

# *City of Kingsville, Texas*

---

**AMENDED  
AGENDA  
CITY COMMISSION  
MONDAY, MAY 10, 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.**

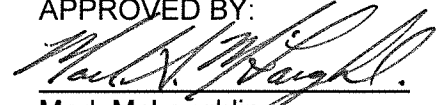
**OPEN MEETING**

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

**MINUTES OF PREVIOUS MEETING(S)**

Regular Meeting - April 26, 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).<sup>1</sup>**

1. None.

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

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

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

**V.**

**Consent Agenda**

**Notice to the Public**

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being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

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

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a Special Use Permit for general business use in I1 (Light Industrial District) at 1400 E. Corral (El Campo Process Plant), Kingsville, Texas, also known as Corral, Block 3, Lots 10-13. (Director of Planning & Development Services).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donations from the Youth Pony League Sponsors for uniforms. (Parks Director).
3. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donations for ball field scoreboard sponsorships. (Parks Director).
4. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to purchase wearable safety lights for the Police Department. (Police Chief).
5. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional costs of Liberator IV headsets not covered by grant funding for the Police Department. (Police Chief).
6. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to cover hazard pay for period of October 2020 through December 2020. (Finance Director).
7. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to transfer existing capital outlay items budget which were budgeted as a capital lease to Fund 115-Tax Notes Series 2021 and to cover overage on police vehicles purchase and tax note issuance costs. (Finance Director).
8. Motion to approve final passage of an ordinance amending the Fiscal Year 2020-2021 budget to transfer existing capital outlay items payment budget to Debt Service Fund to cover the Tax Note Series 2021 payment. (Finance Director).

## **REGULAR AGENDA**

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

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

9. Consider appointing Orlando Moya to the Zoning Board of Adjustment for a two-year term. (Director of Planning & Development Services).
10. Consider appointing Larry Garcia, Wayne Grant, and Karie Kriegel to the Planning & Zoning Commission each for a two-year term. (Director of Planning & Development Services).
11. Consider appointing Lesley Estes as the downtown merchant representative and David Thibodeaux as the Kingsville resident representative to the Main Street Advisory Board each for a two-year term. (Downtown Manager).
12. Consider appointing David Thibodeaux and Lucia G. Perez to the Historical Development Board each for a three-year term. (Downtown Manager).
13. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover the rolled over City Hall Irrigation Project. (Finance Director).
14. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover incentive agreement payments for Starbucks and Marshalls. (Finance Director).
15. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover CARES Act expenditures for FY20-21. (Finance Director).
16. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover FEMA Winter Storm Event grant expenditures submitted for reimbursement. (Finance Director).

17. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional audit services costs. (Finance Director).
18. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to replace the Engineering Services salary budget which was budgeted for in-kind engineering services in the Safe Routes to School Grant. (Finance Director).
19. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donation from Nustar Energy for equipment maintenance and supplies. (correcting fund used). (Finance Director).
20. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional overtime for the Police Department. (Police Chief).
21. Consider a resolution authorizing the City to submit an application to the Ed Rachal Foundation for grant funds for equipment for the Kingsville Police Department. (Police Chief).
22. Consider a resolution authorizing application to and acceptance of the TCEQ, under the Texas Emissions Reduction Plan, for the Governmental Alternative Fuel Fleet Grant Program. (Police Chief).
23. Consider awarding RFP#21-06 for 2021 Downtown Improvements-7<sup>th</sup> Street for TxCDBG Contract #7219192 as per staff recommendation, and approving a resolution authorizing the City Manager to enter into a Construction Contract for 2021 Downtown Improvements-7<sup>th</sup> Street between the City and Etech Construction, Inc. (RFP#21-06) (TxCDBG #7219192) (City Engineer).
24. Consideration and approval of a resolution authorizing publication of Notice of Intention to Issue Certificates of Obligation. (City Manager/City Attorney).
25. Discussion on Commission meeting format. (City Manager).
26. Discussion on goal setting and potential projects in preparation of FY21-22 budget. (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.

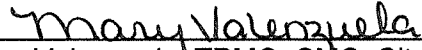
### **NOTICE**

**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](mailto:mvalenzuela@cityofkingsville.com) for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551-076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).**



I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board 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:

May 7, 2021 at 10:30 A.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.



Mary Valenzuela, TRMC, 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)**

APRIL 26, 2021

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, APRIL 26, 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  
Bill Donnell, Public Works Director  
Diana Gonzales, Human Resources Director  
Ricardo Torres, Chief of Police  
Juan Adame, Fire Chief  
Uchechukwu Echeozo, Director of Planning & Development Services  
Susan Ivy, Parks Director  
Deborah Balli, Finance Director  
Charlie Sosa, Public Works Director  
David Solis, Risk Manager

**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 Ms. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

**MINUTES OF PREVIOUS MEETING(S)**

**Regular Meeting - April 12, 2021**

Motion made by Commissioner Alvarez and Commissioner Torres to approve the minutes of April 12, 2021 as presented, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Torres, Fugate voting "FOR". Commissioner Lopez "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 the 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).<sup>1</sup>**

### **1. Public Hearing on an ordinance for a Special Use Permit for general business use in I1 (Light Industrial District) at 1400 E. Corral (El Campo Process Plant), Kingsville, Texas, also known as Corral, Block 3, Lots 10-13. Weldon Ross West authorized agent and owner. (Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:02 P.M.

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

Mr. Uchechukwu Echeozo, Director of Planning & Development Services stated that a public hearing is for a request of a Special Use Permit to enable the applicant to carry out the business that includes the sale of fishing and hunting gear as well as guns. Letters were mailed out to residents around the area. No objections to the request were received. The Planning and Zoning Commission met on this item where they voted unanimously to approve.

Commissioner Hinojosa asked what type of guns would be sold at this location. Mr. Echeozo responded that the applicant did not give details as to what type of guns were to be sold. Commissioner Hinojosa commented that he would like information as to the type of guns that will be sold at this location.

There being no further comments Mayor Fugate closed this public hearing at 5:05 P.M.

### **2. Public Hearing on a request to replat of KT&I Co., Block 22, Lot PT 8 also known as Property ID 20581, Kingsville, Texas. Robert D. Coleman MGT LLC, applicant and owner. (located along Golf Course Road between Paulson Falls and East Trant Road). (Director of Planning & Development Services).**

Mayor Fugate read and opened this public hearing at 5:05 P.M.

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

Mr. Echeozo stated that this public hearing is for a replat of KT&I CO, Block 22, Lot PT 8 that was recently rezoned from AG to R1. The applicant would like to subdivide the land into 4 large lots of at least 2.2 acres each. Letters were mailed to residents around the area. No objections to the request were received. The Planning and Zoning Commission met on this item where they voted unanimously for approval.

There being no further comments Mayor Fugate closed this public hearing at 5:08 P.M.

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

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

Commissioner Hinojosa asked for an update on Loteria Festival.

Ms. Janine Reyes, Tourism Director gave a brief report on the Loteria Festival. Staff is still assessing the numbers for this event, but as far as the beneficiary of this event, Keep Kingsville Beautiful, for the games there was an increase of about \$2,000. As for the Downtown Merchants, some businesses, such as Ole Girls Restaurant, sold out and the King Ranch Saddle Shop saw an increase in their sales. The Downtown Manager did send out one survey and one store reported lower revenues. The Boy Scouts made an amount of \$1,400 for the day. The weather took a big part in the day as it was cold and raining, which is the reason for the low revenues for some of the Downtown Merchants.

Commissioner Torres commented that her family members attended the Loteria Festival this past weekend and had a great time.

Mayor Fugate requested an update on the streets at the next scheduled Commission meeting.

Ms. Courtney Alvarez, City Attorney reported that the next scheduled Commission meeting is set for Monday, May 10, 2021. The deadline for staff to submit their agenda items for this meeting is Friday, April 30, 2021.

Mayor Fugate read and presented a Proclamation for Public Service Recognition Week.

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

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

Mrs. Gloria Bigger-Cantu, 725 W. Henrietta commented on agenda item #5. She stated that a few weeks ago County Commissioner Chuck Schultz approached her stating that someone had contacted him about honoring Maggie Salinas for her hard work and dedication to our community. She further stated that she and Mrs. Salinas have been friends for several years. She further stated that she asked Commissioner Schultz how Mrs. Salinas should be honored. Commissioner Schultz recommended naming the pavilion

located on 6<sup>th</sup> Street as the "Maggie Salinas Pavilion". Naming the pavilion in her honor would be her ultimate commendation for her longtime service to the community. Mrs. Salinas's latest achievement was spearheading naming some of the streets after the Kinenos and the King Ranch Cowboys. This project took five years in the making, but Mrs. Salinas completed her goal. Mrs. Bigger-Cantu further stated that Mrs. Salinas is always available to help others when asked to do so. She has been a trailblazer in creating events such as La Posada de Kingsville in 1990. Mrs. Salinas has had many accomplishments in our community and is a member of many organizations. Mrs. Salinas will turn 87 years old on May 3<sup>rd</sup>, and still has the energy to continue her dedication and hard work for the community.

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 Hinojosa to approve the consent agenda as presented, seconded by Commissioner Lopez. 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 accept and expend donation from NuStar Energy for Fire Department equipment maintenance and supplies. (Fire Chief).**

### **REGULAR AGENDA**

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

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

- 2. Consider accepting the Annual Comprehensive Financial Report (ACFR) of the City of Kingsville for Fiscal Year 2019-2020. (Finance Director).**

John Womack & CO., P.C., city's auditor presented the Annual Comprehensive Financial Report for the City of Kingsville Fiscal Year 2019-2020.

Mrs. Margaret Kelly, Audit Manager of John Womack & CO., P.C. reported that for the general fund, total assets were \$12,843,000.00 for last year with this year being at \$15,447,768.00 for an increase of \$2.6 million over last year. Total Liabilities were up slightly, and the unassigned fund balance went from \$7,193,000.00 to \$9,066,000.00 for an increase of \$1,873,000.00 over last year in the general fund. General fund total revenues were \$20 million last year, and this year at \$21,410,000.00 for an increase of \$1.4 million. Mrs. Kelly further states that within this there was some intergovernmental money from the CARES ACT of about \$1.4 million. The total expenditures in contrast to that were only up to \$136,000.00. The fund balance, the net change in fund balance,

last year was \$793,000.00, this year \$2,373,000.00. There is an increase in net change in fund balance by almost \$1.6 million. Enterprise fund, total assets last year were \$25,075,000.00 and this year the total assets are \$25,331,000.00 for an increase of \$256,000.00. Net position went from \$11,192,000.00 to \$12,406,000.00 for an increase of \$1,436,000.00. Operating revenues last year were \$8,900,000.00 with this year at \$9,576,000.00 for an increase of \$655,000.00. Operating expenses decreased from \$7,026,000.00 to \$6,838,000.00 for a decrease of \$188,000. Net income loss is \$1,214,000.00 with last year being at \$284,000 for an increase of \$930,000.00. Mrs. Kelly further reported that in this audit there was one financial statement finding which was for the commercial sewer billing rate which was incorrectly calculated resulting in a \$.21/1,000 gallons lower rate for usage above the 3,000-gallon minimum than the correct rate based on the increase approved by the City Commission.

Mayor Fugate commented that this is the first finding our City has had in the last three years.

Mr. Luke Womack, City Auditor stated that the city refunded a bond with a total saving to the city's taxpayers of \$778,087.00, which was extremely beneficial for the City to refund that bond.

**Motion made by Commissioner Hinojosa to accept the Annual Comprehensive Financial Report (ACFR) of the City of Kingsville for the Fiscal Year 2019-2020 as presented, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

3. **Consider introduction of an ordinance amending the zoning ordinance by granting a Special Use Permit for general business use in I1 (Light Industrial District) at 1400 E. Corral (El Campo Process Plant), Kingsville, Texas, also known as Corral, Block 3, Lots 10-13. (Director of Planning & Development Services).**

Commissioner Alvarez asked that she like more information on the type of guns that will be sold at this location.

Mayor Fugate commented that this is a meat processing business and thinks that they will be selling hunting rifles and apparel.

Commissioner Lopez commented that as this item is only an introduction to the ordinance, staff can bring additional information at the next meeting.

Introduction item.

4. **Consider request to replat of K T&I Co., Block 22, Lot PT 8 also known as Property ID 20581, Kingsville, Texas. (located along Golf Course Road between Paulson Falls and East Trant Road). (Director of Planning & Development Services).**

**Motion made by Commissioner Lopez to approve the request replat of K T&I Co., Block 22, Lot PT 8 also known as Property ID 20581, Kingsville, Texas. (located along Golf Course Road between Paulson Falls and East Trant Road), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".**

5. **Consider a resolution naming the City pavilion on 6<sup>th</sup> Street as the "Maggie Salinas Pavilion". (Parks Director/City Manager).**

The Commission thanked Mrs. Maggie Salinas for her hard work and dedication to our community.

Motion made by Commissioner Lopez to approve the resolution naming the City pavilion on 6<sup>th</sup> Street as the “Maggie Salinas Pavilion”, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting “FOR”.

6. **Consider accepting donations for Youth Pony League sponsors. (Parks Director).**

Motion made by Commissioner Lopez to approve the acceptance of donations for Youth Pony League sponsors, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting “FOR”.

7. **Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donations from the Youth Pony League Sponsors for uniforms. (Parks Director).**

Introduction item.

8. **Consider accepting donations for ball field scoreboard sponsorships. (Parks Director).**

Mrs. Susan Ivy stated that the donations received were from the following Scoreboard Sponsors, Stef and Bec's Boutique, Ultra Screen Printing, and First Community Bank in the amount of \$10,000 each for a total of \$30,000. These funds will increase park grant projects line item and will be expensed through line item for equipment purchase.

Motion made by Commissioner Torres and Commissioner Lopez to approve the acceptance of ball field scoreboard sponsorships, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting “FOR”.

9. **Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to accept and expend donations for ball field scoreboard sponsorships. (Parks Director).**

Introduction item

10. **Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to purchase wearable safety lights for the Police Department. (Police Chief).**

This budget amendment will be from Chapter 59 funds for the purchase of Guardian Angel Elite personal safety devices for police officers. This device will assist police officers to detect another police officer in a dark location when calling for assistance. The device LED lights can be seen for up to five miles from the location of the police officers.

Introduction item.

11. **Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover additional costs of Liberator IV headsets not covered by grant funding for the Police Department. (Police Chief).**

Chief Torres stated that about two years ago his department applied for a grant where they received funding to purchase headsets for their Tactical Team. The purchase was made, but from the time the equipment was received, the equipment had failed. They met with a technician to fix the issues with the headsets but were unable to repair them therefore payment was not made. Staff reached out to GT Distributors for a quote to purchase 12 Liberator IV headsets that will work with the equipment. GT Distributors



provided the quote for \$9,971.52. Staff will use the unspent funds of \$8,538.00 from the grant and the remaining amount of \$1,433.52 will be paid from Chapter 59 funds.

Introduction item.

**12. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to cover hazard pay for period of October 2020 through December 2020. (Finance Director).**

Mrs. Deborah Balli, Finance Director stated that the CARES ACT funding received last Fiscal Year 19-20 provided for Hazard Pay Funding through December 2020 which was provided to employees in this Fiscal Year 20-21. This budget amendment covers Hazard Pay expenditures for Fiscal Year 20-21 not included in the adopted budget as notification of this funding provision was not known when the budget was adopted.

Introduction item.

**13. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to transfer existing capital outlay items budget which was budgeted as a capital lease to Fund 115-Tax Notes Series 2021 and to cover coverage on police vehicles purchase and tax note issuance costs. (Finance Director).**

Mrs. Balli stated that for Fiscal Year 20-21, there were items that were scheduled to be funded through capital leases and include the following: Golf backhoe, 4 Police Vehicles, Fire Command Vehicle, and 3 Garbage Trucks. She further commented that staff budgeted as if they would continue with a capital lease and this would be the maximum amount of expenditure.

Introduction item.

**14. Consider introduction of an ordinance amending the Fiscal Year 2020-2021 budget to transfer existing capital outlay items payment budget to Debt Service Fund to cover the Tax Note Series 2021 payment. (Finance Director).**

Mrs. Balli stated that since these purchases were done through a Tax Note, the budget associated with the first payment needed to be transferred to the Debt Service Fund where the payment will be processed from.

Introduction item.

**15. Consider a resolution authorizing four new bank accounts for the four Texas Water Development Board project and designating authorized signatories. (Finance Director).**

Mrs. Balli stated that the City applied for funding from the Texas Water Development Board and was initially awarded funding for four projects. Each project is required to have a separate bank account to manage the project. This requires is for approval of the creation of the four bank accounts that will satisfy the requirements from the Texas Water Development Board.

**Motion made by Commissioner Hinojosa and Commissioner Torres to approve the resolution authorizing four new bank accounts for the four Texas Water Development Board project and designating authorized signatories, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".**

**16. Consider award of the City's All-Risk Property Insurance Coverages for the period of May 1, 2021 through April 30, 2022 as per staff recommendation. (Risk Manager).**

Mr. David Solis, Risk Manager stated that this item will authorize the award of the All-risk Property Insurance Coverage for the City of Kingsville from May 1, 2021 through April 30, 2022. The policy covers perils of Fire, Flood, Earthquake, Lightning, Windstorm, Named Storm(s), and Equipment Breakdown. The renewal quote is for an amount of \$261,512.90, which is a decrease of \$8,753.95 as compared to the expiring premium. The reason for the decrease is that the City will no longer insure the JK Northway Exposition as it is now the County's property.

**Motion made by Commissioner Alvarez to approve the award of the City's All-Risk Property Insurance Coverages for the period of May 1, 2021 through April 30, 2022 as per staff recommendation, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".**

- 17. Consider a resolution authorizing the Mayor to enter into Amendment No.1 of the Emergency Disaster Response Agreement between the City of Kingsville and Garner Environmental Services, Inc. for emergency disaster response services. (Purchasing Manager/ City Attorney).**

Mr. Charlie Sosa, Purchasing Manager stated this is an agreement for emergency disaster response with Garner Environmental Services. The agreement would allow Garner to come in after a disaster has occurred to assist with the cleanup.

Mayor Fugate commented that several counties, after a disaster, have piggybacked on the city's agreement.

**Motion made by Commissioner Lopez to approve the resolution authorizing the Mayor to enter into Amendment No.1 of the Emergency Disaster Response Agreement between the City of Kingsville and Garner Environmental Services, Inc. for emergency disaster response services, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".**

- 18. Consider a resolution authorizing the sale of the City's 0.25 acres of land located off West Lantana and West Richard (Lantana Park 1, Block 7, Lot Park) in Kingsville, Texas. (pocket park). (City Manager/City Attorney).**

**Motion made by Commissioner Lopez to approve the resolution authorizing the sale of the City's 0.25 acres of land located off West Lantana and West Richard (Lantana Park 1, Block 7, Lot Park) in Kingsville, Texas. (pocket park), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting "FOR".**

- 19. Consider a resolution authorizing the sale of the City's 0.08 acres of land located off West Alice and West Richard (Lantana Park 1, Block 7, Lot Park) in Kingsville, Texas. (pocket park). (City Manager/City Attorney).**

**Motion made by Commissioner Alvarez and Commissioner Lopez to approve the resolution authorizing the sale of the City's 0.08 acres of land located off West Alice and West Richard (Lantana Park 1, Block 7, Lot Park) in Kingsville, Texas. (pocket park), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".**

- 20. Consider a resolution of the City of Kingsville, Texas finding that AEP Texas Inc.'s application to amend its Distribution Cost Recovery Factors to increase distribution rates within the City should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that**

**the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. (City Attorney).**

Ms. Alvarez stated that the purpose of this resolution is to deny the DCFR application proposed by AEP. AEP has made a similar filing about this time last year seeking an increase in distribution revenues of approximately \$39.87 million for an approximate increase of \$1.83 to the average residential customer's bill. This section authorizes the City to participate with Cities as a party in the Company's DCFR Filing. It also authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates.

Mayor Fugate commented that this is routinely done and there is no cost to the taxpayers.

**Motion made by Commissioner Torres to approve the resolution of the City of Kingsville, Texas finding that AEP Texas Inc.'s application to amend its Distribution Cost Recovery Factors to increase distribution rates within the City should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alvarez, Lopez, Torres, Fugate voting "FOR".**

- 21. Executive Session: Pursuant to Section 551.087, Texas Government Code, Deliberations Regarding Economic Development Negotiations Exception, the City Commission shall convene in executive session to deliberate the offer of a financial or other incentive to a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations. (City Manager).**

Mayor Fugate read the executive session and convened the meeting into a closed session at 6:05 p.m.

Mayor Fugate convened the meeting into an open session at 6:55 p.m.

## **VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:56 P.M.

---

Sam R. Fugate, Mayor

## **ATTEST:**

---

Mary Valenzuela, TRMC, CMC, City Secretary

# **CONSENT AGENDA**

# **AGENDA ITEM #1**

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



Action Item

## MEMO

**Date:** April 21, 2021

**To:** Mark McLaughlin (City Manager)

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

**Subject:** **Weldon Ross West, authorized agent and owner, requesting a Special Use Permit for general business use at CORRAL, BLOCK 3, LOT 10-13 (EL CAMPO PROCESS PLANT) also known as 1400 E Corral, Kingsville, Texas.**

The Planning and Zoning Commission meeting held as scheduled this evening, April 21, 2021 with 4 members in attendance. There were two members that were absent – Commissioner Idotha Battle and Bill Aldrich

Members deliberated over the issue of granting approval for a Special Use Permit to enable the applicant carry out the business that includes the sale of fishing and hunting gear as well as guns. Letters were sent out to neighbors and the City received no objections to the request. Commissioners, after deliberations, voted unanimously to approve the recommendation for a Special Use Permit A recorded vote of all members present was taken and Commissioners Mike Klepac, Debbie Tiffie, Brian Coufal and the Chairman – Steve Zamora all voted 'YES'

The meeting was adjourned by 6.35p.m.

Thank you.

A handwritten signature in black ink, appearing to be "Uche Echeozo", written over a horizontal line.

**Uche Echeozo**  
Director of Planning and  
Development Services

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



---

## MEMO

**Date:** April 14, 2021  
**To:** Planning and Zoning Commission Members  
**From:** Uche Echeozo (Director of Planning and Development Services)  
**Subject:** Weldon Ross West, authorized agent and owner, requesting a Special Use Permit for general business use at CORRAL, BLOCK 3, LOT 10-13 (EL CAMPO PROCESS PLANT) also known as 1400 E Corral, Kingsville, Texas.

The applicant approached the department because they wanted to carry out several business endeavors including sale of fishing and hunting gears as well as guns. A look at the current zoning for the subject property revealed an II (Light Industrial) use which does not allow for such endeavors except under a Special Use Regime.

Consequently, a Special Use Permit application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since the use is in conformity with the zoning ordinance of the City of Kingsville.

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 1400 E Corral Ave Nearest Intersection E Corral & N 17<sup>th</sup> St.

(Proposed) Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Legal Description: \_\_\_\_\_

Existing Zoning Designation I1 Light Industrial Future Land Use Plan Designation \_\_\_\_\_

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent Weldon Ross West Phone 361-522-8722 FAX \_\_\_\_\_

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

Mailing Address 1400 E Corral Ave City Kingsville State TX Zip 78363

Property Owner Weldon Ross West Phone 361-522-8722 FAX \_\_\_\_\_

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

Mailing Address 1400 E Corral Ave City Kingsville State TX Zip 78363

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 checked="" 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:

Sale of fishing, hunting gear as well as guns.

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.

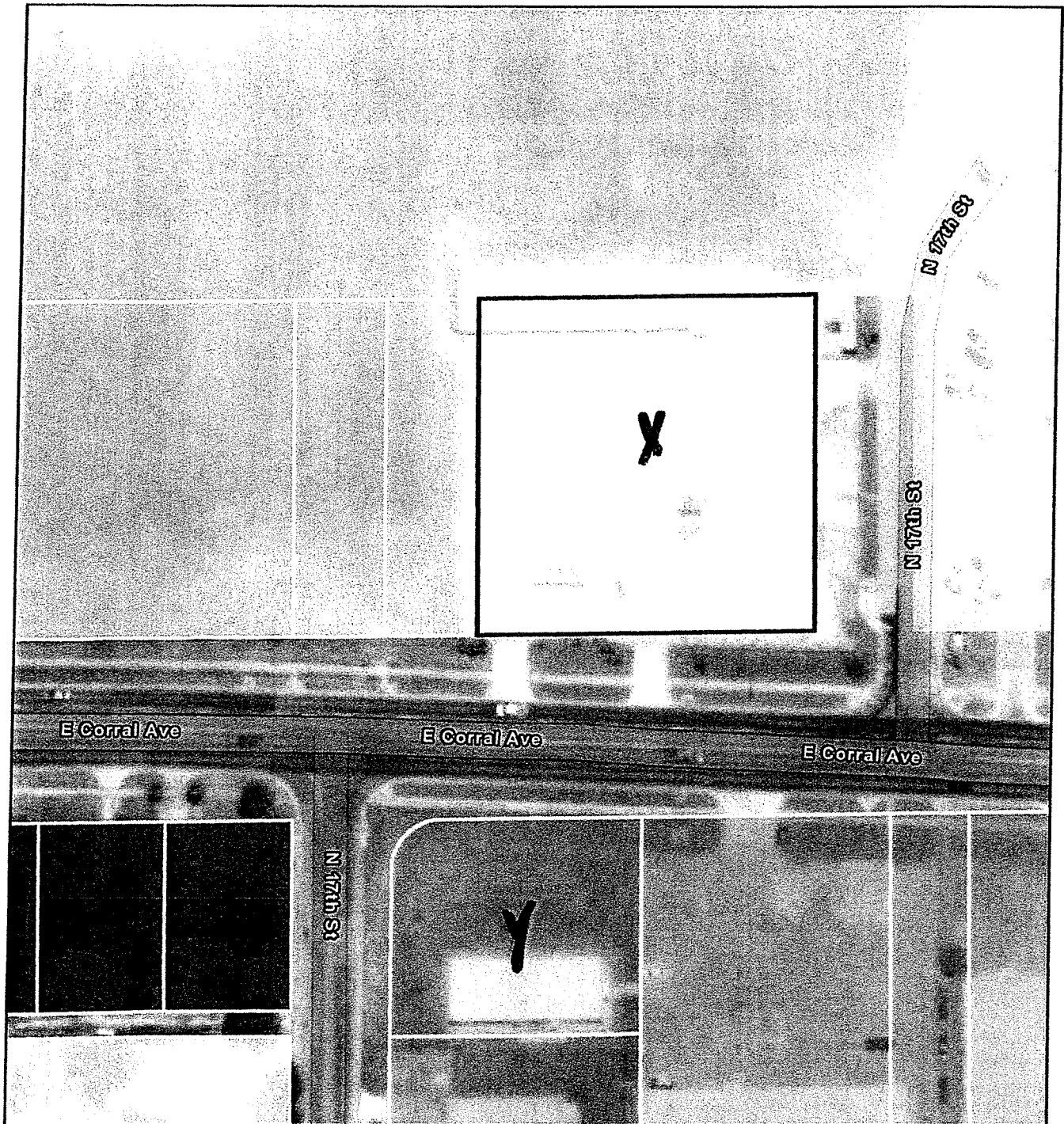
Applicant's Signature WDRW Date: 3/10/21

Property Owner's Signature WDRW Date: 3/10/21

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

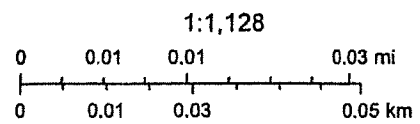


# 1400 E Corral



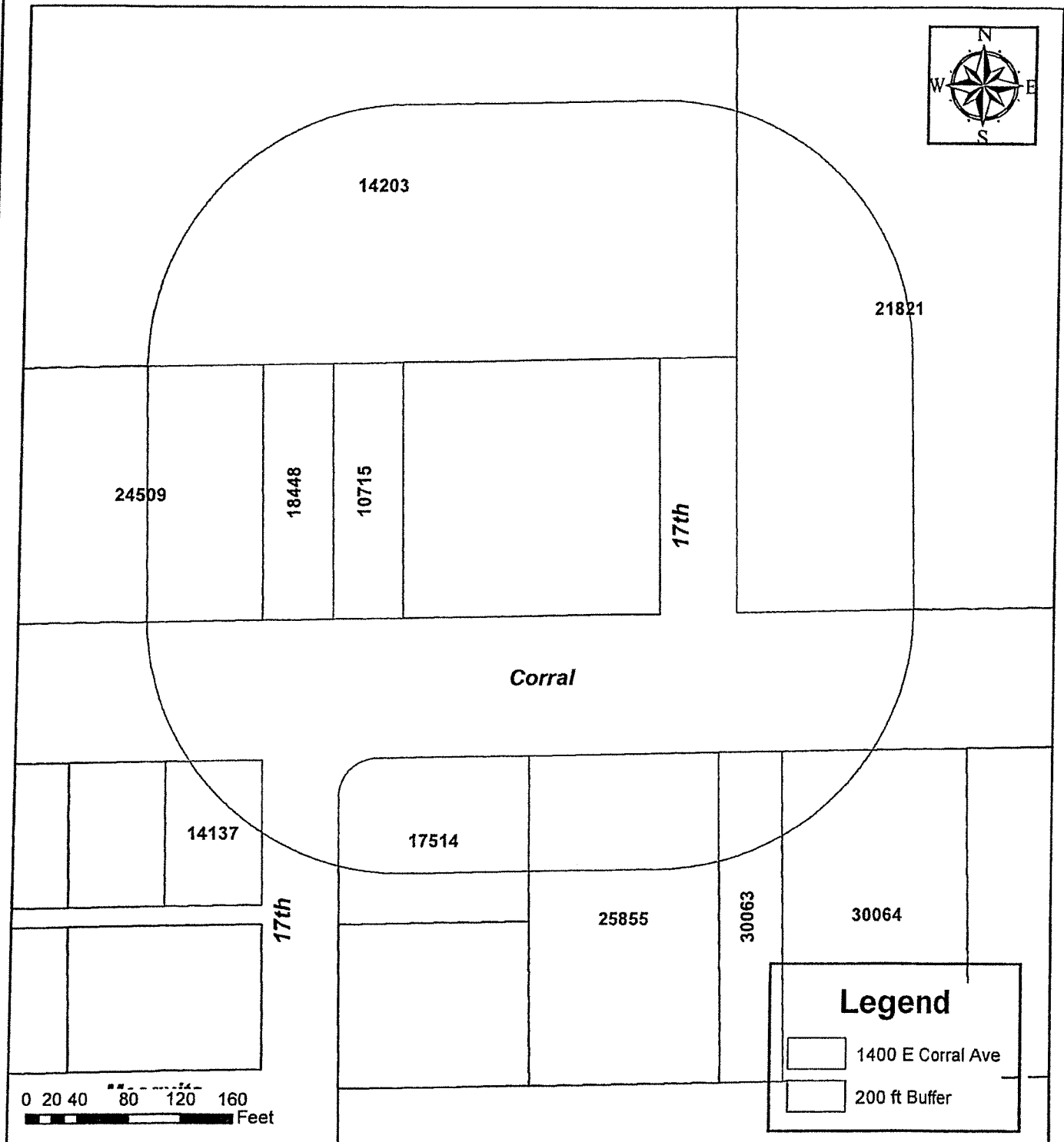
March 10, 2021

X 1400 E Corral  
- Light Industrial zoning  
Y - C2 retail  
Z - C4 commercial



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

# 200 ft Buffer Map of 1400 E Corral



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

<div> <div>Page</div> <div>1 / 1</div> </div>	<div>Drawn By:</div> <div>Planning Department</div>	<div> <div>DISCLAIMER</div> <div>THIS MAP IS FOR VISUAL PURPOSES ONLY</div> <div>THE INFORMATION ON THIS SHEET MAY</div> <div>CONTAIN INACCURACIES OR ERRORS.</div> <div>THE CITY OF KINGSVILLE IS NOT</div> <div>RESPONSIBLE IF THE INFORMATION CONTAINED</div> <div>HEREIN IS USED FOR ANY DESIGN,</div> <div>CONSTRUCTION, PLANNING, BUILDING,</div> <div>OR ANY OTHER PURPOSE.</div> </div>	<div> <div>CITY OF KINGSVILLE</div> <div>PLANNING DEPARTMENT</div> <div>410 West King</div> <div>Kingsville, Texas 78363</div> <div>Office: 361-595-8055</div> </div>
	<div>Last Update:</div> <div>3/29/2021</div>		
	<div>Note:</div>		

