

City of Kingsville, Texas

AGENDA CITY COMMISSION TUESDAY, SEPTEMBER 5, 2017 SPECIAL 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 – August 14, 2017

APPROVED BY:

Jesús A. Garza byrno
Jesús A. Garza
City Manager

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

1. Public Hearing on a *proposed* tax rate increase from \$.84220 to \$.88681 for Fiscal Year 2017-2018. (Finance Director).
2. Public Hearing on proposed Fiscal Year 2017-2018 budget. (Finance Director).

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, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, 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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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)

None.

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

1. Review and discuss proposed fiscal year 2017-2018 budget for departments of the City of Kingsville. (City Manager).
2. Consider introduction of an ordinance adopting the City Manager's budget, as amended, of the City of Kingsville, Texas, and appropriating funds for the fiscal year beginning October 01, 2017 and ending September 30, 2018 in the particulars hereinafter stated. (Finance Director).
3. Consider introduction of an ordinance establishing and adopting the ad valorem tax rate for all taxable property within the City of Kingsville, Texas for fiscal year beginning October 01, 2017 and ending September 30, 2018, distributing the tax levy among the various funds, and providing for a lien on real and personal property to secure the payment of taxes assessed. (Finance Director).
4. Consider introduction of an ordinance amending the Code of Ordinances of the City of Kingsville, Texas by amending Chapter V-Public Works, Article 6-Stormwater Utility System, Section 21- Fee Calculation, to increase the monthly stormwater utility fees for the purpose of funding the stormwater utility system. (Finance Director).
5. Consider introduction of an ordinance ratifying classifications and prescribing the number of positions in such classifications for the classified service in the Fire Department by adding one new fire fighter position. (Human Resources Director).
6. Consider a resolution authorizing the Fire Chief to enter into a Cooperative Agreement between the Texas A&M Forest Service and the City of Kingsville Fire Department for Department of Defense Firefighting Property Program Equipment. (Fire Chief).

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.

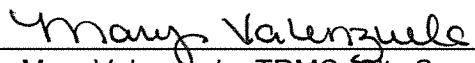
4. Items being considered by the Commission for action except citizen's comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.

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:

September 1, 2017 at 10:30 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)

AUGUST 14, 2017

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 14, 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
Al Garcia, Commissioner
Noel Pena, Commissioner

CITY STAFF PRESENT:

Jesús Garza, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Tom Ginter, Director of Planning & Development Services
Diana Gonzales, Human Resources Director
Kyle Benson, IT Manager
Sharam Santillan, Capital Projects Manager
Israel Vasquez, Facility Maintenance Manager
Emilio Garcia, Health Director
Jason Alfaro, Parks & Rec Director
Derek Williams, Systems Specialist
David Solis, Risk Manager
Bill Donnell, Asst. Public Works Director
Charlie Sosa, Purchasing Manager
Ricardo Torres, Police Chief
Deborah Balli, Finance Director
Cynthia Martin, Downtown Manager
Joe Casillas, Water Production Supervisor
Robert Rodriguez, Library Director
Adrian Garcia, Fire Chief
Terry Valentine, Fire Captain
Mike Garcia, Fire Engineer
Philip Boyd, Firefighter
Shea Tate, Firefighter
John Hernandez, Firefighter
Felix Camarillo, Fire Engineer
Chris Loudon, Firefighter
Justin Lozano, Firefighter

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 - July 24, 2017

Motion made by Commissioner Pecos to approve the minutes of July 24, 2017 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Pecos, Fugate voting "FOR". Garcia and Pena "ABSTAINED".

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

1. None.

III. Reports from Commission & Staff.²

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, **Certificate Recognition**, 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, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, **SEP**, Legislative Update, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."*

Adrian Garcia, Fire Chief, recapped on the fire that occurred on July 29, 2017, in the Downtown Historic District. Assistance from surrounding areas came to assist the Kingsville Fire Department. The City of Kingsville presented these entities with a framed certificate and a token from the Kingsville Fire Department for their assistance: Naval Air Station-Kingsville Fire Rescue, Kleberg County Fire Rescue, Nueces County ESD 3, Kenedy County Fire Rescue, Annaville Fire Department, Alice Fire Department, Ben Bolt Fire Department, Sandia Fire Department, Celanese Bishop Plant Fire Rescue, Kleberg County Sheriff's Office, Sensible EMS, and Air Med EMS. Others were also presented with a token from the Fire Department for their assistance: Chief Clack, Annaville Fire Department; Mr. Charlie Sosa, Purchasing Manager; Cynthia Martin, Downtown Manager; and two civilians Mr. Carlos Sosa and Mr. James Peratrovich.

Mayor Fugate thanked all those who came to assist with the fire. He commented that it is very heartwarming to know that when the city has an emergency of this magnitude, not only does the community come together but so does the surrounding entities.

Mr. Bill Donnell, Assistant Public Works Director reported that the City of Kingsville Public Works Department will be hosting a household hazardous waste program due to the copper level violation received from TCEQ. This will also include Kleberg County as part of the settlement and enforcement action brought by TCEQ. This program will allow citizens to dispose household hazardous waste for free. This will take place August 26th from 9:00 A.M. to 12:00 P.M. at the Public Works Warehouse located 1300 E. Corral. Once this part of the SEP is done, it will conclude that violations requirements for the North Plant. Flyers will be posted listing items that are acceptable and not acceptable.

Mr. Charlie Sosa, Purchasing Manager gave an update to the City Commission on the renovations of the Municipal Building. He passed out maps and renderings of the renovation to the Commission. The two departments that are housed at the Municipal

Building are the Utility Department and Municipal Court Department. The second floor of the Municipal Building will have temporary offices for both departments while the first floor gets renovated for the permanent housing of the Utility Department and Municipal Court.

Mr. Jay of Solka Nova Torno went through the renovation plans with the City Commission. He commented that construction drawings should be complete in the beginning of October with construction to begin in December 2017.

Mr. Garza went through the construction plans with the City Commission.

Mayor Fugate asked if the construction plans have been shared with the Municipal Court Judge. Mr. Garza responded that the plans have been shared with the Judge.

Commissioner Garcia asked about bathroom facilities for staff and detainees that are brought in for court.

Mr. Garza commented that both staff and detainees will have use of the same bathroom facility, until construction is complete.

Commissioner Lopez asked about entrance for the public. Mr. Garza responded that the building will have the same entrance except for the door in the alley.

Commissioner Pena asked for the time line of the project.

Mr. Sosa commented that once the project is started, the plan is to complete the project in eight months.

Commissioner Garcia commented that he is still concern about the bathroom facilities being used by both staff and detainees as the detainees are smart individuals and can take any object with them.

Mayor Fugate commented that these detainees have Class C misdemeanors and don't foresee this happening.

Mr. Sharam Santillan, Capital Improvements Manager presented the Commission with an update and drawings for the Kingsville City Hall Landscaping Phase I.

Mr. Garza presented the third quarter investment report for the period ending June 30, 2017. For the end of the third quarter as of June 30th, the total cash and investments are \$27,776,575.00. Total non-investment cash account balances is \$2,467,506.21. Kleberg Bank money market accounts ending balance as of June 30, 2017 is \$8,098,829.94. The investment portfolio of the City of Kingsville is in compliance as it relates to the adopted Investment Policy.

Mrs. Courtney Alvarez, City Attorney reported that the next regularly scheduled Commission is meeting is set for August 28th. Deadline to submit agenda items for this meeting is Friday, August 18th. Alvarez further reported that the City Commission will also have special meetings on August 21st, August 22nd, August 29th, and August 30th beginning at 4:00 P.M.

IV. Public Comment on Agenda Items.³

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

Mr. Tim Acosta, Kingsville Record, commented that he will be departing the Kingsville Record as he has taken a position with the Corpus Christi Caller Times. He thanked the City Commission and staff for their support on

V.

Consent Agenda

Notice to the Public

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

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

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

- 1. Motion to approve final passage of an ordinance amending the Fiscal Year 2016-2017 Budget to accept and expend donation for the Parks Department. (Parks Director).**
- 2. Motion to appoint Dr. John Cicala to the Main Street Advisory Board as the Texas A&M University-Kingsville representative for a two-year term. (Downtown Manager).**
- 3. Motion to approve certification of 2016 excess debt collections and the certification of 2017 anticipated collection rate, pursuant Section 26.04(b) of the Texas Property Tax Code. (Director of Finance).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

- 4. Consider a resolution authorizing the City Manager to execute a Facility Use Agreement between the City of Kingsville and the American Red Cross. (Fire Chief).**

Adrian Garcia, Fire Chief reported that this item is for an agreement between the City of Kingsville and the American Red Cross for the use of the JK Northway. Chief Garcia is the current Emergency Management Coordinator and has worked together with representatives of the American Red Cross in preparing this agreement. This agreement will make the JK Northway facility available to assist the community in the event the American Red Cross needs to open a shelter in Kingsville. The American Red Cross will designate a Red Cross official to manage the activities at the Facility. The shelter operation will be paid by the City, with the option to ask for reimbursement from the American Red Cross within 60 days, after the occupancy of the American Red Cross ends and with the appropriate documentation.

Motion made by Commissioner Pena to approve this resolution authorizing the City Manager to execute a Facility Use Agreement between the City of Kingsville and the American Red Cross, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

5. Consider resolution authorizing the Mayor to enter into an Interlocal Agreement between the City of Kingsville and the Kingsville Independent School District relating to McRoberts School Property. (Fire Chief).

Chief Garcia reported that this is coming from the Kingsville Fire Department for an agreement with the Kingsville Independent School District (KISD), for the use of McRoberts School located at 404 W. Corral Ave. This property will be used for training for first responders. This school is an empty campus which can be used for dry runs without the use of water. This agreement can be terminated at any time by any party with or without cause upon thirty days advance written notice.

