

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, MARCH 22, 2021 REGULAR MEETING

**CITY HALL
HELEN KLEBERG GROVES COMMUNITY ROOM
400 WEST KING AVENUE
5:00 P.M.**

**Conference Line call: 1 (415) 655-0001 and
when prompted type access code: 126 210 9951 #**

OR

Live Videostream: <http://www.cityofkingsville.com/webex>

I. Preliminary Proceedings.

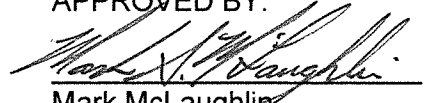
OPEN MEETING

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting-February 22, 2021

APPROVED BY:


Mark McLaughlin
City Manager

****AUDIENCE AND PRESENTER SOCIAL DISTANCING
AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT
AT PUBLIC MEETINGS OF THE CITY COMMISSION. To**

reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

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

1. Public Hearing on an ordinance amending the zoning ordinance by changing the zoning map in reference to Cooper 2, Block 3, Lots 15 & 16 (exempt), also known as 803 W. Yoakum, Kingsville, Texas from R1 (Single-Family) to R3 (Multi-Family). Dana Hickey authorized agent and applicant, Riviera Praise & Worship Church, owner. (Director of Planning & 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, Condemnation Update, 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; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. 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 the reappointment of Alonzo Lopez to the Civil Service Commission for a three-year term ending on 10/27/2023. (Human Resources Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

2. Consider the appointment of David L. Thibodeaux to the Historical Development Board for a three-year term. (Downtown Manager).
3. Consider sponsorship of the annual Festival de Loteria event in downtown Kingsville. (Downtown Manager).
4. Consider sponsorship of the monthly Calle 7 Mercado event in downtown Kingsville. (Downtown Manager).
5. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Cooper 2, Block 3, Lots 15 & 16 (exempt), also known as 803 W. Yoakum, Kingsville, Texas from R1 (Single-Family) to R3 (Multi-Family). (Director of Planning & Development Services).
6. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter XV, Article 1-Building Regulations, Sections 2, 6-8, 11, 23, 40 & 60, and Article 6-Zoning, Sections 91 & 143, revising sections for compliance with existing International Building Codes. (Director of Planning & Development Services).
7. Consider a resolution authorizing the City to submit an application to the FEMA Assistance to Firefighters Grant requesting grant funding for SCBA respirator units, masks, and air cylinders on behalf of the Kingsville Fire Department with an anticipated \$28,469 cash match. (Fire Chief).
8. Consider a resolution accepting authorization from Kleberg County for the City to enter and use a right-of-way on West Sage Road to install a six-inch water line to be paid for by the property owners requesting it. (Public Works Director/City Manager).
9. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to appropriate additional funds needed for the water system risk and resilience assessment. (Public Works Director).
10. Consider authorizing purchase of Command Vehicle for Fire Department from Siddons Martins Emergency Group, LLP via Tarrant County Purchasing Cooperative, as per staff recommendation. (Purchasing Manager).
11. Consider a resolution authorizing the City Manager to execute a Contract for Baseball Field Fencing Installation between the City of Kingsville and S&J Fence Company. (RFP#21-05 Dick Kleberg Park baseball field fencing Installation at ball fields #4 & #6, awarded on 2/22/21). (Purchasing Manager).
12. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend funds received from the Law Enforcement Officer Standards and Education Fund for continuing education. (Police Chief).
13. Consider a resolution authorizing the release of Ch. 59 Funds of the Kingsville Police Department for donation to the Boy Scouts of America Venado District. (Police Chief).
14. Consider a resolution authorizing application to and acceptance of BJA-2021Southwest Border Rural and Tribal Assistance Program Grant; authorizing the Chief of Police to act on the City's behalf with such program. (Police Chief).
15. Consider a resolution authorizing participation in Local Border Security Program FY2022 with the Office of the Governor, Public Safety Office for law enforcement personnel costs, fuel, and equipment; authorizing the Chief of Police to act of the City's behalf with such program. (Police Chief).

16. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend funds awarded from the 2022 Local Borderstar Security Program for personnel costs. (Police Chief).
17. Consider approving the budget modification for Texas CDBG #721826 (manhole rehab) for engineering services. (City Engineer).
18. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter V, Article 2, Sewers, providing for a correction to the commercial sewer rate undercharge. (Finance Director).
19. 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).

VII. Adjournment.

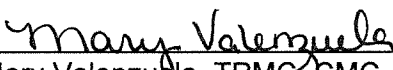
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative 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 18, 2021 at 3:30 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



Mary Valenzuela, TRMG, CMC, 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 22, 2021

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 22, 2021 IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

CITY COMMISSION PRESENT:

Sam R. Fugate, Mayor
Hector Hinojosa, Commissioner
Norma N. Alvarez, Commissioner
Edna Lopez, Commissioner
Ann Marie Torres, Commissioner

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Janine Reyes, Tourism Director
Kyle Benson, IT Manager
Derek Williams, IT
Uchechukwu Echeozo, Director of Planning & Development Services
Susan Ivy, Parks Director
Rudy Mora, Engineer
Bill Donnell, Public Works Director
Deborah Balli, Finance Director
Charlie Sosa, Purchasing Manager
Diana Gonzales, Human Resources Director

STAFF PRESENT VIA CONFERENCE CALL OR VIDEOSTREAM

Emilio Garcia, Health Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 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-February 8, 2021

Motion made by Commissioner Lopez to approve the minutes of February 8, 2021 as presented, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres voting "FOR". Fugate "ABSTAINED".

****AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.**

To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the

City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

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

1. None.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Condemnation Update, 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; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time."

Mr. Mark McLaughlin, City Manager reported that Kleberg County Judge Rudy Madrid will not be available to attend tonight's meeting. He further reported that the free water spigot located at South Gate Mall on Brahma Blvd. has been removed as of this afternoon. McLaughlin thanked city staff for their hard work during the freeze last week.

Ms. Courtney Alvarez, City Attorney reported that the next City Commission meeting is scheduled for Monday, March 8, 2021. The deadline for city staff to submit items for this meeting is Friday, February 26, 2021.

Commissioner Hinojosa thanked city employees for their hard work during the freeze last week.

IV. Public Comment on Agenda Items.³

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

No public comments made or received.

V.

Consent Agenda

Notice to the Public

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

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

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

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

- 1. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to appropriate additional funds needed for Ground Storage Tank Project Water Well #14. (City Engineer).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

- 2. Discuss status of the County's EDA Grant for renovations at the JK Northway. (City Manager).**

Mayor Fugate commented that he was looking forward to County Judge Rudy Madrid attending this meeting, as he would have liked to have heard what the County's plan is for the JK Northway. As of today, the city has not received any plans or seen what the County is planning for this building.

Mr. McLaughlin stated that when he spoke with Judge Madrid, he asked where the County stood on the JK Northway and the Emergency Operation Center (EOC). The response Judge Madrid gave him was that they are waiting to get through Professional Bull Riders Event that will occur this upcoming weekend then he will be closing the JK Northway for at least a year. McLaughlin further stated that they will be going out for contractor bids to build the Emergency Operation Center in about two weeks. He also stated that he is not sure how long the bid opening will run for, but they will be going out for bids, have it constructed so that the EOC is complete and have the venue reopen before the Jr. Livestock show scheduled for January 2022.

Mayor Fugate asked if staff has received or seen any plans? Mr. McLaughlin responded that staff has not seen or received a copy of the plans for this project.

Commissioner Hinojosa commented that he has some concerns about construction being started on behalf of the City especially without knowing when the County will start their construction. He further stated that when the City went out for the Venue Tax, the taxpayers were told that it was to be used for certain projects at the JK Northway. He further stated that he wants to make sure that it's okay to start construction prior to the County beginning their construction at the JK Northway.

Mr. McLaughlin stated that there are two issues and further stated that what Commission Hinojosa is speaking about is the Emergency Operation Center which has nothing to do with the Venue Tax or doing anything to the inside of the JK Northway. McLaughlin further stated that the County will still build the EOC, but it would be nice to see the plans for that project and see where the city's match will be paying for regarding this project.

Commissioner Hinojosa commented that's what concerns him is not knowing what the plan is for this venue.

Mayor Fugate commented that when conversations began regarding this project, there were some things that the County was going to be able to do on inside that would benefit the JK Northway, which would come out of this grant of which city staff has no idea what the plan would be. Fugate asked how the city would sync its project to the County's project when the city has no idea what the County's plan is.

Mr. McLaughlin stated that the EOC was supposed to be inside the 15,000 square foot JK Northway building. The County Judge then got it changed where the EOC can be added to the side of the building, a stand-alone addition that doesn't break through the concrete wall. Mr. McLaughlin further stated that he had a conversation with County Judge Madrid and stated to him that before any turning of dirt is done or any venue tax related to the project, that everyone agreed on switching the front entrance to a different location on the building and placing the cattle pins on the other side. The city needs the assurance in writing that the County will finish the other items inside the building. McLaughlin stated that it won't do the city any good to do their project without the County doing their part. He further stated that the County Judge was in complete agreement and the Judge agreed to put things in writing and do what needed to be done to get this project started.

Commissioner Hinojosa asked how soon will the agreement be drafted?

Ms. Alvarez commented that the city's attorneys will be assisting in the drafting of such agreement. She further stated that a good discussion cannot take place now without first hearing the presentation from the City's Bond Counsel and Financial Advisor which will show what the process is supposed to be. She further stated that there has been phone conversations with the City Manager, Finance Director and herself, but the questions that the Commission is asking will be answered with the presentation that will be done by Bond Counsel and the Financial Advisor. Alvarez also stated that the city needs to get information from the County, specifically about their project and what their plan is. This will give the city some helpful information to draft the contractual documents and the interlocal documents that the city's Bond Counsel is going to assist with that will then be presented to the County. She further stated that all these would need to be approved before the city goes out to borrow money.

Commissioner Alvarez commented with the County shutting down the JK Northway after the Professional Bull Riders event, there will be no scheduled events for an entire year which will be a loss of revenue.

Mr. McLaughlin responded that is what the County Judge had told him.

Mayor Fugate commented that his concern is what if the city approves the bonds and begins the construction of its project for the JK Northway and rest of the project is not completed, the city will then have to answer to its tax payers. Mayor Fugate then asked that if the Commission approves the bonds and the project during tonight's meeting, can the City stop the project at any given point, if the other party does not proceed with their project?

Ms. Alvarez responded that the Commission will not be approving any bonds for the venue tax project during tonight's meeting. The Commission will only be receiving a

presentation on the process. The other items that are on the agenda for tonight's meeting is the refunding of some existing debt, as there is a savings on payments by doing that, and some tax notes. Also, on the agenda is the Texas Water Development Board CO's. These are the only items that the Commission will be voting on during tonight's meeting. Ms. Alvarez further commented that there is nothing that the Commission will be asked of to vote on tonight with regards to the venue tax or the venue tax project. Alvarez also stated the Commission will not be voting on any bonds for the venue tax tonight as the contracts have to be in place before staff would ask the Commission to vote.

Mayor Fugate commented to Ms. Alvarez that as the City's Attorney, it is her responsibility to stop the Commission when needed to be stopped, as the City will not be spending money on these projects until the city receives the overall idea on how this will be developed and funded. Fugate further commented that he is interested in seeing where the funding will be coming from but can only assume that the County Judge will probably try to get it from the private partnership, which is out there, but there is no commitment that he is aware of.

Ms. Alvarez commented that she reviews every agenda item and would not bring an item to the Commission unless there is a comfort level from herself and the City Manager that it is appropriate for the Commission and in the best interest of the citizens.

Mayor Fugate commented that he has all the confidence in her, but he just wants to reiterate. He further commented that he does not want the city spending money into a building that will not be a functioning building.

3. **Consideration of a plan of finance and approval of an ordinance authorizing the issuance of the "City of Kingsville, Texas Limited Tax Refunding Bonds, Series 2021", a paying agent/registrar agreement, and an escrow agreement; providing for the sale of such bonds; delegating authority to city representatives to select obligations to be refunded and approve final terms of the bonds; and approving all other matters related thereto. (Finance Director).**

Mr. Don Gonzales, Estrada Hinojosa Investment Bankers discussed the Outstanding General Obligation Debt. The Outstanding Obligation Debt Series 2020 Bonds last year par amount was \$5,025,000.00. He further stated that the percentage self-supported means that some of this is paid by the interest and sinking fund tax rate, which is supported by the ad valorem revenues and with some self-supporting from the utility system or by some other revenue source. What this means is that half of this debt service is being paid from the tax rate. The General Obligation Debt Outstanding consist of Series 2020, Series 2016, Series 2014, two Series for 2013, and Series 2009 which total an amount of \$18,565,000.00; this is what the City has currently outstanding before any action that the Commission will be considering tonight. Gonzales further stated that four of the bond issues are being paid from another source of revenue of which most is from the utility system. This means that a lot of the improvements that have been made come from infrastructure improvements in the utility, so the utility is paying its share of the debt associated with the improvements that were made based on the funds that were borrowed. Mr. Gonzales further stated that the Historical Tax Allowable Value from 2018 to 2021 have increased from \$833 million dollars to \$913 million dollars. The Historical Tax Rate for the last four years was \$0.8422 in 2018 and \$0.8521 in 2021. Mr. Gonzales reported that the current outstanding rating from Standard & Poors is an A+ for the City of Kingsville. He also stated that when the transaction was done in 2020, they obtained a bid from bond insurance that made financial sense so that if we got to a double A rating with respect to the 2020 bonds when they were issued. He also stated that the debt in years 2021, 2022, and 2023 are about leveled and drops off in 2024 with a significant drop in year 2026. Gonzales said that It is important for the Commission to be aware of this information so that when the

city looks into the future in wanting to be make capital improvements, the city can issue the debt the year before and impact that debt service, which is the principal & interest, in the following years. Mr. Gonzales further went on to discuss the Limited Tax Refunding Bonds, Series 2021. He stated that for this transaction they probably won't be pricing until April. By receiving the Commissions consent to proceed, they will put a cap on the amount of debt that will be issued which should be the amount of the bonds that they will be contemplating. They will be looking in just refunding the \$3,675,000.00, which is the principal amount for Series 2013 bonds. He further stated that they will also put a cap on the term to not extend beyond the current term which now they go through 2033, which will not extend the debt beyond that date, it will remain within the same time frame. The call date for this series is August 1, 2021. Gonzales stated that in 2018 the tax law changed where we can only do a current refunding on a tax-exempt basis if we are within 90 days of the call date. Gonzales stated that they are hoping to try and price this in April and close in May so that between May and August 1st we will be within less than 90 days which would meet the tax law requirements to be a tax-exempt current refunding. Gonzales further stated that the existing coupons are between 2% and 3%, which is what the city is currently paying, but will be looking at bringing that rate down. Mr. Gonzales moved forward in discussing the Savings Summary. Should current markets rates exist for a pricing in April and delivery in May 2021, the City could realize 3.90% in present value savings or \$156,889 in overall debt service savings. Mr. Gonzales further went on to discuss the Tax Rate Impact Analysis. The outstanding debt service which is the principal & interest by year that the city is paying. In year 2021 the city will be paying around \$2.8 million dollars in principal & interest. Debt that is being paid from utility system is called self-supporting debt, the portion that is being paid by the utility system is \$1,463,000.00. Refunding estimated debt service will be the new debt service principal & interest on the new bonds that will be replacing the old bonds which is leveled to about \$350,000 to \$360,000 per year. Mr. Gonzales further stated that the tax notes that are being issued, which will be covered on the next agenda item, this year was budgeted from the M&O tax rate. Next year the city will be budgeting that from the I&S tax rate which will bring the M&O tax rate down and the I&S tax rate up by the same amount and the net effect on the tax rate will be zero. Mr. Gonzales stated that it is important to note, as it would be critical for the city, that the city would need to budget for next year and the following years, since the tax notes will be paid out of the tax rate.

Commissioner Hinojosa commented that the city would need to adjust its budget on the M&S as it will take from the general fund.

Mr. Gonzales stated that the tax notes were structured to be within what the city currently has budgeted for this year. He further stated that a reimbursement resolution was approved a few months ago and so when this occurred it allowed for the city to purchase the equipment on the tax notes which will be discussed tonight. Mr. Gonzales further stated that the preliminary timetable of events shows that the week of March 8th there will be a call with S&P Global Ratings and looking to be ready to price in April. He stated that the reason for this is that right now the taxable interest rates are very low and a lot of municipal issuers are issuing taxable debt to refund tax exempt debt, which makes for a lot of activity on the taxable side. He also stated that on the exempt side there is very little supply. The buyers that are looking for tax exempt paper are jumping on tax exempt paper and buying it very aggressively.

Mayor Fugate asked Ms. Alvarez how the Commission should proceed with this item.

Ms. Alvarez commented that with regards to this item, staff may need to modify the timetable of events which is not set if the Commission proceeds with voting on this item. She further stated that the Commission can take a motion to approve the plan of

finance, not necessarily keyed in to all the dates as presented and the ordinance that is included in the packet for agenda item #3, for the refunding of the 2013 CO's which follows the other ordinances that were received by Bond Counsel. She further stated that there is a lot of blanks which will not be filled in until such time as its determined that the funding is set by meeting the criteria that the Commission adopts with regards to the cap for the interest rate to make sure that the city gets the savings or greater than what the Commission is looking for as well as making sure that the date of the issuance is consistent. She further stated that the Commission is giving, through the ordinance, authorization to start with the process and once it is determined that all the triggers are met so that is it in the city's best interest to move forward, then that is when the action will be taken by the Financial Advisor and Bond Counsel.

Motion made by Commissioner Hinojosa to authorize the a plan of finance and approve the ordinance authorizing the issuance of the "City of Kingsville, Texas Limited Tax Refunding Bonds, Series 2021", a paying agent/registrar agreement, and an escrow agreement; providing for the sale of such bonds; delegating authority to city representatives to select obligations to be refunded and approve final terms of the bonds; and approving all other matters related thereto, seconded by Commissioner Lopez.

Mayor Fugate commented that this will not be the last vote on this as it will come back to the Commission in its final form. He further asked the City Manage if this is something that he believes needs to be done.

Mr. McLaughlin responded yes. He also stated that both Financial Advisor and Bond Counsel have always looked out for the City of Kingsville and have saved the city \$800,000 on the last bond refunding. With this one, using the number they have presented, the city is seeing about \$150,000 savings.

Ms. Alvarez commented that she would like to make a clarification that this issue will not be coming back to the Commission. The Commission is authorizing staff, Financial Advisor and Bond Counsel know that these are parameters that the Commission would okay an issuance. If the market allows for those conditions to be met, then they will move forward with the issuance.

The motion was passed and approved by the following vote: Lopez, Torres Hinojosa, Alvarez, Fugate voting "FOR".

4. Consideration and approval of an ordinance authorizing the issuance of the City of Kingsville, Texas Tax Notes, Series 2021; entering into a paying agent/registrar agreement and a purchase and investment letter; and other matters related thereto. (capital outlay items) (Finance Director).

Mr. Don Gonzales went over the list of assets that may have already been purchased which are the garbage trucks, backhoe, command vehicle and police Chevy Tahoes which total \$1,310,000.00 with the cost of issuance. Mr. Gonzales stated that after speaking with staff back in July 2020, there was a company that was looking into a lease obligation with the City. Gonzales further stated that they make look very easy as it is their documents and they favor them and not the City. He also stated that one of the things they did find was, that what they turn around and do is sell their paper to a bank. Gonzales further stated that they have been able to locate the bank that buys the company's paper and have spoken to them in which they responded that the City does not have to go through the other company and just go directly through the bank through him. The documents will be done correctly and can be purchased at a lower rate. He stated that it would be about 1% lower than what they were going to do, even with all the cost of issuance. Gonzales stated that the interest rate would be at 1.350%. These

are being done on an unrated basis and didn't ask for any rating. They are aware of what the city is rated and do their own credit analysis. Gonzales commented that they have done several transactions with them in the past. The numbers are \$59,533 in interest over the seven years of payments between 2021 through 2027. The total amount of the debt service is \$1,369,533.00. Mr. Gonzales stated that this is a nice amount of savings over what they had proposed. He further stated that for the first payment in 2021 the amount is \$201,141.00 which is already budgeted in the general fund. In future years it will impact the I&S tax rate. Mr. Gonzales stated that BB&T (Truist Bank) from Charlotte, NC is the bank that purchasing this at the 1.350%.

Motion made by Commissioner Hinojosa to consider and approve the ordinance authorizing the issuance of the City of Kingsville, Texas Tax Notes, Series 2021; entering into a paying agent/registrar agreement and a purchase and investment letter; and other matters related thereto, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

5. Consideration and approval of a resolution authorizing publication of Notice of Intention to Issue Certificates of Obligation. (TWDB projects) (Finance Director).

Mr. Gonzales stated that this item is more informational as they have not received approval from the Texas Water Development Board. He further commented that they have been on numerous conference calls with them and city staff. It is anticipated that the Water Development Board will have the City of Kingsville scheduled on their agenda for March 25th for the city's projects to be considered and may be acted upon sometime in April. Mr. Gonzales stated that there is a significant amount of grant that is situated with each of the four projects and the loans are all at 0% interest. He further stated that the Texas Water Development Board will be the direct purchaser of the 0% loans. The Texas Water Development Board (TWDB) introduced a new program which is called Flood Infrastructure Fund (FIF) which provide 0% loans and grants for flood control, flood mitigation and drainage projects. The City of Kingsville applied to the TWDB FIF program and received \$6,200,000 of total projects of which the city received \$3,534,000.00 loan and \$2,666,000 grant. Loans are 0% interest over 30 years and will be considered taxable. One thing that the city needs to be aware of is that they expect you to take the loan first. Once you have gone through the loan proceeds then they will submit the grant funding to the city. Gonzales stated that as he mentioned earlier, they plan on having the city's projects on the March agenda but can be delayed until April. Once they have approved it, it would need to be placed on the City's agenda for consideration. The Water Development Board has a very thorough finance legal engineering and environmental team that reviews all these projects. One of the things that needs to be built out for the Water Development Board is a proforma and since is anticipated to be paid out of the drainage fees that the city currently collects and the drainage fee is collected as part of the utility system we needed to build out a proforma that addresses the utility system and the drainage fee revenues. Mr. Gonzales stated that operating revenues of just the water and sewer utility is a little over \$9 million dollars; operating expenses as per the city's budget \$6,272,000 which leaves operating income at \$2.8 million dollars. The drainage revenue fees were placed separately which is at \$405,000 per year. Gonzales further stated that one of the things the City will want to continue to do is to collect the drainage fee revenue as it will be paying part of the City's Series 2013 Bonds and will also be paying for the four projects from the Water Development Board. He also stated that the city does not have to have a utility rate increase or a drainage fee rate increase to support the current debt that the city has outstanding. Mr. Gonzales stated that in 2021 the city has \$151,000 in interest non-operating revenue which gives the city net income before transfers at \$3,372,906.00. There is a transfer in of a bit over \$3 million dollars and three transfers out. One of those transfers out goes to the general fund \$1,893,000 and \$1431,000 goes to pay

other debt service. The drainage fee that is associated with the city's 2013 bonds that are outstanding, the city is using about \$300,000 each year to pay debt service.

Mr. Dan Martinez, Winstead PC commented that they are still waiting to receive approval from the Water Development Board and further stated that the process with CO's is that notice needs to be published in the newspaper and need to get this project completed within six months of approval from the Water Development Board. Martinez further stated that the CO statute requires that notice gets published in the newspaper 45 days out prior to coming back to the Commission to authorize actual certificates of obligation.

Mayor Fugate asked if what is being told to the Commission is that they only have six months to expend these funds?

Mr. Martinez responded to close the project. Mr. Gonzales also commented that it is to make sure that the funds are drawn down with 18 months to complete the project.

Ms. Alvarez commented that there will not be any vote taken on this item.

No action taken on this item.

6. Presentation regarding the City of Kingsville, Texas venue project. (Finance Director).

Mr. Don Gonzales stated that the City of Kingsville levies a 7% local Hotel Occupancy Tax (HOT). The Stat levies an additional 6% HOT tax. Increasing local HOT levy by 2% could generate approximately \$185,123 annually additional revenue Pre COVID-19 based on 2019 revenues. Post COVID-19 City estimates a 19% decrease in annual HOT revenue to \$150,000 based on 2020 revenues. Gonzales stated that the city has had a 20% increase in hotel rooms available since 2015 which makes sense that HOT revenues would be going up as there are more rooms available in the city. Gonzales stated that assuming we did a small private placement, about \$1.5 million dollars, with a 10-year call and a minimum coverage of 1.50x, to which coverage is HOT Revenue in excess of debt service which provides collateral to the purchaser of debt. He further stated that it's not like you would be giving them a mortgage on a piece of property or anything like that, all they would have in the collateral is that coverage. In the event the coverage was to down there is still HOT revenue coming in to be able to pay the principal and interest back to the lender. Mr. Gonzales stated that the city has three options: Private Placement Non-Rated; Public Offering Non-Rated; and Public Offering Rated. Mr. Gonzales further went on to discuss the next steps for possible financing: Determine the project scope be defined within the project funds available given certain financing assumptions such as reduced HOT Revenues, projected interest rates, financing covenants such as debt service coverage, reserve funds and other requirements; Obtain project costs estimates and all costs associated with the completion of financing; Develop Term Sheet and obtain approval from City and County which will be used to develop the construct of the Contractual Development Agreement which will have terms to last the term of the issued debt obligations including but not limited to addressing the following; a) Maintaining facilities to agree upon standards; b) booking and contracting the use of the facilities to certain minimums to generate HOT Revenues to pay debt service; c) Making improvements and upgrades to the facilities to remain competitive with other competitive facilities; d) Maintain insurance and appropriate coverage of facilities; e) Certain event seating for City Officials at various events; f) County will fund shortfall in HOT Revenues to pay annual debt service by funding a Reserve Fund; g) Share information regarding bookings, maintenance budgets, events and any other relevant information quarterly; and h) any other deal points of importance to the City; Determine timetable for implementation of project

improvements by City and County; Present Architectural and Engineering Designs for improvements by City and County for approval; Finalize contractual development agreement for consideration and approval of both City and County; Bid out project improvements prior to debt issuance to confirm projects withing available funding; and Issue debt obligations for the bid amount to fund the project improvements and costs of issuance.

Commissioner Alvarez asked if revenues from events will belong to the County? Mr. Gonzales responded that the revenues from events would go to the County unless the City wants to negotiate a revenue split and that out of those revenues they would need to get \$100,000 to pay the debt service in the event of a shortfall. Commissioner Alvarez further asked why the city would need to be involved in the knowing of what events take place. Mr. Gonzales responded that the reason that the city would want to know about the events is to make sure that there is enough events that are being booked so that the city will know that the hotel rooms will be full and there is going to be HOT revenue coming in. Commissioner Alvarez further asked what the consequences are if the County does not comply with some of the items on the list. Mr. Gonzales responded that this is more of a legal question, but the city can have consequences for failure to comply with the requirements of the CDA.

Commissioner Hinojosa asked if the 2% increase would be placed in a separate bank account? Hinojosa further asked if this would be figured into the advertising that the city has to spend which is a certain percentage of the total amount or not including the 2%?

Mr. Dan Martinez responded that with regards to the HOT revenue, they are required by law to set up a separate venue tax bank account in order to show these revenues going into a separate account, for the 2%. He further stated that what they do is have a separate ordinance to establish a separate bank account to recognize the separation. As for the advertising expenses, it is separate which is under the normal statutory framework with respect to the hot revenues and how much you can use, which has nothing to do with the 2%. Martinez further commented that once we levy the 2% HOT tax, you will have one year to issue debt.

7. Consider awarding RFP#21-04 for 2021 Water Well #14 Ground Water Storage Tank Replacement AND a resolution authorizing the City Manager to enter into a Standard Form of Agreement between the City of Kingsville and Contractor on the Basis of a Stipulated Price for Water Well #14 Ground Storage Tank Replacement project (RFP#21-04). (City Engineer).

Mr. Rudy Mora, City Engineer stated that on January 14 and January 21, 2021 the City advertised RFP#21-04 for 2021 Water Well #14 Ground Storage Tank Replacement in the local newspaper. On February 2, 2021, the City received 4 bids which were publicly opened for the 2021 Water Well #14 GST replacement. Bidder 1 was Donald Hubert Construction from Kingsville, TX. Bidder 2 was J&K Utility Services, LLC from Creedmoor, TX. Bidder 3 was RGV Industrial Machine LLC, from Elsa, TX. Bidder 4 was Bronco LLC from Driscoll, TX. The total bids base and alternate no. 1 and 2 ranged from \$144,190.00 to \$259,500.00. The lowest project bid was \$19,190 over our budgeted amount \$125,000.00 so to cover the overage he requested a budget amendment, which was introduced on February 8, 2021 and approved on February 22, 2021. References were verified for the bidder who was the low bidder and who provides the best value to the City, Donald Hubert Construction Co., Inc. Mr. Mora stated that the recommendation is to award the project to Donald Hubert Construction, Co., Inc. in the amount of \$144,190.00 for the base bid and alternates no. 1 and 2. He further stated that it is staff's recommendation to award the bid RFP#21-04 for 2021 Water Well #14 Ground Storage Tank Replacement to Hubert Construction Co., Inc. for the base bid and alternates no. 1 & 2, and approve the resolution giving the City Manager the

authority to sign the Standard Form Agreement between the City and Donald Hubert Construction Co., Inc.

Commissioner Hinojosa asked for staff to explain what the general conditions for payment are.