PAUL M WEST  
ETAL  
489 N COUNTY ROAD 1050  
KINGSVILLE, TEXAS 78363-8923  
#14203, 24509

ANDRES RENDON  
ETUX MARIA G  
PO BOX 632  
BLOOMINGTON, TX 77951-0632  
#14137

THE WORKSIP CENTER OF  
KINGSVILLE  
6618 GUINEVERE ST  
CORPUS CHRISTI, TX 78414-6273  
#30064

CITY OF KINGSVILLE  
PO BOX 1458  
KINGSVILLE, TEXAS 78364-1458  
#21821

GARCO  
1632 E SANTA GERTRUDIS ST  
KINGSVILLE, TX 78363-4809  
#17514, 25855

LCO PROPERTIES LLC  
700 E CORRAL  
KINGSVILLE, TX 778363  
#18448, 10715

FILIBERTO GARCIA EST  
CARYL GARCIA (IND EXECUTRIX)  
1632 E SANTA GERTRUDIS  
KINGSVILLE, TEXAS 78363-4809  
#30063

	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	11	12	Ag
Mobile Food Court				S	S	P	P	P	S	P	P	P	P
Mobile Food Vendor				S	S	P	P	P	S	P	P	P	P
Mortuary							S	P	P	P	S		S
Music store							S	P	P	P			
Office, professional, or general business							S	P	P	P	S		
Optical shop or laboratory							S	P	P	P			
Package liquor store							S	S	P	P			
Pawn shop							S	S	P	P			
Pet shop for small animals birds, fish							P	P	P	P			
Personal custom services such as tailor, milliner, and the like							P	P	P	P			
Repair of appliances, T.V., radio, and similar equipment							P	P	P	P			
Shoe, boot, saddle, or other leather goods sale and repair							S	P	P	P	P	P	
Studio, photographer, artist, music, dance, drama							S	P	P	P			

# Kleberg CAD

## Property Search > 19210 SHUR WEST Tax Year: 2021 - Values not available REAL ESTATE INC for Year 2021

### Property

#### Account

Property ID:	19210	Legal Description:	CORRAL, BLOCK 3, LOT 10-13, (EL CAMPO PROCESS PLANT)
Geographic ID:	120600310000192	Zoning:	I1
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

#### Location

Address:	1400 E CORRAL	Mapsco:	
Neighborhood:		Map ID:	B1
Neighborhood CD:			

#### Owner

Name:	SHUR WEST REAL ESTATE INC	Owner ID:	60546
Mailing Address:	1400 E CORRAL AVE KINGSVILLE, TX 78363-4121	% Ownership:	100.0000000000%
		Exemptions:	

### 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:** COMMERCIAL **State Code:** F1 **Living Area:** 4357.0 sqft **Value:** N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	OF3A	EWB	1975	950.0
MA	MAIN AREA	IN2L		1975	3182.0
CPF	CARPORT FRAME (STAND ALONE)	*		1975	4060.0
CON	CONCRETE SLAB COMMERCIAL	*		1990	11387.0
OP1	OPEN PORCH BASIC (20%)	*		2004	240.0
STGG	STORAGE FRAME (GOOD)	*		1975	1485.0
MA	MAIN AREA	DOC		1975	225.0
STGA	STORAGE FRAME (AVERAGE)	*		1990	70.0
ASP	ASPHALT (100%)	*		1990	22991.0

## Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	F1	F1	1.2041	52450.88	239.94	218.60	N/A	N/A

## Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	N/A	N/A	N/A	N/A	N/A	N/A
2020	\$104,980	\$24,080	0	129,060	\$0	\$129,060
2019	\$107,780	\$24,080	0	131,860	\$0	\$131,860
2018	\$125,420	\$24,080	0	149,500	\$0	\$149,500
2017	\$100,870	\$24,080	0	124,950	\$0	\$124,950
2016	\$48,750	\$24,080	0	72,830	\$0	\$72,830
2015	\$48,750	\$24,080	0	72,830	\$0	\$72,830
2014	\$48,750	\$24,080	0	72,830	\$0	\$72,830
2013	\$48,750	\$24,080	0	72,830	\$0	\$72,830
2012	\$47,970	\$24,080	0	72,050	\$0	\$72,050

2011	\$47,970	\$24,080	0	72,050	\$0	\$72,050
2010	\$47,970	\$24,950	0	72,920	\$0	\$72,920
2009	\$47,970	\$24,950	0	72,920	\$0	\$72,920
2008	\$59,950	\$24,500	0	84,450	\$0	\$84,450
2007	\$59,950	\$24,500	0	84,450	\$0	\$84,450

**Questions Please Call (361) 595-5775**

**This year is not certified and ALL values will be represented with "N/A".**

Website version: 1.2.2.33

Database last updated on: 3/9/2021 8:17  
PM

© N. Harris Computer Corporation

## HMK High School Early College program provides many opportunities, benefits students

GLORIA BIGGER-CAHILL  
Contributed Reporter

Early College high school students have an opportunity to earn a high school diploma and 60 college hours towards a Bachelor's degree or Associate's degree," said Maria Ramirez, HMK High School Early College Administrator, at a presentation she made March 16 at the HMK Dome.

Ramirez said she wanted to showcase the Early College program at HMK High School. She spoke about the opportunities and benefits that are available to students in the Early College program.

Ramirez said she was pleased that so many people attended the meeting.

"We had a successful turnout because half of the people present there were parents," She especially commended Memorial Middle School and Communities in School staff for reaching out to parents to attend the presentation.

The Kingsville Independent School District Early College Program is in partnership with Coastal Bend College and Texas A&M University Kingsville.

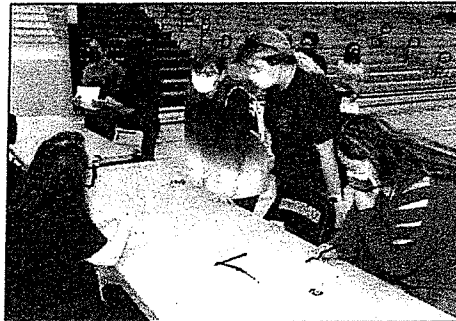
Ramirez said the Early College High School program has many benefits because it provides free tuition, textbooks, materials,

and transportation. "Parents can save thousands of dollars with their children's education," Ramirez said.

The Early College program also allows students opportunities to get certifications in welding, automotive, nursing and Work Force while attending Coastal Bend College. Ramirez said the Early College increases college readiness and reduces barriers to college access.

Early College students also have opportunities to visit college campuses, college fairs, Texas Work Force fairs and have access to college recruiters.

See "Early College" on pg. 13



Students, parents speak to Early College program representatives after the presentation. (Courtesy photo)

## TAMUK chemistry professor recognized as distinguished woman

By LAURA NEWMAN  
Reporter

Chemistry Professor at Texas A&M University-Kingsville, Jingbo Louise Liu was recently recognized for her accomplishments, dedication and leadership.

Liu won the 2021 International Union of Pure and Applied Chemistry (IUPAC) Distinguished Woman in Chemistry award in February.

This year, only 12 women from around the world were recognized and Liu was one of the four women based in the United States and they only woman from Texas.

Liu said she was pleasantly surprised when she heard that she won the award. She believes she was nominated for all her contributions to research in education.

Liu has several books on education, publi-

cations, extensive research and leadership qualities that may have contributed to her being nominated and recognized.

The IUPAC started in 2011 and occurs every other year. They hold conferences for the distinguished women in science in different locations each year. This year's conference will be held in Montreal, Canada in August—Liu said it will most likely be virtual and she will be attending.

Liu has taught at TAMUK for more than 15 years and teaches general chemistry, organic chemistry, environmental chemistry and biochemistry as well as research for the university.

Prior to Texas, Liu spent a short period of time in Virginia as an assistant professor in chemistry and time in New York and

See "TAMUK" on pg. 13



Chemistry Professor Jingbo Louise Liu sits in her office, which is full of life. Her plants have been growing for more than six years. (Photo by Laura Newman)

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, April 21, 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:

Weldon Ross West, authorized agent and owner, requesting a Special Use Permit for general business use at CORRAL BLOCK 3, LOT 10-13 (EL CAMPO PROCESS PLANT) also known as 1400 E Corral, Kingsville, Texas.

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

### PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, April 26, 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:

Weldon Ross West, authorized agent and owner, requesting a Special Use Permit for general business use at CORRAL BLOCK 3, LOT 10-13 (EL CAMPO PROCESS PLANT) also known as 1400 E Corral, Kingsville, Texas.

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

### PUBLIC HEARING NOTICE

CITY OF KINGSVILLE (KLEBERG COUNTY)  
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The City of Kingsville will hold a public hearing on April 12, 2021 at 5:00 PM to give notice of the City's intent to submit Texas Community Development Block Grant Program grant applications for a Main Street grant request of \$150,000 for the installation of ADA compliant sidewalks and lighting activity; road construction/renovation to include curb and gutter and related drainage; demolition and clearance activity. The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Graves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

Thank you

Yours Sincerely,

Uche Ekeozor  
Director of Planning  
and Development Services

### CITY OF KINGSVILLE

## TRASH-OFF DAY

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

Saturday, March 27, 2021 from 8:30 a.m. - 12:00 p.m.

\*\*\* Weather Permitting \*\*\*

Located at 6th Street and E. Avenue B.

Two blocks NORTH of Kleberg Elementary School

You must provide proof of residency and a utility bill.

Contact Code Compliance for more info at 361.595.8093

NO CONTRACTORS ALLOWED! KINGSVILLE RESIDENTS ONLY!

We **WILL** Accept:

- Appliances (no refrigerators or freezers)
- Brush
- Furniture
- Tires (if per vehicle)

ONLY standard automobile tires.



We will **NOT** Accept:

- Hazardous Waste
- Refrigerators or Freezers
- Concrete
- Household Garbage
- Sheetrock or Roofing Scraps



Please stay home  
if you are feeling sick  
or have a fever.



Let us help you keep rodents away!

Protect your family and pets with our safe and effective pest control solutions against these and other potentially harmful household pests.

\*Ask about our affordable maintenance plans for a pest-free home

365 days a year!



Roaches • Ants • Fleas • Ticks • Bees  
Scorpions • Termites • Other Pests



816 N. 14th Street  
Kingsville, TX 78363

1PCL 11313  
**595-RUDY**  
78363



#### **PUBLIC HEARING NOTICE**

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, April 7, 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:

**Weldon Ross West, authorized agent and owner, requesting a Special Use Permit for general business use at CORRAL, BLOCK 3, LOT 10-13 (EL CAMPO PROCESS PLANT) also known as 1400 E Corral, Kingsville, Texas.**

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.

#### **PUBLIC HEARING NOTICE**

The City Commission of the City of Kingsville will hold a Public Hearing Monday, April 12, 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:

**Weldon Ross West, authorized agent and owner, requesting a Special Use Permit for general business use at CORRAL, BLOCK 3, LOT 10-13 (EL CAMPO PROCESS PLANT) also known as 1400 E Corral, Kingsville, Texas.**

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 NO. 2021-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR GENERAL BUSINESS USE IN I1 (LIGHT INDUSTRIAL DISTRICT) AT 1400 E. CORRAL AVE. (EL CAMPO PROCESS PLANT SITE), KINGSVILLE, TEXAS, ALSO KNOWN AS CORRAL, BLOCK 3, LOTS 10-13; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission it's reports and recommendations concerning the application of Weldon Ross West (applicant/owner) for amendment to the zoning map of the City of Kingsville;

**WHEREAS**, the property is currently zoned I1-Light Industrial District and it is desired for the area to be used for general business uses (such as sale of fishing and hunting gear as well as guns), while its prior use was a meat processing plant;

**WHEREAS**, the City Code of Ordinances, Chapter XV-Land Usage, Appendix A- Land Use Categories states that in I1 a special use permit is required to have a general business use as listed on the SUP application; and

**WHEREAS**, the City of Kingsville Code of Ordinances section 15-6-142 regulates special use permits; and

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, April 21, 2021, during a meeting of the Planning Commission, and on Monday, April 26, 2021, a public hearing was held during a meeting of the City Commission, in the Helen Kleberg Groves Community Room/Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning and Zoning Commission voted 4-0 to APPROVE, with 0 abstentions and two absent, the requested special use permit; 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 and a Special Use Permit is granted for general business uses (such as sale of fishing and hunting gear as well as guns) on the premises known as 1400 E. Corral Ave. (El Campo

Process Plant Site), Kingsville, Texas, also known as Corral, Block 3, Lots 10-13, as more specifically describe on site plan attached as Exhibit A.

**SECTION 2.** That the Special Use Permit granted in Section 1 of this Ordinance is subject the following conditions:

1. **ALLOWED USE:** The only uses authorized by this Special Permit other than the permitted "I1" Light Industrial District use is for general business uses (such as sale of fishing and hunting gear as well as guns).

2. **STATE LICENSE:** The premises or operator will be licensed or registered by the State of Texas, if needed, to have such a business.

3. **TIME LIMIT:** This Special Permit is good for the duration of the business from the date of this ordinance unless the property is not being used for the purpose outlined in Condition 1 or any other conditions have not been complied with.

4. **SPECIAL CONDITION:** The applicant shall obtain all required background checks, business licenses and have and cooperate with all annual fire safety, health, and sanitation inspections, or other inspections required for this type of use by the City of Kingsville or any State or Federal requirement, in order to maintain compliance with federal, state and city regulations for the facility.

**SECTION 3.** That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendment to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 4.** 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 5.** That to the extent that this amendment to the Zoning Ordinance represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 6.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 7.** 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 26th day of April, 2021.

**PASSED AND APPROVED** on this the 10th day of May, 2021.

Effective Date: \_\_\_\_\_, 2021

**THE CITY OF KINGSVILLE**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #2**

April 19, 2021

To: Mark McLaughlin, City Manager

From: Susan Ivy, Director of Parks & Recreation



Re: Request for Agenda Item – Request to accept and record donations from Youth Pony

League Sponsors

.....

Summary – We are requesting Commission to accept and record donations from Youth Pony League Sponsors in the amount of \$4,100.00.

History – Kingsville Parks Youth Pony League is currently a division of the Parks Department – in order to supplement League fees to assist with Uniform purchases, umpires, equipment etc., we have solicited team sponsors to have their names on uniforms and other recognition depending on donation amount.

We still have more sponsor commitments coming in and will submit them for your approval as we receive them.

Financial impact – These funds will increase league budget (division 4514) by \$4100 and will be expensed through line items for uniforms.

We ask that you accept and record these donations through the associated agenda item for the budget amendment.

## PONY LEAGUE DONTATIONS

SPONSORSHIP NAME	TEAM SPONSOR	AMOUNT	CHECK	CASH
BRIGHT STARS CHILD DEVEL. CENTER	LIL STORM	300.00	#150	
VICTOR'S WATER WELL DRILLING COM.	LIL SHARKS	300.00	#5869	
MARCOS MARTINEZ	DRAGONS	300.00	#2298	
BEFORE & AFTER CONSTRUCTION	HOOKS	300.00		
G & E WHOLESALE TOOS & EUIP. KRISTY PATTON	LIL HOGGIES	300.00	#R108817569102	
B. P. CONSTRUCTION JORDON & BREANNE POLHEMUS	JAVELINAS	300.00	#1061	
AJ WOOD WORKS CONTRACTING	DIRT DIVAS	300.00	#1180	
KING STREET BARBER SHOP	RANGERS/TEAM 4	250.00 250.00	#2078 40192522968155	
S & C PARTS	LIL BULLS	300.00	#9438	
VENTOS POWER PLUS LLC	HOOKS	300.00		
ON THE SPOT A/C APPLIANCE REPAIR GINA GARZA	ASTROS	300.00	#1001	
PATTON'S AUTOMOTIVE LLC	YANKEES OR DESTROYER	100.00	#18440	
G & G CONSULTING GROUP LLC	DODGERS 6U BOYS	500.00	CREDIT CARD ACTIVE NET	
TOTAL AS TODAY 4/12/2021 4,100.00				

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND DONATIONS FROM THE YOUTH PONY LEAGUE SPONSORS FOR UNIFORMS.**

**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
<b>Fund 001 – General Fund</b>					
<u>Revenues-4</u>					
4514	Parks	Donations	58003	(\$4,100)	
<u>Expenditures-5</u>					
4514	Parks	Uniforms	21200	\$4,100	

[To amend the City of Kingsville FY 20-21 Budget to accept and expend donations from the Pony League Sponsors for uniforms. Funding will come from the donations 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 26th day of April 2021.

**PASSED AND APPROVED** on this the 10th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #3**

April 19, 2021

To: Mark McLaughlin, City Manager

From: Susan Ivy, Director of Parks & Recreation

Re: Request for Agenda Item – Request to accept and record donations from Scoreboard Sponsors

.....

Summary – We are requesting Commission to accept and record donations from Scoreboard Sponsors Stef and Bec's Boutique, Ultra Screen Printing and First Community Bank in the amount of \$10,000.00 each for a total of \$30,000.00.

History – As part of the Texas Parks & Wildlife Grant Ballfield renovation projects we have purchased 3 new scoreboards. Two for the new baseball fields and one for the girls tball field. To provide needed additional funding for the renovation projects, we have solicited scoreboard sponsors which will have signage attached to each scoreboard.

Financial impact – These funds will increase Park grant projects line item and will be expensed through line item for equipment purchase.

We ask that you accept and record these donations through the associated agenda item for the budget amendment.

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT SCOREBOARD SPONSORSHIP DONATIONS FROM STEF AND BEC'S BOTIQUE, ULTRA SCREEN PRINTING, AND FIRST COMMUNITY BANK.**

**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
<b>Fund 001 – General Fund</b>					
<u>Revenues-4</u>					
4513	Parks	Donations	58003	\$30,000.00	

[To amend the City of Kingsville FY 20-21 Budget to accept scoreboard sponsorship donations from Stef and Bec's Boutique, Ultra Screen Printing, and First Community Bank. Funding from the Texas Parks and Wildlife Grant paid for the purchase of the scoreboards.]

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 26th day of April 2021.

**PASSED AND APPROVED** on this the 10th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #4**

## City of Kingsville Police Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: April 16, 2021

SUBJECT: Request to Purchase Guardian Angel Elite from Chapter 59 Funds and associated Budget Amendment

### Summary:

The police department is requesting a budget amendment to our Chapter 59 budget to allow for the purchase of Guardian Angel Elite personal safety devices for our officers.

### Background:



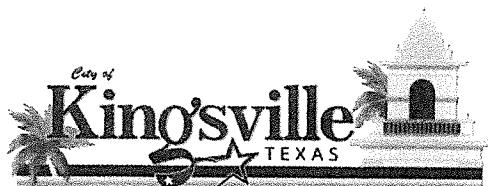
Flip Device Over

### GUARDIAN ANGEL ELITE™

Guardian Angel Elite Series™ was designed for **professionals** that need **visibility** and **versatility** while on the job. Developed with the latest in LED technology that allows all of our GA Elite Series™ personal safety devices to be seen for 5+ miles. Welcome to the most advanced wearable safety light on the market today

[VIEW ELITE DEVICES](#)

I noticed that one of our personnel was wearing one of these systems and had turned it on to demonstrate it to another officer. The first thing that came to mind was how many times I got out of my patrol car and chased someone or went into a neighborhood and got into a confrontation with a suspect and how easy this would have made it for other officers to find me quickly and provide assistance. The device has extremely bright red and blue LED lights that can be seen for (5) five miles. It also can emit only white light to light up a suspect or a crime scene. The system also has an infrared light that can be captured by night vision equipment.



**City of Kingsville  
Police Department**

We would like to order a total of 55 devices to outfit our paid and reserve officers.

**Financial Impact:**

I contacted the vendor who agreed to discount each device by \$10 and also provide the mounting clips free of charge.

Device(s) Selected & Quantity: Elite Infrared Red/Blue Wearable Safety Light      \$114.99 each

Mount(s) Selected & Quantity: Epaulet Clip listed included with order      free of charge

Shipping      free of charge

**TOTAL COST FOR 55 UNITS IS \$6,324.45**

**This total amount will come from seizure funds in Chapter 59.**

**Recommendation:**

We request that our budget amendment to our current Chapter 59 budget be approved to cover the costs of the Guardian Angel Elite. Thank you for your assistance.





## Archangel Device LLC

17585 W North Ave, Suite #150  
Brookfield, WI 53045 US  
sales@archangeldevice.com



## Estimate

### ADDRESS

Ricardo Torres  
Kingsville Police Department  
1700 E King Ave  
PO Box 1458  
Kingsville, TX 78363 USA

### SHIP TO

Ricardo Torres  
Kingsville Police Department  
1700 E King Ave  
PO Box 1458  
Kingsville, TX 78363 USA

### ESTIMATE

041621 -  
KingsvillePD

### DATE

04/16/2021

SKU	PRODUCT	QTY	RATE	AMOUNT
ELT-R/B-IR	Red / Blue Infrared Hybrid Elite Series	55	114.99	6,324.45
ELT-SCM	Strap/Epaulet Mount with Magnetic Mount	55	0.00	0.00

Free ELT-SCM

Free shipping

Discounted devices

TOTAL

**\$6,324.45**

Accepted By

Accepted Date

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO PURCHASE WEARABLE SAFETY LIGHTS FOR THE POLICE DEPARTMENT.**

**WHEREAS**, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 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
<b>Fund 005 – Police Seizure Fund</b>					
<u>Expenditures</u>					
2100	Police	Minor Equipment	21700	\$6,324.45	

[To amend the City of Kingsville FY 20-21 Budget to purchase wearable safety lights for the Police Department. Funds will come from the 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 26th day of April 2021.

**PASSED AND APPROVED** on this the 10th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #5**

**City of Kingsville  
Police Department**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: April 16, 2021

SUBJECT: Request to Purchase Liberator IV from Chapter 59 Funds and associated Budget Amendment,

---

**Summary:**

The police department is requesting a budget amendment to our Chapter 59 budget to allow for the purchase of 12 Liberator IV tactical headsets for our SWAT Operators.

**Background:**

We applied for and were awarded Grant#3593801 with a start date of 10/1/2018 and end date of 9/30/2019. We were awarded a total of \$55,258.00 for the project.

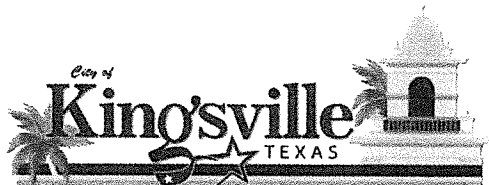
We were able to purchase the following:

PACS System, Physical Access Control. We replaced all of the exterior and some interior locks with an access control system as well as the ability for us to issue a Regionally accepted ID Card with the intent to grow this system further. A total of \$40,650.00 was allotted for this system.

Mobile Command Module (Throw Phone) with Steel 2-way (Push to Talk) Throw Speaker & 200ft Cable Reel, roller Carry Case, Headset with Boom Mic & Accessories, and additional 400 ft Cable w/reel for a cost oof \$6,070.00. Just for information this system worked great while addressing our barricaded subject on 24<sup>th</sup> street a few days ago.

Clarus SPR Tactical Headsets at \$580.00 per unit, we purchased 13, for a total of \$8,538.00.

From the time we received this equipment it failed. We met with the vendor who flew in a technician to fix the issues with the headsets. He was unable to repair them. I had finance issue a check in case they had repairs in order but since they did not repair the equipment, I did not pay the vendor. Since that time both Lt. Pittman and I have reached out multiple times to try and get the equipment operational. They have stopped corresponding with us all together.



**City of Kingsville  
Police Department**

Therefore, I had our current SWAT Leader reach out to GT Distributors and they provided a quote to purchase 12 Liberator IV headsets that will work with our equipment. Prior to the purchase of Silynx equipment we used the Liberator II headsets and they worked marvelously for our team.

I have attached a copy of the quote from GT Distributors for the 12 Liberator IV headsets at a cost of \$9,971.52. We want to move forward with purchasing this equipment with the original funds from the grant, as it addresses the same need and the additional cost of \$1,433.52 to be paid for from Chapter 59 funds.

**Financial Impact:**

12 Liberator IV green headsets with boom mikes at \$830.96 per unit.  
Total cost is \$9,971.52

We will use the \$8,538.00 of unspent funds from the grant and the remaining \$1,433.52 to be paid for from Chapter 59 for a Grant Total of \$9,971.52

**Recommendation:**

We request that our budget amendment to our current Chapter 59 budget be approved to cover the additional costs of the Liberator IV headsets. Thank you for your assistance.





GT Distributors - Austin  
P.O. Box 16080  
Austin TX 78761  
(512) 451-8298 Ext. 0000

Quote	QTE0133769
Date	4/15/2021
Page:	1

**Bill To:**

Kingsville, City of (TX)  
Attn: Accounts Payable  
P. O. Box 1458  
Kingsville TX 78364

**Ship To:**

Kingsville City of  
1700 East King Ave.  
Attn: Chief R. Torres  
Kingsville TX 78363

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
210415 TCI	001607	DE		NET 15	0/0/0000	2,330,472
Quantity	Item Number	Description	UOM	Unit Price	Ext. Price	
10	TCI-LIB4_D_P53/LODB	Lib IV Green Behind head Left Boom gel  Haris XG-75Pe Behind the neck	Each	\$830.96	\$8,309.60	
2	TCI-LIB4_D_P53/RODB	Lib IV Green Behind head Right Boom gel  Haris XG-75Pe Behind the neck	Each	\$830.96	\$1,661.92	

All returns must be authorized by GT Distributors. Interest charges on past due invoices at the maximum rate allowed by law.

Your salesperson is Doug Epler. Thank you!  
daniel@kingsvillepd.us

Subtotal	\$9,971.52
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
Total	\$9,971.52

ORDINANCE NO. 2021-\_\_\_\_\_

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER ADDITIONAL COSTS OF LIBERATOR IV HEADSETS NOT COVERED BY GRANT FUNDING FOR THE POLICE DEPARTMENT.**

**WHEREAS**, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 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
<b>Fund 005 – Police Seizure Fund</b>					
<u>Expenditures</u>					
2100	Police	Minor Equipment	21700	\$1,433.52	

[To amend the City of Kingsville FY 20-21 Budget to cover additional costs of the Police Department for Liberator IV Headsets not covered by grant funding. Funds will come from the 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 26th day of April 2021.

**PASSED AND APPROVED** on this the 10th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #6**

**City of Kingsville**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 20, 2021

SUBJECT: Hazard Pay Budget Amendment

---

**Summary:**

The CARES ACT funding received last FY 19-20 provided for Hazard Pay Funding through December 2020 which was provided to employees in this FY 20-21.

**Background:**

The CARES ACT funding reimbursed the City for \$1 million in payroll budget savings which was going to be used to cover COVID expenditures incurred in FY 20-21. This budget amendment covers Hazard Pay expenditures for FY 20-21 not included in the adopted budget as notification of this funding provision was not known when the budget was adopted.

**Financial Impact:**

The fund balance for General Fund ended with a larger fund balance for FY 19-20 due to CARES ACT funding received in FY 19-20 which covers these expenditures.

**Recommendation:**

Staff recommends the approval of the Hazard Pay budget amendment.





