:** Cynthia Martin, Downtown Manager  
**DATE:** March 9, 2016  
**SUBJECT:** Historical Development Board review – 429 E Kenedy

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**Summary:** The Historical Development Board met on March 9, 2016, to evaluate an application for a building permit for a remodel at ORIG TOWN, BLOCK 70, LOT 14-16 also known as 429 E Kenedy Avenue presented by Marie and Rene Quintanilla, property owners. A copy of the application for review and related documentation are attached.

**Background:** The owners propose to replace the windows and doors on the house, do minor repair to the trim and repaint the house and trim.

**Financial Impact:** NA

**Recommendation:** The Historical Development Board recommends approval of this building permit application as submitted.



# Historical Development Board Review Application

Date of Request: 2/17/16 Property is zoned: R-3

Property Location and Description: 429 E. Kenedy  
Kingsville, TX 78363

Year Built: 1925 Style, Period, Condition, Context or other Comments: Craftsman

Description of Work: Remove windows & replace windows & Re-paint house & Trims; R+R DOORS

Applicant: Maria & Rene Quintanilla

Address: 429 E. Kenedy Kingsville, TX 78363

Contact: Cell: 209-559-152 Office: US phone Home: Chile Email: Ban

Contractor: Gonzalez General Contracting, 111 W. 2nd Bishop, TX

Contact: Cell: 361-946-9098 Office: — Home: — Email: Jimmy Gonzalez

## Documents Required:

	Req'd	Have
1. Building or Planning Department Application(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Sketch, Drawing, Plans, Site Plans, Mock-ups	<input type="checkbox"/>	<input type="checkbox"/>
3. Photographs (Historic, Current, Surrounding Structures)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Materials List or Samples	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Proof of Ownership	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

I certify that this information and the additional information submitted to the Department of Development Services is correct and that the work will be completed as described, as approved by the Historical Development Board and in accordance with applicable codes.

Print Name: Maria Quintanilla Signature: [Signature]

Hearing Date: 3/6/16 Approved ☐ Disapproved with Recommendations ☐ Disapproved ☐

- Meetings are held in the City Hall Commission Chambers, 200 East Kleberg Avenue.
- If the Board disapproves the application with recommended changes, the applicant has 5 days to inform the City if he/she accepts the changes.
- If the application is disapproved or if the applicant does not accept all recommendations, he/she may appeal the Board's decision by informing the City within the 5 day period.
- The Board only hears cases when the owner is present or represented.
- Call 361-592-8516 for information.

MARK L. V.

429 E. Kennedy ; Kingsville, TX. 78363

9 - Double Paine Vinyl windows 36" x 52"

12 - 2 x 4 x 8

for

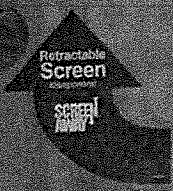
20 - 1 x 4 x 10 (TRIMS) (Hardy)

5 - Sheetrock - for inside of New windows (12")

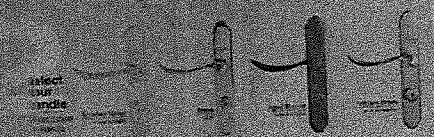
MATERIAL LIST



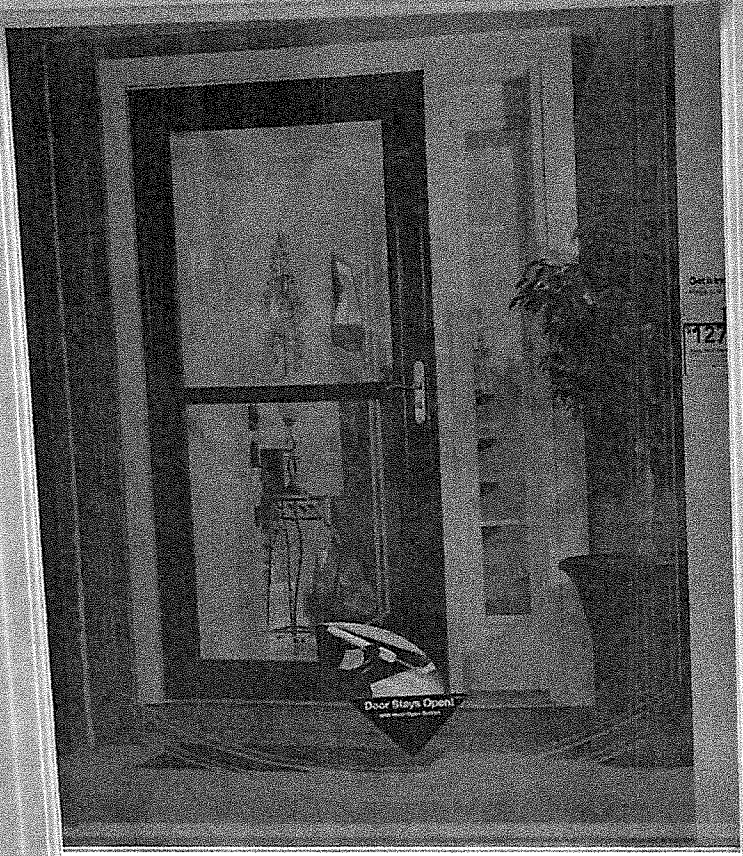




# Tradewinds Selection™

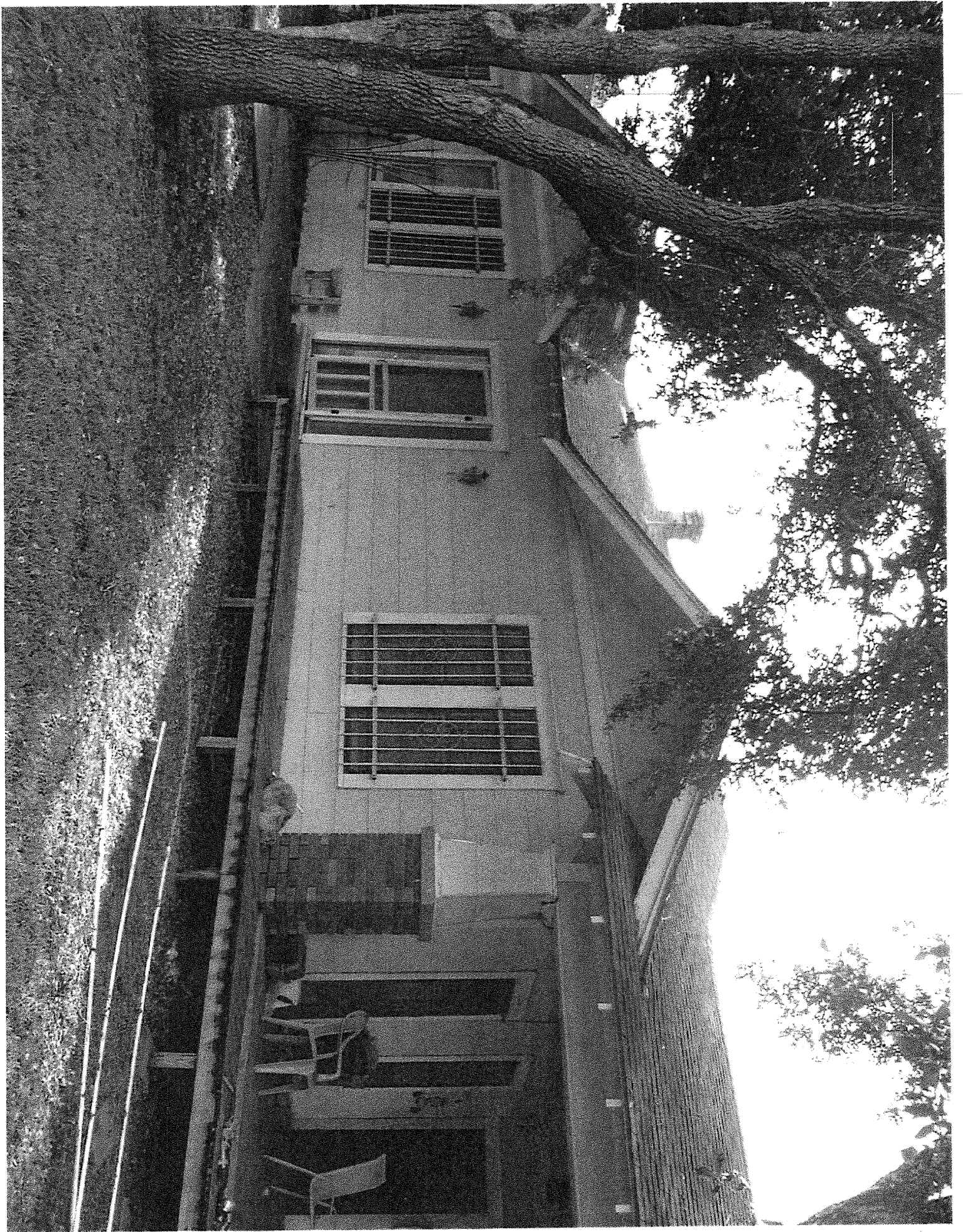


**Quiet Inn**  
\$25  
LARGEST IN THE LINE



Door Stays Open!

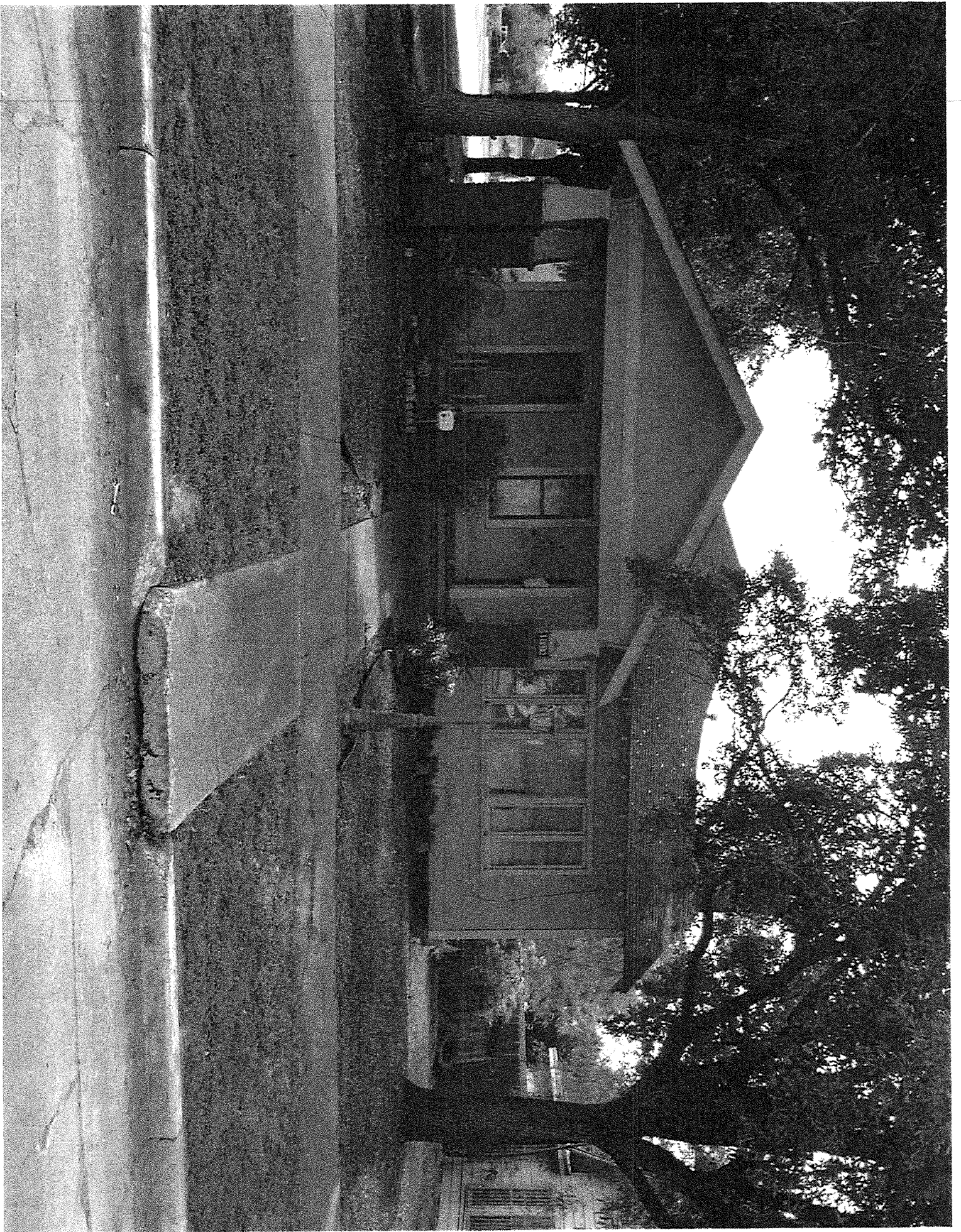












**TaxNetUSA**  
 The Source for Property Tax Information

**Kleberg County Appraisal District**

502 E. Kleberg St. Kingsville, TX 78363-9998

**TaxNetUSA: Kleberg County Property Information** Account Number: 23643 GEO Number: 100107014000192

Owner's Name	<b>QUINTANILLA RENE II</b>	Entity Code	Entity Name	Tax Rate
Mailing Address	ETUX MARIA LUCINDA 429 E KENEDY AVE KINGSVILLE, TX 78363	GKL	Kleberg County	0.74481000
Location	429 E KENEDY	CKI	Kingsville	0.84220000
Legal	ORIG TOWN, BLOCK 70, LOT 14-16, ACRES .0	SKI	Kingsville ISD	1.51890000
		WST	South Texas Water Authority	0.08540900
		CAD	KLEBERG COUNTY APPRAISAL DISTRICT	

Total 3.191319

Data up to date as of 2015-06-10

\*Total Estimated Taxes 3,135.15

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. \* Tax amount does not include any exemptions.

☐ AGRICULTURAL (1-D-1)

☐ HOMESTEAD EXEMPTION FORM

☐ PRINTER FRIENDLY REPORT

**Property Details**

Deed Date	03/27/2007
Deed Volume	358
Deed Page	627
Exemptions	HS.
Freeze Ceiling	0.00
Block	70
Tract or Lot	14-16
Abstract Code	S001

**Value Information**

Land Value	6,750.00
Improvement Value	91,490.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Value Per MASQFT	N/A
Market Value	98,240.00
Appraised Value	98,240.00
Assessed Value	98,240.00

**Improvement Information**

Improvement ID	State Category	Homesite	Description	Value
9856	A1	Y	RESIDENTIAL	80250.000000
88106	A1	Y	RESIDENTIAL	11240.000000

**Segment Information**

Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
9856	33808	MA	MAIN AREA	FF5	1945	1945	2,033	78,390
9856	33809	OP1	OPEN PORCH BASIC (20%)	*	1945	1945	195	1,400
9856	33810	PO	PATIO (SPECIAL PRICE)	SP	1945	1945	104	100
9856	33811	PO	PATIO (SPECIAL PRICE)	SP	1945	1945	380	360
88106	35355	MA	MAIN AREA	FF2	1945	1945	480	7,660
88106	35356	AGU	ATTACHED GARAGE UNFINISHE	*	1945	1945	480	2,300
88106	35357	SG1	STORAGE FINISHED (40%)	*	1945	1945	200	1,280

Total Living Area 2,513

**Land Information**

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
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# **REGULAR AGENDA**

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## **AGENDA ITEM #5**

**RESOLUTION #2016-\_\_\_\_\_**

**A RESOLUTION APPOINTING ELECTION JUDGES AND THE EARLY VOTING BALLOT BOARD JUDGE FOR THE CITY OF KINGSVILLE GENERAL ELECTION ON MAY 7, 2016.**

**BE IT RESOLVED**, by the City Commission of the City of Kingsville (City) that the following named persons are hereby appointed as Election Judges for the City Election to be conducted on Saturday, May 7, 2016.

<b><u>City &amp; KISD POLLING PLACE</u></b>	<b><u>PRESIDING JUDGE</u></b>	<b><u>ALTERNATE JUDGE</u></b>
1 - McRoberts Elementary School	Dalilah Mascorro	Monica Mascorro
2 - KISD Administration Bldg.	Julie Flores	Theresa Barrera-Zamora
3 - Kleberg County Annex Bldg.	Velma Flores	Vanessa Flores
4 - Gillett Intermediate School	Alicia Tijerina	Selina Tijerina
5 - Harvey Elementary School	Frances Garcia	Dalilah Caldera
6 - H.M. King High School	Sylvia Martinez	Anna Ramirez

**BE IT FURTHER RESOLVED** that each Presiding Judge is authorized to appoint one clerk to assist him/her with the election and that each Presiding Judge and each Alternate Judge shall be compensated twelve dollars (\$12.00) per hour for each hour worked and that the judge delivering the election returns and supplies to the central counting station shall be compensated an additional twenty-five dollars (\$25.00) for that service, and that Clerks shall be compensated ten dollars (\$10.00) per hour for each hour worked.

**BE IT FURTHER RESOLVED** that Connie Cashen be appointed as the Presiding Judge of the Early Voting Ballot Board. That said Presiding Judge is authorized to appoint two clerks to assist him/her and the members shall be paid the same wage as regular election judges. If the Board concludes its work in less than 10 hours, the compensation paid may exceed that regularly payable for the amount of time worked, but cannot exceed the amount payable for ten hours' work.

**PASSED AND APPROVED** by the majority vote of the City Commission of the City of Kingsville, Texas this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **RESOLUCIÓN #2016-**

**UNA RESOLUCIÓN QUE NOMBRA JUECES ELECTORALES Y EL JUEZ DE LA JUNTA DE VOTACIÓN ANTICIPADA PARA LAS ELECCIONES GENERALES DE LA CIUDAD DE KINGSVILLE QUE SE LLEVARÁN A CABO EL 7 DE MAYO DE 2016.**

**SE HA RESUELTO**, por parte de la Comisión Municipal de la Ciudad de Kingsville (Ciudad) que las personas mencionadas a continuación sean nombradas como Jueces Electorales para las Elecciones que se realizarán el sábado 7 de mayo de 2016.

<b><u>SITIO DE VOTACIÓN EN LA CIUDAD Y KISD</u></b>	<b><u>JUEZ PRESIDENTE</u></b>	<b><u>JUEZ SUPLENTE</u></b>
<b>1 - Escuela Primaria McRoberts</b>	<b>Dalilah Mascorro</b>	<b>Monica Mascorro</b>
<b>2 - Edificio de Administración del KISD</b>	<b>Julie Flores</b>	<b>Theresa Barrera-Zamora</b>
<b>3 - Edificio anexo del condado de Kleberg</b>	<b>Velma Flores</b>	<b>Vanessa Flores</b>
<b>4 - Escuela Intermedia Gillett</b>	<b>Alicia Tijerina</b>	<b>Selina Tijerina</b>
<b>5 - Escuela Primaria Harvey</b>	<b>Frances Caldera</b>	<b>Dalilah Caldera</b>
<b>6 - Escuela H.M. King High School</b>	<b>Sylvia Martinez</b>	<b>Anna Ramirez</b>

**SE RESUELVE ADEMÁS QUE:** Cada Juez Presidente está autorizado para nombrar un secretario que le ayudará en las elecciones, y que cada Juez Presidente y cada Juez Suplente deberán recibir un pago de doce dólares (\$12.00) por hora, por cada hora trabajada, y que el juez que entrega los resultados electorales y los materiales de las elecciones a la estación central de conteo debe recibir un pago adicional de veinticinco dólares (\$25.00) por ese servicio, y que los Secretarios deben recibir un pago de diez dólares (\$10.00) por hora, por cada hora trabajada.

**SE RESUELVE ADEMÁS QUE:** Connie Cashen es nombrado Juez Presidente de la Junta de Votación Anticipada. Que dicho Juez Presidente está autorizado para nombrar dos secretarios que le ayudarán, y que los miembros deberán recibir el mismo pago que los jueces electorales regulares. Si la Junta termina su trabajo en menos de 10 horas, la remuneración pagada puede exceder la remuneración pagada regularmente por la cantidad de tiempo trabajado, pero no puede sobrepasar la suma pagada por diez horas de trabajo.

**APROBADA** por voto mayoritario de la Comisión Municipal de la Ciudad de Kingsville, Texas, este día \_\_\_\_\_ de \_\_\_\_\_ de 2016.

\_\_\_\_\_  
Sam R. Fugate, Alcalde

**DA FE:**

\_\_\_\_\_  
Mary Valenzuela, Secretaria Municipal

**APROBADA RESPECTO A FORMA:**

\_\_\_\_\_  
Courtney Álvarez, Abogado Municipal

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## **AGENDA ITEM #6**

**City of Kingsville**  
**Department Name**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Courtney Alvarez, City Attorney

DATE: March 8, 2016

SUBJECT: Revised TXDOT ROW Agreement

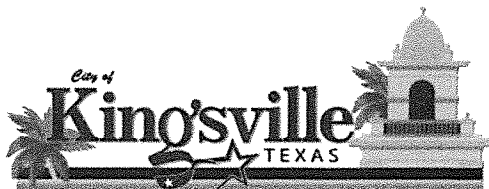
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**Summary:** TXDOT has notified the City that they have lowered the percentage of contribution for the ROW funds for improvements to US 77 ROW acquisition and the relocation and adjustment of utilities from General Cavazos Blvd. to the southern city limits along US77, which requires a revised agreement to reflect the new, lower amount due from the City.