Mr. Mora responded that there are several general conditions but only to mention a few; one of them includes liquidate damages which means if they don't complete the project within six months there is liquidate damages of \$200 per day. Another is partial payments, they have to submit an application for payment close to the end of the month which is reviewed and once it has been reviewed then authorization for payment can be made, which is only a percentage of the contract.

Commissioner Hinojosa asked that when staff looks at this, staff makes sure that the contractor incurred the expense. Mr. Mora responded yes.

Ms. Alvarez commented that because the project is over \$100,000 the bidder who is awarded the contract has to produce a performance bond to make sure the contract is performed and a payment bond to make sure any subs are paid which all this has to be verified before they receive their final payment.

Motion made by Commissioner Hinojosa to award RFP#21-04 for 2021 Water Well #14 Ground Water Storage Tank Replacement to Hubert Construction, Co. Inc. AND approve resolution authorizing the City Manager to enter into a Standard Form of Agreement between the City of Kingsville and Contractor on the Basis of a Stipulated Price for Water Well #14 Ground Storage Tank Replacement project (RFP#21-04), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

8. Consider a resolution authorizing the Mayor to enter into an Interlocal Agreement between the City of Kingsville, Texas and Tarrant County for the Tarrant County Cooperative Purchasing Program. (Purchasing Manager).

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the City to enter into a resolution with Tarrant County Cooperative Purchasing Program. The City's Purchasing Department will utilize the purchasing cooperative to take advantage of goods and services bid through the Tarrant County Cooperative Purchasing Program. It is recommended the City enter into a resolution with Tarrant County for the Tarrant County Cooperative Purchasing Program.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the Mayor to enter into an Interlocal Agreement between the City of Kingsville, Texas and Tarrant County for the Tarrant County Cooperative Purchasing Program, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".

9. Consider awarding RFP#21-05 Dick Kleberg Park Baseball Field Fencing Installation (ball fields #4 & #6), as per staff recommendation. (Purchasing Manager).

Mr. Sosa stated that this is for fencing to the new baseball fields at Dick Kleberg Park. The total amount of \$82,601.00 will be funded through the Texas Parks and Wildlife Grant city fund #094-4503.

Motion made by Commissioner Lopez to approve award RFP#21-05 Dick Kleberg Park Baseball Field Fencing Installation (ball fields #4 & #6), as per staff

recommendation, seconded by Commissioner Hinojosa and Commissioner Torres. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

10. Discuss and consider acceptance of monument sign donation from H. M. King Historical Foundation. (Mayor Fugate).

Mayor Fugate asked that discussion and action on this item to be done at a later time as additional information was needed.

No discussion or action taken at this time.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:40 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1

Planning and Development Services
410 W King
Kingsville, TX 78363
PH: 361-595-8093



MEMO

Date: March 17, 2021

To: Mark McLaughlin (City Manager)

From: Uche Echeozo (Director of Planning and Development Services)

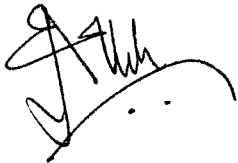
Subject: **Re: Dana Hickey, authorized agent and applicant, Riviera Praise & Worship Church, owner, requesting the rezone of COOPER 2, BLOCK 3, LOT 15, 16 (EXEMPT) also known as 803 W Yoakum, Kingsville, Texas from R1 (Single Family) to R3 (Multi-Family).**

The Planning and Zoning Commission meeting held as scheduled this evening, March 17, 2021 with 5 members in attendance. There was one member that was absent – Commissioner Mike Klepac

Members deliberated over the issue of granting approval for a re-zone of existing lots 15, 16 (EXEMPT) also known as 803 W Yoakum, Kingsville. Letters were sent out to neighbors and the City received no objections to the rezoning request. Commissioners, after deliberations, voted unanimously to approve the recommendation to re-zone the said property from R1 (Single Family) to R3 (Multi-Family). A recorded vote of all members present was taken and Commissioners Debbie Tiffie, Idotha Battle, Brian Coufal, Bill Aldrich and the Chairman – Steve Zamora all voted 'YES'

The meeting was adjourned by 6.26p.m.

Thank you.



Uche Echeozo
Director of Planning and
Development Services

Planning and Development Services
410 W King
Kingsville, TX 78363
PH: 361-595-8093



MEMO

Date: March 10, 2021
To: Planning and Zoning Commission Members
From: Uche Echeozo (Director of Planning and Development Services)
Subject: **Dana Hickey, authorized agent and applicant, Riviera Praise & Worship Church, owner, requesting the rezone of COOPER 2, BLOCK 3, LOT 15, 16 (EXEMPT) also known as 803 W Yoakum, Kingsville, Texas from R1 (Single Family) to R3 (Multi-Family).**

The applicant approached the department because they wanted to re-zone the existing lot 15, 16 (EXEMPT) from the current zoning which is R1 (Single Family Residential) to R3 (Multi-Family). A look into history revealed the property was originally zoned R3 before the City carried out a general rezone of a section of the City into R1. In order to justify the request, it is pertinent to consider the primary use of the property which is a Church as well as residence for the missionary/Pastor. Similarly, right on the other side of Armstrong Street, is zoned R3 which makes the proposal not markedly incompatible.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage the proper use of the property and ensure the City is not accused of engaging in a takings situation or a violation under the RLUIPA (Religious Land Use and Institutionalized Persons Act).

Thank you.

Uche Echeozo
Director of Planning and
Development Services

**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION**

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 47 Armstrong 835 Yoakum Nearest Intersection Armstrong & Kleberg
 (Proposed) Subdivision Name SAME PLACE Lot _____ Block _____
 Legal Description: _____
 Existing Zoning Designation R1- single family Future Land Use Plan Designation R3- multi family

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent DANA Hickey Phone 361 296 4187 FAX _____
 Email Address (for project correspondence only): dane.faye.3@hotmail.com
 Mailing Address PO box 237 City RIVIERA State TX Zip 78379
 Property Owner Praise And Worship Phone 361 296 4007 FAX _____
 Email Address (for project correspondence only): SAME
 Mailing Address SAME City _____ State _____ Zip _____

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

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

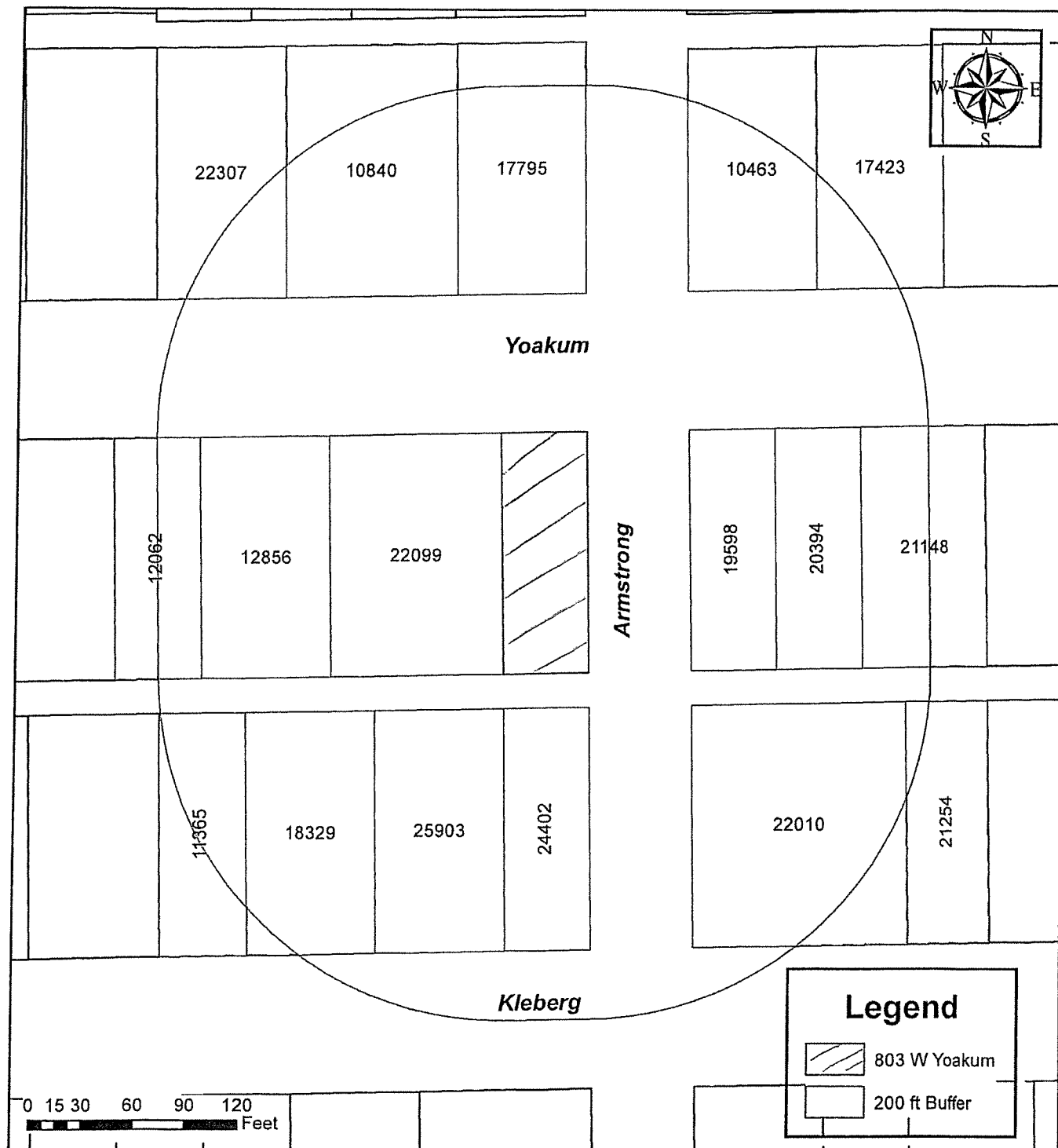
Please provide a basic description of the proposed project:

Before last year the property was ALWAYS
multi family. We request property to remain
as it was. multi family.
USE of property to facilitate use of church.

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 Dana Hickey Date: 2/5/2021
 Property Owner's Signature Rodney E. Liff Date: 2/7/2021
 Accepted by: _____ Date: _____

200 ft Buffer Map of 803 W Yoakum



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

Page 1/1	Drawn By: Planning Department	<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 PLANNING DEPARTMENT</p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 2/22/2021		
	Note:		

BALDEMAR B GALINDO
ETUX LISA P (LIFE EST)
ANDREA GALINDO
901 E SHELTON ST
KINGSVILLE, TX 78363
#22307

MUNDAY WAYNE WEEKS
208 N ARMSTRONG AVE
KINGSVILLE, TX 78363-4204
#10463

MICHAEL LEROY WATSON
ETUX AMY MARTINEZ WATSON
4209 PETRONILA CREEK CT
CORPUS CHRISTI, TX 78410-5618
#12856

FABRIZIO MARTORELLO
DOMENICO H MARTORELLO
614 W RICHARD AVE
KINGSVILLE, TX 78363-4363
#20394

HELEN RODRIGUEZ
806 W KLEBERG AVE
KINGSVILLE, TX 78363-4219
#18329

SANTIAGO CANTU
PO BOX 197
LA BLANCA, TX 78558-0197
#22010

JONATHAN ORTIZ
ETUX NORA V
722 ALEXANDER AVE
KINGSVILLE, TX 78363-6730
#10840

JOSEPH A FIGARELLI
736 SANTA CLARA
DR
KINGSVILLE, TX 78363-3430
#17423

CHARLIE L SOSA
908 W DEER TRL
KINGSVILLE, TX 78363-2746
#22099

ROBYN HAMBRIGHT HARBORTH
AKA ROBYN LEE HAMBRIGHT
721 W YOAKUM
KINGSVILLE, TX 78363
#21148

SC CONSTRUCTION LLC
PO BOX 197
LA BLANCA, TX 78558-0197
#25903

HUGH P LIECK
408 NELDA ST
KINGSVILLE, TX 78363-7417
#21254

DAVID CHRISTOPHER
JOY P CHRISTOPHER
1506 LEWIS ST
KINGSVILLE, TX 78363
#17795

DAVID L HARRIS EST
5661 SANTA CLARA DR
ROBSTOWN, TX 78380-9420
#12062

ROCHELLE GUERRA LIGUEZ
116 N ARMSTRONG
KINGSVILLE, TX 78363
#19598

RICARDO G VEGA
ETUX GLORIA B
805 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#11365

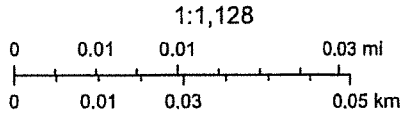
RODNEY LIGHT
RIVIERA PRAISE & WORSHIP
CHURCH
PO BOX 126
RIVIERA, TX 78379
#24402

803 W Yoakum



March 10, 2021

x 803 W Yoakum
Zoned R1- single Family
y zoned R3- multi-family
Z zoned C2- Retail



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Kleberg CAD

Property Search > 23624 RIVIERA PRAISE for Year 2021

Tax Year: 2021 - Values not available

Property

Account

Property ID:	23624	Legal Description:	COOPER 2, BLOCK 3, LOT 15, 16, (E X E M P T)
Geographic ID:	120200315000192	Zoning:	
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Location

Address:	803 W YOAKUM	Mapsco:	
Neighborhood:		Map ID:	A2
Neighborhood CD:			

Owner

Name:	RIVIERA PRAISE	Owner ID:	67350
Mailing Address:	& WORSHIP CHURCH PO BOX 126 RIVIERA, TX 78379-0126	% Ownership:	100.000000000000%
		Exemptions:	EX-XV

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A

(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	

(=) Appraised Value:	=	N/A
(-) HS Cap:	-	N/A
<hr/>		
(=) Assessed Value:	=	N/A

Taxing Jurisdiction

Improvement / Building

Improvement #1: RESIDENTIAL **State Code:** B3 **Living Area:** 1722.0 sqft **Value:** N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	FF4	EW2	1945	1722.0
OPFA	OPEN PORCH FRAME AVERAGE	*		1945	32.0
OPFA	OPEN PORCH FRAME AVERAGE	*		1945	8.0
OPFA	OPEN PORCH FRAME AVERAGE	*		1945	16.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	B3	B3	0.1607	7000.00	50.00	140.00	N/A	N/A

Roll Value History

Robert Gafford left impact in Kingsville community

By LAURA NEWMAN
REPORTER

Robert Howard "Bob" Gafford, a long-time Kingsville resident, left a huge footprint in the city of Kingsville.

In late January, Gafford passed away, but the impact and contributions he made in the community will continue to live on.

Gafford has been described as a hard-working man.

As a teenager, he worked in an oil field where he did drilling and made 0.99 cents per hour—which was a lot of money back then.

He worked eight-hour days, seven days a week and as a young teenager, he had a good reputation with the drillers, allowing him to fill in on the weekends and holidays for the regular staff that wanted time off.

During World War II, he served in the Texas State Guard while also attending Kingsville High School and then later joined the United States Air Force.

Gafford graduated Texas A&M University in 1949 with a B.S. in Chemistry and a B.S. in Petroleum and Natural Gas Engineering in 1950.

Upon joining the

United States Air Force, Gafford was stationed at Keesler Air Force Base in Biloxi, Miss., where he met his wife Melba Faye Wiley.

After an honorable discharge in 1953, Gafford and his wife returned to back to Kingsville.

Alan Wang, friend of the Gafford family, described Gafford as a community leader and someone that made humanitarian gestures.

Gafford's family operated the Gafford Super Market. Upon Gafford's discharge, he entered a partnership with his father in the grocery business until 1978.

Gafford allowed the young enlisted Navy men to take out "IOU's" for groceries to feed their families until they got paid.

When the grocery store closed, Gafford and his family moved to Ben Bolt ranch. He owned Ben Bolt ranch in Uvalde County on the Rio River. Gafford and his wife raised three daughters and four sons.

He served in a number of civic organizations including: the Kingsville Boy Scouts, Troop 374, Wood Badge Adult Training and the Society of the Order of



Robert Howard Gafford is pictured working in the ranch.



Robert Howard Gafford circa 1944

the Arrow. Gafford was asked to

run for Mayor of Kingsville but was not eligible due to the location of their home being outside of the city's limits.



Robert Howard Gafford



Mr. and Mrs. Robert Howard Gafford



LANDLORDS & RENTERS

Behind on rent?

The Texas Rent Relief Program is here to help.

COVID-19 has affected Texans across the state. We have emergency funds available to help Texas renters pay current and past due rent and utility bills – even if the landlord has already sued for eviction in their local court.

Households must have incomes at or below 80% of the Area Median Income and meet other eligibility requirements. For full details, visit TexasRentRelief.com.

For Information and to Apply

833-9TX-RENT Toll Free 833-987-7368

TexasRentRelief.com

Assistance is available in multiple languages.



Texas Coronavirus Relief Bill (Rental Assistance Program) administered by the Texas Department of Housing and Community Affairs. Providing false, incomplete, or inaccurate information on application forms or seeking assistance for months in which assistance has been or will be provided, may result in up to 5 years of incarceration and for each occurrence a fine of up to \$10,000. Other program limitations and eligibility requirements apply. Not all households may be eligible. See TexasRentRelief.com for details. Funds may no longer be available by the time a household applies.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, March 17, 2021, at 6:00 p.m., wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Dana Hickey, authorized agent and applicant, Riviera Praise & Worship Church, owner, requesting the rezoning of COOPER 2, BLOCK 3, LOT 15, 16, (EXEMPT) also known as 803 W Yoakum, Kingsville, Texas from R1 (Single-Family) to R3 (Multi-Family).

The meeting will be held at City Hall, 400 West King, 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.

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ORDINANCE #2021-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO COOPER 2, BLOCK 3, LOTS 15 & 16 (EXEMPT), ALSO KNOWN AS 803 W. YOAKUM, KINGSVILLE, TEXAS, FROM R1 (SINGLE-FAMILY DISTRICT) TO R3 (MULTI-FAMILY DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Dana Hickey, authorized agent and applicant, for Riviera Praise & Worship Church, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 17, 2021 during a meeting of the Planning and Zoning Commission, and on Monday, March 22, 2021 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Cooper 2, Block 3, Lots 15 & 16 (exempt), also known as 803 W. Yoakum, Kingsville, Texas, from R1-Single Family District to R3-Multi-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 22nd day of March, 2021.

PASSED AND APPROVED on this the 12th day of April, 2021.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

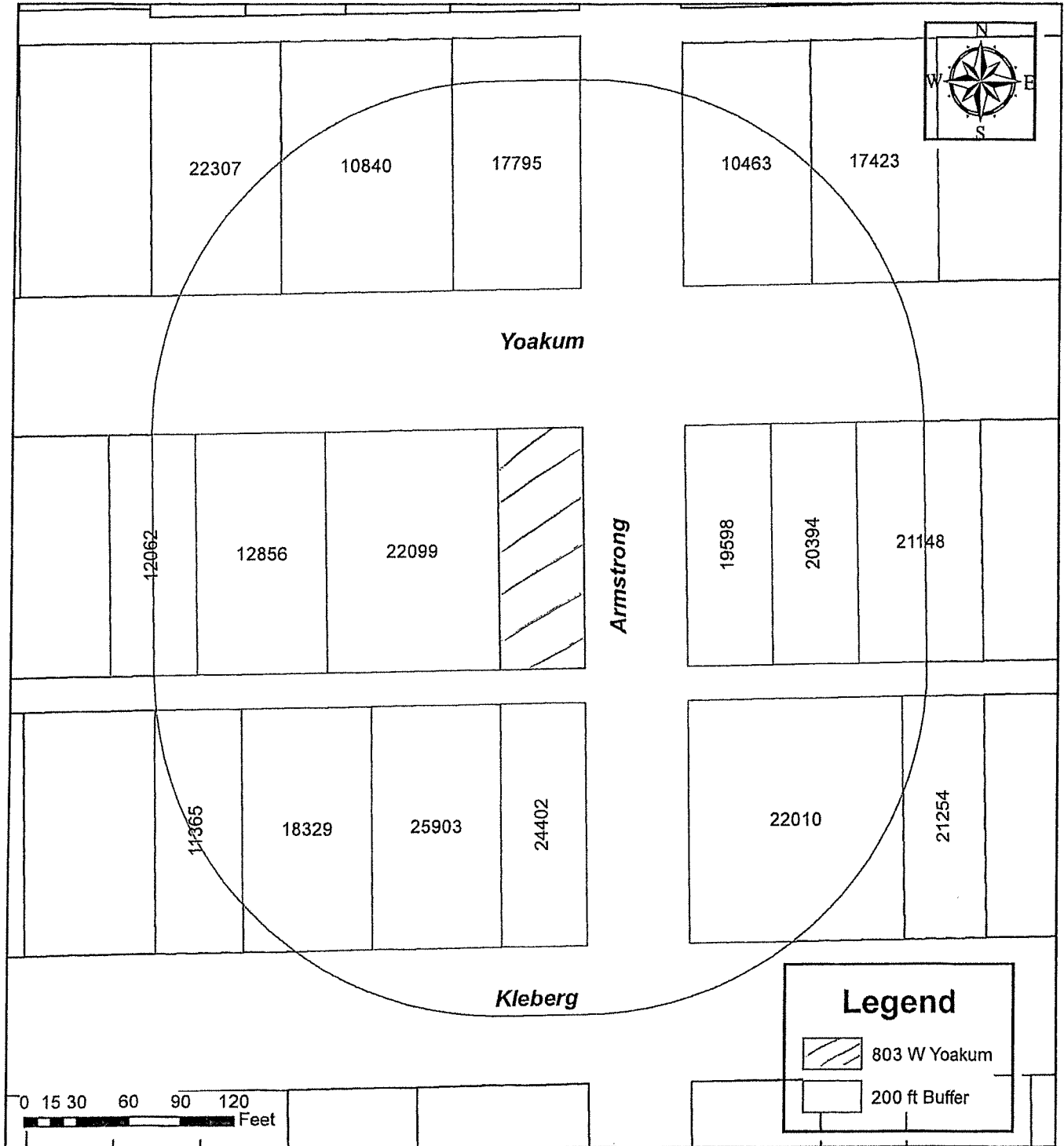
ATTEST:

Mary Valenzuela, City Secretary


APPROVED:

Courtney Alvarez, City Attorney

200 ft Buffer Map of 803 W Yoakum



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

Page 1 / 1	Drawn By: Planning Department	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 PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-695-8055
	Last Update: 2/22/2021		
	Note:		

CONSENT AGENDA

AGENDA ITEM #1

City of Kingsville
Department Name

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Diana Gonzales, Human Resource Director/Civil Service Director

DATE: February 26, 2021

SUBJECT: Civil Service Commission Reappointment

Summary: Mr. Alonzo Lopez has served as one of the City's Civil Service Commissioner since 2014. The current appointment term expired on October 27, 2020. Mr. Lopez is interested in continuing his service. Request consideration to re-appointment Mr. Lopez for a third term as Civil Service Commissioner. If approved, re-appointment for Mr. Lopez would expire on October 27, 2023.

Background: The City's Civil Service Commission consists of three (3) individuals who are appointed by the municipality's chief executive and confirmed by the governing body of the municipality. Members serve staggered three-year terms with the term of one member expiring each year. A person appointed to this position must meet guidelines established by Texas Local Government Code Chapter 143.006 (c) as follows:

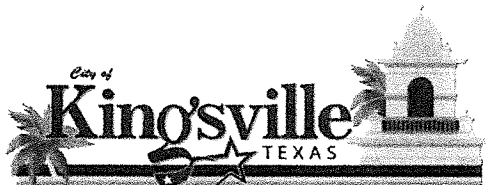
1. be of good moral character,
2. be a United States citizen,
3. be a resident of the municipality who has resided in the municipality for more than three years,
4. be over 25 years of age, and
5. not have held a public office within the preceding three years.

Additional exceptions to (c)5 above,

"the municipality's chief executive may reappoint a commission member to consecutive terms. A commission member may not be reappointed to more than a third consecutive term unless the member's reappointment to a fourth or subsequent consecutive term is confirmed by a two-thirds majority of all the members of the municipality's governing body."

Financial Impact: None

Recommendation: Re-appointment of Mr. Alonzo Lopez to the Civil Service Commission.



REGULAR AGENDA

AGENDA ITEM #2

City of Kingsville Downtown

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Brenda Joyas, CNU-A, Downtown Manager/HPO

DATE: March 22, 2021

SUBJECT: Request appointment and confirmation for new Historical Development Board Member, David L. Thibodeaux.

Summary:

Due to an open board member position for the Historical Development Board (HDB), David L. Thibodeaux has been nominated by the HDB for the next three (3) years.

Mr. Thibodeaux will not be replacing our current resignation of Lupita Perez but another position that had been open.

Background:

Mr. Thibodeaux is the owner of the Salazar Building and has been active in assisting the revitalization of historic areas of Kingsville. He is currently remodeling and upgrading his other building at 400 E. Kleberg Avenue at the corner of 8th Street.

Financial Impact:

There is no financial impact.

Recommendation:

Staff recommends the appointment and confirmation of David L. Thibodeaux to the Historical Development Board.



AGENDA ITEM #3

City of Kingsville Downtown

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Brenda Joyas, CNU-A, Downtown Manager/HPO

DATE: March 22, 2021

SUBJECT: Request the support for the Loteria event on behalf of the Keep Kingsville Beautiful

Summary:

Due to the Governor of Texas opening up COVID restrictions, the virtual Loteria event has turned into an in-person event.

Background:

Loteria events have been happening in Kingsville for years to benefit Keep Kingsville Beautiful (KKB). Last year due to COVID the event happened virtually and were not able to obtain as many funds as hoped. This year with it being in person, donations should be higher and be able to benefit Kingsville and KKB in its vision to beautify the City.

Financial Impact:

Financial impact would be approximately \$1400 with any additional amount by the police department (if applicable).

Recommendation:

Staff recommends approval of the event to kick-off in person events for the City.



AGENDA ITEM #4

City of Kingsville Downtown

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Brenda Joyas, CNU-A, Downtown Manger/HPO

DATE: March 22, 2021

SUBJECT: Request the support for the Calle 7 Mercado.

Summary:

To have a location on Main Street to be able to attract more people to it and provide a place to buy/sell/eat/hear music.

Background:

Due to the demand to have a location in the city for people to sell their fares, learn about healthy cooking and exercising, and getting their music noticed by the public, Calle 7 Mercado was born.

It will take place on 7th Street from King to Yoakum, every last Saturday of the month from 9 am – 1 pm. In the hot summer months it will transition to an evening Mercado in June, July, and August from 5 pm- 9 pm.

Financial Impact:

Financial impact would be minimal due to large volume of volunteers to make it happen. Main contribution would be electricity.

Recommendation:

Staff recommends approval of the event.



AGENDA ITEM #5

Planning and Development Services
410 W King
Kingsville, TX 78363
PH: 361-595-8093



MEMO

Date: March 17, 2021

To: Mark McLaughlin (City Manager)

From: Uche Echeozo (Director of Planning and Development Services)

Subject: **Re: Dana Hickey, authorized agent and applicant, Riviera Praise & Worship Church, owner, requesting the rezone of COOPER 2, BLOCK 3, LOT 15, 16 (EXEMPT) also known as 803 W Yoakum, Kingsville, Texas from R1 (Single Family) to R3 (Multi-Family).**

The Planning and Zoning Commission meeting held as scheduled this evening, March 17, 2021 with 5 members in attendance. There was one member that was absent – Commissioner Mike Klepac

Members deliberated over the issue of granting approval for a re-zone of existing lots 15, 16 (EXEMPT) also known as 803 W Yoakum, Kingsville. Letters were sent out to neighbors and the City received no objections to the rezoning request. Commissioners, after deliberations, voted unanimously to approve the recommendation to re-zone the said property from R1 (Single Family) to R3 (Multi-Family). A recorded vote of all members present was taken and Commissioners Debbie Tiffie, Idotha Battle, Brian Coufal, Bill Aldrich and the Chairman – Steve Zamora all voted ‘YES’

The meeting was adjourned by 6.26p.m.

Thank you.

Uche Echeozo
Director of Planning and
Development Services

Planning and Development Services
410 W King
Kingsville, TX 78363
PH: 361-595-8093



MEMO

Date: March 10, 2021

To: Planning and Zoning Commission Members

From: Uche Echeozo (Director of Planning and Development Services)

Subject: **Dana Hickey, authorized agent and applicant, Riviera Praise & Worship Church, owner, requesting the rezone of COOPER 2, BLOCK 3, LOT 15, 16 (EXEMPT) also known as 803 W Yoakum, Kingsville, Texas from R1 (Single Family) to R3 (Multi-Family).**

The applicant approached the department because they wanted to re-zone the existing lot 15, 16 (EXEMPT) from the current zoning which is R1 (Single Family Residential) to R3 (Multi-Family). A look into history revealed the property was originally zoned R3 before the City carried out a general rezone of a section of the City into R1. In order to justify the request, it is pertinent to consider the primary use of the property which is a Church as well as residence for the missionary/Pastor. Similarly, right on the other side of Armstrong Street, is zoned R3 which makes the proposal not markedly incompatible.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage the proper use of the property and ensure the City is not accused of engaging in a takings situation or a violation under the RLUIPA (Religious Land Use and Institutionalized Persons Act).

Thank you.