City of Kingsville, TX

## Budget Report Account Summary

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 001 - GENERAL FUND</b>							
<b>Expense</b>							
<u>001-5-1010-13100</u>	Hazard Pay	0.00	0.00	0.00	300.00	-300.00	0.00 %
<u>001-5-1100-13100</u>	Hazard Pay	0.00	0.00	0.00	1,200.00	-1,200.00	0.00 %
<u>001-5-1400-13100</u>	Hazard Pay	0.00	0.00	0.00	600.00	-600.00	0.00 %
<u>001-5-1601-13100</u>	Hazard Pay	0.00	0.00	0.00	600.00	-600.00	0.00 %
<u>001-5-1602-13100</u>	Hazard Pay	0.00	0.00	0.00	300.00	-300.00	0.00 %
<u>001-5-1603-13100</u>	Hazard Pay	0.00	0.00	0.00	1,800.00	-1,800.00	0.00 %
<u>001-5-1604-13100</u>	Hazard Pay	0.00	0.00	0.00	300.00	-300.00	0.00 %
<u>001-5-1701-13100</u>	Hazard Pay	0.00	0.00	0.00	300.00	-300.00	0.00 %
<u>001-5-1702-13100</u>	Hazard Pay	0.00	0.00	0.00	3,400.00	-3,400.00	0.00 %
<u>001-5-1703-13100</u>	Hazard Pay	0.00	0.00	0.00	2,400.00	-2,400.00	0.00 %
<u>001-5-1801-13100</u>	Hazard Pay	0.00	0.00	0.00	2,050.00	-2,050.00	0.00 %
<u>001-5-1803-13100</u>	Hazard Pay	0.00	0.00	0.00	1,550.00	-1,550.00	0.00 %
<u>001-5-1806-13100</u>	Hazard Pay	0.00	0.00	0.00	600.00	-600.00	0.00 %
<u>001-5-2101-13100</u>	Hazard Pay	0.00	0.00	0.00	2,100.00	-2,100.00	0.00 %
<u>001-5-2102-13100</u>	Hazard Pay	0.00	0.00	0.00	19,800.00	-19,800.00	0.00 %
<u>001-5-2103-13100</u>	Hazard Pay	0.00	0.00	0.00	3,600.00	-3,600.00	0.00 %
<u>001-5-2104-13100</u>	Hazard Pay	0.00	0.00	0.00	7,625.00	-7,625.00	0.00 %
<u>001-5-2105-13100</u>	Hazard Pay	0.00	0.00	0.00	600.00	-600.00	0.00 %
<u>001-5-2106-13100</u>	Hazard Pay	0.00	0.00	0.00	600.00	-600.00	0.00 %
<u>001-5-2200-13100</u>	Hazard Pay	0.00	0.00	0.00	19,050.00	-19,050.00	0.00 %
<u>001-5-3030-13100</u>	Hazard Pay	0.00	0.00	0.00	2,400.00	-2,400.00	0.00 %
<u>001-5-3050-13100</u>	Hazard Pay	0.00	0.00	0.00	5,400.00	-5,400.00	0.00 %
<u>001-5-4400-13100</u>	Hazard Pay	0.00	0.00	0.00	3,000.00	-3,000.00	0.00 %
<u>001-5-4501-13100</u>	Hazard Pay	0.00	0.00	0.00	1,200.00	-1,200.00	0.00 %
<u>001-5-4502-13100</u>	Hazard Pay	0.00	0.00	0.00	1,550.00	-1,550.00	0.00 %
<u>001-5-4503-13100</u>	Hazard Pay	0.00	0.00	0.00	1,900.00	-1,900.00	0.00 %
<u>001-5-4512-13100</u>	Hazard Pay	0.00	0.00	0.00	750.00	-750.00	0.00 %
<b>Expense Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>84,975.00</b>	<b>-84,975.00</b>	<b>0.00 %</b>
<b>Fund: 001 - GENERAL FUND Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>84,975.00</b>	<b>-84,975.00</b>	<b>0.00 %</b>
<b>Fund: 002 - TOURISM FUND</b>							
<b>Expense</b>							
<u>002-5-1071-13100</u>	Hazard Pay	0.00	0.00	0.00	850.00	-850.00	0.00 %
<b>Expense Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>850.00</b>	<b>-850.00</b>	<b>0.00 %</b>
<b>Fund: 002 - TOURISM FUND Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>850.00</b>	<b>-850.00</b>	<b>0.00 %</b>
<b>Fund: 051 - UTILITY FUND</b>							
<b>Expense</b>							
<u>051-5-6001-13100</u>	Hazard Pay	0.00	0.00	0.00	3,600.00	-3,600.00	0.00 %
<u>051-5-6002-13100</u>	Hazard Pay	0.00	0.00	0.00	1,200.00	-1,200.00	0.00 %
<u>051-5-6101-13100</u>	Hazard Pay	0.00	0.00	0.00	900.00	-900.00	0.00 %
<u>051-5-6201-13100</u>	Hazard Pay	0.00	0.00	0.00	1,800.00	-1,800.00	0.00 %
<u>051-5-6202-13100</u>	Hazard Pay	0.00	0.00	0.00	600.00	-600.00	0.00 %
<u>051-5-7001-13100</u>	Hazard Pay	0.00	0.00	0.00	2,400.00	-2,400.00	0.00 %
<u>051-5-7002-13100</u>	Hazard Pay	0.00	0.00	0.00	600.00	-600.00	0.00 %
<u>051-5-7003-13100</u>	Hazard Pay	0.00	0.00	0.00	2,400.00	-2,400.00	0.00 %
<u>051-5-8000-13100</u>	Hazard Pay	0.00	0.00	0.00	1,925.00	-1,925.00	0.00 %
<u>051-5-8020-13100</u>	Hazard Pay	0.00	0.00	0.00	1,350.00	-1,350.00	0.00 %
<b>Expense Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>16,775.00</b>	<b>-16,775.00</b>	<b>0.00 %</b>
<b>Fund: 051 - UTILITY FUND Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>16,775.00</b>	<b>-16,775.00</b>	<b>0.00 %</b>

Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 098 - ECONOMIC DEVELOPMENT FUND							
Expense							
<u>098-5-1060-13100</u>	Hazard Pay	0.00	0.00	0.00	250.00	-250.00	0.00 %
Expense Total:		0.00	0.00	0.00	250.00	-250.00	0.00 %
Fund: 098 - ECONOMIC DEVELOPMENT FUND Total:		0.00	0.00	0.00	250.00	-250.00	0.00 %
Report Total:		0.00	0.00	0.00	102,850.00	-102,850.00	0.00 %

Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 001 - GENERAL FUND</b>						
Expense	0.00	0.00	0.00	84,975.00	-84,975.00	0.00 %
<b>Fund: 001 - GENERAL FUND Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>84,975.00</b>	<b>-84,975.00</b>	<b>0.00 %</b>
<b>Fund: 002 - TOURISM FUND</b>						
Expense	0.00	0.00	0.00	850.00	-850.00	0.00 %
<b>Fund: 002 - TOURISM FUND Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>850.00</b>	<b>-850.00</b>	<b>0.00 %</b>
<b>Fund: 051 - UTILITY FUND</b>						
Expense	0.00	0.00	0.00	16,775.00	-16,775.00	0.00 %
<b>Fund: 051 - UTILITY FUND Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>16,775.00</b>	<b>-16,775.00</b>	<b>0.00 %</b>
<b>Fund: 098 - ECONOMIC DEVELOPMENT FUND</b>						
Expense	0.00	0.00	0.00	250.00	-250.00	0.00 %
<b>Fund: 098 - ECONOMIC DEVELOPMENT FUND Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>250.00</b>	<b>-250.00</b>	<b>0.00 %</b>
<b>Report Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>102,850.00</b>	<b>-102,850.00</b>	<b>0.00 %</b>

**Fund Summary**

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001 - GENERAL FUND	0.00	0.00	0.00	84,975.00	-84,975.00	0.00 %
002 - TOURISM FUND	0.00	0.00	0.00	850.00	-850.00	0.00 %
051 - UTILITY FUND	0.00	0.00	0.00	16,775.00	-16,775.00	0.00 %
098 - ECONOMIC DEVELOPMENT FL	0.00	0.00	0.00	250.00	-250.00	0.00 %
<b>Report Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>102,850.00</b>	<b>-102,850.00</b>	<b>0.00 %</b>

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER HAZARD PAY FOR PERIOD OF OCTOBER 2020 THROUGH DECEMBER 2020.**

**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
<b>Fund 001 – General Fund</b>					
<u>Expenditures</u>					
1010	City Manager	Hazard Pay	13100	\$300.00	
1100	Personnel	Hazard Pay	13100	\$1,200.00	
1400	Legal	Hazard Pay	13100	\$600.00	
1601	Planning	Hazard Pay	13100	\$600.00	
1602	Permits	Hazard Pay	13100	\$300.00	
1603	Code Comp	Hazard Pay	13100	\$1,800.00	
1604	Downtown	Hazard Pay	13100	\$300.00	
1701	Recycling	Hazard Pay	13100	\$300.00	
1702	Sanitation	Hazard Pay	13100	\$3,400.00	
1703	Landfill	Hazard Pay	13100	\$2,400.00	
1801	Finance Adm	Hazard Pay	13100	\$2,050.00	
1803	Mun Court	Hazard Pay	13100	\$1,550.00	
1806	Tech Services	Hazard Pay	13100	\$600.00	
2101	Police Adm	Hazard Pay	13100	\$2,100.00	
2102	Police Patrol	Hazard Pay	13100	\$19,800.00	
2103	PD Communication	Hazard Pay	13100	\$3,600.00	
2104	Police CID	Hazard Pay	13100	\$7,625.00	
2105	PD Community Svc	Hazard Pay	13100	\$600.00	
2106	PD Warrant Enforce	Hazard Pay	13100	\$600.00	
2200	Fire	Hazard Pay	13100	\$19,050.00	



Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 001 – General Fund</b>					
3030	Garage	Hazard Pay	13100	\$2,400.00	
3050	Street	Hazard Pay	13100	\$5,400.00	
4400	Health	Hazard Pay	13100	\$3,000.00	
4501	Parks Admin	Hazard Pay	13100	\$1,200.00	
4502	Golf	Hazard Pay	13100	\$1,550.00	
4503	Park Maintenance	Hazard Pay	13100	\$1,900.00	
4512	Golf Maintenance	Hazard Pay	13100	\$750.00	
6900	Transfer Out	Transfer to FD 002	80002	\$850.00	
6900	Transfer Out	Transfer to FD 051	80051	\$16,775.00	
6900	Transfer Out	Transfer to FD 098	80098	\$250.00	
<b>Fund 002 - Tourism</b>					
<u>Revenues-4</u>					
0000	Transfer In	Transfer From FD 001	75001	(\$850.00)	
<u>Expenditures-5</u>					
1071	Tourism	Hazard Pay	13100	\$850.00	
<b>Fund 051 - Utility</b>					
<u>Revenues-4</u>					
0000	Transfer In	Transfer From FD 001	75001	(\$16,775.00)	
<u>Expenditures-5</u>					
6001	Water Construction	Hazard Pay	13100	\$3,600.00	
6002	Water Production	Hazard Pay	13100	\$1,200.00	
6101	Ground Maint	Hazard Pay	13100	\$900.00	
6201	Collections	Hazard Pay	13100	\$1,800.00	
6202	Meter Readers	Hazard Pay	13100	\$600.00	
7001	WW North Plant	Hazard Pay	13100	\$2,400.00	
7002	WW South Plant	Hazard Pay	13100	\$600.00	
7003	Sewer Construct	Hazard Pay	13100	\$2,400.00	
8000	Eng/PW Admin	Hazard Pay	13100	\$1,925.00	
8020	Facilities	Hazard Pay	13100	\$1,350.00	
<b>Fund 098 – Economic Development</b>					
<u>Revenues-4</u>					
0000	Transfer In	Transfer From FD 001	75001	(\$250.00)	
<u>Expenditures-5</u>					
1060	Economic Develop	Hazard Pay	13100	\$250.00	

[To amend the City of Kingsville FY 20-21 Budget to cover Hazard Pay for October through December 2020, which was not known at the time the budget was adopted. Funding comes from the budget savings from the CARES ACT funding which dropped to fund balance at the end of FY 19-20.]

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 26th day of April 2021.

**PASSED AND APPROVED** on this the 10th day of May 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**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 20, 2021

SUBJECT: Tax Note Issuance

---

**Summary:**

Capital Outlay items that were budgeted to be handled through capital leases were processed through Tax Note Series 2021 and budgets associated with these purchases need to be transferred to the Tax Note Series 2021 fund.

**Background:**

For FY 20-21, there were items that were scheduled to be funded through capital leases and include the following: Golf Backhoe, (4) Police Vehicles, Fire Command Vehicle and (3) Garbage Trucks. During the budget process we were also looking to see if another funding mechanism would be more beneficial to the City. This information could not be determined during the budget process as the analysis has to be done close to when a Tax Note is determined to be a more favorable option, thus we budgeted as if we would continue with a capital lease and this would be the maximum amount of expenditure. At the beginning of the FY 20-21, we discussed the possibility of using a Tax Note for our capital outlay funding mechanism and was able to secure better interest rates, terms, and structure. The other advantage of using a Tax Note versus a Capital Lease is the tax treatment of the obligation. Capital Leases are part of the M&O tax rate and Tax Notes are part of the I&S tax rate.

**Financial Impact:**

Using a tax note to fund capital outlay items resulted in better interest rates, terms, and structure.

**Recommendation:**

Staff recommends the approval of the Tax Note Series 2021 budget amendment.



ORDINANCE NO. 2021-\_\_\_\_\_

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO TRANSFER EXISTING CAPITAL OUTLAY ITEMS BUDGET WHICH WERE BUDGETED AS A CAPITAL LEASE TO FUND 115-TAX NOTE SERIES 2021 AND TO COVER OVERAGE ON POLICE VEHICLES PURCHASE AND TAX NOTE ISSUANCE COSTS.**

**WHEREAS**, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 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
<b>Fund 001 – General Fund</b>					
<u>Revenues-4</u>					
4502	Golf	Other Inc-Lease Purchase	59947		\$34,000
2102	PD Patrol	Other Inc-Lease Purchase	59947		\$240,000
2200	Fire	Other Inc-Lease Purchase	59947		\$77,515
<u>Expenditures-5</u>					
4502	Golf	Machinery & Equipment	71200		\$34,000
2102	PD Patrol	Vehicle	71100		\$240,000
2200	Fire	Vehicle	71100		\$77,515
6900	Transfer	Transfer To Fund 115	80115	\$55,831	
<b>Fund 087 – Solid Waste Capital Projects</b>					
<u>Revenues-4</u>					
1702	Sanitation	Other Inc-Lease Purchase	59947		\$930,000
<u>Expenditures-5</u>					
1702	Sanitation	Machinery & Equipment	71200		\$930,000
<b>Fund 115 – Tax Notes Series 2021</b>					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer From Fund 001	75001	\$55,831	
0000	Non-Dept	Note Proceeds	99605	\$1,281,515	

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<u>Expenditures-5</u>					
4502	Golf	Machinery & Equipment	71200	\$34,000	
2102	PD Patrol	Vehicle	71100	\$267,346	
2200	Fire	Vehicle	71100	\$77,515	
1702	Sanitation	Machinery & Equipment	71200	\$930,000	
5100	Notes	Prf Svc-Note Issue Costs	31404	\$28,485	

[To amend the City of Kingsville FY 20-21 Budget to transfer existing capital outlay items budget which were budgeted as a capital lease to Fund 115-Tax Notes Series 2021 and to cover overage on the purchase of Police Vehicles and tax note issuance costs. Funding will come from existing budgets with the exception of the overage on the purchase of the Police Vehicles. This overage will come from the unappropriated General Fund 001 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 26th day of April 2021.

**PASSED AND APPROVED** on this the 10th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #8**



**City of Kingsville**  
**Public Works, Wastewater Division**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 20, 2021

SUBJECT: Tax Note 2021 Debt Service Payment

**Summary:**

Capital Outlay items that were budgeted to be handled through capital leases were processed through Tax Note Series 2021 along with the first payment on the budgeted capital leases. The Tax Note Series 2021 first payment and all future payments will be paid out of debt service.

**Background:**

For FY 20-21, there were items that were scheduled to funded through capital leases and include the following: Golf Backhoe, (4) Police Vehicles, Fire Command Vehicle and (3) Garbage Trucks. During the budget process we were also looking to see if another funding mechanism would be more beneficial to the City. This information could not be determined during the budget process as the analysis has to be done close to when a Tax Note is determined to be a more favorable option, thus we budgeted as if we would continue with a capital lease and this would be the maximum amount of expenditure. At the beginning of the FY 20-21, we discussed the possibility of using a Tax Note for our capital outlay funding mechanism and was able to secure better interest rates, terms, and structure. The other advantage of using a Tax Not versus a Capital Lease is the tax treatment of the obligation. Capital Lease are part of the M&O tax rate and Tax Notes are part of the I&S tax rate.

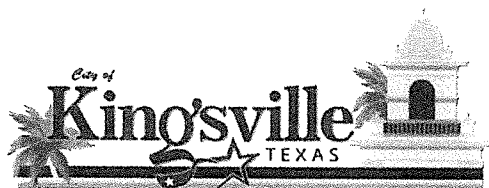
The actual purchases and the first payments were budgeted as capital leases and now needs to be paid through the Debt Service fund.

**Financial Impact:**

Since these purchases were done through a Tax Note, budget associated with the first payment needs to be transferred to the Debt Service Fund where the payment will be processed from.

**Recommendation:**

Staff recommends the approval of the Tax Note Series 2021 payment budget amendment.



ORDINANCE NO. 2021-\_\_\_\_\_

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO TRANSFER EXISTING CAPITAL OUTLAY ITEMS PAYMENT BUDGET TO DEBT SERVICE FUND TO COVER THE TAX NOTE SERIES 2021 PAYMENT.**

**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
<b>Fund 001 – General Fund</b>					
<u>Expenditures-5</u>					
4502	Golf	Capital Lease	64200		\$5,416.16
2102	PD Patrol	Capital Lease	64200		\$38,231.69
2200	Fire	Capital Lease	64200		\$12,348.04
<b>Fund 087 – Solid Waste Capital Projects</b>					
<u>Expenditures-5</u>					
1702	Sanitation	Capital Lease	64200		\$147,868.00
<b>Fund 011 – Debt Service</b>					
<u>Expenditures-5</u>					
5100	Debt	Principal	61100	\$195,000.00	
5100	Debt	Interest	62100	\$7,000.00	
5100	Debt	Paying Agent Fees	63100	\$1,863.89	

[To amend the City of Kingsville FY 20-21 Budget to transfer existing capital outlay items payment budget to the Debt Service Fund to cover the Tax Note Series 2021 payment.]

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 26th day of April 2021.

**PASSED AND APPROVED** on this the 10th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **REGULAR AGENDA**

## **AGENDA ITEM #9**

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

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Uche Echeozo, Director

DATE: April 30, 2020

SUBJECT: Appointment of Zoning Board of Adjustment Member – Orlando Moya

---

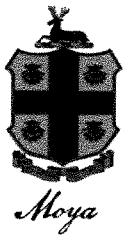
**Summary:** The above-stated member of the Zoning Board of Adjustment (ZBA) is seeking appointment as a regular member of the ZBA. He has been an alternate member of ZBA prior to now.

**Background:** The Ordinance that established the Zoning Board of Adjustment makes provision for five regular members and three alternate members. Currently, there are four regular members. The above stated member has served in an alternate capacity within the Board. He now seeks appointment as a regular member to fill the fifth position that is currently vacant.

**Financial Impact:** None.

**Recommendation:** Approve the request to appoint the above-mentioned name to the Zoning Board of Adjustment for a two-year term which will expire in May 2023.





**Orlando Moya**

*305 Birchwood Dr. Kingsville, TX 78363*

*Direct - [REDACTED]*

*Email - Orlando@unitinnovations.com*

---

Wednesday, January 8, 2020

To Mayor Fugate, Cynthia Martin and Council,

This letter is to express interest in serving as a member of the Zoning Board of Adjustment.

My experience and commitments amidst my unfinished tenure in the management role has always secured career acceleration and provide opportunities for my family and I, I value those milestones in my course because it allowed me to educate myself with the growth and understanding that life has to offer. I have been a resident of Kingsville my entire life with the exception of my high school years. My family's roots descend from the King Ranch and I can honestly say that I am proud to be from a community in which past generations and ancestry has made an imprint. My fiancé is from Kingsville. Our daughters are going on 7 years old this year and I couldn't be happier with the teachers and schools they have been blessed with in our community. I work as a Project Manager for Jim Crane under Davaco Inc. and I typically oversee projects and programs valued anywhere from \$500,000 - \$10mil. I also occupy a Director of Operations position for Premises and we develop a system tailored specifically for correctional facilities and jails. I have held an administrative role for roughly 10 years now and I am excited to experience the upcoming chapters in my career. I would welcome the honor and privilege of working with you all and serving the city I reside. I feel that my background and experience would make for a well-qualified candidate.

Sincerely, Orlando Moya

A handwritten signature in black ink, appearing to be 'Orlando Moya'.

# Orlando Moya

305 Birchwood Dr. Kingsville, Tx 78363 |  | [orlando@unitinnovations.com](mailto:orlando@unitinnovations.com)

---

## **Project Manager / Project Analyst / Operations Director**

*Plan – Design – Finance – Construction – Operation*

---

### **Objective**

*In today's socially driven and materialistic society, community goals are often seen as a low priority. However, the reality is that the community we live in has a monumental influence on us personally – it fosters safety, responsibility, and sustainability – so it is important that we take our community seriously for the greater good of humanity and for the benefit for our families. My objective is to secure a seat on the Zoning Board to provide service to my community and to gain learning experience in many dimensions, including “perspectives of the people”.*

### **Competitive Advantages**

*Execution-driven project management professional with extensive experience in commercial base building, structure, and interior construction of all types. Expertise in management of multimillion-dollar projects. Highly successful construction plan development and operations management. Handle client coordination and contract administration, oversee projects and schedules, coordinate design, and administer construction process. Manage contractors to ensure quality, ongoing production, and safety compliance. Effectively support high-priority projects to maximize the bottom line.*

---

### **Technical Proficiencies**

- |              |                                |                       |
|--------------|--------------------------------|-----------------------|
| - Excel      | - Plan Grid Project Management | - Outlook             |
| - Word       | - Job walk by Holobuilder      | - Smartsheet          |
| - Powerpoint | - AutoCad                      | - DoForms             |
| - Project    | - Adobe/Visio                  | - GearThread          |
| - OneDrive   | - IBM Trirega                  | - Remote Conferencing |
| - Oracle     | -                              |                       |



## **Professional Experience**

**Director of Operations and Sales, Premises – Unit Innovations \ Kingsville, TX**

2018 - Present

*Oversee all sales and operations and continuously working to optimize the sales process, recognize data trends, refine operational models, and put out fires as they arise. My team and I collaborate to redefine our sales territories as our customers become widely ranged geographically. Develop policies to ensure data quality. I am responsible for the growth and profitability of the company along with expense control, staff management, and regional supervision.*

**Field Project Manager/Project Analyst, Davaco Inc. – A Crane Company \ Kingsville, TX**

2016- Present

My primary role after the merger of Davaco Inc and Crane World Wide Logistics is to Responsibilities include preparing project budget and schedule. Plan and schedule team meetings to discuss project progress and issues. Create and develop standard processes and documentations required for project executions. Manage field staffs effectively to execute assigned projects. Recruit and train field employees. Administratively manage all customer enquiries and issues in a timely manner. Review and revise quality control processes to meet customer expectations. Perform project management tasks including project timeline estimation and task management.

**Senior Project Manager, Trinity General Contracting & Transportation, \ Flour Bluff, TX**

2014- 2016

*Provided oversight to the entire Construction Division. Responsibilities included client communications, client negotiations, contract agreements, managing staff for time and performance and submitting closeout documents for all projects completed. Subtrade resourcing, scheduling and managed accounts payable and accounts receivable for the division. Along with other administrative duties.*

**Project Manager, Running M Contracting \ Kingsville, TX**

2010- 2014

*My role as PM for Running M Contracting absorbed several duties and responsibilities including client communications, client reporting, procurement management, staff management, and financial closeouts. During my time here I assisted in growing business relations and company revenue increase of 30%+ every year. I truly feel that this was the years that launched my career in a successful direction. We offered commercial construction services to a number of businesses in the community and maintained a solid reputation that left a long lasting reference list.*

## ***Education & Certifications***

- ***Georgetown High School***  
*Diploma (2006)*
- ***Texas A&M University Kingsville***  
*PMP Certification 2019 – present*
- ***Osha 30-hour card***  
*2016*
- ***Project Management : Solving Common Project Problems***  
*2019*
- ***Google Analytics Certification***  
*2019*
- ***Acting Decisively Certification***  
*2018*
- ***Project Management Foundations : Budgets***  
*2019*

## ***References***

- **Michael Goll/Maria Goll**  
Owners  
**Trinity General Contracting & Transportation**  
802 S. Laurent St. Victoria, Tx 77901  
[REDACTED]  
Mgoll@trinitycontractorservices.com
- **Ethan Aldrich**  
Owner  
**Premises – Unit Innovations**  
San Antonio, Tx  
[REDACTED]  
Ethan@unitinnovations.com
- **Curtis Lynn**  
Senior Project Manager  
**Davaco Inc.**  
4050 Valley View Lane Irving, Tx 75038  
[REDACTED]  
Curtis.lynn@davacoinc.com
- **Matt Gonzalez**  
Owner  
**Running M Contracting**  
918 E. Garcia St. Kingsville, Tx 78363  
[REDACTED]  
Matthew@Runningm.com

# **AGENDA ITEM #10**

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

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Uche Echeozo, Director

DATE: April 30, 2021

SUBJECT: Appointment of Planning and Zoning Commission Members: – Larry Garcia,  
Wayne Grant and Karie Kriegel.

---

**Summary:** Three residents from the City are seeking appointment to join the Planning and Zoning Commission. Their names are Larry Garcia, Wayne Grant, and Karie Kriegel.

**Background:** The Ordinance that established the Planning and Zoning Commission makes provision for nine members. At the moment, there are six members with three vacancies. The above stated citizens are looking to fill those vacancies and there are no impediments to this prayer at this time.

**Financial Impact:** None.

**Recommendation:** Approve the request to appoint the above mentioned names to the Planning and Zoning Commission for two-year terms each expiring in May 2023.



## LARRY GARCIA

103 W. Sage Rd. • Kingsville, Texas 78363 • [REDACTED]

---

### PROFESSIONAL OBJECTIVE & PROFILE

An Industrial Manager who is an achievement- and goal-oriented business professional with more than 25 years of experience building and leading integrated Industrial operations, and residential, and commercial construction. Strong account management qualifications in strategic Industrial, and construction planning. Desire a business arrangement that will provide a challenging opportunity to significantly contribute to a company's efficiency, organization, growth.

### EDUCATION      **Bachelor of Science in Criminal Justice**

CORPUS CHRISTI STATE UNIVERSITY, Corpus Christi, TX, 1993

### SUMMARY OF QUALIFICATIONS

**Track Record of Success:** Background exemplifies a successful track record of career accomplishments with 25 years of professional experience encompassing positions as Account Executive and Industrial Management.

**Account Management:** Interact extensively with clients and manage business development and negotiation.

### PROFESSIONAL EXPERIENCE

#### **Contractor**

Residential and Commercial Construction, 1994-Present

Worked on many projects in the Kingsville, and surrounding areas.

Built and designed custom homes in the area. Extensive Knowledge of residential and commercial Construction design.

**INDEPENDENT LANDMAN**, Taylor Land Service, Corpus Christi TX. 2012 to Present: Extensive Title Research, working in surrounding Courthouses, in the South Texas areas. Initiated Oil and Gas Leases, Researched Land for pipelines agreement Contracts, and GIS Mapping, and Public Relations.

**Landman**, URI INC., Corpus Christi, TX - 2007 - 2012

Extensive title work, Developed and Designed Uranium, and Oil and Gas Leases, and Pipelines Contracts that were beneficiary to Land owners and Companies. Networked with, state agencies, county officials, and land owners.

**Account Executive**, HUFCO, Corpus Christi, TX- 2004 - 2006

Traveled to refineries, and Industry in the South Texas Areas. Sold and maintained high pressure tubing and fittings, for all types of applications in Industry. Verified and Governed that the correct application process was utilized. Maintained strong safety practices while working in the Plants. Promoted Parker Hannifin fittings, high pressure manifolds, and all types of hose products,

**Dress Flow Controls Corpus Christi TX.- 2001-2004**

Duties included conducting safety meeting before each work period. rebuilt and Calibrated Safety Valves used in Industry. Experienced in Working turn arounds with attention to safety production deadlines. Maintained cost effectiveness within a budget.

**Trinity Oil Field Services Kingsville TX -1990-1995**

Duties, included maintaining the rig, and all tools on unit. Worked on production In the oil Field. conducted regular scheduled daily safety meeting to debrief crew on current safety and well assessment conditions. worked on Exxon King Ranch fields, and oil wells in the Gulf of Mexico, and used various tools associated with oil Field production, fitting, and many different types hoses for their applications.

**Skilled Office Computer Equipment and with Various Tools and Heavy Equipment**

Proficient in Using Excel, Spread sheets, all types of Data entry. Proficient in reading Blue print. Extensive Knowledge in Commercial Construction as well as Residential construction Experience. I am skilled with various mechanical tools used in industry, and all heavy equipment.

## **WAYNE A. GRANT**

712 E. Lee Ave, Kingsville, Texas 78363

Cell: [REDACTED]

vsecss.2018@yahoo.com

### **OBJECTIVES**

Coordinate efforts to allow American Forces Security, Inc to fulfill its mission of employing Veterans as they exit their time in service to provide security for multiple school districts, and businesses throughout the State of Texas.

### **EXPERIENCE**

Owner: American Forces Security, Inc. (Non-Profit) 2018 - present

Owner: Advanced Automotive, Kingsville TX 2008 - present

Quality Control Automotive Technical Inspector, Ft. Sill OK 2001-2006

Owner: The Auto Doctor Killeen, TX 1993-2003

US Army Veteran, Top Secret Clearance (Fire Direction Center) 1980-1983

US Army Non-Commissioned Officer Course (Search and Destroy) 1983

### **SKILLS**

- Course Completion: Court Security Officer
- DPS Certified Level III Commissioned Security Officer
- DPS Certified Level II Non-Commissioned Security Officer
- DPS Certified Security Business Manager
- DPS License to Carry Permit
- Advanced Law Enforcement Rapid Response Training Certificate
- Certification: Situational Awareness Course Instructor (SAFE Program)
- Certification: Active Shooter (What Can You Do)
- Certification: School Threat Assessment
- Certification: Active Attacker (Train the Trainer)
- Certification: Search and Rescue (Community Disasters)
- ASE Certified Master Automotive Technician

### **Memberships**

- NASRO (National Association of School Resource Officers)
- National Weather Service (Ambassador-Weather Ready Nation)
- Kleberg County Local Emergency Planning Committee (LEPC)
- Kingsville Veterans of Foreign Wars (VFW) Post 2375
- Kleberg County End Domestic Violence Task Force

# Karie C. Kriegel

karie.krieg@gmail.com

202 N CR 1026

Kingsville, TX 78363

---

## OBJECTIVE

Proven experience in record keeping and management. Aspiring to utilize my strong organizational skills and attention to detail to support the responsibilities of a volunteer board.

## WORK EXPERIENCE

### South Texas Clinical Laboratory

#### Office Manager

May 2018- Present

- Maintaining computerized accounting system and updating patient and vendor accounts
- Responsible for review and preparation of payroll records and processing of payroll checks
- Management of over 60 employees and more than 100 nursing home facilities
- Data entry into NueMD as well as QuickBooks
- Prepares monthly bank reconciliation for all accounts. Verifies accuracy of bank statements. Maintains integrity of cash balances and cash flow systems.

### Court Appointed Special Advocate (CASA)

#### Volunteer

May 2018- Present

- Advocate and represent assigned child(ren) in all court hearings
- Help make a difference in the life and future of a youth who has been a victim of abuse/ and or neglect
- Review documents and prepare reports regarding child(ren)/ document case history
- Help find permanency in a safe, loving home
- Assist judges in obtaining a clear picture of a youth's life and needs

### Kingsville Chiropractic

#### Office Clerk

June 2016 - April 2018

- Adjust claims and process insurance amendments
- Negotiate adjustment payments with attorneys
- Verify insurance records and inform patients of limitations
- Process new patients information and accumulate previous medical history
- Collect and input data into Chirotouch and distribute information to attorneys and insurance companies

### Trinity Acceptance

#### Insurance Clerk

January 2015- March 2016

- Process applications for, changes to, reinstatement of, and cancellation of insurance policies
- Compile data on insurance policy changes, and change policy records to conform to insured party's specifications
- Verify the accuracy of insurance company records
- Contact customers and resolve insurance requirements
- Compile and input data on lapsed insurance policies to determine reinstatement according to company policies

### Eddie Yaklin Ford, Nissan

#### Receptionist

October 2014-January 2015

- Operate telephone switchboard to answer, providing information, taking messages and scheduling appointments
- Receive payment and record receipts for services
- Greet persons entering establishment, determine nature and purpose of visit, and direct or escort them to specific destinations
- Hear and resolve complaints from customers and public
- File and maintain records for title work

### Naval Air Station Kingsville- Pool

#### Lead Lifeguard

March 2013 -August 2014

- Lead, plan, and train a staff of twelve patrons
- Maintain activity records and complete required reports
- Communicate clearly and concisely with customers as well as staff
- Train employees in areas of rules and procedures as well as safety of certain task
- Schedule and use Kronos for time cards

## EDUCATION

Coastal Bend College- Kingsville  
Texas A&M University- Kingsville

Associates of Arts  
Bachelor of Business Administration



## **CERTIFICATIONS & TRAINING**

- CPR Certified
- HIPPA Certified

## **COMPUTER SKILLS**

- Microsoft Office Pro Plus
- Adobe Acrobat
- Operating Systems: Microsoft Windows and Mac OS X

# **AGENDA ITEM #11**

## City of Kingsville Downtown

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: April 29, 2021

SUBJECT: Request appointment and confirmation for new Main Street Advisory Board nominees: David Thibodeaux and Lesley Estes.

**Summary:**

Appoint David Thibodeaux and Lesley Estes to the Main Street Advisory Board.

**Background:**

Due to the resignation of board member Bruce T. Harvill in March and D'yan M. Lopez-Garza in April, we need to fill two seats. Nominees are:

David Thibodeaux owns two buildings in the Historical District: the Salazar Building and the white building at the corner of 8<sup>th</sup> and E. Kleberg. He has worked diligently to learn the history of Kingsville and apply that knowledge to the renovations of his buildings and the old Mexican Downtown on Richard Street where he holds a yearly craft fair.

Lesley Estes has been a downtown merchant in the past with her store, Sarita Farms. Due to tragedy she closed but, is ready to come back to Main Street with her business and zeal to help create an active downtown. She also attends the Main Street's First Friday Social and contributes great ideas.

The Main Street Advisory Board gave preference to these two nominees due to their current involvement and investment in downtown.



Their CVs are attached.

**Financial Impact:**

There is no financial impact.

**Recommendation:**

Staff recommends the appointment and confirmation of Lesley Estes as the downtown merchant representative and David Thibodeaux as the Kingsville resident representative for the Main Street Advisory Board.

**Attachments:**

David Thibodeaux's CV

Lesley Estes' CV



3822 South Sixth Street  
Kingsville, TX 78363  
[REDACTED]  
ldthibodeaux@aol.com

## LEROY DAVID THIBODEAUX

OBJECTIVE To attain a board position on The Historical Development Board of Kingsville, Texas

---

SKILLS & ABILITIES Knowledge of art history, historical renovation, event planning

---

EXPERIENCE **SFDT LAND HOLDING, LLC- KINGSVILLE**

August 2014 -present

Project manager for multiple residential and commercial acquisitions, design and renovation

**THE SALAZAR EVENTS CENTER/ SALAZAR EVENTS-KINGSVILLE**

June 2015- present

All aspects of event planning and event implementation

**PERIODONTAL HEALTH PROFESSIONALS, LLC- AUSTIN**

March 2008- present

Administrative assistant, marketing director/ team, equipment maintenance

**DAVID THIBODEAUX CERAMIC DESIGN**

June 1990- April 2001

Ceramic studio artist specializing in nonfunctional, decorative ceramic design; representation in sixteen art galleries across United States of America; mentor to emerging artists

**GALVESTON COMMUNITY COLLEGE**

September 1987- May 1991

Ceramic laboratory assistant responsible for construction of kilns, organization of supplies, children's ceramic class instructor

**GALVESTON ARTS CENTER**

September 1987- Summer 1990

In-house ceramic class instructor; resident artist / group show representation

---

EDUCATION **GALVESTON COMMUNITY COLLEGE 9/1987-5/1991--- GALVESTON**

Coursework including art history and art classes including ceramics, life drawing, jewelry fabrication/ welding, painting

**MCNEESE STATE UNIVERSITY 9/1986-5/1987--- LAKE CHARLES, LA.**

Coursework including art history, ceramics, history of film, French

**ART INSTITUTE OF DALLAS 9/1984-5/1986--DALLAS**

Associates degree in fashion merchandising

**MCNEESE STATE UNIVERSITY 9/1983- 5/1984—LAKE CHARLES, LA.**

Fashion merchandising curriculum; college level basic curriculum

**VINTON HIGHT SCHOOL 9/1979- 5/1983—VINTON, LA.**

High school diploma

---

COMMUNICATION	Project presentations of historical renovation to multiple entities including Kingsville Historical Board, Kingsville Chamber of Commerce and Kingsville Rotary Club
---------------	--

---

LEADERSHIP	Kingsville Chamber of Commerce Business of the Year—The Salazar Events Center –2016 Organization <i>or</i> Implementation <i>or</i> Support of Charity Events for Animal Rescue Kleberg, CASA Kleberg County, Toys for Tots, Disabled Childrens Event with Lions Club, Hurricane Harvey Disaster Relief Community based Day of the Dead Art Exhibit
------------	---

---

REFERENCES	MAGGIE SALINAS [REDACTED]  CYNTHIA MARTIN [REDACTED]
------------	--

Request for Main Street Advisory Board Nomination:

Lesley Estes, Interior Designer  
Owner, Sarita Farms

Good morning. Hello, I am Lesley Estes and I would love to be considered for the Main Street Advisory Board. I am the owner of Sarita Farms Mercantile and had my shop downtown for almost a year when my husband passed. I closed to regroup and focus on my children and will reopen on Kleberg and Eighth this fall.

I have been a stay-at-home mom for 25 years but during that time have decorated many homes, organized and planned the Christmas parties for my church and my husband's company back home in Houston.

I am also an avid investor and have restored and designed two historical homes in Houston and currently live in a 115 year old farmhouse that we totally transformed but kept the historical design. I have also just finished my first flip house in Bishop.

I am very creative and think that my ideas and dreams for my shop and the vision I see for downtown would be a positive addition to your board.

Thank you for allowing me the opportunity to apply!

Thank you,  
Lesley Estes

## **AGENDA ITEM #12**



## City of Kingsville Downtown

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: April 29, 2021

SUBJECT: Request appointment and confirmation for new Historical Development Board nominees: David Thibodeaux and Lucia G. Perez.

---

### **Summary:**

Appoint David Thibodeaux and Lucia G. Perez to the Historical Development Board.

### **Background:**

Due to a pending open seat and the resignation of board member Lupita Perez in March, we needed to fill two seats.

David Thibodeaux owns two buildings in the Historical District: the Salazar Building and the white building at the corner of 8<sup>th</sup> and E. Kleberg. He has worked diligently to learn the history of Kingsville and apply that knowledge to the renovations of his buildings and the old Mexican Downtown on Richard Street where he holds a yearly craft fair.

Lucia G. Perez is a native of Kingsville and has worked for the Chamber of Commerce and is hoping to give back to her community by serving on the board to help conserve the history she grew up in.

Attached you will find their CV.



**Financial Impact:**

There is no financial impact.

**Recommendation:**

Staff recommends the appointment and confirmation of David Thibodeaux and Lucia G. Perez to the Historical Development Board.

**Attachments:**

David Thibodeaux's CV

Lucia G. Perez's CV



3822 South Sixth Street  
Kingsville, TX 78363  
[REDACTED]  
ldthibodeaux@aol.com

## LEROY DAVID THIBODEAUX

OBJECTIVE To attain a board position on The Historical Development Board of Kingsville, Texas

---

SKILLS & ABILITIES Knowledge of art history, historical renovation, event planning

---

EXPERIENCE **SFDT LAND HOLDING, LLC- KINGSVILLE**  
August 2014 -present  
Project manager for multiple residential and commercial acquisitions, design and renovation

**THE SALAZAR EVENTS CENTER/ SALAZAR EVENTS-KINGSVILLE**  
June 2015- present  
All aspects of event planning and event implementation

**PERIODONTAL HEALTH PROFESSIONALS, LLC- AUSTIN**  
March 2008- present  
Administrative assistant, marketing director/ team, equipment maintenance

**DAVID THIBODEAUX CERAMIC DESIGN**  
June 1990- April 2001  
Ceramic studio artist specializing in nonfunctional, decorative ceramic design; representation in sixteen art galleries across United States of America; mentor to emerging artists

**GALVESTON COMMUNITY COLLEGE**  
September 1987- May 1991  
Ceramic laboratory assistant responsible for construction of kilns, organization of supplies, children's ceramic class instructor

**GALVESTON ARTS CENTER**  
September 1987- Summer 1990  
In-house ceramic class instructor; resident artist / group show representation

---

EDUCATION **GALVESTON COMMUNITY COLLEGE 9/1987-5/1991--- GALVESTON**  
Coursework including art history and art classes including ceramics, life drawing, jewelry fabrication/ welding, painting

**MCNEESE STATE UNIVERSITY 9/1986-5/1987--- LAKE CHARLES, LA.**

Coursework including art history, ceramics, history of film, French

**ART INSTITUTE OF DALLAS 9/1984-5/1986--DALLAS**

Associates degree in fashion merchandising

**MCNEESE STATE UNIVERSITY 9/1983- 5/1984—LAKE CHARLES, LA.**

Fashion merchandising curriculum; college level basic curriculum

**VINTON HIGHT SCHOOL 9/1979- 5/1983—VINTON, LA.**

High school diploma

---

COMMUNICATION	Project presentations of historical renovation to multiple entities including Kingsville Historical Board, Kingsville Chamber of Commerce and Kingsville Rotary Club
---------------	--

---

LEADERSHIP	Kingsville Chamber of Commerce Business of the Year—The Salazar Events Center –2016 Organization <i>or</i> Implementation <i>or</i> Support of Charity Events for Animal Rescue Kleberg, CASA Kleberg County, Toys for Tots, Disabled Childrens Event with Lions Club, Hurricane Harvey Disaster Relief Community based Day of the Dead Art Exhibit
------------	---

---

REFERENCES	<b>MAGGIE SALINAS</b> [REDACTED]  <b>CYNTHIA MARTIN</b> [REDACTED]
------------	--

## Lucia G. Perez

---

641 E. Mesquite Ave., Kingsville Texas 78363 / (361) 241-1667 / luciagperez1966@yahoo.com

### Profile

Business professional with over twenty years experienced in managed business relationships, special projects and daily operations in a professional office environment. Maintain excellent written and oral communication skills, problem resolution abilities, multitasking and a high level of confidentiality.

### Work History

*Del Mar College, Small Business Development Center, Corpus Christi, TX*

*Jan 2020 to Presents*

#### **Rural Outreach Business Advisor/Corporate Support Program**

- \* Provide guidance and assistance to start-up or existing business gain knowledge of how to start or grow their business.
- \* Assist with writing a Business Plan, comply with regulatory requirements, understand financial statements, market research, improve management skills and international trade.
- \* Liaison for DMC/SBDC Corporate Support program.

*Kingsville Chamber of Commerce, Kingsville, TX*

*Aug 2007 to Dec 2019*

#### **Office Manager**

- \* Responsible for the daily operations of the office.
- \* Maintain a high level of customer service with the general public, business members, vendors, stakeholders, civic organizations and employers. Excellent communication skills both oral and written.
- \* Schedule, coordinate and track income and expenditure of special events to report to the board.
- \* Maintain and update both the chamber website and community calendar.
- \* Communicate with chamber members via Constant Contact email blast/social media.
- \* Responsible for tracking and ensuring cost-effectiveness of building utilities, maintenance supplies and personnel.
- \* Tenant liaison for maintenance needs and contract issues.
- \* Proficient in QuickBooks Pro, office program use to invoice, receive payments and pay bills.
- \* Excellent working knowledge in all Microsoft Office Suite.

### Other Work History

*\* Coastal Bend College, Kingsville, TX*

*April 2005 to July 2007*

#### **Vocational Nursing Secretary to the Director of Programs**

*\* Police Department, City of Kingsville, TX*

*May 2004 to Sept 2004*

#### **Telecommunication s Operator**

*\* Boeing company, NAS Kingsville, TX*

*Aug 1996 to Sept 2003*

#### **GSE Maintenance Record Clerk/General Clerk III**

### Education

**Bachelor of Industrial Technology**, Texas A&M University-Kingsville (not complete)

**Bachelor of Applied Arts & Science**, Texas A&M University-Kingsville, May 2002

**Associate in Applied Science**, Coastal Bend College-Kingsville, May 1996 (Graduated with Honors)

### Other Interest and Skills

Crime Stoppers, 2014 – 2016, Chair

Notary Public, State of Texas: Expires 2021

Unsung Hero Award: (Coastal Bend College 2006)

## **AGENDA ITEM #13**

**City of Kingsville**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 22, 2021

SUBJECT: City Hall Irrigation Project Budget Amendment

---

**Summary:**

The City completed the irrigation project for the City Hall and the project crossed fiscal years requiring a budget amendment to appropriate funds in FY 20-21.

**Financial Impact:**

This project was originally budgeted in FY 19-20 but was not started or completed until FY 20-21 as additional funding needed to be identified due to the quote received. Once complete funding was identified in FY 20-21, work was able to commence, and the project was completed in FY 20-21 requiring budget to be appropriated. Funding budgeted in FY 19-20 dropped to fund balance for Fund 033-CO Series 2016.

Once all projects currently budgeted are completed, there will be an additional \$10,000 available to fund another project. All funds in Fund 033-CO Series 2016 need to be spent as bond proceeds should be spent within 3 years with a max of 5 years. FY 20-21 reaches the 5-year max period.

**Recommendation:**

Staff recommends the approval of the budget amendment of the City Hall Irrigation Project.





City of Kingsville, TX

# Balance Sheet

## Account Summary

As Of 09/30/2021

Account	Name	Balance
<b>Fund: 033 - CO SERIES 2016 - GENERAL</b>		
<b>Assets</b>		
<u>033-0-01000</u>	Claim on Pooled Cash	0.00
<u>033-0-05035</u>	TX # 35-CO Series 2016	0.00
<u>033-0-09105</u>	CO 2016-Money Market Acct-KB	52,279.06
	<b>Total Assets:</b>	<b>52,279.06</b>
<b>Liability</b>		
<u>033-1-21300</u>	Accounts Payable	0.00
<u>033-1-21403</u>	AP-Others	0.00
<u>033-1-22000</u>	Retainage Payable	0.00
	<b>Total Liability:</b>	<b>0.00</b>
<b>Equity</b>		
<u>033-2-74002</u>	Restricted for Capital Outlay	87,200.49
	<b>Total Beginning Equity:</b>	<b>87,200.49</b>
Total Revenue		78.57
Total Expense		35,000.00
Revenues Over/Under Expenses		-34,921.43
	<b>Total Equity and Current Surplus (Deficit):</b>	<b>52,279.06</b>
	<b>Total Liabilities, Equity and Current Surplus (Deficit):</b>	<b>52,279.06</b>

Bank Account Balance (includes project expenditures) - \$52,279.06

Less Projects budgeted not completed:

31400-Cash Match - \$16,372

71300-Fence around Union Pacific area - \$25,000

Unappropriated Amount - \$10,907.06





City of Kingsville, TX

## Budget Report Account Summary

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 033 - CO SERIES 2016 - GENERAL</b>							
<b>Expense</b>							
<u>033-5-1030-31400</u>	Professional Services	16,372.00	16,372.00	0.00	0.00	16,372.00	100.00 %
<u>033-5-1030-71300</u>	Building	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<u>033-5-4503-59104</u>	Parks-City Green Phase 1	0.00	0.00	0.00	35,000.00	-35,000.00	0.00 %
<b>Expense Total:</b>		<b>41,372.00</b>	<b>41,372.00</b>	<b>0.00</b>	<b>35,000.00</b>	<b>6,372.00</b>	<b>15.40 %</b>
<b>Fund: 033 - CO SERIES 2016 - GENERAL Total:</b>		<b>41,372.00</b>	<b>41,372.00</b>	<b>0.00</b>	<b>35,000.00</b>	<b>6,372.00</b>	<b>15.40 %</b>
<b>Report Total:</b>		<b>41,372.00</b>	<b>41,372.00</b>	<b>0.00</b>	<b>35,000.00</b>	<b>6,372.00</b>	<b>15.40 %</b>

Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 033 - CO SERIES 2016 - GENERAL						
Expense	41,372.00	41,372.00	0.00	35,000.00	6,372.00	15.40 %
Fund: 033 - CO SERIES 2016 - GENERAL Total:	41,372.00	41,372.00	0.00	35,000.00	6,372.00	15.40 %
Report Total:	41,372.00	41,372.00	0.00	35,000.00	6,372.00	15.40 %

**Fund Summary**

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
033 - CO SERIES 2016 - GENERAL	41,372.00	41,372.00	0.00	35,000.00	6,372.00	15.40 %
Report Total:	41,372.00	41,372.00	0.00	35,000.00	6,372.00	15.40 %

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER THE ROLLED OVER CITY HALL IRRIGATION PROJECT.**

**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
<b>Fund 033 – CO SERIES 2016</b>					
<u>Expenditures-5</u>					
1030	City Special	City Hall Complex Landscaping	71310	\$35,000	

[To amend the City of Kingsville FY 20-21 Budget to cover the rolled over City Hall Irrigation Project. Funding for this roll-over project comes from the unappropriated fund balance of Fund 033-CO Series 2016.]

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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #14**

**City of Kingsville**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 22, 2021

SUBJECT: Incentive Agreement Payments for Starbucks and Marshalls Budget Amendment

---

**Summary:**

FY 20-21 is the first year that incentive agreement payments were to be paid and there was not a good indication of how much in payments the City was going to incur for these new businesses. In FY 19-20, Neessen sent us reports that allowed us to determine what the City's obligation would be and their payment was budgeted based on that information. Starbucks and Marshalls did not provide any information as to what their anticipated sales would be, and Starbucks' incentive changed from ad valorem taxes to sales taxes which resulted in the full incentive being earned in the first year of opening.

**Financial Impact:**

FY 19-20 budget was \$52,980 and actual payments came in at \$71,220.75, making a budget amendment of \$18,240.75 necessary. Funding will come from the unappropriated fund balance for General Fund.

**Recommendation:**

Staff recommends the approval of the budget amendment for the incentive agreement payments for Starbucks and Marshalls.





City of Kingsville, TX

# Budget Report Account Summary

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 098 - ECONOMIC DEVELOPMENT FUND</b>							
<b>Expense</b>							
<u>098-5-1060-11100</u>	Salaries & Wages	85,746.00	85,746.00	6,531.20	45,601.77	40,144.23	46.82 %
<u>098-5-1060-11301</u>	Longevity - Non Civil Service	216.00	216.00	13.84	94.90	121.10	56.06 %
<u>098-5-1060-11400</u>	Retirement - TMRS	7,290.00	7,290.00	547.82	3,930.72	3,359.28	46.08 %
<u>098-5-1060-11500</u>	FICA	6,577.00	6,577.00	477.96	3,359.14	3,217.86	48.93 %
<u>098-5-1060-11600</u>	Group Health Insurance	22,371.00	22,371.00	1,864.22	13,038.92	9,332.08	41.72 %
<u>098-5-1060-11700</u>	Workers' Compensation	116.00	116.00	0.00	55.69	60.31	51.99 %
<u>098-5-1060-11800</u>	Unemployment Compensation	225.00	225.00	0.00	144.00	81.00	36.00 %
<u>098-5-1060-12300</u>	Life Insurance	108.00	108.00	9.00	63.00	45.00	41.67 %
<u>098-5-1060-13100</u>	Hazard Pay	0.00	0.00	0.00	250.00	-250.00	0.00 %
<u>098-5-1060-19900</u>	EDC-Salaries/Benefits	-57,649.00	-57,649.00	0.00	0.00	-57,649.00	100.00 %
<u>098-5-1060-31400</u>	Professional Services	100,000.00	100,000.00	0.00	100,000.00	0.00	0.00 %
<u>098-5-1060-31433</u>	Prof Svcs-TAMUK Stadium Renovat...	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<u>098-5-1060-35501</u>	Incentive Agreement - Neessen Polaris	32,980.00	21,056.62	0.00	21,056.62	0.00	0.00 %
<u>098-5-1060-35502</u>	Incentive Agreement-Starbucks	0.00	11,923.38	0.00	20,000.00	-8,076.62	-67.74 %
<u>098-5-1060-35503</u>	Incentive Agreement-Marshalls	20,000.00	20,000.00	5,756.73	30,164.13	-10,164.13	-50.82 %
<u>098-5-6900-80138</u>	Transfer to Fund 138	386.00	386.00	0.00	193.00	193.00	50.00 %
<b>Expense Total:</b>		<b>243,366.00</b>	<b>243,366.00</b>	<b>15,200.77</b>	<b>237,951.89</b>	<b>5,414.11</b>	<b>2.22 %</b>
<b>Fund: 098 - ECONOMIC DEVELOPMENT FUND Total:</b>		<b>243,366.00</b>	<b>243,366.00</b>	<b>15,200.77</b>	<b>237,951.89</b>	<b>5,414.11</b>	<b>2.22 %</b>
<b>Report Total:</b>		<b>243,366.00</b>	<b>243,366.00</b>	<b>15,200.77</b>	<b>237,951.89</b>	<b>5,414.11</b>	<b>2.22 %</b>



Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 098 - ECONOMIC DEVELOPMENT FUND</b>						
Expense	243,366.00	243,366.00	15,200.77	237,951.89	5,414.11	2.22 %
<b>Fund: 098 - ECONOMIC DEVELOPMENT FUND Total:</b>	<b>243,366.00</b>	<b>243,366.00</b>	<b>15,200.77</b>	<b>237,951.89</b>	<b>5,414.11</b>	<b>2.22 %</b>
<b>Report Total:</b>	<b>243,366.00</b>	<b>243,366.00</b>	<b>15,200.77</b>	<b>237,951.89</b>	<b>5,414.11</b>	<b>2.22 %</b>

**Budget Report**

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

**Fund Summary**

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
098 - ECONOMIC DEVELOPMENT FL	243,366.00	243,366.00	15,200.77	237,951.89	5,414.11	2.22 %
Report Total:	243,366.00	243,366.00	15,200.77	237,951.89	5,414.11	2.22 %

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER INCENTIVE AGREEMENT PAYMENTS FOR STARBUCKS AND MARSHALLS.**

**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
<b>Fund 098 – Economic Development</b>					
<u>Revenues-4</u>					
0000	Non-Dept	Transfer from Fund 001	75001	\$18,240.75	
<u>Expenditures-5</u>					
1060	Econ Dev	Incentive Agmt-Starbucks	35502	\$8,076.62	
1060	Econ Dev	Incentive Agmt-Marshalls	35503	\$10,164.13	
<b>Fund 001 – General Fund</b>					
<u>Expenditures-5</u>					
6900	Transfers	Transfer to Fund 098	80098	\$18,240.75	

[To amend the City of Kingsville FY 20-21 Budget to cover incentive agreement payments for Starbucks and Marshalls. Funding will come from the unappropriated fund balance of General Fund.]

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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #15**

**City of Kingsville**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 22, 2021

SUBJECT: CARES ACT Expenditures for FY 20-21 Budget Amendment

---

**Summary:**

The CARES ACT funding covered eligible expenditures through December 2020 (FY 20-21) up to the City's allotment of \$1.396 million. The City submitted expenditures in FY 19-20 that allowed us to receive 100% of our allotment even though we knew there would be expenditures still occurring in FY 20-21 that would need to be covered with CARES ACT funding for employees out due to COVID, personnel costs for an employee who was hired to perform cleaning and disinfecting of buildings and vehicles, rental agreements, and other eligible expenditures.

**Financial Impact:**

FY 20-21 expenditures for CARES ACT funding were \$22,784.18 and must be covered by General Fund as all budget savings dropped to fund balance at the end of FY 19-20.

**Recommendation:**

Staff recommends the approval of the budget amendment for CARES ACT expenditures for FY 20-21 budget amendment.





City of Kingsville, TX

## Budget Report Account Summary

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 103 - COVID-19 CARES Act Fund</b>							
<b>Revenue</b>							
<u>103-4-1030-59945</u>	Other Income	0.00	0.00	0.00	6,515.74	6,515.74	0.00 %
<b>Revenue Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>6,515.74</b>	<b>6,515.74</b>	<b>0.00 %</b>
<b>Expense</b>							
<u>103-5-1030-11100</u>	Salaries & Wages	0.00	0.00	0.00	10,477.03	-10,477.03	0.00 %
<u>103-5-1030-11200</u>	Overtime	0.00	0.00	0.00	2,604.08	-2,604.08	0.00 %
<u>103-5-1030-11400</u>	Retirement - TMRS	0.00	0.00	0.00	101.77	-101.77	0.00 %
<u>103-5-1030-11500</u>	FICA	0.00	0.00	0.00	88.47	-88.47	0.00 %
<u>103-5-1030-11700</u>	Workers' Compensation	0.00	0.00	0.00	16.26	-16.26	0.00 %
<u>103-5-1030-11800</u>	Unemployment Compensation	0.00	0.00	0.00	9.40	-9.40	0.00 %
<u>103-5-1030-21100</u>	Supplies	0.00	0.00	0.00	5,728.54	-5,728.54	0.00 %
<u>103-5-1030-22600</u>	Computers & Associated Equip	0.00	0.00	0.00	10,236.38	-10,236.38	0.00 %
<u>103-5-1030-31100</u>	Communications	0.00	0.00	0.00	37.99	-37.99	0.00 %
<b>Expense Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>29,299.92</b>	<b>-29,299.92</b>	<b>0.00 %</b>
<b>Fund: 103 - COVID-19 CARES Act Fund Surplus (Deficit):</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-22,784.18</b>	<b>-22,784.18</b>	<b>0.00 %</b>
<b>Report Surplus (Deficit):</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-22,784.18</b>	<b>-22,784.18</b>	<b>0.00 %</b>

Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 103 - COVID-19 CARES Act Fund</b>						
Revenue	0.00	0.00	0.00	6,515.74	6,515.74	0.00 %
Expense	0.00	0.00	0.00	29,299.92	-29,299.92	0.00 %
<b>Fund: 103 - COVID-19 CARES Act Fund Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-22,784.18</b>	<b>-22,784.18</b>	<b>0.00 %</b>
<b>Report Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-22,784.18</b>	<b>-22,784.18</b>	<b>0.00 %</b>



**Fund Summary**

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
103 - COVID-19 CARES Act Fund	0.00	0.00	0.00	-22,784.18	-22,784.18
Report Surplus (Deficit):	0.00	0.00	0.00	-22,784.18	-22,784.18

**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER CARES ACT EXPENDITURES FOR FY 20-21.**

**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
<b>Fund 103 – COVID-19 CARES ACT FUND</b>					
<u>Revenues-4</u>					
1030	City Special	Other Income	59945	\$6,515.74	
0000	Non-Dept	Transfer from Fund 001	75001	\$22,784.18	
<u>Expenditures-5</u>					
1030	City Special	Salaries & Wages	11100	\$10,477.03	
1030	City Special	Overtime	11200	\$2,604.08	
1030	City Special	Retirement	11400	\$101.77	
1030	City Special	FICA	11500	\$88.47	
1030	City Special	Workers Compensation	11700	\$16.26	
1030	City Special	Unemployment	11800	\$9.40	
1030	City Special	Supplies	21100	\$5,728.54	
1030	City Special	Computers & Assoc Equip	22600	\$10,236.38	
1030	City Special	Communications	31100	\$37.99	
<b>Fund 001 – General Fund</b>					
<u>Expenditures-5</u>					
6900	Transfers	Transfer to Fund 103	80103	\$22,784.18	

[To amend the City of Kingsville FY 20-21 Budget to cover CARES ACT expenditures for FY 20-21. Funding will come from the unappropriated fund balance of General Fund.]

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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **AGENDA ITEM #16**

**City of Kingsville**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 22, 2021

SUBJECT: FEMA Winter Storm Event Grant Expenditures Budget Amendment

---

**Summary:**

The City received notification that we could submit expenditures for reimbursement that occurred during the winter storm event. During the eligible period, the City incurred \$15,808.02 of eligible expenditures. The due date to have everything submitted is May 20, 2021.

**Financial Impact:**

Receiving reimbursements for eligible expenditures will save on the regular budget as the expenditures were necessary.

**Recommendation:**

Staff recommends the approval of the FEMA Winter Storm Event budget amendment.





City of Kingsville, TX

## Budget Report Account Summary

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

		Original	Current	Period	Fiscal	Variance	Percent
		Total Budget	Total Budget	Activity	Activity	Favorable (Unfavorable)	Remaining
<b>Fund: 112 - FEMA - Winter Storm Event</b>							
<b>Expense</b>							
<u>112-5-1030-21100</u>	Supplies	0.00	0.00	0.00	2,925.44	-2,925.44	0.00 %
<u>112-5-1030-21500</u>	Motor Gas & Oil	0.00	0.00	0.00	6,079.86	-6,079.86	0.00 %
<u>112-5-1030-31400</u>	Professional Services	0.00	0.00	0.00	6,802.72	-6,802.72	0.00 %
<b>Expense Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>15,808.02</b>	<b>-15,808.02</b>	<b>0.00 %</b>
<b>Fund: 112 - FEMA - Winter Storm Event Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>15,808.02</b>	<b>-15,808.02</b>	<b>0.00 %</b>
<b>Report Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>15,808.02</b>	<b>-15,808.02</b>	<b>0.00 %</b>

Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

Group Summary

Account Typ...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 112 - FEMA - Winter Storm Event Expense	0.00	0.00	0.00	15,808.02	-15,808.02	0.00 %
Fund: 112 - FEMA - Winter Storm Event Total:	0.00	0.00	0.00	15,808.02	-15,808.02	0.00 %
Report Total:	0.00	0.00	0.00	15,808.02	-15,808.02	0.00 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
112 - FEMA - Winter Storm Event	0.00	0.00	0.00	15,808.02	-15,808.02	0.00 %
Report Total:	0.00	0.00	0.00	15,808.02	-15,808.02	0.00 %



**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER FEMA-WINTER STORM EVENT GRANT EXPENDITURES SUBMITTED FOR REIMBURSEMENT.**

**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
<b>Fund 112 – FEMA-Winter Storm Event</b>					
<u>Revenues-4</u>					
0000	Non-Dept	Federal Grant	72005	\$15,808.02	
<u>Expenditures-5</u>					
1030	City Special	Supplies	21100	\$2,925.44	
1030	City Special	Motor Gas & Oil	21500	\$6,079.86	
1030	City Special	Professional Services	31400	\$6,802.72	

[To amend the City of Kingsville FY 20-21 Budget to cover FEMA Winter Storm Event grant expenditures submitted for reimbursement. Funding will come from the grant funding that will be received for eligible expenditures.]

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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 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**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: April 27, 2021

SUBJECT: Additional Audit Services Costs Budget Amendment

---

**Summary:**

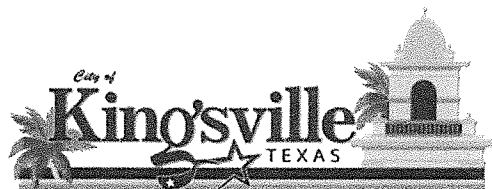
The FY 19-20 audit has just been completed and additional hours were necessary due to the complexity of the bond refunding and the Single Audit that was required due to the CARES ACT funding. These additional hours resulted in an increased cost of \$15,000 that was unforeseen when the budget was adopted.

**Financial Impact:**

The current budget for the Finance Administration division cannot absorb the additional \$15,000 cost. Funding for this budget amendment will come from the unappropriated fund balance for General Fund 001.

**Recommendation:**

Staff recommends the approval of the additional audit services cost budget amendment.



**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER ADDITIONAL AUDIT SERVICES 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
<b>Fund 001 – General Fund</b>					
<u>Expenditures-5</u>					
1801	Finance Admin	Prof Serv-Auditing	31470	\$15,000	

[To amend the City of Kingsville FY 20-21 Budget to cover additional audit services costs. Funding will come from the unappropriated General Fund 001 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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

# **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: May 3, 2021

SUBJECT: Engineering In-Kind Services Budget Amendment

---

**Summary:**

The City was awarded the Safe Routes to School Grant (Fund 100) and it came with a match that we were going to satisfy with in-kind Engineering services of \$56,908. The adopted budget reduced the Engineering Salary budget by the match and recorded In-Kind Engineering services budget as Professional Services in the Grant Fund. Engineering is not able to provide In-Kind Services on this grant at this time as we were awarded 100%, which now requires the reduced budgeted amount to be returned to the Engineering budget to cover regular salaries.

**Financial Impact:**

Utility Fund's fund balance will have a reduction of \$56,908.

**Recommendation:**

Staff recommends the approval of the budget amendment.





**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO REPLACE THE ENGINEERING SERVICES SALARY BUDGET WHICH WAS BUDGETED FOR IN-KIND ENGINEERING SERVICES IN THE SAFE ROUTES TO SCHOOL GRANT.**

**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
<b>Fund 051 – Utility Fund</b>					
<u>Expenditures-5</u>					
8000	Engineering	Salaries	11100	\$56,908	
<b>Fund 100 – Safe Routes to School Grant</b>					
<u>Expenditures-5</u>					
3050	Streets	Professional Services	31400		\$56,908

[To amend the City of Kingsville FY 20-21 Budget to replace the Engineering Services salary budget which was budgeted for In-Kind Engineering Services in the Safe Routes to School budget. Funding will come from the unappropriated Utility Fund 051 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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #19**

**City of Kingsville**  
**Public Works, Wastewater Division**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: May 3, 2021

SUBJECT: Fund Correction on BA #17 – Ordinance #2021-14

---

**Summary:**

BA #17 adopted by ordinance 2021-14, had the wrong Fund in the body of the ordinance. It stated it was to be recorded in Fund 017 and should have read Fund 001. This submittal is to correct the Fund number.



**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO ACCEPT AND EXPEND DONATION FROM NUSTAR ENERGY FOR EQUIPMENT MAINTENANCE AND SUPPLIES.**

**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
<b>Fund 017 – Local Borderstar Security Program</b>					
<b>Fund 001 – General Fund</b>					
<u>Revenues</u>					
0000	Fire	Donations	72030	(\$1,750)	
<u>Expenditures</u>					
2200	Fire	Equipment Maintenance	41400	\$1,750	

[To amend the City of Kingsville FY 20-21 Budget to accept and expend donation from NuStar Energy for equipment maintenance and supplies. Funds will come from the donation 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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #20**

# City of Kingsville Police Department

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: April 29, 2021

SUBJECT: Request for budget amendment for overtime funds for overtime in Patrol Division 2102, Communications Division 2103, and Criminal Investigations Division 2104

---

## Summary:

Our department over the last two years has had an unexpected turnover in personnel in our sworn officer positions as well as our licensed telecommunicator positions. This has caused major shortages in manning the different divisions of the department creating overtime. The Criminal Investigations Division has also had an inordinate amount of major cases that needed immediate attention to solve and bring criminals to justice.

## Background:

### Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Division: 2102 - Patrol						
Category: 10 - Personnel Services						
<u>001-5-2102-1100</u> Salaries & Wages	1,720,625.00	1,720,625.00	110,226.17	658,854.28	861,770.72	49.92 %
<u>001-5-2102-1100</u> Overtime	149,877.00	149,977.00	18,870.77	133,484.42	6,492.58	95.36 %

### Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Division: 2103 - Communications						
Category: 10 - Personnel Services						
<u>001-5-2103-1100</u> Salaries & Wages	509,135.00	509,135.00	28,615.92	233,144.76	275,990.24	45.79 %
<u>001-5-2103-1100</u> Overtime	32,634.00	32,634.00	5,295.07	29,688.18	2,945.82	90.97 %





# City of Kingsville Police Department

## Budget Report

For Fiscal: 10/2020-09/2021 Period Ending: 04/30/2021

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Division: 2104 - Crim Investigation Div							
Category: 10 - Personnel Services							
<u>00000000000000000000</u>	Salaries & Wages	671,690.00	671,690.00	54,915.58	364,147.47	307,542.53	54.21 %
<u>00000000000000000000</u>	Overtime	15,143.00	15,143.00	3,629.01	13,389.04	1,753.96	88.42 %

## Financial Impact:

Breakdown of request by division to include benefits courtesy of Finance Director, Deborah Balli.

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
<b>Fund 001 – General Fund</b>					
<u>Expenditures-5</u>					
2102	Patrol	Overtime	11200	\$80,000	
2103	Communications	Overtime	11200	\$28,000	
2104	CID	Overtime	11200	\$12,000	
2102	Patrol	Retirement	11400	\$7,080	
2103	Communications	Retirement	11400	\$2,478	
2104	CID	Retirement	11400	\$1,062	
2102	Patrol	FICA	11500	\$6,120	
2103	Communications	FICA	11500	\$2,142	
2104	CID	FICA	11500	\$918	
2102	Patrol	Workers Comp	11700	\$64	
2103	Communications	Workers Comp	11700	\$23	
2104	CID	Workers Comp	11700	\$10	
2102	Patrol	Life Insurance	12300	\$173	
2103	Communications	Life Insurance	12300	\$61	
2104	CID	Life Insurance	12300	\$26	
		Total		\$140,157	



**City of Kingsville  
Police Department**

**Recommendation:**

We request that our budget amendment to cover overtime cost for the remaining fiscal year for the patrol division, communications division and criminal investigations divisions be approved to cover the unforeseen overtime. Thank you for your assistance.



**ORDINANCE NO. 2021-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO COVER ADDITIONAL OVERTIME FOR THE POLICE DEPARTMENT.**

**WHEREAS**, it was unforeseen when the budget was adopted that there would be a need for funding for these expenditures this fiscal year.

I.

**BE IT ORDAINED** by the City Commission of the City of Kingsville that the Fiscal Year 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
<b>Fund 001 – General Fund</b>					
<u>Expenditures-5</u>					
2102	Patrol	Overtime	11200	\$80,000	
2103	Communications	Overtime	11200	\$28,000	
2104	CID	Overtime	11200	\$12,000	
2102	Patrol	Retirement	11400	\$7,080	
2103	Communications	Retirement	11400	\$2,478	
2104	CID	Retirement	11400	\$1,062	
2102	Patrol	FICA	11500	\$6,120	
2103	Communications	FICA	11500	\$2,142	
2104	CID	FICA	11500	\$918	
2102	Patrol	Workers Comp	11700	\$64	
2103	Communications	Workers Comp	11700	\$23	
2104	CID	Workers Comp	11700	\$10	
2102	Patrol	Life Insurance	12300	\$173	
2103	Communications	Life Insurance	12300	\$61	
2104	CID	Life Insurance	12300	\$26	
		Total		\$140,157	

[To amend the City of Kingsville FY 20-21 Budget to cover additional overtime for the Police Department. Funding will come from FY 19-20 budget savings from CARES ACT funding.]

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 10th day of May 2021.

**PASSED AND APPROVED** on this the 24th day of May 2021.

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

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## **AGENDA ITEM #21**

## City of Kingsville Police Department

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin/City Manager

FROM: Ricardo Torres, Chief of Police

DATE: April 29, 2021

SUBJECT: Request for resolution to apply to the Ed Rachal Foundation for equipment.

---

### **Summary:**

The Kingsville Police Department is requesting a resolution to apply to the Ed Rachal Foundation for equipment.

### **Background:**

The Kingsville Police Department responds to incidents throughout the Coastal Bend as a member of the Coastal Bend COG and because of the existing Memorandum of Understanding to aid other cities and counties in our Coastal Bend Council of Governments. During several of these incidents where our neighbor entities requested assistance with both manpower and equipment, we were able to send both to quash an incident.

### **Financial Impact:**

Critical gear replacement for our tactical team operations will be purchased with this funding. Our current gear is well over seventeen years old. Kingsville SWAT members will be able to enter facilities to halt or secure terrorism related threats and other threats or hazards within our region with multipurpose equipment.

The FM54 by AVON fire hardened Air Purifying Respirator will provide our Operators maximum level of protection to the face, eyes and respiratory tract from Chemical, Biological, Radiological, Nuclear and Environmental (CBRNE), Riot Agents, Toxic Industrial Chemicals (TICs) and Toxic Industrial Materials (TIMs) while maintaining extreme user flexibility as mission profiles change. This essential equipment also comes with a full range of filters to meet a variety of mission profiles along with full range of removable vision outserts to provide additional ballistic protection and comfortable operation. The flexibility also spills over to an optional low-profile voice projection unit with internal microphone that will be purchased because of the need for communications between operators and command in an incident response.

The budget for the equipment is listed below:



## City of Kingsville Police Department

- 25 AVON-70501-697-7\* FM54 Twinport Specialist Responder Kit MED \$820.00 per unit for a total cost of \$20,500.00.
- 25 AVON-602651\* Gen 2 VPU/Mic \$546.87 per unit for a total cost of \$13,671.75.

SWAT is outfitted currently with Colt and Bushmaster AR-15's. We currently do not have any lighting systems on the weapons for responses to mass casualty, CBRNE, barricaded subjects etc. In order to insure that our tactical operators are able to readily identify a target prior to sending a bullet downrange is critical. Especially during this time of scrutiny on police operations and the litigious atmosphere in our nation. Since we do respond on a regional level it will also safeguard other governmental entities from that litigation and insure that we do not injure the innocent.

The budget for the equipment is listed below:

- 25 FL1452 SUREFIRE M600DF DUAL FUEL LED SCOUT \$296.00 per unit for a total cost of \$7,400.00.
- 25 FL775 SUREFIRE REMOTE DUAL SWITCH \$101.00 per unit for a total cost of \$2,525.00.
- GRAND TOTAL REQUEST \$44,096.75

This grant does not have a cash match but we understand from other entities that have applied that on occasion they may only approve partial funding of the grants.

### **Recommendation:**

We request a resolution to apply to the Ed Rachal Foundation for equipment as well as approval of an associated budget amendment for inclusion in this year's budget to expend the fund and then put in for reimbursement of said funds.





## ED RACHAL FOUNDATION

Print

### **ELIGIBILITY**

**GRANTS** shall only be awarded to exempt organizations qualified under IRS Code 501(c)(3) or governmental entities and must be used for charitable, scientific, literary or educational purposes in accordance with IRS 501(c)(3) guidelines.

All grant funds must be expended for exempt purposes within the State of Texas.

Grants shall not be given to individuals.

**APPLICANTS** may only submit one application per fiscal year. The Foundation's fiscal year is from September 1st to August 31st.

### **APPLICATION PROCESS**

The Ed Rachal Foundation accepts applications at any time. If a grant is awarded, the applicant will be notified of the award by mail.

- Applications should be submitted via email to [info@edrachal.org](mailto:info@edrachal.org) and should be contained in ONE PDF file only.
- Only grant applications using our **Grant Application Form** will be accepted.
- Please include a cover page for each exhibit.

### **APPROVAL PROCESS**

Applicants whose proposals have been approved will receive a Grant Agreement to be signed by an authorized official and returned to the Foundation's office.



## **APPLICATION FORM INSTRUCTIONS**

**Legal Name of Organization:** This is the legal name as it **EXACTLY** appears on your Articles of Incorporation.

**Assumed Name / Doing Business As:** You may apply under your Assumed Name or Doing Business As Name; however, we must have appropriate documentation that the name is being used legally. In order to use the Assumed Name you must include either your d/b/a Certificate or Assumed Name Certificate for evidence. If you fail to include the certificate, we cannot use your assumed name. **Note: This is for legal name changes only. Do not refer to names you call yourselves or acronyms.**

**Mailing Address:** Is the address to which all correspondence is to be sent. It is not necessary to give both a mailing and physical address.

**Federal Tax ID Number:** This is your 9 digit number used to file your income tax return.

**Telephone and Fax Numbers:** Please include the area code with telephone and fax numbers.

**Contact Information:** Name and telephone number (with extension) of the person to be contacted at the organization. The contact person should have an official position with the organization and not be an independent contractor or grant writer.

**Contact Person Address:** This is the address where correspondence is sent directly to the preparer of the grant application. For example: The University Foundation may be the organization to which the grant funds are made payable, but the contact person will have an address at the university campus for which the funds are being requested. The address must be consistent with the organization – **do not list a personal residence.**

**Organizational Mission:** Fill in the text box with a brief mission statement of the organization.

**Brief Description of Organization:** Describe your organization.

**Geographic Area Served:** Describe the geographic area in Texas that is served.

**Previous Grants Received:** List the most recent grant amounts and their dates that you have received from us.

**Proposal Request:** If the project has a specific name you may reference it here. Or, you may simply indicate the funds will be used for "General Operating Funds" "Capital Campaign" or "Scholarship Assistance".

**Amount of Funds:** This is the amount of funds you are requesting for the project. Do not leave this field blank. Grants may be awarded for amounts different from what is requested.

**Description of Project:** In the space provided, please give a description of the project for which funds are being requested, how funds will be utilized and the anticipated impact.

**Sign and Date:** The appropriate authorized person must execute the Grant Application Form.

**EXHIBIT A – IRS Determination Letter:** A copy of the latest determination letter issued by the Internal Revenue Service regarding the organization's current tax-exempt status under Section 501(c)(3) or Section 170(c). If you fall under a group ruling, you will need to send the (i) IRS letter granting group status, and (ii) documentation proving that your organization qualifies under the group. For example: Catholic Entities will send in the group letter issued to the United States Conference of Catholic Bishops, and then photocopy the cover page of "The Official Catholic Directory for the current year as well as photocopy the page where the organization is listed. (Please highlight or mark place on the page).

**EXHIBIT B – Tax Return and Financial Statements:** Submit your most recent Tax Return **AND** Financial Statements, audited if available. Please send **unbound** copies. If you are unable to send any financial information, you will need to provide a list showing the \$ amount of any gifts or grants received in the last 5 years as well as provide a list showing the \$ amount of any revenue in the last 5 years (describe the type of revenue). This will require additional analysis to be performed and will extend the grant review process.

**EXHIBIT C – Corporate Documents:** Please include the most recent following documents:

C-1 Certificate of Incorporation **OR** Certificate of Formation for Non-Profit Corp

C-2 Articles of Incorporation **OR** Articles of Formation

C-3 Bylaws

C-4 List of Board of Directors to include addresses and phone numbers

**EXHIBIT D – Donor Requests:** Attach a separate sheet of paper listing all other funding sources. List the name of the organization, the amount of funds requested, and the status of each request. Indicate whether the funding request is pending (P), declined (D), or approved (A).

**EXHIBIT E – Relationships:** Attach a separate sheet of paper listing each Board Member or Management Staff that has ANY relationship/acquaintance with any of the Ed Rachal Foundation's Board Members. Please provide a detail explanation of the relationship whether it is social, business or familial.

### **NOT ALL PROJECTS CAN BE FUNDED**

The Board of Directors is responsible for the final approval of each grant. Since the Foundation receives funding requests far in excess of its ability to fund, only

a small portion of requests can be approved. A decision not to fund a proposal does not reflect on the merits of the applicant or the value of the proposal.

## **NO COMMEMORATIVE ITEMS**

The Foundation desires that all resources of any Grantee be dedicated to accomplishing its philanthropic purposes. Accordingly, Grantees agree not to recognize the Foundation, its board members or staff with any commemorative items. Any form of public announcement should be pre-approved by the Ed Rachal Foundation. When writing to the Ed Rachal Foundation regarding a grant received, please reference the grant number.

[GO TO GRANT APPLICATION](#)

**Address:**

555 N. Carancahua St., Suite 700  
Corpus Christi, Texas 78401

© 2018 Ed Rachal Foundation

**Phone:**

(361) 881-9040

**Email:**

[info@edrachal.org](mailto:info@edrachal.org)

**RESOLUTION # 2021-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN APPLICATION TO THE ED RACHAL FOUNDATION FOR GRANT FUNDS FOR EQUIPMENT FOR THE KINGSVILLE POLICE DEPARTMENT.**

**WHEREAS**, the City Commission of the City of Kingsville finds it in the best interest of the citizens of Kingsville that the Kingsville Police Department participate in an application for grant monies for equipment to be used by the SWAT team members; and

**WHEREAS**, the SWAT team has the need for respirators and tactical equipment to ensure they are able to meet the needs presented from various service calls; and

**WHEREAS**, the Kingsville Police Department has been called on to provide assistance to neighboring communities who also participate in the Coastal Bend Council of Governments Master Mutual Aid Agreement; and

**WHEREAS**, the requested equipment would assist with the diverse types of scenarios that can be encountered when the SWAT team responds to an event; and

**WHEREAS**, the Ed Rachal Foundation does not require a cash match and may award part, none, or all of the funds requested, though any monetary award would require a budget amendment; and

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

**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 Ed Rachal Foundation for equipment for the Kingsville Police Department, with no anticipated cash match and authorizes the Police Chief to submit the grant and administer the grant and necessary paperwork if the grant is awarded to the City.

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 10th day of May, 2021.

---

Sam R. Fugate, Mayor

**ATTEST:**

---

Mary Valenzuela, City Secretary

**APPROVED AS TO FORM**

---

Courtney Alvarez, City Attorney

## **AGENDA ITEM #22**

## City of Kingsville Police Department

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin/City Manager

FROM: Ricardo Torres, Chief of Police

DATE: April 30, 2021

SUBJECT: Request for resolution to apply for the Governmental Alternative Fuel Fleet Grant Program (GAFF) for Zero Electronic Police Motorcycles

---

### **Summary:**

The Kingsville Police Department is requesting a resolution to apply to the Texas Commission on Environmental Quality under the (TERP) Texas Emissions Reduction Plan for the Governmental Alternative Fuel Fleet Grant Program (GAFF) for the purchase of two (2) Zero Electric Police Motorcycles.

### **Background:**

We currently have four Suzuki 250 Enduro Motorcycles that we use for special events and special duties. We see an opportunity to innovate and test 2 Zero Motorcycles to examine if they are viable alternatives for traffic enforcement, traffic control, escorts and even responding to calls for service. This would obviously result in lower fuel costs and officers would be able to respond more quickly especially in apartment complexes where they can actually drive right up to an apartment rather than park out in the lot.

### **Financial Impact:**

This particular grant allows for associated cost to replace a Class 1 Vehicle (GVWR up to 6,000) in the amount of \$15,000.00 per vehicle. We will be replacing two of our current gasoline powered enduro motorcycles with two Zero Motorcycles outfitted with police equipment. Therefore, our request will be for \$30,000.00 to cover part of the cost for the vehicles.

The cost for two ZERO DSRP Motorcycle Base Police Package, Light Package: Red & Blue and accessories comes to \$45,270.00.

Additional funds would be needed for helmets and communications headsets and PTT for those communications. We would like to allocate **\$20,000.00** from Chapter 59 to cover the \$15,270.00 not covered by the grant and an additional amount of \$4,730.00 for the helmets and associated costs.



## City of Kingsville Police Department

### **Recommendation:**

We request a resolution to apply to the Texas Commission on Environmental Quality under the (TERP) Texas Emissions Reduction Plan for the Governmental Alternative Fuel Fleet Grant Program (GAFF). In anticipation of an award we would also request a budget amendment to include the purchase of these vehicles by the police department.





# ZERO

## MOTORCYCLES®

Address: 380 El Pueblo Road  
Scotts Valley, CA 95066  
U.S.A.  
Phone: 831-438-3500 x105  
[www.zeromotorcycles.com](http://www.zeromotorcycles.com)

Reference/Order # : Quote050321

## Budgetary Quote

May 3, 2021

Ship To: Kingsville Police Department  
1700 E King Avenue  
Kingsville, TX 78363  
Attention: Chief Ricardo Torres  
Email: [chief@kingsvillepd.us](mailto:chief@kingsvillepd.us)

From: Zero Motorcycles, Inc.  
380 El Pueblo Road  
Scotts Valley, CA. 95066  
Kevin Hartman - Sales Director  
(831)438-3500 x105

Product	Description	Qty.	U/M.	Type of Pkgs.	Unit Value	Weight	Total Value
	<b>Zero DSRP Motorcycle Base Police Package</b>						
00-08571	<b>21MY DSRP NA ZF14.4 ABS WHITE</b>	2	EA	N/A	\$19,995.00	N/A	\$39,990.00
01-08097	<b>Light Package: Red &amp; Blue</b>	2	EA	N/A	Included	N/A	Included
	<b>Accessories</b>						
10-08119	<b>Zero Side Cases by Givi and Rack Kit</b>	2	EA	N/A	\$600.00	N/A	\$1,200.00
10-05728	<b>Zero Top Box by Givi and Rack Kit</b>	2	EA	N/A	\$400.00	N/A	\$800.00
10-08058	<b>Touring Screen</b>	2	EA	N/A	\$250.00	N/A	\$500.00
10-08061	<b>Zero Hand Guards (White)</b>	2	EA	N/A	\$170.00	N/A	\$340.00
10-08131	<b>Zero Parking Brake</b>	2	EA	N/A	\$250.00	N/A	\$500.00
10-07057	<b>LED License Plate Kit</b>	2	EA	N/A	\$220.00	N/A	\$440.00
10-08093	<b>Rain Guard</b>	2	EA	N/A	\$25.00	N/A	\$50.00
10-07504	<b>12V Accessory Socket Kit</b>	2	EA	N/A	\$50.00	N/A	\$100.00
10-05740	<b>12V Accessory W Harness</b>	2	EA	N/A	\$110.00	N/A	\$220.00
10-05736	<b>Zero Smartphone Mount By Ram</b>	2	EA	N/A	\$70.00	N/A	\$140.00
N/A	<b>Harmonized Shipping</b>	2	EA	Fibreboard Crate	\$495.00	N/A	\$990.00
						<b>Total:</b>	<b>\$45,270.00</b>

**Comments:** Base Police Package includes: Drop Bars, Front, Side and Rear-facing Emergency Lights, Programmable Siren and PA with Microphone, and Stealth Mode Switch (Headlight/tail light/dash light cut switch).

Sales Tax, if applicable, dealer preparation and handling, documentation fees, and registration fees are not included in this quote.

Zero Motorcycles sells exclusively through authorized dealers. This quote is being provided for budgetary purposes only, and a formal quote or invoice will be provided to you by an authorized dealer should you wish to make a purchase. For a list of authorized dealers in your area, please contact Kevin Hartman at 630-408-4368, [kevin.hartman@zeromotorcycles.com](mailto:kevin.hartman@zeromotorcycles.com), or use the Dealer Locator at [www.zeromotorcycles.com](http://www.zeromotorcycles.com).

# Governmental Alternative Fuel Fleet Grant Program (GAFF)

Project Application Form  
TCEQ-20908  
Solicitation No. 582-21-22544



A PROGRAM OF TCEQ

## Eligible Areas:

Grants under this solicitation are available statewide but priority is given to projects in a nonattainment area or in an affected county. Refer to Appendix A for a map of the nonattainment and affected counties for this Request for Grant Applications (RFGA).

## Nonattainment Areas:

**Dallas-Fort Worth Area:** Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties

**El Paso Area:** El Paso County

**Houston-Galveston-Brazoria Area:** Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties

**San Antonio Area:** Bexar County

## Affected Counties:

Bastrop, Caldwell, Comal, Ellis, Gregg, Guadalupe, Harrison, Hays, Henderson, Hood, Hunt, Johnson, Kaufman, Nueces, Parker, Rockwall, Rusk, San Patricio, Smith, Travis, Upshur, Williamson, and Wilson Counties

**Eligible Applicants:** Eligible applicants include state agencies, counties, municipalities, school districts, junior college districts, river authorities, water districts or other special districts, or other political subdivisions created under the constitution or a statute of this state that operate a fleet of more than 15 motor vehicles, including a mass transit or school transportation provider or other public entity established to provide public or school transportation services, but excluding motor vehicles that are owned and operated by a private company or other third party under contract with the entity.

**Eligible Activities:** Eligible activities include the purchase or lease of new alternative fuel or hybrid vehicles and refueling infrastructure and services for those vehicles.

**Application Deadline:** Applications will be accepted on a competitive basis until 12:00 a.m. CT on June 15, 2021. Applications may be submitted via TERP Online, electronic mail to [TERPapply@tceq.texas.gov](mailto:TERPapply@tceq.texas.gov), or by mail to one of the addresses below:

### Regular Post Delivery

Texas Commission on Environmental Quality  
Air Grants Division, MC-204  
P.O. Box 13087  
Austin, Texas 78711-3087



### Express Delivery

Texas Commission on Environmental Quality  
Air Grants Division, MC-204  
12100 Park 35 Circle  
Building F, 1st Floor, Room 1301  
Austin, Texas 78753

## Form 1: Applicant Information

### 1. Applicant Legal Name

--

### 2. Business Information

Ownership Code (Business Type):	-Select One-
Payee Identification Number (FEI):	

### 3. Authorized Official

The applicant or an employee who has legal authority to sign for and speak on behalf of the entity.

Prefix	-Select-	First		MI		Last		Suffix	
Title									
Primary Phone					Secondary Phone				
E-mail Address									
Mailing Address									
City				State			Zip Code		
Check here if the physical address is the same as the mailing address.									
Physical Address									
City				State			Zip Code		

### 4. Designated Project Representative

The applicant or an employee who will serve as the point of contact for this application.

Check here if the Designated Project Representative is the same as the Authorized Official									
Prefix	-Select-	First		MI		Last		Suffix	
Title									
Primary Phone					Secondary Phone				
E-mail Address									
Mailing Address									
City				State			Zip Code		
Check here if the physical address is the same as the mailing address.									
Physical Address									
City				State			Zip Code		

### 5. Designated Location for Records Access and Review by the TCEQ or its Representative

Please provide the physical address where records relating to this project may be accessed and reviewed.

Physical Address									
City				State			Zip Code		

## Form 2: Third-Party Preparer Signature Page

**1. Was this application prepared by a third-party?** ☐ Yes ☐ No

A third-party preparer is someone who is assisting in the preparation of the grant application, but who is not related to or a current employee of the applicant.

**2. Third-Party Preparer Certification.**

I hereby certify that, to the best of my knowledge and belief, all information provided in this application and any attachments is true and correct, as represented to me by the applicant. I understand that failure to sign the application or signing it with a false statement may make the submitted offer or any resulting contracts voidable.

**Third-Party Preparer Information.**

<b>Printed Name:</b>	
<b>Title:</b>	
<b>Company Name:</b>	
<b>Street Address:</b>	
<b>City, State, Zip Code:</b>	
<b>Phone Number:</b>	
<b>Email Address:</b>	
<b>Original Signature*:</b>	
<b>Date of Original Signature:</b>	

\*Please fill out the entire application before completing the electronic signature. The ability to edit, add, or remove information will be removed after the application is electronically signed.

## Form 3: Program Certifications

This section serves to assure the TCEQ that you understand and agree to the statements below. These provisions relate to the basic contract document which will be in force between the applicant and the TCEQ upon award of a grant. TCEQ urges applicants to download a copy of the example grant contract from [www.terpgrants.org](http://www.terpgrants.org) and review it so that any questions can be discussed early in the application review process.

By signing this application, you understand and certify compliance with all the statements below, as well as with any state statutes, regulations, policies, guidelines, and requirements as they relate to the application, acceptance, and use of funds for this project. **If any of these certifications change between submittal of the application and award of a contract, you will promptly notify TCEQ.**

### Activity Certifications

**1. Use of Funds.** Applicants must prioritize the following activities when using grant funds. Applicants must indicate their priority activity by checking one of the boxes below.

- ☐ The purchase or lease of new motor vehicles, including new motor vehicles that are converted to operate on an alternative fuel, when replacing vehicles or adding vehicles to the fleet.
- ☐ The purchase of new motor vehicles, including new motor vehicles that are converted to operate on an alternative fuel, to replace vehicles that have the highest total mileage and do not use an alternative fuel.
- ☐ To the extent feasible, obtaining, whether by purchase, purchase and conversion, or lease, motor vehicles that use Compressed Natural Gas (CNG), Liquefied Natural Gas (LNG), or Liquefied Petroleum Gas (LPG).

**2. Destruction Required for Replacement Projects.** For replacement activities, the grantee must provide verification to the TCEQ that an existing vehicle of the same type has been destroyed. In general, vehicles being replaced, including the engine, must be destroyed within 90 days of receiving verification from the TCEQ that the proof of purchase documentation for the grant-funded vehicles has been approved.

**3. Not Otherwise Required.** To the best of the applicant's knowledge, the proposed activities are not required by any state or federal law, rule or regulation, memorandum of agreement, or other legally binding contract.

**4. No Emissions Reductions Credits.** Activities funded under this program are not eligible to generate marketable credits under state or federal emissions reduction credit averaging, banking, or trading programs. If the project is funded, the applicant waives, for all time, its right to claim or apply for any emissions reduction credits from the use of the low-emission technology funded under this program.

**5. Not to Exceed 100% of Equipment Cost.** Any existing financial incentive that directly reduces the cost of the proposed activity, such as tax credits or deductions, other grants, or any other public financial assistance must be disclosed at the time proof of purchase documentation is provided to the TCEQ. The total grant amount plus financial incentives must not exceed the total eligible cost of the project.

**6. Failure to comply with certain contractual terms may require the grantee to return all or a share of the grant funds.** Grantees will be required to maintain the grant-funded vehicles in proper operating condition and to obtain sufficient replacement insurance to repair or replace the vehicles if they are damaged or destroyed during the Contract Period. Grantees must agree to notify the TCEQ of any termination of use, change in use, sale, transfer, or accidental or intentional destruction of grant-funded vehicles during the Contract Period. Grantees will be required to return all, or a pro-rata share of the grant funds for failure to maintain and operate the vehicles for the duration of the Contract Period.

**7. Requirement to Monitor.** Grantees will not be required to submit annual reports on the use of the grant-funded vehicles and equipment. However, the grantee must agree to provide information on the use of the vehicles upon request by the TCEQ. The grantee must also agree to provide the TCEQ and/or the State Auditor, or their representatives, access to the vehicles and to records regarding use of the vehicles.

**8. Insurance Coverage.** Grantees must maintain, for the Contract Period, property loss insurance or self-insurance coverage on any vehicle and/or equipment acquired, leased, repowered, retrofitted, or constructed using these funds, sufficient to cover the costs of reimbursing the state for its pro-rata share of the vehicle or equipment costs.

**9. Legal Authority.** The applicant has the legal authority in the State of Texas to apply for the grant. The applicant's governing body has authorized the filing of the application, understands these requirements and certifications, and has authorized the person identified as the Authorized Official to act in connection with the application and to provide such additional information as may be required.

### Administrative and State Contracting Certifications

**1. Uniform Grant Management Standards.** The applicant will comply with the Uniform Grant Management Standards (UGMS), adopted June 2004 by the Texas Comptroller of Public Accounts in accordance with Texas Government Code Chapter 783, or any subsequent update. This document is available at: <http://www.comptroller.texas.gov/purchasing/docs/ugms.pdf>.

**2. Procurement of Goods and Services.** In procuring goods and services, the applicant will comply with UGMS Part III. State Uniform Administrative Requirements for Grants, \_\_.36 Procurement. All procurement transactions will be conducted in a manner providing full and open competition.

**3. Historically Underutilized Businesses (HUBs).** Qualified HUBs, as defined and designated under state law, shall have the maximum practicable opportunity to participate in the performance of the work arising out of this project.