Motion made by Commissioner Pena to approve the resolution authorizing the Mayor to enter into an Interlocal Agreement between the City of Kingsville and the Kingsville Independent School District relating to McRoberts School Property, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

6. Consider accepting 2017 certified total appraised, assessed, and taxable values of all property and the total taxable values of new property in the City of Kingsville as certified by the Kleberg County Appraisal District. (Director of Finance).

Mrs. Melissa De La Garza, Kleberg County Tax Assessor, reported the values that were presented to her office by the Kleberg County Appraisal District for an amount of \$817,992,210.00 for the City of Kingsville, 2017.

Motion made by Commissioner Garcia to accept the 2017 certified total appraised, assessed, and taxable values of all property and the total taxable values of new property in the City of Kingsville as certified by the Kleberg County Appraisal District for an amount of \$817,992,210.00, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

7. Consider a proposed tax rate; if proposed tax rate will exceed the effective tax rate or the rollback rate (whichever is lower), take record vote and schedule public hearings (for August 28th & September 5th, 2017 at 6:00 P.M. at the Helen Kleberg Groves Community Room, City Hall, 400 W. King Ave., Kingsville, TX). (Director of Finance).

Mrs. De La Garza reported that the effective tax rate, which is the rate that would bring in the same amount of revenues from last year to this year in the amount of \$.84299. Last year's rate was \$.84220 with the City's rollback rate this year is \$.88682 and proposing a tax rate of \$.88681, which is right below the rollback rate and will give the City the flexibility during budget workshops to decide which rate the Commission decides to adopt. If the Commission wants to adopt a higher rate than last year's rate it would be a good idea to propose a higher rate for now, then later bring it down to the rate that we've had. This is done year after year which is usually done this way with the City where they schedule the two public hearings and usually adopt last year's rate. To play it safe, the city likes to go back below the rollback rate which is \$.88681 for 2017. With this rate being proposed, the reason for the increase that the city will be looking at, the newspaper article is going to be for the purpose to use this tax increase is for

the quality of life improvements which include increases to the Fire Department personnel and increase of focus in the maintenance of city parks. Mrs. De La Garza commented that whenever you adopt a proposed rate, that is higher than your effective rate, you have to have a purpose of why whenever it is published in the newspaper. This will be published in the ad that will be published in the Kingsville Record on Sunday, August 20, 2017.

Mayor Fugate commented that this is something the City does every year. The City never sets the rate to the proposed rate. This rate hasn't been increased since 2010 which is \$.84220.

Mr. Garza commented that the proposed budget that was released on Friday, is balanced with keeping the existing tax rate that the city had last year.

Mrs. De La Garza commented that since there was an increase in value it will show as there was an increase but because of the increase in value. De La Garza further stated that once the city adopts that rate, she will go back and fill in those amounts, preparing everything for budget with the correct amount reviewed by the City Manager and City Attorney to make sure everything is correct.

Motion made by Commissioner Pecos "I move that the proposed property tax rate be set at \$0.88681 and that public hearings be set for Monday, August 28th and that public hearings be set for Monday, August 28th and Tuesday, September 5th, 2017 at 6:00 P.M. in the Helen Kleberg Groves Community Room located at City Hall, 400 W. King Ave., Kingsville, Texas, seconded by Commissioner Pena.

Mrs. Alvarez commented that just for clarification, this is only the proposed rate. The City Commission at a future meeting and this is for the public in introducing an ordinance on September 5, 2017 that will actually set the budget and the actual tax rate and looking at adopting that on September 11, 2017.

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

8. Consider final passage of an ordinance amending the zoning ordinance by changing the zoning in reference to KT&I Co., Block 7, Lot W/23, Pt 4, 31.55 acres, also known as area behind 221 W. Sage Road from R1-Single Family to AG-Agriculture District, applicant Victoria Avalos. (Director of Planning and Development Services).

Mayor Fugate commented that in the thirteen years he has been Mayor, he doesn't recall ever had an item come up so many times as this item. He feels that they are all well versed on this issue unless someone needs to be refreshed on this item.

Mrs. Alvarez commented that she would like to make a point of clarification, at the last regular meeting when this item was last discussed, there was a recusal and in doing some research on case law and interpreting how that might impact the number of votes required since this item was not approved by Planning & Zoning it does require a Super Majority which is normally four votes out of five eligible voters. Based on the legal research which has two pertinent Texas cases that dealt with this issue, which are still valid law. Whenever you have a death, resignation or a disqualification due to a conflict of interest, that reduces the eligible members to vote from five to four. The cases that have interpreted

this say that you would need three out of four of the eligible votes in order for the item to be passed. Alvarez further stated that traditionally you need four out of five but due to the recusal it reduced the number of eligible voters.

Mayor Fugate asked if there was a motion for this item.

Motion made by Commissioner Pecos to approve this ordinance amending the zoning ordinance by changing the zoning in reference to KT&I Co., Block 7, Lot W/23, Pt 4, 31.55 acres, also known as area behind 221 W. Sage Road from R1-Single Family to AG-Agriculture District, applicant Victoria Avalos;

Mayor Fugate asked for a second to Commissioner Pecos motion. No second motion was made at this time. Mayor Fugate again asked if there was a second to the motion, no second motion was made at this time. Mayor Fugate again asked if there was second to the motion, still no second. Fugate again asked for a second to the motion, no second. Fugate announced that motion "DIES" to a lack of a second.

This items "DIES" due to a lack of a second.

9. Consider awarding RFA #17-12 for Depository Services and authorizing staff to negotiate a contract, as per staff recommendation. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager, reported that this item authorizes the City to enter into negotiations with Kleberg Bank. The services are for Depository Services Contract. Request for Applications for Proposal #17-12, was published in the Kingsville Record on July 22, 2017 and July 29, 2017. Request for Applications were accepted until 2:00 P.M. on July 8, 2017. One proposal was received which was from Kleberg Bank. Staff reviewed RFA #17-12 and found the information received to be responsive. It is recommended that the City contracts with Kleberg Bank, 100 E. Kleberg Ave., Kingsville, TX, for depository services. Kleberg Bank can meet and exceed the City's financial needs.

Motion made by Commissioner Pena to approve he award of RFA #17-12 for Depository Services and authorizing staff to negotiate a contract with Kleberg Bank, 100 E. Kleberg Ave., Kingsville, TX, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "FOR".

10. Consider resolution authorizing the City Manager to enter into a Contract for Professional Services with Hardy-Heck-Moore, Inc. for a National Register of Historic Places Nomination. (Downtown Manager).

Mrs. Cynthia Martin Downtown Manager, reported that during a meeting on July 10, 2017, City Commission voted to award RFP #17-16 for a consultant for the National Register of Historic Places Nomination for Kingsville's Downtown Historic District to Hardy, Heck, Moore, Inc. The budgetary impact for this project is not to exceed \$15,000.

Motion made by Commissioner Pecos to approve the resolution authorizing the City Manager to enter into a Contract for Professional Services with Hardy-Heck-Moore, Inc. for a National Register of Historic Places Nomination, seconded by Commissioner Pena. The motion was passed and approved by the following vote: Lopez, Pena, Pecos, Garcia, Fugate voting "FOR".

11. Consider resolution authorizing the Chief of Police to enter into a Memorandum of Understanding with FEMA for Access to IPAWS-Open. (Chief of Police).

Ricardo Torres, Chief of Police, reported that this is a request for approval to allow the City Manager to enter into an MOA with FEMA to issue public alerts via IPAWS-OPEN. This is the 3rd step in becoming an authorized Alerting Authority. The Kingsville Police Department has been utilizing Nixle services over the course of several years. To fully leverage the capabilities of the system, the purchase of additional capabilities to include a tool that will allow to push notifications via the Integrated Public Alert and Agency Warning System. The City will have no financial impact. Costs of Nixle has been covered.

Motion made by Commissioner Garcia to approve this resolution authorizing the Chief of Police to enter into a Memorandum of Understanding with FEMA for Access to IPAWS-Open, seconded by Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

12. Consider a resolution authorizing the City Manager to execute an Interlocal Agreement for E9-1-1 Public Safety Answering Point Services between the City of Kingsville and the Coastal Bend Council of Governments. (Chief of Police).

Chief Torres stated that the Council of Governments regional planning commissions are required to execute a Contract for 9-1-1 Services with the Commission on State Emergency Communications every two years in order to continue providing emergency communications services in this region. The City Commission previously approved resolutions in the past, therefore, the proposed agreement has not changed from the one the City Commission approved in 2015.

Motion made by Commissioner Garcia to approve this resolution authorizing the City Manager to execute an Interlocal Agreement for E9-1-1 Public Safety Answering Point Services between the City of Kingsville and the Coastal Bend Council of Governments, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Pecos, Garcia, Lopez, Pena, Fugate voting "FOR".

13. Consider a resolution authorizing the City to submit an application to the Office of the Governor, Criminal Justice Division for the purpose of requesting Rifle-Resistant Body Armor Grant Program funding for equipment for law enforcement personnel of the Kingsville Police Department with no anticipated cash match. (Chief of Police).

Chief Torres stated that this resolution will designate the City Manager as the grantee's Authorized Official to allow his designee, the Chief of Police to apply for, accept, reject, alter, or terminate the grant on behalf of the application agency for the Rifle Resistant Body Armor Grant thru the Office of the Governor Criminal Justice Division.

Motion made by Commissioner Garcia to approve this resolution authorizing the City to submit an application to the Office of the Governor, Criminal Justice Division for the purpose of requesting Rifle-Resistant Body Armor Grant Program funding for equipment for law enforcement personnel of the Kingsville Police Department with no anticipated cash match, seconded by Commissioner Pecos and Commissioner Lopez. The motion was passed and approved by the following vote: Garcia, Lopez, Pena, Pecos, Fugate voting "For".

14. Consider a resolution authorizing the City Manager to apply to the Texas Facilities Commission for eligibility to receive Federal Surplus Property. (Chief of Police).

Chief Torres stated that this item is to allow an application to the Texas Facilities Commission Federal Surplus Property Program by the City Manager as the Authorized Official to execute legal documents for the application.