Uche Echeozo
Director of Planning and
Development Services

**CITY OF KINGSVILLE
PLANNING AND ZONING DIVISION
MASTER APPLICATION**

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 47 Armstrong 835 Yoakum Nearest Intersection Armstrong & Kleberg
 (Proposed) Subdivision Name SAME PARCEL Lot _____ Block _____

Legal Description: _____

Existing Zoning Designation R1 single family Future Land Use Plan Designation R3- multi family

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent DANA Hickey Phone 361 296 4187 FAX _____
 Email Address (for project correspondence only): dana.faye.3@hotmail.com
 Mailing Address PO box 237 City RIVIERA State TX Zip 78379
 Property Owner Praise and Worship Phone 361 296 4007 FAX _____
 Email Address (for project correspondence only): SAME
 Mailing Address SAME City _____ State _____ Zip _____

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

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

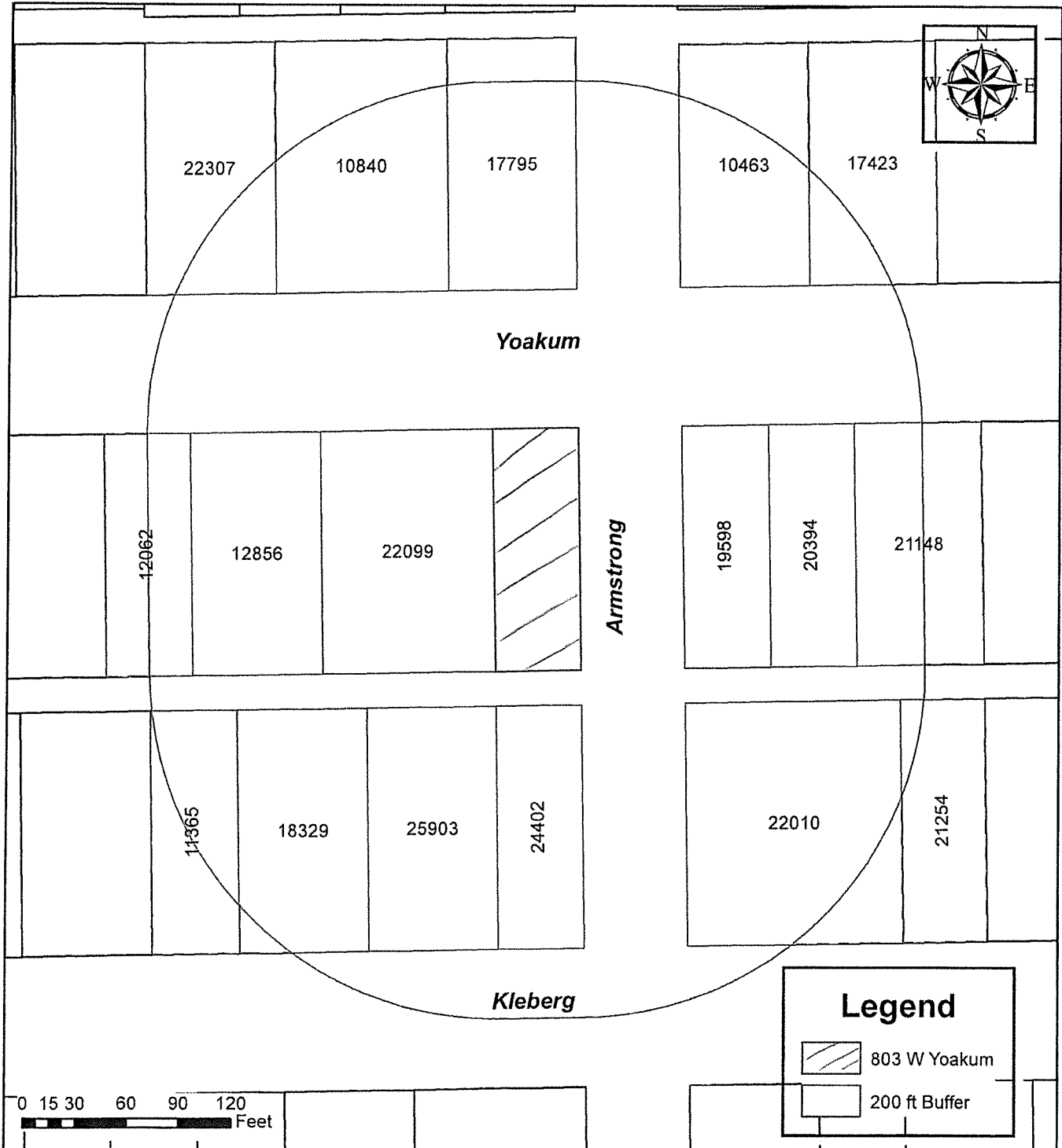
Please provide a basic description of the proposed project:

Before last year the property was ALWAYS
multi family. We request property to remain
as it was, multi family.
USE of property to facilitate use of church.


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 Dana Hickey Date: 2/5/2021
 Property Owner's Signature Rodney E. Liff Date: 2/7/2021
 Accepted by: _____ Date: _____

200 ft Buffer Map of 803 W Yoakum



Document Path: C:\Users\resendez\Desktop\GIS\Maps\New Buffer Maps.mxd

1 / 1 Page	Drawn By: Planning Department	<small>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</small>	 CITY OF KINGSVILLE PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 2/22/2021		
	Note:		

BALDEMAR B GALINDO
ETUX LISA P (LIFE EST)
ANDREA GALINDO
901 E SHELTON ST
KINGSVILLE, TX 78363
#22307

MUNDAY WAYNE WEEKS
208 N ARMSTRONG AVE
KINGSVILLE, TX 78363-4204
#10463

MICHAEL LEROY WATSON
ETUX AMY MARTINEZ WATSON
4209 PETRONILA CREEK CT
CORPUS CHRISTI, TX 78410-5618
#12856

FABRIZIO MARTORELLO
DOMENICO H MARTORELLO
614 W RICHARD AVE
KINGSVILLE, TX 78363-4363
#20394

HELEN RODRIGUEZ
806 W KLEBERG AVE
KINGSVILLE, TX 78363-4219
#18329

SANTIAGO CANTU
PO BOX 197
LA BLANCA, TX 78558-0197
#22010

JONATHAN ORTIZ
ETUX NORA V
722 ALEXANDER AVE
KINGSVILLE, TX 78363-6730
#10840

JOSEPH A FIGARELLI
736 SANTA CLARA
DR
KINGSVILLE, TX 78363-3430
#17423

CHARLIE L SOSA
908 W DEER TRL
KINGSVILLE, TX 78363-2746
#22099

ROBYN HAMBRIGHT HARBORTH
AKA ROBYN LEE HAMBRIGHT
721 W YOAKUM
KINGSVILLE, TX 78363
#21148

SC CONSTRUCTION LLC
PO BOX 197
LA BLANCA, TX 78558-0197
#25903

HUGH P LIECK
408 NELDA ST
KINGSVILLE, TX 78363-7417
#21254

DAVID CHRISTOPHER
JOY P CHRISTOPHER
1506 LEWIS ST
KINGSVILLE, TX 78363
#17795

DAVID L HARRIS EST
5661 SANTA CLARA DR
ROBSTOWN, TX 78380-9420
#12062

ROCHELLE GUERRA LIGUEZ
116 N ARMSTRONG
KINGSVILLE, TX 78363
#19598

RICARDO G VEGA
ETUX GLORIA B
805 W KLEBERG AVE
KINGSVILLE, TX 78363-4218
#11365

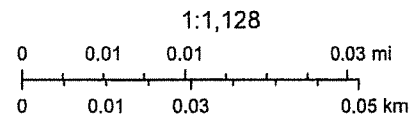
RODNEY LIGHT
RIVIERA PRAISE & WORSHIP
CHURCH
PO BOX 126
RIVIERA, TX 78379
#24402

803 W Yoakum



March 10, 2021

x 803 W Yoakum
Zoned R1- single Family
y Zoned R3- multi-family
Z Zoned C2- Retail



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Kleberg CAD

Property Search > 23624 RIVIERA PRAISE for Year 2021

Tax Year: 2021 - Values not available

Property

Account

Property ID: 23624 Legal Description: COOPER 2, BLOCK 3, LOT 15,
16, (E X E M P T)
Geographic ID: 120200315000192 Zoning:
Type: Real Agent Code:
Property Use Code:
Property Use Description:

Location

Address: 803 W YOAKUM Mapsco:
Neighborhood: Map ID: A2
Neighborhood CD:

Owner

Name: RIVIERA PRAISE Owner ID: 67350
Mailing Address: & WORSHIP CHURCH % Ownership: 100.000000000000%
PO BOX 126
RIVIERA, TX 78379-0126
Exemptions: EX-XV

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A

(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	

(=) Appraised Value:	=	N/A
(-) HS Cap:	-	N/A

(=) Assessed Value:	=	N/A

Taxing Jurisdiction

Improvement / Building

Improvement #1: RESIDENTIAL **State Code:** B3 **Living Area:** 1722.0 sqft **Value:** N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	FF4	EW2	1945	1722.0
OPFA	OPEN PORCH FRAME AVERAGE *			1945	32.0
OPFA	OPEN PORCH FRAME AVERAGE *			1945	8.0
OPFA	OPEN PORCH FRAME AVERAGE *			1945	16.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	B3	B3	0.1607	7000.00	50.00	140.00	N/A	N/A

Roll Value History

Robert Gafford left impact in Kingsville community

By LAURA NEWMAN
REPORTER

Robert Howard "Bob" Gafford, a long-time Kingsville resident, left a huge footprint in the city of Kingsville.

In late January, Gafford passed away, but the impact and contributions he made in the community will continue to live on.

Gafford has been described as a hard-working man.

As a teenager, he worked in an oil field where he did drilling and made 0.99 cents per hour—which was a lot of money back then.

He worked eight-hour days, seven days a week and as a young teenager, he had a good reputation with the drillers, allowing him to fill in on the weekends and holidays for the regular staff that wanted time off.

During World War II, he served in the Texas State Guard while also attending Kingsville High School and then later joined the United States Air Force.

Gafford graduated Texas A&I University in 1949 with a B.S. in Chemistry and a B.S. in Petroleum and Natural Gas Engineering in 1950.

Upon joining the

United States Air Force, Gafford was stationed at Keesler Air Force Base in Biloxi, Miss., where he met his wife Melba Faye Wilcox.

After an honorable discharge in 1953, Gafford and his wife returned to back to Kingsville.

Alan Wang, friend of the Gafford family, described Gafford as a community leader and someone that made humanitarian gestures.

Gafford's family operated the Gafford Super Market. Upon Gafford's discharge, he entered a partnership with his father in the grocery business until 1978.

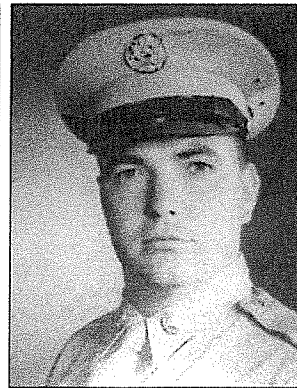
Gafford allowed the young enlisted Navy men to take out "IOU's" for groceries to feed their families until they got paid.

When the grocery store closed, Gafford and his family moved to Ben Bolt ranch. He owned Ben Bolt ranch in Uvalde County on the Frio River. Gafford and his wife raised three daughters and four sons.

He served in a number of civic organizations including: the Kingsville Boy Scouts, Troop 374, Wood Badge Adult Training and the Society of the Order of



Robert Howard Gafford is pictured working in the ranch.



Robert Howard Gafford



Robert Howard Gafford - circa 1944



Mr. and Mrs. Robert Howard Gafford

the Arrow.

Gafford was asked to

run for Mayor of Kingsville but was not eligible due to the location of their home being outside of the city's limits.



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COVID-19 has affected Texans across the state. We have emergency funds available to help Texas renters pay current and past due rent and utility bills – even if the landlord has already sued for eviction in their local court.

Households must have incomes at or below 80% of the Area Median Income and meet other eligibility requirements. For full details, visit TexasRentRelief.com.

For Information and to Apply

833-9TX-RENT Toll Free 833-989-7369

TexasRentRelief.com

Assistance is available in multiple languages.



Texas Coronavirus Relief Bill Rental Assistance Program administered by the Texas Department of Housing and Community Affairs. Providing false, incomplete, or inaccurate information on application forms or seeking assistance for months in which assistance has been or will be provided may result in up to 5 years of suspension and/or for each occurrence, a fine of up to \$10,000. Other program limitations and eligibility requirements apply; not all households may be eligible. See TexasRentRelief.com for details. Funds may no longer be available by the time's assistance applies.

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Scorpions • Termites • Other Pests

TFCL #12043

816 N. 14th Street
Kingsville, TX 78363

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PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, March 22, 2021 at 5:00 p.m. wherein the City Commission will discuss and act on the following item and at which time all interested persons will be heard:

Dana Hickey, authorized agent and applicant, Riviera Praise & Worship Church, owner, requesting the rezone of COOPER 2, BLOCK 3, LOT 15, 16, (EXEMPT) also known as 803 W Yoakum, Kingsville, Texas from R1 (Single-Family) to R3 (Multi-Family).

The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

ORDINANCE #2021-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO COOPER 2, BLOCK 3, LOTS 15 & 16 (EXEMPT), ALSO KNOWN AS 803 W. YOAKUM, KINGSVILLE, TEXAS, FROM R1 (SINGLE-FAMILY DISTRICT) TO R3 (MULTI-FAMILY DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Dana Hickey, authorized agent and applicant, for Riviera Praise & Worship Church, owner, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, March 17, 2021 during a meeting of the Planning and Zoning Commission, and on Monday, March 22, 2021 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the item was APPROVED with a 5-0 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Cooper 2, Block 3, Lots 15 & 16 (exempt), also known as 803 W. Yoakum, Kingsville, Texas, from R1-Single Family District to R3-Multi-Family District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 22nd day of March, 2021.

PASSED AND APPROVED on this the 12th day of April, 2021.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

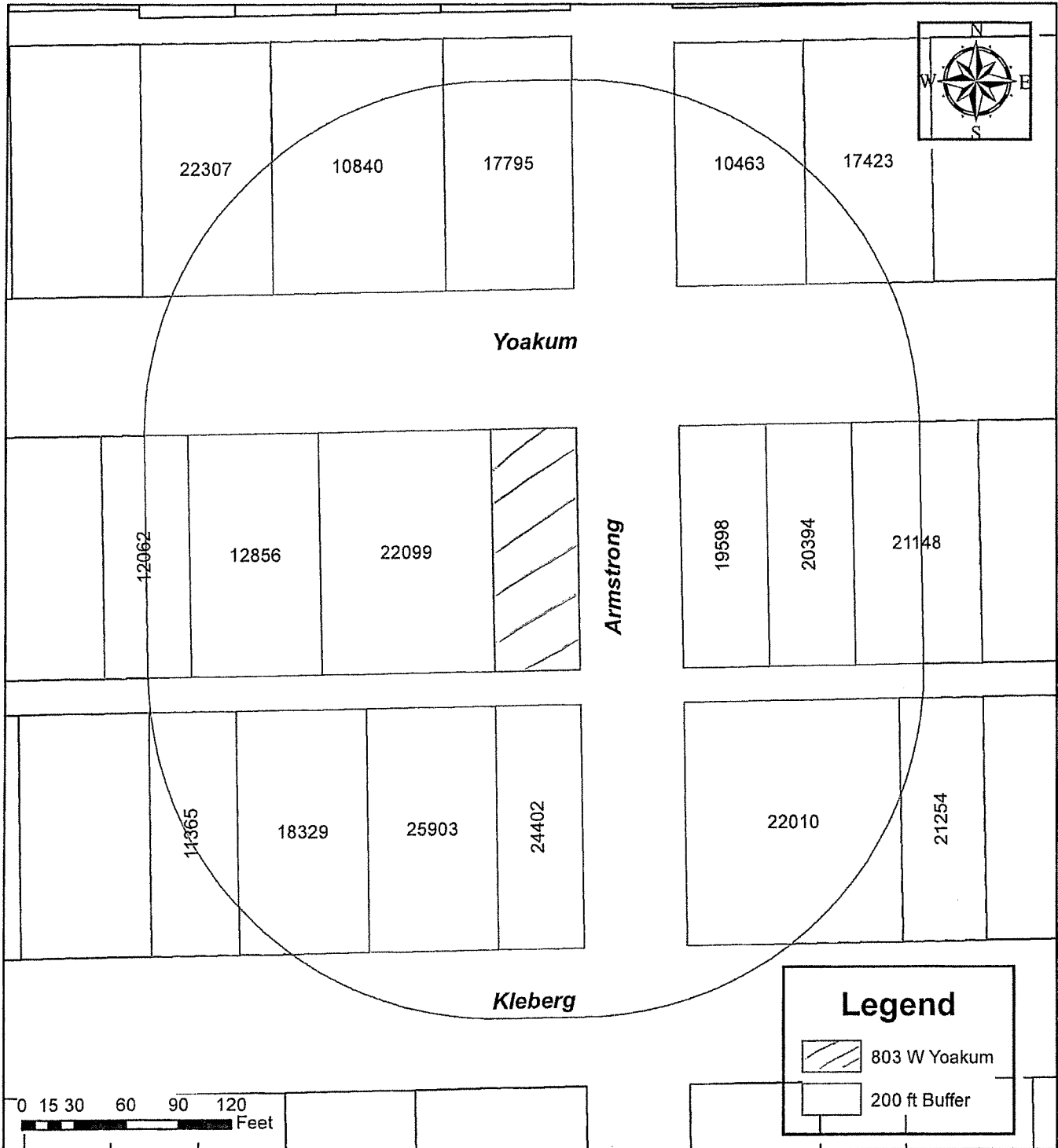
ATTEST:

Mary Valenzuela, City Secretary


APPROVED:

Courtney Alvarez, City Attorney

200 ft Buffer Map of 803 W Yoakum



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\New Buffer Maps.mxd

1 / 1 Page	Drawn By: Planning Department	<small>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.</small>	 CITY OF KINGSVILLE PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 2/22/2021		
	Note:		

AGENDA ITEM #6



MEMO

Date: March 17, 2021
To: Mark McLaughlin (City Manager)
From: Uche Echeozo (Director of Planning and Development Services)
Subject: **Re: Revisions to City Ordinances**

The Planning and Zoning Commission meeting held as scheduled this evening, March 17, 2021 with 5 members in attendance. There was one member that was absent – Commissioner Mike Klepac

Members deliberated over the issue of amending Chapter XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 2, 6-8, 11,23,40,60 and ARTICLE 6 ZONING, SECTIONS 91 & 143, revising sections for compliance with existing International Building Codes. The Building Official – Nicholas Daniels made the presentation and answered questions posed by the Commissioners. The Commission, after deliberations, voted unanimously to approve the recommendation to amend/revise the relevant sections of the Code of Ordinances. A recorded vote of all members present was taken and Commissioners Debbie Tiffie, Idotha Battle, Brian Coufal, Bill Aldrich and the Chairman – Steve Zamora all voted 'YES'

The meeting was adjourned by 6.26p.m.

Thank you.

A handwritten signature in black ink, appearing to read "Uche Echeozo", with a stylized flourish at the end.

Uche Echeozo
Director of Planning and
Development Services

ORDINANCE NO.2021-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES BY AMENDING CHAPTER XV, ARTICLE 1-BUILDING REGULATIONS, SECTIONS 2, 6-8, 11, 23, 40, & 60, AND ARTICLE 6-ZONING, SECTIONS 91 & 143, REVISING SECTIONS FOR COMPLIANCE WITH EXISTING INTERNATIONAL BUILDING CODES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City recently adopted the 2018 versions of the International Building Codes and staff has been working to review the City Code of Ordinances to locate sections that may need to be updated for consistency with the new IBC versions;

WHEREAS, staff has located some ordinance sections that need to be updated and makes the recommended changes below to be consistent and reduce confusion for developers;

WHEREAS, the Planning & Zoning Commission has met to discuss and consider the recommended changes and met on March 17, 2021 where they unanimously recommended by a vote of 5-0 the adoption of the revisions contained herein;

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

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

I.

THAT Section 15-1-6 of Article 1: Building Regulations of Chapter XV, Building Code, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

...

§ 15-1-2 ADOPTION BY REFERENCE.

The purpose of this subarticle is to provide minimum standards, provisions and requirements for reasonably safe construction, alteration and modification of buildings within the city. All such construction, alteration and modification of buildings within the corporate limits of the city shall conform to the requirements of this subarticle and to the specifications, rules and regulations entitled *International Building Code* 2018 Edition, approved and adopted by the Southern Building Code Congress International with all appendices thereto. Such edition is incorporated herein by reference and made a part of this subarticle as if fully set forth herein. When such edition conflicts with local regulations and ordinances, all locally adopted regulations and ordinances shall prevail. The *International Building Code*, 2018 Edition, shall apply to the construction, alteration,

repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

...

§ 15-1-6 SCHEDULE OF PERMIT FEES.

(A) On all repairs or alterations to existing buildings or on construction of other than buildings, fees will be based on a flat fee as restated in subdivision (B)(1) hereof shall apply.

(B) The permit fee for all new buildings or additions to existing buildings where the floor area is increased, shall be as follows:

(1) (a) Permit fees for remodeling, repair, or alterations to existing buildings will be charged on a flat fee basis. A project with one inspection or more, if necessary, (that is not a re-inspection) will be charged a flat fee of \$100.00 dollars. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. Permit fees for roof repairs shall be charged a permit fee of \$0.06 per square foot. When the work performed does not meet the code requirements and a reinspection is required, a reinspection fee of ~~\$25.00~~ \$50.00 will be charged for each reinspection.

(b) Permit fees; new buildings and additions.

1. All buildings shall be charged a permit fee of ~~\$0.16~~ \$0.30 per square foot. The minimum fee shall be ~~\$40~~ \$25. Duplexes, apartments, hotels, and motels shall be charged an additional fee of \$10.00 per unit. A Construction Site Office shall be charged a permit fee of ~~\$30.00~~ based on inspection and review requirements.

2. In applying paragraph 1. of this subdivision (b), square footage shall be determined by including each floor level including basements and cellars, mechanical rooms, storage areas, lofts, balconies, porches, sun decks, covered patios, breezeways, carports, garages, sheds and other similar areas.

3. *Moved buildings or structures.* A fee of ~~\$0.10~~ \$0.20 per square foot shall be charged for the issuance of any permit for a moved building or structure.

(c) A plan review fee shall be paid upon submission of permit for review as listed below. These fees will be credited to any plan review or administrative fees set forth in later sections of this ordinance, should those fees be in excess of the fees stated below:

1. \$250.00 for new single family or two-family residential construction

2. \$500.00 for new multi-family residential

3. \$500.00 for new commercial construction

4. \$25.00 for any plumbing, mechanical or electrical permit.

5. \$25.00 for any accessory building

6. \$25.00 for signs

7. \$25.00 for residential remodel

8. \$25.00 for commercial tenant finish out

9. \$35.00 Fence permit.

- (2) *Moving buildings or structures.* A fee of \$110.00 shall be charged for the issuance of any permit for the moving of a building or structure.
- (3) *Demolition of building or structure.* A fee of \$75.00 shall be charged for issuing a permit for the demolition of any building or structure.
- (4) ~~*Plan-checking fee.* A plan-checking fee shall be paid at the time of submitting plans and specifications for review of commercial projects. The plan-checking fee shall be equal to one half of the building permit fee as set forth in § 107.3 of the *International Building Code*. Such plan-checking fee is in addition to the building permit fee. A Plan Update or Revision fee shall be charged equal to 50% of the original Plan Review fee and shall be payable upon submission of update or revision.~~
- (5) *Starting work without permit.* Where work for which a permit is required by this code is started or proceeded with prior to obtaining the permit, the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.
- (6) ~~(5)~~ *Investigation fee.* The fee for any investigation required for building construction is equal to the cost of the building of the plan review.
- (7) ~~(6)~~ *After hours inspection fee.* The cost of performing and inspection after regular business hours is equal to ~~\$25.00~~ \$50.00 per hour with a 2 hour minimum charge.
- (8) ~~(7)~~ *Reinspection fee.* When the work performed does not meet the code requirements and a reinspection is required, a fee of ~~\$25.00~~ \$50.00 will be charged for each reinspection.
- (9) ~~(8)~~ *Refunds on permits.* No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: (a) no work has commenced, (b) no inspections have been made, and the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.

§ 15-1-7 BUILDING PERMIT VALUATIONS.

If, in the opinion of the Building Department, the valuation of building, alteration or structure appears to be underestimated in the application, permit shall be denied, unless the applicant can show detailed estimated cost to meet the approval of the Building Department. Permit valuations shall include total cost, such as electrical, gas, mechanical, plumbing equipment and other systems, including materials and labor. The final valuation applied to the project is subject to Building Department approval.

§ 15-1-8 SWIMMING POOLS; ENCLOSURE REQUIRED.

Prior to first filing and final inspection, all swimming pools shall be completely enclosed. ~~The fence or screen enclosure of the pool shall be at least four feet in height and shall not exceed six feet in residential pools. Openings in the fence shall not permit~~

~~the passage of a four inch diameter sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates. by a barrier in compliance with section 305 of the 2018 International Swimming Pool and Spa Code.~~

...

§ 15-1-11 CERTIFICATE OF OCCUPANCY REQUIRED.

- (A) ~~No entity shall furnish water, sewer, electricity, gas, or other public utilities unless at the time of making application for service a valid certificate of occupancy duly executed by the Building Official is presented. The Building Official shall have the authority to suspend water, electricity, gas or other public utilities if a Certificate of Occupancy is not provided or is revoked.~~
- (B) There shall be two types of certificates of occupancy. These shall be designated as an Interim Certificate of Occupancy and a Permanent Certificate of Occupancy.
- (1) An Interim Certificate of Occupancy may be issued by the Building Official for use in necessary construction ~~on the premises only~~. The fee for an interim Certificate of Occupancy shall be \$3.00 per day for the first 30 calendar days; \$6.00 per day for the second 30 calendar days; and \$10.00 per day for each calendar day thereafter. The fees for such Interim Certificate of Occupancy shall be tendered prior to the issuance of such Interim Certificate of Occupancy. ~~An Interim Certificate of Occupancy shall be required for water utility service only. The Interim Certificate of Occupancy shall be valid a maximum of 180 days unless approved in writing by the Building Official.~~
- (2) A Permanent Certificate of Occupancy shall be issued when the Building Official determines that the proposed structure meets all applicable laws and ordinances, and not before. The fee for a Permanent Certificate of Occupancy shall be \$25.00. An additional fee of \$15.00 per floor shall be charged for multi-story buildings. A Permanent Certificate of Occupancy shall not be subject to renewal, and shall be valid as long as the premises for which it was issued meets all applicable codes and utility services are not terminated for any reason to such premises, whichever occurs first.

...

§ 15-1-23 SCHEDULE OF PERMIT FEES.

The permit fees for all new buildings, or additions to existing buildings where the floor area is increased, shall be as follows:

- (A) Except for a specific fee set forth below, permit fees for remodeling or alterations to existing buildings costing in excess of \$100.00 shall be charged a permit fee of ~~\$0.03~~ \$0.15 per square foot. Duplexes, apartments, hotels and motels shall be charged and additional fee of \$10.00 per unit.

Plumbing Permit Fees	
For each issuing permit	\$25.00

Plus the following when provided:	
- For each plumbing fixture, floor drain or trap, including water and drainage piping	2.50
- For each house sewer	5.00 <u>10.00</u>
- For each house sewer having to be replaced or repaired	5.00 <u>10.00</u>
- For each cesspool	5.00 <u>10.00</u>
- For each septic tank and seepage pit or drainfield	10.00
- For each water heater and/or vent	2.50 <u>10.00</u>
- For installation, alteration or repair of water piping and/or water-treating equipment	5.00
- For repair or alteration of drainage or vent piping	5.00
For vacuum breakers or backflow protective devices installed subsequent to the installation of the piping or equipment served:	
- One to five	2.50
- Over five, each	1.50
Investigation fee	Permit fee
Reinspection fee	25.00 <u>50.00</u>
Outside city limits fee	25.00 plus permit fee
The permit fee shall be doubled, if work is started before the permit is issued.	

(B) *Permit fees for new buildings and additions.* All buildings shall be charged a permit fee ~~\$0.04~~ \$0.15 per square foot. The minimum fee shall be \$20.00. Duplexes, apartments, hotels and motels shall be charged an additional fee of \$10.00 per unit.

- (C) *Moved buildings or structures.* A fee of ~~\$0.04~~ \$0.15 per square foot shall be charged for the issuance of any permit for a moved building or structure.
- (D) *Refunds on permits.* No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: (1) no work has commenced, (2) no inspections have been made, and (3) the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.

...

§ 15-1-40 SCHEDULE OF PERMIT FEES.

- (A) The fees for gas permits as set forth in Section 106.6.2 of the International Fuel Gas Code, 2018 Edition, are hereby established. A separate permit is required for each address.

Schedule of Permit Fees	
For issuing each permit	\$5.00 <u>25.00</u>
One to four outlets (inclusive)	\$5.00 <u>10.00</u>
Each additional outlet	\$1.00
Conversion burners, floor furnaces, incinerators, boilers, central heating, or air conditioning	\$5.00 <u>10.00</u>
Each additional	\$1.00
Vented wall furnaces and water heaters (first unit)	\$2.50 <u>10.00</u>
Each additional	\$1.00 <u>5.00</u>
Reinspection fee	\$5.00 <u>50.00</u>

- (B) If any person commences any work before obtaining the necessary permit and inspection, fees shall be doubled; and any and all fees shall be paid by the person to whom the permit is issued.

(C) If the inspector determines that public safety has been endangered, a complaint shall be filed in Municipal Court. Upon receiving a conviction, the person shall have their license revoked as follows:

- (1) 1st conviction 3 months revocation
- (2) 2nd conviction 6 months revocation
- (3) 3rd conviction 12 months revocation
- (4) 4th conviction 2 year revocation
- (5) 5th conviction permanently revoked

...