**4. Nondiscrimination.** The applicant will comply with all State and Federal statutes relating to nondiscrimination.

**5. Grant Administration.** The applicant will maintain an appropriate grant administration system to ensure that all terms, conditions, and specifications of the grant, including these certifications and assurances, are met.

**6. Audit.** Acceptance of funds under this program acts as acceptance of the authority of the State Auditor's Office, or any successor agency, to conduct an audit or investigation in connection with those funds. The applicant or other entity that may receive funds directly or indirectly from TCEQ must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit. Applicant will include this clause concerning the authority to audit funds received indirectly and the requirement to cooperate in any subcontract it awards.

**7. Debt to the State.** The applicant is not indebted to the state or has an outstanding tax delinquency. The applicant must comply with all State and Federal tax laws and fee requirements and is solely responsible for filing all State and Federal tax and fee forms.

**8. Debarment.** The applicant certifies that the applying entity and its principals are eligible to participate in this transaction and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state or local governmental entity.

**9. Conflict of Interest.** The applicant has not given, offered to give, nor intends to give any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted application. Under Texas Government Code Section 2155.004, no person involved in the preparation of the Request for Grant Applications may have financial interest in this application. If the applicant is not eligible, then any contract resulting from this application shall be immediately terminated. Furthermore, under Texas Government Code Section 2155.004, the applicant certifies that the individual or business entity named in this application or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated, and payment withheld if this certification is inaccurate. All purchase decisions must be based on sound business decisions and arm's length bargaining.

**10. Contracting with an Executive of a State Agency.** Under Texas Government Code Section 669.003, relating to contracting with an executive head of a state agency, the applicant represents that no person who, in the past four years, served as an executive of the TCEQ or any other state agency, was involved with or has any interest in this application. If applicant employs or has used the services of a former executive head of TCEQ or other state agency, the applicant shall provide the following information: name of former executive, name of state agency, date of separation from state agency, position with applicant, and date of employment with applicant.

**11.** Under Texas Government Code Section 2155.006, the applicant certifies that the individual or business entity named in this application is not ineligible to receive the specified contract and acknowledges that any contract resulting from this application may be terminated and payment withheld if this certification is inaccurate.

**12.** The applicant has not been adjudicated during the three-year period immediately preceding the application signature date to have committed substantive, non-clerical violations resulting in an actual release of hazardous waste that presented an imminent and substantial danger to the public health and safety or the environment.

**13.** The applicant, nor any of its officers, have been adjudicated by a court of law to have violated the Texas Deceptive Trade Practices Act.

**14. Abortion Funding Limitation.** The applicant represents and warrants that any payments made by TCEQ with appropriated funds, should a contract be awarded, are not prohibited by Article IX, Section 6.25 of the General Appropriations Act, 86th Legislative Session (2019), nor by Texas Government Code Chapter 2272 Prohibited Transactions [Senate Bill 22, 86th Legislative Session (2019)].

**15. Excluded Parties.** Applicant represents and warrants that it is not listed in the prohibited vendors lists authorized by Executive Order No. 13224, "Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism," published by the United States Department of the Treasury, Office of Foreign Assets Control. Applicant will notify TCEQ if it can no longer make this representation.

## Form 4: Certification of Eligibility to Receive a State-Funded Grant

All applicants must complete this form to certify eligibility to receive a grant under this program, regardless if child support obligations apply to the applicant. Failure to submit this form may result in rejection of the application.

### Certification Regarding Child Support Obligations.

Under Section 231.006, Texas Family Code, a child support obligor who is more than 30 days delinquent in paying child support and a business entity in which the obligor is a sole proprietor, partner, shareholder, or owner with an ownership interest of at least 25%, is not eligible to receive a state-funded grant or loan. All applicants must include in the application the name and social security number of the individual or sole proprietor and each partner, shareholder, or owner with an ownership interest of 25% of the business entity submitting the application.

FEDERAL PRIVACY ACT NOTICE: This notice is given pursuant to the Federal Privacy Act. Disclosure of your Social Security Number (SSN) is required under Section 231.006(c) and Section 231.302(c)(2) of the Texas Family Code. The SSN will be used to identify persons that may owe child support. The SSN will be kept confidential to the fullest extent allowed under Section 231.302(e), Texas Family Code.

### Please Check One of the Following Applicant Options.

1. Individual or sole proprietorship	
2. One or more individuals own 25% or more of the business entity	
3. No individual owns 25% or more of the business entity	
4. Governmental entity	

If Option 1 or 2 is checked, list the name(s) and social security number(s) (SSN) below.

Name:		Social Security Number (SSN):	
Name:		Social Security Number (SSN):	
Name:		Social Security Number (SSN):	
Name:		Social Security Number (SSN):	
Name:		Social Security Number (SSN):	

I certify that to the best of my knowledge and belief that the individual or business entity submitting this application is eligible to receive a grant. I acknowledge that the grant contract may be terminated, and any payments withheld if this certification is inaccurate.

Initial*:		Date:	
-----------	--	-------	--

\*Please fill out the entire application before completing the electronic signature. The ability to edit, add, or remove information will be removed after the application is electronically signed.

**Form 5: Vehicle Information**

Activity No. \_\_\_\_

1. **New Vehicle Information.** Please refer to Section 2.3.1 of the Request for Grant Applications for requirements that apply to the purchase or lease of a new motor vehicle.

<b>Vehicle Type:</b>	-Select One-
<b>Fuel Type:</b>	-Select One-

2. **Old Vehicle Information** (*Replacement Activities Only*). The applicant acknowledges that the old vehicle must be destroyed by providing information below.

<b>Vehicle Type:</b>	-Select One-
<b>Vehicle Model Year:</b>	
<b>Fuel Type:</b>	-Select One-

3. **Requested Grant Amount.** Please select the grant amount from the drop-down menu.

<b>Grant Amount:</b>	-Select One-
----------------------	--------------

Activity No. \_\_\_\_

1. **New Vehicle Information.** Please refer to Section 2.3.1 of the Request for Grant Applications for requirements that apply to the purchase or lease of a new motor vehicle.

<b>Vehicle Type:</b>	-Select One-
<b>Fuel Type:</b>	-Select One-

2. **Old Vehicle Information** (*Replacement Activities Only*). The applicant acknowledges that the old vehicle must be destroyed by providing information below.

<b>Vehicle Type:</b>	-Select One-
<b>Vehicle Model Year:</b>	
<b>Fuel Type:</b>	-Select One-

3. **Requested Grant Amount.** Please select the grant amount from the drop-down menu.

<b>Grant Amount:</b>	-Select One-
----------------------	--------------

Activity No. \_\_\_\_

1. **New Vehicle Information.** Please refer to Section 2.3.1 of the Request for Grant Applications for requirements that apply to the purchase or lease of a new motor vehicle.

<b>Vehicle Type:</b>	-Select One-
<b>Fuel Type:</b>	-Select One-

2. **Old Vehicle Information** (*Replacement Activities Only*). The applicant acknowledges that the old vehicle must be destroyed by providing information below.

<b>Vehicle Type:</b>	-Select One-
<b>Vehicle Model Year:</b>	
<b>Fuel Type:</b>	-Select One-

3. **Requested Grant Amount.** Please select the grant amount from the drop-down menu.

<b>Grant Amount:</b>	-Select One-
----------------------	--------------



## Form 6: Project Primary Area

Applicants must designate a primary area of use for the vehicle(s) included in the project application and provide a percentage of total annual mileage to occur in that area in the table provided below. The primary area of the project is the area where the vehicle(s) included in the project application operates at least 51% of its total annual mileage. If the area of operation is not listed in Section 1, provide the primary county in Section 2. Additional counties where the vehicle(s) will be operated may be included in the business description in Section 3.

### 1. Primary Area

Area	Percentage of Total Annual Use
<b>Austin Area:</b> Bastrop, Caldwell, Hays, Travis, and Williamson Counties	
<b>Beaumont-Port Arthur Area:</b> Hardin, Jefferson, and Orange Counties	
<b>Corpus Christi Area:</b> Nueces and San Patricio Counties	
<b>Dallas-Fort Worth Area:</b> Collin, Dallas, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties	
<b>El Paso Area:</b> El Paso County	
<b>Houston-Galveston-Brazoria Area:</b> Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties	
<b>San Antonio Area:</b> Comal, Guadalupe, and Wilson Counties	
<b>San Antonio Area:</b> Bexar County	
<b>Tyler-Longview Area:</b> Gregg, Harrison, Rusk, Smith, and Upshur Counties	

**2. Primary County of Operation (if not in one of the Primary Areas listed above)**

Primary County of Operation	Percentage of Total Annual Use

### 3. Description of Use

Provide a detailed description of how the vehicle(s) included in the project application will be used in the routine operations of the applicant. In addition, please provide additional areas or counties of operation.

--

## Form 7: Summary Page

### Applicant Information.

<b>Applicant Legal Name:</b>					
<b>Applicant Type:</b>	-Select One-				
<b>FEI or SSN:</b>					
<b>Primary Project Area:</b>		<b>Other Primary County:</b>			
<b>Total Number of Activities</b> (vehicles only):		<b>Total Requested Grant Amount</b> (vehicles only):			
<b>Infrastructure Type</b> (if applicable):		<b>Total Requested Grant Amount</b> (infrastructure only):			
<b>Mailing Address:</b>					
<b>City:</b>		<b>State:</b>		<b>Zip Code:</b>	
<b>How did you hear about this grant program?</b>	-Select One-	<b>Other</b> (please specify):			

### Authorized Official.

The applicant or an employee of the applicant who has the legal authority to sign on behalf of the entity.

I hereby certify that to the best of my knowledge and belief, all information provided in this application and any attachments is true and correct. I certify that I have read the complete application after all forms and information were completed. I agree with the information provided, and the date provided below is the date I signed the form. I further understand that prior to incorporating these forms and information into a contract the data and information may be revised by the TCEQ for accuracy, and the acceptance of a contract will constitute agreement with those revisions. My signature also constitutes acceptance of the certifications in Form 3, the terms of this grant, and any changes posted through addenda on the Electronic State Business Daily. Failure to sign the application or signing it with an incorrect statement may make the submitted offer or any resulting contracts voidable.

<b>Printed Name of Authorized Official:</b>	
<b>Authorized Official Title:</b>	
<b>Signature of Authorized Official:</b>	
<b>Date of Signature:</b>	
<p><i>The application, signed by the Authorized Official, must be received by the application deadline or the application will not be accepted.</i></p>	
<p><b>Intentional falsification of these forms will be prosecuted to the extent allowed under the law and may be used as an adverse factor in future grant selection decisions.</b></p> <p>Upon submission, all proposals become the property of the State of Texas and as such become subject to the Texas Public Information Act, Texas Government Code Chapter 552.</p> <p>Personal Information Policy: Individuals are entitled to request and review their personal information that the agency gathers on its forms. Individuals may also have any errors in their information corrected.</p> <p>To review such information, contact the TCEQ TERP program at <a href="mailto:TERP@tceq.texas.gov">TERP@tceq.texas.gov</a> or 1-800-919-TERP (8377).</p>	

## Form 8: Application Checklist

All applications require the documents listed below. Please ensure that you have read and attached all of the required documents. All pages that must be signed or initialed are indicated below. If a signature page is missing or has been altered, the application will not be considered.

Application Form Checklist (All Applications):		
Form 1: Applicant Information	Please fill out entirely.	
Form 2: Third-Party Preparer Signature Page	If a Third-Party Preparer was used, <b>Signature Required.</b>	
Form 3: Program Certifications	Please read, <b>Indicate Priority</b> , and attach with application.	
Form 4: Certification of Eligibility	<b>Signature Required.</b>	
Form 5: Vehicle Information	Please fill out entirely. Print additional pages as needed.	
Form 6: Project Primary Area	Please fill out entirely. Print additional pages as needed.	
Form 7: Summary Page	Please fill out entirely. <b>Signature Required.</b>	
Form 8: Application Checklist	Please read and include with application.	
Required Attachment Checklist (All Applications):		
W-9 Form	<b>Signature Required.</b> <a href="https://www.irs.gov/pub/irs-pdf/fw9.pdf">https://www.irs.gov/pub/irs-pdf/fw9.pdf</a>	
If the Equipment has already been purchased, provide the purchase, lease or financing agreement showing the price paid.	The purchase may not have been made prior to September 1, 2020	
Supplemental Forms (if applicable):		
Supplemental Form 1 (Refueling Infrastructure projects only)	Applicants applying for Refueling Infrastructure projects must complete this form and attach it to the application form being submitted.	

## Supplemental Form 1 – Refueling Infrastructure

This form should only be completed by applicants proposing projects that include the purchase, lease or installation of refueling infrastructure or equipment, or the procurement of refueling services. The purchase of refueling infrastructure or refueling services must be made in conjunction with the purchase of an alternative fuel vehicle proposed for funding under this program. The grant applicant must demonstrate that a refueling station meeting the needs of the applicant is not available within five miles of the location at which the applicant's grant-funded vehicle will be stored or primarily used. Leases of refueling infrastructure or equipment or the procurement of refueling services must have a term of at least three years to be eligible for grant funding.

**1. Project Description.** In the space provided below, please provide a brief description of the refueling project being proposed including the **fuel type, estimated number of vehicles served by the refueling infrastructure or equipment per day, refueling or charging capacity of the equipment, and facility type**. If the refueling project would be leased, provide the proposed term of the lease and any plans for the continued ownership and operation of the refueling infrastructure or equipment after the term of the grant expires.

--

**2. Current Access to Refueling Infrastructure or Equipment.** In the space below, please provide a description of the applicant's current access to refueling infrastructure or equipment, including the distance to the nearest refueling or charging station that meets the needs of the vehicles included in this application. If refueling infrastructure or equipment is currently available within five miles of where the vehicles will be stored or primarily used, please explain why this available infrastructure or equipment does not meet the current needs of the vehicles included in this application.

--

### 3. Proposed Refueling Infrastructure or Equipment Location

Location or Facility Name					
Physical Address					
City		State		Zip Code	
County					

### 4. Proposed Third-Party Service Provider Information (if applicable)

Service Provider Name					
Service Provider Address					
City		State		Zip Code	
County					
Service Term					

### 5. Requested Grant Amount for Refueling Infrastructure, Equipment, or Services

In the space below, please provide the requested amount for refueling infrastructure, equipment, or refueling services. The total requested grant amount for refueling projects may not exceed 10% of the total requested grant amount for the vehicles. Final payment amounts may not exceed the total eligible cost of the project.

Refueling Infrastructure, Equipment, or Services Requested Grant Amount:	
--	--

Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

## **PURPOSE**

**We are here to help. Please call TERP staff at 1-800-919-TERP (8377) or email [terp@tceq.texas.gov](mailto:terp@tceq.texas.gov) with any questions about completing this application.** These instructions are designed to guide applicants in preparing their grant application to apply for grants from the Texas Commission on Environmental Quality (TCEQ) under the Governmental Alternative Fuel Fleet (GAFF) Grant Program. Upon submission, all proposals become the property of the state of Texas and as such become subject to public disclosure under the Texas Public Information Act (PIA), Texas Government Code, Chapter 552.

## **1.0 APPLICATION DOCUMENTS AND TOOLS**

To get started with the application, view or download the following application documents and tools from the TERP website at [www.terpgrants.org](http://www.terpgrants.org):

1. GAFF Request for Grant Applications (RFGA)
2. FY21 GAFF Grant Program Application (TCEQ-20908)
3. GAFF Grant Program Maximum Grant Amounts
4. IRS W-9 Form

## **2.0 IMPORTANT NOTE TO ALL APPLICANTS**

**TIP:** Adobe Acrobat JavaScript must be enabled in Adobe Reader to use this GAFF application. To enable Adobe JavaScript, open Adobe Reader, and navigate to “Edit”, “Preferences”, “JavaScript”, and select “Enable Acrobat JavaScript”.

1. There is no limit to the number of activities that may be submitted per grant application. An activity is the purchase or replacement of an individual vehicle.
2. An application must be limited to one primary area or one primary county. The primary area is the area in which the vehicle is operated the highest percentage of time.
3. Applications must have electronic or wet ink (original) signatures where required to avoid being ineligible for a grant.

## **3.0 HOW TO APPLY**

1. Review the eligibility requirements outlined in the RFGA.
2. Gather information for each new vehicle.
3. Complete one copy of the TCEQ-20908 Project Application and any applicable Supplemental Forms using the instructions in Section 3.1 below.
4. Assemble one set of the **required application and attachments** using the checklist provided at the end of TCEQ-20908 Project Application.

Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

5. Have the Authorized Official sign the TCEQ-20908 Project Application where indicated. Use the checklist provided at the end of the application to ensure that you have not missed any signature pages.
6. Submit one signed copy of the TCEQ-20908 Project Application and one set of any required attachments by the application deadline, using one of the methods below.

- The completed and signed forms should be submitted by electronic mail to [TERPapply@tceq.texas.gov](mailto:TERPapply@tceq.texas.gov), via TERP Online, or by mail to one of the addresses provided below.

**Regular Mail:**

Texas Commission on Environmental Quality  
Air Quality Division  
GAFF, MC-204  
P.O. Box 13087  
Austin, TX 78711-3087

**Express Mail:**

Texas Commission on Environmental Quality  
Air Quality Division  
GAFF, MC-204  
12100 Park 35 Circle  
Austin, TX 78753

- Using the TERP Online Application available through the State of Texas Environmental Electronic Reporting System (STEERS). Applicants will be required to create a STEERS account before submitting an application.

### 3.1 HOW TO COMPLETE AN APPLICATION FORM

<b>FORM 1 - APPLICANT INFORMATION</b>
---------------------------------------

***Section 1 - Applicant Legal Name***

The legal name of the grant applicant should be the name of the entity applying for a grant and should match the IRS W-9 form. The name that appears in Section 1 will be used for contracting purposes.

***Section 2 - Business Information***

**Ownership Code (Business Type):** Use the descriptions below to identify the applicant type. Select the applicable applicant type from the drop-down list.

- **Individual:** A person not owning a business. The applicant must provide a Social Security Number (SSN).
- **Sole Proprietor:** A person operating as a business that has not been incorporated. The applicant may be registered under an assumed name

Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

(commonly referred to as a DBA). The applicant must provide an SSN or Federal Employers Identification Number (FEIN) registered with the Texas Secretary of State (SOS).

- **Partnership:** A legal relationship that exists between two or more persons or other legal entities contractually associated as a business. The applicant must provide an FEIN registered with the Texas SOS.
- **Limited Partnership:** Partnership formed by two or more persons and having one or more general partners and one or more limited partners. The applicant must provide an FEIN registered with the Texas SOS.
- **Texas Corporation:** A profit or non-profit Corporation chartered by the State of Texas. The applicant must provide an FEIN registered with the Texas SOS.
- **Professional Association:** An entity that provides a professional service requiring a state license, such as medical doctors and related professional organizations. The applicant must provide an FEIN registered with the Texas SOS.
- **Professional Corporation:** An entity that provides a professional service requiring a state license, other than those related to the practice of medicine. The applicant must provide an FEIN registered with the Texas SOS.
- **Out-of-State Corporation:** A profit or non-profit Corporation chartered by a governmental entity outside the state of Texas, with the right to transact business in the state of Texas. The applicant should have an 11-digit Texas Taxpayer Number active with the Texas Comptroller's Office and a Texas SOS File Number. The applicant must provide an FEIN.
- **Governmental Entity:** Any county or legal government agency not created by the Texas Legislature, such as city governments and federal agencies. Does not include Texas state agencies or institutions of higher education. The applicant must provide an FEIN.
- **State Agency/University:** Any Texas state agency or institution of higher education created by the Texas Legislature. The applicant must provide an FEIN. Does not include federal agencies or state agencies of other states.
- **Other:** Organizations not defined within one of the other ownership types; such as estates, or informal organizations not chartered by the Texas Secretary of State. The applicant must provide an FEIN.

**Payee Identification Number** – Provide one of the numbers requested:

- **SSN:** If applying as an individual or sole proprietor, enter the applicant's Social Security Number (SSN).
- **FEIN:** If applying as a company or other entity, enter the FEIN.

Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

***Section 3 - Authorized Official***

The Authorized Official is the applicant or an employee of the applicant authorized to apply for the grant. Provide the name, title, address, phone number, and email address of the Authorized Official. If different, provide both the mailing and physical address.

***Section 4 - Designated Project Representative***

The designated project representative is the applicant or an employee of the applicant who will serve as the point of contact for this application. This person may not be a consultant, dealer, or subcontractor. Provide the name, title, address, phone number, and email address of the Designated Project Representative. If different, provide both the mailing and physical address.

*If the Authorized Official and the Designated Project Representative are the same, mark the box with an "X" and continue to Section 5.*

***Section 5 - Designated Location for Records Access***

Provide the physical address where the records for the grant-funded equipment will be kept.

**FORM 2 - THIRD-PARTY PREPARER SIGNATURE PAGE**

Was the application prepared by a Third-Party Preparer? Mark Yes or No. A Third-Party Preparer is someone who is assisting the applicant in the preparation of a grant application. A third-party may include consultants, dealers, or anyone who is not related to or a current employee of the applicant.

**TIP:** If YES, the third-party preparer must complete and sign this form. It is still the applicant's responsibility to ensure that the information listed in the application is true and accurate.

**FORM 3 - PROGRAM CERTIFICATIONS**

Read the entire form and include both pages when submitting the application. By signing the application on Form 7: Summary Page, the Authorized Official indicates that they understand and agree to the certifications.

**Activity Certifications: Use of Funds** – applicants must indicate how they will prioritize the use of grant funds by checking one of the 3 boxes in this section.



Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

**FORM 4 - CERTIFICATION OF ELIGIBILITY**

All individuals or business entities, including sole ownerships, must complete this form regardless of whether child support obligations apply to the grant applicant. Mark the option that applies to your applicant type.

- If Box 1 is checked, you must fill in the individual's name and SSN.
- If Box 2 is checked, you must fill in all individuals' names and SSNs that own 25% or more of the business.
- For all options, the Authorized Official must provide their electronic or original initials.

**FORM 5 - VEHICLE INFORMATION**

Enter the following information for each activity. Applicants can list up to 3 activities per page. Add additional pages if needed before completing the form. Indicate the activity number in the designated field for each activity (Activity No. 01, Activity No. 02, etc.).

***Section 1 - New Vehicle Information***

Please refer to Section 2.3.1 of the Request for Grant Applications for requirements that apply to the purchase or lease of a new motor vehicle.

- **Vehicle Type:** select the new vehicle type from the dropdown menu.
- **Fuel Type:** select the new vehicle fuel type from the dropdown menu.

***Section 2 - Old Vehicle Information (Replacement Activities Only)***

Only complete this section for replacement activities. Applicant must provide verification to the TCEQ that the vehicle being replaced is the same type and class as the new vehicle.

- **Vehicle Type:** From the dropdown menu, select the old vehicle type (must be the same as the vehicle type selected in section one for each activity).
- **Vehicle Model Year:** enter the model year of the vehicle being replaced (this can be found on the vehicle title and registration).
- **Vehicle Fuel Type:** From the dropdown menu, select the fuel type of the vehicle being replaced.

***Section 3 - Requested Grant Amount***

TCEQ has established pre-determined grant amounts for the purchase or lease of new motor vehicles.

- **Grant Amount:** From the dropdown menu, select the grant amount that corresponds with the vehicle type and class in Section 1 (and Section 2, if applicable).

Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

**FORM 6 - Project Primary Area**

The primary area of the project is the area where the vehicle(s) included in the project application operates at least 51% of its total annual mileage. If the project contains activities to be completed in different primary areas, each activity must be applied for under separate applications.

***Section 1 - Primary Area***

Applicants must designate the area of primary use for the vehicle(s) included in the project application.

- **Area:** From the table in Section 1, find the designated the area of primary use for the vehicle(s) included in the project application. If the area of primary use is not listed under Section 1, proceed to Section 2.
- **Percentage of Total Annual Usage:** In the space adjacent to the designated primary area of use, enter the percentage of total annual usage.

***Section 2 - Primary County of Operation***

If the county of primary operation is not listed in the table under Section 1, applicants must complete Section 2.

- **County of Primary Operation:** Enter the designated county of primary operation for the vehicle(s) included in the project application.
- **Percentage of Total Annual Use:** In the space provided, enter the percentage of total annual usage.

***Section 3 - Description of Use***

Use the space to provide a detailed description of how the vehicle(s) included in the project application will be used in the routine operations of the applicant. In addition, please provide additional areas or counties of operation.

**FORM 7 - SUMMARY PAGE**

Applicant Legal Name, Applicant Type, FEI (or SSN), and Mailing Address will auto-populate for applicants completing the application forms electronically. For applicants manually completing the application forms (hand-written), you will need to complete this page using the information provided in the application. **The Authorized Official must sign and date this form.**

***Section 1 - Applicant Information***

The Applicant Legal Name, Applicant Type, and FEI or SSN must match the information on Form 1: Applicant Information.

- **Applicant Legal Name:** Enter the applicant's legal name. The applicant legal name must match Form 1 (this field will auto-populate if completing the application electronically).

Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

- **Applicant Type:** Enter the applicant type. The applicant type must match Form 1: Applicant Information (this field will auto-populate if completing the application electronically).
- **FEI or SSN:** Enter the applicant's FEI. The FEI must match Form 1: Applicant Information (this field will auto-populate if completing the application electronically).
- **Primary Project Area:** Enter the project primary area. The project primary area must match Form 6: Project Primary Area.
- **Other Primary Area:** Enter other primary area. The other primary area must match Form 6: Project Primary Area.
- **Total Number of Activities (vehicles only):** Enter the total number of vehicle activities included in the project application.
- **Total Requested Grant Amount (vehicles only):** Enter the total requested grant amount for vehicle activities included in the project application.
- **Infrastructure Type (if applicable):** Enter the type of infrastructure included in the project application.
- **Total Requested Grant Amount (infrastructure only):** Enter the total requested grant amount for infrastructure activities included in the project application.
- **Mailing Address, City, State, and Zip Code:** Enter the applicant's mailing address. The applicant mailing address must match Form 1: Applicant Information (these fields will auto-populate if completing the application electronically).
- **How did you hear about this grant program?** Please select from the drop-down box or complete the 'Other' field.

***Section 2 – Authorized Official***

This information must match the information listed for the Authorized Official on Form 1: Applicant Information.

- **Printed Name of Authorized Official** – This must match the Authorized Official Name listed on Form 1: Applicant Information.
- **Authorized Official Title** – This must match the Authorized Official Title listed on Form 1: Applicant Information (this field will auto-populate if completing the application electronically).
- **Signature of Authorized Official:** The Authorized Official should sign this form electronically or with an original signature.
- **Date of Signature:** The Authorized Official should date this form.

<b>FORM 8 – APPLICATION CHECKLIST AND SUBMISSION</b>
--

Review and complete this form to ensure that all appropriate forms are signed or initialed and all additional documents are included in the application packet.

**Ready to submit? Email your application to [TERPapply@tceq.texas.gov](mailto:TERPapply@tceq.texas.gov), or refer to the instructions in Section 3.0 above for alternative submission methods.**

Instructions for Completing the Fiscal Year (FY) 2021  
Governmental Alternative Fuel Fleet (GAFF) Grant Program  
Project Application Form

**SUPPLEMENTAL FORM 1 – REFUELING INFRASTRUCTURE**

The purchase of refueling infrastructure or refueling services must be made in conjunction with the purchase of an alternative fuel vehicle proposed for funding under this program. The grant applicant must demonstrate that a refueling station meeting the needs of the applicant is not available within five miles of the location at which the applicant's grant-funded vehicle will be stored or primarily used.

***Section 1 – Project Description***

In the space provided, enter a brief description of the proposed refueling project, including fuel type, estimated number of vehicles served per day, and the refueling or charging capacity.

***Section 2 – Current Access to Refueling Infrastructure or Equipment***

In the space provided, enter a brief description of the access to refueling infrastructure or equipment, and the distance to the nearest facility meeting the needs of the vehicles included in the project application.

***Section 3 – Proposed Refueling Infrastructure or Equipment Location***

Provide the location information of the proposed refueling infrastructure.

***Section 4 – Proposed Third-Party Service Provider Information (if applicable)***

Provide the information and location of the proposed third-party service provider, and the service terms.

***Section 5 – Requested Grant Amount for Refueling Infrastructure, Equipment, or Services***

Enter the requested grant amount for refueling infrastructure, equipment, or services. Note that the requested grant amount for refueling projects may not exceed 10% of the total requested grant amount for the vehicles in the project application.



THE NEW TACTICAL ADVANTAGE

**AUTHORITY**



# POLICE AND AUTHORITY MOTORCYCLES



## **EFFICIENT. EFFECTIVE. ELECTRIC.**

Zero Motorcycles is the next step in police and authority motorcycle evolution. Stealthy, clean and efficient, electric motorcycles provide a new tactical advantage in law enforcement, emergency services and military applications.

With no gears, clutch or noise, Zero motorcycles are easy to operate and improve situational awareness. While in crowds or indoors, the absence of exhaust eliminates ventilation concerns and creates new patrolling scenarios. Over 100 agencies worldwide benefit from having Zero motorcycles in their fleet.

### **ZERO MOTORCYCLES ARE UNIQUELY SUITED FOR**

- Patrolling public lands, parks, beaches, trails, running paths
- Event safety and crowd control at concerts, parades, sporting events
- Traffic enforcement in dense urban centers, pedestrian areas and surface streets
- Stealth patrol for drug enforcement, border/perimeter security, college campuses and any situation where silence is an advantage
- Emergency response scenarios where maneuverability and agility are key



#### **REASONS TO RIDE ELECTRIC**

- Economical to operate – about a penny-per-mile in “fuel” cost
- Easy to maintain – powertrain requires no scheduled maintenance
- Built to last – batteries exceed the life of the motorcycle
- Community connection – quiet and environmentally conscious

#### **NEW TACTICAL ADVANTAGES**

- No shifting, instant torque from 0 rpm
- Silent idle and stealthy pursuit
- Lightweight, highly maneuverable
- Rapid acceleration up to 102 mph
- Rugged on/off-road versatility

#### **ELIMINATE GASOLINE COMPLICATIONS**

- Reduce noise and exhaust disturbances
- Eliminate gas and oil spills
- Eradicate burn and fire risks
- No tailpipe emissions
- Never stop for gas, “refuel” from any standard outlet

#### **ADDITIONAL BENEFITS FROM**

#### **GRANTS AVAILABLE**

Grants may be available for both public and private organizations when purchasing electric patrol vehicles. Grants – and other incentives – can offset some or all of the vehicle purchase price. For additional info, contact

<http://www.policegrantshelp.com/>

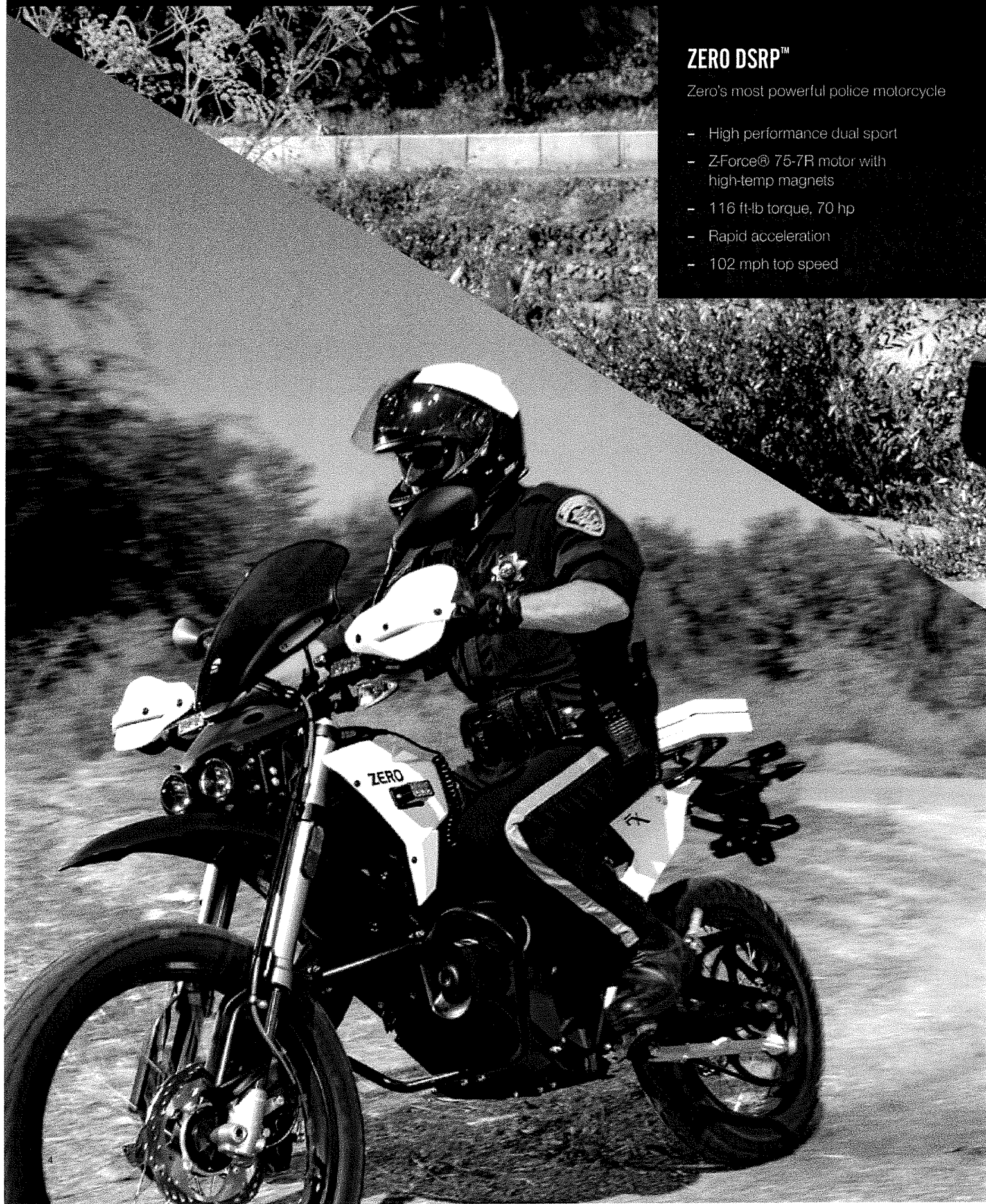


## POLICE AND AUTHORITY MOTORCYCLES

### ZERO DSRP™

Zero's most powerful police motorcycle

- High performance dual sport
- ZForce® 75-7R motor with high-temp magnets
- 116 ft-lb torque, 70 hp
- Rapid acceleration
- 102 mph top speed







## **ZERO FXP™**

Compact, quick and responsive,  
off-road ready.

- Ideal for tight quarters such as arenas and congested areas
- Off-road capability for parks, beaches, open spaces
- Light weight at 302 lbs
- Quick acceleration with 78 ft-lb of torque
- Low purchase price and operating costs

*"This motorcycle is so quiet that we continuously sneak up on suspects while out on patrol, and we continue to receive positive feedback from the public."*

**Officer Steve Carbajal,  
L.A.P.D. Off-Road Unit (CA)**

*"It costs us about a dollar a day versus \$15-20 to run a gas-powered motorcycle."*

**Lt. Chris Perry,  
Ceres, CA Police Dept. (CA)**

*"The ease of use, positive public relations and downright fun have proven invaluable to our department."*

**Sgt. James D. Fincher,  
Cobb County Police Department (GA)**

*"Zero motorcycles are just what we needed: nimble enough for working in crowds, durable enough for tough off-road use."*

**Sgt. Adam Vassallo, Traffic Supervisor,  
Sacramento Police Department (CA)**

*"They are a delight to operate while giving us expanded patrol options."*

**Chief Stephen Gahagans,  
University of Arkansas Police Department (AR)**

*"We can stay out of sight and still close distance quickly and quietly, which diminishes a suspect's opportunity to flee."*

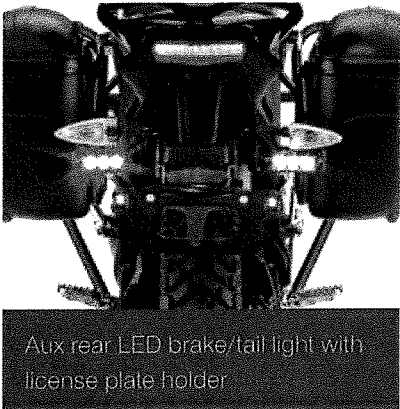
**Lt. James Williams,  
Denver Police Department (CO)**

# POLICE AND AUTHORITY MOTORCYCLES

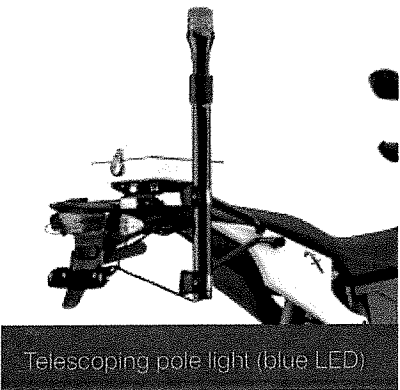
## CUSTOM BUILT TO YOUR SPECIFICATIONS



Rear radio top box and rack



Aux rear LED brake/tail light with license plate holder



Telescoping pole light (blue LED)

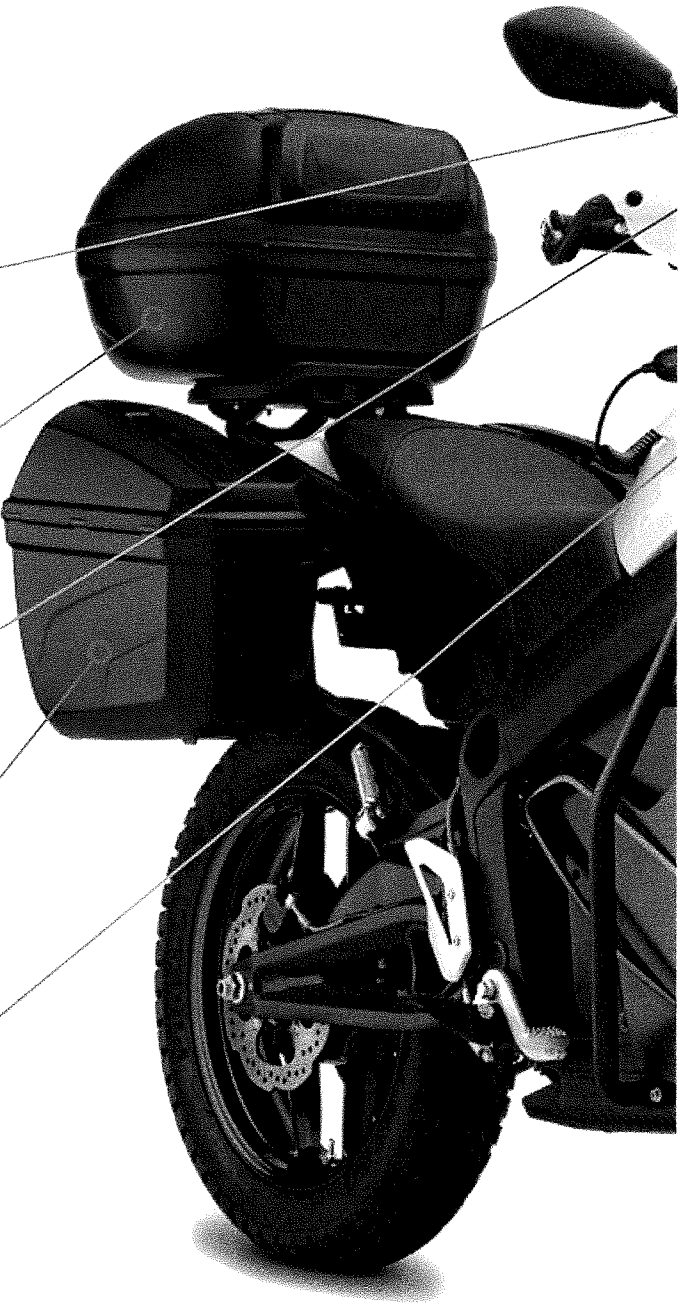
Detachable windscreen



Top box by GIVI® and rack

Hand guards

Side cases by GIVI® and rack

Whelen® TIR3 lights and siren



MODELS	Zero DSRP	Zero FXP
COLORS		
CAPACITIES	ZF14.4, ZF14.4 +Power Tank	ZF7.2



#### **STANDARD POLICE PACKAGE**

- Whelen® TIR3 Emergency Lights – front, side and rear-facing
- Whelen® Siren with PA and Microphone
- Front battery/frame protection bars (drop bars)
- Stealth mode switch – headlight, taillight, dash light cut switch
- Locking tank trunk

#### **AVAILABLE OPTIONS FOR POLICE MODELS**

- Power Tank (extends range on Zero DSRP)
- Charge Tank (reduces charge times on Zero DSRP)
- Off-board Quick Chargers (reduce charge times on all models)
- Rear rack, top box, side cases
- 12 V accessory socket kit
- Hand guards
- Aggressive foot pegs
- Rain guard
- Chain kit
- Windscreen
- Telescoping pole light
- LED license plate holder
- Parking brake
- Smartphone mount



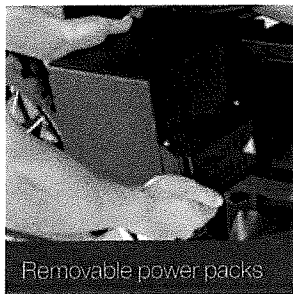
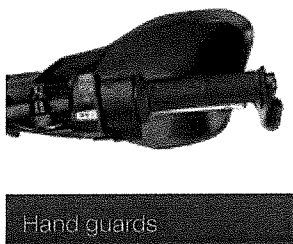
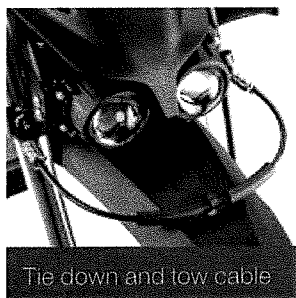
Model shown: Zero DSRP with available options.

# MILITARY / SPECIAL APPLICATIONS

## COVERT AND CUSTOM

The Zero MMX is perfectly suited to military applications where silence, low heat signature, lack of exhaust, ease of operation and responsiveness are essential. Using Zero Motorcycles' industry leading Z-Force® powertrain, it features quick swappable power packs, direct drive gearing and an air-cooled motor. With no transmission, powertrain fluids or gas, and weighing only 275 lb, the Zero MMX is easy to transport and maintain.

**While designed for military personnel, the Zero MMX is available to civilian agencies for off-road use.**



Hand guards

Passenger foot pegs

Pirelli Scorpion MT-21  
Rallycross tires

MODEL	MMX
COLOR	
CAPACITY	ZF7.2



**STANDARD FEATURES**

- Keyed ignition
- Digital dash
- Modular and quick swappable power packs
- Ability to operate in wet conditions with a one-meter submersion capability
- Hand guards
- Tie downs and tow cables
- Aggressive foot pegs
- Chain drive
- Off-board charger
- Off-road tires
- Kickstand

**AVAILABLE OPTIONS**

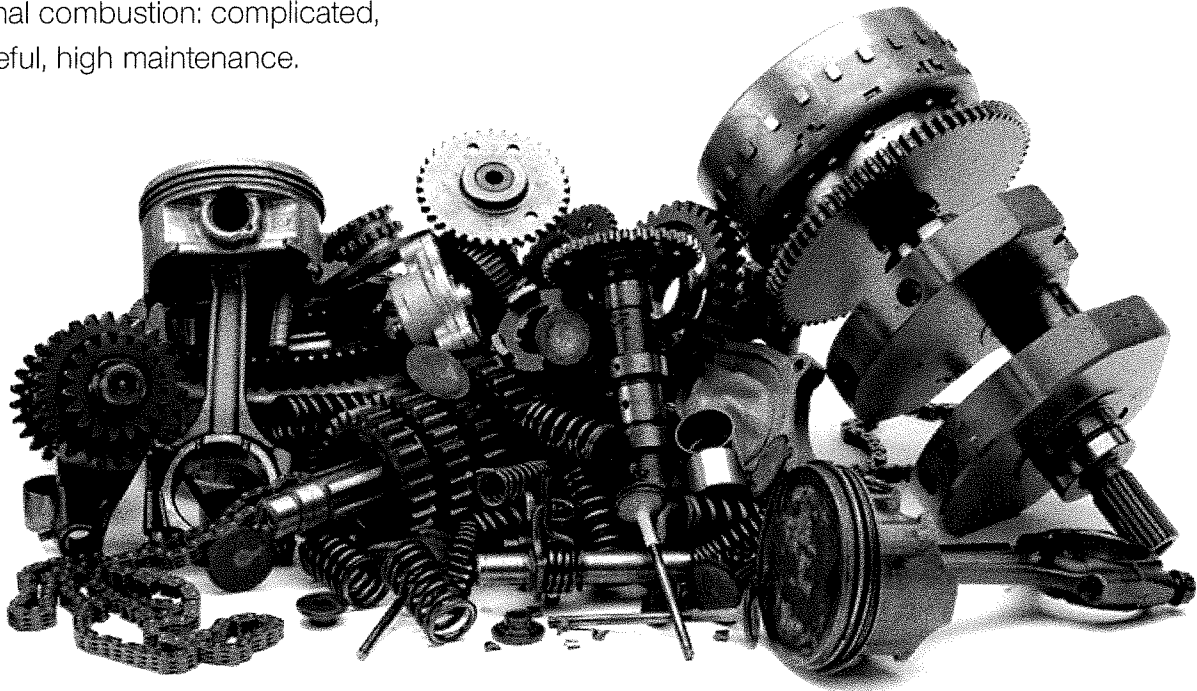
- Top rack
- Front frame protection/accessory mounting bars
- Parking brake
- 12V accessory socket
- Passenger foot pegs

Model shown: Zero MMX with available options.

## SOPHISTICATED SIMPLICITY

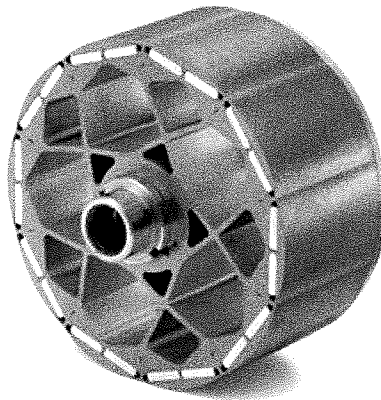
### THEIRS.

Internal combustion: complicated, wasteful, high maintenance.



### OURS.

Z-Force® motor: elegant, efficient, contains one moving part.

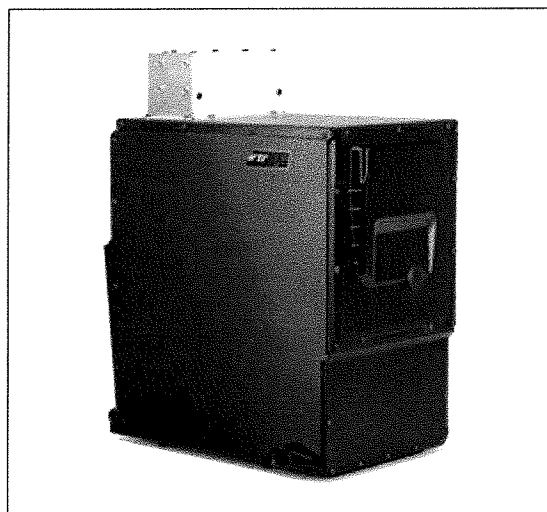


## **Z-FORCE® MOTOR**

### **MASSIVE TORQUE**

The Z-Force® motor was designed by Zero Motorcycles in Santa Cruz, California, and engineered for optimum performance, efficiency, size and reliability. With no fluids to maintain and a single moving part, the motor delivers trouble-free performance for the life of the vehicle.

- Up to 116 ft-lb of instant torque and 70 hp
- Smooth, rapid acceleration in all conditions
- Requires no routine maintenance
- Air-cooled with no coolant to change or leak
- Regenerative braking extends range



## **Z-FORCE® POWER PACK**

### **MORE ENERGY**

Zero Motorcycles' proprietary battery systems feature the highest energy and power density in the electric vehicle industry, providing the longest range of any production electric motorcycle. Advanced Li-Ion cell chemistry and battery management systems ensure a maintenance-free lifetime of service.

- Power packs on police models are backed by a five-year, unlimited mileage warranty (one year on Zero MMX, restrictions apply)
- Cells last 2,500 full charge cycles and retain greater than 80% capacity
- Robust, weatherproof batteries are reliable, even in harsh conditions
- Advanced battery management system with enhanced 24/7 cell monitoring
- Available Power Tank extends range on Zero DSRP

## **ZERO'S MOBILE APP**

### **GET CONNECTED**

Customizing performance and managing your fleet of motorcycles is made easy with the free Zero Motorcycles mobile app. While riding, the app provides real-time data and serve as a supplemental dash display. While parked, with the app you can:

- Customize top speed, max torque and regenerative braking
- See detailed analysis of battery and charging status
- View data on energy use, "fuel" economy and cost savings
- Send diagnostic information to Zero Motorcycles
- Save time and money by updating vehicle firmware



# SPECIFICATIONS

ZERO DSRP ZF14.4		ZERO DSRP ZF14.4 +POWER TANK
RANGE*		
City	157 miles (253 km)	196 miles (315 km)
Highway, 55 mph (89 km/h)	88 miles (142 km)	110 miles (177 km)
» Combined	112 miles (180 km)	141 miles (227 km)
Highway, 70 mph (113 km/h)	64 miles (103 km)	80 miles (129 km)
» Combined	91 miles (146 km)	114 miles (183 km)
MOTOR		
Peak torque	116 ft-lb (157 Nm)	116 ft-lb (157 Nm)
Peak power	70 hp (52 kW) @ 3,500 rpm	70 hp (52 kW) @ 3,500 rpm
Top speed (max)	102 mph (164 km/h)	102 mph (164 km/h)
Top speed (sustained)	90 mph (145 km/h)	90 mph (145 km/h)
Type	Z-Force® 75-7R passively air-cooled, high efficiency, radial flux, interior permanent hi-temp magnet, brushless motor	
Controller	High efficiency, 775 amp, 3-phase brushless controller with regenerative deceleration	
POWER SYSTEM		
Power pack	Z-Force® Li-Ion intelligent integrated	Z-Force® Li-Ion intelligent integrated
Max capacity	14.4 kWh	18.0 kWh
Nominal capacity	12.6 kWh	15.8 kWh
Charger type	1.3 kW, integrated	1.3 kW, integrated
Charge time (standard)	9.8 hours (100% charged) / 9.3 hours (95% charged)	12.1 hours (100% charged) / 11.6 hours (95% charged)
» With Charge Tank option	2.5 hours (100% charged) / 2.0 hours (95% charged)	N/A
Charge Tank option charging Speed	75 miles per hour (120 kilometers per hour)	N/A
With Charge Tank option + onboard	2.1 hours (100% charged) / 1.6 hours (95% charged)	N/A
6kW Charge-Tank + OE Onboard Charging Speed (City, 0 to 95%)	91 miles per hour (146 kilometers per hour)	N/A
» With one accessory charger	5.7 hours (100% charged) / 5.2 hours (95% charged)	7.0 hours (100% charged) / 6.5 hours (95% charged)
» With max accessory chargers	2.8 hours (100% charged) / 2.3 hours (95% charged)	3.3 hours (100% charged) / 2.8 hours (95% charged)
Input	Standard 110 V or 220 V	Standard 110 V or 220 V
DRIVETRAIN		
Transmission	Clutchless direct drive	Clutchless direct drive
Final drive	90T / 20T, Poly Chain® HTD® Carbon™ belt	90T / 20T, Poly Chain® HTD® Carbon™ belt
CHASSIS / SUSPENSION / BRAKES		
Front suspension	Showa 41 mm inverted cartridge forks, with adjustable spring preload, compression and rebound damping	
Rear suspension	Showa 40 mm piston, piggy-back reservoir shock with adjustable spring preload, compression and rebound damping	
Front suspension travel	7.00 in (178 mm)	7.00 in (178 mm)
Rear suspension travel	7.03 in (179 mm)	7.03 in (179 mm)
Front brakes	Bosch Gen 9 ABS, J-Juan asymmetric dual piston floating caliper, 320 x 5 mm disc	
Rear brakes	Bosch Gen 9 ABS, J-Juan single piston floating caliper, 240 x 4.5 mm disc	
Front tire	Pirelli MT-60 100/90-19	Pirelli MT-60 100/90-19
Rear tire	Pirelli MT-60 130/80-17	Pirelli MT-60 130/80-17
Front wheel	2.50 x 19	2.50 x 19
Rear wheel	3.50 x 17	3.50 x 17
DIMENSIONS		
Wheelbase	56.2 in (1,427 mm)	56.2 in (1,427 mm)
Seat height	33.2 in (843 mm)	33.2 in (843 mm)
Rake	26.5°	26.5°
Trail	4.6 in (117 mm)	4.6 in (117 mm)
WEIGHT		
Curb weight	443 lb (201 kg)	487 lb (221 kg)
Carrying capacity	332 lb (151 kg)	288 lb (131 kg)
ECONOMY		
Equivalent fuel economy (city)	419 MPGe (0.56 l/100 km)	419 MPGe (0.56 l/100 km)
Equivalent fuel economy (highway)	172 MPGe (1.37 l/100 km)	172 MPGe (1.37 l/100 km)
Typical cost to recharge	\$1.61	\$2.02





\*Range and top speed vary based on riding style and drivetrain configuration.

# SPECIFICATIONS

ZERO FXP ZF7.2	
<b>RANGE*</b>	
City	88 miles (142 km)
Highway, 55 mph (89 km/h)	51 miles (82 km)
» Combined	65 miles (105 km)
Highway, 70 mph (113 km/h)	32 miles (51 km)
» Combined	47 miles (76 km)
<b>MOTOR</b>	
Peak torque	78 ft-lb (106 Nm)
Peak power	46 hp (34 kW) @ 4,300 rpm
Top speed (max)	85 mph (137 km/h)
Top speed (sustained)	70 mph (113 km/h)
Type	Z-Force® 75-5 passively air-cooled, high efficiency, radial flux, interior permanent magnet, brushless motor
Controller	High efficiency, 550 amp, 3-phase brushless controller with regenerative deceleration
<b>POWER SYSTEM</b>	
Power pack	Z-Force® Li-Ion intelligent integrated
Max capacity	7.2 kWh
Nominal capacity	6.3 kWh
Charger type	650 W, integrated
Charge time (standard)	9.7 hours (100% charged) / 9.2 hours (95% charged)
» With one accessory charger	4.1 hours (100% charged) / 3.6 hours (95% charged)
» With max accessory chargers	1.8 hours (100% charged) / 1.3 hours (95% charged)
Input	Standard 110 V or 220 V
<b>DRIVETRAIN</b>	
Transmission	Clutchless direct drive
Final drive	90T / 18T, Poly Chain® HTD® Carbon™ belt
<b>CHASSIS / SUSPENSION / BRAKES</b>	
Front suspension	Showa 41 mm inverted cartridge forks, with adjustable spring preload, compression and rebound damping
Rear suspension	Showa 40 mm piston, piggy-back reservoir shock with adjustable spring preload, compression and rebound damping
Front suspension travel	8.60 in (218 mm)
Rear suspension travel	8.94 in (227 mm)
Front brakes	Bosch Gen 9 ABS, J-Juan dual piston floating caliper, 240 x 4.5 mm disc
Rear brakes	Bosch Gen 9 ABS, J-Juan single piston floating caliper, 240 x 4.5 mm disc
Front tire	Pirelli Scorpion MT 90 A/T 90/90-21
Rear tire	Pirelli Scorpion MT 90 A/T 120/80-18
Front wheel	1.85 x 21
Rear wheel	2.50 x 18
<b>DIMENSIONS</b>	
Wheelbase	56.6 in (1,438 mm)
Seat height	34.7 in (881 mm)
Rake	25.4°
Trail	4.1 in (104 mm)
<b>WEIGHT</b>	
Curb weight	302 lb (137 kg)
Carrying capacity	328 lb (149 kg)
<b>ECONOMY</b>	
Equivalent fuel economy (city)	468 MPGe (0.50 l/100 km)
Equivalent fuel economy (highway)	172 MPGe (1.37 l/100 km)
Typical cost to recharge	\$0.81

ZERO MMX ZF7.2	
<b>RANGE*</b>	
City	79 miles (127 km)
Recon riding	65-175 minutes
Aggressive tactical riding	45-155 minutes
<b>MOTOR</b>	
Peak torque	78 ft-lb (106 Nm)
Peak power	46 hp (34 kW) @ 4,300 rpm
Top speed (max)	85 mph (137 km/h)
Top speed (sustained)	70 mph (113 km/h)
Type	Z-Force® 75-5 passively air-cooled, high efficiency, radial flux, interior permanent magnet, brushless motor
Controller	High efficiency, 550 amp, 3-phase brushless controller with regenerative deceleration
<b>POWER SYSTEM</b>	
Power pack	Z-Force® Li-Ion intelligent modular
Max capacity	7.2 kWh
Nominal capacity	6.3 kWh
Charger type	1 kW, standalone
Charge time (standard)	6.0 hours (100% charged) / 6.5 hours (95% charged)
» With one accessory charger	3.5 hours (100% charged) / 3.0 hours (95% charged)
» With max accessory chargers	2.0 hours (100% charged) / 1.5 hours (95% charged)
Input	Standard 110 V or 220 V
<b>DRIVETRAIN</b>	
Transmission	Clutchless direct drive
Final drive	65T / 12T, 520 chain
<b>CHASSIS / SUSPENSION / BRAKES</b>	
Front suspension	Showa 41 mm inverted cartridge forks, with adjustable spring preload, compression and rebound damping
Rear suspension	Showa 40 mm piston, piggy-back reservoir shock with adjustable spring preload, compression and rebound damping
Front suspension travel	8.60 in (218 mm)
Rear suspension travel	8.94 in (227 mm)
Front brakes	J-Juan dual piston floating caliper, 240 x 4.5 mm disc
Rear brakes	J-Juan single piston floating caliper, 240 x 4.5 mm disc
Front tire	Pirelli MT-21 Rallycross 90/90-21
Rear tire	Pirelli MT-21 Rallycross 120/80-18
Front wheel	1.85 x 21
Rear wheel	2.50 x 18
<b>DIMENSIONS</b>	
Wheelbase	56.6 in (1,438 mm)
Seat height	34.7 in (881 mm)
Rake	25.4°
Trail	4.1 in (104 mm)
<b>WEIGHT</b>	
Curb weight	275 lb (125 kg)
Carrying capacity	355 lb (161 kg)
<b>ECONOMY</b>	
Equivalent fuel economy (city)	420 MPGe (0.56 l/100 km)
Typical cost to recharge	\$0.81

\*Range and top speed vary based on riding style and drivetrain configuration.



Model shown: Zero DSRP with available options.



380 El Pueblo Road  
Scotts Valley, CA 95066  
United States

[www.zeromotorcycles.com/fleet/](http://www.zeromotorcycles.com/fleet/)

[FleetSales@zeromotorcycles.com](mailto:FleetSales@zeromotorcycles.com)

Toll Free: 888-786-9376

Direct: (831) 438-3500

©2010 Zero Motorcycles, Inc. All rights reserved. Zero Motorcycles, its logo, Zero S, Zero SR, Zero DS, Zero DSR, Zero FX, Zero FXS, Zero DSRP, Zero FXP, Zero MMX, Z-Force® and Take Charge™ are trademarks or registered trademarks of Zero Motorcycles, Inc. Specifications, pricing, terms and conditions are subject to change without notice. Imagery may not reflect most current product specifications. Zero Motorcycles reserves the right to make improvements and/or design changes without any obligation to previously sold, assembled or fabricated equipment. Riders shown are professional riders on a closed course. PAB-180703-NA

# Request for Taxpayer Identification Number and Certification

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

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

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 <b>one</b> 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) ► _____ <b>Note:</b> 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 <b>not</b> 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) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
	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:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- 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](http://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.	
• LLC treated as a partnership 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 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 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> 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](http://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](http://www.irs.gov/Businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. Go to [www.irs.gov/Forms](http://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](http://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 <sup>1</sup>
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 <sup>2</sup>
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 <sup>1</sup> The actual owner <sup>1</sup>
6. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor <sup>*</sup>
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 <sup>4</sup>
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

<sup>1</sup> 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.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> 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.

<sup>4</sup> 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](mailto: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](mailto:spam@uce.gov) or report them at [www.ftc.gov/complaint](http://www.ftc.gov/complaint). You can contact the FTC at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see [www.IdentityTheft.gov](http://www.IdentityTheft.gov) and Pub. 5027.

Visit [www.irs.gov/IdentityTheft](http://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.

**RESOLUTION NO. 2021-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING APPLICATION TO AND ACCEPTANCE OF THE TCEQ UNDER THE TEXAS EMISSIONS REDUCTION PLAN FOR THE GOVERNMENTAL ALTERNATIVE FUEL FLEET GRANT PROGRAM; 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 an application to the TCEQ under the Texas Emissions Reduction Plan (TERP) for the Governmental Alternative Fuel Fleet (GAFF) Grant Program for the purchase of two Zero Electric Police Motorcycles; and

**WHEREAS**, the City agrees to provide the applicable matching funds, if any, for the said project, though none are known at this time; and

**WHEREAS**, the two requested Zero Electric Police Motorcycles would replace two of the department's current gasoline powered endure motorcycles for an estimated grant request amount of \$30,000.00, with additional outfitting costs being covered by the department via a budget amendment; and

**WHEREAS**, the City agrees that in the event of loss or misuse of the grant funds, the City of Kingsville City Commission assures that the funds received through the grant will be returned to the granting entity 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 to TCEQ under the Texas Emissions Reduction Plan for the Governmental Alternative Fuel Fleet Grant Program for the purchase of two Zero Electric Police Motorcycles and designates the Kingsville Chief of Police as the grantee's authorized official with the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

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 10th day of May, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM**

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

## **AGENDA ITEM #23**

**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: May 10, 2021

SUBJECT: Consider Awarding RFP# 21-06 for 2021 Downtown Improvements – 7<sup>th</sup> Street for the Texas Community Development Block Grant (TXCDBG) Contract Number 7219192 and authorizing execution of the contract.

---

**Summary:**

The City advertised RFP#1-06 for 2021 Downtown Improvements- 7<sup>th</sup> Street (CDBG#7219192) on February 18 & 25, 2021. On March 9, 2021, the City received 3 bids which were publicly opened for the 2021 Downtown Improvements – 7<sup>th</sup> Street TXCDBG 7219192. Bidder 1 was Etech Construction, Inc. from San Antonio, Texas. Bidder 2 was Diamond X Contracting from Johnson City, Texas. Bidder 3 was DMB Construction LLC, from Corpus Christi, Texas. The total bids (base and alternate no. 1, 2 and 3) ranged from \$296,892.25 to \$1,054,812.70. The project successfully bid under the grant construction amount of \$350,000.00.

Contractor's references were verified. We recommend awarding the project to the low bidder who provides the best value to the City, Etech Construction Inc., in the amount of \$326,164.75 for the base bid plus alternates no. 1 and 2. The remaining funds of \$23,835.25 will be spent on additional improvements.

**Background:**

The City was awarded the TDA TxCDBG 7219192 in late 2019. The project consists of sidewalk improvements, bulb-out, curb & gutter, ADA ramps, pavement repair, concrete steps, drainage improvements, signage and lighting (Per Exhibit A). Construction funds include construction costs of \$345,000.00 and administration costs of \$4,500.00 for a total of \$350,000.00. Other funds include the City's match of in-kind services and cash.



**City of Kingsville  
Engineering Dept.**

In-kind services are provided in-house by the Engineering Department in the amount of \$36,000.00. The cash match is \$34,000.00 used to pay for grant administration. The total of other funds is \$70,000.00. Total funds for the project is \$420,000.00.

**Financial Impact:**

The project will be funded by the TDA TXCDBG and the City's match in the amount of \$420,000.00. The City's match is allocated in Fund 101 – TXCDBG Main Street #7219192.

**Recommendation:**

Staff recommends:

- 1) award of the bid BID#21-06 for 2021 Downtown Improvements – 7<sup>th</sup> Street TXCDBG 7219192 to Etech Construction Inc., in the amount of \$326,164.25 for the base bid plus alternate no. 1 & 2 and
- 2) approval of a resolution giving the City Manager the authority to sign the Standard Form Agreement between the City and Etech Construction Inc.

**Attachments:**

Bid Tabulation

Resolution

Construction Contract

Addendum No. 1

7<sup>th</sup> Street Proposed Improvements – Sheets 7 & 8



# BID TABULATION

City of Kingsville  
 Project Name: 2021 Downtown Improvements - 7th St.  
 Bid Number: 21-06  
 Date: 03/09/2021



Eteeb Construction, Inc. P.O. Box 690504 San Antonio, TX 78269									Diamond X Contracting P.O. Box 1158 Johnson City, TX 78636			DMB Construction, LLC 4722 Neptune Street Corpus Christi, TX 78405		
ITEM	QTY	UNIT	DESCRIPTION		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE		
BASE BID: 2021 Downtown Improvement - 7 <sup>th</sup> St.														
B-1	765	SY	REMOVE & DISPOSE OF EXISTING SIDEWALK		\$8.00	\$6,120.00	\$88.00	\$67,320.00	\$65.27	\$49,931.55				
B-2	675	LF	REMOVE & DISPOSE OF EXISTING CONCRETE CURB		\$1.50	\$1,012.50	\$14.00	\$9,450.00	\$32.32	\$21,816.00				
B-3	1055	SY	REMOVE & DISPOSE OF EXISTING CONCRETE PAVEMENT		\$8.00	\$8,440.00	\$17.00	\$17,935.00	\$37.01	\$39,045.55				
B-4	1	LS	REMOVE & DISPOSE OF EXISTING GRATE INLET, JUNCTION BOX & DRAINAGE PIPING		\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$6,531.00	\$6,531,000.00				
B-5	615	LF	6"-9" MONO CURB-PARKING		\$14.00	\$8,610.00	\$28.00	\$17,220.00	\$100.24	\$61,647.60				
B-6	360	LF	6"-9" MONO CURB-BULB OUT		\$22.00	\$7,920.00	\$30.00	\$10,800.00	\$145.44	\$52,358.40				
B-7	765	SY	6" SIDEWALK AND BUILT-UP RAMP		\$99.00	\$75,735.00	\$80.00	\$61,200.00	\$215.30	\$164,704.50				
B-8	60	LF	SIDEWALK DRAIN		\$36.00	\$2,160.00	\$125.00	\$7,500.00	\$686.35	\$41,181.00				
B-9	975	SY	6" CONCRETE PAVEMENT-STREET		\$92.00	\$89,700.00	\$75.00	\$73,125.00	\$193.32	\$188,487.00				
B-10	80	SY	6" CONCRETE PAVEMENT-ALLEY		\$92.00	\$7,360.00	\$80.00	\$6,400.00	\$455.87	\$36,469.60				
B-11	138	LF	CONCRETE STEPS		\$20.00	\$2,760.00	\$65.00	\$8,970.00	\$371.43	\$51,257.34				
B-12	10	EA	ADA RAMPS		\$2,500.00	\$25,000.00	\$2,500.00	\$25,000.00	\$3,647.00	\$36,470.00				
B-13	151	SY	BULB OUT-BRICK PAVERS		\$111.25	\$16,798.75	\$125.00	\$18,875.00	\$248.76	\$37,562.76				
B-14	1	LS	ADA PARKING MARKINGS		\$800.00	\$800.00	\$4,000.00	\$4,000.00	\$6,804.00	\$6,804,000.00				
B-15	4	EA	CROSSWALK STRIPING THERMOPLASTIC		\$300.00	\$1,200.00	\$800.00	\$3,200.00	\$1,150.50	\$4,602.00				
B-16	2	EA	STOP BAR-THERMOPLASTIC		\$600.00	\$1,200.00	\$600.00	\$1,200.00	\$1,023.50	\$2,047.00				
B-17	6	EA	ADA PARKING AND STOP SIGNS		\$1,000.00	\$6,000.00	\$850.00	\$5,100.00	\$1,251.33	\$7,507.98				
B-18	3	EA	ALUMINUM STREET LAMP		\$4,000.00	\$12,000.00	\$10,000.00	\$30,000.00	\$17,834.67	\$53,504.01				
B-19	6	EA	CURB INLETS		\$2,500.00	\$15,000.00	\$5,000.00	\$30,000.00	\$8,066.00	\$48,396.00				
B-20	1	EA	JUNCTION BOX		\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$9,452.00	\$9,452,000.00				
B-21	61	LF	18" DIA. CL III RCP PIPE		\$37.00	\$2,257.00	\$118.00	\$7,198.00	\$137.97	\$8,416.17				
B-22	98	LF	21" DIA. CL III RCP PIPE		\$38.00	\$3,724.00	\$128.00	\$12,544.00	\$142.89	\$14,003.22				
B-23	32	LF	24" DIA. CL III RCP PIPE		\$37.50	\$1,200.00	\$130.00	\$4,160.00	\$151.56	\$4,849.92				
B-24	45	LF	30" DIA. CL III RCP PIPE		\$31.00	\$1,395.00	\$200.00	\$9,000.00	\$160.38	\$7,217.10				
TOTAL BASE BID						\$299,892.25		\$436,197.00		\$954,261.70				



<b>ALTERNATE BID NO. 1:</b>									
A1-1	10	SY	REMOVE & DISPOSE OF EXISTING CONCRETE PAVEMENT	\$18.00	\$180.00	\$50.00	\$500.00	\$653.00	\$6,530.00
A1-2	120	LF	6"-9" MONO CURB-BULB OUT	\$22.00	\$2,640.00	\$40.00	\$4,800.00	\$145.44	\$17,452.80
A1-3	90	SY	BULB OUT-BRICK PAVERS	\$111.25	\$10,012.50	\$125.00	\$11,250.00	\$248.78	\$22,390.20
A1-4	10	SY	6" CONCRETE PAVEMENT	\$144.00	\$1,440.00	\$75.00	\$750.00	\$1,917.90	\$19,179.00
A1-5	4	EA	METAL SIGNS	\$1,000.00	\$4,000.00	\$850.00	\$3,400.00	\$1,301.00	\$5,204.00
<b>TOTAL ALTERNATE BID NO. 1</b>					<b>\$18,272.50</b>		<b>\$20,700.00</b>		<b>\$70,756.00</b>
<b>ALTERNATE BID NO. 2:</b>									
A2-1	2	EA	ALUMINUM STREET LAMP	\$4,000.00	\$8,000.00	\$10,000.00	\$20,000.00	\$17,836.00	\$35,672.00
<b>TOTAL ALTERNATE BID NO. 2</b>					<b>\$8,000.00</b>		<b>\$20,000.00</b>		<b>\$35,672.00</b>
<b>ALTERNATE BID NO. 3:</b>									
A3-1	765	SY	4" SIDEWALK AND BUILT UP RAMP (IN LIEU OF BASE BID ITEM B-7)	\$94.50	\$72,292.50	\$50.00	\$38,250.00	\$202.16	\$154,652.40
<b>TOTAL ALTERNATE BID NO. 3</b>					<b>\$72,292.50</b>		<b>\$38,250.00</b>		<b>\$154,652.40</b>
<b>TOTAL BASE BID</b>							<b>\$436,197.00</b>		<b>\$954,261.70</b>
<b>TOTAL BASE BID + ALTERNATIVE BID NO. 1</b>							<b>\$456,897.00</b>		<b>\$1,025,017.70</b>
<b>TOTAL BASE BID + ALTERNATIVE BID NO. 2</b>							<b>\$456,197.00</b>		<b>\$989,933.70</b>
<b>TOTAL BASE BID - (B-7) + ALTERNATIVE BID NO. 3</b>							<b>\$413,247.00</b>		<b>\$944,209.60</b>
<b>TOTAL BASE BID + ALTERNATIVE BID NO. 1 &amp; 2</b>							<b>\$476,897.00</b>		<b>\$1,060,689.70</b>
<b>TOTAL BASE BID - (B-7) + ALTERNATIVE BID NO. 1, 2 &amp; 3</b>							<b>\$453,947.00</b>		<b>\$1,050,637.60</b>

RED ENTRIES DENOTE ERROR IN BID PROPOSAL. Request a copy of the Bid Proposal(s) for more details. NOTE: These errors do not affect the BID RANKING.

**BID RESULTS RANKING - LOWEST TO HIGHEST:**

1

2

3

**RESOLUTION #2021-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT FOR 2021 DOWNTOWN IMPROVEMENTS-7<sup>TH</sup> STREET BETWEEN THE CITY OF KINGSVILLE AND ETECH CONSTRUCTION INC. (RFP #21-06)(TXCDBG #7219192); REPEALING ALL CONFLICTING RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kingsville went out for RFP's for 2021 Downtown Improvements-7<sup>th</sup> Street (CDBG#7219192) via RFP#21-06, which was advertised on February 18, 2021 and February 25, 2021;

**WHEREAS**, bids were received from three contractors by the bid opening on March 9, 2021 and at a City Commission meeting on April 12, 2021, the City Commission made an award to Etech Construction Inc. (hereafter "Contractor") for the Base Bid and Alternate No. 1 & No. 2 in the amount of \$326,164.75;

**WHEREAS**, the City Commission has awarded the bid for RFP#21-06, it now hereby authorizes the City Manager to execute the agreement on the City's behalf.

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

I.

**THAT** the City Manager is authorized and directed as an act of the City of Kingsville, Texas to enter into a Construction Contract for 2021 Downtown Improvements-7<sup>th</sup> Street between the City of Kingsville and Etech Construction Inc. (RFP#21-06) (TxCDBG#7219192) in accordance with the attached contract and the documents referenced in Article 3 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  
10th day of May, 2021.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

## CONSTRUCTION CONTRACT for 2021 DOWNTOWN IMPROVEMENTS- 7<sup>TH</sup> ST.

**THIS AGREEMENT** made this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the Etech Construction Inc. (a corporation organized and existing under the laws of the State of Texas) hereinafter called the “*Contractor*”, and the City of Kingsville, Texas (a home rule municipal corporation) hereinafter called the “*City*.”

**WITNESSETH**, that the Contractor and the City for the considerations stated herein mutually agree as follows:

**ARTICLE 1. Statement of Work.** The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services, including utility and transportation services, and perform and complete all work required for the construction of the Improvements embraced in the Project; namely, 2021 Downtown Improvement – 7<sup>th</sup> St. (under the Texas Community Development Block Grant Contract #7219192). The Downtown Improvements (sidewalks, gutters, ramps, drainage, bulb-out, etc.) for the City of Kingsville Texas Community Development Block Grant (TxCDBG) project, all in strict accordance with the contract documents including all addenda thereto, numbered Addendum #1, dated March 30, 2020 all as prepared by City of Kingsville – Engineering Department acting and in these contract documents preparation, referred to as the “*Engineer*”.

**ARTICLE 2. The Contract Price.** The City will pay the Contractor for the performance of the Contract in current funds, for the total quantities of work performed at the *unit prices* stipulated in the Bid for the several respective items of work completed subject to additions and deductions as provided in the Bid Schedule – Base Bid, Alternates No. 1 & 2 and Addendum #1 hereof. That being said, the City expects it will pay the Contractor for the performance of the Contract, in current funds, subject to additions and deductions as provided in Section 109 hereof, the sum of Three Hundred Twenty-Six Thousand One Hundred Sixty-Four Dollars and Seventy-Five Cents. (\$326,164.75).

**ARTICLE 3. The Contract.** The executed contract documents shall consist of the following components:

- |                              |  |
|------------------------------|--|
| a. This Agreement (pgs. 1-2) | f. General Conditions, Part I                                |
| b. Addenda                   | g. Special Conditions  |
| c. Invitation for Bids       | h. Technical Specifications                                  |
| d. Instructions to Bidders   | i. Drawings ( <i>as listed in the Schedule of Drawings</i> ) |
| e. Signed Copy of Bid        | j. [Add any applicable documents]                            |

**ARTICLE 4. Performance.** Work, in accordance with the Contract dated May 10, 2021, shall commence on or before \_\_\_\_\_, 2021, and Contractor shall complete the WORK within 180 consecutive calendar days thereafter. The date of completion of all WORK is therefore \_\_\_\_\_.

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed in triplicate original copies on the day and year first above written.

\_\_\_\_\_  
Etech Construction Inc (Contractor)

By: Jonathan Green

Title: President

### **Corporate Certifications**

I, Jaime Green, certify that I am the Corporate Secretary of the corporation named as Contractor herein; that Jonathan Green, who signed this Agreement on behalf of the Contractor, was then President of said corporation; that said Agreement was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

Corporate  
Seal

\_\_\_\_\_  
(Corporate Secretary)

\_\_\_\_\_  
City of Kingsville, TX (City)

By \_\_\_\_\_

By: Mark McLaughlin

Title: City Manager

### **Corporate Certifications**

I, Mary Valenzuela, certify that I am the City Secretary of the municipal corporation named as City herein; that Mark McLaughlin, who signed this Agreement on behalf of the City, was then City Manager of said municipal corporation; that said Agreement was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

Corporate  
Seal

\_\_\_\_\_  
(Corporate Secretary)



## ADDENDUM NO. 1 - Bid # 21-06

**Project:** 2021 Downtown Improvements - 7th Street TXCDBG 7219192

**Owner:** City of Kingsville

**Engineer:** Rutilio P. Mora Jr. P.E.

**Addendum No.:** 1 **Specifications Section:** \_\_\_\_\_ **Issue Date:** February 26, 2021

Acknowledge receipt of this Addendum in the BID PROPOSAL submitted for this project. Failure to acknowledge receipt of this Addendum in the BID PROPOSAL may render the BID as non-responsive and serve as the basis for rejecting the BID.

Approved by: Rutilio P. Mora, Jr., P.E.

Rutilio P. Mora Jr.

Name

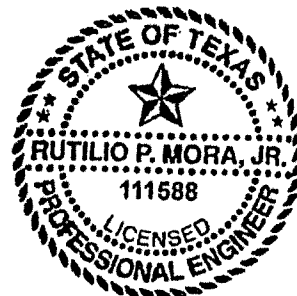
2/26/2021

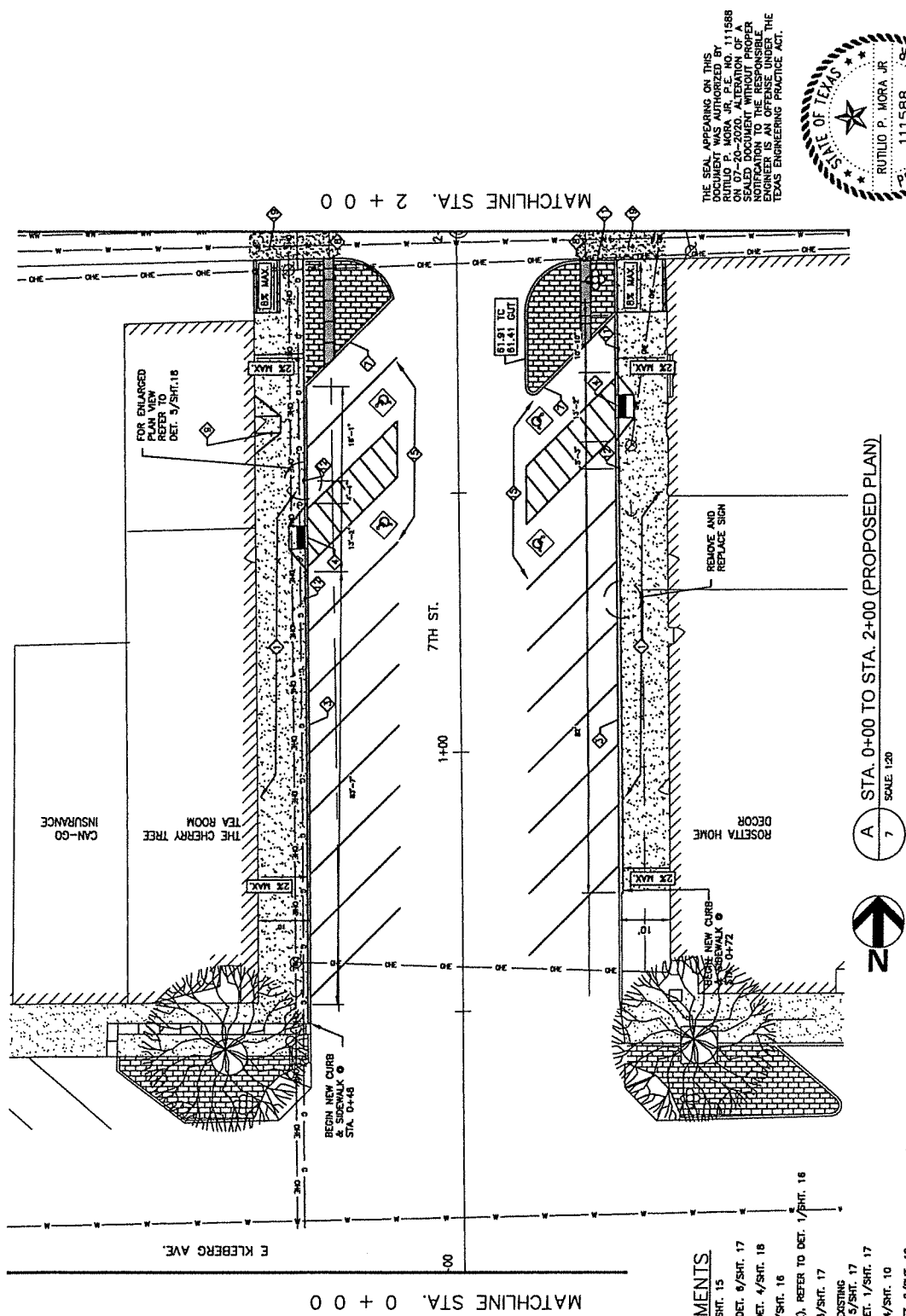
Date

**Addendum Item:**

1. Q. Is there six decorative sign posts?  
A. There are six (6) decorative sign posts for base bid B-17. Four (4) ADA and two (2) stop signs.
2. Q. Is there six reserved parking signs?  
A. There is one (1) reserved parking sign and three (3) 2-hour parking signs. It is located in Additive Alternate Bid No. 1 - A1-5 Metal sign.

**Note:** To comply with the Instruction to Bidders paragraph 2, no other addendum will be issued after today.





**PROPOSED IMPROVEMENTS**

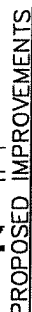
- 1. NEW SIDEWALK, REFER TO DET. 1/SHT. 15
- 2. NEW CONCRETE STEPS, REFER TO DET. 8/SHT. 17
- 3. NEW CONCRETE CURB, REFER TO DET. 4/SHT. 18
- 4. NEW ADA RAMP, REFER TO DET. 1/SHT. 16
- 5. NEW ADA LANDING (TURNING SPACE), REFER TO DET. 1/SHT. 16
- 6. NEW CROSSWALK, REFER TO DET. 3/SHT. 17
- 7. NEW BRICK PAVERS (MATCH WITH EXISTING AT KLEBERG AVE), REFER TO DET. 5/SHT. 17
- 8. NEW SIDEWALK DRAIN, REFER TO DET. 1/SHT. 17
- 9. NEW CURB INLET, REFER TO DET. 4/SHT. 10
- 10. NEW BUILT UP RAMP, REFER TO DET. 2/SHT. 18
- 11. NEW DECORATIVE LAMP WITH BASE, REFER TO SHT. 14
- 12. NEW SIGN, REFER TO DET. 4/SHT. 17
- 13. RELOCATED STOP SIGN
- 14. STOP BAR, REFER TO DET. 3/SHT. 17

- 15. NEW ADA PARKING MARKING AND SYMBOLS, REFER TO DET. 1/SHT. 18
- 16. NEW JUNCTION BOX, REFER TO DET. 4/SHT. 9
- 17. CITY SHALL ADJUST WATERLINE
- 18. GAS COMPANY SHALL ADJUST EXISTING LINE IF NEEDED
- 19. NEW CONCRETE PAVEMENT

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY THE STATE OF TEXAS ON 07-20-2020. ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS A VIOLATION OF THE TEXAS ENGINEERING PRACTICE ACT.



RUTLIO P. MORA JR., P.E. NO. 111588





# **AGENDA ITEM #24**

**City of Kingsville  
Legal Department**

---

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Courtney Alvarez, City Attorney

DATE: May 6, 2021

SUBJECT: Notice of Intent to Issue Certificates of Obligation

---

**Summary:**

A presentation was made by bond counsel at the City Commission meeting on February 22, 2021 advising that a Notice of Intent to Issue Certificates of Obligation would need to be approved by the City Commission at a future meeting after the Texas Water Development Board (TWDB) met again on the drainage projects preliminarily approved by that board. The TWDB recently met and the notice of intent has been received from bond counsel for approval by City Commission.

**Background:**

The City applied to the Texas Water Development Board (TWDB) for Flood Infrastructure Funding to address several major drainage issues in town. The Board preliminarily approved four of the projects submitted, with some funding approved through grants and others zero interest loans. Bond counsel and the financial advisor for the City briefed the City Commission at length about this matter at the February 22, 2021 City Commission meeting. They advised that once the TWDB met this spring for final approval of the projects and financing there would be a need for the City Commission to: 1) approve a Notice of Intent to Issue Certificates of Obligation, 2) publish the notice in the newspaper for two consecutive weeks with the first notice occurring at least 45 days prior to the meeting to approve the ordinance(s) for the certificates of obligation, and 3) approve ordinance(s) authorizing certificates of obligation for each of the four drainage projects. The TWDB met in late April and the City received the notice



**City of Kingsville  
Legal Department**

of intent from bond counsel today. The notice needs to be approved and placed in the newspaper.

For a planned June 28, 2021 meeting date to approve the CO ordinance(s), the notice of intent would need to be published on May 13<sup>th</sup> & 20<sup>th</sup>, 2021. If the May 13<sup>th</sup> publication date is not met, then the notice will reflect a July 12, 2021 meeting date to consider approval of the ordinance(s) authorizing the certificates of obligation with publication dates on May 20<sup>th</sup> & 27<sup>th</sup>, 2021.

**Financial Impact:** None. Bond counsel will have the notice of intent published in the local newspaper.

**Recommendation:** Authorize the publication of a Notice of Intent to Issue Certificates of Obligation.

P.2



**RESOLUTION #2021-\_\_\_\_\_**

**RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION  
TO ISSUE CERTIFICATES OF OBLIGATION**

WHEREAS, the City Commission (the “City Commission”) of the City of Kingsville, Texas (the “City”), finds that financing the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of the public property, as well as the payment of fees for professional services related thereto, described in Exhibit A hereto would be beneficial to the inhabitants of the City, and such property is needed to perform essential governmental functions; and the City Commission has determined that one or more series of certificates of obligation (the “Certificates of Obligation”) should be issued pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 *et seq.*, Texas Local Government Code, for such purposes;

WHEREAS, prior to the issuance of the Certificates of Obligation, the City is required to publish notice of its intention to issue the Certificates of Obligation in a newspaper of general circulation in the City, the notice stating (i) the time and place the City Commission tentatively proposes to pass the ordinance authorizing the issuance of the Certificates of Obligation, (ii) the maximum amount of Certificates of Obligation proposed to be issued, (iii) the purposes for which the Certificates of Obligation are to be issued, and (iv) the manner in which the City Commission proposes to pay the Certificates of Obligation;

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

**Section 1.** Attached hereto and marked Exhibit A is the “Notice of Intention to Issue Certificates of Obligation” (the “Notice”), the form and substance of which are hereby adopted and approved.

**Section 2.** Attached hereto and marked Exhibit B is a list of outstanding debt obligations of the City which the City designates as self-supporting debt for purposes of Subchapter C of Chapter 271, Texas Local Government Code, as amended.

**Section 3.** The Mayor or the City Secretary shall cause the Notice to be published in a newspaper, as defined in Section 2051.044, Texas Government Code, of general circulation in the City for two consecutive weeks, the date of first publication to be at least 45 days prior to the date tentatively set for adoption of one or more ordinances authorizing the issuance of the Certificates of Obligation.

**Section 4.** The Mayor and the City Secretary are hereby authorized and directed to execute the Certificate to which this Resolution is attached on behalf of the City Commission and to do any or all things proper and necessary to carry out the intent thereof.

**PASSED AND APPROVED** by a majority vote of the City Commission on the 10th day of May, 2021.

**ATTEST:**

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

\_\_\_\_\_  
Sam Fugate, Mayor

**APPROVED AS TO FORM:**

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

**DRAFT**

**EXHIBIT A**

**NOTICE OF INTENTION TO ISSUE  
CERTIFICATES OF OBLIGATION**

NOTICE is hereby given that it is the intention of the City Commission (the "City Commission") of the City of Kingsville, Texas (the "City") to adopt one or more ordinances providing for the issuance of one or more interest-bearing obligations of the City presently contemplated to be designated and known as the "CITY OF KINGSVILLE, TEXAS CERTIFICATES OF OBLIGATION" (the "Certificates of Obligation") for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, purchasing, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, including (i) providing for the payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property; and (ii) payment of contractual obligations for professional services in connection therewith (to wit: consulting, engineering, financial advisory, and legal).

The City Commission tentatively proposes to authorize the issuance of the Certificates of Obligation (one or more series) at its regular meeting place at 400 West King Avenue, Kingsville, Texas, at a meeting of the City Commission to be commenced at 5:00 p.m. on June 28, 2021, in a maximum total amount expected not to exceed \$3,800,000. In the event the City Commission will be unable to meet at this location on June 28, 2021, the City will post information on its website for attending the meeting by telephone, teleconference, or other electronic means. The City Commission proposes to provide for payment of the Certificates of Obligation from a pledge of an annual ad valorem tax, as well as a subordinate lien pledge of the net revenues of the City's waterworks and sewer system. The City Commission reasonably expects to provide for payment of debt service on the Certificates of Obligation from a subordinate lien pledge of the net revenues of the City's waterworks and sewer system, but in the event such self-supporting source of revenues is inadequate for such purpose, the City will be obligated to levy an annual ad valorem tax to pay debt service due on the Certificates of Obligation.

In accordance with the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended ("Chapter 271"), the following information has been provided by the City (excludes \$9,970,310 principal amount of outstanding debt obligations the City has designated as self-supporting and which the City reasonably expects to pay from revenue sources other than ad valorem taxes; provided, however, that in the event such self-supporting revenues sources are insufficient to pay debt service, the City is obligated to levy ad valorem taxes to pay such debt obligations): The current principal of all outstanding debt obligations of the City is \$19,875,000, the combined principal and interest required to pay all currently outstanding debt obligations of the City on time and in full is \$22,904,864, the estimated combined principal and interest required to pay the Certificates of Obligation on time and in full is \$3,800,000, the estimated interest rate for the Certificates of Obligation is 0%, and the maximum maturity date of the Certificates of Obligation will not exceed the maximum allowed by law. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with one or more series of the Certificates of Obligation. The resolution designating certain outstanding debt obligations of the City as self-supporting for purposes of Chapter 271 is available upon request sent to the City at the address noted above.

/s/ Sam Fugate  
Mayor, City of Kingsville, Texas

**EXHIBIT B**

**SELF-SUPPORTING DEBT OBLIGATIONS OF THE CITY**

Certificates of Obligation, Series 2009	\$ 46,293
Certificates of Obligation, Series 2013	3,120,000
Limited Tax Refunding Bonds, Series 2014	4,290,000
Limited Tax Refunding Bonds, Series 2020	2,319,017
Tax Notes, Series 2021	<u>195,000</u>
 SUBTOTAL	 \$ 9,970,310
 Certificates of Obligation to be issued in 2021	 <u>\$ 3,800,000</u>
 TOTAL	 \$ 13,770,310

## CERTIFICATE FOR RESOLUTION

We, the undersigned Mayor and City Secretary of the City of Kingsville, Texas (the "City"), hereby certify as follows:

1. The City Commission of the City (the "City Commission") convened in regular session, open to the public, on May 10, 2021 (the "Meeting"), at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Commission, to wit:

Sam R. Fugate, Mayor  
Hector Hinojosa, Mayor Pro Tem  
Norma Nelda Alvarez, Commissioner

Edna Lopez, Commissioner  
Ann Marie Torres, Commissioner

and all of said persons were present, except \_\_\_\_\_, thus constituting a quorum. Whereupon among other business, the following was transacted at the Meeting: a written Resolution entitled:

### RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

(the "Resolution") was duly introduced for the consideration of the Commission. It was then duly moved and seconded that the Resolution be finally passed and adopted; and after due discussion, such motion, carrying with it the adoption of the Resolution prevailed and carried by the following vote:

YES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_

2. A true, full, and correct copy of the Resolution adopted at the Meeting is attached to and follows this Certificate; the Resolution has been duly recorded in the City Commission's minutes of the Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the City Commission's minutes of the Meeting pertaining to the adoption of the Resolution; the persons named in the above and foregoing paragraph are duly chosen, qualified, and acting officers and members of the City Commission as indicated therein; each of the officers and members of the City Commission was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the Meeting, and that the Resolution would be introduced and considered for adoption at the Meeting and each of such officers and members consented, in advance, to the holding of the Meeting for such purpose; and the Meeting was open to the public, and public notice of the time, place, and purpose of the Meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE,  
TEXAS ON MAY 10, 2021.

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
Mayor

(CITY SEAL)

## **AGENDA ITEM #25**



## **AGENDA ITEM #26**