**Background:** On November 9, 2015, the City Commission approved a resolution (#2015-58) and agreement with TXDOT to contribute Right of Way Funds (Fixed Price) for improvements to US 77 for ROW acquisition and the relocation and adjustment of utilities from General Cavazos Blvd. to the southern city limits along US77. That agreement proposed the City contribute 5% of the project costs, which was equal to \$176,348.32 that was to be paid over six annual installment payments. The City Commission approved an ordinance for a budget amendment (#2015-40) for the first payment under that agreement of \$29,392. TXDOT recently notified the City that the new proposed contribution amount from the City is being lowered to 2.3%, which equals \$80,075.90. This amount will also be paid out over six annual installment payments. TXDOT is waiting for the City to approve the new scheduled payment amounts prior to sending the revised Agreement for our execution.

**Financial Impact:** The total project cost for the City will go from \$176,348.32 to \$80,075.90, resulting in a savings of \$96,272.42 for the City.

**Recommendation:** Approve the revised agreement for the new lower contribution amount of 2.3%.





**RESOLUTION NO. 2016-\_\_\_\_\_**

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REVISED AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE) FOR IMPROVEMENTS TO US 77 FOR RIGHT OF WAY ACQUISITION AND THE RELOCATION AND ADJUSTMENT OF UTILITIES FROM GENERAL CAVAZOS BLVD. TO THE SOUTHERN CITY LIMITS ALONG US 77.**

**WHEREAS**, the Texas Department of Transportation (TXDOT) is responsible for the design, construction, and operation of a system of highways in cooperation with local governments;

**WHEREAS**, the TXDOT has plans to make improvements to US77 from General Cavazos Blvd. to the South Y (CR2130), which is the future I-69, and has requested the City contribute right of way funds to assist with those improvement for the portion of improvements to be made from General Cavazos Blvd. to the southern city limits along US77; and

**WHEREAS**, the right of way funds will be used to acquire right of way and to relocate and make adjustments to utilities for the proposed improvements on US77 within the city as noted above; and

**WHEREAS**, the total estimated cost needed for the above-stated purposes is \$3,526,966.34, of which TXDOT had previously proposed the City contribute 5% in November 2015, but is now proposing the City contribute 2.3%; and

**WHEREAS**, the City's 2.3% contribution equals \$80,075.90, which can be paid out over six (6) annual installment, five (5) equal payments of \$13,345.98 and one (1) final payment of \$13,346.00; and

**WHEREAS**, the City of Kingsville must pass a resolution authorizing the City to enter into the Agreement with the Texas Department of Transportation to Contribute Right of Way Funds (Fixed Price); and

**WHEREAS**, the City will be responsible for paying the six annual right of way fund payments to TXDOT.

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

I.

**THAT** the City Commission authorizes the Mayor to execute the Agreement to Contribute Right of Way Funds (Fixed Price) with the Texas Department of

Transportation for acquisition of certain right of way and the relocating and adjusting of utilities due to certain highway improvements for General Cavazos Blvd. to the southern city limits on US77, as per the agreement attached hereto.

II.

**THAT** the Mayor, or his designee, is hereby authorized and directed to act on the City's behalf in all matters pertaining to this contract.

III.

**THAT** this Resolution shall become effective upon adoption.

**PASSED AND APPROVED** by a majority vote of the City Commission on the 14th day of March, 2016.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

County Kleberg  
 District Corpus Christi  
 ROW CSJ # 0102-04-100  
 CCSJ # 0102-04-099  
 Federal Project #: N/A  
 Federal Highway Administration  
 CFDA # 20.205  
 Not Research and Development

**Standard Agreement to Contribute  
 State Performs Work  
 Periodic Payments  
 Attachment C  
 City of Kingsville**

Description	Total Estimated Cost	State Participation		Local Participation	
		%	Cost	%	Cost
Right of Way Acquisition	\$1,367,561.05	97.7%	\$1,336,107.15	2.3%	\$31,453.90
Reimbursable Utility Adjustments	\$2,114,000.00	97.7%	\$2,065,378.00	2.3%	\$48,622.00
Joint Bid Reimbursable Utility Adjustments	\$0	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
	\$0	0%	\$0	0%	\$0
<b>TOTAL</b>	<b>\$3,481,561.05</b>	<b>97.7%</b>	<b>\$3,401,485.15</b>	<b>2.3%</b>	<b>\$80,075.90</b>

Except as otherwise provided in the Agreement, the fixed amount of Local Government participation will be that amount provided above.

Local Government requested approval for periodic payments of its funding obligation pursuant to 43 TAC §15.52 and the executive Director has approved the request. Attached is completed Special Approval Form – DED Approval.

Periodic payment schedule:

Initial payment by the Local Government to the State with execution of agreement.  
\$13,345.98.

Dollars \$13,345.98 on or before October 31, 2016,  
 Dollars \$13,345.98 on or before October 31, 2017,  
 Dollars \$13,345.98 on or before October 31, 2018,  
 Dollars \$13,345.98 on or before October 31, 2019,  
 Dollars \$13,346.00 on or before October 31, 2020.

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# **AGENDA ITEM #7**

**City of Kingsville**  
**Engineering/Public Works**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

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

DATE: March 08, 2016

SUBJECT: Inter local agreement between the City of Kingsville and Texas A&M University-Kingsville to provide street services.

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**Summary:**

This item authorizes the City Manager to enter an agreement with Texas A&M University-Kingsville to provide street sweeping, and pothole repairs on the Texas A&M University-Kingsville campus.

**Background:**

The Engineering department received several request in November and December of 2015 from Texas A&M University-Kingsville (TAMUK) to provide street sweeping services and pothole repairs on the university campus if the university would pay for the services. The property at TAMUK is not within the city's capacity to maintain. However, a cost estimate was given to the University for review, considering the university a "zone" so that disruption to the city's daily needs are not affected. It was determined that the City may enter an agreement to provide these services through the City Commission approval.

**Financial Impact:**

The financial impact to the City of Kingsville is \$8,034.66 per cycle (\$96,415.92 per year) in revenue.

**Recommendation:**

Staff recommends the city to enter an agreement with TAMUK to provide street sweeping and pothole repair services.



**RESOLUTION #2016-**

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**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF KINGSVILLE AND TEXAS A&M UNIVERSITY-KINGSVILLE RELATING TO STREET SERVICES; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville (hereinafter "City") and Texas A&M University-Kingsville (hereinafter "TAMUK") try to work together for the benefit of our community when able to do so; and

**WHEREAS**, the City of Kingsville has a street department that services the streets within the city with construction, maintenance, repairs, and sweeping, among other things; and

**WHEREAS**, Texas A&M University-Kingsville is located within the city and does not have a street department to assist with sweeping and minor pothole repairs but does have a growing university that continues to expand its enrollment bringing more students and educators to the city on a daily basis, which benefits the city through quality of life enhancement and increased sales tax and property tax revenues, which may in turn bring new residents and businesses to town; and

**WHEREAS**, TAMUK has requested assistance with periodic street sweeping and pothole repairs on the campus, which streets connect to city streets; and

**WHEREAS**, the City of Kingsville and TAMUK would both benefit from this service and the work would be for the benefit of those who live, work, and visit here; and

**WHEREAS**, the City Commission has previously approved Interlocal Agreements with TAMUK for various items; and

**WHEREAS**, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with these terms; and

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into an Interlocal Cooperation Agreement Between the City of Kingsville and the Texas A&M University-Kingsville relating to Street Services in accordance with Exhibit A 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 City Commission on the  
14th day of March, 2016.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF KINGSVILLE  
AND TEXAS A&M UNIVERSITY KINGSVILLE  
RELATING TO  
STREET SERVICES**

**WITNESSETH:**

**WHEREAS**, the City of Kingsville (hereinafter "City") has a street department that services the streets within the city with construction, maintenance, repairs, and sweeping, among other things; and

**WHEREAS**, Texas A&M University-Kingsville (hereinafter "TAMUK") is located within the city and does not have a street department to assist with sweeping and minor pothole repairs but does have a growing university that continues to expand its enrollment bringing more students and educators to the city on a daily basis, which benefits the city through quality of life enhancement and increased sales tax and property tax revenues, which may in turn bring new businesses to town; and

**WHEREAS**, TAMUK has requested assistance with periodic street sweeping and pothole repairs on the campus, which connects to city streets; and

**WHEREAS**, the City of Kingsville and TAMUK would both benefit from this service and the work would be for the benefit of those who live, work, and visit here; and

**WHEREAS**, the City Commission has previously approved a Interlocal Agreement with TAMUK for various items; and

**WHEREAS**, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement to render assistance to one another whenever practical in accordance with these terms; and

**NOW, THEREFORE**, the City of Kingsville and Texas A&M University Kingsville, in consideration of these mutual covenants and agreements, agree as follows:

1. **PARTIES**. The parties to this Interlocal Agreement ("Agreement") are the City of Kingsville ("City"), a Texas home rule municipality, and Texas A&M University Kingsville ("TAMUK"), a member of the Texas A&M University System, a state agency, and Texas institution of higher education.

2. **PURPOSE**.

- A. The City will do periodic street sweeping and pothole repairs on the streets within the university and invoice TAMUK for services rendered.



- B. TAMUK will pay the City within 30 days of receipt of an invoice for the services rendered.
- 

3. TERM.

- A. This Agreement shall be for an initial term of two years from February 8, 2016 through February 7, 2018. The Agreement shall automatically renew for up to three (3) one (1) year terms upon the same terms, conditions and provisions set out herein for the initial term. Each one year renewal period shall be deemed to be automatically exercised unless one party gives the other party written notice that they will not extend the term, such notice to be given at least ninety (90) days prior to the expiration of the initial term with respect to the first renewal period and each renewal period then in effect with respect to the successive renewal periods.
- B. This Agreement may be terminated at any time by any party with or without cause upon thirty (30) days advance written notice.
- C. Any notice of termination shall be sent to the other party to this interlocal agreement at the address listed in paragraph 5 of this agreement.

4. RESPONSIBILITIES.

- A. City. The City will create a zone for the University streets and it will include this new zone in its overall pothole repair and sweeping zone schedule. The City will periodically sweep the streets and make pothole repairs when it goes through the University zone. The City may do occasional non-zone street sweeping and pothole repairs. It may do minor street construction if mutually agreed on by the parties. The City will not sweep or repair TAMUK parking lots, unless mutually agreed on by the parties. The City will invoice TAMUK for services rendered upon completion, unless mutually agreed on by the parties. The City will pass through its costs for materials, equipment and labor for performance of the services rendered. The person at the City to be contacted for non-zone street sweeping and pothole repairs is as follows:

Charlie Cardenas  
City Engineer/Public Works Director  
P.O. Box 1458  
Kingsville, TX 78364  
Phone: (361) 595-8004

- B. TAMUK. TAMUK will provide funding and submit payment to the City for invoices for services rendered within 30 days of receipt. TAMUK will provide notice to its staff, students, and the public of certain street sweeping or street repairs in advance of that work being done. TAMUK's point of contact for notices and the party to whom invoices will be sent is as follows:

TAMUK- Facilities Planning and Construction Office  
Christopher Vera, M.S., CEFP, CTCM  
Director, Facilities Planning and Construction  
700 University Blvd. MSC 111

Kingsville, TX 78363  
Phone: (361) 593-2647

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The person authorized at TAMUK to contact the City for non-zone street sweeping and pothole repairs is as follows:

John Camiscioni  
Executive Director  
SSC services for education/ Physical Plant  
Texas A&M University, Kingsville  
Phone: (361) 593-2674  
Cell: (361) 455-6293

## 5. MISCELLANEOUS PROVISIONS.

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

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

Texas A&M University Kingsville  
TAMUK- Facilities Planning and Construction Office  
Christopher Vera, M.S., CEFP, CTCM  
Director, Facilities Planning and Construction  
700 University Blvd. MSC 111  
Kingsville, TX 78363  
Office Phone: (361) 593-2647

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

C. Amendment of Interlocal Agreement. This Agreement may be amended at any time. Any amendment to this Agreement must be in writing and agreed to by the governing bodies of the parties. No officer or employee of any of the parties has

authority to waive or otherwise modify the limitations in this Agreement, without the express action of the governing body of the party.

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

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

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

G. Mutual Indemnification: To the extent allowed by the Constitution and Laws of the State of Texas, TAMUK, and City agree that each party assumes any and all risks of liability, loss, damages, claims, or causes of action and related expenses, including attorney fees, caused or asserted to have been caused directly or indirectly by or as the result of the negligent acts or omissions of that party and the officers, employees, and agents thereof.

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

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

J. Interlocal Cooperation Act Applies. The parties enter into this Interlocal Agreement under the Texas Government Code Chapter 791 (Interlocal Cooperation Act). The parties agree that activities under this Agreement are "governmental functions and services" and that the parties are a "local government" and a "state agency" as those terms are defined in this Agreement and in the Interlocal Cooperation Act.

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

L. Entirety of Agreement. No other oral or written commitments of the parties with respect to the street services may have any force or effect if not contained in this Interlocal Agreement or any amendments thereto.

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

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

O. Warranty. The individuals executing this agreement on behalf of each party represent and warrant that they are each the duly authorized representatives of such party on whose behalf the individuals are signing, each with full power and authority to bind said party to each term and condition set forth in this agreement.

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

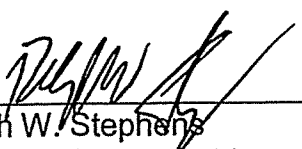
Q. Venue. Venue for an action arising under this Agreement is in Kleberg County, Texas.

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

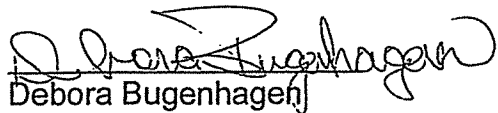
S. Multiple Originals. Two (2) copies of this Agreement are executed; each shall be deemed an original.

T. Dispute Resolution: The dispute resolution process provided in Chapter 2260, *Texas Government Code*, and the related rules adopted by the Texas Attorney General pursuant to Chapter 2260, shall be used by TAMUK and the City of Kingsville to attempt to resolve any claim for breach of this agreement by either party that cannot be resolved in the ordinary course of business. City shall submit written notice of a claim of breach of contract under this Chapter to Director of Procurement and General Services of TAMUK, who shall examine City's claim and any counterclaim and negotiate with City in an effort to resolve the claim.

EXECUTED by Texas A&M University – Kingsville on the 4<sup>th</sup> day of March, 2016.

  
\_\_\_\_\_  
Ralph W. Stephens  
Associate Vice President of Administration

**ATTEST:**



Debora Bugenhagen  
Administrative Assistant III, Finance and Administration

**EXECUTED** by the City of Kingsville on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jesus A. Garza  
City Manager

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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## **AGENDA ITEM #8**

**City of Kingsville**  
**City Manager's Office**

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TO: Mayor and City Commissioners

FROM: Jesus A. Garza, City Manager

DATE: March 9, 2016

SUBJECT: Out of State Travel Approval for ICSC Conference

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**Summary:**

This item authorizes out of state travel for staff and Mayor/Commission to attend the 2016 ICSC Conference in Las Vegas, Nevada from May 22 – 25, 2016.

**Background:**

ICSC RECon is the global convention for the shopping center industry and provides networking, deal making and educational opportunities. Attendees of the conference include representatives from hundreds of retail stores, restaurants and developers.

In coordination with The Retail Coach who is conducting data analysis for the EDC, the City along with the EDC will meet with restaurants and retail stores in an attempt to bring that specific restaurant and retail store to Kingsville.

**Financial Impact:**

Dependent on time of registration, travel & hotel reservation. Travel budgets, however, are approved for staff and commission as part of the overall budget.

**Recommendation:**

Staff recommends approval of this out of state travel.





EARLY BIRD DEADLINE  
DECEMBER 11, 2015

# RECON

May 22 – 25, 2016 | Las Vegas, NV  
Las Vegas Convention Center & Westgate Hotel

#RECon16





# RECON

May 22 – 25, 2016 | Las Vegas, NV  
Las Vegas Convention Center & Westgate Hotel

Reconnect with prosperity and profits at ICSC's RECon 2016! RECon is the world's largest retail real estate exhibition and conference and is a must-attend event for shopping center industry executives, retailers, financial companies, and product and service providers. If you're in the shopping center industry, you can't afford to not attend RECon. When over 36,000 of the best and brightest in the industry come together, the opportunities are limitless.



## PROGRAM-AT-A-GLANCE

### SUNDAY | MAY 22 – PROFESSIONAL DEVELOPMENT DAY

9:30 am – 12:30 pm Educational Sessions  
12:45 – 2:15 pm Opening Keynote Presentation and VIVA's Ceremony  
2:30 – 5:00 pm Educational Sessions  
5:30 – 7:00 pm U.S. MAXI Awards Ceremony  
6:00 – 9:30 pm ICSC Foundation Gala Dinner  
7:30 – 9:30 pm Opening Reception at XS Nightclub at Encore

### MONDAY | MAY 23

8:00 am – 5:00 pm Leasing Mall/Marketplace Mall/SPREE RECon  
9:00 am – 12:00 pm Educational Sessions  
12:30 – 2:00 pm Lunch and Keynote Presentation  
2:30 – 5:30 pm Educational Sessions

### TUESDAY | MAY 24

8:00 am – 5:00 pm Leasing Mall/Marketplace Mall/SPREE RECon  
9:00 am – 12:00 pm Educational Sessions  
12:30 – 2:00 pm Lunch and Keynote Presentation  
2:30 – 5:30 pm Educational Sessions

### WEDNESDAY | MAY 25

8:00 am – 2:00 pm Leasing Mall/Marketplace Mall/SPREE RECon

All Educational Sessions and Keynote Presentations to be held in the Westgate Resort & Casino (formerly the LVH).  
*Schedule is tentative and subject to change.*

## REGISTRATION FEES

Full Program:

	EARLY BIRD	ADVANCE	ON-SITE
Member*	\$530	\$570	\$720
Non-Member:	\$1,120	\$1,120	\$1,430
Student Member**:	\$50	\$50	N/A

Access to the Full Program includes two lunches, receptions, Professional Development Day (Sunday), education and conference sessions on Monday and Tuesday, Leasing Mall, Marketplace Mall, and SPREE RECON.

\* To qualify for the member rates, each registrant must be an ICSC member. A company membership does not entitle every employee of that company to register at the member rates.

\*\* Students must register in advance to obtain the student rate. No student rates will be offered on-site.

Professional Development Day - Sunday, May 22:  
ADVANCE/ON-SITE: \$250

This fee is for the Professional Development Day on Sunday, including all conference and education sessions. Those with Full Program Registration do NOT need to add on this fee, as it is included in your registration fee. Those who have a free Exhibitor, Marketplace Mall, MAXI or SPREE RECON badge and would like to attend Professional Development Day sessions, must register for this option.

Become a Member and Save on Registration!

Visit [www.icscrecon.org/membership](http://www.icscrecon.org/membership) for more information about membership benefits and fees.

## REGISTRATION DEADLINES

December 11, 2015 | Early Bird Deadline - Members Save \$40

March 31, 2016 | Register and submit a photo by deadline to receive your badge in the mail.

April 29, 2016 | Deadline to receive advance registration fee.

May 21, 2016 | Registrations will be accepted on-site in Las Vegas.

## HOW TO REGISTER

Visit [www.icscrecon.org](http://www.icscrecon.org) to register online or download the registration form to mail or fax to ICSC.

All attendees and exhibitors are required to have an ICSC-issued color photo badge for access to the Convention. To submit a photo, visit [www.icscrecon.org/myicsc](http://www.icscrecon.org/myicsc).

## GET MORE FOR LESS IN AN OFFICIAL HOTEL

onPeak (formerly Travel Planners) is the official hotel vendor for RECon. onPeak brings you unbeatable rates at a variety of popular hotels. We have negotiated exclusive room discounts to help you save money on your trip. Plus, with no booking, change, or cancellation fees, it's never too early to reserve your rooms.

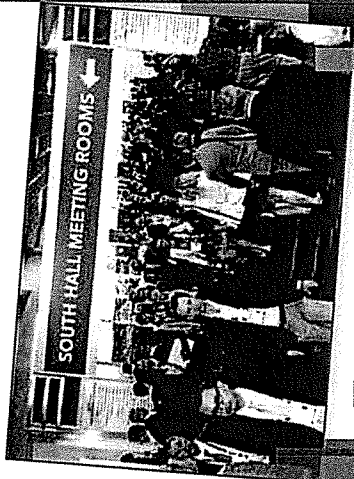
To secure your accommodations, visit [www.onpeak.com/recon](http://www.onpeak.com/recon) or call +1 855 992 3353.