§ 15-1-60 PERMITS AND FEES; ELECTRICAL INSPECTION.

- (A) *Permits required.* It shall be unlawful for any person to install or cause to be installed, or to permit any person to install, any electrical wiring, fixtures or equipment, or to make any alterations, additions or repairs within the city limits without first obtaining a permit to do so as issued by the inspector, except as provided herein. There shall be one permit for each building for which rough work for electrical conductors, or where electrical equipment is installed. Accessory buildings, tourism cottages or group houses shall not be considered separate buildings when work is classed as one project to be completed at one time; unless separate meter loops or switches are installed thereon.
- (B) *Permits not required.* No permit shall be required for minor repairs or maintenance work, replacement of tamps or for connecting portable electrical equipment to permanently installed receptacles of a suitable nature. No permit shall be required of an established refrigeration firm for the replacing of a refrigeration motor by another motor of the same horsepower and rating, solenoid valves, low pressure controls, or other controls that are a part of the refrigeration system provided the electrical supply to same has been or is properly installed by a licensed electrician. No permit shall be required for the installation of electrical conductors or equipment to be installed by or for a public utility corporation in duly executing their services as outlined in their franchise. No permit shall be necessary for any work involved in the manufacturing, testing, servicing, altering, or repairing of electrical equipment or apparatus so long as the work does not include any permanent wiring.
- (C) *Permit fees.* There is a minimum permit fee of \$25.00. Before proceeding with the installations, alteration of or the addition to any electrical wiring or equipment within or on any building, structure, or premises, publicly or privately owned within the corporate limits, the master electrician in charge of such proposed work shall first file with the inspector an application requesting a permit and pay fees to the Permit Clerk in accordance with the schedule contained herein.
- (1) *Permit fees required.* The permit fees for all new buildings, or additions to existing buildings where the floor area is increased shall be as follows:
- (a) Except for specific fees set forth below, permit fees for remodeling, repairs or alterations to existing buildings costing in excess of \$100.00 shall be charged a permit fee of ~~\$0.04~~ 0.15 per square foot. Duplexes, apartments, hotels and motels shall be charged an additional fee of \$10.00 per unit.

Permit Fees	
Admin Review Fee	\$ 25.00
Circuits	\$ 2.00
Fixtures	0.30 <u>0.50</u>
Motors, one hp and smaller	1.25
Motors, one to five hp	3.75
Motors, five to ten hp	4.75
Motors, ten to 25 hp	7.25
Motors, over 25 hp	10.00
Electrical Services:	
Temporary	10.00 <u>25.00</u>
100 amps or less	7.00
101 to 200 amps	9.50
201 to 400 amps	17.00
401 to 1,000 amps	25.00
1,001 to 1,600 amps	30.00
Over 1,600 amps	32.00
Each additional meter	8.00
Sub-feeders (commercial only):	
100 amps or less	7.00
101 to 200 amps	9.50

201 to 400 amps	17.00
401 to 1,000 amps	25.00
1,001 to 1,600 amps	30.00
Over 1,600 amps	32.00
Transformers:	
0—10 kw	6.00
Each additional kw or fraction thereof	0.40
Heaters, 5 kw and less	12.00
Each additional kw or fraction	0.40
Equipment:	
Motion picture projectors	15.00
X-ray, cat-scan, etc.	15.00
Elevators/escalators	15.00
Gasoline pump	10.00
Swimming pool, sauna or hot tub	15.00
Welding machines	10.00
Other	10.00
Central heat or air conditioning:	
Up to 3 hp	5.00
Over 3 hp per hp or fraction	1.00
Reinspection fee	25.00

Permit issuing fee for issuing all permits, with the exception of meter inspection requests	5.00
Existing facility inspection fee:	
Residential meter inspection	20.00
Nonresidential meter inspection	20.00
Investigation fee	Permit fee
After hours inspection fee	25.00 <u>50.00</u> per hour, two hour minimum
Signs (electrical work only) will be based according to actual electrical installations to connect service to sign.	
If electrical work is started without permit, the penalty shall be \$150.00 for the first offense, compounded by \$150.00 for each additional offense.	

- (b) Permit fees for new buildings and additions. All buildings shall be charged a permit fee of ~~\$0.06~~ 0.15 per square foot. The minimum fee shall be \$25.00. Duplexes, apartments, hotels and motels shall be charged an additional fee of \$10.00 per unit.
- (c) Moved buildings or structures. A fee of \$0.10 per square foot shall be charged for the issuance of any permit for a moved building or structure.
- (d) Refunds on permits. No refund will be granted on individual permit fees assessed at the minimum fee amount for a specific type of permit. Refunds of permit fees greater than minimum fee amounts may be made at a rate not to exceed 75% of that portion of the fee in excess of the minimum fee amount provided: no work has commenced, no inspections have been made, and the refund claim is submitted within 180 days after the issuance of the permit. Refund claims must be submitted in writing with a copy of the permit receipt.
- (e) Penalties.
 - 1. If electrical work (which requires a permit) is started without a permit, the penalty shall be \$150.00 for the first offense, compounded by \$150.00 for each additional offense. There is no cap on the maximum number of offenses.
 - 2. Example:
 - a. First offense: \$150.00
 - b. Second offense: \$300.00

- c. Third offense: \$450.00
- 3. An additional penalty of \$150.00 per incident shall apply to each of the following:
 - a. Electrical work performed within the city limits by unlicensed electricians.
 - b. Any company that hires unlicensed electricians to perform permitted electrical work within the city limits.
 - c. Failure to produce electrical license while performing electrical work.
 - d. Starting work without first obtaining a permit.

...

§15-6-91 SIDE YARD.

(A) The minimum required side yard for uses in various districts shall be in accordance with the schedule indicated on the Space Requirement Chart (Appendix B), except that where a lawfully existing building at the effective date of this article has a smaller side yard than prescribed, it may be altered provided such alteration in no way increases the degree of nonconformity and provided all other requirements are satisfied. No side yard may hereafter be reduced below the minimum requirement set forth.

(B) Special side yard regulations.

(1) Every part of the required side yard shall be open and unobstructed except for the normal projections of window sills, belt courses, cornices, chimneys, and other architectural features projecting no more than 12 inches into the required side yard and roof eaves projecting no more than 36 inches into the required side yard.

(2) Attached dwellings. Where a fire wall of a dwelling, garage, or carport is located on a property line, the roof shall be so designed and constructed as not to drain water onto the adjoining lot.

(3) Whenever any use or district not normally requiring a side yard adjoins a use or district in which side yards are required, a minimum five foot side yard shall be maintained.

(4) A one-family attached dwelling separated from another by a fire or party wall need not provide a side yard except that no complex of attached one-family dwellings shall exceed 300 feet in length. A minimum required side yard of five feet shall be provided so that any building shall be at least ten feet from any other building.

(5) A complex of multiple-family dwelling units shall maintain a minimum side yard separation of ten feet so that any two adjacent complexes shall be at least 20 feet apart.

(6) Gasoline pumps shall be located at least ten feet from any side property line.

(7) Any building within five feet of a side yard must satisfy a ~~four-hour~~ fire wall standard as established in the international building codes, unless a common wall agreement exists and is recorded upon the deed.

...

§ 15-6-143 TIME LIMITS ON BUILDING PERMITS.

Building permits secured under the provisions of this article shall be rendered null and void if construction is not begun within six months of issuance of the permit, the construction is not completed within one year of the issuance of the permit, Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Or, should this article be amended, prior to the start of construction, in such manner as to make the construction or intended use illegal, then the applicant may reapply for a permit in such cases, but shall be treated as a new applicant being evaluated in light of all ordinances currently in effect, following all procedures and paying all fees as would be required for the initiation of new construction.

...

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of March, 2021.

PASSED AND APPROVED on this the 12th day of April, 2021.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #7

City of Kingsville
Department Name

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Juan J. Adame, Fire Chief

DATE: March 8, 2021

SUBJECT: Assistance to Firefighters Grant for Self-Contained Breathing Apparatus

Summary:

The Kingsville Fire Department is requesting approval to apply for the 2020 Assistance to Firefighters Grants (AFG), which if awarded, would allow us to replace our aging Self-Contained Breathing Apparatus (SCBA's) that will become non-compliant this year. We would be replacing 31 units, 31 masks, and 62 air cylinders. The grant request is for \$313,163.55. The city would be responsible for a cost share match or \$28,469.41 when the grant is awarded and fulfilled.

Background:

An assessment was performed in FY 2018 that identified that the useful life of this equipment would be coming to an end in the latter part of 2024. We applied for and were denied this grant last year. This was due to the equipment not yet meeting a "High Priority" status. In order to meet this qualification, the equipment needed to be 10 years old or older from the date of manufacture, and at least two NFPA 1981 cycles are of date. We were at 9 years and 2 cycles when we applied last year.

This year, we will meet the requirements of being 10 years old and now 3 NFPA cycles outdated, thus placing us into the "High Priority" status.

Financial Impact:

This grant request serves as a final effort to receive grant funding before we will have to look for alternative methods of funding for this required equipment. Current funds are not available for the cost of sharing portion of \$28,469.41, and they will have to be programmed to meet the cost share requirement. Since SCBA's will soon be non-compliant, no trade-in value will be available. The anticipated awarding dates will begin April 30, 2021. Awarding will continue until funding is exhausted.

Recommendation:

The purchase of these SCBA units would help us to maintain our goals for continued safety of personnel and operational effectiveness. Furthermore, this equipment is required to meet compliance standards. Our recommendation is that the Commission approve the request to apply for the AFG.



**The Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
Fiscal Year 2020 Assistance to Firefighters Grant (AFG) Program**

NOTE: If you are going to apply for this funding opportunity and have **not** obtained a Data Universal Numbering System (DUNS) number and/or **are not** currently registered in the System for Award Management (SAM), please take immediate action to obtain a DUNS Number, if applicable, and then to register immediately in SAM. It may take four weeks or more after you submit your SAM registration before your registration is active in SAM, then an additional 24 hours for Grants.gov to recognize your information. Information on obtaining a DUNS number and registering in SAM is available from Grants.gov at: <http://www.grants.gov/web/grants/register.html>. Detailed information regarding DUNS and SAM is also provided in Section D – Application and Submission Information of this NOFO, subsection, Content and Form of Application Submission. An active registration is required in order to apply for funding.

A. Program Description

- 1. Issued By**
Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD)
- 2. Assistance Listings (formerly Catalog of Federal Domestic Assistance Number)**
97.044
- 3. Assistance Listings Title (formerly CFDA Title)**
Assistance to Firefighters Grant (AFG)
- 4. Funding Opportunity Title**
FY 2020 Assistance to Firefighters Grant
- 5. Funding Opportunity Number**
DHS-20-GPD-044-00-98
- 6. Authorizing Authority for Program**
Section 33 of the *Federal Fire Prevention and Control Act of 1974*, Pub. L. No. 93-498, as amended (15 U.S.C § 2229) <https://www.govinfo.gov/content/pkg/USCODE-2018-title15/pdf/USCODE-2018-title15-chap49-sec2229.pdf>
- 7. Appropriation Authority for Program**
Department of Homeland Security Appropriations Act, 2020 (Pub. L. No. 116-93) <https://www.govinfo.gov/content/pkg/PLAW-116publ93/pdf/PLAW-116publ93.pdf>
- 8. Announcement Type**
Initial

9. Program Overview, Objectives, and Priorities

Overview

The Fiscal Year (FY) 2020 Assistance to Firefighters Grant (AFG) Program is one of three grant programs that constitute the Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA's) focus on enhancing the safety of the public and firefighters with respect to fire and fire-related hazards. The AFG Program accomplishes this by providing financial assistance directly to eligible fire departments, nonaffiliated emergency medical service (EMS) organizations, and State Fire Training Academies (SFTAs) for critical training and equipment. The AFG Program represents one part of a comprehensive set of measures authorized by Congress and implemented by DHS. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, the AFG Program supports the goal to Strengthen National Preparedness and Resilience. In awarding grants, the FEMA Administrator is required to consider the following:

- The findings and recommendations of the Technical Evaluation Panel (TEP);
- The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire related and other hazards;
- The extent of an applicant's need for an AFG Program grant and the need to protect the United States as a whole; and
- The number of calls requesting or requiring a firefighting or emergency medical response received by an applicant.

The 2018-2022 FEMA Strategic Plan creates a shared vision for the field of emergency management and sets an ambitious, yet achievable, path forward to unify and further professionalize emergency management across the country. The AFG Program supports the goal of Ready the Nation for Catastrophic Disasters. We invite all of our stakeholders and partners to also adopt these priorities and join us in building a stronger Agency and a more prepared and resilient Nation.

Objectives

The objectives of the AFG Program are to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience.

Priorities

Information on program priorities and objectives for the FY 2020 AFG Program can be found in Appendix B, FY 2020 AFG Programmatic Information and Priorities.

10. Performance Metrics

The grant recipient is required to collect data to allow FEMA to measure performance of the awarded grant in support of the AFG Program metrics, which are tied to the programmatic objectives and priorities. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient must submit sufficient information to demonstrate it has met the performance goal as stated in its award. FEMA will measure the recipient's performance of the grant by comparing the number of items, supplies, projects, and activities needed and requested in its application with the number of items, supplies, projects, and activities acquired and delivered by the end of the period of performance using the following programmatic metrics:

- Percentage of AFG Program personal protective equipment (PPE) recipients who equipped 100 percent of on-duty active members with PPE in compliance with applicable National Fire Protection Association (NFPA) and Occupational Safety and Health Administration (OSHA) standards.
- Percentage of AFG Program equipment recipients who reported that the grant award brought them into compliance with either state, local, NFPA, or OSHA standards.
- Percentage of AFG Program grant recipients who reported having successfully replaced their fire vehicles in accordance with industry standards.
- Percentage of AFG Program training recipients who reported that the grant award allows their members to achieve firefighter training level I and firefighter training level II within one year of coming into service.
- Percentage of AFG Program wellness and fitness recipients who reported that the grant award allows their members to achieve minimum physical and/or mental operational readiness requirements through tailored health-related fitness programs.
- Percentage of AFG Program modifications to facilities recipients who reported that the grant award brought them into compliance with either state, local, NFPA, or OSHA standards on housing and readiness posture.

B. Federal Award Information

1. Available Funding for the NOFO:	\$319,500,000.00 ¹
2. Projected number of Awards:	2,000

¹ Note that this figure differs from the total amount appropriated under the *Department of Homeland Security Appropriations Act, 2020*, Pub. L. No. 116-93. In this FY 2020 AFG NOFO, percentages of "available grant funds" refers to the total amount appropriated—\$355,000,000—by Pub. L. No. 116-93 to meet the statutory requirements of § 33 of the *Federal Fire Prevention and Control Act of 1974*, as amended (codified at 15 U.S.C. § 2229). A portion of these "available grant funds" will be allocated to the Fire Prevention & Safety (FP&S) program, which will have a separate NOFO and application period. \$35,500,000 will be allocated to FP&S for FY 2020.

3. **Period of Performance:** Twenty-four months from the date of award.

Extensions to the period of performance are allowed. For additional information on period of performance extensions, refer to Section H.

FEMA awards only include one budget period, so it will be same as the period of performance. *See* 2 C.F.R. § 200.1 for definitions of “budget period” and “period of performance.”

4. **Projected Period of Performance Start Date(s):** May 1, 2021 (will vary based on award date)
5. **Projected Period of Performance End Date(s):** April 30, 2023 (will vary based on Period of Performance Start Date)
6. **Funding Instrument Type:** Grant

C. **Eligibility Information**

1. **Eligible Applicants**

- a. **Fire Departments:** Fire departments operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,² or any federally recognized Indian tribe or tribal organization. A fire department is an agency or organization having a formally recognized arrangement with a state, local, tribal, or territorial authority (city, county, parish, fire district, township, town, or other governing body) to provide fire suppression to a population within a geographically fixed primary first due response area.
- b. **Nonaffiliated EMS organizations:** Nonaffiliated EMS organizations operating in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,² or any federally recognized Indian tribe or tribal organization. A nonaffiliated EMS organization is an agency or organization that is a public or private nonprofit emergency medical service entity providing medical transport that is not affiliated with a hospital and does not serve a geographic area in which emergency medical services are adequately provided by a fire department. FEMA considers the following as hospitals under the AFG Program:
- Clinics
 - Medical centers
 - Medical college or university

² The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico are all defined as “States” in the Federal Fire Prevention and Control Act of 1974. *See* 15 U.S.C. § 2203(10).

- Infirmary
 - Surgery centers
 - Any other institution, association, or foundation providing medical, surgical, or psychiatric care and/or treatment for the sick or injured.
- c. **State Fire Training Academies:** A SFTA operates in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico.² Applicants must be designated either by legislation or by a Governor's declaration as the sole fire service training agency within a state, territory, or the District of Columbia. The designated SFTA shall be the only agency, bureau, division, or entity within that state, territory, or the District of Columbia, to be an eligible SFTA applicant under the AFG Program.

2. Eligible Activities

The FY 2020 AFG Program has three activities:

- Operations and Safety
- Vehicle Acquisition
- Regional Projects

Each activity has its own eligibility requirements. These requirements are outlined in Appendix B: Programmatic Information and Priorities.

3. Other Eligibility Criteria

a. ***National Fire Incident Reporting System (NFIRS)***

NFIRS reporting is not a requirement to apply for any AFG Program; however, fire departments that receive funding under this program must agree to provide information to the NFIRS for the period covered by the assistance. If a recipient does not currently participate in the incident reporting system and does not have the capacity to report at the time of the award, that recipient must agree to provide information to the system for a 12-month period commencing as soon as possible after they develop the capacity to report. Capacity to report to NFIRS must be established prior to the termination of the two-year performance period. The recipient may be asked by FEMA to provide proof of compliance in reporting to NFIRS. Any recipient that stops reporting to NFIRS during their grant's period of performance may be subject to the remedies for noncompliance at 2 C.F.R. § 200.339, unless it has yet to develop the capacity to report to NFIRS, as described above. There is no NFIRS reporting requirement for nonaffiliated EMS organizations or SFTAs.

Note: Although data collection is an important tool for understanding and justifying assistance, participation in other data sources, (e.g., National Fire Operations Reporting System [NFORS]) does not satisfy the requirement for reporting to NFIRS.

b. ***National Incident Management System (NIMS) Implementation***

AFG Program applicants are not required to comply with NIMS to apply for AFG Program funding or to receive an AFG Program award. Any applicant who receives an FY 2020 AFG Program award must achieve the level of NIMS compliance required by the Authority Having Jurisdiction (AHJ) over the applicant's emergency service operations (e.g., a local government), prior to the end of the grant's period of performance.

4. Maintenance of Effort (MOE)

Pursuant to 15 U.S.C. § 2229(k)(3), an applicant seeking an AFG Program grant shall agree to maintain, during the term of the grant, the applicant's aggregate expenditures relating to activities allowable under this NOFO, at not less than 80 percent of the average amount of such expenditures in the two fiscal years prior to the fiscal year an AFG Program grant is awarded.

In other words, an applicant agrees that if it receives a grant award, the applicant will keep its overall expenditures during the award's period of performance (including those funded with non-Federal funding) for activities that could be allowable costs under this NOFO at a level that is at least 80 percent or more of the average of what the applicant spent on such costs for those activities in fiscal years 2018 and 2019.

5. Cost Share or Match

Recipient cost sharing is generally required as described below and pursuant to 15 U.S.C. § 2229(k)(1). In general, eligible applicants shall agree to make available non-federal funds to carry out an AFG Program award in an amount equal to and not less than 15 percent of the grant awarded. Exceptions to this general requirement apply to entities serving smaller communities as follows:

- When serving a jurisdiction of 20,000 residents or fewer, the applicant shall agree to make available non-federal funds in an amount equal to not less than 5 percent of the grant awarded;
- When serving a jurisdiction of more than 20,000 residents, but not more than 1 million residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 10 percent of the grant awarded;
- When serving a jurisdiction of more than 1 million residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 15 percent of the grant awarded.

The cost share for SFTAs will apply the requirements above based on the total population of the state. The cost share for a Regional application will apply the requirements above based on the aggregate population of the primary first due response areas of the Host and participating partner organizations that execute a Memorandum of Understanding (MOU) as described in Appendix B, Section J, Regional projects.

FEMA has developed a cost share calculator tool in order to assist applicants with determining their cost share. The cost share tool is available at:
<https://www.fema.gov/grants/preparedness/firefighters/assistance-grants>.

Types of Cost Share

- i. **Cash (Hard Match):** Cost share of non-federal cash is the only allowable recipient contribution for AFG Program activity (Vehicle Acquisition, Operations and Safety, and Regional).
- ii. **Trade-In Allowance/Credit:** On a case-by-case basis, FEMA may allow recipients already owning assets acquired with non-federal cash to use the trade-in allowance/credit value of those assets as cash for the purpose of meeting their cost share obligation. For FEMA to consider a trade-in allowance/credit value as cash, the allowance amount must be reasonable, and the allowance amount must be a separate entry clearly identified in the acquisition documents.
- iii. **In-kind (Soft Match):** In-kind cost share is not allowable for the AFG Program.

The award budget will not account for any voluntary committed cost sharing or overmatch. The use of an overmatch is not given additional consideration when scoring applications.

Economic Hardship Waivers

The FEMA Administrator may waive or reduce recipient cost share or MOE requirements in cases of demonstrated economic hardship. Please see [Appendix C: Award Administration Information](#) for additional information.

D. Application and Submission Information

1. Key Dates and Times: all times listed are Eastern Time (ET)

Date Posted to Grants.gov:	December 29, 2020
Application Start Date:	January 04, 2021 at 8 a.m.
Application Submission Deadline:	February 12, 2021 at 5 p.m.

All applications must be received by the established deadline.

FEMA's Grants Outcomes System (FEMA GO) automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization Representative role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled "Timely Receipt Requirements and Proof of Timely Submission" in Section D of this NOFO.

FEMA will not review applications that are received after the deadline or consider these late applications for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical

problems outside of the applicant's control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. "Timely notification" of FEMA means the following: prior to the application deadline and within 48 hours after the applicant became aware of the issue.

If applicants experience technical issues, they must notify the FEMA GO Helpdesk as soon as possible. The FEMA GO Helpdesk can be reached at (877) 585-3242 or by e-mail at femago@fema.dhs.gov. The FEMA GO Helpdesk is open Monday through Friday, 8: a.m. – 6 p.m. ET.

A list of FEMA contacts can be found in Section G of this NOFO, "DHS Awarding Agency Contact Information." For programmatic or grants management questions, please contact your Program Analyst or Grants Management Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact the AFG Helpdesk at 866-274-0960 or by e-mail at firegrants@fema.dhs.gov. The AFG Helpdesk is open Monday through Friday, 8:00 AM – 4:30 PM ET.

Anticipated Funding Selection Date: April 30, 2021

Anticipated Award Date: Beginning on approximately April 30, 2021 and continuing thereafter until all FY 2020 AFG Program grant awards are issued (but no later than September 30, 2021).

Other Key Dates

Event	Suggested Deadline for Completion
Obtaining DUNS Number	Four weeks before actual submission deadline
Obtaining a valid Employer Identification Number (EIN)	Eight weeks before actual submission deadline
Registering in or Updating SAM registration	Four weeks before actual submission deadline
Registering Organization in FEMA Grants Outcomes (FEMA GO) System	Prior to beginning application
Submitting complete application in FEMA GO	One week before actual submission deadline

2. Agreeing to Terms and Conditions of the Award

By submitting an application, the applicant agrees to comply with the requirements of this NOFO and the terms and conditions of its award, should the applicant receive an

award.

3. Address to Request Application Package

The online FY 2020 AFG Program application is only available via the Assistance to Firefighters Grant Program's FEMA GO application portal, at <https://go.fema.gov>.

Note: Hard copies of the application are not available. However, the Telephone Device for the Deaf (TDD) and/or Federal Information Relay Service (FIRS) number available for this Notice is (800) 462-7585.

Content and Form of Application Submission

FEMA will process applications through FEMA GO. Application tutorials and Frequently Asked Questions (FAQs) explain the current AFG Program, assist with the online grant application, and highlight lessons learned and changes for FY 2020. For more details, please visit the AFG Program website at <http://www.fema.gov/firegrants>.

DHS makes all funding opportunities available on the internet, accessible at <http://www.grants.gov>. If applicants experience difficulties accessing information or have any questions, please call the Grants.gov Contact Center at (800) 518-4726.

The Grants.gov website will direct applicants to FEMA GO, at <https://go.fema.gov>, which contains the online AFG Program application. The online AFG Program application incorporates all required forms.

FEMA GO will allow the applicant's authorized representative(s) to log in and create their own account. This account is specific to the authorized user and must not be shared with other personnel. The FEMA GO account is separate from any previous accounts created in the eGrants system. Applicants can save, retrieve, update, and revise their work through the end of the application period. The automated system does not allow applicants to submit incomplete applications. The system alerts applicants when required information has not been entered. Prior to final submission, an online application may be saved, retrieved, or edited up to the application deadline.

Note: FEMA GO will support only the most recent major release of the following browsers:

- Google Chrome
- Internet Explorer
- Mozilla Firefox
- Apple Safari
- Microsoft Edge

Users who attempt to use tablet type devices or other browsers may encounter issues with using FEMA GO.

**NO APPLICATIONS WILL BE RELEASED BACK TO THE
APPLICANT AFTER FINAL SUBMISSION**

RESOLUTION # 2021-_____

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE FEMA ASSISTANCE TO FIREFIGHTERS GRANT REQUESTING GRANT FUNDING FOR SCBA RESPIRATOR UNITS, MASKS, AND AIR CYLINDERS ON BEHALF OF THE KINGSVILLE FIRE DEPARTMENT WITH AN ANTICIPATED \$28,469 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 Fire Department participate in an application for grant monies from the FEMA Assistance to Firefighters Grant for 31 new SBCA respirator units, 31 masks, and 62 air cylinders (that are estimated to cost approximately \$313,164); and

WHEREAS, the SCBA respirator units, masks, and air cylinders would replace the outdated existing units that are nearing their end of life cycle and enhance the Fire Department personnel safety; and

WHEREAS, the FEMA Assistance to Firefighters Grant has a cash match and the City's anticipated portion of the cash match for all items is estimated to be \$28,469, which is proposed to come from the City's FY20-21 General Fund budget (likely fire department salary savings) if approved; and

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

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

I.

THAT the City Commission approves the submission of a grant application to the FEMA Assistance to Firefighters Grant for SCBA respirator units, masks, and air cylinders on behalf of the City of Kingsville Fire Department, with a total anticipated cash match of \$28,469 from the City if all items are awarded.

II.

THAT the City Commission authorizes the Fire Chief to submit the grant and the Fire Chief to administer the grant and necessary paperwork.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission the 22nd
day of March, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #8

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: March 8, 2021

SUBJECT: Consider Approving the installation of a Waterline Extension along W. Sage Road utilizing City Labor and Equipment.

Summary:

On January 25, 2021, Kleberg County Commission approved allowing the City of Kingsville to install a 6" water line on West Sage Road to be paid by the people owning adjoining property. The line will be installed on the north side of the road within the County Right of Way. The water line project includes extending 2200 LF of 6" water line, fittings, 2 EA valve boxes, 2 EA fire hydrants, backfill, testing and disinfection. Other services include 4 EA 1" tap with meter & box and 4 EA street crossings(repairs). The project will take 2-3 weeks to complete weather permitting. The project cost is itemized below:

Materials	\$19,807.90
Labor	\$ 2,950.00
Equipment	\$ 7,400.00
Other services	\$ 4,828.00

Grand Total: \$34,985.90 or \$15.90 per front (linear) foot

There are four (4) existing residents with water well. Once connected they will need City approved Backflow Prevention (BFP's) devices to prevent cross contamination between private well water and public water. This cost is not included in the grand total. It will be the responsibility of the resident prior to connection.

Once installed the City will continue the maintenance and operation of the water line. The line will be a dead-end line and shall be flushed monthly to meet TCEQ public drinking water standards.



**City of Kingsville
Engineering Dept.**

We recommend the water line be installed in accordance with City Code of Ordinance Sec. 5-4-6, A, 1 – Alternate method. The owner may advance and pay the city the entire pro rata cost set forth in this article, to-wit the actual cost per front foot for water extension. This is preferable to the City fronting the expense of the project and then the owners paying the City when they connect to the City's water system. Accordingly, staff recommends payment be received in advance of ordering materials and beginning installation.

Background:

Kleberg County Commissioner Schultz has been an advocate in extending the existing City water line that is located on West Sage Road in an area that is outside the city limits but within the City ETJ inside the County.

Financial Impact:

There will be no financial impact. The cost of \$34,985.90 will be paid upfront by residents benefiting from the water line extension.

Recommendation:

Staff recommends approval the installation of the water line extension using City labor and equipment within the County's north R.O.W. The property owner(s) shall execute an agreement with the City and advance and pay the City the entire pro rata cost per front foot for water extension.