Motion made by Commissioner Pena to approve this resolution authorizing the City Manager to apply to the Texas Facilities Commission for eligibility to receive Federal Surplus Property, 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 a Memorandum of Understanding between the City of Kingsville and Texas A&M University-Kingsville for student internships. (City Manager).**

Motion made by Commissioner Garcia to approve this resolution authorizing the City Manager to enter into a Memorandum of Understanding between the City of Kingsville and Texas A&M University-Kingsville for student internships, seconded by Commissioner Lopez and Commissioner Pecos. The motion was passed and approved by the following vote: Pena, Pecos, Garcia, Lopez, Fugate voting "FOR".

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 7:35 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

2017 Governing Body Summary #1A*

Benchmark 2017 Tax Rates

CITY OF KINGSVILLE

Date: 08/07/2017 11:08 AM

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY**	ADDITIONAL TAX LEVY
Effective Tax Rate	\$0.84299	\$6,895,593	
One Percent \$100 Tax Increase***	\$0.85142	\$6,964,549	\$68,956
One Cent per \$100 Tax Increase***	\$0.852990	\$6,977,392	\$81,799
Notice & Hearing Limit****	\$0.84299	\$6,895,593	\$0
Rollback Tax Rate	\$0.88682	\$7,254,119	\$358,526
Last Year's Tax Rate	\$0.842200	\$6,889,130	\$-6,463
Proposed Tax Rate	\$0.88681	\$7,254,037	\$358,444

*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

**Tax levies are calculated using line 19 of the Effective Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

***Tax increase compared to effective tax rate.

****The Notice and Hearing Limit is the highest tax rate that may be adopted without notices and a public hearing. It is the lower of the rollback tax rate or the effective tax rate.

NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF KINGSVILLE

A tax rate of \$0.88681 per \$100 valuation has been proposed for adoption by the governing body of CITY OF KINGSVILLE. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of CITY OF KINGSVILLE proposes to use revenue attributable to the tax rate increase for the purpose of quality of life improvements, which include increase to the Fire Department Personnel and increased focus on the maintenance of our City Parks.

PROPOSED TAX RATE	\$0.88681 per \$100
PRECEDING YEAR'S TAX RATE	\$0.84220 per \$100
EFFECTIVE TAX RATE	\$0.84299 per \$100
ROLLBACK TAX RATE	\$0.88682 per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for CITY OF KINGSVILLE from the same properties in both the 2016 tax year and the 2017 tax year.

The rollback tax rate is the highest tax rate that CITY OF KINGSVILLE may adopt before voters are entitled to petition for an election to limit the rate that may be approved to the rollback rate.

**YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS
FOLLOWS:**

$$\text{property tax amount} = (\text{rate}) \times (\text{taxable value of your property}) / 100$$

For assistance or detailed information about tax calculations, please contact:

MELISSA T. DE LA GARZA, PCC
KLEBERG COUNTY TAX ASSESSOR-COLLECTOR
700 E. Kleberg, Kingsville TX 78363
361-595-8542
mtdelagarza@co.kleberg.tx.us
www.co.kleberg.tx.us

You are urged to attend and express your views at the following public hearings on the proposed tax rate:

First Hearing: August 28, 2017 at 6:00 PM at the Helen Kleberg Groves Community Room, City Hall, 400 W. King, Kingsville, TX.

Second Hearing: September 5, 2017 at 6:00 PM at the Helen Kleberg Groves Community Room, City Hall, 400 W. King, Kingsville, TX.

2017 Planning Calendar

CITY OF KINGSVILLE

Date: 08/07/2017 11:08 AM

Date	Activity
April-May	Mailing of notices of appraised value by chief appraiser.
April 30*	The chief appraiser prepares and certifies to the tax assessor for each county, municipality, and school district participating in the appraisal district an estimate of the taxable value.
May 15*	Deadline for submitting appraisal records to ARB.
July 20 (Aug. 30)	Deadline for ARB to approve appraisal records.
July 25	Deadline for chief appraiser to certify rolls to taxing units.
July 18, 2017	Certification of anticipated collection rate by collector.
August 1, 2017	Calculation of effective and rollback tax rates.
August 14, 2017	Submission of effective and rollback tax rates to governing body.
August 11, 2017	72-hour notice for meeting (<i>Open Meetings Notice</i>).
August 14, 2017	Meeting of governing body to discuss tax rate; if proposed rate tax rate will exceed the rollback rate or the effective tax rate (whichever is lower), take record vote and schedule public hearing.
August 20, 2017	Publish the Notice of Property Tax Rates by September 1 or the 30th day after the first date that the taxing unit has received each applicable certified appraisal roll. Notice must also be posted on the municipality's website.
August 25, 2017	72-hour notice for public hearing (<i>Open Meetings Notice</i>)
August 28, 2017	Public hearing.
September 1, 2017	72-hour notice for second public hearing (<i>Open Meetings Notice</i>)
September 5, 2017	Second public hearing (may not be earlier than 3 days after first public hearing); schedule and announce meeting to adopt tax rate 3-14 days from this date.
September 8, 2017	72-hour notice for meeting at which governing body will adopt tax rate (<i>Open Meetings Notice</i>)
September 11, 2017	Meeting to adopt tax rate. Meeting is 3 to 14 days after second public hearing. Taxing unit must adopt tax rate by Sept. 30 or 60 days after receiving certified appraisal roll, whichever is later.

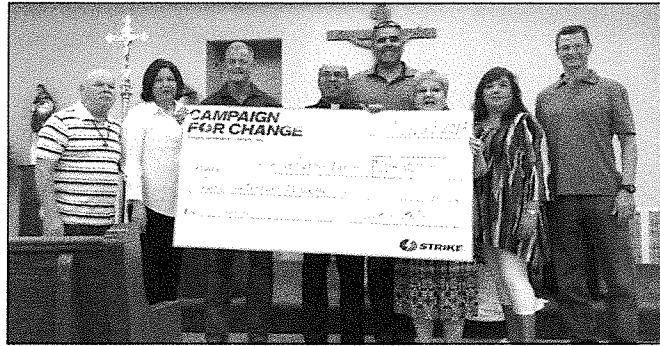
*Tax Code Section 81.06 directs that if a date falls on a weekend, the deadline is extended to the following regular business day

TAX RATE PUBLIC HEARING STATEMENT

The second public hearing on the tax rate will take place on September 5, 2017 at a Special City Commission meeting at 6:00 p.m. in the Helen Kleberg Groves Community Room here at City Hall, 400 W. King Ave., Kingsville, Texas.

The vote to adopt the City of Kingsville's 2017-2018 fiscal year tax rate will take place on September 11, 2017 at a City Commission meeting at 6:00 p.m. in the Helen Kleberg Groves Community Room here at City Hall, 400 W. King Ave., Kingsville, Texas.

Strike LLC donates to Sacred Heart Catholic Church



Sacred Heart Catholic Church in Riviera recently received a \$24,100 donation from Strike LLC, a Texas-based oil and gas pipeline company which operates in the area. The donation was part of Strike's Campaign for Change initiative which supports community advocacy, volunteerism and charitable giving in South Texas. The money donated to the Sacred Heart Catholic Church will be used to purchase new pews, officials said. (Submitted photo)

HEB Curbside service in works

By Tim Acosta
Managing Editor

Kingsville H-E-B shoppers could soon be able to get their groceries to go thanks to the possible construction of a H-E-B Curbside annex.

Manny Salazar, executive director of the Greater Kingsville Economic Development Council, said in a prepared statement on Wednesday that H-E-B had applied for a building permit to construct a curbside building in front of the store's northside entrance. Salazar said Kingsville would have one of 40 stores in the state of Texas with curbside service.

"We are absolutely thrilled that H-E-B is rolling the curbside program out in Kingsville," Salazar said. "I think that residents of Kingsville will take advantage of the opportunity to streamline the process of buying groceries."

H-E-B's Curbside program allows customers to select their groceries online and schedule a pick-up time. According to H-E-B's website, the curbside service carries a \$4.95 personal shopper fee, and orders can be ready by the end of the day it is scheduled or early the next morning, depending on when those orders are

placed.

The service is available at H-E-B stores in Austin, Houston, New Braunfels, San Antonio and Corpus Christi, to name a few, according to H-E-B's website.

"This is another example of businesses seeing the potential that Kingsville has and working to capitalize on that potential," Salazar said.

H-E-B's permit request to construct the curbside building at its Kingsville location must still be approved by the city's Historic Downtown Board, and is still in the review process.

The Greater Kingsville Economic Development Council has been working with city officials to attract new retail businesses and restaurants to the area. This has resulted in the opening of a new Hobby Lobby in Kingsville earlier this year, and the pending construction of Chicken Express and Taco Palenque restaurants.

Officials have said they hope new businesses will provide new options to residents, while also creating job opportunities and generating additional revenue for local governments to improve services offered to residents.

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

LIVE Every Monday Night!
Javelina Football Coaches Show
Coaches and guests do live interviews on Radio 105.5
Javelina Happy Hour starts at 5:00pm
Green Jay 200 E. Yoakum Kingsville (361) 221-2936
BAR & GRILL

RIO 7 CINEMAS Kingsville Show Times
SATURDAY, AUGUST 19 — SUNDAY, AUGUST 20
Annabelle Creation (R) 12:30pm - 3:30pm - 6:30pm - 9:30pm
Dark Tower (PG-13) 12:15pm - 3:15pm - 6:15pm - 9:15pm
Dunkirk (PG-13) 12:20pm - 3:20pm - 6:20pm - 9:20pm
Emoji Movie (PG) 12:25pm - 3:25pm - 6:25pm - 9:25pm
Girls Trip (R) 12:05pm - 3:05pm - 6:05pm - 9:05pm
Hitman's Bodyguard (R) 12:00pm - 3:00pm - 6:00pm - 9:00pm
Nutmeg 2 Nutty By Nature (PG) 12:10pm - 3:10pm - 6:10pm - 9:10pm
MONDAY, AUGUST 21 — THURSDAY, AUGUST 24
Annabelle Creation (R) 3:30pm - 6:30pm - 9:30pm
Dark Tower (PG-13) 3:15pm - 6:15pm - 9:15pm
Dunkirk (PG-13) 3:20pm - 6:20pm - 9:20pm
Emoji Movie (PG) 3:25pm - 6:25pm - 9:25pm
Girls Trip (R) 3:05pm - 6:05pm - 9:05pm
Hitman's Bodyguard (R) 3:00pm - 6:00pm - 9:00pm
Nutmeg 2 Nutty By Nature (PG) 3:10pm - 6:10pm - 9:10pm

NOTICE OF 2017 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF KINGSVILLE

A tax rate of \$0.88681 per \$100 valuation has been proposed for adoption by the governing body of CITY OF KINGSVILLE. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.