## STAND OUT IN THE CROWD | SPONSOR & ADVERTISE

Consider one of the numerous Sponsorship Packages which provide unparalleled opportunities to put your company in front of 36,000 attendees. Deals and networking don't just happen on the show floor, they happen after hours as well. The Opening Reception at the XS Nightclub at Encore is an ideal venue to promote your company and brand awareness and generate new prospects. Additional Sponsorship Opportunities include, Marketplace Mall Continental Breakfast, ICSC Foundation Gala Dinner, SPREE RECon, U.S. MAXI Awards, Diversity Reception and many more.

Take advantage of a variety of Advertising Opportunities that will extend your reach. Advertising Opportunities include, RECon Program Directory, RECon News (RECon-centric version of *Shopping Centers Today*), Digital Ads or "You Are Here" Locator Billboards throughout the Convention Center and Badge Mailer Inserts.

Let ICSC help you promote your company or product at the retail real estate industry's premier event. For more information on sponsorship or advertising opportunities contact Rita Malek at +1 646 728 3539 or [rmalek@icsc.org](mailto:rmalek@icsc.org) or visit [www.icscrecon.org](http://www.icscrecon.org).



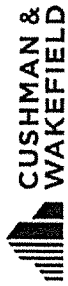
International Council of Shopping Centers  
1221 Avenue of the Americas  
New York, NY 10020-1099

# RECON

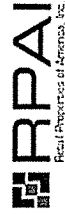
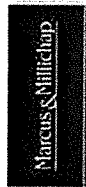
May 22 – 25, 2016 | Las Vegas, NV  
Las Vegas Convention Center & Westgate Hotel

Thank You to Our Partners

## GLOBAL PARTNERS



## NORTH AMERICAN PARTNERS



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## **AGENDA ITEM #9**



**KINGSVILLE SPECIALIZED CRIMES  
AND NARCOTICS TASK FORCE**

**P. O. BOX 213**

**KINGSVILLE, TEXAS 78364**

[tfadmin@kingsvilletaskforce.com](mailto:tfadmin@kingsvilletaskforce.com)

**(361) 595-5778**

**Fax (361) 595-5781**



TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Guillermo Vera, Commander *GV*

DATE: March 3, 2016

SUBJECT: Out of State Travel Requests

**Summary:**

This item requests out of state travel for KTF Commander Guillermo Vera and Agent Mike Tamez to attend the 2016 National Interdiction Conference (NIC) in Reno, Nevada from Tuesday March 15<sup>th</sup> through Thursday March 17<sup>th</sup>, 2016.

**Background:**

Kingsville Specialized Crimes & Narcotics Task Force (KTF) Agent Mike Tamez will be the recipient of the "2015 Interdiction Officer of the Year" award during the annual awards banquet on Wednesday March 16<sup>th</sup>. This National Award is for Agent Tamez's Criminal Interdiction efforts especially during 2015.

**Financial Impact:**

The Kingsville Task Force's 2015/2016 Annual Budget was approved with a total of \$10,000.00 allocated in the Training & Travel budget line item (008-5-2330-31600). Year to date fiscal activity on travel expenses have utilized approximately 5% resulting in an approximate account balance of \$9,500.00 remaining in the Kingsville Task Force's Training & Travel line item.

**Recommendation:**

We believe the award recipient (Agent Mike Tamez) is a testament to hard work, dedication and success in the field of criminal interdiction and should be present to receive this national award. His attendance at the national conference and support from the City of Kingsville is warranted. We request this item be placed on the Regular City's Commissioners Court Agenda for Monday March 14, 2016.



# National Criminal Enforcement Association

*"In Pursuit of the Criminal Element - The Fight Continues."*

March 2, 2016

**Commander Guillermo Vera**  
**Kingsville Specialized Crimes & Narcotics Task Force**

Dear Commander,

Thank you for your phone call today. I am writing you this letter to officially notify you that Agent Mike Tamez will be the proud recipient of a National Award for his Criminal Interdiction efforts for the betterment of the USDOT/FMCSA/DIAP Program in 2015.

I am respectfully requesting for Agent Tamez to be allowed to attend the 2016 National Interdiction Conference [NIC] where he would be recognized in front of hundreds of law enforcement professionals from across the United States and Canada. This year's conference will be held in Reno, Nevada from March, 13-18, 2016.

This national event is being hosted by the Nevada Highway Patrol and sponsored by the Nevada HIDTA. Awards will be presented by the US DOT's Drug Interdiction Assistance Program [DIAP], the HSI Bulk Cash Smuggling Center, the National Criminal Enforcement Association [NCEA], and many others.

In addition to the attendance of Agent Mike Tamez, it is our hope your agency would send a dignitary such as yourself or maybe others from your agency to support him while he is recognized.

Awards will be presented throughout the entire week of training, and all award winners will be recognized at our annual awards banquet dinner during the evening of Wednesday evening, March 16<sup>th</sup> at 6:30 PM.

The NIC has become the highest attended, premiere criminal interdiction conference in the United States, and was attended by close to 1000 federal, state, local and Canadian law enforcement officers in 2015. Attendees will learn from the nation's leading industry experts and will walk away with a tremendous amount of newfound knowledge.

**National Criminal Enforcement Association**

P.O. Box 807 Jackson, Louisiana 70748-0807

Phone: 770-314-4543 Fax: 770-679-8671

[www.ncea314.com](http://www.ncea314.com)

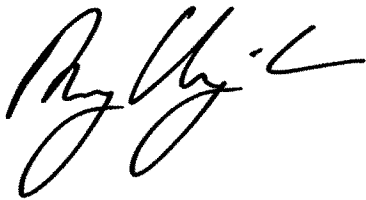
*In Memory of Captain Robbie Bishop*

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Your award recipient is a true testament to hard work, dedication, and success in their craft. You, your agency, and task force have much to be proud of. Registration fees are waived by the National Interdiction Conference for yours and Agent Mike Tamez's attendance.

We appreciate your consideration with this matter. If you have any questions or concerns, please feel free to contact me at (843) 270-4300 or email me at [dwright@ncea314.com](mailto:dwright@ncea314.com). Please feel free to visit our website at [www.2016nic.com](http://www.2016nic.com) to learn more about our training and our organization.

Very respectfully;

A handwritten signature in black ink, appearing to read 'Douglas Wright', with a stylized flourish at the end.

Douglas Wright  
Executive Director  
National Criminal Enforcement Association

Cc: Agent Mike Tamez

**National Criminal Enforcement Association**  
P.O. Box 807 Jackson, Louisiana 70748-0807  
Phone: 770-314-4543 Fax: 770-679-8671  
[www.ncea314.com](http://www.ncea314.com)

*In Memory of Captain Robbie Bishop*



(index.html)

HOME





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## 2016 Annual National Interdiction Conference

For years, the National Criminal Enforcement Association [NCEA] and the Desert Snow Training Program have been hosting a variety of different interdiction training seminars and conferences. As a result of these organizations individual efforts, the NCEA's Advanced Criminal Patrol & Networking Winter Conference had become one of the largest single Interdiction Conferences offered in the United States, while the popular training programs offered by Desert Snow has become some of the most sought after, highly attended Criminal Interdiction & Terrorist Apprehension Training Conference of its kind. The National Interdiction Conference has trained over 3500 of the finest American and Canadian police officers from federal, state and local law enforcement agencies in only 4-years time.

Keeping in line with our proud tradition, the 5th Annual National Interdiction Conference ([www.2016nic.com](http://www.2016nic.com)) will again bring together the finest law enforcement officers and instructors from around the country under one roof, March 13-18, 2016! We are proud to announce five jam packed days of intense, highly motivating training, offered by two of the largest and most well respected non-governmental organizations in the criminal interdiction industry. This outstanding training opportunity is proudly being hosted by the Nevada Department of Public Safety and sponsored by the Nevada High Intensity Drug Trafficking Area [HIDTA].

Each conference attendee will enjoy an experience like none other, as the week of training will teach successfully proven criminal patrol and interdiction techniques from start to finish. The techniques taught by these two groups have been utilized by law enforcement professionals out in the field around the world for over 25 years! Together, the NCEA and Desert Snow have successfully trained over 87,000 law enforcement professionals. Other than the United States government, no other company, organization or group have accomplished this feat. After the completion our training workshops and conferences, our attendees have seen significant and successful increases in contraband seizures and major arrests of some of the most dangerous criminals and terrorists. Law enforcement attendees will leave the National Interdiction Conference with the training, knowledge, confidence, understanding and experience needed to effectively, safely, and legally employ their learned techniques to interdict criminal activity in transit and on our community's streets and highways!

As the main staple of the National Interdiction Conference, we will provide both classroom and hands-on Passenger and Commercial Motor Vehicle interdiction training. During our hands-on portion of training, attendees will be exposed to aftermarket hidden compartments, and how they can be accessed. The National Interdiction Conference will also instruct our attendees in many other disciplines in Criminal Interdiction, Terrorist Apprehension and Officer Safety fields, to name a few.

Midweek of the National Interdiction Conference, we will host our annual awards banquet dinner. This banquet will be the highlight the law enforcement criminal interdiction efforts of both organizations from 2015. This wonderful sit down dinner, along with the refreshments offered during the classroom breaks each day, are included as part of each attendee's registration fee.

Lastly, group networking sessions will be inclusively offered during each evening and night throughout the week. These opportunities will allow students the ability to network and share information, which is sure to help each learn more about the current trends taking place and techniques being used throughout the United States. This rare opportunity will allow students to make new contacts, which will assist them when it comes to taking their own criminal cases and investigations to the next level, while also building friendships for life. The NIC staff takes a lot of pride in making sure our attendees head home with a great appreciation for the training and experience we provide.

## LATEST PHOTOS

## **Commander Vera**

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**From:** Douglas Wright <dwright@ncea314.com>  
**Sent:** Wednesday, March 02, 2016 2:12 PM  
**To:** Commander Vera  
**Cc:** TASK FORCE: MIKE TAMEZ  
**Subject:** Re: Form Letter to Justify Out of State Travel

Outstanding Commander Vera.

We will be extremely honored to have you all present for Mike to receive this prestigious award! We are looking forward to meeting you all.

I will email you the letter when I get back to my desk this evening.

Once again, thank you for your call today. I enjoyed speaking with you.

Very respectfully,

**Douglas Wright**  
Executive Director  
**National Criminal Enforcement Association**  
(843) 270-4300 Cell  
(877)-468-2392 Headquarters  
(770) 679-8671 Fax  
[dwright@ncea314.com](mailto:dwright@ncea314.com)  
[www.ncea314.com](http://www.ncea314.com)  
[www.2016nic.com](http://www.2016nic.com)

*"Character is doing the right thing when nobody is looking."*  
**- J.C. Watts**

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

On Wed, Mar 2, 2016 at 3:05 PM, Commander Vera <[commandervera@kingstontaskforce.com](mailto:commandervera@kingstontaskforce.com)> wrote:

Mr. Wright,

Thank you for taking time to answer my phone call earlier today. It was great news that our Agent, Mike Tamez, was selected as "Interdictor of the Year".

Please forward your notification letter and conference information so I can submit to our City Commission for out of state travel approval.

We are looking forward to seeing you at the conference.

Sincerely,

Commander Vera

Guillermo (Willie) Vera, Commander

Kingsville Specialized Crimes & Narcotics Task Force

Office [361-595-5778](tel:361-595-5778)

Fax [361-595-5781](tel:361-595-5781)

Cell [361-675-0399](tel:361-675-0399)

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## **AGENDA ITEM #10**



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## **MEMORANDUM**

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To: Mayor and City Commissioners

Cc: Jesus A. Garza, City Manager

From: Deborah R. Balli, Finance Director

Date: March 4, 2016

Subject: Keep Kingsville Beautiful Donation/Fundraiser

The accounting for the Keep Kingsville Beautiful Donation/Fundraiser proceeds totaling \$1466.17 from the "Fill the Flower Pot" fundraiser will be deposited into the Pooled Cash account and booked as a liability to Keep Kingsville Beautiful. The funds will be issued upon request with appropriate support documentation.



**MEMO**

# Community Appearance Division

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**FROM:** Jennifer Bernal, Community Appearance Supervisor

**SUBJECT:** KKB Donations/Fundraisers

**DATE:** February 29, 2016

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Keep Kingsville Beautiful held the “Fill the Flower Pot” fundraiser on Feb. 27<sup>th</sup>. KKB raised \$1466.17 at this event. These funds will be used for various beautification projects and or cleanups. KKB will be discussing these projects in more detail at the next scheduled meeting (Mar. 17<sup>th</sup>).

Jennifer L Bernal  
City of Kingsville  
Community Appearance Supervisor

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# **AGENDA ITEM #11**



**City of Kingsville**  
**Planning Department**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Cynthia Martin, Downtown Manager

DATE: March 9, 2016

SUBJECT: Historical Development Board review – 200 E Yoakum Ave.

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**Summary:** The Historical Development Board met on March 9, 2016, to evaluate an application for a building permit for sidewalk renovation at ORIG TOWN, BLOCK 10, LOT 26-32 also known as 200 E Yoakum Avenue presented by Chuck Cramer, Contractor. Applicant is Michael Krueger, property owner. A copy of the application for review and related documentation are attached.

**Background:** Mr. Cramer proposes to install new concrete stair with handrails in front of the building entrance that faces onto Yoakum Avenue and install a concrete ramp at the eastern edge of the building on the same side of the street.

**Financial Impact:** NA

**Recommendation:** The Historical Development Board recommended approval of this building permit application as submitted.



## Historical Development Board Review Application

Date of Request: Feb. 29, 2016 Property is zoned: Commercial

Property Location and Description: 200 E. YOKUM

Year Built: 1913 Style, Period, Condition, Context or other Comments: BRICK

Description of Work: New handicap ramp to comply with ADA requirements.

Applicant: Mr. Michael Krueger

Address: 617 E. Kleberg Kingsville, TX

Contact: Cell: 522-9361 Office: 592-9266 Home: \_\_\_\_\_ Email: \_\_\_\_\_

Contractor: Chuck Cramet

Contact: Cell: 463-9496 Office: \_\_\_\_\_ Home: \_\_\_\_\_ Email: \_\_\_\_\_

### Documents Required:

	Req'd	Have
1. Building or Planning Department Application(s)	<input type="checkbox"/>	<input type="checkbox"/>
2. Sketch, Drawing, Plans, Site Plans, Mock-ups	<input type="checkbox"/>	<input type="checkbox"/>
3. Photographs (Historic, Current, Surrounding Structures)	<input type="checkbox"/>	<input type="checkbox"/>
4. Materials List or Samples	<input type="checkbox"/>	<input type="checkbox"/>
5. Proof of Ownership	<input type="checkbox"/>	<input type="checkbox"/>

I certify that this information and the additional information submitted to the Department of Development Services is correct and that the work will be completed as described, as approved by the Historical Development Board and in accordance with applicable codes.

Print Name: Michael Krueger

Signature: [Signature]

Hearing Date: \_\_\_\_\_ Approved ☐ Disapproved with Recommendations ☐ Disapproved ☐

- Meetings are held in the City Hall Commission Chambers, 200 East Kleberg Avenue.
- If the Board disapproves the application with recommended changes, the applicant has 5 days to inform the City if he/she accepts the changes.
- If the application is disapproved or if the applicant does not accept all recommendations, he/she may appeal the Board's decision by informing the City within the 5 day period.
- The Board only hears cases when the owner is present or represented.
- Call 361-592-8516 for information.

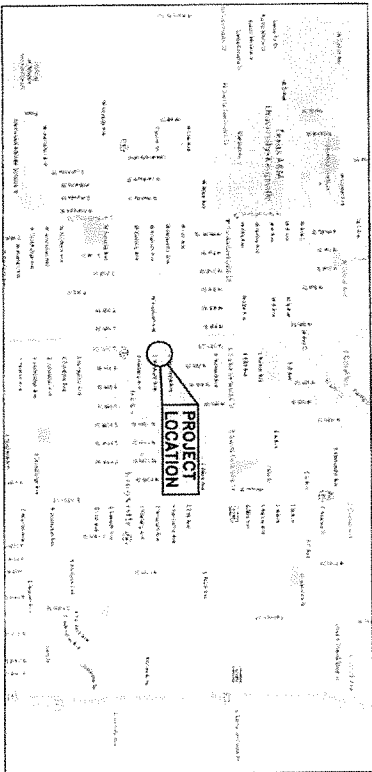
# Sidewalk Renovations

## PROJECT LOCATION

200 East Yoakum Avenue  
Kingsville, Texas

## DRAWING INDEX

- 1.0 Title Sheet
- 2.0 Proposed Site Plan
- 3.0 Sidewalk Details



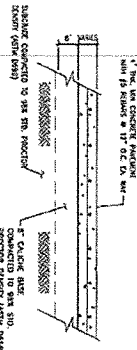
OPEN FOR BUSINESS  
WITH NEW CONCRETE  
FLOOR AND LANDING AREA.

EXISTING ONE STORY BUILDING

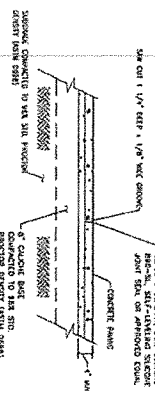
YOAKUM AVENUE

1  
2 2  
PROPOSED SITE PLAN  
SCALE: 1"=10'-0"

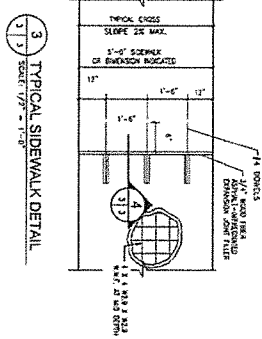
- [illegible]



1 TYP. CONCRETE PAVEMENT SECTION  
SCALE: 1/4" = 1'-0"

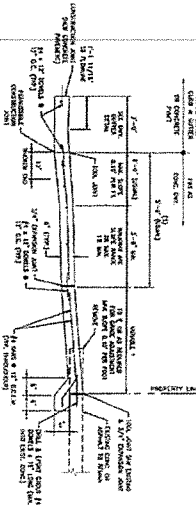


2 TYP. CONCRETE PAVEMENT JOINT DETAIL  
SCALE: 1/4" = 1'-0"



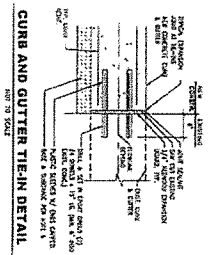
3 TYPICAL SIDEWALK DETAIL  
SCALE: 1/4" = 1'-0"

- CONCRETE NOTES**
1. ALL CONCRETE SHALL BE READY-MIXED CONCRETE.
  2. ALL CONCRETE SHALL BE PLACED IN ACCORDANCE WITH THE LATEST EDITION OF THE CONCRETE MANUAL.
  3. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  4. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  5. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  6. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  7. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  8. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.

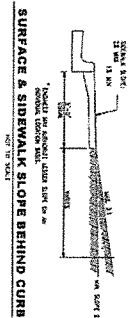


4 DRIVEWAY SECTION WITH TIED SIDEWALK  
SCALE: 1/4" = 1'-0"

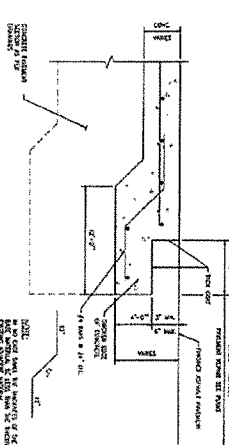
- CONCRETE NOTES**
1. ALL CONCRETE SHALL BE READY-MIXED CONCRETE.
  2. ALL CONCRETE SHALL BE PLACED IN ACCORDANCE WITH THE LATEST EDITION OF THE CONCRETE MANUAL.
  3. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
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  5. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  6. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  7. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.
  8. ALL CONCRETE SHALL BE FINISHED WITH A 1/2" THICK CONCRETE SURFACE.



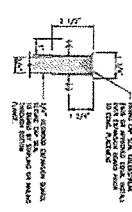
CURB AND GUTTER TIE-IN DETAIL  
SCALE: 1/4" = 1'-0"



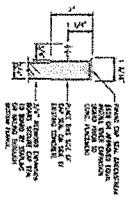
SURFACE & SIDEWALK SLOPE BEHIND CURB  
SCALE: 1/4" = 1'-0"



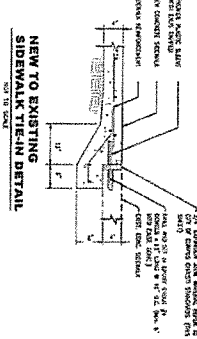
CONCRETE TO ASPHALT PAVEMENT SECTION TIE-IN DETAIL  
SCALE: 1/4" = 1'-0"



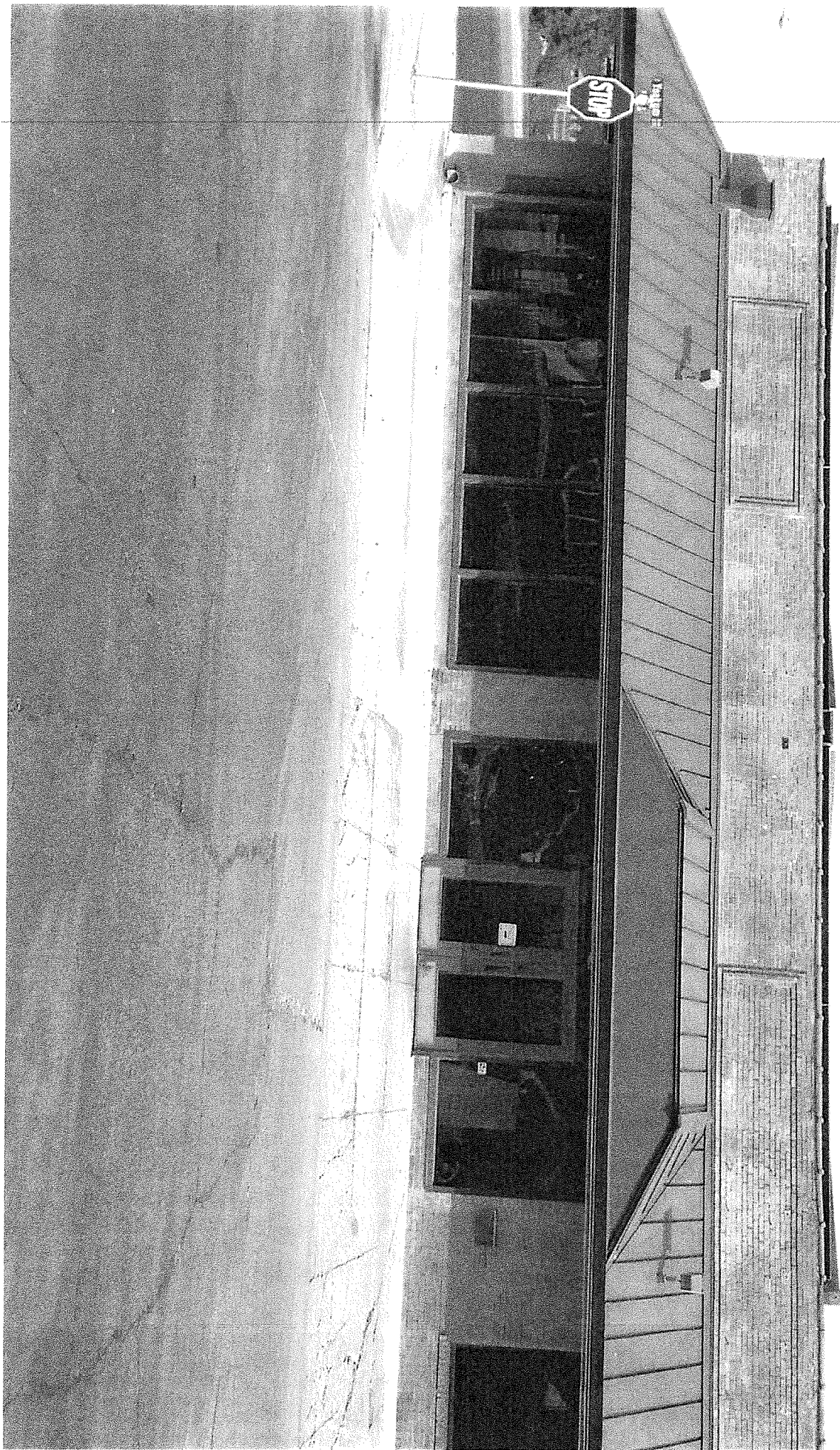
CAP SEAL DETAIL  
NEW CONG. TO NEW CONG.  
SCALE: 1/4" = 1'-0"



CAP SEAL DETAIL  
NEW CONG. TO EXIST. CONG.  
SCALE: 1/4" = 1'-0"



NEW TO EXISTING SIDEWALK TIE-IN DETAIL  
SCALE: 1/4" = 1'-0"



# Kleberg County Appraisal District

**TaxNetUSA**  
The Source for Property Tax Information

502 E. Kleberg St. Kingsville, TX 78363-9998

**TaxNetUSA: Kleberg County Property Information** Account Number: 18391 GEO Number: 100103626000192

Owner's Name	<b>KRUEGER MICHAEL J</b>	Entity Code	Entity Name	Tax Rate
Mailing Address	PO BOX 1538 KINGSVILLE, TX 78364	GKL	Kleberg County	0.74481000
Location	200 E YOAKUM	CKI	Kingsville	0.84220000
Legal	ORIG TOWN, BLOCK 36, LOT 26-32, (BUTCHS) (BUTCHS)	SKI	Kingsville ISD	1.51890000
		WST	South Texas Water Authority	0.08540900
		CAD	KLEBERG COUNTY APPRAISAL DISTRICT	
			Total	3.191319
			*Total Estimated Taxes	5,415.67
			The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions.* Tax amount does not include any exemptions.	

Data up to date as of 2015-06-10

AGRICULTURAL (1-D-1)

HOMESTEAD EXEMPTION FORM

PRINTED FRIENDLY REPORT

## Property Details

Deed Date	04/20/2005
Deed Volume	306
Deed Page	578
Exemptions	
Freeze Ceiling	0.00
Block	36
Tract or Lot	26-32
Abstract Code	S001

## Value Information

Land Value	26,250.00
Improvement Value	143,450.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Value Per MASQFT	N/A
Market Value	169,700.00
Appraised Value	169,700.00
Assessed Value	169,700.00

## Improvement Information

Improvement ID	State Category	Homesite	Description	Value
6224	F1	N	COMMERCIAL	105570.000000
6225	F1	N	COMMERCIAL	4620.000000
6226	F1	N	COMMERCIAL	33260.000000

## Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
6224	21162	MA	MAIN AREA	RS2A	1930	0	6,150	101,840
6224	21163	CN1	CANOPY BASIC (20%)	*	1930	0	375	1,240
6224	21164	ASP	ASPHALT (100%)	SP	0	0	7,654	2,490
6225	21165	MA	MAIN AREA	WH2L	0	0	1,250	4,620
6226	21166	MA	MAIN AREA	WH2L	1930	0	9,000	33,260

Total Living Area 16,400

## Land Information

Land ID	Type Code	SPTS Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
8723	F1	F1	F	0.5624	175	140	24,500	26,250

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## **AGENDA ITEM #12**



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**City of Kingsville  
Planning Department**

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**TO:** Mayor and City Commissioners  
**CC:** Jesus A. Garza, City Manager  
**FROM:** Cynthia Martin, Downtown Manager  
**DATE:** March 3, 2016  
**SUBJECT:** Historical Development Board review – 200 E Yoakum Ave.

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**Summary:** The Historical Development Board met on February 17, 2016, to evaluate an application for a permit for new signage at ORIG TOWN, BLOCK 10, LOT 26-32 also known as 200 E Yoakum Avenue presented by Ken Clark, business owner. A copy of the application for review and related documentation are attached.

**Background:** Mr. Clark proposes to install two new business identification signs on the building—one facing Yoakum Avenue and one facing 6<sup>th</sup> Street. The sign facing 6<sup>th</sup> Street will be illuminated.

**Financial Impact:** NA

**Recommendation:** The Historical Development Board unanimously recommended approval of this sign permit application as submitted.



# Historical Development Board Review Application

Date of Request: 2-8-2016

Property is zoned: COMMERCIAL

Property Location and Description: The South 87.5% of lots one, two, three, and four and all of lot five, six, twenty-five, twenty-six, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-one, eighty-two, eighty-three, eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, eighty-nine, ninety, ninety-one, ninety-two, ninety-three, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred.

Year Built: 1913 Style, Period, Condition, Context or other Comments: Brick

and thirty-two, block thirty-six original Townsite Kingsville, Texas, Kleberg County Enclave 96.

Description of Work: Installation of a back lit sign on 6th Street frontage and a small wood sign above entrance on E. YOakum

Applicant: KEN CLARK dba: Green Jay Bar and Grill

Address: 200 E. YOakum Kingsville, TX 78363

Contact: Cell: (361) 765-3242 Office: \_\_\_\_\_ Home: \_\_\_\_\_ Email: RedPepperrest@aol.com

Contractor: Sign x press Corpus Christi, TX

Contact: Cell: \_\_\_\_\_ Office: \_\_\_\_\_ Home: \_\_\_\_\_ Email: \_\_\_\_\_

## Documents Required:

	Req'd	Have
1. Building or Planning Department Application(s)	<input type="checkbox"/>	<input type="checkbox"/>
2. Sketch, Drawing, Plans, Site Plans, Mock-ups	<input type="checkbox"/>	<input type="checkbox"/>
3. Photographs (Historic, Current, Surrounding Structures)	<input type="checkbox"/>	<input type="checkbox"/>
4. Materials List or Samples	<input type="checkbox"/>	<input type="checkbox"/>
5. Proof of Ownership	<input type="checkbox"/>	<input type="checkbox"/>

I certify that this information and the additional information submitted to the Department of Development Services is correct and that the work will be completed as described, as approved by the Historical Development Board and in accordance with applicable codes.

Print Name: Ken Clark Signature: Ken Clark

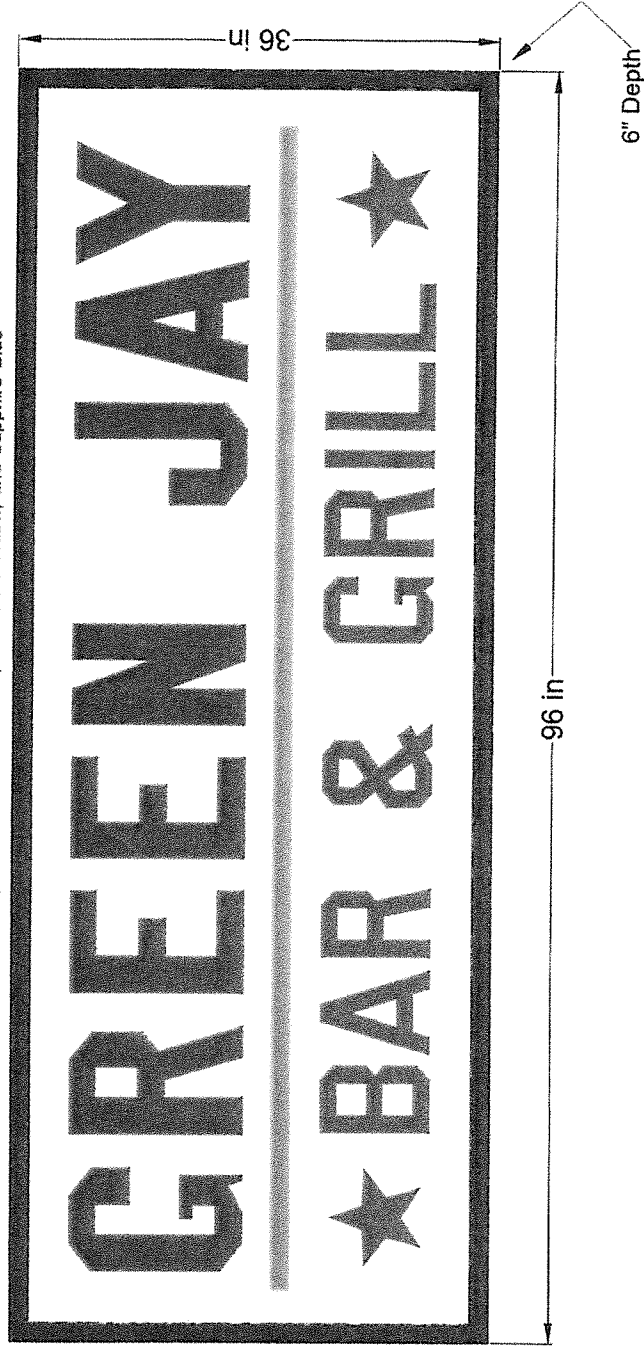
Hearing Date: \_\_\_\_\_ Approved ☐ Disapproved with Recommendations ☐ Disapproved ☐

- Meetings are held in the City Hall Commission Chambers, 200 East Kleberg Avenue.
- If the Board disapproves the application with recommended changes, the applicant has 5 days to inform the City if he/she accepts the changes.
- If the application is disapproved or if the applicant does not accept all recommendations, he/she may appeal the Board's decision by informing the City within the 5 day period.
- The Board only hears cases when the owner is present or represented.
- Call 361-592-8516 for information.

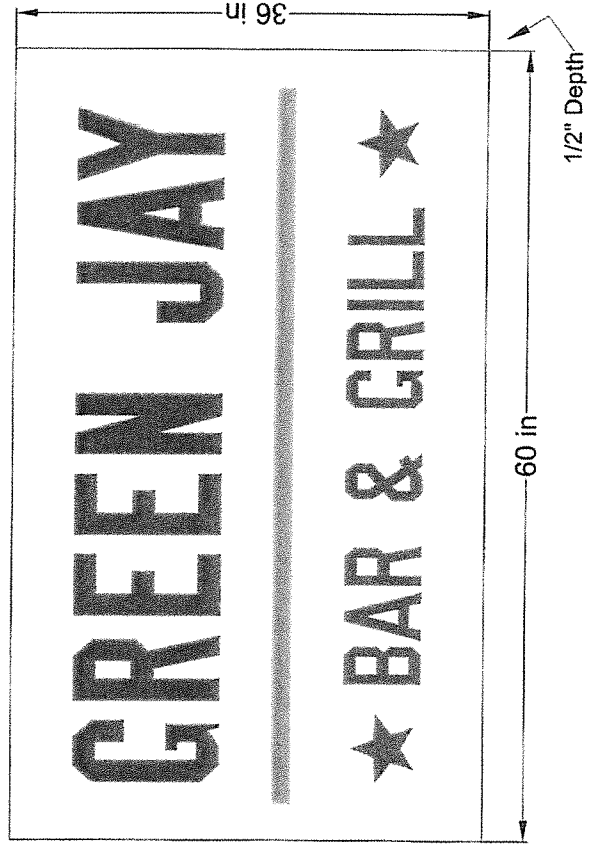
# SIGN & BILLBOARD APPLICATION

Project Address: <u>200 E. YAKUM</u>		Owner: <u>MICHAEL J. KREUER</u>
Applicant: <u>KEN CLARK DBA: Green Jay Bar and Grill</u>		
Address: <u>200 E. YAKUM</u>		Phone: <u>361-765-3242</u>
<b>Type of Proposed Sign:</b>		
<input type="checkbox"/> On Premise	<input type="checkbox"/> Fascia	<input type="checkbox"/> Cantilevered
<input type="checkbox"/> Off Premise (billboard)	<input type="checkbox"/> Monument	<input type="checkbox"/> Temporary
<input type="checkbox"/> Roof Top	<input type="checkbox"/> Awning	<input checked="" type="checkbox"/> Illuminate, IF YES
<input checked="" type="checkbox"/> Wall	<input type="checkbox"/> Pole	<input checked="" type="checkbox"/> Is there an existing circuit?
<p><b>Caution:</b> Lot lines do not normally coincide with curbs, grader ditches or sidewalks, and many fences are not located on lot lines. If you are not sure of the exact location of lot lines, have a land surveyor locate them.</p> <p><b>ATTACH THE FOLLOWING:</b></p> <ol style="list-style-type: none"> <li>1. Legal description of the property.</li> <li>2. Scaled drawing of site (if sign is detached from building)</li> <li>3. Scaled drawings of construction and installation. (Drawings must be stamped by a registered professional engineer if the proposed sign(s) will hang over public right of way, be closer to the public right-of-way than the height of the sign, or have a height of more than 15 feet.)</li> <li>4. If installed over the public right-of-way, written permission from the City's Public Works Director.</li> <li>5. Engineered plans required for all signage showing it meets 120mph wind load, foundation details and/or sign fasteners and facing.</li> </ol>		
Describe any easements on the proposed site:		
Signed(applicant) <u>Ken Clark</u>		Date: <u>2/8/16</u>
*****Section to be completed by City*****		
Zoning District <u>COMMERCIAL</u>	Street Width	Street type <u>Concrete</u>
Historic District <u>OWEN TOWN</u>	Value of Project \$ <u>3200</u>	
<b>Billboards:</b>		
Total Sign Area: <u>N/A</u>		
<b>Permit Fees:</b>		
<input type="checkbox"/> Fascia, Wall Cantilevered, Pole or Monument	\$ .20 per sqft or min \$15.00	\$ <u>15.00</u>
<input type="checkbox"/> Roof	\$ .20 per sqft or min \$15.00	\$ _____
<input type="checkbox"/> Billboards 0 to 200 sqft		\$ _____
<input type="checkbox"/> Billboards 200 + sqft		\$ _____
<b>(For illuminated temporary signs, permanent wiring must be within 6')</b>		
<input type="checkbox"/> Electrical Permit Required	<b>Remarks:</b>	
Approved by: _____		Date: _____

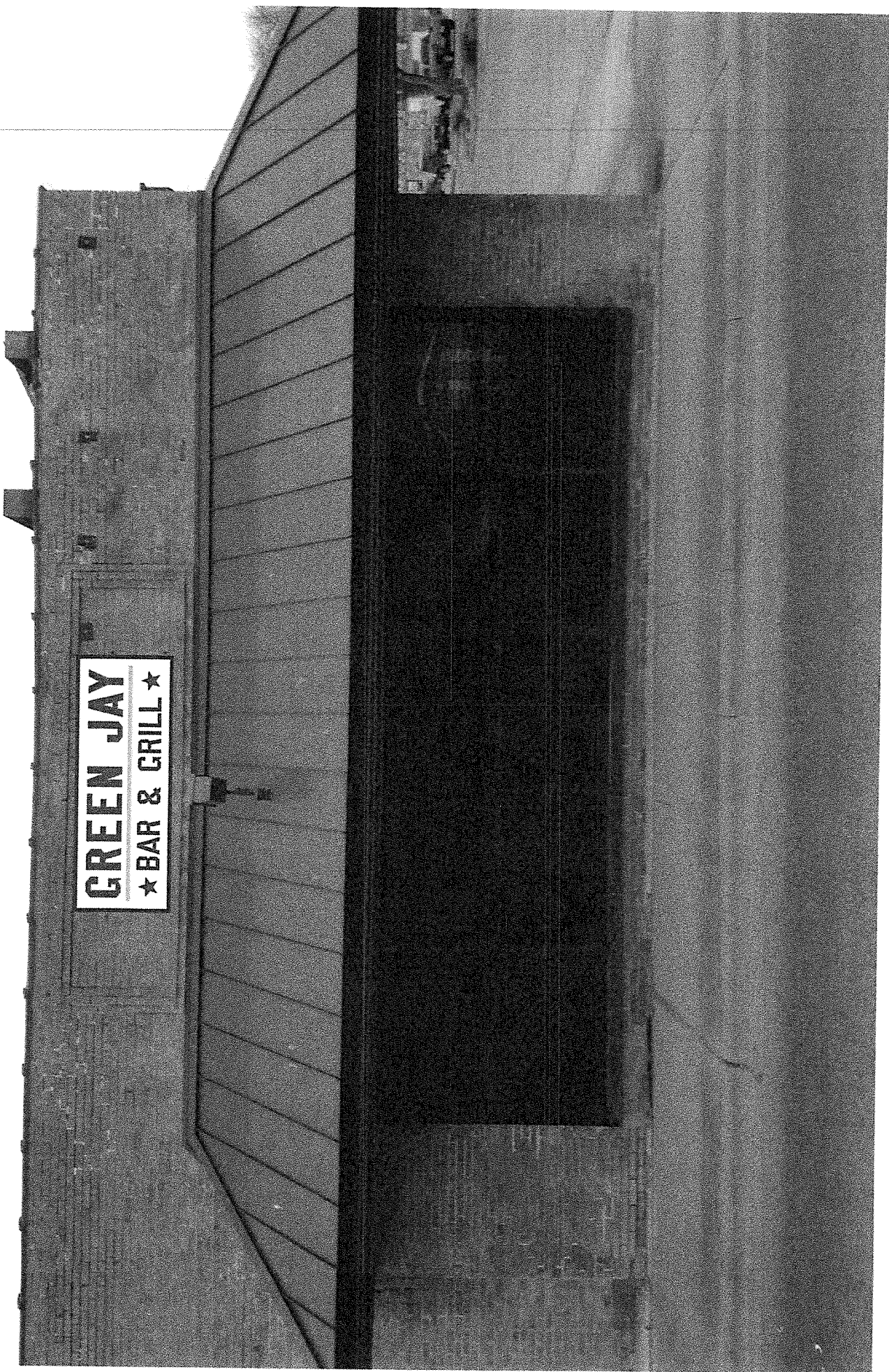
36"x96" Aluminum Cabinet w/ 1.5" Retainer- Painted Black w/LED Lighting  
Plexiglass Face 3/16"- White w/ 3MSC50 Vinyl Colors: Medium Green, Sunflower Yellow, and Sapphire Blue



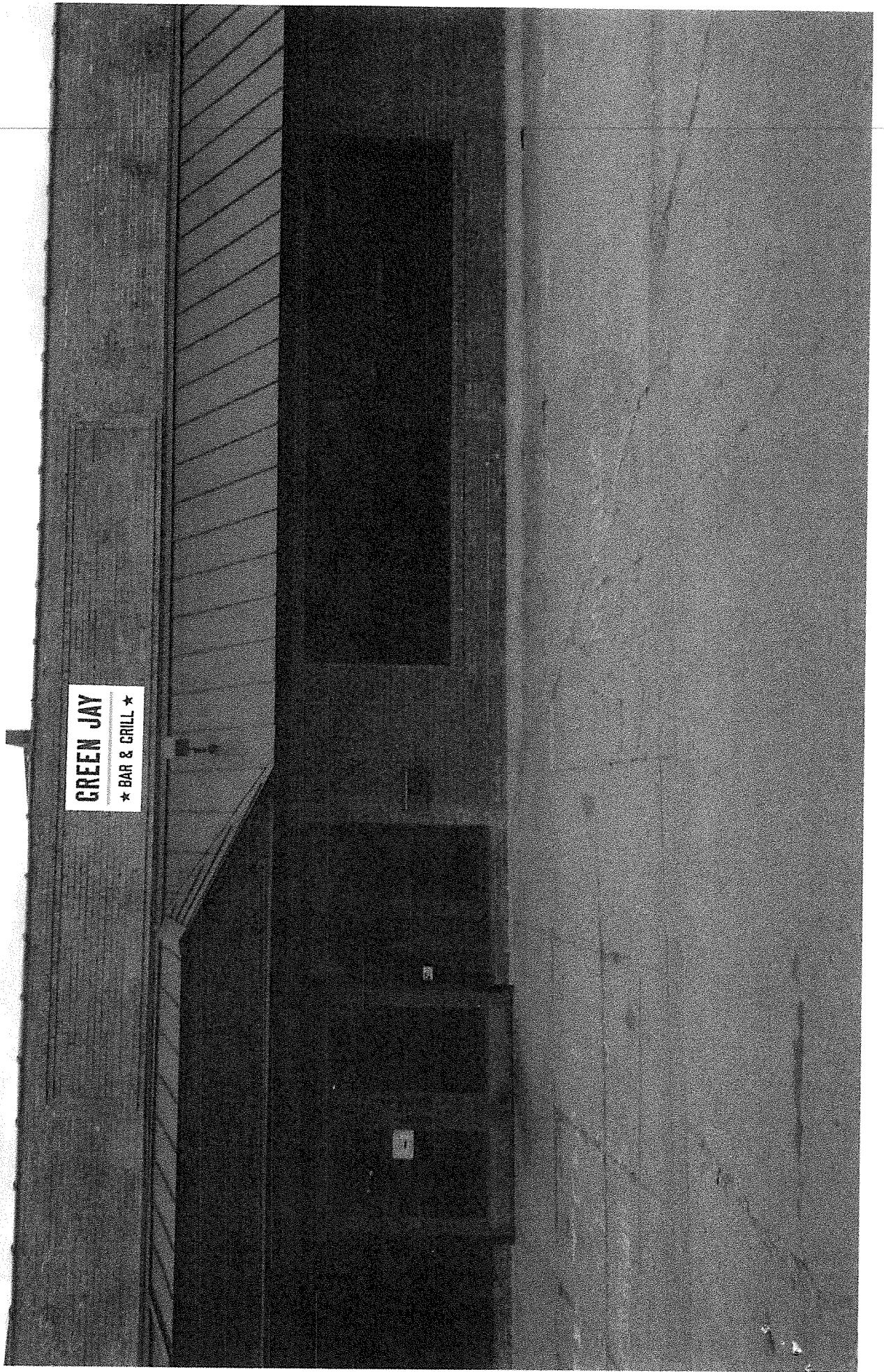
36"x60" MDO Wood 1/2" White with Vinyl Lettering  
3MSC50 Vinyl Colors: Medium Green, Sunflower Yellow, and Sapphire Blue



**GREEN JAY**  
★ BAR & GRILL ★







# Kleberg County Appraisal District

**TaxNetUSA**  
The Source for Property Tax Information

502 E. Highway 91, Kingsville, TX 78363-3536

**TaxNetUSA: Kleberg County Property Information** Account Number: 18391 GEO Number: 100103626000192

Owner's Name **KRUEGER MICHAEL J**

Mailing Address  
PO BOX 1538  
KINGSVILLE, TX 78364

Location 200 E YOAKUM

Legal ORIG TOWN, BLOCK 36, LOT 26-32, (BUTCHS)  
(BUTCHS)

Entity Code Entity Name

GKL	Kleberg County	0.74481000
CKI	Kingsville	0.84220000
SKI	Kingsville ISD	1.51890000
WST	South Texas Water Authority	0.08540900
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	

Total 3.191319

\*Total Estimated Taxes 5,415.67

Data up to date as of 1012-06-10

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. \* Tax amount does not include any exemptions.

AGRICULTURAL (1-D-1)

HOMESTEAD EXEMPTION FORM

PRINTED FRIENDLY REPORT

## Property Details

Dead Date	04/20/2005
Dead Volume	306
Dead Page	578
Exemptions	
Freeze Ceiling	0.00
Block	36
Tract or Lot	26-32
Abstract Code	S001

## Value Information

Land Value	26,250.00
Improvement Value	143,450.00
AG Value	0.00
AG Productivity Value	0.00
Timber Value	0.00
Timber Productivity Value	0.00
Value Per MASQFT	N/A
Market Value	169,700.00
Appraised Value	169,700.00
Assessed Value	169,700.00

## Improvement Information

Improvement ID	State Category	Homesite	Description	Value
6224	F1	N	COMMERCIAL	105570.000000
6225	F1	N	COMMERCIAL	4620.000000
6226	F1	N	COMMERCIAL	33260.000000

## Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year	Built Area	Value
6224	21162	MA	MAIN AREA	RS2A	1930	0	6,150	101,840
6224	21163	CN1	CANOPY BASIC (20%)	-	1930	0	375	1,240
6224	21164	ASP	ASPHALT (100%)	SP	0	0	7,654	2,490
6225	21165	MA	MAIN AREA	WH2L	0	0	1,250	4,620
6226	21166	MA	MAIN AREA	WH2L	1930	0	9,000	33,260

Total Living Area 16,400

## Land Information

Land ID	Type Code	SPTS Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
8723	F1	F1	F	0.5624	175	140	24,500	26,250

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## **AGENDA ITEM #13**



**City of Kingsville**  
**Planning and Development Services**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: March 7, 2016

SUBJECT: Vacant Business Building ordinance

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**Summary:** The Main Street Advisory Board has asked the Planning and Development staff to develop an ordinance so the City can enforce the appearance of vacant buildings downtown.

**Background:** For some time as you know we have a number of vacant buildings downtown which have boarded up windows. A number of the businesses that are next to those particular buildings feel that the boarded windows on those building impact the downtown appearance in a negative way which could also influence sales. Consequently there are a number of communities who are in the process of revitalizing their downtowns or to keep them that way, by implement a vacant building ordinance. We have had meetings with the Main Street Advisory Board on this issue and they were in favor of the one that you are being presented. We reviewed a number of ordinances that vary in regulation action and determined that we didn't want to go too far in implementing something like this the first time around. That is also the reason why we chose the Main Street District as the area that would come under this ordinance. Right now I believe that we have the staff to keep with the number of vacant buildings that we have in the Main Street District but if it is expanded in the future staffing would have to be looked at. We believe that his ordinance will do the following:

1. Prohibit the boarding of windows, only if repairs have to be made and only for 30 days.
2. If this ordinance is passed with the current language those buildings that have boarded up windows now would be in violation and have to take the boards off the windows.
3. The exterior of the properties shall be maintained in good condition



**City of Kingsville**  
**Planning and Development Services**

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Staff also believes that this ordinance could provide an impetus for property owners to invest in their building or choose another option. Vacant buildings in our downtown do impact others who are operating businesses so we do believe there is a desire to improve upon that. In addition to the ordinance we have attached a list of vacant buildings in the downtown per our definition in the recommended ordinance. As you can see we have them in categories to get a better feel for the issue. Our first priority is to have the buildings which have boarded up windows, take those off. These particular buildings have an asterisk next to them.

**Financial Impact:** There will be staff time on this but no other impact financially.

**Recommendation:** Approve the ordinance as submitted



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Vacant Building list\_Main Street

Actively for sale or rent:

224 E Kleberg for sale, 3,500 sq ft

418 E Kleberg\* for sale, 33,063 sq ft, former car dealership

327 E Kleberg, for sale, 11,574 sq ft., Texas Theater

323 E Kleberg, for sale, 7,000 sq. ft.

225 E Kleberg, Unit #2 for rent, 2,725 sq ft

312 N. 6th Street for sale, 3,628 sq ft,

Used for storage:

604 E Kleberg, 21,864 sq. ft., former Ntl. Guard Bldg.

313 E Kleberg, 2,435 sq ft.

312 E Kleberg, 1,335 sq ft

226 E Kleberg\*, 2,750 sq ft.

230 E Yoakum, 13,560 sq ft., old Neessen Chevrolet (361) 592-9361

Other issues:

322 E Kleberg\*, 7,000 sq ft, old Buddy Walker Furniture store

307 E Kleberg, 1,650 sq ft, former Dominos

302 E Kleberg, 15,150 sq ft., art gallery not in use

\*boarded up windows and/or doors

DOWNTOWN IMPROVEMENTS  
DESIGNATED MAIN STREET AREA MAP

Drawn by: A. JURICA  
9/29/2015  
Note:  
Job:  
Scale: 1"=100'

CITY OF KINGSVILLE  
ENGINEERING DEPARTMENT  
200 East Kleberg  
Kingsville, Texas 78643  
Office 361.595.8005  
Fax 361.595.8035



**ORDINANCE NO.2016-\_\_\_\_\_**

**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY ADOPTING CHAPTER XV, LAND USE, ARTICLE 11, VACANT BUILDINGS AND PROPERTY; ESTABLISHING DEFINITIONS, APPLICABILITY, AND LOCATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.**

**WHEREAS**, the City of Kingsville is updating its Code of Ordinances and found that no sections adequately addressed vacant structures, so Sections 15-11-1 through 15-11-3, dealing with the definitions, applicability, and location of vacant structures are recommended to improve the quality of life in the city;

**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** Sections 15-11-1 through 15-11-3 of Article 11: Vacant Buildings and Property of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, shall be adopted to read as follows:

...

**SEC. 15-11-1. DEFINITIONS.**

- (A) Vacant structure means no person(s) actually, currently conducts a lawfully licensed business, or lawfully resides or lives in any part of the structure as the legal or equitable owner(s) or tenant-occupants(s), or owner-occupants, or tenant(s) on a permanent, non-transient basis therein.
- (B) Lawful activity is that the current use of the structure is also that which the structure was built for or intended to be used for.

**SEC. 15-11-2. APPLICABILITY AND ADMINISTRATION.**

- (A) This article shall apply to all vacant structures, as defined herein, which are now in existence or which may hereafter be constructed or converted from other uses.
- (B) The Director of Planning and Development Services, is authorized to administer and enforce the provisions of this article.

- (C) The Director of Planning and Development Services shall have the authority to render interpretations of this title and to adopt policies and procedures in order to clarify the application of its provisions. The Director, at his sole discretion, may also enter into an agreement with a registered property owner to obtain compliance with this article by a date certain.

**SEC. 15-11-3. VACANT STRUCTURES IN THE MAIN STREET DISTRICT.**

- (A) Any building, structure or property in the Main Street District which has been vacant for over 30 days shall comply with the following requirements:

- (1) All exterior doors and windows shall be kept in sound working condition and free of broken glass. The boarding-up of windows or doors is prohibited, except as necessary to affect repairs to glass or to prevent unauthorized entry while repairs are being made. Under no circumstances may such windows or doors remain boarded-up for longer than 30 days.
- (2) All exterior doors and windows shall be equipped with workable locking devices, and shall be kept securely locked at all times while the building is vacant, except when active repairs are being made.
- (3) Weather protection of all exterior surfaces shall be maintained in good condition, including paint on exterior wood surfaces.
- (4) Both interior and exterior areas of the property shall be kept free of accumulations of junk, trash, debris, combustible or other material such as wood constitute an unsafe, unsanitary or unsightly condition or appearance.
- (5) All vegetation and landscaping shall be maintained in good and healthy condition, and in accordance with all other requirements of city ordinances
- (6) All parking and driving surfaces shall be maintained in good condition, free of cracks, holes and vegetation, and in accordance with all other applicable city ordinance requirements
- (7) In all applicable respects, the condition, maintenance and appearance of vacant property shall be subject to the requirements of all city ordinances, standards and abatement procedures currently in effect.

**SEC. 15-11-999. PENALTY.**

- (A) Any person, firm, corporation or agent who shall violate any provision of this article, or who shall fail to comply therewith shall, upon conviction, be subject to a fine of not more than \$200.00 for each offense.

(B) A separate offense shall be deemed committed for each and every day or portion thereof during which any violation is committed or continued.

**Secs. 15-11-4—15-11-29. Reserved.**

...

II.

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

III.

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

IV.

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

**INTRODUCED** on this the 14th day of March, 2016.

**PASSED AND APPROVED** on this the 28th day of March, 2016.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**EFFECTIVE DATE:** \_\_\_\_\_, 2016



CHAPTER XV LAND USAGE

ARTICLE 11 VACANT BUILDINGS AND PROPERTY

**Sec. 15-11-1. - Definitions**

(A) Vacant structure means no person(s) actually, currently conducts a lawfully licensed business, or lawfully resides or lives in any part of the structure as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupants, or tenant(s) on a permanent, non-transient basis therein.

(B) Lawful activity is that the current use of the structure is also that which the structure was built for or intended to be used for.

**Sec. 15-11-2. - Applicability and administration.**

(A) This article shall apply to all vacant structures, as defined herein, which are now in existence or which may hereafter be constructed or converted from other uses.

(B) The Director of Planning and Development Services is authorized to administer and enforce the provisions of this article.

(C) The Director of Planning and Development Services shall have the authority to render interpretations of this title and to adopt policies and procedures in order to clarify the application of its provisions. The Director, at his sole discretion, may also enter into an agreement with a registered property owner to obtain compliance with this article by a date certain.

**Sec. 15-11-3. - Vacant Structures in the Main Street District**

(A) Any building, structure or property in the Main Street District which has been vacant for over 30 days shall comply with the following requirements:

- (1) All exterior doors and windows shall be kept in sound working condition and free of broken glass. The boarding-up of windows or doors is prohibited, except as necessary to affect repairs to glass or to prevent unauthorized entry while repairs are being made. Under no circumstances may such windows or doors remain boarded-up for longer than 30 days.
- (2) All exterior doors and windows shall be equipped with workable locking devices, and shall be kept securely locked at all times while the building is vacant, except when active repairs are being made.
- (3) Weather protection of all exterior surfaces shall be maintained in good condition, including paint on exterior wood surfaces.
- (4) Both interior and exterior areas of the property shall be kept free of accumulations of junk, trash, debris, combustible or other materials such as would constitute an unsafe, unsanitary or unsightly condition or appearance.
- (5) All vegetation and landscaping shall be maintained in good and healthy condition, and in accordance with all other requirements of city ordinances.



- (6) All parking and driving surfaces shall be maintained in good condition, free of cracks, holes and vegetation, and in accordance with all other applicable city ordinance requirements.
- (7) In all applicable respects, the condition, maintenance and appearance of vacant property shall be subject to the requirements of all city ordinances, standards and abatement procedures currently in effect.

**Sec. 15-11-999. - Penalty.**

(A) Any person, firm, corporation or agent who shall violate any provision of this article, or who shall fail to comply therewith shall, upon conviction, be subject to a fine of not more than \$200.00 for each offense.

(B) A separate offense shall be deemed committed for each and every day or portion thereof during which any violation is committed or continued.

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## **AGENDA ITEM #14**

**City of Kingsville**  
**Department Name**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: February 18, 2016

SUBJECT: Ordinance change concerning Dwelling/Work Live Units

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Summary: There has been interest from the downtown business owners to allow dwelling/work live units in our C3 zoning which is primarily our downtown. This would allow business owners if they desired to live in the back of their business or allow building owners to utilize the space above the business as a living unit. We have met with the Main Street Advisory Board and they were in favor of this change.

Background: One of the goals that the City Manager has stated to us is the desire to revitalize our downtown. We believe that this is one piece of that strategy that could help us with that goal. In addition to allowing the business owners another income opportunity or reduce their expenses, it would also increase foot traffic downtown. We have looked at a number of ordinances and we believe that this is the best way to start. It is fairly straight forward for us to communicate to interested parties and relatively easy for them to understand. For that same reason is that is why we chose the C3 commercial zone as the area for it to be allowed. Obviously if this housing strategy becomes popular and there is interest in other parts of Kingsville then we will look at those.

Financial Impact: At this time we see that this ordinance change would have minimal impact on city staff. We do hope though that we would have a positive financial impact from investment on the part of the property owners.



---

**City of Kingsville**  
**Department Name**

Recommendation: Approve the ordinance change as presented. The Planning and Zoning commission approved the ordinance change in a unanimous vote 7 to 0.



**City of Kingsville**  
**Department Name**

---

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: February, 18, 2016

SUBJECT: Ordinance change regarding mixed use definition

---

Summary: In my research of the code language regarding mixed use I believe that the definition of the term mixed use is contradictory. Consequently I provided the Planning and Zoning Commission some options on how to correct it.

Background: I have been doing research on mixed use because we have an interested party in submitting a mixed use development. The location of the possible development is at University and King across the street from the Luau. I believe a church was located there. In my discussion with the interested party and my research I noticed what I believe is a contradictory sentence. The last sentence in the definition which is underlined contradicts what the rest of the paragraph' message is. While this would be the first mixed use development in Kingsville if completed, I think we should be flexible and adapt to the market so this development can be encouraged. The options I gave to the Planning and Zoning Commission was to delete the last sentence or list them out as other cities have done. The sentence that I am recommending is underlined. Of the two options I recommended to them to just delete the last sentence. For now it is the most efficient method to take care of the issue.

Financial Impact: Again while having minimal impact on staff the hope is that we make things clearer for applicants when it comes to a mixed use development. This in turn may give a positive message for development which would have a positive financial impact.



**City of Kingsville**  
**Department Name**

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**Recommendation:** Approve the change in the definition for mixed use. The Planning and Zoning Commission approved the deletion of the last sentence in the definition of mixed use in a unanimous vote 7 to 0.



**ORDINANCE NO. 2016-**

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**AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER XV, ARTICLE 6, ZONING, AMENDING SECTION 15-6-21 DEFINITIONS TO ADD DWELLING ABOVE BUSINESS AND WORK/LIVE UNITS AND REVISING THE DEFINITION OF MIXED USE; ADOPTING SECTIONS 15-6-29 WORK/LIVE UNITS AND 15-6-30 DWELLING ABOVE BUSINESS; AND AMENDING APPENDIX A-LAND USE CATEGORIES TO ADD DWELLING ABOVE BUSINESS AND WORK/LIVE UNITS; 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** Article 6: Zoning of Chapter XV, Land Usage, of the Code of Ordinances of the City of Kingsville, Texas, Section 15-6-21 and Appendix A-Land Use Categories shall be amended and Sections 15-6-29 & 15-6-30 shall be adopted to read as follows:

*Use Regulations and Districts*

...

**§ 15-6-21 DEFINITIONS.**

For the purpose of this subarticle, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

...

*Dormitories.* Any building arranged or designed for two or more dwelling units and with two or more sleeping positions per room for students.

*Dwelling, above business.* A dwelling unit located on or above the second floor, from ground level, over a business establishment.

*Dwelling, multiple-family.* Any building or portion thereof, which is designed, built, rented, leased, or let to be occupied as three or more dwelling units or apartments which is occupied as a home or place of residence by three or more families living in independent dwelling units.

*Dwelling, one-family attached.* A dwelling joined to another dwelling at one or more points by a party wall or abutting separate walls, which is erected upon a separate lot of record and is designed for occupancy by one family.

*Dwelling, one-family detached.* A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract, and having no physical connection to a building located on any other lot or tract.

*Dwelling, two-family.* A single structure designed and constructed with two living units under a single roof for occupancy by two families.

*Dwelling unit.* A building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters and includes sanitary, sleeping and food preparation facilities.

*Family.* Defined for purposes of R1, R2 and MH Zones: Any number of individuals living together in a dwelling unit which are related by blood, marriage, or adoption, or up to and including three unrelated individuals. Defined for purposes of R3 and R4 Zones: Any number of individuals living together in a dwelling unit which are related by blood, marriage, or adoption, or up to and including four unrelated individuals.

...

*Lot.* A parcel of land platted in a subdivision occupied or to be occupied by a main building, or group of buildings (main and accessory), together with such yards, open spaces, lot width and lot area as are required by this article and having frontage upon or access to a street. Except for group dwellings, not more than one dwelling structure shall occupy any one lot.

*Manufactured housing or manufactured home.* A HUD-code manufactured home or a mobile home and collectively means and refers to both. The definition of mobile home, HUD-code manufactured home, and manufactured home as set forth in this section are binding on all persons and agencies in this state and under the jurisdiction of the city. For the purposes of this article, a mobile home is not a HUD-code manufactured home and a HUD-code manufactured home is not a mobile home. Recreational vehicles, however, may be located and used only in approved recreational vehicle parks or approved manufactured home parks.

*Mixed use.* A zoning district where mixed retail/residential developments are allowed on the same property or in the same building. Retail stores, retail services, personal services, and banks and savings and loans are allowed on the first floor levels of buildings. Multi-residential housing consisting of studio, one bedroom, two bedroom, and three bedroom living units are allowed on the upper floors of buildings. ~~Offices, medical/dental offices, and other commercial uses that do not generate sales tax revenue are not allowed in the Mixed Use Zoning District.~~

*Mobile home.* Structure that was constructed before June 15, 1976, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems.



*Nursing home.* An institution licensed by the State of Texas where those persons suffering from illness, injury, deformity, deficiency or age are given care or treatment on a prolonged or permanent basis.

...

*Tower, telecommunications.* A self-supporting lattice, monopole, or guyed structure more than 20 feet (six meters) in height, built primarily to support one or more telecommunications antennas.

*Trade or commercial school.* A school, operated for profit, teaching vocational skills.

*Utility, others not listed.* Any utility facility franchised or approved by the city.

*Utility shops or storage yards and buildings.* An area or building used by utilities for the repair and/or storage of equipment, vehicles or supplies.

*Work/live units.* A work/live unit is a structure or a portion of a structure that combines a business use with a residential living use.

*Wrecking or salvage yard for autos or parts.* A tract of land devoted to wrecking, dismantling, or salvage operations where automobiles, other vehicles and/or machinery are subject to being dismantled, compacted, or similarly processed. All such operations, inclusive of storage of vehicles, shall be completely enclosed by a wall at least eight feet in height, except for a maximum of two gates no more than 20 feet wide.

(1962 Code, § 11-2-7; Ord. 99036, passed 10-25-99; Ord. 2001-15, passed 8-13-01; Ord. 2003-11, passed 5-12-03; Ord. 2009-20, § I, passed 8-10-09; Ord. 2010-12, passed 5-17-2010; Ord. 2014-27, § I, passed 4-23-2014)

...

#### **§ 15-6-29. WORK/LIVE UNITS.**

(A) Within the C-3 Central Business District, incidental residential uses known as "work/live units" are permitted. A work/live unit means a structure that combines a business use, as permitted in the C-3 Central Business District, with a residential living use.

(B) Any structure containing a "work/live unit" shall satisfy the following requisites:

(1) Any structure or portion of a structure must comply with all applicable City of Kingsville ordinances, including all building codes.

(2) The living area of each "work/live unit" shall provide at least one exit which does not require persons to exit through the work area.

(3) All residential areas in a "work/live unit" shall be at least 150 square feet, exclusive of kitchen, bath, closets and hallways in the "work/live unit."

(4) A minimum of the front 50% square footage of a street-level floor must be dedicated exclusively to commercial uses as allowed in the C-3 Central Business District.

**§ 15-6-30. DWELLING ABOVE BUSINESS.**

(A) Within the C-3 Central Business District, dwellings above businesses are permitted.

(B) Any structure containing a dwelling above a business shall satisfy the following requisites:

(1) Any structure or portion of a structure must comply with all applicable City of Kingsville ordinances, including all building codes.

(2) Multi-family dwellings are only allowed on the second or third floor of the structure.

(3) Each living unit shall provide at least one exit which does not require persons to exit through the work area.

...

**APPENDIX A. - LAND USE CATEGORIES**

**Sec. 1. - Land use chart.**

The following chart shall set out the land uses within the city:

P = Permitted

S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

[Land Use Chart on the following pages]

Land Use Chart												
Land Use Description	R1	R2	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Dwelling, one family det.	P	P	P	P	P	P	P	P				P
Dwelling, one family att.		P	P	P		S	P					P

Dwelling, two family		P	P	P		S	P						
Dwelling, multi-family			P	P		P	P	P					
<u>Dwelling, above business</u>								<u>P</u>					
<u>Work/live units</u>								<u>P</u>					
Boarding or rooming house				P			S	P	P				
Hotel or motel				P			S	P	P				
Dormitory				P									
Fraternity, sorority				P									
Mobile home/manufactured home park or mobile home/manufactured home on lot	S'	S'	S'	S'	P					S	S	S	

...

## II.

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

## III.

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

## IV.

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

**INTRODUCED** on this the 14th day of March, 2016.

**PASSED AND APPROVED** on this the 28th day of March, 2016.

---

Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

To: Planning and Zoning Commission members

From: Tom Ginter, Director of Planning and Zoning



Date: February 15, 2016

Subject: Dwelling /Work Live Units

At the last meeting the discussion seem to favor the change but in particular the wording in Section 15-6-29 Work/Live Units (4) was contradictory. To require 100% of the ground floor in essence would not allow what we wanting to accomplish. Consequently as an example in (3) we require 150 sq.ft . of residential area. The 150 ft is a minimum which comes from the building code.

We are recommending that the 100% be changed to 50%. The reasoning for the reduction to 50% is this: Most of the businesses cover 5,000 sq. ft on the first floor. Using the 150 sq.ft as a minimum for residential area then that would leave 4,850 sq. ft. for commercial. The 50% would require 2,500 in this example so there would be plenty of cushion there for a business to do both.

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**Sec. 15-6-29. – Work/live units.**

- (A) Within the C-3 Central Business District, incidental residential uses known as "work/live units" are permitted. A work/live unit means a structure that combines a business use, as permitted in the C-3 central Business District, with a residential living use.
- (B) Any structure containing a "work/live unit" shall satisfy the following requisites:
  - (1) Any structure or portion of a structure must comply with all applicable City of Kingsville ordinances, including all building codes, and
  - (2) The living area of each "work/live unit" shall provide at least one exit which does not require persons to exit through the work area, and
  - (3) All residential areas in a "work/live unit" shall be at least 150 square feet, exclusive of kitchen, bath, closets and hallways in the "work/live unit."
  - (4) A minimum of the front 50% square footage of a street-level floor must be dedicated exclusively to commercial uses as allowed in the C-3 Central Business District.

**Sec. 15-6-30. – Dwellings above businesses.**

- A) Within the C-3 Central Business District, dwellings above businesses are permitted.
- (B) Any structure containing a dwelling above a business shall satisfy the following requisites:
  - (1) Any structure or portion of a structure must comply with all applicable City of Kingsville ordinances, including all building codes.
  - (2) Multi-family dwellings are only allowed on the second or third floor of the structure.
  - (3) Each living unit shall provide at least one exit which does not require persons to exit through the work area.

Cargo containers. A metal structure specifically constructed for shipment of goods by ship, rail, or truck that is later used as a place to store goods and materials.

Cleaning or laundry self-service shop. Self-service shop with customer operated machines.

Cleaning shop or laundry, limited area. A custom cleaning shop not exceeding 5,000 square feet of floor area.

Club (private). An organization, group or association supported by the members thereof, the sole purpose of which is to render a service customarily rendered for members and the guests, the chief activity of which is customarily carried on as a business and does not include labor union organizations or similar labor or business organizations.

Co-location. A single telecommunications tower and/or site used by more than one telecommunications service provider.

Community center (private). A central social and recreational building as part of a housing development.

Construction Fence. A fence that is temporary in nature, but serves as a barrier to prevent unwanted entry into a site where construction is underway. Fencing materials may include but are limited to orange barrier fence secured to metal posts and inter-locking chain link fencing.

Country club (private). A private recreational club with restricted membership, which provides a golf course, clubhouse, swimming pool, tennis court or similar facilities, none of which are available to the general public.

Day nursery or kindergarten. An establishment possessing all necessary licenses where five or more children are left for care or training, not admitting or taking children above the age of eight.

Dormitories. Any building arranged or designed for two or more dwelling units and with two or more sleeping positions per room for students.

**Dwelling, over business. A dwelling unit located on or above the second floor, from ground level, over a business establishment.**

Dwelling, multiple-family. Any building or portion thereof, which is designed, built, rented, leased, or let to be occupied as three or more dwelling units or apartments which is occupied as a home or place of residence by three or more families living in independent dwelling units.

Dwelling, one-family attached. A dwelling joined to another dwelling at one or more points by a party wall or abutting separate walls, which is erected upon a separate lot of record and is designed for occupancy by one family.

Dwelling, one-family detached. A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract, and having no physical connection to a building located on any other lot or tract.

Dwelling, two-family. A single structure designed and constructed with two living units under a single roof for occupancy by two families.

Dwelling unit. A building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters and includes sanitary, sleeping and food preparation facilities.

Family. Defined for purposes of R1, R2 and MH Zones: Any number of individuals living together in a dwelling unit which are related by blood, marriage, or adoption, or up to and including three unrelated individuals. Defined for purposes of R3 and R4 Zones: Any number of individuals living together in a dwelling unit which are related by blood, marriage, or adoption, or up to and including four unrelated individuals.

Family food production. Raising of crops for family use.

Farm accessory building. A structure other than a dwelling on a farm for the shelter, protection or storage of the usual farm equipment, animals or crops.

Telecommunications. The transmission, between or among points specified by the user, of audio and/or visual information of the user's choosing, without change in the form or content of the information as sent and received.

Telecommunications facility. A telecommunication tower, antennas, and related equipment buildings, but the term also includes antennas and related equipment installed on roof tops.

Telecommunications service. The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

Tennis or swim club, private. A private recreational club with restricted membership, usually smaller in area than a country club, but including a clubhouse, swimming pool, tennis courts, handball courts, or similar facilities, none of which are available to the general public.

TIA/EIA-222. Telecommunications Industry Association/Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antenna Support Structures."

Tower, electric transmission. A self-supporting structure over 50 feet (15 meters) in height, designed to support high-voltage electric lines. This does not include local utility or distribution poles (with or without transformers) designed to provide electric service to individual customers.

Tower, guyed. Any telecommunications tower supported, in whole or in part, by cables anchored to the ground.

Tower, height. The distance measured from grade to the highest point of any and all components of the structure, which includes antennas, hazard lighting and other appurtenances, but excludes lightning rods.

Tower, monopole. A self-supporting telecommunications tower that consists of a single vertical pole fixed into the ground and/or attached to a foundation.

Tower, self-supporting lattice. A telecommunications tower that consists of an open network of metal braces forming a tower, which is usually triangular or square in cross-section.

Tower, telecommunications. A self-supporting lattice, monopole, or guyed structure more than 20 feet (six meters) in height, built primarily to support one or more telecommunications antennas.

Trade or commercial school. A school, operated for profit, teaching vocational skills.

Utility, others not listed. Any utility facility franchised or approved by the city.

Utility shops or storage yards and buildings. An area or building used by utilities for the repair and/or storage of equipment, vehicles or supplies.

**Work/live units. A work/live unit is a structure or a portion of a structure that combines a business use with a residential living use.**

Wrecking or salvage yard for autos or parts. A tract of land devoted to wrecking, dismantling, or salvage operations where automobiles, other vehicles and/or machinery are subject to being dismantled, compacted, or similarly processed. All such operations, inclusive of storage of vehicles, shall be completely enclosed by a wall at least eight feet in height, except for a maximum of two gates no more than 20 feet wide.

(1962 Code, § 11-2-7; Ord. 99036, passed 10-25-99; Ord. 2001-15, passed 8-13-01; Ord. 2003-11, passed 5-12-03; Ord. 2009-20, § I, passed 8-10-09; Ord. 2010-12, passed 5-17-2010; Ord. 2014-27, § I, passed 4-23-2014)



## APPENDIX A. - LAND USE CATEGORIES

### Sec. 1. - Land use chart.

The following chart shall set out the land uses within the city:

P = Permitted

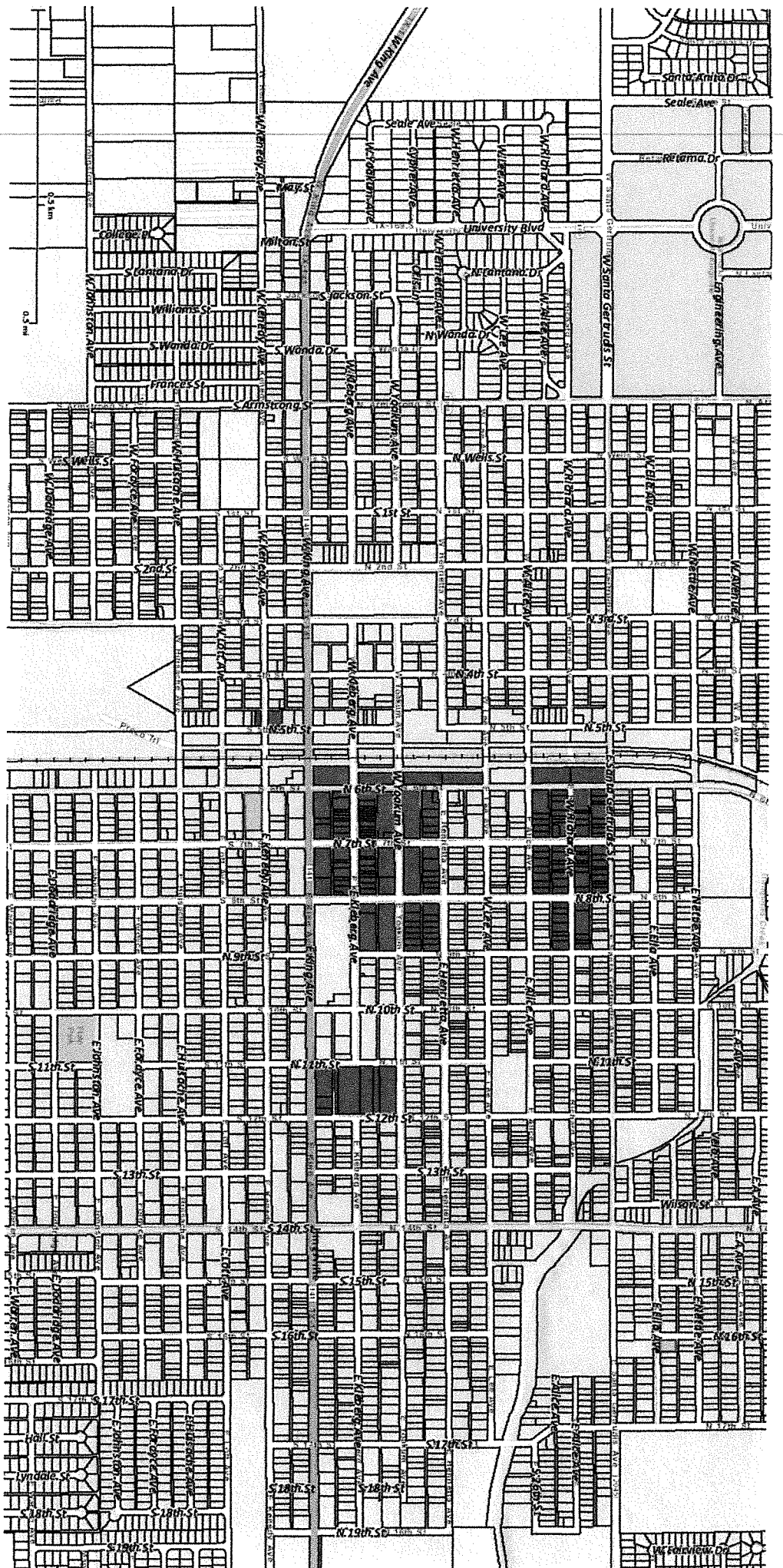
S = Special use permit required

X = Special review required

= Not permitted (absence of any symbol)

[Land Use Chart on the following pages]

Land Use Chart													
Land Use Description	R1	R2	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag	
Dwelling, one family det.	P	P	P	P	P	P	P	P				P	
Dwelling, one family att.		P	P	P		S	P					P	
Dwelling, two family		P	P	P		S	P						
Dwelling, multi-family			P	P		P	P	P					
Dwellings above businesses								P					
Work/live units								P					
Boarding or rooming house				P			S	P	P				
Hotel or motel				P			S	P	P				
Dormitory				P									
Fraternity, sorority				P									
Mobile home/manufactured home park or mobile home/manufactured home on lot	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	S <sup>1</sup>	P					S	S	S	



Farm, ranch or orchard. An area of ten or more acres which is used for the commercial production of crops or the keeping of the usual farm poultry and animals and normal accessory uses for these purposes.

Fraternity or sorority house. A building designed as group living quarters for members only and offering social and recreational activities.

Gasoline sales. An automobile service station which excludes the repairing, painting, or upholstering of motor vehicles.

Hobby. An accessory use carried on by the occupant of the premises in a shop, studio or other workroom, purely for personal enjoyment, amusement or recreation; provided that the articles produced or constructed in the shop, studio or workroom are not sold either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke or fumes.

Home occupation. An accessory use carried out by the occupants for compensation in a residential dwelling unit.

Hospital (acute care). An institution where sick or injured patients are given medical or surgical treatment intended to restore them to health and an active life, and which is licensed by the State of Texas.

Hotel or motel. Any building which is designed to cater to transient occupancy, offering temporary abiding space to individuals and families. To be classified as a hotel or motel an establishment shall contain individual guest rooms and furnish services such as linens, maids and furnishings.

Institutions of religious or philanthropic nature. An institution sponsored or operated by organizations established for religious or philanthropic purposes.

Kennel. Any premises in which four or more dogs three months of age or older are kept; or where the business of buying, selling, breeding, grooming, training or boarding of dogs is conducted; does not include veterinary hospitals or humane societies.

Light manufacturing processes. Manufacturing processing which do not emit detectable dust, odor, smoke, gas, or fumes beyond the property lines of the lot or tract upon which the use is located and which do not generate noises or vibrations above the ambient level of noise.

Lot. A parcel of land platted in a subdivision occupied or to be occupied by a main building, or group of buildings (main and accessory), together with such yards, open spaces, lot width and lot area as are required by this article and having frontage upon or access to a street. Except for group dwellings, not more than one dwelling structure shall occupy any one lot.

Manufactured housing or manufactured home. A HUD-code manufactured home or a mobile home and collectively means and refers to both. The definition of mobile home, HUD-code manufactured home, and manufactured home as set forth in this section are binding on all persons and agencies in this state and under the jurisdiction of the city. For the purposes of this article, a mobile home is not a HUD-code manufactured home and a HUD-code manufactured home is not a mobile home. Recreational vehicles, however, may be located and used only in approved recreational vehicle parks or approved manufactured home parks.

\* Mixed use. A zoning district where mixed retail/residential developments are allowed on the same property or in the same building. Retail stores, retail services, personal services, and banks and savings and loans are allowed on the first floor levels of buildings. Multi-residential housing consisting of studio, one bedroom, two bedroom, and three bedroom living units are allowed on the upper floors of buildings. Offices, medical/dental offices, and other commercial uses that do not generate sales tax revenue are not allowed in the Mixed Use Zoning District.

Mobile home. Structure that was constructed before June 15, 1976, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems.

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## **AGENDA ITEM #15**

**City of Kingsville**  
**Finance Department**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah R Balli, Finance Director

DATE: March 4, 2016

SUBJECT: CO 2016 Debt Issuance

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**Summary:**

The City issued Certificates of Obligations on February 22, 2016 with a delivery date of March 2016.

**Background:**

The City issued CO Series 2016 for the purpose of providing for payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, including (1) park improvements including street, utilities, parking, pier enhancements, skate area, splash pad, pool renovation, administration and sidewalks, lighting improvements; (2) downtown revitalization improvements including, streets, sidewalks, lighting improvements, and property acquisition (3) City street repairs; (4) City Hall complex improvements including the City Cottage Building renovation and landscaping; (5) roof replacement for the Public Works Building; (6) Public Works department equipment; (7) emergency radio communication equipment; (8) Fire Station 1 improvements; (9) emergency vehicles and equipment; (10) golf course and clubhouse improvements and enhancements; (11) health department building improvements; (12) library improvements; and (13) payment of contractual obligations for professional services in connection with CO 2016.

**Financial Impact:**

Bond Proceeds will be \$6,740,000 and the Bond Issue Premium will be \$281,840 for a total of \$7,021,840.

**Recommendation:**

Staff is recommending the FY 15-16 budget be amended to appropriate the \$7,021,840 for CO 2016.



**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR FUND 033  
CO SERIES 2016 GENERAL FOR PROJECT AND DEBT ISSUANCE 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 2015-2016 budget be amended as follows:

**CITY OF KINGSVILLE  
DEPARTMENT EXPENSES**

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 033-CO Series 2016-General</b>					
<b>Revenues</b>					
4-0000	Non-Dept.	Bond Proceeds	99500	\$ 6,740,000	
4-0000	Non-Dept.	Bond Issue Premium	99600	\$ 281,840	
				<u>\$ 7,021,840</u>	
<b>Expenses</b>					
5-0000	Non-Dept.	PrfSrv-Bond Issue Costs	31404	\$ 172,147	
5-1030	City Special	Downtown Revitalization Improvements	71216	\$ 1,000,000	
5-1030	City Special	City Hall Complex Improvements	71217	\$ 800,000	
5-1702	Sanitation	Vehicle	71100	\$ 180,000	
5-1703	Landfill	Machinery/Equipment	71200	\$ 160,000	
5-2103	PD-Comm.	Machinery/Equipment	71200	\$ 500,000	
5-2200	Fire	Vehicle	71100	\$ 200,000	
5-2200	Fire	Machinery/Equipment	71200	\$ 125,000	
5-2200	Fire	Building	71300	\$ 175,000	
5-3000	Public Works	Building	71300	\$ 75,000	
5-3050	Streets	Machinery/Equipment	71200	\$ 160,000	
5-3050	Streets	Street & Bridge	52100	\$ 942,193	
5-4502	Golf Course	Golf Course Capital Projects	71215	\$ 230,000	
5-4502	Golf Course	Building	71300	\$ 20,000	
5-4503	Parks	Parks Capital Projects	71201	\$ 2,100,000	
5-4503	Parks	Building	71300	\$ 150,000	
5-4400	Health	Building	71300	\$ 25,000	
5-4600	Library	Building	71300	\$ 7,500	
				<u>\$ 7,021,840</u>	

[This budget amendment will provide for the CO 2016 Debt Issuance in March 2016. The CO 2016 Issue approved on February 22, 2016 consisted of new debt in the amount of \$6,740,000 for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation and/or rehabilitation of certain City-owned public property.]

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 14<sup>th</sup> day of March, 2016.

**PASSED AND APPROVED** on this the 28<sup>th</sup> day of March, 2016.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE is hereby given that it is the intention of the City Commission (the "City Commission") of the City of Kingsville, Texas (the "City") to adopt an Ordinance providing for the issuance of interest-bearing obligations of the City presently contemplated to be designated and known as the "CITY OF KINGSVILLE, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2016" (the "Certificates of Obligation") for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, including (1) park improvements including street, utilities, parking, pier enhancements, skate area, splash pad, pool renovation, administration and civic center building improvements; (2) downtown revitalization improvements including streets, sidewalks, lighting improvements, and property acquisition (3) City street repairs; (4) City Hall complex improvements including the City Cottage Building renovation and landscaping; (5) roof replacement for Public Works Building; (6) Public Works department equipment; (7) emergency radio communication equipment; (8) Fire Station 1 improvements; (9) emergency vehicles and equipment; (10) golf course and clubhouse improvements and enhancements; (11) health department building improvements; (12) library improvements; and (13) payment of contractual obligations for professional services in connection therewith (to wit: consultants, engineering, financial advisory, and legal). The City Commission tentatively proposes to authorize the issuance of the Certificates of Obligation at its regular meeting place at 200 East Kleberg Avenue, Kingsville, Texas, at a meeting of the City Commission to be commenced at 6:00 p.m. on the 22nd day of February, 2016, in an amount expected not to exceed \$6,850,000. The City Commission proposes to provide for payment of the Certificates of Obligation from a pledge of an annual ad valorem tax as well as a pledge of \$1,000 of certain surplus revenues of the City's Waterworks and Sewer System.

/s/ Sam Fugate

Mayor, City of Kingsville, Texas



**2016 Certificate of Obligation  
Allocation Summary ( Staff Recommendation)**

Parks & Recreation	Streets & Parking @ DKP (Walking/Bike Lane)	\$1,000,000
Parks & Recreation	Parking Lots at other Park Facilities	\$250,000
Parks & Recreation	Pier Enhancements	\$25,000
Parks & Recreation	Skate Park	\$300,000
Parks & Recreation	Splash Pad	\$250,000
Parks & Recreation	Brookshire Pool Renovation	\$150,000
Parks & Recreation	Office/Community Building Improvements	\$125,000
Parks & Recreation	Equipment Barn Improvements	\$25,000
Parks & Recreation	Field Improvements	\$50,000
Parks & Recreation	Parks Master Plan	\$75,000
	<b>Total:</b>	<b>\$2,250,000</b>
Downtown Revitalization	Infrastructure & Buildings	\$1,000,000
	<b>Total:</b>	<b>\$1,000,000</b>
City Hall Complex	Landscaping (City Hall & Cottage Building)	\$200,000
City Hall Complex	Cottage Building Remodel	\$600,000
	<b>Total:</b>	<b>\$800,000</b>
Public Works	Roof Replacement at PW	\$75,000
Public Works	Brush Truck & 3 Replacement Beds	\$180,000
Public Works	Brush Box Burner	\$160,000
Public Works	Pro Patcher	\$160,000
Public Works	Phase 1 of 6th Street Overlay	\$425,000
	<b>Total:</b>	<b>\$1,000,000</b>
Police Department	Half of Radio Backbone	\$250,000
Police Department	Radios (Police & TF)	\$250,000
	<b>Total:</b>	<b>\$500,000</b>
Fire Department	Radios (FD & Volunteer Software Upgrades)	\$125,000
Fire Department	Station 1 Improvements	\$175,000
Fire Department	Ambulance and EMS Equipment	\$200,000
	<b>Total:</b>	<b>\$500,000</b>
Golf Course	Driving Range/Practice Facility	\$125,000
Golf Course	Course Improvements	\$85,000
Golf Course	Entrance & Signage Enhancements	\$20,000
Golf Course	Interior Enhancements	\$20,000
	<b>Total:</b>	<b>\$250,000</b>
Health Department/Animal Shelter	Roof & Porch Improvements	\$25,000
	<b>Total:</b>	<b>\$25,000</b>
Library Dept	The Maker's Zone	\$2,500
Library Dept	Staff Breakroom	\$5,000
	<b>Total:</b>	<b>\$7,500</b>
	<b>Grand Total:</b>	<b>\$6,332,500</b>

December 14, 2015

# BOND SUMMARY STATISTICS

## City of Kingsville, Texas \$6,740,000 Certificates of Obligation, Series 2016 Final Numbers

Dated Date	02/15/2016
Delivery Date	03/17/2016
First Coupon	02/01/2017
Last Maturity	08/01/2036
Arbitrage Yield	1.688677%
True Interest Cost (TIC)	2.086383%
Net Interest Cost (NIC)	2.158567%
All-In TIC	2.259698%
Average Coupon	2.511970%
Average Life (years)	8.253
Duration of Issue (years)	7.480
Par Amount	6,740,000.00
Bond Proceeds	7,021,840.11
Total Interest	1,412,301.94
Net Interest	1,213,608.87
Bond Years from Dated Date	56,222,888.89
Bond Years from Delivery Date	55,623,777.78
Total Debt Service	8,152,301.94
Maximum Annual Debt Service	967,350.00
Average Annual Debt Service	399,500.18
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	10.319211
Total Underwriter's Discount	10.319211
Bid Price	102.947968

Bond Component	Par Value	Price	Average Coupon	Average Life
Bond Component	5,585,000.00	103.829	2.124%	6.522
Term Bond 2030	310,000.00	105.301	3.000%	13.872
Term Bond 2032	325,000.00	103.371	3.000%	15.880
Term Bond 2036	520,000.00	105.189	3.500%	18.728
	6,740,000.00			8.253

	TIC	All-In TIC	Arbitrage Yield
Par Value	6,740,000.00	6,740,000.00	6,740,000.00
+ Accrued Interest		13,595.56	13,595.56
+ Premium (Discount)	268,244.55	268,244.55	268,244.55
- Underwriter's Discount	-69,551.48	-69,551.48	
- Cost of Issuance Expense		-89,000.00	
- Other Amounts			
Target Value	6,938,693.07	6,863,288.63	7,021,840.11
Target Date	02/15/2016	03/17/2016	03/17/2016
Yield	2.086383%	2.259698%	1.688677%

**BOND DEBT SERVICE**

**City of Kingsville, Texas  
\$6,740,000 Certificates of Obligation, Series 2016  
Final Numbers**

Period Ending	Principal	Coupon	Interest	Debt Service
09/30/2017			223,476.94	223,476.94
09/30/2018	250,000	2.000%	152,950.00	402,950.00
09/30/2019	615,000	2.000%	147,950.00	762,950.00
09/30/2020	820,000	2.000%	135,650.00	955,650.00
09/30/2021	845,000	2.000%	119,250.00	964,250.00
09/30/2022	865,000	2.000%	102,350.00	967,350.00
09/30/2023	880,000	2.000%	85,050.00	965,050.00
09/30/2024	255,000	2.000%	67,450.00	322,450.00
09/30/2025	255,000	2.000%	62,350.00	317,350.00
09/30/2026	260,000	2.500%	57,250.00	317,250.00
09/30/2027	270,000	2.500%	50,750.00	320,750.00
09/30/2028	270,000	2.500%	44,000.00	314,000.00
09/30/2029	155,000	3.000%	37,250.00	192,250.00
09/30/2030	155,000	3.000%	32,600.00	187,600.00
09/30/2031	160,000	3.000%	27,950.00	187,950.00
09/30/2032	165,000	3.000%	23,150.00	188,150.00
09/30/2033	170,000	3.500%	18,200.00	188,200.00
09/30/2034	115,000	3.500%	12,250.00	127,250.00
09/30/2035	115,000	3.500%	8,225.00	123,225.00
09/30/2036	120,000	3.500%	4,200.00	124,200.00
	6,740,000		1,412,301.94	8,152,301.94

**SOURCES AND USES OF FUNDS**

**City of Kingsville, Texas  
\$6,740,000 Certificates of Obligation, Series 2016  
Final Numbers**

Dated Date 02/15/2016  
Delivery Date 03/17/2016

**Sources:**

<b>Bond Proceeds:</b>	
Par Amount	6,740,000.00
Accrued Interest	13,595.56
Premium	268,244.55
	<u>7,021,840.11</u>

**Uses:**

<b>Project Fund Deposits:</b>	
Project Fund	6,849,693.07
<b>Other Fund Deposits:</b>	
Accrued Interest	13,595.56
<b>Delivery Date Expenses:</b>	
Cost of Issuance	89,000.00
Underwriter's Discount	<u>69,551.48</u>
	<u>158,551.48</u>
	<u>7,021,840.11</u>

**BOND DEBT SERVICE**  
**City of Kingsville, Texas**  
**\$6,740,000 Certificates of Obligation, Series 2016**  
**Final Numbers**

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
02/01/2017			147,001.94	147,001.94	
08/01/2017			76,475.00	76,475.00	
09/30/2017					223,476.94
02/01/2018			76,475.00	76,475.00	
08/01/2018	250,000	2.000%	76,475.00	326,475.00	
09/30/2018					402,950.00
02/01/2019			73,975.00	73,975.00	
08/01/2019	615,000	2.000%	73,975.00	688,975.00	
09/30/2019					762,950.00
02/01/2020			67,825.00	67,825.00	
08/01/2020	820,000	2.000%	67,825.00	887,825.00	
09/30/2020					955,650.00
02/01/2021			59,625.00	59,625.00	
08/01/2021	845,000	2.000%	59,625.00	904,625.00	
09/30/2021					964,250.00
02/01/2022			51,175.00	51,175.00	
08/01/2022	865,000	2.000%	51,175.00	916,175.00	
09/30/2022					967,350.00
02/01/2023			42,525.00	42,525.00	
08/01/2023	880,000	2.000%	42,525.00	922,525.00	
09/30/2023					965,050.00
02/01/2024			33,725.00	33,725.00	
08/01/2024	255,000	2.000%	33,725.00	288,725.00	
09/30/2024					322,450.00
02/01/2025			31,175.00	31,175.00	
08/01/2025	255,000	2.000%	31,175.00	286,175.00	
09/30/2025					317,350.00
02/01/2026			28,625.00	28,625.00	
08/01/2026	260,000	2.500%	28,625.00	288,625.00	
09/30/2026					317,250.00
02/01/2027			25,375.00	25,375.00	
08/01/2027	270,000	2.500%	25,375.00	295,375.00	
09/30/2027					320,750.00
02/01/2028			22,000.00	22,000.00	
08/01/2028	270,000	2.500%	22,000.00	292,000.00	
09/30/2028					314,000.00
02/01/2029			18,625.00	18,625.00	
08/01/2029	155,000	3.000%	18,625.00	173,625.00	
09/30/2029					192,250.00
02/01/2030			16,300.00	16,300.00	
08/01/2030	155,000	3.000%	16,300.00	171,300.00	
09/30/2030					187,600.00
02/01/2031			13,975.00	13,975.00	
08/01/2031	160,000	3.000%	13,975.00	173,975.00	
09/30/2031					187,950.00
02/01/2032			11,575.00	11,575.00	
08/01/2032	165,000	3.000%	11,575.00	176,575.00	
09/30/2032					188,150.00
02/01/2033			9,100.00	9,100.00	
08/01/2033	170,000	3.500%	9,100.00	179,100.00	
09/30/2033					188,200.00
02/01/2034			6,125.00	6,125.00	
08/01/2034	115,000	3.500%	6,125.00	121,125.00	
09/30/2034					127,250.00
02/01/2035			4,112.50	4,112.50	
08/01/2035	115,000	3.500%	4,112.50	119,112.50	

**BOND DEBT SERVICE**

**City of Kingsville, Texas  
\$6,740,000 Certificates of Obligation, Series 2016  
Final Numbers**

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
09/30/2035					123,225.00
02/01/2036			2,100.00	2,100.00	
08/01/2036	120,000	3.500%	2,100.00	122,100.00	
09/30/2036					124,200.00
	6,740,000		1,412,301.94	8,152,301.94	8,152,301.94

**BOND PRICING**

**City of Kingsville, Texas**  
**\$6,740,000 Certificates of Obligation, Series 2016**  
**Final Numbers**

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price	Call Date for Arb Yield	Call Price for Arb Yield	Premium (-Discount)
<b>Bond Component:</b>											
	08/01/2018	250,000	2.000%	0.800%	102.813						7,032.50
	08/01/2019	615,000	2.000%	0.900%	103.645						22,416.75
	08/01/2020	820,000	2.000%	1.000%	104.267						34,989.40
	08/01/2021	845,000	2.000%	1.150%	104.415						37,306.75
	08/01/2022	865,000	2.000%	1.300%	104.266						36,900.90
	08/01/2023	880,000	2.000%	1.450%	103.831						33,712.80
	08/01/2024	255,000	2.000%	1.650%	102.725						6,948.75
	08/01/2025	255,000	2.000%	1.800%	101.547 C	1.820%	08/01/2024	100.000			3,944.85
	08/01/2026	260,000	2.500%	1.900%	104.622 C	2.004%	08/01/2024	100.000	08/01/2024	100.000	12,017.20
	08/01/2027	270,000	2.500%	2.000%	103.835 C	2.119%	08/01/2024	100.000	08/01/2024	100.000	10,354.50
	08/01/2028	270,000	2.500%	2.100%	103.055 C	2.216%	08/01/2024	100.000	08/01/2024	100.000	8,248.50
		5,585,000									213,872.90
<b>Term Bond 2030:</b>											
	08/01/2029	155,000	3.000%	2.300%	105.301 C	2.557%	08/01/2024	100.000	08/01/2024	100.000	8,216.55
	08/01/2030	155,000	3.000%	2.300%	105.301 C	2.557%	08/01/2024	100.000	08/01/2024	100.000	8,216.55
		310,000									16,433.10
<b>Term Bond 2032:</b>											
	08/01/2031	160,000	3.000%	2.550%	103.371 C	2.743%	08/01/2024	100.000	08/01/2024	100.000	5,393.60
	08/01/2032	165,000	3.000%	2.550%	103.371 C	2.743%	08/01/2024	100.000	08/01/2024	100.000	5,562.15
		325,000									10,955.75
<b>Term Bond 2036:</b>											
	08/01/2033	170,000	3.500%	2.800%	105.189 C	3.153%	08/01/2024	100.000	08/01/2024	100.000	8,821.30
	08/01/2034	115,000	3.500%	2.800%	105.189 C	3.153%	08/01/2024	100.000	08/01/2024	100.000	5,967.35
	08/01/2035	115,000	3.500%	2.800%	105.189 C	3.153%	08/01/2024	100.000	08/01/2024	100.000	5,967.35
	08/01/2036	120,000	3.500%	2.800%	105.189 C	3.153%	08/01/2024	100.000	08/01/2024	100.000	6,226.80
		520,000									26,982.80
		6,740,000									268,244.55

**BOND PRICING**

**City of Kingsville, Texas  
\$6,740,000 Certificates of Obligation, Series 2016  
Final Numbers**

Dated Date	02/15/2016
Delivery Date	03/17/2016
First Coupon	02/01/2017
Par Amount	6,740,000.00
Premium	268,244.55
Production	7,008,244.55
Underwriter's Discount	-69,551.48
Purchase Price	6,938,693.07
Accrued Interest	13,595.56
Net Proceeds	6,952,288.63
	103.979889%
	-1.031921%
	102.947968%



**FORM 8038 STATISTICS**

**City of Kingsville, Texas  
\$6,740,000 Certificates of Obligation, Series 2016  
Final Numbers**

Dated Date 02/15/2016  
Delivery Date 03/17/2016

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
<b>Bond Component:</b>						
	08/01/2018	250,000.00	2.000%	102.813	257,032.50	250,000.00
	08/01/2019	615,000.00	2.000%	103.645	637,416.75	615,000.00
	08/01/2020	820,000.00	2.000%	104.267	854,989.40	820,000.00
	08/01/2021	845,000.00	2.000%	104.415	882,306.75	845,000.00
	08/01/2022	865,000.00	2.000%	104.266	901,900.90	865,000.00
	08/01/2023	880,000.00	2.000%	103.831	913,712.80	880,000.00
	08/01/2024	255,000.00	2.000%	102.725	261,948.75	255,000.00
	08/01/2025	255,000.00	2.000%	101.547	258,944.85	255,000.00
	08/01/2026	260,000.00	2.500%	104.622	272,017.20	260,000.00
	08/01/2027	270,000.00	2.500%	103.835	280,354.50	270,000.00
	08/01/2028	270,000.00	2.500%	103.055	278,248.50	270,000.00
<b>Term Bond 2030:</b>						
	08/01/2029	155,000.00	3.000%	105.301	163,216.55	155,000.00
	08/01/2030	155,000.00	3.000%	105.301	163,216.55	155,000.00
<b>Term Bond 2032:</b>						
	08/01/2031	160,000.00	3.000%	103.371	165,393.60	160,000.00
	08/01/2032	165,000.00	3.000%	103.371	170,562.15	165,000.00
<b>Term Bond 2036:</b>						
	08/01/2033	170,000.00	3.500%	105.189	178,821.30	170,000.00
	08/01/2034	115,000.00	3.500%	105.189	120,967.35	115,000.00
	08/01/2035	115,000.00	3.500%	105.189	120,967.35	115,000.00
	08/01/2036	120,000.00	3.500%	105.189	126,226.80	120,000.00
					6,740,000.00	7,008,244.55
						6,740,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	08/01/2036	3.500%	126,226.80	120,000.00		
Entire Issue			7,008,244.55	6,740,000.00	8.2617	1.6887%

Proceeds used for accrued interest	13,595.56
Proceeds used for bond issuance costs (including underwriters' discount)	158,551.48
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00

**PROOF OF ARBITRAGE YIELD**

**City of Kingsville, Texas  
\$6,740,000 Certificates of Obligation, Series 2016  
Final Numbers**

Date	Debt Service	Present Value to 03/17/2016 @ 1.6886767337%
02/01/2017	147,001.94	144,861.57
08/01/2017	76,475.00	74,730.53
02/01/2018	76,475.00	74,104.84
08/01/2018	326,475.00	313,707.93
02/01/2019	73,975.00	70,487.00
08/01/2019	688,975.00	650,992.50
02/01/2020	67,825.00	63,549.30
08/01/2020	887,825.00	824,891.54
02/01/2021	59,625.00	54,934.65
08/01/2021	904,625.00	826,485.09
02/01/2022	51,175.00	46,363.13
08/01/2022	916,175.00	823,079.59
02/01/2023	42,525.00	37,884.03
08/01/2023	922,525.00	814,964.13
02/01/2024	33,725.00	29,543.42
08/01/2024	2,243,725.00	1,949,067.76
02/01/2025	2,550.00	2,196.57
08/01/2025	257,550.00	219,996.53
	<b>7,779,226.94</b>	<b>7,021,840.11</b>

**Proceeds Summary**

Delivery date	03/17/2016
Par Value	6,740,000.00
Accrued interest	13,595.56
Premium (Discount)	268,244.55
Target for yield calculation	<b>7,021,840.11</b>

**PROOF OF ARBITRAGE YIELD**

**City of Kingsville, Texas**  
**\$6,740,000 Certificates of Obligation, Series 2016**  
**Final Numbers**

**Assumed Call/Computation Dates for Premium Bonds**

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Net Present Value (NPV) to 03/17/2016 @ 1.6886767337%
BOND	08/01/2026	2.500%	1.900%	08/01/2024	100.000	4,361.54
BOND	08/01/2027	2.500%	2.000%	08/01/2024	100.000	6,654.19
BOND	08/01/2028	2.500%	2.100%	08/01/2024	100.000	8,760.19
TERM2030	08/01/2029	3.000%	2.300%	08/01/2024	100.000	7,571.62
TERM2030	08/01/2030	3.000%	2.300%	08/01/2024	100.000	7,571.62
TERM2032	08/01/2031	3.000%	2.550%	08/01/2024	100.000	10,903.87
TERM2032	08/01/2032	3.000%	2.550%	08/01/2024	100.000	11,244.62
TERM2036	08/01/2033	3.500%	2.800%	08/01/2024	100.000	15,101.65
TERM2036	08/01/2034	3.500%	2.800%	08/01/2024	100.000	10,215.82
TERM2036	08/01/2035	3.500%	2.800%	08/01/2024	100.000	10,215.82
TERM2036	08/01/2036	3.500%	2.800%	08/01/2024	100.000	10,659.99

**Rejected Call/Computation Dates for Premium Bonds**

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Net Present Value (NPV) to 03/17/2016 @ 1.6886767337%	Increase to NPV
BOND	08/01/2026	2.500%	1.900%			7,950.30	3,588.76
BOND	08/01/2027	2.500%	2.000%			12,197.90	5,543.71
BOND	08/01/2028	2.500%	2.100%			16,090.53	7,330.34
TERM2030	08/01/2029	3.000%	2.300%			16,003.26	8,431.64
TERM2030	08/01/2030	3.000%	2.300%			17,606.18	10,034.56
TERM2032	08/01/2031	3.000%	2.550%			22,889.15	11,985.28
TERM2032	08/01/2032	3.000%	2.550%			25,254.33	14,009.71
TERM2036	08/01/2033	3.500%	2.800%			37,348.49	22,246.84
TERM2036	08/01/2034	3.500%	2.800%			26,801.01	16,585.19
TERM2036	08/01/2035	3.500%	2.800%			28,311.26	18,095.44
TERM2036	08/01/2036	3.500%	2.800%			31,091.81	20,431.82

**COST OF ISSUANCE**

**City of Kingsville, Texas  
\$6,740,000 Certificates of Obligation, Series 2016  
Final Numbers**

<b>Cost of Issuance</b>	<b>\$/1000</b>	<b>Amount</b>
Financial Advisory Fee	3.73887	25,200.00
Escrow Structuring Fee	0.74184	5,000.00
Bond Counsel	3.85757	26,000.00
Attorney General / Expenses	1.01632	6,850.00
S&P	2.00297	13,500.00
Paying Agent	0.11128	750.00
OS Printing & Preparation	0.89021	6,000.00
Travel	0.07418	500.00
Miscellaneous	0.77151	5,200.00
	13.20475	89,000.00

**BOND SOLUTION**

**City of Kingsville, Texas**  
**\$6,740,000 Certificates of Obligation, Series 2016**  
**Final Numbers**

Period Ending	Proposed Principal	Proposed Debt Service	Debt Service Adjustments	Total Adj Debt Service	Revenue Constraints	Unused Revenues	Debt Serv Coverage
09/30/2016							
09/30/2017		223,477	-13,596	209,881		-209,881	
09/30/2018	250,000	402,950		402,950	405,882	2,932	100.72768%
09/30/2019	615,000	762,950		762,950	763,158	208	100.02722%
09/30/2020	820,000	955,650		955,650	953,597	-2,053	99.78518%
09/30/2021	845,000	964,250		964,250	962,777	-1,473	99.84724%
09/30/2022	865,000	967,350		967,350	968,277	927	100.09583%
09/30/2023	880,000	965,050		965,050	964,027	-1,023	99.89399%
09/30/2024	255,000	322,450		322,450	311,392	-11,058	96.57076%
09/30/2025	255,000	317,350		317,350	306,242	-11,108	96.49989%
09/30/2026	260,000	317,250		317,250	306,642	-10,608	96.65639%
09/30/2027	270,000	320,750		320,750	312,442	-8,308	97.40995%
09/30/2028	270,000	314,000		314,000	303,672	-10,328	96.71096%
09/30/2029	155,000	192,250		192,250		-192,250	
09/30/2030	155,000	187,600		187,600		-187,600	
09/30/2031	160,000	187,950		187,950		-187,950	
09/30/2032	165,000	188,150		188,150		-188,150	
09/30/2033	170,000	188,200		188,200		-188,200	
09/30/2034	115,000	127,250		127,250		-127,250	
09/30/2035	115,000	123,225		123,225		-123,225	
09/30/2036	120,000	124,200		124,200		-124,200	
	6,740,000	8,152,302	-13,596	8,138,706	6,558,110	-1,580,596	

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## **AGENDA ITEM #16**

**City of Kingsville**  
**Finance Department**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah R Balli, Finance Director

DATE: March 4, 2016

SUBJECT: Street Maintenance Funding

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**Summary:**

The Street Department is in need of additional funding for street maintenance projects for FY 15-16. In looking at available funding, the Street Maintenance Fees can now be projected and appropriated in the Street Fund budget.

**Background:**

The City established monthly street maintenance fees for the purpose of funding the City's street system and establishing a street maintenance fund with Ordinance #2015-48, passed and approved on November 23, 2015. Since the street maintenance fee became effective on January 1, 2016, revenues and projections are now available.

**Financial Impact:**

Estimating Street Maintenance Fee Billings at \$78,000 for 7 months at a 98% collection rate projects \$536,000 of revenues available for street maintenance projects.

**Recommendation:**

Staff is recommending the FY 15-16 budget be amended to appropriate \$536,000 in Street Maintenance Fees 092-4-3050-84000 and \$536,000 be appropriated to Street & Bridge 092-5-3050-52100.



**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR STREET MAINTENANCE PROJECTS FUNDED BY THE STREET MAINTENANCE FEE.**

**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 2015-2016 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 092-Street Fund**

Revenues

4-3050	Street Maintenance Fees	84000	\$536,000	
			<u>\$536,000</u>	

Expenses

5-3050	Street & Bridge	52100	\$536,000	
			<u>\$536,000</u>	

[To amend the City of Kingsville FY 15-16 Budget for street maintenance projects based on anticipated revenues from the Street Maintenance Fee that was approved November 23, 2015 and became effective on January 1, 2016 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.

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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 14<sup>th</sup> day of March, 2016.

**PASSED AND APPROVED** on this the 28<sup>th</sup> day of March, 2016.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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## **AGENDA ITEM #17**

**City of Kingsville**  
**Finance Department**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah R Balli, Finance Director

DATE: March 4, 2016

SUBJECT: CO Series 2011-TX DOT Refund

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**Summary:**

The City of Kingsville received a refund of unused funds from the Drainage Improvements on the US 77 Overpass Project in the amount of \$49,791.92. These funds are needed to assist in the completion of the City Hall Complex Project.

**Background:**

The City went out for \$10,000,000 in Certificates of Obligation in 2011 for various capital improvement programs. The City used a portion of these funds to enter into an Advance Funding Agreement with TX DOT for the Drainage Improvements on the US 77 Overpass Project also referred to as the Caesar Drainage Project. After the final statement of costs was calculated a refund of \$49,791.92 was issued to the City of Kingsville. CO Series 2011 also contributed \$975,136 towards the New City Hall Project in FY 13-14. Since Fund 065-CO Series 2011 has been refunded the \$49,791.92 these funds can be allocated to the City Hall Complex Project.

**Financial Impact:**

Total amount placed in escrow with TX DOT was \$403,629.93 and total costs chargeable to the project totaled \$358,838.01 leaving an unused balance of \$49,791.92.

**Recommendation:**

Staff is recommending the FY 15-16 budget be amended to include the TXDOT refund of \$49,792 in Fund 065 and apply this to the New City Hall Project in Fund 091.



**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET TO INCLUDE A TXDOT REFUND IN CO SERIES 2011 TO BE USED FOR CITY HALL COMPLEX IMPROVEMENTS.**

**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 2015-2016 budget be amended as follows:

**CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT**

<b>Dept No.</b>	<b>Dept Name</b>	<b>Account Name</b>	<b>Account Number</b>	<b>Budget Increase</b>	<b>Budget Decrease</b>
<b>Fund 065-CO Series 2011 General</b>					
<u>Revenues</u>					
4-0000	Non-Depart.	Miscellaneous	99000	\$ 49,792	
				<u>\$ 49,792</u>	
<u>Expenses</u>					
	Fund	Transfer Out to Fund			
5-6900	Exp/Trsfr	091	80091	\$ 49,792	
				<u>\$ 49,792</u>	
<b>Fund 091-GF Capital Projects</b>					
<u>Revenues</u>					
		Transfer In From			
4-0000	Non-Depart.	Fund 065	75065	\$ 49,792	
				<u>\$ 49,792</u>	
<u>Expenses</u>					
5-1030	City Special	Building	71300	\$ 49,792	
				<u>\$ 49,792</u>	

[To amend the City of Kingsville FY 15-16 Budget to include a TX DOT refund for Fund 065-CO Series 2011-General for unused funds for the Caesar Overpass Drainage Improvements Project to be used for City Hall Complex improvements 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 14<sup>th</sup> day of March, 2016.

**PASSED AND APPROVED** on this the 28<sup>th</sup> day of March, 2016.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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## **AGENDA ITEM #18**

**City of Kingsville**  
**Finance Department**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah R Balli, Finance Director

DATE: March 4, 2016

SUBJECT: TXCDBG #7215270 Grant Funding

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**Summary:**

The Utility Fund is in need of a budget amendment to cover expenditures related to TXCDBG Grant #7215270.

**Background:**

The City has been awarded a Texas Department of Agriculture Community Development Block Grant for water system improvements. Due to an oversight during the FY 15-16 budget process only \$60,000 of the \$300,000 grant expenditures were appropriated in the Utility Fund.

**Financial Impact:**

Since the FY 15-16 budget already includes the \$240,000 grant revenues and the City's matching portion of the TXCDBG Grant of \$60,000 the remaining expenditures of \$240,000 need to be drawn from Unrestricted Utility Fund Balance.

**Recommendation:**

Staff is recommending the FY 15-16 budget be amended to appropriate \$240,000 in 051-5-6001-54110 8" Water Line Replacement-CDBG.



**CITY OF KINGSVILLE  
FUND BALANCE CHANGES WORKSHEET  
FOR FISCAL YEAR ENDED SEPTEMBER 30, 2016**

09/30/14 FUND BALANCE	FY 15 EA FY 2014-15 REVENUES	FY 15 EA FY 2014-15 TRANSFERS IN	FY 15 EA FY 2014-15 EXPENDITURES	FY 15 EA FY 2014-15 TRANSFERS OUT	FY 15 EA FY 2014-15 FUND BALANCE	FY 16 DR FY 2015-16 REVENUES	FY 16 DR FY 2015-16 TRANSFERS IN	FY 16 DR FY 2015-16 EXPENDITURES	FY 16 DR FY 2015-16 TRANSFERS OUT	FY 16 DR FY 2015-16 FUND BALANCE	
Unrestricted				FD 012-1,253,660							8,648,629.50
FD 051 Utility Fund	4,577,454.62	7,975,673.68	98,790.00	FD 052 FD 054-577856.01 FD 091-467,519 FD 001-1,350,000	3,989,553.64	8,570,884.00	0.00	6,042,769.50	2,605,860.00	3,911,808.14	3,298,414.14 Adjusted Fund Balance
		Minimum Requirements (3 months of Cur FY Exp + Trsf Out)			2,165,591.17	Minimum Requirements (3 months of Cur FY Exp + Trsf Out)				2,162,157.38	2,315,505.89 Adjusted Minimum
		Above (Below) Minimum			1,823,962.48	Above (Below) Minimum				1,749,650.77	982,908.27 Adjusted Reserve
										45.23%	35.61% Fund Balance %
Budget Amendments											
					0.00		0.00	613,394.00	2,605,860.00	(613,394.00)	
								6,656,163.50	9,262,023.50	2,363,044.77	
						Total Expenditures					



**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 UTILITY FUND BUDGET FOR EXPENDITURES FOR THE TEXAS DEPARTMENT OF AGRICULTURE COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG #7215270) FOR WATER SYSTEM IMPROVEMENTS.**

**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 2015-2016 budget be amended as follows:

CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 051-Utility Fund</b>					
<u>Equity</u>					
2		Unrestricted Fund Balance	61004		<u>\$240,000</u>
					<u>\$240,000</u>
<u>Expenses</u>					
5-6001	Water Construction	8" Water Line Replacement-CDBG	54110	\$ 240,000	
				<u>\$ 240,000</u>	

[To amend the City of Kingsville FY 15-16 Budget to include expenditures for a Texas Department of Agriculture Community Development Block Grant (TXCDBG #7215270) for water system improvements, as the \$60,000 cash match was previously booked the funding from the state now needs to be booked as well.]

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 14<sup>th</sup> day of March, 2016.

**PASSED AND APPROVED** on this the \_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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## **AGENDA ITEM #19**

**City of Kingsville**  
**City Manager's Office**

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TO: Mayor and City Commissioners

FROM: Jesus A. Garza, City Manager

DATE: March 4, 2016

SUBJECT: Risk Management & Human Resources Budget Consolidation

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**Summary**

Incorporate the FY 2015-2016 budget for the Risk Management Department 001-120 into the budget for the Human Resource Department 001-110.

**Background**

On March 1, 2016 the Risk Manager and associated budget was placed under the direction of the Human Resource Director. This move was made in an effort to coordinate efforts for staff development (employee onboarding and continued training), employer compliance notices (local, state and federal required postings), worker's compensation and family medical leave.

The consolidation of the individual budgets into one department budget under Human Resources allows for more effective and efficient financial administration of the department.

**Financial Impact**

No additional funds required to incorporate the current Risk Management budget into the Human Resources Department budget.

**Recommendation**

Recommend the move of previously designated Risk Management Department 001-120 budget into the Human Resource Department 001-110 budget.



City of Kingsville  
Department Revenues and Expenses Budget Amendment

			Budget Decrease			Budget Increase
001-5-1200-11100	Salaries & Wages	\$	(58,886.00)	001-5-1100-11100	Salaries & Wages	\$ 58,886.00
001-5-1200-11400	Retirement-TMRS	\$	(8,305.00)	001-5-1100-11400	Retirement-TMRS	\$ 8,305.00
001-5-1200-11500	FICA	\$	(7,310.00)	001-5-1100-11500	FICA	\$ 7,310.00
001-5-1200-11600	Group Health Insurance	\$	(12,957.00)	001-5-1100-11600	Group Health Insurance	\$ 12,957.00
001-5-1200-11700	Workers' Compensation	\$	(174.00)	001-5-1100-11700	Workers' Compensation	\$ 174.00
001-5-1200-11800	Unemployment Compensation	\$	(225.00)	001-5-1100-11800	Unemployment Compensation	\$ 225.00
001-5-1200-12000	Car Allowance	\$	(3,600.00)	001-5-1100-12000	Car Allowance	\$ 3,600.00
001-5-1200-12300	Life Insurance	\$	(102.00)	001-5-1100-12300	Life Insurance	\$ 102.00
001-5-1200-12900	Safety Incentive	\$	(20,970.07)	001-5-1100-12900	Safety Incentive	\$ 20,970.07
	Total Personnel Services	\$	<u>(112,529.07)</u>		Total Personnel Services	\$ <u>112,529.07</u>
001-5-1200-21100	Supplies	\$	(1,000.00)	001-5-1100-21100	Supplies	\$ 1,000.00
001-5-1200-21130	Supplies-Safety Incentive	\$	(4,586.93)	001-5-1100-21130	Supplies-Safety Incentive	\$ 4,586.93
001-5-1200-21200	Uniforms & Personal Wear	\$	(2,400.00)	001-5-1100-21200	Uniforms & Personal Wear	\$ 2,400.00
001-5-1200-21700	Minor Eq/Furniture	\$	(2,000.00)	001-5-1100-21700	Minor Eq/Furniture	\$ 2,000.00
001-5-1200-22500	Education Materials/Supplies	\$	(1,600.00)	001-5-1100-22500	Education Materials/Supplies	\$ 1,600.00
	Total Supplies	\$	<u>(11,586.93)</u>		Total Supplies	\$ <u>11,586.93</u>
001-5-1200-31100	Communications	\$	(2,121.00)	001-5-1100-31100	Communications	\$ 2,121.00
001-5-1200-31400	Professional Services	\$	(100.00)	001-5-1100-31400	Professional Services	\$ 100.00
001-5-1200-31419	Prof. Svc-Employee Recognition	\$	(3,000.00)	001-5-1100-31419	Prof. Svc-Employee Recognition	\$ 3,000.00
001-5-1200-31500	Printing & Publishing	\$	(700.00)	001-5-1100-31500	Printing & Publishing	\$ 700.00
001-5-1200-31530	Printing-Safety Incentives	\$	(343.00)	001-5-1100-31530	Printing-Safety Incentives	\$ 343.00
001-5-1200-31600	Training & Travel	\$	(3,500.00)	001-5-1100-31600	Training & Travel	\$ 3,500.00
001-5-1200-31700	Membership & Dues	\$	(500.00)	001-5-1100-31700	Membership & Dues	\$ 500.00
001-5-1200-31800	Equipment Rent	\$	(400.00)	001-5-1100-31800	Equipment Rent	\$ 400.00
001-5-1200-31900	Catering	\$	(9,300.00)	001-5-1100-31900	Catering	\$ 9,300.00
	Total Services	\$	<u>(19,964.00)</u>		Total Services	\$ <u>19,964.00</u>
	Total Risk Manager Expenses	\$	(144,080)		Total HR Expenses	\$ 144,080

**ORDINANCE NO. 2016-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 GENERAL FUND BUDGET TO TRANSFER THE RISK MANAGEMENT DEPARTMENT UNDER THE PERSONNEL (HUMAN RESOURCES) DEPARTMENT.**

**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 2015-2016 budget be amended as follows:

**CITY OF KINGSVILLE  
DEPARTMENT EXPENSES  
BUDGET AMENDMENT**

<b>Dept No.</b>	<b>Dept Name</b>	<b>Account Name</b>	<b>Account Number</b>	<b>Budget Increase</b>	<b>Budget Decrease</b>
<b>Expenses</b>					
	Risk				
5-1200	Management	See Attached Spreadsheet			\$144,080
5-1100	Personnel	See Attached Spreadsheet		\$ 144,080	
				<u>\$ 144,080</u>	<u>\$144,080</u>

[To amend the City of Kingsville FY 15-16 Budget to transfer the Risk Management Department under the Personnel (Human Resources) Department as per the attached memo from the City Manager.]

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.

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**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 14<sup>th</sup> day of March, 2016.

**PASSED AND APPROVED** on this the 28<sup>th</sup> day of March, 2016.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

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## **AGENDA ITEM #20**



**City of Kingsville**  
**Department of Planning and Development Services**

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TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: March 8, 2016

SUBJECT: Fee Waiver for Variance Application (412 W. Henrietta)

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**Summary:** City staff incorrectly issued a permit to the resident at 412 W. Henrietta for a driveway. Staff has corrected this mistake but the mistake is now causing the resident to apply for a variance.

**Background:** The resident at 412 W. Henrietta was approved for a permit to build a driveway in the Historical Development District. A new driveway to be built in the district has to be reviewed by the Historical Development Board. Before we realized our mistake approximately 3 hours of work had been done pertaining to the driveway. We did stop the work and since then no work has been done. In addition because of the location of the driveway, with 4 feet and 4 inches being in the 5 foot setback, a variance is needed from the Zoning Board of Adjustment prior to review by the Historical Development Board. To submit an application to the Board of Adjustment a fee of \$250.00 is required. Because of our mistake the request is being made that the fee of \$250.00 dollars be waived for the applicant.

**Financial Impact:** The financial impact would be the loss of the \$250.00 dollar fee.

**Recommendation:** Approve the fee waiver of \$250.00 dollars



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## **AGENDA ITEM #21**

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## **AGENDA ITEM #22**

**City of Kingsville**  
**Purchasing and Technology Department**

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TO: Mayor and City Commissioners  
CC: Jesus A. Garza, City Manager  
FROM: David Mason, Purchasing/IT Director  
DATE: March 9, 2016  
SUBJECT: Purchase of Building for Visitors Center

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**Summary:**

This will allow the purchase of building for use as the City of Kingsville Visitor Center.

**Background:**

TxDOT is building a backage road through the property now containing the Visitor Center necessitating the relocation of these activities.

**Financial Impact:**

This item will expend the purchase price of said land and building of \$83,000 along with closing costs of approximately \$1,135 and survey costs of \$600.00. There is \$100,000 budgeted in 002-5-107.1-713.00.

**Recommendation:**

It is recommended the City purchase the real property at Shellbottom Bend Replat Lot 2B aka Kingsville Center located at 107 S HWY 77, Kingsville, TX.



**RESOLUTION # 2016-**\_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROPERTY CONTRACT FOR THE ACQUISITION OF REAL PROPERTY FOR A NEW TOURISM/VISITORS CENTER SITE; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has need of a new site for its Tourism/Visitors Center, which is currently located off the northwest side of US77 and Corral Ave; and

**WHEREAS**, the City Commission at the January 11, 2016 commission meeting authorized staff to negotiate for real estate acquisition for this purpose; and

**WHEREAS**, staff and a property owner have negotiated and come to an agreement on a piece of real estate and would now like to conclude the sale; and

**WHEREAS**, staff has verified that the property is being sold at or below its fair market value; and

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to execute a Property Contract for the acquisition of real property for a new Tourism/Visitors Center and, if needed, any other documents necessary for this matter as recommended by counsel.

II.

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

III.

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

**PASSED AND APPROVED** by a majority vote of the City Commission on the  
14th day of March, 2016.

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

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney

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# **AGENDA ITEM #23**