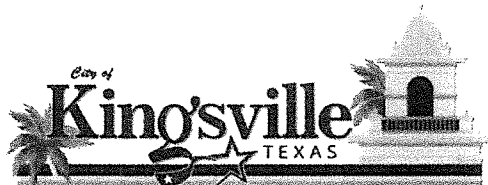
Attachments:


Cost Estimate – W. Sage Road – Water line extension

Kleberg County Agenda Item #6

City Code of Ordinance Sec. 5-4-5 – Extension of water and sewer lines; application

City Code of Ordinance Sec. 5-4-6 – Alternate Method



Project Cost Estimate				
				
Project Location				
1903 W Sage Road				
Project Title				
W Sage Rd Waterline Extension				
Material Estimates	Quantity		Material Cost	
Item Description	Amount	Unit	Unit Cost	Total
6 in C900 Pipe	2200	ft	\$ 5.06	\$ 11,140.80
6 In Gate Valve	2		\$ 512.50	\$ 1,025.00
Wedge Gland pk	4		\$ 43.50	\$ 174.00
2pc Valve Box	2		\$ 42.50	\$ 85.00
6 x 6 In Swivel Tee	2		\$ 116.00	\$ 232.00
6 In PVC Gasket Pack	8		\$ 56.50	\$ 452.00
Cushion Sand	150	tons	\$ 14.00	\$ 2,100.00
4 Ft Hydrant	2		\$ 2,250.00	\$ 4,500.00
6" MJ Plug	1		\$ 37.60	\$ 37.60
5# HTH Dry granular chlorine	3		\$ 20.50	\$ 61.50
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
Material Total:				\$ 19,807.90

Equipment Estimates	Quantity		Material Cost	
Item Description	Amount	Unit/hr	Unit Cost	Total
Backhoe	1	60	\$ 50.00	\$ 3,000.00
Utility Truck	1	60	\$ 35.00	\$ 2,100.00
Dump Truck	1	20	\$ 40.00	\$ 800.00
1/2 Ton Truck	1	60	\$ 25.00	\$ 1,500.00
Skid Steer			\$ 40.00	\$ -
Equipment Total:				\$ 7,400.00

Estimated By	Project No.	Date Prepared
W. Donnell		February 26, 2021

Labor Estimates	Quantity		Labor Cost	
Job Description	Amount	Unit/Hr	Unit Cost	Total
Supervisor	1	10	\$ 25.00	\$ 250.00
Operator III	1	60	\$ 18.00	\$ 1,080.00
Operator II	1	60	\$ 15.00	\$ 900.00
Utility Worker	1	60	\$ 12.00	\$ 720.00
Labor Total:				\$ 2,950.00

Other Services	Quantity		Material Cost	
Description	Amount	Unit	Unit Cost	Total
Street Crossing	4	ea	\$ 450.00	\$ 1,800.00
1" Tap	4	ea	\$ 757.00	\$ 3,028.00
Other Services Total:				\$ 4,828.00

Grand Totals	Quantity		Material Cost	
	Amount	Unit	Unit Cost	Total
Material				\$ 19,807.90
Labor				\$ 2,950.00
Equipment				\$ 7,400.00
Total				\$ 30,157.90
SUB-TOTAL				\$ 30,157.90
Other Services				\$ 4,828.00
Grand Total:				\$ 34,985.90



Regular Session Monday, January 25, 2021 @ 1:30 P.M.

BE IT REMEMBERED, that on this the 25th day of January, 2021, the Commissioners' Court of Kleberg County, Texas, met in Regular Session in the Courthouse Annex, of the Law Enforcement Center, 1500 E. King, Kingsville, Texas.

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AGENDA ITEM #6

In The Matter Of Discussing And Acting On Allowing The City Of Kingsville To Install A 6" Water Line On West Sage Road, To Be Paid By The People Owning The Property. The Line Will Be On The North Side Of The Road On County Property

The above matter coming on for consideration, a motion was made by Commissioner Salinas and seconded by Commissioner Schultz allowing the City of Kingsville to install a 6" water line on West Sage Road to be paid by the people owning the property. The line will be on the north side of the road on county property. Upon vote, the motion carried unanimously and so ordered.

* * * * *

I, Stephanie G. Garza, Clerk of the Court of Kleberg County, Texas do hereby certify that the above is a true and correct copy of the Minutes taken from the Kleberg County Commissioners' Court Regular Session Meeting held Monday, January 25, 2021.

Certified this the 23rd day of February, 2021.

/s/ Stephanie G. Garza
Stephanie G. Garza, County Clerk
Kleberg County

Sec. 5-4-5. - Extension of water and sewer lines; application.

- (A) Upon request of the owner, or his agent, of a given lot or tract of and, for the purpose of this article known as "applicant," accompanied by the payment of the charges due under this article, the city may extend, lay or construct all necessary sanitary sewer and water mains, including valves and hydrants, a distance of 100 feet, plus the distance across the frontage necessary to provide the service for which application has been made. The applicant to be served shall be required to pay the charges herein provided for. The owner of all intervening property served by the given main extensions shall be required to pay the charges provided for herein at such time as their property is connected to the mains thus laid. Where an applicant for service secured an extension and service under this particular option for main extension, he shall pay the pro rata charges on all property owned by him and which is served by the requested extension. In applying the 100 feet rule, the required extension of the main shall be figured in such a manner as to leave out of the calculation that portion of any main adjacent to property already having other than a temporary water service and for which the pro rata charge thereon has been paid or credited under the terms of this article.
- (B) This shall not apply to any subdivision already approved by the City Commission.
- (C) An exception to the above 100 feet rule shall be made where two or more individual applicants desire water and/or sewer service and the nearest applicant is more than 100 feet from existing lines, the city may extend their mains upon payment of the charge due under this article provided there is one customer for every 100 feet of such extension, excluding street intersections and that portion of the extension adjacent to property already having other than temporary water and/or sewer service.
- (D) All applicants for water and sewer lines shall be approved by the City Engineer prior to construction beginning.

(1962 Code, § 8-8-3; Ord. 2002-21, passed 9-9-02)

Sec. 5-4-6. - Alternative method.

- (A) At the option of the city, the following method for extending water and sewer mains may be used where the applicant's property is more than 100 feet from an existing water or sewer main. This method shall not be available for new subdivisions but shall be available only for use by an individual owner, person or corporation to secure water and sewer service for the individual's residence or place of business. Where eligible for this option, the owner may advance and pay into the city the entire pro rata cost as set forth in this article, to-wit:
- (1) The actual cost per front foot for water extensions; and
 - (2) The actual cost per front foot for sewer extensions on all property served by the desired main extension, and the city, when the money has been actually deposited with the city, may construct the desired water or sewer main along the street, alley or easement.
- (B) When an extension is requested by an industry or commercial concern using large quantities of water and cannot meet the requirements of one customer per 100 feet of extension, such extension may be made at the discretion of the governing body of the city provided 40% of the estimated annual revenue from such customer will support interest and principal payments on a 10 year loan covering the cost of such extension, the loan bearing interest at the rate of 6% per annum.

(1962 Code, § 8-8-4; Ord. 2002-21, passed 9-9-02)

RESOLUTION #2021-_____

A RESOLUTION ACCEPTING AUTHORIZATION FROM KLEBERG COUNTY FOR THE CITY TO ENTER AND USE A RIGHT OF WAY ON WEST SAGE ROAD TO INSTALL A SIX INCH WATER LINE TO BE PAID FOR BY THE PROPERTY OWNERS REQUESTING IT; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") has been approached by local property owners on West Sage Road, which is outside the city limits but within the City's extraterritorial jurisdiction, about extending a City water line on that road so they could become City water customers; and

WHEREAS, the property owners approached the County about providing the City authorization to use the County's right-of-way on West Sage Road for the extension of the City's water line on that road; and

WHEREAS, at a regular meeting on January 25, 2021, Kleberg County approved allowing the City to use the County's right-of-way on West Sage Road to install a 6" (six inch) water line that is to be paid for by the property owners in the area requesting the extension; and

WHEREAS, the request is made by the property owners who have agreed to pay for the extension and approached both the County and the City for the water line extension to service their properties which are currently on water wells;

WHEREAS, the water line extension is proposed for the north side of the West Sage Road right-of-way and not in the existing asphalt street;

WHEREAS, there is no negative financial impact to the City, staff recommends accepting the authorization from Kleberg County to use their right-of-way on West Sage Road for the aforementioned reasons.

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

I.

THAT the City Manager is authorized and directed as an act of the City of Kingsville, Texas to move forward with accepting the authorization from Kleberg County to use the county's right-of-way on West Sage Road at no cost to the City for the installation, maintenance, and future repair of a six inch (6") water line that is to be paid for by the property owners in the area requesting the City's water service. The line is to be on the north side of the road on county property as noted in the county minutes that are 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
22nd day of March, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney



Regular Session Monday, January 25, 2021 @ 1:30 P.M.

BE IT REMEMBERED, that on this the 25th day of January, 2021, the Commissioners' Court of Kleberg County, Texas, met in Regular Session in the Courthouse Annex, of the Law Enforcement Center, 1500 E. King, Kingsville, Texas.

* * * * *

AGENDA ITEM #6

In The Matter Of Discussing And Acting On Allowing The City Of Kingsville To Install A 6" Water Line On West Sage Road, To Be Paid By The People Owning The Property. The Line Will Be On The North Side Of The Road On County Property

The above matter coming on for consideration, a motion was made by Commissioner Salinas and seconded by Commissioner Schultz allowing the City of Kingsville to install a 6" water line on West Sage Road to be paid by the people owning the property. The line will be on the north side of the road on county property. Upon vote, the motion carried unanimously and so ordered.

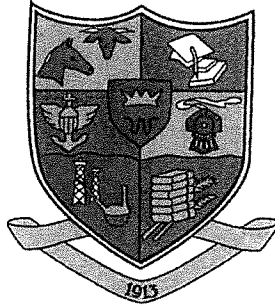
* * * * *

I, Stephanie G. Garza, Clerk of the Court of Kleberg County, Texas do hereby certify that the above is a true and correct copy of the Minutes taken from the Kleberg County Commissioners' Court Regular Session Meeting held Monday, January 25, 2021.

Certified this the 23rd day of February, 2021.

/s/ Stephanie G. Garza
Stephanie G. Garza, County Clerk
Kleberg County

RUDY MADRID
County Judge



Kleberg County
P.O. Box 752
Kingsville, Texas 78364-0752
Phone: (361) 595-8585
Fax: (361) 592-0838
E-mail: rmadrid@co.kleberg.tx.us

COUNTY of KLEBERG
KINGSVILLE, TEXAS

NOTICE OF MEETING

**COMMISSIONERS COURT OF KLEBERG COUNTY, TEXAS
REGULAR SESSION**

January 25, 2021
1:30 p.m.

**COURTHOUSE ANNEX
LAW ENFORCEMENT CENTER
1500 EAST KING
KINGSVILLE, TEXAS.**

***This notice is posted pursuant to the Open Meetings Act.
{TEXAS OPEN MEETINGS ACT CHAPTER 551}***

AGENDA

- Opening Prayer
- Pledge of Allegiance
- Call Meeting to Order
- Public Comments on Agenda Items: *No court action or discussion; 5 minute limit per speaker.*
- Discuss and act on the following items:
 1. Payment of Bills
 2. Budget Line Item Transfers
 3. Budget Amendments
 4. Monthly Reports

FILED FOR RECO


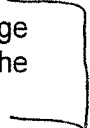
2021 JAN 22 AM 11:11

STEPHANIE G. GARZA
COUNTY CLERK, KLEBERG CO. TEXAS
BY: [Signature]

RECEIVED & FILED
on 1-22-2021
at 11:53

STEPHANIE G. GARZA
Kleberg County, Clerk
By: [Signature]
Deputy

5. Change of Status for Employees

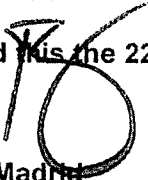
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- 
6. Discuss and act on allowing the City of Kingsville to install a 6" water line on West Sage Road, to be paid by the people owning property. The line will be on the North side of the road on County property. (Schultz)
7. Discuss and act on authorize to issue request for proposal (RFPs) for Administrative Services and request for qualifications (RFQs) for engineering services related to the 2021-2022 Colonia Fund Construction (CFC) administered by the Texas Department of Agriculture (TDA). (Judge)
8. Discuss and act on adding full coverage insurance to a 2020 Dodge Charger (VIN# 3862) and a 2020 Ford Fusion (VIN# 1905) for the Kleberg County Specialized Task Force. (Judge)
9. Discuss and act on removing the following vehicles from Kleberg County Insurance: 2020 Dodge Ram 1500 (VIN# 6199) and 2020 Chev Silverado (VIN# 7554) for the Kleberg County Specialized Task Force. (Judge)
10. Discuss and act on allowing the Kleberg County Attorney's Specialized Task Force to submit an application to Fuelman for a fleet card account plus fuel cards for the agents. (Judge)
11. Discuss and act on allowing the Kleberg County Attorney's Specialized Task Force to enter into an equipment lease contract with Nevill Document Solutions for a Kyocera copier. (Judge)
12. Discuss and act on accepting CARES Act funding for Title III Nutrition Program Carryover funds 2020 for Kleberg County Human Services. (Judge)
13. Discuss and act on accepting CEAP 2021 funding for Kleberg County Human Services. (Judge)
14. Presentation by District Attorney John T. Hubert, or proxy, to adopt and approve a Resolution authorizing the Kleberg and Kenedy County DA's office to apply for, submit and seek continuance of its Victim's Assistance Program, Grant Number 2899705, through the Texas Office of the Governor Criminal Justice Division, for program year 2021 – 2022, being October 1, 2021 through September 30, 2022. Including to request a finding that it would be in the best interest of the citizens of Kleberg County, providing of matching funds through its asset forfeiture account, agreement that in the event of loss or misuse of OOG-CJD funds, said funds shall be returned in full, and designating John T Hubert as the grantee's authorized official, and given the authority to apply for, accept, reject, alter or terminate the grant on behalf of Kleberg County and the Kleberg & Kenedy County District Attorney's Office. (Judge)
15. Discuss and take action of reinvestment of all gas receipts submitted to the Kleberg County Auditor's Office from 12/01/2020 through 01/10/2021. (Judge)
16. Discuss and act on awarding or rejecting bids for laundry service for Kleberg County Pct. 1, Pct. 3, Maintenance, Parks and Sea Wind. (Rosse)
17. Discuss and act on authorizing the County Judge to advertise for bids for laundry service. (Rosse)

18. Discuss and act on ratifying the County Judge's signature on the Service Agreement with Luminare Software. (Judge)
19. Discuss and act on leasing new printer for the Tax Assessor – Collector Office. (Judge)
20. Discuss and act on appointing a member of the court to serve on the Council of Governments to replace Roy Cantu (COG). (Rosse)
21. Discuss and act on reducing speed limit on County Roads in the Baffin Bay area to 35 mph under Texas Transportation Code 545.355. (Judge)
22. Discuss and act on COVID-19 updates. (Judge)

Conduct any other business necessary for the proper functioning of county business.

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioners Court may convene a closed session to discuss any of the above agenda items. Immediately before any closed session, the specific section or sections of Government Code, Chapter 551 that provides statutory authority will be announced.

- Adjourn
- Certification

Signed  the 22nd day of January, 2021

Rudy Madril
Kleberg County Judge
(361) 595-8585
Attest: Stephanie G. Garza, County Clerk

AGENDA ITEM #9

City of Kingsville
Public Works, Wastewater Division

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: William Donnell, Director of Public Works

DATE: February 26, 2021

SUBJECT: Utility Fund 051 Budget Amendment

Summary:

This item authorizes funding for engineering services to perform a water system Risk and Resilience Assessment and Emergency Response Plan.

Background:

This assessment is required under the America's Water Infrastructure Act of 2018 for all public water systems serving population sizes between 3,301–49,999. This assessment is to be completed and certified to the Administrator of the Environmental Protection Agency by June 30, 2021. This assessment was not budgeted for this fiscal year as I became aware of this required assessment toward the end of the budget process.

Financial Impact:

This will reduce the unappropriated Utility Fund 051 fund balance by \$26,000.00. The costs will be charged to 051-5-6002-31400.

Recommendation:

Staff recommends the approval of funds to complete the assessment and comply with the requirement of the America's Water Infrastructure Act of 2018.



ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO APPROPRIATE ADDITIONAL FUNDS NEEDED FOR THE WATER SYSTEM RISK AND RESILIENCE ASSESSMENT.

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 2020-2021 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 051 – Utility Fund					
<u>Expenditures</u>					
6002	Water Prod	Professional Services	31400	\$26,000	

[To amend the City of Kingsville FY 20-21 Budget to appropriate additional funds needed for the Water System Risk and Resilience Assessment. Funds will come from the Utility Fund unappropriated fund balance.]

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 22nd day of March 2021.

PASSED AND APPROVED on this the 12th day of April 2021.

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
Purchasing Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin

FROM: Charlie Sosa Purchasing Manager

DATE: March 4, 2021

SUBJECT: Purchase New Command Vehicle for Fire Department

Summary:

This item authorizes the City Manager to enter into a contract with Siddons Martins Emergency Group, LLC. from Denton, Texas, through Tarrant County Purchasing Cooperative for the purchase of a new command vehicle for the City of Kingsville Fire Department.

Background:

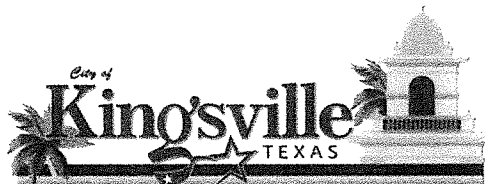
The existing vehicle used by Fire Chief Juan Adame is a 2011 Chevy Tahoe, the new command vehicle will be outfitted with all necessary equipment and radios as requested by Fire Chief. Tarrant County is a member of the Purchasing Cooperative which meets Local government code 271 Subchapter F allows for the use of a cooperative purchasing program, specifically 271.102 (c), states, "A local government that purchases good and service under this subchapter satisfies any state law requiring the local government to seek competitive bids for the purchase of goods and service." Therefore, competitive bidding statutes have been met.

Financial Impact:

Funds are available through 001-5-2200-71100 \$77,515.00 are available this fiscal year. The amount of the new command vehicle will be \$70,322.00. Please see attached budget report.

Recommendation:

It is recommended the City Manager enter into a contract with Siddons Martins Emergency Group, LLC. from Denton, Texas, through Tarrant County Purchasing Cooperative for the purchase of a new command vehicle for the City of Kingsville Fire Department, as per staff recommendation.



Siddons-Martin Emergency Group, LLC
 3500 Shelby Lane
 Denton, TX 77073
 GDN P115891
 TXDOT MVD No. A115890

March 4, 2021

Juan Adame, Fire Chief
 Kingsville Fire Department
 119 N. Tenth Street
 Kingsville, TX 78363



Proposal For: Kingsville Command-EVS

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to Kingsville Fire Department. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB Kingsville Fire Department and training on operation and use of the apparatus.

Description	Amount	
Qty. 1 - 2022 TAHOE--RED--SSV--		
Estimate #2409246		
(Unit Price - \$64,322.00)		
Delivery within 10-12 months of order date	Vehicle Price	\$64,322.00
	UNIT TOTAL	\$64,322.00
	Dailey Wells Radio/Install	\$6,000.00
	Tarrant County (EVS)	\$0.00
	TOTAL	\$70,322.00

Price guaranteed for 60 days. Build time is depending upon availability of the Tahoe Chassis

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Texas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely,



Michael Collins

I, _____, the authorized representative of Kingsville Fire Department, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

Signature & Date



City of Kingsville, TX

Budget Report

Account Summary

For Fiscal: 10/2020-09/2021 Period Ending: 03/31/2021

		Original	Current	Period	Fiscal	Encumbrances	Variance		Percent
		Total Budget	Total Budget	Activity	Activity		Favorable	(Unfavorable)	Remaining
Fund: 001 - GENERAL FUND	Expense								
	001-5-2200-71100								
	Vehicle								
Expense Total:		77,515.00	77,515.00	0.00	0.00	0.00	77,515.00		100.00 %
Fund: 001 - GENERAL FUND Total:		77,515.00	77,515.00	0.00	0.00	0.00	77,515.00		100.00 %
Report Total:		77,515.00	77,515.00	0.00	0.00	0.00	77,515.00		100.00 %

Group Summary

Account Type	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
Fund: 001 - GENERAL FUND Expense	77,515.00	77,515.00	0.00	0.00	0.00	77,515.00	100.00 %
	77,515.00	77,515.00	0.00	0.00	0.00	77,515.00	100.00 %
	77,515.00	77,515.00	0.00	0.00	0.00	77,515.00	100.00 %
Fund: 001 - GENERAL FUND Total:							
Report Total:							

AGENDA ITEM #11

**City of Kingsville
Purchasing Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Charlie Sosa, Purchasing Manager
DATE: March 2, 2021
SUBJECT: Dick Kleberg Park Baseball Field Fencing Installation (RFP#21-05)

Summary:

This item authorizes the City Manager to execute a contract with to S&J Fence Company for the installation of DKP Baseball Field Fencing Installation (RFP#21-05) for baseball fields #4 and #6, funded by Texas Parks & Wildlife Grant.

Background:

The City published a Request for Proposal #21-05 in the newspaper on January 28, 2021 and February 4, 2021. Request for Proposal were accepted until 2:00 PM on February 16, 2021 one responsive proposal was received. The proposal received was from S&J Fence Company. Staff reviewed RFP#21-05 and made a recommendation to select S&J Fence Company which was the only bidder and best value to the City. Purchasing has called references on the recommended contractor.

Financial Impact:

The total amount of \$82,601.00 will be funded through the Texas Parks and Wildlife Grant city fund #094-4503.

Recommendation:

It is recommended for the City Manager to execute a contract with the RFP #21-05 to S&J Fence Company, 1825 North Padre Island Drive, Corpus Christi, Texas for the DKP Baseball Field Fencing Installation (RFP#21-05) in the amount of \$82,601.00.



RESOLUTION #2021-_____

A RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR BASEBALL FIELD FENCING INSTALLATION BETWEEN THE CITY OF KINGSVILLE AND S&J FENCE COMPANY; REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kingsville ("City") has applied for and received funding from Texas Parks and Wildlife Grant for improvements to Dick Kleberg Park, which includes improvements to the baseball field complex; and

WHEREAS, the City decided to make improvements to Dick Kleberg Park baseball fields #4 & #6, which includes fencing improvements; and

WHEREAS, the City advertised Request for Proposal (RFP) #21-05 in the local newspaper on January 28, 2021 and February 4, 2021 and one bidder submitted responses to the RFP by the February 16, 2021 deadline; and

WHEREAS, the proposal received for RFP #21-05 by the due date was reviewed to determine the most qualified and responsive provider and low bidder;

WHEREAS, the City Commission officially selected S&J Fence Company on February 22, 2021, and staff has negotiated a contract with the bidder and now brings the contract back before City Commission for approval.

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

I.

THAT the Mayor is authorized and directed as an act of the City of Kingsville, Texas to execute a Contract for Baseball Field Fencing Installation between the City of Kingsville and S&J Fence Company for installation of baseball field fencing at Dick Kleberg Park for fields #4 & #6 in accordance with Exhibit A hereto attached and made a part thereof.

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
22nd day of March, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

**CONTRACT FOR
BASEBALL FIELD FENCING INSTALLATION
BETWEEN
THE CITY OF KINGSVILLE
AND
S&J FENCE COMPANY**

This Contract for the installation of baseball field fencing at Dick Kleberg Park, hereinafter referred to as "Contract", is made, entered into and executed by and between the City of Kingsville, Texas, a municipal corporation under the laws of the State of Texas, hereinafter referred to as "City", and S&J Fence Company, a business organized under the laws of the State of Texas, hereinafter referred to as "S&J Fence Co.".

WITNESSETH:

WHEREAS, the City has taken bids for the installation of baseball field fencing at Dick Kleberg Park for fields #4 and #6; and

WHEREAS, the City Commission awarded the bid (RFP#21-05) for installation of baseball field fencing at Dick Kleberg Park for fields #4 & #6 to S&J Fence Co. on February 22, 2021 at a duly posted regular City Commission meeting; and

WHEREAS, S&J Fence Co. desires to perform this work for the City; and

WHEREAS, each of the parties desires to enter into this agreement for the mutual benefit of both parties; and

WHEREAS, it is mutually deemed sound, desirable, practicable, and beneficial for the parties to this agreement in accordance with these terms; and

NOW, THEREFORE, the City and S&J Fence Co., in consideration of these mutual covenants and agreements, agree as follows:

1. RESPONSIBILITIES.

- A. S&J Fence Co. shall furnish all the materials and perform all the work called for in the Bid Proposals and Alternates (a copy of which is attached hereto and incorporated herein) signed and accepted by the City on 2/24/21, and in accordance with the requirements contained within the Instructions to Bidders and the Drawings, all of which are part of the contract documents and are hereby incorporated by reference and made part of this Agreement.
- B. The City shall pay for the performance of the Contract, subject to additions and deductions provided therein, the sum of \$82,601.00.

- C. The City shall make payments as approved by the City in accordance with the Bid Proposals (at completion net 30).
- D. Final payment shall be due on acceptance of the work provided the Contract has been completed as provided.
- E. Before issuance of the final payment, Contractor shall submit evidence, satisfactory to the City that all payrolls, material bills, subcontractors and other indebtedness connected with the work have been paid in full.

2. TERM & TIME OF COMPLETION.

- A. The Contractor shall begin work at the job site within seven (7) days after the date of the Notice to Proceed issued by the City.
- B. The work to be performed under this contract shall be completed in thirty (30) consecutive calendar days, plus any extended days approved by the City in accordance with the Specifications.

3. SEVERABILITY.

- A. If any portion of this agreement, or its application to any person or circumstance, is held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this agreement shall not be affected and shall continue to be enforceable under the terms of this agreement.

4. NOTICES.

- A. Notices under this Contract shall be addressed to the parties as indicated below, unless changed by written notice to such effect, and shall be effective when delivered or when deposited in the U.S. mail, postage prepaid, certified, return receipt requested.

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

S&J Fence Co.
Attn: Chad Turner
1825 North Padre Island Drive
Corpus Christi, Texas 78408
Telephone: (361) 885-0503

5. PERFORMANCE.

This Contract shall be performed in Kleberg County, Texas, and shall be governed by the laws of the State of Texas.

6. ASSIGNMENT.

This Contract is binding upon and inures to the benefit of the parties to this Contract and their respective successors and permitted assigns. This Contract may not be assigned by any party without the written consent of all of the parties.

7. Effect of Waivers. No waiver by either party of any default, violation, or breach of the terms, provisions, and covenants contained in this Contract may be deemed or construed to constitute a waiver of any other violation or breach of any of the terms, provisions, and covenants of this Contract.
8. Only Contract between Parties. This Contract constitutes the only agreement of the parties relating to the installation of baseball field fencing at Dick Kleberg Park for fields #4 & #6 and supersedes any understandings or written or oral agreements between the parties respecting the subject matter of this Contract. Any changes or modifications to this Contract must be made in writing and approved by the governing bodies of both parties.
9. Amendment of Contract. This Contract may be amended at any time. Any amendment to this Contract must be in writing and agreed to by the governing bodies of the parties. No officer or employee of any of the parties has authority to waive or otherwise modify the limitations in this Contract, without the express action of the governing body of the party.
10. Not For Benefit of Third Parties. This Contract and all activities under this Contract are solely for the benefit of the parties and not the benefit of any third parties.
11. Exercise of Police Powers. This Contract and all activities under this Contract are undertaken solely as an exercise of the police power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.
12. Immunities Not Waived. Nothing in this Contract waives any governmental, official, or other immunity or defense of any of the parties or their officers, employees, representatives, and agents as a result of the execution of this Contract and the performance of the covenants contained in this Contract.
13. No Civil Liability to Other Party. One party may not be responsible to and may not be civilly liable to another party for any act or omission under this Contract. Each party waives all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Contract.
14. Captions. Captions to provisions of this Contract are for convenience and shall not be considered in the interpretation of the provisions.

15. Fiscal Obligations. Each party that performs services or furnishes aid under this Contract must do so with funds available from current revenues of the party. No party has any liability for the failure to expend funds to provide aid under this Contract.
16. Entirety of Agreement. This Contract contains all commitments and agreements of the parties with respect to the products and services to be performed by each of the parties and may not be modified by any oral agreements or understandings. Any amendments must be made in writing and signed by all parties, as provided in paragraph 4 of this agreement.
17. Validity and Enforceability. If any current or future legal limitations affect the validity or enforceability of a provision of this Contract, then the legal limitations are made a part of this Contract and operate to amend this Contract to the minimum extent necessary to bring this Contract into conformity with the requirements of the limitations, and so modified, this Contract continues in full force and effect.
18. Warranty. The Contract has been officially authorized by the governing body of each party, and each signatory guarantees and warrants that the signatory has full authority to execute this Contract and to legally bind the respective party to this Contract.
19. Governing Laws. This Contract shall be governed by the laws of the State of Texas.
20. Venue. Venue for an action arising under this Contract is in Kleberg County, Texas.
21. EFFECTIVE DATE. This Contract is effective on the date when the last party executes this agreement.

EXECUTED by the S&J Fence Co., Inc. on the _____ day of _____, 2021.

_____(signature)

_____, _____ (printed name & title)
S&J Fence Co., Inc.

EXECUTED by the City of Kingsville on the _____ day of _____, 2021.

Mark McLaughlin
City Manager

ATTEST:

Mary Valenzuela
City Secretary

APPROVED AS TO FORM:

Courtney Alvarez
City Attorney

S & J FENCE CO.