The governing body of CITY OF KINGSVILLE proposes to use revenue attributable to the tax rate increase for the purpose of quality of life improvements, which include increase to the Fire Department Personnel and increased focus on the maintenance of our City Parks.

PROPOSED TAX RATE	\$0.88681 per \$100
PRECEDING YEAR'S TAX RATE	\$0.84220 per \$100
EFFECTIVE TAX RATE	\$0.84299 per \$100
ROLLBACK TAX RATE	\$0.88682 per \$100

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MELISSA T. DE LA GARZA, PCC
KLEBERG COUNTY TAX ASSESSOR-COLLECTOR
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Second Hearing: September 5, 2017 at 6:00 PM at the Helen Kleberg Groves Community Room, City Hall, 400 W. King, Kingsville, TX.

WHAT'S FOR LUNCH
Come join us today for this week's specials!

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DAILY LUNCH SPECIALS
Thursday Special
Chicken Fried Steak or Abuja Plate
HAPPY HOUR
2:00pm - 6:00pm
704 N. 14th Street • (361) 516-1459

EL DORADO RESTAURANT
1415 N. 14th Street, Kingsville
(361) 592-7622

NEW DAILY LUNCH SPECIALS
Complimentary soup of the day with purchase of meal.
Breakfast served all day
CONFERENCE ROOM AVAILABLE

YOUNG'S PIZZA

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625 W. Santa Gertrudis
(361) 692-9179

LOS CAROS
1920 E. KING AVE. • 595-0880
WELCOME BACK STUDENTS!

DAILY LUNCH SPECIAL
6:30am - 2pm
\$6.99

Happy Hour
3pm - 7pm
Margaritas \$1.00

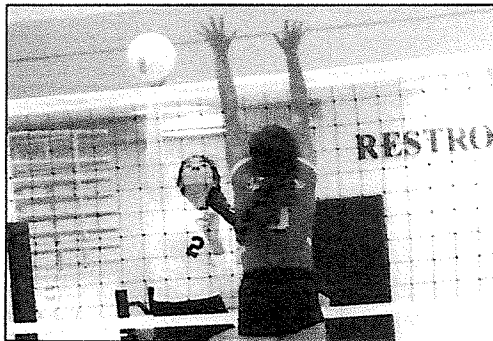
TO ADVERTISE YOUR DELICIOUS LUNCH SPECIALS

CALL TRACY PEÑA AT 221-0245

Thanks for Supporting Our Local Restaurants!

PUBLIC HEARING #2

Slow starts do in Lady Brahmas



By Jaime Gonzalez
Sports Editor

The H.M. King Lady Brahma volleyball squad was unable to overcome slow starts against San Diego on Tuesday, falling 25-19, 21-25, 25-22 and 25-12 in the match.

San Diego scored at least the first two points of every game, and the first four points in three of them.

In the first game, San Diego led by as much as eight points at 11-3, but the Lady Brahmas rallied to get within three after a 10-5 run.

However, a San Diego timeout killed the H.M. King momentum and the Lady Vaqueros took the game for a 1-0 lead in the match.

In the second game, the Lady Brahmas were able to overcome an early deficit, and after the game was tied 5-5, never trailed in tying the match up at a game a piece.

Game three started out in similar fashion as game two, with H.M. King overcoming an early deficit to tie the match at 4-4.

However, this time it was San Diego who broke the tie and never trailed in taking a two games to one lead.

The Lady Brahmas got within two late at 21-19 on a Kim Ignatiades kill, but San Diego was able to close out the game.

San Diego closed out the match with a series of strong runs in the fourth game.

They had at least three runs with a minimum of five straight points to seal the victory.

Ignatiades led the team with nine kills in the match, with Taylor Damron right behind her with eight.

Ignatiades also led the team in assists with six, with Maranda Theiss following with five.

Six different players recorded aces for H.M.

King, including Evelyn Diaz with two.

Taylor Damron and Milan Navarro each had a block for the Lady Brahmas.

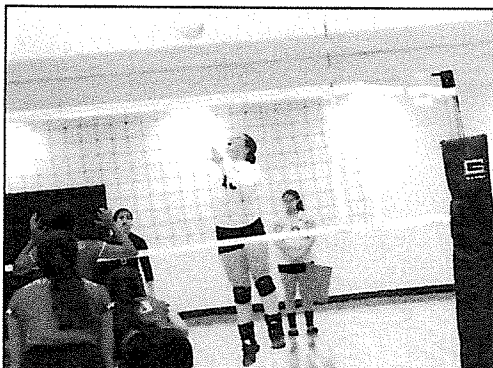
H.M. King will host the Freer Lady Bucks on Tuesday.

The freshman team plays at 5 p.m., the junior varsity at 6 p.m., and the varsity at 7 p.m.

Jaime Gonzalez can be contacted at jgonzalez@kingranch.com or (361) 221-0246.

San Diego 25 21 25 25-3
H.M. King 19 25 22 12-1

Kills - Dari Alaniz 1, Taylor Damron 8, Kim Ignatiades 9, Maranda Theiss 4, Carina Zepeda 1
Assists - Alaniz 1, Island Blanche 1, Julia Garcia 1, Ignatiades 6, Navarro 2, Theiss 4, Zepeda 1
Aces - Alaniz 1, Blanche 1, Diaz 2, Ignatiades 1, Theiss 1, Zepeda 1
Blocks - Damron 1, Navarro 1



At top, Dari Alaniz attacks for H.M. King against San Diego on Tuesday. Above, Kim Ignatiades attacks for the Lady Brahmas. Ignatiades led the team in kills and assists in the match. (Photos by Jaime Gonzalez)

NOTICE OF PUBLIC HEARING ON BUDGET

Notice is hereby given that a Public Hearing on the proposed City of Kingsville Budget for Fiscal Year 2017-2018 will be held on Tuesday, September 5, 2017 at 6:00 P.M. at the Helen Kleberg Groves Community Room, City Hall, 400 West King, Kingsville, Texas.

This budget will raise more total property taxes than last year's budget by \$596,817 or 8.96%, and of that amount \$262,087 is tax revenue to be raised from new property added to the tax roll this year.

A copy of the proposed budget is on file in the offices of the City of Kingsville City Secretary and the Director of Finance and on the City's website (www.cityofkingsville.com) since August 11, 2017, for the public to review. All interested citizens will have the opportunity to give written and oral comments at the Public Hearing.

**Make sure your child starts
the new school year off right
with a sparkling smile!**

In the month of August, we are offering a great back-to-school special for all new patients at Lawhon Dental.*

Receive a comprehensive exam, all necessary x-rays, professional cleaning, fluoride and orthodontic evaluation, all for only:

\$99 for 12 and under

\$125 ages 13-17

Go back to school with a fabulous smile!

Call us today to schedule your child's appointment and be sure to mention this limited offer.

www.LawhonDental.com

Financing Options Available

We are in network with AETNA, CIGNA, METLIFE and DELTA DENTAL

Sedation dentistry also available

*New patients only; available to children under 17 years of age. **Insurance claims will be filed for patients with dental benefits. Patient will be responsible for difference.

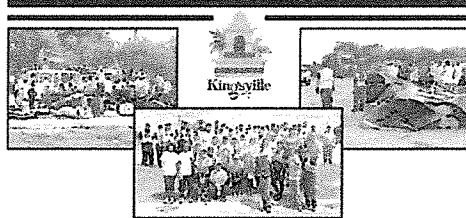
Dr. Tanya P. Lawhon, DDS

General Dentistry

312 South Ave. B

Bishop, Texas 78343

(361) 584-2217



City of Kingsville

TRASH OFF DAY

Saturday, September 16, 2017

8:30 a.m. - 12:00 p.m.

*** Weather Permitting ***

The City of Kingsville will be hosting a Trash-Off Day. Citizens can dump their trash for **FREE!**

Located at 6th Street and East Ave. B. Two blocks North of Kleberg Elementary School. You must provide proof of residency and a utility bill.

NO CONTRACTORS! RESIDENTS ONLY!

We WILL Accept:

• Brush • Furniture • Appliances

• Tires (8 per vehicle)

ONLY standard automobile tires, no larger than 20 inch.

We WILL NOT Accept:

• Hazardous Waste • Concrete

• Household Garbage

• Roofing Scraps and Shingles

• No tractor or semi-truck tires



Contact Community Appearance
for more information (361) 595-8093

REGULAR AGENDA

AGENDA ITEM #1

AGENDA ITEM #2

ORDINANCE NO. 2017-_____

AN ORDINANCE ADOPTING THE CITY MANAGER'S BUDGET, AS AMENDED, OF THE CITY OF KINGSVILLE, TEXAS, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2017 AND ENDING SEPTEMBER 30, 2018 IN THE PARTICULARS HEREINAFTER STATED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the budget for FY 2017-2018 is adopted as follows:

Section One: The official budget for the City of Kingsville for the fiscal year beginning October 01, 2017 and ending September 30, 2018 has been presented to the City Commission by the City Manager, several budget workshops were conducted on such budget, along with a duly noticed public hearing, and the budget is hereby approved.

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

Section Three: The sum of \$45,992,448.29 is hereby appropriated for the budget revenues and expenses in the amounts shown on the attached Condensed Statement of all Operating and General Obligation Debt Service Funds – Summary of Revenues and Expenditures. The General Obligation Debt Service principle is \$1,175,000 and interest is \$336,565.

Section Four: The budget and all the attached support material as outlined in the above sections shall be deemed the official budget for the City of Kingsville, Texas, for the fiscal year starting October 01, 2017 and ending September 30, 2018. A copy of the official budget shall be kept by the City Secretary with the designation thereon as the official budget for FY 2017-2018, with the date of the adoption clearly stated, and filed with the County Clerk's Office. The official budget shall be available for inspection by any taxpayer.

Section Five: The City Commission is authorized to levy taxes in accordance with this budget. The City Commission may authorize the expenditure of City funds only in strict compliance with the budget, except in an emergency. The City Commission may authorize an emergency expenditure as an amendment to the original budget only in case of grave public necessity to meet an unusual and unforeseen condition that could not have been included in the original budget through the use of reasonably diligent care and attention. If the City Commission amends the original official budget to meet an emergency, the City Commission shall file a copy of its ordinance amending the budget with the City Secretary, and the City Secretary shall attach it to the original budget. The

City Manager shall provide for the filing of true copy of the approved budget in the office of the County Clerk of Kleberg County. The City Commission reserves the right to make changes in the official budget for municipal purposes.

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

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

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

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

INTRODUCED on this the 5th day of September, 2017.

PASSED on this the 11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #3

ORDINANCE NO. 2017-_____

AN ORDINANCE ESTABLISHING AND ADOPTING THE AD VALOREM TAX RATE FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF KINGSVILLE, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 01, 2017 AND ENDING SEPTEMBER 30, 2018, DISTRIBUTING THE TAX LEVY AMONG THE VARIOUS FUNDS, AND PROVIDING FOR A LIEN ON REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES ASSESSED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, that the ad valorem tax rate for all taxable property within the city limits of Kingsville, Texas for FY 2017-2018 be established and adopted as follows:

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

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.58 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$29.67.

The tax rate will effectively be raised by 3.58 percent and will raise taxes on a \$100,000 home by approximately \$ 29.67.

Section Two: That there be and there is hereby levied and ordered collected on each One Hundred Dollar (\$100) valuation of all taxable property, real, personal, and mixed, within the corporate limits of the City of Kingsville, Texas, for the tax corporate limits of the City of Kingsville, Texas, for the tax year 2017 starting October 01, 2017 and ending September 30, 2018, the sum of \$.84220 based on 100% of the fair market value.

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

FOR GENERAL FUND EXPENDITURES (Maintenance & Operations), the sum of \$.69055 on each one hundred dollars (\$100.00) assessed valuation of such property.

FOR DEBT SERVICE FUND EXPENDITURES of annual principal, interest, and service fees of all General Obligation Bonds, Warrants, Certificates of Obligation, and Combination Tax and Junior Lien Revenue Certificates of Obligations, of the City of Kingsville, the sum of \$.15165 on each one hundred dollars (\$100) assessed valuation of such property.

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

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

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

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

Section Eight: That no discounts or split payments are allowed for the 2017 tax year.

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

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

INTRODUCED on this the 5th day of September, 2017.

PASSED on this the 11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

EFFECTIVE DATE: _____

AGENDA ITEM #4

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners
CC: Jesus A. Garza, City Manager
FROM: Deborah Balli, Director of Finance
DATE: August 31, 2017
SUBJECT: Storm water rate increase

Summary:

This request is to add the first reading of the storm water rate increase to the City Commission meeting scheduled for September 5, 2017.

Background:

The storm water fee of \$1.25 per ERU (Equivalent Residential Unit) was adopted in FY 2013. City staff is proposing to increase this fee to \$2.25 per ERU.

Financial Impact:

This rate increase is estimated to increase revenue by \$180,000 for the year.

Recommendation:

Staff recommends increasing the Storm water fee to \$2.25 per ERU.



ORDINANCE NO. 2017-51

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF KINGSVILLE, TEXAS BY AMENDING CHAPTER V PUBLIC WORKS, ARTICLE 6 "STORMWATER UTILITY SYSTEM", SECTION 21 FEE CALCULATION, TO INCREASE THE MONTHLY STORMWATER UTILITY FEES FOR THE PURPOSE OF FUNDING THE STORMWATER UTILITY SYSTEM; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Kingsville, Texas ("City Commission") has adopted Ordinance No. 2012-48, to create a Stormwater Utility System and provide stormwater drainage service to collect and direct stormwater runoff for benefitted properties within the utility service area upon payment of Stormwater Drainage Utility Fees; and

WHEREAS, the City Commission, after holding a public hearing and finding that the fees are non-discriminatory, reasonable, and equitable, adopted Ordinance No. 2012-51 to levy a schedule of Stormwater Utility Fees for stormwater service; and

WHEREAS, the engineer's proposed schedule called for periodic increases to the Stormwater Utility Fee which have not been previously done; and

WHEREAS, in setting the schedule of Stormwater Utility Fees, the fees are based on an inventory of improved parcels within the utility service area.

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

SECTION 1: The City Commission hereby establishes amended Stormwater Utility Fees as set forth herein. Stormwater Utility Fees shall be levied against all benefitted properties within the utility service area unless exempt under Chapter V, Article 6, Section 11. These fees shall be imposed and issued with utility billing statements issued on and after October 1, 2017.

SECTION 2: The Code of Ordinances of the City of Kingsville, Texas section 5-6-21 to Chapter V, Article 6 "Stormwater Utility Fees" is hereby amended to read as follows:

ARTICLE II. STORMWATER UTILITY FEES

Sec. 5-6-20. Applicability.

A Stormwater Utility Fee shall be levied against all benefitted property within the utility service area unless exempt under Section 5-6-11.

Sec.5-6-21. Fee Calculation.

- (a) *Stormwater Utility Fee Calculation.* Stormwater Utility Fees shall be calculated based on the total stormwater runoff potential for benefitted properties for all customers within the utility service area. The total stormwater runoff potential shall be measured as impervious cover in square feet (SF).
- (b) *Stormwater Utility Fee.* The total stormwater runoff potential for the service area shall be allocated between the customer classes based on the relative amount of impervious area in each class established in Section 5-6-6. The monthly Stormwater Utility Fee is based on the average impervious area for an ERU, which is Two Thousand Four Hundred Twenty Five Square Feet (2,425.0 SF).
- 1) *Residential Property Class.* The monthly Stormwater Utility Fees for each residential property as defined in Section 5-6-4, shall be either a flat-rate fee per singly-family equivalent residential unit (ERU) or a flat-rate fee per dwelling unit on a residential parcel.
 - 2) *Non-Residential Property Class.* The monthly Stormwater Utility Fees for each improved non-residential property or allocated portion of an improved non-residential property shall be equal to: Impervious Area in square feet divided by 2,425.0 square feet for the ERU time the applicable flat-rate ERU fee.
 - 3) *Minimum Monthly Stormwater Utility Fee.* The minimum Stormwater Utility Fee for all customer classes shall be the fee for one ERU.
- (c) *Revision of Fees or Rates.* The Stormwater Utility Fee or the stormwater utility rate may be revised by the City Commission through an ordinance from time to time as permitted by the Article and the Act.
- (d) *Applicable Stormwater Utility Fee.* The applicable Stormwater Utility Fee is \$2.25 ~~\$1.25~~/ERU/month.
-

SECTION 3: It is found and determined by the City Commission that the fees established by this Ordinance are non-discriminatory, reasonable, and equitable, and that the fees are based upon an inventory of improved parcels within the utility service area.

SECTION 2: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a Court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are specifically repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval.

INTROUCED on this the 5th day of September, 2017.

PASSED AND APPROVED by the City Commission on this the 11th day of September, 2017.

Effective: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #5

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Jesús A. Garza, City Manager

FROM: Diana Gonzales, Human Resource Director

DATE: August 31, 2017

SUBJECT: Fire Department – Number of Classified Positions

Summary: Increase the number of Fire Department positions in the classified service from 32 to 33 eligible positions.

CLASSIFICATION	NUMBER OF AUTHORIZED POSITIONS
Fire Chief	1
Captains	3
Lieutenants	3
Engineers	6
Fire Fighters	18 <u>19</u>
Fire Marshal	1

Background: Texas Local Government Code § 143.021 *Classification; Examination Requirement*

- (a) The commission shall provide for the classification of all fire fighters and police officers. The municipality's governing body shall establish the classifications by ordinance. The governing body by ordinance shall prescribe the number of positions in each classification.

Financial Impact: The financial impact is approximately \$74,500 including benefits. This amount is incorporated in the FY 2017-2018 budget proposed for the City of Kingsville.

Recommendation: Update the ordinance to increase the number of classified position in the Fire Department to correspond with the FY 2017-2018 proposed budget.



ORDINANCE NO. 2017-_____

AN ORDINANCE RATIFYING CLASSIFICATIONS AND PRESCRIBING THE NUMBER OF POSITIONS IN SUCH CLASSIFICATIONS FOR THE CLASSIFIED SERVICE IN THE FIRE DEPARTMENT BY ADDING ONE NEW FIRE FIGHTER POSITION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, CODIFICATION INSTRUCTIONS, AND AN EFFECTIVE DATE.

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

WHEREAS, the City is adding one Fire Fighter position in Fiscal Year 2017-2018 due to the need for additional manpower;

WHEREAS, the expenses related to this additional position are incorporated in the proposed FY17-18 budget for the City of Kingsville;

WHEREAS, the classified positions in the Fire Department are set by City Commission.

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

I.

THAT one position of Fire Fighter is hereby added to the Kingsville Fire Department beginning in Fiscal Year 2017-2018.

II.

THAT in accordance with section 143.021, Texas Local Government Code, the City Commission ratifies the following previously established classifications and hereby prescribes the number of positions in each classification by Ordinance duly passed, to wit:

<u>CLASSIFICATION</u>	<u>NUMBER OF POSITIONS</u>
Fire Chief	1
Captains	3
Lieutenants	3
Engineers	6
Fire Fighters	18 19
Fire Marshall	1

III.

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

IV.

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.

V.

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

INTRODUCED on this the 5th day of September, 2017.

PASSED AND APPROVED on this the 11th day of September, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

Approved As to Form:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

City of Kingsville Fire Department

TO: Mayor and City Commissioners

CC: Jesus A. Garza, City Manager

FROM: Adrian Garcia, Fire Chief / EMC

DATE: September 5, 2017

SUBJECT: DoD Firefighting Property Program – High Profile Water Vehicle

Summary:

The Kingsville Fire Department is requesting approval to accept and take possession of a DoD Military Vehicle to be utilized as a High Profile Water Vehicle (HPWV) and Brush Truck. This vehicle will be an addition to the Fire Department fleet and will enhance our water rescue and evacuation capabilities during severe weather operations.

Background:

An Emergency Management Threat Assessment identified flooding as a primary relative threat for the City of Kingsville and was also noted during the May 31, 2016 severe weather event. The vehicle will be is being made available through the Texas A&M Forest Service Firefighting Property Program, which allows used military equipment to be used by local fire departments for the purposes of suppressing wildland fires, structure fires, and other emergencies such as rescuing or evacuating flood prone victims. In addition, the vehicle can be used as an additional brush vehicle enhancing our wildland firefighting capabilities.

Lastly, if approved to accept the vehicle, we will be taking into possession a 1998 Stewart Stevenson M1078 Truck, Cargo 2.5 Ton 4x4 vehicle. By doing so, we will be responsible to insure, paint, and make the vehicle operations for its intended use within 6 months, to meet the requirements of the cooperative agreement.

Financial Impact:

If the vehicle is accepted, we are estimating approximately \$2,300.00 to meet the minimum requirements of the agreement. Funds will be available within the FY2018 budget to meet the minimum operational requirements of the agreement.



City of Kingsville Fire Department

Recommendation:

The following request of accepting this vehicle is in support the goals set by the Kingsville Fire Department to insure the safety and continued operational effectiveness of our department. Our recommendation is that the Commission approve the request to accept the vehicle from the TFS FFP Program.



RESOLUTION # 2017-____

A RESOLUTION AUTHORIZING THE FIRE CHIEF TO ENTER INTO A COOPERATIVE AGREEMENT BETWEEN THE TEXAS A&M FOREST SERVICE AND THE CITY OF KINGSVILLE FIRE DEPARTMENT FOR DEPARTMENT OF DEFENSE FIREFIGHTING PROPERTY PROGRAM EQUIPMENT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") is continually looking for ways to maximize resources for the benefits of its citizens and the Texas A&M System's Texas A&M Forest Service participates in a Department of Defense Firefighting Property Program whereby the City could apply for and receive pre-owned firefighting equipment (vehicles) at minimal expense to the City; and

WHEREAS, pursuant to the provisions of the Texas Government Code Chapter 791 (Interlocal Cooperation Act), a local governmental body may contract or agree with one or more local government bodies for the performance of governmental functions in which the contracting parties are mutually interested; and

WHEREAS, under Section 791.011 of the Government Code, a party to an interlocal contract (like the City) may contract with a state agency, as that term is defined by Section 771.002 (which includes universities)

WHEREAS, under Section 791.003 of the Government Code "fire protection" is a governmental function and service, so that the City could contract with the Texas A&M Forest Service for fire protection equipment; and

WHEREAS, the parties desire to use the firefighting equipment to improve the health, safety, and quality of life of the residents of the City and this state.

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

I.

THAT the Fire Chief is authorized and directed as an act of the City of Kingsville, Texas to enter into a Cooperative Agreement Between the Texas A&M Forest Service and the Kingsville Fire Department for the Department of Defense Firefighting Property Program in accordance with Exhibit A hereto attached and made a part hereof.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the
____ 5th day of ____ September __, 2017.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

FOR REVIEW ONLY

Revised 4/01/2014

CASE# _____



This copy of the Cooperative Agreement is for review purposes only. Please read over the agreement. If your department is offered and accepts the offered FFP item formal copies of the Cooperative Agreement will be provided to you for signature.

This copy of the Cooperative Agreement is for review purposes only. Please read over the agreement. If your department is offered and accepts the offered FFP item formal copies of the Cooperative Agreement will be provided to you for signature.

**COOPERATIVE AGREEMENT
DEPARTMENT OF DEFENSE
FIREFIGHTING PROPERTY PROGRAM**

This agreement, by and between the Texas A&M Forest Service, a member of The Texas A&M University System, an agency of the State of Texas, herein referred to as the "**Service**" and FOR REVIEW ONLY, herein referred to as the "**Cooperator**", acknowledges that the prevention and suppression of natural cover fires threatening forest and range lands, human lives, structural improvements, and all other rural values is of mutual concern to both parties. For this reason, the **Service** will provide to the **Cooperator** certain Department of Defense (DOD) equipment and vehicles as authorized by 10 U.S.C. 2576b, and named the DOD Firefighting Property Program (FFP).

I. The Service Agrees:

1. To make available certain DOD vehicles and equipment to be used in the suppression of natural cover fires, structural fires, and other emergency services provided by the **Cooperator**. The equipment made available to the **Cooperator** will be documented on the DOD-FFP Equipment Listing, signed by both parties, and included as an attachment to this agreement.
2. To facilitate the transfer of the title of ownership of equipment identified in the attached DOD-FFP Equipment Listing to the **Cooperator** once all stipulations in this agreement have been complied with by the **Cooperator**.
3. To transport assigned property at no cost to the **Cooperator** at the convenience of the **Service**. The **Cooperator** may retrieve assigned property from the **Service** as long as the assigned property is not operated under its own power.

II. The Cooperator Agrees:

1. To place the equipment acquired under this Agreement into operational condition and use as outlined herein.

FOR REVIEW ONLY

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- a. The **Cooperator** will notify the **Service** when the equipment is in operational condition so that an inspection of the equipment can be made.
 - b. Operational condition of the equipment must be achieved within 180 days of its acquisition from the **Service**. The **Service** may extend this time frame upon written request of the **Cooperator**. An extension may not exceed 90 days.
 - c. If equipment acquired through this agreement is not in operational condition after such an extension, this agreement will become null and void and the **Cooperator** will be expected to return the equipment to the **Service**. If the equipment is not returned within 30-days from the expiration of the extension, the **Service** will recover the equipment. If the **Service** performs the recovery of the equipment the **Cooperator** will be placed on vendor hold for not less than 180-days from the date of declared non-compliance. Any improvements, equipment, or modifications made to a vehicle may be removed prior to repossession at the **Cooperator's** expense.
2. To adhere to the following requirements for any vehicle acquired through this agreement:
- a. The vehicle must be painted and cannot remain in original military colors. The **Cooperator** will ensure that the vehicle is painted in a non-military color and paint scheme.
 - b. The **Cooperator** will convert the vehicle into an emergency response vehicle able to perform an emergency response function. This does not include the installation of emergency lighting and siren(s).
 - c. The **Cooperator** will carry liability insurance and must provide proof of such insurance to the **Service** upon its acquisition. Such policy must be in compliance with state of Texas minimum amounts and must name the **Service** as an "additional insured" until title is transferred.
 - d. The **Cooperator** relieves the title holder of all responsibility under the Texas Tort Claims act or other comparable state or federal statute in all matters related to this vehicle.
 - e. Should the vehicle become inoperable and beyond repair during the term of this agreement, the vehicle will be returned to the **Service** at the **Cooperator's** expense.
 - f. The **Cooperator** will ensure that the vehicle is housed, covered, or otherwise protected from vandalism, theft and the elements during the term of this agreement.

FOR REVIEW ONLY

FOR REVIEW ONLY

- g. The **Cooperator** will bear the entire cost of maintenance, repair, and operation of this vehicle while in the **Cooperator's** possession.
 - h. The **Cooperator** must design, operate, and maintain each vehicle in a roadworthy and legal condition,
 - i. The **Cooperator** will not put the vehicle into use prior to certification by the **Service** that it is in operational condition.
 - j. The **Cooperator** will provide a certified vehicle weight of the completed vehicle to the **Service**.
- 3. To use equipment acquired under this agreement exclusively for fire protection and other emergency response for which the **Cooperator** has jurisdictional authority.
 - 4. To indemnify and hold harmless the **Service** and its officers, directors, agents and employees from any liability related to this equipment, including but not limited to the use and repair thereof.
 - 5. **Cooperator shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.**

Post the following nondiscrimination statement at its offices, at the public service delivery contact point and include, in full, on all materials regarding such **Cooperators'** programs that are produced by the **Cooperator** for public information, public education, or public distribution:

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer."

FOR REVIEW ONLY

FOR REVIEW ONLY

If the material is too small to permit the full statement to be included, the material will at a minimum include the statement, in print size no smaller than the text, that "This institution is an equal opportunity provider."

III. It is Mutually Agreed and Understood that:

1. The **Service** will provide the **Cooperator** with documents necessary to have a legal title created for the equipment after the **Cooperator** has met all of its obligations described in this agreement.
2. At the discretion of the **Service**, either a follow up inspection of equipment will be performed not less than one year after providing **Cooperator** with title transfer documents or **Service** will retain the title for not less than one year from date of title transfer to ensure legitimate use of the equipment as mandated by federal regulations. Should the equipment become unusable during this period, it is the responsibility of the **Cooperator** to contact the **Service** and provide supporting documentation on why the item requires disposal prior to the end of one year of use.
3. Equipment acquired under this agreement shall not be used for speculative purposes.
4. The **Cooperator** accepts all equipment under this agreement "as is", "where is" and in the condition received without any warranties of any kind, either expressed or implied, being made by the **Service**. The **Service** is not a dealer, manufacturer, nor otherwise in the business of selling or dealing in goods as described in this agreement.
5. The **Cooperator** will provide access to and the right to examine all records, books, papers, or documents in whatever format relating to DOD-FFP transfers under 10 U.S.C. 2576b to the **Service** and the DOD, including the Office of Inspector General and the Comptroller General of the United States or their authorized representative.
6. Owners of DOD-FFP equipment will cooperate with Federal and State parties to ensure compliance with Federal and State regulations and program and property management requirements.
7. Violation of the terms listed herein may result in the termination of this cooperative agreement and the termination of **Cooperator's** eligibility for participation in and use of available funds in the rural community fire protection programs.
8. This agreement is not assignable.
9. The terms of this agreement shall be governed by the laws of the state of Texas.

FOR REVIEW ONLY

FOR REVIEW ONLY

10. This is the entire agreement and any subsequent amendments shall be in writing and signed by both parties.

11. The primary points of contact for each party shall be as follows:

Cooperator

This copy of the Cooperative Agreement is for review purposes only. Please read over the agreement. If your department is offered and accepts the offered FFP item formal copies of the Cooperative Agreement will be provided to you for signature.

Service

(Name of Program Coord)

Texas A&M Forest Service

P.O. Box 310

Lufkin, TX 75901

Contracting parties agree to notify the other of any changes in the above. Any notices regarding contract violations or termination shall be made in writing to the point of contact.

12. This contract shall terminate the earlier of: (a) date title passes to the **Cooperator**, (b) date equipment has been returned to **Service**, or (c) 12 months from effective date of agreement.

IV. In witness whereof, the parties hereto have executed this agreement, effective on the date signed by the **Cooperator**.

Approvals

Cooperator

Service

FOR REVIEW ONLY
Name (Please Print)

FOR REVIEW ONLY
Signature

FOR REVIEW ONLY
Title (Please Print)

FOR REVIEW ONLY
Date

This copy of the Cooperative Agreement is for review purposes only. Please read over the agreement. If your department is offered and accepts the offered FFP item formal copies of the Cooperative Agreement will be provided to you for signature.

Tom Boggus

Signature

Director
Title

Date

FOR REVIEW ONLY

DoD-FFP Declaration of Acceptance/Rejection

Item Description: 1998 Stewart Stevenson M1078 Truck, Cargo 2.5 Ton	
STATE: 16MCG040 Request: 11873 FED: 60489959	Serial# AT010644EDHG

Offer made to: KINGSVILLE FD	Case # 1092
Offer made on: August 30, 2017	Respond by: September 13, 2017
If a response has not been received by the ' <u>Respond by</u> ' date it will be assumed the offer has been rejected and the item will be offered to the next eligible department.	

By signing and returning this document I acknowledge on behalf of the department that the department has had the opportunity to review provided documents, pictures, etc. of the item. I acknowledge that the item will be received in 'as-is' condition without any warranties of any kind, either expressed or implied by the Texas Forest Service.

I acknowledge that within 180 days from date of delivery the department must have the item:

1. **Painted** non-military colors
2. **Operational** for its intended function
3. **Insured**

ACCEPT the offered item

Signed name of fire department representative

Title

Printed name

Date

REJECT the offered item

Signed name of fire department representative

Title

Printed name

Date

Provide one copy of this document to:

FFP Program
2127 South First Street
Lufkin, TX 75901
ffp@tfs.tamu.edu
936-639-8138 fax

Vehicle Data Table

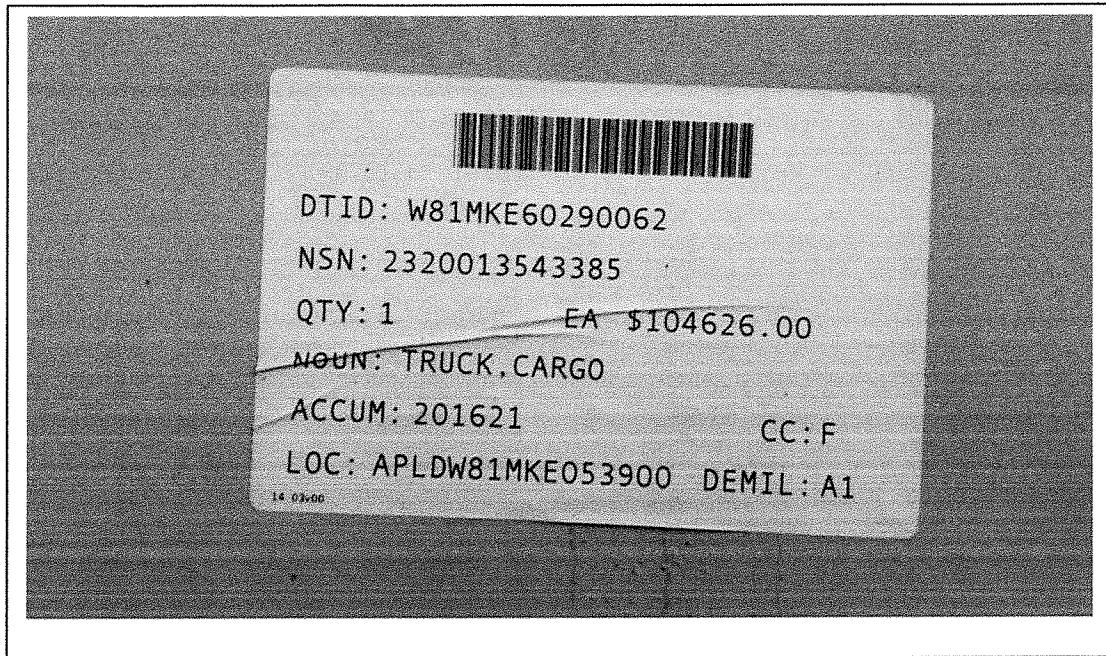
STATE#	16MCG040
FED#	60489959
Make	Stewart Stevenson
Model	M1078
Type	Truck, Cargo 2.5 Ton
Year	1998
Transmission	Automatic
Odometer	11959
Fuel Type	Diesel
Cylinder	6
Power steering	Hydraulic
Brakes	Air/Hydraulic
NSN#	2320013543385
Serial#	AT010644EDHG
Drive (4x4, 6x6, 4x2)	4x4
GVWR (Gross Vehicle Weight Rating)	22,770 lbs
Empty Weight	17,770 lbs
Payload	5,000 lbs
Carrying Capacity	2.50 Tons
Tank Capacity	N/A
Pump Capacity	N/A

Extra Vehicle Info, If available.

not on file

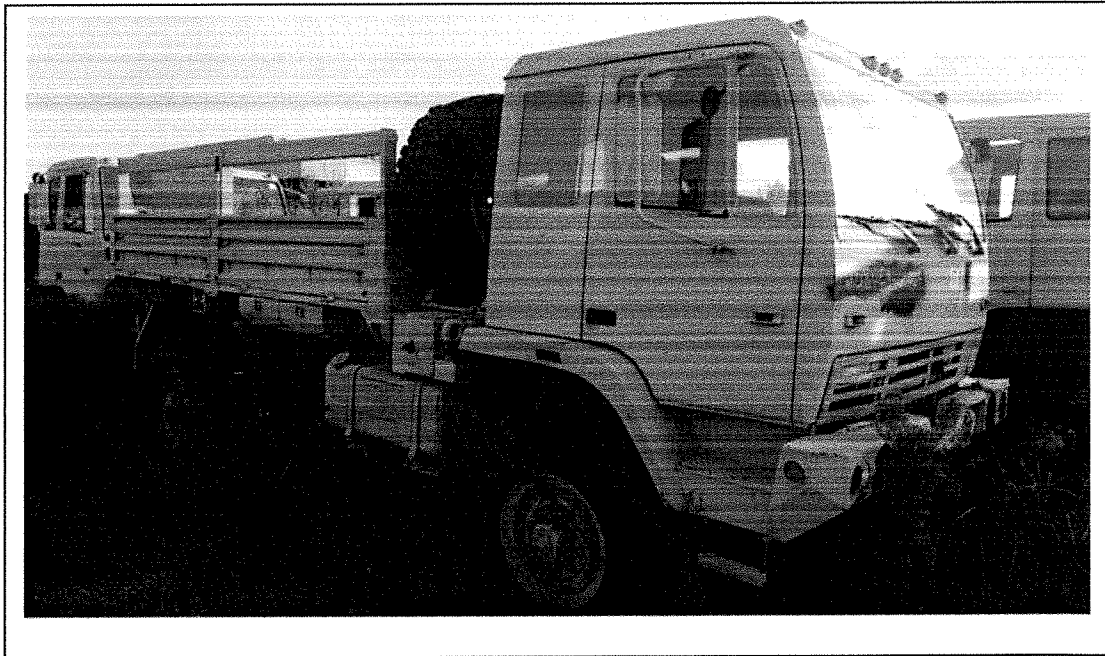
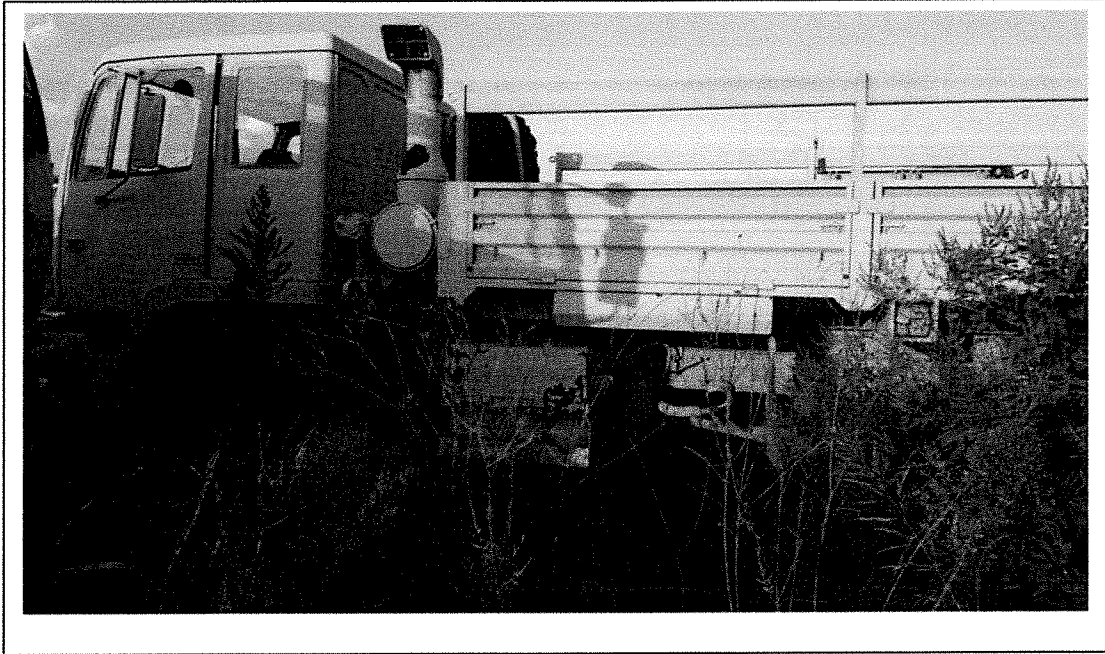
DDTX16MCG040

Vehicle type: 1998 Stewart Stevenson M1078 Truck, Cargo 2.5 Ton 4x4



DDTX16MCG040

Vehicle type: 1998 Stewart Stevenson M1078 Truck, Cargo 2.5 Ton 4x4



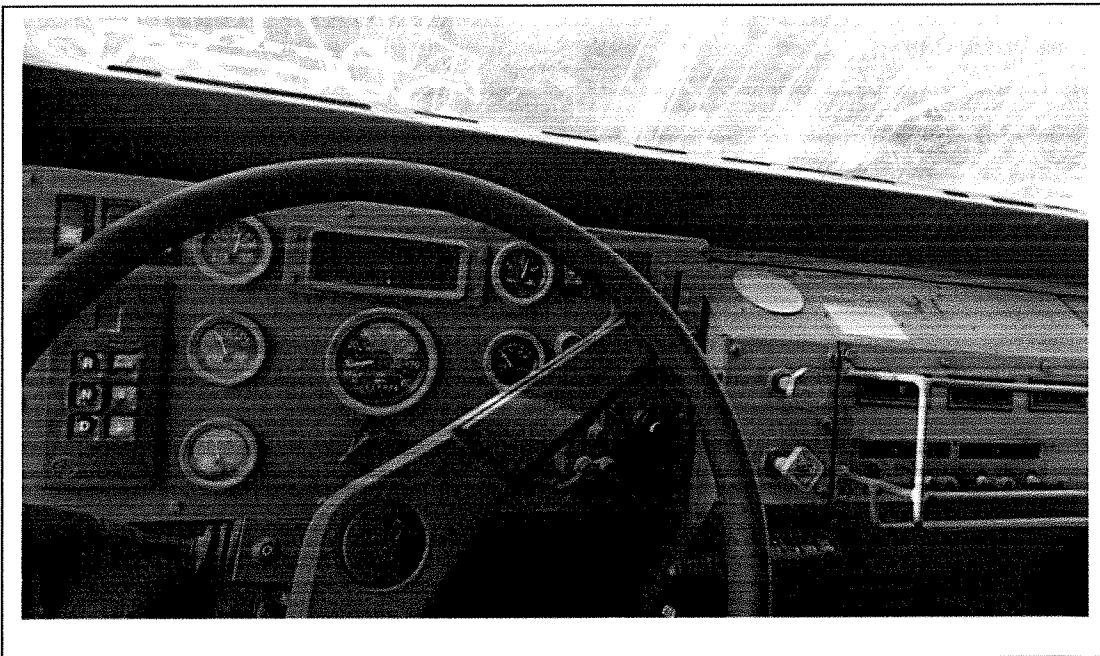
DDTX16MCG040

Vehicle type: 1998 Stewart Stevenson M1078 Truck, Cargo 2.5 Ton 4x4



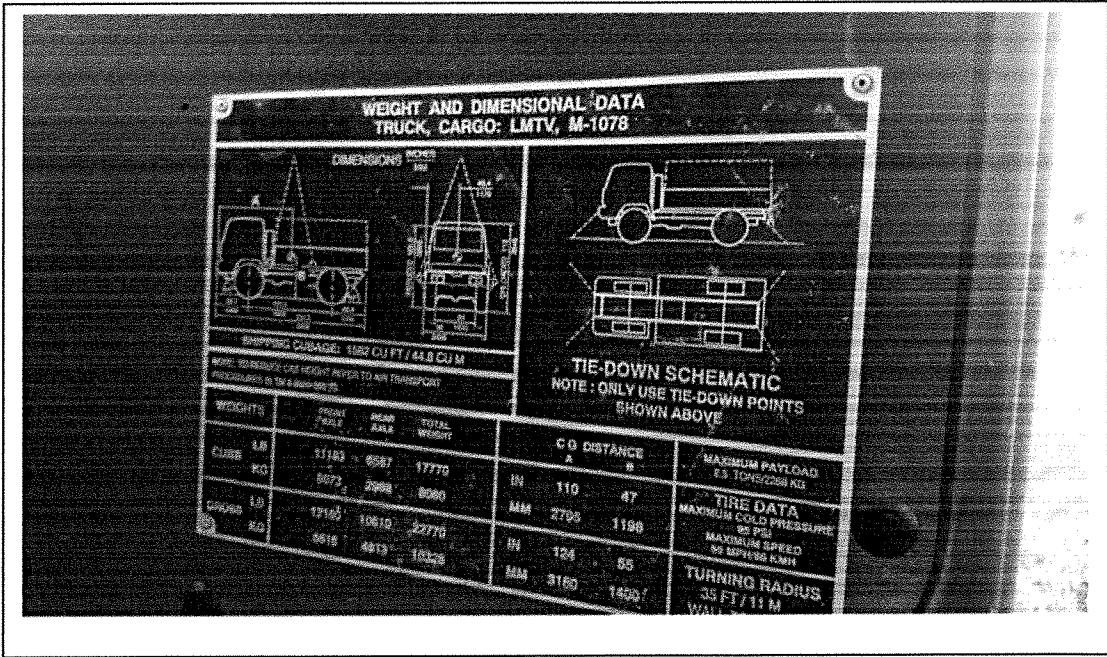
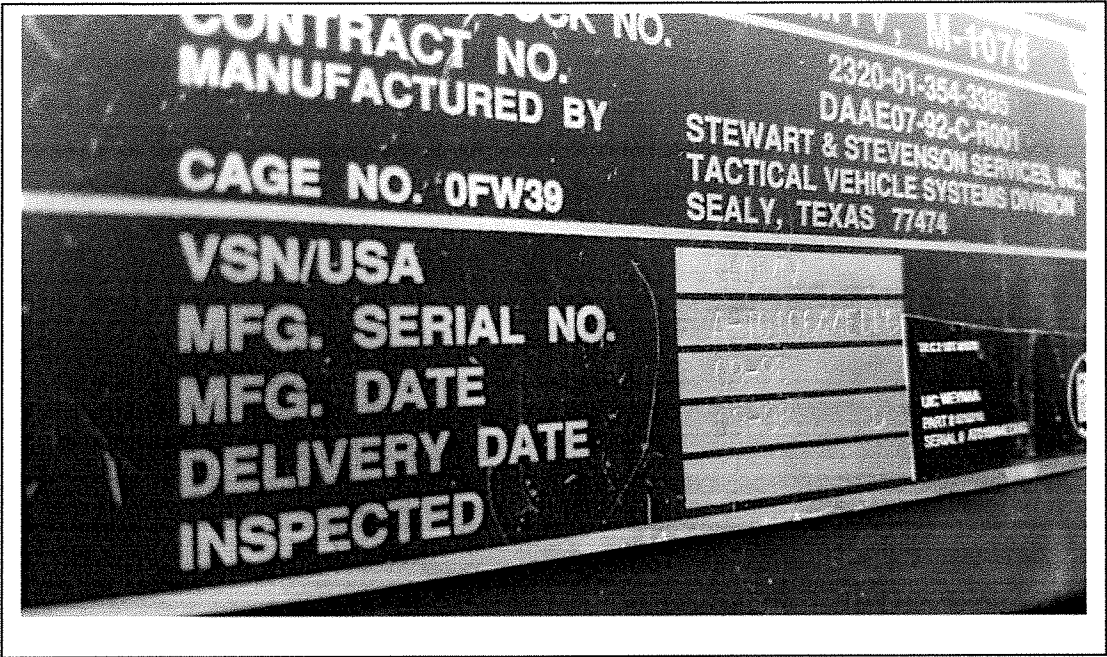
DDTX16MCG040

Vehicle type: 1998 Stewart Stevenson M1078 Truck, Cargo 2.5 Ton 4x4



DDTX16MCG040

Vehicle type: 1998 Stewart Stevenson M1078 Truck, Cargo 2.5 Ton 4x4



INSPECTION CHECKLIST FOR FFP TRUCKS

DDTX: 16 MCG 040

Date Inspected:

Inspected By:

TRUCK	COMMENTS
Engine Type CAT	<input checked="" type="checkbox"/> TURBO
Transmission	<input checked="" type="checkbox"/>
Oil Level	<input checked="" type="checkbox"/>
Radiator Coolant Level	<input checked="" type="checkbox"/>
Brake Fluid Level N/A	<input type="checkbox"/> AIR
Battery and Cables	<input checked="" type="checkbox"/>
Lights	<input checked="" type="checkbox"/> PASS REAR TAIL LIGHT BAD
Glass and Mirrors	<input checked="" type="checkbox"/>
Tire Pressure/Condition	<input checked="" type="checkbox"/>
Central tire inflation system	<input checked="" type="checkbox"/>
Visual Check for Leaks	<input checked="" type="checkbox"/>
Power Steering HYD	<input checked="" type="checkbox"/>

ADDITIONAL COMMENTS ON CONDITION OF TRUCK

PASS REAR TAIL LIGHT BAD \$300