

City of Kingsville, Texas

**AGENDA
CITY COMMISSION
MONDAY, MARCH 13, 2017
REGULAR MEETING**

**CITY HALL
HELEN KLEBERG GROVES COMMUNITY ROOM
400 WEST KING AVENUE
6:00 P.M.**

I. Preliminary Proceedings.

OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – February 13, 2017

Regular Meeting – February 27, 2017

APPROVED BY:


Jesús A. Garza
City Manager

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

1. Public hearing for an alcohol variance for a Wine and Beer Retailer's Permit and Retail Dealer's On-Premise Late Hours License for an establishment known as Hoggies Sports Bar, located at 1206 N. 6th Street, Kingsville, Texas. (Director of Planning and Development Services).

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, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; 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 Fiscal Year 2016-2017 budget to include Lexipol subscriptions service for the Kingsville Police Department out of Ch. 59 Seizure Funds. (Director of Finance).
2. Motion to approve a resolution authorizing the City of Kingsville to continue participation in the Texas Main Street Program, authorizing the Mayor to execute the Texas Main Street Locally Designated Program 2017 Contract, and designating Downtown Manager Cynthia Martin as the Main Street Program Manager for the City of Kingsville to coordinate program activities. (Downtown Manager).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider an alcohol variance for a Wine and Beer Retailer's Permit and Retail Dealer's On-Premise Late Hours License for an establishment known as Hoggies Sports Bar, located at 1206 N. 6th Street, Kingsville, Texas. (Director of Planning and Development Services).
4. Consider introduction of an ordinance amending Chapter III, Article 7-Personnel Policies, Section 1-Classification and Compensation Plan to reclassify and rename a certain position within the exempt schedule of the Fiscal Year 2016-2017 City of Kingsville Classification and Compensation Plan. (City Manager).
5. Consider authorizing change order #1 for the Brookshire Pool PVC Liner Project, per staff recommendation. (Capital Improvements Manager).
6. Consider a resolution authorizing staff to proceed with placing for sale the City's 11.013 acres of land located off US HWY 77 Business/Loop 428 at KT&I Co., Block 18, Lot Pt, 10 in Kingsville, Texas. (City Manager).
7. Consider a resolution accepting funding from the Texas Historical Commission for FY2017 Certified Local Government Grant Award for a National Register Nomination for Downtown, authorizing the Mayor to be the Authorized Official and the Historic Preservation Officer to act on the City's behalf with such grant as the project manager. (Downtown Manager).
8. Consider a resolution authorizing the City to submit an application to the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program for the State of Texas requesting

grant funding for law enforcement equipment and technology improvement projects on behalf of the Kingsville Police Department with no anticipated cash match. (Chief of Police).

9. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 Budget to include the purchase and installation of a 4th Emergency Warning Siren. (Chief of Police).

10. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 Budget to include Special Events Overtime for the Kingsville Police & Fire Departments. (Finance Director).

11. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 Budget to increase the Equipment Rental and Equipment Maintenance Budgets for the landfill. (City Engineer/Public Works Director).

12. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to increase the contribution for the Kleberg County Airport Grant cash match. (Director of Finance).

13. 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).

VII. Adjournment.

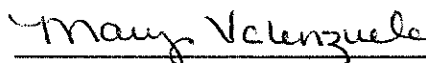
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551-076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board located at City Hall, 400 West King Ave, of the City of Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

March 10, 2017 at 11:30 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



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

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

By: _____
City Secretary's Office
City of Kingsville, Texas

MINUTES OF PREVIOUS MEETING(S)

FEBRUARY 13, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 13, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 6:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Arturo Pecos, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
David Mason, Director of Purchasing
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Susan Ivy, Parks Manager
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Robert Rodriguez, Library Director
David Solis, Risk Manager
Leo Alarcon, Tourism Director
Cynthia Martin, Downtown Manager
Ricardo Torres, Chief of Police
Bill Donnell, Asst. Public Works Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 6:00 P.M. with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – January 23, 2017

Motion made by Commissioner Pena to approve the minutes of January 23, 2017 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

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

1. Public hearing for an alcohol variance for a Beer and Wine Retailer's Off-Premise Permit for an establishment known as Spice Station Food Mart, located at 606 E. King, Ave., Kingsville, Texas. (Director of Planning and Development Services).

Mayor Fugate announced the Public Hearing at 6:02 P.M.

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

Mayor Fugate commented that this is a facility that has had this type of establishment for a few years. Reason for the variance is due to the change of ownership.

There being no further comments, Mayor Fugate closed this public hearing at 6:04 P.M.

2. Public hearing regarding an ordinance for a special use permit for the installation of a wireless telecommunications pole at Ronning 1, Block 1, Lot 24, 25 also known as 1018 E. King Avenue, for Mobilitie LLC. (Director of Planning and Development Services).

Mayor Fugate announced the Public Hearing at 6:04 P.M.

Mr. Tom Ginter stated that Mobilitie is wanting to install a telecommunications tower in the right-of-way in front of the vacant lot. This would be a 120-foot tower that would have 4G and 5G capability. Reason they chose this location is that the site fits well for their customers. The Planning & Zoning Commission have heard this item to which they approved with a condition that Mobilitie discuss with the property owner as to a location. Ginter stated that a representative of Mobilitie stated that they have the leeway for a 50-foot radius to locate the pole. The 50-foot leeway would allow Mobilitie to locate the tower on the east end of the property which would seem to minimize any entrance issues when the property is developed.

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

There being no further comments, Mayor Fugate closed this public hearing at 6:06 P.M.

3. Public hearing for a replat of Lots 12-16, Block 1, Christesen Addition, also known as 427 N. 15th Street, for agent William Dove and Associates. (Director of Planning and Development Services).

Mayor Fugate announced the Public Hearing at 6:06 P.M.

Mr. Ginter commented that this property owner owns five lots at this location. They would like to replat the five lots into two tracts so that each tract can be 54x150 where the property owner wants to build a home.

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

There being no further comments, Mayor Fugate closed this public hearing at 6:08 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, Utilities Billing Update**; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; 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 introduced the new Parks & Recreation Director, Jason Alfaro. He further introduced the IT Staff and interns.

Mr. Garza gave updates on the Investment Report, Quarterly Budget Report and Utilities Billing Update. The Quarterly Budget Report shows that overall revenues show that the city is at 28% with overall revenues. At the end of the first quarter, the city is in a good spot with its revenues. Property tax is at 41% of the money budgeted to be received. Non-property tax revenue is the highest non-property tax in the first quarter compare to the previous five years. Some of this is related to sales tax which is at its highest for the first quarter in the last five years. Sales tax is at 27% of what was budgeted, but when budgeted staff increased it slightly because of anticipation of Hobby Lobby and a few other things. In Fiscal Year 2015-2016 the budget number for sales tax revenue stayed the same. This current fiscal year was the first year that an increase was budgeted and without Hobby Lobby opening the city is already ahead with sales tax revenue. Garza discussed the Permits & License Department. Compare to last year, it is slightly lower; but still on track with it being 25%. There has been a decrease with residential permits in this first quarter. A report is being worked on to show some of the tracking measures. With the Municipal fines, this has been an issue for the City. Last year this department had some staffing issues, but this year this department is fully staffed. Staff is trying to figure out how to improve the revenues from Municipal Court. Garza commented that on today's agenda is the contract with PSN, to help improve the billing operation that will make it easier for citizens to pay. He further discussed the Parks and Golf Course revenue. He stated that the County did not pay the city on a timely basis what they owed in for the month of November and December. The city did receive payment from the County in January. In the Solid Waste Department, the revenues have increased for this first quarter as compared to last year. Garza continued to discuss the Tourism Department as well as the fact that the JK Northway has been pulled from the Parks Department and placed under Tourism. The revenue brought in from the JK Northway shows a slight increase from that of last year. In the Utility Fund, shows the revenues are at 25% that is because staff lowered the budgeted amount of revenues compared to last year. This comes from having some rainy days as well as failed meters. Staff is working with Badger Meter for solutions to this problem. Garza stated that at this time the City has no company to do their collections for default on payments. Staff is bringing an item tonight for their approval to work with a company that will assist in these types of collections. Garza stated that as per the City's Financial Policies, the City meets all necessary requirements such as keeping its reserves at 25%. Garza stated that within this report is a new fund called Golf Course Capital Maintenance. This fund was created this fiscal year because as per the agreement with the County, beginning this fiscal year, the city is to allocated 3% of Golf Course revenues specific to a Golf Course Maintenance Fund. Other funds that were created within the Special Purpose Fund is Economic Development Fund which is where the city added its Economic Director position. This is also the fund where the Care Building was paid from. Within this fund is a Vehicle Replacement Fund, which is for the Fire Department. The Fire Department cannot rely on Chapter 59 Funds as the Kingsville Police Department can. This fund will assist the Fire Department in the replacement of vehicles when needed.

Mr. Garza also spoke about the Investment Report. As of December 31st the city had \$29,000,000 in the bank. Through the first quarter there has been some change on how

the funds are allocated within the different accounts. Garza stated that the amount that is in the Kleberg Bank non-investment cash is lower this year than it was last year. Texas Class has increased compared to last year. Some of that is due to the amount that was pulled out from the Kleberg Bank and placed in Texas Class as it has a better rate return. The significant increase in the TC Investment bank account is because when the city received the Certificate of Obligations 2016 Series, the city got \$6.7 Million and that's where that went. There is a decrease in the certificates for deposits. This is due to the fact that what is paying for Sector 4 was in a CD so that cost of the Sector 4 project came out of a CD. Garza commented that the Investment Report meets the standards that are within the City's Financial Policy.

Mrs. Courtney Alvarez, City Attorney, announced that the next regular City Commission meeting is scheduled for Monday, February 27th. Deadline for staff to submit agenda items for the upcoming meeting is Friday, February 17th. She further announced that there will be a Warrant Roundup coming up. The grace period that will allow those with warrants to go in and pay, without the fear of getting arrested is Friday, February 24th. The Municipal Court will be having extended hours from 8:00 A.M. to 6:00 P.M. on February 17th, February 24th and March 3rd.

Commissioner Garcia commented that he has completed a two year term with the Council of Governments (COG) and was presented with an award for his service.

IV. Public Comment on Agenda Items.³

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

Dianne Leubert, 715 W Nettie, commented that she would like to introduce the Commission to Kingsville Shelter Dogs Group. This group is getting nationally known through their Facebook. The works with rescues, adoptions, and lost pets. These group assisted in the re-home of 6 of the 7 donkeys that were in the custody of the City/County Health Department. This group finds the rescues and makes sure that they are legit and find them new homes. They work with transport which could be anywhere from Kingsville to Mathis, Kingsville to New Jersey, Kingsville to Colorado, and even had some that went to Canada. This group also does a lot of the vet work. They get the animals from the pound and take them to one of the local vets and get them the care they need and go off from there. This group also take pictures and take temperament test on the animals prior to sending them to rescues groups. This group also works with Mattie Delsaldana who does Kleberg County Missing Pets. Leubert stated that since November 1st through February 12th, the total intakes that her group has dealt with is 259; nine of those had no resolution, 12 were reclaimed, 19 adopted, 204 rescued, and 16 euthanized. This doesn't count the number of animals this group had before. By rescuing 250 animals and at the cost to euthanize an animal which is about \$30, this group has saved the City and County about \$6,000. Leubert further stated that the other thing is Parvo Distemper. When you have Parvo Distemper rescues will not take your animals as it is highly contagious and dangerous to animals.

V.

Consent Agenda

Notice to the Public

The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence

after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

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

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

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Presentation by Texas A&M University-Kingsville on the old Wilson building in downtown Kingsville. (City Manager).

Mr. Garza commented that the University is taking a project to re-do the Wilson's Building located downtown. This is a project that they have been working on for some time in coordination with staff to develop some options. Spear heading this presentation is Mr. Chris Vera, Director of Facilities Planning and Construction of the University and Mr. Ralph Stevens, Associate VP for the Administration.

Mr. Vera commented showed a PowerPoint (drawing) presentation to the City Commission on the renovation of the Wilson Building.

Commissioner Garcia asked that on the frontage part of the building, there is a plan for the downtown area, will the front match with the other buildings.

Mr. Garza stated that in 2013 there was a Texas Historical Commission Report that specifically looked at this building. It specifically mentioned the original red brick and provided some ideas on what the front of the building could look like. One thing that is important to look at when looking at a historic building is the windows as it is a big part of a historic downtown. Garza further stated that the University also went through a process with the Texas State Historical Committee to receive approval for the project and had no issues with it. In terms of the big vision, which will be presented on February 27th, they are looking at some of the other components of downtown such as streetscape. They will be talking about historic buildings and restoring them and giving them a theme.

Commissioner Garcia stated that what he was referring to was the sidewalk issue. He asked if the sidewalks were going to be enlarged or made smaller. Mr. Garza responded that Mr. Vera will be working with the city on this project as they are aware of some changes that will be made in the streetscape. As they work through that project, because their priority is the building and the sidewalk will come after the completion of the building, it gives us some time to go through our effort of finalizing a streetscape that has consistent support.

Commissioner Garcia further asked if their interest was the pad for this building.

Mr. Vera commented that part of phase one is touching up the east side of the sidewalk. There are two phases of sidewalk there, the eastside and the north side. Vera stated that what they are trying to do is get as much as they can done in phase one which is to make it ADA Compliant. Some of the other things that need to be looked at are signage and parking. Vera stated that they are willing to keep some of the historical attributes to this building even though they are not required as per the Texas Historical Commission, as they received approval to proceed with the demolition, but in good faith and partnership with the

City they are willing to extend out the reviews of sidewalk of the civil drawings for the City's review and comments back.

Mayor Fugate asked if this building was to be demolished by the end of the month. Mr. Vera responded that currently they are doing a design build contract with Maltby Builders and Alpha Engineering but they are moments away from signing that contract. Mayor Fugate asked if they are going to try to match the red brick as that is the plan on what the city is trying to do in the downtown area. Mr. Vera responded yes.

Commissioner Garcia asked about parking within this area. Mr. Garza commented that this is something that the City will be working with them specifically on the east side of the building, which can be utilized as parking space. The plan that will be presented on February 27th will have a comprehensive parking analysis for the downtown area.

2. Consider an alcohol variance for a Beer and Wine Retailer's Off-Premise Permit for an establishment known as Spice Station Food Mart located at 606 E. King Ave., Kingsville, Texas. (Director of Planning & Development Services).

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

3. Consider introduction of an ordinance granting a special use permit to install a wireless telecommunications pole for Mobilitie LLC at Ronning 1, Block 1, Lot 24, 25 also known as 1018 E. King Avenue. (Director of Planning & Development Services).

Introduction item.

4. Consider a replat of Lots 12-16, Block 1, Christesen Addition, also known as 427 N. 15th Street, for agent William Dove and Associates. (Director of Planning and Development Services).

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

5. Consider a resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for a fire engine on behalf of the Kingsville Fire Department with an anticipated \$36,272 cash match. (Fire Chief).

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

6. Consider a resolution authorizing the Mayor to enter into a Service Agreement between the City of Kingsville and Payment Services Network, Inc. to collect payments from customers. (Director of Finance).

Mr. Garza stated that with the Commissioner Garcia's concern about the financial stability of the company. Staff reached out to the company and they provided staff with a copy of a document that they receive from the State of Wisconsin which is where they are located, that gives them the validity from a financial perspective to do the work that they do. They also provided staff with how much money they process, for example last year they processed \$1 Billion dollars in payments. They are a high volume operation with over 4,000 accounts across the country which makes them a well-established company.

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

7. Consider a resolution authorizing the City Manager to enter into a Collection Services Agreement between the City of Kingsville and Southwest Recovery Services, Inc. for collection on delinquent accounts. (Director of Finance).

Mrs. Balli stated that Southwest Recovery will do the City's collection services for Utility Billing, ambulance billing, code enforcement violations which are currently not being collected. Their fees are based on the amount they collect so there will be no budget impact currently because we don't budget for these services. If they collected more money the city will just pay them a fee which will be based on what they collect.

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

8. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to include insurance proceeds from the supplemental insurance claim for the May 31, 2016 storm event. (Director of Finance).

Mr. Balli stated that this item authorizes the approval of budget amendment for the Supplemental Insurance Claim Proceeds received in FY 16-17. The amount received is \$569,426.99.

Introduction item.

9. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to include Police Department equipment purchases, upgrades and repairs out of Ch. 59 State Seizure Funds. (Director of Finance).

Introduction item.

10. Consider awarding contract for bid #17-10 for the Texas Community Development Block Grant (CDBG) for downtown improvements, as per staff recommendation. (Director of Purchasing).

Mr. David Mason Purchasing Director stated that this item authorizes the award of contract for Bid 17-10 for Texas Community Development Block Grant Downtown Improvements. Advertisement for bids was done on January 22, 2017 and January 29, 2017. A non-mandatory pre-bid meeting was held January 31, 2017 with one bidder attending. Two responsive bids were received by the deadline of Tuesday, February 7, 2017 at 1:30 p.m. It is recommending the city contracts with Battery Warehouse of McAllen, TX for Bid 17-10 in the amount of \$44,840.

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

11. Consider authorizing a non-exclusive office supply contract with Gateway Printing and Office Supply via Buyboard, as per staff recommendation. (Director of Purchasing).

Mr. Mason stated that the next three items are basically housekeeping items. The requirements for each of the following items are being met by going off the cooperative requirements off the usual contract.

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

12. Consider authorizing a non-exclusive law enforcement supplies and equipment contract with GT Distributors via Buyboard and/or GSA, as per staff recommendation. (Director of Purchasing).

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

13. Consider authorizing a non-exclusive IT equipment and supplies contract with CDW-G via DIR, TCPN and/or NJPA, as per staff recommendation. (Director of Purchasing).

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

14. Consider authorizing the purchase of five (5) vehicles for the Police Department from Silsbee Ford via Buyboard, as per staff recommendation. (Director of Purchasing).

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

15. Consider a resolution authorizing the City Manager to enter into an Agreement between the City of Kingsville and Rio Bravo RC&D Council for Administration of two SEPs. (City Engineer/Public Works Director).

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

16. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to include proceeds from the sale of city owned property located at 2211 S. Brahma Blvd. and insurance claim proceeds from the May 31, 2016 storm event. (Director of Finance).

Introduction item.

17. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

Mayor Fugate announced the executive session and convened the meeting into closed session at 7:15 P.M.

This executive Session ended at 7:22 P.M.

18. 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).

Mayor Fugate announced the executive session and convened the meeting into closed session at 7:22 P.M.

Mayor Fugate reconvened the meeting into open session at 7:43 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:45 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

FEBRUARY 27, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 27, 2017 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam Fugate, Mayor
Edna Lopez, Commissioner
Noel Pena, Commissioner
Al Garcia, Commissioner
Arturo Pecos, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Emilio Garcia, Health Director
Diana Gonzales, Human Resources Director
David Mason, Director of Purchasing
Deborah Balli, Finance Director
Charlie Cardenas, Public Works Director/Engineer
Kyle Benson, IT Manager
Ricardo Torres, Police Chief
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Robert Rodriguez, Library Director
Austin Jurica, Engineer's Assistant
Jason Alfaro, Parks & Recreation Director
Cynthia Martin, Downtown Manager
Manny Salazar, Economic Development Director
David Solis, Risk Manager
Stephanie Resendez, Planning Administrative Assistant
Adrian Garcia, Fire Chief

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting beginning with a workshop at 5:00 P.M. with four Commission members present. Commissioner Pecos arrived at 5:08 P.M.

WORKSHOP: Presentation of Downtown Vision Plan. (City Manager).

Mr. Jesús Garza, City Manager commented that he would like to summarize some of the work that staff has undertaken for the downtown area. In January/February 2016, staff made a recommendation on the Certificates of Obligations. Part of that recommendation was allocating \$1 million dollars to the Downtown in an effort to start looking into improving the infrastructure of the Downtown area. During the following twelve months there was a lot of progress from staff to improve some of the conditions downtown. Some of the items that have been approved by the City Commission in the last few months are the Vacant Building Ordinance, zoning allowable uses for downtown commercial to allow multipurpose use. New guidelines for the Façade Guidelines Program was also adopted. There are a lot of efforts centered around the downtown area that are being worked on. Garza further commented that staff has solicited the services of the University of Texas San Antonio, The Center for Urban Regional Planning Research in late summer of 2016.

Since that time, they have been working with Stakeholders and City Staff to develop the recommendations that will be presented during this meeting.

Mr. Bert Moyer, Research Scientist Associate, presented the City Commission with a PowerPoint presentation of the Downtown Vision Plan. He stated that there are four sections to this plan, those sections being; Introduction, Background Assessment, Options for the Future, and Proposed Implementation Plan. Mr. Moyer spoke about the importance of branding Kingsville. He showed an example of a branding that can be used by the City of Kingsville. Within the presentation was a proposed event center across from HEB Grocers. Some of the recommendations for the downtown area are maintaining the historic buildings in the area. These buildings are assets to the community as there are individuals who travel just to look at historic buildings. It is important to maintain these buildings as once they are gone, they will be lost forever. Mr. Moyer showed before and after pictures of the historic buildings in the downtown area. Moyer spoke about changing parking in the downtown area to parallel parking and adding bump outs to the street. This would narrow the street and require individuals to slow down within the area. It is being proposed to change from head in parking to parallel parking. This will widen the sidewalk and will allow for possible café style seating outside. Five feet would be added to the sidewalk, bump outs, crosswalks, places to sit, and trash receptacles. Moyer stated that what is important is to have visitors in the downtown area and have them be safe. He discussed the importance of Wayfinding Signage. This will make visitors aware of where they are at as well as letting them know that they are in a Historical District. It is being recommended to establish a museum cluster. Currently the city has the King Ranch Museum as well as the Train Depot Museum. In the report, it is being proposed to establish a Children's Museum which give visitors a reason to stay in Kingsville and maybe even overnight. Another proposal is expanding the bike route from the University to the Downtown District. This will give the students of the University the opportunity to ride their bike into the Downtown District, as well as our residents. The city could also consider bicycle rental stations which will be an additional income received. There is a proposed Special Event Center in this plan. With a city that has about 26,000 in population, it needs something larger than the Salazar Building to hold large crowds during special events. It is being proposed to use the old KA Childs building as the Special Event Center. With the Texas Theatre being across from the proposed Special Event Center, the city could partner with the theatre and hold special events and partner with a hotel. The City could partner with a hotel and have them come in to the downtown area where visitors can stay within the downtown district. The proposal also includes the relocation of the Band Stand to the area where the Pavilion is located. The Band Stand can have some type of Amphitheatre where small concerts, classes or be used as an extension to the Farmer's Market. Where the Band Stand is located now, it is not being used for many things. This would allow the community to have small events near the Pavilion. Mr. Moyer showed a slideshow of the proposed downtown area and what it would look like if the proposed changes were implemented. As the sidewalks in the area aren't complete, it is being proposed to complete them and have the sections that don't have a sidewalk connect to those areas that do. Moyer further commented that with 611 hotel rooms to serve the city, there are none located within the Downtown District. With single family homes located in near the Downtown District that can be converted. The City could propose some type of an incentive and push some Bed and Breakfast that would allow for visitors to stay in during their visit. He showed a slide on infill housing within the Downtown District. He further spoke about the implementation plan. This plan is a long-term strategy that shows the improvement of quality of life and enhances the economy. Moyer stated that it is critical for the Community to organize itself and see what's the City's and County's responsibility, how can the University partner with the City and what is the private sectors responsibility.

Mr. Garza briefed the City Commission on some of the points that were just mentioned by Mr. Moyer. He stated that the City Commission allocated 1 Million dollars towards infrastructure improvements for the Downtown area. The next step for the city is to submit a grant that staff has been working on for about four or five months. This item will be placed for City Commission approval on the next City Commission meeting. Staff is looking in taking the Million dollars and

taking it and applying it as a match and hopefully turning it into \$2.4 Million if the grant gets awarded. In return that money would be invested into streets, sidewalk, lighting, and trees that will specifically focus on the infrastructure improvements. This will show downtown merchants as well as citizens that the City is serious about revitalizing the Downtown District. Tourism Advisory Boards has shown its support about the plan because having a revitalized downtown will help with Tourism which will help our economy. Garza commented that this is a good time for the City as the support, plan, and vision is there. This plan will not only affect the City; it will require partnerships with stakeholders in our city.