361-885-0503

www.sjfenceco.com

1825 North Padre Island Drive

Corpus Christi, TX 78408

BID PROPOSAL - RFP 21-05 DICK KLEBERG BASEBALL FIELD FENCING INSTALLATION, FIELD #4

City of Kingsville
Attn: Charlie Sosa
400 West King
Kingsville, TX 78363
361-595-8007

ORIGINAL

February 12, 2021
Estimator: Chad Turner
Contact: 361-885-0503

Description: Install 505 l.f. of 6' tall chain link fence, to include and (1) set of 16' wide double swing gates (2-8' wide swing gate leafs for a 16' opening). Install 160 l.f. of 8' tall chain link fence at dugouts, to include privacy slats on (3) sides, and (2) 3' wide single swing gates. All gate leafs to be equipped with (2) 90-degree hinges, and padlockable fork latches. Install 100 l.f. of 16' tall, 5-rail, chain link fence at backstop, no gates or canopy included. Cost for Payment Bond is included. Addenda 1 included in this bid.

Exclusions: Coring of concrete, any posts to be set into concrete flatwork to be installed prior to pouring concrete. Removal of any existing fences, and clearing/grading of fence lines by others. Any concrete work, with the exception of fence post footings, by others. Any netting systems, safety topcap, or padding, furnished and installed by others. No privacy slats or windscreen, included, with the exception of privacy slats at dugouts. All dugout components, with the exception of fencing, by others. Client to provide field layout prior to start of new fence installation.

Materials furnished by S&J:

\$ 18,092.25

- 2 3/8" OD galvanized terminal and single swing gate posts - Sch 40
- 4" OD galvanized Sch 40 double gate and backstop terminal posts - Sch 40
- 1 5/8" OD galvanized line posts - Sch 40
- 1 5/8" OD galvanized rail - Sch 40
- 9 ga. Galvanized chain link fabric, 2" mesh, 1.2 oz. zinc/ft.
- 6 ga. Galv. chain link fabric, 2" mesh, 1.2 oz. zinc/ft. (backstop bttm row only)
- 7 gauge galvanized bottom tension wire
- (1) set of 16' wide double swing gates, 1 5/8" OD Sch 40 frame
- (2) 3' wide single swing gates, 1 5/8" OD Sch 40 frame
- 96" bottom-lock privacy slats
- All necessary concrete

Labor furnished by S&J:

\$ 20,355.00

Applicable sales tax @ 8.25% (materials only):

\$ -

TOTAL CHARGES:

\$ 38,447.25


Terms: Hardcopy PO & approved submittals to order materials & schedule; invoiced at completion (net 30).

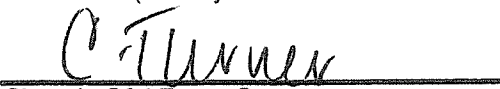
This price includes a discount for payment by cash or check; add 2% if paying by credit/debit card.

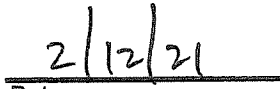
To accept this bid, please sign below and email to cturner@sjfenceco.com or fax toll-free to 1-888-449-7636.


Signed - Owner of Agent


Date


Initial I have read and agree to S&J Fence Co. Terms and Conditions.
(www.sjfenceco.com/termsandconditions)


Signed - S&J Fence Co.


Date

Employer Tax I.D. #27-0587418

S & J FENCE CO.

361-885-0503

www.sjfenceco.com

1825 North Padre Island Drive

Corpus Christi, TX 78408

BID PROPOSAL - RFP 21-05 DICK KLEBERG BASEBALL FIELD FENCING INSTALLATION, FIELD #6

City of Kingsville
Attn: Susan Ivy
400 West King
Kingsville, TX 78363
361-595-8007

ORIGINAL

February 12, 2021
Estimator: Chad Turner
Contact: 361-885-0503

Description: Install 622 l.f. of 6' tall chain link fence, to include and (1) set of 16' wide double swing gates (2-8' wide swing gate leafs for a 16' opening). Install 160 l.f. of 8' tall chain link fence at dugouts, to include privacy slats on (3) sides, and (2) 3' wide single swing gates. All gate leafs to be equipped with (2) 90-degree hinges, and padlockable fork latches. Install 100 l.f. of 16' tall, 5-rail, chain link fence at backstop, no gates or canopy included. Cost for Payment Bond is included. Addenda 1 included in this bid.

Exclusions: Coring of concrete, any posts to be set into concrete flatwork to be installed prior to pouring concrete. Removal of any existing fences, and clearing/grading of fence lines by others. Any concrete work, with the exception of fence post footings, by others. Any netting systems, safety topcap, or padding, furnished and installed by others. No privacy slats or windscreen, included, with the exception of privacy slats at dugouts. All dugout components, with the exception of fencing, by others. Client to provide field layout prior to start of new fence installation.

Materials furnished by S&J:

\$ 18,944.75

- 2 3/8" OD galvanized terminal and single swing gate posts - Sch 40
- 4" OD galvanized Sch 40 double gate and backstop terminal posts - Sch 40
- 1 5/8" OD galvanized line posts - Sch 40
- 1 5/8" OD galvanized rail - Sch 40
- 9 ga. Galvanized chain link fabric, 2" mesh, 1.2 oz. zinc/ft.
- 6 ga. Galv. chain link fabric, 2" mesh, 1.2 oz. zinc/ft. (backstop bttm row only)
- 7 gauge galvanized bottom tension wire
- (1) set of 16' wide double swing gates, 1 5/8" OD Sch 40 frame
- (2) 3' wide single swing gates, 1 5/8" OD Sch 40 frame
- 96" bottom-lock privacy slats
- All necessary concrete

Labor furnished by S&J:

\$ 21,716.25

Applicable sales tax @ 8.25% (materials only):

\$ -

TOTAL CHARGES:

\$ 40,661.00


Terms: Hardcopy PO & approved submittals to order materials & schedule; invoiced at completion (net 30).

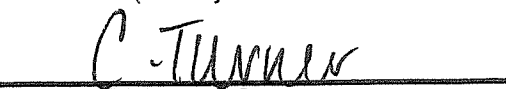
This price includes a discount for payment by cash or check; add 2% if paying by credit/debit card.

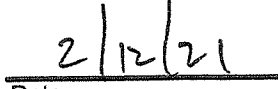
To accept this bid, please sign below and email to cturner@sjfenceco.com or fax toll-free to 1-888-449-7636.


Signed - Owner or Agent


Date


Initial I have read and agree to S&J Fence Co. Terms and Conditions.
(www.sjfenceco.com/termsandconditions)


Signed - S&J Fence Co.


Date

Employer Tax I.D. #27-0587418

S & J FENCE CO.

361-885-0503
www.sjfenceco.com

1825 North Padre Island Drive
Corpus Christi, TX 78408

BID PROPOSAL - RFP 21-05 DICK KLEBERG BASEBALL FIELD FENCING INSTALLATION, ALTERNATE

City of Kingsville
Attn: Charlie Sosa
400 West King
Kingsville, TX 78363
361-595-8007

ORIGINAL

February 12, 2021
Estimator: Chad Turner
Contact: 361-885-0503


Description: Install flat chain link tops at (4) dugouts with 1 5/8" OD Sch 40 supports and 9 ga. chain link fabric. 1 5/8" supports to be attached to fence framing with fittings. Cost for Payment Bond is included. Addenda 1 included in this bid.


Exclusions: No privacy slats included in top.


Materials furnished by S&J:	\$ 1,535.25
1 5/8" OD galvanized rail - Sch 40	
9 ga. Galvanized chain link fabric, 2" mesh, 1.2 oz. zinc/ft.	
Labor furnished by S&J:	\$ 1,957.50
Applicable sales tax @ 8.25% (materials only):	\$ -
TOTAL CHARGES:	\$ 3,492.75

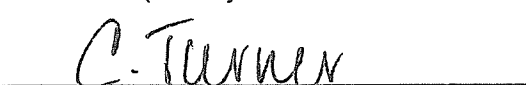
Terms: Hardcopy PO & approved submittals to order materials & schedule; invoiced at completion (net 30).
This price includes a discount for payment by cash or check; add 2% if paying by credit/debit card.

To accept this bid, please sign below and email to cturner@sjfenceco.com or fax toll-free to 1-888-449-7636.


Signed - Owner or Agent


Date

 I have read and agree to S&J Fence Co. Terms and Conditions.
Initial (www.sjfenceco.com/termsandconditions)


Signed - S&J Fence Co.


Date

Employer Tax I.D. #27-0587418

LABOR AND MATERIAL PAYMENT BOND

Bond Number CIC1910557

KNOW ALL PERSONS BY THESE PRESENTS,

That S & J Fence Co. as Principal, (hereinafter called the Principal), and Capitol Indemnity Corporation as Surety, (hereinafter called Surety), are held and firmly bound unto City of Kingsville as Obligee, (hereinafter called the Owner), for the use and benefit of claimants as herein below defined, in the amount of Eighty Two Thousand Six Hundred One and 00/100 Dollars (\$82,601.00), for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has by written agreement dated February 26, 2021 entered into a contract with Owner for 1 Fencing Project for DKP Baseball Fields 4 & 6, PO No. 211030 in accordance with drawings and specifications prepared by Owner/Architect which contract is by reference made a part hereof, and is hereinafter referred to as the Contract.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the Principal shall promptly make payment to all claimants as hereinafter defined, for all labor and material used or reasonably required for use in the performance of the Contract, then this obligation shall be void; otherwise it shall remain in full force and effect, subject, however, to the conditions outlined on the reverse side of this bond:

Signed and sealed this 2nd day of March, 2021.

S & J Fence Co.
(Print Name of Principal) (Seal)

(Signature of Officer of the Principal)

(Witness)

(Print Name of Officer of the Principal and Title)

Neira Hernandez
(Witness) Neira Hernandez

Capitol Indemnity Corporation
Blaine Allen
(Signature of Attorney-in-Fact) (Seal)

Blaine Allen, Attorney-in-Fact
(Print Name of Attorney-in-Fact and title)

SEE CONDITIONS ON PAGE TWO WHICH MUST BE
ATTACHED OR ON THE REVERSE OF THIS DOCUMENT

IMPORTANT NOTICE - TEXAS

To obtain information or make a complaint:

- You may contact your company representative at 1-800-475-4450
- You may call **Capitol Indemnity Corporation's** toll-free telephone number for information or to make a complaint at:

1-800-475-4450

- You may also write to **Capitol Indemnity Corporation** at:

Capitol Indemnity Corporation
1600 Aspen Commons
Middleton, Wisconsin 53562

- You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

1-800-252-3439

- You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104

FAX # (512) 490-1007

Web: <http://www.tdi.texas.gov>

E-mail: ConsumerProtection@tdi.texas.gov

- **PREMIUM OR CLAIM DISPUTES:** Should you have a dispute concerning your premium or about a claim you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.
- **ATTACH THIS NOTICE TO YOUR POLICY:** This notice is for information only and does not become a part or condition of the attached document.

**CAPITOL INDEMNITY CORPORATION
POWER OF ATTORNEY**

CIC1910557

Bond Number

KNOW ALL MEN BY THESE PRESENTS, That the CAPITOL INDEMNITY CORPORATION, a corporation of the State of Wisconsin, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

-----BRENT BALDWIN; BROCK BALDWIN; WILLIAM D. BALDWIN; BLAINE ALLEN; RUSS FRENZEL-----
-----BRADY K. COX; SYLVIA THOMAS-----

its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

----- ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED: \$20,000,000.00 -----

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of CAPITOL INDEMNITY CORPORATION at a meeting duly called and held on the 15th day of May, 2002.

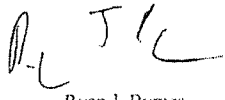
"RESOLVED, that the President, Executive Vice President, Vice President, Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings, and other writings obligatory in the nature thereof, one or more resident vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of this company; the signature of such officers and seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time."

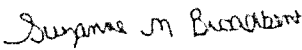
In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

IN WITNESS WHEREOF, the CAPITOL INDEMNITY CORPORATION has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 1st day of January, 2020.

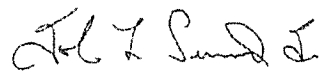
Attest:


Ryan J. Byrnes
Senior Vice President,
Chief Financial Officer and Treasurer


Suzanne M. Broadbent
Assistant Secretary

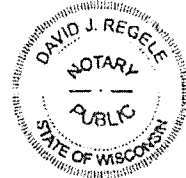


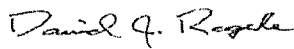
CAPITOL INDEMNITY CORPORATION


John L. Sennott, Jr.
Chief Executive Officer and President

STATE OF WISCONSIN }
COUNTY OF DANE } S.S.:

On the 1st day of January, 2020 before me personally came John L. Sennott, Jr., to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is Chief Executive Officer and President of CAPITOL INDEMNITY CORPORATION, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.






David J. Regele
Notary Public, Dane Co., WI
My Commission Is Permanent

STATE OF WISCONSIN }
COUNTY OF DANE } S.S.:

I, the undersigned, duly elected to the office stated below, now the incumbent in CAPITOL INDEMNITY CORPORATION, a Wisconsin Corporation, authorized to make this certificate, DO HEREBY CERTIFY that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 2nd day of March, 2021





Andrew B. Diaz-Matos
Senior Vice President, General Counsel and Secretary

THIS DOCUMENT HAS BEEN GENERATED FOR A SPECIFIC BOND. IF YOU HAVE ANY QUESTIONS CONCERNING THE AUTHENTICITY OF THIS DOCUMENT CALL 800-475-4450.

CIC-ePOA-M (Rev. 01-2020)

S&J FENCE CO.

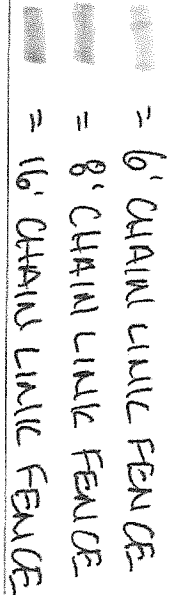
361-885-0503
www.sjfenceco.com



FENCE & GATE SUBMITTALS

CITY OF KINGSVILLE – DICK KLEBERG BASEBALL FIELD FENCING INSTALLATION

CONTENTS:

Fence Layout – Field 4	1 pgs
Fence Layout – Field 6	1 pgs
6' Chain Link Fence Detail	1 pgs
Double & Single Swing Gate Detail	1 pgs
Chain Link Double & Single Swing Gate Hardware Detail	2 pgs
Chain Link Dugout & Backstop Detail	1 pgs
Backstop Roof Detail	1 pgs
Galvanized Schedule 40 Pipe Cut Sheet	1 pgs
Galvanized Chain Link Fabric Cut Sheet	1 pgs
Galvanized Chain Link Fence Accessories Cut Sheet	1 pgs
Privacy Slat Cut Sheer & Color Selection	1 pgs



 = 16' WIDE DOUBLE GATES
 = 3' WIDE SINGLE GATE

FENCE PLAN - BALL FIELD #4

A

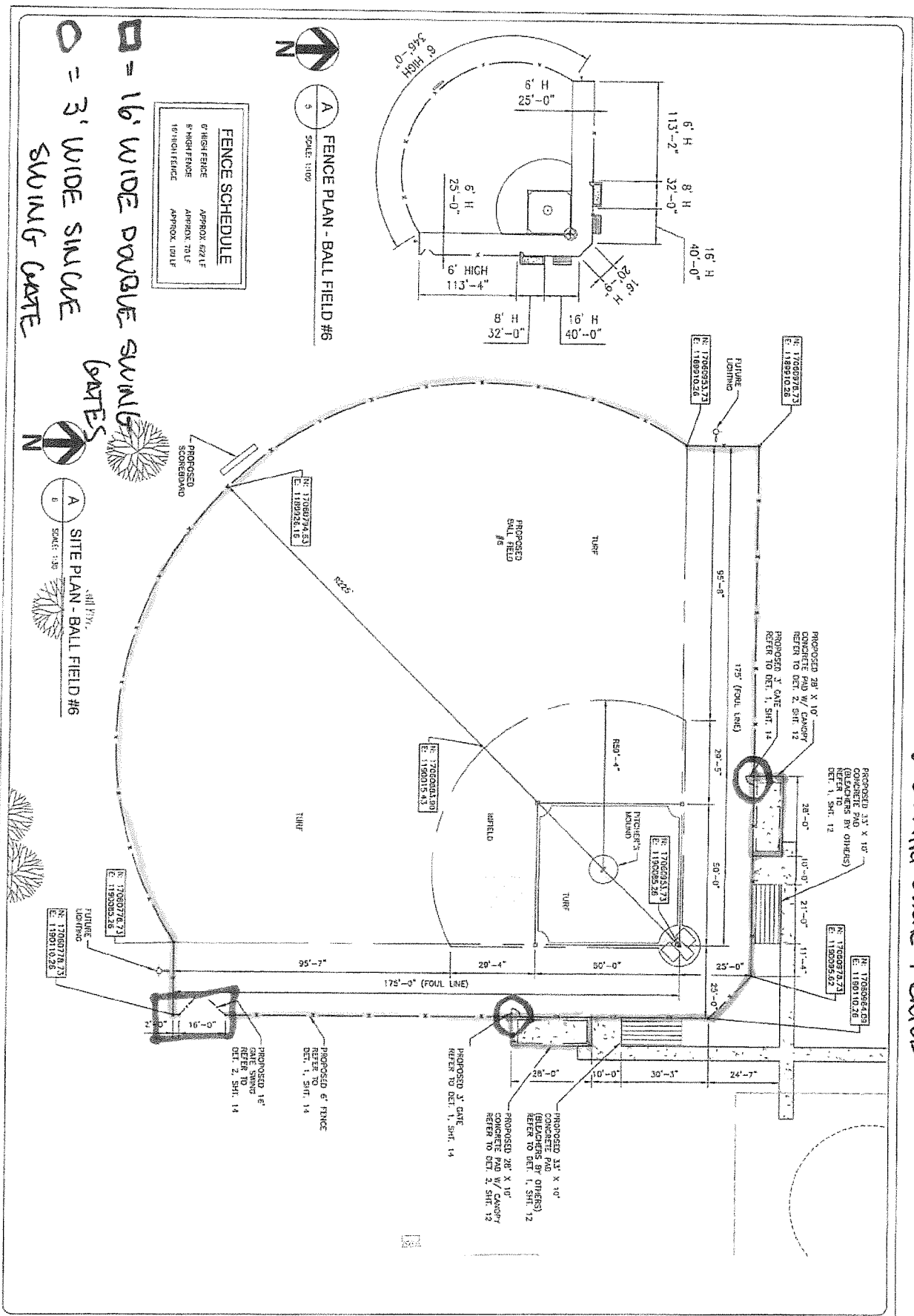
5

SCALE: 1:25



**CITY OF KINGSVILLE
ENGINEERING DEPARTMENT**
400 West King
Kingsville, Texas 78363
Office 361.595.5007
Fax 361.595.8035

= 6' CHAIN LINK FENCE
 = 8' CHAIN LINK FENCE
 = 16' CHAIN LINK FENCE



FENCE PLAN - BALL FIELD #6
 SCALE: 1:100

FENCE SCHEDULE	
6' HIGH FENCE	APPROX. 622 LF
8' HIGH FENCE	APPROX. 70 LF
16' HIGH FENCE	APPROX. 120 LF

16' WIDE DOUBLE SWING GATES
 3' WIDE SINGLE SWING GATE

23/8 "DD SCA440



TOP RAIL / TRUSSED BRACE RAIL
BOTTOM TENSION WIRE

*MAX PVLPST SPACED = 500'

* ALL GALL. TRUCK DEL OF HAND MIX
- TO 3,000 PSI

* ALL COMPONENTS GALV.

Merchants Metals®

CHAIN LINK

TYPICAL FENCE ELEVATION / SECTION

BY: FJR 05.19.05

SCALE: NTS

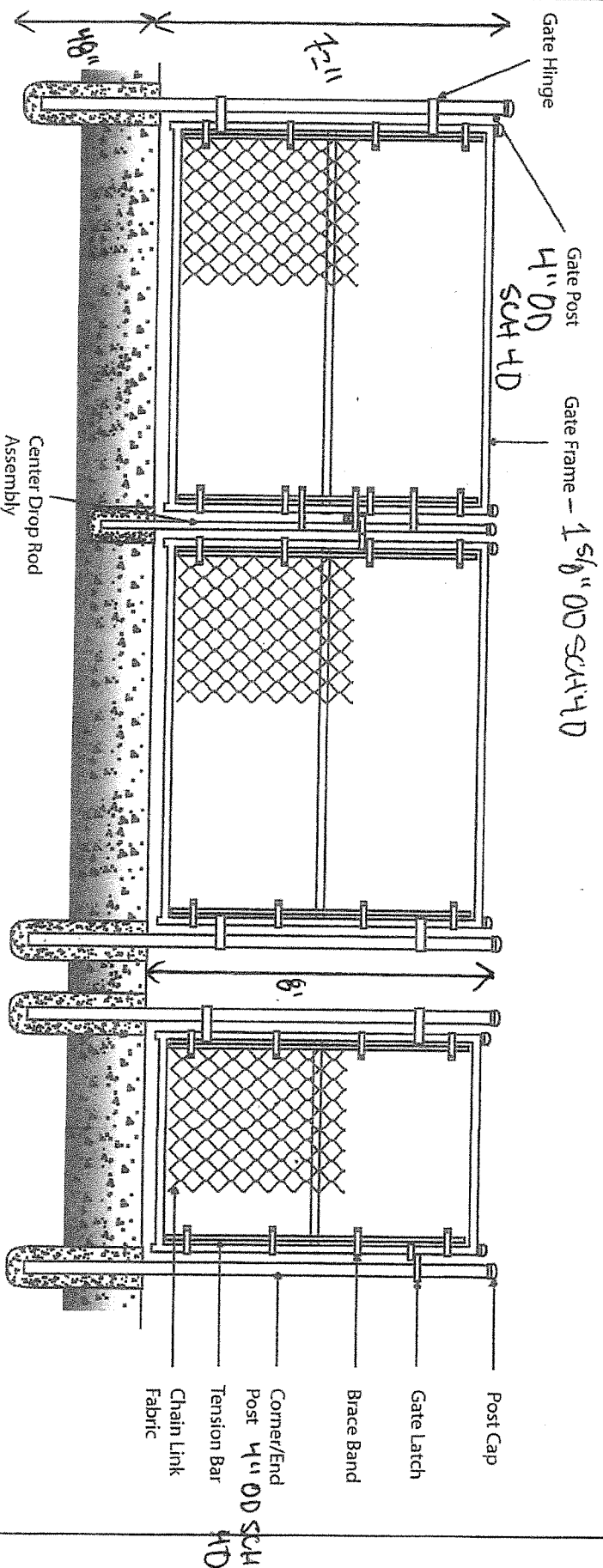
DWG #: CL10

www.MerchantsMetals.com

COPYRIGHT ©

DOUBLE : SINGLE SWING GATE DETAIL

12' 1" 3' Last Revised 11-01-06



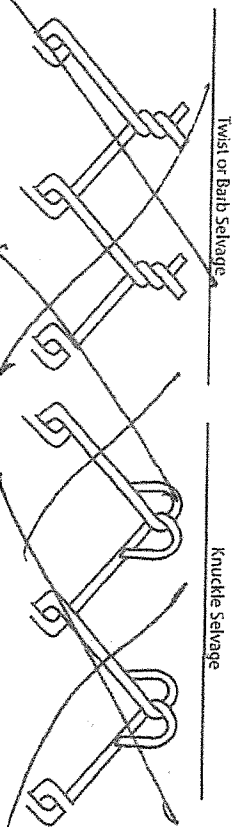
* FABRIC TO MATCH FENCE

5' Or More

Notes

- Gate Fabric to match fence
- For welded frames omit truss rods
- For more information please see <http://www.aplance.com>

Fabric	Height	Mesh	Gauge	Selvaage	Finish
Framework		O.D.	Wall	Wt. per ft.	Length
End/Corner Post					
Line Post					
Rail					
Gate Frame					
Gate Post					



Last Revised: 10-03-06



Standard Chain Link Fencing

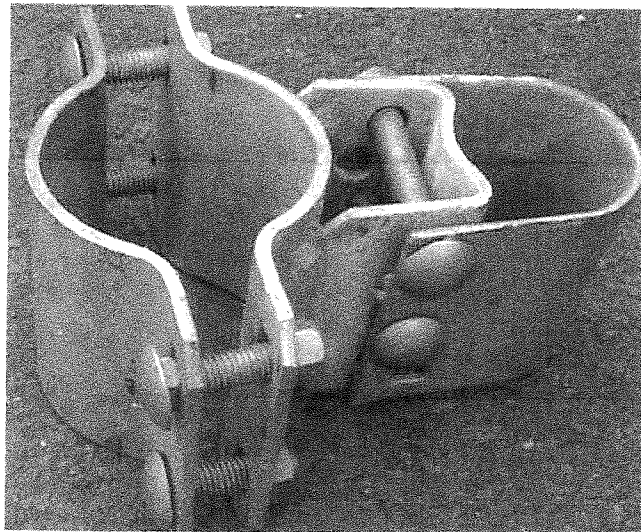
Standard Chain Link Gate Detail

Approved By: Joshua Stidham

Drawn By: Joshua Stidham

Drawing NO. SPS-CL-16R2

CHAIN LINK DOUBLE SWING GATE HARDWARE



(2) PER LEAF

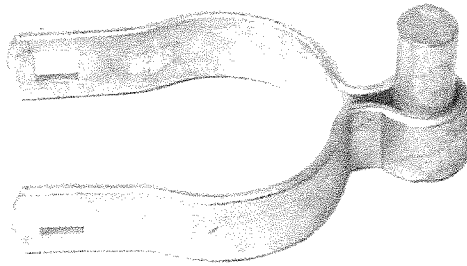
BOX HINGE – 90 DEGREE OPERATION



(1) PER SET

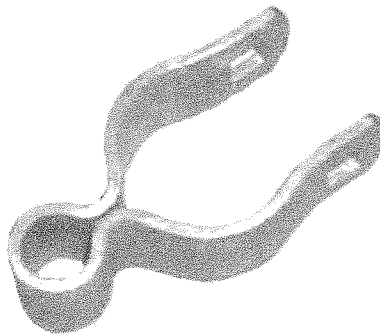
COMMERCIAL DROP ROD ASSEMBLY

CHAIN LINK SINGLE SWING GATE HARDWARE



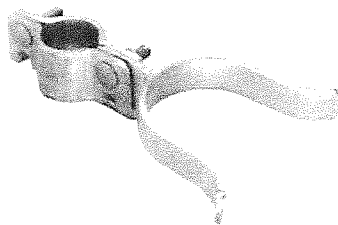
(2) PER LEAF

3" MALE HINGE – 90 DEGREE OPERATION



(2) PER LEAF

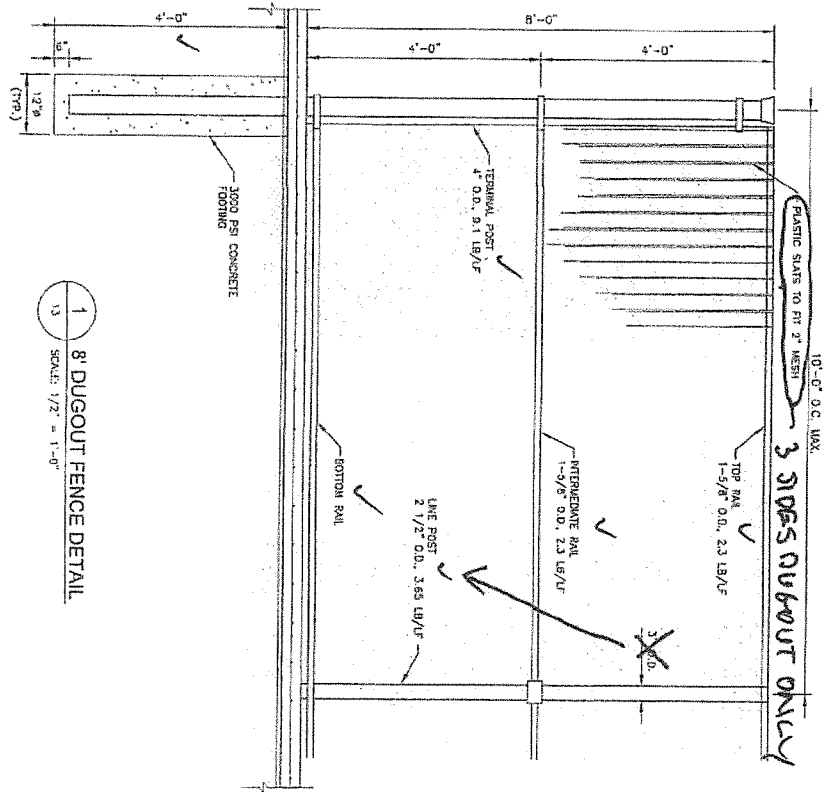
1 5/8 FEMALE HINGE – 90 DEGREE OPERATION



