

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, APRIL 18, 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 – April 11, 2016

APPROVED BY:


Jesus A. Garza
City Manager

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

1. None.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, 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.³

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

V.

Consent Agenda

Notice to the Public

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the zoning map in reference to Subr Gardens, Block 1, Lot E 47.5 OF 3 also known as 1110 W. King; Subr Gardens, Block 1 also known as 1108 W. King; KT&I CO, Block 9, Lot PT SE/4 7 also known as King; KT&I CO, Block 9, Lot PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) also known as King & University Corner; Brooks, Block 5, Lot 1, 2 also known as 1029 W. Kleberg from C2-Retail District to MU-Mixed Use District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Planning & Development Services Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 budget for traffic safety vests and portable traffic control devices from Municipal Court fees collected to enhance public safety and security. (Finance Director).
3. Motion to approve final passage of an ordinance amending Chapter II-Administration, Article 3-Departments, Boards, & Commissions, by adopting Sections 3-3-100 through 3-3-110, providing for creation of a Hotel Occupancy Tax Advisory Board, terms for members, meetings, quorum and voting at meetings, removal and vacancy. (City Manager).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 budget for an assessment and master site plan for the J.K. Northway Coliseum. (City Manager).
5. Motion to approve re-appointment of Maggie Salinas and Candace Jefferson to the Historical Development Board both for three year terms. (Downtown Manager).
6. Motion to approve a resolution authorizing the release of Chapter 59 funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Palmer Drug Abuse Program (PDAP) for drug abuse prevention programs. (Task Force Commander).
7. Motion to approve a revised resolution authorizing the City to submit an application to the Office of the Governor Criminal Justice Division for the purpose of requesting grant funding on behalf of the City for the 2015 Body-Worn Camera Program for law enforcement personnel for the Kingsville Police Department with an anticipated cash match. (Chief of Police).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

8. Consider a resolution authorizing the Mayor to enter into a Professional Services Agreement between Halff Associates, Inc. and the City of Kingsville for a Parks Master Plan. (City Manager).
9. Consider authorizing renewal of the City's Windstorm Coverage for the period of May 1, 2016 through May 1, 2017. (Interim Risk Manager).
10. Consider final passage of an ordinance amending Chapter VII, Article 8, Section 3-Traffic Control Devices, providing for the authority to place all way stop signs on Armstrong Ave. at Avenue B. (City Engineer/Public Works Director)
11. Consider waiver of building permit fees for HOME Program to assist County with grant cash match. (Planning & Development Services Director).
12. Consider a building permit for 304 E. Alice that was presented to the Historical Board. (Downtown Manager).
13. Consider a building permit for 222 E. Alice that was presented to the Historical Board. (Downtown Manager).
14. Consider a resolution of the City of Kingsville authorizing the Adopt-a-Park and Adopt-a-Field programs for the Parks Department. (Parks Manager).
15. Consider a resolution of the City of Kingsville authorizing the Sports Facility Usage Agreement Program for the Parks Department. (Parks Manager).
16. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).
17. 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.

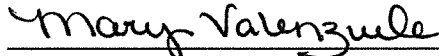
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

April 15, 2016 at 4:00 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

MINUTES OF PREVIOUS MEETING(S)

APRIL 11, 2016

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 11, 2016 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS 200 EAST KLEBERG AVENUE AT 6:00 P.M.

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Susan Ivy, Parks Manager
Emilio Garcia, Health Director
Robert Rodriguez, Library Director
David Mason, Purchasing Director
Ricardo Torres, Police Chief
Willie Vera, Task Force Commander
Leo Alarcon, Tourism Director
Bill Donnell, Assistant Public Works Director
Tony Verdin, System Specialist
Diana Gonzalez, Human Resources Director
Carol Rogers, Interim Risk Manager
Cynthia Martin, Downtown Manager

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – March 28, 2016

Mayor Fugate called for a motion to approve the minutes of March 28, 2016.

Motion made by Commissioner Pena to approve the minutes of March 28, 2016 as presented, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Leubert, Pecos, Pena, Fugate voting “FOR”.

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

1. Public Hearing to on an ordinance amending the zoning map in reference to Subr Gardens, Block 1, Lot E 47.5 OF 3 also known as 1110 W. King; Subr

Gardens, Block 1 also known as 1108 W. King; KT&I CO, Block 9, Lot PT SE/4 7 also known as King; KT&I CO, Block 9, Lot PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) also known as King & University Corner; Brooks, Block 5, Lot 1, 2 also known as 1029 W. Kleberg from C2-Retail District to MU-Mixed Use District, amending the comprehensive plan to account for any deviations from the existing comprehensive plan, in order to develop a project with commercial on the bottom and residential on the top. (Planning & Development Services Director).

Mayor Fugate announced and opened this public hearing at 6:02 P.M.

Mr. Tom Ginter, Planning & Development Services Director reported that Mr. Dick Watson has submitted a request to rezone his property at University and King Street from C2 to Mixed Use. A mixed use project is one that would allow commercial on the bottom with living units above them. Currently there are no sites in the city currently zoned as such. The Mixed Use Ordinance also gives the developer more flexibility for example he can use shared parking to meet the parking space requirement ordinance. The Planning & Zoning Commission has reviewed and voted unanimously 6-0 to approve this request. All proper notices were sent to surrounding property owners.

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

With no further comments made on behalf of this item, Mayor Fugate closed this public hearing at 6:05 P.M.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, 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. Jesús Garza, City Manager thanked staff for all their hard work during this past weekend's Wings over South Texas Air Show. Garza further discussed the March Performance Measure Report and announced the March Employee of the Month, Mrs. Sharon Shaw. Mrs. Shaw was presented with an Employee of the Month certificate.

Mrs. Courtney Alvarez, City Attorney announced that due to Early Voting beginning on Monday, April 25th, 2016, the next City Commission that was originally scheduled for that day has been moved up to Monday, April 18th. The next regularly scheduled meeting after the April 18th meeting is scheduled for Monday, May 9th with agenda items due Friday, April 29th.

Mayor Fugate thanked staff for a job well done during the Wings over South Texas Air Show. Mayor Fugate went on in presenting three proclamations; TAMUK ROTC; Sexual Assault Awareness & Prevention Month; and Public Safety Telecommunicators Week.

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda **Notice to the Public**

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

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

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

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

1. **Motion to approve final passage of an ordinance amending the Fiscal Year 2015-2016 Tourism Fund budget for improvements to the downtown pavilion. (Finance Director).**
2. **Motion to approve resolution authorizing the release of Chapter 59 funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Boys Scouts of America South Texas Council for drug abuse prevention programs. (Task Force Commander).**
3. **Motion to approve resolution authorizing the release of Chapter 59 funds of the Kingsville Specialized Crimes and Narcotics Task Force for donation to the Center for Continuing Education at Texas A&M University-Kingsville for "College for Kids" program for drug abuse prevention programs. (Task Force Commander).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. **Consider introduction of an ordinance amending the zoning map in reference to Subr Gardens, Block 1, Lot E 47.5 OF 3 also known as 1110 W. King; Subr Gardens, Block 1 also known as 1108 W. King; KT&I CO, Block 9, Lot PT SE/4 7 also known as King; KT&I CO, Block 9, Lot PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) also known as King & University Corner; Brooks, Block 5, Lot 1, 2 also known as 1029 W. Kleberg from C2-Retail District to MU-Mixed Use District,**

amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Planning & Development Services Director).

Mr. Ginter commented that there will be 20 apartments with each having one bedroom.

Introduction item.

5. Consider introduction of an ordinance amending Chapter VII, Article 8, Section 3-Traffic Control Devices, providing for the authority to place all way stop signs on Armstrong Ave. at Avenue B. (City Engineer/Public Works Director).

Mr. Charlie Cardenas, City Engineer/Public Works Director and Mr. Austin Jurica, GIS Technician reported that the Engineering Department received a request in November, 2015 from the Texas A&M University-Kingsville (TAMUK) Student Government Association to evaluate the safety along Armstrong Street. Students from TAMUK evaluated the safety along Armstrong Street which consisted of traffic and pedestrian safety. It was evaluated and determined that Avenue B at Armstrong needed attention due to geometry and the amount of vehicular and pedestrian traffic. This intersection is a stop condition on Avenue B and free flow movement on Armstrong Street. It was also determined that Armstrong Street serves as the primary collector street and Avenue B serves as a secondary collector street. As part of the Engineering Study, traffic counts and movements were conducted during the peak hours of the day. Based on the pedestrian traffic crossing Armstrong, the Engineering study concluded that this intersection meets an All Way Stop warrant.

Mayor Fugate asked if staff has considered lowering the speed limit within this area. Mr. Cardenas responded that it is being looked into.

Commissioner Pena asked why a study was only done on Avenue B and no other streets.

Mr. Jurica responded that there is more foot traffic and accidents that occur within Avenue B and Armstrong.

Commissioner Leubert asked what the length of period for the study performed was. Mr. Jurica responded that the study was done through the period of four days.

Introduction item.

6. Consider a resolution authorizing participation in Operation Border Star with the Homeland Security Grants Division of the Governor's Office for Operation Border Star to interdict criminal activity; authorizing the Chief of Police to act on the City's behalf with such program. (Chief of Police).

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

7. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget for traffic safety vests and portable traffic control devices from Municipal Court fees collected to enhance public safety and security. (Finance Director).

Mrs. Deborah Balli, Finance Director reported that this budget amendment will enhance public traffic safety and the security of our students at school.

Introduction item.

8. Consider introduction of an ordinance amending Chapter II-Administration, Article 3-Departments, Boards, & Commissions, by adopting Sections 3-3-100 through 3-3-110, providing for creation of a Hotel Occupancy Tax Advisory Board,

terms for members, meetings, quorum and voting at meetings, removal and vacancy. (City Manager).

Mr. Garza reported that this ordinance is for the creation of a Hotel Occupancy Tax Advisory Board which will consist of seven voting members made up by representatives of our local museums, hotels, the University, downtown merchants and a resident. The purpose of the Advisory Board will be to assist the City Manager and City Commission in making recommendations to enhance the City's tourism efforts. The Board will meet on a quarterly basis.

Introduction item.

9. Consider a resolution rescinding authority to conclude the acquisition of real property for a new Tourism/Visitors Center site. (City Manager).

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

10. Consider introduction of an ordinance amending the Fiscal Year 2015-2016 budget for an assessment and master site plan for the J.K. Northway Coliseum. (City Manager).

Mr. Garza stated that this item requests \$40,000 be taken from Tourism Fund Reserves in light of savings caused by not proceeding with the purchase of real property for a new Visitors Center. The funds will be used to develop a building assessment of the JK Northway as well as a Site Master Plan for the coliseum and fairgrounds. Garza also stated that when the City took over management of the Park System from the County, JK Northway Improvements were part of the vision. The JK Northway is in the process of being transitioned from the Parks Department to the Tourism Department.

Mayor Fugate asked how long the transition would take. Mr. Garza responded that he transition phase will be done soon.

Introduction item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:51 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

CONSENT AGENDA

AGENDA ITEM #1

City of Kingsville
Department of Planning and Development Services

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: April 1, 2016

SUBJECT: Rezoning Request for University and King

Summary: Dick Watson has submitted a request to rezone his property at University and King from C2 to Mixed Use.

Background: A mixed use project is one where there is commercial on the bottom with living units above them. While we have a mixed use ordinance there are no sites in the city currently zoned as such. Enclosed is a copy of the mixed use ordinance. The main reason for rezoning is that this use allows in one building, commercial on the bottom with living units on top. Our mixed use ordinance also gives the developer more flexibility. As an example he can use shared parking to meet the parking space requirement in the ordinance. Enclosed is information about the development in terms of proposed site plan, number of unit's commercial, living and the layout of the living unit. Water will be extended south along University to the project site and a fire hydrant will be installed. Sewer will be accessed in the back. The Planning and Zoning Commission will be reviewing this item at a special meeting set for April 6th. After that meeting I will inform you of the vote from the Planning and Zoning commission.

Financial Impact: A request has been made by the applicant for the City to take care of the water extension and the installation of a fire hydrant. Given the investment dollars for this project approximately \$1,000,000.00 dollars in new construction, additional living units, retail that will provide sales tax and jobs this investment by the City is a positive one. It will cost the



City of Kingsville
Department of Planning and Development Services

City approximately \$7,700.00 dollars for the waterline extension and fire hydrant. In property taxes alone that investment should be paid back in a year.

Recommendation: Approve the rezoning request.



ORDINANCE #2016-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO SUBR GARDENS, BLOCK 1, LOT E 47.5 OF 3 ALSO KNOWN AS 1110 W. KING; SUBR GARDENS, BLOCK 1 ALSO KNOWN AS 1108 W. KING; KT&I CO, BLOCK 9, LOT PT SE/4 7 ALSO KNOWN AS KING; KT&I CO, BLOCK 9, LOT PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) ALSO KNOWN AS KING & UNIVERSITY CORNER; BROOKS, BLOCK 5, LOT 1, 2 ALSO KNOWN AS 1029 W. KLEBERG FROM C2-RETAIL DISTRICT TO MU-MIXED USE DISTRICT; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Richard "Dick" Watson, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, April 6, 2016 during a meeting of the Planning and Zoning Commission, and on Monday, April 11, 2016 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, a majority of the Planning Commission by a 6-0 vote APPROVED the requested rezone; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of SUBR GARDENS, BLOCK 1, LOT E 47.5 OF 3 ALSO KNOWN AS 1110 W. KING; SUBR GARDENS, BLOCK 1 ALSO KNOWN AS 1108 W. KING; KT&I CO, BLOCK 9, LOT PT SE/4 7 ALSO KNOWN AS KING; KT&I CO, BLOCK 9, LOT PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) ALSO KNOWN AS KING & UNIVERSITY CORNER; BROOKS, BLOCK 5, LOT 1, 2 ALSO KNOWN AS 1029 W. KLEBERG from C2 Retail District to MU-Mixed Use District, as more specifically described on the Zone Change Map, attached as Exhibit A.

SECTION 2. That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendments to the Zoning Ordinance made by Section 1 of this ordinance.

SECTION 3. That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

SECTION 4. That to the extent that these amendments to the Zoning Ordinance represent a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 6. That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

INTRODUCED on this the 11th day of April, 2016.

PASSED AND APPROVED on this the 18th day of April, 2016.

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1110 W. King Nearest Intersection University

(Proposed) Subdivision Name _____ Lot _____ Block _____

Legal Description: Original Lots Brooks Addition

Existing Zoning Designation C2 Future Land Use Plan Designation Mixed Use

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Richard Watson Phone 979-255-5412 FAX 979-828-2161

Email Address (for project correspondence only): rjwats@aol.com

Mailing Address P.O. Box 577 City Franklin State TX. Zip 77856

Property Owner Richard Watson Phone 979-255-5412 FAX 979-828-2161

Email Address (for project correspondence only): rjwats@aol.com

Mailing Address P.O. Box 577 City Franklin State TX. Zip 77856

Select appropriate process for which approval is sought. Attach completed checklists with this application.

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

Please provide a basic description of the proposed project:

Mixed Use (Retail / One bedroom Apartments)

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

Applicant's Signature [Signature] Date: 3/17/16
Property Owner's Signature [Signature] Date: 3/17/16
Accepted by: Adela Barriente Date: 3/21/16

BARRY ANTHES
1220 W JOHNSTON
KINGSVILLE, TX 78363
#14944

JOSE & ALICE MENDOZA
1213 W YOAKUM
KINGSVILLE, TX 78363
#21759

MICHAEL THRASHER
1127 W YOAKUM
KINGSVILLE, TX 78363
#11602

PATTON'S AUTOMOTIVE
1017 W KING
KINGSVILLE, TX 78363
#15175 & 12381

BEVERLY ANNE NIELSEN
403 S 6TH
KINGSVILLE, TX 78363
#13736

MAC VENTURES
1017 W KING
KINGSVILLE, TX 78363
#13185

STELLA WRIGHT
PO BOX 1406
KINGSVILLE, TX 78363
#21378

OSCAR LUERA
1010 W KLEBERG
KINGSVILLE, TX 78363
#16190

CYNTHIA RUIZ
20719 STEWART CREST
CYPRESS, TX 77433
#25285

VICTOR SAENZ
593 N COUNTY RD 1050
KINGSVILLE, TX 78363-8834
#16952

ELDA GUTIERREZ
1021 W KLEBERG
KINGSVILLE, TX 78363
#12093

HERMAN OHLENBUSCH
926 S 14TH
KINGSVILLE, TX 78363-7530
#19128

MARIA MENDEZ GARCIA
709 E SANTA GERTRUDIS
KINGSVILLE, TX 78363
#24437

PAUL & ELIA KARRATTI
1015 W KLEBERG
KINGSVILLE, TX 78363
#12896

DEBRA HINOJOSA
1007 W KLEBERG
KINGSVILLE, TX 78363
#22137

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Special Meeting Wednesday, April 6, 2016 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Dick Watson, requesting the rezone of SUBR GARDENS, BLOCK 1, LOT E 47.5 OF 3 also known as 1110 W. King, SUBR GARDENS, BLOCK 1 also known as 1108 W. King, KT & I CO, BLOCK 9, LOT PT SE/4 7 also known as King, KT & I CO, BLOCK 9, LOT PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) also known as King & University Corner and BROOKS, BLOCK 5, LOT 1, 2 also known as 1029 W. Kleberg from C2 (Retail) to Mixed-Use in order to develop a project with commercial on the bottom and residential on top.

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday April 11, 2016 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Dick Watson, requesting the rezone of SUBR GARDENS, BLOCK 1, LOT E 47.5 OF 3 also known as 1110 W. King, SUBR GARDENS, BLOCK 1 also known as 1108 W. King, KT & I CO, BLOCK 9, LOT PT SE/4 7 also known as King, KT & I CO, BLOCK 9, LOT PT SE/4 7, (98X137.1), (EXEMPT) (98X137.1), (EXEMPT) also known as King & University Corner and BROOKS, BLOCK 5, LOT 1, 2 also known as 1029 W. Kleberg from C2 (Retail) to Mixed-Use in order to develop a project with commercial on the bottom and residential on top.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

Patricia Ann Del Gaudio

Patricia Ann Del Gaudio, 84, a resident of Riviera, passed away Wednesday, March 9, 2016 in Corpus Christi. She was born Aug. 2, 1931 in Holyoke, Mass. to Ernest Harper and Harriett Blaisdel Harper.

She graduated in 1953 from White Plains School of Nursing in New York. Her career spanned many years as a registered nurse (RN). She was employed at Mt. Sinai Hospital in Hartford, Conn., Nursing Home Enfield in Enfield, Conn., and Drug Detox in Connecticut.

Pat was an animal lover, especially dogs and horses.

Mrs. Del Gaudio is survived by her children, Richard L. Del Gaudio, Lauran J. Husse, and Philip E. Del Gaudio; two grandchildren, Heather Marshall and



Patricia Ann Del Gaudio

Willy Husse; two great-grandchildren; one sister, Jane Edwards; and one brother, John Adkins.

A memorial service will be held at 10 a.m. Saturday, March 26, 2016 at Community Baptist Church in Riviera.

Services are entrusted to Turcotte-Piper Mortuary, 205 General Cavazos Blvd., Kingsville, Texas.

Charles Wilson

Longtime Kingsville resident Charles Wilson passed away on March 7, 2016 in Victoria. Charles was a devoted husband, father and grandfather and will be missed beyond measure.

He was born on July 22, 1930 in San Antonio and was a 1949 graduate of Corpus Christi High School. He met Margaret Burchfield, his future wife, while they were both working at Westinghouse in Corpus Christi. They were married on Aug. 7, 1953 and moved their young family to Kingsville on July 4, 1958 to begin a long career at Kingtex Electric Supply where he would become the manager and remain until his retirement.

Charles was a member of the First Christian Church where he held several leadership positions. He also devoted a great deal of his time to the Boy Scouts, where he helped shape the character of many young men, and in 1980 earned the Silver Beaver award, which recognizes Scouters of exceptional character who have provided distinguished service.

Charles and Margaret were avid dancers and were fixtures in the South Texas square and round dance community. They taught many couples to dance and Charles cued many nights of dancing for local clubs, as well as at regional and national conventions.

Charles was a great supporter of Javelina athletics and could often be seen attending football and basketball games. He was also a fan of the Texas A&M



Charles Wilson

Aggies, Houston Astros and especially his beloved Green Bay Packers.

He is survived by Margaret Wilson of Victoria, his loving wife of 62 years; children, Peggy Rabe of Kingsville, Janis Brock (David) of Kingsville, Charles Wilson (Deborah) of Victoria and John Wilson (Janet) of Richmond; grandchildren, Wayne Rabe of Normanna, Shyla Rabe (Tony) of Kingsville, Cory Brock (Paula) of Kingsville, Kirby Brock of Kingsville, Mallory Wilson (Marc) of Rosharon; great-grandchildren, Preston Rabe of Kingsville, George Bou Aid of Magnolia, Nazira Bou Aid of Virginia, Chevelle Brock of Kingsville, David Brock of Kingsville, Lance Marcontelli of Rosharon; brother, Bill Wilson of Corpus Christi; and sister, Martha Krutzen of California.

He was preceded in death by his father, William Miles Wilson; mother, Clara Davis Wilson; and siblings James (Infant), John, James, Neil and Cecil.

"God in his wisdom has recalled the boon his love has given, And though the body slumbers here, the soul is safe in heaven"

Mary Elizabeth Pfeifer Pawlik

Mary Elizabeth Pfeifer Pawlik, a lifelong resident of the Rio Grande Valley, went to be with the Lord on March 11, 2016 at the age of 87. She was born on Dec. 14, 1928 to Louisa and Stephen Pfeifer Sr. in Alamo, Texas and attended grade school at St. Joseph Catholic School.

Later, she attended PSJA High School, but graduated from McAllen High School after her family moved to McAllen her senior year. She married the love of her life in 1950, Louis Anton Pawlik, and they were married for 60 years until Louis passed away in 2010.

Mary worked as the bookkeeper for the family farm for 51 years. Together they had six children; four daughters, Mary Lou Fragile and Toni (Travis) Schaar, both of Victoria; Cheryl (Joe) Flood, of Lufkin and Jo Ella (Robert) Wagner of Kingsville; and two sons; Jimmy (Holly Smith) Pawlik, of Pharr and Tim (Carrie) Pawlik, of Houston; 10 grandchildren, Chris (Jessica) Fragile of Charleston, S.C., Matt (Stacy) Fragile of Beckley, W.Va., Morgan Schaar of San Antonio, Mallory Schaar of Victoria, Taylor Schaar of Houston, Sarah Stanley of Corpus Christi, Haley and Russell Wagner of Kingsville, Eric Verbit of Chicago, Ill. and Matt (Nicole) Verbit of Broomfield, Colo.; six great-grandchildren, Ms. Julia Fragile, Paxton Fragile, Ms. Daniela Fragile, Ms. Alessandra Fragile, Evan Stanley and Isaac Verbit. Survivors include sisters, Virginia Jazombek of Schertz, Ruth (Norman) Tallaferro of Georgetown, Lucille (Luther) Meyer, of McAllen and



Mary Elizabeth Pfeifer Pawlik

Margaret Albert of Bellingham, Wash.

Preceding her in death are her parents; four brothers, Stephen Pfeifer Jr., Father James Pfeifer, OMI, Ronald Pfeifer and Charles Pfeifer; and two sisters, Frances Tracole and Catherine Haden.

Funeral arrangements are under the direction of Kreidler Funeral Home in McAllen. Visitation will be Sunday, March 20, 2016 beginning at 5 p.m., followed by a reciting of the Holy Rosary at 7 p.m. The funeral Mass will be held Monday, March 21, 2016 at Our Lady of Sorrows Chapel at 10 a.m., with her cousin, Bishop Michael Pfeifer, OMI as the main celebrant. Burial will follow at Valley Memorial Gardens. Pallbearers are Mary's grandsons and sons-in-law, Altar Server is grandson, Russell.

The family would like to thank Drs. Marek and Hines and her loving caregivers from Caring Senior Services; Flor, Myrna, Maggie, Mary, Veronica and Viola. Your love and kindness will always be remembered.

In lieu of flowers, the family asks that contributions be made to the Oblates of Mary Immaculate, P.O. Box 659432, San Antonio, Texas 78265-9432, or a charity of one's choice.

Elia Vecchio Decker

Elia Vecchio Decker, 87, passed into heaven on Tuesday, March 1, 2016. She loved dancing and spending time with her family.

She is survived by her two children, Cassius Edward (Renee) Decker and her daughter, Carey Ann (Kelly Thomas) Howell; four granddaughters, Vanessa Nicola Decker, Savannah Lee Ash, Carrie Marie Bond and Keelan Elia Howell; five great-grandchildren; and also her only brother, Zaragoza Gutierrez, from Kingsville; and sisters, Tompita Martinez (Carmen), of Kingsville, Irma Hernandez (David), of Corpus Christi, Viola Perez (David), of Kings-



Elia Vecchio Decker

ville and Zaragoza Gutierrez, also from Kingsville.

A graveside memorial service will be held Saturday, March 19, 2016 at 10 a.m. at the Resthaven Cemetery in Kingsville.

Services are entrusted to Turcotte-Piper Mortuary in Kingsville.

Visit us online at KingsvilleRecord.com

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Special Meeting Wednesday, April 6, 2016 at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Dick Watson, requesting the rezoning of SUBR GARDENS, BLOCK 1, LOT E 47.5 OF 3 also known as 1110 W. King, SUBR GARDENS, BLOCK 1 also known as 1108 W. King, KT & I CO, BLOCK 9, LOT PT SE/4 7 also known as King, KT & I CO, BLOCK 9, LOT PT SE/4 7, (EX E M P T) (98X137.1), (EX E M P T) also known as King & University Corner and BROOKS, BLOCK 5, LOT 1, 2 also known as 1029 W. Kleberg from C2 (Retail) to Mixed-Use in order to develop a project with commercial on the bottom and residential on top.

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

PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday April 11, 2016 at 6:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard:

Dick Watson, requesting the rezoning of SUBR GARDENS, BLOCK 1, LOT E 47.5 OF 3 also known as 1110 W. King, SUBR GARDENS, BLOCK 1 also known as 1108 W. King, KT & I CO, BLOCK 9, LOT PT SE/4 7 also known as King, KT & I CO, BLOCK 9, LOT PT SE/4 7, (98X137.1), (EX E M P T) (98X137.1), (EX E M P T) also known as King & University Corner and BROOKS, BLOCK 5, LOT 1, 2 also known as 1029 W. Kleberg from C2 (Retail) to Mixed-Use in order to develop a project with commercial on the bottom and residential on top.

The meeting will be held at City Hall, 200 East Kleberg, in the City Commission Chambers. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

1028 S. 14th Street
Bundall Plaza • Kingsville, Texas

(361) 488-6335
Fax 1-361-232-4964

Open Monday - Friday 9am - 5pm Friday 9am - 5pm

SPORTS INJURIES
Motor Vehicle Accidents
Occupational Injuries
Worker's Comp

Pre/Post Op
Total Knees/Hips
Men's/Women's Health

NO WAITING!

MOST INSURANCES
ACCEPTED
• Workers' Compensation
• BCBS • Humana Plans
• Medicare • UHC

OLIVER
PHYSICAL THERAPY & SPORTS MEDICINE

Bringing over 30 years of experience to our community...

Turcotte-Piper Mortuary helps our families care for their loved ones with compassion when the need arises. For over 30 years Roy Cantu continues to serve our families with care and compassion. Let us help you and your families prepare for your future needs.

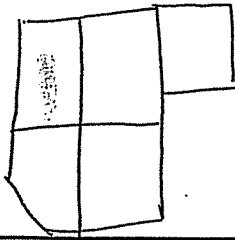
ROY CANTU
Funeral Director

TURCOTTE-PIPER Mortuary

205 General Cavazos Blvd. • 361-592-9394 • www.turcottepiper.com

City of Kingsville




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: 23307 GEO Number: 172400103100192

Owner's Name	WATSON RICHARD J	Entity Code	Entity Name	Tax Rate
		GKL	Kleberg County	0.74481000
Mailing Address	P O BOX 277 FRANKLIN, TX 77856	CKI	Kingsville	0.84220000
		SKI	Kingsville ISD	1.51890000
Location	1110 W KING	WST	South Texas Water Authority	0.08540900
Legal	SUBR GARDENS, BLOCK 1, LOT E 47.5 OF 3	CAD	KLEBERG COUNTY APPRAISAL DISTRICT	
			Total	3.191319
	Data up to date as of 2015-06-10		*Total Estimated Taxes	113.61

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	08/06/2013
Deed Volume	496
Deed Page	533
Exemptions	
Freeze Ceiling	0.00
Block	1
Tract or Lot	E 47.5 OF 3
Abstract Code	S724

Value Information

Land Value	3,560.00
Improvement Value	0.00
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	3,560.00
Appraised Value	3,560.00
Assessed Value	3,560.00

Improvement Information

Improvement ID	State Category	Homesite	Description	Value
----------------	----------------	----------	-------------	-------

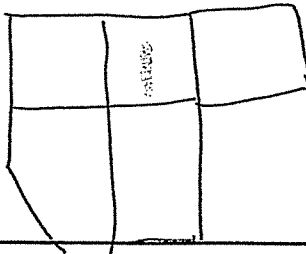
Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
							Total Living Area	0

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
13834	C4	C4	F	0.1636	50	48	7,125	3,560

SB 541, effective September 1, 2005, provides that appraisal district websites cannot display photographs, sketches, or floor plans of an improvement to real property that is designed primarily for use as a human residence. Likewise, aerial photography of residential property will also be unavailable unless the photo depicts five or more separately owned buildings.


TaxNetUSA
 The Source for Property Tax Information

Kleberg County Appraisal District

502 E. Kleberg St. Kingsville, TX 78363-9938

TaxNetUSA: Kleberg County Property Information

Account Number: 22543 GEO Number: 172400101100192

Owner's Name	THE WORSHIP CENTER OF KINGSVILLE	Entity Code	Entity Name	Tax Rate
		GKL	Kleberg County	0.74481000
Mailing Address	PO BOX 570 KINGSVILLE, TX 78364	CKI	Kingsville	0.84220000
		SKI	Kingsville ISD	1.51890000
Location	1108 W KING	WST	South Texas Water Authority	0.08540900
Legal	SUBR GARDENS, BLOCK 1	CAD	KLEBERG COUNTY APPRAISAL DISTRICT	

Total 3.191319

Data up to date as of 2015-06-10

*Total Estimated Taxes 1,465.45

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	N/A
Deed Volume	
Deed Page	
Exemptions	
Freeze Ceiling	0.00
Block	1
Tract or Lot	
Abstract Code	S724

Value Information

Land Value	10,130.00
Improvement Value	35,790.00
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	45,920.00
Appraised Value	45,920.00
Assessed Value	45,920.00

Improvement Information

Improvement ID	State Category	Homesite	Description	Value
9090	F1	N	COMMERCIAL	35790.000000

Segment Information

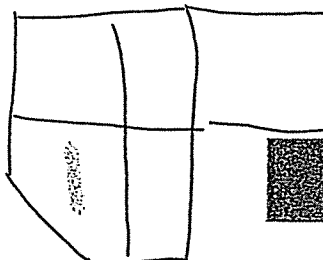
Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
9090	31107	MA	MAIN AREA	RE2L	1955	1955	1,870	16,500
9090	31108	MA	MAIN AREA	RS3L	1970	1970	2,200	15,390
9090	31109	ASP	ASPHALT (100%)	SP	1955	1955	12,000	3,900

Total Living Area 4,070

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
13056	F1	F1	F	0.3099	0	0	13,500	10,130

SB 541, effective September 1, 2005, provides that appraisal district websites cannot display photographs, sketches, or floor plans of an improvement to real property that is designed primarily for use as a human residence. Likewise, aerial photography of residential property will also be unavailable unless the photo depicts five or more separately owned buildings.


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: 11633 GEO Number: 290000907400192

Owner's Name	WATSON RICHARD J	Entity Code	Entity Name	Tax Rate
		GKL	Kleberg County	0.74481000
Mailing Address	P O BOX 277 FRANKLIN, TX 77856	CKI	Kingsville	0.84220000
		SKI	Kingsville ISD	1.51890000
Location	KING	WST	South Texas Water Authority	0.08540900
Legal	KT & I CO, BLOCK 9, LOT PT SE/4 7	CAD	KLEBERG COUNTY APPRAISAL DISTRICT	

Data up to date as of 2015-06-10

Total 3.191319

*Total Estimated Taxes 95.74

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	08/06/2013
Deed Volume	496
Deed Page	533
Exemptions	
Freeze Ceiling	0.00
Block	9
Tract or Lot	PT SE/4 7
Abstract Code	S2900

Value Information

Land Value	3,000.00
Improvement Value	0.00
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	3,000.00
Appraised Value	3,000.00
Assessed Value	3,000.00

Improvement Information

Improvement ID	State Category	Homesite	Description	Value
-----------------------	-----------------------	-----------------	--------------------	--------------

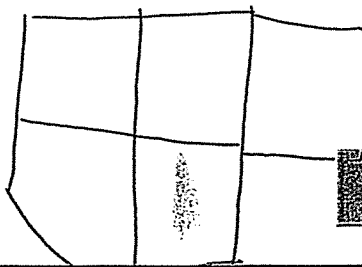
Segment Information

Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
							Total Living Area	0

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
1713	C4	C4	F	0.1377	0	0	5,997	3,000

SB 541, effective September 1, 2005, provides that appraisal district websites cannot display photographs, sketches, or floor plans of an improvement to real property that is designed primarily for use as a human residence. Likewise, aerial photography of residential property will also be unavailable unless the photo depicts five or more separately owned buildings.


TaxNetUSA
 The Source For Property Tax Information

Kleberg County Appraisal District

502 E. Kleberg St. Kingsville, TX 78363-9999

TaxNetUSA: Kleberg County Property Information

Account Number: 12286 GEO Number: 290000907401192

Owner's Name	THE WORSHIP CENTER OF KINGSVILLE	Entity Code	Entity Name	Tax Rate
Mailing Address	PO BOX 570 KINGSVILLE, TX 78364	GKL	Kleberg County	0.74481000
Location	KING & UNIVERSITY CORNER	CKI	Kingsville	0.84220000
Legal	K T & I CO, BLOCK 9, LOT PT SE/4 7, (98X137.1), (E X E M P T) (98X137.1), (E X E M P T)	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 600.29

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	09/28/2004
Deed Volume	292
Deed Page	816
Exemptions	
Freeze Ceiling	0.00
Block	9
Tract or Lot	PT SE/4 7
Abstract Code	S2900

Value Information

Land Value	18,810.00
Improvement Value	0.00
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	18,810.00
Appraised Value	18,810.00
Assessed Value	18,810.00

Improvement Information

Improvement ID	State Category	Homesite	Description	Value
----------------	----------------	----------	-------------	-------

Segment Information

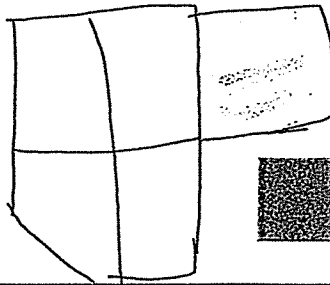
Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year Built	Area	Value
							Total Living Area	0

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
2402	F1	F1	F	0.3084	0	0	13,436	18,810

SB 541, effective September 1, 2005, provides that appraisal district websites cannot display photographs, sketches, or floor plans of an improvement to real property that is designed primarily for use as a human residence. Likewise, aerial photography of residential property will also be unavailable unless the photo depicts five or more separately owned buildings.

Kleberg County Appraisal District has taken the position that it will not provide any sketches or photographs of improvements of any type of property due to the possibility of residential improvements being part of a background, therefore, placing the appraisal district out of compliance with


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: 11280 GEO Number: 106800501000192

Owner's Name	CSC SUNDRIES LIMITED	Entity Code	Entity Name	Tax Rate
		GKL	Kleberg County	0.74481000
Mailing Address	5603 SWISS AVE DALLAS, TX 75214	CKI	Kingsville	0.84220000
		SKI	Kingsville ISD	1.51890000
Location	1029 W KLEBERG	WST	South Texas Water Authority	0.08540900
Legal	BROOKS, BLOCK 5, LOT 1, 2	CAD	KLEBERG COUNTY APPRAISAL DISTRICT	

Total 3.191319

Data up to date as of 2015-06-10

*Total Estimated Taxes 1,023.14

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	06/17/2004
Deed Volume	285
Deed Page	506
Exemptions	
Freeze Ceiling	0.00
Block	5
Tract or Lot	1, 2
Abstract Code	S068

Value Information

Land Value	6,030.00
Improvement Value	26,030.00
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	32,060.00
Appraised Value	32,060.00
Assessed Value	32,060.00

Improvement Information

Improvement ID	State Category	Homesite	Description	Value
1152	A1	N	RESIDENTIAL	26030.000000

Segment Information

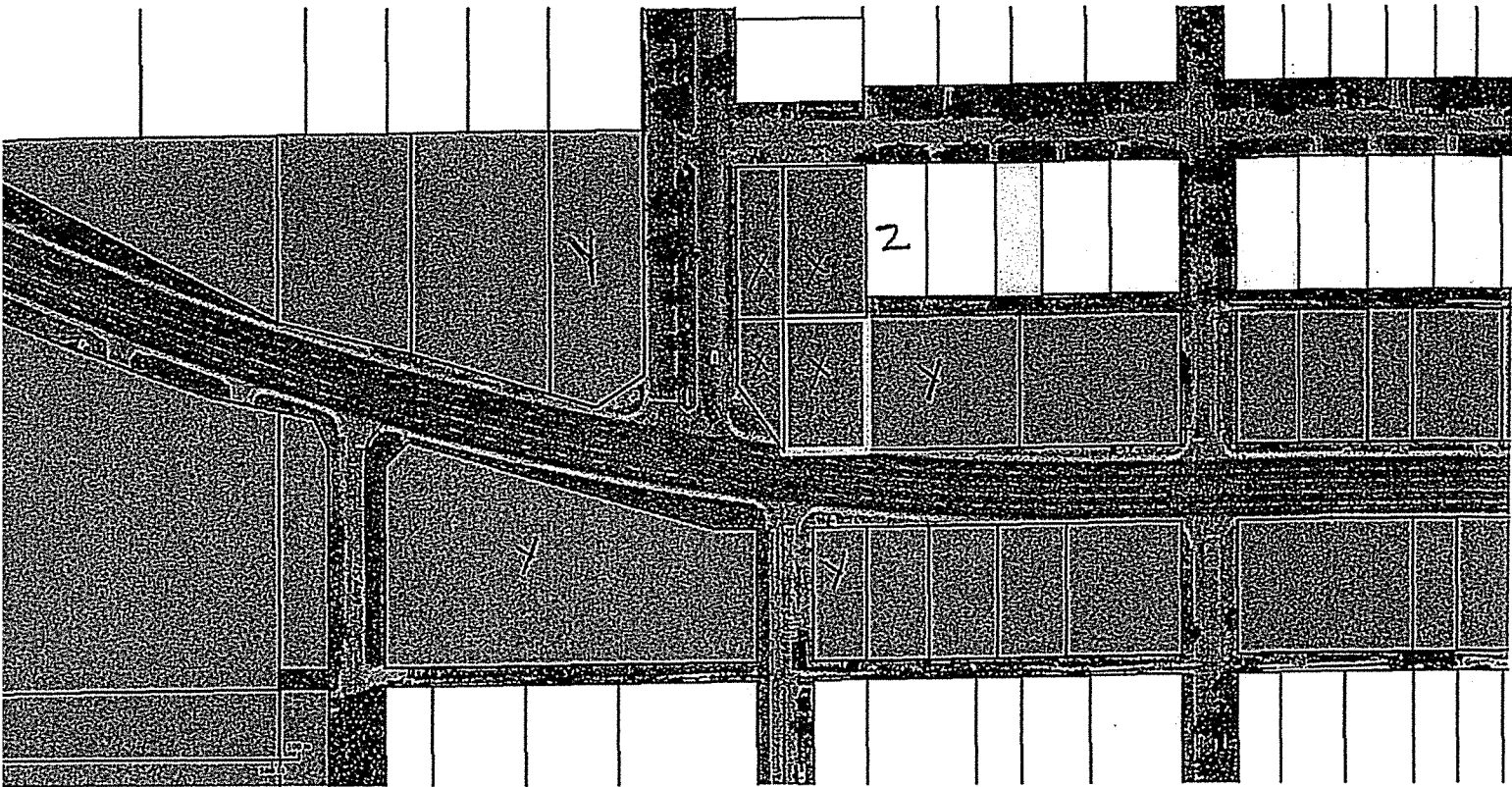
Imp ID	Seg ID	Type Code	Description	Class	Year Built	Effective Year	Built Area	Value
1152	3440	MA	MAIN AREA	FF3	1955	1955	1,213	24,760
1152	3441	OP1	OPEN PORCH BASIC (20%)	*	1955	1955	24	100
1152	3442	OP1	OPEN PORCH BASIC (20%)	*	1955	1955	42	170
1152	3443	FGUL	FRAME UNFINISHED DET GARA	SP	1955	1955	600	1,000

Total Living Area 1,213

Land Information

Land ID	Type Code	SPTB Code	Homesite	Size-Acres	Front	Depth	Size-Sqft	Value
1349	A1	A1	F	0.2153	67	140	9,380	6,030





X's- Property owned by Dick Watson
to consider for Mixed use

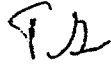
Y- Luan - Zoned - C-2

State Spur 169 - University

Z - R1 - Single Family

To: Planning and Zoning Commission Members

From: Tom Ginter, Director



Date: April 1, 2016

Subject: Rezoning of Request of property at University and King

At the March 14, 2016 meeting Mr. Dick Watson was present to explain his mixed use project. The current zoning of the project is C2, the request is to a Mixed Use. Enclosed is a copy of the Mixed Use ordinance. The zoning around the property is:

West – C2

South – Highway and C2

East – C2 and R1

North – Kleberg and R1

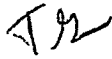
Enclosed is a map which shows the zoning around the property. At the time of writing this memo we have had phone calls inquiring about the project, but nothing negative.

Staff Recommendation:

Approve rezoning request from C2 to Mixed Use. This project will have a positive impact for the community. In addition to providing more living units, it will provide commercial opportunities along with jobs for our students, residents. This development should be a positive project especially for that corner as you go to the university.

To: Planning and Zoning Commission Members

From: Tom Ginter, Director



Subject: Agenda Item

Date: March 14, 2016

As I have mentioned in previous meetings we have a potential mixed use development to be submitted at the address listed on the agenda. Because this being the first mixed use project being submitted to this Board I thought it would be advantageous for everybody to review and discuss the project with the owner/developer.

A mixed use project is a development with commercial on the bottom and residential on top. The following documents are included in the packet to assist you in learning about this project.

1. A copy of the mixed use ordinance
2. A survey of the property with a layout of the building on the property with parking spaces and an example of a residential unit and a retail unit.
3. Another example of a layout of the project
4. An example of the typical unit floor plan
5. A color picture of what a mixed use development can look like

The water and the sewer have been discussed with the applicant. The sewer will be fairly easy to access since it is nearby the development site. The best option for water is an extension of a 6 inch water line from a hydrant 250 feet to the north. Along with the extension of the water line there will be a fire hydrant located on the northwest corner of the property. Since University is a state spur, TXDOT will most likely need to be contacted prior to the extension. As far as I know no drainage calculations or engineering has been done for this project. Again this is a discussion item for everybody to get an understanding of the project. Please review materials prior to the meeting. If you have any questions, please feel free to ask.

MIXED USE DEVELOPMENT REGULATIONS**Sec. 15-6-165. - Purpose.**

The purpose of the Mixed Use District is to provide a zoning district where mixed retail/residential use developments may be allowed on the same property or in the same building, with the intent of increasing housing opportunities and providing retail services intended to primarily serve the immediate neighborhood.

It is the intention of the Mixed Use District to allow for significant functional and physical integration of project components of housing and mixed/retail uses.

Consideration will be given to joint use of parking, common areas, open space, retail types of uses and associated intensities, housing types and sizes of units, and overall architectural design when considering approving Mixed Use developments in the Mixed Use Zoning District. Mixed Use projects must be reviewed and approved by the Planning and Zoning Commission.

(Ord. 2010-18, passed 7-12-2010, eff. 7-28-2010)

Sec. 15-6-166. - Uses.

- (A) Multi-residential housing on the upper floors of buildings consisting of studio, one bedroom, two bedroom and three bedroom living units.
- (B) Retail stores, retail services, personal services and banks, savings and loans only on the first floor levels of buildings in the Mixed-Use Zoning District. Outdoor seating not located in the public right of way is permitted subject to Planning and Zoning Commission review and approval. No drive-thru windows are permitted for businesses unless approved by the Planning and Zoning Commission.

(Ord. 2010-18, passed 7-12-2010, eff. 7-28-2010)

Sec. 15-6-167. - Mixed use development regulations.

- (A) Setbacks ten feet front, five feet side, none rear unless abutting a residential district where ten is required.
- (B) Maximum height 35 feet.
- (C) Maximum gross floor area shall not exceed 60% of the total lot area.
- (D) Not less than 10% of the site shall be occupied by appropriate landscaping.
- (E) Land covered by all structures shall not exceed 35% of building site.
- (F) A minimum of one off-street parking space per housing unit shall be provided on-site. Off-street parking for the retail/commercial portion of a mixed use project shall be determined by the Planning and Zoning Commission based on the use proposed and the amount of square footage proposed for the use. Employee parking shall be designated and located away from the entrances to the first floor businesses.
- (G) Fully enclosed trash enclosures shared jointly by the housing units and businesses are required in accordance with city requirements.
- (H)

Signs are required to be approved by the Planning Department. A building permit is required for all signs. No pole signs are allowed in the Mixed-Use District. Only monument (height of monument or free standing monument sign determined by the Planning Department based on location) and wall mounted signs are allowed in the Mixed Use District. The maximum total amount of square footage of signage allowed for a building site is equal to 50% of the lineal street frontage of the building site. Wall mounted signs cannot project more than three feet above the building to which it is attached. Address signs consisting of letters and numerals shall not exceed 12 inches in height and do not count as part of the sign square footage allowed. Awnings or canopies are allowed on the first floor, but the sign copy, including logos shall not exceed 12 square feet or 50% of the awning face area, whichever is less. Flashing or intermittent illuminating signs are not allowed in the Mixed Use Zone. Banner signs displayed on cloth or other flexible materials are not permitted. United States of America and State of Texas flags are permitted subject to building department review and approval. All businesses are permitted to display grand opening signs on a one-time basis for a maximum of 21 consecutive days. Holiday decorations may be displayed on a temporary basis for traditionally accepted civic, patriotic or religious holidays. Window signage placed in windows of a business shall be limited to 25% of the total window area in which the signage is placed. No sign permit is required.

- (I) Building elevations shall illustrate the style of façade for all sides of the structure. Details will illustrate the type of materials used for the exterior finish of the walls, roof and trim as viewed from all four directions, and the type of building materials used for exterior finish of walls, roof and trim. The exterior elevation plan shall be sufficiently detailed to illustrate roof slopes, roofline treatment, overhangs and building height.

(Ord. 2010-18, passed 7-12-2010, eff. 7-28-2010)

Secs. 15-6-168—15-6-173. - Reserved.

HERITAGE

LIVING • SHOPPING

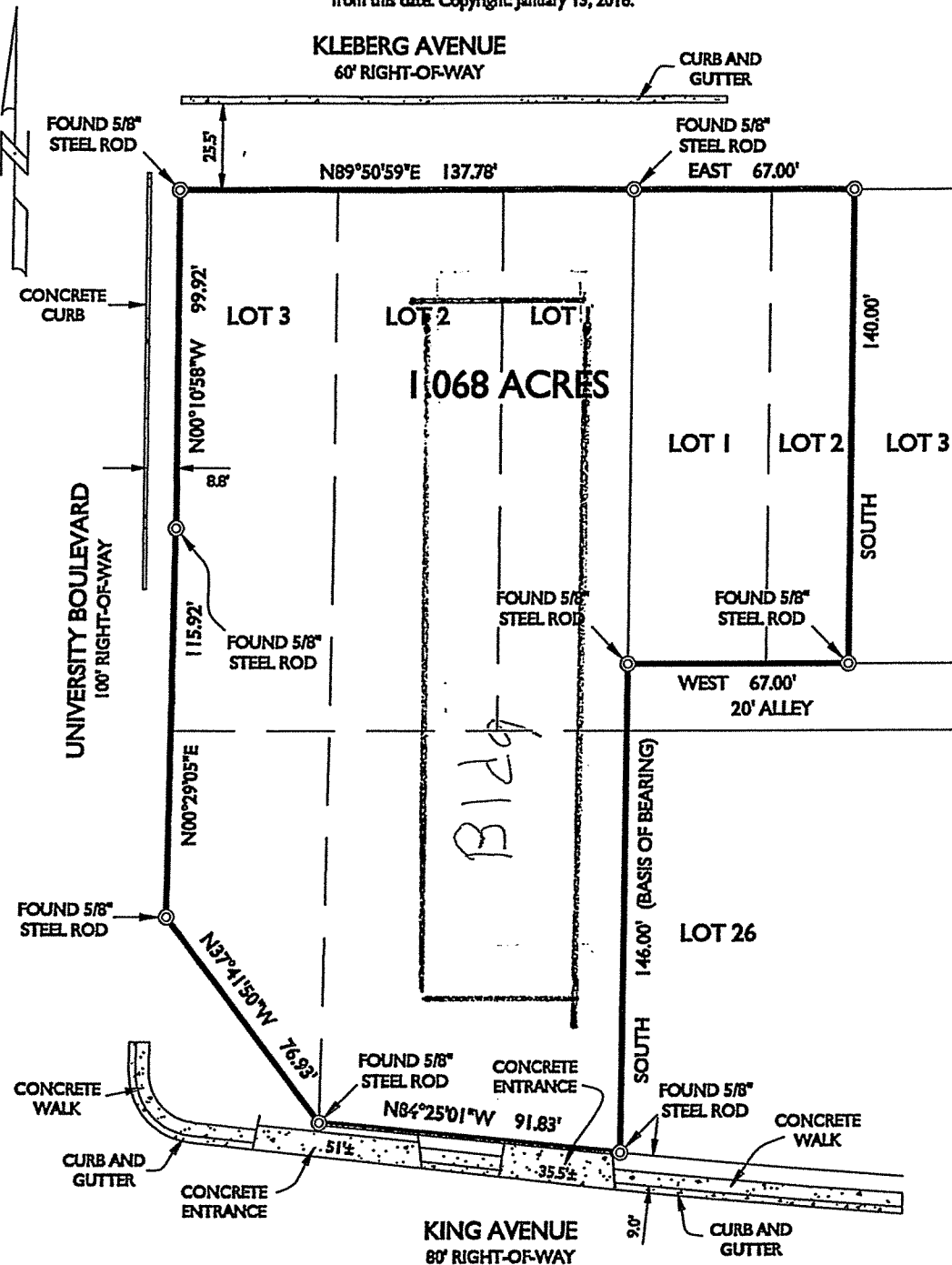
NOW PRE-LEASING
FOR INFO CALL
(979) 255-5412
(361) 592-8282



KING STREET

UNIVERSITY BOULEVARD

All information hereon is for the use of the Buyer, Title Company, and Lender in connection with this transaction only, and may not be relied upon for any other purpose. No license has been created, express or implied, to copy the survey, which is void after six months from this date. Copyright: January 13, 2016.



THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE FLOOD HAZARD MAP AND FOUND THAT THE PROPERTY DESCRIBED HEREON IS NOT SITUATED IN A SPECIAL FLOOD HAZARD AREA, ZONE C, COMMUNITY NO. 480424.

I HEREBY CERTIFY THAT THIS PLAT DEPICTS THE RESULTS OF A SURVEY MADE ON THE GROUND AND THAT THERE ARE NO VISIBLE MANMADE CONFLICTS, PROTRUSIONS OR ENCROACHMENTS. SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

NOTE: THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE POLICY.

BEARINGS SHOWN ARE BASED ON THE RECORDED MAP OF SUBURBAN ACRES, RECORDED IN ENVELOPE 74, PLAT CABINET I, MAP RECORDS OF KLEBERG COUNTY, TEXAS.



Victor S. Medina
Victor S. Medina
Registered Professional Land Surveyor
Texas No. 3419

Surveyed on the ground January 11, 2016.

SURVEY OF 1.068 ACRES
LOCATED IN
KINGSVILLE, KLEBERG COUNTY, TEXAS

MEDINA ENGINEERING & SURVEYING

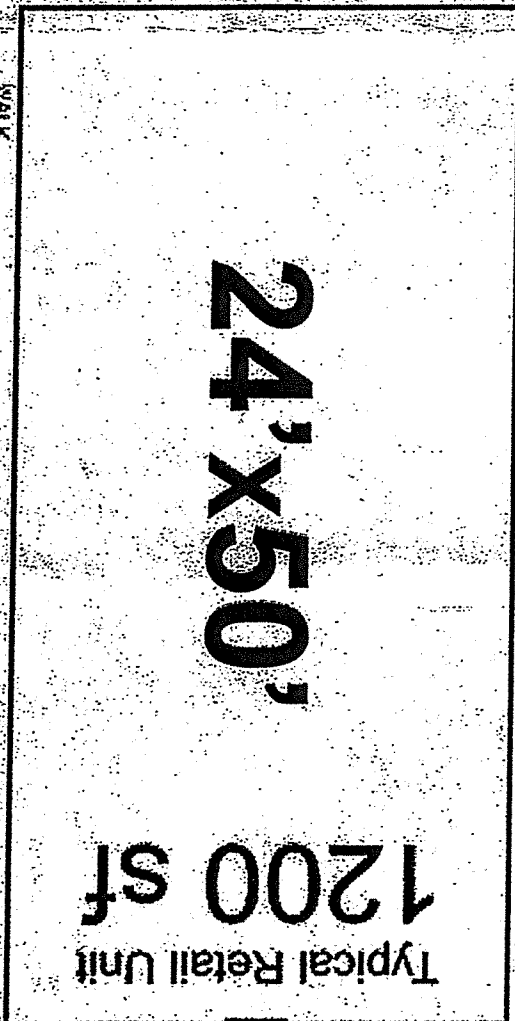
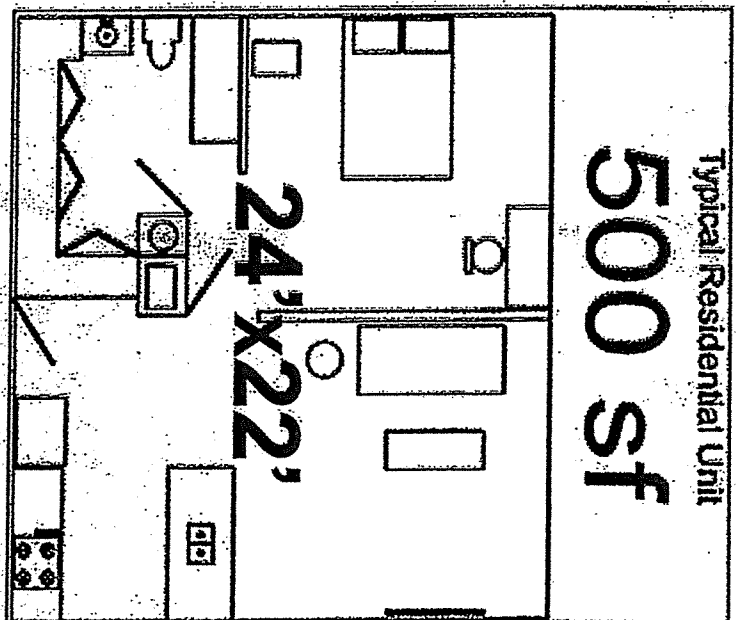
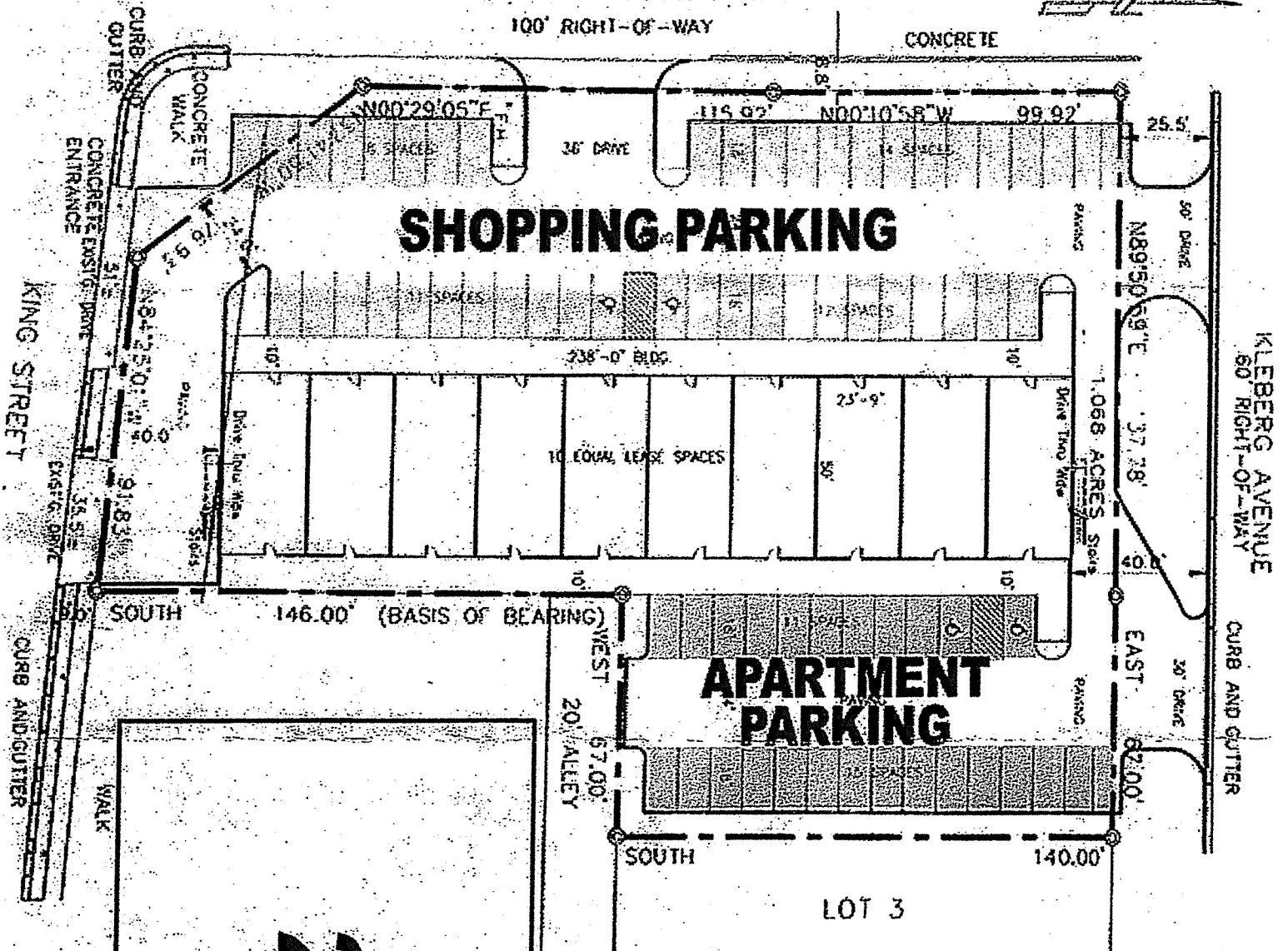
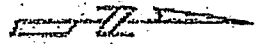
4531 AYERS STREET, SUITE 225, CORPUS CHRISTI, TEXAS 78415
(PHONE) 361-877-1233, (FAX) 361-993-2935

DRAWN BY:	SCALE: 1"=40 FT.	SHEET NO.
APP'D. BY:	DATE: 01-13-2016	1 OF 1
JOB NO. 15829	REV:	

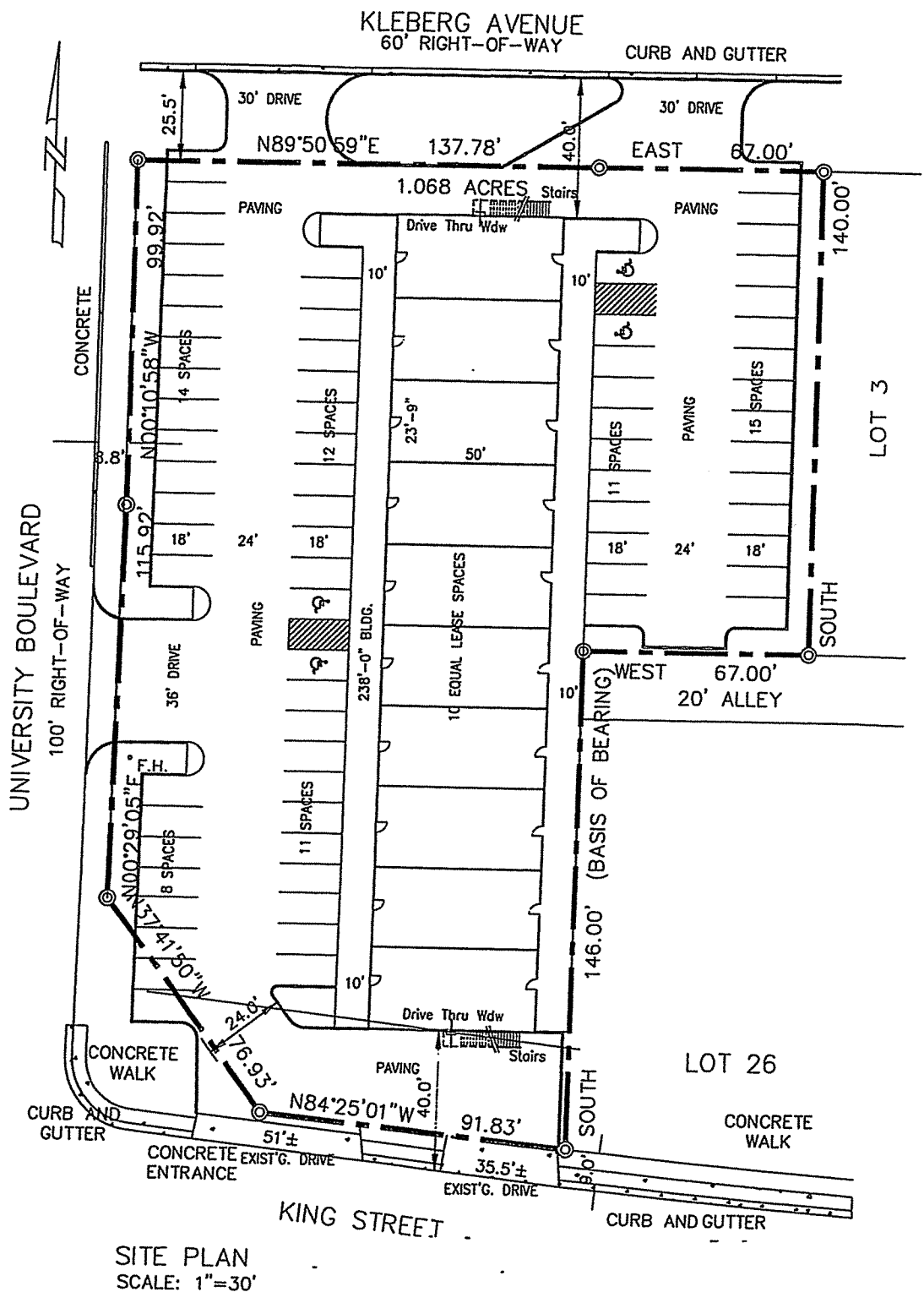
UNIVERSITY BOULEVARD

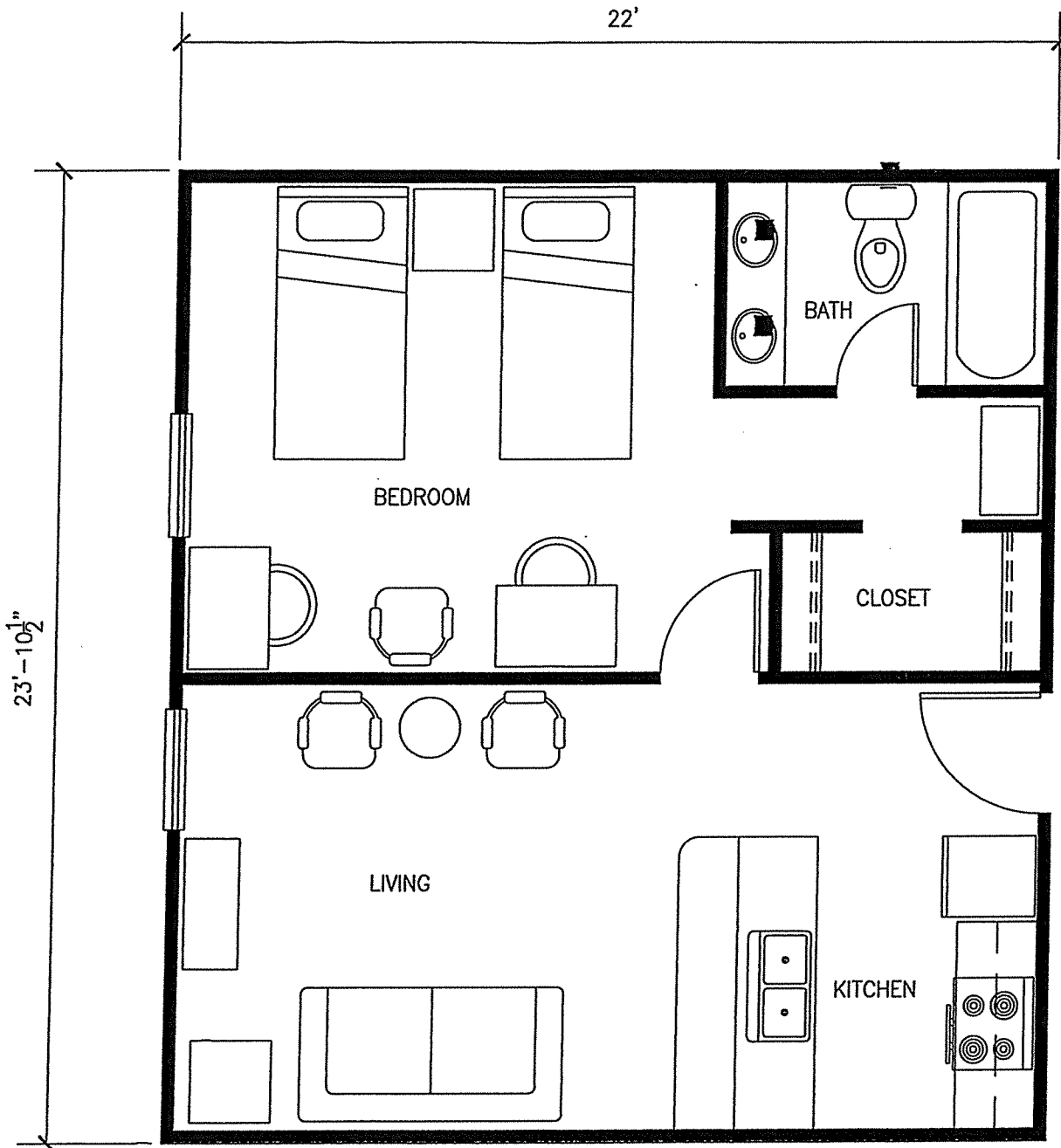
100' RIGHT-OF-WAY

CONCRETE



Map 1000 is a map of the City of Los Angeles, California, showing the location of the property described in the above-captioned map. The map is a plan view of the property and is not a map of the City of Los Angeles.





TYPICAL UNIT FLOOR PLAN

SCALE: 1/4" = 1'-0"

FRAME AREA = 525 SQ.FT.

AGENDA ITEM #2

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Ricardo Torres, Chief of Police
DATE: March 31, 2016
SUBJECT: Budget Amendment

Summary:

The police department is requesting a budget amendment to enhance public traffic safety and the security of our students at schools.

Background:

Municipal Court is collecting a fee that is supposed to be used for programs that enhance public safety or security.

Financial Impact:

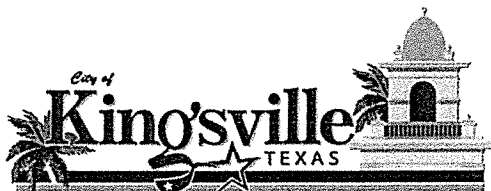
Approximately \$9,000.00 is available for expenditures and with the approval of the City Commission will be used to assist three of our local elementary schools and the formation of their micro-society "Police Departments" by providing traffic vests, traffic control devices and communications devices. Each school will be allocated \$1,000 for their program.

We also request an additional \$5,000.00 in funding be allocated for traffic safety vests for our officers as well as portable traffic control devices.

Total Expenditures would be \$8,000.00

Recommendation:

We request approval of the budget amendment for the proposed expenditures for line item 001-5-2101-21180



ORDINANCE NO. 2016-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR TRAFFIC SAFETY VESTS AND PORTABLE TRAFFIC CONTROL DEVICES FROM MUNICIPAL COURT FEES COLLECTED TO ENHANCE PUBLIC SAFETY AND SECURITY.

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
Revenues					
4-2100	Police	Child Safety Fund Revenues	56680	\$ 8,000	
				<u>\$ 8,000</u>	
Expenses					
5-2101	Police-Admin	Supplies-Child Safety Fund	21180	\$ 8,000	
				<u>\$ 8,000</u>	

[To amend the City of Kingsville FY 15-16 Budget for traffic safety vests and portable traffic control devices from Municipal Court fees that are to be used for programs that enhance public safety or security.]

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 11th day of April, 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

AGENDA ITEM #3

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

TO: Mayor and City Commissioners
FROM: Jesus A. Garza, City Manager
DATE: April 6, 2016
SUBJECT: Tourism Advisory Board

Summary:

This action item creates a Hotel Occupancy Tax Advisory Board consisting of 7 voting members made up by representatives of our local museums, hotels, the University, downtown merchants and a resident. The purpose of the Advisory Board will be to assist the City Manager and City Commission in making recommendations to enhance the City's tourism efforts.

Background:

Prior to the City creating the Tourism Department in 2012, the Convention Visitors Bureau was overseeing the City's tourism efforts. That CVB was structured in a way that did include a Board of Directors consisting of various stakeholders involved with the local tourism industry. The creation of the Hotel Occupancy Tax Advisory Board brings these stakeholders back to the table to serve as advisors and assist the City Manager and City Commission by making recommendations that may enhance the City's tourism efforts.

Financial Impact:

No Financial Impact

Recommendation:

Staff recommends approval of the creation of the Tourism Advisory Board



ORDINANCE NO. 2016-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III-ADMINISTRATION, ARTICLE 3-DEPARTMENTS, BOARDS, & COMMISSIONS, BY ADOPTING SECTIONS 3-3-100 THROUGH 3-3-110, PROVIDING FOR CREATION OF A HOTEL OCCUPANCY TAX ADVISORY BOARD, TERMS FOR MEMBERS, MEETINGS, QUORUM AND VOTING AT MEETINGS, REMOVAL AND VACANCY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City Commission of the City of Kingsville believes that the Hotel Occupancy Tax funds are vital to the quality of life and the enhancement and promotion of tourism and the convention and hotel industry; and

WHEREAS, the City of Kingsville believes in the appropriate governing of Hotel Occupancy Tax funds; and

WHEREAS, the City Commission of the City of Kingsville has determined that the formal creation of a Hotel Occupancy Tax Advisory Board to better govern Hotel Occupancy Tax dollars is necessary; and

WHEREAS, the advisory board members, once appointed, shall constitute the Advisory Board for the Hotel Occupancy Tax for the City of Kingsville, hereinafter styled "board members;" and

WHEREAS, the board members are responsible for conducting a comprehensive assessment of the city's tourism potential and making recommendations to the City Manager of activities, programs, and expenditures as authorized by the Texas Tax Code, Chapters 351 and Texas Local Government Code Chapters 334 & 335, and any other applicable codes that will help increase tourism and visitors in Kingsville; and

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

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

I.

THAT Chapter III-Administration, Article 3- Departments, Boards & Commissions of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to adopt Sections 3-3-100 through 3-3-110 as follows:

HOTEL OCCUPANCY TAX ADVISORY BOARD

§ 3-3-100 BOARD CREATED.

There is hereby created for the city a Hotel Occupancy Tax Advisory Board.

§ 3-3-101 BOARD MEMBERSHIP.

- (A) The Hotel Occupancy Tax Advisory Board shall have seven (7) voting members and be appointed by the City Commission at the recommendation of the City Manager. The Hotel Occupancy Tax Advisory Board members shall serve without compensation. The members of the Board shall include:
 - a. One member to represent the Hotel Industry within the City of Kingsville.
 - b. One member to represent the King Ranch Museum and/or the King Ranch Visitors Center.
 - c. One member to represent the Conner Museum.
 - d. One member to represent the historical downtown district/merchants.
 - e. One member to represent Texas A&M University-Kingsville.
 - f. One member shall be the Director of Tourism Services for the City of Kingsville.
 - g. One member must be a resident of the City of Kingsville.
- (B) In addition to the regular voting members of the Board, the City Manager and the Kleberg County Judge shall serve as ex-officio members of the Board with no voting privileges.
- (C) The members of the Board from the voting membership shall elect a Chairman and Vice-Chairman to conduct the meetings and the voting members shall fill any vacancy in either of the offices of Chairman or Vice-Chairman.

§ 3-3-102 TERMS OF MEMBERS.

The board members shall hold office and serve from and after the date of their respective appointments, subject to the conditions provided in this article, for the following terms.

- (A) All of the board members shall serve for two (2) year terms without term limits.
- (B) The Director of Tourism Services for the City shall serve through their employment with the city.

§ 3-3-103 QUORUM.

- (A) A minimum of four (4) board members is needed to form a quorum.
- (B) An official recommendation requires a majority vote of four board members.

§ 3-3-104 CONFLICT OF INTEREST.

The board members shall comply with V.T.C.A. Local Government Code Chapters 171 & 176, as the same may hereafter be amended, concerning matters involving conflicts of interest. Conviction of an offense by V.T.C.A. Local Government Code Ch. 171 or Ch.176 shall constitute a forfeiture of the position on the board held by the person convicted.

§ 3-3-105 COMPENSATION.

All board members of the Hotel Occupancy Tax Advisory Board shall receive no salary or compensation for serving on the board with the exception of the Director of Tourism Services, who shall receive no extra compensation other than as employed by the City of Kingsville.

§ 3-3-106 DUTIES GENERALLY.

The Hotel Occupancy Tax Advisory Board shall have the following duties and responsibilities:

- (A) The board will develop special rules and instructions in recommending the use of Hotel Occupancy Tax funds to the City Manager in accordance with the Texas Tax Code Ch. 351 Subchapter B and Texas Local Government Code Chapters 334 & 335, and any other applicable codes;and
- (B) Develop and make recommendations to the City Manager on matters concerning the Hotel Occupancy Tax Funds within the scope of the Texas Tax Code Ch. 351 Subchapter B and Texas Local Government Code Chapters 334 & 335, and any other applicable codes.

§ 3-3-107 MEETINGS.

- (A) Any member of the board may request an item be added to the agenda.
- (B) The board shall have the authority and duty to promulgate rules and regulations governing its official meetings.

- (C) The board shall have regular meetings at least once quarterly, the date to be set out in the board's minutes. All meetings shall be open to the public and shall be governed by the Open Meetings Act.
- (D) Special meetings may be set at the will and discretion of the board whenever it deems necessary. The chairman of the board shall call the special meeting.
- (E) The Director of Tourism Services shall be responsible for preparing and posting the Board agendas.

§ 3-3-108 REPORT OF MEETINGS.

It shall be the duty of the board to approve and file with the City Secretary the minutes of each meeting of said board, together with a list of the members of the Board who were present.

§ 3-3-109 REMOVAL FROM OFFICE.

Any board member may be removed at any time by a majority vote of the City Commission for inefficiency, neglect of duty, malfeasance in office, or failure to maintain eligibility.

§ 3-3-110 VACANCY.

- (A) A vacancy arises if any board member is absent from three (3) consecutive regular meetings; is removed under § 3-3-110; is convicted as stated in § 3-3-104; or resigns.
- (B) If for any reason the position of any board member shall have been vacated by removal or otherwise, the appointment and confirmation to fill such vacancy shall be made by the City Commission for the unexpired term of the vacated office.

II.

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

III.

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

IV.

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

INTRODUCED on this the 11th day of April, 2016.

PASSED AND APPROVED on this the 18th day of April, 2016.

EFFECTIVE DATE: _____, 2016.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #4

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

TO: Mayor and City Commissioners

FROM: Jesus A. Garza, City Manager

DATE: April 6, 2016

SUBJECT: JK Northway & Fairgrounds Assessment/Site Master Plan

Summary:

This action item requests \$40,000 be taken from Tourism Fund Reserves in light of the savings caused by not proceeding with the purchase of real property for a new Visitors Center. The funds will be used to develop a building assessment of the JK Northway as well as a Site Master Plan for the coliseum and fairgrounds.

Background:

When the City took over management of the Park System from the County, JK Northway improvements were part of the vision. The JK Northway is in the process of being transitioned from the Parks Department to our Tourism Department. The JK Northway is an asset to this community by hosting and attracting events that brings visitors to our community. Improvements to the Coliseum and site are critical to ensure that it continues to host events and is competitive in hosting new events.

Financial Impact:

\$40,000 will be taken from the HOT Fund Reserves. No General Fund dollars will be used for this effort.

Recommendation:

Staff recommends approving the budget amendment of \$40,000 to go towards the development of a building assessment and site master plan for the JK Northway and Fairgrounds.



ORDINANCE NO. 2016-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2015-2016 BUDGET FOR AN ASSESSMENT AND MASTER SITE PLAN FOR THE J.K. NORTHWAY COLISEUM.

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
Fund 002-Tourism					
<u>Expenses</u>					
5-1071	Tourism	Building	71300		\$ 40,000
					<u>\$ 40,000</u>
5-6900	Fund Trsfrs	Transfer Out to General Fund-001	80001	\$ 40,000	
				<u>\$ 40,000</u>	
Fund 001-General Fund					
<u>Revenues</u>					
4-0000	Non-Dept.	Transfer In From Tourism-002	75002	\$ 40,000	
				<u>\$ 40,000</u>	
<u>Expenses</u>					
	J.K.				
4-4504	Northway	Professional Services	31400	\$ 40,000	
				<u>\$ 40,000</u>	

[To amend the City of Kingsville FY 15-16 Budget to include a J.K. Northway Coliseum Assessment & Master Site Plan 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.

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 11th day of April, 2016.

PASSED AND APPROVED on this the 18th day of April, 2016.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

**City of Kingsville
Planning Department**

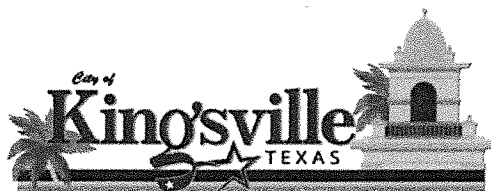
TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Cynthia Martin, Downtown Manager
DATE: April 15, 2016
SUBJECT: Historical Development Board Reappointments

Summary: The terms of Historical Development Board members, Maggie Salinas and Candace Jefferson have expired. Both parties have agreed to continue to remain on the Board.

Background: Mrs. Salinas has served on the Historical Development Board since 1996 and currently serves as Chair. Candace Jefferson has served on the Board since 2013.

Financial Impact: NA

Recommendation: The Historical Development Board recommended that Maggie Salinas and Candace Jefferson be reappointed to this Board for a three year term.



AGENDA ITEM #6



**KINGSVILLE SPECIALIZED CRIMES
AND NARCOTICS TASK FORCE**
P. O. BOX 213
KINGSVILLE, TEXAS 78364
tfadmin@kingsvilletaskforce.com
(361) 595-5778
Fax (361) 595-5781



TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Guillermo Vera, Task Force Commander *gV*

DATE: April 8, 2016

SUBJECT: Chapter 59 Donation to the Palmer Drug Abuse Program

Summary:

This item authorizes a Chapter 59 Donation to the Palmer Drug Abuse Program in Kingsville.

Background:

The Kingsville Specialized Crimes & Narcotics Task Force received a Chapter 59 donation request from the Palmer Drug Abuse Program in Kingsville. This organization submitted an application and their request was approved since this is a FY 2015/2016 budgeted donation item.

Financial Impact:

The Kingsville Task Force's FY 2015/2016 Annual Budget was approved with a total of \$38,000.00 allocated in the Donation's line item (008-5-2330-31444). The above organization will receive a \$5,000.00 donation resulting in an account balance of \$0.00 remaining in the Kingsville Task Force's Donations line item.

Recommendation:

Palmer Drug Abuse Program (PDAP) is a fellowship of young people and parents who share their experience, love, and understanding to solve their common problems and help others to recover from the effects of mind-changing chemicals. The Palmer Drug Abuse Program offers free counseling and support group services to teenagers and adults who express a desire to find an alternative to drug and alcohol use. We believe that a desire to live a chemical-free life is essential to our society and community. We request this item be placed on the Regular City's Commissioners Court Agenda for Monday, April 18, 2016.

KINGSVILLE SPECIALIZED CRIMES
AND NARCOTICS TASK FORCE
APPLICATION FOR CHAPTER 59 DONATION

1. APPLICANT'S
NAME Wade Field ADDRESS (PDAP Kingsville) 3104 S. Alameda PHONE 361-592-1212
2. ORGANIZATION'S
NAME Palmer Drug Abuse Program ADDRESS (PDAP Kingsville) 3104 S. Alameda PHONE 361-592-1212
3. NARRATIVE: Explain what will be done with the contribution to insure compliance with the disposition of forfeited property under Chapter 59 of the Texas Code of Criminal Procedure and the number of citizens it will affect in our community.

Please see attached

APPROVED: _____

Guillermo Vera, Cmdr.
Commander

DATE: _____

4/06/16 TIME: 3 PM



PALMER

DRUG ABUSE PROGRAM

3104 S. Alameda Street • Corpus Christi, TX 78404 • Tel. 361-887-8900

February 24, 2016

Cmdr. Guillermo "Willie" Vera
Kingsville Narcotics Task Force
PO Box 213
Kingsville, TX 78364

*Requested
Additional Info.
J. Vera*

Dear Cmdr. Vera,

We are requesting the annual donation from drug forfeiture funds to help continue funding our services for PDAP Kingsville. The number of people that we offer our services to in Kingsville continues to grow. We appreciate your continuous support from your office.

We are a 501 c 3 non-profit organization and our tax i.d. # is 74-2200058.

With the blessing of PDAP,

Wade H. Fjeld
Executive Director

Please help make this year our best

**Kingsville Specialized Crimes and Narcotics Task Force Narrative for
PALMER DRUG ABUSE PROGRAM
Application for chapter 59 donation**

Palmer Drug Abuse Program (PDAP) had its beginnings in 1971 in Houston, Texas, at the Palmer Memorial Episcopal Church. Today, there are several autonomous affiliates in Texas and New Mexico. Locally, PDAP had its start on October 1, 1979, through the leadership of St. Thomas and St. Bartholomew Episcopal Churches. On March 3, 1980, PDAP began its effective program of providing free services to South Texas. The primary South Texas PDAP office is in Corpus Christi (Nueces County), with a satellite office in Kingsville (1985 Kleberg County). The Kingsville site also serves the communities Bishop and Driscoll in southern Nueces County.

Alice serves (Jim Wells County), and Brooks County and the outlying areas of Alice.

Palmer Drug Abuse Program (PDAP) is a fellowship of young people and parents who share their experience, love, and understanding, to solve their common problems and help others to recover from the effects of mind-changing chemicals. Our primary purpose is to carry our love and understanding to others, and to practice the principles of love and honesty in our daily lives, with the help of God as we understand Him. PDAP is non-sectarian. PDAP offers free counseling and support group services to teenagers (ages 12 to 17) and adults who express a desire to find an alternative to drug and alcohol use; to parents who seek solutions to family and personal conflicts arising from drug or alcohol use by a family member; and to younger brothers and sisters of drug abusing siblings or parents. The primary requirement for membership is a desire to live a chemical-free life.

Substance abuse is not restricted to one socio-economic stratum, but crosses all boundaries. A combined 89% of our younger and older group members define themselves as low-income. We provide services to anyone who desires to change his or her life away from mind-altering substances. Our population is primarily Hispanic and Anglo, both male and female, echoing the demographics of South Texas, but anybody who has a desire to change his or her life away from mind-altering substances is welcome. During 2015 PDAP's Younger Group Program worked with 216 unduplicated 12-17 year olds. The total number of individuals who achieved 30 consecutive days of sobriety was a staggering 172. Also for this time period, the Younger Group counselors logged 2,276 individual counseling appointments. We had 405 adults that we provided services to in 2015.

We have excellent relationships with all of the human health service organizations, churches and school districts in our area and work diligently at doing whatever we can to help every person that comes to our organization for help. If we cannot help someone, we make sure we get him or her to the person or organization that can help. PDAP uses no medication or other chemicals in the recovery process. We do not provide residential rehabilitation services. Should medical care be indicated, a client is immediately referred to the proper agency or professional.

The need for PDAP, unfortunately, continues to grow. With the proliferation of new “legal” drugs, such as Kush, Budder and Flakka, we now have even greater challenges in helping our adolescents stay off drugs. A steady increase in the number of young people attending a group meeting and a steady increase in the number of families showing up to parent meetings indicates the need remains. Regrettably, some of our clients still deny that they have a substance abuse problem.

To combat the ever-changing face of drug and alcohol addiction, we offer:

- Individual and group 12-step support services for members and their parents and family members.
- On-going support, companionship, and encouragement to the abuser through a comprehensive program of fellowship, weekly meetings, parties, activities. Positive peer pressure is vital to the success of PDAP.
- Parent support through group discussions as well as group and individual 12-step support services. The Parent Group plays a major role in the recovery process.
- Prevention and education through speaking engagements and presentations for schools, civic organizations, businesses, churches and juvenile justice center.
- Our staff meets weekly to go over how the groups are doing and what ways we can help those that are still struggling.

Every year the Palmer Drug Abuse Program holds an annual Drug Free Walk in Kingsville. We reach out to the community to participate in celebrating not only the kids that are choosing to be drug free but those that have decided to seek help with their drug and alcohol problems.

We work closely with the Kingsville Independent School District to help in getting the word out that we are here to help those that are struggling with a chemical dependency problem. This year's walk will be on April 23rd, from 11am until 2pm. The walk starts at the Kleberg County Courthouse, we walk down Yoakum Ave. to the Kingsville ISD Administration building where we have a bouncy house, live music, a clown and free hamburgers and hotdogs. Last year's walk there was approximately 350 people in attendance. A few months prior to the walk we have an art contest where all of Kingsville ISD schools participate and draw a picture with a drug-free theme. We hold the judging of the pictures at the courthouse and whoever's drawing gets the most votes gets their picture displayed on our Drug Free Walk t-shirts. This year's winner was a 7th grader from Memorial Middle School. Kendall Barrera, she will win a Kindle Fire HD and a \$50 gift card.

Along with the Kingsville ISD staff, we work with the Kleberg/Kenedy County District Attorney, Kingsville Police Department, Kleberg County Sheriff's Office, Adult and Juvenile Probation and other organizations in Kingsville to help those that have a substance abuse problem. We are a directive program that works with our group members into getting into a solution and away from the problem. We emphasize that you have to stick with winners in order to grow. That means giving up “friends” that do not want to stop using drugs and alcohol.

KINGSVILLE SPECIALIZED CRIMES AND NARCOTICS TASK FORCE

Chapter 59 Donation Policy

1. A person/entity seeking a donation (financial assistance) through the Kingsville Specialized Crimes and Narcotics Task Force and with particularity Chapter 59 Forfeiture Funds shall file an application with the Commander on forms provided through his office.
2. The filing procedures shall be as follows:
 - a. Filing period. An application for financial assistance shall be filed with the Commander not less than 30 days or more than 60 days prior to the proposed donation.
 - b. The name, address and telephone number of the entity seeking a donation.
 - c. No more than one donation will be made per calendar year.
 - d. Applicant shall provide documentation relating to any other financial assistance that they receive for review by the Commander.
3. Applicant must meet one of the following criteria:
 - a. Nonprofit program for the prevention of drug abuse, applicant must provide a copy of the organization's charter.
 - b. Nonprofit chemical dependency treatment facilities licensed under Chapter 464, Health and Safety Code;
 - c. Nonprofit drug and alcohol rehabilitation or prevention programs administered or staffed by professionals designated as qualified and credentialed by the Texas Commission on Alcohol and Drug Abuse; or
 - d. Must be an organization that has the same beliefs and value system as the Kingsville Specialized Crimes and Narcotics Task Force and the law enforcement code of ethics.
 - e. Short written statement explaining what will be done with the contribution to insure compliance with the disposition of forfeited property under Chapter 59 of

the Texas Code of Criminal Procedure and the number of citizens it will affect in our community.

4. The Commander shall grant or deny a permit solely on the basis of the requirements stated in the aforementioned sections above. The Commander shall advise the organization's point of contact of the decision to grant or deny the request for contribution no later than the sixtieth day after date of receiving the completed application and all required attachments.

RESOLUTION #2016- _____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE SPECIALIZED CRIMES AND NARCOTICS TASK FORCE FOR DONATION TO THE PALMER DRUG ABUSE PROGRAM (PDAP) OF KINGSVILLE FOR DRUG ABUSE PREVENTION PROGRAMS.

WHEREAS, the Texas Code of Criminal Procedure, Article 59.06(h) allows for the release of Chapter 59 funds for nonprofit programs for the prevention of drug abuse;

WHEREAS, the Palmer Drug Abuse Program (PDAP) is a non-profit organization working to (1) turn the tide against drug and alcohol abuse in the Kingsville community and (2) make a positive statement to our young people about living a drug-free and alcohol-free lifestyle; and

WHEREAS, the Palmer Drug Abuse Program also provides a free 12-step support service to those who express a desire to find an alternative lifestyle from that of drugs and alcohol;

WHEREAS, PDAP has a satellite office in Kingsville that offers free counseling and support groups services to teenagers (ages 12-17) and adults who express a desire to find an alternative to drug and alcohol use; to parents who seek solutions to family and personal conflicts arising from drug or alcohol use by a family member; and to younger brothers and sisters of drug abusing siblings or parents;

WHEREAS, PDAP provided services to approximately 405 adults and 216 new youths ages 12-17 in 2015;

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

I.

THAT the City Commission authorizes the Kingsville Specialized Crimes and Narcotics Task Force to assist with a \$5,000.00 donation to the Palmer Drug Abuse Program (PDAP) to help educate young people about living a drug-free and alcohol-free lifestyle and comply with any reporting requirement the Task Force may designate.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support Palmer Drug Abuse Program for the benefit of the community.

PASSED AND APPROVED by a majority vote of the City Commission on the 23rd day of March, 2015.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Ricardo Torres, Chief of Police
DATE: April 15, 2016
SUBJECT: Update of Body Worn Camera Resolution

Summary:

This item is to change the wording of the resolution regarding the approval of the Body Worn Camera program.

Background:

Previously a resolution was approved in support of this grant. The Office of the Governor, Criminal Justice Division, has requested specific wording on the resolution.

Financial Impact:

The Office of the Governor has approved the Grant for \$42,640.00. State law requires a 25% match of the grant award in the amount of \$8,528.00 which has already been allocated from our current budget.

Recommendation:

Approval of new resolution.



RESOLUTION NO. 2016-_____

A REVISED RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE PURPOSE OF REQUESTING GRANT FUNDING ON BEHALF OF THE CITY FOR THE 2015 BODY-WORN CAMERA PROGRAM FOR LAW ENFORCEMENT PERSONNEL FOR THE KINGSVILLE POLICE DEPARTMENT WITH AN ANTICIPATED CASH MATCH.

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville, that the Kingsville Police Department participate in an application to apply for grant monies for the 2015 Body-Worn Camera Program for law enforcement personnel; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project as required by the Office of the Governor Criminal Justice Division 2015 Body-worn Camera Program for law enforcement personnel grant application; and

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

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

WHEREAS, the Body-Worn Camera Program will provide about 75% of the funding for these items; and

WHEREAS, the Kingsville Police Department indicated at the November 23, 2015 City Commission meeting that it would like to apply for approximately \$45,482.00 in funding through the program and has identified a funding source within its budget for the anticipated \$11,371.00 cash match, but found additional language was required for the resolution authorizing this matter which is why this item is necessary.

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

I.

THAT the City Commission of the City of Kingsville approves the submission of the grant application for the 2015 Body-Worn Camera Program for body-worn cameras for law enforcement personnel to the Office of the Governor Criminal Justice Division.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 18th day of April, 2016.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

REGULAR AGENDA

AGENDA ITEM #8

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

TO: Mayor and City Commissioners
FROM: Jesus A. Garza, City Manager
DATE: April 15, 2016
SUBJECT: Parks Master Plan Agreement

Summary:

This item authorizes the approval of a contract with Halff Associates for the development of a Parks Master Plan. Halff Associates were selected as the Parks Master Planner by City Commission on March 28th after the completion of a public RFQ Process.

Background:

The City of Kingsville took over management of parks within City Limits beginning in FY 2014-2015. Since that time the City Commission has proactively worked to improve Park conditions and amenities. Consequently, the City Commission allocated a total of \$2,250,000 from Certificate of Obligations 2016 Series. A portion of those dollars were specifically allocated for the development of a Parks Master Plan to serve as the guiding plan for overall improvements and enhancements to the Kingsville Park system.

Financial Impact:

The development of an overall Parks Master Plan for the Kingsville Park System along with two specific park concept plans will total: \$72,494.

Recommendation:

Staff recommends approval of this agreement and scope of services with Halff Associates.



RESOLUTION # 2016-_____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE HALFF ASSOCIATES, INC. AND THE CITY OF KINGSVILLE FOR A PARKS MASTER PLAN; REPEALING ALL CONFLICTING RESOLUTIONS.

WHEREAS, the City of Kingsville is preparing a parks master plan for Parks, Recreational Facilities and Open Space, which encompasses the parks located within the city limits;

WHEREAS, the City of Kingsville realizes the necessity of having access to suitable recreational opportunities to ensure the mental and physical well-being of its citizens;

WHEREAS, a parks master plan could help improve the quality of life of the citizens and attract new residents to the area; and

WHEREAS, the City and County desire to provide the most aesthetically appealing environment for their citizens to pursue a variety of leisure-time pursuits.

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to enter into a Professional Services Agreement between the Halff Associates, Inc. and the City of Kingsville for a Parks Master Plan 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 _____ 18th day of April, 2016.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

STANDARD FORM OF AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
CITY OF KINGSVILLE, TEXAS (CLIENT) AND HALFF ASSOCIATES, INC. (PLANNER)

I. SCOPE - Halff Associates, Inc. (hereinafter "Planner") agrees to perform the professional services described in the attached **Exhibit A - Scope of Services** dated April 14, 2016, which incorporates these terms and conditions. Unless modified in writing by the parties hereto, the duties of Halff shall not be construed to exceed those services specifically set forth in the Scope of Services. The Scope of Services and these General Terms and Conditions, when executed by the **City of Kingsville, Texas**, (hereinafter "Client"), shall constitute a binding Agreement on both parties. Planner shall perform its obligations under this agreement as an independent contractor and not as an agent or fiduciary of any other party.

II. COMPENSATION - Client agrees to compensate the Planner for the professional services performed in accordance with this Agreement, and as set out in attached **Exhibit B - Fee Schedule**. Client agrees that the Planner pay monthly invoices or their undisputed portions within 30 days of receipt. Payment later than 30 days shall include interest at 1-1/2 percent per month or lesser maximum enforceable interest rate, from the date the Client received the invoice until the date Planner receives payment. Such interest is due and payable when the overdue payment is made.

It is understood and agreed by the parties that Planner's receipt of payment(s) from Client is not contingent upon Client's receipt of payment, funding, reimbursement or any other remuneration from others.

Time-related charges will be billed as specified in this Agreement. Unless stated otherwise in this Agreement, direct expenses, subcontracted services and direct costs will be billed at actual cost plus a service charge of 10 percent. Mileage will be billed at current IRS rates.

III. RESPONSIBILITY - Planner is employed to render a professional service only, and any payments made by Client are compensation solely for the services rendered and the recommendations made in carrying out the work. Planner agrees to follow the standard practices of the Planning profession to make findings, provide opinions, make factual presentations, and provide professional advice and recommendations. Nothing contained herein shall be argued to have created any warranty or certification and Planner shall not be required to provide any certification, assignment or warranty of its work but, upon request and for a separate fee and at Planner's sole discretion, Planner may agree to provide certain written statements regarding its services. Such statements shall be in a form acceptable to Planner and shall be requested with sufficient advance notice to allow Planner to review the documents and prepare a suitable statement.

Planner's review or supervision of work prepared or performed by other individuals or firms employed by Client shall not relieve those individuals or firms of complete responsibility for the adequacy of their work. It is understood that any resident Planning or inspection provided by Planner is for the purpose of determining compliance with the technical provisions of the project specifications and does not constitute any form of guarantee or insurance with respect to the performance of a contractor. Planner does not assume responsibility for methods or appliances used by a contractor, for safety of construction work, or for compliance by contractors with laws and regulations.

IV. SCOPE OF CLIENT SERVICES - Client agrees to provide site access, and to provide those services described in the attached **Exhibit A - Scope of Services**.

V. OWNERSHIP OF DOCUMENTS - Upon Planner's completion of services and receipt of payment in full, Planner grants to Client a non-exclusive license to possess the drawings and instruments produced in connection with Planner's performance of the work under this Agreement, if any. Said drawings and instruments may be copied, duplicated, reproduced and used by Client for the purpose of constructing, operating and maintaining the improvements. Client agrees that such documents are not intended or represented to be suitable for reuse by Client or others for purposes outside the Scope of Services of this Agreement. Notwithstanding the foregoing, Client understands and agrees that any and all computer programs, GIS applications, proprietary data or processes and certain other items related to the services performable under this Agreement are and shall remain the sole and exclusive property of Planner and may not be used or reused, in any form, by Client without the express written

authorization of Planner. With regard to all drawings and instruments, Client agrees that any reuse by Client, or by those who obtain said information from or through Client, without written verification or adaptation by Planner, will be at Client's sole risk and without liability or legal exposure to Planner, Planner's subconsultants or independent associates. Client agrees to indemnify Planner, Planner's subconsultants and independent associates for all damages, liability or cost arising from such reuse. Planner may reuse all drawings, reports, data and other information developed in performing the services described by this Agreement in Planner's other activities.

VI. INDEMNIFICATION - Planner agrees to indemnify and hold Client harmless from any actual damages, liability or costs, including reasonable attorney's fees and expenses, to the extent caused directly by the negligent act or omission or willful misconduct of Planner, Planner's subconsultants or those for whom Planner is legally liable, in the performance of the professional services which are the subject of this Agreement.

In the event that Client is found to be concurrently negligent, Planner shall not indemnify for the proportionate negligence of Client, but shall only indemnify for the portion of negligence solely attributable to Planner, its agents, servants, employees, and subcontractors of any tier, their agents, servants and employees.

Neither party shall be liable to the other for incidental or consequential damages, whether or not the possibility of such damages has been disclosed or could have been reasonably foreseen.

The parties agree to indemnify one another against damages of third parties recoverable from the indemnitee to the extent caused by the comparative negligence of the indemnitor. Such negligence shall be measured by standards in effect at the time services are rendered, not by later standards.

Client acknowledges that Planner may perform work at facilities that may contain hazardous materials or conditions, and that Planner had no prior role in the generation, treatment, storage, or disposition of such materials and shall be indemnified and defended by Client for any and all claims arising out of the presence of hazardous materials or conditions except for those claims as determined by final judgment of a court of competent jurisdiction to arise out of the sole negligence of Planner.

VII. INSURANCE - Planner shall maintain during the life of the Agreement the following minimum insurance:

- A. Commercial general liability insurance, including personal injury liability, blanket contractual liability, and broad form property damage liability. The limit shall be not less than \$1,000,000.
- B. Automobile bodily injury and property damage liability insurance with a limit of not less than \$1,000,000.
- C. Statutory workers' compensation and employers' liability insurance as required by state law.
- D. Professional liability insurance (Errors and Omissions) with a limit of \$1,000,000 per claim/annual aggregate.

VIII. SUBCONTRACTS - Planner shall be entitled to subcontract any portion of the work described in the Scope of Services.

IX. ASSIGNMENT - This Agreement is binding on the heirs, successors, and assigns of the parties hereto. Neither this Agreement, nor any claims, rights, obligations or duties associated hereto, shall be assigned or assignable by either Client or Planner without the prior written consent of the other party.

X. INTEGRATION - These terms and conditions and the letter agreement (Scope of Services) to which they are attached represent the entire understanding of Client and Planner. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The Agreement may not be modified or altered except in writing signed by both parties.

HALFF ASSOCIATES, INC.

General Terms and Conditions (continued)

XI. JURISDICTION AND VENUE - This Agreement shall be administered and interpreted under the laws of the State Texas. Exclusive venue shall lie in Kleberg County, Texas.

XII. SUSPENSION OF SERVICES - If work under this Agreement is suspended for more than thirty (30) calendar days in the aggregate, the Planner shall be compensated for services performed and charges incurred prior to receipt of notice to suspend and, upon resumption, an equitable adjustment in fees to accommodate the resulting demobilization and mobilization costs and there also shall be an equitable adjustment in the work schedule based on the delay caused by the suspension. If work under this Agreement is suspended for more than ninety (90) calendar days in the aggregate, the Planner may, at its option, terminate this Agreement upon giving notice in writing to the Client. Planner may request that the work be suspended by notifying Client, in writing, of circumstances that are interfering with normal progress of the work. If the Client fails to make payments when due or otherwise is in breach of this Agreement, the Planner may suspend performance of services upon five (5) calendar days notice to the Client. The Planner shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this Agreement by the Client.

XIII. TERMINATION OF WORK - Either the Client or the Planner may terminate this Agreement at any time with or without cause upon giving the other party ten (10) calendar days' prior written notice. Client agrees that termination of Planner for Client's convenience shall only be utilized in good faith, and shall not be utilized if the purpose or result is the performance of all or part of Planner's services under this Agreement by Client or by another service provider. The Client shall within ten (10) calendar days of termination pay the Planner for all services rendered and all costs incurred up to the date of Planner's receipt of notice of termination, in accordance with the compensation provisions of this contract.

XIV. TAXES - The fees and costs stated in this Agreement, unless stated otherwise, exclude all sales, consumer, use and other taxes. Should regulations, laws, rules or other requirements be promulgated following execution of this Agreement Client agrees to fully reimburse Planner and its subconsultants for those taxes paid or assessed that were not enforceable as of the date of this Agreement. Notwithstanding the foregoing, it is expressly understood and agreed that this clause shall not apply to taxes associated with reimbursable or other project related expenses, which shall be identified in the applicable invoice for reimbursement by Client.

XV. ALTERNATIVE DISPUTE RESOLUTION - Any conflicts or disputes that arise under or through this Agreement or following the completion thereof shall be discussed at a meeting of one senior management person from Client and one from Planner. This meeting shall be a condition precedent to the institution of any legal or equitable proceedings, unless such meeting will infringe upon schedules defined by applicable statutes of limitation or repose. Should such a situation arise the parties agree that such meeting shall still be required but the institution of proceedings shall not be precluded for failure to meet this specific meeting requirement. Following the meetings and negotiations outlined above the Parties agree that the sole and exclusive remedy for any unresolved dispute arising out of, or related to, this Agreement or any breach hereof, shall be finally settled by arbitration. The arbitration shall be administered by the American Arbitration Association ("AAA") and conducted in Dallas, Texas by a single arbitrator, in accordance with the Construction Industry Rules of the AAA. The arbitrator shall be chosen from a panel of persons knowledgeable in the relevant field and shall be appointed within thirty (30) days of the date of the demand for arbitration. The decision of the arbitrator must contain written reasons and shall be final and incontestably binding upon the parties and not subject to any rights of appeal. Judgment upon any award may be entered in any competent court. All costs of arbitration shall be borne equally by all parties. Upon completion of the arbitration process, if no award is made to claimant, then

claimant shall pay the opposing party's costs and expenses incurred in such arbitration, including reasonable attorney's fees, as well as the costs of arbitration.

XVI. SEVERABILITY - Should any one or more of the provisions contained in this Agreement be determined by a court of competent jurisdiction or by legislative pronouncement to be void, invalid, illegal, or unenforceable in any respect, such voiding, invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be considered as if the entirety of such void, invalid, illegal, or unenforceable provision had never been contained in this Agreement.

XVII. TIMELINESS OF PERFORMANCE - Client recognizes that Planner must perform its professional services with due and reasonable diligence consistent with sound professional practices.

XVIII. AGREED REMEDIES - In recognition of the relative risks and benefits of the Project to both the Client and the Planner, and acknowledging that the allocation of risks and limitations of remedies are business understandings between the parties and such shall apply to all possible theories of recovery, Client agrees, to the fullest extent permitted by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, that the total liability, in the aggregate, of the Planner and the Planner's officers, directors, employees, agents, and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs or damages whatsoever arising out of, resulting from or in any way related to the services under this Agreement from any cause or causes of the Planner or the Planner's officers, directors, employees, agents, and subconsultants, shall not exceed the Planner's fee for the services performed under this Agreement or \$50,000, whichever is greater. Increased limits may be negotiated for additional fee.

Further, it is the intent of the parties to this Agreement that Planner's services under this Agreement shall not subject Planner's individual employees, officers or directors to any personal legal exposure for claims and risks associated with the services performed or performable under this Agreement.

XIX. WAIVER - Any failure by Planner to require strict compliance with any provision of this Agreement shall not be construed as a waiver of such provision, and Planner may subsequently require strict compliance at any time, notwithstanding any prior failure to do so.

APPROVED:
HALFF ASSOCIATES, INC.

Signature: _____

Name: _____

Title: _____

Date: _____

APPROVED:
City of Kingsville, Texas

Signature: _____

Name: _____

Title: _____

Date: _____

-END-

EXHIBIT 'A'

SCOPE OF SERVICES

City of Kingsville Parks Master Plan Kingsville, Texas

The following is the scope of services to be provided by Halff Associates, Inc. for the City of Kingsville. This scope includes a parks master plan document for Kingsville, Texas. In this scope of work, City staff and elected officials are referred to as "Staff." Halff Associates Inc. is referred to as Halff.

PLANNING PROCESS ASSUMPTIONS

The scope of services for this proposal has been prepared using the following assumptions as a basis for its preparation:

1. The study area will include the city limits of Kingsville as well as areas encompassing the city's extra-territorial jurisdiction (ETJ). Other areas around Kingsville in Kleberg County that may use Kingsville parks or recreation facilities will be considered as applicable.
2. Upon project initiation the City will coordinate with Halff to transfer spatial data and mapping that it can make available for the project, including data sets and GIS coverages (and AutoCAD layers, as useful and appropriate), previous concepts, topographical surveys, etc. already developed/maintained by the City for its entire planning area or readily available to the City from other sources. The City will be responsible for ensuring that GIS data obtained for this project is compatible, including projections and other formatting elements.
3. The City of Kingsville will provide electronic and printed copies, as available, of all previously prepared background information, studies and data that is appropriate for a comprehensive park planning effort such as this.
4. The City of Kingsville will be responsible for advertising all notices and announcements for public meetings or events conducted as part of this process, including postings on the City website, press releases to area newspapers and mass media, and legal notifications and postings where necessary. Halff will assist by preparing electronic files for up to 11" x 17" flyers/posters (as may be necessary) and email notifications that can be distributed by City staff conducting media interviews to publicize events.
5. The City staff will coordinate and schedule all meetings and presentations to Boards and the Commission that may be required as part of this process.
6. Because of the graphic nature of the park elements and ideas suggested as part of this plan, the draft and final report documents will be prepared in original Adobe "In-Design" format. Report documents will be provided to City of Kingsville in PDF format suitable for distribution electronically and posting to the City website.
7. Tasks prepared as part of this planning effort may occur concurrently where appropriate, or in some cases may deviate from the sequence shown in this scope of work.
8. Cost projections prepared as part of this effort, if applicable, are understood to be at a planning level, and are prepared prior to any detailed design for individual projects. These cost projections will use

professional judgment and are at an order-of-magnitude level. Such cost projections will vary as more detailed design occurs and as inflationary influences occur.

9. Upon completing projected costs, Halff will include suggested funding sources.
10. This scope of work includes four (4) trips to Kingsville at key intervals during the process. Stakeholder and/or planning meetings proposed for each of those trips will be scheduled on concurrent days and evenings for greater project efficiency.
11. Any additional meetings beyond those shown in this scope of work will be considered an additional service and are not included in this scope of services.
12. A single printed copy of the Parks Master Plan will be provided to the City; all other information will be submitted digitally as set out within this scope of services. The digital original provided to the City can be used by the City to print high quality copies of the document for use by the City Commission and staff.
13. Specific concepts for key parks can be developed as a separate step if determined to be necessary by City staff. These are included in the scope of services.

SCOPE OF WORK

The planning effort scope of work is as follows:

1.00 Project Initiation

1.01 Project Initiation and Management

- a. **Project Initiation Teleconference** – Teleconference or WebEx videoconference project initiation and coordination meeting with City staff to finalize project goals, establish lines of longer-term communication, and determine the final public involvement strategy, including the use and composition of a broad-based ad-hoc advisory committee.
- b. **Park Master Plan Template** – As part of the project initiation, a project template will be developed to guide the branding of the public outreach and document materials.
- c. **Project Management** – During the course of the project, coordination regarding scheduling of meetings and deliverables, and invoicing and progress reports will be prepared to ensure that the project is managed and proceeds according to the professional services agreement and this scope of services.

1.02 Pre-Planning and Background Information

- a. **Assemble list of requested files and information** – Submit list of required information to City staff, including demographic data, usage data, and summaries of existing facilities in each park, and other applicable previous or ongoing studies and GIS information.
- b. **Develop base mapping** – Use background base data provided by the City to prepare an updated base map of the City's park system which includes areas within the City's limits and extraterritorial jurisdiction.

- c. **Demographic profile** – Halff will incorporate demographic and socioeconomic data from the Census or as compiled by the City through other sources. Halff will utilize the population projections already used by the City (if available) to determine per capita needs for the future. This data will be incorporated into the Parks Master Plan document.

Product by Halff – Obtain background data and base files from City staff, develop base mapping for the City’s overall park system. Except as stated herein, Halff is not responsible for increasing the accuracy and precision or otherwise improving data received from the City.

Task Components by City Staff – The City shall provide digital copy of applicable background plans, documents, and base inventory and GIS data (as may be available) as requested by Halff so that Halff has the necessary resources to undertake the project.

2.00 Public Engagement

2.01 Kick-off Meetings, Interviews, and Tour (Trip # 1)

- a. **Conduct kickoff meeting with City staff** – Review project schedule, objectives of the effort, public input process and major milestones.
- b. **Conduct review of existing park and recreation facilities and programs** – Coordinate City staff to conduct a driving tour the City’s park and open space system to get a first-hand perspective of the issues, challenges, and opportunities facing the City.

Product by Halff – Attend and facilitate project kick-off meetings with City staff.

Task Components by City Staff – Organize and attend initial meeting and meetings with key City officials, review draft goals and objectives and comment as appropriate.

2.02 Stakeholder Focus Groups (Trip # 1)

- a. **Facilitate two focus group meetings with key stakeholder groups** – On the same day as the staff kick-off meetings, Halff will conduct two focus group meetings with key stakeholders – each lasting up to two hours apiece. These two small-group listening sessions should be comprised of up to 15-20 people per meeting and are intended to identify important community issues and their recommendations for the future of the City’s park and open space system. Meetings with the following potential stakeholders are suggested, but may be altered based on suggestions by City staff and officials:
1. Elected and appointed officials;
 2. City staff including those focused on economic development;
 3. Sports, athletic and golf user groups;
 4. Downtown business and land owners;
 5. Chamber representatives;
 6. Potential park user groups and other affected individuals;
 7. Youth / school groups; and
 8. Neighborhood groups, if applicable.
- b. **Facilitate two to three additional individual stakeholder meetings with key individuals or entities** – As part of Trip #1, Halff will conduct additional stakeholder meetings with key

individuals or entities (such as TAMU staff, Kleberg Foundation, Kingsville ISD, King Ranch ISD, or others as recommended by City staff) that may help guide the future of Kingsville's park facilities and programs.

Product by Halff – Prepare list of stakeholder questions, facilitate discussion with stakeholder focus groups, document with notes that are to be incorporated into the final Parks Master Plan document.

Task Components by City Staff – Prepare list of key entities or individuals for focus group meetings, organize and schedule meetings, notify and RSVP with attendees, attend meetings to provide local context, and provide basic refreshments.

2.03 Parks Master Plan Advisory Committee (PAC) (Trips #1, 3, and 4)

- a. Committee purpose and composition** – In order to ensure the City's overall parks and open space system is developed / redeveloped, maintained, and operated in accordance with the long-term vision and needs of the community, it is recommended to use a parks master plan advisory committee (PAC). The purpose of the PAC will be to provide a balanced opinion on important City issues, provide comprehensive input on the vision for parks for the future, and respond to draft deliverables and plan sections.
- b. Conduct a series of meetings with PAC** – As part of the plan development and vetting process, the Halff will meet with the PAC at three key points during the process, including:
 1. **Project Kick-off (Trip #1)** – As part of the project kick-off held during Trip #1, Halff will meet with the PAC to present an overview of the project and conduct a visioning work session.
 2. **Review of Preliminary Recommendations (Trip #3)** – As part of Trip #3, Halff will meet with the PAC to present an overview of the preliminary plan elements (see later in scope) which includes a summary of early public engagement and key recommendations to move forward. It is intended that the PAC will provide feedback and a recommendation on findings, recommendations, cost estimates (if applicable), prioritization, and other information that will be presented and vetted by the greater community at an open house public workshop scheduled during Trip #2.
 3. **Plan Recommendation (Trip #4)** – As part of Trip #4, Halff will meet with the PAC to present the draft final plan (incorporating comments received from the previous PAC meetings and open house public workshop) so that an official recommendation could be made by the PAC to the City Commission.

Product by Halff – Suggest agenda items along with handouts/presentations materials, as appropriate, for each scheduled PAC meeting; attend and facilitate each meetings.

Task Components by City Staff – Schedule meetings; distribute materials to the PAC; notify attendees; provide meeting refreshments as appropriate; attend meetings.

2.04 Online Community Survey

- a. Survey purpose and distribution** – In order to solicit appropriate and specific feedback from the citizens of Kingsville, it is recommended that the current on-line survey be adjusted and

continued. A survey announcement which can be transmitted electronically, or as part of a newsletter or postcard in the mail will be developed by Halff to help promote the survey.

1. An abridged hard copy of the survey which can be disseminated by City staff at public events will be prepared (note that hard copy survey responses will need to be transferred into the online survey tool by City staff).
 2. Understanding that many of the City's park and sport league users are from the greater Kingsville area, and to ensure adequate participation, it is recommended that the City broadly target advertisement of the online community survey. One recommendation is to coordinate with the Kingsville Independent School District (KISD) and other school districts to disseminate a survey announcement (i.e., post-card) to each student in the school system as well as through their various forms of social media. An incentive(s) should be provided as a means to encourage a broader range of participants.
- b. **Survey results and feedback** – The raw results of the online survey will be provided to City staff and a summary overview of pertinent results will be included in the plan document.

Product by Halff – Work with City staff to refine existing survey questions based on City staff comments, post survey online using SurveyMonkey®; provide City staff with a digital copy of the hard copy survey for City staff dissemination, provide raw survey results; tabulate pertinent survey results and prepare summary for inclusion plan document.

Task Components by City Staff – Review list of survey questions and provide feedback; distribute paper survey at City Hall and City libraries; coordinate with KISD, other school districts, and others entities to distribute the postcard; input paper survey results into the on-line survey; and, provide an incentive for taking the survey.

2.05 Open House Public Meeting (Trip #2)

- a. **Open house public meeting purpose and intended audience** – The purpose of the open house public meeting is to solicit communitywide feedback on the Park Master Plan recommendations developed from the project scope, kick-off public engagement activities, PAC direction and guidance, and the online community survey. The meeting is intended to be set up in an open-house, come-as-you-want format. In order to solicit communitywide feedback, this meeting should be widely advertised by City staff.
- b. **Meeting location and timing (Trip #2)** – Halff will facilitate an open house public meeting at a location identified by city staff. The open house will be held in the evening after business hours, for a two (2) to three (3) hour period. Halff will prepare displays, meeting signs, and sign in sheets as appropriate. Halff will prepare a meeting flyer and an "e-blast" that can be used to promote the meeting. Meeting advertising (including newspaper advertisement, stakeholder notification, posting on the City home page and distribution of flyers) will be by the City. Halff will develop a summary of feedback comments received during the meeting and associated priorities generated by the citizen feedback which will be incorporated into the final Parks Master Plan document.

Product by Halff – Meeting preparation and setup, conduct meeting with displays and presentation. Prepare summary of citizen input for inclusion in Parks Master Plan document.

Task Components by City Staff – Advertise meeting, coordinate location choice and setup. Light snacks (crackers, cookies, and fruit) and beverages (bottled water, iced tea, etc.) will be provided by City staff.

3.00 Draft Parks Master Plan Document

3.01 Parks & Open Space Inventory

- a. **Map parks and open spaces by type** – Inventory data to be provided by City staff will include the number and type of facilities in each City park. From this data, Halff will map the general geographic location of all park and open space facilities in Kingsville. Facilities to be shown include:
 1. Existing parks, recreation facilities, open spaces, and trails;
 2. Existing recreation/civic facilities;
 3. Private or quasi-private recreation facilities (as identified by City staff); and
 4. City owned properties, including undeveloped properties.
- b. **Prepare a tabular summary of facilities** – From the base inventory provided by the City staff, Halff will prepare inventories of facilities in Kingsville in table format.
- c. **Conduct a field review of existing parks and open spaces** – During Trip #1, Halff will conduct a reconnaissance of key parks in Kingsville, as identified by the City. This task will result in photographs and notes regarding characteristics of each park.

Product by Halff – Halff shall, based on information provided by the City, prepare a map that illustrates the geographic location of facilities in the City. Halff shall prepare a brief park profile of each City park.

Task Components by City Staff – The City shall, to the best of its ability and with information readily available, provide data for each existing park, including address, size, current classification, inventory, general condition of existing facilities in each existing park, and summary of issues related to each site. The City shall provide a summary of known information on regional park facilities and other major area recreational attractions, including location, size, types of facilities, and annual or event attendance (known or estimated).

3.02 Parks & Open Space Level of Service

- a. **Calculate current level of service (CLOS)** – Review the previously adopted Kingsville Parks and Open Space Master Plan to the identify existing standards and to determine if recommended adjustments or new standards are appropriate to identify the CLOS.
- b. **Develop target levels of service (TLOS)** – Develop a TLOS park land, amenities, and facilities to meet the needs of current and future populations. Use NRPA standards or similar area standards as starting points for comparison only.
- c. **Compare recommended to actual** – Compare recommended spatial facilities to actual number of facilities, and develop tables that illustrate deficiencies in each category.

Product by Halff – Halff shall draft park facility standards in table and written format.

Task Components by City Staff – The City shall provide previous park facility standards; and review and comment on proposed Target Levels of Service.

3.03 Parks & Open Space Needs Assessment

- a. **Written summary** – Halff will prepare a written summary of needs, to include areas of significant deficiencies, in terms of land area and specific types of facilities. Halff will compare recommended standards to actual conditions to determine deficiencies. The needs assessment will also include an evaluation of programming needs and local priorities
- b. **Mapping** – Halff will prepare maps as appropriate that demonstrate key needs.

Product by Halff – Halff shall prepare a summary of system needs in text, table and plan format. Halff shall prepare a map illustrating key needs, and transmit to City for review and comment.

Task Components by City Staff – The City shall review needs assessment and comment as appropriate.

3.04 Recommendations & Strategies

- a. **Recommendations** – Based on the current and anticipated growth in the City, Halff will consider and provide recommendations to address the specific needs and goals identified during this phase of the Parks Master Plan. Recommendations may be either citywide or targeted to specific sectors of the City. These recommendations and strategies will generally be categorized as follows:

1. Future Land Acquisition (if deemed necessary);
2. Park & Facility Development;
3. Park Improvements;
4. Recreational Programming; and,
5. Policy Recommendations.

Recommendations will include a combination of: **A)** Prioritized physical improvements (for example: addition of loop trail, parking lot expansion, pavilions, etc.) accompanied by order of magnitude costs; and, **B)** Descriptions of additional long-term system wide enhancements.

Product by Halff – Halff shall prepare a summary of recommendations in text, table and plan format. Halff shall prepare a map illustrating land acquisition and park development recommendations.

Task Components by City Staff – The City shall review and provided feedback on preliminary recommendations.

3.05 Trails Map and Strategies

- a. **Map trail corridors.** Halff shall incorporate a map that illustrates potential trail corridors. Each corridor will be reviewed for issues such as ownership, connectivity, construction feasibility and potential cost.
- b. **Trails Prioritization and Strategy.** A section in the master plan document will focus on prioritization and strategies to implement high priority trail corridors.

Product by Halff – review of potential trail corridors, map illustrating key trail locations, order of magnitude cost projections, text for section on trail priorities and recommendations.

Task Components by City Staff – information and locations of existing trails, review of recommendations and comment as appropriate, review of priorities and funding strategies.

4.00 Final Parks Master Plan Document and Approval

4.01 Prepare Public Hearing Draft of Parks Master Plan

- a. **Final Parks Master Plan recommendations** – A final Parks Master Plan document will be prepared based on the public input findings and the conclusions of the recommendations phase.
- b. **Organization and content** – It is intended that the Parks Master Plan document be organized in a manner that follows the draft outline below, although a final document outline will be prepared during the project initiation stage of this scope of services (Note: the document will be prepared in Adobe In-Design, to accommodate graphic images and photographs more readily than Microsoft Word):
 1. Introduction & Context (introduction, current conditions)
 2. Community Vision (engagement, vision, goals & objectives)
 3. Inventory & Needs (inventory, standards, & needs)
 4. Plan Recommendations
 5. Implementation (priorities, phasing, and potential funding)

4.02 City Staff, PAC, & City Commission Review

- a. **Post electronic copy for citizen review** – Transmit a PDF of the Parks Master Plan final draft document to the City staff for posting on the City's website for review and comment. The City will transmit electronic email blast to its contacts notifying them that the draft is available for review.
- b. **PAC review and recommendation** – Present final Parks Master Plan document to the PAC at a meeting held during normal business hours during Trip #3. Review comments and prepare a list of recommended changes. Submit final document to City staff for final approval by the City Commission.
- c. **City Commission public hearing and consideration of adoption** – Following the PAC meeting (Trip #3) but during the same day, present the final Parks Master Plan document to the City Commission at a public hearing. This will include a presentation of the final Parks Master Plan document and the recommendation from the PAC.

Products by Halff – Prepare a public hearing draft of the Parks Master Plan document and submit electronic original to City staff, present to PAC and City Commission for recommendation and consideration of adoption.

Task Components by City Staff – Advertise meetings (including meeting state public notification requirements for a public hearing), coordinate location choice and setup.

4.03 Prepare Adopted Parks Master Plan

- a. **Submit final document original** – Provide electronic versions of all original files related to the Parks Master Plan. Provide one full-color copy of the adopted Parks Master Plan.
- b. **Transmittal and Review by TPWD** – On behalf of the City, transmit adopted Parks Master Plan document to TPWD for their review and acceptance of the plan
- c. **Additional copies** – Printing of additional copies beyond that identified in 4.03(a), above, shall be considered an additional service.

5.00 Park Concept Plans

5.01 Concept Plan for Dick Kleberg Park

Halff will prepare a concept plan for Dick Kleberg Park. The concept plan will be prepared in electronic illustrative format, and will include potential costs at a pre-design level. This plan will:

- a. Help guide current improvements;
- b. Identify potential enhancements that can expand and improve usage of the park; and,
- c. Create a longer term vision for the park so that recommended improvements work towards preferred community identified outcomes.

Strategies for linkages to other City destinations, potential phasing and consideration of opportunities for grant funding will be considered. Stakeholder and citizen input will be incorporated into the engagement process outlined in Phase 2.0 above; and, the concept will be presented as part of the public review noted in Phase 4.0.

Note that the Dick Kleberg Park plan is at a concept level and will not include detailed environmental or engineering analysis, or on-the-ground topographical surveys. Such analyses may be provided at a future date once need is confirmed. The concept plan will also be exclusive of the J.K. Northway Exposition Center. Facilities related to the Exposition Center will be considered to the extent that they impact the remaining park site. The recommendations of independent and concurrent Exposition Center studies will be factored into the final Dick Kleberg Park concept plan.

Products by Halff – Discussion with staff and citizens regarding the program of elements for the park, a rendered concept plan in draft form for review and comment, one (1) set of revisions to the concept, cost estimates and phasing diagram.

Task Components by City Staff – The City shall review recommendations and comment as deemed necessary.

5.02 Neighborhood Park Concept Plan

Halff will prepare a concept plan for a second existing City park. The park for which the concept plan will be prepared shall be selected by the City from among a list of its neighborhood parks including any one (1) of the following: Brookshire Park #1, Brookshire Park #2, Corral Street Park, Opal Cochran Park, Kenedy Park, Los Hermanos Flores Park, Flato Park, or Thompson Park. The timing of the City's selection will be verified as part of project initiation activities outlined in Phase

1.0 above; but, will occur prior to or in conjunction with the project needs assessment (Task 3.03) to allow sufficient time for concept plan preparation.

The concept plan will be prepared in electronic illustrative format, and will include potential costs at a pre-design level. This plan will:

- d. Help guide current improvements;
- e. Identify potential enhancements that can expand and improve usage of the park; and,
- f. Create a longer term vision for the park so that recommended improvements work towards preferred community identified outcomes.

Consideration of opportunities for grant funding will be considered. Stakeholder and citizen input will be incorporated into the engagement process outlined in Phase 2.0 above; and, the concept will be presented as part of the public review noted in Phase 4.0. Note that the neighborhood park plan is at a concept level and will not include detailed environmental or engineering analysis, or on-the-ground topographical surveys.

Products by Halff – Discussion with staff and citizens regarding the program of elements for the park, a rendered concept plan in draft form for review and comment, one (1) set of revisions to the concept, and cost estimates.

Task Components by City Staff – The City shall review recommendations and comment as deemed necessary.

End of Attachment 'A' – Scope of Services

EXHIBIT 'B'
BASIS OF COMPENSATION

City of Kingsville Parks and Open Space Master Plan Update
Kingsville, Texas

Base Scope of Work – Halff Associates will provide labor and personnel to perform the base services outlined in Exhibit 'A' on a lump sum basis as shown below. Fees for services will be billed on a monthly basis, based on the percentage of work completed.

▪ Phases 1 through 4: Citywide Parks and Open Space Master Plan	\$54,326
<i>(Note: Includes allowance for Reimbursable Expenses (travel, printing, photography, mapping, mileage, supplies and illustrations for meetings, etc.)</i>	
▪ Phase 5: Park Concept Plans	<u>\$18,168</u>
Total:	\$72,494

Optional Additional Services / Meetings – Halff is available to undertake additional services as needed on an hourly or lump sum negotiated fee. This could include undertaking additional meetings (not set out in the scope of work), assistance with grant writing, development of concept plans (see below), etc.

End of Attachment 'B' – Basis of Compensation

EXHIBIT "C"
ANTICIPATED SCHEDULE FOR COMPLETION

City of Kingsville Parks and Open Space Master Plan Update
Kingsville, Texas

Schedule for Completion of the Planning Effort – Halff Associates will perform the base services outlined in Exhibit 'A' within eight (8) calendar months from the date of Kingsville' notice to proceed. A complete project schedule will be prepared as part of Exhibit A, Phase 1.

End of Attachment 'C' – Anticipated Schedule for Completion

AGENDA ITEM #9

**City of Kingsville
Risk Management Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Carol Rogers, Interim Risk Manager *CR*
DATE: April 18, 2016
SUBJECT: Windstorm Renewal

Summary: This item authorizes renewal of the City's Windstorm Coverage for the period of May, 1, 2016 through May 1, 2017

Background: This is an annually budgeted item that will replace our expiring rates.

Financial Impact: The renewal allows the City to cover 80 additional items not currently on the city's' existing policy. The city would be adding \$7,106,807 in additional coverage. Option 1 will expend up to \$149,746. This is an increase of \$3,457.

Recommendation: The attached options have been provided by Victor O. Schinnerer & Company, Inc. (VOSCO). The renewal has been reviewed by the City's Texas Municipal League Intergovernmental Risk Pool carrier (TMLIRP). Based on the information attached, it is recommended that the City choose Option 1.



City of Kingsville
2016-2017 Wind/Hail Coverage Options

Description	Expiring	Renewal Recommendation: Option 1 Includes all 188 TML Property Locations	Option 2- includes all 188 TML Property Locations	Option 3- includes only 48 previously Insured TWIA Locations
Total Insurable Value	\$ 36,162,016	\$ 43,268,823	\$ 43,268,823	\$ 12,412,002
Limit of Liability- Max.	\$ 36,162,016	\$ 43,268,823	\$ 43,268,823	\$ 12,412,002
# Locations/Items Covered	114	192	192	48
Primary Carrier Deductible per named storm	\$ 25,000	\$ 25,000	\$ 25,000	1% per item or \$1,000, whichever is greater
Total Cost	\$ 146,289	\$ 149,746	\$ 178,600	\$ 163,011
Primary & Excess Carriers	AmRisc	AmRisc	LIU, James River & WKF&C	Texas Windstorm Insurance Association (TWIA)
Business Income	\$ -	\$ 250,000	\$ 250,000	None
Extra Expense	Included with limit of liability- \$500,000.	\$	\$ 250,000	None
Outdoor Trees/Shrubs	Included with limit of liability- \$10K max.	\$	\$ 250,000	None
Traffic Signals-various locations	Included with limit of liability	\$ 0	\$ 250,000	None
Valuable Papers	Included with limit of liability \$10K max	max	Included with limit of liability-\$1M max	None
Newly Acquired Property	Included with limit of liability- \$1.1M max	max	Included with limit of liability-\$1M max	None

Option 1 through 3 Narrative & Broker Recommendation

Option 1 (Renewal Recommendation) This option includes all items that will be insured for Windstorm/Hail Coverage for the schedule included in this proposal. Basically, all these locations are also covered for property through TMLIRP. The city will be adding over \$7,000,000 in additional limits and about 80 new locations and will incur only about \$3,000 increase in cost from expiring. This option further includes many other betterments to sub-limits from the expiring coverage. The out of pocket deductible per occurrence will be \$25,000. *Please note that any exposure underground will not be covered for wind/hail damage even if on the schedule.*

Option 2 - This option offers basically the same coverage as option 1, but is proposed through other carriers. This option is about \$29,000 higher than option 1.

Option 3 - This option is offered through Texas Windstorm Insurance Association (TWIA). This option includes most items that were covered through TWIA for policy year 2013-2014, which is about 48 locations. Maximum limits of liability for this option is \$12,412,002. With this option, the insured will be assuming more of the risk, because the deductible is 1% per item. The maximum out of pocket deductible in the event of a loss will be \$124,000. In order to quote and add all other locations/structures, TWIA will require a WP18 for anything built or reconstructed after 1988. This choice is the least viable option for the city.

Summary - Several insurance markets were approached for the renewal allowing us to utilize different capacity to provide the city with the multiple options for retentions, limits and pricing. Upon review of the quotes, you will notice AmRisc is offering the most competitive terms if the City of Kingsville chooses to retain the \$25,000 deductible, while other carriers are providing lower cost/higher retention loss limit options for the City to consider. The attached market summary sheet will show you the insurance companies approached and their response.

City of Kingsville
Summary Markets Approached for Wind/Hail quote 2016

Texas Windstorm Insurance Association (TWIA) - \$12,412,002 limits at 1% deductible and 80% coinsurance for \$163,011.
ACE – indicated a \$5M primary at a \$100K deductible for \$85,000 - \$95,000 premium
Berkshire – would need a minimum of \$100,000 premium for a primary and a 2% deductible
Catalytic – indicated \$10M primary at a \$100K deductible for \$170,000 premium
Colony – indicated \$25M x \$10M layer for \$37,500 premium
Hiscox – indicated \$10M primary with a 1% deductible for \$80,000 premium
Endurance – indicated \$10M primary with a 2% deductible for \$70,000 premium
ICAT – declined due to occupancy and amount of light construction
James River – indicated \$25M x \$10M layer for \$25,000 premium
LIU – indicated \$10M primary with a \$100K deductible for \$125,000 premium
WKF&C – indicated buy down from \$100K to \$25K for \$6,600 premium
BOTTOM LINE: the next best option is to utilize LIU, James River and WKF&C to produce the following terms:
o TIV: \$43,268,823
o Limit: \$35,000,000
o Deductible: \$25,000
o Premium: \$156,600 Premium (19% increase over AmRisc)



VICTOR O.
SCHINNERER
& COMPANY, INC.

QUOTE CONFIRMATION

DATE: Apr 07, 2016
ATTN: Heena Patel
AGENCY: Victor O. Schinnerer & Co., Inc.
4247774

QUOTATION EXP. DATE: 5/1/2016

Dear Heena,

We are pleased to confirm the following quotation that has been received from the carrier shown below. Please note that this quotation is based on the coverage, terms and conditions listed below, which may be different from those requested in your original submission. As you are the representative of the Insured, it is incumbent upon you to review the terms of this quotation carefully with your Insured, and reconcile any differences from the terms requested in the original submission. CRC Insurance Services, Inc. disclaims any responsibility for your failure to reconcile with the Insured any differences between the terms quoted below and those terms originally requested. THIS COVERAGE MAY NOT BE BOUND WITHOUT A FULLY EXECUTED BROKERAGE AGREEMENT.

The terms of the quotation are as follows:

Insured Name: City of Kingsville
200 E. Kieberg Ave
Kingsville, TX 78363

Amrisc Carriers: Underwriters at Lloyds - Contract Facilities
Indian Harbor Insurance Company
QBE Specialty Insurance Company
Steadfast Insurance Company
General Security Indemnity Company of Arizona
United Specialty Insurance Company
Lexington Insurance Company
Princeton Excess and Surplus Lines Insurance Company
International Insurance Company of Hannover

Term: 5/1/2016 to 5/1/2017

TIV: \$43,268,823 - Breakdown as follows
\$29,375,172 Real Property
\$7,463,858 Business Personal Property
\$6,929,793 Outdoor Property & Equipment
\$500,000 Business Income/Extra Expense

Interests Covered: ☒ Real Property
☒ Business Personal Property
☒ Other (Outdoor Property & Equipment)
☒ Business Income/Extra Expense

Locations Covered: As Per Statement of Values on file with the Company

Perils Covered: Wind/Hail Only

Limit of Liability: \$43,268,823 Per Occurrence - Coverage Is Scheduled / Not Blanket

Sub Limits: \$1,000,000 Accounts Receivable
\$250,000 Builder's Risks
\$25,000 Builder's Risks Soft Costs
30 Days Maximum \$1,000,000, whichever is less - Civil or Military Authority
60 Days Maximum \$1,000,000, whichever is less - Contingent Time Element
25% of loss or \$5,000,000, whichever is less - Debris Removal

\$100,000	Electronic Data & Media
\$25,000	Errors & Omissions
180 Days	Extended Period of Indemnity
\$500,000	Extra Expense/Expediting Expense
\$250,000	Fine Arts
\$100,000	Fire Brigade Charges
\$15,000	Fungus, Molds, Mildew, Spores, Yeast (Annual Aggregate)
30 Days	Maximum \$100,000, whichever is less - Ingress/Egress
\$100,000	Leased or Rented Equipment, subject to a \$25,000 Max Any One Item
\$100,000	Leasehold Interest
\$100,000	Limited Pollution Coverage (Annual Aggregate)
\$25,000	Lock Replacement
\$100,000	Miscellaneous Unnamed Locations
\$1,000,000	Newly Acquired Property (60 Days)
Included	In Building Limit - Ordinance or Law - Coverage A
20% Per Bldg	subject to a Max of \$1,000,000 Per Occurrence - Ordinance or Law - Coverage B & C Combined
Included	in Time Element - Ordinance or Law - Coverage D
30 Days	Ordinary Payroll
\$250,000	Plants, Lawns, Trees or Shrubs, limited to \$25000 Any One plant, lawn, tree or shrub
\$100,000	Professional Fees (Annual Aggregate)
\$10,000	Reclaiming, Restoring or Repairing Land Improvement
\$25,000	Reward Reimbursement
\$25,000	Royalties
\$100,000	Service Interruption (72 Hour Qualifying Period)
\$25,000	Spillage
\$100,000	Transit
\$1,000,000	Valuable Papers and Records
Included	As per Schedule - Sinkhole Loss Extension (AR Sinkhole 01 15)
\$250,000	Traffic Signals at various scheduled locations

Sublimits apply Per Occurrence, unless noted otherwise. Sublimits are part of, not in addition to, the Limit of Liability shown above.

Deductible: \$25,000 Per Occurrence

Valuation: Replacement Cost - PD
Actual Loss Sustained - TE

Coinsurance: Nil

Forms: Compass
AR TRIA EXCL 02 15
Standard forms/endorsements in use at the time of binding including Arbitration clause, available upon request.

Terms & Conditions:

- No Flat Cancellations
- 90 Day Notice of Cancellation, except 10 days for nonpayment of premium or material misstatement; subject to individual state requirements
- Fees are fully earned and non refundable
- Nonpayment of premium(s) is considered Insured's request to cancel - requested cancellations are subject to short-rate calculations and severe penalties
- Limits are specific per the Schedule of Values on file with the Company, NOT blanket
- All quotes and binders are subject to satisfactory inspections, recommendation compliance and financials
- Carriers' participation may change at the time of binding or throughout the coverage period
- If a Named Storm is in existence, binding or increase in coverage is not allowed without approval of the underwriter

Specific Terms & Conditions:

1) All buildings with outstanding damage are excluded

- 2) Coverage excludes all damage directly or indirectly caused by any Named Storm in existence upon Company receipt of written request to bind
- 3) Coverage explicitly excludes all flooding, including but not limited to flooding during windstorm events
- 4) Business Income and Extra Expense are blanket across locations

Subject to:

All Quotes and Binders are subject to satisfactory inspections, recommendation compliance and satisfactory financials; AmRisc to order inspections.

Warrants:

Warrant no losses in the last five (5) years on properties to be covered unless specified in AmRisc Application

CRC is responsible for filing all required Surplus Lines Taxes, Filings and Fees.

Premium:	\$131,600.00
Policy Fee	\$750.00
Inspection Fee	\$500.00
Broker Fee	\$9,865.00 - Fees are 100% Earned
SURPLUS LINES TAX	\$6,916.83
Stamping Fee:	\$213.92
Total:	\$149,745.75

AGENDA ITEM #10

**City of Kingsville
Engineering/Public Works**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

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

DATE: April 1, 2016

SUBJECT: Creation of an ALL WAY STOP condition at the intersection of Avenue B and Armstrong Street

Summary:

This item authorizes the approval to create an ALL WAY STOP condition at the intersection of Avenue B and Armstrong Street.

Background:

The Engineering department received a request in November of 2015 from the Texas A&M University – Kingsville’s (TAMUK) Student Government Association to evaluate the safety along Armstrong Street. As part of a Spring 2016 Civil Engineering elective, students from TAMUK evaluated the safety along Armstrong Street. The evaluation consisted of traffic and pedestrian safety. It was evaluated and determined that Avenue B at Armstrong needed attention due to geometry and the amount of vehicular and pedestrian traffic. It was observed that this intersection is a stop condition on Avenue B and free flow movement on Armstrong Street. Furthermore, it was determined that Armstrong Street serves as the primary collector street and Avenue B serves as the secondary collector street. As part of the Engineering study, traffic counts (including pedestrian traffic) and movements were conducted during the peak hours. Based on the pedestrian traffic crossing Armstrong, the Engineering study concluded that this intersection meets a “ALL WAY STOP” warrant.

Financial Impact:

The financial impact is \$1,000.00 including the signs and pavement markings. 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 intersections of Avenue B and Armstrong Street be converted to an “ALL WAY STOP” condition.



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 PLACE ALL WAY STOP SIGNS ON ARMSTRONG AVE. AT AVENUE B; 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.

....

(B) AREA B:

AREA B		
Intersection	Direction	Device
1. Ella Ave. at Third St.	Westbound	Install stop sign
2. Nettie Ave. at Second St.	Northbound	Install stop sign
3. Nettie Ave. at Fifth St.	Eastbound - Westbound	Install stop sign
4. Avenue A at Third St.	Eastbound - Westbound	Delete yield sign Install stop sign
5. Avenue B at Second St.	Southbound	Install stop sign
6. Avenue B at Fifth St.	Eastbound - Westbound	Install stop sign
7. Avenue C at Well St.	Southbound	Install stop sign
8. Avenue C at First St.	Northbound - Southbound	Install stop sign
9. Avenue C at Second St.	Northbound - Southbound	Install stop sign

10. Avenue C at Fourth St.	Northbound	Install yield sign
11. Avenue C at Fifth St.	Westbound	Install stop sign
12. Avenue D at Wells St.	Northbound - Southbound	Install stop sign
13. Avenue D at First St.	Northbound - Southbound	Install stop sign
14. Avenue D at Second St.	Northbound - Southbound	Install stop sign
15. Mesquite Ave. at First St.	Northbound - Southbound	Install stop sign
16. Mesquite Ave. at Second St.	Northbound - Southbound	Install stop sign
17. Corral Ave. at Wells St.	Northbound - Southbound	Install stop sign
18. Corral Ave. at First St.	Northbound - Southbound	Install stop sign
19. Corral Ave. at Second St.	Northbound	Install stop sign
20. Avenue F at Wells St.	Northbound - Southbound	Install yield sign
21. Avenue F at First St.	Eastbound	Install stop sign
22. Avenue G at Wells St.	Northbound - Southbound	Install yield sign
23. Avenue G at First St.	Eastbound	Install stop sign
24. Young Dr. at Corral Ave.	Southbound	Install stop sign
25. Railroad Ave. at Avenue D	Northbound - Southbound	Install stop signs
26. West Avenue D at Third St.	Eastbound - Westbound Northbound - Southbound	Install stop signs
27. North Ninth Street at Sixth Street	Northbound	Install stop sign
28. <u>Avenue B at Armstrong Ave.</u>	<u>All Way</u>	<u>Install stop signs</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 __11th__ day of April, 2016.

PASSED AND APPROVED on this the ____th day of _____, 2016.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

City of Kingsville
Planning and Development Services Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Tom Ginter, Director

DATE: April 8, 2016

SUBJECT: Waiver of building permit fees for HOME Program

Summary: Kleberg County has submitted an application to the Texas Department of Housing and Community Affairs (TDHCA) for funding through the HOME Program. This program requires matching funds which this agenda item addresses.

Background: The HOME Program which is funded through the U.S. Department of Housing and Urban Development (HUD) and administered through TDHCA helps low income homeowners fund repairs to bring homes into compliance or replace houses when the costs of rehabilitation are more than the limits for repairs. The program has a thorough and lengthy screening process. While a number of citizens submit applications one of the key criteria for getting approved is possession of a clear title to the property. After that review was completed, the County hopes to have three applicants receive new homes funded by this program. There is a match requirement for the County. The minimum match is dependent upon the population of the city/county. Kleberg County desires to allocate a maximum of \$38,250.00 dollars from the county's reserve fund for their match. The three homes under consideration are in the city limits of Kingsville. With the homes being in our city limits, it is the recommendation to the City Commission that the building permit fees be waived to work with Kleberg County on improving their match dollars.

Financial Impact: At the time of writing this memo it is my understanding that there are three homes that could be built. Our building permit fees are based on square footage so for this example I will use a 1,000 square foot home. One building permit for a 1,000 square foot home is \$240.00 dollars. For three that would be a total of \$720.00 dollars.



City of Kingsville
Planning and Development Services Department

Recommendation: The recommendation is to waive the building permit fees for the number of homes that would be built associated with the HOME Program.



AGENDA ITEM #12

**City of Kingsville
Planning Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Cynthia Martin, Downtown Manager
DATE: April 15, 2016
SUBJECT: Historical Development Board review – 304 E Alice

Summary: The Historical Development Board met on April 15, 2016, to evaluate an application for a permit for the replacement of windows and window trim at ORIG TOWN, BLOCK 11, LOT 29-30 also known as 304 E Alice Avenue as presented by Sandra Palacios, property owner. A copy of the application for review and related documentation are attached.

Background: Mrs. Palacios proposes to replace six deteriorated windows and the trim around them on the house at 304 E Alice. The replacement windows will be aluminum of similar size and configuration to the current windows. New trim of similar size and configuration so as to match that currently on the house.

Financial Impact: NA

Recommendation: The Historical Development Board unanimously recommended approval of the permit application as submitted.



Historical Development Board Review Application

Date of Request: 3-18-16 Property is zoned: C-3

Property Location and Description: 304 E. Alice

Year Built: 1930 Style, Period, Condition, Context or other Comments: _____

Description of Work: Replace bedroom and livingroom windows
Replace with single hung aluminum storm window unit
~~Same~~ replace wood trim with similar wood size and configuration

Applicant: Sandra Lee Palacios

Address: 304 E. Alice

Contact: Cell: 361-543-6764 Office: see message Home: _____ Email: _____

Contractor: Self Home owner

Contact: Cell: _____ Office: _____ Home: _____ Email: sp8559@gmail.com

Documents Required:

	Req'd	Have
1. Building or Planning Department Application(s)	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>
4. Materials List or Samples	<input type="checkbox"/>	<input type="checkbox"/>
5. Proof of Ownership	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I certify that this information and the additional information submitted to the Planning Department 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: Sandra Lee Palacios Signature: Sandra Lee Palacios

Hearing Date: 4/20/16 Approved ☐ Disapproved with conditions ☐ 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 361-219-9325 for information.



CITY OF KINGSVILLE
Planning Department
Building Permit Application

Phone No: (361) 595-8019

Submit the completed form and an Inspector will be assigned to review your application and property before starting the following job.

DATE: <u>3/18/16</u>	PERMIT#: _____	APPROVED BY: <u>Daniel</u>
JOB ADDRESS: <u>304 F. Alice</u>		
OWNER'S NAME: LAST: <u>Palacios</u>	FIRST: <u>Sandra</u>	M: <u>L</u>
MAILING ADDRESS: <u>304 F. Alice</u>	PHONE NO: <u>361-543-6764</u>	
CITY: <u>Kingsville</u>	STATE: <u>TX</u>	ZIP CODE: <u>78363</u>
CONTRACTOR: * <u>Home owner</u>	PHONE NO: _____	
DESCRIPTION OF WORK: <input type="checkbox"/> New <input checked="" type="checkbox"/> Remodel Square Feet _____		
VALUATION OF WORK: \$ <u>1200.00</u>	PERMIT FEE: \$ _____	
<p>* Contractor must be registered with the City of Kingsville.</p> <p>NOTICE</p> <p>SEPARATE PERMITS ARE REQUIRED FOR, ELECTRICAL, PLUMBING, HEATING, VENTILATING OR AIR-CONDITIONING; ALL CONTRACTORS ARE RESPONSIBLE FOR DISPOSING OF THEIR OWN DEBRIS AT THE SANITARY LANDFILL ON CR 2130. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN SIX MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS COMMENCED.</p> <p><u>Sandra Lu Palacios</u> <u>3-18-16</u> SIGNATURE DATE</p> <p>HOMEOWNER APPLICANTS ONLY: I HEREBY CERTIFY THAT I OWN AND AM NOW LIVING AT THE DWELLING FOR WHICH THIS PERMIT IS BEING ISSUED, AND THAT THE WORK IS BEING PERFORMED BY ME OR A MEMBER OF MY IMMEDIATE FAMILY. I UNDERSTAND THAT, FOR THE PURPOSES OF THIS APPLICATION, MY IMMEDIATE FAMILY IS LIMITED TO MY PARENT, CHILD OR CHILD'S SPOUSE.</p> <p>INITIAL HERE <u>SLP</u></p>		

FOR OFFICE USE ONLY

CURRENT ZONING FOR LOCATION: _____	IS ZONING APPROPRIATE FOR USE REQUIRED: YES/NO
SETBACK REQUIREMENTS VERIFIED: YES/NO	ARE SETBACK REQUIREMENTS MET: YES/NO
IS THE PROPERTY IN THE AICUZ/CCLUA**: YES/NO	DOES IT COMPLY WITH THE AICUZ/CCLUA**: YES/NO
PROPERTY EASEMENT VERIFIED: YES/NO	DIMENTION OF EASEMENT: _____
AICUZ/CCLUA** DEED NOTIFICATION: YES/NO	** CONTROLLED COMPATIBLE LAND USE AREA (JAZB)

City of Kingsville Building/Permits Department

Part I: Type of Home (please specify) _____

Part II: Foundation

1. Type: ☐ Post Tension ☐ Pier & Beam ☐ Steel Reinforcement ☐ Crawl Space
☐ Other _____
2. Anchorage: ☐ Bolts ☐ Straps ☐ Other _____

Part III: Open Framing

1. Floor Framing: Species _____ Grade _____ Size _____ Spacing _____
Span _____ ☐ Conventional ☐ Other _____
2. Subfloor: Material _____ Thickness _____
Fastening: ☐ Nails ☐ Other _____
Spacing of Fasteners: On edges _____ Intermediate _____
3. Wall Framing: Bearing Walls: Size _____ Spacing _____
Non-Bearing Walls: Size _____ Spacing _____
☐ All blocking, plates, lintels, headers and bracing Wind Bracing: _____
4. Roof Framing: ☐ Trusses ☐ Rafters Size _____ Spacing _____ Span _____
Species _____ Grade _____ Ceiling Joists: Size _____ Spacing _____
Span _____ Species _____ Grade _____

Part IV: Roofing & Flashing

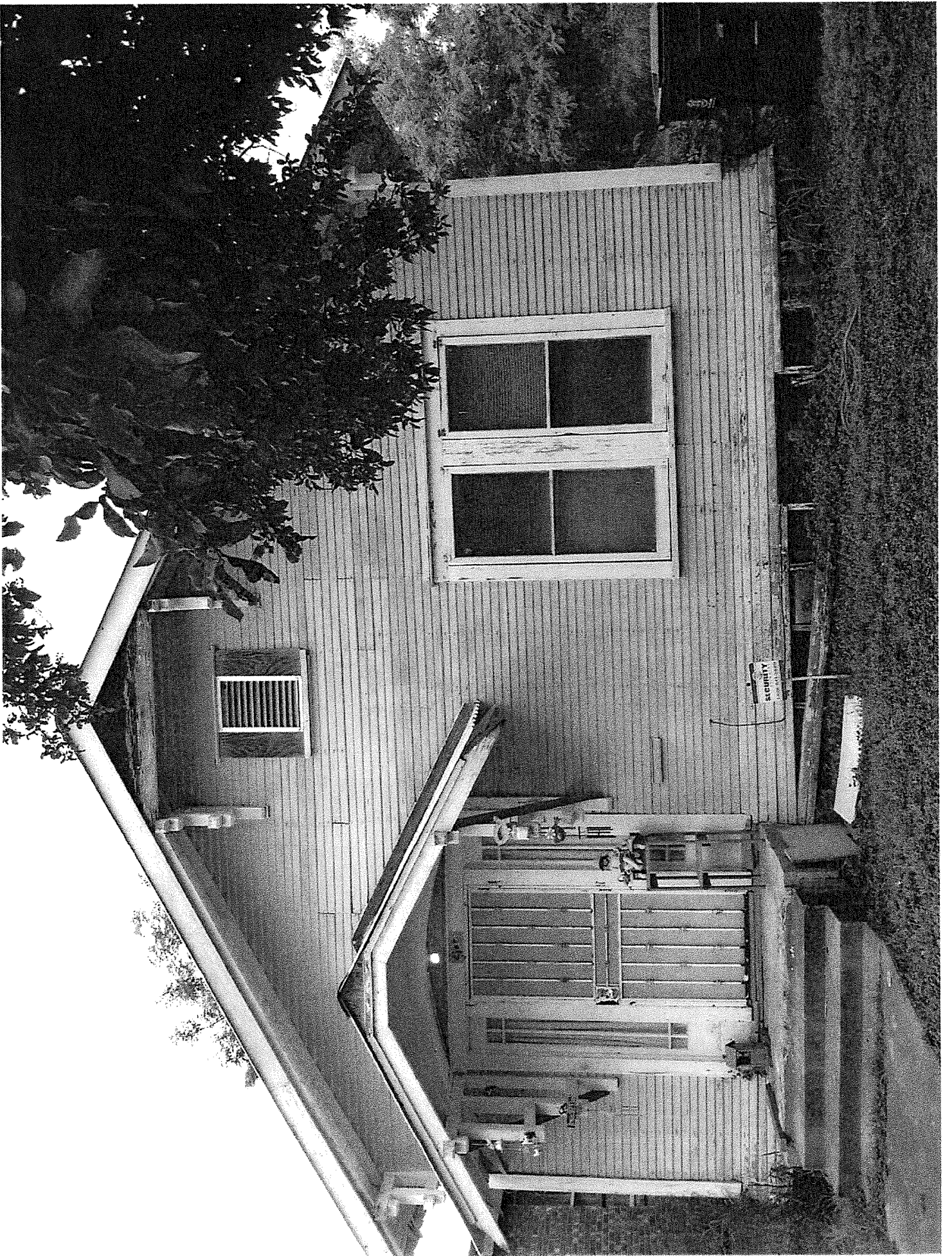
1. Roof Sheathing: Thickness _____ Grade _____
2. Attic Ventilation: ☐ Ridge & Soffit ☐ Other _____
3. Flashing: ☐ at roof/wall changes ☐ at chimneys ☐ at doors & windows
☐ at porches & thresholds ☐ at roof penetration

Part V: Mechanical

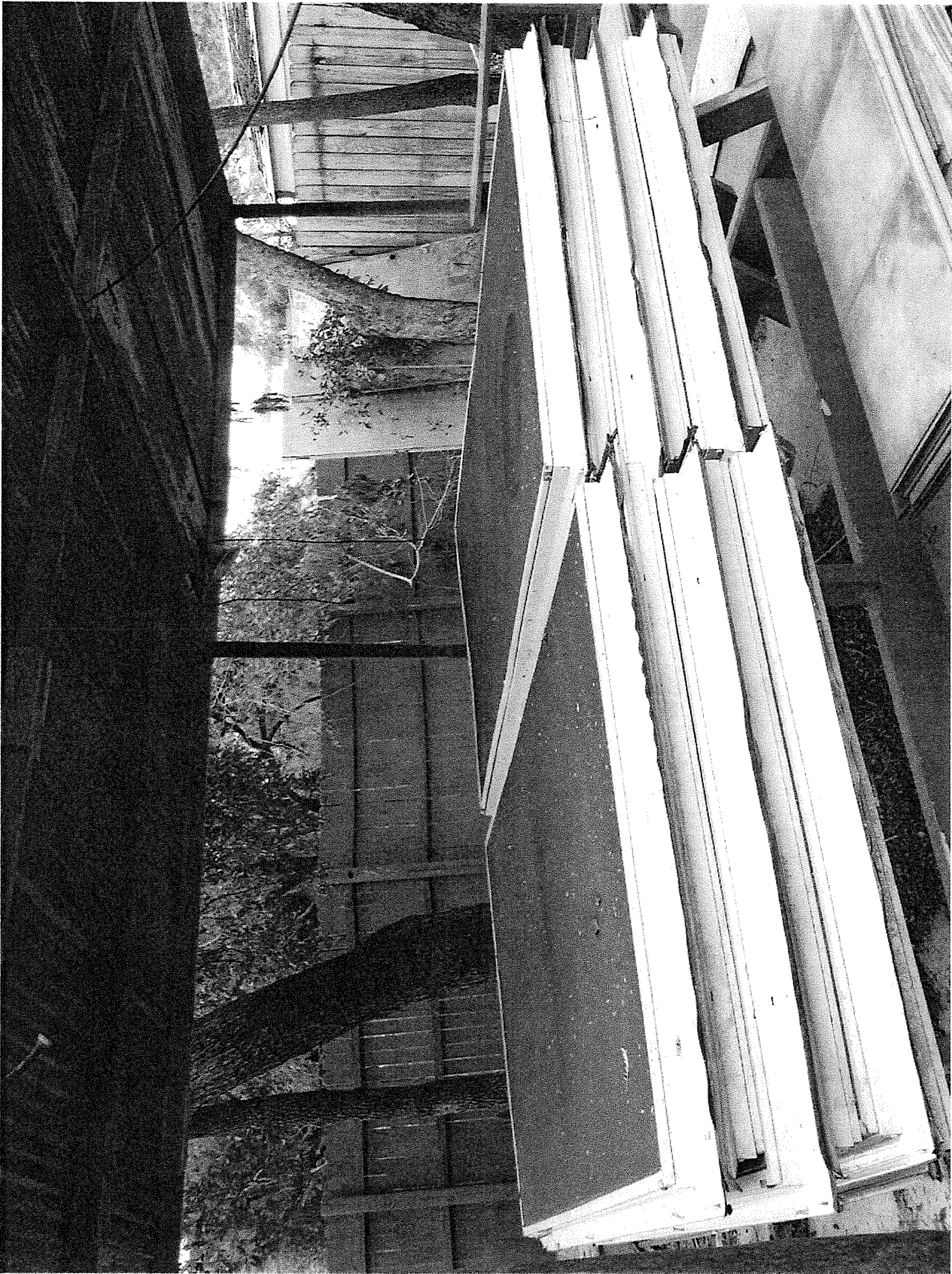
1. Electrical: Service Size _____ Wire Size _____ Service Location _____
2. HVAC System: Heating type _____ Location _____
Central A/C ☐ Yes ☐ No Ductwork: Type _____ Location _____
3. Plumbing: Water Distribution Material _____ Vent: Size _____
Location _____
Water: ☐ On-site Well ☐ Public System
Waste: ☐ On-site Septic ☐ Public System

Comments:

Replace 6 double windows







KLEBERG COUNTY APPRAISAL DISTRICT
 PROPERTY 13058 R
 Legal Description
 ORIG TOWN, BLOCK 11, LOT 29, 30
 Ref ID2: R13058
 Map ID C1
 100101129000192
 SITU 304 E ALICE
 OWNER ID 60862
 OWNERSHIP 100.00%
 ACRES: 0.45
 EFF. ACRES: 0.45
 APPR VAL METHOD: Cost
 SKETCH for Improvement #1 (RESIDENTIAL)
 UTILITIES
 TOPOGRAPHY LEVEL
 ROAD ACCESS PAVED, CURB & GUTTER
 ZONING FF80D140 A1 N
 NEXT REASON
 REMARKS
 FOR 2013 ADD FF TABLE FF80D140 PER IE
 4/17/13 JO -- FOR 2013 NO VAL CHG TO ACCT
 PER APPR LR 2/1/13 3/11/13 FOR 2010 NO
 CHANGE TO ACCT PER APPR LR 12/9/09
 BUILDING PERMITS
 ISSUE DT 04/26/2000
 PERMIT TYPE MISC
 PERMIT AREA 2,500
 SALE DT 03/02/2015
 PRICE *****
 GRANTOR PALACIOS JOVITA GFT WD / 527 / 485
 01/06/2015 *****
 PALACIOS LEANDRO AFF / 524 / 449
 PALACIOS LEANDRO AFF / 524 / 449

PROPERTY APPRAISAL INFORMATION 2016
 VAVRUSA VILMA ANN
 ETAL
 PO BOX 250
 SHERIDAN, TX 77475
 ACRES: 0.45
 EFF. ACRES: 0.45
 APPR VAL METHOD: Cost
 SKETCH for Improvement #1 (RESIDENTIAL)
 UTILITIES
 TOPOGRAPHY LEVEL
 ROAD ACCESS PAVED, CURB & GUTTER
 ZONING FF80D140 A1 N
 NEXT REASON
 REMARKS
 FOR 2013 ADD FF TABLE FF80D140 PER IE
 4/17/13 JO -- FOR 2013 NO VAL CHG TO ACCT
 PER APPR LR 2/1/13 3/11/13 FOR 2010 NO
 CHANGE TO ACCT PER APPR LR 12/9/09
 BUILDING PERMITS
 ISSUE DT 04/26/2000
 PERMIT TYPE MISC
 PERMIT AREA 2,500
 SALE DT 03/02/2015
 PRICE *****
 GRANTOR PALACIOS JOVITA GFT WD / 527 / 485
 01/06/2015 *****
 PALACIOS LEANDRO AFF / 524 / 449
 PALACIOS LEANDRO AFF / 524 / 449

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

SUBD: S001
 100.00% NBHD:
 # TYPE DESCRIPTION MTHD CLASS/SUBCL AREA UNIT PRICE UNITS BUILT EFF YR COND. VALUE DEPR PHYS ECON FUNC COMP ADJ ADJ VALUE
 MA MAIN AREA R FF3/ 1,056.0 42.09 1 1945 F 44,450 45% 100% 100% 100% 100% 0.45 20,000
 OP1 OPEN PORCH B R / 24.0 8.42 1 1945 F 200 45% 100% 100% 100% 100% 0.45 90
 1. RESIDENTIAL STCD: A1 1,080.0 44,650
 STGS IS C B STG

Summary of Secretary of Interior Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of Buildings, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

AGENDA ITEM #13

**City of Kingsville
Planning Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Cynthia Martin, Downtown Manager

DATE: April 15, 2016

SUBJECT: Historical Development Board review – 222 E Alice

Summary: The Historical Development Board met on April 15, 2016, to evaluate an application for a permit for replacement of siding, windows, doors and paint; removal of a storage area and new fencing at ORIG TOWN, BLOCK 12, LOT 21-22 also known as 222 E Alice Avenue as presented by Wayne Lloyd and Rachel Hall, property owners. A copy of the application for review and related documentation are attached.

Background: This house was a HUD foreclosure and is in poor condition. The house exclusive of a brick façade, has a combination of vinyl and wood siding, all in poor condition, which will all be replaced with new lap siding and painted. The owners propose to replace all the windows and doors in the home. They are asking to remove a portion of an enclosed storage area off of the breezeway. The back yard is not currently fenced. The owners are asking to install a wooden privacy fence in the back yard.

Financial Impact: NA

Recommendation: The Historical Development Board unanimously recommended approval of the permit application as submitted.



Historical Development Board Review Application

Date of Request: 4/4/16 Property is zoned: A-T-C-3

Property Location and Description: 222 East Alice

Original town, block 12, lot 21 & 22

Year Built: 1955 Style, Period, Condition, Context or other Comments: contemporary

Description of Work: siding, windows, paint, doors, remove
section of storage that was added at a later date
and wood fence backyard - see attached for details

Applicant: Wayne Lloyd & Rachel Hall

Address: 222 E Alice, Kingsville TX 78363

Contact: Cell: 361-813 2570 Office: _____ Home: 361-248 1283 Email: rosehall95@hotmail.com

Contractor: owners - general
same as above

Contact: Cell: _____ Office: _____ Home: _____ Email: _____

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

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.



CITY OF KINGSVILLE
Planning Department
Building Permit Application

Phone No: (361) 595-8019

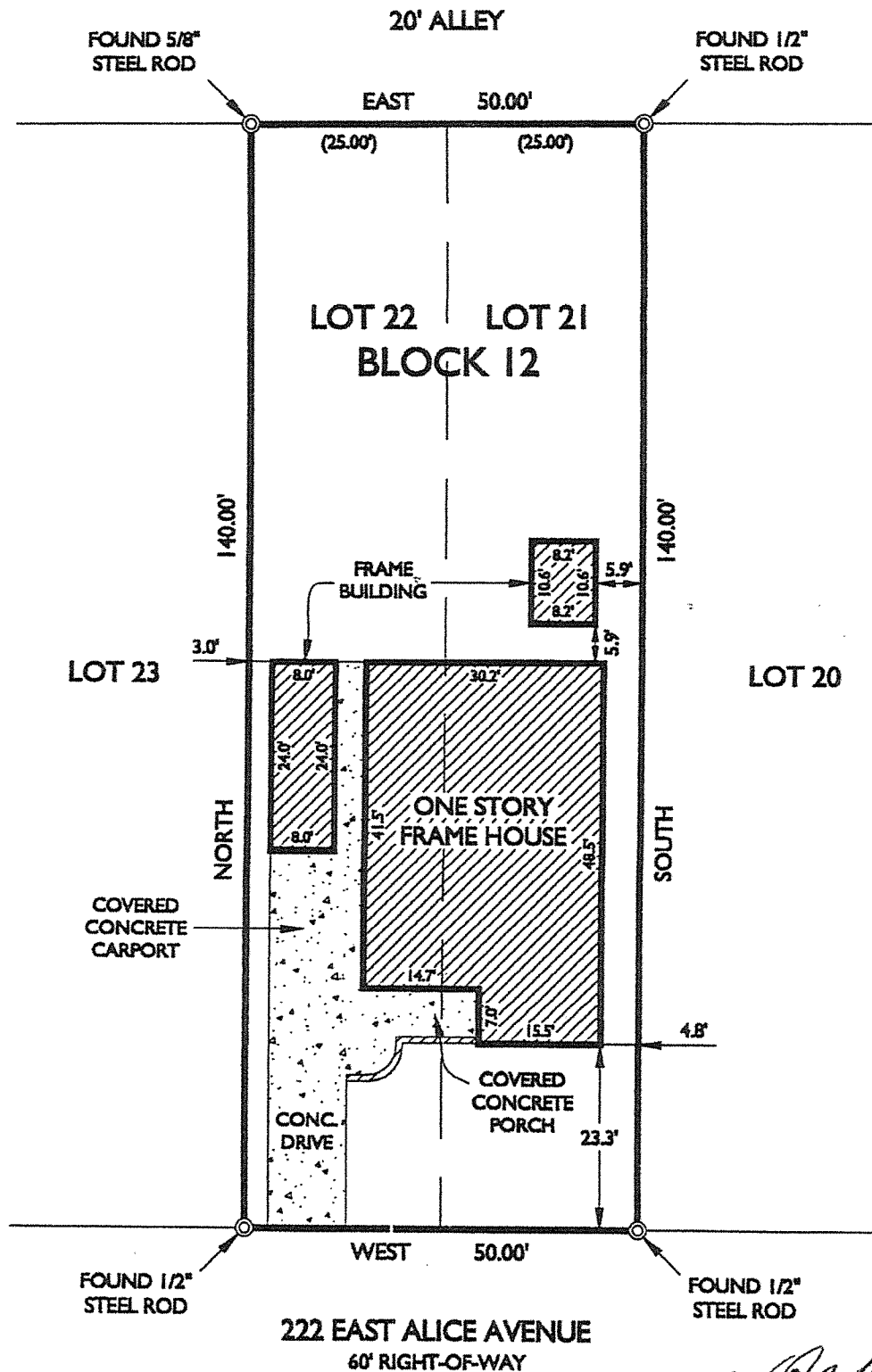
Submit the completed form and an Inspector will be assigned to review your application and property before starting the following job.

DATE:	PERMIT# :	APPROVED BY:
JOB ADDRESS: 222 East Alice, Kingsville, TX		
OWNER'S NAME: LAST: Wayne Lloyd and Rachel Hall		FIRST: M:
MAILING ADDRESS: 222 East Alice		PHONE NO: 361-944-4763
CITY: Kingsville	STATE: TX	ZIP CODE: 78363
CONTRACTOR: * Wayne Lloyd Hall		PHONE NO: 361-944-4763
DESCRIPTION OF WORK: <input type="checkbox"/> New <input checked="" type="checkbox"/> Remodel Square Feet 1335		
VALUATION OF WORK: \$ 2,500.00		PERMIT FEE: \$
<p>* Contractor must be registered with the City of Kingsville.</p> <p>NOTICE</p> <p>SEPARATE PERMITS ARE REQUIRED FOR, ELECTRICAL, PLUMBING, HEATING, VENTILATING OR AIR-CONDITIONING; ALL CONTRACTORS ARE RESPONSIBLE FOR DISPOSING OF THEIR OWN DEBRIS AT THE SANITARY LANDFILL ON CR 2130. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN SIX MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS COMMENCED.</p> <p> 4/4/16</p> <p>SIGNATURE DATE</p> <p>HOMEOWNER APPLICANTS ONLY: I HEREBY CERTIFY THAT I OWN AND AM NOW LIVING AT THE DWELLING FOR WHICH THIS PERMIT IS BEING ISSUED, AND THAT THE WORK IS BEING PERFORMED BY ME OR A MEMBER OF MY IMMEDIATE FAMILY. I UNDERSTAND THAT, FOR THE PURPOSES OF THIS APPLICATION, MY IMMEDIATE FAMILY IS LIMITED TO MY PARENT, CHILD OR CHILD'S SPOUSE.</p> <p>INITIAL HERE </p>		

FOR OFFICE USE ONLY

CURRENT ZONING FOR LOCATION:	IS ZONING APPROPRIATE FOR USE REQUIRED: YES/NO
SETBACK REQUIREMENTS VERIFIED: YES/NO	ARE SETBACK REQUIREMENTS MET: YES/NO
IS THE PROPERTY IN THE AICUZ/CCLUA**: YES/NO	DOES IT COMPLY WITH THE AICUZ/CCLUA**: YES/NO
PROPERTY EASEMENT VERIFIED: YES/NO	DIMENTION OF EASEMENT:
AICUZ/CCLUA** DEED NOTIFICATION: YES/NO	** CONTROLLED COMPATIBLE LAND USE AREA (JAZB)

relied upon for any other purpose. No license has been created, express or implied, to copy the survey, which is void after six months from this date. Copyright: March 7, 2016.



Wayne Lloyd Hall
Rachel R. Hall

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE FLOOD HAZARD MAP AND FOUND THAT THE PROPERTY DESCRIBED HEREON IS NOT SITUATED IN A SPECIAL FLOOD HAZARD AREA, ZONE C, COMMUNITY NO. 480424.

I HEREBY CERTIFY THAT THIS PLAT DEPICTS THE RESULTS OF A SURVEY MADE ON THE GROUND AND THAT THERE ARE NO VISIBLE MANMADE CONFLICTS, PROTRUSIONS OR ENCROACHMENTS, EXCEPT AS SHOWN. SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

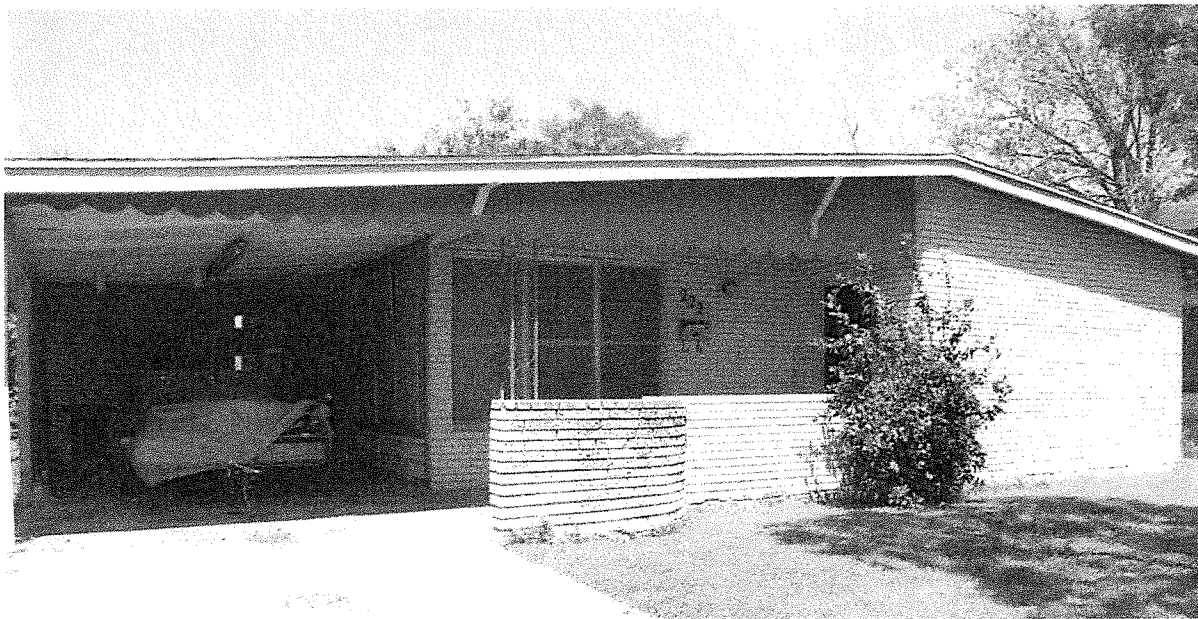
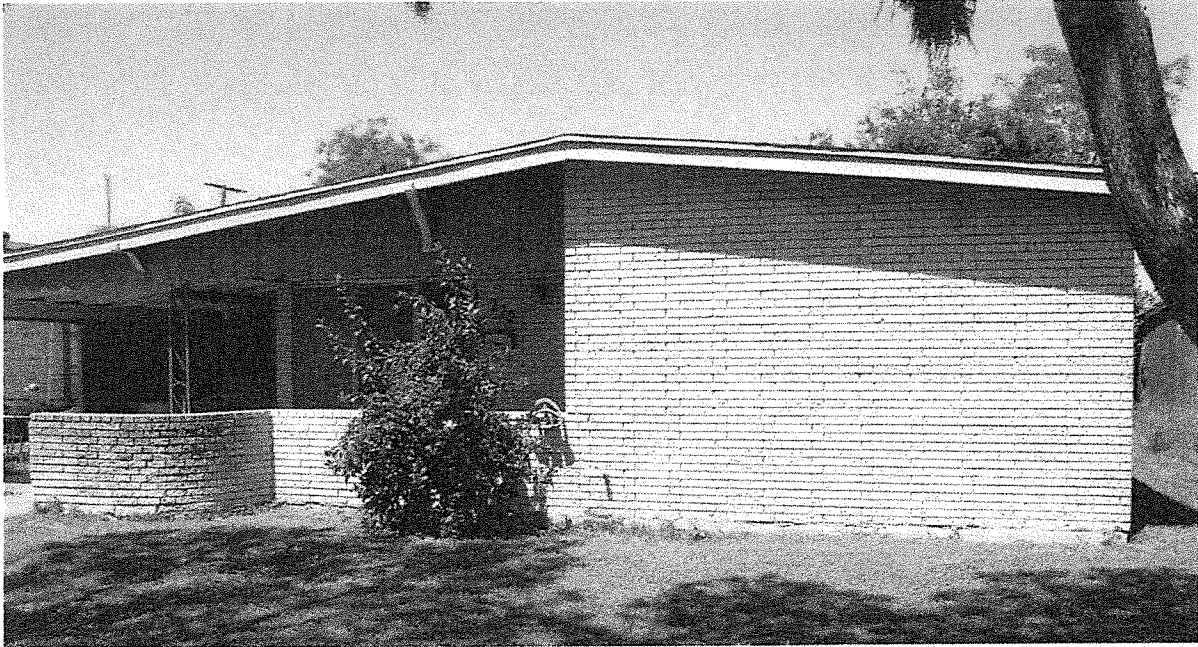
KINGSVILLE TITLE SERVICES
 G. F. NO. 1620893

BORROWERS: WAYNE LLOYD HALL AND
 RACHEL R. HALL

BEARINGS SHOWN ARE BASED ON THE RECORDED MAP OF ORIGINAL TOWN OF KINGSVILLE, RECORDED IN, ENVELOPE 96, MAP RECORDS OF OF KLEBERG COUNTY, TEXAS.

Exterior

Front



Back



East



West – Breezeway between house, laundry and storage addition



Doors

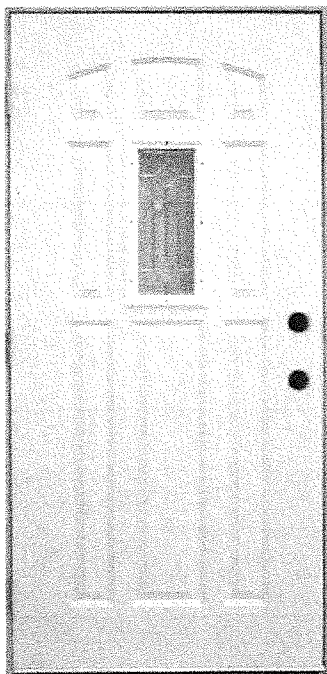


Replacement doors information attached

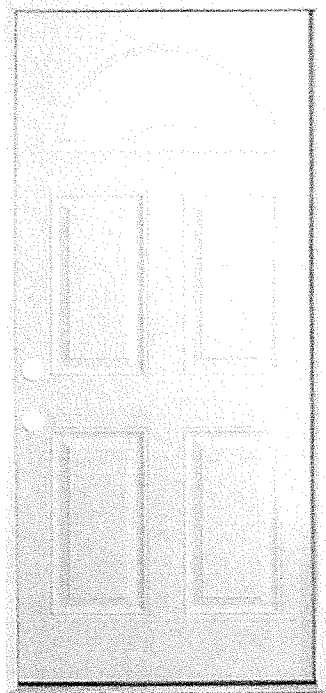
Replacement doors

Front

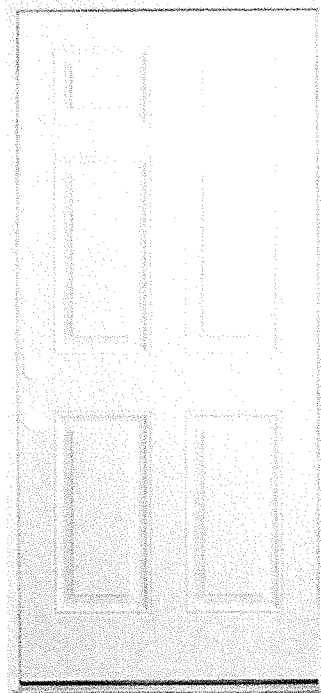
1st choice



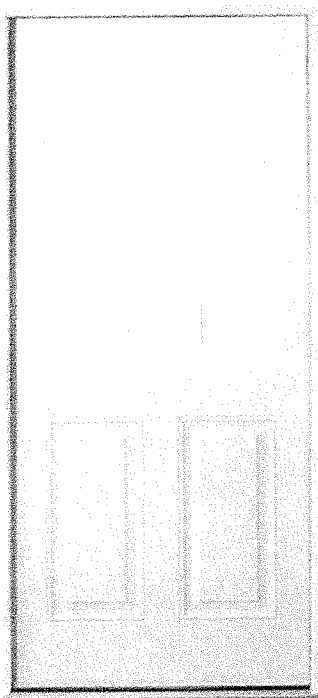
2nd choice



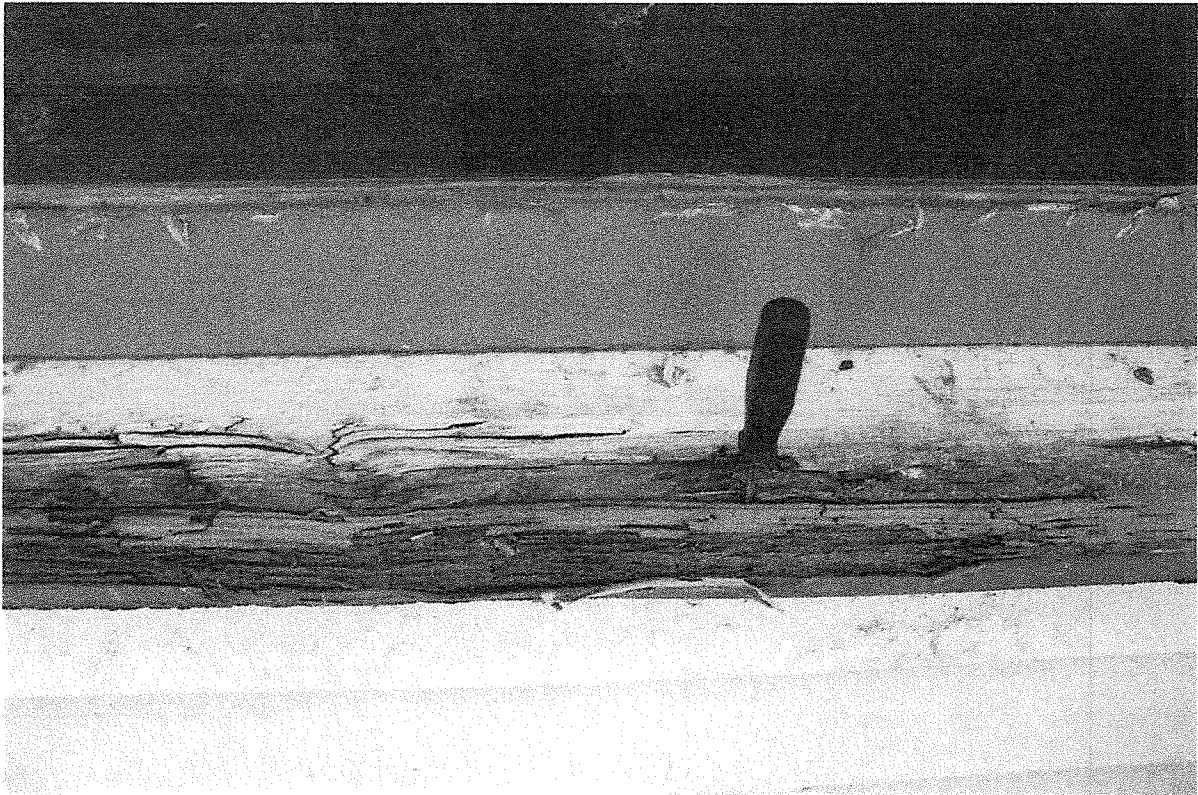
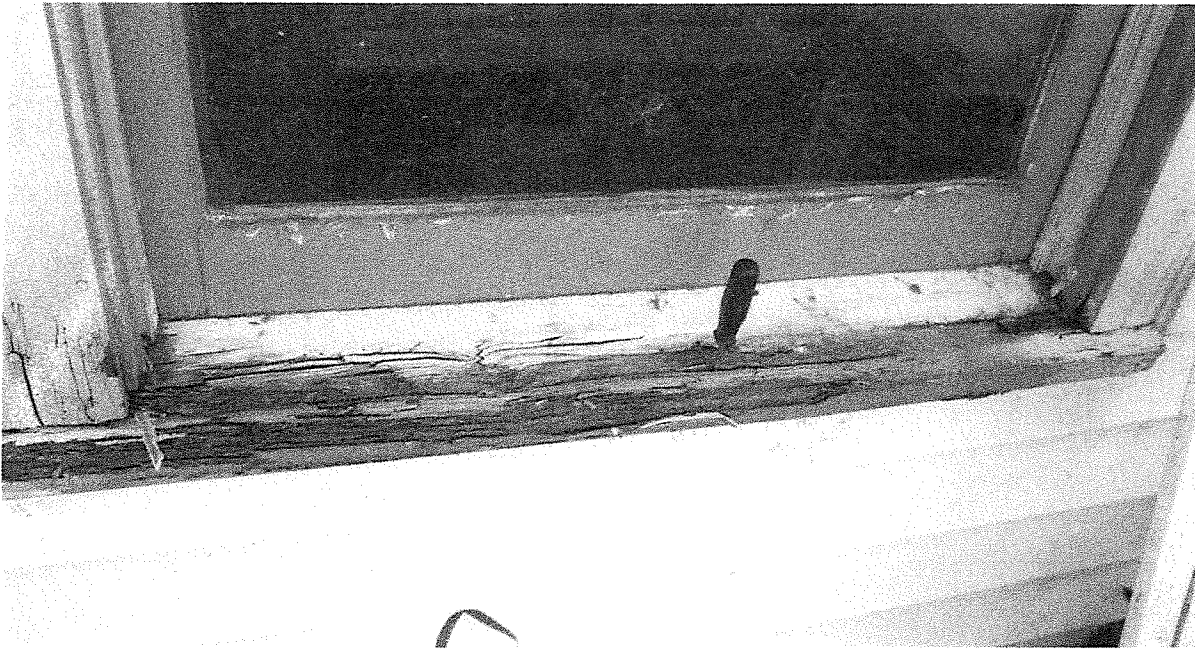
3rd choice



Side



Current window condition

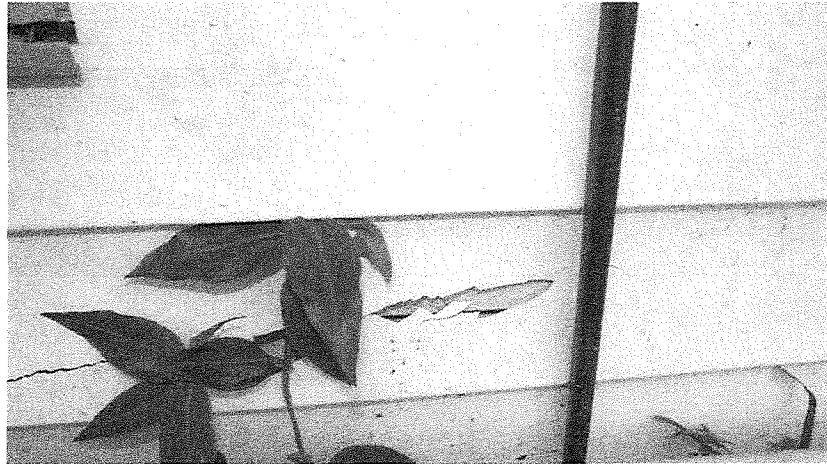


All windows will be replaced with same size or as close as possible

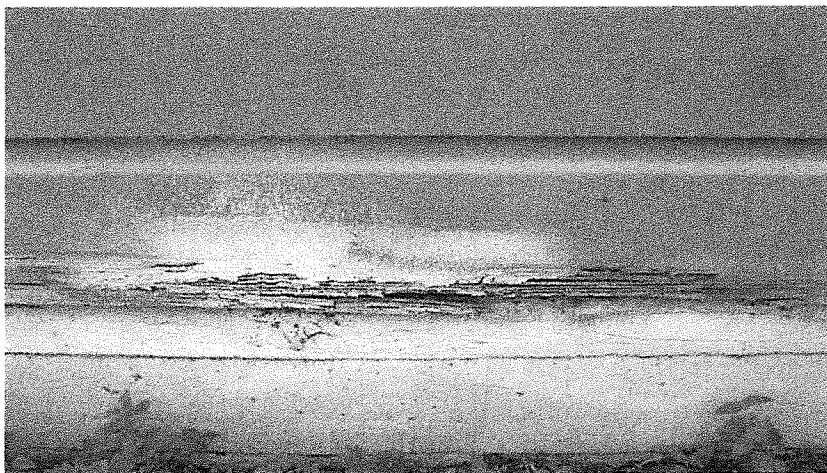
Replacement window information attached

Current siding condition

Back of house vinyl



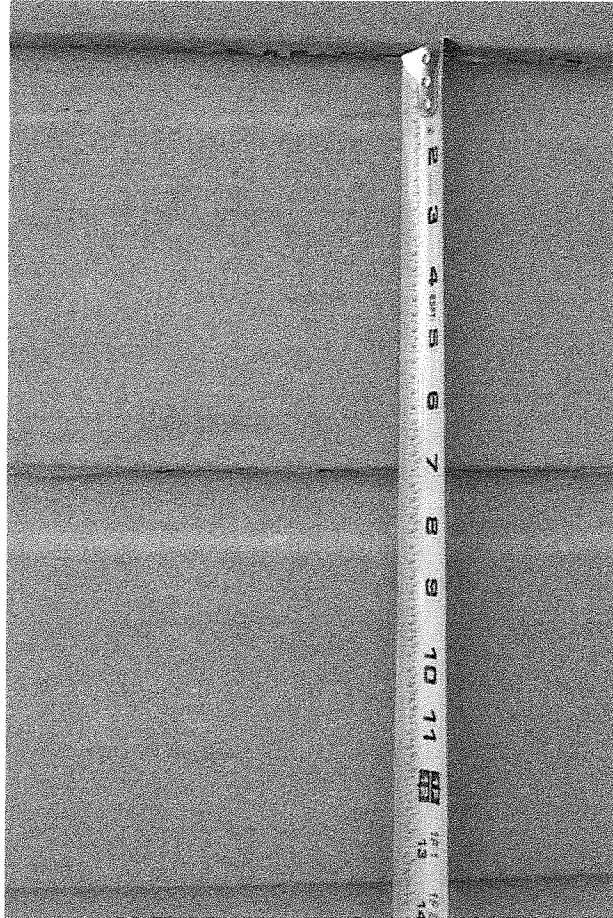
Wood siding on east side



Siding will be replaced by HardiePlank

Panel size 8.25 in X 144 in

Current siding



Wood fence will not extend beyond corner of house on east and beyond neighbors fence on west. Fence will comply with all city codes.

Storage removal

Original house had only laundry accessed from breezeway as indicted by concrete that was added after original foundation poured, window in laundry room and outdoor water faucet inside storage, and siding as pictured.

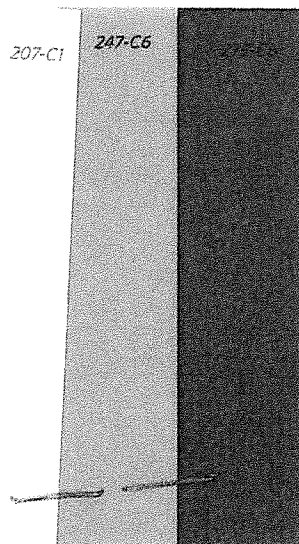


Siding condition of added storage north side



Exterior paint colors are from the Sherwin Williams Suburban Modern

SW 6148
Wool Skein



Samples attached



WARM EDGE TECHNOLOGY

TEXAS DEPARTMENT OF INSURANCE

Windows must be square and sash must be locked during install to ensure smooth operation of windows.

Dallas, Texas • 214-237-5055 or 1-800-853-3593

Vinyl Windows			Impact Windows		
TDI	FL#		TDI	FL#	
WIN-494	13191.1	200/275 SERIES VINYL TILT SINGLE HUNG 48" x 72" H-R45	WIN-1242	12398	4000 VINYL SINGLE HUNG IMPACT 36" x 84" H-R50
WIN-494	16966.2	200/275 SERIES VINYL TILT SINGLE HUNG 44" x 72" H-R50	WIN-1242	12398	4000 VINYL SINGLE HUNG IMPACT 44" x 72" H-R55
WIN-495	13195.1	200/275 SERIES VINYL FIXED WINDOW 45" x 72" FW-R70	WIN-1242	12398	4000 VINYL SINGLE HUNG IMPACT 48" x 72" H-R50
WIN-495	13195.2	200/275 SERIES VINYL FIXED WINDOW 72" x 72" FW-R60	WIN-1242	12398	4000 VINYL SINGLE HUNG IMPACT 36" x 72" H-R60
	16964.1	200/275 SERIES VINYL CONTINUOUS HEAD AND SILL TWIN TILT SINGLE HUNG 87" x 72" H-R40		17660	4000/4750 VINYL TWIN TILT SINGLE HUNG 60" x 72" H-R50
	16964.2	200/275 SERIES VINYL CONTINUOUS HEAD AND SILL TWIN TILT SINGLE HUNG 71" x 72" H-R50		17148	4000 SERIES VINYL PICTURE WINDOW 48" x 72" FW-C60
	17056.1	200/275 SERIES VINYL TILT SINGLE HUNG WITH TRANSOM 3880 44" x 96" R50	WIN-1242	17148	4000 SERIES VINYL PICTURE WINDOW 48" x 84" H-R50
	17056.2	200/275 SERIES VINYL CONTINUOUS HEAD & SILL TWIN TILT SINGLE HUNG WITH TRANSOM 6080 71" x 96" R50	WIN-1242	17660	4000 VINYL TWIN TILT SINGLE HUNG w/ 4000 TRANSOM 72" x 108" H-R50
	16966.1	200/275 SERIES VINYL TILT SINGLE HUNG 3070 36" x 84" R55		13418	4000 VINYL HORIZONTAL SLIDER 72" x 44" H-R50
	17002.1	200/275 SERIES VINYL CONTINUOUS HEAD & SILL TRIPLE TILT 107" x 72" (3060 TRIPLE) R50	<div>✱ Aluminum Windows</div>		
	17002.2	200/275 SERIES VINYL CONTINUOUS HEAD & SILL TRIPLE WITH TRANSOM 3060 TRIPLE WITH 3010 TRIPLE TRANSOM R50			
WIN-1161	13191.3	400 SERIES VINYL TILT SINGLE HUNG 48" x 72" H-R50	WIN-392	12396.1	100 ALUMINUM SINGLE HUNG 48" x 72" H-R40
WIN-1160	13195.3	400 SERIES VINYL FIXED WINDOW 72" x 72" FW-C60	WIN-392	12398.1	100 ALUMINUM SINGLE HUNG 44" x 72" HS-R50
	13417.3	400 SERIES VINYL TWIN TILT SINGLE HUNG 80" x 72" H-R50	WIN-877	12398.2	100 ALUMINUM SINGLE HUNG TWIN WITH 101 FIXED STACKED 68" x 108" H-R50
	13418.2	400 SERIES VINYL HORIZONTAL SLIDER 72" x 44" HS-R50	WIN-391	15946.1	101 ALUMINUM FIXED WINDOW 72" x 72" FW-R65
	13418.4	400 SERIES VINYL HORIZONTAL SLIDER 72" x 48" HS-R45	WIN-393	13418.1	150 ALUMINUM HORIZONTAL SLIDER 72" x 44" HS-R50
			WIN-390	12398.6	175 ALUMINUM SINGLE HUNG TILT SASH 48" x 72" H-R40
			WIN-390	12398.5	175 ALUMINUM SINGLE HUNG TILT SASH 44" x 72" H-R50
			WIN-390	12398.7	175 ALUMINUM SINGLE HUNG TILT SASH TWIN 72" x 72" H-R40
			WIN-390	12398.6	175 ALUMINUM SINGLE HUNG TILT SASH TRIPLE 105" x 72" H-R50
			WIN-880	12398.8	175 ALUMINUM SINGLE HUNG TILT SASH TWIN WITH 101 FIXED STACKED 60" x 108" H-R50

KRESTMARK IND., L.P.

ALUMINUM SH S-100/S-175

WHITE, BRONZE, SANDSTONE, MILL (S-100 ONLY)

CALL SIZE	ACTUAL WINDOW SIZE	SUGGESTED ROUGH OPENING
--------------	-----------------------	----------------------------

1630	18 X 36	18 1/2 X 36 1/2
1638	18 X 44	18 1/2 X 44 1/2
1640	18 X 48	18 1/2 X 48 1/2
1644	18 X 52	18 1/2 X 52 1/2
1650	18 X 60	18 1/2 X 60 1/2
1660	18 X 72	18 1/2 X 72 1/2
1660 EQ	18 X 72	18 1/2 X 72 1/2
1670	18 X 84	18 1/2 X 84 1/2
1670 EQ	18 X 84	18 1/2 X 84 1/2

2030	24 X 36	24 1/2 X 36 1/2
2038	24 X 44	24 1/2 X 44 1/2
2040	24 X 48	24 1/2 X 48 1/2
2044	24 X 52	24 1/2 X 52 1/2
2050	24 X 60	24 1/2 X 60 1/2
2060	24 X 72	24 1/2 X 72 1/2
2060 EQ	24 X 72	24 1/2 X 72 1/2
2070	24 X 84	24 1/2 X 84 1/2
2070 EQ	24 X 84	24 1/2 X 84 1/2

2630	30 X 36	30 1/2 X 36 1/2
2638	30 X 44	30 1/2 X 44 1/2
2640	30 X 48	30 1/2 X 48 1/2
2644	30 X 52	30 1/2 X 52 1/2
2650	30 X 60	30 1/2 X 60 1/2
2660	30 X 72	30 1/2 X 72 1/2
* 2660 EQ	30 X 72	30 1/2 X 72 1/2
* 2670	30 X 84	30 1/2 X 84 1/2
* 2670 EQ	30 X 84	30 1/2 X 84 1/2

2830	32 X 36	32 1/2 X 36 1/2
2838	32 X 44	32 1/2 X 44 1/2
2840	32 X 48	32 1/2 X 48 1/2
2844	32 X 52	32 1/2 X 52 1/2
2850	32 X 60	32 1/2 X 60 1/2
2860	32 X 72	32 1/2 X 72 1/2
* 2860 EQ	32 X 72	32 1/2 X 72 1/2
* 2870	32 X 84	32 1/2 X 84 1/2
* 2870 EQ	32 X 84	32 1/2 X 84 1/2

CALL SIZE	ACTUAL WINDOW SIZE	SUGGESTED ROUGH OPENING
--------------	-----------------------	----------------------------

3030	36 X 36	36 1/2 X 36 1/2
3038	36 X 44	36 1/2 X 44 1/2
3040	36 X 48	36 1/2 X 48 1/2
3044	36 X 52	36 1/2 X 52 1/2
* 3050	36 X 60	36 1/2 X 60 1/2
* 3060	36 X 72	36 1/2 X 72 1/2
* 3060 EQ	36 X 72	36 1/2 X 72 1/2
* 3070	36 X 84	36 1/2 X 84 1/2
* 3070 EQ	36 X 84	36 1/2 X 84 1/2

3830	44 X 36	44 1/2 X 36 1/2
3838	44 X 44	44 1/2 X 44 1/2
3840	44 X 48	44 1/2 X 48 1/2
3844	44 X 52	44 1/2 X 52 1/2
* 3850	44 X 60	44 1/2 X 60 1/2
* 3860	44 X 72	44 1/2 X 72 1/2
* 3860 EQ	44 X 72	44 1/2 X 72 1/2

4030	48 X 36	48 1/2 X 36 1/2
4038	48 X 44	48 1/2 X 44 1/2
4040	48 X 48	48 1/2 X 48 1/2
4044	48 X 52	48 1/2 X 52 1/2
* 4050	48 X 60	48 1/2 X 60 1/2
* 4060	48 X 72	48 1/2 X 72 1/2
* 4060 EQ	48 X 72	48 1/2 X 72 1/2

* WINDOW MEETS EGRESS CODES

Sill height shall not exceed 44 inches above the floor.

Minimum net clear opening shall be 5.7 square feet;
exception - grade level windows may have a minimum
clear opening of 5 square feet.

Minimum net clear opening height shall be 24 inches.

Minimum net clear opening width shall be 20 inches.



ALUMINUM

100 & 175 Series

The 100 and 175 Aluminum windows are mainly a new construction window with standard sizes. However, either can be ordered exact size with or without nail fin for additional charge. The 100 single hung has a spiral balance and is non tilt. The 175 has a removable, tilt bottom sash with block & tackle balance system. Call out is actual size, ie. 2030 measures 24x36, suggested rough opening is 1/2" over window size.

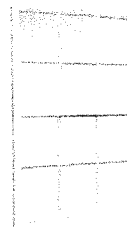
Features

- White, Bronze and Sandstone colors (mill finish available for series 100 only).
- Aluminum is tremendously strong and stable. It will not swell, shrink, split, crack or check over the years. It is very durable and can't rust.
- All 4 frame corners and meeting rail connections are sealed with Polyseamseal to keep the weather out and reduce air infiltration.
- Sash members are interlocked for additional strength at corners and locking rail.
- Two positive sash locks reduce air infiltration (should remain locked when installing).
- Weatherstripping: Sash perimeter is weatherstripped with wool pile and/or soft vinyl for quiet, smooth operation to resist weather penetration.
- 5/8" insulated glass with warm edge glass spacer.
- Sloped sill for easy water run off. Corners sealed with Polyseamseal.
- Quality certified in accordance with AAMA specifications.

Note: All picture windows, shapes and one-frame glass larger than 30 square feet will come with Tempered Glass as standard for safety reasons. All additional charges for Tempered Glass will automatically be applied.

Other Options

- Series 125 Mill finish single glazed single hung (uses #100 frame).
- Glazing: - E66 is a light green tint with most efficient U & SHGC.
- Tempered, Obscure, Bronze or Grey glass.
- 5/8" Grilles, Colonial or Prairie.
- Factory mulled or stacked units and field mull accessories.
- Custom sizes available with or without fin.
- Impact windows for coastal areas see Series Aluminum 1100 and Vinyl 4000.



100 Non-tilt



175 Tilt & Take Out

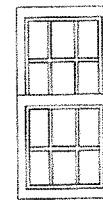
Grille Options



Prairie



One Lite



Colonial



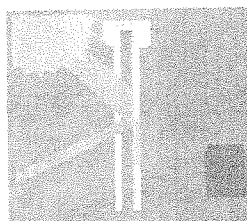
Grille Between Glass

Performance Data

Aluminum 100/175 Series Windows									
Glass Dual 5/8" OA Insulated		100 Single Hung U-Factor SHGC VT			175 Single Hung U-Factor SHGC VT			100 Picture Window U-Factor SHGC VT	
Clear air	no grilles	.64	.69	.71	.65	.68	.71	.59	.73
Clear air	w/ grilles	.64	.62	.64	.65	.62	.63	.59	.66
E66 LoE air	no grilles	.49	.25	.56	.50	.25	.56	.43	.26
E66 LoE air	w/grilles	.49	.23	.50	.50	.23	.50	.43	.24
E66 LoE Argon	no grilles	.44	.24	.56	.45	.24	.56	.38	.26
E66 LoE Argon	w/grilles	.44	.22	.50	.45	.22	.50	.38	.23

Check local jurisdiction for current energy codes.

LoE Glass



100/175 Series windows are offered with a LoE glass option. LoE high performance glass with argon gas allows light to filter in while keeping the sun's harmful rays out. In addition, this special glazing saves energy and reduces utility costs by keeping the cool air inside in the summer and the warm air inside in the winter.

Color Options



White



Bronze



Sandstone



You may qualify for a Tax Credit when you replace your existing windows. For more information, go to www.energystar.gov.

Product lines and their components, building codes, installation techniques and third party certifications are constantly evolving. For the most current information, check our website frequently at www.krestmark.com.

For information about measuring and installing new Krestmark windows, visit our web site at www.krestmark.com

3950 Bastille Road, Suite 100 ■ Dallas, Texas 75212 ■ 214-237-5055 ■ www.krestmark.com

Krestmark Industries L.P. ©2015 ALUM 100 1.15

305583

State of Texas

SPECIAL WARRANTY DEED
Cash

FHA Case No:

495-628025

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS §
COUNTY OF KLEBERG § : SS

Know All Men By These Presents:

That The Secretary of Housing and Urban Development, of Washington, D.C., 1670 Broadway Street, Floor 21, Denver, Denver County, Colorado 80202 (hereinafter called "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to him/her in hand paid, the receipt of which is hereby acknowledged, has Granted, Sold and Conveyed, and by these presents does Grant, Sell and Convey unto Wayne Lloyd Hall and Rachel R. Hall, 3914 Esquire Drive, Corpus Christi, Nueces County, Texas 78414, all of the following described property situated in the County of Kleberg, State of Texas described as follows to wit:

Lots Twenty-One (21), and Twenty-Two (22), Block Twelve (12), ORIGINAL TOWNSITE OF KINGSVILLE, Kleberg County, Texas, as shown on map or plat of record in Envelope 96, Map Records of Kleberg County, Texas.

Being the same property acquired by the Grantor pursuant to the provisions of the National Housing Act, as amended (12 U.S.C. 1701 et. seq.) and the Department of Housing and Urban Development Act (42 U.S.C. 3531 et seq.).

To Have and To Hold the above described property, together with all and singular the rights and appurtenances thereunto in any way belonging, unto the said heirs and assigns forever.

Subject to and as Affected by, however, all easements, covenants, restrictions, reservations, conditions, and rights appearing of record; and Subject to any state of facts which an accurate survey would show.

Grantor hereby binds himself/herself, his/her successor and assigns, to warrant and forever defend, with the exceptions stated above, all and singular, the said property unto said purchaser(s) Wayne Lloyd Hall and Rachel R. Hall, their heirs, and assigns, against every person whom so ever lawfully claiming or to claim the same, or any part thereof, by through, or under Grantor, but not otherwise.

This deed is not to be in effect until March 15th, 2016.

IN WITNESS WHEREOF, the undersigned has set his/her hand as a principal and/or officer of HomeTelos, LP (Asset Manager) for and on behalf of The Secretary of Housing and Urban Development, under the Redelegation of Authority published at 77 Fed. Reg. 37252 (June 20, 2012.)

Witnesses:

Secretary of Housing
and Urban Development
HomeTelos, LP as Asset Manager
Contractor for C-OPC-23645

By: _____

(Seal)

For HUD by: Brian Starkey
Brian Starkey, Closing Manager

(Type or Print Name)

STATE OF TEXAS

§

SS

COUNTY OF DALLAS

§

§

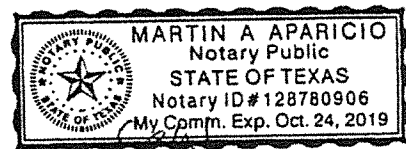
Before me, the undersigned authority, on this day personally appeared Brian Starkey who executed the foregoing instrument on behalf of the Secretary of Housing and Urban Development.

Given under my hand and seal this 14th day of March 2016.

X

Martin A. Aparicio
Notary Public

My Commission Expires 10/24/2019



FILE# 305583

FILED FOR RECORD

2016 MAR 15 PM 3:59

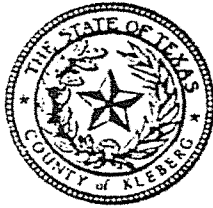
STEPHANIE G. GARZA
COUNTY CLERK, KLEBERG COUNTY
BY Sonja D. Reyna
CLERK

SONJA D. REYNA

STATE OF TEXAS, COUNTY OF KLEBERG, I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED ON THE DATE AND TIME STAMPED HEREON BY ME AND WAS DULY RECORDED IN THE OFFICIAL RECORDS OF KLEBERG COUNTY, TEXAS.

VOL _____ PAGE _____

MAR 16 2016
DELIVERY DATE



Stephanie G. Garza
STEPHANIE G. GARZA
COUNTY CLERK, KLEBERG COUNTY

*ANY PROVISIONS HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF
THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE INVALID
AND ENFORCEABLE UNDER FEDERAL LAW.*

RETURN TO:

KINGSVILLE TITLE SERVICES

P O BOX 1434 – 115 N SEVENTH

KINGSVILLE, TEXAS 78363

RECORDER'S MEMORANDUM:

ALL OR PART OF A SOCIAL SECURITY NUMBER, IF CONTAINED IN THIS DOCUMENT, MAY HAVE BEEN REDACTED. TEX. GOV'T CODE SEC. 552.147(B)
THE COUNTY CLERK MAY REACT A LIVING PERSON'S SOCIAL SECURITY NUMBER FROM ANY OR ALL DOCUMENTS CONTAINED FOR DISCLOSURE IN KLEBERG COUNTY.

Summary of Secretary of Interior Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of Buildings, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

AGENDA ITEM #14

City of Kingsville
Parks & Recreation Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: April 1, 2016

SUBJECT: Agenda Request – Adopt a Park/Adopt a Field Agreements

Summary: The City of Kingsville Parks Department would like to request the approval of the Adopt A Field and Adopt A Park application agreement.

Background:

We have many university organizations, nonprofit groups and athletic teams that are interested in committing to adopting some of our parks and athletic fields. These volunteers can provide much needed assistance in maintaining and inspecting our properties. We already have a large amount of volunteer work in various Park locations by TAMUK and other community groups and have requests from others to begin assisting with improvement of additional locations.

Financial Impact:

The groups interested in the Adopt a Park program are generally wanting to provide community service and are not asking for any financial gain. However, the employee time saved by the volunteer work done by these organizations is very valuable to us.

The teams interested in the Adopt a Field program are interested in the adoption program to assist with field improvements they are also wanting time to practice on the fields. During league play in spring/summer and fall/winter access to practice on fields is very restricted. Adopting fields and providing assistance with the daily need to drag, fill holes, etc on the dirt areas of the fields can prove very valuable. Some teams are interested in working on getting sponsorships to make larger field improvements. I think each adoption application should be reviewed and the terms agreed upon based on the amount of work and commitment the teams are offering. Both programs will require forms to be submitted providing info on work completed.



**City of Kingsville
Parks & Recreation Department**

Recommendation:

The forms we have submitted for your approval are generic and we are asking that you approve the form and authorize the City Manager to approve each application.



RESOLUTION #2016-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE ADOPT-A-FIELD AND ADOPT-A-PARK PROGRAMS FOR THE PARKS DEPARTMENT.

WHEREAS, numerous cities throughout the state and nation have Adopt-a-Park and Adopt-a-Field programs that allow local organizations to perform volunteer work in public parks;

WHEREAS, the City of Kingsville would like to implement such programs for its Parks Department;

WHEREAS, staff has prepared applications for agreements for these programs and the programs would be of benefit to the community.

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

I.

THAT the City Commission authorizes the Adopt-a-Field and Adopt-a-Park Programs for the Parks Department and authorizes the City Manager and Parks Manager, as an act of the City, to administer such programs and execute any agreements, as per the attached forms, that may be necessary for such program.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 18th day of April, 2016.

Sam R. Fugate

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

ADOPT-A-PARK

Program Application

Agreement Period: _____

Thank you for your interest in the Adopt-A-Park Program. We value your stewardship of our precious resources. Please tell us about your organization and your plans for the Park(s) you wish to adopt. **Please print all information.**

ALL VOLUNTEERS MUST SIGN IN ON CLEANUP DAY ROSTERS WHICH MUST BE TURNED IN TO PARK OFFICE ALONG WITH HOURS WORKED AND DESCRIPTION OF WORK PERFORMED

Name of Park: _____

Park Address: _____

Organization: _____

Contact Person: _____ Daytime Tel: _____

Address _____ City _____ Zip Code _____

E-mail: _____

Volunteers will be responsible for the following tasks.

Park Inspection	_____	Recommendation:	Bi-Monthly
Litter Removal	_____	Recommendation:	Weekly
Tree Trimming	_____	Recommendation:	Annually
Painting	_____	Recommendation:	Twice Weekly
Playground Surface Cleanup	_____	Recommendation:	As needed
Capital Projects	_____	Recommendation:	As funded

All Park improvements require prior approval of Parks and Recreation Department.

Please note adoptions are granted for 1 year intervals only and you are responsible for the maintenance during this **entire** period.

Upon approval of Adoption application, Parks Department will furnish signage at the park crediting the adopting organization.

Daily records of work done and signed volunteer listing must be submitted to Parks Department.

City of Kingsville Parks Department will host two annual Volunteer Days – TAMUK Bigger Event in February and Make a Difference Day in October. Adopting Organization will serve as coordinator for volunteer work to be done at this location with assistance from Parks Staff with supplies and advisement.

All organizations volunteering in City of Kingsville Parks must abide by all rules and ordinances pertaining to Parks and Recreation facilities and properties which will be provided and must follow all safety practices to insure volunteer and team safety. Parks staff will provide a safety orientation to adopting organization on approval of adoption.

This agreement does not authorize the sale of concessions or products in the park. That action must be approved in separate agreement and must be permitted.

ADOPT-A-PARK

Program Application

Additional notes regarding this adoption agreement: _____

Please submit completed application to:
Dick Kleberg Park Office
501 Santiago Park Lane
Kingsville, TX 78363

Signed: _____

Title: _____

Information: 361-595-8591
Fax: 361-595-8596
sivy@cityofkingsville.com

Date: _____

Application reviewal date _____ **by** _____ **Title** _____

Application approved _____

Application denied _____ **notes** _____

Completion of this form does not constitute approval to proceed with planned projects. Your application will be reviewed and you will receive a response within 30 days. Adoption of a sports field shall not connote the transfer of the field to any community, corporate or individual, for private or commercial use. Once adoption has been approved, waiver of field use permitting fees will be considered. All permitting guidelines will still apply. The adopted field(s) shall continue to be available to the public. (Optional)

ADOPT-A-SPORTS FIELD

Program Application

Agreement Period: _____

Thank you for your interest in the Adopt-A-Sports Field Program. We value your stewardship of our precious resources. Please tell us about your organization and your plans for the sports field(s) you wish to adopt. **Please print all information.**

ALL TEAMS PLAYING OR PRACTICING MUST PROVIDE INSURANCE TO PARK OFFICE NAMING CITY OF KINGSVILLE AND KLEBERG COUNTY AS ADDITIONAL INSUREDS.

Name of Park: _____

Park Address: _____

Field Type (**circle one**): soccer / softball or baseball / football / rugby **Field(s) #** _____

Indicate field use: PRACTICE_____ **GAMES**_____

Organization: _____

Contact Person: _____ Daytime Tel: _____

Address _____ City _____ Zip Code _____

E-mail: _____

Volunteers will be responsible for the following tasks.

Field & Safety Inspections	_____	Recommendation:	Weekly
Litter Removal	_____	Recommendation:	Daily
Mowing & Edging	_____	Recommendation:	(parks department)
Skinned Area Maintenance	_____	Recommendation:	Twice Weekly
Sport-specific Line Marking	_____	Recommendation:	As needed

All field improvements require prior approval of the Parks and Recreation Department.

Please note adoptions are granted for 1 year____ or 6 months____ intervals only and you are responsible for the maintenance during this **entire** period.

We reserve the right to request team rosters, sanctioning information, league board members and bylaw info, financial records from fees collected for play in Dick Kleberg Park, insurance and a waiver of liability.

Sponsorships solicited for banners on fields must be approved in advance by Parks Manager.

Daily records of work done and signed volunteer listing must be submitted to Parks Department in order for any consideration for practice time or reduce fees to be considered.

City of Kingsville Parks Department reserves the right to host two (2) annual tournaments on fields for fundraising and community enrichment. City may coordinate with Leagues and Select Teams to accomplish these goals.

All teams/Leagues playing/practicing/working on fields in Dick Kleberg Park must abide by all rules and ordinances pertaining to Parks and Recreation facilities and properties which will be provided and must follow all safety practices to insure volunteer and team safety. Parks staff will provide a safety orientation to team on approval of adoption.

This agreement does not authorize the sale of concessions or products in the park. That action must be approved in a separate agreement and must be permitted.

ADOPT-A-SPORTS FIELD

Program Application

Considerations for this Adoption will include: _____

Please submit completed application to:

**Dick Kleberg Park Office
501 Santiago Park Lane
Kingsville, TX 78363**

Signed: _____

Title: _____

Information: 361-595-8591

Fax: 361-595-8596

sivy@cityofkingsville.com

Date: _____

Completion of this form does not constitute approval to proceed with planned projects. Your application will be reviewed and you will receive a response within 30 days. Adoption of a sports field shall not connote the transfer of the field to any community, corporate or individual, for private or commercial use. Once adoption has been approved, waiver of field use permitting fees will be considered. All permitting guidelines will still apply. The adopted field(s) shall continue to be available to the public. (Optional)

AGENDA ITEM #15

City of Kingsville
Parks & Recreation Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Susan Ivy, Parks Manager

DATE: April 1, 2016

SUBJECT: Agenda Request – Athletic Facilities Usage Agreement

Summary:

Attached you will find generic agreements for either non profit/youth groups or private enterprise to use our athletic facilities for extended periods of time.

Background:

For many years Youth volunteer organizations have Sanctioned Nationally recognized baseball, softball and soccer leagues to host local league play for the kids in our community and county. The Parks System has tried to negotiate fair agreements with these leagues to share field maintenance, electrical bill payments and repair and improvement fundraising. The basics of the previous agreements has been that the leagues would pay all of the electric bills for the period that they used the fields, they keep concession fees and assist with maintenance duties. The leagues are struggling to pay the electric bills due to the high cost of demand and transmission fees on the electric bills.

The makeup of leagues are each independent and have their own boards and own ideas of how they want their agreement to operate. Soccer and Girls Softball want control of their fields all year long while Boys baseball want only for their spring/summer season.

While the Parks system used to try to provide all the maintenance on all the fields we simply haven't been able to do that with reduction in force for some time. We are working toward providing mowing and weed eating and facility repair while the leagues provide assistance with electricity bills and maintenance of the dirt areas in the respective fields. The dirt areas are quite time consuming and we don't have the staff to water 6 dirt infields on a daily basis.



City of Kingsville
Parks & Recreation Department

Financial Impact:

The agreement for youth leagues would require shared field maintenance and payment of the electrical usage only for their contract period. They would be allowed to run concessions and pay the usage for the electric bill for the concession stand as well. They would be expected to assist with fundraising for improvements to the athletic facilities and coordinate work days for the facilities.

Recommendation:

I am asking that City Commission approve the generic usage agreement with terms for youth athletic groups to read as detailed in the financial impact with any additional terms deemed necessary during review and approval by City Manager.



RESOLUTION #2016-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE SPORTS FACILITY USAGE AGREEMENT PROGRAM FOR THE PARKS DEPARTMENT.

WHEREAS, numerous cities throughout the state and nation have programs that provide for Sports Facility Usage Agreements to allow local organizations to perform host leagues and do improvements and work in public parks and fields;

WHEREAS, the City of Kingsville would like to implement such programs for its Parks Department;

WHEREAS, staff has prepared applications for agreements for these programs and the programs would be of benefit to the community.

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

I.

THAT the City Commission authorizes the Sports Facility Usage Agreement Program for the Parks Department and authorizes the City Manager and Parks Manager, as an act of the City, to administer such programs and the City Manager to execute any agreements, as per the attached forms, that may be necessary for such program.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 18th day of April, 2016.

Sam R. Fugate

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE SPORTS FACILITY USAGE AGREEMENT

The parties to this agreement are the City of Kingsville, Texas, herein called "City," and _____, herein called "Association."

FOR AND IN CONSIDERATION of the mutual undertakings herein set out, the parties agree as follows:

City agrees to permit the use of its facilities known as _____ herein called "Premises," located in **Dick Kleberg Park**, for the term of: (1) spring__fall__ seasons of ____ year or (2) all year_____ or (3) multi-year_____.

The term of this agreement shall be from _____, through _____.

Upon termination of this agreement, the Association shall have a right of first refusal to enter into a new agreement. If the Association fails or refuses to enter into a new agreement at least thirty (30) days prior to the usual start of their season, the City shall have the right to enter into an agreement for use of the facilities with other organizations. The Association shall have thirty (30) days to remove its owned movable equipment which is not a permanent nature, upon termination of this agreement.

Association shall not assign this lease nor shall it sublease or rent out any property of the City without prior written consent of City. Association will use established fees set by City Parks Department for field rentals and tournament play.

The Association shall not engage in any business on Premises or do anything in connection therewith which shall be in violation of any existing state or federal law or municipal ordinances, or use the same in such manner as to constitute a nuisance.

Association shall indemnify and hold harmless the City of Kingsville, its agents, officials and employees and any umpire or official from any and all claims for bodily injury, illness, death, personal injury and property damage arising out of the activities of the Association and its members in exercising its rights under this contract.

All food or drink prepared, served, sold, or stored shall be done so in strict conformity with all city ordinances, state, county and federal statutes.

Association shall furnish to the Parks and Recreation Department rosters of all participants listing where participants domicile and a listing of the full schedule for the season. The rosters shall be submitted **within three weeks** after completion of registration and the full schedule shall be submitted **at least two weeks prior to the first regular season game**.

The Association agrees to stop play by 10:00 p.m. The responsibility for turning lights on and off manually will be that of the Association. If league play concludes prior to 10:00 p.m., Association shall have the responsibility to manually turn off all field lighting. Association agrees that it may be required to reimburse the City for employee time for additional time worked due to games, etc. extending beyond 10:00 p.m. or outside normal working hours. Lights will be available only for City-approved activities.

The Association must not place any signage on field fencing, buildings or free standing without prior approval of City. All signage must be youth and family appropriate (no alcohol, tobacco or political signage allowed). All proceeds from signage sponsorships must be shared with City to be used for field improvements.

The Association agrees that any permanent improvements or fixtures made to the fields, buildings, or parks become the property of the City of Kingsville and will not be removed upon termination of this contract.

In addition to any other commitments herein, the Association agrees to:

- 1) Pay the City a fee of _____.
- 2) Monthly electrical usage reimbursement as invoiced to league _____ flat fee _____.
- 3) Provide the City with a general liability insurance policy in the amount of \$500,000 naming City of Kingsville and Kleberg County as additionally insured.
- 4) Provide the following documentation upon request:
 - Board of Directors/Owners Names, Addresses, & Phone numbers
 - Bylaws of operation
 - Proof of Sanctioning
 - League Schedules, Practice Schedules, and Tournament Schedules in advance
 - Registration numbers
 - Fees being charged
 - Financial records

It is especially provided and agreed by and between the Association and the City that the exhibits hereto attached shall be part and parcel of this agreement as if set out in their entirety, said exhibits being:

1. FIELD MAINTENANCE EXHIBITS

"A" - City-Owned Field Maintenance Agreement

2. CLOSURE OF ATHLETIC FIELDS EXHIBITS

"C" - Field Inspection and Closure Agreement

The City reserves the right to utilize the facilities when league games are not scheduled. If facility is abandoned, the agreement is terminated.

Any violation of any of the provisions of this agreement shall result in the termination of this agreement.

This agreement is made and entered into on the _____ day of _____,
_____.

CITY OF KINGSVILLE

City Manager

ASSOCIATION:_____

By:_____
(print signor's name):_____
Owner/Director/President

EXHIBIT "A"
CITY-OWNED FIELD MAINTENANCE AGREEMENT

1. The Parks and Recreation Department (City) shall maintain all turf areas infield and the outfield to include mowing, weed control, fertilizing, and herbicide spraying.
2. The City shall perform all pre-season clay and turf maintenance to include adding clay, clay renovation, and cutting infield arcs and base paths. The City shall also provide clay, sand, soil, etc. to be used in leveling or backfilling low areas when deemed necessary by City.
4. The City shall maintain all back-stops, fences, and gates in a safe and secure condition.
5. The City shall maintain all bleachers and dugouts in a safe and secure condition.
6. The City shall provide and maintain all area and ballfield lighting systems.
7. The City shall be responsible for the maintenance of any infield irrigation system and watering of the infields.
8. The City shall be responsible for the maintenance of any outfield and adjacent park irrigation systems and the watering of the outfield and of non-athletic turf areas.
9. The Association will prohibit its coaches/players from hitting baseballs into any fences ("soft-toss") unless it occurs in the natural course of a game. Failure to enforce this policy may result in the Association incurring the costs associated with the repairs of the fencing.
10. The City shall provide and install the home plates, base stakes and pitching rubbers. If the Association desires any specialized type of plates or base anchors, these shall be provided by the Association to the City for installation.
11. The Association shall provide bases and any specialized pitching plates, if needed.
12. The Association shall be responsible for daily field marking, maintenance of baselines, pitchers mounds, filling holes in and around bases and in and around field and game day policing of all litter on their field(s) to include playing areas, dugouts, fences, backstops, bleachers, concession stands, adjacent grounds, and restrooms. All litter shall be placed in the bins, cans, and receptacles provided by the City. The City shall provide pick up for these receptacles.
13. If Association desires to request any special park components or other special services be provided by the City for tournaments or other special events, such request shall be submitted to the City at least two weeks prior to the start of the tournament or event.
14. All rescheduled games or make-up games must be approved by the City. Association must provide at least 24 hours' notice to City of scheduled make-up games.
15. The Association shall be responsible for securing the facility at the end of each day or evening of play. Padlocks that are damaged or lost by the Association will be replaced by the City, at the Association's expense; reimbursement due within 30 days of notice.
16. The Association shall be responsible for maintaining a clean and properly permitted concession stand. The Association will provide all refrigerators, freezers, cooking and warming appliances and cleaning equipment and supplies. City will provide building maintenance. The Association must maintain a permit from the City of Kingsville Health Department and all workers shall have successfully completed a food handler's class. The Association shall follow all local, state and federal laws regarding the preparation, sale, taxing, and reporting of the sale of food and any other items being sold on City property. The Association will charge reasonable fees for the items sold.

EXHIBIT "C"
FIELD INSPECTION AND CLOSURE AGREEMENT

Reasons for Athletic Field Closure

1. It is raining at game time.
2. Baseball or softball infields and/or outfields are too wet.
3. Athletic Fields need to be closed in the interest of participant safety and/or preservation of good playing surfaces.

City Procedures for Athletic Field Closure

(Weekdays)

1. Inspect Athletic Fields by 3:00 p.m.
2. Make a decision based upon field condition or weather, if possible.
3. Consult with the appropriate Athletic Association's Field Manager, or his/her designee, about the status of the field(s).
4. Should the Association's Field Manager and the Parks Department Employee not agree, the decision of the Parks Department Employee shall take precedence.
5. Continuously monitor weather and field conditions on evenings when fields will be in use after 6:00 p.m. When necessary a Parks Department Employee will come in and close fields affected.

(Weekends)

1. Inspect Athletic Fields by 3:00 p.m. on Friday and by 7:30 a.m. on Saturday and Sunday.
2. Make a decision based upon field condition or weather at the time, if possible.
3. If a decision at 3:00 p.m. Friday is not possible, a Parks Department Employee familiar with the Athletic Fields will monitor the weather and field conditions throughout the weekend and make decisions on field closure as needed.
4. Parks Department Employee shall consult with the Association's Field Manager about the status of the fields.
5. Should the Association's Field Manager and the Parks Department Employee not agree, the decision of the Parks Department Employee shall be final.

City Responsibility for Implementation

1. The primary responsibility for making field closure decisions rests with the Parks Manager or designee.
2. In the Parks Manager's absence, the Park Manager's Designee shall make the decision concerning Athletic Field closures.
3. The Park Manager's Designee shall consult with the Parks Manager on any decision concerning athletic field closures.
4. The appropriate Association's Field Manager has the responsibility to inform the Association and the participants about the field closure decision.

PARKS

Sec. 9-8-1. - Administration.

The administration and supervision of the parks and recreation department shall be the responsibility of the Parks and Recreation Manager or such other person as may be delegated or assigned such duties by the City Manager. The Parks and Recreation Manager may adopt, revise or rescind rules, regulations, departmental policies and procedures, create or alter recreational programs and take action regarding the day-to-day management and operations of the parks, park buildings, and park facilities that do not conflict with this article, city commission-adopted policies, or federal or state laws. The Parks and Recreation Manager may make the following rules or take the following actions relating to the operation of the parks, park buildings, and park facilities:

- (A) The closing of all or part of a park or park facility because of weather or unsafe considerations that could endanger users or result in damage to the park, park building or park facility;
- (B) The reservation, scheduling, and use of parks, park facilities, and park buildings designed for or designated for specific uses;
- (C) Processing applications for special use permit agreements and rental and use agreements;
- (D) Regulating the use of a park, park buildings, and park facilities for public, private and commercial purposes;
- (E) Any other rule or action reasonably necessary to manage and operate parks, park buildings, and park facilities.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-2. - User fees.

The Parks & Recreation Manager is hereby authorized to collect fees for the use of all park facilities and equipment. All fees charged for the use of facilities or equipment under this section shall be due and payable to the city. The free use of all facilities and equipment of the parks and recreation department for which rental or use fees are established is hereby prohibited to any individual or group or to any employee or officer of the city.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-3. - Rental and user agreements.

- (A) The Parks & Recreation Manager is empowered to prepare and sign user or rental agreements for the rental of facilities and/or equipment of the parks and recreation department. All user and rental agreements shall be signed by the Parks & Recreation Manager or the City Manager's designees under the following conditions:
 - a. The form of every instrument used for a particular purpose shall be approved by the City Attorney, provided, however, that this not require the signatory approval of the City Attorney on each document executed pursuant to this section; and
 - b. All blanks are filled and information is provided as required by the form instrument.

Verbal arrangements to rent are not recognized under any circumstances, and this article and the contracts and agreements shall constitute the whole agreement between the parties and may not be altered unless done so in writing, signed by authorized representatives of both parties.

- (B) All agreements shall provide that parties contracting for the use of city facilities or other property shall hold the city harmless from any and all liability for any claim or claims as a result of use of the premises, equipment, or other property and shall indemnify the city in case of any claims resulting from their operations, use, or occurring as a result of their occupancy of the premises or use of property and all agreements shall specifically include such provisions.
- (C) The Parks & Recreation Manager shall apply any deposit against any amounts owed to the City for use of the property/facilities, and the Manager may refuse to enter into any agreement until any and all amounts due the City by any applicant or organization, or by any organization which the applicant has represented, have been paid in full.
- (D) The Manager, or their representatives or designee, may enter rented facilities for the purpose of ensuring that parties comply with the provisions of this article or the applicable agreement.
- (E) Clean up responsibility; failure to clean. Each applicant shall be responsible for the cleaning of the property/facility after use. Each applicant shall deposit with the City, at the time of the filing of the rental agreement or special use agreement, a cleaning deposit in the amount provided for the rental or use. In the event that the applicant shall fail to clean the property/facility as specified in their agreement after use, the City may charge the applicant for the actual cost of cleaning the property/facility and apply the cleaning deposit to the total cost of cleaning.
- (F) Damages from use. Each applicant shall deposit with the City, at the time of the filing of the rental agreement or special use agreement, a deposit in the amount as provided in their agreement. In the event that the City determines any damages upon inspection, the City may charge the applicant for the actual cost of the damages and apply the deposit to the total cost of the damages.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-4. - Rental rates.

The Parks & Recreation Manager shall prepare a schedule of rental rates for the use of facilities to include, but not be limited to, pavilions, shelters, picnic tables, swimming pools, recreation centers, and athletic fields. This schedule shall be submitted to the City Manager for approval, and shall be reviewed on an annual basis. Such rates shall bear a reasonable relation to current rental rates charged for use of similar commercial facilities so as to neither be excessive or grossly deficient by comparison; provided, however, all such rates, except athletic field rental rates, shall not increase annually by more than twenty-five (25) per cent and rates for organized youth activities shall not exceed a level which would recover forty (40) per cent of the estimated total cost, nor shall new fees be created, without the City Commission's approval by motion or resolution. The approved schedule shall be filed with the City Secretary and copies shall be provided to the City Commission. Specific rates, however, may be adjusted at any time, and the Parks & Recreation Manager shall have the authority to negotiate special rates for special situations.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-5. - City-owned equipment.

Unless specifically stated in the agreement, the use of city-owned equipment is not included in the rental of a facility. The Parks & Recreation Manager shall prepare a list of city-owned equipment that is available for rent and recommend fees for its use. This fee schedule shall be submitted to the City Manager for approval. Such fees shall bear a reasonable relation to cost and depreciation of such equipment to allow the City to recover the acquisition, maintenance, or replacement costs of such equipment as necessary. The approved schedule shall be filed with the City Secretary and copies shall be provided to the City Commission.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-6. - Special services.

The Parks & Recreation Manager shall prepare a list of special services that are available to the public. This list, including the recommended fees to be charged, shall be submitted to the City Manager for approval. The approved schedule shall be filed with the City Secretary and copies shall be provided to the City Commission.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-7. - Recreation fees and charges.

The Parks & Recreation Manager shall prepare a list of recreation fees and charges for the public use of swimming pools, tennis courts, recreation centers, athletic fields, and other city-owned facilities. The schedule of fees and charges shall be submitted to the City Manager for approval, and be reviewed on an annual basis. Such rates shall bear a reasonable relation to current rental rates charged for similar commercial facilities so as to neither be excessive or grossly deficient by comparison; provided, however, all such fees, but not including adult softball and adult baseball league fees and charges for athletic fields, shall not increase annually by more than twenty-five (25) per cent and fees for organized youth activities shall not exceed a level which would recover forty (40) per cent of the estimated total cost, nor shall new fees be created, without the City Commission's approval by motion or resolution. The approved schedule shall be filed with the City Secretary and copies shall be provided to the City Commission. Specific fees, however, may be adjusted at any time, and the Parks & Recreation Manager shall have the authority to negotiate special rates for special situations.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-8. - Special use permit agreement for parks.

(A) Definition. Special use means any temporary gathering, rally, parade, festival, exhibit, display, entertainment, performance, or presentation held in a park, park building or park facility:

- a. In which more than 250 persons are expected to attend or participate; or
- b. That requires the placement or erection of one or more stages, booths, kiosks, tables, tents, barricades, or similar temporary structures or facilities to support or serve the special use; or
- c. That provides an alcoholic beverage for sale or consumption to the attendees.

A special use does not include persons gathering in a park to participate in or observe an athletic event held at the facilities designed for that purpose.

(B) Permit required. It is unlawful for any person to sponsor, hold, or conduct a special use without first receiving a permit from the City.

(C) Application process. A person seeking a permit for a special use in a city park, park building, or park facility must file an application with the City on the form provided for that purpose. A complete application must be filed not less than 30 days before the proposed date of the special use. The application must be signed by the person or persons responsible for the special use and must include the following information:

- a. A description of the use and the number and type of activities planned;
- b. The date and time of the special use;
- c. The number and types of vendors that will be present;

- d. The number of people expected to attend the special use;
 - e. The arrangements that will be made for traffic control, security, additional restroom facilities, medical care, traffic control, and other services or facilities to support the special use;
 - f. Whether there will be a charge for the special use and the basis upon which persons may or may not be admitted to the event if other than a charge;
 - g. A description of any structures that will be used or erected to support the event;
 - h. The circumstances under which any alcoholic beverages will be served or possessed;
 - i. Any other information the City determines is necessary to evaluate the application and determine whether it meets the requirements of this article.
- (D) Fees and deposits. The City may establish and collect fees, deposits, and bonds to pay for or ensure the payment of costs incurred by the City relating to the use of a park, park building, or park facility for special use, including costs incurred for trash cleanup and removal, providing security, protection or medical care, for the administration of this article and for any other necessary or related services that arise directly from the use of the park, park building, or park facility. However, the City may not impose an additional fee on any applicant because of any constitutionally protected speech to be expressed during the special use that may create the need for additional security for persons opposing the speech expressed.
- (E) Permit decision. The City will make a decision on the permit application as promptly as possible after the applicant has provided all the information required by the application, including in the form and manner required, but in no other case later than ten business days after the date a complete application is submitted. The city will grant a permit unless the city finds one or more of the following exist:
- a. The application submitted is not sufficient or complete, provides false information, does not comply with this article or a regulation approved hereunder, or was not submitted with any required documents, fees or deposits;
 - b. The time or location for the proposed special use conflicts with the time or place of either a city sponsored event or a special use for which a permit has been issued or an application was already pending and there is insufficient space in the park, park building, or park facility to accommodate both events;
 - c. The applicant has failed to arrange or provide for adequate parking, trash cleanup, security, or other arrangements to ensure that the special use will be safe, secure and healthful for the participants thereof;
 - d. The special use does not comply with this article, state or federal laws or regulations, or a reasonable condition imposed by the Parks & Recreation Manager for issuance of the permit;
 - e. The applicant has held a prior special use for which the applicant failed to comply with a requirement of this article, failed to pay any required fees, charges, or deposits, failed to comply with all of the conditions of the permit, failed to pay or remedy damage incurred to public property, created a dangerous condition or situation, failed to comply with reasonable requests of the Manager, or otherwise violated the purpose or intent of this article;
 - f. The special event is being held primarily for commercial purposes;
 - g. The proposed use would present an unreasonable danger to the health or safety of the applicant, special use attendees, or other users of the park, park building, or park facility.
- (F) Conditions. The Manager may impose reasonable conditions on a special use permit issued to ensure compliance with city rules, regulations, and this article. The permit issued will contain in writing all the conditions and requirements that apply to the special use.

- (G) Denial of permits. If the Parks & Recreation Manager refuses to issue a permit as authorized by this article, the Manager will specify in writing the provisions of this article upon which the refusal was based as well as any factual information in support of the determination.
- (H) Permit revocation. The Parks & Recreation Manager may revoke a permit for a special use after it is issued because of the failure to comply with any condition or requirement of the permit or this article. The Manager will give written notice of the revocation of the permit at the address of the applicant as listed on the application.
- (I) Appeals from denial or revocation. An applicant may appeal a permit denial, revocation, or imposition of conditions by filing a written appeal to the office of the City Manager within three days of the mailing of the appealable event.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-9. - Prohibition of camping and other activities.

(A) Definitions.

- a. Camping: Occupying a site as a dwelling place for any length of time, whether in a vehicle, tent or improvised shelter, sleeping bag or without a shelter. Occupation of a site under the circumstances above for more than two (2) hours at any time during the period from midnight to sunrise shall be presumed to be overnight camping.
- b. Campfires: Any open fire composed of any material in a fire pit or on the ground, except for those fires contained in a barbecue pit constructed and maintained by the City or in a portable barbecue pit or similar device designed for the preparation of food.
- c. Person: Any individual or group of individuals.
- d. Manager: The Manager of the Parks & Recreation Department, or their designee.

- (B) Prohibition. Unless otherwise provided in this section, it is unlawful for any person to camp or to build, operate, or use a campfire in any park.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-10. - Curfew.

Between the hours of 10:00 p.m. and 6:00 a.m., no person shall enter or be present in any city park or parking lots connected therewith or adjacent thereto, excluding a city employee in performance of the employee's duties, and a person permitted to engage in leisure and recreational activities under the Parks and Recreation Department.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-11. - Liquor in public parks prohibited; exception.

- (A) Except as hereinafter provided, it shall be unlawful for any person to consume or possess any alcoholic beverage or beverages in any public park within the corporate limits of the city.
- (B) In the event a person, persons, or corporation shall lease or rent the premises in Dick Kleberg Park known as the J. K. Northway Building and fairgrounds for public or private use and shall desire to serve or permit alcoholic beverages to be consumed on the premises, in addition to the requirements for Special Use Permit Agreements in §9-8-8, the following rules shall apply:

- (1) (a) An application shall be made to the Parks & Recreation Manager which shall contain the following:
 1. The person or persons responsible for the use of the building.
 2. The purpose for which the building is to be used.
 3. The number of persons expected to attend the function for which the building let.
 4. The type of beverages to be sold or consumed on the premises.
 5. The type of security that will be provided by the applicant.
 6. The hours such beverages will be sold or consumed on the premises.
 7. The person whose license will be used for the sale of any alcoholic beverage.
 8. The applicant shall sign a statement that all applicable state laws will be complied with before any alcoholic beverages are sold or consumed on the premises.
- (b) If the Parks & Recreation Manager deems that the public interest shall be served by the issuance of a permit for such purposes, such Manager may issue a permit and such permit shall contain the rules applicable to same.
- (2) In addition to the items enumerated above, the Parks & Recreation Manager may make such additional requirements as they deem necessary for the safety and well-being of the persons attending such function.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Cross reference— Penalty, see § 1-1-99.

Sec. 9-8-12. - Firearms in public parks prohibited; exception.

- (A) Except as hereinafter provided, it shall be unlawful for any person to possess or discharge any firearm in any public park within the corporate limits of the city.
- (B) Exception: (1) certified law enforcement officers may possess a firearm.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-13. - Fireworks prohibited in parks.

The bringing of fireworks and the discharge of fireworks into the parks is prohibited.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-14. - Use of park property.

- (A) It shall be unlawful for any person to enter into, pass through, or congregate with other persons on park property at a time, whether night or day, when such property is closed to the general public
- (B) It shall be unlawful for any person to enter into, pass through, or congregate with other persons on park property for any other purpose than to participate in an authorized use of the parks during the hours the parks are open for business.
- (C) The provisions of this section do not apply to agents, representatives, licensees or employees of the city; provided, however, that such persons are engaged in the performance of their duties.

- (D) It shall be unlawful for any person to disregard any order issued by the Parks & Recreation Manager, or their designee, relating to the use, means, or manner of play at the parks.
- (E) It shall be unlawful for any person to remain in any building, swimming pool, playground, park area or public property within the city after being advised by the Parks & Recreation Manager or any person authorized by the manager or any association, club or group, so authorized to conduct, manage, supervise, sponsor or be responsible for such supervised recreation that he is interfering with disrupting or preventing the orderly conduct of such supervised activity or program and after having been asked to leave such swimming pool, playground, park or public property within the city.
- (F) Glass containers. To prevent injury to persons using and enjoying the recreational facilities, no glass container of any kind shall be brought upon park properties.
- (G) Traffic and parking. All vehicular traffic shall obey the posted speed limit and parking of vehicles shall be done only in designated areas unless by permit stating otherwise.
- (H) No soliciting. No person may solicit funds or donations or peddle any goods, wares, or merchandise except by permit of the city.
- (I) Vehicles. No person shall park a vehicle upon any public roadway, city-owned or maintained park lands, public playground or public recreation area which is owned, operated or maintained by the city for the principal purpose of:
 - a. Displaying such vehicle for sale;
 - b. Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

Any person who violates any provision of this section shall, upon conviction, be subject to a penalty as prescribed in §1-1-99.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-15. - Rules and regulations.

The following rules and regulations are hereby established for the use of the lake at Dick Kleberg Park in the city:

- (A) No swimming, wading or bathing shall be allowed therein at any time.
- (B) No boats or floats equipped with mechanical power shall be used thereon.
- (C) No nets, seines or trout lines shall be, used for the catching of fish.
- (D) Any person desiring to use a boat thereon shall first apply to the Parks and Recreation Department for a permit to do so. A permit shall be issued by the Manager unless in his opinion such use would be detrimental to the lake and property thereon.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Sec. 9-8-16. - Injuring property; littering prohibited.

- (A) It shall be unlawful for any person to injure, deface, mutilate, remove, pull down, break, or in any manner interfere with or molest, secrete or destroy any real or personal property belonging to or under the control of the Parks and Recreation Department.
- (B) It shall be unlawful for any person to deposit dirt, trash, cans, papers or other litter onto the ground in any park or to throw or deposit the same into the lake situated at Dick Kleberg Park.

(Ord. No. 2014-64, § I, passed 9-22-2014)

Cross reference— Penalty, see § 1-1-99.

Secs. 9-8-17—9-8-29. - Reserved.

AGENDA ITEM #16

AGENDA ITEM #17