Commissioner Garcia commented that staff needs to think about addressing the issue with parking once the infrastructure begins.

Mr. Garza responded that the priority would be to develop parking first. One focus would be on increasing parking capacity West of the Pavilion and the property that is North of the former JCPenney Building which is an empty lot. Staff has had some conversations with the property owner to partner with the City to convert this lot into parking. One of the other important things that is important about parking is signage. This would allow the visitors know where the parking locations are for the downtown area. The signage will also show where some of the main buildings are located within the district.

Commissioner Pena commented that he would like to hear from the public and see what their thoughts are on this plan.

Mayor Fugate asked that if anyone would like to speak on this item, there will be a limited time of five minutes.

A video of the proposed plan which summarizes some of the recommendations was shown to the City Commission and public.

Mrs. Gloria Cantu-Bigger asked what plan is in place to upgrade Kleberg Street. The area closes to H.E.B. and the Appraisal District has potholes which is a safety hazard.

Mr. Garza responded that city staff looking at reconstructing the street but it depends on whether the City receives the grant. If the City is not awarded the grant, staff will consider temporary solutions that can be looked at to try and repair some of the potholes and the cracking of the street, but for as the permanent fix it will depend on the amount of money that is available to the City.

Mrs. Cantu-Bigger commented that fixing the streets is more important than fixing the sidewalks and feels that other citizens would agree with her. This is a safety hazard and has been for quite a while. She further commented that as the city is looking at building an Event Center what about a Community Center. There are plenty of event centers in the city but no community center that will benefit the citizens of Kingsville. Mrs. Cantu-Bigger also stated that she is concerned with the move of the Gazebo as she believes this is part of the Historical District and asked who had made the decision for it to be moved. Mayor Fugate commented that no final decisions have been made now. This is simply a presentation of a proposed plan. Mrs. Cantu-Bigger asked if the city has done a survey as to how many tourist come to Kingsville and how much money is spent here.

Mr. Garza commented that to the detail that it would need to be done, no survey has been done.

Mrs. Cantu-Bigger further asked who was involved in the preparation of this plan and were the citizens of Kingsville were involved in the planning stages. Mr. Garza responded that the city had a public meeting October 2016 which gave the citizens the opportunity to come and voice their opinions. Staff has also been speaking with Stakeholders through some of the different City Boards.

Laura Pollard representative of the Kingsville Auto Club commented that there will be a Car Show Saturday, March 4th by the Gazebo. In the past, the Car Show was in the Downtown area but with Downtown Merchants not agreeing to closing down a section of the street, it was moved to the First Methodist Parking Lot. The Gazebo is used for music playing and announcements during their Car Show. Pollard further commented that she would like for the Gazebo to be kept in its current location.

Tommie Sue Rives, Downtown Merchant, commented that Car Shows draw in people that have money to spend.

Mrs. Gloria Cantu-Bigger commented that the Downtown Plan is a great plan but feels that there are other issues that the City needs to focus on such as work on the streets. It's ok to cater to visitors but we also need to cater to the citizens that live here.

A brief recess was taken at 5:50 P.M

Mayor Fugate convened into the regular session of the meeting at 6:00 P.M. with all five Commission members being 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)

None.

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

1. Public hearing regarding an ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue. (Director of Planning and Development Services).

Mayor Fugate announced the Public Hearing at 6:04 P.M.

Mr. Tom Ginter, Director of Planning and Development Services, commented that this item is for the consideration of a request made by Mobilitie LLC to allow a special use permit for the installation of a telecommunications pole at 1213 W. Santa Gertrudis. This is the second application from Mobilitie LLC for the installation of a telecommunication pole. The first one submitted was for the location at 1018 E. King, which will have a second reading on February 27, 2017. Three of the property owners that are on the list who received letters regarding the installation of the pole did speak against the location of the telecommunication pole. Impact of the installation of the telecommunication pole would be better cell phone service, which is beneficial for our citizens, businesses and students. There is no negative financial impact to the City of Kingsville. This item was heard by the Planning & Zoning Commission on February 15, 2017 where they voted 6-0 to not approve the item.

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.

Mrs. Peggy Hayes of 1213 W. Santa Gertrudis, commented that it is in front of her residency that they would like to install this telecommunication pole. Mrs. Hayes commented that she is not against the telecommunication pole, but there are other locations where this can be installed that will not encroach anyone's front yard. Mrs. Hayes asked the Commission to not approve this item at this time.

Mayor Fugate asked where they are looking of installing this pole. Mr. Garza responded that the pole would be installed in the front yard. Mr. Ginter commented that it is not in the front yard but rather in the city's right-of-way.

Dawn Schuenemann of 519 Seale Street, commented that she did receive the letter but it was the second letter received because the first letter that arrived was because the item had been tabled. The reason it was tabled was because Mrs. Hayes was not notified. She further commented that she would like for the city to stop approving items that would affect her neighborhood.

There being no further comments, Mayor Fugate closed this public hearing at 6:13 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, Utilities Billing Update; Police & **Fire Department** – Grant Update, Police & Fire Reports; Streets Update; 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."*

Mayor Fugate presented a proclamation to Ms. Cassie Ramos, President of National Association for Music Association, for Music in our Schools Month for the month of April, 2017.

Mr. Jesús Garza, City Manager commented that at this time he would like for Fire Chief Garcia to update the City Commission on the on goings of the Fire Department.

Mr. Adrian Garcia, Fire Chief, gave a PowerPoint presentation to the City Commission on the response operations and staffing plan of the Fire Department.

In this overview of Fire Chief's presentation, he discussed the operational statics, current response and operations, overall staffing goal, new response deployment model, and implementation plans such as immediate implementation, phased implementation and federal grant opportunity. At this time Chief Garcia displayed a graph showing Ambulance Emergency Response on the East District and the West District and available staff during different types of emergencies. On one graph, it was shown that in a twelve-month average, 22% of all calls are overlapping incidences. The Fire Department's overall staffing goal is to increase shifts to 12 personnel per shift, increase minimum staffing to 10, and discuss multiple implementation plans to achieve this goal. He further shared the following phase implementation steps and their benefits. Phase 1 Implementation would consolidate dispatch from the Kingsville Fire Department to the Kingsville Police Department. This would free up an additional Firefighter due to consolidated dispatch. Maintain 10 per shift which have the ability to create first responders with both stations. Move shift minimum from seven to eight. Four responding units will be available instead of three. Call volume divided between two stations and decrease overtime. Phase 2 implementation steps are: will hire three additional personnel; add one per shift: Increase

to eleven per shift: Move shift minimum to nine: implement when approved to hire requested personnel. The benefits to phase 2 are 1 (3) many engine company becomes available; 3-man v. 2-man engine company: ability to create first responders with both stations: four responding units will be available instead of three: call volume divided between two stations and it will decrease overtime. Phase 3 implementation steps are as followed: hire three additional personnel; one per shift: increase to twelve per shift: increase shift minimum to 10: and implement when approved to hire requested personnel. The benefits to phase 3 are: 2 (3) man engine companies become available: ability to create first responders with both stations: four responding units will be available instead of three: call volume gets divided between two stations: decrease overtime: and increased safety for responding personnel. The phased staffing contingency plan is to hire one Firefighter per year; meet phase 2 implementation plan over three-year span; continue evaluation of staffing conditions; and continue to plan on meeting overall staffing goal.

Commissioner Garcia asked for the amount that would be saved by hiring 3 additional personnel. Chief Garcia responded that at this time he does not have an estimate that will be saved. Commissioner Garcia further asked if the plan is strictly only for career Firefighters and has staff been working with the Volunteer Fire Department. Chief Garcia commented that he is working with the Volunteer Fire Department.

Commissioner Lopez thanked Chief Garcia for his presentation. Lopez commented that she feels that there is a need for more personnel in the Kingsville Fire Department and Kingsville Police Department.

Mrs. Courtney Alvarez, City Attorney announced that the next City Commission meeting is scheduled for Monday, March 13th. Staff's deadline to submit any agenda items for the March 13th meeting is Friday, March 3rd. Alvarez further reminded the City Commission and staff that there is a Special City Commission scheduled for Monday, March 20th at 6:00 P.M. for the presentation of the Parks Master Plan.

Mayor Fugate announced that this would be Mr. David Mason, Purchasing Director, last Commission meeting, as Mr. Mason has accepted a position with the City of Hutto, TX. The Commission wished him well and the best of luck in his endeavors.

IV. Public Comment on Agenda Items.³

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

Mayor Fugate opened the Public Comments section of the agenda.

Mr. Gene Jones of 609 W. Escondido, commented that he would like to receive a copy of the footprints of where the telecommunication poles are being proposed to be installed.

V.

Consent Agenda

Notice to the Public

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

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

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

Mayor Fugate asked that agenda item #1 be removed from the consent agenda and be placed for discussion under the regular section of the agenda. No objections were made from the City Commission on this request.

Motion made by Commissioner Pena to approve agenda items 2, 3, and 4 of the consent agenda as presented, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

1. Motion to approve an ordinance granting a special use permit to install a wireless telecommunications pole for Mobilitie LLC at Ronning 1, Block 1, Lot 24, 25 also known as 1018 E. King Avenue. (Director of Planning & Development Services).

Mayor Fugate asked there be no action taken on this item until both parties work together on this issue. Mayor Fugate further asked that this item be placed on the agenda for the special meeting to be scheduled on Monday, March 20th. He further requested that the item be placed under the regular section of the March 20th agenda.

No action taken.

2. Motion to approve an ordinance amending the Fiscal Year 2016-2017 budget to include insurance proceeds from the supplemental insurance claim for the May 31, 2016 storm event. (Director of Finance).

3. Motion to approve an ordinance amending the Fiscal Year 2016-2017 budget to include Police Department equipment purchases, upgrades and repairs out of Ch. 59 State Seizure Funds. (Director of Finance).

4. Motion to approve an ordinance amending the Fiscal Year 2016-2017 budget to include proceeds from the sale of city owned property located at 2211 S. Brahma Blvd. and insurance claim proceeds from the May 31, 2016 storm event. (Director of Finance).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider introduction of an ordinance for a special use permit for the installation of a wireless telecommunications pole for Mobilitie LLC at Sunset 1, Lot 10, 15 also known as 1213 W. Santa Gertrudis Avenue. (Director of Planning and Development Services).

Mayor Fugate asked that this item be placed on the agenda for the special meeting to be scheduled on Monday, March 20th. He further requested that the item be placed under the regular section of the March 20th agenda.

Introduction only.

6. Consider award for Engineering Services (RFQ17-07) for Drainage Master Plan and authorize staff to negotiate a contract, as per staff recommendation. (Director of Purchasing).

Mr. David Mason, Purchasing Director stated that this item provides staff recommendation for RFQ 17-07 Drainage Master Plan. The RFQ Review Committee consisted of Charlie Sosa, Street Superintendent; Jesús Garza, City Manager; Charlie Cardenas, City Engineer; William Donnell, Assistant Public Works Director; and Richard Flores, Golf

Course Manager; and David Mason, Purchasing Director serving as facilitator. Advertisement in the Kingsville Record took place on December 11, 2016 and December 16, 2016 as well as posting on the city website. A total of six respondents replied by the deadline of January 3, 2017 at 1:30 P.M. Through the published scoring procedures, the Review Committee narrowed the potential firm of three. Per RFQ 17-07, firms submitting SOQ's (statements of qualification) may be requested to take oral presentations as part of the evaluation process. Halff, Kimley-Horn and HDR all accepted the invitation and presented additional information through oral presentations to the Review Committee. It is recommended that RFQ 17-07 be awarded to the firm Kimley-Horn, of Fort Worth, TX, the most qualified provider based on demonstrated competence and qualifications.

Mr. Neffie Garza of Kimley-Horn stated that his firm is excited to work on the Drainage Master Plan for the City of Kingsville. His firm will identify flood areas and evaluate the Golf Course to make sure that it drains properly. His firm will address current drainage as well as look ahead on future drainage.

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

This is Mr. Mason's last City Commission meeting as he will be leaving the City of Kingsville to go work for the City of Hutto, TX.

7. Consider introduction of an ordinance adopting the Kingsville Downtown Vision Plan. (City Manager).

Mr. Garza commented that this item is to introduce this ordinance for the adoption of the Kingsville Downtown Vision Plan. Hard copies of the presentation done at the beginning of this meeting will be distributed by the end of the week to allow for the Commission to review it at a slower pace. The item will be placed on the agenda for the special meeting schedule for Monday, March 20th.

Introduction item.

8. Consider a resolution supporting the restoration of Chamberlain Park and authorizing city staff to demolish the old gymnasium at the City Hall complex. (Mayor Fugate).

Mayor Fugate commented that at the beginning phase of the restoration of the new city hall, this building fit the image, but now, it doesn't fit as well as he thought. After speaking with the contractor who worked on the new city hall, it would cost the city too much money to try and restore this building. After some research done by city staff, it was determined that the location where this building sits was actually a park, Chamberlin Park. Fugate further commented that this side of town needs a park within the vicinity and it would probably be best to look into the possibility of making it into a park again.

Motion made by Commissioner Garcia to approve the resolution supporting the restoration of Chamberlain Park and authorizing city staff to demolish the old gymnasium at the City Hall complex, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

9. Consider introduction of an ordinance amending the Fiscal Year 2016-2017 budget to include Lexipol subscriptions service for the Kingsville Police Department out of Ch. 59 Seizure Funds. (Director of Finance).

Mr. Ricardo Torres, Chief of Police, reported that the Police Department is requesting a budget amendment to cover the cost of implementation of Lexipol which is a service that

will assist the department in implementing a current Law Enforcement Policy Manual and also provided integrated Daily Training Bulletin service for the Police Department. Chapter 59 funds will be used to cover the cost of Lexipol software and services.

Commissioner Garcia asked if the twelve-month contract was renewable. Chief Torres responded that it is renewable yearly.

Introduction item.

10. Executive Session: Pursuant to Section 551.072, Texas Government Code, Deliberations regarding Real Property Exception, the City Commission shall convene in Executive Session to discuss the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third party. (City Manager).

11. 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).

Mayor Fugate announced both Executive Session items (agenda item 10 and 11) and convened the meeting into closed session at 7:05 P.M.

Mayor Fugate reconvened the meeting into open session at 7:28 P.M.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:29 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #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: March 3, 2017

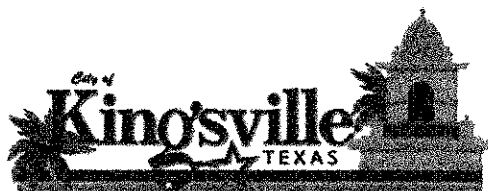
SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's Permit, and Retail Dealer's On-Premise Late Hours License at 1206 N. 6th St.

Summary: The property owner Eddie Bernal is requesting an alcohol variance for this location which is 1206 N. 6th St.

Background: This location has been a bar in the past. New ownership is the reason for the variance. There is a school and daycare within 1,000 feet.

Financial Impact: Minimal financial impact one way or another.

Recommendation: No objections were received. Approve the alcohol variance as requested.





CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, January 11, 2017

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for: 1206 N. 6th St. (Hoggies Sports Bar)

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1206 N. 6th St., we have concluded that the property in question does fall within the 1,000 ft boundary of a school and daycare; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

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

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the school and daycare; suspected to be close to the property. Alice G.K. Kleberg Elementary School, and Tiny Tots daycare are within the 1,000 foot boundary.

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

CITY OF KINGSVILLE

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

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

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1206 N 6th Street Located in the City / ETJ

(Proposed) Subdivision Name Total number of Lots

Legal Description:

Existing Zoning Designation Future Land Use Designation

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Hoggies sports Bar Phone 361-246 8616 FAX

Email Address (for project correspondence only): eddiebernal71@gmail.com

Mailing Address 1206 N 6th St City Kingsville State TX Zip 78363

Property Owner Phone FAX

Email Address (for project correspondence only):

Mailing Address City State Zip

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

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

Please provide a basic description of the proposed project:

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: Date:

Property Owner's Signature: Date:

Application and Fee Accepted by: S. Resendez Date: 2/13/2017



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website, www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number

☐ Reinstatement License/Permit Number

☐ Change of Licensed Location License/Permit Number

2. Type of On-Premise License/Permit

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

3. Indicate Primary Business at this Location

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

4. Trade Name of Location

HOGGIES SPORTS BAR

5. Location Address

1206 N 6TH STREET

City
KINGSVILLE

County
KLEBERG

| | |
|-------------|-------------------|
| State TX | Zip Code 78363 |
|-------------|-------------------|

6. Mailing Address

1206 N 6TH STREET

City
KINGVILLE

| | |
|-------------|-------------------|
| State TX | Zip Code 78363 |
|-------------|-------------------|

7. Business Phone No.

PENDING

Alternate Phone No.

361-246-8616

E-mail Address

eddiebernal71@gmail.com

OWNER INFORMATION

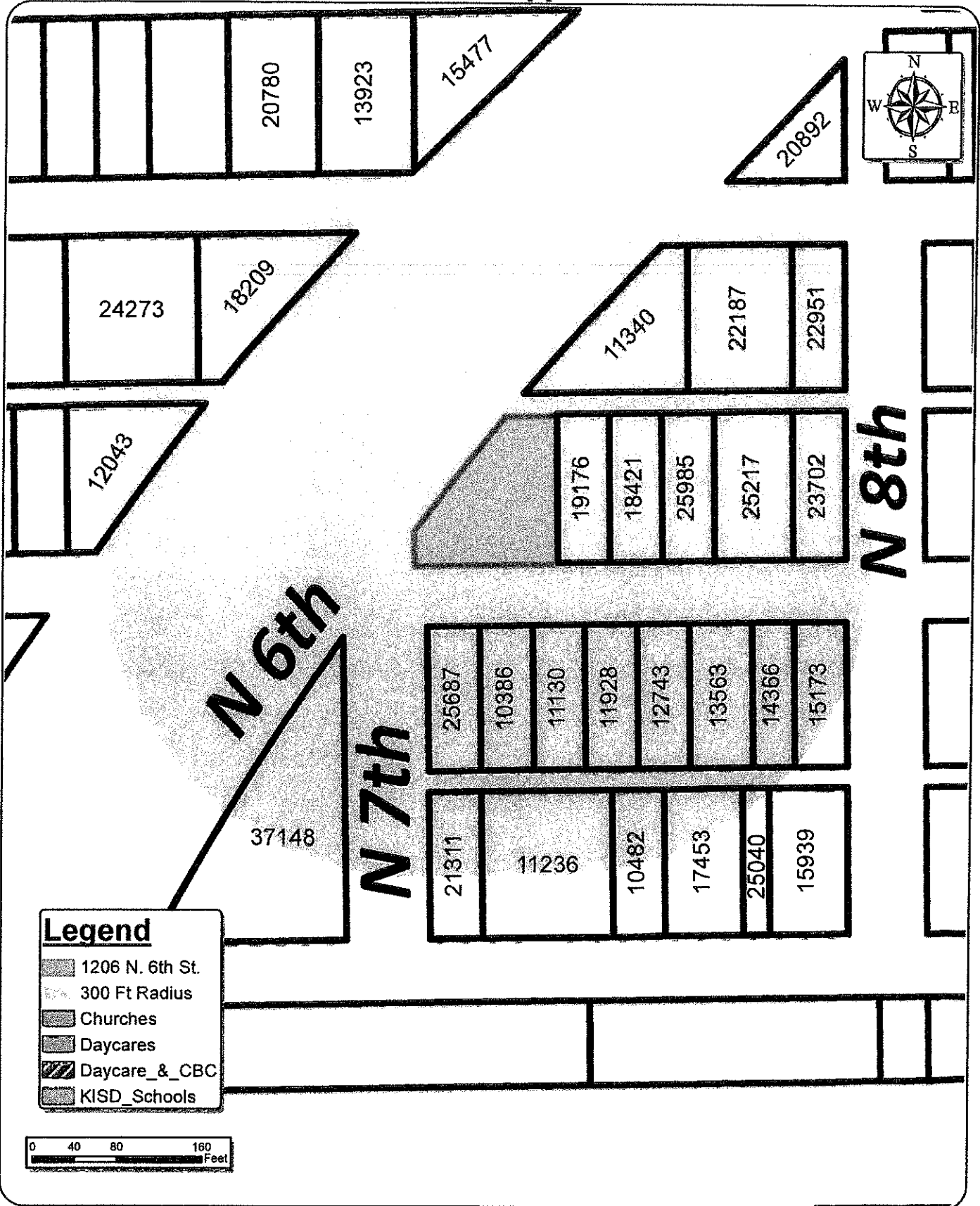
8. Type of Owner

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

9. Business Owner/Applicant

EDUARDO BARRERA BERNAL

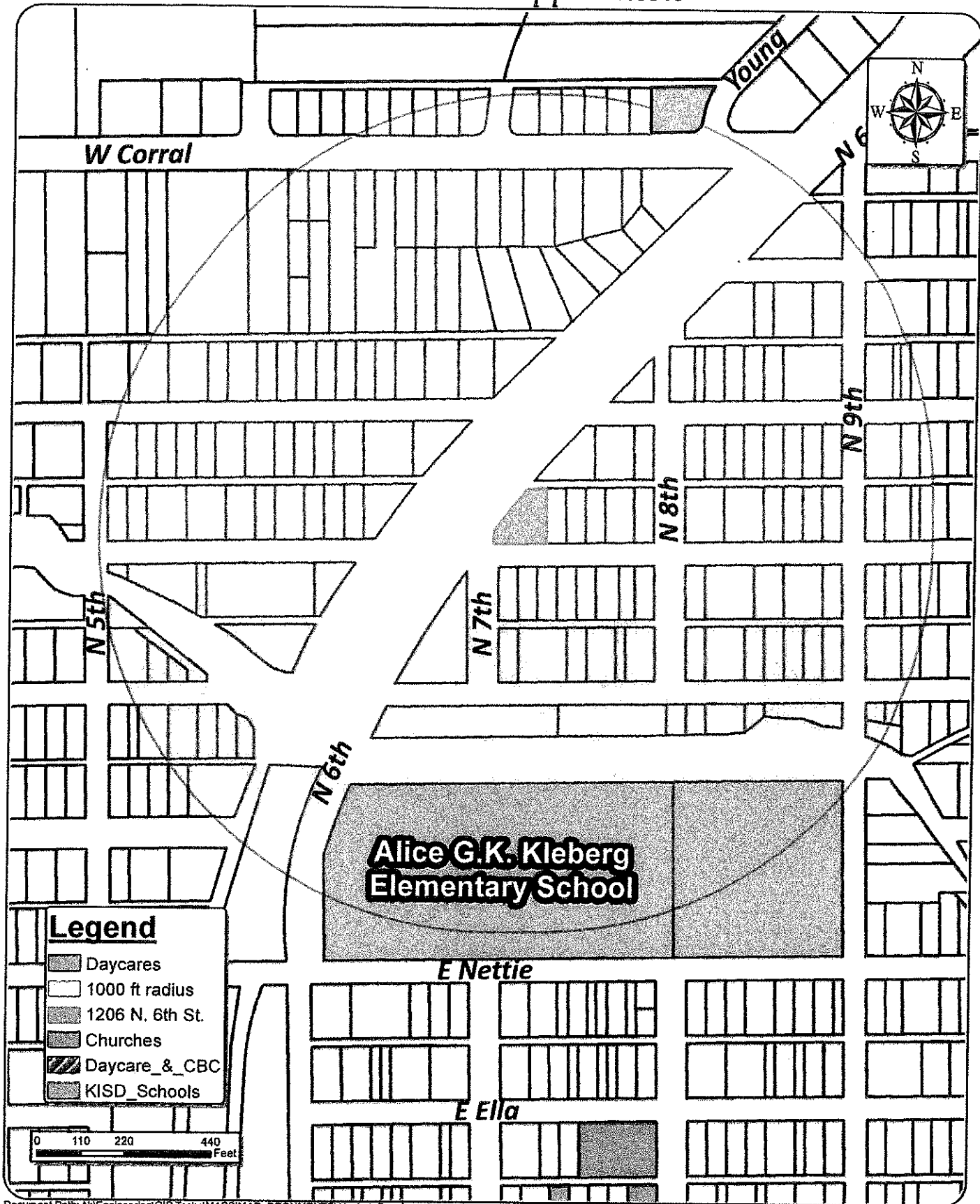
Alcohol Application




Document Path: N:\Engineering\GIS Techs\WAPSWAP_DOCUMENTS\Alcohol_Permit.mxd

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| 111 Page | Drawn By: Engineering Dept. | <p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p> | <p>CITY OF KINGSVILLE</p> <p>ENGINEERING DEPARTMENT</p> <p>200 East Kleberg</p> <p>Kingsville, Texas 78363</p> <p>Office: 361-595-8005</p> <p>Fax: 361-595-8035</p> |
| | Last Update: 5/7/2015 | | |
| | Note: Please see attached documents. | | |

Alcohol Application



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| Page 1 / 1 | Drawn By: Engineering Dept. | DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE. |  | CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78368 Offices: 361-595-8005 Fax: 361-595-8035 |
| | Last Update: 5/7/2015 | | | |
| | Note: Please see attached documents. | | | |

RUDY F GALVAN
PO BOX 2098
KINGSVILLE, TX 78363-2098
#12043

MARCIAL CORTEZ
106 W D AVE
KINGSVILLE, TX 78363-3729
#20780

JOHN RAYMOND HALL
347 DANA ST
KINGSVILLE, TX 78363-8859
#20892

LORENZA H PADRON
5002 WILLIAMS DR
CORPUS CHRISTI, TX 78411-4750
#22951

HOMER GARZA JR
ETUX ELIZABETH OCHOA
402 E AVE C
KINGSVILLE, TX 78363
#25985

PEDRO M SAENZ
ETUX MAGARITA S
560 N COUNTY ROAD 1050
KINGSVILLE, TX 78363
#25687

PEDRO M SAENZ
560 N COUNTY ROAD 1050
KINGSVILLE, TX 78363-8833
#11928

DORA REYES (LIFE EST)
ELIAS RIVERA REYES
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KINGSVILLE, TX 78363
#14366

MARCOS A MARTINEZ
419 E FM 118
KINGSVILLE, TX 78363
#11236

MANUEL R REUES
ETUX FRANCISCA CRUZ
PO BOX 490
BLOOMINGTON, TX 77951-0490
#25040

ALEJANDRO CLYO SOLIS
6705 N TAYLOR RD
MISSION, TX 78573
#24273

JOSE ROLANDO OCHOA
134 W FM 772
KINGSVILLE, TX 78363-2735
#13923

JAMES H BAUGUS
P.O BOX 341
KINGSVILLE, TX 78364-0341
#11340

GEORGE J ESQUIVEL
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#19176

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ETUX ELIZABETH O
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KINGSVILLE, TX 78363-3810
#25217

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KINGSVILLE, TX 78363-8833
#10386

PETER R SAENZ
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#12743

HOMERO P GARZA
ETUX JOSEFA R
RODNEY R GARZA
318 E AVE C
KINGSVILLE, TX 78363-3721
#15173

VICTOR S SAENZ
ETUX ANNA R
593 N COUNTY ROAD 1050
KINGSVILLE, TX 78363-8834
#10482

MARIBEL MORENO
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#15939

ISRAEL R PEREZ JR
P.O BOX 142
MARBLE FALLS, TX 78654-01142
#18209

VALENTIN SALGADO JR
4162 EAGLE DR
CORPUS CHRISTI, TX 78413-2024
#15477

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#22187

HOMERO P GARZA
ETUX JOSEFA R
RODNEY R GARZA
318 E AVE C
KINGSVILLE, TX 78363-3721
#18421

JESSE CAVAZOS
ETUX MARTHA
330 E C AVE
KINGSVILLE, TX 78363-3721
#23702

WILMA RUTH ALLEN SAENZ
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#11130

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ETUX MARGARITA S
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KINGSVILLE, TX 78363-8833
#13563

MARCOS A MARTINEZ
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KINGSVILLE, TX 78363
#21311

RAMIRO LONGORIA JR
5247 LENNON RD
FLINT, MI 48507-1045
#17453

TAMUK introduces preliminary plans for new innovation lab

By Tim Acosta
Managing Editor

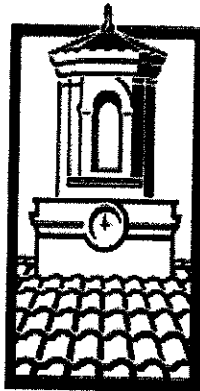
Officials with Texas A&M University-Kingsville on Monday presented preliminary plans for a possible new building at the intersection of Kleberg Avenue and 10th Street, a site on which currently sits the Javelina Innovation Lab.

Chris Vera, the university's facilities planning and construction director, spoke about the proposed project with Kingsville city commissioners.

He showed some conceptual drawings to the commission, though he stressed that the exterior designs were preliminary and subject to change. The new building would be constructed on the site of the Javelina Innovation Lab, also known as the Wilson Building.

"Our Phase One will be to basically demolish the current Wilson Building, and do a whole new foundation, including all exterior," Vera said, adding that the exterior of the building would be covered in red brick to match the other historic downtown structures.

The new structure, which would be called the Engineering Innovation Lab, is necessary because of current issues with compliance with the Americans with Disabilities Act and possible asbestos, Vera said. In addition, there is a need to upgrade the building's fire safety system.



Vera said that the university was committed to making sure the new structure has a place in the downtown area for the foreseeable future. Because the university had to leave a city-owned space in the Southgate Mall after storm damage last year, university officials are hoping to use the new building to house operations for its Eagle Ford Center for Research and Outreach, he added.

"We've taken a different approach on how we plan to make sure that when we invest into this facility, that it's going to be something long-lasting,

especially with it being part of the downtown area," Vera said.

The project is being looked at in multiple phases, with work on the foundation and exterior going first, followed by the interior work. A timeline for the project's completion, as well as a cost, was not provided.

Part of the work, dealing with the sidewalks, is also going to move forward in sections, as the city is looking at possible sidewalk improvements that would widen the streetscape in the future.

"Because their priority is the building, and the sidewalk would come after completion of the building, it gives us a little bit of time to go through our effort of finalizing a streetscape where there's consistent support around," City Manager Jesús Garza said.

"We'll be touching up the east side of the sidewalk," Vera added, stating that the north side in front of the building would likely wait.

The current Javelina Innovation Lab will be demolished within the next few weeks, officials said. City leaders are also looking at ensuring solutions to possible issues with parking space for the facility.

"That's going to really be nice and give us some downtown traffic, too," Kingsville Mayor Sam Fugate said of the proposed project.

Tim Acosta can be contacted at taacosta@king-ranch.com or (361) 221-0243.

Business dean elected to board of prestigious accrediting body

By Julie Nevejar
TAMUK Communications

Dr. Natalya Delcours, dean of the College of Business Administration at Texas A&M University-Kingsville, has been elected to a three-year term on the Board of Directors of the Association to Advance Collegiate Schools of Business. Delcours was elected to the position representing a non-accredited institution from the United States. The university is currently in the process of gaining accreditation from the AACSB.



Dr. Natalya Delcours

"To be considered by the AACSB Nominating Committee to serve on the AACSB Board of Directors is quite an honor. To be elected to the Board of Directors is an outstanding achievement, particularly in light of the remarkably competent nominees selected by the AACSB Nominating Committee," Delcours said.

"The Board of Directors plays a key role in evaluating current trends, identifying future challenges in global business education - all while considering how both AACSB and the global membership of business schools are poised to meet the new future, move forward with an aggressive strategic change agenda," she added.

"The College of Business Administration's AACSB peer review is fast approaching," Delcours said. "It is not a secret that the college journey towards this prestigious accreditation has been treacherous, tough and extended; however, it has been a rewarding and useful journey for us."

"AACSB International has very ambitious goals for the next decade. First, increasing world prosperity is a distinctive domain of business schools relative to other areas of educational institutions and is instilled in all disciplines within business schools," she said.

"Second, the word 'global' carries several connotations: across all geographic regions, spanning all elements of society, and infusing all parts of organizations. Enhancing global prosperity is an aspiring goal of business schools. It unifies and legitimizes the role of business schools around the world," Delcours said.

"The workplace is an extremely dynamic and changing place; therefore, we develop the leaders that companies need the most: those who can create opportunities, envision and navigate change, accommodate ambiguity, overcome complexity, motivate teams in a common purpose to create economic and social value and contribute to the prosperity of the regional, state, national and international communities from the moment they graduate."

Delcours's three-year term begins July 1 and will continue through June 30, 2020.

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PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, March 13, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Beer & Wine Retailer's On-Premise Permit & for a Retail Dealer's On-Premise Late Hours License, for the establishment known as Hoggies Sport Bar, located at 1206 N 6th Street, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King Ave., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

CONSENT AGENDA

AGENDA ITEM #1

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Ricardo Torres, Chief of Police
DATE: February 17, 2017
SUBJECT: Chapter 59 Budget Amendment

Summary:

The police department is requesting a budget amendment to cover the cost of implementation of Lexipol a service that will assist the department in implementing a current Law Enforcement Policy Manual and also provide integrated "Daily Training Bulletin" service for our department

Background:

In order to avoid litigation and focus more on proactive policing our agency will initiate a cost-effective model and easy-to-use web-based tools that will provide us with:

- Policies that reflect up-to-date, applicable industry standards and best practices
- Content specific to the laws and practices of Texas
- Daily scenario-based training that reinforces your agency's policies
- Timely updates in response to new legislation and case law

Vetted by a team of attorneys specializing in public safety law, this content is used by more than 2,900 public safety agencies nationwide. As a Lexipol client, our agency will always have access to a current policy manual that reflects our agency's values and policing philosophy, and the peace of mind that comes from knowing our agency is protected.

Financial Impact:

Chapter 59 funds will be used to cover the cost of Lexipol software and services.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO INCLUDE A LEXIPOL SUBSCRIPTION SERVICE FOR THE KINGSVILLE POLICE DEPARTMENT OUT OF CH 59 SEIZURE FUNDS.

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 2016-2017 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 005-PD-STATE SEIZURE FUND | | | | | |
| <u>Equity</u> | | | | | |
| 2 | | Restricted-Law Enforcement | 61002 | | <u>\$9,328</u> |
| <u>Expenses</u> | | | | | |
| 5-2100 | Police | Subscriptions | 33100 | <u>\$9,328</u> | |

[To amend the City of Kingsville FY 16-17 Budget to cover the costs of a Lexipol subscription that will assist in implementing a current Law Enforcement Policy Manual and provide integrated daily training as per the attached memo from the Chief of Police.]

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 27th day of February, 2017.

PASSED AND APPROVED on this the 13th day of March, 2017.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**City of Kingsville
Police Department**

| | Product | Term | Price |
|--------------------------------|--|---------------------------|----------------|
| Annual Subscription: | | | |
| | Law Enforcement Policy Manual & Daily Training Bulletins | Annual | \$9,328 |
| | Supplemental Publication Service - Law Enforcement | 1 st year free | \$0 |
| | | | |
| | Total Recurring Annual Subscription 2018 | | \$12,452 |
| Implementation Support: | | | |
| | 8 Hours of Implementation Services – Special Offer | Free | \$0 |
| | | | |
| | Total Due - Year 1 | | \$9,328 |

Total Expenditures would be \$9,328.00

Recommendation:

We request approval of the proposed budget amendment in the amount of \$9,328.00.





PREDICTABLE IS PREVENTABLESM

AGREEMENT FOR USE OF SUBSCRIPTION MATERIAL

Agency's Name: Kingsville Police Department

Agency's Address: 1700 E King Avenue

Kingsville, TX 78363

Attention: Chief Ricardo Torres

Lexipol's Address: 6B Liberty, Suite 200

Aliso Viejo, CA 92656

Attention: Brenda Jackson

Effective Date: _____
(to be completed by Lexipol upon receipt of signed Agreement)

The Agreement for Use of Subscription Material is between Lexipol, LLC, a Delaware limited liability company ("**Lexipol**"), and the Agency identified above. The Agreement consists of (a) this cover sheet; (b) **Exhibit A** (Subscriptions Being Purchased and Subscription Fees) attached to this cover sheet (consisting of 1 page), and (c) **Exhibit B** (General Terms and Conditions) attached to this cover sheet (consisting of 5 pages). Capitalized terms that are used in Exhibit A and not defined therein shall have the respective meanings given to them in Exhibit B.

AGENCY

LEXIPOL, LLC

Signature: _____

Signature: _____

Print Name: _____

Print Name: Van Holland

Title: _____

Title: Chief Financial Officer

Date Signed: _____

Date Signed: _____

EXHIBIT A

SUBSCRIPTIONS BEING PURCHASED AND SUBSCRIPTION FEES

Agency is purchasing the following:

| Product | Term | Price |
|--|---------------------------|----------------|
| Annual Subscription: | | |
| Law Enforcement Policy Manual & Daily Training Bulletins | Annual | \$9,328 |
| Supplemental Publication Service - Law Enforcement | 1 st year free | \$0 |
| | | |
| Total Recurring Annual Subscription 2018 | | \$12,452 |
| Implementation Support: | | |
| 8 Hours of Implementation Services – Special Offer | Free | \$0 |
| Total Due - Year 1 | | \$9,328 |

Pricing is based on;

☒ Law Enforcement – No. of Authorized Sworn Officers 50

EXHIBIT B

GENERAL TERMS AND CONDITIONS

1. Definitions. For purposes of this Agreement, each of the following terms will have the meaning indicated in this Section:

1.1 Agency's Account. "Agency's Account" means the account by which Agency accesses the Subscription Materials.

1.2 Agreement. "Agreement" means (a) the cover sheet to which these General Terms and Conditions are attached, (b) Exhibit A (Subscriptions Being Purchased and Subscription Fees) attached to that cover sheet, and (c) these General Terms and Conditions.

1.3 Initial Term/Contract Year. "Initial Term" means the twelve-month period commencing on the Effective Date and "Contract Year" means each twelve-month period commencing on each anniversary of the Effective Date, except as may otherwise be modified by Section 2.1 Term below.

1.4 Derivative Work. "**Derivative Work**" means a work that is based on the Subscription Material or any portion thereof, such as a revision, modification, abridgement, condensation, expansion, or any other form in which the Subscription Material or any portion thereof may be recast, transformed, or adapted. For purposes of this Agreement, a Derivative Work also includes any compilation that incorporates any portion of the Subscription Material. Further, "**Derivative Work**" includes any work considered a "derivative work" under United States copyright law.

1.5 Effective Date. "**Effective Date**" means the date specified on the cover sheet to which these General Terms and Conditions are attached.

1.6 Subscription Materials. "**Subscription Materials**" means the policy manuals, supplemental policy publications, daily training bulletins and other materials provided by Lexipol to Agency from time to time during the term of this Agreement under the subscriptions purchased by Agency as specified in Exhibit A.

2. Term and Termination.

2.1 Term. This Agreement is effective upon the execution and delivery of this Agreement by both Lexipol and Agency, and shall continue in effect until the expiration of the Initial Term; provided, however, that the term of this Agreement will automatically be extended for successive one-year periods thereafter (each a Contract Year), unless either party gives written notice to the other party to the contrary not less than thirty (30) days prior to the expiration of the Initial Term or the then current Contract Year, as the case may be. Notwithstanding the foregoing, however, this Agreement will be subject to termination as provided in Section 2.2 below.

2.2 Termination. This Agreement may be terminated by either party, effective immediately, (a) in the event that the other party fails to discharge any obligation or remedy any default under this Agreement for a period of more than thirty (30) calendar days after it has been given written notice of such failure or default; or (b) in the event that the other party makes an assignment for the benefit of creditors or commences or has commenced against it any proceeding in bankruptcy, insolvency or reorganization pursuant to the bankruptcy laws of any applicable jurisdiction.

2.3 Effect of Expiration or Termination. Upon the expiration or termination of this Agreement, all of the rights granted to Agency by this Agreement to the subscriptions identified on Exhibit A shall automatically terminate. The termination or expiration of this Agreement shall not, however, relieve either party from any obligation or liability that has accrued under this Agreement prior to the date of such termination or expiration. The right to terminate this Agreement pursuant to Section 2.2 above shall be in addition to, and not in lieu of, any other remedy, legal or equitable, to which the terminating party shall be entitled at law or in equity. The provisions of Sections 1 (Definitions), 4 (Copyright; Derivative Works; Lexipol's Ownership), 5 (Right to Use; Limitations on Use of Subscription Material and Derivative Works), 7 (Privacy Policy), 8 (Policy Adoption), 9 (Disclaimer of Liability), 10 (Limitation of Liability), 12 (Miscellaneous), and this Section 2.3 shall survive the expiration or termination of this Agreement for any reason whatsoever.

3. Subscription Fees, Etc.

3.1 Subscription Fee/Invoicing. Lexipol will invoice Agency at the commencement of the Subscription Service (Initial Term) and thirty (30) days prior to the date for each Contract Year (refer to 2.1 above). Agency will pay to Lexipol the subscription fee specified on Exhibit A within thirty (30) days following Agency's receipt of the invoice for such subscription and renewal fees. All invoices will be sent to Agency at the address for Agency specified on the cover sheet to which these General Terms and Conditions are attached. All payments will be made to Lexipol at the address for Lexipol specified on the cover sheet to which these General Terms and Conditions are attached. Lexipol reserves the right to increase pricing for subsequent Contract Years.

3.2 Taxes; Past Due Amounts. All amounts required to be paid under this Agreement, unless otherwise stated on Exhibit A, are exclusive of all taxes and similar fees now in force or enacted in the future imposed on the subscriptions purchased by Agency under this Agreement and/or delivery by Lexipol to Agency of Subscription Material, all of which Agency will be responsible for and will pay in full, except for taxes based on Lexipol's net income. In the event any amount owed by Agency is not paid when due, and such failure is not cured within ten (10) days after written notice thereof from Lexipol, then in addition to any other amount due, Agency shall pay a late payment charge on the overdue amount at a rate equal to the lower of (a) one percent (1%) per month, or (b) the highest rate permitted by applicable law.

4. Copyright; Derivative Works; Lexipol's Ownership. Agency acknowledges and agrees that the Subscription Material is a proprietary product of Lexipol, protected under U.S. copyright law, and that Lexipol reserves all rights not expressly granted in this Agreement. Subject to the terms and conditions contained in this Agreement, Lexipol hereby grants Agency the right to prepare Derivative Works, except as limited by the terms of this agreement; provided, however, that Agency acknowledges and agrees that Lexipol will be the sole owner of all right, title and interest in and to all Derivative Works prepared by or for Agency, including all copyrights and other intellectual property and proprietary rights therein or pertaining thereto, and Agency hereby assigns and transfers to Lexipol all right, title and interest in and to all Derivative Works prepared by or for Agency, including all copyrights and other intellectual property and proprietary rights therein or pertaining thereto. Agency will not remove from any copies of the Subscription Material provided by Lexipol to Agency any copyright notice or other proprietary notice of Lexipol appearing thereon, and shall include such copyright and other notices at the appropriate place on each copy of the Subscription Material and each copy of any Derivative Work made by or for Agency, in any form.

5. Right to Use; Limitations on Use of Subscription Material and Derivative Works. Subject to the terms and conditions contained in this Agreement, Lexipol hereby grants to Agency a perpetual, personal, fully paid-up, right to use, except as limited by the terms of this agreement the Subscription Material and any Derivative Works prepared by or for Agency, solely for the Agency's internal purposes. Agency will not use, copy, republish, lend, distribute, post on servers, transmit, redistribute, display, in whole or in part, by any means or medium, electronic or mechanical, or by any information storage and retrieval system, any Subscription Material or any Derivative Work prepared by or for Agency other than as expressly authorized by the immediately preceding sentence. Without limiting the generality of the foregoing, Agency will not import, upload, or otherwise make available any Subscription Material or any Derivative Work prepared by or for Agency into or onto any third party knowledge, document, or other content management system or service without Lexipol's prior written consent. The foregoing does not, however, prohibit or restrict Agency from providing Subscription Material or Derivative Works prepared by or for Agency pursuant to an order from a court or other governmental agency or other legal process, or Freedom of Information Act (FOIA) request, or Public Records Act (PRA) request, nor does it prohibit or restrict Agency from displaying the adopted/approved final policy document on a publicly accessible website for official Agency purposes, so long as Agency includes the appropriate copyright and other proprietary notices on such final policy document as required by Section 4 above.

6. Account Security. Agency is solely responsible for maintaining the confidentiality of Agency's user name(s) and password(s) and the security of Agency's Account. Agency will not permit access to Agency's Account, or use of Agency's user name(s) and/or password(s) by any person or entity other than authorized Agency personnel. Agency will immediately notify Lexipol in writing if Agency becomes aware that any person or entity other than authorized Agency personnel has used Agency's Account or Agency's user name(s) and/or password(s).

7. Privacy Policy. Lexipol will hold all information Agency provides in confidence unless required to provide information in accordance with an order from a court or other governmental agency or other legal process such as a Freedom of Information Act (FOIA) request, or Public Records Act (PRA) request.

Lexipol will use commercially reasonable efforts to ensure the security of information provided by Agency. Lexipol's system also uses Secure Socket Layer (SSL) Protocol for browsers supported by Lexipol application(s). SSL encrypts information as it travels between the Agency and Lexipol. However, Agency acknowledges and agrees that Internet data transmission is not always 100% secure and Lexipol does not warrant or guaranty that information Agency transmits utilizing the Lexipol system or online platform is 100% secure.

Agency acknowledges that Lexipol may provide view-only access and summary information (including but not limited to, status of number of policies developed or in development, percentage of staff reviews of developed policies, and percentage of DTBs taken) to the Agency's affiliated Risk Management Authority, Insurance Pool or Group, or Sponsoring Association, if they are actively funding their member Agencies' Subscription Fees.

8. **Policy Adoption.** Agency hereby acknowledges and agrees that any and all policies and Daily Training Bulletins (DTBs) included in the Subscription Material provided by Lexipol have been individually reviewed, customized and adopted by Agency for use by Agency. Agency further acknowledges and agrees that neither Lexipol nor any of its agents, employees or representatives shall be considered "policy makers" in any legal or other sense and that the chief executive of Agency will, for all purposes, be considered the "policy maker" with regard to each and every such policy and DTB.

9. **Disclaimer of Liability.** In developing the Subscription Materials, Lexipol has made a good faith effort to comply with all applicable statutes, case law and industry standards in effect at the time such Subscription Materials are provided to Agency. While Lexipol has made such a good faith effort, Agency acknowledges and agrees that Lexipol its officers, agents, managers, and employees will have no liability to Agency or any other person or entity arising from or related to the Subscription Materials, or any act or omission by Agency or its personnel pursuant to, or in reliance on, any of the Subscription Materials.

10. **Limitation of Liability.** Lexipol's cumulative liability to Agency and any other person or entity for any loss or damages resulting from any claims, demands, or actions arising out of or relating to this Agreement or the use of any Subscription Materials shall not exceed the subscription fees actually paid to Lexipol for the use of the Subscription Materials under this Agreement during the twelve-month period immediately prior to the assertion of such claim, demand or action. In no event shall Lexipol be liable for any indirect, incidental, consequential, special, or exemplary damages or lost profits, even if Lexipol has been advised of the possibility of such damages. The limitations set forth in this Section shall apply whether Agency's claim is based on breach of contract, tort, strict liability, product liability or any other theory or cause of action.

11. **Non-Transferability.** The subscriptions and rights to use the Subscription Material granted by this Agreement are personal to Agency and Agency shall not assign or otherwise transfer the same to any other person or entity.

12. **Confidentiality.** From time to time during the term of this Agreement, a party may be required to disclose information to the other party that is marked "confidential" or the like, or that is of such a type that the confidentiality thereof is reasonably apparent ("Confidential Information"). The receiving party will: (a) limit disclosure of any Confidential Information of the other party to the receiving party's directors, officers, employees, agents and other representatives (collectively "Representatives") who have a need to know such Confidential Information in connection with the business relationship between the parties to which this Agreement relates, and only for that purpose; (b) advise its Representatives of the confidential nature of the Confidential Information and of the obligations set forth in this Agreement and require such Representatives to keep the Confidential Information confidential and to use it only as permitted by this Agreement; (c) keep all Confidential Information confidential by using a reasonable degree of care, but not less than the degree of care used by it in safeguarding its own confidential information; and (d) not disclose any Confidential Information received by it to any third party (except as otherwise provided for herein). Notwithstanding the foregoing, however, a party may disclose Confidential Information of the other party pursuant to any governmental, judicial, or administrative order, subpoena, discovery request,

regulatory request, or Freedom of Information Act (FOIA) request, or Public Records Act (PRA) request, or similar method, provided that the party proposing to make any such disclosure will promptly notify, to the extent practicable, the other party in writing of such demand for disclosure so that the other party may, at its sole expense, seek to make such disclosure subject to a protective order or other appropriate remedy to preserve the confidentiality of the Confidential Information. Each party shall be responsible for any breach of this Section by any of such party's Representatives.

Miscellaneous.

13.1 Governing Law. This Agreement shall be construed in accordance with, and governed by, the laws of the State of California, without giving effect to any choice of law doctrine that would cause the law of any other jurisdiction to apply.

13.2 Entire Agreement. This Agreement embodies the entire agreement and understanding of the parties hereto and hereby expressly supersedes any and all prior written and oral agreements and understandings with respect to the subject matter hereof, including without limitation any and all agreements and understandings pertaining to the use of the Subscription Materials by Agency. No representation, promise, inducement, or statement of intention has been made by any party hereto that is not embodied in this Agreement. Terms and conditions set forth in any purchase order, or any other form or document of Agency, which are inconsistent with, or in addition to, the terms and conditions set forth in this Agreement, are hereby objected to and rejected in their entirety, regardless of when received, without further action or notification by Lexipol, and shall not be considered binding on Lexipol unless specifically agreed to in writing by it.

13.3 Headings. The captions and other headings contained in this Agreement are for convenience only and shall not be considered a part of or affect the construction and interpretation of any provision of this Agreement.

13.4 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document.

13.5 Amendment. No amendment, modification, or supplement to this Agreement shall be binding unless it is in writing and signed by the party sought to be bound thereby.

13.6 Attorneys' Fees. If any action is brought by either party to this Agreement against the other party regarding the subject matter hereof, the prevailing party shall be entitled to recover, in addition to any other relief granted, reasonable attorneys' fees and expenses of litigation.

13.7 General Interpretation. The language used in this Agreement shall be deemed to be the language chosen by the parties hereto to express their mutual intent. This Agreement shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument or any portion thereof to be drafted, or in favor of the party receiving a particular benefit under the Agreement. No rule of strict construction will be applied against any person or entity.

13.8 Notices. Any notice required by this Agreement or given in connection with it, shall be in writing and shall be given by personal delivery, by certified mail, postage prepaid, or by recognized overnight delivery service to the appropriate party at the address of such party stated on the cover sheet to which these General Terms and Conditions are attached, or such other address as such party may indicate by a notice delivered to the other party in accordance with the terms of this Section. Alternatively, electronic mail or facsimile notice is acceptable when acknowledged by the receiving party.

13.9 Invalidity of Provisions. Each of the provisions contained in this Agreement is distinct and severable and a declaration of invalidity or unenforceability of any such provision or part thereof by a court of competent jurisdiction shall not affect the validity or enforceability of any other provision hereof. Further, if a court of competent jurisdiction finds any provision of this Agreement to be invalid or

unenforceable, then the parties agree that the court should endeavor to give effect to the parties' intention as reflected in such provision to the maximum extent possible.

13.10 Waiver. Lexipol's failure to exercise, or delay in exercising, any right or remedy under any provision of this Agreement shall not constitute a waiver of such right or remedy.

End of General Terms and Conditions



PREDICTABLE IS PREVENTABLE®

TEXAS LAW ENFORCEMENT POLICY MANUAL & DAILY TRAINING BULLETINS

Presented to:

KINGSVILLE POLICE DEPARTMENT

Proposal Date: February 17, 2017

Lexipol
6B Liberty, Suite 200
Aliso Viejo, California 92656
949.484.4444
www.lexipol.com

Brenda Jackson
Senior Account Executive
949-359-7267
bjackson@lexipol.com

Proposal Valid Through: March 10, 2017



February 17, 2017

Chief Ricardo Torres
1700 E King Avenue
Kingsville, Texas 78363

Chief Torres,

Thank you for the opportunity to provide you with an updated proposal for Lexipol Law Enforcement Policy Manual and integrated Daily Training Bulletin service to your department.

We will be pleased to honor the previous pricing given to you last fall. This will reduce your first year cost significantly. I will need a signed Subscription Agreement from you by the 10th of March but we can hold it until your councils has given final approved it the following week. Your billing would not start until after that date.

Since 2003, our proven policy and training solutions have helped public safety agencies across the country reduce risk, avoid litigation and focus more resources on proactive policing.

Lexipol's cost-effective model and easy-to-use web-based tools provide your agency with:

- Policies that reflect up-to-date, applicable industry standards and best practices
- Content specific to the laws and practices of Texas
- Daily scenario-based training that reinforces your agency's policies
- Timely updates in response to new legislation and case law

Vetted by a team of attorneys specializing in public safety law, our content is used by more than 2,900 public safety agencies nationwide. As a Lexipol client, you will always have access to a current policy manual that reflects your agency's values and policing philosophy, and the peace of mind that comes from knowing your agency is protected.

Thank you again for your interest in Lexipol.

Sincerely,

LEXIPOL, LLC

Brenda Jackson

Brenda Jackson
Senior Account Executive



PREDICTABLE IS PREVENTABLE

PROPOSAL FOR LAW ENFORCEMENT POLICY MANUAL

PRESENTED TO: Kingsville Police Department

DATE: 2/17/2017

Price valid until 3/10/2017

| Product | Term | Price |
|--|---------------------------|----------------|
| Annual Subscription: | | |
| Law Enforcement Policy Manual & Daily Training Bulletins | Annual | \$9,328 |
| Supplemental Publication Service - Law Enforcement | 1 st year free | \$0 |
| | | |
| Total Recurring Annual Subscription 2018 | | \$12,452 |
| Implementation Support: | | |
| 8 Hours of Implementation Services – Special Offer | Free | \$0 |
| Total Due - Year 1 | | \$9,328 |

Pricing is based on:

- ☒ Law Enforcement – No. of Authorized Sworn Officers 50

SCOPE OF SERVICES:

Law Enforcement Policy Manual & Daily Training Bulletins

- Compliant with state and federal laws and regulations
- Customized to reflect your agency's terminology and structure
- Scenario-based daily training ties policy to real-world applications
- Each DTB includes a test question that reinforces policy comprehension
- Officers can complete DTBs via computers or iOS and Android mobile devices
- DTB completion and policy acknowledgement reports available by officer, topic or policy

Policy Updates

- Delivered in response to new legislation, case law and evolving best practices
- Changes are presented in mark-up form and side-by-side comparison against existing policy
- Your agency can accept, reject or customize each update

Web-Based Delivery Platform & Mobile App (Knowledge Management System)

Included with every subscription, this state-of-the-art web-based platform features:

- Ability to edit and customize content to reflect your agency's mission and philosophy
- Efficient distribution of policies to staff

- Automated tracking and reporting of policy acknowledgement and completion of training by all staff
- Archival and easy retrieval of all versions of policy manual, should litigation require you to produce an earlier version
- Mobile app that provides in-the-field access to policy and training materials

Implementation Services 8 hours

- One on one support as needed to help you with your implementation.

Supplemental Manual

- Electronically links department-specific procedural content to your policy manual
- Automated tools help ensure consistency between policy and procedure material
- Perfect for standard operating guidelines/procedures, general orders or field guides

Accreditation Tools

- Ability to integrate accreditation standards (e.g., CALEA) content into the agency's policies
- Tracking and reporting tools that facilitate audits and assessments

Customer Assistance & Support

- Training on the Lexipol web-based delivery platform
- Dedicated Account Management and Customer Service representatives assigned to agency and available via phone and email
- Lexipol Forum, an online user community of Lexipol subscribers, provides additional resources and opportunities to get questions answered and share best practices

AGENDA ITEM #2

**City of Kingsville
Planning Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Cynthia Martin, Downtown Manager

DATE: March 3, 2017

SUBJECT: Continued Participation in the Texas Main Street Program

Summary:

The City of Kingsville is currently participating in the Texas Main Street Program. Participation in the program requires the City to sign a yearly contract with the Texas Historical Commission (THC). It is time to renew Kingsville's annual commitment to the program.

Background:

The program's mission is "to provide technical expertise, resources and support for Texas communities in the preservation and revitalization of historic downtowns and commercial neighborhood districts." The Texas Main Street Program is one of the oldest, largest and most respected Main Street Programs in the nation having been one of the first state programs created in 1981. In 1982, Kingsville was designated a Texas Main Street community. After a lapse in participation, Kingsville rejoined the program in 2011.

Financial Impact:

The 2017 annual fee for participation in the Texas Main Street Program is \$535.

Recommendation:

It is recommended that the City continue to participate in the Main Street Program. Since rejoining the program in 2011, \$4.3 million of private money has been reinvested in the local downtown business district, 116 jobs and 20 small businesses were created and 2,141 volunteer hours were contributed in support of the program. During that same period, the THC has expanded the Main Street staff to include a planner, an economic development specialist and a small business specialist giving them the ability to offer more services to Main Street communities. Texas Main Street staff dedicate their time and expertise exclusively to Texas' Main Street communities that now number ninety with this year's addition to the program of Brownsville, Corpus Christi, and Sherman.



TEXAS HISTORICAL COMMISSION
real places telling real stories

February 24, 2017

Cynthia Martin
Kingsville Main Street Program
50 E Kleberg
Kingsville, TX 78363

Dear Cynthia,

Enclosed is your 2017 Contract and Invoice for continuing designation as a Texas Main Street community. Follow the instructions in the email from our office and use electronic signature to execute the contract. Please remit payment and return the contract by April 10, 2017 (60 days). Also included in this packet is a Trademark Sublicense Agreement from the National Main Street Center/Main Street America. This agreement gives your program permission to use the national logo and trademark to identify your connection to the national effort. Please sign and return this to us along with your other documents. We encourage you to use this logo along with that of Texas Main Street/Texas Historical Commission if you are not already doing so. If you need these graphics, please let us know.

Over the past 35 years, Texas Main Streets have had significant economic impact to our state and you should be proud of your community's contribution to that. According to year-end 2016 reinvestments, almost \$3.4 billion has been invested in Main Street districts from communities of all sizes. Of this, \$2.18 billion has come from the private sector. This shows a positive private sector response to government's prioritization of Main Street. Additionally, reinvestment reports show the creation of 35,450 jobs and 8,928 small businesses in designated Main Street communities. During the first quarter, we'll also be providing your local Main Street program with a more detailed overview of reinvestment outcomes and impact through our annual Outcomes Letter.

As a designated Main Street community, you receive a wide variety of specialized services offered to your program and its leadership, and business and property owners in the areas of localized economic development; professional design services (architect, project designers); program capacity building and maintenance; planning; and small business assistance. These services come at no cost outside of the annual fee you pay that is shown on the attached invoice. Last year, our staff spent more than 6,000 hours on requested projects for your Main Street programs and made 185 site visits.

Thank you for your continued participation as a Texas Main Street community. We look forward to working together for many more years to come.

Sincerely,



Debra Drescher
State Coordinator
Texas Main Street Program

cc: Texas Main Street Locally Designated Program 2017 Contract
Invoice
Trademark Sublicense Agreement



TEXAS HISTORICAL COMMISSION
real places telling real stories

INVOICE

February 24, 2017

Ms. Cynthia Martin
Kingsville Main Street Program
50 E Kleberg Avenue
Kingsville, TX 78363

Texas Main Street City participation for 2017

2017 Contract for Services \$ 535

Total due within 60 days: \$ 535

Please make check payable to: Texas Historical Commission

Remit to: Texas Main Street Program
 P. O. Box 12276
 Austin, TX 78711-2276

Please call Kimberly Klein at 512.463.6092 with any questions.



RESOLUTION NO. 2017- _____

A RESOLUTION AUTHORIZING THE CITY OF KINGSVILLE TO CONTINUE PARTICIPATION IN THE TEXAS MAIN STREET PROGRAM, AUTHORIZING THE MAYOR TO EXECUTE THE TEXAS MAIN STREET LOCALLY DESIGNATED PROGRAM 2017 CONTRACT, AND DESIGNATING DOWNTOWN MANAGER CYNTHIA MARTIN AS THE MAIN STREET PROGRAM MANAGER FOR THE CITY OF KINGSVILLE TO COORDINATE PROGRAM ACTIVITIES.

WHEREAS: The Texas Main Street Program of the Texas Historical Commission has been created to assist small cities to develop a public/private effort to revitalize their "Main Street" area, and Kingsville was selected in 2011 to participate in the Texas Main Street Program and would like to continue to participate in 2017; and,

WHEREAS: The City of Kingsville desires to maintain its designation as a Texas Main Street to assist with the improvement and revitalization of our downtown area; and,

WHEREAS: The Mayor needs to execute the Texas Main Street Locally Designated Program 2017 Contract on behalf of the City to continue participation in this program; and,

WHEREAS: The City of Kingsville has hired Cynthia Martin as the Downtown Manager to assist the City with overseeing the "Main Street" area and the Texas Main Street Program.

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

SECTION 1. That the City of Kingsville will continue participation in the 2017 Main Street Program with the specific goal of revitalizing the central business district within the context of the preservation and rehabilitation of its historic buildings.

SECTION 2. That the City of Kingsville will provide an adequate budget to employ a full-time Main Street Program Manager for a minimum of three years from its original designation date in 2011, which it has done, and provide funds for the training of the Main Street Program Manager and the operating expenses of the program.

SECTION 3. That the Mayor be authorized to execute the Texas Main Street Locally Designated Program 2017 Contract on behalf of the City of Kingsville.

SECTION 4. That Cynthia Martin, the City's Downtown Manager, be designated to supervise the Main Street Manager activities.

SECTION 5. That this Resolution shall be and become effective on or after adoption.

PASSED, APPROVED, AND ADOPTED by a majority vote of the City Commission this 13th day of March, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

TEXAS HISTORICAL COMMISSION

**Texas Main Street Locally Designated Program
2017 Contract**

I. PARTIES TO THE CONTRACT

This contract and agreement concerning **Kingsville Main Street Program** is entered into this first day of January 2017 between the **Kingsville Main Street Program** and the Texas Historical Commission Texas Main Street Program (hereinafter referred to as TMSP).

II. SERVICES TO BE PERFORMED BY TMSP

- A. **Professional development.** The Main Street manager will attend two relevant and substantial professional development opportunities in their entirety per year from the list below. Professional development is a scored category in the annual 10 Criteria report (see section III.B.8, 9.).
1. TMSP Basic Training (Jan. 24–25, 2017, Georgetown). Required for new managers.
 2. TMSP Basic Training (June 2017/San Angelo, TX). Required for new managers who did not attend Basic Training in January.
 3. TMSP Summer Professional Development and recognition of National Accreditation. (June 2017/San Angelo, TX). For all managers. New managers having completed Basic Training in either January or June will also attend June Main Street Professional Development.
 4. Texas Downtown Association/Texas Main Street Annual Conference (Nov. 7–10, 2017, McKinney).
 5. National Main Street Conference (May 1-3, 2017, Pittsburgh, PA.).
 6. National Preservation Conference of the National Trust for Historic Preservation (October 14-18, 2017/Chicago, Il.).

Experienced managers may substitute non-Main Street specific, relevant professional development for one of the above events with prior approval of the TMSP office. New managers are required to attend Basic Training within their first year of employment. If there is an assistant Main Street employee, that person should also attend at least one segment of Main Street training/professional development annually.

If a replacement manager is hired who has not previously attended Main Street basic training or does not have a background in Main Street, the manager is required to attend one series of Basic Training/Professional Development (#1 and 3 or #2 and 3). A \$500 stipend is charged to the sustaining city for this training series.

To help ensure an effectively-functioning local program, local program boards/volunteers are encouraged to attend any TMSP educational opportunity. No stipend is charged for their participation.

- B. **Brand and Network.** This Contract constitutes recognition of your city as an official Texas Main Street program and allows use of the National Main Street Center brand (see “Name Use Policy” at www.mainstreet.org). If participation ceases, the local program may

no longer use the term 'Main Street' to describe the program. Designation allows full participation in the TMSP network. Local programs must also execute and submit to the TMSP office the National Main Street Center's Trademark Sublicense Agreement, which grants the right to use the national registered trademark, logos and brand.

- C. **On-site visits/technical expertise.** All professional services of the TMSP office are available to designated programs in good standing, including those provided through site visits to address design/planning, economic development and organizational/program capacity issues. Services may include, but are not limited to: façade renderings/technical reports, city planning, preservation and historic building expertise by licensed architects and other design professionals; business development and funding advice, board training/program capacity-building and strategic planning.
- D. **Securing a Main Street Manager.** Should a replacement manager be needed, the TMSP can assist with all elements of the hiring process, including creating job descriptions, job posting and interviewing.

III. RESPONSIBILITIES OF THE KINGSVILLE MAIN STREET PROGRAM

- A. **Staffing. Kingsville Main Street Program** shall employ a full-time paid program manager who will attend at least two professional development segments annually as outlined in section II.A. The full-time Main Street position is required for the first three years in the program. If necessary, a small-city program may split the position after the first three years so that the manager may also have specific economic development, tourism or other relevant duties. The position must still remain full time. The local program should move forward in an efficient manner to fill a manager vacancy and the state coordinator should be kept apprised of progress in filling vacancies. An urban program shall additionally employ a full-time assistant program manager who should also participate in the aforementioned professional development.
- B. **Commitment. Kingsville Main Street Program** agrees to adopt and commit to the national Main Street strategy consisting of utilizing of the national Four Point Approach™ and the following ten criteria:
 - 1. **Broad-based support for the downtown revitalization process.** The goal is for public and private sectors to understand, be philosophically committed to and commit the maximum resources possible to achieve commercial district revitalization.
 - 2. **Be vision and mission driven.** The vision crystallizes the organization's long-term hopes and the mission provides purpose and direction.
 - 3. **Strategic Plan of Work/Plan of Action.** The program shall operate under a comprehensive work or action plan that provides a blueprint for activities, reinforces accountability and measures success.
 - 4. **Historic preservation ethic.** Historic preservation includes processes for rehabilitating, renovating and restoring older commercial buildings in addition to land use and planning policies that encourage full use of the existing commercial centers and which removes barriers to revitalizing the historic Main Street district. Effective local programs keep abreast of potential and existing activity impacting the physical

character of the district involving historic buildings, new construction, public spaces and infrastructure. Local programs should seek the advice of the TMSP design staff for projects in the Main Street district.

5. **Active volunteers.** Active involvement of and leadership by a board and committees or task-based volunteers is critical. Board and volunteers should also understand and abide by the Main Street organizational model that differentiates between the roles of volunteers and the program manager.
6. **Adequate operating budget.** To be successful and achieve sustainability, a Main Street Program must have the financial resources necessary to carry out its work plan.
7. **Program Manager.** As outlined in III.A above.
8. **Ongoing education for staff and volunteers.** Outlined in section II.A.
9. **Reporting.** To measure progress, the local program will track statistics such as reinvestment and job/business creation and submit them to the state office the 10th of the month following the end of each calendar quarter. Monthly activity reports to track specific goal-based activities are submitted to the TMSP office by the 10th of each month for the previous month. Even if there has not been reinvestment activity in a month or quarter, the local program will still submit a report noting such. Submission of a Ten Criteria annual report is also required. A local program can be placed on probation, which can result in the suspension of TMSP services, for any of the following reasons:
 - a. Failure to submit an annual Ten Criteria report;
 - b. Failure to achieve Ten Criteria objectives more than two years in a row;
 - c. Failure to submit monthly reports for more than four consecutive months;
 - d. Failure to submit reinvestment reports for more than two consecutive quarters;
 - e. Failure to abide by this Contract.

The local program will work with the state coordinator or delegate to overcome these deficiencies. Program participation via decision of a committee comprised of at least two TMSP staff and the division director of the Texas Historical Commission's Community Heritage Development Division is possible if a local program does not exhibit a reasonable attempt toward overcoming deficiencies.

10. **National Main Street membership.** A local program will budget for and maintain membership in the National Main Street Center.

IV. **CONTRACT AMOUNT**

Kingsville Main Street Program shall pay the Texas Historical Commission (THC) a stipend in the amount of \$535 to defray cost of staff time and expenses for services provided to **Kingsville Main Street Program**. THC shall invoice for the stipend and **Kingsville Main Street Program** shall tender payment within 60 days.

V. TERMINATION

Either party shall have a right to terminate and bring to an end all performances to be rendered under this contract by notifying the other party in writing at least ten (10) days in advance of the termination date (also see Section III.B.9. of this contract).

VI. CHANGES AND AMENDMENTS

Any alterations, additions, or deletions to the terms of this contract shall be in writing and signed by both parties.

The term for this Contract for Services for the **Kingsville Main Street Program** is Jan. 1, 2017 to Dec. 31, 2017.

THE UNDERSIGNED PARTIES BIND THEMSELVES TO THE FAITHFUL PERFORMANCE OF THIS CONTRACT.

Authorized Signature
(City Manager, Mayor, or Board Chair)

Date: _____

Signer title: Mayor

Signer printed name: Sam R. Fugate

Debra Drescher, State Coordinator
Texas Main Street Program

Date: _____

Mark Wolfe, Executive Director
Texas Historical Commission

Date: _____

Alice McAfee, Assistant Attorney General
State of Texas
Approved as to legal form only

TRADEMARK SUBLICENSE AGREEMENT

This Trademark Sublicense Agreement ("Sublicense Agreement") is entered into between Texas Historical Commission / Texas Main Street ("Coordinating Program") and the City of Kingsville, TX. ("Sublicensee"), effective as of the last date written below. For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Background.

A. The National Main Street Center, Inc. ("NMSC") operates a membership program called MAIN STREET AMERICA™. As a part of that program, MAIN STREET AMERICA™ Coordinating Program Membership is available to statewide, regional or citywide organizations that oversee multiple local downtown and neighborhood programs within their service area and work to preserve and revitalize commercial districts. Local Program membership in the MAIN STREET AMERICA™ program is available at the Affiliate or Accredited levels to individual programs or organizations that satisfy the membership eligibility criteria described on the NMSC website (currently located at: <http://www.preservationnation.org/main-street/about-main-street/main-street-america/main-street-america-tier.html#.VmYLY7grLIU>).

B. Organization is a Coordinating Program member of NMSC in good standing and has entered into a Trademark License Agreement with the NMSC which grants to the Coordinating Program the right to sublicense to its Local Programs the use of the NMSC name and trademarks described below.

C. Sublicensee is a Local Program Member in good standing of the MAIN STREET AMERICA™ program at the Affiliate level. Sublicensee is also located within the Coordinating Program's geographic service area. Therefore, Sublicensee has the opportunity to enter into this Trademark License Agreement, which grants certain rights to use the NMSC's name and trademarks, including MAIN STREET AMERICA™ and MAIN STREET®, as described below.

D. The NMSC's parent entity, the National Trust for Historic Preservation ("National Trust"), owns the following registered trademarks, which it has delegated to the NMSC the right to sublicense. NMSC and Coordinating Program have entered into a Trademark Licensing Agreement which grants the Coordinating Program the right to sublicense the following registered trademarks:

| Mark | U.S. Registration Number |
|-----------------------------|-----------------------------------|
| MAIN STREET | Reg. Nos. 3,365,568 and 2,057,207 |
| NATIONAL MAIN STREET CENTER | Reg. No. 2,013,837 |

These registered trademarks owned by the National Trust, together with the MAIN STREET AMERICA™ word marks and logos referred to in Section 2.A.1 below, the NATIONAL MAIN STREET CENTER logo referred to in Section 2.A.ii below are referred to herein as the "Trademarks."

E. The Trademarks are well known and recognized by the general public and associated in the public mind with the NMSC and the National Trust. The Coordinating Program and the Sublicensee recognize the mutual benefits that accrue from the Sublicensee's use of the Trademarks in accordance with the terms and conditions of this Sublicense Agreement, including the recognition and credibility brought to the Sublicensee through its use of these Trademarks and the benefit to the State Program and NMSC from association with high-performing Local Programs.

**National Main Street Center
Local Program Affiliate Member Sublicensing Agreement**

2. Grant of Sub-License.

A. Subject to the terms and conditions of this Sublicense Agreement, the Coordinating Program hereby grants the Sublicensee the non-exclusive right and license to use the Trademarks to identify and promote its participation in the MAIN STREET AMERICA™ program, as well as its relationship and association with the Coordinating Program and NMSC, in connection with the following activities:

- i. **MAIN STREET AMERICA™ word and logo marks.** The Sublicensee's rights to use the MAIN STREET AMERICA™ word mark and the following MAIN STREET AMERICA logo are limited to Sublicensees which are members in good standing at the Affiliate membership level of the MAIN STREET AMERICA™ program:

For use by Local Programs who are Designated Members at the Affiliate Level:



- ii. **NATIONAL MAIN STREET CENTER® word and logo marks.** The Sublicensee's right to use the NATIONAL MAIN STREET CENTER word mark and the following NATIONAL MAIN STREET CENTER logo solely and exclusively to indicate its association with the National Main Street Center:



- iii. **MAIN STREET® word mark.** The Sublicensee's right to use the MAIN STREET trademark is limited to use made to identify Sublicensee and/or its activities, including as part of the name of the Licensee (e.g. "Main Street Iowa"), in connection with commercial district revitalization and related consultation, education, and training.

3. Scope of and Limitations on Use. Use of the Trademarks by the Sublicensee will be subject to the following limitations:

A. Sublicensee must display the Affiliate level MAIN STREET AMERICA membership mark on their website. All uses of the MAIN STREET AMERICA word mark and logo by Sublicensee must follow the specific mark, color, and character usage set forth in the Brand Identity Guidelines attached as Exhibit A, which are incorporated by reference as if fully set forth herein. Sublicensee will not use or develop any different logos or designs (including any symbols or stylized presentations), in connection with the MAIN STREET AMERICA mark or logo. Use of the MAIN STREET AMERICA word mark and logos by Sublicensee is a mandatory condition of membership in the MAIN STREET AMERICA program.

**National Main Street Center
Local Program Affiliate Member Sublicensing Agreement**

B. The MAIN STREET mark, as part of the name and identity of Sublicensee's organization, programs, and activities, can be used on materials designed to promote the work of Sublicensee (e.g., website, brochures, newsletter, letterhead or other printed promotional materials). The right to use the MAIN STREET mark by the Sublicensee is an optional benefit of membership in the MAIN STREET AMERICA program.

C. All uses of the NATIONAL MAIN STREET CENTER logo by Sublicensee must follow the specific mark, color, and character usage set forth in the Brand Identity Guidelines attached as Exhibit A, which are incorporated by reference as if fully set forth herein. Sublicensee will not use or develop any different logos or designs (including any symbols or stylized presentations) in connection with the NATIONAL MAIN STREET CENTER mark. Use of the NATIONAL MAIN STREET CENTER logo by Sublicensee is an optional benefit of membership in the MAIN STREET AMERICA program.

D. This Sublicense Agreement is subject to the terms, conditions, and limitations of the Trademark License Agreement between NMSC and the Coordinating Program.

E. Sublicensee will not apply to register any of the Trademarks, or any other trademark that incorporates any part of the Trademarks or "National Trust for Historic Preservation." Sublicensee will not state or imply that it owns any such trademarks.

F. The Sublicensee will not use the Trademarks in combination with or in juxtaposition with other trademarks except as may be approved in writing by the NMSC. The Sublicensee will apply and display the ® symbol and the ™ symbol next to or with respect to the Trademarks as directed by the Coordinating Program.

G. Other than as specifically provided herein, Sublicensee is not granted any other rights to use, license or sublicense the Trademarks.

4. Term. This Sublicense Agreement will become effective immediately upon the date of last signature below, and, unless terminated early under Sections 5 or 10, will be effective through December 31, 2017, at which time it may be renewed by mutual written agreement of the parties hereto.

5. Conditions. This Sublicense Agreement between State Program and Sublicensee is conditioned upon Sublicensee having an active MAIN STREET AMERICA membership at the Affiliate level with NMSC. The requirements of this membership are currently available at: <http://www.preservationnation.org/main-street/about-main-street/main-street-america/main-street-america-tier.html#.VmYLY7grLIU>, and are incorporated herein by reference.

6. Acknowledgment of Ownership. Use of the Trademarks indicates acknowledgment by the Sublicensee of the NMSC's and the National Trust's rights and title to the Trademarks, (i.e. MAIN STREET AMERICA, NATIONAL MAIN STREET CENTER, and MAIN STREET), and that Sublicensee will not at any time do, or permit to be done, any act or thing that will in any way impair the rights of the NMSC or the National Trust. All use of the Trademarks by the Sublicensee will inure to the benefit of the NMSC and the National Trust.

7. Good will and promotional value. Sublicensee recognizes and acknowledges the value of good will associated with the Trademarks and agrees that it will not conduct any activity, provide any service, or produce or distribute goods which in any way damages or reflects adversely upon the NMSC or the National Trust.

**National Main Street Center
Local Program Affiliate Member Sublicensing Agreement**

8. Non-assignment. This Sublicense Agreement is personal to the Sublicensee, and may not be assigned to any other individual, program, organization, or agency. Any attempted assignment will be null and void.

9. Compliance Verification. It is the responsibility of the Sublicensee to verify compliance with the terms of this Sublicense Agreement, and to provide complete and accurate usage reports to the State Program. If the Coordinating Program or the NMSC has reason to believe that the Sublicensee is in violation of this Sublicense Agreement, the Coordinating Program or NMSC shall have the right to make inquiries with Sublicensee as necessary to determine compliance. In such case, the Sublicensee will cooperate with the Coordinating Program and/or NMSC in its investigation and provide in a timely fashion any and all information that is requested.

10. Termination.

A. Coordinating Program may terminate this Sublicense Agreement if the Sublicensee violates any of the provisions of this Sublicense Agreement or fails to satisfy the membership criteria established by the NMSC for Affiliate Local Programs. Such termination will be effective thirty (30) days after the Coordinating Program sends written notice of such termination to Sublicensee. During this thirty (30) day period, Sublicensee may attempt to cure such violation. If the violation is not cured during this period, the termination will be effective upon the expiration of the thirty (30) day period.

B. This Sublicense Agreement will automatically terminate immediately without any notice required, notwithstanding the above paragraph, if the Coordinating Program or NMSC determines: (i) that sublicensee's actions could negatively affect the goodwill, image, or reputation of the NMSC, the National Trust for Historic Preservation, the Coordinating Program, or any of the Trademarks; (ii) the Sublicensee discontinues all or a significant portion of its business; (iii) the National Trust terminates, revokes, or fails to renew the NMSC's rights to use, license, or sublicense the Trademarks; or (iv) the NMSC terminates, revokes or fails to renew the Coordinating Program's rights to use, license or sublicense the Trademarks.

C. Upon the expiration or early termination of this Agreement, the Sublicensee will discontinue use of the Trademarks and will destroy and delete tangible and electronic documents and files containing any such marks, except for a limited number of copies retained for archival purposes only.

11. Governing Law. This Agreement is entered into in the District of Columbia and will be governed by and construed in accordance with the laws of the District of Columbia, USA, without giving effect to conflict of laws provisions.

12. Annual Report, Notices, Other Communication. Upon request by the Coordinating Program or NMSC, Sublicensee shall submit samples of any materials on which the Trademarks licensed under this agreement were used during the year. Such samples shall be submitted within ten business days of receipt of a written request from the Coordinating Program or NMSC.

13. Notices. Any notices which either party is required or may desire to serve upon the other party shall be in writing and may be served either personally or by depositing the same in the mail (first class postage prepaid, certified and return receipt requested) or with a reputable overnight express delivery service (with confirmed delivery, charge prepaid or billed to shipper), addressed to the party to be served as follows, unless a different address is designated in writing by the party to be

**National Main Street Center
Local Program Affiliate Member Sublicensing Agreement**

served. Notice shall also be required to be given by electronic mail on the same date as deposited in the mail. Notice given by mail alone shall not be sufficient.

To Coordinating Program:

Name: Debra Drescher
Address: P.O. Box 12276
Austin, TX 78711-2276
Phone: 512-463-5758
Email: debra.drescher@thc.texas.gov

To Sublicensee:

Name: _____
Address: _____

Phone: _____
Email: _____

14. Successors. This Agreement shall be binding upon, and will inure to the benefit of, the parties and their respective permitted successors and assigns.

15. Modification. No amendment or modification of the terms or conditions of this License Agreement will be valid unless in writing and signed by both parties.

16. Waiver. The failure of either party to partially or fully exercise any right or the waiver by either party of any breach, shall not prevent a subsequent exercise of such right or be deemed a waiver of any subsequent breach of the same or any other term of this Sublicense Agreement. No waiver shall be valid or binding unless in writing and signed by the waiving party.

17. Severability. If any provision of this Sublicense Agreement or the application of any provision hereof to any person or circumstances is held to be void, invalid, or inoperative, the remaining provisions of this Agreement shall not be affected and shall continue in effect and the invalid provision shall be deemed modified to the least degree necessary to remedy such invalidity.

18. Entire Agreement. This Sublicense Agreement is the entire agreement between the parties with respect to the matters referred to herein and it supersedes and replaces all prior and contemporaneous oral and written understandings pertaining to the subject matter hereof.

Coordinating Program

Sublicensee

By: _____
Name, Title

By: _____
Name, Title

Date: _____

Date: _____

Exhibit A

BRAND *Guidelines*





HOW WE DESCRIBE OURSELVES

IT IS IMPORTANT THAT WE ALL TELL THE SAME STORY ABOUT *MAIN STREET AMERICA* TO HELP DISTINGUISH AND REINFORCE OUR BRAND. TO DO THAT, WE HAVE THREE LEVELS OF INCREASING DETAIL: TAGLINE, DESCRIPTOR, AND POSITIONING STATEMENT.

TAGLINE

The tagline is our simplest statement about what Main Street America stands for. We can use it in written materials but to help establish consistency, we should not alter the words.

Nationally recognized. Locally powered.

DESCRIPTOR

The descriptor was developed to be a concise statement about Main Street America to be used in such applications as press releases, announcements, and promotional materials. While it can be altered if necessary for specific circumstances, we encourage using it intact for most applications.

Main Street America™ has been helping revitalize older and historic commercial districts for more than 35 years. Today it is a network of more than 1,600 neighborhoods and communities, rural and urban, who share both a commitment to place and to building stronger communities through preservation-based economic development. Main Street America is a program of the nonprofit National Main Street Center, a subsidiary of the National Trust for Historic Preservation.



OUR POSITIONING

POSITIONING STATEMENT

The positioning statement provides more detail about *Main Street America* and what makes our program both unique and effective. It can be used in its entirety, or parts can be extracted, as a source of language for a variety of communication needs.

Main Street America™ is a movement. Main Street America has been helping revitalize older and historic commercial districts for more than 35 years. It is the leading voice for preservation-based economic development and community revitalization across the country. Made up of small towns, mid-sized communities, and urban commercial districts, Main Street America represents the broad diversity that makes this country so unique. Working together, the programs that make up the Main Street America network help to breathe new life into the places people call home.

Main Street America is a mark of distinction. It is a seal, recognizing that participating programs, organizations, and communities are part of a national movement with a proven track record for celebrating community character, preserving local history, and generating impressive economic returns. Since 1980, over 2,000 communities have been part of Main Street, bringing renewed energy and activity to America's downtowns and commercial districts, securing \$61 billion in new investment creating more than 525,000 net new jobs and rehabilitating 251,000 buildings.

Main Street America is a time-tested strategy. Main Street America communities are encouraged to make use of a time-tested approach, known as the Main Street Approach. The Main Street Approach is rooted in a commitment to broad-based community engagement, a holistic understanding of the factors that impact the quality of life in a community, and strategic focus on the core principles of downtown and neighborhood revitalization: Economic Vitality, Quality Design, Effective Promotion, and Sustainable Organization.



OUR LOGO

THE MAIN STREET AMERICA™ NAME AND ALL ASSOCIATED LOGOS ARE TRADEMARKS OF THE NATIONAL MAIN STREET CENTER AND MAY BE USED ONLY WITH PERMISSION OF NMSC.

Three brand treatments—each associated with a different level of membership with Main Street America—are available to accommodate communication needs and establish consistency across the network. All Main Street America members who have signed licensing or sub-licensing agreements are required to include the appropriate logo and membership language on their websites, and are encouraged to use them across other communications and branding platforms.





LOGO USAGE

IT IS IMPERATIVE THAT A LOGO IS PRESENTED CONSISTENTLY, CLEARLY AND CORRECTLY.

There are a few rules to keep in mind when using our logo:

BE CONSISTENT

Place the logo on a white background. Do not place on dark, photographic, or illustrative backgrounds.

KEEP IT CLEAR

Make sure the logo has enough space around it so that it is legible. Do not place other elements within this "clear space."

USE CORRECTLY

Use approved logo files as they are provided, do not alter them in any way.



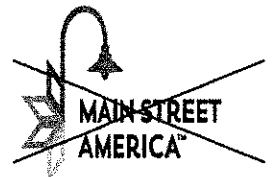
Always maintain an area of "clear space" around the logo to ensure legibility. That space is equal to the height of "MAIN STREET". DO NOT place anything inside of the gray dotted box.



DO NOT resize parts of the logo
DO NOT omit parts of the logo



DO NOT change the color of the logo
DO NOT add effects such as drop shadows to the logo



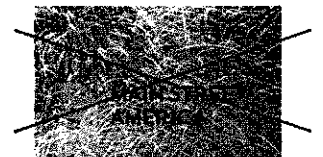
DO NOT stretch or distort the logo



DO NOT alter the placement of the parts of the logo



DO NOT rotate the logo



DO NOT place the logo on patterns or photos



OUR COLORS

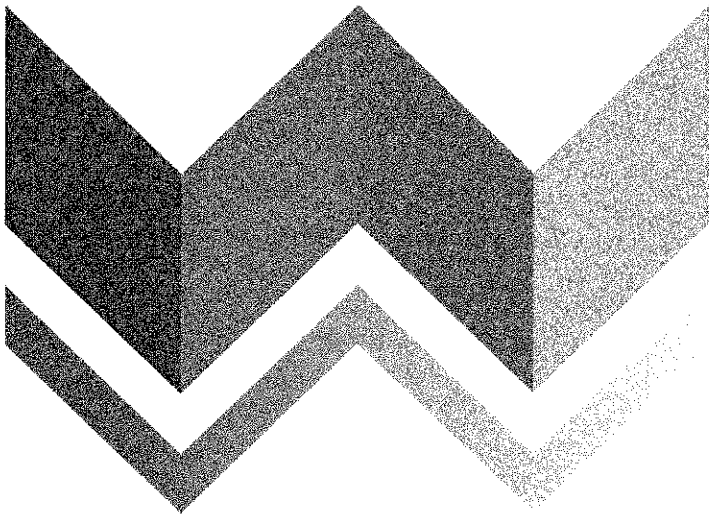
A COLOR PALETTE IS AN ESSENTIAL INGREDIENT IN ESTABLISHING A STRONG AND DISTINCTIVE BRAND PRESENCE.

The icon of our logo is comprised of four colors with black text. Along with shades of gray, these are the only acceptable colors to be used in our communications. The logo should always command the most visual attention, and color should be used to support but never overwhelm the logo. Additionally, when appropriate, color may be used to highlight the Main Street Four Point Approach®; each area has an assigned color:



ECONOMIC VITALITY // QUALITY DESIGN // EFFECTIVE PROMOTION // SUSTAINABLE ORGANIZATION

| BLUE | GREEN | ORANGE | YELLOW | |
|------------|------------|------------|------------|-----------------|
| 100.0.20.0 | 50.0.100.0 | 0.40.100.0 | 0.10.100.0 | Print (CMYK) |
| PMS 313 | PMS 376 | PMS 138 | PMS 116* | Print (PANTONE) |
| 0.173.208 | 106.189.69 | 248.154.29 | 254.203.0 | SCREEN (RGB) |



SHADES OF GRAY

* Pantone Color Values vary between Coated, Uncoated and Matte finishes. While these variations are typically nominal, please use PMS 114 on Uncoated paper instead of PMS 116 because it's the better overall match.



FILE USAGE

OUR LOGO IS AVAILABLE IN A VARIETY OF FILE FORMATS.

The appropriate format should be selected based on how it will be used.
Please refer to the list below for guidance.

EPS Created in Adobe Illustrator, logo files are EPS vector files and resolution-independent, meaning they can be scaled an infinite amount without any loss of quality. Use EPS files for print, broadcast and specialty items.

JPEG A raster graphic image file created by choosing from a range of compression qualities, therefore making it smaller in size and easier to email. Usually for broadcast, MS Word or web use, JPEGs can only be used for print reproduction if they have high enough resolution.

PNG A raster graphic image file that supports lossless data compression. This format provides background transparency, perfect for use in MS PowerPoint presentations.

REGULAR AGENDA

AGENDA ITEM #3

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: March 3, 2017

SUBJECT: Request for an alcohol variance for a Wine and Beer Retailer's Permit, and Retail Dealer's On-Premise Late Hours License at 1206 N. 6th St.

Summary: The property owner Eddie Bernal is requesting an alcohol variance for this location which is 1206 N. 6th St.

Background: This location has been a bar in the past. New ownership is the reason for the variance. There is a school and daycare within 1,000 feet.

Financial Impact: Minimal financial impact one way or another.

Recommendation: No objections were received. Approve the alcohol variance as requested.





CITY OF
KINGSVILLE

MEMORANDUM

DATE

Friday, January 11, 2017

TO

Mary Valenzuela, City Secretary

FROM

Engineering Department

SUBJECT

Alcohol License for: 1206 N. 6th St. (Hoggies Sports Bar)

Mrs. Valenzuela,

After performing the research and physical inspection you requested for the property at 1206 N. 6th St., we have concluded that the property in question does fall within the 1,000 ft boundary of a school and daycare; therefore, it will require a variance according to City Ordinance sections 11-3-4&5.

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

Thank you,

Engineering Department

Attachment 1 shows the property and the relative location of the school and daycare; suspected to be close to the property. Alice G.K. Kleberg Elementary School, and Tiny Tots daycare are within the 1,000 foot boundary.

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

CITY OF KINGSVILLE

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

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

Master Land Use Application

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1206 N 6th Street Located in the City / ETJ

(Proposed) Subdivision Name Total number of Lots

Legal Description:

Existing Zoning Designation Future Land Use Designation

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Hoggies sports Bar Phone 361-246 8616 FAX

Email Address (for project correspondence only): eddie.bernal71@gmail.com

Mailing Address 1206 N 6th St City Kingsville State TX Zip 78363

Property Owner Phone FAX

Email Address (for project correspondence only):

Mailing Address City State Zip

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

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

Please provide a basic description of the proposed project:

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: Date:

Property Owner's Signature: Date:

Application and Fee Accepted by: S. Resendez Date: 2/13/2017



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(01/2016)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number

☐ Reinstatement License/Permit Number

☐ Change of Licensed Location License/Permit Number

2. Type of On-Premise License/Permit

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

3. Indicate Primary Business at this Location

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

4. Trade Name of Location

HOGGIES SPORTS BAR

5. Location Address

1206 N 6TH STREET

City
KINGSVILLE

County
KLEBERG

State
TX

Zip Code
78363

6. Mailing Address

1206 N 6TH STREET

City
KINGVILLE

State
TX

Zip Code
78363

7. Business Phone No.

PENDING

Alternate Phone No.

361-246-8616

E-mail Address

eddiebernal71@gmail.com

OWNER INFORMATION

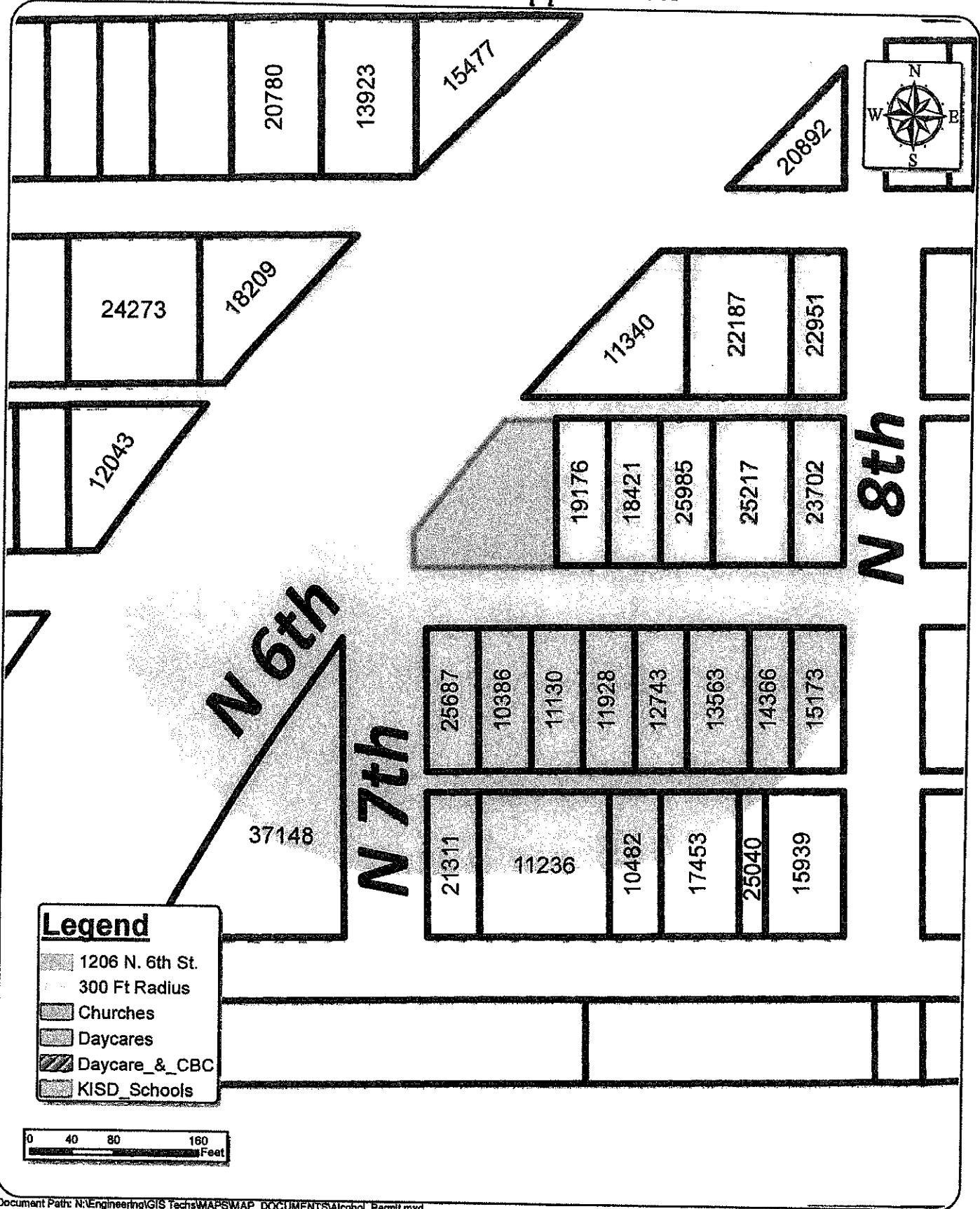
8. Type of Owner

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

9. Business Owner/Applicant

EDUARDO BARRERA BERNAL

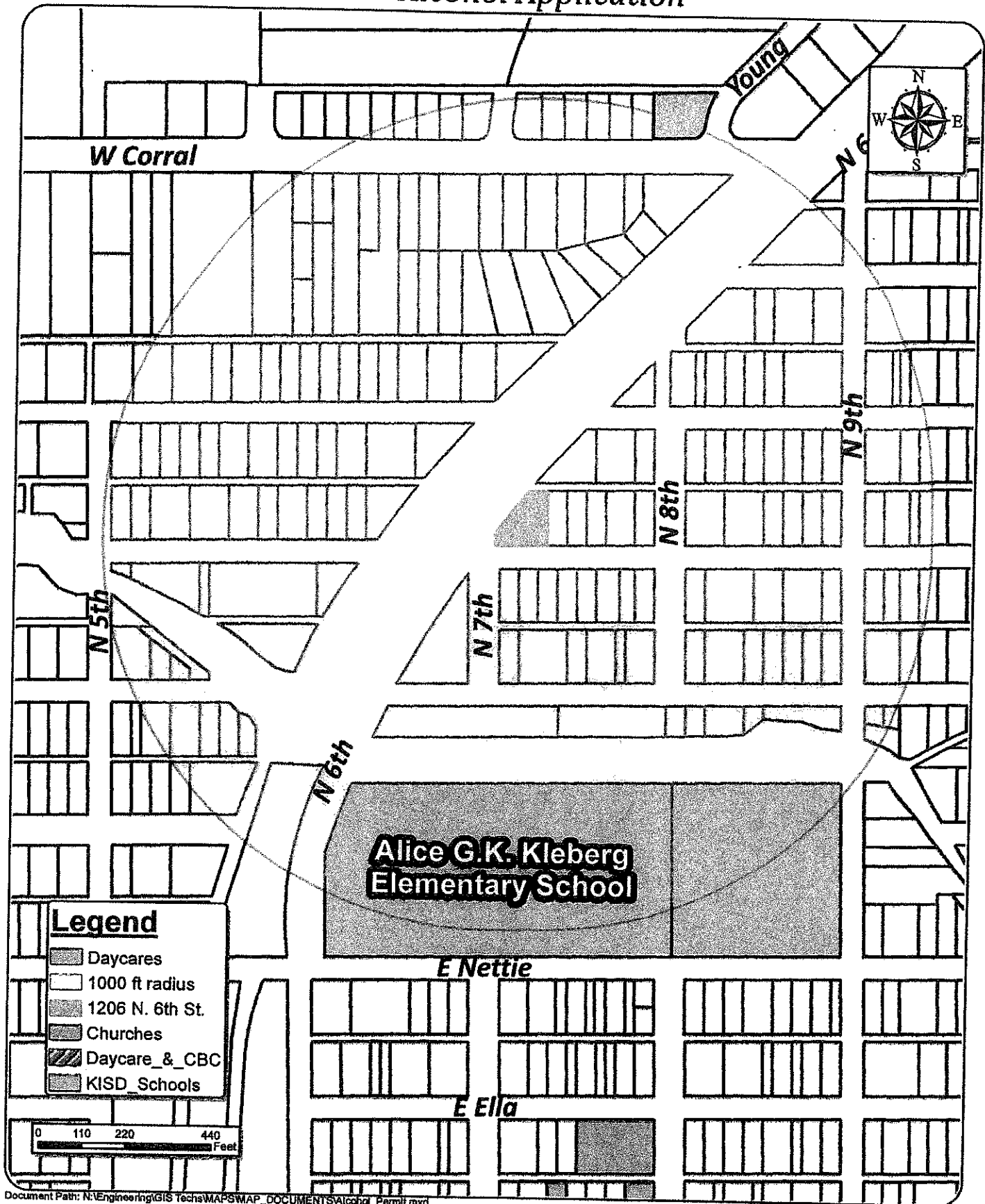
Alcohol Application



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

| | | | |
|---------------|--------------------------------------|---|--|
| Page 1 / 1 | Drawn By: Engineering Dept. | <p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p> | <p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Klueberg Kingsville, Texas 78363 Office: 361-595-8005 Fax: 361-595-8035</p> |
| | Last Update: 5/7/2015 | | |
| | Note: Please see attached documents. | | |

Alcohol Application



Document Path: N:\Engineering\GIS Techs\MAPS\MAP_DOCUMENTS\Alcohol_Permit.mxd

| | | | |
|---------------|--------------------------------------|--|---|
| Page 1 / 1 | Drawn By: Engineering Dept. | <p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p> | <p>CITY OF KINGSVILLE ENGINEERING DEPARTMENT 200 East Kleberg Kingsville, Texas 78362 Office: 361-595-8006 Fax: 361-595-8035</p> |
| | Last Update: 5/7/2015 | | |
| | Note: Please see attached documents. | | |

RUDY F GALVAN
PO BOX 2098
KINGSVILLE, TX 78363-2098
#12043

MARCIAL CORTEZ
106 W D AVE
KINGSVILLE, TX 78363-3729
#20780

JOHN RAYMOND HALL
347 DANA ST
KINGSVILLE, TX 78363-8859
#20892

LORENZA H PADRON
5002 WILLIAMS DR
CORPUS CHRISTI, TX 78411-4750
#22951

HOMER GARZA JR
ETUZ ELIZABETH OCHOA
402 E AVE C
KINGSVILLE, TX 78363
#25985

PEDRO M SAENZ
ETUX MAGARITA S
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#25687

PEDRO M SAENZ
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ELIAS RIVERA REYES
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#11236

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ETUZ FRANCISCA CRUZ
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ETUX ELIZABETH O
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#10386

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#12743

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ETUX JOSEFA R
RODNEY R GARZA
318 E AVE C
KINGSVILLE, TX 78363-3721
#15173

VICTOR S SAENZ
ETUX ANNA R
593 N COUNTY ROAD 1050
KINGSVILLE, TX 78363-8834
#10482

MARIBEL MORENO
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#15939

ISRAEL R PEREZ JR
P.O BOX 142
MARBLE FALLS, TX 78654-0142
#18209

VALENTIN SALGADO JR
4162 EAGLE DR
CORPUS CHRISTI, TX 78413-2024
#15477

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#22187

HOMERO P GARZA
ETUX JOSEFA R
RODNEY R GARZA
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#18421

JESSE CAVAZOS
ETUX MARTHA
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#23702

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#11130

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ETUX MARGARITA S
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#13563

MARCOS A MARTINEZ
419 E FM 118
KINGSVILLE, TX 78363
#21311

RAMIRO LONGORIA JR
5247 LENNON RD
FLINT, MI 48507-1045
#17453

THESE
COUPONS
DURING
FEBRUARY!

Dental NO VIMINUE Exam

EC, McCall III, D.D.S., P.C. • (940) 595-4121

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Linda's Main Street Cafe

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6:30 PM Friday 8:00 AM - 5:00 PM

HER TS MEDICINE

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Plans



PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, March 13, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Beer & Wine Retail's On-Premise Permit & for a Retail Dealer's On-Premise Late Hours License, for the establishment known as Hoggies Sport Bar, located at 1206 N 6th Street, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King Ave., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

Officials are hoping to use the new building to house operations for Eagle Ford Center for Research and Outreach, he added.

"That's going to really be nice and give us some downtown traffic, too," Kingsville Mayor Sam Fugate said of the proposed project.

Tim Acosta can be contacted at taacosta@king-ranch.com or (361) 221-0243.

is a for other disciplines within business schools," she said.

"Second, the word 'global' carries several connotations: across all geographic regions, spanning all elements of society, and infusing all parts of organizations. Enhancing global prosperity is an aspiring goal of business schools. It unites and legitimizes the role of business schools around the world," Delcours said.

TAMUK introduces preliminary plans for new innovation lab

By Tim Acosta
Managing Editor

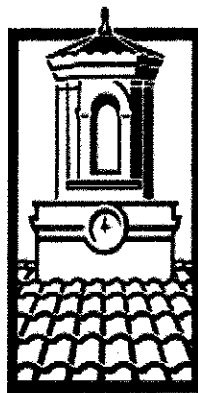
Officials with Texas A&M University-Kingsville on Monday presented preliminary plans for a possible new building at the intersection of Kleberg Avenue and 10th Street, a site on which currently sits the Javelina Innovation Lab.

Chris Vera, the university's facilities planning and construction director, spoke about the proposed project with Kingsville city commissioners.

He showed some conceptual drawings to the commission, though he stressed that the exterior designs were preliminary and subject to change. The new building would be constructed on the site of the Javelina Innovation Lab, also known as the Wilson Building.

"Our Phase One will be to basically demolish the current Wilson Building, and do a whole new foundation, including all exterior," Vera said, adding that the exterior of the building would be covered in red brick to match the other historic downtown structures.

The new structure, which would be called the Engineering Innovation Lab, is necessary because of current issues with compliance with the Americans with Disabilities Act and possible asbestos, Vera said. In addition, there is a need to upgrade the building's fire safety system.



Vera said that the university was committed to making sure the new structure has a place in the downtown area for the foreseeable future. Because the university had to leave a city-owned space in the Southgate Mall after storm damage last year, university officials are hoping to use the new building to house operations for its Eagle Ford Center for Research and Outreach, he added.

"We've taken a different approach on how we plan to make sure that when we invest into this facility, that it's going to be something long-lasting,

especially with it being part of the downtown area," Vera said.

The project is being looked at in multiple phases, with work on the foundation and exterior going first, followed by the interior work. A timeline for the project's completion, as well as a cost, was not provided.

Part of the work, dealing with the sidewalks, is also going to move forward in sections, as the city is looking at possible sidewalk improvements that would widen the streetscape in the future.

"Because their priority is the building, and the sidewalk would come after completion of the building, it gives us a little bit of time to go through our effort of finalizing a streetscape where there's consistent support around," City Manager Jesús Garza said.

"We'll be touching up the east side of the sidewalk," Vera added, stating that the north side in front of the building would likely wait. The current Javelina Innovation Lab will be demolished within the next few weeks, officials said. City leaders are also looking at ensuring solutions to possible issues with parking space for the facility.

"That's going to really be nice and give us some downtown traffic, too," Kingsville Mayor Sam Fugate said of the proposed project.

Tim Acosta can be contacted at acosta@kingsville-record.com or (361) 221-0243.

Business dean elected to board of prestigious accrediting body

By Julie Navejar
TAMUK Communications

Dr. Natalya Delcours, dean of the College of Business Administration at Texas A&M University-Kingsville, has been elected to a three-year term on the Board of Directors of the Association to Advance Collegiate Schools of Business. Delcours was elected to the position representing a non-accredited institution from the United States. The university is currently in the process of gaining accreditation from the AACSB.



Dr. Natalya Delcours

"To be considered by the AACSB Nominating Committee to serve on the AACSB Board of Directors is quite an honor. To be elected to the Board of Directors is an outstanding achievement, particularly in light of the remarkably competent nominees selected by the AACSB Nominating Committee," Delcours said.

"The Board of Directors plays a key role in evaluating current trends, identifying future challenges in global business education - all while considering how both AACSB and the global membership of business schools are poised to meet the new future, move forward with an aggressive strategic change agenda," she added.

"The College of Business Administration's AACSB peer review is fast approaching," Delcours said. "It is not a secret that the college journey towards this prestigious accreditation has been treacherous, tough and extended; however, it has been a rewarding and useful journey for us."

"AACSB International has very ambitious goals for the next decade. First, increasing world prosperity is a distinctive domain of business schools relative to other areas of educational institutions and is instilled in all disciplines within business schools," she said.

"Second, the word 'global' carries several connotations: across all geographic regions, spanning all elements of society, and infusing all parts of organizations. Enhancing global prosperity is an aspiring goal of business schools. It unifies and legitimizes the role of business schools around the world," Delcours said.

"The workplace is an extremely dynamic and changing place; therefore, we develop the leaders that companies need the most: those who can create opportunities, envision and navigate change, accommodate ambiguity, overcome complexity, motivate teams in a common purpose to create economic and social value and contribute to the prosperity of the regional, state, national and international communities from the moment they graduate."

Delcours' three-year term begins July 1 and will continue through June 30, 2020.

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Friday 8 am - 4:00 pm

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Occupational Injuries
Worker's Comp
Pre/Post Op
Total Knee/hips
Men's/Women's Health

PUBLIC NOTICE

The City Commission of the City of Kingsville will hold a public hearing on Monday, March 13, 2017, at 6:00 P.M. to discuss and/or take action on the following items:

Request for an alcohol variance for a Beer & Wine Retail's On-Premise Permit & for a Retail Dealer's On-Premise Late Hours License, for the establishment known as Hoggies Sport Bar, located at 1206 N 6th Street, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King Ave., Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

AGENDA ITEM #4

**City of Kingsville
Human Resource Department**

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: March 3, 2017

SUBJECT: Proposed Amendment - City of Kingsville Classification & Compensation Plan

Summary: The position of Purchasing Director became vacant on February 28, 2017. As with any job vacancy, the position is reviewed as to job duties and placement in the City's organizational structure. Positions and duties of positions change over the years. As a result of the review process for this position, it is proposed to amend the FY 16-17 City of Kingsville Classification & Compensation Plan in order to rename and reclassify the Purchasing Director position as follows:

| Position | Management Level (ML) | Minimum | Midpoint | Maximum |
|---------------------|-----------------------|-----------|-----------|-----------|
| Current: | | | | |
| Purchasing Director | ML 3 | \$ 63,293 | \$ 76,719 | \$ 90,145 |
| To Proposed: | | | | |
| Purchasing Manager | ML6 | \$ 47,230 | \$ 57,249 | \$ 67,267 |

Background: In review of City records, over the last 40 years, the purchasing duties have been performed by both non-exempt and exempt personnel. During this time, only two individuals have held the position which has undergone title changes and assignment of additional duties to include the following:

| Year | Title/Additional Duties | Exempt/Non-Exempt |
|------|--|--------------------------|
| 1976 | Purchasing Agent - addition of Civil Service Director duties | Non-Exempt (hourly) |
| 1984 | Purchasing Director | Exempt position (Salary) |
| 2011 | Purchasing & Technology Director – addition of IT function | Exempt position (Salary) |
| 2016 | Purchasing Director | Exempt position (Salary) |

The duties of the position changed over the last year and the proposed reclassification more accurately reflects the current organizational structure of the position within the City.



City of Kingsville
Human Resource Department

Financial Impact: A savings is expected to be realized of no less than \$ 10,000 annually with the reorganized structure of the purchasing function to be done by a Purchasing Manager under the direction of the Finance Director. The exact amount of the anticipated savings is unable to be determined until the position is filled.

Recommendation: To amend the FY 16-17 City of Kingsville Classification & Compensation Plan to more accurately reflect the duties and organizational fit of the position responsible for conducting the City's purchasing function by renaming and reclassifying the Purchasing Director (ML3) to Purchasing Manager (ML6).



ORDINANCE NO. 2017-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER III, ARTICLE 7, PERSONNEL POLICIES, SECTION 1 CLASSIFICATION AND COMPENSATION PLAN TO RECLASSIFY AND RENAME A CERTAIN POSITION WITHIN THE EXEMPT SCHEDULE OF THE FISCAL YEAR 2016-2017 CITY OF KINGSVILLE CLASSIFICATION AND COMPENSATION PLAN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a certain change is proposed to the Fiscal Year 2016-2017 City of Kingsville Classification and Compensation Plan so that the plan more accurately reflects the type of position necessary for the effective operation of departments;

WHEREAS, the requested change to the Fiscal Year 2016-2017 City of Kingsville Classification and Compensation Plan is as follows:

Reclassify Position and Rename
Purchasing Director – Management Level (ML) 3 to Purchasing Manager – Management Level (ML) 6.

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

I.

THAT Section 3-7-1 Adoption of the Job Classification and Compensation Plan of Article 7: Personnel Policies of Chapter III: Administration of the Code of Ordinances of the City of Kingsville, Texas, which adopts by reference the City of Kingsville Classification and Compensation Plan dated effective as of October 2, 2016 shall be amended to adopt by reference the revised FY 2016-2017 Classification and Compensation Plan to incorporate the changes stated above as per the document attached hereto.

II.

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

III.

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

IV.

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

INTRODUCED on this the 13TH day of March, A. D., 2017.

PASSED AND APPROVED on this the _____ day of _____, A. D., 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

DRAFT Amendment - Presented for 1st reading 03.13.2017

CITY OF KINGSVILLE

CLASSIFICATION COMPENSATION PLAN - EXEMPT

FISCAL YEAR 2016-2017

| | | Minimum | Midpoint | Maximum |
|--|--|----------------|-----------------|----------------|
| EXECUTIVE OFFICER – 1 | | | | |
| City Manager | | \$ 103,098 | \$ 124,967 | \$ 146,836 |
| EXECUTIVE OFFICER - 2 | | | | |
| City Attorney | | \$ 93,513 | \$ 113,349 | \$ 133,185 |
| Municipal Court Judge | | | | |
| MANAGEMENT LEVEL - 1 | | | | |
| City Engineer/Public Works Director | Fire Chief | \$ 76,933 | \$ 93,252 | \$ 109,571 |
| Finance Director | Police Chief | | | |
| MANAGEMENT LEVEL - 2 | | | | |
| Assistant City Attorney | Planning & Development Services Director | \$ 73,720 | \$ 88,812 | \$ 104,354 |
| Economic Development Director | | | | |
| MANAGEMENT LEVEL - 3 | | | | |
| Human Resources Director | Purchasing Director | \$ 63,293 | \$ 76,719 | \$ 90,145 |
| Parks and Recreation Director | Tourism Services Director | | | |
| MANAGEMENT LEVEL - 4 | | | | |
| Assistant Public Works Director | Library Director | \$ 60,279 | \$ 73,066 | \$ 85,852 |
| Health Director | | | | |
| MANAGEMENT LEVEL - 5 | | | | |
| Risk Manager | | \$ 54,675 | \$ 66,273 | \$ 77,870 |
| MANAGEMENT LEVEL - 6 | | | | |
| Accounting Manager | Facilities Manager | \$ 47,230 | \$ 57,249 | \$ 67,267 |
| Building Official | Golf Course Manager | | | |
| Capital Improvements Manager | Information Technology Manager | | | |
| City Secretary | Parks Manager | | | |
| | <u>Purchasing Manager</u> | | | |
| MANAGEMENT LEVEL - 7 | | | | |
| Accounting Supervisor | Police Communication's Supervisor | \$ 42,839 | \$ 51,926 | \$ 61,013 |
| Collection's Supervisor | Sanitation Supervisor | | | |
| Community Appearance Supervisor | Street Supervisor | | | |
| Downtown Manager | Systems Specialist | | | |
| Garage Supervisor | Wastewater Supervisor | | | |
| Landfill Supervisor Rename to Solid Waste Supervisor | Water Production Supervisor | | | |
| Municipal Court Supervisor | Water Supervisor | | | |

Class

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 10.00 | \$ 10.30 | \$ 10.61 | \$ 10.93 | \$ 11.26 | \$ 11.59 | \$ 11.94 | n/a |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 10.40 | \$ 10.71 | \$ 11.03 | \$ 11.36 | \$ 11.71 | \$ 12.06 | \$ 12.42 | \$ 12.79 |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 10.82 | \$ 11.14 | \$ 11.47 | \$ 11.82 | \$ 12.17 | \$ 12.54 | \$ 12.91 | \$ 13.30 |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 11.25 | \$ 11.59 | \$ 11.93 | \$ 12.29 | \$ 12.66 | \$ 13.04 | \$ 13.43 | \$ 13.83 |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 11.70 | \$ 12.05 | \$ 12.41 | \$ 12.78 | \$ 13.17 | \$ 13.56 | n/a | n/a |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|----------|--------|----------|--------|
| \$ 12.17 | \$ 12.53 | \$ 12.91 | \$ 13.29 | \$ 13.69 | \$ 14.10 | \$ 14.53 | | \$ 14.96 | |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 12.65 | \$ 13.03 | \$ 13.42 | \$ 13.83 | \$ 14.24 | \$ 14.67 | n/a | n/a |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 13.16 | \$ 13.55 | \$ 13.96 | \$ 14.38 | \$ 14.81 | \$ 15.26 | \$ 15.71 | \$ 16.18 |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 13.69 | \$ 14.10 | \$ 14.52 | \$ 14.95 | \$ 15.40 | \$ 15.87 | \$ 16.34 | \$ 16.83 |

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 Step 7 | Max2 Step 8 |
|----------|----------|----------|----------|----------|----------|-------------|-------------|
| \$ 14.23 | \$ 14.66 | \$ 15.10 | \$ 15.55 | \$ 16.02 | \$ 16.50 | n/a | n/a |

| | |
|---------------------------|--------------------|
| Human Resource Specialist | Payroll Specialist |
| Lab Technician | |

CITY OF KINGSVILLE
CLASSIFICATION AND COMPENSATION PLAN - NON EXEMPT
FISCAL YEAR 2016-2017

11

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|------|--------|------|--------|
| \$ 14.80 | \$ 15.25 | \$ 15.70 | \$ 16.18 | \$ 16.66 | \$ 17.16 | n/a | | n/a | |

Community Appearance Inspector

Paralegal

Lead Maintenance Technician

12

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|----------|--------|----------|--------|
| \$ 15.39 | \$ 15.86 | \$ 16.33 | \$ 16.82 | \$ 17.33 | \$ 17.85 | \$ 18.38 | | \$ 18.93 | |

13

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|----------|--------|----------|--------|
| \$ 16.01 | \$ 16.49 | \$ 16.99 | \$ 17.49 | \$ 18.02 | \$ 18.56 | \$ 19.12 | | \$ 19.69 | |

Foreman

14

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|------|--------|------|--------|
| \$ 16.65 | \$ 17.15 | \$ 17.66 | \$ 18.19 | \$ 18.74 | \$ 19.30 | n/a | | n/a | |

15

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|----------|--------|------|--------|
| \$ 17.32 | \$ 17.84 | \$ 18.37 | \$ 18.92 | \$ 19.49 | \$ 20.07 | \$ 20.68 | | n/a | |

Building Inspector

Health Inspector I

Crime Scene Specialist

16

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|------|--------|------|--------|
| \$ 18.01 | \$ 18.55 | \$ 19.11 | \$ 19.68 | \$ 20.27 | \$ 20.88 | n/a | | n/a | |

Engineer's Assistant

17

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Max1 | Step 7 | Max2 | Step 8 |
|----------|----------|----------|----------|----------|----------|------|--------|------|--------|
| \$ 18.73 | \$ 19.29 | \$ 19.87 | \$ 20.47 | \$ 21.08 | \$ 21.71 | n/a | | n/a | |

Health Inspector II

OTHER POSITIONS

| Min | Max |
|----------|----------|
| \$ 10.00 | \$ 15.00 |

Seasonal/Temporary Employees

Example of positions include: Pool Manager/Attendants/Instructors/Lifeguards, Recreational Assistants, etc.

- STEP 1 New Hire
- STEP 2 Step following completion of one (1) year of employment.
- STEP 3 Step for eligible employees with three (3) years of current uninterrupted City service.
- STEP 4 Step for eligible employees with six (6) years of current uninterrupted City service.
- STEP 5 Step for eligible employees with ten (10) years of current uninterrupted City service.
- STEP 6 Step for eligible employees with fifteen (15) years of current uninterrupted City service.

Clarification Step 7 Maximum step due to FY 16-17 reclassification; individuals in this step not eligible for additional steps.

Clarification Step 8 Maximum step due to FY 16-17 reclassification; individuals in this step not eligible for additional steps.

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

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

| Class/Grade/Unit | Monthly | Per Pay Period Basis * |
|------------------|---------|------------------------|
| TCEQ 1 or D | \$30.00 | \$13.85 |
| TCEQ C | \$40.00 | \$18.47 |
| TCEQ II or B | \$55.00 | \$25.39 |
| TCEQ III or A | \$85.00 | \$39.24 |

* Rounding may be required for payroll purposes.

MANAGEMENT LEVEL STEP PROGRAM

INCREASE DUE ON ANNIVERSARY DATE OF MANAGEMENT LEVEL POSITION.

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

AGENDA ITEM #5

**City of Kingsville
Engineering/Public Works**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Sharam Santillan, Capital Improvements Project Manager

DATE: Monday, March 13, 2017

SUBJECT: Change order #1 to remove the installation of the RecDeck Recreational Flooring over the pool coping from the project scope.

Summary:

This item authorizes the approval of a change order to the Brookshire Pool PVC Liner project that removes the installation of the RecDeck Recreational Flooring over the pool coping from the project scope.

Background:

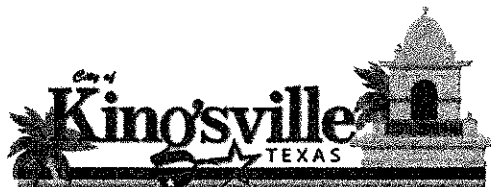
On January 23, 2017, the City of Kingsville awarded the Brookshire Pool PVC Membrane Liner and RecDeck Recreational Flooring contract to Renosys in the amount of \$61,740.00. The project consists of the installation of a PVC membrane liner over the main pool and the installation of the RecDeck Recreational Flooring over the coping stone of the pool. Upon beginning the project, Renosys noted coping repair work that was beyond their expertise to perform needed to be done prior to the flooring being installed. This led staff to get quotes from outside vendors for repair of the coping. Upon receipt of the scope of work needed for the coping, staff performed a cost-benefit analysis that showed that it was more prudent to replace all the coping than to repair some and have the vendor install the flooring over it.

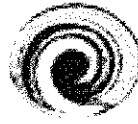
Financial Impact:

The financial impact is a reduction of \$6,550.00 for a total revised project price of \$55,190.00.

Recommendation:

Staff recommends the authorization of this item as it ensures that the finished product of the main pool PVC liner and new coping will eliminate any potential future harm to the liner.





RenoSys Corporation

Aquatic Renovation Systems, Inc.
RenoSys Corporation
Change Order #4334 – 001

Project/Facility Name: Brookshire Pool
Project Number: 4334
Authorized Contact Name: Sharam Santillan

Your change order proposal, dated March 1, 2017 is hereby being designated for approval of the following work:

Additional cost for: Re-mobilization - \$1,500.00

Credit for deleting the RecDeck over coping stone (\$8,350.00) minus freight charge
\$300.00 Total credit (\$8,050.00)

| | |
|--------------------------|----------------------------|
| Original Contract Value: | \$61,740.00 |
| Previous Increases | \$1,500.00 Re-mobilization |
| Value after CO/Amend | \$63,240.00 |
| CO/Amend Decreases | (\$8,050.00) |
| Current Contract Value | \$55,190.00 |

Owner:
City of Kingsville
400 W. King Avenue
Kingsville, TX 78363

Contractor:
Aquatic Renovation Systems, Inc.
2825 E 55th Place
Indianapolis, IN 46220

Signature

Sharam Santillan

Signature

Steve Comstock

Date

Date

AGENDA ITEM #6

RESOLUTION #2017-_____

A RESOLUTION AUTHORIZING STAFF TO PROCEED WITH PLACING FOR SALE THE CITY'S 11.013 ACRES OF LAND LOCATED OFF US HWY 77 BUSINESS/LOOP 428 AT KT&I CO., BLOCK 18, LOT PT, 10 IN KINGSVILLE, TEXAS.

WHEREAS, the City of Kingsville owns 11.013 acres of land off Loop 428 at KT&I Co., Block 18, Lot Pt, 10, in Kingsville, Texas;

WHEREAS, the land is undeveloped and the City has no future plans for the land;

WHEREAS, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that the 11.013 acres of city-owned land off Loop 428 at KT&I Co., Block 18, Lot Pt, 10, in Kingsville, Texas be placed for sale as authorized by the Texas Local Government Code; and

WHEREAS, the City believes that placing the land for sale would place the property back on the tax roll and may allow for future development of the property; and

WHEREAS, pursuant to the Texas Local Government Code, real property owned by the City can be sold via public auction, sealed bids, or through a broker, unless an exception is met;

WHEREAS, the City finds the property does not meet any of the exceptions to the bidding requirement as set out in Texas Local Government Code Section 272.001, staff recommends the property be sold via a broker as allowed by Texas Local Government Code Section 253.014 with the best offer coming back before the Commission for approval of the sale;

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 authorizes staff to proceed with placing for sale via a broker in compliance with the Texas Local Government Code the City's 11.013 acres of real property located off US Hwy. 77 Business/Loop 428 at KT&I Co., Block 18, Lot Pt, 10, in Kingsville, Texas.

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 the 13th day of March, 2017.

Sam Fugate, Mayor

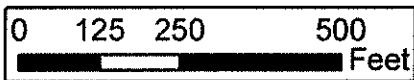
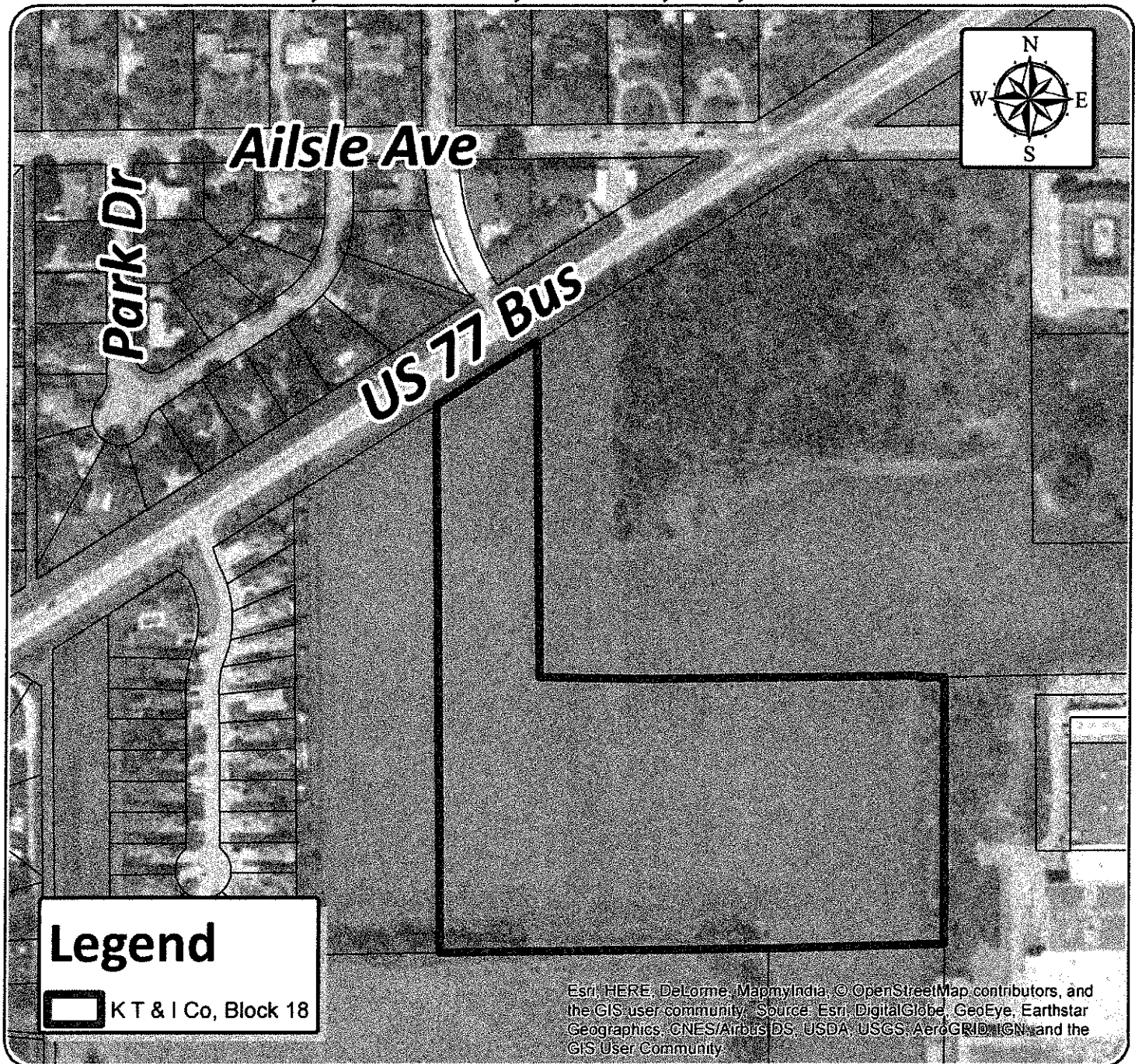
ATTEST:


Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

K T & I Co, Block 18, Lot Pt, 10, Acres 11.013



| | | | |
|----------------------------------|--|---|--|
| <div>Page</div> <div>1 / 1</div> | <div>Drawn By:</div> <div>Engineering Department</div> | <div>DISCLAIMER</div> <div>THIS MAP IS FOR VISUAL PURPOSES ONLY.</div> <div>THE INFORMATION ON THIS SHEET MAY</div> <div>CONTAIN INACCURACIES OR ERRORS.</div> <div>THE CITY OF KINGSVILLE IS NOT</div> <div>RESPONSIBLE IF THE INFORMATION CONTAINED</div> <div>HEREIN IS USED FOR ANY DESIGN,</div> <div>CONSTRUCTION, PLANNING, BUILDING,</div> <div>OR ANY OTHER PURPOSE.</div> | <div>  <div> <div>CITY OF</div> <div>KINGSVILLE</div> </div> </div> <div> <div>CITY OF KINGSVILLE</div> <div>ENGINEERING DEPARTMENT</div> <div>200 East Kleberg</div> <div>Kingsville, Texas 78363</div> <div>Office: 361-595-8005</div> <div>Fax: 361-595-8035</div> </div> |
| | <div>Last Update:</div> <div>2/27/2017</div> | | |
| | <div>Note:</div> | | |

Address: Not defined

Legal Description: K T & I Co, Block 18, Lot Pt, 10, Acres 11.013

Area: 11.013 Acres

479,160 Square feet

Assessed Value: \$57,270

AGENDA ITEM #7

**City of Kingsville
Planning Dept.**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Cynthia Martin, Downtown Manager/Historic Preservation Officer

DATE: March 7, 2017

SUBJECT: Accept Funding From THC for a FY2017 CLG Grant Award

Summary: This item requests the City to accept funding from the Texas Historical Commission (THC) for a FY2017 Certified Local Government Grant (CLG) award for a National Register Nomination for downtown authorizing the Mayor to be the authorized official and the Historic Preservation Officer to act on the City's behalf with such grant as the Project Manager.

Background: The City of Kingsville participates in the Certified Local Government program. The City applied for funding through this program to hire a consultant to prepare a National Register Nomination for Kingsville's historic downtown. Historic district designation has become an important tool for local governments in efforts to preserve the character of central-city downtown cores. The primary purpose of designation is to provide a valuable economic development tool for historic downtown properties. Owning a commercial historic building in a National Register District provides the owner the opportunity to receive investment tax credits for a "certified rehabilitation" on both the Federal and state levels. And it provides the owner the opportunity to apply for certain grants for restoration/rehabilitation dependent on funding.

Financial Impact: \$10,000 - \$15,000. This grant does not require a cash match. However, the cost for a consultant to prepare this National Register nomination is expected to be \$25,000 - \$30,000. Generally grant awards are for half of the expected cost of the project.

Recommendation: It is recommended that the City accept this grant funding and authorize the Mayor to be the Authorized Official and the Historic Preservation Officer to act on the City's behalf with such grant as the Project Manager.



RESOLUTION #2017-_____

A RESOLUTION ACCEPTING FUNDING FROM THE TEXAS HISTORICAL COMMISSION FOR THE FY2017 CERTIFIED LOCAL GOVERNMENT GRANT PROGRAM FOR A NATIONAL REGISTER NOMINATION FOR DOWNTOWN, AUTHORIZING THE MAYOR TO BE THE AUTHORIZED OFFICIAL AND THE HISTORIC PRESERVATION OFFICER TO ACT ON THE CITY'S BEHALF WITH SUCH GRANT AS THE PROJECT MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Texas Historical Commission held a meeting on January 27, 2017 to consider applications for the Certified Local Government Grant Program for FY2017; and

WHEREAS, the City of Kingsville applied for a funding through this program, which does not require a cash match; and

WHEREAS, the Texas Historical Commission will send a contract to the City that will need to be executed so that work can begin on the project; and

WHEREAS, the Texas Historical Commission has recently awarded grant funding in an amount of \$15,000 grant to the City of Kingsville for a National Register Nomination for Downtown; and

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

I.

THAT the City accepts the Texas Historical Commission FY2017 Certified Local Government Grant Award in an amount of \$15,000 for a National Register Nomination for Downtown.

II.

THAT the Mayor is the authorized official for the grant and the Historic Preservation Officer as the project manager is hereby authorized and directed to act on the City's behalf in all matters pertaining to this Agreement including any certifications, amendments or representations stipulated therein.

III.

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

IV.

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
13th day of March, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

TEXAS HISTORICAL COMMISSION
real places telling real stories

February 8, 2017

Cynthia Martin
City of Kingsville
50 E Kleberg Ave.
Kingsville, TX 78363

Re: FY2017 Certified Local Government Grant Award for the City of Kingsville, Texas.

Dear Ms. Martin:

The Texas Historical Commission appreciates your interest and applications to the Certified Local Government (CLG) Grant Program. We are pleased to inform you that one of the grant requests from the City of Kingsville of \$15,000.00 for a National Register Nomination for Downtown was selected for funding by the Commission at their January 27th meeting. Unfortunately, the request of \$20,000.00 for Design Guidelines was not selected for funding at this time.

We do not anticipate any issues in funding the National Register Nomination project; however, we are still awaiting the exact amount of our federal allocation for grants. Until this final amount is known we are unable to execute a contract with the City for its project. We anticipate being able to finalize the grant agreement with you in March. Please keep in mind that we won't be able to reimburse for any expenditure prior to the contract with the City of Kingsville, so you should not start formal work on the project until that time.

We apologize for this inconvenience and encourage your patience. Funded projects will have until September 30, 2018 to complete their work; a deadline that we believe is feasible. Thank you for your efforts to preserve and promote our state's heritage and we look forward to working with you on this important project. **Should you have any questions or if we can be of further assistance, please contact me at 512.463.9063.**

Sincerely,



Madeline Clites
CLG State Coordinator

CC: The Honorable Sam Fugate, Mayor



AGENDA ITEM #8

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 3, 2017

SUBJECT: Justice Assistance Grant Program Application to the Office of the Governor,
Criminal Justice Division

Summary:

The Kingsville Police Department requests to apply for the Edward J. Byrne Memorial Justice Assistance Grant (JAG), 42 U.S.C. 3751(a). JAG funds are made available through a Congressional appropriation to the United States Department of Justice. All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

Background:

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

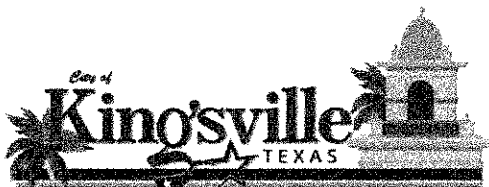
- Law enforcement programs;
- System assessment and program evaluation; or
- Technology improvement programs.

Financial Impact:

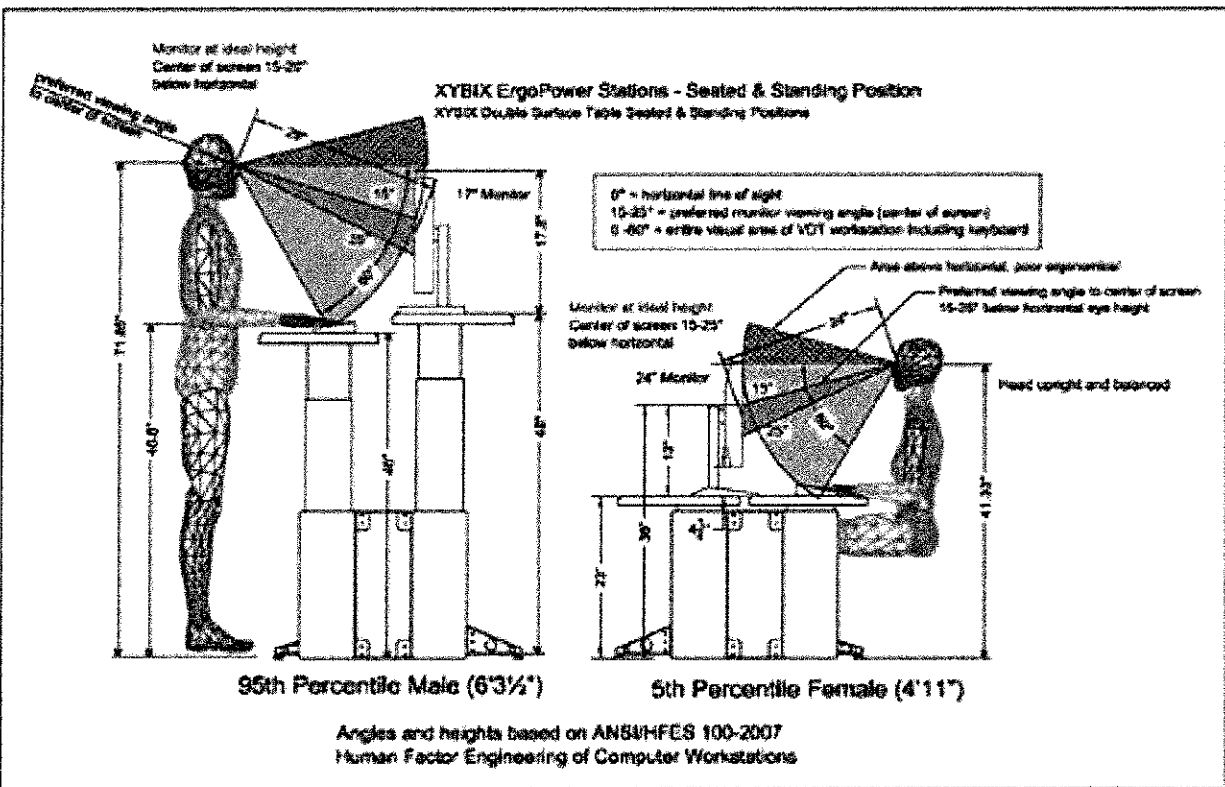
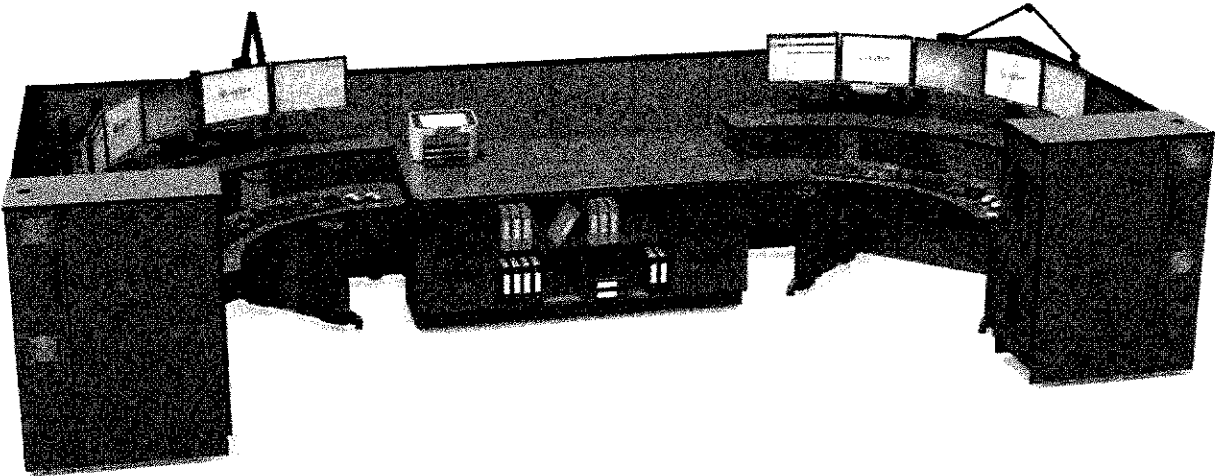
The Kingsville Police Department is applying for four T Series Dispatch Consoles, which are ADA complaint, have ease of access and are ergonomically built with access to various climate controls and mobility functions at a cost of \$64,000.00. This grant does not require any cash match.

Recommendation:

We request a resolution to allow for the application and administration of this grant project by the Chief of Police.



KINGSVILLE POLICE DEPARTMENT
PROPOSED T SERIES DISPATCH CONSOLES



| REVISIONS | | | | Xybit Systems ANSI/HFES 100-2007 performance | Xybit Systems, Inc. 5207 SouthPark Circle Littleton, CO 80120 E-MAIL: bery@xybit.com | PHONE: 303-663-6666 303-746-2810 FAX: 303-663-6464 |
|-----------|-----------------------|------|--------|---|---|--|
| REV# | DESCRIPTION | DATE | BY/CHK | | | |
| 0 | Drawing Creation Date | | | Drawing Name: | Material: | Project: |
| | | | | Furniture Layout | | |
| | | | | SCALE: NONE | SHEET: Overall View | NOTE: This design and layout is the property of Xybit Systems, Inc. and is not to be used in any manner with out express written permission by Xybit Systems, Inc. |

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RESOLUTION NO. 2017-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR THE STATE OF TEXAS REQUESTING GRANT FUNDING FOR LAW ENFORCEMENT EQUIPMENT AND TECHNOLOGY IMPROVEMENT PROJECTS ON BEHALF OF THE KINGSVILLE POLICE DEPARTMENT WITH NO 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 ("the Department") participate in an application to apply for grant monies from the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for law enforcement personnel equipment/programs, system assessment and program evaluation and technology improvement programs; and

WHEREAS, the Department would like to apply for a JAG Grant in the amount of \$64,000.000 for four (4) T Series Dispatch Consoles, which are ADA compliant; and

WHEREAS, the JAG Grant has no anticipated cash match; and

WHEREAS, the City Commission of the City of Kingsville through this resolution has authorized the Police Chief to submit the grant and administer the grant and necessary paperwork if the grant is awarded to the City;

WHEREAS, the City Commission of the City of Kingsville agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City Commission assures that the funds will be returned to the Criminal Justice Division in full.

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

I.

THAT the City Commission approves the submission of the grant application for the Edward Byrne Memorial Justice Assistance Grant Program (JAG) for law enforcement personnel equipment/programs, system assessment and program evaluation and technology improvement programs for the afore-mentioned dispatch consoles on the City's behalf with no anticipated cash.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to the JAG Grant including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the

program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

IV.

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

PASSED AND APPROVED by a majority vote of the City Commission the 13th day of March, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #9

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 3, 2017

SUBJECT: Request for Budget Amendment

Summary:

The police department is requesting a budget amendment in the amount of \$27,000.00 for the purchase of a siren to be located on Senator Carlos Truan Blvd. This additional siren will insure that citizens who live on the east side of US 77 are able to hear a storm warning should the need arise.

Background:

Our city has a Storm Sentry system to alert our citizens of weather events consisting of a weather station located at the Kingsville PD and 3 sirens. When the system was initially installed only 3 sirens were purchased. The purchase of this fourth siren should assist in notifying citizens of incoming inclement weather on the east side of US 77.

Financial Impact:

- Qty. 1 Sentry Model 40V2T Stationary Warning Siren
- Stainless Steel Construction
 - Omni-Directional
 - 40HP Continuous Duty AC Motor
 - dB Rating at 100 Feet: 130+
 - Range: 6500 Ft Radius/13000Ft Diameter
 - 208/230/460 VAC, 3 Phase
 - Magnetic Starter in a NEMA 3R Enclosure
- Qty. 1 CD&F Model SD2100 Radio Decoder
- Multi Signal Format
 - Weatherproof Cabinet (Lockable)
 - Antenna

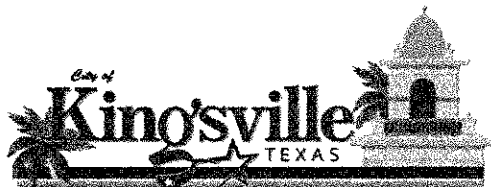


**City of Kingsville
Police Department**

Total Cost \$27,000.00, Complete & Installed (Turn Key)

Recommendation:

We request that the budget amendment be approved to cover the cost of the siren.



A noise level chart showing examples of sounds with dB levels ranging from 0 to 180 decibels.

| dB | Example | Home & Yard Appliances | Workshop & Construction |
|-----|--------------------------------|------------------------|-------------------------|
| 0 | healthy hearing threshold | | |
| 10 | a pin dropping | | |
| 20 | rustling leaves | | |
| 30 | whisper | | |
| 40 | babbling brook | computer | |
| 50 | light traffic | refrigerator | |
| 60 | conversational speech | air conditioner | |
| 70 | shower | dishwasher | |
| 75 | toilet flushing | vacuum cleaner | |
| 80 | alarm clock | garbage disposal | |
| 85 | passing diesel truck | snow blower | |
| 90 | squeeze toy | lawn mower | arc welder |
| 95 | inside subway car | food processor | belt sander |
| 100 | motorcycle (riding) | | handheld drill |
| 105 | sporting event | | table saw |
| 110 | rock band | | jackhammer |
| 115 | emergency vehicle siren | | riveter |
| 120 | thunderclap | | oxygen torch |
| 125 | balloon popping | | |
| 130 | peak stadium crowd noise | | |
| 135 | air raid siren | | |
| | jet engine at takeoff | | |
| | firecracker | | |
| | fighter jet launch | | |
| | cap gun | | |
| | shotgun | | |
| | .357 magnum revolver | | |
| | safety airbag | | |
| | howitzer cannon | | |
| | rocket launch | | |
| 194 | sound waves become shock waves | | |

Decibels metre

According to United Kingdom legislation you are obliged to wear hearing protection if you work in an environment with 80 decibels of sound or higher on a daily basis. For fun, check out the folloing decibel metre . Below the table is a video in which the volume within various genres (rock, hip-hop, dance, etc.) is shown.

Example of decibels

| DECIBEL | SOUND | EXAMPLE |
|---------|------------------|--|
| 10 | Almost inaudible | A leaf falling |
| 20 | Audible | Rustles of autumnal leaves |
| 30 | Very quiet | Whispering |
| 40 | | Living room, quiet classroom |
| 50 | Limited sound | Refrigerator working, car driving past |
| 55 | | Percolating coffee-maker |

| | | |
|-----|----------------------|---|
| 60 | Audible | Sound of human voice, machinery |
| 70 | Irritating | Television set on loud, vacuum cleaner, several people on the telephone |
| 75 | Constant sound | Busy restaurant around lunchtime |
| 80 | Unpleasant | Alarm clock, freight traffic, doorbell |
| 85 | Loud | Sawing, mixer |
| 90 | Extremely unpleasant | Truck close by, screaming, yelling, shouting |
| 95 | Noisy | Drill, violin |
| 100 | Extremely unpleasant | Machine in a factory, compressor, fighter jet at 300 m |
| 105 | Even louder | Helicopter close by, large drum |
| 110 | Extremely loud | Rock concert, chainsaw |

| | | |
|-----|-----------------------------|---|
| 120 | | Human voice at its loudest, police siren |
| 130 | | Thunder |
| 140 | Pain threshold | First Monday of the month siren from close by |
| 150 | Permanent damage to hearing | Fireworks |
| 160 | | Shooting with pistol or rifle |
| 170 | | Avalanche firework |
| 180 | | Rocket launch platform |
| 194 | | Saturn rocket |

Storm Sirens, Inc.

3801 Harrogate Drive

Norman, Ok 73072

1-800-527-6375

stormsirens@aol.com

June 8, 2016

Ricardo Torres, Chief of Police
City of Kingsville
1700 East King Avenue
Kingsville, Texas 78363

Regarding: Storm Siren Proposal

Dear Mr. Torres:

Sentry Siren, Inc. has been manufacturing storm warning sirens since 1905. They currently build 14 different models. In regard to our recent conversation, you will find following a proposal on the Sentry model 40V2T Storm Warning Siren. The model 40V2T is the same model siren that the City purchased in 2010. This proposal is based on the 2006 FEMA Guidelines for Outdoor Warning.

Each Sentry siren is custom made using parts cast from the same metal ingot which means that the components expand and contract in the heat and cold at the same rate. This ensures significantly closer tolerances and longer operational life. When evaluated by the Nuclear Regulatory Commission for use around power plants, Sentry sirens were estimated to have a 53 year life expectancy.

Unlike most competitive sirens, the Sentry model 40V2T has a complete 7 year warranty. Sentry is able to offer such a long warranty because they use superior components in the construction of each siren. For example, each Sentry siren use a continuous duty series wound motor rather than a permanent magnet motor. The benefit of a series wound motor is two-fold: as the load on the motor increases, the magnetic field from the coils in the motor increase at the same time, allowing more torque to be generated; and the Series Wound motor tends to be more energy efficient and last significantly longer than a permanent magnet motor. **ALL SENTRY SIRENS ARE PROUDLY MANUFACTURED IN THE UNITED STATES OF AMERICA.**

All Sentry Sirens are omni-directional sirens. As stated in the FEMA, Outdoor Warning-Systems, Technical Bulletin (Version 2.0), January 12, 2006, omni-directional sirens are considered superior to rotating sirens:

Storm Sirens, Inc.

3801 Harrogate Drive

Norman, Ok 73072

1-800-527-6375

stormsirens@aol.com

4.1 General Considerations for Outdoor Warning Systems, Page 28

"Omni-directional sirens provide greater area coverage than do rotating or directional devices. They provide a more constant signal that improves public alerting in areas with highly fluctuating ambient noise, along with the reinforcing effect of multiple sound sources (up to a 3dB increase for two adjacent sound sources in the same environmental setting)."

4.4.5 Determining Locations Where Outdoor PAS Devices Should Be Avoided, Page 32

"In situations where there are high fluctuations in the ambient noise level, or near the limits of the audible device range, omni-directional devices present a distinct advantage, in terms of their signal consistency, over rotational devices. For example, because of the reduced duration of its peak sound level in any single direction during its 360 degree sweep, a rotational device will have an overall lower dB level when *assessed across a given time period* than an omni-directional device operating at the same frequency. Additionally, because sound has a reinforcing effect, omni-directional devices can act as sound "boosters" with adjacent audible devices. The effect applies for adjacent omni-directional audible devices as well as to omni-directional devices that are adjacent to rotational or directional devices".

The enclosed map shows the approximate coverage that the City is receiving from the 3 current Sentry model 40V2Ts and the proposed siren:

- North Armstrong Street & West Lee Avenue
- North 17th Street & West Lee Avenue
- 600 East Trant Road, Northside
- Proposed Site: At or near 3320 Road & 425 Road

This does not mean that the proposed sirens could not be heard beyond the indicated area, just that the dB rating would fall below the FEMA recommended minimum for outdoor warning.

Proposal:

Qty. 1 Sentry Model 40V2T Stationary Warning Siren
Stainless Steel Construction
Omni-Directional
40 HP Continuous Duty AC Motor
dB Rating at 100 Feet: 130+
Range: 6500 Ft Radius/13000 Ft Diameter
208/230/460 VAC, 3 Phase
Magnetic Starter in a NEMA 3R Enclosure

Storm Sirens, Inc.

3801 Harrogate Drive

Norman, Ok 73072

1-800-527-6375

stormsirens@aol.com

**Qty. 1 CD&F Model SD2100 Radio Decoder
Multi-Signal Format
Weatherproof Cabinet (Lockable)
Antenna**

Total Price \$27,000.00, Complete & Installed (Turn-Key)

The quoted price includes installation of the Sentry Model 40V2T on 50' class II telephone pole as well as all materials and labor associated with the complete installation. The only items the City would need to provide would be the siren site and appropriate electrical service to the siren pole.

This proposal also includes a CD&F model SD2100 Radio Decoder. The decoder would allow the proposed siren to be remotely activated by radio as part of the current system.

As discussed, the Storm Sentry Weather Monitoring & Siren Activation System can be up graded to include IPAWS. Amongst other things, IPAWS would allow you to access smart phone, billboards, etc. to post emergency messages. The cost of the upgrade would be \$6,900.00, installed.

From date of order, either or both of the proposed systems can be operational within 6-8 weeks. No money is due until after all work is completed.

All Sentry sirens are covered by a 7 year warranty. The CD&F model SD2100 Radio Decoders are covered by a 2 year warranty.

My company has supplied and installed hundreds of Sentry storm warning systems throughout Texas. Some of the communities using our equipment are: Adrian, Allison, Angleton, Anton, Atlanta, Aubrey, Azle, Balmorea, Belton, Bronte, Brownwood, Cameron, Centerville, Channing, Claude, Coolidge, Crandell, Crosbyton, Crowley, Cuero, Decatur, DeLeon, Del Rio, Dodd City, Driscoll, Dumas, Earth, Edgewood, Enchanted Oaks, Eustace, Frankston, Frost, Friona, Georgetown, Glen Heights, Goliad County, Golinda, Hamlin, Happy, Hico, Higgins, Holliday, Idalou, Jourdanton, Junction, Katy, Kaufman, Lamesa, Lampases, Lakeview, La Villa, Leonard, Lindsay, Llano, Lovelady, Lytle, Mason, Markham, Mathis, Melissa, Mexia, Mineola, Mobeetie, Monahans, Mount Vernon, Muenster, New London, Olton, Paducah, Palacios, Paris, Pharr, Pleasanton, Poynor, Pyote, Ralls, Rankin, Ransom, Riesel, Robstown, Saint Jo, San Juan, Pecos, Savoy, Scotland, Seadrift, Seagoville, Silverton, Skellytown, Spur, Stinnett, Sunray, Sweeny, Teague, Terrell, The Colony, Trent, Tulia, Turkey, Valley Mills, Van, Van Horn, Vega, Waelder, Waxahachie, Weslaco, White Oak, Whiteface, Whitesboro, Wilmer, Windthorst, Wink and Upton County.

Storm Sirens, Inc.

3801 Harrogate Drive

Norman, Ok 73072

1-800-527-6375

stormsirens@aol.com

If you have any questions, please contact us at our toll free number 1 (800) 527-6375 or by e-mail stormsirens@aol.com.

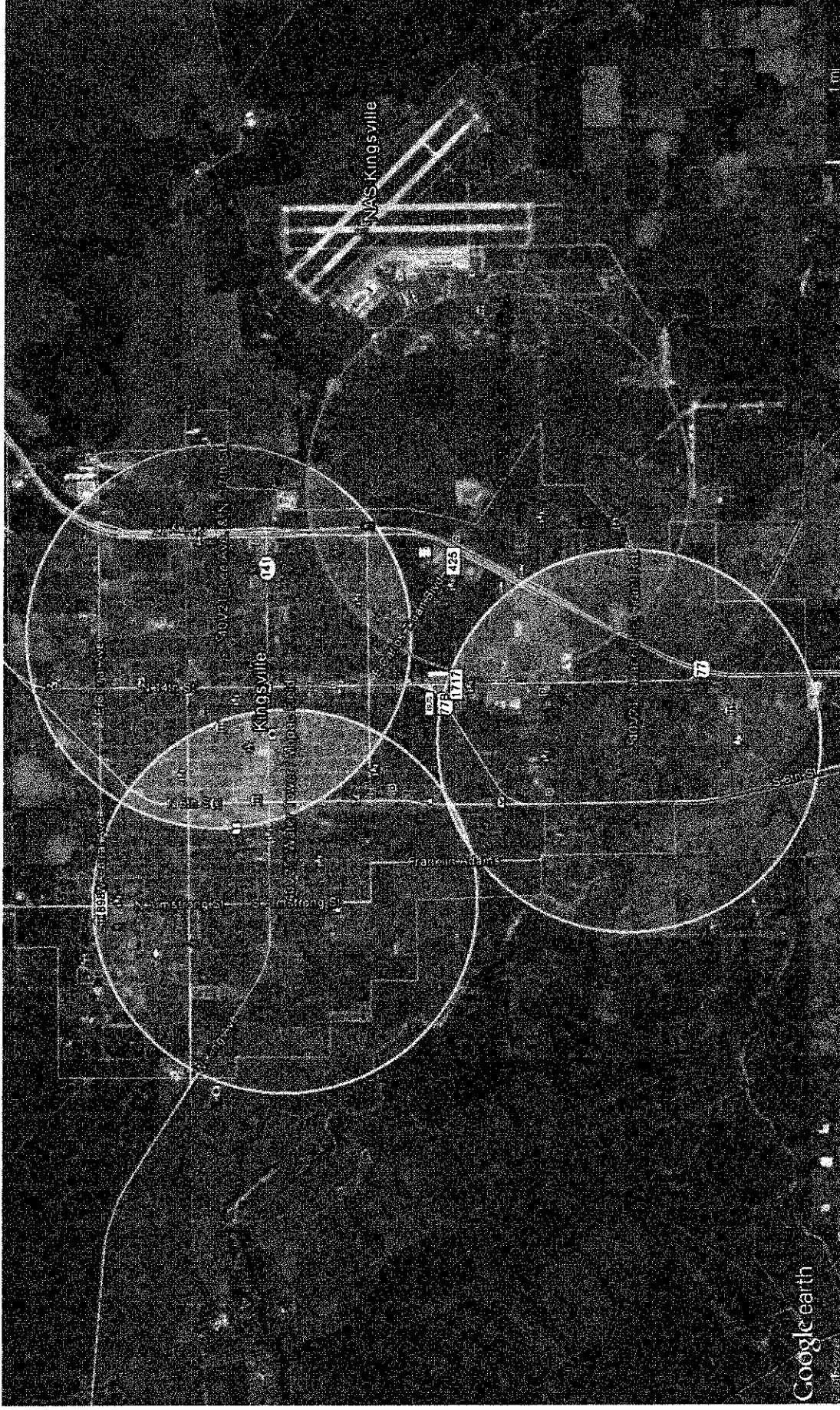
Sincerely,

Frederick R. Engelbrecht

Frederick R. Engelbrecht
President

FRE:st

Sentry Siren Coverage Study for Kingsville, TX - Version 4



- Siren coverages are approximate and assume perfect conditions.
- Actual coverages may vary based on local terrain, conditions, foliage, structures and other unknown conditions.
- Sentry Siren makes no guarantee that coverage shown will mimic actual, real-world, coverage.
- Coverage area is based on computer generated data and FEMA Guidelines covering atmospheric attenuation.
- Data subject to license and use / reproduction is restricted.

STORM SIRENS, INC.
SERVING THE PUBLIC SAFETY FIELD
1-800-527-6375
www.stormsirensinc.com

ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO INCLUDE THE PURCHASE AND INSTALLATION OF A 4TH EMERGENCY WARNING SIREN.

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 2016-2017 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 001-General Fund | | | | | |
| Equity | | | | | |
| 2 | | Unassigned Fund Balance | 61002 | | <u>\$ 7,904.62</u> |
| Expenses | | | | | |
| 5-6900 | Fund Trsfrs | Trasfer To Fund 099 | 80099 | <u>\$ 7,904.62</u> | |
| Fund 099-Disaster Response Recovery Fund | | | | | |
| Equity | | | | | |
| 2 | | Restricted-Disaster Response | 61002 | | <u>\$ 19,095.38</u> |
| Revenue | | | | | |
| 4-0000 | Non-Dept | Transfer From Fund 001 | 75001 | <u>\$ 7,904.62</u> | |
| Expenses | | | | | |
| 5-2103 | Police-Communications | Machinery/Equipment | 71200 | <u>\$ 27,000.00</u> | |

[To amend the City of Kingsville FY 16-17 budget to include the purchase and installation of a 4th Emergency Warning Siren as per the attached memo from the Chief of Police.]

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 13th day of March, 2017.

PASSED AND APPROVED on this the __ day of _____, 2017.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #10

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah Balli, Finance Director

DATE: March 3, 2017

SUBJECT: Special Event Overtime – PD & FIRE

Summary:

This budget amendment is requesting a total of \$3,925 in additional Overtime-Special Events funding.

Background:

The Kingsville Police Department and the Kingsville Fire Department will be providing overtime assistance to Naval Air Station Kingsville during the NAS 75th Anniversary events. The Kingsville Police Department will provide 4 officers for a total of 48 hours of overtime with an estimated cost of \$1,728.00. The Kingsville Fire Department will also provide overtime assistance by providing 5 KFD personnel for a total of 60 hours of overtime to assist with EMS support and transport during the events with an estimated cost of \$2,197.00.

Financial Impact:

Approval of this budget amendment will increase Overtime Special Events 001-5-2102-11255 by \$1,728 and 001-5-2200-11255 Overtime Special Events will increase by \$2,197 with funds coming from General Funds Unassigned Fund Balance.

Recommendation:

Staff is recommending the FY 16-17 budget be amended to include the \$3,925 increase in Overtime-Special Events.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO INCLUDE SPECIAL EVENTS OVERTIME FOR THE KINGSVILLE POLICE AND FIRE DEPARTMENTS.

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 2016-2017 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 001-General Fund | | | | | |
| Equity | | | | | |
| 2 | | Unassigned Fund Balance | 61002 | | \$ 3,925 |
| Expenses | | | | | |
| 5-2102 | Police | Overtime-Special Events | 11255 | \$ 1,728 | |
| 5-2200 | Fire | Overtime-Special Events | 11255 | \$ 2,197 | |
| | | | | <u>\$3,925</u> | |

[To amend the City of Kingsville FY 16-17 Budget to include special event overtime for the Kingsville Police Department and the Kingsville Fire Department for special event at Naval Air Station-Kingsville as per the attached memo from the Director of Finance.]

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 13th day of March, 2017.

PASSED AND APPROVED on this the __ day of _____, 2017.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #11

**City of Kingsville
Public Works**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Charlie Cardenas, Public Works Director/City Engineer
DATE: March 3, 2017
SUBJECT: Budget Amendment Dozer Rental & 2009 Scraper Repairs

Summary:

This budget amendment allocates funding to current year landfill budgets.

1. The dozer rental that is being incurred while waiting on delivery of the new dozer, approved on January 23, 2017, with an estimated delivery of April 2017.
2. The repair of the 2009 Scraper that is essential for the current method of operations at the landfill. This scraper is used to haul dirt for daily cover when not using the alternative tarping method and to cover windblown flagging. The repairs to the scraper are estimated to take 30-60 days once approved and delivered to Holt Cat in Corpus Christi.

Background:

Extended rental expenses of a dozer and the repairs to the scraper were unforeseen and not expected during this budget process. The equipment is necessary for daily operations.

Financial Impact:

This budget amendment for Equipment Rental will reallocate funding of \$31,017.00 from General Fund Unassigned Fund Balance to 001-5-1703-31800 for dozer rental during the delivery process of the new dozer. Budget amendment for Vehicle Machinery Maintenance will reallocate funding of \$27,740.00 from Committed for Landfill Fund Balance to 001-5-1703-41100 for scraper repairs.

Recommendation:

Staff recommends approval of this budget amendment to cover unforeseen equipment repair expenses and rental fees need to maintain compliance for landfill operations.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO INCREASE THE EQUIPMENT RENTAL AND EQUIPMENT MAINTENANCE BUDGETS FOR THE LANDFILL.

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 2016-2017 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 001-General Fund | | | | | |
| Equity | | | | | |
| 2 | | Unassigned Fund Balance | 61002 | | <u>\$ 31,017</u> |
| Expenses | | | | | |
| 5-1703 | Landfill | Equipment Rent | 31800 | <u>\$ 31,017</u> | |
| Fund 090-Landfill Closure Fund | | | | | |
| Equity | | | | | |
| 2 | | Committed for Landfill | 68100 | | <u>\$ 27,740</u> |
| Expenses | | | | | |
| 5-1703 | Landfill | Vehicle/Machinery Maintenance | 41100 | <u>\$ 27,740</u> | |

[To amend the City of Kingsville FY 16-17 budget to increase the Landfill Equipment Rental and Maintenance budgets to cover the cost of the dozer rental needed while waiting delivery of the new dozer approved on January 23, 2017 and to repair the 2009 Scraper that is essential to the current method of operations at the Landfill as per the attached memo from the Public Works Director/City Engineer.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 13th day of March, 2017.

PASSED AND APPROVED on this the ___ day of _____, 2017.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Deborah Balli, Finance Director

DATE: March 3, 2017

SUBJECT: Kleberg County Airport Contribution

Summary:

This budget amendment will increase the Kleberg County Airport Contribution by \$2,400 for a total of \$6,000.

Background:

2015

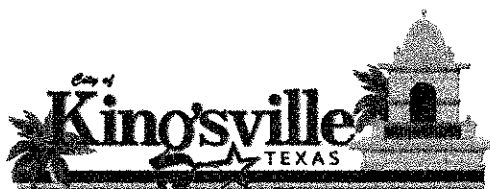
The City of Kingsville was approached to by the Airport Board and was asked to help with the cash match contribution for improvements to the airport. The grant was a 90/10 grant with the State paying 90% and the County paying 10%. Both City and County were to pay \$8,000 each, to meet the 10% grant match. On August 10, 2015, Ordinance No. 2015-27 was approved to amend the FY 14-15 General Fund budget for the City's portion of the Kleberg County Airport grant cash match of \$8,334.

2016

The bids for the airport improvements came in and showed the lowest bid was \$73,000 above the grant amount. The State was able to increase the grant amount which in turn increased the cash match that was required. In August of 2016, the County made a motion to approve the additional \$7,300 grant match and included in the motion that Kleberg County would at a future City of Kingsville meeting request the City participate with half of the \$7,300 of which the City's portion would be \$3,650. In the Fiscal Year 2016-2017 budget process, the City's half of the additional grant match (which amounts to \$3,600) was approved for the Kleberg County Airport.

2017

The current estimate for the airport improvements is \$288,667 with the Sponsors Share (10% cash match) of the estimated costs totaling \$28,667. TXDOT has received \$16,667 of this amount



City of Kingsville
Finance Department

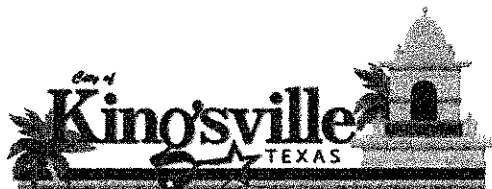
from the initial cash matches provided by the City and the County. An additional \$12,000 is needed to cover the remaining portion of the Sponsors Share (10% cash match). Kleberg County recently voted to increase their contribution and is seeking the City to do the same. The City's portion would be \$6,000 of which \$3,600 was appropriated in the FY 16-17 budget leaving an additional \$2,400 needed to meet the City's half of the match.

Financial Impact:

Approval of this budget amendment will increase Professional Services-Kleberg Co. Airport 098-5-1060-31463 by \$2,400 and reduce 098-5-1060-31400-Professionals Services by \$2,400.

Recommendation:

Staff is recommending the FY 16-17 budget be amended to include the \$2,400 increase in Professional Services-Kleberg Co. Airport.



ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2016-2017 BUDGET TO INCREASE THE CONTRIBUTION FOR THE KLEBERG COUNTY AIRPORT GRANT CASH MATCH.

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 2016-2017 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 098-Economic Development Fund | | | | | |
| Expenses | | | | | |
| 5-1060 | EDC | Professional Services | 31400 | | <u>\$2,400</u> |
| 5-1060 | EDC | Prof Svc-Kleberg Co Airport | 31463 | <u>\$2,400</u> | |

[To amend the City of Kingsville FY 16-17 Budget to increase the cash match contribution to the Kleberg County Airport as per the attached memo from the Director of Finance.]

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 13th day of March, 2017.

PASSED AND APPROVED on this the _____ day of _____, 2017.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

INVOICE

BY FACSIMILE
361-592-0838

January 10, 2017

The Honorable Rudy Madrid
County Judge, Kleberg County
PO Box 752.
Kingsville, Texas 78364

RE: TXDOT Project No.: AP KLEBERG 4
TXDOT CSJ No.: 1616KNGVL
Fund Source: 50137

Dear Judge Madrid,

The current estimate for the above reference construction project is \$288,667. The Sponsors Share of the estimated cost is \$28,667. We have received 16,667. Please remit the additional \$12,000 to an address shown below not later than February 17, 2017. We cannot advertise until the estimated sponsors share is received.

Texas Department of Transportation
ATTN: Seth Reed
P.O. Box 149001
Austin, Texas 78714

OR

Texas Department of Transportation
ATTN: Seth Reed
Revenue Accounting
200 East Riverside Drive
Austin, Texas 78704
(overnight address)

Or for **WIRING ONLY** use the following information:

Financial Institution: Austin Texas Comptroller Austin
Routing Number: 114900164
Account Number: Comptroller of Public Accounts Treasury Operations
Account Number to Credit: 463600001
Reference: TxDOT Aviation CSJ: 1616KNGVL
Attention: 601-Texas Dept. of Transportation – Aviation division
Seth Reed

If you would like to use ACH- Automated Clearing House – please contact Allison for those instructions. It has a different routing account.

If you have any questions, need additional information, please contact me at 512/416-4512.

Sincerely,

Allison Martin
Grant Manager

cc: Seth Reed, Finance

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer

AGENDA ITEM #13