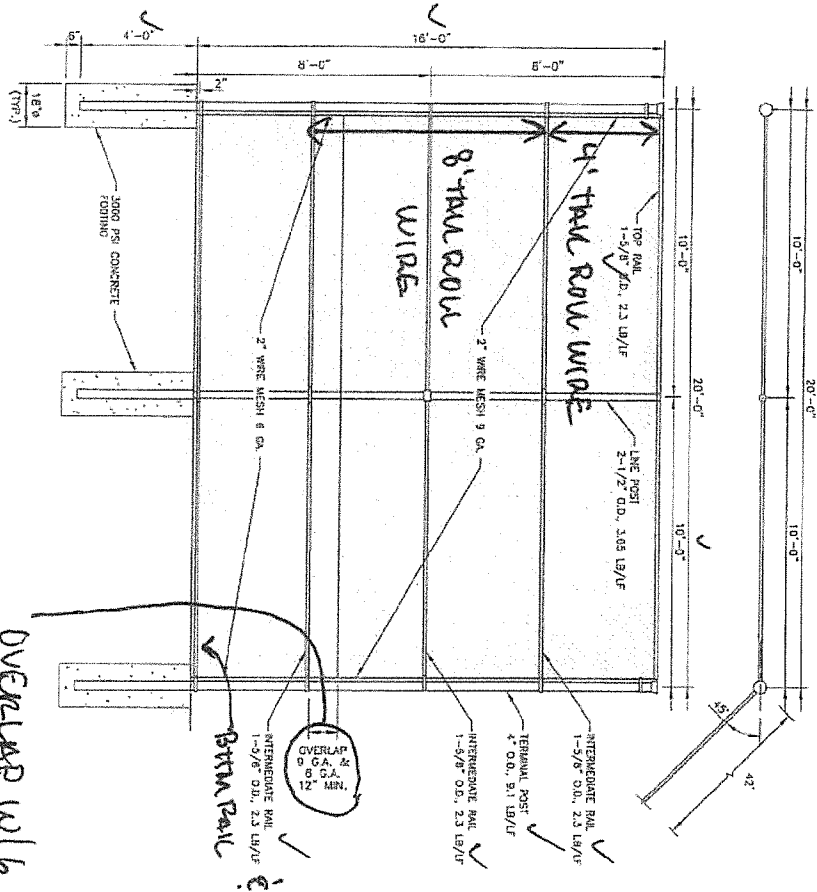
(1) PER LEAF

3" FORK LATCH

CHAIN LINK DUGOUT: BACK STOP DETAIL



1 8' DUGOUT FENCE DETAIL
SCALE: 1/2" = 1'-0"



2 BACKSTOP DETAIL
SCALE: 1/4" = 1'-0"

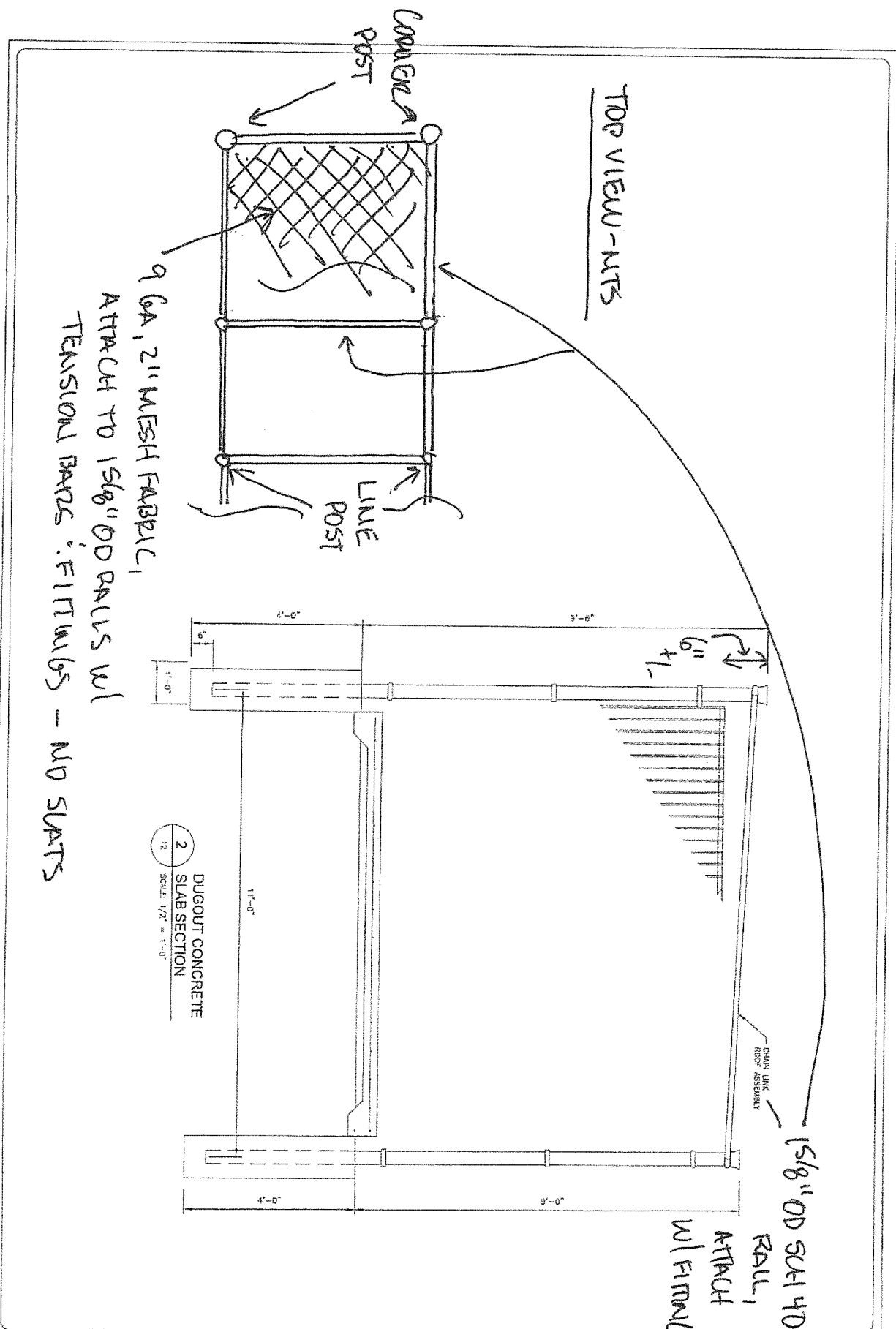
* ALL RAILS ATTACH W/ FITTINGS,
NOT WELDED

* ALL COMPONENTS GALVANIZED

OVERLAP w/ 6
GA INSIDE FAY
FIELD

Bottom Rail

BACKSTOP ROOF DETAIL





Schedule 40 Pipe, Galvanized OnGuard Sch 40
ASTM F1043 Group I-A, Federal specification RR-F-191 Type 1, Grade A,
AASHTO M-181 Grade 1

PRODUCT NAME

OnGuard Schedule 40 Pipe

Galvanized

DISTRIBUTOR

Stephens Pipe & Steel, LLC
PO Box 618, 2224 E Hwy 619
Russell Springs, Kentucky 42642
800 451 2612
spsfence.com

PRODUCT DESCRIPTION

Basic Use:

Schedule 40 pipe for use as commercial, industrial and institutional installations of chain link fencing. Schedule 40 pipe is the historically the original product used material for this purpose. The requirements for this material are contained in various government specifications for use in commercial, industrial, and civil installations.

Schedule 40 pipe is typically used in installations which incorporate zinc-coated or aluminum-coated steel chain link fence fabric, although it may be specified for use with other types of fabric, i.e. PVC coated.

Composition and Materials:

Schedule 40 pipe is produced from steel manufactured by the electric furnace, open hearth, or basic oxygen process.

Welded pipe NPS 4 and under in size may be butt-welded. Welded pipe over NPS 4 is typically electric welded.

Standards:

ASTM F1043 *Strength and Protective Coatings on Metal Industrial Chain Link Fence Framework*, Group I-A

*** IMPORT MATERIAL**

ASTM F1083 *Pipe, Hot-Dipped Zinc-Coated (Galvanized) Welded, for Fence Structures*
ASTM F567 *Installation of Chain Link Fence*
ASTM A 90/A90M

Test Method for Weight of Coating on Zinc-Coated (Galvanized) Iron or Steel Articles
Federal specification RR-F-191K/3D
Fencing, Wire and Post Metal (Chain Link Fence Posts, Top Rails, and Braces), Class Grade A AASHTO M-181 *Chain Link Fence* (American Association of State Highway Transportation Officials)

TECHNICAL DATA

General:

The manufacturer or distributor, if requested, will supply samples and certification that all materials furnished fully comply with the appropriate specifications.

Galvanized Steel Framework:

This information for hot-dipped galvanized welded steel pipe covers the requirements for pipe sizes NPS 1 to NPS 8. (Note: The dimensionless designator NPS is used instead of traditional terms such as nominal diameter, size, and nominal size.)

Tensile Requirements:

The **tensile strength** of schedule 40 pipe is 48,000 psi (330 MPa), min.

The yield strength of schedule 40 pipe is 30,000 psi (205 MPa), min.

Coating Requirements:

The minimum zinc coating weight of schedule 40 pipe is 1.8 oz/ft² (550 g/m²), determined from the average results of two specimens taken for test, and not less than 1.6 oz/ft² (490 g/m²) for either of these specimens. The weight of zinc coating is calculated by dividing the total weight of zinc, inside plus outside, by the total area, inside plus outside, of the area coated.

~~Schedule 40 pipe with a minimum average zinc coating weight of 2.0 oz/ft² (610 g/m²) is also available.~~

Each specimen shall have not less than 1.3 oz/ft² (400 g/m²) of zinc coating on each surface, calculated by dividing the weight of zinc on a given surface (inside or outside) by the area of the surface coated (inside or outside). The weight of zinc coating is determined in accordance with ASTM A90/A90M.

The tolerance for pipe diameter is 1/64 inch (0.4 mm) over for pipe NPS 1 and under and 1/32 inch (0.8 mm) under that specified. For pipe size NPS2 and over, the outside diameter shall be + 1% of that specified.

Pipe mill joint lengths may range from 18 ft to 24 ft, or posts are available cut-to-length.

INSTALLATION

Install fence posts in accordance with ASTM Practice 567.

AVAILABILITY AND COST

Availability: Schedule 40 pipe is available for shipment throughout the United States and worldwide.

Cost. Material costs may vary depending on specific requirements. Costs may be obtained from your SPS Sales Representative.

MAINTENANCE

Periodic inspection is recommended but no routine maintenance is required.

TECHNICAL SERVICES

Technical services are available. Call your sales representative for assistance

SPS STEPHENS
PIPE & STEEL

800.451.2612

ADVANTAGE
ONE
SOURCE



SPS
STEPHENS
PIPE & STEEL

9 GA, 2" MESH, BOTH SELVAGES KNUCKLED

Zinc Coated (Galvanized) Steel Chain Link Fence Fabric

ASTM A 392, Federal specification RR-F-191 Type I, AASHTO M-181 Type I

1. PRODUCT NAME

Zinc Coated (Galvanized) Steel
Chain Link Fence Fabric

2. MANUFACTURER

**Stephens Pipe and Steel,
LLC Manufacturing
Locations:**

Stephens Pipe and Steel, LLC

10732 Schadel Rd

Mount Sterling, OH 43143

3. PRODUCT DESCRIPTION

Basic Use:

Zinc coated (galvanized) steel chain link fence fabric for commercial, industrial, institutional and recreational applications. Zinc coated fabric is contained in various government specifications for use in prison, road, dock, airport, housing, forestry, and military uses.

Composition and Materials:

Zinc coated steel chain link fence fabric is produced by cold-drawing good commercial grade steel rod into wire of the appropriate diameter. The steel rod from which the wire is drawn is produced by the open hearth, electric furnace or basic oxygen process.

The zinc coating may be applied before weaving into fabric (GBVV) or after weaving into fabric (GAW): *Galvanized before weaving (GBW)*: The wire is cleaned, passed through a bath of molten zinc, and then woven into chain link fabric.

Galvanized after weaving (GAW): The uncoated wire is woven into chain link fence fabric of the appropriate height and mesh size. The coating is produced by passing the woven mesh through a continuous line which includes cleaning of the fabric. After cleaning, the fabric passes through a molten bath of zinc metal to produce the galvanized coating.

Zinc used to produce the coating conforms to the requirements of ASTM specification B6.

Standards:

ASTM A 392 *Zinc-Coated Steel Chain Link Fence Fabric*
ASTM F567 *Installation of Chain Link Fence*
ASTM A 817 *Metallic-Coated Wire for Use in Chain Link Fence*
ASTM B6 *Zinc (Slab Zinc)*
Federal specification RR-F-191 K/1 D
Type I, *Fencing, Wire and Post Metal (Chain-Link Fence Fabric)*
American Association of State Highway Transportation Officials
M-181 *Chain Link Fence, Type I*

4. TECHNICAL DATA

General:

The manufacturer, if requested, will supply samples and certification that all materials furnished fully comply with the appropriate specifications.

Chain Link Fence Fabric:

The base metal of the chain link fence fabric is composed of commercial quality medium-carbon wire. The weight of zinc coating, wire sizes with allowable variances, and wire breaking strength, as shown in **Table 1**, conform to ASTM A 817 for the wire size specified. The fabric is zinc coated after weaving (GAW) or before weaving (GB").

Coating Weight

Zinc-coated (galvanized) steel chain link fence fabric conforming to ASTM A392 and other specifications referenced above is available in two coating classes with the following minimum coating weights:

✓ Class 1 - 1.2 oz/ft² (366 g/m²) ✓
~~Class 2 - 2.0 oz/ft² (610 g/m²)~~

GAW is available in either class. GBW is limited to Class 1 due to the limited availability of galvanized wire with a Class 2 coating. Fabric woven with 11 ga wire and fabric with mesh sizes less than 1³/₄" are GBW.

Sizes: Galvanized fabric is available in mesh sizes from 3/8 in. to 2 in. (10 mm to 50 mm), and in heights from 36 inches to 144 inches (910 mm to

Unless otherwise specified, chain link fence fabric woven with a 2 inch (50 mm) mesh and 60 inches (1,520 mm) or less in height is knuckled at both selvages; ~~for fabrics 72 inches (1,830 mm) and above the selvages are knuckled at one edge and twisted at the other.~~ All fabrics woven into mesh sizes under 2 in. are knuckled at both selvages.

INSTALLATION

Install chain link fence fabric in accordance with ASTM Practice 567.

1. AVAILABILITY AND COST

Availability:

Zinc coated steel chain link fence fabric is available for shipment throughout the United States and worldwide.

Cost:

Material costs may vary depending on specific requirements. Costs may be obtained through all Merchants Metals Service Centers.

2. WARRANTY

Class 2 galvanized steel chain link fence fabric is warranted for 25 years against failure due to rust or corrosion.

8. MAINTENANCE

Periodic inspection is recommended but no routine maintenance is required.

9. TECHNICAL SERVICES

Technical services are available through your Stephens Pipe Sales Representative, or your local SPS Branch Location.

Stephens Pipe and Steel, LLC
2224 E Hwy 619

Russell Springs, Kentucky

42642

1 800 451 2612



Galvanized Steel Chain Link Accessories

ASTM F626, Federal Specification RR-F-191 /4D, AASHTO M-181-98

- Chain link fence fittings per ASTM F 626. All ferrous metal fittings are to be galvanized per the requirements of ASTM F 626.
- Barbed wire supporting arms: Pressed steel arms with provisions for attaching 3 rows of barbed wire. Arms shall withstand 250 lb. (113.5 kg) downward pull at outermost end of arm without failure.
- Tension and Brace bands are to be pressed steel.
- Tension (stretcher) bars made of one continuous piece of steel or aluminum, 3/16" x 3/4" (4.76 mm x 19 mm). Provide one bar per end or gate post and two bars per corner or pull post.
- Tie Wire: 9 gauge [0.148" (3.76 mm)] ~~galvanized steel~~ or aluminum for attachment of chain link fabric to rails. Hog rings attach fabric to tension wire to be ~~12 1/2 GA [0.0985" (2.502 mm)]~~ 9 GA.
- Sleeves: Lengths of top rails to be connected using 6" (152 mm) sleeves that allow for expansion or contraction of the rail.
- Tension wire: Galvanized steel wire, 9 gauge, ~~[0.177" (4.5 mm)]~~, having a tensile strength of 75,000 psi (517 MPa).
- Truss rods & lightener: Rod minimum diameter 5/16" (7.9 mm).
- Fasteners: All nuts and bolts to be galvanized.
- Barbed wire: Galvanized coated, per ASTM A-121 Type Z - zinc coated wire - Design #12-4-6-14R, double strand, 12-1/2 gauge, twisted line wire with, 4 point barbs, spaced approximately 5" on center.
- Post caps: Steel, cast iron, or aluminum alloy. Caps must be weatherproof to prevent moisture intrusion into post. Top with arm to be provided when barbed wire is specified. Intermediate or line post tops to have loop for top rail when specified.
- Rail ends: Formed steel or iron, designed to provide secure connection of top rails to terminal post and brace or other rails to terminal and intermediate posts.

SPS STEPHENS
PIPE & STEEL

800.451.2612

ADVANTAGE
ONE
SOURCE

PLEASE SELECT COLOR BY CIRCILING

Privacy Decorative Slats (PDS®) for Chain Link and Ornamental Fencing

For over 30 years, Pexco PDS® HDPE Fence Products has been the largest manufacturer of chain link and ornamental fence enhancement products, marketed under the PDS® brand name. Produced in our west and east coast manufacturing facilities, PDS® Fence Products are available through most fence distributors in the U.S. and Canada.

Materials

Most of our fence products are extruded from High Density Polyethylene (HDPE), color pigments and ultra violet (UV) inhibitors, specifically designed to retard the harmful effects of the sun and lengthen the life of the product.

Durability

Our fence products are resistant to: severe weather conditions, salt water, sand, road dirt, most acids, alcohol, alkaline, ammonia, petroleum distillates and common environmental pollutants.

Maintenance

Pressure cleaning of surface contaminants is quickly accomplished with plain water.

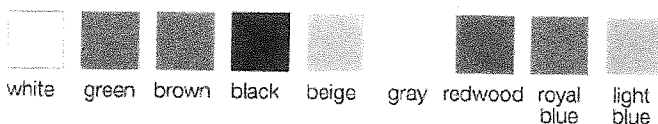
Wind Load Disclaimer

Pexco will not be responsible for fence damage resulting from wind load conditions due to insufficient structural support.

Limited Warranty

Pexco PDS® Fence Products carry an extensive, pro-rata warranty against breakage under normal conditions. See each product page for years of coverage or write Pexco for full warranty information.

Standard Colors*



*Exact representation of slat colors in printing is difficult. Please refer to actual color samples for final matching.

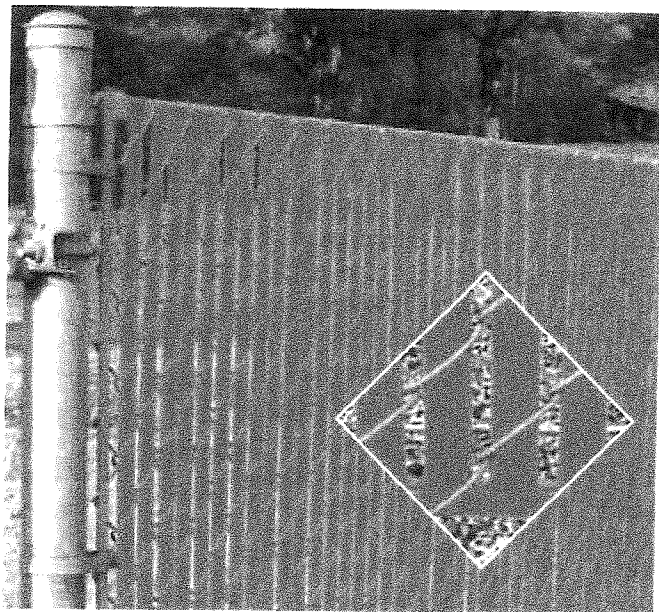
Patents

Covered by one or more of the following U.S. patents:
5,165,664 / 5,184,801 / 5,234,199 / 5,584,468, RE35, 208 / 5,687,957 /
5,806,839 / 6,068,243 / 7,207,551
Covered by one or more of the following Canadian patents:
2,161,852 / 2,186,986 / 2,208,822 / 2,508,189.

Made in the USA



Bottom Lock



Bottom Lock utilizes our patented bottom locking channel system providing a "snap-in" locking effect for security and deters vandalism at an affordable price.

Design

Bottom-lock slats are flat and tubular in shape, with reinforced "legs" inside for extra durability.

Installation Instructions

Step 1 Insert locking channel horizontally in first full diamond at bottom of fence with open side facing up.

Step 2 Insert vertical slats with beveled/notched end downward. Slat engages and interlocks with bottom rail.

Step 3 Push the vertical slat into the horizontal channel to lock in place.

Standard Heights

4, 5, 6, 7, 8, 10 and 12 feet. Special heights available upon request.

Wind Load and Privacy Factor

Approximately 75%.

Slat Length

3½" shorter than overall height of fence.

Bottom-Locking Channel

10 feet provided in each bag.

Warranty 25 years pro-rata.

Slat Type	Slat Width	Mesh Size	Wire Gauge	Slats Per Bag
✓ Bottom Lock 2"	1 3/32"	2"	8, 9 or 11	82 ✓
Bottom Lock 2 1/4"	1 1/4"	2 1/4" or 2 3/8"	11 1/2" or 12 1/2"	78
Bottom Lock 1 3/4"	7/8"	1 3/4"	8, 9 or 11	97
	7/8"	2"	6	97

AGENDA ITEM #12

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 5, 2021

SUBJECT: Request for Budget Amendment

Summary:

The police department is in receipt of funds from the Law Enforcement Officer and Standards Education Account from the Texas Comptroller of Public Accounts.

Background:

This payment must be used as necessary to ensure the continuing education of persons licensed under Chapter 1701, Occupations Code, or to provide training, as determined by the agency head, to full-time, fully paid law enforcement support personnel in our agency.

Financial Impact:

A direct deposit was made into our account from the Law Enforcement Officer Standards and Education (LEOSE) account in the amount of \$2,808.34. Those funds should be transferred to Fund 009 for use for continuing education of officers upon consideration and approval by the City of Kingsville City Commission.

Recommendation:

We request that a budget amendment be approved for acceptance and expenditure of these funds for continuing education of Kingsville Police Department personnel as allowed by the Occupations Code, Title 10. Occupations Related to Law Enforcement and Security, Chapter 1701. Law Enforcement Officer, Subchapter A. General Provisions, Sec. 1701.157. Thank you for your consideration and assistance.



ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND FUNDS RECEIVED FROM THE LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION FUND FOR CONTINUING EDUCATION.

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 2020-2021 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 009 - LEOSE					
<u>Revenues</u>					
2100	Police	State Grants	72010	(\$2,808.34)	
<u>Expenditures</u>					
2100	Police	Training & Travel	31600	\$2,808.34	

[To amend the City of Kingsville FY 20-21 Budget to accept and expend funds received from the Law Enforcement Officer Standards and Education Fund for continuing education. Funds will come from the grant funds received.]

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 22nd day of March 2021.

PASSED AND APPROVED on this the 12th day of April 2021.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 9, 2021

SUBJECT: Donation to Boy Scouts of America from Chapter 59 Funds

Summary:

The police department is in receipt of a request for a donation to Boy Scouts of America.

Background:

I am in receipt of a letter from the Boy Scouts of America soliciting a donation for Drug Abuse Prevention Programs of Boy Scouts of America/Chap. 59. The Boy Scouts of America Venado District is a non-profit organization that provides drug abuse prevention programs in the public schools of Kleberg and Kenedy counties. The 2020 Venado District supports 208 total youths.

Financial Impact:

Donation in the amount of **\$5,000.00** to assist Boy Scouts of America with our mission to help young people to stay drug free and succeed to be used from the Kingsville Police Department's Chapter 59 forfeiture funds.

Recommendation:

We request a resolution be approved granting our donation in the amount of \$5,000.00





BOY SCOUTS OF AMERICA
SOUTH TEXAS COUNCIL

February 24, 2021

Mr. Mark McLaughlin
City Manager
City of Kingsville
P. O. Box 1458
Kingsville, Texas 78364

Mr. Ricardo Torres
Chief of Police
Kingsville Police Department
P. O. Box 1458
Kingsville, Texas 78364

Re: Drug Abuse Prevention Programs of Boy Scouts of America/Chap.59

Gentlemen,

Thank you so much for your past contributions to the Friends of Scouting campaign. The continued generosity from the City of Kingsville and the Chapter 59 Forfeiture Grant to the Friends of Scouting Campaign allowed our district to continue to operate during this challenging times. Part of the Boy Scouts of America's mission is to teach youth positive character traits, leadership, responsibility, and the skills necessary to make ethical and moral choices. This mission is accomplished through the countless lessons taught in traditional Scouting programs; such as Cub Scouts and Scouts BSA.

Below are the traditional and Learning for Life program numbers which are encompassed in 6 Cub Scout packs, 5 Scout Troops and 2 Explorer post.

In 2020, the Venado District recorded:

Type	2020
Cub Scout Packs:	6
Cub Scouts:	136
Scouts BSA Troops:	5
Scouts:	53
Explorer Posts:	2
Explorers:	19
Total Units:	13
Total Youth:	208

The volunteers of the Boy Scouts of America, South Texas Council provide these programs in partnership with local Police and Border Patrol Agency's at weekly Scout Unit and Explorer Post meetings and outdoor activities, including Cub Scout Day Camp, Cub Adventure Weekends, Javelina Tailgate Campout, Scout Summer and Winter Camps held throughout the year. Scouts who attend these events fulfill requirements for rank advancement and merit badges such as Crime Prevention and Fingerprinting. As a requirement for advancement in Scouting programs, the drug abuse prevention and awareness message is instilled at each rank/level for Cub and Scouts BSA.





BOY SCOUTS OF AMERICA®
SOUTH TEXAS COUNCIL

For Explorers, that message plays a pivotal role in the Character Education lessons in which each youth is taught to help them make better ethical and moral choices.

The Venado district and South Texas Council underwrites each one of our Scouts approximately \$400 per year to provide services of advancement, registration, camp maintenance, leader training, recruiting, etc. These funds help support all the youth in the scouting program within Kleberg and Kennedy County which is made up of 11 traditional units to grow and become productive members of the community. Along with our traditional units we also have an Explorer Post with the United States Border Patrol which currently services 13 young adults in the area. The age in which youth can be a part of this program is middle school, and they are taught how an officer in the field prepares for and implements their training to give them the best opportunity to succeed. In order to continue providing a Drug Abuse Prevention Program for the youth in our community, we are requesting your consideration of an annual contribution of \$5,000, which would greatly assist our efforts.

Thank you for your consideration.

Yours in Scouting,

Martin Sepulveda
Scout Executive and CEO South Texas Council



RESOLUTION NO. 2021-_____

A RESOLUTION OF THE CITY OF KINGSVILLE AUTHORIZING THE RELEASE OF CHAPTER 59 FUNDS OF THE KINGSVILLE POLICE DEPARTMENT FOR DONATION TO THE BOY SCOUTS OF AMERICA VENADO DISTRICT.

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

WHEREAS, the Boy Scouts of America Venado District is a non-profit organization that provides drug abuse prevention programs through (1) the Learning for Life character development program in the public schools of Kleberg and Kenedy counties, and (2) the advancement requirements for both Cub Scouts and Boy Scouts, which serves approximately 208 youths locally;

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

I.

THAT the City Commission authorizes the Kingsville Police Department to assist with a \$5,000 donation to the Boy Scouts of America Venado District, to help educate young people about living a drug-free and alcohol-free lifestyle. Boy Scouts of America Venado District will submit quarterly charitable contribution reporting forms to the Kingsville Police Department.

II.

THAT local elected representatives shall be encouraged to promote, endorse, and support the Boy Scouts of America Venado District in their efforts for the benefit of the community through drug abuse prevention programs.

PASSED AND APPROVED by a majority vote of the City Commission on the 22nd day of March, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #14

RESOLUTION NO. 2021-_____

A RESOLUTION AUTHORIZING APPLICATION TO AND ACCEPTANCE OF BJA-2021 SOUTHWEST BORDER RURAL AND TRIBAL ASSISTANCE PROGRAM GRANT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM.

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 apply for and, if awarded, accept the BJA-2021 Southwest Border (SWB) Rural and Tribal Assistance Program released by the Institute for Intergovernmental Research (IIR) on behalf of BFA and in accordance with BJA Grant Number 2019-MU-BX-K002; and

WHEREAS, the City agrees to provide the applicable matching funds, if any, for the said project, though none are known at this time, as this program is done through a reimbursement process; and

WHEREAS, to support the crime reduction problem identified the City can use program funds for two automated license plate packages, traffic data classifier system software with modems, startup and configuration services, and shipping, as well as the Rapiscan Itemiser 4DN trace detection unit for an estimated amount up to \$83,147.88; and

WHEREAS, the City agrees that in the event of loss or misuse of the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA) grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the BJA in full;

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

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

I.

THAT the City Commission of the City of Kingsville approves the submission, acceptance (if awarded), and administration of the grant application for the BJA-2021 Southwest Border (SWB) Rural and Tribal Assistance Program released by the Institute for Intergovernmental Research (IIR) on behalf of BFA and in accordance with BJA Grant Number 2019-MU-BX-K002.

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 22nd day of April, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

Rick S. Gregory
Chairman

Emory B. Williams
Founder

Gina W. Hartsfield
President and CEO

March 9, 2021

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

Dear Chief Torres:

It is my pleasure to inform you that the City of Kingsville Police Department has been selected by the Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice, as a candidate to receive a subaward under the **Southwest Border (SWB) Rural and Tribal Assistance Program** solicitation released by the Institute for Intergovernmental Research (IIR) on behalf of BJA and in accordance with BJA Grant Number 2019-MU-BX-K002.

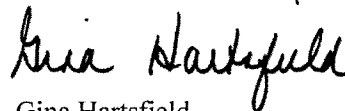
The subaward is a federal award provided by a pass-through entity, IIR, to a subrecipient, your agency, by which funding is made available through a **reimbursement process**. The amount of the subaward approved by BJA is up to **\$83,147.88** for the following items: two automated license plate reader (ALPR) message board trailers, including associated hardware and intelligence-led policing packages, traffic data classifier system software with modems, startup and configuration services, and shipping. Also included in this subaward is the Rapiscan Itemiser 4DN trace detection unit. After a competitive review, BJA did not approve the two Ranger all-terrain vehicles.

This is a provisional award letter. Your final award is contingent upon executing a subaward agreement with IIR that sets forth the specific terms and conditions of this award. Review the attached Agency Documentation Checklist and submit the requested documentation to IIR so that we may prepare your subaward agreement. IIR will review the submitted information and reach out to you to address any concerns identified in the review process.

If you need any assistance as you complete and submit the requested documentation, please submit your questions through the SWB website Contact Us form, which can be found at <https://southwestborder.ncirc.gov/Contact-Us>, by email to swb@ncirc.gov, or by phone at (850) 385-0600 (specify the Southwest Border Rural Law Enforcement Assistance Program).

Congratulations! We look forward to working with you.

Sincerely,



Gina Hartsfield
President and CEO

GH:lc
Attachments

Southwest Border Rural Law Enforcement Assistance Program

Overview of Reimbursement Process

The agency will submit three comparative vendor quotes (if three vendors are available) to *IIR* for each category of equipment or resources to be purchased for this subaward with a justification as to which quote the agency has selected and, if applicable, an explanation if less than three quotes are provided. *IIR* will review the documents submitted, request additional information as necessary, and notify the agency of approval to purchase the equipment/resources. Upon notification of *IIR*'s approval to purchase equipment/resources, the agency will complete the purchasing process. Once the approved items are purchased, the agency will prepare an invoice using the invoice template provided by *IIR*. The agency's invoice will be submitted with a copy of the vendor's (vendors') invoice(s) to *IIR* for reimbursement using the submission options listed on page 3.

Agency Documentation Checklist

To meet federal subaward requirements and to help inform the content of the subaward agreement with *IIR*, the following is a checklist of documents that the agency will need to prepare and submit to *IIR* before final approval of the subaward. Included with this checklist are forms and materials to assist you in preparing the required documentation. Below the checklist are submission options.

✓	Requested Documentation	Description
	1. Agency Coordinator Designation Form	Appendix A contains a form that the agency must complete and submit to <i>IIR</i> . This form asks the agency to identify two primary points of contact within the agency—a Project Coordinator and a Financial Coordinator.
	2. Applicant Agency Certification Sample Language	Appendix B contains sample language for the agency to customize when developing the agency's certification letter.
	3. U.S. Department of Justice (DOJ) Accounting System Financial and Capability Questionnaire	Appendix C contains DOJ's financial questionnaire designed to meet certain federal requirements, including those set out in the Part 200 Uniform Requirements (2 CFR Part 200).
	4. Audited Financial Statements	A copy of the most recent financial audit should be forwarded to <i>IIR</i> . If the agency's financial statements are not audited, then internal financial statements for the most recent year (fiscal or calendar) should be forwarded to <i>IIR</i> .
	5. IRS Form W-9 <i>Request for Taxpayer ID Number</i>	Appendix D contains IRS Form W-9, which should be completed and returned to <i>IIR</i> .
	6. Automated Clearing House (ACH) Enrollment Form for Direct Deposit/Payment	Appendix E contains a direct deposit form. <i>IIR</i> offers payment by either direct deposit or check. If the agency wishes to use direct deposit, complete the form in Appendix F. For agencies using direct deposit, <i>IIR</i> will email the individual designated on the form when payments to the agency are generated. If the completed form is not returned to <i>IIR</i> , payment will automatically be made by check.

Agencies may submit the above documentation through one of the following methods.

- Online Upload Portal: <http://s.iir.com/swb-document-upload>
- Email: swb@ncirc.gov
- Fax: **IIR: SWB Rural Law Enforcement Assistance Program**
Fax Number: (850) 422-3529
- Postal Mail: **Institute for Intergovernmental Research**
Attention: SWB Rural Law Enforcement Assistance Program
Post Office Box 12729
Tallahassee, FL 32317-2729
- UPS/FedEx: **Institute for Intergovernmental Research**
Attention: SWB Rural Law Enforcement Assistance Program
2050 Centre Pointe Boulevard
Tallahassee, FL 32308

Appendix A

Agency Coordinator Designation Form

Agency Name: _____

Mailing address where notices can be sent:

Address 1: _____

Address 2: _____

City/State/ZIP: _____

The following individuals have been designated to serve as the Project Coordinator and the Financial Coordinator on behalf of the agency for the purposes of this subaward.

Project Coordinator—All official, nonfinancial-related communications related to the agency's project should come from a Project Coordinator named below who will serve as the official project coordinator of record.

Name: _____ Title: _____

Email: _____ Phone: _____

Financial Coordinator (if different from above)—All financial or reporting-related communications related to the agency's project should come from either the Project Coordinator named above or a separate designated point of contact as noted below.

Name: _____ Title: _____

Email: _____ Phone: _____

The coordinators listed on this form are designated and authorized by the following agency head:

Signature

Date

Printed Name

Title

Appendix B

Applicant Agency Certification Sample Language

All subaward recipient agencies are required to submit a statement, signed by the agency's chief executive officer, that certifies the agency will not use the subaward funds for supplanting, will coordinate with agencies affected by the receipt of the subaward, and agree to work with the program provider, the Institute for Intergovernmental Research, and the funding agency, the Bureau of Justice Assistance.

Sample language is provided below for agency use in drafting this certification, which **must be provided on agency letterhead and signed by the chief executive officer.**

Sample Language

The [agency name] serves as the applicant agency for the Southwest Border Rural Law Enforcement Assistance Program. As the authorized representative of the applicant organization, I assure the following:

- Federal funds made available through this award will not be used to supplant state, local, or tribal funds but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for the activities addressed in the application.
- There has been appropriate coordination with all affected agencies.
- The Project Coordinator will agree to work with the Institute for Intergovernmental Research and the Bureau of Justice Assistance.



Background

Recipients' financial management systems and internal controls must meet certain requirements, including those set out in the "Part 200 Uniform Requirements" (2.C.F.R. Part 2800).

Including at a minimum, the financial management system of each OJP award recipient must provide for the following:

- (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, and the name of the Federal agency.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest, and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The recipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the OJP recipient.
- (7) Written procedures for determining the allowability of costs in accordance with both the terms and conditions of the Federal award and the cost principles to apply to the Federal award.
- (8) Other important requirements related to retention requirements for records, use of open and machine readable formats in records, and certain Federal rights of access to award-related records and recipient personnel.

1. Name of Organization and Address:

Organization Name:

Street1:

Street2:

City:

State:

Zip Code:

2. Authorized Representative's Name and Title:

Prefix: First Name: Middle Name:

Last Name: Suffix:

Title:

3. Phone: 4. Fax:

5. Email:

6. Year Established: <input type="text"/>	7. Employer Identification Number (EIN): <input type="text"/>	8. DUNS Number: <input type="text"/>
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9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)? ☐ Yes ☐ No

If "No" skip to Question 10.

If "Yes", complete Questions 9. b) and 9. c).



AUDIT INFORMATION

9. b) Does the applicant nonprofit organization maintain offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a)?

☐ Yes ☐ No

9. c) With respect to the most recent year in which the applicant nonprofit organization was required to file a tax return, does the applicant nonprofit organization believe (or assert) that it satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to the reasonableness of compensation of certain individuals)?

☐ Yes ☐ No

If "Yes", refer to "Additional Attachments" under "What An Application Should Include" in the OJP solicitation (or application guidance) under which the applicant is submitting its application. If the solicitation/guidance describes the "Disclosure of Process related to Executive Compensation," the applicant nonprofit organization must provide -- as an attachment to its application -- a disclosure that satisfies the minimum requirements as described by OJP.

For purposes of this questionnaire, an "audit" is conducted by an independent, external auditor using generally accepted auditing standards (GAAS) or Generally Governmental Auditing Standards (GAGAS), and results in an audit report with an opinion.

10. Has the applicant entity undergone any of the following types of audit(s) (Please check all that apply):

☐ "Single Audit" under OMB A-133 or Subpart F of 2 C.F.R. Part 200

☐ Financial Statement Audit

☐ Defense Contract Agency Audit (DCAA)

☐ Other Audit & Agency (list type of audit):

☐ None (if none, skip to question 13)

11. Most Recent Audit Report Issued: ☐ Within the last 12 months ☐ Within the last 2 years ☐ Over 2 years ago ☐ N/A

Name of Audit Agency/Firm:

AUDITOR'S OPINION

12. On the most recent audit, what was the auditor's opinion?

☐ Unqualified Opinion ☐ Qualified Opinion ☐ Disclaimer, Going Concern or Adverse Opinions ☐ N/A: No audits as described above

Enter the number of findings (if none, enter "0"):

Enter the dollar amount of questioned costs (if none, enter "\$0"):

Were material weaknesses noted in the report or opinion?

☐ Yes ☐ No

13. Which of the following best describes the applicant entity's accounting system:

☐ Manual ☐ Automated ☐ Combination of manual and automated

14. Does the applicant entity's accounting system have the capability to identify the receipt and expenditure of award funds separately for each Federal award?

☐ Yes ☐ No ☐ Not Sure

15. Does the applicant entity's accounting system have the capability to record expenditures for each Federal award by the budget cost categories shown in the approved budget?

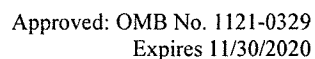
☐ Yes ☐ No ☐ Not Sure

16. Does the applicant entity's accounting system have the capability to record cost sharing ("match") separately for each Federal award, and maintain documentation to support recorded match or cost share?

☐ Yes ☐ No ☐ Not Sure



17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
19. Is applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R. Part 200?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
PROPERTY STANDARDS AND PROCUREMENT STANDARDS	
20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds (1) a description of the property; (2) an identification number; (3) the source of funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of the acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
21. Does the applicant entity maintain written policies and procedures for procurement transactions that -- (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for analysis of lease versus purchase alternatives; (3) set out a process for soliciting goods and services, and (4) include standards of conduct that address conflicts of interest?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system (www.sam.gov) for suspended or debarred sub-grantees and contractors, prior to award?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
TRAVEL POLICY	
24. Does the applicant entity: (a) maintain a standard travel policy? <input type="checkbox"/> Yes <input type="checkbox"/> No (b) adhere to the Federal Travel Regulation (FTR)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
SUBRECIPIENT MANAGEMENT AND MONITORING	
25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award -- (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards

Page 4 of 4

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	
or	
Employer identification number	

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Date ►

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting*, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code*, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships*, earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code*, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. Individual. Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. Sole proprietor or single-member LLC. Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. Partnership, LLC that is not a single-member LLC, C corporation, or S corporation. Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. Other entities. Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. Disregarded entity. For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual	Individual/sole proprietor or single-member LLC
• Sole proprietorship, or	
• Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• LLC treated as a partnership for U.S. federal tax purposes,	
• LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or	
• LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Partnership
• Partnership	
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester*, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.SSA.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/Businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code*, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor ²
5. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
6. Sole proprietorship or disregarded entity owned by an individual	The owner ³
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*
For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity ⁴
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee

For this type of account:	Give name and EIN of:
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships*, earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



ACH Enrollment Form

This form is used for Automated Clearing House (ACH) payments to provide payment-related information for your financial institution. It is good practice to check with your financial institution to confirm funds have been deposited to your account. Information on this form may be subject to additional verification, if needed.

VENDOR INFORMATION (Remit Address)☐ New Request☐ Change Request

Vendor Name		Taxpayer ID (required)	
Address	City	State	ZIP Code
Accounting Contact Name		Contact Number	
Email address - *required to receive remittance notification			

FINANCIAL INSTITUTION INFORMATION☐ Checking Account☐ Savings Account

Bank Name			
Address	City	State	ZIP Code
Account Name	ACH Routing Number (9 digits)*	Account Number*	

Authorization – I agree that I am responsible for notifying IIR of any changes to the information provided above. I agree to immediately return any erroneous payments that may occur as a result of payment via ACH. I certify that the information provided on this form is true and correct and that I, as an authorized representative of the above-named organization, hereby authorize IIR to electronically deposit payments to the above-designated bank account. This authority remains in full force until written notice of change or cancellation is received by IIR. IIR reserves the right to cancel or suspend this authorization at any time.

DATE: _____

Sign above; print name and title: _____

* An image of a voided check (with ACH routing number) or bank confirmation letter reduces data entry issues and errors.

AGENDA ITEM #15

Rsl/m.

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: March 9, 2021

SUBJECT: 2022 Local Border Security Program (LBSP)

Summary:

The Kingsville Police Department has been invited to participate in the 2022 Local Border Security Program (LBSP). The grant period is from 09/01/2021 to 08/31/2022. We have an application #2994107 and are requesting \$78,000.00 to be used to cover personnel costs.

Background:

Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

1. Increase the effectiveness and impact of Steady State and Surge Operations.
2. Reduce border-related criminal activity in Texas.
3. Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
4. Decrease the supply of drugs smuggled into and through Texas from Mexico.
5. Disrupt and deter operations of gang and cartel criminal organizations.
6. Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
7. Decrease use of specific areas for crime as targeted in directed action missions.
8. Increase the effectiveness of air operations mission planning and prioritization.
9. Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.



**City of Kingsville
Police Department**

10. Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
11. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
12. Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

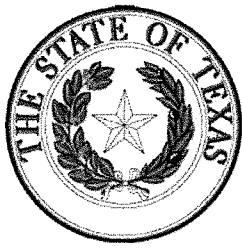
Financial Impact:

The grant for "Operation Border Star" is a reimbursement type but does not require any cash match. We are requesting \$78,000.00 in funds to cover personnel costs, fuel and equipment.

Recommendation:

We would request a resolution authorizing our application, for participation, and acceptance of funds when awarded. Please place this on the next available agenda. Thank you for your assistance regarding this matter.





Office of the Governor, Public Safety Office
Homeland Security Grants Division
Funding Announcement: ***Local
Border Security Program (LBSP), FY2022***

Purpose

The Public Safety Office (PSO) is soliciting grant applications under the Local Border Security Program (LBSP) for projects that support Operation Border Star during state fiscal year 2022.

Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

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

Available Funding

State funds for these projects are authorized under the Texas General Appropriations Act, Article I for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Eligible Organizations

1. Units of local government; and
2. Federally Recognized Native American tribes.
3. Eligible applicants must be located within a County within one of the six DPS Joint Operations and Intelligence Centers (JOIC) Regions including:

- a) **El Paso JOIC** – El Paso County.
- b) **Coastal Bend JOIC** – Aransas County, Bee County, Calhoun County, Dewitt County, Goliad County, Gonzales County, Guadalupe County, Jackson County, Jim Wells County, Karnes County, Kleberg County, Lavaca County, Live Oak County, Matagorda County, McMullen County, Nueces County, Refugio County, San Patricio County, Victoria County, and Wharton County.
- c) **Marfa JOIC** – Brewster County, Culberson County, Hudspeth County, Jeff Davis County, Pecos County, Presidio County, Reeves County, and Terrell County.
- d) **Del Rio JOIC** – Dimmit County, Edwards County, Kinney County, Maverick County, Real County, Uvalde County, Val Verde County, and Zavala County.
- e) **Laredo JOIC** – Duval County, Frio County, Jim Hogg County, La Salle County, Webb County, and Zapata County.
- f) **Rio Grande Valley JOIC** – Brooks County, Cameron County, Hidalgo County, Kenedy County, Starr County, and Willacy County.

Application Process

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *eGrants User Guide to Creating an Application*, available [here](#).

Key Dates

Action	Date
Funding Announcement Release	01/14/2021
Online System Opening Date	01/14/2021
Final Date to Submit and Certify an Application	03/18/2021 at 5:00pm CST
Earliest Project Start Date	09/01/2021

Project Period

Projects selected for funding must begin on or after September 1, 2021 and expire on or before August 31, 2022.

Funding Levels

Minimum: None

Maximum: None

Match Requirement: None

Standards

Grantees must comply with standards applicable to this fund source cited in the State Uniform Grant Management Standards (UGMS), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

Eligible Activities and Costs

1. PERSONNEL - OVERTIME

- a) Overtime for increased patrol and/or investigative capacity for certified peace officers.

- b) Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in border security operations, such as Jailer overtime, or Communications Officer/Dispatcher overtime, necessary to maintain a safe Officer to Dispatcher ratio.
- c) Overtime for non-exempt administrative personnel supporting border security grants.
- d) Overtime for law enforcement support and administrative personnel should be limited and anything greater than 10% may not be funded or may require significant additional data and justification.
- e) Applicants must provide a copy of the local overtime policy as approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period. The policy must:
 - i. Clearly describe how overtime will be calculated;
 - ii. Be consistent with the agency's local overtime policy;
 - iii. Treat overtime for grant-paid personnel the same as non-grant paid personnel.
- f) Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:
 - i. OT is time actually worked that exceeds the required number of hours during an employee's designated work period, as per grantee's policies and procedures.
 - ii. OT must be worked to support border security operations.
 - iii. The project OT rate shall be no more than one-and-one-half (1.5) times the employee's regular pay rate.
 - iv. Exempt salaried employees working border security operations may be reimbursed for overtime only if the grantee's overtime policy specifically allows for this.
 - v. HSGD will only reimburse the grantee for OT that does not exceed a total of 16 hours worked (regular plus OT) during any 24-hour period.

2. **PERSONNEL - REGULAR or STRAIGHT-TIME**

- a) Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during a period of "surge."
- b) Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- c) Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.
- d) Regular time for administrative personnel supporting border security grant activities.

3. **EQUIPMENT:** Costs for equipment, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during border security operations.

4. **SUPPLIES and DIRECT OPERATING EXPENSE:** Certain operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by the HSGD that are critical to success of the program.

- a) The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, aircraft, boats, generators, and similar equipment used during the hours in which grant-funded staff are working.
- b) Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.

- c) Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.
- d) The cost of minor emergency repairs, such as tire repair or fan belt replacement, to vehicles or equipment used in program operations is allowable.

Program-Specific Requirements

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

2. Eligible applicants must agree to submit the daily Border Incident Assessment Report (BIAR).

The grantee shall report all border-related events to the JOIC using the BIAR. BIAR reporting shall include events that occur during Enhanced Operation activities AND events that occur during Steady State activities. Enhanced (Surge) Operations originate out of the use of LBSP funds when the local agency chooses to increase the hours of patrol or the number of investigative bodies. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall LBSP mission, such as organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, human trafficking, human smuggling, home invasions with a border or organized crime nexus, illegal immigration, border-related murders, gang-related murders, vehicle thefts, or drug trafficking.

The BIAR is the primary incident and information-reporting tool for the grantee in local border security operations. The grantee shall ensure all BIARs conform to the respective standards outlined by the JOIC and are submitted within 24 hours of the end of shift and/or the timeframes established by the JOIC.

Eligibility Requirements

1. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Beginning January 1, 2021, counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions and other dispositions within five business days to the Criminal Justice Information System at the Department of Public Safety.

2. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted. Note: UCR is transitioning from summary reporting to NIBRS only in 2021. Applicants are encouraged to transition to NIBRS as soon as possible in order to maintain their grant eligibility.
3. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2021 or the end of the grant period, whichever is later.

4. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).
5. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

Prohibitions

Grant funds may **not** be used to support the unallowable costs listed in the [Guide to Grants](#) or any of the following unallowable costs:

1. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. Lobbying;
3. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. Backfill costs for personnel participating in operations;
5. Vehicles or equipment for government agencies that are for general agency use;
6. Weapons, ammunition, tasers, or explosives;
7. Admission fees or tickets to any amusement park, recreational activity or sporting event;
8. Promotional gifts;

9. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel;
10. Membership dues for individuals;
11. Any expense or service that is readily available at no cost to the grant project;
12. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
13. Fundraising;
14. Construction;
15. Medical services;
16. Legal services for adult offenders; and
17. Any other prohibition imposed by federal, state, or local law.

Selection Process

Application Screening: HSGD will screen all applications to ensure that they meet the requirements included in the funding announcement. HSGD will make all final funding decisions as described below.

Peer/Merit Review: Applications will be reviewed by HSGD staff in consultation with DPS Regional JOIC representatives. Funding decisions will be based on eligibility and operational content, which includes, but is not limited to, the following:

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

Final Decisions – All Projects: The Executive Director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, HSGD or state government priorities and strategies.

Contact Information

For more information, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

RESOLUTION #2021-_____

A RESOLUTION AUTHORIZING PARTICIPATION IN LOCAL BORDER SECURITY PROGRAM FY2022 WITH THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE FOR LAW ENFORCEMENT PERSONNEL COSTS, FUEL, AND EQUIPMENT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON THE CITY'S BEHALF WITH SUCH PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Local Border Security Program (LBSP) FY2022 has funding to provide additional manpower by local law enforcement agencies for state led border security enhancement operations for improved border security via a grant to local law enforcement agencies for payment of personnel costs, fuel, and equipment for local law enforcement officers (commissioned peace officers); and

WHEREAS, the Office of the Governor is providing grants through funding from Local Border Security Program FY2022; and

WHEREAS, the City of Kingsville has previously applied for similar grants for the reimbursement of law enforcement personnel costs, fuel, and equipment that will assist with improved border security through enhanced patrolling of the roadways through our city, especially US 77/I-69; and

WHEREAS, the City agrees to provide the applicable matching funds for the said project, if any, as required by the Office of the Governor for the Local Border Security Grant Program grant application; and

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

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

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

I.

THAT the City authorize the Kingsville Police Department through the Chief of Police to participate in Local Border Security Program FY2022 and to seek reimbursement for the allowed expenses of law enforcement personnel costs, fuel, and equipment necessary

to assist with improved border security in our area in conformance with this program. The City is approving the application and acceptance of any LBSP grant funds that the Office of the Governor, Public Safety Office, Homeland Security Grants Division allows for the period of performance of September 1, 2021 through August 31, 2022.

II.

THAT the Chief of Police is hereby authorized and directed to act on the City's behalf in all matters pertaining to Local Border Security Program FY2022 including any certifications, amendments or representations stipulated therein and that the Chief of Police will administer the program and execute and submit all certifications, reports, or contracts necessary for the administration and expenditure of such program.

III.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 22nd day of March, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #16

Budget Am.

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Ricardo Torres, Chief of Police
DATE: March 9, 2021
SUBJECT: 2022 Local Border Security Program (LBSP)

Summary:

The Kingsville Police Department has been invited to participate in the 2022 Local Border Security Program (LBSP). The grant period is from 09/01/2021 to 08/31/2022. We have an application #2994107 and are requesting \$78,000.00 to be used to cover personnel costs.

Background:

Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

1. Increase the effectiveness and impact of Steady State and Surge Operations.
2. Reduce border-related criminal activity in Texas.
3. Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
4. Decrease the supply of drugs smuggled into and through Texas from Mexico.
5. Disrupt and deter operations of gang and cartel criminal organizations.
6. Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
7. Decrease use of specific areas for crime as targeted in directed action missions.
8. Increase the effectiveness of air operations mission planning and prioritization.
9. Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.



**City of Kingsville
Police Department**

10. Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
11. Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
12. Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.

Financial Impact:

The grant for "Operation Border Star" is a reimbursement type but does not require any cash match. We are requesting \$78,000.00 in funds to cover personnel costs, fuel and equipment.

Recommendation:

We would request a resolution authorizing our application, for participation, and acceptance of funds when awarded. Please place this on the next available agenda. Thank you for your assistance regarding this matter.



ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND FUNDS AWARDED FROM THE 2022 LOCAL BORDERSTAR SECURITY PROGRAM FOR PERSONNEL COSTS.

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

I.

BE IT ORDAINED by the City Commission of the City of Kingsville that the Fiscal Year 2020-2021 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 017 – Local Borderstar Security Program					
<u>Revenues</u>					
0000	Non-Dept	State Grants	72010	(\$78,000)	
<u>Expenditures</u>					
2100	Police	Overtime	11201	\$66,953	
2100	Police	Retirement	11400	\$5,925	
2100	Police	FICA	11500	\$5,122	

[To amend the City of Kingsville FY 20-21 Budget to accept and expend funds awarded from the 2022 Local Borderstar Security Program for Personnel costs. Funds will come from the grant funds received.]

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 22nd day of March 2021.

PASSED AND APPROVED on this the 12th day of April 2021.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #17

**City of Kingsville
Engineering Dept.**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Rutilio P. Mora Jr, P.E., City Engineer

DATE: March 22, 2021

SUBJECT: Consider Budget Modification to the Texas Community Development Block Grant Program (TXCDBG) Contract Number 7218269.

Summary:

The City received one (1) bid for the Wastewater Manhole Rehabilitation Project – Phase III from Brush Country Construction with a base bid amount of \$40,000.00. The remaining grant construction funds are \$38,122.00 from the TXCDBG 7218269. I recommend we remove one (1) manhole and related appurtenances with a cost of \$10,000.00 of the four (4) manholes in the scope of work. This will reduce the base bid to \$30,000.

LNv is requesting \$4,250.00 for additional Engineering Services. The additional Engineering Services costs can be paid by the grant by modifying the budget as follows:

Grant Construction Funds	\$300,000.00
<u>City cash match</u>	<u>+\$60,000.00</u>
Total Funds	\$360,000.00
Engineering Costs	-\$50,000.00
Grant Admin Costs	-\$33,000.00
Manhole Rehab Phase I	-\$168,988.00
<u>Manhole Rehab Phase II</u>	<u>-\$69,890.00</u>
Remaining Funds	\$38,122.00
Additional Engineering Costs	-\$4,250.00
<u>Manhole Rehab Phase III</u>	<u>-\$30,000.00</u>
Final Remaining Funds	\$3,872.00

The project doesn't need to be awarded by Commission since it is under \$50,000.00.

The purpose of the item is to approve a budget modification for Engineering Services.



**City of Kingsville
Engineering Dept.**

Background:

The City was awarded the TDA TXCDBG 7218269 in late 2018. The project consists of rehabilitation of 18 manhole, including new manhole rings, covers and pavement repair. (Per Exhibit A). Construction funds include construction costs of \$217,000.00, engineering \$50,000.00 and administration costs of \$33,000.00 for a total of \$300,000.00. Other funds include the City's cash match of \$60,000.00. Total funds for the project are \$360,000.00.

18 manholes were rehabbed in Phase I for a cost of \$168,988.00. 8 manholes were rehabbed in Phase II for a cost of \$69,890.00.

Financial Impact:

The financial impact has been allocated Fund 086 with remaining funds of \$38,122.00.

Recommendation:

Staff recommends approving the budget modification of \$50,000.00 to \$54,250.00 for additional Engineering Services.

Attachments:

Exhibit B - Budget



EXHIBIT B

BUDGET

CITY OF KINGSVILLE

<u>Project Activities</u>	<u>Contract Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
03J_S Sewer Improvements - Total	\$267,000	\$60,000	\$327,000
Sewer Improvements-Construction	\$217,000	<u>\$60,000¹</u>	\$277,000
Sewer Improvements-Engineering	\$50,000	\$0	\$50,000
21A General Program Administration - Total	\$33,000	\$0	\$33,000
TOTALS	\$300,000	\$60,000	\$360,000

Source of Other Funds:

1 – City of Kingsville, General Fund

AGENDA ITEM #18

City of Kingsville
Public Works, Wastewater Division

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: March 5, 2021

SUBJECT: Utility Fund 051 Budget Amendment

Summary:

Sewer rates were increased in 2019 and 2020 and there was an error in the Commercial rate calculation for the amount of gallons used above 3,000.

Background:

Ordinance 2018-48 Section (D) – this is the ordinance used as the calculation base Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any other categories). Minimum monthly charge of \$29.55 with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of \$3.86 per 1,000 gallons will be levied.

Ordinance 2019-50 Section (D) this ordinance had an 8% increase

The last sentence would have resulted in: For consumption in excess of 3,000 gallons a charge of \$4.17 per 1,000 gallons will be levied ($\$3.86 \times 1.08 = \4.17). This ordinance stated \$3.96. (looks like we used the above (C) section base of \$3.66 to do the calculation).

Ordinance 2020-40 (D) this ordinance had a 5% increase

The last sentence would have resulted in: For consumption in excess of 3,000 gallons a charge of \$4.38 per 1,000 gallons will be levied ($\$4.17 \times 1.05 = \4.38). This ordinance started \$4.16 (we started with the incorrect base of \$3.96 to do the calculation).

Financial Impact:

To continue the incorrect rate will result in an unintended loss in revenue.

Recommendation:

Staff recommends the approval of the rate correction for per 1,000 gallons above the 3,000 gallon base usage.



ORDINANCE NO. 2021-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER V, ARTICLE 2, SEWERS, PROVIDING FOR A CORRECTION TO THE COMMERCIAL SEWER RATE UNDERCHARGE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

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

WHEREAS, the commercial sewer rate for amounts in excess of 3,000 gallons was inadvertently miscalculated in a prior ordinance resulting in an undercharge for that rate and now needs to be corrected to reflect the proper rate.

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

I.

THAT Section 5-2-2 of Article 2: Sewers of Chapter V, Public Works, of the Code of Ordinances of the City of Kingsville, Texas, shall be amended to read as follows:

§ 5-2-2 USER CLASSIFICATIONS; SCHEDULE OF CHARGES.

...

(D) *Commercial (includes hotels, motels, apartments over 4 units, and all others not meeting any other categories).* Minimum monthly charge \$33.52 with an allowance of 3,000 gallons. For consumption in excess of 3,000 gallons a charge of \$4.38 ~~\$4.16~~ per 1,000 gallons will be levied.

...

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of March, 2021.

PASSED AND APPROVED on this the 12th day of April, 2021.

Effective Date: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #19