

City of Kingsville, Texas

AGENDA CITY COMMISSION MONDAY, DECEMBER 13, 2021 REGULAR MEETING

**CITY HALL
HELEN KLEBERG GROVES COMMUNITY ROOM
400 WEST KING AVENUE
4:00 P.M.- Workshop
5:00 P.M.-Regular Meeting**

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

OR

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

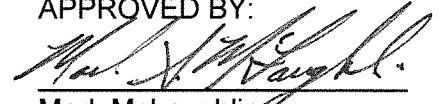
I. Preliminary Proceedings.

OPEN MEETING

CONVENE INTO WORKSHOP AT 4:00 P.M.:

Review and discuss proposed City of Kingsville Economic Development Grant Program and Administrative Manual. (City Manager/Economic Development Director).

APPROVED BY:


Mark McLaughlin
City Manager

REGULAR MEETING AT 5:00 P.M.:

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – November 22, 2021

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

1. Public hearing on request to rezone Sanchez Addition, Lot 4, acres .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service). John and Velinda Sanchez, applicants and owners. (Director of Planning & Development Services).

III. Reports from Commission & Staff.²

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

League. Staff reports include the following: Building & Development , Code Enforcement, Condemnation Update, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports, Utilities Billing Update; Police & Fire Department – Grant Update, Police & Fire Reports; Streets Update; Public Works; Landfill Update, Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Emergency Management, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Health Department, Hotel Occupancy Report, Quiet Zone, SEP, Legislative Update, Proclamations, Employee Recognition, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Wastewater Treatment Plant, Water And Wastewater Rate Study Presentation, Golf Course, Library Summer Programs, Grants Update. No formal action can be taken on these items at this time.”

IV. Public Comment on Agenda Items.³

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

V.

Consent Agenda

Notice to the Public

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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend donations for Parks Department from King Ranch, La Posada de Kingsville, Kleberg County Attorney's Specialized Crimes Task Force, Kleberg County District Attorney's Office, and Christus Spohn Hospital Kleberg. (Parks Director).
2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for a broadband feasibility study. (Finance Director).
3. Motion to reappoint Nick Harrel to the Civil Service Commission for a three-year term. (Human Resources Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

4. Consider introduction of an ordinance amending the zoning ordinance by changing the zoning map in reference to Sanchez Addition, Lot 4, (.964 acres), also known as S. 6th at Escondido Road, Kingsville, Texas, from R1 (Single-

Family Residential District) to C1 (Neighborhood Service District). (Director of Planning & Development Services).

5. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 3-Departments, Boards, & Commissions, by amending Sections 3-3-50 through 3-3-55, providing for revisions to the Board of Health Subarticle. (Health Director).

6. Consider authorizing purchase of Dynapac CP 1200 9-wheel pneumatic roller for Street Department from Doggett Heavy Machinery LLC through BuyBoard Purchasing Cooperative as per staff recommendation. (Purchasing Manager).

7. Consider a resolution of the City Commission of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant-Mitigation Program (CDBG-MIT) General Land Office (GLO) State Contract Number 22-085-009-D237. (City Engineer).

8. Consider a resolution of the City Commission of Kingsville, Texas designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Community Development Block Grant-Mitigation Program (CDBG-MIT) General Land Office (GLO) State Contract Number 22-082-016-D218. (City Engineer).

9. Consider a resolution of the City of Kingsville, Texas, regarding Civil Rights, Citizen Participation Plan, Section 3, Excessive Force, Section 504, Fair Housing, and Code of Conduct Policies for CDBG-MIT compliance. (City Engineer).

10. Consider approving amended procedures for financial and grant payments for the City's two Community Development Block Grant-Mitigation grants from the General Land Office. (Contracts 22-085-009-D237 and 22-082-016-D218). (City Engineer).

11. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the change order for the emergency wastewater line repair. (Public Works Director).

12. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the purchase of tasers and hardware/software for a new dispatch station. (ARPA funds). (Police Chief).

13. Consider authorizing the purchase of 2021 TASER 7 Certification Bundle from Axon through BuyBoard Purchasing Cooperative as per staff recommendation. (ARPA funds). (Police Chief).

14. Consider authorizing the purchase of 9-1-1 Position Expansion via HGAC Purchasing Cooperative via staff recommendation. (a new dispatch station). (ARPA funds). (Police Chief).

15. Consider a resolution of the City of Kingsville, Texas authorizing the Kleberg County Clerk to use the Dick Kleberg Park Recreation Hall as a County Voting Precinct. (Parks Director).

16. Consider a resolution of the City of Kingsville City Commission requesting the Texas Department of Transportation conduct a speed limit study on the US 77 By-Pass from the northern to the southern city limits of Kingsville. (Commissioner Alvarez).

17. Discussion on Animal Control Division of the Health Department. (Commissioner Torres).

18. Consider a resolution adopting the City of Kingsville Economic Development Grant Program and Administrative Manual; and providing for evaluation of each application for conformity with such program and criteria prior to submission to the Commission. (City Manager/Economic Development Director).

VII. Adjournment.

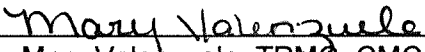
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative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

NOTICE

This City of Kingsville and Community Room are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail mvalenzuela@cityofkingsville.com for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

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

December 9, 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)

NOVEMBER 22, 2021

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

CITY COMMISSION PRESENT:

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

CITY STAFF PRESENT:

Mark McLaughlin, City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Kyle Benson, IT Manager
Alex Talip, IT
Uchechukwu Echeozo, Director of Planning & Development Services
Rudy Mora, Engineer
Ricardo Torres, Police Chief
Diana Gonzales, Director of Human Resources
Emilio Garcia, Health Director
Bill Donnell, Public Works Director
Stephannie Resendez, Planning Administrative Assistant
Manny Salazar, Economic Development Director

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:00 p.m. with all five Commission members present.

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting – November 8, 2021

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

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

1. Public hearing on request to replat KT&I Co., Block 20, Lot SE Pt 11, acres 13.13, also known as Property ID 22555, Kingsville, Texas. John A. Wuensche and Dena Rae Wuensche, applicants and owners. (Director of Planning & Development Services).

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

Mr. Uchechukwu Echeozo, Director of Planning & Development Services stated that this item is for a request to replat property. He further stated that the Planning & Zoning Commission has met on this item and has voted unanimously to recommend approval of this request. Citizens have been notified and staff received one call from a citizen, not against or in favor of the replat, but rather to ask a question on what replat meant. No complaints were received by citizens that received letters from the city.

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. Mark McLaughlin commented that this property is adjacent to the city limits, but just outside, but it is within the Extra-Territorial Jurisdiction (ETJ) which is the reason for the item being presented at this meeting.

There being no further comments Mayor Fugate closed this public hearing at 5:04 P.M.

2. Public hearing on request to submit an application for Brownfield Cleanup Grant to the U.S. Environmental Protection Agency. (Director of Planning & Development Services).

Mayor Fugate read and opened this public hearing at 5:04 P.M.

Mr. Echeozo gave some background information on this Brownfield Grant. He stated that this comes from demolition and process from the Code Enforcement Department back in 2018. When staff determined that the building could have asbestos a test was ordered from an organization to do an environmental test, to which the test showed that the building did have asbestos. He further stated that now the city has acquired the building and is wanting to demolish and clean the property and have it used for something else, hence the grant. Mr. Echeozo stated that the grant is an EPA grant which has its legislative backing from the Comprehensive Environmental Response Compensation and Liability Act and Brownfields Utilization, Investment and Local Development Act 2018. He further stated that the summary of this is that the EPA's Brownfields Program provides funds to empower states, communities' tribes, and non-profit organizations to prevent, inventory, assess, clean up and reuse brownfield sites. EPA anticipates awarding an estimated 26 cleanup grants for an estimated \$13 million, subject to the quality of applications received, availability of funds, and other applicable considerations. Mr. Echeozo further stated that the grant application closing date is December 1, 2021. The property site is the old Kleberg County Hospital located at 400 E. Caesar, Kingsville, TX. Funding requested is \$500,000 with a 20% match which equals to \$100,000. He stated that the enviro test has two reports, one from Envirotest LLC with 96 samples isolated and the other one from Analysis of Brownfield Cleanup Alternatives, which is a requirement for the Brownfield Grant. He stated that the organization that took care of this is APTIM and recommended the removal of the asbestos and the building as well. He further stated that the potential reuse strategy for this property would be affordable housing, recreational (amusement park) which would improve the amenity of the area, or a parking lot that can be used for the church across the street. Mr. Echeozo stated that the conclusions are as followed: request to apply for Brownfield Grant; public hearing to engage with the public; available to answer questions; applications, documents, details, that can be reviewed here during this meeting or visit the Planning and Development Services Department or contact a staff member from within the department.

Commissioner Lopez asked if this is the same grant that was applied for some years back but was denied? Mr. McLaughlin responded yes and stated that the city that was awarded the grant last year had applied nine times in a row before they were awarded the grant.

Commissioner Torres asked that when a grant is denied, does it tell you what was wrong in the application that caused for denial of the application? Mr. Echeozo stated that they do provide some tips on what was not done correctly. Commissioner Torres further asked if that this grant will include the three items such as the affordable housing, recreational or parking lot, or do you have to choose one? Mr. Echeozo responded that what will be recommended is affordable housing.

Mr. McLaughlin commented that affordable housing is a natural fit for this area. One thing that the city will need to do is build Ragland Street all the way through to open the back half of the property. Mr. McLaughlin further stated that what is hurting the city on this is the amount of asbestos that was determined as well as the trash that is inside the building, which is considered contaminated as well.

Commissioner Lopez asked if the building was still being used for storage? Mr. McLaughlin responded no; the building is secure with no entry allowed.

Commissioner Torres asked about the property located behind the building. Mr. McLaughlin stated that the property behind this one is privately owned and therefore the fly-over bridge between both buildings will need to come down.

Mayor Fugate commented that the building had been used for storage for many years.

Commissioner Lopez commented that the amount of trash inside the building is visible from Caesar Street.

Mayor Fugate asked if the city increased their match, would that give the city a better chance of being awarded this grant?

Mr. McLaughlin responded yes, and the staff believes that the city will be closer to a 50% match, but the requirement is that we would need to do at least a 20% match. He further stated that if the city asks for \$500,000, staff believes that the bill could be closer to \$1 million the city will be in for 50%. Mr. McLaughlin stated that staff is not asking for the match, it is only asking to apply for the grant.

Commissioner Alvarez asked if there is a maximum to this grant. Mr. McLaughlin responded that it is \$500,000.

Mayor Fugate commented that some time back, with Mr. Cappell being City Manager, the city set aside \$500,000 to demolish and clean up this property but was not enough. He further commented that if the city needs to put more money into it to make this happen, let's get it done.

Commissioner Hinojosa asked if additional money since it will cost more than \$500,000 to demolish the building.

Mayor Fugate commented that if it is going to cost more than \$500,000, why not put it in the match.

Mr. McLaughlin responded that it may be, but staff doesn't have a firm amount until bids are presented.

Commissioner Hinojosa asked that if the walkway will be demolished up to the city's property line and will the city be responsible for covering the walkway.

Mr. McLaughlin responded that once the city gets to the edge of its property, the rest will be on private property which will be that owner's responsibility.

Commissioner Torres asked if the property owner will cooperate with having affordable housing so near if that is the route the city decided to go.

Mr. McLaughlin responded that where Ragland Street would go all the private property with the owner that has the flyover bridge which connects to the old hospital, city staff has not discussed this with that owner and what he plans on doing with his side of the lot. Mr. McLaughlin stated that on the city's side of the property, it can fit a 16-unit complex.

Commissioner Torres further asked if the city receives the grant, would the city be locked if it is decided to use the property for affordable housing. Would it need to be affordable housing only, if that is what is decided or can it be used for anything else?

Mr. McLaughlin responded that if the city says that it will do affordable housing, the city will have to follow through with that.

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

There being no further comments Mayor Fugate closed this public hearing at 5:16 P.M.

III. Reports from Commission & Staff.²

"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to, the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, 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. McLaughlin reported that the city had a successful weekend with the Ranch Hand festivities that occurred this past weekend. He further thanked the Tourism Staff and Mr. Bill Donnell, Public Works Director for their hard work this past weekend. He further stated that Mr. Manny Salazar, Economic Development Director should be providing a cell phone ping report showing where visitors came from. Mr. McLaughlin further reported that this year's Grand Marshall for La Posada Parade will be Officer Sherman Otto Benys, with the Benys Family approval. He further reported that city offices will close at noon on Wednesday, November 24th so that staff can travel safely to their destination for the Thanksgiving Holiday. He further reported that city offices will be closed on Thursday, November 25th, and Friday, November 26th for the Thanksgiving Holiday.

Commissioner Torres asked if numbers will be provided for the Ranch Hand Festivities that occurred this past weekend?

Mr. McLaughlin responded that staff would get some figures but not sure if staff will get amounts made by the businesses but may receive percentages that were made during the weekend festivities. He further stated that he has heard from some of the downtown merchants who stated that they had a great weekend in sales.

Commissioner Torres asked if they would be able to get a report after each event that shows how it went and what the city spent and what came in.

Mr. McLaughlin responded that he would try and figure out how to build a report with what is being asked by Commissioner Torres.

Ms. Courtney Alvarez reported that the next City Commission meeting is scheduled for December 13th with a deadline to staff for agenda items on December 2nd.

Commissioner Torres commented that she and her family had a great time during this weekend's festivities. She further stated that she made contact with a lot of the visitors who stated that they were having a great time. Commissioner Torres stated that she mentioned this to Mayor Fugate, that more communication between what is going on with the Commission and so forth, would be appreciated, and further stated that this can be discussed later.

Mayor Fugate commented that the entire weekend festivities were great and well attended.

IV. Public Comment on Agenda Items.³

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

Ms. Crystal Emery, 1620 S. 11th Street commented that she would like to commend the City Secretary and the City's IT Staff for keeping the citizens informed of the Commission meetings through the online minutes and the live stream meeting that is available for playback. She appreciates the dedication and transparency and wanted to say thank you.

Mr. Lance Hamm, 912 South Creek, commented that he emailed the City Commission a couple of days ago and like the email, he is here to ask for the city's assistance. He stated that he is a highway safety advocate in Kingsville and has been working with Lucio Ramos from TXDOT and America Garza from Traffic from Corpus Christi on highway safety on Highway 77. Mr. Hamm stated that he resides on South Creek Subdivision which is near the work zone. Within the next couple of months, the south flow traffic is going to shift to the service road going past the RV Park and South Creek Subdivision. He further stated that there will be a lot of traffic close to his subdivision and at this moment TXDOT has the speed at 55 mph. He stated that he is working with Lucio and America in trying to reduce this speed, but he sees a roadblock coming up which is why he is here tonight asking for the Commission's assistance. He stated that he doesn't think they will get the speed down to what he and his neighbors think it needs to be. They are hoping for at least 45 mph but right now it's planned for 55 mph. America from Corpus is working on this and trying to get the speed down to 50 mph, and further stated that he needs the Commission assistance. Mr. Hamm stated that the thing about TXDOT, which he has been working with them for some time, they have all this money to do this overpass and the need statement for that overpass was that at-grade intersection compromises safety, at-grade intersection within the project experience accident rates. He stated that TXDOT has said that a grade intersection which is where the RV Park is located, and South Creek Subdivision is located in an at-grade intersection which he knows is dangerous and so TXDOT has told them it is dangerous so let's build an overpass or make it an interchange which they are. But now that they will be moving traffic near the subdivision, they are not using the same logic and say that this at-grade intersection be slower as we know that it was part of their reasoning. He further stated that they will not be slowing down the traffic. They are using logic to say that they need money for the project, once they get the project, they are not using the same logic saying that these at-grade intersections will be slower speed. Mr. Hamm further commented that he needs the Commission's assistance. He further stated that the other concern is the speed limit on General Cavazos. The speed limit is at 45 mph and the city's code of ordinances and what the city is asking for in the code, Ordinance 2003-08 approved May 12, 2003, General Cavazos at the beginning of the intersection of US Highway 77 to the intersection of Business; he stated that this is all General Cavazos in the city and right now it states 35 mph. Mr. Hamm continues to state that

the ordinance asks for 35 mph but the speed limit is 45 mph at this time. He further stated that he has been working with the School Board in getting a school zone near the baseball field. He further stated that the other major distractor is the sidewalk. On the sidewalk next to General Cavazos on the southside nearest to Walmart and the Hospital, there is no clear zone with the speed at 45 mph which is dangerous to have anyone walking next to a roadway that is 45 mph and is uncalled for. He further stated that the city's ordinance says 35 mph and as he mentioned in his email, can the city sign a resolution requesting TXDOT to change to 35 mph? He stated that there is no reason we can't have 35 mph as the other streets in Kingsville that are four lanes, two lanes each direction with a turn lane, at 35 mph. It is only reasonable for it to be 35 mph which is probably why it is listed under the ordinance. Mr. Hamm stated that these are the two main things and requested the City's assistance with this. He stated that he will not be able to attend the next City Commission which is a major concern for him because if the Commission decides to place this item on the agenda, he would want to be here for it. He further stated that he has spoken with Lucio Ramos and Mr. Ramos is willing to come to the City Commission to answer any questions the Commission may have. He stated that he has been speaking with Mr. Ramos and has had two major sit-down meetings with him and America Garza who have done a lot of other things that he has asked for and have complied with and are working with him on this. Mr. Hamm further stated that the speed limit, he sees a roadblock and will need some assistance as to why he is here at this meeting.

Mrs. Mary Valenzuela, City Secretary read a public comment on behalf of Ms. Norma Martinez. The comment read as followed:

Dear Ms. Valenzuela, The City of Kingsville Tourism Department staff should be commended and rewarded for successfully organizing, coordinating, and executing the multi-day multi-venue Ranch Hand Weekend Festival. That the Department can do this with its small staff and a relatively small group of volunteers speaks volumes for their dedication and work ethic. I attended the very first Ranch Hand Weekend Festival and have attended most of them since then. The festivals have always been fun and out-of-town guests who have accompanied me to them have always enjoyed them. The 2021 Festival did not disappoint. The downtown venue was a great opportunity to find unique gifts and do so at a relaxed pace. The artistic exhibits are always stimulating. The Saturday evening concert was so much fun; I had not seen so many people singing along with the performer in a long time. I was pleased to see community leaders among the crowds and especially pleased that they were willing to visit with many on any number of topics. I urge the city to publicly recognize the Tourism Department employees that work tirelessly to put forth a positive image for Kingsville and kick off the holiday season with a successful event. I am certain the Tourism Department workload will remain at close to peak levels throughout the entire holiday season as they prepare for all the La Posada events. Let the staff members know that the community and their employer appreciate their efforts. Regards, Norma Martinez, Bishop TX.

V.

Consent Agenda

Notice to the Public

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

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

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

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the carry-over purchase orders that were ordered or started last fiscal year and will be received or completed this fiscal year. (Finance Director).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for the emergency repairs to Water Well #21. (Finance Director).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to transfer uncommitted funds in the DEAAG Grant Fund back to Utility Fund 051 and to cover shortage in Fund 054. (Finance Director).

4. Motion to approve final passage of an ordinance amending the Fiscal Year 2021-2022 budget to appropriate funding for façade grant applications received. (Finance Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

5. Consider a request to replat KT&I Co., Block 20, Lot SE Pt 11, acres 13.13, also known as Property ID 22555, Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Hinojosa to approve the request to replat KT&I Co., Block 20, Lot SE Pt 11, acres 13.13, also known as Property ID 22555, Kingsville, Texas, seconded by Commissioner Lopez.

Commissioner Alvarez asked if Mr. McLaughlin if he could explain more on this item.

Mr. McLaughlin stated that this is outside the city limits. There are city utilities in this area. The properties are being divided into two and a half acres except for on the corner of Trant and FM 1030 (Franklin Adams) there is a .8 acre on the corner, which is most likely commercial but could be residential, this is the location where the city has a water line which is a six-inch water line. He further stated that there is water on the other side of the tracks that goes to this area to which if the developer turns it into R1 and builds it out they can have water but there are no sewer lines in this location.

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

6. Consider a resolution authorizing the submission of an application to the Environmental Protection Agency Brownfields Program for remediation at site of the Old Kleberg County Hospital building at 400 E. Caesar Ave., Kingsville, Texas. (Director of Planning & Development Services).

Motion made by Commissioner Lopez and Commissioner Torres to approve the resolution authorizing the submission of an application to the Environmental Protection Agency Brownfields Program for remediation at site of the Old Kleberg County Hospital building at 400 E. Caesar Ave., Kingsville, Texas, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Hinojosa, Alvarez, Lopez, Fugate voting "FOR".

7. Consider participation in and sponsorship of Wings Over South Texas Air Show at Naval Air Station Kingsville on April 2 & 3, 2022. (Tourism Director).

Motion made by Commissioner Hinojosa to approve the participation in and sponsorship of Wings Over South Texas Air Show at Naval Air Station Kingsville on April 2 & 3, 2022, seconded by Commissioner Lopez and Commissioner Torres.

Commissioner Torres asked if the city had already set money aside for this?

Mr. McLaughlin responded that we have not set money aside but have discussed with the installation about the city's participation, which the city does every time this comes up. The city's participation level is normally much lower in cash but higher in in-kind services. This year, the city has been asked to be one of the leading sponsors. He further stated that once the entire airshow is lined up, the city will negotiate with them exactly where the \$25,000 would need to be spent as the city will already have a billboard that has been paid for which costs about \$8,000. Mr. McLaughlin stated that the request is for \$25,000 but would like to put another \$25,000 aside for other needs for the Wings Over South Texas Air Show.

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

8. Consider accepting donations from the King Ranch, La Posada de Kingsville, Kleberg County Attorney's Specialized Crimes Task Force, Kleberg County District Attorney's Office, and Christus Spohn Hospital Kleberg for Park's Healthy Family Partners Events. (Parks Director).

Motion made by Commissioner Alvarez to approve the acceptance of donations from the King Ranch, La Posada de Kingsville, Kleberg County Attorney's Specialized Crimes Task Force, Kleberg County District Attorney's Office, and Christus Spohn Hospital Kleberg for Park's Healthy Family Partners Events, seconded by Commissioner Lopez and Commissioner Torres. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa, Fugate voting "FOR".

9. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to accept and expend donations for Parks Department from King Ranch, La Posada de Kingsville, Kleberg County Attorney's Specialized Crimes Task Force, Kleberg County District Attorney's Office, and Christus Spohn Hospital Kleberg. (Parks Director).

Introduction item.

10. Consider introduction of an ordinance amending the Fiscal Year 2021-2022 Budget to appropriate funding for a broadband feasibility study. (Finance Director).

Mr. Kyle Benson, IT Manager stated that this allocates the funding from the ARP Fund into City Special Funds. He further stated that the goal for this study is to determine what it would take to get gigabyte fiber base internet to every citizen of Kingsville. Someone would have to make a capital investment, doesn't necessarily need to be the

city, but the purpose of this study is to figure out what it would look like if the city was to undertake this or what it would look like if another carrier would take it on as well as to what the options would be at that point. Mr. Benson further stated that the city being an ISP and doing a private partnership or just doing nothing, the study will examine all those options.

Commissioner Torres asked if the city would assist other companies if they come in? Mr. Benson responded yes.

Introduction item only.

11. Consider a resolution adopting the City of Kingsville Premium Pay Policy (for January-March 2021 using ARPA funds). (City Manager).

Motion made by Commissioner Lopez to approve the resolution adopting the City of Kingsville Premium Pay Policy (for January-March 2021 using ARPA funds), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Hinojosa, Alvarez, Fugate voting “FOR”.

12. Consider a resolution adopting the City of Kingsville Economic Development Grant Program and Administrative Manual; and providing for evaluation of each application for conformity with such program and criteria prior to submission to the Commission. (City Manager/Economic Development Director).

Mr. Manny Salazar, Economic Development Director stated that the Economic Development Grant (EDG) program is an evolution of the Façade Grant program. The EDG will have city-wide applicability as well as a more stringent application process. The intended funding for the EDG is \$500,000 annually, this increased amount requires additional vetting of applicants/ applications to ensure that the city is not only being a good steward of public money but also ensuring that projects that are funded are completed. The grant is designed for growth by removing one of the primary obstacles in starting a new or an expansion of a business. This grant is designed primarily to support local people who want to create local businesses and hire local people. Mr. Salazar stated that there is a stipulation within the grant manual that requires the purchase of supplies from Kingsville if supplies are available. Each grant recipient would be required to create full-time permanent jobs for each project. The ratio is one job for every \$10,000 received, which is a metric that is industry standard. This grant will be used to fill financial gaps for small incubator companies that utilize and promote innovative technologies. It will also be used to fully utilize the natural resources for the region, being consistent with recognized conservation practices in the development of agricultural and industrial expansion, especially in the area of value-added processing of the region's agricultural products. Mr. Salazar further stated that the City of Kingsville, as stewards of public dollars, must ensure that the funds allocated provide a benefit to the community. Grant award amounts range from \$10,000 to \$250,000 with an option for a micro-grant of below \$10,000. Microgrant applications require less information and are designed to be a faster process. Acceptable uses of the grant include business and industrial acquisitions, construction, conversion, enlargement, repairs, modernization, or development costs including improvements to the façade of a building. Purchase and develop land, easements, right of way, buildings, facilities, leases, or materials. Purchase equipment, machinery, or supplies. Pollution control and abatement. Startup costs and working capital and job training. Non-acceptable uses of the grant include costs of incorporating a business; purchase of vehicles; any project outside of the Kingsville, Texas city limits; purchase of technology/equipment or software; collateral for private loans or other grants; pay off the debt of any king; consulting fees; marketing or advertising fees; professional services including but not limited to architecture, legal, accounting, finance, or any other professional services; plats and permitting fees or

associated costs; costs associated with units; utility costs or deposits; or down payment for the purchase of the property. Mr. Salazar stated that those that receive a grant from the EDG Program does not make them exempt from platting and permitting fees or associated costs as required by the city ordinance. Grant stipulations are that the EDG is designed to improve the economy within the Kingsville city limits and as such has certain stipulations that are aimed at doing just that. Grants will only be approved for those projects that fall within the city limits and preferential consideration will be given to residents of Kingsville and Kleberg County. There are also several documents and information that are required through the application. The process is designed to weed out those who may seek to profit off the city without intentions of actually opening a business. There are reporting requirements and repayment requirements if conditions are not met by grant recipients. The process for the grant application, the Kingsville Chamber of Commerce will accept the applications on behalf of the city. Mr. Salazar stated that this is available to any resident of the community and not only Chamber members. They will not give anyone any preferential treatment for Chamber members and is not part of this equation. He further stated that they will only be a vetting entity and provide recommendations. The Chamber will create an EDG Administrative Board which will be made up of Chamber Board members who are business owners themselves and who can see the issues that may be present in the applications and see if the core of the project is serious or not serious. He further stated that this entity will provide a recommendation to the Commission as the Commission will be the deciding vote on whether or not to award any grant. Additionally, the Planning Director will serve as an advisory member on EDG Administrative Board. Mr. Salazar stated that the recommendation is to approve \$500,000 of ARPA Funds and approve the City of Kingsville Economic Development Grant Program and Administrative Manual.

Commissioner Hinojosa commented that he doesn't feel that it should be the Chamber in charge of this program, even though the Commission has the final decision. He further stated that he did not see anywhere in the enforcement document. He further asked how this will be enforced? He also commented that he does not agree with the makeup of the EDG Administrative Board which is composed of members of the Chamber Board. He feels that the City should be in control of this program and the funds as this is a lot of money that the City is allocating to this program. Hinojosa further commented that the criteria of the program does not state if an applicant has to meet one or all of the listed criteria. He further commented that one criteria is providing a monthly flow chart. He further asked how many businesses in town do this when you take all your information to a CPA and provide your information which most don't have a flow chart. Hinojosa further stated that this document states it's a grant but in the criteria, it states if a corporation resolution from the Board of Directors authorizing the company to borrow. He stated that the applicant is not borrowing the money from the city or the chamber, it is a grant. He further commented that there are some discrepancies with this and that he does not agree with. He also commented that the City Commission needs to take their time on this and take a good look at the criteria listed on the document. Commissioner Hinojosa further commented that if the program is under the control of the Chamber, he will be voting against this item.

Mr. Salazar stated that to address some of the concerns that Commissioner Hinojosa has on the provision of the document, he is open to any changes the Commission sees as necessary. He sees this as a working document and if the Commission sees some things they would like to see changed, he is willing to change it. He further stated that this is the first try at such a program, but if the Commission has some recommendations, he is willing to incorporate them into the document. Mr. Salazar further stated that the Chamber of Commerce does not control this program. They do the vetting and accept applications as they have a mechanism for that and utilize local talent to go over applications. This Board will provide recommendations to the City

Commission which will have the final vote on whether or not they want to fund the project and at what amount and any stipulations the Commission may see are needed.

Commissioner Torres commented that she agrees with Commissioner Hinojosa. She further stated that she also had some concerns with some of the criteria that need to be met. Commissioner Torres further asked if the Commission could have a workshop to discuss the criteria and the grant before the Commission votes on this item.

Mr. Salazar responded that it would be up to the Commission to determine if a workshop is needed to discuss this further.

Commissioner Torres further commented that the Commission needs a better understanding of the criteria for this program. She further stated that she also agrees with Commissioner Hinojosa regarding the five members of the EDG Administrative Board. She further stated that she would like to see a workshop scheduled to further understand this program as it is a lot of money the city will be allocating to this program. She wants more businesses to open in Kingsville but wants it to be done fairly and have it documented that way.

Mr. Salazar stated that the process is designed to be more stringent as we do want to be a good steward of money, we don't want to just give it away, we want for people to show that their project is viable and that they have gone through the steps that this is a good investment on behalf of the city.

Commissioner Torres asked if this would be a one-time grant award or will it be available more than once to an individual who receives an award? Will the city be doing this for the next 10 years? Torres further commented that this is why she feels that a workshop is needed so that some of these questions can be answered and so that the Commission can better understand this program.

Commissioner Alvarez asked if there was a timeline that this program would need to be adopted by the City Commission.

Mr. Salazar responded that there is no timeline.

Mr. McLaughlin said that it took staff about eight months to develop this program and staff does not expect for the Commission to approve this item tonight if they feel that more time is needed to better understand the program.

Commissioner Hinojosa commented that if it took staff eight months to get this program together then why is it expected for the Commission to vote on it tonight with only a few days to examine the document.

Mr. McLaughlin commented that if the Commission is not ready to approve the program and if they feel that more time to discuss this, more time can be given.

Commissioner Hinojosa commented that there is one thing that he agrees with the program, that you have to have a separate bank account, but who will enforce it and check up on it. He further stated that he feels that the City's Finance Department has more knowledge than any of the Board members of the Board of Directors from the Chamber. He further stated that as for the advertising, how will this information get out to the public? He is aware that there is Facebook and web pages that this information can be advertised on, but how many citizens have access to the internet? How will this information be distributed to those that don't look at social media or have access to the internet? He further stated that the first one to get notified at Chamber members as they

will be notified through the newsletter which will put others behind. Will this program be on a need basis or a first come first serve? Hinojosa further stated that he has a lot of questions on this program that he would like answered.

Mr. Salazar stated that in terms of marketing, it will be more robust than just Facebook or website-based. He stated that he will ask the Editor of the Kingsville Record to put something in the local newspaper as well as he will reach out to the local media. It will be more robust than just website-based. In terms of the Chamber newsletter, it is no longer just Chamber members, any email address that he can get ahold of receives the Chamber newsletter.

Mayor Fugate asked what is the process for the Façade Grant that exists now?

Ms. Alvarez responded that there are a few features if you look at the two grants that distinguish each. One is the funding source and the second is the scope of items that the funds can be used for and thirdly the area. She further stated that with regards to the Façade Grant, the Planning Department receives the information and is supposed to vet the application. The Façade Grants are a reimbursement grant. If the City Commission approves a Façade Grant the grant recipient has to expend their funds and show proof that the work they submitted in their application was done, then they can be reimbursed up to 50% of whatever amount the Commission authorized. Alvarez stated that it is very different from what is being proposed now.

Mayor Fugate asked if the vetting process of Façade Grant goes through the Planning Department? Ms. Alvarez responded yes. Mayor Fugate commented that he agrees with Commission Torres in having a workshop to better understand the EDG program and further directed staff to schedule the workshop for December 13th to further discuss this item. He further stated that the workshop can begin at 4:00 p.m. with the regular meeting to begin at 5:00 p.m. Mayor Fugate further stated that the item will be listed as passage on the December 13th agenda, but if the Commission feels that they need more time than more time can be given.

Mr. Salazar commented that if the Commission has some things that they would like to see incorporated into the program, submit those items to him so that he may incorporate them into the document.

No action was taken on this item.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:07 P.M.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, CMC, City Secretary

PUBLIC HEARING(S)

PUBLIC HEARING #1



MEMO

Date: December 1, 2021

To: Mark McLaughlin (City Manager)

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

Subject: **John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road by South 6th Street across from Dick Kleberg Park) from R1 (Single-Family Residential) to C1 (Neighborhood Service).**

The Planning and Zoning Commission meeting held as scheduled this evening, December 1, 2021, with 4 members in attendance.

Members deliberated over the issue of granting approval for a rezone of Sanchez Addition Lot 4; ACRES .964, Kingsville to enable the applicant to establish a convenience/local grocery store. Letters were sent out to neighbors and the City received no feedback prior to the meeting. However, during the meeting, some residents spoke at the public hearing. Some were against the rezoning while others were for the rezoning. Those against put forward their concerns which included poorly lit Escondido road as well as narrow street. Staff however assuaged their fears by confirming that at the planning stage, their concerns (with respect to the narrow road and poor lighting) would be addressed. Commissioners, after deliberations, voted to **approve** the recommendation for a rezone of the said property into C1 (Neighborhood Service). A recorded vote of all members present was taken and Commissioners Larry Garcia, Idotha Battle, Brian Coufal all voted 'YES' while the Chairman – Steve Zamora, voted "No". **Motion was approved.**

The meeting was adjourned by about 6.45p.m.

Thank you.

Uche Echeozo
Director of Planning and
Development Services

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



Pub. Hrg.

MEMO

Date: November 27, 2021

To: Planning and Zoning Commission Members

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

Subject: **John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road by South 6th Street across from Dick Kleberg Park) from R1 (Single-Family Residential) to C1 (Neighborhood Service).**

The applicants approached the department because they wanted to re-zone the existing property (**Sanchez addition LOT 4; ACRES .964,**) from R1 (Single-Family Residential) to C1 (Neighborhood Service).

A quick look at the zoning of the properties immediately surrounding the subject property shows that they are currently zoned R1 (Single Family Residential). However, the property is located on 6th Street, which is a major arterial or commercial strip in Kingsville. An earlier analysis of 6th Street and King Avenue show that 87% and 85% (respectively) of properties are commercial in nature. Besides, the emerging comprehensive plan is adopting a neighborhood concept for the planning of the City of Kingsville and the rezoning of the subject property as proposed, aligns with the objects of the neighborhood concept.

In trying to reach a conclusion, it is pertinent to have regard to a similar application about a year ago (Memo dated November 23, 2020) whereby the Commission rezoned an R1 property on King Avenue to a C2 (Retail) to enable a pediatric clinic to establish. It was noted at the time, that the rezoning would align with the majority of the commercial land uses on King Avenue. Also, the proposal for a zoning change would facilitate making the highest and best use of the subject property. There are also no immediate adverse implications to neighbor since the applicant owns the immediate properties to the East and to the North, with Escondido St./Dick Kleberg Park and 6th Street/Railway line abutting the property to the South and West respectively.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage development that would conform to our Future Land Use as well as the emerging Comprehensive Plan: Evolution 2040.

Thank you.

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

Uche Echeozo
Director of Planning and
Development Services

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

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address Escondido Rd. Nearest Intersection 16th St. + Escondido Rd.

(Proposed) Subdivision Name _____ Lot 4 Block _____

Legal Description: Sanchez Addition Acres .964

Existing Zoning Designation R1 Future Land Use Plan Designation C1

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent John + Velinda Sanchez Phone 361-455-3348 FAX _____

Email Address (for project correspondence only): John.Velinda@yahoo.com
361-455-1167

Mailing Address 4100 S. Lakeshore City Kingsville State Texas Zip 78363

Property Owner John + Velinda Sanchez Phone 361-455-3348 FAX _____

Email Address (for project correspondence only): John.Velinda@yahoo.com
361-455-1167

Mailing Address 4100 S. Lakeshore 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 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:

Request to rezone property R1-Single Family Residential
to C1 Neighborhood Service District for establishment
of a small locally owned grocery/convenience store.

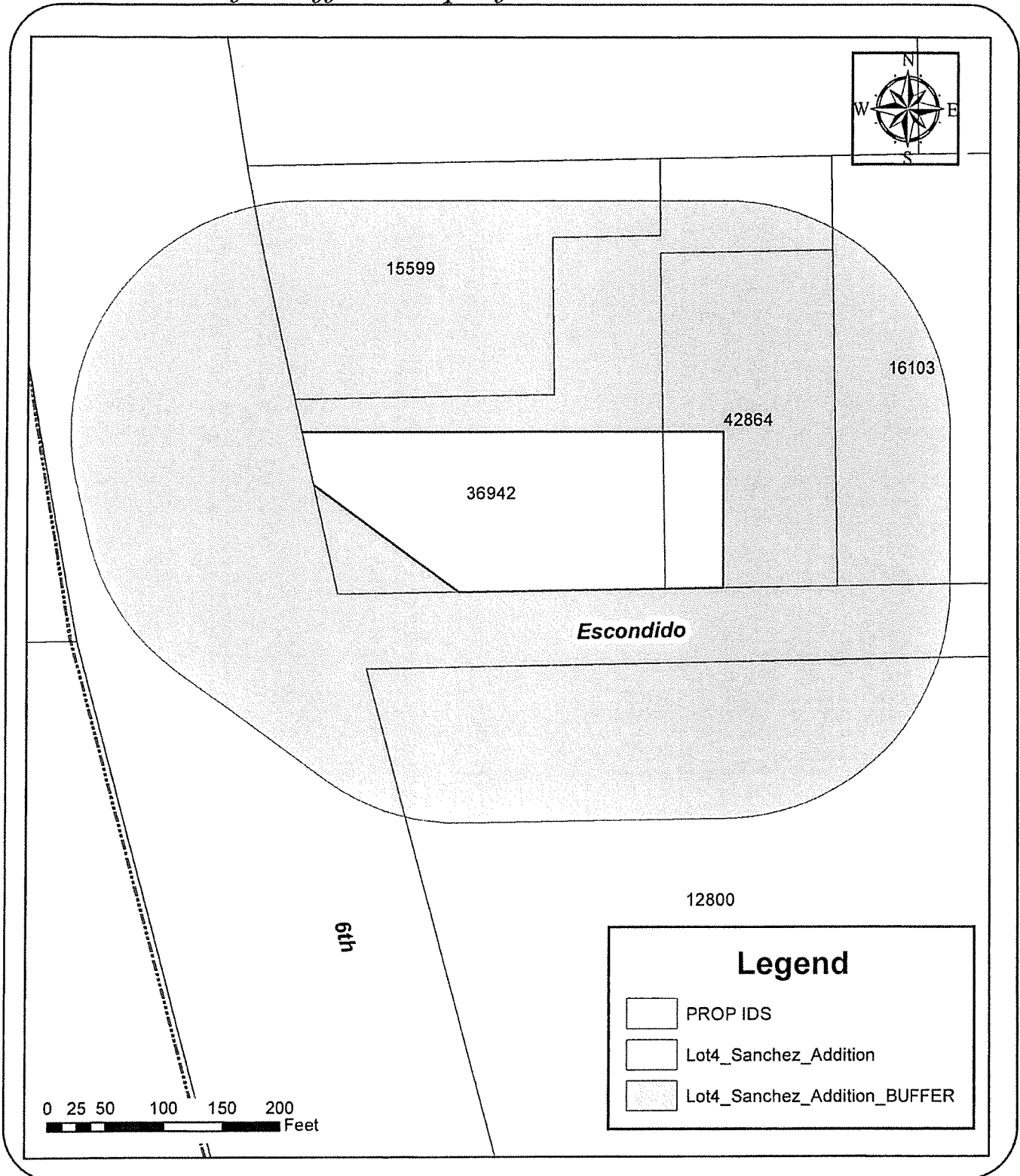
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature John + Velinda Sanchez Date: 11-6-21

Property Owner's Signature John + Velinda Sanchez Date: 11-6-21

Accepted by: _____ Date: _____

200 ft Buffer Map of Sanchez Addition Lot 4

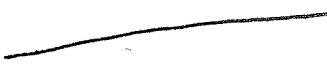


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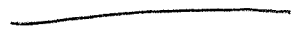
<div> <div>Page</div> <div>1 / 1</div> </div>	<div>Drawn By:</div> <div>Planning Department</div>	<div> <div>DISCLAIMER</div> <div>THIS MAP IS FOR VISUAL PURPOSES ONLY.</div> <div>THE INFORMATION ON THIS SHEET MAY</div> <div>CONTAIN INACCURACIES OR ERRORS</div> <div>THE CITY OF KINGSVILLE IS NOT</div> <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> <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> </div> </div>
	<div>Last Update: 11/17/2021</div>		
	<div>Note:</div>		

JOHN SANCHEZ
ETUX VELINDA
234 E TRANT RD
KINGSVILLE, TX 78363-7321
#15599, 42864

DEMETRIA MONTES
310 E ESCONDIDO RD
KINGSVILLE, TX 78363
#16103

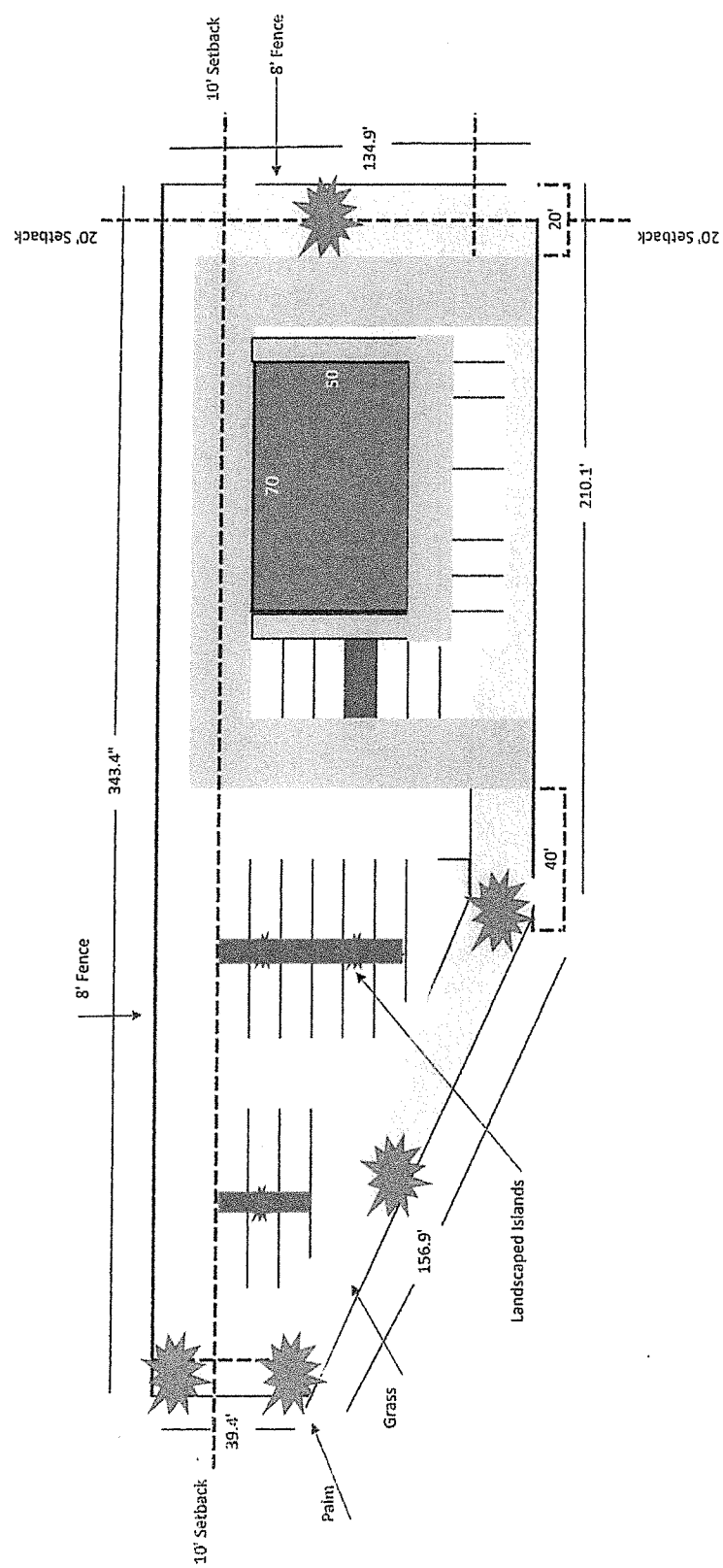


KLEBERG COUNTY PARK
PO BOX 72
KINGSVILLE, TX 78364-0072
#12800



The property is zoned R1- Single Family Residential.

- The applicant proposed to rezone the property to C1-Neighborhood Service District for the establishment of a small, locally owned grocery and convenience store.
- The intent of the C1 classification, the least intensive zoning classification, is to serve a rapidly growing residential area without negatively impacting the surrounding residences with amenities which make the neighborhood more accessible, easy to travel, and appealing.
- The property is located at the intersection of 6th Street and Escondido. 6th street is classified as a major arterial with a posted speed limit in this area of 55 MPH. Escondido is classified as a neighborhood collector with posted speed limit in this area of 30 MPH. Entrance into the property is proposed on Escondido due to several factors, namely, the speed and approach from a 6th street entrance as well as the distance to the intersection would make a turn into the area too dangerous for motorists and pedestrians alike. In addition, a TXDOT driveway permit would not be attainable given the sharp configuration of the property on the west to south portion.
- The site is located to the east of a rapidly growing residential neighborhood. As the old planning adage goes, “rooftops breed retail”; thus, the proposal for the designation change to this site is to make the highest and best use of the property as a neighborhood amenity.
- The property is currently served by water and wastewater and no additional upgrades to utilities are expected or proposed at this time.
- The City of Kingsville has improved sections of Escondido in both 2015 and 2019. Its reconstruction foretells the increased population from the growing residential areas to the west of this site. Future transportation plans on the City’s website show additional transportation nodes as the residential growth in that area continues.
- The proposed draft site plan details a 3,500 sq ft metal building with a partial stone façade. The site plan details the required parking, landscaping, setbacks, and ample circulation required. The site plan is a draft as final plan requirements will be resolved during the building permit phase.
- The applicant owns the surrounding parcels so any negative impact to surrounding property owners will be buffered and minimized by the applicant themselves. Further, any noise and lighting will be minimized and protected so as to not adversely affect the neighboring parcels with light pollution. An 8ft fence is required along the rear and on the east side of the property. The fence and associated landscaping will help minimize any noise associated with the site.
- We respectfully request approval of the change to C-1 zoning to allow for the construction of what is to become a neighborhood amenity and asset.



STATE OF TEXAS
COUNTY OF KLEBERG

Field notes of a 0.902 acre tract, located in Kingsville, Texas, being out of a 4.00 acre parent tract, as described in a deed recorded in File No. 270913, Deed Records of Kleberg County, Texas. Said 0.902 acre tract also being out of Tract 1, as described in a deed recorded in Volume 26, Page 554, Deed Records of Kleberg County, Texas. Said 0.902 acre tract being more particularly described as follows:

COMMENCING at the intersection of the west right of way of Allen Drive, and in the north right of way of East Escondido Road, THENCE with the north right of way of East Escondido Road, South $89^{\circ}00'19''$ West, at a distance of approximately 904 feet pass a 2" iron-pipe found for the southeast corner of said 4.00 acre parent tract, and in all a total distance of 1024 feet to a $5/8''$ re-bar set in the north right of way of East Escondido Road, in the south line of said 4.00 acre parent tract, for the southeast corner of this survey, and for the POINT OF BEGINNING.

THENCE with the common line of the north right of way of East Escondido Road, said 4.00 acre parent tract, and this survey, South $89^{\circ}00'19''$ West, a distance of 210.10 feet to a concrete monument found in the north cutback of East Escondido Road, for the southwest corner of said 4.00 acre parent tract, and for the southwest corner of this survey.

THENCE with the common line of said cutback, said 4.00 acre parent tract, and this survey, North $52^{\circ}56'10''$ West, a distance of 156.49 feet to a concrete monument found in the east cutback of South 6th Street, also known as Highway Business 77, for a point of curvature of a curve to the right with a radius of 3214.60 feet, for an outside corner of said 4.00 acre parent tract, and for an outside corner of this survey.

THENCE with the common curve of said east right of way of South 6th Street, said 4.00 acre parent tract, and this survey, a chord bearing of North $13^{\circ}38'29''$ West, a chord distance of 39.44 feet, and a total arc distance of 39.44 feet to a $5/8''$ re-bar set in the east right of way of South 6th Street, in the west line of said 4.00 acre parent tract, and for the northwest corner of this survey, from WHENCE a $5/8''$ re-bar found for the northwest corner of said 4.00 acre parent tract, bears North $11^{\circ}16'36''$ West, a distance of 225.88 feet.


THENCE across said 4.00 acre parent tract and the north line of this survey, North $89^{\circ}00'19''$ East, a distance of 343.44 feet to a $5/8''$ re-bar set for the northeast corner of this survey.

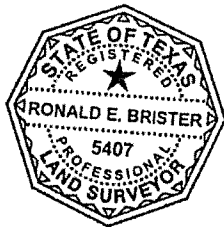
THENCE across said 4.00 acre parent tract and the north line of this survey, South $00^{\circ}22'03''$ East, a distance of 134.96 feet to the POINT OF BEGINNING of this tract, and containing 0.902 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set $5/8''$ re-bar = re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day February 1, 2021 and is correct to the best of my knowledge and belief.


Ronald E. Brister, RPLS No. 5407
Date: February 4, 2021.



Kleberg CAD

2020

Property

Account

Property ID: 36942 Legal Description: K T & I CO, BLOCK 21, LOT SW PT 11, ACRES 2.00
 Geographic ID: 290002111010118 Zoning:
 Type: Real Agent Code:
 Property Use Code:
 Property Use Description:

Location

Address: ESCONDIDO RD TX Mapsco:
 Neighborhood: Map ID: A4
 Neighborhood CD:

Owner

Name: SANCHEZ JOHN Owner ID: 52313
 Mailing Address: ETUX VELINDA % Ownership: 100.000000000000%
 234 E TRANT RD
 KINGSVILLE, TX 78363-7321
 Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$10,000	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$10,000	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$10,000	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$10,000	

Taxing Jurisdiction

Owner: SANCHEZ JOHN
 % Ownership: 100.000000000000%
 Total Value: \$10,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$10,000	\$10,000	\$0.00
CKI	CITY OF KINGSVILLE	0.852080	\$10,000	\$10,000	\$85.21
GKL	KLEBERG COUNTY	0.785460	\$10,000	\$10,000	\$78.55
SKI	KINGSVILLE I.S.D.	1.518900	\$10,000	\$10,000	\$151.89
WST	SOUTH TEXAS WATER AUTHORITY	0.086911	\$10,000	\$10,000	\$8.69
Total Tax Rate:		3.243351			

Taxes w/Current Exemptions: \$324.34
 Taxes w/o Exemptions: \$324.34

R1 R2 R2A R3 R4 MH C1 C2 C3 C4 I1 I2 A3 about:blank

Drug store or pharmacy							P	P	P	P			
Department variety or discount store								P	P	P			
X Grocery store							P	P	P	P			
Furniture or appliance store								P	P	P			
Florist shop							P	P	P	P			
Garden shop and plant sales								P	P	P			P
Kennel										S	P	P	P
Handicraft and art object sale							S	P	P	P	S		
Hardware store								P	P	P	S		
Hobby shop							S	P	P	P			
Laboratory medical or dental							S	P	P	P			
Lawnmower, small engine repair/sales								P	P	P			
Locksmith or key shop							P	P	P	P			
Medical appliance fitting or sale							P	P	P	P			

Bishop Primary students learn the art of giving

CLAUDIA PEREZ RIVAS
MANAGING EDITOR

Bishop Primary students are getting a glimpse of what it means to help others this Thanksgiving season.

Students will be collecting canned goods from Nov. 2 to Nov. 12. The collections will be donated to the Coastal Bend Food Bank. Bishop Primary Second Grade Teacher Jessica Gilliam said all students have been involved in this project.

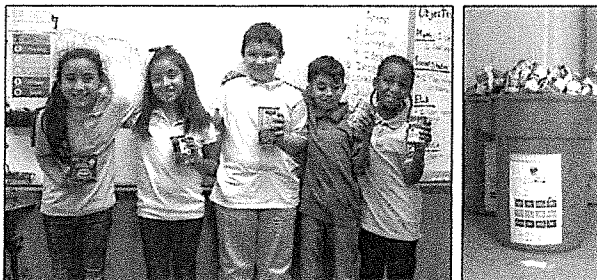
"We are teaching them to understand what it means to give to others that are in need," Gilliam said.

Throughout the week, students have learned not just about what it means to help others but also how it makes them feel. Gilliam said students have said that they feel good helping others.

"I'm so proud of the students and how they have responded to the food drive," Gilliam said.

Over 400 canned and boxed goods have been collected. A final count was not available as the drive continues until Friday, Nov. 12.

A popcorn party will be awarded to the classroom that has the most donations.



(Picture on left) Students from Ms. Gilliam's class stand holding cans, which will be placed in a larger tub as part of their Thanksgiving food drive.
(Picture on right) Students have already collected over 400 canned and boxed goods during their food drive.

MULTI-PROPERTY AUCTION
Texas A CYBER MONDAY ONLINE ONLY EVENT
COMMERCIAL LAND COUNTRY & LUXURY HOMES APARTMENT COMPLEX
BID NOW THRU NOV 29
John Harrel's Broker / Auctioneer
903-686-0636
John Harrel's Broker / Auctioneer
409-656-9638
TXMULTIPROPERTYAUCTION.COM

?? TRIVIA ?? HOW SMART ARE YOU?

- Think you know something about everything?
- What do you know about our area?

Play Kingsville Trivia brought to you by Harrel's Pharmacy!

Questions:

1. Emperor Kuzco turns into what animal in The Emperor's New Groove?
2. What was the first city in the US to host the Olympics?
3. What is the only sea without a land barrier?
4. Which liquor is made from the blue agave plant?
5. What is the only bird that can fly backwards?
6. What was Elvis Presley's first hit in 1956?
7. What is a funambulist?
8. What is the symbol for copper on the periodic table?
9. How many balls are on a pool table at the start of a game?
10. What did the buffalo say to his son when he dropped him off at school?

[Answers will be on next issue.]

HOW SMART ARE YOU?

- 9-10. Okay Einstein, quit begging
- 7-8. Pick up your PhD at TAMUK
- 5-6. You are on your way to your B.S. degree
- 3-4. Do not skip any more school
- 2 or less - don't leave home without a chapter

For all your pharmacy needs, contact Harrel's. Lots of great items and downtown Kingsville's best eats!

Harrel's
Kingsville Pharmacy
204 East Kleberg • Kingsville, Tx
(361) 592-3354

TRIVIA ANSWERS

November 4, 2021 Issue

1. Rapunzel
2. Tasman Sea
3. African Antelope
4. To sprinkle flour or sugar lightly
5. Urine
6. 3 minutes
7. 17 keys
8. About 8,000 miles
9. Ctrl C
10. he moon



City Sanitation, City Hall and other Administrative Offices will be closed on Tuesday, November 11, 2021 in observance of Veteran's Day.

The City Sanitation garbage pick-up schedule will temporarily change for the week of November 8th, 2021 through November 13th, 2021.

Residential Sanitation Schedule

Monday/Thursday service will be done on Monday/Wednesday

Tuesday/Friday service will remain the same

Commercial Sanitation Schedule

Thursday/Friday service will be done Friday

The schedule will resume to its normal schedule on November 22, 2021.

NOTICE OF REQUIREMENT TO COMPLY WITH THE SUBDIVISION AND SERVICE EXTENSION POLICY OF BAFFIN BAY WATER SUPPLY CORPORATION ("BBWSC")

Pursuant to Chapter 13.2502 of the Texas Water Code, BBWSC hereby gives notice that any person who subdivides land by dividing any lot, tract, or parcel of land, within the service area of BBWSC Certificate of Convenience and Necessity No. 11016, in Kleberg County, into two or more lots or sites for the purpose of sale or development, whether immediate or future, including re-subdivision of land for which a plat has been filed and recorded or requests more than two water or sewer service connections on a single contiguous tract of land must comply with the subdivision service extension policy stated in the section of the BBWSC tariff policy titled "Developer, Subdivision, and Nonstandard Service Requirements."

BBWSC is not required to extend retail water to a service applicant in a subdivision where the developer of the subdivision has failed to comply with the Subdivision Policy.

Applicable elements of the Subdivision Policy include:

Evaluation by BBWSC of the impact a proposed subdivision service extension will make on BBWSC's water supply system and payment of the costs for this evaluation; Payment of reasonable costs or fees by the Developer for providing water supply service capacity; Forfeiture of reserved water supply for failure to pay applicable fees; Payment of costs of any improvements to BBWSC's system that are necessary to provide the water service; Construction according to design approved by BBWSC and dedication by the developer of water facilities within the subdivision following inspection.

BBWSC's tariff and a map showing BBWSC's service area may be reviewed at BBWSC's offices at 870 E. FM 772, Riviera, Texas 78379. The tariff/policy and service area map also are filed of record at the Public Utility Commission in Austin, Tx and may be reviewed by contacting the PUCT, Central Records at 512-936-7180.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 1, 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:

John and Velinda Sanchez, applicant and owner, requesting the rezoning of Sanchez Addition LOT 4: ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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, December 13, 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:

John and Velinda Sanchez, applicant and owner, requesting the rezoning of Sanchez Addition LOT 4: ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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.



Mail (In County)

6 months: \$28,
1 year: \$50 or
Online Only: \$47

Mail

(Out of County)

6 months: \$31,
1 year: \$57 or
Online Only: \$47

*Military Discounts

Mail (In County)

6 months: \$22,
1 year: \$42 or
Online Only: \$42

Mail

(Out of County)

6 months: \$27,
1 year: \$52 or
Online Only: \$42

To subscribe, call
(361) 592-4304

or come
by our new
location at
231 E. Kleberg,
8 am - 5 p.m.,
Monday
through Friday

PUBLIC HEARING NOTICE

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John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez Addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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

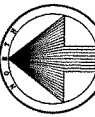
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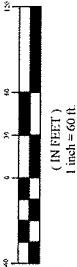
John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez Addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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.

Brister Surveying
4055 South Pacific Island Drive, Suite 117
Corpus Christi, Texas 78411
Phone: 361-566-1602
Fax: 361-566-1602
bri@brister.com
www.bristersurveying.com



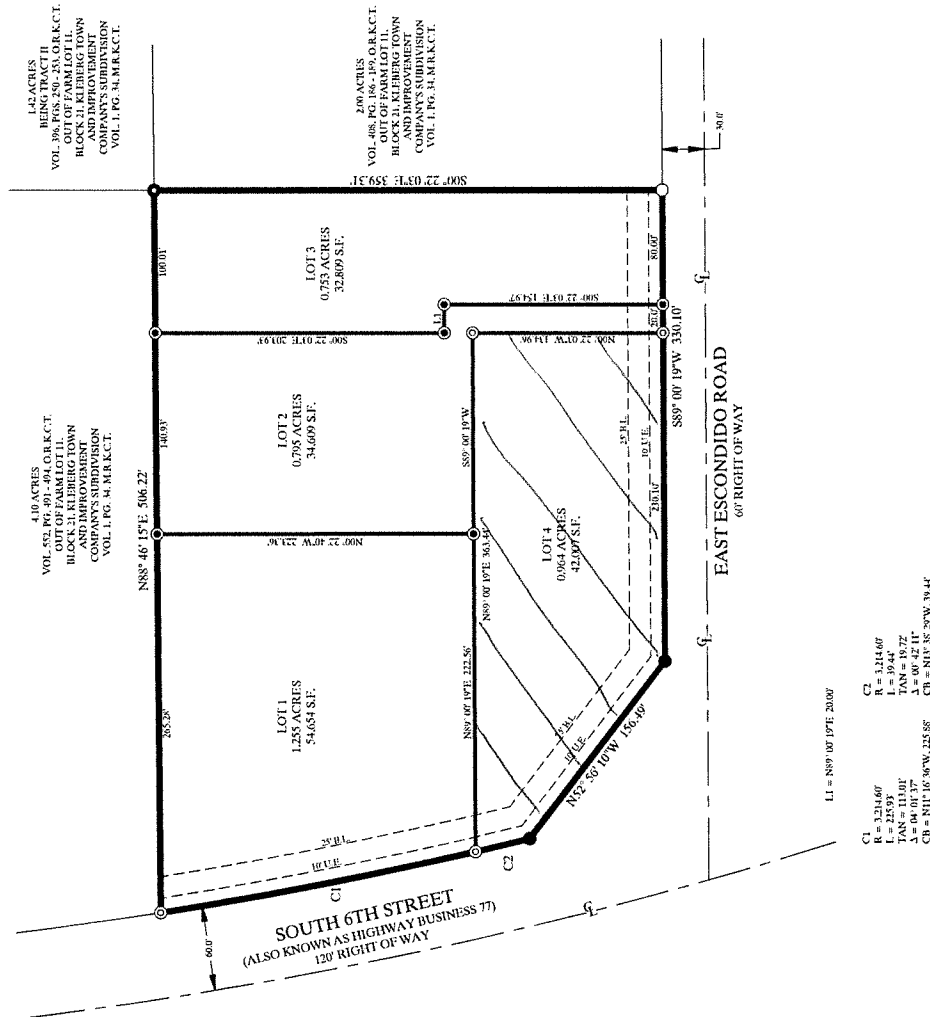
GRAPHIC SCALE



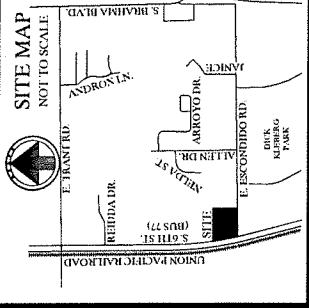
SANCHEZ ADDITION

LOTS 1 - 4

BEING A REPLAT OF 3.767 ACRES OUT OF FARM LOT 11, SECTION 21, KLEBERG TOWN AND IMPROVEMENT COMPANY'S SUBDIVISION, AS SHOWN ON THE PLAT RECORDED IN VOLUME 11, PAGE 34, MAP RECORDS OF KLEBERG COUNTY, TEXAS, SAID 3.767 ACRE TRACT BEING THE SAME TRACT DESCRIBED IN A DEED RECORDED IN VOLUME 368, PAGES 229 - 233, OFFICIAL RECORDS OF KLEBERG COUNTY, TEXAS.



- LEGEND
- = SET 5/8\" RE-BAR
 - ⊙ = FOUND 5/8\" RE-BAR
 - ⦿ = FOUND 1\" IRON PIPE
 - ⦿ = FOUND 2\" IRON PIPE
 - ⦿ = FOUND CONCRETE MONUMENT
- NOTES:
1. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE 'X' ON THE FLOOD INSURANCE RATE MAP, COMING FROM FLOOD INSURANCE ACT, WHICH BEARS AN EFFECTIVE DATE OF MARCH 11, 2014 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.
 2. BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (99-1205 DATUM).
 3. SET 5/8\" RE-BAR = STEEL RE-BAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.
 4. THE TOTAL PLATTED AREA IS 3.767 ACRES.



STATE OF TEXAS
COUNTY OF KLEBERG

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS APPROVED BY THE DIRECTOR OF PLANNING FOR THE CITY OF KINGSVILLE, TEXAS

THIS THE _____ DAY OF _____, 2021

DIRECTOR OF PLANNING

STATE OF TEXAS
COUNTY OF KLEBERG

THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS APPROVED BY THE MAYOR AND THE CITY COMMISSION OF KINGSVILLE, TEXAS

THIS THE _____ DAY OF _____, 2021

MAYOR

CITY SECRETARY

STATE OF TEXAS
COUNTY OF KLEBERG

1. _____ CLERK OF THE COUNTY COURT AND FOR KLEBERG COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE _____ DAY OF _____, 2021, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THE _____ DAY OF _____, 2021 AT _____ O'CLOCK _____ M. _____ MIN SAID COUNTY IN VOLUME _____, PAGE _____ MAP _____ RECORDS.

NO. _____ FILED FOR RECORD

STATE OF TEXAS
COUNTY OF KLEBERG

BY: _____ DEPUTY

AT _____ O'CLOCK _____ M. _____

STATE OF TEXAS
COUNTY OF KLEBERG

I, RONALD E. BRISTER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF BRISTER SURVEYING, HAVE PREPARED THE FOREGOING MAP FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

THIS THE _____ DAY OF _____, 2021

RONALD E. BRISTER
REGISTERED PROFESSIONAL LAND SURVEYOR

CONSENT AGENDA

AGENDA ITEM #1

Budget Am.

**City of Kingsville
Parks & Recreation Department**

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Susan Ivy, Parks Director
DATE: October 29, 2021
SUBJECT: Agenda Request – Receipt of donations for Healthy Family Partners Events

Summary: We are requesting that Commission authorize the receipt of donations from King Ranch - \$1,200.00, La Posada de Kingsville - \$1,200.00, Kleberg County Attorney's Specialized Crimes Task Force \$2,500.00, Kleberg County District Attorney's Office - \$2,500.00, Christus Spohn Hospital Kleberg - \$2,500.00.

Background: In 2018, Kingsville Parks established the Healthy Family Events Partners initiative soliciting funding from local entities to support the special events and recreation programs offered by our department throughout the year. Our programs offer a drug/alcohol/bully free message and alternative recreational opportunities to our community.

Financial Impact: These donations will increase our funding for recreational needs as follows:
Recreational Programming: 001-5-4513-31499 - \$4,900.00
Special Events & Festivals: 001-5-4513-31441 - \$ 5,000.00

Recommendation: We ask that Commission authorize the receipt of up to \$9,900.00. in donations and approve the associated budget amendment needed to record the funds in the Parks Department line items as shown above.



ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO ACCEPT AND EXPEND DONATIONS FOR PARKS DEPARTMENT FROM KING RANCH, LA POSADA DE KINGSVILLE, KLEBERG COUNTY ATTORNEY'S SPECIALIZED CRIMES TASK FORCE, KLEBERG COUNTY DISTRICT ATTORNEY'S OFFICE, AND CHRISTUS SPOHN HOSPITAL KLEBERG.

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 2021-2022 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#06

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 001 – General Fund					
<u>Revenues – 4</u>					
4513	Recreation	Park Donations	58003	\$9,900.00	
<u>Expenditures - 5</u>					
4513	Recreation	Recreational Programs	31499	\$4,900.00	
4513	Recreation	Special Events & Festiv	31441	\$5,500.00	

[To amend the City of Kingsville FY 21-22 Budget to accept and expend Parks Donations received. 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 22nd day of November 2021.

PASSED AND APPROVED on this the __13th__ day of December, 2021.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #2

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Deborah Balli, Finance Director

DATE: November 16, 2021

SUBJECT: Budget Amendment for Broadband Feasibility Study

Summary:

This Budget Amendment request appropriates ARP Funding to complete a Broadband Feasibility Study. The completed study will include a Broadband Market Analysis that will be used to develop a feasibility assessment of deploying a municipal broadband network in the City of Kingsville. Also included is a conceptual design to test the feasibility of deploying broadband services to businesses, homes, and community anchor organizations. When completed, the Study will lay out core strategies for the City of Kingsville in development of the broadband initiatives.

Financial Impact:

The budget amendment request appropriates \$49,950 of available and eligible ARP funding to be established in Fund 121 – GF ARP Funding.

Recommendation:

Staff recommends the approval of the budget amendment.



ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO APPROPRIATE FUNDING FOR A BROADBAND FEASIBILITY STUDY.

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 2021-2022 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#05

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 121 – GF ARP Funding					
1030	City Special	Professional Services	31400	\$49,950	

[To amend the City of Kingsville FY 21-22 Budget to appropriate funding for a broadband feasibility study. Funding will come from the ARPA funding allocation not appropriated.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 22nd day of November 2021.

PASSED AND APPROVED on this the 13th day of December, 2021.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #3

City of Kingsville
Human Resource Department

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

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

DATE: November 23, 2021

SUBJECT: Civil Service Commission Reappointment

Summary: Mr. Nick Harrel has served as one of the City's Civil Service Commissioner since 2009. The current appointment term expires on December 15, 2021. Mr. Harrel is interested in continuing his service. Request consideration to re-appointment Mr. Harrel for a fifth term as Civil Service Commissioner. If approved, re-appointment for Mr. Harrel will expire on December 15, 2024.

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

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

Additional exceptions to (c)5 above,

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

Financial Impact: None

Recommendation: Re-appointment of Mr. Nick Harrel to the Civil Service Commission.



REGULAR AGENDA

AGENDA ITEM #4

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



Action Item

MEMO

Date: December 1, 2021

To: Mark McLaughlin (City Manager)

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

Subject: **John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road by South 6th Street across from Dick Kleberg Park) from R1 (Single-Family Residential) to C1 (Neighborhood Service).**

The Planning and Zoning Commission meeting held as scheduled this evening, December 1, 2021, with 4 members in attendance.

Members deliberated over the issue of granting approval for a rezone of Sanchez Addition Lot 4; ACRES .964, Kingsville to enable the applicant to establish a convenience/local grocery store. Letters were sent out to neighbors and the City received no feedback prior to the meeting. However, during the meeting, some residents spoke at the public hearing. Some were against the rezoning while others were for the rezoning. Those against put forward their concerns which included poorly lit Escondido road as well as narrow street. Staff however assuaged their fears by confirming that at the planning stage, their concerns (with respect to the narrow road and poor lighting) would be addressed. Commissioners, after deliberations, voted to **approve** the recommendation for a rezone of the said property into C1 (Neighborhood Service). A recorded vote of all members present was taken and Commissioners Larry Garcia, Idotha Battle, Brian Coufal all voted 'YES' while the Chairman – Steve Zamora, voted "No". **Motion was approved.**

The meeting was adjourned by about 6.45p.m.

Thank you.

Uche Echeozo
Director of Planning and
Development Services

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



MEMO

Date: November 27, 2021

To: Planning and Zoning Commission Members

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

Subject: **John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road by South 6th Street across from Dick Kleberg Park) from R1 (Single-Family Residential) to C1 (Neighborhood Service).**

The applicants approached the department because they wanted to re-zone the existing property (Sanchez addition LOT 4; ACRES .964,) from R1 (Single-Family Residential) to C1 (Neighborhood Service).

A quick look at the zoning of the properties immediately surrounding the subject property shows that they are currently zoned R1 (Single Family Residential). However, the property is located on 6th Street, which is a major arterial or commercial strip in Kingsville. An earlier analysis of 6th Street and King Avenue show that 87% and 85% (respectively) of properties are commercial in nature. Besides, the emerging comprehensive plan is adopting a neighborhood concept for the planning of the City of Kingsville and the rezoning of the subject property as proposed, aligns with the objects of the neighborhood concept.

In trying to reach a conclusion, it is pertinent to have regard to a similar application about a year ago (Memo dated November 23, 2020) whereby the Commission rezoned an R1 property on King Avenue to a C2 (Retail) to enable a pediatric clinic to establish. It was noted at the time, that the rezoning would align with the majority of the commercial land uses on King Avenue. Also, the proposal for a zoning change would facilitate making the highest and best use of the subject property. There are also no immediate adverse implications to neighbor since the applicant owns the immediate properties to the East and to the North, with Escondido St./Dick Kleberg Park and 6th Street/Railway line abutting the property to the South and West respectively.

Consequently, this application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since this will encourage development that would conform to our Future Land Use as well as the emerging Comprehensive Plan: Evolution 2040.

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 Escondido Rd. Nearest Intersection 1st St. + Escondido Rd.

(Proposed) Subdivision Name _____ Lot 4 Block _____

Legal Description: Sanchez Addition Acres .964

Existing Zoning Designation R1 Future Land Use Plan Designation C1

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent John + Velinda Sanchez Phone 361-455-3348 FAX _____

Email Address (for project correspondence only): John.Velinda@yqkoo.com
361-455-1167

Mailing Address 4100 S. Wall St. City Kingsville State Texas Zip 78363

Property Owner John + Velinda Sanchez Phone 361-455-3348 FAX _____

Email Address (for project correspondence only): John.Velinda@yqkoo.com
361-455-1167

Mailing Address 4100 S. Wall St. 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 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:

Request to re-zone property R1-Single Family Residential
to C1 Neighborhood Service District for establishment
of a small locally owned grocery/convenience store.

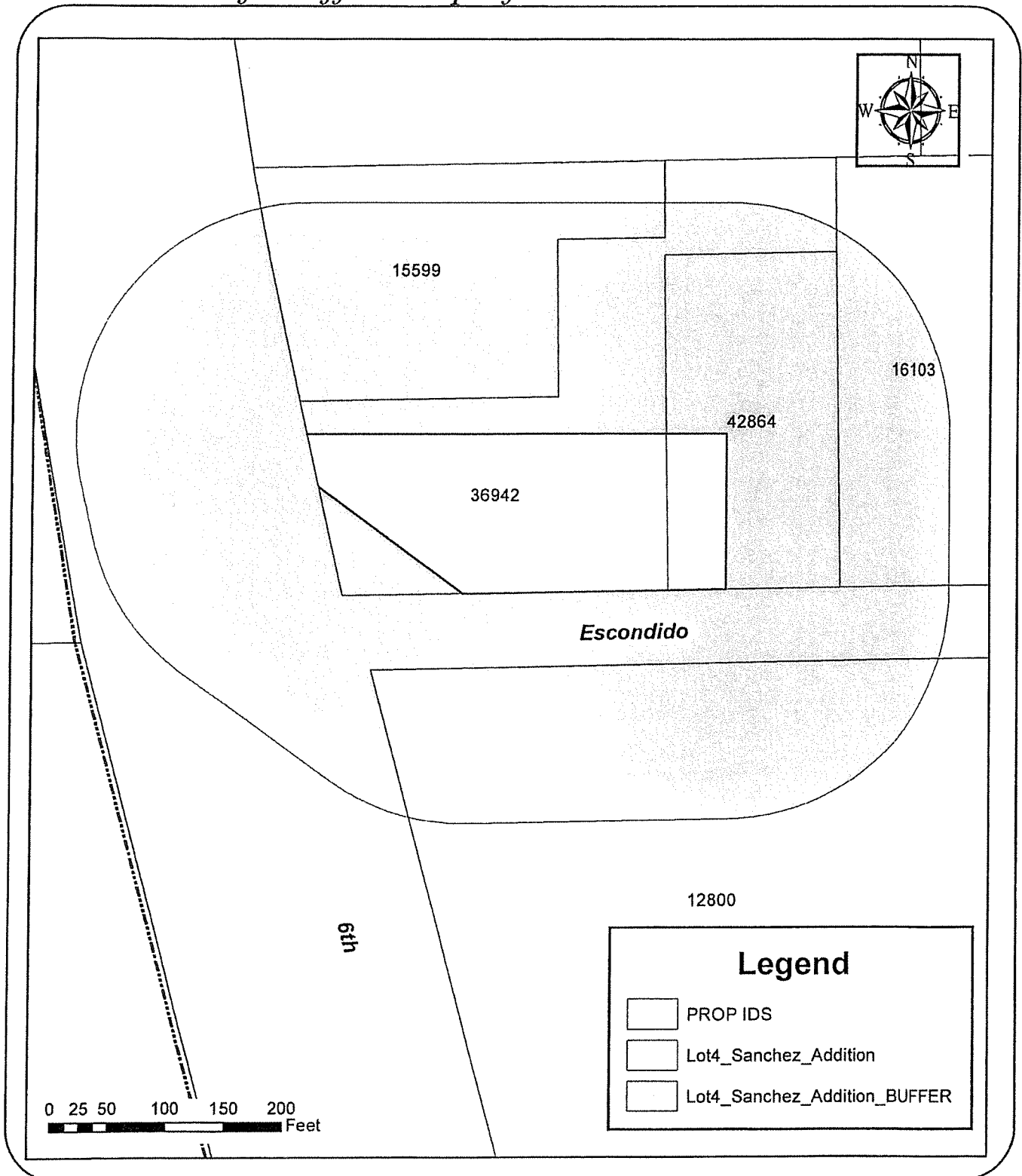
I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature John + Velinda Sanchez Date: 11-6-21

Property Owner's Signature John + Velinda Sanchez Date: 11-6-21

Accepted by: _____ Date: _____

200 ft Buffer Map of Sanchez Addition Lot 4



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\2021_Buffer.mxd

Page 1 / 1	Drawn By: Planning Department	<p>DISCLAIMER</p> <p>THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.</p>	<p>CITY OF KINGSVILLE PLANNING DEPARTMENT</p> <p>410 West King Kingsville, Texas 78363 Office: 361-595-8055</p>
	Last Update: 11/17/2021		
	Note:		

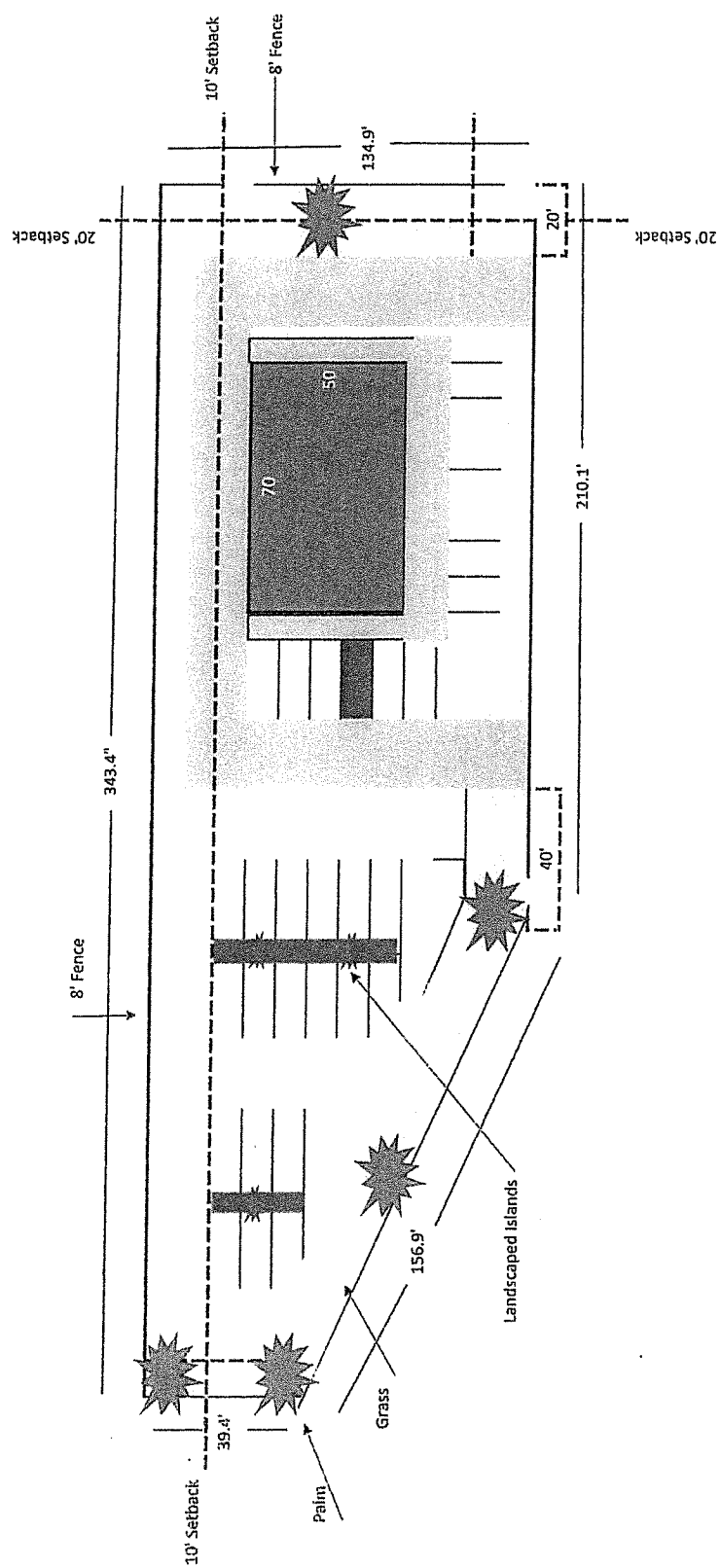
JOHN SANCHEZ
ETUX VELINDA
234 E TRANT RD
KINGSVILLE, TX 78363-7321
#15599, 42864

DEMETRIA MONTES
310 E ESCONDIDO RD
KINGSVILLE, TX 78363
#16103

KLEBERG COUNTY PARK
PO BOX 72
KINGSVILLE, TX 78364-0072
#12800

The property is zoned R1- Single Family Residential.

- The applicant proposed to rezone the property to C1-Neighborhood Service District for the establishment of a small, locally owned grocery and convenience store.
- The intent of the C1 classification, the least intensive zoning classification, is to serve a rapidly growing residential area without negatively impacting the surrounding residences with amenities which make the neighborhood more accessible, easy to travel, and appealing.
- The property is located at the intersection of 6th Street and Escondido. 6th street is classified as a major arterial with a posted speed limit in this area of 55 MPH. Escondido is classified as a neighborhood collector with posted speed limit in this area of 30 MPH. Entrance into the property is proposed on Escondido due to several factors, namely, the speed and approach from a 6th street entrance as well as the distance to the intersection would make a turn into the area too dangerous for motorists and pedestrians alike. In addition, a TXDOT driveway permit would not be attainable given the sharp configuration of the property on the west to south portion.
- The site is located to the east of a rapidly growing residential neighborhood. As the old planning adage goes, “rooftops breed retail”; thus, the proposal for the designation change to this site is to make the highest and best use of the property as a neighborhood amenity.
- The property is currently served by water and wastewater and no additional upgrades to utilities are expected or proposed at this time.
- The City of Kingsville has improved sections of Escondido in both 2015 and 2019. Its reconstruction foretells the increased population from the growing residential areas to the west of this site. Future transportation plans on the City’s website show additional transportation nodes as the residential growth in that area continues.
- The proposed draft site plan details a 3,500 sq ft metal building with a partial stone façade. The site plan details the required parking, landscaping, setbacks, and ample circulation required. The site plan is a draft as final plan requirements will be resolved during the building permit phase.
- The applicant owns the surrounding parcels so any negative impact to surrounding property owners will be buffered and minimized by the applicant themselves. Further, any noise and lighting will be minimized and protected so as to not adversely affect the neighboring parcels with light pollution. An 8ft fence is required along the rear and on the east side of the property. The fence and associated landscaping will help minimize any noise associated with the site.
- We respectfully request approval of the change to C-1 zoning to allow for the construction of what is to become a neighborhood amenity and asset.



STATE OF TEXAS
COUNTY OF KLEBERG

Field notes of a 0.902 acre tract, located in Kingsville, Texas, being out of a 4.00 acre parent tract, as described in a deed recorded in File No. 270913, Deed Records of Kleberg County, Texas. Said 0.902 acre tract also being out of Tract 1, as described in a deed recorded in Volume 26, Page 554, Deed Records of Kleberg County, Texas. Said 0.902 acre tract being more particularly described as follows:

COMMENCING at the intersection of the west right of way of Allen Drive, and in the north right of way of East Escondido Road, THENCE with the north right of way of East Escondido Road, South $89^{\circ}00'19''$ West, at a distance of approximately 904 feet pass a 2" iron-pipe found for the southeast corner of said 4.00 acre parent tract, and in all a total distance of 1024 feet to a $5/8''$ re-bar set in the north right of way of East Escondido Road, in the south line of said 4.00 acre parent tract, for the southeast corner of this survey, and for the POINT OF BEGINNING.

THENCE with the common line of the north right of way of East Escondido Road, said 4.00 acre parent tract, and this survey, South $89^{\circ}00'19''$ West, a distance of 210.10 feet to a concrete monument found in the north cutback of East Escondido Road, for the southwest corner of said 4.00 acre parent tract, and for the southwest corner of this survey.

THENCE with the common line of said cutback, said 4.00 acre parent tract, and this survey, North $52^{\circ}56'10''$ West, a distance of 156.49 feet to a concrete monument found in the east cutback of South 6th Street, also known as Highway Business 77, for a point of curvature of a curve to the right with a radius of 3214.60 feet, for an outside corner of said 4.00 acre parent tract, and for an outside corner of this survey.

THENCE with the common curve of said east right of way of South 6th Street, said 4.00 acre parent tract, and this survey, a chord bearing of North $13^{\circ}38'29''$ West, a chord distance of 39.44 feet, and a total arc distance of 39.44 feet to a $5/8''$ re-bar set in the east right of way of South 6th Street, in the west line of said 4.00 acre parent tract, and for the northwest corner of this survey, from WHENCE a $5/8''$ re-bar found for the northwest corner of said 4.00 acre parent tract, bears North $11^{\circ}16'36''$ West, a distance of 225.88 feet.

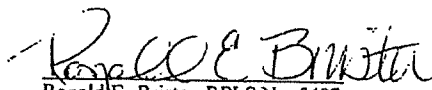
THENCE across said 4.00 acre parent tract and the north line of this survey, North $89^{\circ}00'19''$ East, a distance of 343.44 feet to a $5/8''$ re-bar set for the northeast corner of this survey.

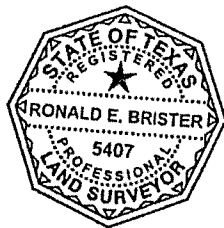
THENCE across said 4.00 acre parent tract and the north line of this survey, South $00^{\circ}22'03''$ East, a distance of 134.96 feet to the POINT OF BEGINNING of this tract, and containing 0.902 acres of land, more or less.

Notes:

- 1.) Bearings are based on Global Positioning System NAD 83 (93) 4205 Datum.
- 2.) A Map of equal date accompanies this Metes and Bounds description.
- 3.) Set $5/8''$ re-bar = re-bar set with yellow plastic cap labeled Brister Surveying.

I, Ronald E. Brister do hereby certify that this survey of the property legally described herein was made on the ground this day February 1, 2021 and is correct to the best of my knowledge and belief.


Ronald E. Brister, RPLS No. 5407
Date: February 4, 2021.



Kleberg CAD

2020

Property

Account

Property ID: 36942 Legal Description: K T & I CO, BLOCK 21, LOT SW PT 11, ACRES 2.00
Geographic ID: 290002111010118 Zoning:
Type: Real Agent Code:
Property Use Code:
Property Use Description:

Location

Address: ESCONDIDO RD Mapsco:
TX
Neighborhood:
Neighborhood CD: Map ID: A4

Owner

Name: SANCHEZ JOHN Owner ID: 52313
Mailing Address: ETUX VELINDA
234 E TRANT RD % Ownership: 100.000000000000%
KINGSVILLE, TX 78363-7321

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$10,000	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$10,000	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$10,000	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$10,000	

Taxing Jurisdiction

Owner: SANCHEZ JOHN
% Ownership: 100.000000000000%
Total Value: \$10,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	KLEBERG COUNTY APPRAISAL DISTRICT	0.000000	\$10,000	\$10,000	\$0.00
CKI	CITY OF KINGSVILLE	0.852080	\$10,000	\$10,000	\$85.21
GKL	KLEBERG COUNTY	0.785460	\$10,000	\$10,000	\$78.55
SKI	KINGSVILLE I.S.D.	1.518900	\$10,000	\$10,000	\$151.89
WST	SOUTH TEXAS WATER AUTHORITY	0.086911	\$10,000	\$10,000	\$8.69
Total Tax Rate:		3.243351			
Taxes w/Current Exemptions:					\$324.34
Taxes w/o Exemptions:					\$324.34

	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	A1
Drug store or pharmacy							P	P	P	P			
Department variety or discount store								P	P	P			
X Grocery store							P	P	P	P			
Furniture or appliance store								P	P	P			
Florist shop							P	P	P	P			
Garden shop and plant sales								P	P	P			P
Kennel										S	P	P	P
Handicraft and art object sale							S	P	P	P	S		
Hardware store								P	P	P	S		
Hobby shop							S	P	P	P			
Laboratory medical or dental							S	P	P	P			
Lawnmower, small engine repair/sales								P	P	P			
Locksmith or key shop							P	P	P	P			
Medical appliance fitting or sale							P	P	P	P			

Bishop Primary students learn the art of giving

CLAUDIA PEREZ RIVAS
MANAGING EDITOR

Bishop Primary students are getting a glimpse of what it means to help others this Thanksgiving season.

Students will be collecting canned goods from Nov. 2 to Nov. 12. The collections will be donated to the Coastal Bend Food Bank, Bishop Primary Second Grade Teacher Jessica Gillam said all students have been involved in this project.

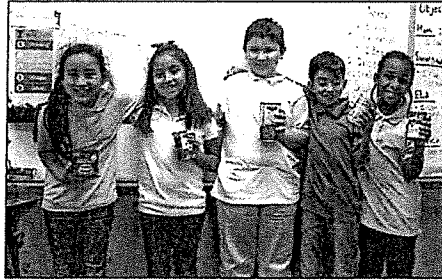
"We are teaching them to understand what it means to give to others that are in need," Gillam said.

Throughout the week, students have learned not just about what it means to help others but also how it makes them feel. Gillam said students have said that they feel good helping others.

"I'm so proud of the students and how they have responded to the food drive," Gillam said.

Over 400 canned and boxed goods have been collected. A final count was not available as the drive continues until Friday, Nov. 12.

A popcorn party will be awarded to the classroom that has the most donations.



(Picture on left) Students from Ms. Gillam's class stand holding cans, which will be placed in a larger tub as part of their Thanksgiving food drive.



(Picture on right) Students have already collected over 400 canned and boxed goods during their Food drive.

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BID NOW THRU NOV 29

Call: 903-686-0636
Website: TXMULTIPROPERTYAUCTION.COM

?? TRIVIA ?? HOW SMART ARE YOU?

- Think you know something about everything?
- What do you know about our area?

Play Kingsville Trivia brought to you by Harrel's Pharmacy!

- Questions:
1. Emperor Kuzon turns into what animal in 'The Emperor's New Groove'?
 2. What was the first city in the US to host the Olympics?
 3. What is the only sea without a land barrier?
 4. Which liquor is made from the blue agave plant?
 5. What is the only bird that can fly backwards?
 6. What was Elvis Presley's first hit in 1956?
 7. What is a funambulist?
 8. What is the symbol for copper on the periodic table?
 9. How many balls are on a pool table at the start of a game?
 10. What did the buffalo say to his son when he dropped him off at school?

(Answers will be on next issue.)

HOW SMART ARE YOU?

- 9-10. Okay Einstein, quit begging
- 7-8. Pick up your PhD at TAMUK
- 5-6. You are on your way to your B.S. degree
- 3-4. Do not skip any more school
- 2 or less - don't leave home without a chapter

For all your pharmacy needs, contact Harrel's. Lots of great items and downtown Kingsville's best eats!

Harrel's
Kingsville Pharmacy
204 East Kleberg • Kingsville, Tx
(361) 592-3354

TRIVIA ANSWERS

November 4, 2021 Issue

1. Rapunzel
2. Tasman Sea
3. African Antelope
4. To sprinkle flour or sugar lightly
5. Urine
6. 3 minutes
7. 17 keys
8. About 8,000 miles
9. Ctl C
10. he moon



City Sanitation, City Hall and other Administrative Offices will be closed on Tuesday, November 11, 2021 in observance of Veterans' Day.

The City Sanitation garbage pick-up schedule will temporarily change for the week of November 8th, 2021 through November 13th, 2021.

Residential Sanitation Schedule

Monday/Thursday service will be done on Monday/Wednesday

Tuesday/Friday service will remain the same

Commercial Sanitation Schedule

Thursday/Friday service will be done Friday

The schedule will resume to its normal schedule on November 22, 2021.

NOTICE OF REQUIREMENT TO COMPLY WITH THE SUBDIVISION AND SERVICE EXTENSION POLICY OF BAFFIN BAY WATER SUPPLY CORPORATION ("BBWSC")

Pursuant to Chapter 13.2502 of the Texas Water Code, BBWSC hereby gives notice that any person who subdivides land by dividing any lot, tract, or parcel of land, within the service area of BBWSC Certificate of Convenience and Necessity No. 11016, in Kleberg County, into two or more lots or sites for the purpose of sale or development, whether immediate or future, including re-subdivision of land for which a plat has been filed and recorded or requests more than two water or sewer service connections on a single contiguous tract of land must comply with the subdivision service extension policy stated in the section of the BBWSC tariff policy titled "Developer, Subdivision, and Nonstandard Service Requirements."

BBWSC is not required to extend retail water to a service applicant in a subdivision where the developer of the subdivision has failed to comply with the Subdivision Policy.

Applicable elements of the Subdivision Policy include:
Evaluation by BBWSC of the impact a proposed subdivision service extension will make on BBWSC's water supply system and payment of the costs for this evaluation; Payment of reasonable costs or fees by the Developer for providing water supply service capacity; Forfeiture of reserved water supply for failure to pay applicable fees; Payment of costs of any improvements to BBWSC's system that are necessary to provide the water service; Construction according to design approved by BBWSC and dedication by the developer of water facilities within the subdivision following inspection.

BBWSC's tariff and a map showing BBWSC's service area may be reviewed at BBWSC's offices at 870 E. FM 772, Riviera, Texas 78379. The tariff/policy and service area map also are filed of record at the Public Utility Commission in Austin, Tx and may be reviewed by contacting the PUCT, Central Records at 512-936-7180.

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 1, 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:

John and Velinda Sanchez, applicant and owner, requesting the rezoning of Sanchez Addition LOT 4: ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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, December 13, 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:

John and Velinda Sanchez, applicant and owner, requesting the rezoning of Sanchez Addition LOT 4: ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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.



Mail (In County)

6 months: \$28,

1 year: \$50 or

Online Only: \$47

Mail

(Out of County)

6 months: \$31,

1 year: \$57 or

Online Only: \$47

*Military Discounts

Mail (In County)

6 months: \$22,

1 year: \$42 or

Online Only: \$42

Mail

(Out of County)

6 months: \$27,

1 year: \$52 or

Online Only: \$42

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(361) 592-4304

or come

by our new
location at

231 E. Kleberg,

8 am - 5 p.m.,

Monday

through Friday

PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, December 1, 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:

John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez Addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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

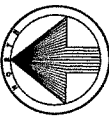
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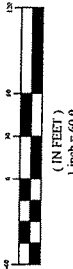
John and Velinda Sanchez, applicant and owner, requesting the rezone of Sanchez Addition LOT 4; ACRES .964, Kingsville, Texas (off East Escondido Road near South 6th St. across from Dick Kleberg Park) from R1 (Single-Family) to C1 (Neighborhood Service).

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.

Brister Surveying
4455 South Padre Island Drive, Suite 21
Corpus Christi, Texas 78411
Phone: 361-450-1402
Fax: 361-450-1402
Email: brister@brister.com
www.bristersurveying.com

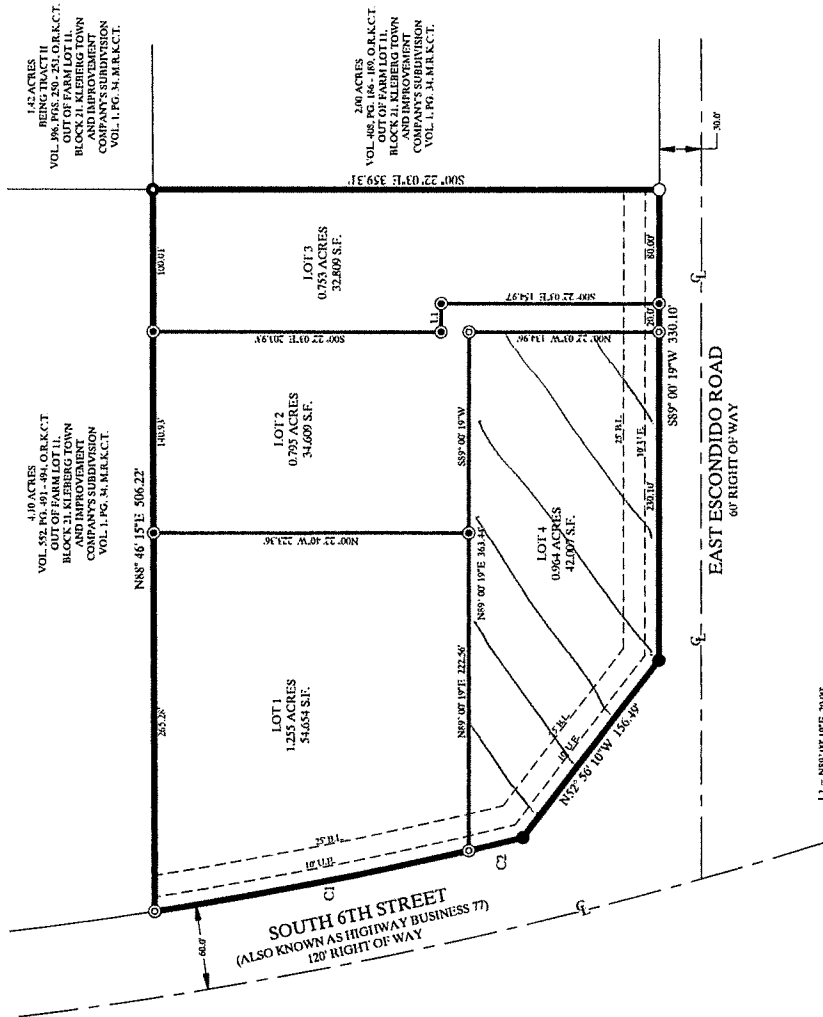


GRAPHIC SCALE



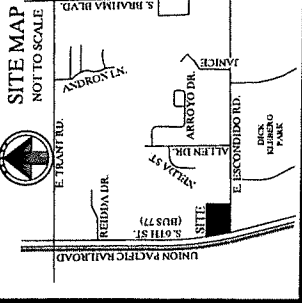
SANCHEZ ADDITION LOTS 1 - 4

BEING A REPLAT OF 3.767 ACRES OUT OF FARM LOT 11, SECTION 21, KLEBERG TOWN AND IMPROVEMENT COMPANY'S SUBDIVISION, AS SHOWN ON THE PLAT RECORDED IN VOLUME 1, PAGE 34, MAP RECORDS OF KLEBERG COUNTY, TEXAS, SAID 3.767 ACRE TRACT BEING THE SAME TRACT DESCRIBED IN A DEED RECORDED IN VOLUME 368, PAGES 229 - 233, OFFICIAL RECORDS OF KLEBERG COUNTY, TEXAS.



LEGEND:
BL = BUILDING LINE
CL = CENTERLINE
M.R.K.C.T. = MAP RECORDS OF KLEBERG COUNTY, TEXAS
PG = PAGE
SF = SQUARE FEET
U.E. = UTILITY EASEMENT
VOL. = VOLUME

NOTES:
1. BY GRADING PLATTING ONLY, THIS PROPERTY IS IN ZONING "S" ON THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NO. 4724C DWS E, WHICH BEARS AN EFFECTIVE DATE OF MARCH 17, 2014 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.
2. BEARINGS ARE BASED ON GLOBAL POSITIONING SYSTEM NAD 83 (93) 4205 DATUM
3. SET 5/8" REBAR - STEEL REBAR SET WITH YELLOW PLASTIC CAP LABELED BRISTER SURVEYING.
4. THE TOTAL PLATTED AREA IS 3.767 ACRES.



STATE OF TEXAS
COUNTY OF KLEBERG
THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS PREPARED BY THE DIRECTOR OF PLANNING FOR THE CITY OF KINGSVILLE, TEXAS.
THIS THE ____ DAY OF ____, 2021
DIRECTOR OF PLANNING
STATE OF TEXAS
COUNTY OF KLEBERG
THIS FINAL PLAT OF THE HEREIN DESCRIBED PROPERTY WAS APPROVED BY THE MAYOR AND THE CITY COMMISSION OF KINGSVILLE, TEXAS.
THIS THE ____ DAY OF ____, 2021
MAYOR
CITY SECRETARY
STATE OF TEXAS
COUNTY OF KLEBERG
I, _____ CLERK OF THE COUNTY COURT IN AND FOR KLEBERG COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT DATED THE ____ DAY OF ____, 2021, WITH ITS CERTIFICATION, AND THE INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE THE ____ DAY OF ____, 2021, AT ____ O'CLOCK ____ M. MAP ____ RECORDS ____ MIN SAID COUNTY IN VOLUME ____ PAGE ____ NO. FILED FOR RECORD
COUNTY CLERK
KLEBERG COUNTY, TEXAS
AT ____ O'CLOCK ____ M
STATE OF TEXAS
COUNTY OF NUECES
I, RONALD E. BRISTER, A REGISTERED PROFESSIONAL LAND SURVEYOR OF BRISTER SURVEYING, HAVE PREPARED THE FOREGOING MAP FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.
THIS THE ____ DAY OF ____, 2021
RONALD E. BRISTER
REGISTERED PROFESSIONAL LAND SURVEYOR

ORDINANCE #2021-_____

AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING MAP IN REFERENCE TO SANCHEZ ADDITION, LOT 4, (.964 ACRES) ALSO KNOWN AS S. 6TH AT ESCONDIDO ROAD, KINGSVILLE, TEXAS, FROM R1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C1 (NEIGHBORHOOD SERVICE DISTRICT); AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; AND PROVIDING FOR PUBLICATION.

WHEREAS, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of John and Velinda Sanchez, owner/applicant, for amendment to the zoning ordinance and zoning map of the City of Kingsville;

WHEREAS, with proper notice to the public, public hearings were held on Wednesday, December 1, 2021 during a meeting of the Planning and Zoning Commission, and on Monday, December 13, 2021 during a meeting of the City Commission, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the item was APPROVED with a 3-1 vote of the Planning Commission regarding the requested rezone with no abstentions; and

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

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

SECTION 1. That the Zoning Ordinance of the City of Kingsville, Texas, is amended by changing the zoning of Sanchez Addition, Lot 4, (.964 acres) also known as S. 6th at Escondido Road, Kingsville, Texas, from R1-Single Family Residential District to C1-Neighborhood Service District, as more specifically described on the Zone Change Map, attached as Exhibit A.

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

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

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

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

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

INTRODUCED on this the 13th day of December, 2021.

PASSED AND APPROVED on this the ____ day of _____, 202__.

Effective Date: _____

THE CITY OF KINGSVILLE

Sam R. Fugate, Mayor

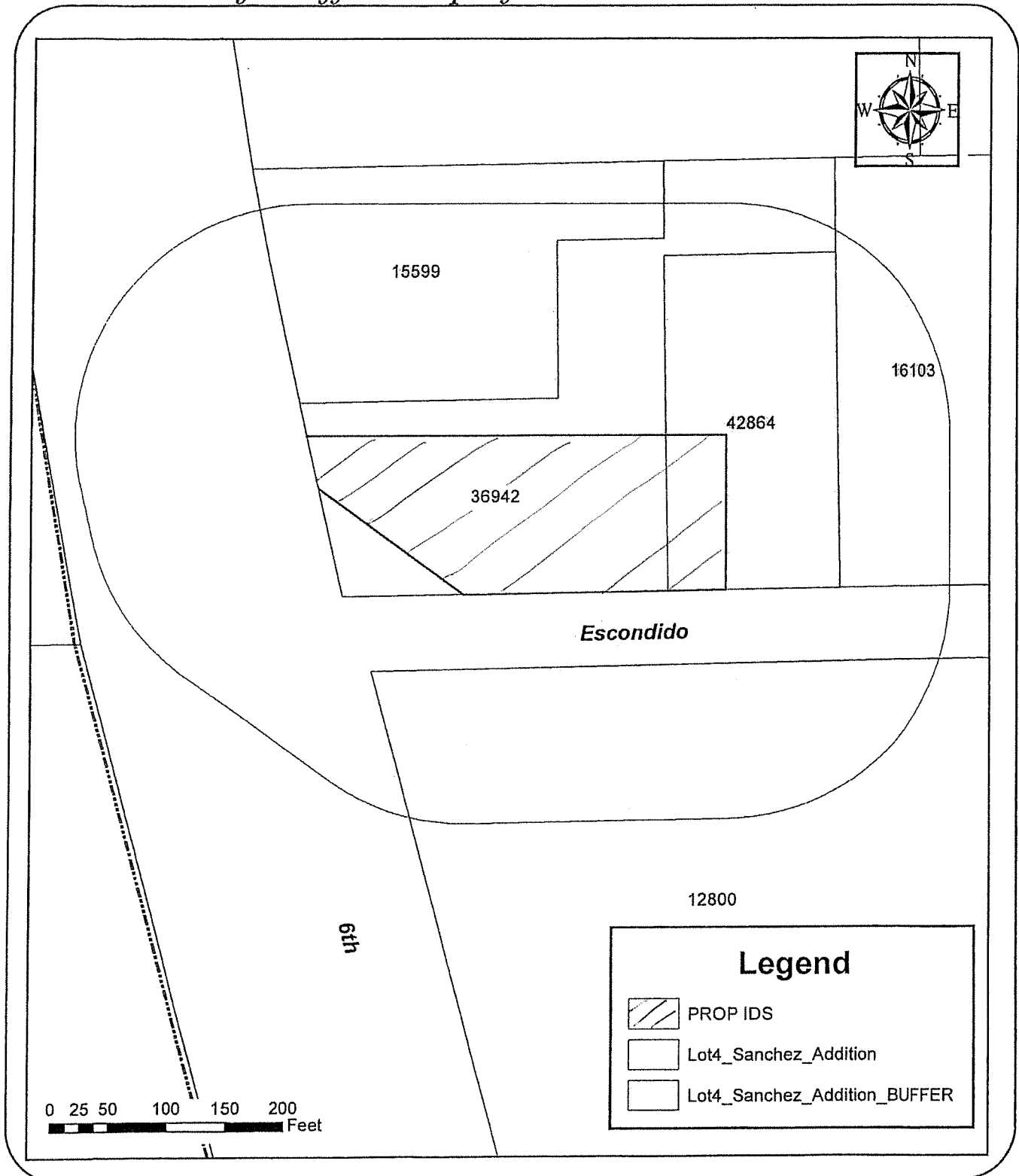
ATTEST:

Mary Valenzuela, City Secretary


APPROVED:

Courtney Alvarez, City Attorney

200 ft Buffer Map of Sanchez Addition Lot 4



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\2021_Buffer.mxd

Page 1 / 1	Drawn By: Planning Department	DISCLAIMER THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 CITY OF KINGSVILLE PLANNING DEPARTMENT 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 11/17/2021		
	Note:		

AGENDA ITEM #5

City of Kingsville-Health Department Animal Control & Care Center

TO: Mayor and City Commissioners
CC: Mark McLaughlin, City Manager
FROM: Emilio H. Garcia, Health Director
DATE: November 30, 2021
SUBJECT: Re-vision of the Health Board City Ordinance

Summary:

Prior to October 1, 2020, City of Kingsville, and Kleberg County shared responsibility of the City-County Health Department. A Health Board was created in which the City of Kingsville appointed 3 board members and Kleberg County 3 board member and 1 individual was appointed at 50% from the City of Kingsville and 50% from Kleberg County, which made up our 7 Health Board Members. Now that the Health Department is 100% the responsibility of the City of Kingsville, we need to revise our Health Board to reflect that all Health Board Members are to be appointed by the City of Kingsville. The revision to the city ordinance on the Health Board reduces the Board from 7 to 5 members. Our current Health Board Members are Joni B. Harrel, Steve Davis, Joy Ansley and Norma Sue Adrian which are City of Kingsville appointees.

Background:

The City of Kingsville-Health Department is requesting approval of the revised City of Kingsville Health Board Members re-structure and elimination of joint board and department references. All City of Kingsville appointees to the Health Board will continue to serve for their remaining terms.

Financial Impact:

No negative financial impact. The approval will allow the City of Kingsville-Health Department/Health Board Members to continue to have bi-monthly meetings.

Recommendation:

To approve the revision of the City of Kingsville Health Board City Ordinance.



ORDINANCE NO. 2021-_____

AMENDING THE CITY OF KINGSVILLE CODE OF ORDINANCES CHAPTER III-ADMINISTRATION, ARTICLE 3-DEPARTMENTS, BOARDS, & COMMISSIONS, BY AMENDING SECTIONS 3-3-50 THROUGH 3-3-55, PROVIDING FOR REVISIONS TO THE BOARD OF HEALTH SUBARTICLE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

WHEREAS, the City Commission of the City of Kingsville and Kleberg County agreed in 2020 to change the structure of the Health Department, which had been housed by the City but jointly funded by the County; and.

WHEREAS, the parties agreed the City would retain the Health Department as it lies on City-owned land; and

WHEREAS, the changes to the Interlocal Agreement with Kleberg County for the Health Department required some revisions to the City ordinances regarding the board for that department to reflect the change; and

WHEREAS, the City of Kingsville believes the changes are necessary and appropriate to reflect the current and changed status of the board associated with the department; and

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

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

I.

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

BOARD OF HEALTH

§ 3-3-50. BOARD CREATED.

There is hereby created a Board of Health for the city ~~and for the county~~ which shall be officially designated as the City-County Board of Health. The Board shall consist of five ~~seven~~ members, not less than one of whom shall be of the male gender and one of whom shall be of the female gender. The members of the Board shall all be residents of Kingsville ~~Kleberg County~~, Texas. In addition to the regular members of the Board, the City

Manager and the County Judge, or their duly designated representatives, shall serve as ex-officio members of such Board but without voting privileges.

(1962 Code, § 2-7-1; Ord. 2006-03, passed 1-30-06)

§ 3-3-51. MEMBERS; TERMS.

Members of the City-County Health Board shall be appointed as follows: three five members by the City Commission, ~~three members by the County Commission and one member by joint approval of the City and County Commission.~~ The term of office of each member shall be for three years. Appointments and vacancies on the Board occurring by death, resignation, expiration of term of office or otherwise, shall be filled according to the respective City Commission that appointed the position then vacant or jointly in the case of the common appointee.

(1962 Code, § 2-7-2; Ord. 2006-03, passed 1-30-06)

§ 3-3-52. SALARIES; COMPENSATION.

Board members shall not receive salaries nor compensation of any sort for their services.

(1962 Code, § 2-7-3; Ord. 2006-03, passed 1-30-06)

§ 3-3-53. DIRECTOR OF HEALTH.

There is hereby created the office of Director of Health of the City-County Health Board. The Director shall be a thoroughly qualified environmental and consumer health administrator. The City-County Health Board shall have authority to recommend appointment and removal of the Director of Health, though their recommendation is not required; however, the City Manager and the County Judge shall have final joint authority to appoint and remove the Director of Health. ~~If, upon removal, however, the Director considers himself or herself to have been wrongfully removed, he or she may within ten days of the removal file an appeal to the City Commission and the County Commissioner's Court. Such appeal must be made in writing and filed with both the Mayor and the County Judge. The time limit in which an appeal may be filed shall be jurisdictional. Any appeal shall require joint action of the City Commission and the Commissioner's Court of the county. Among the duties of the Director shall be to prepare and file written monthly operational reports of the department with the Board and the City Manager. , the City Commission and the Commissioner's Court. On or before January 10 of each year, the Director will prepare and file a written annual report reviewing operations and accomplishments of the department for the past year and projecting the level of services planned to be provided in the ensuing year. The Director shall perform his or her duties at the direction of the city and county.~~

(1962 Code, § 2-7-4; Ord. 2006-03, passed 1-30-06)

§ 3-3-54. DUTIES OF THE BOARD.

The Board shall make written recommendations to the City Commission ~~and to the Commissioner's Court of the county~~ concerning the status of health matters in the city ~~and the county~~. It shall institute through the Director of Health the study of any condition which may affect the life, health or the preservation and improvement of health in the city ~~and in the county~~. It shall concern itself with the elimination of causes of disease and shall make recommendations to the Director of Health and to the governing body ~~bodies~~ of the city ~~and county~~ concerning the elimination of nuisances and conditions detrimental to health. It shall promote an active program of environmental and consumer health education. It shall make written recommendations to the Director and to the City Commission ~~and Commissioner's Court~~ concerning the needs and budget of such Department and in the manner prescribed by the city ~~each governing body~~.

(1962 Code, § 2-7-5; Ord. 2006-03, passed 1-30-06)

§ 3-3-55. ELECTION OF OFFICERS; MEETINGS.

As soon as practicable after the appointment of the Board, it shall meet and elect a Chairman and Secretary and determine a time and place for regular meetings. Thereafter, the Board shall meet on its determined meeting day, ~~not less than once every 60 days~~ at its regular meeting place. A special meeting may be held at a time and place called by the Chairman and at least one ~~two~~ other members of the Board, but only after three days written notice has been given of the time and place of such special meeting (with the exception of an emergency) to all members thereof, including the ex-officio members.

(1962 Code, § 2-7-6; Ord. 78-15, passed 12-18-78; Ord. 2006-03, passed 1-30-06)

II.

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

III.

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

IV.

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

INTRODUCED on this the 13th day of December, 2021.

PASSED AND APPROVED on this the _____ day of _____, 2022.

EFFECTIVE DATE: _____, 2022.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #6

**City of Kingsville
Finance Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Charlie Sosa, Purchasing Manager

DATE: December 1, 2021

SUBJECT: Purchase of New Dynapac CP 1200 9-Wheel Pneumatic Roller

Summary:

This item authorizes the purchase of New Dynapac CP 1200 9-Wheel Pneumatic Roller from Doggett Heavy Machinery LLC., through BuyBoard Purchasing Cooperative Contract #597-19 for the City of Kingsville Street Department.

Background:

The existing Pneumatic Roller is 20+ years old and has been sent in to repairs frequently. The Street Department Pneumatic Roller is used to for compaction of hot mix materials and seal coating for the city's street program. Frequent repair has caused the Street Department to use rental equipment thus increasing maintenance and operation expenses. The purchase of new Pneumatic Roller will increase productivity and decrease operation expenses.

Financial Impact:

Funds are available through 126-5-53050-71200 on a tax incentive note, of which \$103,727.00 are available this fiscal year.

Recommendation:

It is recommended the City Purchase the New Dynapac CP 1200 9-Wheel Pneumatic Roller from Doggett Heavy Machinery LLC., through BuyBoard. BuyBoard is a member of the Purchasing Cooperative which meets Local government code 271 Subchapter F allows for the use of a cooperative purchasing program, specifically 271.102 (c), states, "A local government that purchases good and service under this subchapter satisfies any state law requiring the local government to seek competitive bids for the purchase of goods and service." Therefore, competitive bidding statutes have been met.





City of Kingsville, TX

Budget Report

Account Summary

For Fiscal: 10/2021-09/2022 Period Ending: 12/31/2021

Fund: 126 - GF TAX NOTES SERIES 2022

Expense

126-5-3050-71200

Machinery/Equipment

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %
Expense Total:	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %
Fund: 126 - GF TAX NOTES SERIES 2022 Total:	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %
Report Total:	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %

Group Summary

Account Type	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
Fund: 126 - GF TAX NOTES SERIES 2022 Expense	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %
	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %
	Report Total:	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %

Fund: 126 - GF TAX NOTES SERIES 2022 Total:

Report Total:

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance	
						Favorable (Unfavorable)	Percent Remaining
126 - GF TAX NOTES SERIES 2022	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %
Report Total:	571,260.00	571,260.00	0.00	0.00	369,850.24	201,409.76	35.26 %

DOGGETT

*134 North Padre Island Drive
Corpus Christi, TX, 78406*

Make:	Dynapac
Model:	CP1200
Stock #:	Factory New
Serial #:	
Expires:	

Hours: 0

[illegible]

**CITY OF KINGSVILLE**

PO Box 1458
Kingsville, TX 78364
PH: (361) 595-8025

PURCHASE ORDER**PO Number:** 220561**Date:** 12/01/2021**Requisition #:** REQ22075**Vendor #:** 3222

ISSUED TO: Doggett Heavy Machinery Services LLC
Powerplan
P O Box 650215
Dallas, TX 75265-0215

SHIP TO: Purchasing Dept.
Attn: Charlie Sosa
400 W King
Kingsville, TX 78363

ITEM	UNITS	DESCRIPTION	GL ACCT #	PROJ ACCT #	PRICE	AMOUNT
1	1	Dynapac CP1200 9-Wheel Pneumatic Roller	126-5-3050-71200		101,549.00	101,549.00

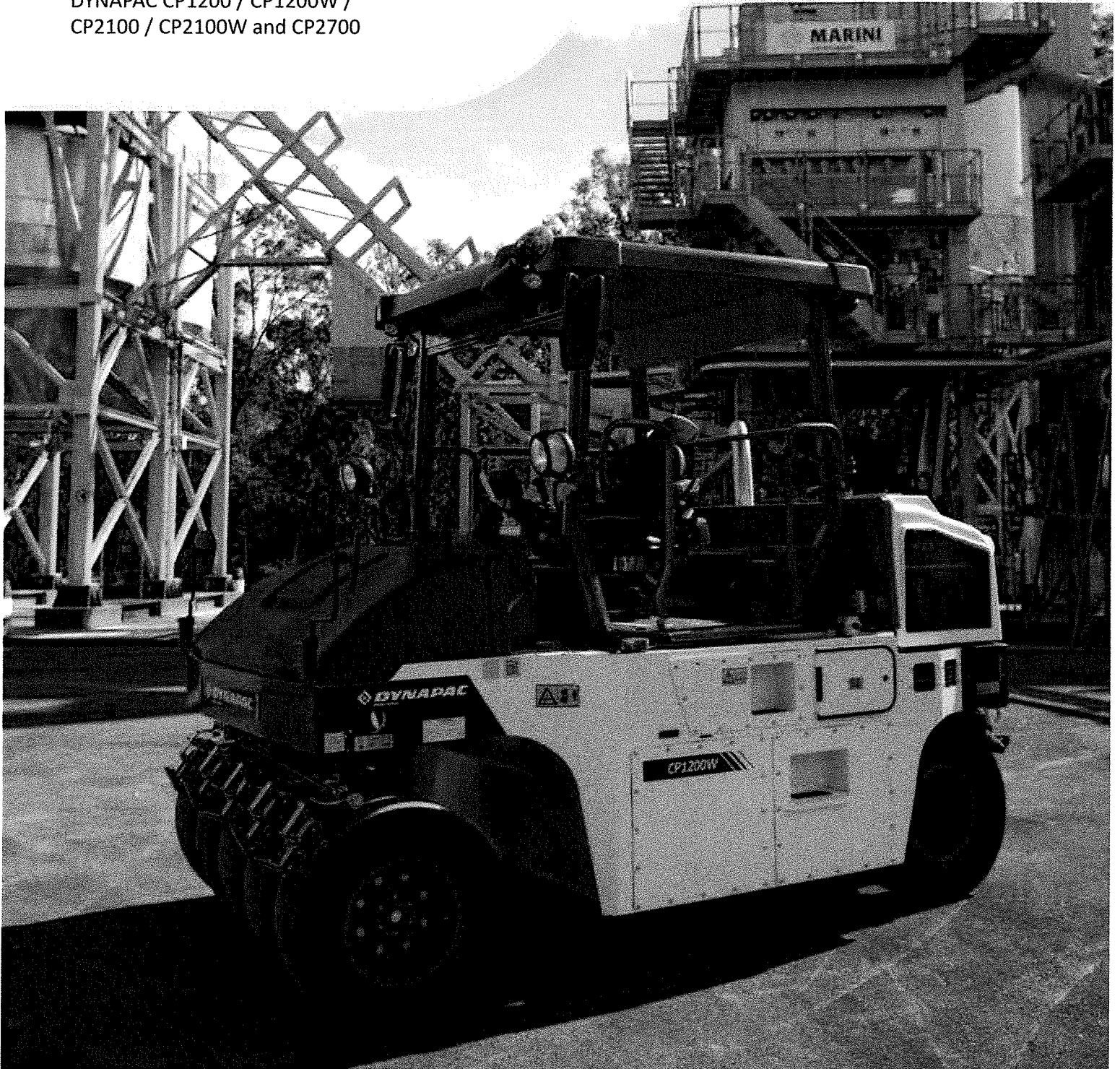
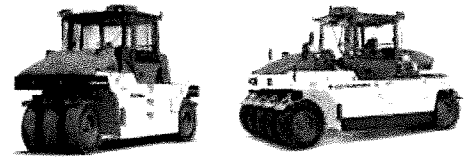
Authorized by: _____

SUBTOTAL:	101,549.00
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	101,549.00

1. Original invoice with remittance slip must be sent to: City of Kingsville, PO Box 1458, Kingsville, TX 78364.
2. Payment may be expected within 30 days of receipt of goods and invoice.
3. C.O.D. shipment will not be accepted.
4. Purchase Order numbers must appear on all shipping containers, packing slips and invoices. Failure to comply with the above request may delay payment.
5. All goods are to be shipped F.O.B. Destination unless otherwise stated.
6. All materials and services are subject to approval based on the description on the face of the purchase order or appendages thereof. Substitutions are not permitted without approval of the Requesting Department. Material not approved will be returned at no cost to the City.
7. All goods and equipment must meet or exceed all necessary city, state and federal standards and regulations.
8. Vendor or manufacturer bears risk of loss or damage until property received and/or installed.
9. Seller acknowledges that the buyer is an equal opportunity employer. Seller will comply with all equal opportunity laws and regulations that are applicable to it as a supplier of the buyer.
10. The City is exempt from all federal excise and state tax - ID# 74-6001513

DYNAPAC PNEUMATIC TIRE ROLLERS

DYNAPAC CP1200 / CP1200W /
CP2100 / CP2100W and CP2700



DYNAPAC PRESENTS A SERIES OF PNEUMATIC TIRE ROLLERS in the 21 - 27 ton weight class including a 21 ton wide base tire version. The CP2100, CP2100W and CP2700 incorporate several new features that will enhance efficiency, serviceability, operator comfort and the end result. The unique cab design offers an outstanding workplace for the operator, and the dual-circuit braking system is another Dynapac-only feature. With genuine Dynapac performance you can add the final touch to any project. The flexible ballast solution, the versatile scraper and sprinkler solutions and possibility for Air-On-the-Run, heat covers, asphalt temperature meter, edge presser/cutter and speedometer makes the machines optimal to seal surfaces. Thanks to its weight, it also serves as a roller for other types of ground.

THE DYNAPAC TOUCH

PERFORMANCE

A pneumatic tire roller is a specialized machine – with a wide range of applications. Finishing and sealing are obvious ones but soil compaction can also be carried out with top quality. A significant feature is the smooth start-stop procedure when changing driving direction. The air-on-the-run option and backup sprinkler further enhance the end result quality.

SAFETY

The braking system has two separate circuits which are able to maintain full braking capacity even if a damaged hose or other failure should disable one of the circuits.

Visibility and manoeuvrability are safety cornerstones. Dynapac's cab design, as well as the 4-post ROPS, minimizes obstruction of the operator's field of view. Also, precise steering and the powerful braking system keep the operator in control.

ERGONOMICS

In a Dynapac roller, the seat, steering wheel, dashboard and controls are built as an integrated unit, easily adjusted to personal preferences. The entire operator unit can slide and rotate in order to give the best visibility and working conditions possible. Add to that a wide range of options, including air condition or automatic climate control, as well as on-screen troubleshooting information.

ENVIRONMENTAL CARE

Every Dynapac is designed and built with focus on reduced environmental impact. Optimized hydraulic systems and engines reduce fuel consumption and emissions, and engines complying with Stage Tier4Final.

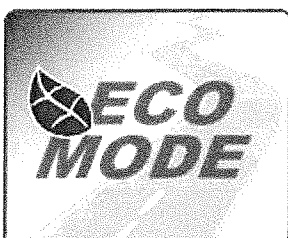
Biodegradable hydraulic fluid can be used, and it is easy to change engine liquids and hydraulic fluid without risk of spillage. To reduce noise, the cooling fans are thermostatically controlled, and the entire machine produces a surprisingly low level of ambient noise.

SERVICEABILITY

Daily service points are few and the large hood and location of filters and filler caps make routine service tasks smooth and fast. And in order to assist the operator, service information is displayed on the dashboard LCD.

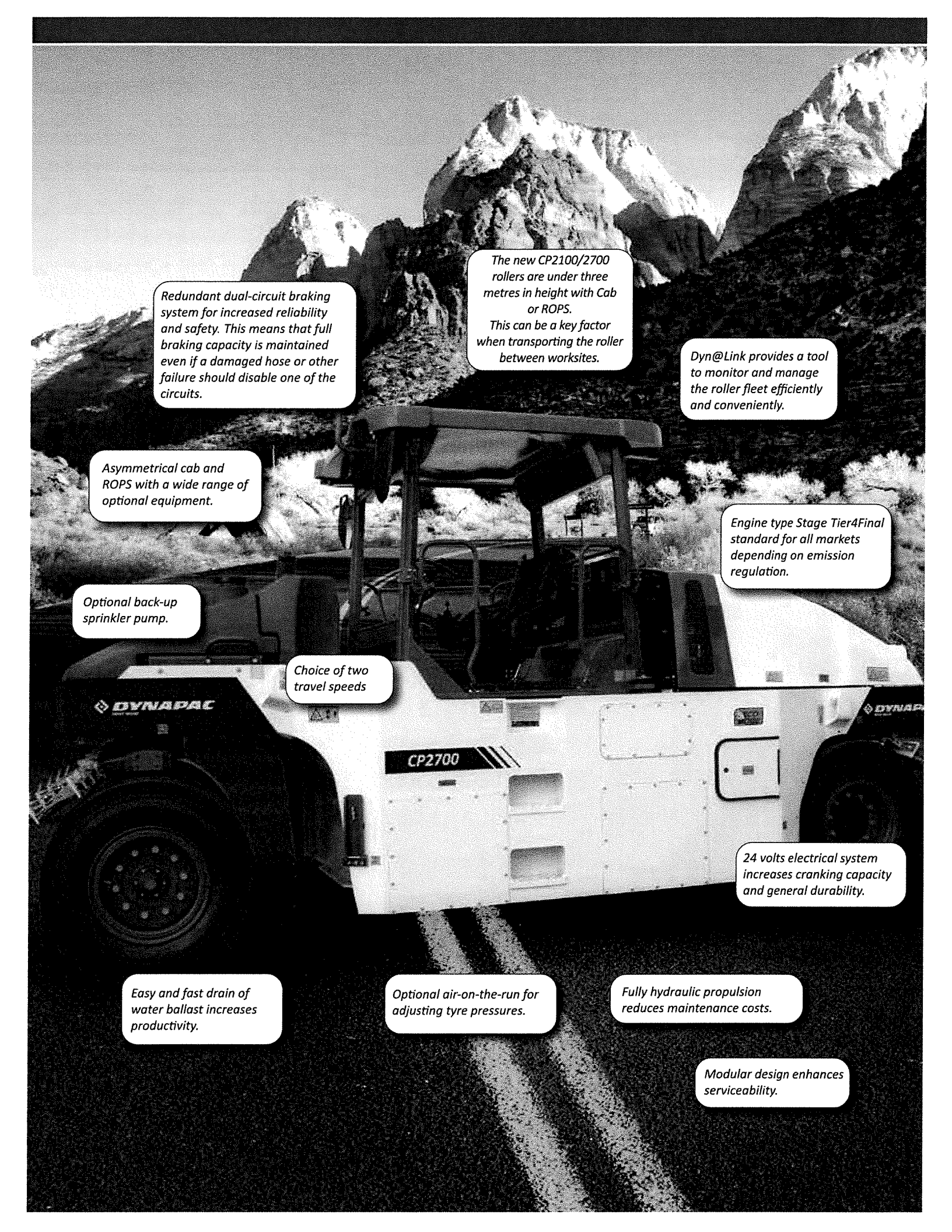
Several Dynapac models share many common components and sub-systems. This modularization simplifies stock keeping of spare parts and enable quicker service to end-users.

	CP2100	CP2100W	CP2700
Operating mass, lb (incl. Cab)	23,250	23,250	27,550
Operating mass, lb (incl. ROPS/FOPS)	22,900	22,900	27,200
Operating mass, lb (incl. Canopy)	21,600	21,600	25,900



ECOMODE

We are proud to announce that we have fulfilled our promise to offer customers soil and asphalt rollers with very low fuel consumption. The secret is our EcoMode. We closely monitored the fuel consumption of the new rollers. As a result, we can now confirm that in EcoMode, all big PTR can get up to 30% less fuel consumption than our previous range without EcoMode.



Redundant dual-circuit braking system for increased reliability and safety. This means that full braking capacity is maintained even if a damaged hose or other failure should disable one of the circuits.

The new CP2100/2700 rollers are under three metres in height with Cab or ROPS.

This can be a key factor when transporting the roller between worksites.

Dyn@Link provides a tool to monitor and manage the roller fleet efficiently and conveniently.

Asymmetrical cab and ROPS with a wide range of optional equipment.

Optional back-up sprinkler pump.

Choice of two travel speeds

Engine type Stage Tier4Final standard for all markets depending on emission regulation.

24 volts electrical system increases cranking capacity and general durability.

Easy and fast drain of water ballast increases productivity.

Optional air-on-the-run for adjusting tyre pressures.

Fully hydraulic propulsion reduces maintenance costs.

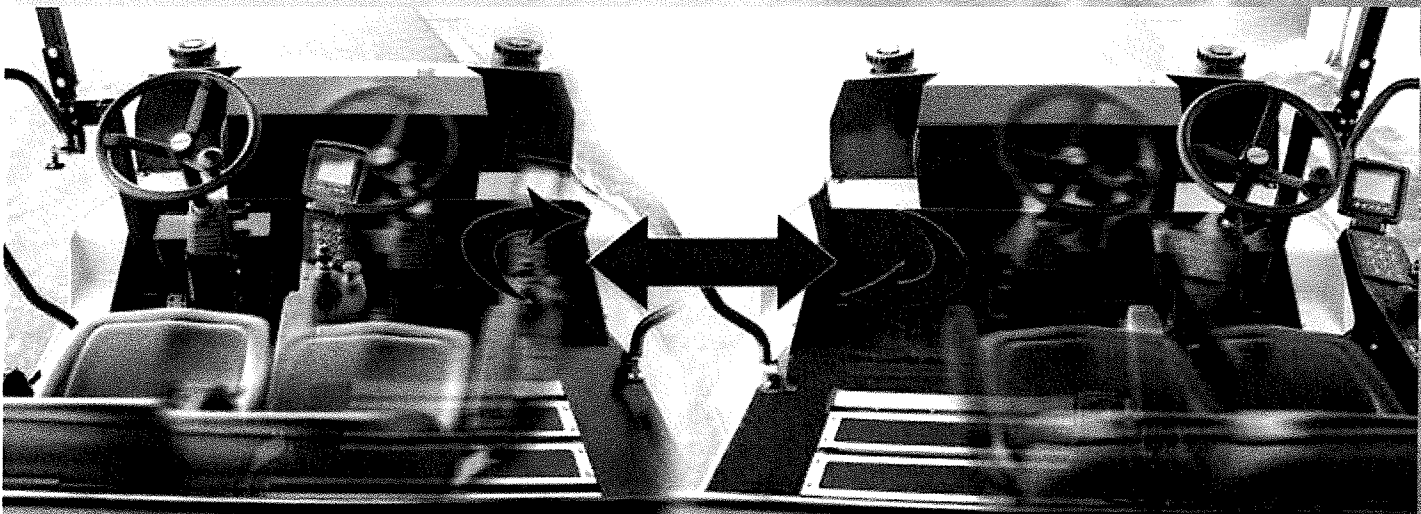
Modular design enhances serviceability.

ATTENTION TO DETAILS - THE BASE OF PERFECTION

VALUE YOU CAN COUNT ON

- The flexible ballast system allows the use of water, sand or metal as ballast. The frame is water tight and the ballast can be placed for optimum weight distribution over the wheels. CP2700 has a large surface capability due to the width of the machine and high speed possibility. Large tire overlap and a water system that on all times keep the tires wet also contributes to the large productivity.
- Modularization allows for faster service response and keeps maintenance costs low, and the common parts and systems between different product lines simplify technician training and inventory. In the short term, this means maximum uptime, productivity and profitability on the job. In the long term, a well-maintained roller has up to a 15% higher resale value.
- The operator has a direct impact on compaction efficiency and cost. With one of the most modern operator platforms on the market and a dual-circuit braking system that maintains full braking operations even if one circuit is disabled, the operator works in comfort and safety – increasing productivity on the job.
- Paving and compaction often take place at night, when working speed can drop by 20% due to poor visibility. Optional LED lights create a safer job site for nighttime operations and help maintain productivity.
- An optimized hydraulic system and thermostat regulated cooling fans can reduce fuel consumption by 3-4% compared to a traditional system.

The operator unit is designed with operator comfort and safety in mind. The whole unit can slide and rotate to give the best visibility and working conditions possible.

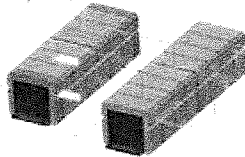


FLEXIBLE STEEL BALLAST COMPARTMENT

There is a very flexible steel ballast system for easy weight adjustment improving performance in any job site. To achieve the same ground pressure on front and rear tyres, the ballast is distributed evenly, whether water, sand or steel is used.

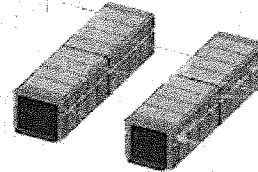
DYNAPAC CP2100/2100W: FLEXIBLE STEEL BALLAST SYSTEM WITH 2 OPTIONS

Steel ballast 7,720 lb
Steel ballast 14,550 lb



DYNAPAC CP2700: FLEXIBLE STEEL BALLAST SYSTEM WITH 3 OPTIONS

Steel ballast, front 2,540 lb
Steel ballast 8,820 lb
Steel ballast 17,640 lb



DYNAPAC CP2100/2100W APPROXIMATE WEIGHTS

Operating Weight includes lubricants, coolant, 165 lb operator, full fuel tank, full water tank, full hydraulic system

Note: Wet sand ballast weight based on 4,400 lbs per m³

WEIGHTS	CANOPY, lbs	ROPS/FOPS, lbs	CAB, lbs
Shipping weight (Empty tanks, no operator)	20,400	21,700	22,050
Operating Weight / Machine empty	21,600	22,900	23,250
Operating Weight / Water ballast	26,900	28,200	28,550
Operating Weight / Wet sand ballast	32,200	33,500	33,850
Operating Weight / 14,550 lbs steel ballast	36,200	37,500	37,850
Operating Weight / Water + 14,550 lbs steel ballast	39,250	40,550	40,900
Operating Weight / Wet sand + 14,550 lbs steel ballast (MAX)	44,650	45,950	46,300
Operating Weight / 7,720 lbs steel ballast	29,350	30,650	31,000
Operating Weight / Water + 7,720 lbs steel ballast	33,500	34,800	35,150
Operating Weight / Wet sand + 7,720 lbs steel ballast	37,700	39,000	39,350

DYNAPAC CP2700 APPROXIMATE WEIGHTS

Operating Weight includes lubricants, coolant, 165 lb operator, full fuel tank, full water tank, full hydraulic system

Note: Wet sand ballast weight based on 4,400 lbs per m³

WEIGHTS	CANOPY, lbs	ROPS/FOPS, lbs	CAB, lbs
Shipping weight (Empty tanks, no operator)	24,800	26,100	26,450
Operating Weight / Machine empty	25,900	27,200	27,550
Operating Weight / 2,540 lbs front ballast added	28,450	29,750	30,100
Operating Weight / Water ballast	35,100	36,400	36,750
Operating Weight / Wet sand ballast	41,700	43,000	43,350
Operating Weight / 17,640 lbs steel ballast	46,100	47,400	47,750
Operating Weight / Water + 17,640 lbs steel ballast	50,300	51,600	51,950
Operating Weight / Wet sand + 17,640 lbs steel ballast (MAX)	57,900	59,200	59,550
Operating Weight / 8,820 lbs steel ballast	37,300	38,600	38,950
Operating Weight / Water + 8,820 lbs steel ballast	42,700	44,000	44,350
Operating Weight / Wet sand + 8,820 lbs steel ballast	48,050	49,350	49,700



THE HIGHLY COST-EFFICIENT CP1200 is the smallest of Dynapac's series of pneumatic tire rollers. This machine shares many of the features that make Dynapac a strong and reliable partner for all kinds of jobs. Performance always comes first, and with our efforts in serviceability and ergonomics you can stay assured that efficiency and top quality results will last for the machine's entire lifetime. The CP1200 is used for chip-sealing and to compact asphalt for sealing purposes, and to compact base, sub-base and stabilized soil. The wide base version CP1200W features large surface capacity, large tire overlap and a fantastic view over the outermost front tires.

VALUE FOR MONEY

STRONG AND SMOOTH

Dynapac CP1200 has power reserves enough to ensure effortless and efficient finishing and sealing. Add to that the smooth start-stop procedure and you have a trusty working companion for long efficient passes. The power source is the reliable Cummins QSF2.8 Stage IIIA /Tier 3 or Stage IV/Tier4Final with an output of 55kW or 74 hp which provides fuel efficiency and less noise to the operator.

RELIABLE PERFORMANCE

The ergonomic designed F/R handle, located on the right side of the operator's seat, makes operation smooth and easy. With full control of the engine power applied the surface quality and end result is maintained at top level. Perfect balance is provided by the flexible steel ballast system for easy weight adjustment improving performance in any job site. To achieve the same ground pressure on front and rear tyres, the ballast is distributed evenly, whether water, sand or steel is used.

SAFE AND SECURE

A clear view and undisturbed driver control are important properties both from a quality and a safety viewpoint. In the CP1200 the operator seat is placed in the centre, and the ROPS is placed not to obstruct the view. The operator can keep an eye on the finest details – and stay aware of movements close to the machine.

BUSINESS AND PLEASURE

In the Dynapac CP1200, the operator's unit feature a very user-friendly instrument panel. All indicators, switches and controls are clearly visible and easily reached. At Dynapac, we are convinced that efficient and profitable operation is directly connected to the quality of the drivers environment. The CP1200 can be offered with Canopy, ROPS or Cab and also the optional rotating operator's station allows operator to swivel control console from left side to right side for maximum operators comfort.

ENVIRONMENTAL CARE

Protection of our environment and careful use of resources are keywords in all Dynapac development. We strive for reduced fuel consumption and emissions, and engines complying with Stage Tier4Final are fitted as standard. Our machines allow the use of bio-degradable hydraulic fluids, and by cautious design we have reduced the risk of spillage.

DYNAPAC CP1200/CP1200W

Operating mass, lb (incl. Cab)	12,900
Operating mass, lb (incl. ROPS/FOPS)	12,200
Operating mass, lb (incl. Canopy)	11,800

DYNAPAC CP1200/CP1200W PNEUMATIC ROLLER

*Canopy / ROPS Cab /
ROPS/FOPS versions
available*

*Swivel seat available
as optional*

*55kW / 74 hp 2,8 L
Stage Tier4 Final -
Cummins engine
(low fuel consumption)*

*Process and rear view
mirrors available as
optional.*



*Air on the run (CP1200)
and Heat cover wheels
available as optional*

*Modern scrapers combined with
cocoa mats keep the tyres clean
and reduce the risk of picking.*

Picture shows CP1200W

FLEXIBLE STEEL BALLAST SYSTEM WEIGHTS

Flexible Steel ballast system and possible wet/sand or water ballast (incl. cab)

Basic unit 12,900 lbs

Basic unit + water 16,500 lbs

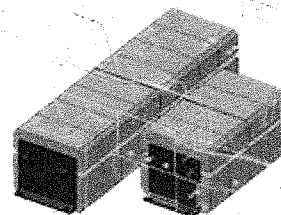
Basic unit + wet sand 20,100 lbs

Basic unit + 8 plates 19,200 lbs

Basic unit + 8 plates + water 22,300 lbs

Basic unit + 8 plates + wet sand 26,200 lbs

Basic unit + 12 plates 26,700 lbs



DYNAPAC PNEUMATIC TIRE ROLLERS

	CP1200	CP1200W	CP2100	CP2100W	CP2700
Operating mass*, lb (incl. Cab)	12,900	12,900	23,250	23,250	27,550
Max. operating mass*, lb (incl. Cab)	26,700	26,700	46,300	46,300	59,550
Wheel load, std/max, lb/wheel	1,430/2,970	1,430/2,970	3,320/6,610	3,320/6,610	3,060/6,610
Speed, mph	0-10	0-10	0-12	0-12	0-12
Propulsion, rear	4 Wheels	4 Wheels	4 Wheels	4 Wheels	4 Wheels
Number of tires	5 front/4 rear	5 front/4 rear	3 front/4 rear	3 front/4 rear	5 front/4 rear
Tyre pressure, psi	35-120	22-87	35-120	35-120	35-120
Water tank, gal	92	92	110	110	110
DIMENSIONS					
Compaction width, in	69	82	71	89	91
Length, in	144	144	204	204	216
Width, in	81	82	80	89	92
Height, with ROPS/cab, in	116	116	118	116	118
ENGINE					
Model, Stage T4f	Cummins QSF 2.8	Cummins QSF 2.8	Cummins QSF 3.8	Cummins QSF 3.8	Cummins QSF 3.8
Rated power, SAE J1995, at 2200 rpm, hp	74	74	120	120	120

*Operating weight includes: Cab, all fluids and 165 lbs driver weight. Wet sand weights based on 2 m3 per ton

Standard Equipment CP1200/W

Arm rest
Backup alarm
Battery switch
Cocoa mats
Documentation (Manuals), one set
Emergency stop
Fuel level display
Horn
Hour meter
Hydraulic check points
Hydraulic oil lever indicator
Interloc system
Key master and start
Lifting and tiedown eyes
Mirrors, process view
Mirrors, traffic view
Neutral start arrangement
Parking brake
Pressurized sprinkler system
Rotating beacon
Seat with suspension
Single scrapers
Sliding and swiveling operator unit
Speedometer
Sprinkler system
Sprinkler timer
Standard Platform
Tachometer display
Towing eyelet, rear
Warning – Air cleaner
Warning – Brake
Warning – Clogged hydraulic oil filter
Warning – Engine temperature
Warning – Engine oil pressure
Warning – Hydraulic fluid temperature
Warning – Low charge
Warning – Low fuel level
Working lights LED, front/rear

Optional Equipment CP1200/W

Flexible Steel ballast option
8 steel ballast (7,720 lb), front
12 steel ballast (11,690 lb), front & rear
Air On the Run system (CP1200 only)
Asphalt temperature meter
Biologically degradable hydraulic oil
Canopy or ROPS/FOPS or Cab incl. ACC
Driving lights, RH or LH
Dyn@link
Dyn@link advanced
Emulsion tank
Fire extinguisher
First aid box
Heat covers for wheels
Michelin Tires (CP1200 only)
Radio & MP3 player (Cab)
Rotating beacon, LED
Rotating beacon, Ignition Control, LED
Seat belts, 3" (ROPS or Cab)
Seat luxury (ROPS or Cab)
Slow Moving Vehicle sign
Spare tyre
Sprinkler pump, back up
Tool set
Towing eyelet, front
Vandal cover (Canopy or ROPS/FOPS)
Water tank lockable
Working lights, night LED

Standard Equipment

CP2100/2100W/2700
AWC (Automatic Water Control)
Battery switch
Back up alarm
Back up camera
Cocoa mats
Documentation (Manuals), one set
Drainage for water ballast
Emergency stop
Engine temperature display
Fuel level display
Horn
Hour meter
Hydraulic checkpoints
Hydraulic fluid temperature display
Hydrostatic drive with 2 motors
Interloc system
Key master and start
Lifting and tiedown eyes
Mirrors, traffic view
Multi-disc brakes for parking and dynamic service brake
Parking brake
Rotating beacon
Redundant brake system
ROPS/FOPS, 4 post with roof and 3" seat belt
Sliding and swiveling operator unit
Steel ballast, front (2,540 lbs), CP2700 only
Sprinkler and scraper system
Sprinkler pump, back up
Sprinkler timer
Tachometer display
Tilt steering wheel
Vandal cover (Canopy or ROPS/FOPS)
Water level gauge
Water tank covers, lockable
Working lights, front/rear
Warning – Air cleaner
Warning – Brake
Warning – Clogged hydraulic oil filter
Warning – Engine oil pressure
Warning – Engine temperature
Warning – Hydraulic fluid temperature
Warning – Low charge
Warning – Low fuel level
Voltage meter display

Optional Equipment CP2100/2100W/2700

Steel ballast front (8,820 lb), CP2700
Steel ballast front + rear (17,640 lb), CP2700
Steel ballast front (7,720 lb), CP2100
Steel ballast front + rear (14,550 lb), CP2100
Air On the Run system
Asphalt temperature meter
Biodegradable hydraulic fluid
Canopy or ROPS/FOPS or Cab
Driving lights, RH or LH
Dyn@link
Dyn@link advanced
Fire extinguisher
First aid box
Heat covers for wheels
Licence plate holder with light
Mirrors, process view
Slow Moving Vehicle sign
Tool set
Towing eyelets front & rear

Standard Equipment Comfort Cab CP2100/2100W/2700

Air conditioning (ACC)
Air filtering system
Fan, fresh air (3-speed)
Heater
Interior light
Radio & MP3 player
Rear view mirrors, external
Rear view mirror, internal
Safety glass, tinted
Seat belt, 3"
Seat, luxury for cab with suspension
Side windows, openable
Wiper with washer, front/rear



Your Partner on the Road Ahead

Dynapac North America LLC
1059 Paragon Way, Rock Hill, SC 29730
Phone: (800) 651-0033 - Fax: (803) 753-9612
www.dynapac.us



Vendor Contract Information Summary

Vendor Name	John Deere Construction Retail Sales
Contact	Kent Hoffman
Phone Number	3097650282
Email	hoffmankentj@johndeere.com
Website	www.deere.com/en/construction/
Federal ID	36-3387700
Accepts RFQs	Yes
Address Line 1	1515 5th Avenue
Vendor City	Moline
Vendor Zip	61265
Vendor State	IL
Vendor Country	USA
Delivery Days	120
Freight Terms	FOB Destination
Payment Terms	Net 30 Days
Shipping Terms	Pre-paid and added to invoice
Ship Via	Common Carrier
Is Designated Dealer	No
EDGAR Forms Received	Yes
Service-Disabled Veteran Owned	No
Minority Owned	No
Women Owned	No
Is National	Yes
No Excluded Foreign Terrorist Orgs	Yes
No Israel Boycott Certificate	Yes
Is MWBE	No
Regions Served	All Texas Regions
States Served	All States
Contract Name	Construction, Road and Bridge, Ditching, Trenching, and Other Equipment
Contract #	597-19
Effective Date	12/01/2019
Expiration Date	11/30/2022
Quote Reference Number	597-19
Return Policy	Equipment is factory built to customer's specifications. There is no return policy.



Vendor Contract Information Summary

Additional Dealers	See Dealers/Distributors link for dealer list
Manufacturer Designated Dealers	Yes
Additional Info	null

Abilene ★ Reporter-News

PRINTED AT THE ABILENE REPORTER-NEWS

Certificate of Publication

In Matter of Publication of:

SHARON MCAFEE
TEXAS ASSOC OF SCHOOL
BOARDS
12007 RESEARCH BLVD
AUSTIN, TX 78759

State of Wisconsin)))§

County of Brown)

Before me, the undersigned authority, on this day personally appeared representing the Abilene Reporter-News being duly sworn deposes and says that the following notice(s) published in said newspaper generally circulated in Brown, Callahan, Coleman, Comanche, Eastland, Erath, Fisher, Haskell, Jones, Knox, Mitchell, Nolan, Runnels, Scurry, Shackelford, Stephens, Stonewall, Taylor Counties, Texas by:

TEXAS ASSOC OF SCHOOL BOARDS

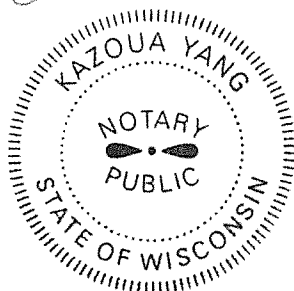
On the following date(s) to wit:

January 17, 2019
January 23, 2019

Kevin Yang
Legal Notice Clerk

On this January 23, 2019, I certify that the attached document is a true and exact copy made by publisher.

Kazoua Yang 1/19/22
Notary Public, State of Wisconsin, County of Brown



Ad#: 2210182
P.O.:
of Affidavits: 0

Proposal Number	Proposal Name	Proposal Due Date	Proposal Due Time	Contract Effective Date	Contract Expiration Date
594-19	Photovoltaic Power Systems and Components	3/7/2019	4:00 PM	10/1/2019	9/30/2022
595-19	Job Order Contracting (Gordian eziQC® for National Cooperative-Missouri)	4/25/2019	4:00 PM	10/1/2019	9/30/2024
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597-19	Construction, Road and Bridge, Ditching, Trenching and Other Equipment	4/11/2019	4:00 PM	12/1/2019	11/30/2022
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600-19	Software as a Service (SaaS) Products and CyberSecurity Assessments and Related Services	5/16/2019	4:00 PM	12/1/2019	11/30/2022
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601-20	Energy Saving Lighting Products	6/27/2019	4:00 PM	4/1/2020	3/31/2023
602-20	Public Safety and Firehouse Supplies and Equipment	7/25/2019	4:00 PM	4/1/2020	3/31/2023
603-20	Radio Communication and Video Recording Products and Services	8/1/2019	4:00 PM	4/1/2020	3/31/2023
604-20	Residential/Commercial Refuse, Recycling and Disposal Services and Containers	8/8/2019	4:00 PM	4/1/2020	3/31/2023
605-20	Water Treatment Chemicals and Pipe Bursting Equipment	8/15/2019	4:00 PM	4/1/2020	3/31/2023

"Sealed proposals will be received by the Local Government Purchasing Cooperative, Cooperative Purchasing Office, 12007 Research Blvd., Austin, TX 78759 and then opened:

NOTE: Specifications will be available on-line one month prior to due date. Proposal Specifications may be obtained from our web site www.vendor.buyboard.com or from the offices of the Texas Association of School Boards, Cooperative Purchasing Office 12007 Research Blvd., Austin, TX, 78759.

The Cooperative reserves the right to reject any or all bids and to waive any formalities in bidding except time of filing.

BROWNSVILLE The Herald

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS
COUNTY OF CAMERON

I Jose Andres Carrizales, being duly sworn on his oath states that he is a representative of The Brownsville Herald and that the attached notice appeared in the following issues:

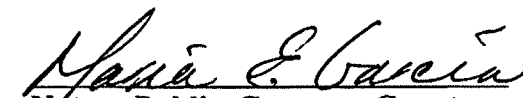
Date: JANUARY 17, 2019

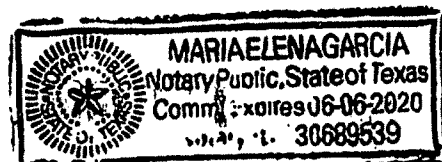
Acct: 40021292 TEXAS ASSOCIATION OF SCHOOL BOARDS / PROPOSALS

Ticket: 30114492


JOSE A. CARRIZALES III

Subscribed and sworn to before me on this the 17th day of January 2019.


Notary Public, Cameron County
State of Texas



Proposal Number	Proposal Name	Proposal Due Date	Proposal Due Time	Contract Effective Date	Contract Expiration Date
594-19	Photovoltaic Power Systems and Components	3/7/2019	4:00 PM	10/1/2019	9/30/2022
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600-19	Software as a Service (SaaS) Products and CyberSecurity Assessments and Related Services	5/16/2019	4:00 PM	12/1/2019	11/30/2022
601-19	Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor	5/23/2019	4:00 PM	12/1/2019	11/30/2022
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603-20	Radio Communication and Video Recording Products and Services	8/1/2019	4:00 PM	4/1/2020	3/31/2023
604-20	Residential/Commercial Refuse, Recycling and Disposal Services and Containers	8/8/2019	4:00 PM	4/1/2020	3/31/2023
605-20	Water Treatment Chemicals and Pipe Bursting Equipment	8/15/2019	4:00 PM	4/1/2020	3/31/2023

"Sealed proposals will be received by the Local Government Purchasing Cooperative, Cooperative Purchasing Office, 12007 Research Blvd., Austin, TX 78759 and then opened:

NOTE: Specifications will be available on-line one month prior to due date. Proposal Specifications may be obtained from our web site www.vendor.buyboard.com or from the offices of the Texas Association of School Boards, Cooperative Purchasing Office 12007 Research Blvd., Austin, TX, 78759. The Cooperative reserves the right to reject any or all bids and to waive any formalities in bidding except time of filing.

BROWNSVILLE The Herald

PUBLISHER'S AFFIDAVIT

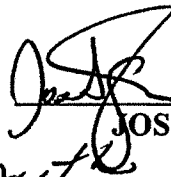
STATE OF TEXAS
COUNTY OF CAMERON

I Jose Andres Carrizales, being duly sworn on his oath states that he is a representative of The Brownsville Herald and that the attached notice appeared in the following issues:

Date: JANUARY 22, 2019

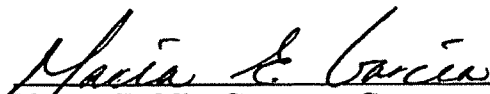
Acct: 40021292 TEXAS ASSOCIATION OF SCHOOL BOARDS / PROPOSALS

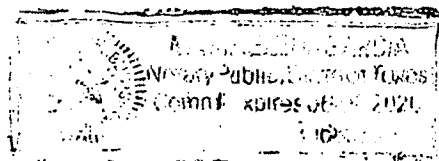
Ticket: 30114492



JOSE A. CARRIZALES III

Subscribed and sworn to before me on this the 24th day of January 2019.


Notary Public, Cameron County
State of Texas



Proposal Number	Proposal Name	Proposal Due Date	Proposal Due Time	Contract Effective Date	Contract Expiration Date
594-19	Photovoltaic Power Systems and Components	3/7/2019	4:00 PM	10/1/2019	9/30/2022
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597-19	Construction, Road and Bridge, Ditching, Trenching and Other Equipment	4/11/2019	4:00 PM	12/1/2019	11/30/2022
598-19	Food Service Equipment, Supplies and Appliances	4/18/2019	4:00 PM	12/1/2019	11/30/2022
599-19	Refuse Bodies, Trailers and Other Bodies	5/9/2019	4:00 PM	12/1/2019	11/30/2022
600-19	Software as a Service (SaaS) Products and CyberSecurity Assessments and Related Services	5/16/2019	4:00 PM	12/1/2019	11/30/2022
601-19	Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor	5/23/2019	4:00 PM	12/1/2019	11/30/2022
601-20	Energy Saving Lighting Products	6/27/2019	4:00 PM	4/1/2020	3/31/2023
602-20	Public Safety and Firehouse Supplies and Equipment	7/25/2019	4:00 PM	4/1/2020	3/31/2023
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AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared Damian Gomez, Advertising Representative for The Dallas Morning News, being duly sworn by oath, states the attached advertisement of

Texas Association of School Boards

was published in The Dallas Morning News

January 17, 2019

January 22, 2019

Proposal Number	Proposal Name	Proposal Due Date	Proposal Date	Contract Effective Date	Contract Expiration Date
594-19	Photovoltaic Power Systems and Components	3/7/2019	4:00 PM	10/1/2019	9/30/2022
595-19	Job Order Contracting (Gordon est/QC) for	4/25/2019	4:00 PM	10/1/2019	9/30/2024
596-19	National Cooperative Purchasing Office	4/4/2019	4:00 PM	12/1/2019	11/30/2022
597-19	Commercial Washers and Drivers	4/11/2019	4:00 PM	12/1/2019	11/30/2022
598-19	Construction, Road and Bridge, Ditching, Trenching	4/11/2019	4:00 PM	12/1/2019	11/30/2022
599-19	Food Service Equipment, Supplies and Appliances	5/9/2019	4:00 PM	12/1/2019	11/30/2022
600-19	Refuse Bins, Trailers and Other Bodies	5/9/2019	4:00 PM	12/1/2019	11/30/2022
601-19	Software as a Service (SaaS) Products and	5/16/2019	4:00 PM	12/1/2019	11/30/2022
602-19	Vehicle Security Assessments and Related Services	5/23/2019	4:00 PM	12/1/2019	11/30/2022
603-19	Parts and Service for Police Motorcycles,	5/23/2019	4:00 PM	12/1/2019	11/30/2022
604-19	Energy Saving Lighting Products	6/27/2019	4:00 PM	4/1/2020	3/31/2023
605-19	Public Safety and Firehouse Supplies and Equipment	7/25/2019	4:00 PM	4/1/2020	3/31/2023
606-19	Radio Communication and Video Recording	8/1/2019	4:00 PM	4/1/2020	3/31/2023
607-19	Products and Services	8/1/2019	4:00 PM	4/1/2020	3/31/2023
608-19	Residential/Commercial Refuse, Recycling and	8/1/2019	4:00 PM	4/1/2020	3/31/2023
609-19	Residential/Commercial Refuse, Recycling and	8/1/2019	4:00 PM	4/1/2020	3/31/2023
610-19	Water Treatment Chemicals and Pipe Bursting	8/1/2019	4:00 PM	4/1/2020	3/31/2023

Sealed proposals will be received by the Local Government Purchasing Cooperative, Cooperative Purchasing Office, 12007 Research Blvd., Austin, TX 78759 and then opened.

NOTE: Specifications will be available on-line one month prior to due date. Proposal Specifications may be obtained from our web site www.vendor.buyboard.com or from the offices of the Texas Association of School Boards, Cooperative Purchasing Office, 12007 Research Blvd., Austin, TX, 78759. The Cooperative reserves the right to reject any or all bids and to waive any formalities in bidding, except time of filing.

Damian Gomez
(Damian Gomez)

January 23, 2019

Loke P. Boal
(Notary Public)



AFFIDAVIT OF PUBLICATION

Ad No.
0001274293

TEXAS ASSOC. OF SCHOOL BOARDS
PO BOX 400
AUSTIN TX 78767

I, being duly sworn say: EL PASO TIMES, a daily newspaper of general circulation published in the City and County El Paso, State of Texas, which is a newspaper of general circulation and which has been continuously and regularly published for the period of not less than one year in the said Counties of El Paso, Otero, Dona Ana and that he/she was upon the dates herein mentioned in the EL PASO TIMES.

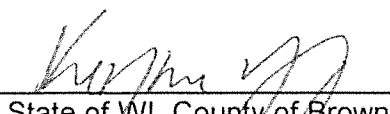
That the LEGAL copy was published in the EL PASO TIMES for the date(s) of such follows 2 DAY(s) to wit

01/17/19, 01/23/19



Legal Clerk

Subscribed and sworn before me this
23th of January 2019.



State of WI, County of Brown
NOTARY PUBLIC

11/9/22

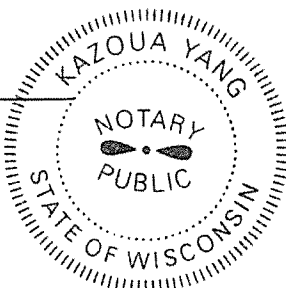
My Commission Expires

Proposal Number	Proposal Name	Proposal Due Date
594-19	Photovoltaic Power Systems and Components	3/7/2019
595-19	Job Order Contracting (Gordian ezIQ [®] for National Cooperative-Mis	4/25/2019
596-19	Commercial Washers and Dryers	4/4/2019
597-19	Construction, Road and Bridge, Ditching, Trenching and Other Equipment	4/11/2019
598-19	Food Service Equipment, Supplies and Appliances	4/18/2019
599-19	Refuse Bodies, Trailers and Other Bodies	5/9/2019
600-19	Software as a Service (SaaS) Products and CyberSecurity Assessments and	5/16/2019
601-19	Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor	5/23/2019
601-20	Energy Saving Lighting Products	6/27/2019
602-20	Public Safety and Firehouse Supplies and Equipment	7/25/2019
603-20	Radio Communication and Video Recording Products and Services	8/1/2019
604-20	Residential/Commercial Refuse, Recycling and Disposal Services and Containe	8/8/2019
605-20	Water Treatment Chemicals and Pipe Bursting Equipment	8/15/2019

"Sealed proposals will be received by the Local Government office, 12007 Research Blvd., Austin, TX 78759 and then opened

NOTE: Specifications will be available on-line one month prior to the opening of bids from our web site www.vendor.buyboard.com or from the Cooperative Purchasing Office 12007 Research Blvd. right to reject any or all bids and to waive any formalities in b

1/17, 1/24, 2019 (#1274293)



Proposal Number	Proposal Name	Proposal Due Date	Proposal Due Time	Contract Effective Date	Contract Expiration Date
594-19	Photovoltaic Power Systems and Components	3/7/2019	4:00 PM	10/1/2019	9/30/2022
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605-20	Water Treatment Chemicals and Pipe Bursting Equipment	8/15/2019	4:00 PM	4/1/2020	3/31/2023

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1/17, 1/24, 2019 (#1274293)



AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, the Newspaper Representative at the HOUSTON CHRONICLE, a daily newspaper published in Harris County, Texas, and generally circulated in the Counties of: HARRIS, TRINITY, WALKER, GRIMES, POLK, SAN JACINTO, WASHINGTON, MONTGOMERY, LIBERTY, AUSTIN, WALLER, CHAMBERS, COLORADO, BRAZORIA, FORT BEND, GALVESTON, WHARTON, JACKSON, and MATAGORDA and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to-wit:

TEXAS ASSOCIATION OF SCHOOL
RAN A LEGAL NOTICE

0000187215 HC004513224

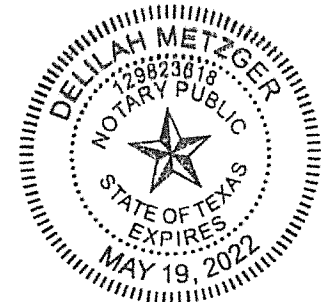
SIZE BEING: 4 x4.25 | (17.00|)

Product
Houston Chronicle
Houston Chronicle

Date	Class	Page
Jan 17 2019	Bids-Proposals	B 4
Jan 22 2019	Bids-Proposals	B 4

Victoria Bond & IR Clark
NEWSPAPER REPRESENTATIVE

Sworn and subscribed to before me, this 22nd Day of January A.D. 2019



Delilah Metzger
Notary Public in and for the State of Texas

Proposal Number	Proposal Name	Proposal Due Date	Proposal Due Time	Contract Effective Date	Contract Expiration Date
594-19	Photovoltaic Power Systems and Components	3/7/2019	4:00 PM	10/1/2019	9/30/2022
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601-19	Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor	5/23/2019	4:00 PM	12/1/2019	11/30/2022
601-20	Energy Saving Lighting Products	6/27/2019	4:00 PM	4/1/2020	3/31/2023
602-20	Public Safety and Firehouse Supplies and Equipment	7/25/2019	4:00 PM	4/1/2020	3/31/2023
603-20	Radio Communication and Video Recording Products and Services	8/1/2019	4:00 PM	4/1/2020	3/31/2023
604-20	Residential/Commercial Refuse, Recycling and Disposal Services and Containers	8/8/2019	4:00 PM	4/1/2020	3/31/2023
605-20	Water Treatment Chemicals and Pipe Bursting Equipment	8/15/2019	4:00 PM	4/1/2020	3/31/2023

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AFFP
594-19

Affidavit of Publication

STATE OF TEXAS } SS
COUNTY OF LUBBOCK }

Shoni Wiseman, being duly sworn, says:

That she is Outside Advertising Director of the Lubbock
Avalanche-Journal, a daily newspaper of general
circulation, printed and published in Lubbock, Lubbock
County, Texas; that the publication, a copy of which is
attached hereto, was published in the said newspaper on

January 17, 2019, January 23, 2019

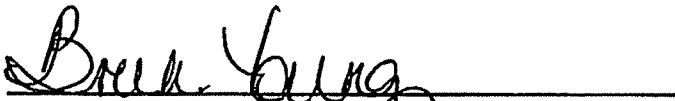
That said newspaper was regularly issued and circulated
on those dates.

SIGNED:



Outside Advertising Director

Subscribed to and sworn to me this 23rd day of January
2019.

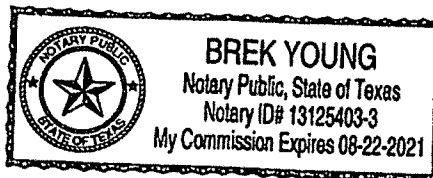


Brek Young, Notary Public, Lubbock County, Texas

My commission expires: August 22, 2021

00000173 16039027 8002115454

Laurie Terry
TEXAS ASSOC OF SCHOOL BOARDS
12007 RESEARCH BLVD
AUSTIN, TX 78759



Proposal Number	Proposal Name	Proposal Due Date	Proposal Due Time	Contract Effective Date	Contract Expiration Date
594-19	Photovoltaic Power Systems and Components	3/7/2019	4:00 PM	10/1/2019	9/30/2022
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596-19	Commercial Washers and Dryers	4/4/2019	4:00 PM	12/1/2019	11/30/2022
597-19	Construction, Road and Bridge, Ditching, Trenching and Other Equipment	4/11/2019	4:00 PM	12/1/2019	11/30/2022
598-19	Food Service Equipment, Supplies and Appliances	4/18/2019	4:00 PM	12/1/2019	11/30/2022
599-19	Refuse Bodies, Trailers and Other Bodies	5/9/2019	4:00 PM	12/1/2019	11/30/2022
600-19	Software as a Service (SaaS) Products and CyberSecurity Assessments and Related Services	5/16/2019	4:00 PM	12/1/2019	11/30/2022
601-19	Vehicles, Heavy Duty Trucks, Police Motorcycles, Parts and Service Labor	5/23/2019	4:00 PM	12/1/2019	11/30/2022
601-20	Energy Saving Lighting Products	6/27/2019	4:00 PM	4/1/2020	3/31/2023
602-20	Public Safety and Firehouse Supplies and Equipment	7/25/2019	4:00 PM	4/1/2020	3/31/2023
603-20	Radio Communication and Video Recording Products and Services	8/1/2019	4:00 PM	4/1/2020	3/31/2023
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605-20	Water Treatment Chemicals and Pipe Bursting Equipment	8/15/2019	4:00 PM	4/1/2020	3/31/2023

"Sealed proposals will be received by the Local Government Purchasing Cooperative, Cooperative Purchasing Office, 12007 Research Blvd., Austin, TX 78759 and then opened:

NOTE: Specifications will be available on-line one month prior to due date. Proposal Specifications may be obtained from our web site www.vendor.buyboard.com or from the offices of the Texas Association of School Boards, Cooperative Purchasing Office 12007 Research Blvd., Austin, TX, 78759. The Cooperative reserves the right to reject any or all bids and to waive any formalities in bidding except time of filing.

LB 16039027

PROOF OF PUBLICATION

TEXAS ASSOCIATION OF SCHOOL BOARDS
SARA FOLLIN
P O BOX 400
AUSTIN, TX 78767

State of Wisconsin, County of Brown

On **January 23, 2019**, personally appeared before me the undersigned, a Notary Public in and for said county and state, legal clerk of the **SAN ANGELO STANDARD-TIMES**, a daily newspaper published in San Angelo, County of TOM GREEN, State of Texas and of general circulation in the following counties: **Tom Green, Coke, Concho, Crockett, Irion, Kimble, Mason, McCulloch, Menard, Reagan, Runnels, Schleicher, Sterling, Sutton**. The attached advertisement, a true copy of which is hereto annexed, was published in said newspaper in its issues thereof the following dates:

January 17, 2019
January 23, 2019

Subscribed and sworn to before me on **January 23, 2019**.

[Signature]

Legal Clerk

[Signature]

Notary Public

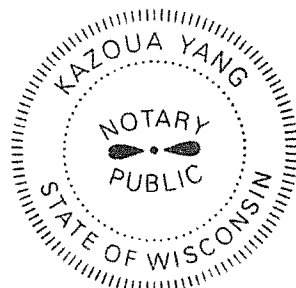
11/9/22

My commission expires

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HEARST

MEDIA SOLUTIONS

San Antonio Express-News | ExpressNews.com | mySA.com

SAN ANTONIO EXPRESS NEWS AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:
COUNTY OF BEXAR

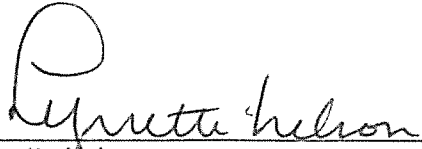
Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared: Lynette Nelson, who after being duly sworn, says that she is the BOOKKEEPER of HEARST NEWSPAPERS, LLC - dba: SAN ANTONIO EXPRESS-NEWS, a daily newspaper published in Bexar County, Texas and that the publication, of which the annexed is a true copy, was published to wit:

Customer ID: 703020

Customer Name: Texas Assn Of School Boards

Order ID: 3004832

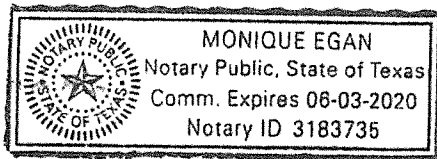
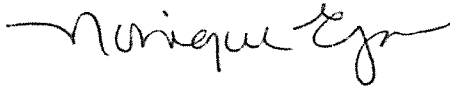
Publication	Pub Date
EN ROP	17-JAN-19
EN ROP	22-JAN-19



Lynette Nelson
Bookkeeper

Sworn and subscribed to before me, this 22 day of Jan. A.D. 2019

Notary public in and for the State of Texas



Attach Ad Here

REQUEST FOR PROPOSALS

Proposal Number	Proposal Name	Proposal Due Date	Proposal Due Time	Contract Effective Date	Contract Expiration Date
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Times Record News

PART OF THE USA TODAY NETWORK

PROOF OF PUBLICATION

Texas Association of School Boards

12007 Research Blvd.
AUSTIN, TX 78752

STATE OF WISCONSIN, COUNTY OF BROWN

On this **January 23, 2019 AD**, personally appeared before me, the undersigned authority for the Times Publishing Company of Wichita Falls, publishers of the Wichita Falls in Wichita County, Texas, and of general circulation in said county, and upon being duly sworn by me, on oath states that the attached advertisement is a true and correct copy of advertising published in 2 day (2) issues hereof on the following date:

January 17, 2019

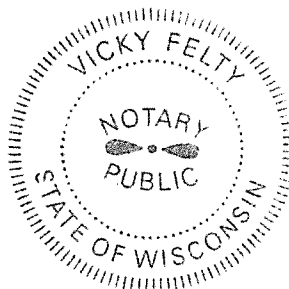
January 23, 2019

Legal Clerk

Subscribed and sworn to before on January 23, 2019:

Notary, State of WI, County of Brown

My commission expires



Ad#: 2210354
P.O.: Proposal Number
of Affidavits: 0

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Bid advertisement to run January 17th and 22nd of 2019.

Please send proof to melonie.perry@tasb.org with pricing

Please bill with tear sheet and affidavit to the attention of Melonie Perry, Texas Association of School Boards, 12007 Research Blvd., Austin, TX 78752.



12007 Research Boulevard · Austin, Texas 78759-2439
PH: 800-695-2919 · FAX: 800-211-5454 · www.vendor.buyboard.com

Bonding Regulatory Notice

BuyBoard contract pricing does not include bonding or insurance. Each entity must assess their individual projects to determine the need for bonding and insurance, including without limitation such workers' compensation insurance as may be required by state or local law or policy. If required, it is the responsibility of each entity to obtain such bonding and insurance or confirmation of coverage, as applicable, from the vendor.

Also, each entity must assess their individual projects to determine whether the project is subject to prevailing wage rate requirements under the federal Davis Bacon Act or state or local law. If any such requirements apply, it is the responsibility of each entity to take appropriate action to determine compliance by the vendor.

The Texas Professional Services Procurement Act, Chapter 2254 of the Texas Government Code ("Act"), prohibits a governmental entity from using a competitive bid process that initially considers price in the procurement of professional services covered under the Act. "Professional services" under the Act includes, but is not limited to, professional engineering, architecture, accounting, landscape architecture, land surveying, and real estate appraisal services. Additionally, the Texas Interlocal Cooperation Act provides that a governmental entity may not use an interlocal contract with a purchasing cooperative to purchase engineering or architectural services (Texas Government Code, Section 791.011(h)). BuyBoard® contracts do not, and are not intended to, include professional services that must be procured in accordance with the Act. Cooperative members are reminded that they must comply with the Act whenever a contract includes professional services as a component part, and may not procure engineering or architectural services through a BuyBoard contract.



12007 Research Boulevard • Austin, Texas 78759-2439 • PH: 800-695-2919 • FAX: 800-211-5454 www.buyboard.com

BUYBOARD PROCUREMENT AND CONSTRUCTION-RELATED GOODS AND SERVICES ADVISORY FOR TEXAS MEMBERS

Why make purchases using BuyBoard? Purchasing through a cooperative or "interlocal contract" satisfies the Texas law requirement of local governments to seek competitive procurement for the purchase of goods or services.¹ Therefore, you may purchase goods and services from a vendor under Texas law through BuyBoard without having to conduct your own competitive procurement. If, however, you are procuring construction-related services through a BuyBoard contract, such as a Job Order Contract (JOC) or contract for the installation of equipment or materials (e.g., athletic fields and surfaces, kitchen equipment, HVAC, playground equipment, or modular buildings), you may, as explained in this Advisory, need to procure certain aspects of these services using a separate procurement process outside of the BuyBoard and should consult your procurement officer and/or legal advisor for specific advice.

What is BuyBoard's Procurement Process? The BuyBoard uses a competitive procurement process to award contracts to vendors for goods and services that the BuyBoard determines, based on an evaluation of multiple criteria, represents the best value for its members.

How does BuyBoard award a contract to a vendor? As a condition of being awarded a BuyBoard contract, a vendor is bound by and must agree to comply with all the terms of the BuyBoard's proposal invitation (or specifications), the vendor's proposal response, and any additional contract terms negotiated with the BuyBoard member. Among other things, the vendor must honor the pricing submitted in the vendor's proposal. **THE PRICE YOU PAY FOR THE GOODS AND SERVICES COVERED BY THE BUYBOARD CONTRACT MAY BE LESS THAN THE AWARDED PRICING, BUT CANNOT BE MORE.** Additionally, the vendor must comply with the BuyBoard contract's general terms and conditions, and any additional terms and conditions that apply to the specific BuyBoard contract, as set out in the proposal invitation.

How does a BuyBoard member make purchases through the BuyBoard contract? You utilize the awarded BuyBoard contract by issuing a signed purchase order through the BuyBoard online application to procure the selected goods or services. Although BuyBoard must receive a copy of the signed purchase order, BuyBoard does not review or approve the purchase order or other supplemental agreement that you obtain – this is a matter between you and the vendor. If construction-related services are procured through the BuyBoard, additional contracts with professionals and the contractor may be required, depending on the nature and scope of the services. As stated above, you should consult your procurement officer and/or legal advisor for specific advice.

How do I know that my entity has made a purchase through the BuyBoard?

BuyBoard must have a copy of the purchase order in order for the purchase to be considered a BuyBoard procurement. To ensure that your entity has satisfied state law requirements for competitive procurement, make sure that the BuyBoard has your purchase order. Do not rely on the vendor to submit the purchase order on your behalf; it is your responsibility to make sure that the BuyBoard has the signed purchase order. You may log in to www.buyboard.com using your member I.D. and password to view the Purchase Order Status Report to confirm that the purchase order is in the BuyBoard system.

What should BuyBoard members consider when using BuyBoard for construction-related purchases? While purchasing goods and services through BuyBoard satisfies your legal requirement to competitively procure a good or service, as a general matter you must keep in mind other legal requirements that may relate to the purchase, especially when using BuyBoard for construction-related procurement.



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When making construction-related purchases through a BuyBoard contract, BuyBoard members must consider the following:

- **Best value determination.** In compliance with Texas law and any local policy, your entity must first determine that purchasing through an interlocal contract or purchasing cooperative is the procurement method that will provide best value.ⁱⁱ This is done by the governing body (e.g., board of trustees, council, commissioners' court, etc.) or may be delegated by the governing body to an individual or committee, with written notice.
- **Products or services not covered by the BuyBoard contract.** The BuyBoard contract covers only the specific goods and services awarded by the BuyBoard. If you want to purchase from a BuyBoard vendor goods or services from a BuyBoard vendor that are not covered by the vendor's BuyBoard contract, such as architectural, design, or engineering services, you must procure them separately in accordance with state law and local policy.
- **Architectural or Engineering and Independent Testing services.** If your procurement includes a construction component that requires architectural or engineering services, you must procure those services separately. YOU MAY NOT PROCURE ARCHITECTURAL OR ENGINEERING SERVICES THROUGH A BUYBOARD CONTRACT. Texas law requires architectural and engineering services to be obtained in accordance with the Professional Services Procurement Act (Chapter 2254 of the Texas Government Code) and prohibits them from being procured through a purchasing cooperative.ⁱⁱⁱ
 - **Architecture.** A new building owned by a political subdivision having construction costs exceeding \$100,000 or an alteration or addition to an existing building having construction costs exceeding \$50,000 must have architectural plans and specifications prepared by an architect.^{iv} (An "alteration" or "addition" for purposes of this requirement requires the removal, relocation, or addition of a wall or partition or the alteration or addition of an exit.)
 - **Engineering.** If the goods or services procured through the BuyBoard will involve engineering in which the public health, welfare, or safety is involved, the plans for structural, mechanical, electrical, electronic, fire suppression, geotechnical systems, foundation design, surface water drainage, plumbing and certain roof modifications and associated estimates must be prepared by an engineer, and the engineering construction must be performed under the direct supervision of an engineer.^v The Engineering Practice Act provides two exceptions to this rule – no engineer is required if (1) the project involves mechanical or electrical engineering and will cost \$8,000 or less, or (2) the project does not require mechanical or electrical engineering and will cost \$20,000 or less.^{vi}
 - **Independent Testing.** If acceptance of a facility by a public entity involves independent testing of construction materials engineering and/or verification testing services, the testing services should be procured under the Professional Services Procurement Act, and may not be procured under a BuyBoard contract.
 - **Written Certification.** A local governmental entity purchasing construction-related goods and services through a cooperative in an amount that exceeds \$50,000 must designate a person to certify in writing that the project does not require the preparation of plans or specifications by an architect or engineer OR that an architect or engineer has prepared the plans or specifications.^{vii}



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- **Bonds.** You must also consider whether the vendor is required to provide a payment or performance bond. A payment bond is required for contracts that exceed \$25,000 to protect subcontractors who supply labor or materials for the project. A performance bond is required for a contract that exceeds \$100,000, to protect the local government if a contractor fails to complete the project. ^{viii} Without payment and performance bonds, if the contractor fails to pay its subcontractors or to complete the project, the public entity that entered the contract can be held responsible for payment claims or costs to complete.
- **Construction Contract.** Even though the procurement of construction or construction-related services may be through the BuyBoard, your construction contract is between your entity and the contractor. The BuyBoard contract's general terms and conditions, standing alone, are not sufficient to document your entity's specific transaction. THEREFORE, YOU SHOULD USE AN APPROPRIATE FORM OF CONSTRUCTION CONTRACT JUST AS YOU WOULD DO IF YOU PROCURED CONSTRUCTION SERVICES INDEPENDENTLY, USING COMPETITIVE SEALED PROPOSALS. The contract must contain provisions required by state law including: performance and payment bonds, requirements for payment of prevailing wages to all construction workers, workers' compensation coverage for all workers and, on projects where contractor employees may have direct contact with students, criminal history record checks. Other provisions which should be considered in the construction contract are retainage, contingency, liquidated damages and dispute resolution, among others. If federal funds are involved, additional requirements may apply. (See the Purchasing with Federal Funds BuyBoard Advisory available on the BuyBoard® website for additional information on purchases with federal funds.) By supplementing the BuyBoard contract with an appropriate form of construction contract, you ensure that your entity's unique interests are addressed and that your entity can enforce the contract directly.
- **Legal advice.** Because of the variety of laws that relate to construction-related purchasing and the potential risk of high exposure, you are well-advised to consult with your entity's legal counsel before procuring construction-related goods and services under any procurement method, including a purchasing cooperative.

This Advisory is provided for educational purposes only to facilitate a general understanding of the law. This Advisory is neither an exhaustive treatment on the subject nor is it intended to substitute for the advice of an attorney.

For more information about BuyBoard, contact us at 800-695-2919.

-
- i. Tex. Gov't Code §791.025 and Tex. Local Gov't Code §271.102.
 - ii. Tex. Ed. Code §44.031(a) (school districts); Tex. Local Gov't Code §252.043(a)(municipalities) and §262.022(5-a) and §262.027(counties)
 - iii. Tex. Gov't Code §2254.004 and §791.011(h)
 - iv. Tex. Occ. Code §1051.703
 - v. Tex. Occ. Code §1001.0031(c)
 - vi. Tex. Occ. Code §1001.053
 - vii. Tex. Gov't Code §791.011(j), effective September 1, 2013
 - viii. Tex. Gov't Code §2253.021(a)



P.O. Box 400
Austin, TX 78767-0400
800.695.2919 | 512.467.0222 | Fax: 800.211.5454
buyboard.com

November 6, 2019

Sent Via Email: murgarichard@johndeere.com

Richard Murga
John Deere Construction Retail Sales
1515 5th Avenue
Moline, IL 61265

Welcome to BuyBoard!

Re: Notice of The Local Government Purchasing Cooperative Award

Proposal Name and Number: Construction, Road and Bridge, Ditching, Trenching, and other Equipment, Proposal No. 597-19

Congratulations, The Local Government Purchasing Cooperative (Cooperative) has awarded your company a BuyBoard® contract based on the above-referenced Proposal. The contract is effective 12/1/2019 through 11/30/2020, with two possible one-year renewals. The contract documents are those identified in Section 3 of the General Terms and Conditions of the specifications.

To view the items your company has been awarded, please review the proposal tabulation No. 597-19 on the following web-site: www.buyboard.com/vendor. Only items marked as awarded to your company can be sold through the BuyBoard contract. In addition, on this website you will find the membership list which will provide you with the names of all entities with membership in our purchasing cooperative.

Enclosed with this letter you will find the following documents:

1. Vendor Quick Reference Guide
2. BuyBoard License and Identity Standards

You are advised that receipt of a purchase order directly from a Cooperative member is not within the guidelines of the Cooperative. Accepting purchase orders directly from Cooperative members may result in a violation of the State of Texas competitive bid statute and termination of this Cooperative BuyBoard contract. **Therefore, all purchase orders must be processed through the BuyBoard in order to comply.** Please forward by email to info@buyboard.com any order received directly from a Cooperative member. If you inadvertently process a purchase order sent directly to you by a Cooperative member, please email the order info@buyboard.com and note it as **RECORD ONLY** to prevent duplication.

As an awarded vendor a BuyBoard user id and password will be sent via e-mail 2 to 3 business days prior to the start of your contract.

On behalf of the Texas Association of School Boards, we appreciate your interest in the Cooperative and we are looking forward to your participation in the program. If you have any questions, please contact **Cooperative Procurement Staff** at 800-695-2919.

Sincerely,

Arturo Salinas
Department Director, Cooperative Procurement

v.6.5

November 6, 2019

Sent Via Email: murgarichard@johndeere.com

Richard Murga
John Deere Construction Retail Sales
1515 5th Avenue
Moline, IL 61265

Welcome to BuyBoard!

Re: Notice of National Purchasing Cooperative Piggy-Back Award

Proposal Name and Number: Construction, Road and Bridge, Ditching, Trenching, and Other Equipment, Proposal No. 597-19

Congratulations, The National Purchasing Cooperative (National Cooperative) has awarded your company a BuyBoard® contract based on the above-referenced Proposal. As provided for in the Proposal and your National Purchasing Cooperative Vendor Award Agreement, you are authorized to sell the goods and services awarded under the Proposal to National Cooperative members in states other than Texas through the BuyBoard. The contract is effective 12/1/2019 through 11/30/2020, with two possible one-year renewals.

The National Cooperative membership list is available at our website www.buyboard.com/vendor. The list identifies the current members that may purchase awarded goods and services under your National Cooperative BuyBoard contract.

You are advised that receipt of a purchase order directly from a National Cooperative member is not within BuyBoard guidelines. Accepting purchase orders directly from Cooperative members may result in a violation of applicable competitive procurement law and termination of this National Cooperative BuyBoard contract. **Therefore, all purchase orders from National Cooperative members must be processed through the BuyBoard.** Please forward by e-mail to info@buyboard.com any order received directly from a National Cooperative member. If you inadvertently process a purchase order sent directly to you by a National Cooperative member, please fax the order to the above number and note it as **RECORD ONLY** to prevent duplication.

As an awarded vendor a BuyBoard user id and password will be sent via e-mail 2 to 3 business days prior to the start of your contract.

On behalf of the National Cooperative, we are looking forward to your participation in the program. If you have any questions, please contact **Cooperative Procurement Staff at 800-695-2919.**

Sincerely,



Arturo Salinas
Department Director, Cooperative Procurement
v.6.5



12007 Research Boulevard • Austin, Texas 78759-2439 • PH: 800-695-2919 • FAX: 800-211-5454 • buyboard.com

PROPOSER'S AGREEMENT AND SIGNATURE

Proposal Name: Construction, Road and Bridge,
Ditching, Trenching, Utility and Other Equipment

Proposal Due Date/Opening Date and Time:
April 11, 2019 at 4:00 PM

Proposal Number: 597-19

Location of Proposal Opening:
Texas Association of School Boards, Inc.
BuyBoard Department
12007 Research Blvd.
Austin, TX 78759

Contract Time Period: December 1, 2019
through November 30, 2020 with two (2) possible
one-year renewals.

Anticipated Cooperative Board Meeting Date:
October 2019

John Deere Construction Retail Sales

9 April 2019

Name of Proposing Company

Date

1515 5th Avenue

Street Address

Signature of Authorized Company Official

Moline, IL 61265

Mark Oliver

City, State, Zip

Printed Name of Authorized Company Official

309-748-3418

Manager Contract Sales

Telephone Number of Authorized Company Official

Position or Title of Authorized Company Official

N/A

36-3387700

Fax Number of Authorized Company Official

Federal ID Number



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The proposing company ("you" or "your") hereby acknowledges and agrees as follows:

1. You have carefully examined and understand all Cooperative information and documentation associated with this Proposal Invitation, including the Instructions to Proposers, General Terms and Conditions, attachments/forms, item specifications, and line items (collectively "Requirements");
2. By your response ("Proposal") to this Proposal Invitation, you propose to supply the products or services submitted at the prices quoted in your Proposal and in strict compliance with the Requirements, unless specific deviations or exceptions are noted in the Proposal;
3. Any and all deviations and exceptions to the Requirements have been noted in your Proposal and no others will be claimed;
4. If the Cooperative accepts any part of your Proposal and awards you a contract, you will furnish all awarded products or services at the prices quoted and in strict compliance with the Requirements (unless specific exceptions are noted in the Proposal and accepted by the Cooperative), including without limitation the Requirements related to:
 - a. conducting business with Cooperative members, including offering pricing to members that is the best you offer compared to similar customers;
 - b. payment of a service fee in the amount specified and as provided for in this Proposal Invitation;
 - c. the **possible** award of a piggy-back contract by another governmental entity or nonprofit entity, in which event you will offer the awarded goods and services in accordance with the Requirements; and
 - d. submitting price sheets or catalogs in the proper format as required by the Cooperative as a prerequisite to activation of your contract;
5. You have clearly identified on the included form any information in your Proposal that you believe to be confidential or proprietary or that you do not consider to be public information subject to public disclosure under a Texas Public Information Act request or similar public information law;
6. The individual signing this Agreement is duly authorized to enter into the contractual relationship represented by this Proposal Invitation on your behalf and bind you to the Requirements, and such individual (and any individual signing a form) is authorized and has the requisite knowledge to provide the information and make the representations and certifications required in the Requirements;
7. You have carefully reviewed your Proposal, and certify that all information provided is true, complete and accurate, and you authorize the Cooperative to take such action as it deems appropriate to verify such information; and
8. Any misstatement, falsification, or omission in your Proposal, whenever or however discovered, may disqualify you from consideration for a contract award under this Proposal Invitation or result in termination of an award or any other remedy or action provided for in the General Terms and Conditions or by law.



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VENDOR CONTACT INFORMATION

Name of Company: John Deere Construction Retail Sales (JDCRS)
Vendor Proposal/Contract Contact Name: Richard Murga
Vendor Proposal/Contract Contact E-mail Address: MurgaRichard@JohnDeere.com
Vendor Contact Mailing Address for Proposal/Contract Notices: 1515 5th Avenue Moline, IL 61265

Company Website: www.deere.com/en/construction/

Purchase Orders: All purchase orders from Cooperative members will be available through the Internet. Vendors need Internet access and at least one e-mail address so that notification of new orders can be sent to the Internet contact when a new purchase order arrives. An information guide will be provided to vendors to assist them with retrieving their orders.

Please select options below for receipt of purchase orders and provide the requested information:

- ☒ I will use the internet to receive purchase orders at the following address:
Purchase Order E-mail Address: HoffmanKentJ@JohnDeere.com
Purchase Order Contact: Kent Hoffman Phone: 309-765-0282
Alternate Purchase Order E-mail Address: MurgaRichard@JohnDeere.com
Alternate Purchase Order Contact: Richard Murga Phone: 309-765-0260
- ☐ Purchase orders may be received by the Designated Dealer(s) identified on my company's Dealer Designation form as provided to the Cooperative administrator. I understand that my company shall remain responsible for the Contract and the performance of all Designated Dealers under and in accordance with the Contract.

Request for Quotes ("RFQ"): Cooperative members will send RFQs to you by e-mail. Please provide e-mail addresses for the receipt of RFQs:

RFQ E-mail Address: HoffmanKentJ@JohnDeere.com
Alternate RFQ E-mail Address: MurgaRichard@JohnDeere.com



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Invoices: Your company will be billed monthly for the service fee due under a contract awarded under this Proposal Invitation. **All invoices are available on the BuyBoard website and e-mail notifications will be sent when they are ready to be retrieved.** Please provide the following address, contact and e-mail information for receipt of service fee invoices and related communications:

Please choose only one (1) of the following options for receipt of invoices and provide the requested information:

☒ Service fee invoices and related communications should be provided directly to my company at:

Invoice Mailing address: 1515 5th Avenue (for JDCRS sales only) Department: Contract Sales
City: Moline State: IL Zip Code: 61265
Contact Name: Richard Murga Phone: 309-765-0260
Invoice Fax: N/A Invoice E-mail Address: MurgaRichard@JohnDeere.com
Alternative Invoice E-mail Address: OsborneJayneM@JohnDeere.com

☐ In lieu of my company, I request and authorize all service fee invoices to be provided directly to the following billing agent**:

Billing agent Mailing address: _____ Department: _____
City: _____ State: _____ Zip Code: _____
Billing Agent Contact Name: _____ Phone: _____
Billing Agent Fax: _____ Billing Agent E-mail Address: _____
Alternative Billing Agent E-mail Address: _____

☐ In lieu of my company, I request and authorize service fee invoices to be provided to the Designated Dealer(s) receiving the purchase order(s) to which the invoiced service fees relate at the address and contact information designated on my company's Dealer Designation form as provided to the Cooperative administrator.**

**** If Vendor authorizes a billing agent or Designated Dealer(s) to receive and process service fee invoices, in accordance with the General Terms and Conditions of the Contract, Vendor specifically acknowledges and agrees that nothing in that designation shall relieve Vendor of its responsibilities and obligations under the Contract including, but not limited to, payment of all service fees under any Contract awarded Vendor.**



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Invoices: Your company will be billed monthly for the service fee due under a contract awarded under this Proposal Invitation. **All invoices are available on the BuyBoard website and e-mail notifications will be sent when they are ready to be retrieved.** Please provide the following address, contact and e-mail information for receipt of service fee invoices and related communications:

Please choose only one (1) of the following options for receipt of invoices and provide the requested information:

☐ Service fee invoices and related communications should be provided directly to my company at:

Invoice Mailing address: _____ Department: _____

City: _____ State: _____ Zip Code: _____

Contact Name: _____ Phone: _____

Invoice Fax: _____ Invoice E-mail Address: _____

Alternative Invoice E-mail Address: _____

☐ In lieu of my company, I request and authorize all service fee invoices to be provided directly to the following billing agent**:

Billing agent Mailing address: _____ Department: _____

City: _____ State: _____ Zip Code: _____

Billing Agent Contact Name: _____ Phone: _____

Billing Agent Fax: _____ Billing Agent E-mail Address: _____

Alternative Billing Agent E-mail Address: _____

☒ In lieu of my company, I request and authorize service fee invoices to be provided to the Designated Dealer(s) receiving the purchase order(s) to which the invoiced service fees relate at the address and contact information designated on my company's Dealer Designation form as provided to the Cooperative administrator.**

**** If Vendor authorizes a billing agent or Designated Dealer(s) to receive and process service fee invoices, in accordance with the General Terms and Conditions of the Contract, Vendor specifically acknowledges and agrees that nothing in that designation shall relieve Vendor of its responsibilities and obligations under the Contract including, but not limited to, payment of all service fees under any Contract awarded Vendor.**



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FELONY CONVICTION DISCLOSURE AND DEBARMENT CERTIFICATION

FELONY CONVICTION DISCLOSURE

Subsection (a) of Section 44.034 of the Texas Education Code (Notification of Criminal History of Contractor) states: "A person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony."

Section 44.034 further states in Subsection (b): "A school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract."

Please check (✓) one of the following:

- ☒ My company is a publicly-held corporation. (Advance notice requirement does not apply to publicly-held corporation.)
☐ My company is not owned or operated by anyone who has been convicted of a felony.
☐ My company is owned/operated by the following individual(s) who has/have been convicted of a felony:

Name of Felon(s): N/A

Details of Conviction(s): N/A

By signature below, I certify that the above information is true, complete and accurate and that I am authorized by my company to make this certification.

John Deere Construction Retail Sales

Company Name

Signature of Authorized Company Official

Mark Oliver

Printed Name

DEBARMENT CERTIFICATION

Neither my company nor an owner or principal of my company has been debarred, suspended or otherwise made ineligible for participation in Federal Assistance programs under Executive Order 12549, "Debarment and Suspension," as described in the Federal Register and Rules and Regulations. Neither my company nor an owner or principal of my company is currently listed on the government-wide exclusions in SAM, debarred, suspended, or otherwise excluded by agencies or declared ineligible under any statutory or regulatory authority. My company agrees to immediately notify the Cooperative and all Cooperative members with pending purchases or seeking to purchase from my company if my company or an owner or principal is later listed on the government-wide exclusions in SAM, or is debarred, suspended, or otherwise excluded by agencies or declared ineligible under any statutory or regulatory authority.

By signature below, I certify that the above is true, complete and accurate and that I am authorized by my company to make this certification.

John Deere Construction Retail Sales

Company Name

Signature of Authorized Company Official

Mark Oliver

Printed Name



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RESIDENT / NONRESIDENT CERTIFICATION

Chapter 2252, Subchapter A, of the Texas Government Code establishes certain requirements applicable to proposers who are not Texas residents. Under the statute, a "resident" proposer is a person whose principal place of business is in Texas, including a contractor whose ultimate parent company or majority owner has its principal place of business in Texas. A "nonresident" proposer is a person who is not a Texas resident. Please indicate the status of your company as a "resident" proposer or a "nonresident" proposer under these definitions.

Please check (✓) one of the following:

- ☐ I certify that my company is a **Resident Proposer**.
- ☒ I certify that my company is a **Nonresident Proposer**.

If your company is a Nonresident Proposer, you must provide the following information for your resident state (the state in which your company's principal place of business is located):

John Deere Construction Retail Sales

Company Name

Moline

City

1515 5th Avenue

Address

IL

State

61265

Zip Code

- A. Does your resident state require a proposer whose principal place of business is in Texas to under-price proposers whose resident state is the same as yours by a prescribed amount or percentage to receive a comparable contract?
- ☐ Yes ☒ No
- B. What is the prescribed amount or percentage? \$ N/A or N/A %

VENDOR EMPLOYMENT CERTIFICATION

Section 44.031(b) of the Texas Education Code establishes certain criteria that a school district must consider when determining to whom to award a contract. Among the criteria for certain contracts is whether the vendor or the vendor's ultimate parent or majority owner (i) has its principal place of business in Texas; or (ii) employs at least 500 people in Texas.

If neither your company nor the ultimate parent company or majority owner has its principal place of business in Texas, does your company, ultimate parent company, or majority owner employ at least 500 people in Texas?

Please check (✓) one of the following:

- ☐ Yes ☒ No

By signature below, I certify that the information in Sections 1 (*Resident/Nonresident Certification*) and 2 (*Vendor Employment Certification*) above is true, complete and accurate and that I am authorized by my company to make this certification.

John Deere Construction Retail Sales

Company Name

Signature of Authorized Company Official

Mark Oliver

Printed Name



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NO ISRAEL BOYCOTT CERTIFICATION

Effective September 1, 2017, a Texas governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. (TEX. GOV'T CODE Ch. 2270)

"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. TEX. GOV'T CODE §808.001(1).

By signature below, I certify and verify that Vendor does not boycott Israel and will not boycott Israel during the term of any contract awarded under this Proposal Invitation, that this certification is true, complete and accurate, and that I am authorized by my company to make this certification.

John Deere Construction Retail Sales

Company Name

Signature of Authorized Company Official

Mark Oliver

Printed Name

NO EXCLUDED NATION OR FOREIGN TERRORIST ORGANIZATION CERTIFICATION

Effective September 1, 2017, Chapter 2252 of the Texas Government Code provides that a Texas governmental entity may not enter into a contract with a company engaged in active business operations with Sudan, Iran, or a foreign terrorist organization – specifically, any company identified on a list prepared and maintained by the Texas Comptroller under Texas Government Code §§806.051, 807.051, or 2252.153. (A company that the U.S. Government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan, Iran, or any federal sanctions regime relating to a foreign terrorist organization is not subject to the contract prohibition.)

By signature below, I certify and verify that Vendor is not on the Texas Comptroller's list identified above; that this certification is true, complete and accurate; and that I am authorized by my company to make this certification.

John Deere Construction Retail Sales

Company Name

Signature of Authorized Company Official

Mark Oliver

Printed Name



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HISTORICALLY UNDERUTILIZED BUSINESS CERTIFICATION

A proposer that has been certified as a Historically Underutilized Business (also known as a Minority/Women Business Enterprise or "MWBE" and all referred to in this form as a "HUB") is encouraged to indicate its HUB certification status when responding to this Proposal Invitation. The electronic catalogs will indicate HUB certifications for vendors that properly indicate and document their HUB certification on this form.

Please check (✓) all that apply:

☐ I certify that my company has been certified as a HUB in the following categories:

- ☐ **Minority Owned Business**
- ☐ **Women Owned Business**
- ☐ **Service-Disabled Veteran Owned Business (veteran defined by 38 U.S.C. §101(2), who has a service-connected disability as defined by 38 U.S.C. § 101(16), and who has a disability rating of 20% or more as determined by the U. S. Department of Veterans Affairs or Department of Defense)**

Certification Number:

Name of Certifying Agency:

☒ My company has **NOT** been certified as a HUB.

By signature below, I certify that the above is true, complete and accurate and that I am authorized by my company to make this certification.

John Deere Construction Retail sales

Company Name

Mark Oliver

Printed Name

Signature of Authorized Company Official



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CONSTRUCTION-RELATED GOODS AND SERVICES AFFIRMATION

A contract awarded under this Proposal Invitation covers only the specific goods and services awarded by the BuyBoard. As explained in the BuyBoard Procurement and Construction Related Goods and Services Advisory for Texas Members ("Advisory"), Texas law prohibits the procurement of architecture or engineering services through a purchasing cooperative. This BuyBoard contract does not include such services. Architecture or engineering services must be procured by a Cooperative member separately, in accordance with the Professional Services Procurement Act (Chapter 2254 of the Texas Government Code) and other applicable law and local policy.

The Advisory, available at buyboard.com/Vendor/Resources.aspx, provides an overview of certain legal requirements that are potentially relevant to a Cooperative member's procurement of construction or construction-related goods and services, including those for projects that may involve or require architecture, engineering or independent testing services. A copy of the Advisory can also be provided upon request.

By signature below, the undersigned affirms that Proposer has obtained a copy of the Advisory, has read and understands the Advisory, and is authorized by Proposer to make this affirmation. If Proposer sells construction-related goods or services to a Cooperative member under a BuyBoard contract awarded under this Proposal Invitation, Proposer will comply with the Advisory and applicable legal requirements, make a good faith effort to make its Cooperative member customers or potential Cooperative member customers aware of such requirements, and provide a Cooperative member with a copy of the Advisory before executing a Member Construction Contract with the member or accepting the member's purchase order for construction-related goods or services, whichever comes first.

John Deere Construction Retail Sales

Company Name

Signature of Authorized Company Official

Mark Oliver

Printed Name

9 April 2019

Date



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DEVIATION AND COMPLIANCE

If your company intends to deviate from the General Terms and Conditions, Proposal Specifications or other requirements associated with this Proposal Invitation, you **MUST** list all such deviations on this form, and provide complete and detailed information regarding the deviations on this form or an attachment to this form. The Cooperative will consider any deviations in its contract award decision, and reserves the right to accept or reject a proposal based upon any submitted deviation.

In the absence of any deviation identified and described in accordance with the above, your company must fully comply with the General Terms and Conditions, Proposal Specifications and all other requirements associated with this Proposal Invitation if awarded a contract under this Proposal Invitation. A deviation will not be effective unless accepted by the Cooperative. The Cooperative may, in its sole discretion, seek clarification from and/or communicate with Proposer(s) regarding any submitted deviation, consistent with general procurement principles of fair competition. The Cooperative reserves the right to accept or reject a proposal based upon any submitted deviation.

Please check (✓) one of the following:

- ☐ **No;** Deviations
☒ **Yes;** Deviations

List and fully explain any deviations you are submitting:

Please see detailed deviations/exceptions letter.

Deviations presented by the vendor, and **accepted** by BuyBoard, are shown on the following page(s).

Deviations presented by the vendor, but **not accepted** by BuyBoard, have been **retracted** by the vendor.

Connie W Burkett, CTSBO
BuyBoard Contract Administrator

PLEASE PROVIDE THE FOLLOWING INFORMATION:

1. Shipping Via: ☒ Common Carrier ☐ Company Truck ☒ Prepaid and Add to Invoice ☐ Other:

FOB Destination, Prepaid and Added

2. Payment Terms: ☒ Net 30 days ☐ 1% in 10/Net 30 days ☐ Other:

3. Number of Days for Delivery: typically < 120 days ARO

4. Vendor Reference/Quote Number: BuyBoard 597-19

5. State your return policy: Equipment is factory built to customer's specifications.
There is no return policy.

6. Are electronic payments acceptable? ☒ Yes ☐ No

7. Are credit card payments acceptable? ☒ Yes ☐ No

WITH 3% SURCHARGE

John Deere Construction Retail Sales

Company Name

Signature of Authorized Company Official

Mark Oliver

Printed Name



JOHN DEERE

1515 Fifth Avenue, Moline, IL 61265
Phone : 309-765-0260
E-mail : MurgaRichard@JohnDeere.com

Richard Murga
Contract Administrator
John Deere Construction Retail Sales

7 April 2019

Attn: BuyBoard Cooperative Purchasing
Director of Cooperative Procurement
12007 Research Blvd. Austin, TX 78759

Re: Deviations and Exceptions

Greetings:

The following comprises our list of deviations and exceptions for Proposal 597-19.

Pg. 3: Pricelist in Required Format –A “Pricelist/Discount Matrix” is provided to correlate; Proposal Specification Item Numbers, Machine Models, Pricing and Discounts. Format was approved by BuyBoard.

Pgs. 7, 71: Delivery Response 10-days ARO - Typical delivery is <120 days after receipt of order, there may be exceptions.




Pg. 12: Receipt of Service Fee Invoices – Two page 12 forms are provided at BuyBoard's direction: First form indicates option 1 to submit service fee invoicing for John Deere direct sales to Moline, IL. Second form indicates option 2 to submit service fee invoicing for any Manufacturer Designated Dealers to those respective dealerships.

Pg. 18: Credit Card Payments - Card payment is allowed, but a 3% surcharge will be added to the full PO amount at time of processing. Customer must indicate card payment requirement at time of requesting a contract quote. Customer PO must state agreement to additional 3% surcharge on top of PO amount. As a non-awarded service, the 3% surcharge will not be subject to the Service Fee.

Pg. 63: Samples - No samples will be provided by the proposer under this contract. Local dealer may opt to provide a demonstration unit for customer convenience. Dealer will stipulate availability, if any, and conditions of demonstration unit at time of request. Under no circumstances should the demonstration unit be damaged, destroyed or consumed in the process.

[REDACTED]

Pg. 70: Awarded Products – Commercial Price Pages include List pricing for base machine and factory options (four-digit build codes). Only the base machine and four-digit build codes receive the contract discount. As a courtesy, Field Kits and Referral Attachments also appear for customer awareness. Field Kits and Referral Attachments do not receive a contract discount. Vendor will quote these items along n any necessary freight and set-up/installation of same at time of request. ~~As non-awarded goods or services; Field Kits, Referral Attachments, freight and set-up/install will not be subject to the Service Fee.~~

[REDACTED]

Pgs. 70-71: Delivery and Invoicing - Freight, handling and any non-factory provided goods or services will be itemized on the John Deere customer quote only. John Deere invoices will only reflect the full order/PO amount. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Please advise if any questions or concerns, thanks very much.

Respectfully,

A handwritten signature in dark ink, appearing to read "Richard Murga", with a long horizontal flourish extending to the right.

Richard Murga
Contract Administrator
John Deere Construction Retail Sales

AGENDA ITEM #7

Signatories
D237

**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: December 13, 2021

SUBJECT: Consider adopting resolutions to designate authorized signatories, Civil Rights policies and Proclaim April as Fair Housing Month for the Community Development Block Grant – Mitigation (CDBG-MIT) program for General Land Office (GLO) state contract number 22-082-016-D218 and 22-085-009-D237.

Summary:

This resolution is all inclusive for the following items. It allows City Commission to approved for both GLO state contract number 22-082-016-D218 (Citywide Wastewater Improvements) and state contract number 22-085-009-D237 (Citywide Storm water Improvements).

Adopt a resolution to designate authorized signatories for contractual documents and documents for requesting funds pertaining to the CDBG-MIT program.

Adopt a resolution regarding Civil Rights for the following policies:

Section 3 Policy
Excessive Force Policy
Limited English Proficiency (LEP) Standard Plan
Section 504 Policy and Grievance Procedures
Code of Conduct Policy
Fair Housing Policy

Proclaim April as Fair Housing Month. This proclamation will help to fulfill Fair Housing activity obligations as required by the grant.



**City of Kingsville
Engineering Dept.**

Financial Impact:

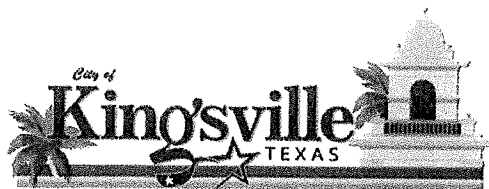
No financial impact.

Recommendation:

Staff recommends approval of the all-inclusive resolution.

Attachment(s):

Resolution 22-__
Section 3 Policy
Excessive Force Policy
Limited English Proficiency (LEP) Standards Plan
Section 504 Policy and Grievance Procedures
Code of Conduct Policy
Fair Housing Policy



RESOLUTION # 2021-_____

A RESOLUTION OF THE CITY COMMISSION OF KINGSVILLE, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION PROGRAM (CDBG-MIT) GENERAL LAND OFFICE (GLO) STATE CONTRACT NUMBER 22-085-009-D237.

WHEREAS, the City of Kingsville has applied for and received a Community Development Block Grant-Mitigation (CDBG-MIT) award to provide Flood & Drainage Improvements; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas General Land Office; and

WHEREAS, an original signed copy of the CDBG-MIT Depository/Authorized Signatories Designation Form is to be submitted with a copy of this Resolution; and

WHEREAS, the City of Kingsville acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the following will be required:

- a resolution stating the new authorized signatory (A new resolution is not required if this original resolution names only the title and not the name of the signatory); and
- a revised CDBG-MIT *Depository/ Authorized Signatories Designation Form*.

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

SECTION 1: The Mayor and City Manager are authorized to execute contractual documents between the Texas General Land Office and the City for the Community Development Block Grant Mitigation Program.

SECTION 2: The Mayor, City Manager, City Engineer, and Finance Director be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the Community Development Block Grant Mitigation Program.

SECTION 3: The Mayor be authorized to execute environmental review and related documents as the responsible entity (RE) for the Community Development Block Grant Mitigation Program.

SECTION 4: This Resolution shall be and become effective on or after adoption.

SECTION 5: All resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

PASSED AND APPROVED by a majority vote of the City Commission the 13th day of December, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #8

Signatures
D218

**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: December 13, 2021

SUBJECT: Consider adopting resolutions to designate authorized signatories, Civil Rights policies and Proclaim April as Fair Housing Month for the Community Development Block Grant – Mitigation (CDBG-MIT) program for General Land Office (GLO) state contract number 22-082-016-D218 and 22-085-009-D237.

Summary:

This resolution is all inclusive for the following items. It allows City Commission to approved for both GLO state contract number 22-082-016-D218 (Citywide Wastewater Improvements) and state contract number 22-085-009-D237 (Citywide Storm water Improvements).

Adopt a resolution to designate authorized signatories for contractual documents and documents for requesting funds pertaining to the CDBG-MIT program.

Adopt a resolution regarding Civil Rights for the following policies:

Section 3 Policy
Excessive Force Policy
Limited English Proficiency (LEP) Standard Plan
Section 504 Policy and Grievance Procedures
Code of Conduct Policy
Fair Housing Policy

Proclaim April as Fair Housing Month. This proclamation will help to fulfill Fair Housing activity obligations as required by the grant.



**City of Kingsville
Engineering Dept.**

Financial Impact:

No financial impact.

Recommendation:

Staff recommends approval of the all-inclusive resolution.

Attachment(s):

Resolution 22-__
Section 3 Policy
Excessive Force Policy
Limited English Proficiency (LEP) Standards Plan
Section 504 Policy and Grievance Procedures
Code of Conduct Policy
Fair Housing Policy



RESOLUTION # 2021-_____

A RESOLUTION OF THE CITY COMMISSION OF KINGSVILLE, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION PROGRAM (CDBG-MIT) GENERAL LAND OFFICE (GLO) STATE CONTRACT NUMBER 22-082-016-D218.

WHEREAS, the City of Kingsville has applied for and received a Community Development Block Grant-Mitigation (CDBG-MIT) award to provide Sewer Improvements; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas General Land Office; and

WHEREAS, an original signed copy of the CDBG-MIT Depository/Authorized Signatories Designation Form is to be submitted with a copy of this Resolution; and

WHEREAS, the City of Kingsville acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the following will be required:

- a resolution stating the new authorized signatory (A new resolution is not required if this original resolution names only the title and not the name of the signatory); and
- a revised CDBG-MIT *Depository/ Authorized Signatories Designation Form*.

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

SECTION 1: The Mayor and City Manager are authorized to execute contractual documents between the Texas General Land Office and the City for the Community Development Block Grant Mitigation Program.

SECTION 2: The Mayor, City Manager, City Engineer, and Finance Director be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the Community Development Block Grant Mitigation Program.

SECTION 3: The Mayor be authorized to execute environmental review and related documents as the responsible entity (RE) for the Community Development Block Grant Mitigation Program.

SECTION 4: This Resolution shall be and become effective on or after adoption.

SECTION 5: All resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

PASSED AND APPROVED by a majority vote of the City Commission the 13th day of December, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #9

**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: December 13, 2021

SUBJECT: Consider adopting resolutions to designate authorized signatories, Civil Rights policies and Proclaim April as Fair Housing Month for the Community Development Block Grant – Mitigation (CDBG-MIT) program for General Land Office (GLO) state contract number 22-082-016-D218 and 22-085-009-D237.

Summary:

This resolution is all inclusive for the following items. It allows City Commission to approved for both GLO state contract number 22-082-016-D218 (Citywide Wastewater Improvements) and state contract number 22-085-009-D237 (Citywide Storm water Improvements).

Adopt a resolution to designate authorized signatories for contractual documents and documents for requesting funds pertaining to the CDBG-MIT program.

Adopt a resolution regarding Civil Rights for the following policies:

Section 3 Policy
Excessive Force Policy
Limited English Proficiency (LEP) Standard Plan
Section 504 Policy and Grievance Procedures
Code of Conduct Policy
Fair Housing Policy

Proclaim April as Fair Housing Month. This proclamation will help to fulfill Fair Housing activity obligations as required by the grant.



**City of Kingsville
Engineering Dept.**

Financial Impact:

No financial impact.

Recommendation:

Staff recommends approval of the all-inclusive resolution.

Attachment(s):

Resolution 22-____
Section 3 Policy
Excessive Force Policy
Limited English Proficiency (LEP) Standards Plan
Section 504 Policy and Grievance Procedures
Code of Conduct Policy
Fair Housing Policy



RESOLUTION # 2021-_____

A RESOLUTION OF THE CITY OF KINGSVILLE, TEXAS, REGARDING CIVIL RIGHTS, CITIZEN PARTICIPATION PLAN, SECTION 3, EXCESSIVE FORCE, SECTION 504, FAIR HOUSING, AND CODE OF CONDUCT POLICIES FOR CDBG-MIT COMPLIANCE.

WHEREAS, the City of Kingsville, Texas, (hereinafter referred to as "City" or "City of Kingsville") has been awarded Community Development Block Grant-Mitigation (hereinafter referred to as "CDBG-MIT") funding through a CDBG grant from the Texas General Land Office (hereinafter referred to as "GLO");

WHEREAS, the City of Kingsville, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

WHEREAS, the City of Kingsville, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

WHEREAS, the City of Kingsville, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the CDBG-MIT project area;

WHEREAS, the City of Kingsville, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

WHEREAS, the City of Kingsville, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG-MIT project;

WHEREAS, the City of Kingsville, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that

qualified individuals with disabilities have access to programs and activities that receive federal funds; and

WHEREAS, the City of Kingsville, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period, to affirmatively further fair housing;

WHEREAS, the City of Kingsville, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

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

1. Section 3 Policy;
2. Excessive Force Policy;
3. Section 504 Policy against Discrimination based on Handicap and Grievance Procedures;
4. Limited English Proficiency (LEP) Standards Plan;
5. Fair Housing Policy;
6. Code of Conduct Policy; and
7. Proclamation of April as Fair Housing Month.

I.

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

II.

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

PASSED AND APPROVED by a majority vote of the City Commission the 13th day of December, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

Resolution Regarding Civil Rights City of Kingsville, Texas

Whereas, City of Kingsville, Texas, (hereinafter referred to as "City of Kingsville") has been awarded a Community Development Block Grant – Mitigation (CDBG-MIT) grant from the Texas General Land Office (hereinafter referred to as "GLO");

Whereas, City of Kingsville, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG-MIT activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, City of Kingsville, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, City of Kingsville, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135 is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the CDBG-MIT project area;

Whereas, City of Kingsville, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, City of Kingsville, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with Limited English Proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each CDBG-MIT project;

Whereas, City of Kingsville, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, City of Kingsville, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period, to affirmatively further fair housing;

Whereas, City of Kingsville, has designated an overseer and will maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF City of KINGSVILLE, TEXAS, THAT City of KINGSVILLE ADOPTS THE FOLLOWING:

1. Section 3 Policy;
2. Excessive Force Policy;
3. Limited English Proficiency (LEP) Standards Plan;
4. Section 504 Policy and Grievance Procedures;
5. Code of Conduct Policy; and
6. Fair Housing Policy.

Passed and approved this _____ day of _____, 2021.

Signature of Elected Official
City of Kingsville

Printed Name of Elected Official

SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u, (Section 3), City of Kingsville agrees to implement the following steps, which, to the *greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Section 3 Coordinator.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by CDBG-MIT grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in CDBG-MIT funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or GLO to the Grant Recipient.
- G. Submit reports as required by HUD or GLO regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of federal fiscal year end (by October 20) which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives of the City of Kingsville, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature

Sam R. Fugate, Mayor
Name, Title

Date

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), City of Kingsville hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of City of Kingsville to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations.
2. It is also the policy of City of Kingsville to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. City of Kingsville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kingsville, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature

Sam R. Fugate, Mayor
Name, Title

Date

Section 504 Policy against Discrimination based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Kingsville hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. City of Kingsville does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. City of Kingsville's recruitment materials or publications shall include a statement of this policy in 1. above.
4. City of Kingsville shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the CDBG-MIT program, City of Kingsville shall ensure that they are provided with the information necessary to understand and participate in the CDBG-MIT program.
6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Kingsville to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to the Mayor, 400 W. King, Kingsville, TX 78363, Kingsville, TX, 78364-1458 or call (361) 595-8001, who has been designated to coordinate Section 504 compliance efforts.
 - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
 - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
 - f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mayor, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
 - g. The Section 504 coordinator shall maintain the files and records of the City of Kingsville relating to the complaint files.
 - h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be

made to City of Kingsville within ten working days after the receipt of the written determination/resolution.

- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that City of Kingsville complies with Section 504 and HUD regulations.

Signature

Sam R. Fugate, Mayor
Name, Title

Date

Limited English Proficiency Plan - 22-085-009-D237

Texas General Land Office

Community Development Block Grant-Mitigation

Grant Subrecipient:	City of Kingsville
Community Population:	23,812
LEP Population:	1,786 7.5%
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries	Spanish

Program activities to be accessible to LEP persons:

<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
<input checked="" type="checkbox"/>	Publications regarding CDBG-MIT application, grievance procedures, <i>complaint procedures</i> , <i>complaint procedures</i> , <i>answers to complaints</i> , <i>notices</i> , <i>notices of rights and disciplinary action</i> , and other vital hearings, documents, and program requirements
<input checked="" type="checkbox"/>	Other program documents: Documents available in Spanish for directly assisted beneficiaries, if applicable.

Resources available to Grant Recipient:

<input checked="" type="checkbox"/>	Translation services: available upon request
<input checked="" type="checkbox"/>	Interpreter services: available upon request with prior notice
	Other resources: _____

Language Assistance to be provided:

<input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: <u>Public hearing, Complaint and Grievance, Equal Opportunity, Policy of Non-discrimination Based on Disability Status and Fair Housing notices are available in Spanish. Other CDBG required program notices are available in Spanish upon request.</u>
<input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons <u>Spanish-speaking liaisons are available upon request.</u>
<input checked="" type="checkbox"/>	Public meetings conducted in multiple languages: <u>Available upon request with two days advance notice.</u>
<input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: <u>Included in translated notices.</u>
	Other services: _____

Signature - Chief Elected Official or Civil Rights Officer

Date

See also: http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Limited English Proficiency Plan - 22-082-016-D218

Texas General Land Office

Community Development Block Grant-Mitigation

Grant Subrecipient:	City of Kingsville
Community Population:	23,812
LEP Population:	1,786 7.5%
Languages spoken: 1) by more than 5% of the eligible population or beneficiaries and has more than 50 in number; or 2) By more than 1,000 individuals in the eligible population in the market area or among current beneficiaries	Spanish

Program activities to be accessible to LEP persons:

<input checked="" type="checkbox"/>	Public Notices and hearings regarding applications for grant funding, amendments to project activities, and completion of grant-funded project
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<input checked="" type="checkbox"/>	Other program documents: Documents available in Spanish for directly assisted beneficiaries, if applicable.

Resources available to Grant Recipient:

<input checked="" type="checkbox"/>	Translation services: available upon request
<input checked="" type="checkbox"/>	Interpreter services: available upon request with prior notice
	Other resources: _____

Language Assistance to be provided:

<input checked="" type="checkbox"/>	Translation (oral and/or written) of advertised notices and vital documents for: <u>Public hearing, Complaint and Grievance, Equal Opportunity, Policy of Non-discrimination Based on Disability Status and Fair Housing notices are available in Spanish. Other CDBG required program notices are available in Spanish upon request.</u>
<input checked="" type="checkbox"/>	Referrals to community liaisons proficient in the language of LEP persons <u>Spanish-speaking liaisons are available upon request.</u>
<input checked="" type="checkbox"/>	Public meetings conducted in multiple languages: <u>Available upon request with two days advance notice.</u>
<input checked="" type="checkbox"/>	Notices to recipients of the availability of LEP services: <u>Included in translated notices.</u>
	Other services: _____

Signature - Chief Elected Official or Civil Rights Officer

Date

See also: http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf

Fair Housing Policy

In accordance with Fair Housing Act, City of Kingsville hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Kingsville agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. City of Kingsville agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. City of Kingsville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kingsville, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature

Sam R. Fugate, Mayor
Name, Title

Date

Code of Conduct Policy of City of Kingsville

As a Grant Recipient of a CDBG-MIT contract City of Kingsville shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the CDBG-MIT contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of City of Kingsville shall participate in the selection, award, or administration of a contract supported by CDBG-MIT funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of City of Kingsville shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving CDBG-MIT funds, that has any CDBG-MIT function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the CDBG-MIT activity.

The conflict of interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a CDBG-MIT contract or award, or that is required to complete some or all work under the CDBG-MIT contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a CDBG-MIT contract or award, or that is required to complete some or all work under the CDBG-MIT contract in order to meet a National Program Objective, that might potentially receive benefits from CDBG-MIT awards may not participate in the selection, award, or administration of a contract supported by CDBG-MIT funding.

Any alleged violations of these standards of conduct shall be referred to the City of Kingsville Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

Signature

Sam R. Fugate, Mayor
Name, Title

Date

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Community Development Block Grant (CDBG-MIT) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) &(h), and 2 CFR 200.318

PROCLAMATION OF APRIL AS FAIR HOUSING MONTH

WHEREAS Title VIII of the Civil Rights Act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits, for fair housing in the United States; and

WHEREAS The principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS The National Fair Housing Law, during the month of April, provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, WE, the CITY COUNCIL of City of Kingsville, do proclaim April as Fair Housing Month in City of Kingsville and do hereby urge all the citizens of this locality to become aware of and support the Fair Housing law.

Passed and adopted by the CITY COUNCIL of City of Kingsville, State of Texas, on the _____ day of _____, 2021.

APPROVED:

Mayor

ATTEST:

City Secretary

AGENDA ITEM #10

**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: December 13, 2021

SUBJECT: Consider amending the approved procedures for financial and grant payments for Community Development Block Grant – Mitigation grant contracts 22-085-009-D237 and 22-082-016-D218 from the General Land Office (GLO).

Summary:

During the GLO kickoff meeting held on December 1st, 2021, it was requested that the financial procedures regarding advance payments be amended from “five (5) to three (3) business days” for payment disbursements as required by CRF 200.305(b).

Background:

GLO requires all applicants to submit adopted procedures for financial and grant payments with all Community Development Block Grant – Mitigation grant applications. The purpose of the policies is to provide guidelines for all persons involved with the purchase of goods or services and spending the taxpayers’ money. The administrative consultant, GrantWorks, Inc. developed a template for the procedures based on their previous experience working the GLO. The procedures have been localized for Kingsville. The City Commission first approved this item in October 2020. It is now being recommended for update in one section as referenced above.

Financial Impact:

No financial impact.

Recommendation:

Staff recommends approval of these amended financial procedures.



City of Kingsville Financial Procedures

INTRODUCTION

The purpose of financial management policies is to provide sound guidelines in planning the City's financial future. The City of Kingsville considers the expenditure of funds to be an important responsibility and requires all persons involved with the purchase of goods or services to exercise good judgement in spending taxpayers' money.

SCOPE OF AUTHORITY

The City Commission is responsible for the expenditure of all City funds.

Financials

A. Bank Depository

The City maintains funds in a Bank, designated as its depository for banking services. The City Commission reviews the selection every two years unless circumstances deem otherwise.

B. Accounts Payable

Three (3) individuals are authorized to sign checks written on the bank depository account: the Mayor, the City Manager and the Finance Director. All checks require two authorized signatures. No exceptions.

C. Accounting

The Finance Director is responsible for establishing the structure for the City Chart of Accounts and for assuring that procedures are in place to properly record financial transactions and report the City's financial position. The City Manager shall provide financial reports to the City Commission Monthly.

D. Audit of Accounts

An independent audit of the city accounts is performed annually. The Auditor is retained by and is accountable directly to the City Commission. The City Commission reviews the selection every five years unless circumstances deem otherwise.

E. Internal Controls

Whenever possible, written procedures will be established, maintained, and assessed per 2 CFR 200.303 by the Finance Director for all functions involving cash handling and/or accounting throughout the City. These procedures will embrace the general concepts of fiscal responsibility set forth in this policy statement.

Whenever possible, the City ensures duties and responsibilities are segregated so that no one individual has complete authority over a financial transaction.

PROCEDURES

1. Input Invoice into Record Keeping System –

What type of system is utilized for tracking invoices? Do you log them into an excel or track on a ledger? Is a purchase order issued? The City of Kingsville uses Incode which is an automated financial software.

2. Review of Invoice –

Who reviews invoices and recommends payment? What supporting documentation is required prior to payment? The Department reviews invoices for their purchases and forwards to Accounts Payable and Purchasing. There would normally be a Purchase Order, Invoice and Packing Receipt if goods are involved.

3. Timeline for Payment –

What is the City's standard timeframe for issuing payment? If the request is received prior to Wednesday afternoon, Checks are issued on Thursday for mail-out on Friday.

4. Issue Payment –

Who writes and signs the checks? Two signatures? Do they go through Commission for approval? Accounts Payable writes the check through the Accounts Payable Module. Checks are issued with 2 signatures. They do not go through the Commission for approval as they have approved the budget for each line item.

5. Payment Reconciliation –

Who reconciles bank statements and payment? The main CMA bank account is reconciled by the Finance Director. Smaller bank accounts are reconciled by the Accounting Assistant.

6. Record Keeping –

Who documents all expenditures and how are records kept at City? The Incode system records all expenditures and budget checks all expenditures. If there isn't budget to cover the expenditure, payment cannot be processed.

PROCEDURES FOR GRANT PAYMENTS

1. Invoice is received and, if necessary, a request for payment is prepared by grant consultant and proper signatures obtained from Mayor, City Manager, and Finance Director as authorized in original grant approval. Finance office reviews the invoice and compares it to the grant budget.
2. Invoice must be approved by a city official involved in the grant implementation or the Mayor. Approval is acknowledged by initialing the original invoice or through City Commission action.
3. Once grant funds are received and invoice approval acknowledged by signature on the original invoice, a demand check is entered into the system by the Finance Director's office, then printed and disbursed by Accounts Payable. Both Mayor and City Manager signature appear on the approved checks. Checks are then disbursed to the appropriate vendors. The Finance Director is responsible for ensuring that checks are signed and disbursed within five (5) calendar days for the Texas Department of Agriculture and three (3) calendar days for the Texas General Land Office of receiving grant funds.
4. Copies of the request for payment, invoice, canceled check copy and bank statement showing receipt of grant money is retained in the grant file in the Accounting Manager's office.

The City Manager and Finance Director authorize payments and issues of checks. Two signatures are required on each check, either the Mayor and City Manager. The Finance Director is responsible for reconciling the monthly bank statements.

CASH MANAGEMENT AND DISBURSEMENT - TIMELY EXPENDITURES

The City shall make timely payments to vendors and minimize the time between transferring funds from the State Treasury and disbursement of funds to vendors in compliance with the terms and conditions of the federal contract, grant, regulation, or statute.

To ensure vendor compliance, invoices/pay applications/pay estimates will be reviewed for accuracy for such items but not limited to change order approvals, outstanding lien/payments to subcontractors, labor standards, and verification of work completed as invoiced prior to disbursement or request for funds from State Agency. The City shall notify a vendor of an error in an invoice submitted for payment by the vendor.

ADVANCE PAYMENT PROCEDURES

All advanced payments using federal grant funds will be disbursed within three (3) business days from the date of the transfer of funds in accordance with 2 CFR 200.305(b), and in accordance with the provisions in the contract with the vendor.

Advance payments of federal grant funds will be deposited and maintained in a separate insured account. The City will maintain advance payments of federal awards in interest-bearing accounts, unless one or more of the following apply: City receives less than \$120,000 in Federal awards per year; the City is not expected to earn

interest in excess of \$500 per year on Federal cash balances; or the depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources. (2 CFR 200.302(b)(6) and 200.305)

These Policies and Procedures are implemented through of the City of Kingsville administrative team of:

LIST TITLES HERE

City Manager

City Attorney

City Engineer

Finance Director

Purchasing Manager

Sam R. Fugate, Mayor


Date

AGENDA ITEM #11

City of Kingsville
Public Works, Wastewater Division

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: William Donnell, Director of Public Works 

DATE: December 3, 2021

SUBJECT: Wastewater Division 7003 Fund 054 Budget Amendment

Summary:

This item authorizes a project Change Order for the Emergency Wastewater line repair completed on an eighteen-inch trunk line on East Santa Gertrudis.

Background:

Quotes for emergency repairs to an eighteen-inch diameter sewer line, sixteen feet deep on East Santa Gertrudis were requested from four different local contractors. The only response was E-Tech Construction with a quote of \$42,300. Since this was an emergency repair, the city's pump and trench box was used to expedite the project. Due to rains, sewer flow and very poor soil conditions, additional equipment was required to complete the repair. A positive displacement pump was needed as the city's centrifugal pump was not strong enough to handle the depth of the sludge and trench safety sheets were also required in addition to the trench box. After several attempts to make the repair a long reach trackhoe was rented due to erosion of the unstable soil condition. Due to sewer flow and weather conditions, the repair took longer than expected. E-Tech is requested a \$26,139.87 change order for additional expenses incurred, but the state change order rule only permits 25% change from the original contract which is \$10,575.00.

Financial Impact:

This will impact unappropriated Utility Fund balance by \$10,575.00.

Recommendation:

Staff is recommending approval of additional funds to cover additional expenses to make the repair.



ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO APPROPRIATE FUNDING FOR THE CHANGE ORDER FOR THE EMERGENCY WASTEWATER LINE REPAIR.

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 2021-2022 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#09

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 051 – Utility Fund					
<u>Expenditures - 5</u>					
6900	Transfer	Transfer To Fund 051	80054	\$10,575.00	
Fund 054 – Utility Fund Capital Projects					
<u>Revenues – 4</u>					
0000	Non Dept	Transfer From Fund 051	75010	\$10,575.00	
<u>Expenditures - 5</u>					
7003	North Plant	Utility Plant	54300	\$10,575.00	

[To amend the City of Kingsville FY 21-22 Budget to appropriate funding for change order for the emergency wastewater line repair. Funding will come from the unappropriated fund balance of Fund 051.]

II.

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

III.

THAT if for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of

competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Commission that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

IV.

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

INTRODUCED on this the 13th day of December 2021.

PASSED AND APPROVED on this the 10th day of January 2022.

EFFECTIVE DATE: _____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #12

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: December 3, 2021

SUBJECT: Request for budget amendment for ARPA funds to Purchase 2021 TASER®7 Certification Bundle

Summary:

Our department implemented our TASER® program in 2005. Since that time it is apparent that we have provided non-injurious solutions to violent confrontations resulting in positive outcomes due to the use of this tool. Those positive outcomes include fewer injuries to the combatant as well as to the police officers who respond to those incidents. This of course has also resulted in reduced litigation, reduced departmental medical as well as liability insurance costs. In fact this program has been so successful that during an 18-month period we had no injuries to our officers that were properly trained and utilized a TASER® out in the field.

Background:

We have approximately 35 TASER® systems in use at our department. The models we have are the TASER® X26 and TASER® X2 systems. The newest which were purchased in 2017. The expected life of this equipment is five (5) years. Several of these TASER's are beginning to show their age where some of the LED lights don't work or they are not working at all. If the equipment is more than (5) five years old if they are sent to the vendor, they will not repair the systems and just inform our department that they have to be replaced.

Recognizing legislative changes related to police accountability and the necessity to evolve as a police agency with regard to transparency and accountability as well as the need to improve training surrounding empathy and use of force, the Kingsville Police Department has found Axon Enterprise, Inc, to provide services, and meet those needs. In addition, with understanding that federal funding may be available to assist in this acquisition, the proposed Axon package bundles hardware, software,



City of Kingsville
Police Department

accessories, training programs, 24/7 customer support, equipment refreshes, and warranties together, to help equip our officers with the technology solutions they need.

In addition, this package includes technology and training programs which allow officers to better connect with the public on calls for services as well as prepare to handle situations in the most effective and empathetic way possible while focusing on de-escalation prior to the use of force. As our current technology ages and the need for additional and more advanced technology increases, the Axon platforms provide us with the most reliable, efficient, and costeffective solution to maintain our services at the highest level.

Axon products work together seamlessly as a single network and are designed to give law enforcement the tools they need to focus on what matters, get to the truth faster and make the community a safer place. Axon allows us to keep our community safe and save on critical budget items by bundling products and services. This proposal would provide our agency with nextgeneration devices and software, delivering seamless integration, budget predictability and automatic upgrades with no additional costs.

Financial Impact:

This is a Contract BuyBoard 603-20 purchase. This contract purchase was quoted initially over a (5) five-year period. The outright purchase of the **2021 TASER®7 Certification Bundle @ \$114,210.06** will result in a savings of \$33,298.01. (See attached Axon Enterprise, Inc. Quote for details on purchase)

Recommendation:

It is the most cost-effective and fiscally responsible way to equip our personnel with the latest technology. The total 5 Year Costs for this technology solution which, by investing in it as a bundle, versus a la carte purchases, reflects an overall savings of over \$33,298.01 over the span of a 5-year contract. We recommend that this budget amendment in the amount of \$114,210.06 from ARPA funds be approved by our City Commission.





Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-354986-44533.851AS

Issued: 12/03/2021

Quote Expiration: 12/31/2021

EST Contract Start Date: 01/01/2022

Account Number: 108524

Payment Terms: N30

Delivery Method: Fedex - Ground

SHIP TO		BILL TO
Delivery: Invoice-1700 E King Ave 1700 E King Ave Kingsville, TX 78363-5928 USA		Kingsville Police Dept. - TX 1700 E King Ave Kingsville, TX 78363-5928 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Adam Smith Phone: Email: asmith@taser.com Fax: (480) 463-2201	Phone: (361) 592-4311 Email: chief@kingsvillepd.us Fax: (361) 593-1714

Program Length	60 Months
TOTAL COST	\$114,210.06
ESTIMATED TOTAL W/ TAX	\$114,210.06

Bundle Savings	\$26,008.11
Additional Savings	\$7,289.90
TOTAL SAVINGS	\$33,298.01

PAYMENT PLAN: Dec 2021		
PLAN NAME	INVOICE DATE	AMOUNT DUE
Upfront Payment	Dec, 2021	\$114,210.06
Payment Total		\$114,210.06

Quote Details

Bundle: 2021 Taser 7 Certification Bundle Quantity: 35 Start: 1/1/2022 End: 12/31/2026 Total: 113505.06 USD

Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Holsters	20160	TASER 7 HOLSTER - SAFARILAND, RH+CARD CARRIER	35	\$80.00	\$61.87	\$2,165.56
Handle License	20248	TASER 7 EVIDENCE.COM LICENSE	35	\$5.00	\$3.87	\$8,120.87
Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	105	\$38.00	\$29.39	\$3,085.93
Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	105	\$38.00	\$29.39	\$3,085.93
Handles	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	35	\$1,720.00	\$1,330.28	\$46,559.63
Inert Cartridges	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS	35	\$49.00	\$37.90	\$1,326.41
Inert Cartridges	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	35	\$49.00	\$37.90	\$1,326.41
Admin License	20248	TASER 7 EVIDENCE.COM LICENSE	1	\$5.00	\$3.87	\$232.02
Taser 7 Target	80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	1	\$150.00	\$116.01	\$116.01
Spare Handles	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	1	\$1,720.00	\$1,330.28	\$1,330.28
Taser 7 Target Frame	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	1	\$75.00	\$58.01	\$58.01
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
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Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29

		DEGREE) NS				
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Batteries	20018	TASER 7 BATTERY PACK, TACTICAL	42	\$86.00	\$66.51	\$2,793.58
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70	\$38.00	\$29.39	\$2,057.29
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70	\$38.00	\$29.39	\$2,057.29
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70	\$38.00	\$29.39	\$2,057.29
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70	\$38.00	\$29.39	\$2,057.29
Duty Cartridge Replenishment Program	20246	TASER 7 DUTY CARTRIDGE REPLACEMENT LICENSE	35	\$2.50	\$1.93	\$4,060.43
Docks	74200	TASER 7 6-BAY DOCK AND CORE	1	\$1,500.00	\$1,160.12	\$1,160.12
Dock Mount	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1	\$43.90	\$33.95	\$33.95
Dock Power Cord	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1	\$10.45	\$8.08	\$8.08
Other	80395	EXT WARRANTY, TASER 7 HANDLE	35	\$6.25	\$4.83	\$8,120.87
Other	80395	EXT WARRANTY, TASER 7 HANDLE	1	\$6.25	\$4.83	\$232.02
Other	80374	EXT WARRANTY, TASER 7 BATTERY PACK	42	\$0.42	\$0.32	\$654.87
Other	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1	\$6.25	\$4.83	\$232.02

Bundle: Dynamic Bundle **Quantity: 1** **Start: 1/1/2022** **End: 12/31/2026** **Total: 705 USD**

Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Other	20050	HOOK-AND-LOOP TRAINING (HALT) SUIT	1	\$750.00	\$705.00	\$705.00

Hardware

Requested Ship Date	Item	Description	QTY
01/01/2022	20160	TASER 7 HOLSTER - SAFARILAND, RH+CARD CARRIER	35
01/01/2022	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1
01/01/2022	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2022	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	1
01/01/2022	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	1
01/01/2022	80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	1
01/01/2022	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	35

01/01/2022	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS	35
01/01/2022	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	35
01/01/2022	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	105
01/01/2022	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	105
01/01/2022	80374	EXT WARRANTY, TASER 7 BATTERY PACK	42
01/01/2022	80395	EXT WARRANTY, TASER 7 HANDLE	1
01/01/2022	80395	EXT WARRANTY, TASER 7 HANDLE	35
01/01/2022	20050	HOOK-AND-LOOP TRAINING (HALT) SUIT	1
01/01/2022	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1
01/01/2022	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1
01/01/2022	74200	TASER 7 6-BAY DOCK AND CORE	1
01/01/2022	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70
01/01/2022	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70
01/01/2022	20018	TASER 7 BATTERY PACK, TACTICAL	42
01/01/2022	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2023	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2023	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2024	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70
01/01/2024	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70
01/01/2024	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2024	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2025	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2025	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2026	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2026	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract BuyBoard 603-20 (CEW only) is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Signature

Date Signed

12/3/2021

American Rescue Plan Act Funding

Final Proposal

Town of Fairfield | September 20, 2021

Presented by First Selectwoman Brenda L. Kupchick

Areas of Focus

MENTAL HEALTH & SOCIAL SERVICES

ECONOMIC DEVELOPMENT

PUBLIC SAFETY

ENVIRONMENT

QUALITY OF LIFE: RECREATION, ARTS & CULTURE

TOWN MODERNIZATION & INFRASTRUCTURE

PUBLIC SAFETY

Body Cameras, Dashboard Cameras & Tasers - \$3,700,000

Recognizing legislative changes related to police accountability and the necessity to evolve as a police agency with regard to transparency and accountability as well as the need to improve training surrounding empathy and use of force, the Fairfield Police Department has found Axon Enterprise, Inc, to provide services, and meet those needs. In addition, with understanding that federal funding may be available to assist in this acquisition, the proposed Axon package bundles hardware, software, accessories, training programs, 24/7 customer support, equipment refreshes, and warranties together, to help equip our officers with the technology solutions they need. In addition, this package includes technology and training programs which allow officers to better connect with the public on calls for services as well as prepare to handle situations in the most effective and empathetic way possible while focusing on de-escalation prior to the use of force. As our current technology ages and the need for additional and more advanced technology increases, the Axon platforms provide us with the most reliable, efficient and cost-effective solution to maintain our services at the highest level.

Axon products work together seamlessly as a single network and are designed to give law enforcement the tools they need to focus on what matters, get to the truth faster and make the community a safer place. Axon allows us to keep our community safe and save on critical budget items by bundling products and services. This proposal would provide our agency with next-generation devices and software, delivering seamless integration, budget predictability and automatic upgrades with no additional costs. It is the most cost-effective and fiscally responsible way to equip our personnel with the latest technology.

The total 10 Year Costs for this technology solution which, by investing in it as a bundle, versus a la carte purchases, reflects an overall savings of over \$1,570,000.00 over the span of a 10-year contract.

It should also be noted that currently the Police Department has \$75,000 budgeted annually for Tasers alone. The proposed package includes the Taser program with additional discounts included. Axon further discounted the Fleet 3 Advanced Bundle in an effort to ensure they remained competitive and to offer the most cost-effective solution. This solution typically costs \$208 per vehicle per month. In the attached 10-year quote, they have discounted that to less than \$160 per vehicle per month, a savings of over \$201,000 for the Fleet bundle alone.

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: December 3, 2021

SUBJECT: Request for Budget Amendment, 9-1-1 Position Expansion

Summary:

The police department is requesting to purchase a 9-1-1 position expansion from Intrado Life & Safety Solutions Corporation from ARPA funds. This process requires a budget amendment.

Background:

As we look forward into the future it is apparent that we need additional 9-1-1 answering points within our communications division. Currently we have three 9-1-1 positions that are located in our communications section. They are in positions where the PD dispatcher, FD dispatcher and a call taker can answer those phones.

Over the next several years plans are in place to construct a third fire station as well as increase the number of patrol officers in the field. This is going to result in re-districting our city in a manner where we will be utilizing two police dispatchers. The city will be divided into quadrants based on the calls for service that we receive. Each PD dispatcher will be responsible for the officers in their quadrants.

A fourth 9-1-1 position will have to be brought up so that the 2nd PD dispatcher can assist with 9-1-1 calls as well. At some point we may have to employ dedicated 9-1-1 call takers due to how busy our dispatchers have become handling radio traffic. COVID-19 appears to have resulted in many more calls for service regarding violence at residential calls.

We have planned to update the dispatch area by using an existing room and expanding the communications office space to allow for a small office for the communications supervisor. The desk where she currently sits is being used as a backup PD dispatch position. The backup PD dispatch position currently has the ability to have a dispatcher and we will install the new 9-1-1 position to be used at this station.



**City of Kingsville
Police Department**

Financial Impact:

9-1-1 Position Expansion (HGAC Buy Pricing-Direct Sale)

Hardware & Software	\$17,299.01
Services	\$5,695.11
Maintenance	\$10,785.60

Grant Total ***\$33,780.72***

Recommendation:

We request that the budget amendment be approved to cover the costs of the 9-1-1 Position Expansion.
Thank you for your assistance.





Company Name: Intrado Life & Safety Solutions Corporation

Position Expansion

for

CBCOG - Kingsville PD, TX

(HGAC Buy Pricing - Direct Sale)

Quote Number: 69245

Version: 1

Issued: November 23, 2021

Expires: May 21, 2022

The terms and conditions available at <https://www.intrado.com/legal-privacy/terms/call-handling> as of the date of this Quote will apply to this Quote, unless the parties have entered into a separate mutually executed agreement, or Customer is purchasing under a cooperative purchasing agreement. The terms of this Quote will govern any conflict with the above-mentioned terms, and Customer's issuance of a purchase order for any or all of the items described in this Quote will constitute acknowledgement and acceptance of such terms. No additional terms in Customer's purchase order will apply. This document contains confidential and proprietary information of Intrado, and such information may not be used or disclosed without prior written consent.



Summary - CBCOG - Kingsville PD

Item	Cost
Hardware & Software	\$17,299.01
Services	\$5,696.11
Maintenance	\$10,785.60
<hr/>	
Total:	\$33,780.72

Annual Billing Summary

Year	System	Professional Services	Recurring Services	Maintenance Services	Totals
Hardware & Software	\$17,299.01	\$5,696.11			\$22,995.12
Year 1				\$5,355.00	\$5,355.00
Year 2				\$5,430.60	\$5,430.60
Totals	\$17,299.01	\$5,696.11		\$10,785.60	\$33,780.72

Configuration Parameters - CBCOG - Kingsville PD

Model#	Description	Qty	List Price	Selling Price	Total
VIPER					
912811	Application Server License	1	\$995.00	\$626.85	\$626.85
912812	PBX Access License	1	\$645.00	\$406.35	\$406.35
				Subtotal	\$1,033.20
Power Stations					
P10096	21.5" LED Backlit Monitor	2	\$271.00	\$271.00	\$542.00
911808	A9C G3, Second Screen Kit	1	\$295.00	\$185.85	\$185.85
911810-1/BB	Power Station Bundle	1	\$6,860.00	\$4,321.80	\$4,321.80
				Subtotal	\$5,049.65
Power 911					
913100	Power 911 Client and Server Access License	1	\$11,990.00	\$7,553.70	\$7,553.70
				Subtotal	\$7,553.70
Power MIS					
920102	Power MIS Data Access License	1	\$847.00	\$533.61	\$533.61
				Subtotal	\$533.61
MapFlex					
MF-DMS	MapFlex 9-1-1 Client License	1	\$4,395.00	\$2,768.85	\$2,768.85
				Subtotal	\$2,768.85
Staging					
950852	Front Room Equipment Staging - Per Position	1	\$250.00	\$250.00	\$250.00
				Subtotal	\$250.00
Installation					
950104	Professional Services (per Day)	1	\$1,500.00	\$1,500.00	\$1,500.00
960575	Living Expense per Day per Person	3	\$200.00	\$200.00	\$600.00
960580	Travel Fee per Person	1	\$1,250.00	\$1,250.00	\$1,250.00
				Subtotal	\$3,350.00
Project Management Services					
950510	Project Management Services	1	\$0.00	\$2,346.11	\$2,346.11
				Subtotal	\$2,346.11
Freight Estimate					
FREIGHT	Shipping and Handling	1	\$0.00	\$110.00	\$110.00
				Subtotal	\$110.00
Software Protection and Remote Tech Support					
950999/PRO1/1	Software Protection and Remote Technical Support/Position - Year 1	1	\$630.00	\$630.00	\$630.00
950999/PRO1/1	Software Protection and Remote Technical Support/Position - Year 2	1	\$642.60	\$642.60	\$642.60
				Subtotal	\$1,272.60

Software Subscription

950999/SUB1/1	Software Subscription Service - /Position - Year 1	1	\$1,575.00	\$1,575.00	\$1,575.00
950999/SUB1/1	Software Subscription Service - /Position - Year 2	1	\$1,575.00	\$1,575.00	\$1,575.00
Subtotal				\$3,150.00	

On-Site Maintenance

950999/ONS1-1/1	On-Site Maintenance/Position - Year 1	1	\$3,150.00	\$3,150.00	\$3,150.00
950999/ONS1-1/1	On-Site Maintenance/Position - Year 2	1	\$3,213.00	\$3,213.00	\$3,213.00
Subtotal				\$6,363.00	

Total **\$33,780.72**

Notes

-
- 1** This quote adds a new position at CBCOG, TX/Kingsville PD. Quote assumes that there are available ports on existing VIPER system to support this position. The positions at Kingsville will increase from 3 to 4.
-
- 2** **Professional Services:** This quote represents an estimate of labor costs to perform the work described in this quote. If the amount of labor needed to correct the issue can't be accomplished time allotted in this quote, Intrado will contact the customer representative before performing additional labor. If the actual labor to perform the work is significantly less than the amount quoted, the final charge may be adjusted.
-

- 3** **Software Protection and Remote Technical Support** is a coverage requirement with the purchase and ownership of Intrado CPE system equipment.

Software Protection and Remote Technical Support cannot be deleted from quotes or system orders.

Once a Software Protection and Remote Technical Support service contract is established for the site during system initial purchase, all items subsequently added to the site will not require an additional contract, but the acquisition of additional positions will increase the price of the services.

- a. For sites with one year coverage contracts, the increased price will be reflected in the quote at the next contract renewal point.
- b. For sites with multi-year agreements, the customer will be required to retract the remaining years of the original purchase order and issue a new purchase order for the remaining period covering the original system and new positions.

If a contract for Software Protection and Remote Technical Support expires without renewal, causing a lapse in coverage, the customer's access to the Support Center will be discontinued and a notification of services termination will be issued.

Reinstatement of the lapsed coverage will require the following from the customer:

- a) Payment in full for the lapsed period at the prevailing per-seat rate
- b) Purchase of a new maintenance agreement (one-year or five-year)
- c) System Recertification fees in the form of a Class A inspection at \$1,500.00 per day plus related travel and expense charges.

Software Protection

This offering provides for the availability of software product updates. Installation and training (if needed) are not included. Intrado will publish periodic software release bulletins to customers which announce important product updates for Intrado software. Customers may then request the new update from Intrado based on applicability of the release to customer's system. Customer is responsible for installation of all these releases, unless the On-Site Maintenance Service is purchased. If On-Site Maintenance has not been purchased and the customer prefers to have Intrado deploy a new release, Intrado will dispatch appropriate personnel to perform the upgrade on a mutually agreed upon date at Intrado's then current prices for such services.

Remote Technical Support

Support is provided by associates who specialize in the diagnosis and resolution of system performance issues. Remote Technical Support is available 24/7 through both a toll free hotline and a secure customer Internet portal. All service inquiries are tracked by a state-of-the-art CRM trouble ticket system that can be queried by customers through the online portal to obtain the most up-to-date status on their issues.

- 4** **Software Subscription Service** provides the customer with access to software upgrades including new features. This offering only provides for the availability of the software. Installation and training (if needed) are not included. Any required hardware or operating system changes are also not included.

Intrado will provide periodic software release bulletins to customers which announce and explain new feature releases for Intrado software. Customers may then request the new release or version from Intrado based on applicability of the release to customer's system. The customer is responsible for installation of all these releases, unless the On-Site Maintenance Service is purchased. If On-Site Maintenance has not been purchased and the customer prefers to have Intrado deploy a new release, Intrado will dispatch appropriate personnel to perform the upgrade on a mutually agreed upon date at Intrado's then current prices for such services.

5 **On-site Support Services** are primarily designed to assist with issues that require system expertise in troubleshooting and restoration at the customer's location.

On-site Support Services include travel costs and time and labor related to the service incident. Also included in the service are quarterly on-site preventative and routine maintenance reviews (four per year) of the customer's Intrado system. These maintenance visits can include the installation of routine updates to software. Training, configuration changes, reprogramming and system upgrade labor are not included in this offering, but are available for purchase.

On-Site Support Services options include the designation of a technician dedicated specifically to the customer's deployment(s), or alternately a non-dedicated resource available for use with other customers. Intrado may engage third-party vendors to provide the On-Site Support Services.

Terms

VENDOR NAME	Intrado Life & Safety Solutions Corporation Include quote number and customer EIN/Tax Identification Number on P.O.
SUBMIT P.O.	<u>ordermanagement.safetyservices@west.com</u>
PRICING	All prices are in USD Taxes, if applicable, are extra. Handling and Shipping charges are extra unless specified on the quote.
SHIPPING TERMS	FCA (Montreal), INCOTERMS 2010
PAYMENT	Per Contract
DELIVERY	TBD
VALIDITY	Quote expires on May 21, 2022. However, part numbers beginning with Q, such as QXXXXX, constitute unique third-party components. These components, including model and price, (i) may be subject to change at any time; and (ii) are non-cancellable, non-refundable, and non-exchangeable at any time.
COPYRIGHT	The information contained in this document is proprietary to Intrado Life & Safety Solutions Corporation and is offered solely for the purpose of evaluation.

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET TO APPROPRIATE FUNDING FOR THE PURCHASE OF TASERS AND HARDWARE/SOFTWARE FOR A NEW DISPATCH STATION.

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 2021-2022 budget be amended as follows:

CITY OF KINGSVILLE
DEPARTMENT EXPENSES
BUDGET AMENDMENT – BA#08

Dept No.	Dept Name	Account Name	Account Number	Budget Increase	Budget Decrease
Fund 121 – GF ARP					
<u>Expenditures - 5</u>					
2102	Police Patrol	Minor Equipment	21700	\$114,210.06	
2103	PD Comm	Computers & Assoc Equip	22600	\$33,780.72	

[To amend the City of Kingsville FY 21-22 Budget to appropriate funding for the purchase of tasers and hardware/software for a new dispatch station. Funding will come from the unappropriated fund balance of Fund 121.]

II.

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

III.

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

IV.

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

INTRODUCED on this the 13th day of December 2021.

PASSED AND APPROVED on this the 10th day of January 2022.

EFFECTIVE DATE:_____

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #13

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: December 3, 2021

SUBJECT: Request for budget amendment for ARPA funds to Purchase 2021 TASER®7 Certification Bundle

Summary:

Our department implemented our TASER® program in 2005. Since that time it is apparent that we have provided non-injurious solutions to violent confrontations resulting in positive outcomes due to the use of this tool. Those positive outcomes include fewer injuries to the combatant as well as to the police officers who respond to those incidents. This of course has also resulted in reduced litigation, reduced departmental medical as well as liability insurance costs. In fact this program has been so successful that during an 18-month period we had no injuries to our officers that were properly trained and utilized a TASER® out in the field.

Background:

We have approximately 35 TASER® systems in use at our department. The models we have are the TASER® X26 and TASER® X2 systems. The newest which were purchased in 2017. The expected life of this equipment is five (5) years. Several of these TASER's are beginning to show their age where some of the LED lights don't work or they are not working at all. If the equipment is more than (5) five years old if they are sent to the vendor, they will not repair the systems and just inform our department that they have to be replaced.

Recognizing legislative changes related to police accountability and the necessity to evolve as a police agency with regard to transparency and accountability as well as the need to improve training surrounding empathy and use of force, the Kingsville Police Department has found Axon Enterprise, Inc, to provide services, and meet those needs. In addition, with understanding that federal funding may be available to assist in this acquisition, the proposed Axon package bundles hardware, software,



City of Kingsville Police Department

accessories, training programs, 24/7 customer support, equipment refreshes, and warranties together, to help equip our officers with the technology solutions they need.

In addition, this package includes technology and training programs which allow officers to better connect with the public on calls for services as well as prepare to handle situations in the most effective and empathetic way possible while focusing on de-escalation prior to the use of force. As our current technology ages and the need for additional and more advanced technology increases, the Axon platforms provide us with the most reliable, efficient, and costeffective solution to maintain our services at the highest level.

Axon products work together seamlessly as a single network and are designed to give law enforcement the tools they need to focus on what matters, get to the truth faster and make the community a safer place. Axon allows us to keep our community safe and save on critical budget items by bundling products and services. This proposal would provide our agency with nextgeneration devices and software, delivering seamless integration, budget predictability and automatic upgrades with no additional costs.

Financial Impact:

This is a Contract BuyBoard 603-20 purchase. This contract purchase was quoted initially over a (5) five-year period. The outright purchase of the **2021 TASER®7 Certification Bundle @ \$114,210.06** will result in a savings of \$33,298.01. (See attached Axon Enterprise, Inc. Quote for details on purchase)

Recommendation:

It is the most cost-effective and fiscally responsible way to equip our personnel with the latest technology. The total 5 Year Costs for this technology solution which, by investing in it as a bundle, versus a la carte purchases, reflects an overall savings of over \$33,298.01 over the span of a 5-year contract. We recommend that this budget amendment in the amount of \$114,210.06 from ARPA funds be approved by our City Commission.





Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-354986-44533.851AS

Issued: 12/03/2021

Quote Expiration: 12/31/2021

EST Contract Start Date: 01/01/2022

Account Number: 108524

Payment Terms: N30

Delivery Method: FedEx - Ground

SHIP TO	BILL TO
Delivery: Invoice-1700 E King Ave 1700 E King Ave Kingsville, TX 78363-5928 USA	Kingsville Police Dept. - TX 1700 E King Ave Kingsville, TX 78363-5928 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Adam Smith Phone: Email: asmith@taser.com Fax: (480) 463-2201	Phone: (361) 592-4311 Email: chief@kingsvillepd.us Fax: (361) 593-1714

Program Length	60 Months
TOTAL COST	\$114,210.06
ESTIMATED TOTAL W/ TAX	\$114,210.06

Bundle Savings	\$26,008.11
Additional Savings	\$7,289.90
TOTAL SAVINGS	\$33,298.01

PAYMENT PLAN: Dec 2021

PLAN NAME	INVOICE DATE	AMOUNT DUE
Upfront Payment	Dec, 2021	\$114,210.06
Payment Total		\$114,210.06

Quote Details

Bundle: 2021 Taser 7 Certification Bundle Quantity: 35 Start: 1/1/2022 End: 12/31/2026 Total: 113505.06 USD						
Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Holsters	20160	TASER 7 HOLSTER - SAFARILAND, RH+CARD CARRIER	35	\$80.00	\$61.87	\$2,165.56
Handle License	20248	TASER 7 EVIDENCE.COM LICENSE	35	\$5.00	\$3.87	\$8,120.87
Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	105	\$38.00	\$29.39	\$3,085.93
Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	105	\$38.00	\$29.39	\$3,085.93
Handles	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	35	\$1,720.00	\$1,330.28	\$46,559.63
Inert Cartridges	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS	35	\$49.00	\$37.90	\$1,326.41
Inert Cartridges	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	35	\$49.00	\$37.90	\$1,326.41
Admin License	20248	TASER 7 EVIDENCE.COM LICENSE	1	\$5.00	\$3.87	\$232.02
Taser 7 Target	80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	1	\$150.00	\$116.01	\$116.01
Spare Handles	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	1	\$1,720.00	\$1,330.28	\$1,330.28
Taser 7 Target Frame	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	1	\$75.00	\$58.01	\$58.01
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29

		DEGREE) NS				
Training Live Cartridges	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70	\$38.00	\$29.39	\$2,057.29
Batteries	20018	TASER 7 BATTERY PACK, TACTICAL	42	\$86.00	\$66.51	\$2,793.58
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70	\$38.00	\$29.39	\$2,057.29
Training Halt Cartridges	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70	\$38.00	\$29.39	\$2,057.29
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70	\$38.00	\$29.39	\$2,057.29
Training Halt Cartridges	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70	\$38.00	\$29.39	\$2,057.29
Duty Cartridge Replenishment Program	20246	TASER 7 DUTY CARTRIDGE REPLACEMENT LICENSE	35	\$2.50	\$1.93	\$4,060.43
Docks	74200	TASER 7 6-BAY DOCK AND CORE	1	\$1,500.00	\$1,160.12	\$1,160.12
Dock Mount	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1	\$43.90	\$33.95	\$33.95
Dock Power Cord	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1	\$10.45	\$8.08	\$8.08
Other	80395	EXT WARRANTY, TASER 7 HANDLE	35	\$6.25	\$4.83	\$8,120.87
Other	80395	EXT WARRANTY, TASER 7 HANDLE	1	\$6.25	\$4.83	\$232.02
Other	80374	EXT WARRANTY, TASER 7 BATTERY PACK	42	\$0.42	\$0.32	\$654.87
Other	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1	\$6.25	\$4.83	\$232.02

Bundle: Dynamic Bundle Quantity: 1 Start: 1/1/2022 End: 12/31/2026 Total: 705 USD

Category	Item	Description	QTY	List Unit Price	Net Unit Price	Total(USD)
Other	20050	HOOK-AND-LOOP TRAINING (HALT) SUIT	1	\$705.00	\$705.00	\$705.00

Hardware

Requested Ship Date	Item	Description	QTY
01/01/2022	20160	TASER 7 HOLSTER - SAFARILAND RH+CARD CARRIER	35
01/01/2022	80396	EXT WARRANTY, TASER 7 SIX BAY DOCK	1
01/01/2022	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2022	80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7	1
01/01/2022	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	1
01/01/2022	80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)	1
01/01/2022	22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	35

01/01/2022	22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS	35
01/01/2022	20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R	35
01/01/2022	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	105
01/01/2022	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	105
01/01/2022	80374	EXT WARRANTY, TASER 7 BATTERY PACK	42
01/01/2022	80395	EXT WARRANTY, TASER 7 HANDLE	1
01/01/2022	80395	EXT WARRANTY, TASER 7 HANDLE	35
01/01/2022	20050	HOOK-AND-LOOP TRAINING (HALT) SUIT	1
01/01/2022	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1
01/01/2022	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1
01/01/2022	74200	TASER 7 6-BAY DOCK AND CORE	1
01/01/2022	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70
01/01/2022	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70
01/01/2022	20018	TASER 7 BATTERY PACK, TACTICAL	42
01/01/2022	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2023	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2023	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2024	22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS	70
01/01/2024	22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS	70
01/01/2024	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2024	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2025	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2025	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70
01/01/2026	22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS	70
01/01/2026	22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS	70

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract BuyBoard 603-20 (CEW only) is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Signature

Date Signed

12/3/2021

American Rescue Plan Act Funding

Final Proposal

Town of Fairfield | September 20, 2021

Presented by First Selectwoman Brenda L. Kupchick

Areas of Focus

MENTAL HEALTH & SOCIAL SERVICES

ECONOMIC DEVELOPMENT

PUBLIC SAFETY

ENVIRONMENT

QUALITY OF LIFE: RECREATION, ARTS & CULTURE

TOWN MODERNIZATION & INFRASTRUCTURE

Body Cameras, Dashboard Cameras & Tasers - \$3,700,000

Recognizing legislative changes related to police accountability and the necessity to evolve as a police agency with regard to transparency and accountability as well as the need to improve training surrounding empathy and use of force, the Fairfield Police Department has found Axon Enterprise, Inc, to provide services, and meet those needs. In addition, with understanding that federal funding may be available to assist in this acquisition, the proposed Axon package bundles hardware, software, accessories, training programs, 24/7 customer support, equipment refreshes, and warranties together, to help equip our officers with the technology solutions they need. In addition, this package includes technology and training programs which allow officers to better connect with the public on calls for services as well as prepare to handle situations in the most effective and empathetic way possible while focusing on de-escalation prior to the use of force. As our current technology ages and the need for additional and more advanced technology increases, the Axon platforms provide us with the most reliable, efficient and cost-effective solution to maintain our services at the highest level.

Axon products work together seamlessly as a single network and are designed to give law enforcement the tools they need to focus on what matters, get to the truth faster and make the community a safer place. Axon allows us to keep our community safe and save on critical budget items by bundling products and services. This proposal would provide our agency with next-generation devices and software, delivering seamless integration, budget predictability and automatic upgrades with no additional costs. It is the most cost-effective and fiscally responsible way to equip our personnel with the latest technology.

The total 10 Year Costs for this technology solution which, by investing in it as a bundle, versus a la carte purchases, reflects an overall savings of over \$1,570,000.00 over the span of a 10-year contract.

It should also be noted that currently the Police Department has \$75,000 budgeted annually for Tasers alone. The proposed package includes the Taser program with additional discounts included. Axon further discounted the Fleet 3 Advanced Bundle in an effort to ensure they remained competitive and to offer the most cost-effective solution. This solution typically costs \$208 per vehicle per month. In the attached 10-year quote, they have discounted that to less than \$160 per vehicle per month, a savings of over \$201,000 for the Feet bundle alone.

AGENDA ITEM #14

**City of Kingsville
Police Department**

TO: Mayor and City Commissioners

CC: Mark McLaughlin, City Manager

FROM: Ricardo Torres, Chief of Police

DATE: December 3, 2021

SUBJECT: Request for Budget Amendment, 9-1-1 Position Expansion

Summary:

The police department is requesting to purchase a 9-1-1 position expansion from Intrado Life & Safety Solutions Corporation from ARPA funds. This process requires a budget amendment.

Background:

As we look forward into the future it is apparent that we need additional 9-1-1 answering points within our communications division. Currently we have three 9-1-1 positions that are located in our communications section. They are in positions where the PD dispatcher, FD dispatcher and a call taker can answer those phones.

Over the next several years plans are in place to construct a third fire station as well as increase the number of patrol officers in the field. This is going to result in re-districting our city in a manner where we will be utilizing two police dispatchers. The city will be divided into quadrants based on the calls for service that we receive. Each PD dispatcher will be responsible for the officers in their quadrants.

A fourth 9-1-1 position will have to be brought up so that the 2nd PD dispatcher can assist with 9-1-1 calls as well. At some point we may have to employ dedicated 9-1-1 call takers due to how busy our dispatchers have become handling radio traffic. COVID-19 appears to have resulted in many more calls for service regarding violence at residential calls.

We have planned to update the dispatch area by using an existing room and expanding the communications office space to allow for a small office for the communications supervisor. The desk where she currently sits is being used as a backup PD dispatch position. The backup PD dispatch position currently has the ability to have a dispatcher and we will install the new 9-1-1 position to be used at this station.



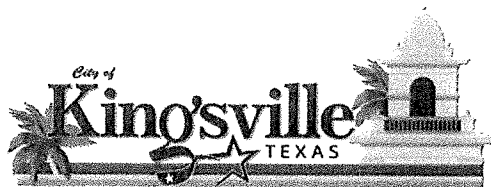
**City of Kingsville
Police Department**

Financial Impact:

9-1-1 Position Expansion (HGAC Buy Pricing-Direct Sale)	
Hardware & Software	\$17,299.01
Services	\$5,695.11
Maintenance	\$10,785.60
<i>Grant Total</i>	<i>\$33,780.72</i>

Recommendation:

We request that the budget amendment be approved to cover the costs of the 9-1-1 Position Expansion.
Thank you for your assistance.





Company Name: Intrado Life & Safety Solutions Corporation

Position Expansion

for

CBCOG - Kingsville PD, TX

(HGAC Buy Pricing - Direct Sale)

Quote Number: 69245

Version: 1

Issued: November 23, 2021

Expires: May 21, 2022

The terms and conditions available at <https://www.intrado.com/legal-privacy/terms/call-handling> as of the date of this Quote will apply to this Quote, unless the parties have entered into a separate mutually executed agreement, or Customer is purchasing under a cooperative purchasing agreement. The terms of this Quote will govern any conflict with the above-mentioned terms, and Customer's issuance of a purchase order for any or all of the items described in this Quote will constitute acknowledgement and acceptance of such terms. No additional terms in Customer's purchase order will apply. This document contains confidential and proprietary information of Intrado, and such information may not be used or disclosed without prior written consent.



Summary - CBCOG - Kingsville PD

Item	Cost
Hardware & Software	\$17,299.01
Services	\$5,696.11
Maintenance	\$10,785.60
<hr/>	
Total:	\$33,780.72

Annual Billing Summary

Year	System	Professional Services	Recurring Services	Maintenance Services	Totals
Hardware & Software	\$17,299.01	\$5,696.11			\$22,995.12
Year 1				\$5,355.00	\$5,355.00
Year 2				\$5,430.60	\$5,430.60
Totals	\$17,299.01	\$5,696.11		\$10,785.60	\$33,780.72

Configuration Parameters - CBCOG - Kingsville PD

Model#	Description	Qty	List Price	Selling Price	Total
VIPER					
912811	Application Server License	1	\$995.00	\$626.85	\$626.85
912812	PBX Access License	1	\$645.00	\$406.35	\$406.35
				Subtotal	\$1,033.20
Power Stations					
P10096	21.5" LED Backlit Monitor	2	\$271.00	\$271.00	\$542.00
911808	A9C G3, Second Screen Kit	1	\$295.00	\$185.85	\$185.85
911810-1/BB	Power Station Bundle	1	\$6,860.00	\$4,321.80	\$4,321.80
				Subtotal	\$5,049.65
Power 911					
913100	Power 911 Client and Server Access License	1	\$11,990.00	\$7,553.70	\$7,553.70
				Subtotal	\$7,553.70
Power MIS					
920102	Power MIS Data Access License	1	\$847.00	\$533.61	\$533.61
				Subtotal	\$533.61
MapFlex					
MF-DMS	MapFlex 9-1-1 Client License	1	\$4,395.00	\$2,768.85	\$2,768.85
				Subtotal	\$2,768.85
Staging					
950852	Front Room Equipment Staging - Per Position	1	\$250.00	\$250.00	\$250.00
				Subtotal	\$250.00
Installation					
950104	Professional Services (per Day)	1	\$1,500.00	\$1,500.00	\$1,500.00
960575	Living Expense per Day per Person	3	\$200.00	\$200.00	\$600.00
960580	Travel Fee per Person	1	\$1,250.00	\$1,250.00	\$1,250.00
				Subtotal	\$3,350.00
Project Management Services					
950510	Project Management Services	1	\$0.00	\$2,346.11	\$2,346.11
				Subtotal	\$2,346.11
Freight Estimate					
FREIGHT	Shipping and Handling	1	\$0.00	\$110.00	\$110.00
				Subtotal	\$110.00
Software Protection and Remote Tech Support					
950999/PRO1/1	Software Protection and Remote Technical Support/Position - Year 1	1	\$630.00	\$630.00	\$630.00
950999/PRO1/1	Software Protection and Remote Technical Support/Position - Year 2	1	\$642.60	\$642.60	\$642.60
				Subtotal	\$1,272.60

Software Subscription

950999/SUB1/1	Software Subscription Service - /Position - Year 1	1	\$1,575.00	\$1,575.00	\$1,575.00
950999/SUB1/1	Software Subscription Service - /Position - Year 2	1	\$1,575.00	\$1,575.00	\$1,575.00
Subtotal					\$3,150.00

On-Site Maintenance

950999/ONS1-1/1	On-Site Maintenance/Position - Year 1	1	\$3,150.00	\$3,150.00	\$3,150.00
950999/ONS1-1/1	On-Site Maintenance/Position - Year 2	1	\$3,213.00	\$3,213.00	\$3,213.00
Subtotal					\$6,363.00

Total **\$33,780.72**

Notes

-
- 1 This quote adds a new position at CBCOG, TX/Kingsville PD. Quote assumes that there are available ports on existing VIPER system to support this position. The positions at Kingsville will increase from 3 to 4.
-
- 2 **Professional Services:** This quote represents an estimate of labor costs to perform the work described in this quote. If the amount of labor needed to correct the issue can't be accomplished time allotted in this quote, Intrado will contact the customer representative before performing additional labor. If the actual labor to perform the work is significantly less than the amount quoted, the final charge may be adjusted.
-

- 3 **Software Protection and Remote Technical Support** is a coverage requirement with the purchase and ownership of Intrado CPE system equipment.

Software Protection and Remote Technical Support cannot be deleted from quotes or system orders.

Once a Software Protection and Remote Technical Support service contract is established for the site during system initial purchase, all items subsequently added to the site will not require an additional contract, but the acquisition of additional positions will increase the price of the services.

- a. For sites with one year coverage contracts, the increased price will be reflected in the quote at the next contract renewal point.
- b. For sites with multi-year agreements, the customer will be required to retract the remaining years of the original purchase order and issue a new purchase order for the remaining period covering the original system and new positions.

If a contract for Software Protection and Remote Technical Support expires without renewal, causing a lapse in coverage, the customer's access to the Support Center will be discontinued and a notification of services termination will be issued. Reinstatement of the lapsed coverage will require the following from the customer:

- a) Payment in full for the lapsed period at the prevailing per-seat rate
- b) Purchase of a new maintenance agreement (one-year or five-year)
- c) System Recertification fees in the form of a Class A inspection at \$1,500.00 per day plus related travel and expense charges.

Software Protection

This offering provides for the availability of software product updates. Installation and training (if needed) are not included. Intrado will publish periodic software release bulletins to customers which announce important product updates for Intrado software. Customers may then request the new update from Intrado based on applicability of the release to customer's system. Customer is responsible for installation of all these releases, unless the On-Site Maintenance Service is purchased. If On-Site Maintenance has not been purchased and the customer prefers to have Intrado deploy a new release, Intrado will dispatch appropriate personnel to perform the upgrade on a mutually agreed upon date at Intrado's then current prices for such services.

Remote Technical Support

Support is provided by associates who specialize in the diagnosis and resolution of system performance issues. Remote Technical Support is available 24/7 through both a toll free hotline and a secure customer Internet portal. All service inquiries are tracked by a state-of-the-art CRM trouble ticket system that can be queried by customers through the online portal to obtain the most up-to-date status on their issues.

- 4 **Software Subscription Service** provides the customer with access to software upgrades including new features. This offering only provides for the availability of the software. Installation and training (if needed) are not included. Any required hardware or operating system changes are also not included.

Intrado will provide periodic software release bulletins to customers which announce and explain new feature releases for Intrado software. Customers may then request the new release or version from Intrado based on applicability of the release to customer's system. The customer is responsible for installation of all these releases, unless the On-Site Maintenance Service is purchased. If On-Site Maintenance has not been purchased and the customer prefers to have Intrado deploy a new release, Intrado will dispatch appropriate personnel to perform the upgrade on a mutually agreed upon date at Intrado's then current prices for such services.

5 On-site Support Services are primarily designed to assist with issues that require system expertise in troubleshooting and restoration at the customer's location.

On-site Support Services include travel costs and time and labor related to the service incident. Also included in the service are quarterly on-site preventative and routine maintenance reviews (four per year) of the customer's Intrado system. These maintenance visits can include the installation of routine updates to software. Training, configuration changes, reprogramming and system upgrade labor are not included in this offering, but are available for purchase.

On-Site Support Services options include the designation of a technician dedicated specifically to the customer's deployment(s), or alternately a non-dedicated resource available for use with other customers. Intrado may engage third-party vendors to provide the On-Site Support Services.

Terms

VENDOR NAME	Intrado Life & Safety Solutions Corporation Include quote number and customer EIN/Tax Identification Number on P.O.
SUBMIT P.O.	<u>ordermanagement.safetyservices@west.com</u>
PRICING	All prices are in USD Taxes, if applicable, are extra. Handling and Shipping charges are extra unless specified on the quote.
SHIPPING TERMS	FCA (Montreal), INCOTERMS 2010
PAYMENT	Per Contract
DELIVERY	TBD
VALIDITY	Quote expires on May 21, 2022. However, part numbers beginning with Q, such as QXXXXX, constitute unique third-party components. These components, including model and price, (i) may be subject to change at any time; and (ii) are non-cancellable, non-refundable, and non-exchangeable at any time.
COPYRIGHT	The information contained in this document is proprietary to Intrado Life & Safety Solutions Corporation and is offered solely for the purpose of evaluation.

AGENDA ITEM #15

RESOLUTION # 2021-_____

A RESOLUTION BY THE CITY OF KINGSVILLE, TEXAS AUTHORIZING THE KLEBERG COUNTY CLERK TO USE THE DICK KLEBERG PARK RECREATION HALL AS A COUNTY VOTING PRECINCT.

WHEREAS, the City of Kingsville has received a request from the Kleberg County Clerk to use the recreation hall at Dick Kleberg Park as a voting precinct on election days; and

WHEREAS, the County has redrawn its district maps and created a new voting precinct (#33) and needs a location to hold voting on County/State/Federal election days, and;

WHEREAS, the Kleberg County Clerk will provide the City with a list each fall for voting dates when the facility will be needed in the upcoming year, so that the recreation hall is not rented out on those dates.

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

I.

THAT the City authorizes the Kleberg County Clerk to use the Recreation Hall at Dick Kleberg Park as the new County Voting Precinct #33 on dates of County/State/Federal elections.

II.

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

III.

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

PASSED AND APPROVED by a majority vote of the City Commission of the City of Kingsville, Texas on the 13th day of December, 2021.

Sam Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

AGENDA ITEM #16

RESOLUTION #2021-_____

A RESOLUTION OF THE CITY OF KINGSVILLE CITY COMMISSION REQUESTING THE TEXAS DEPARTMENT OF TRANSPORTATION CONDUCT A SPEED LIMIT STUDY ON THE US 77 BY-PASS FROM THE NORTHERN TO THE SOUTHERN CITY LIMITS OF KINGSVILLE.

WHEREAS, the Texas Department of Transportation ("TXDOT") maintains the US 77 By-Pass that is located on the east side of the City of Kingsville, Texas ("City"); and

WHEREAS, the City can act and make requests for public health and safety issues; and

WHEREAS, the City desires to: (1) reduce the number or frequency of crashes and (2) minimize the risk of fatalities and injuries and/or reduce the severity of any injury to persons or property; and

WHEREAS, the City requests a speed limit study be conducted on the US 77 By-Pass from the northern to the southern city limits within the city of Kingsville for the safety of its citizens and all travelers on this busy highway which is undergoing construction for the I-69 improvements.

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

1. That the Texas Department of Transportation conduct a speed limit study on the US 77 By-Pass from the northern to the southern city limits within the city of Kingsville.
2. That this Resolution shall be and become effective on or after adoption.
3. That all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

PASSED AND APPROVED by the City Commission of the City of Kingsville this the 13th day of December, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM

Courtney Alvarez, City Attorney

AGENDA ITEM #17

AGENDA ITEM #18

RESOLUTION #2021-_____

A RESOLUTION ADOPTING CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT PROGRAM AND ADMINISTRATIVE MANUAL; AND PROVIDING FOR EVALUATION OF EACH APPLICATION FOR CONFORMITY WITH SUCH PROGRAM AND CRITERIA PRIOR TO SUBMISSION TO THE COMMISSION.

WHEREAS, the City Commission desires to establish the City of Kingsville Economic Development Grant Program and Administrative Manual because they see a need for economic development in the city;

WHEREAS, the City believes offering local economic incentives will stimulate new economic development within the city;

WHEREAS, improvements to property in the city increase assessed values thereby expanding the tax base and adding new businesses or expanding existing businesses also increases economic activity through sales tax, new or retained jobs, and new ad valorem taxes; and

WHEREAS, the City has received funding which will allow for the creation of this Economic Development Grant Program within the City of Kingsville;

WHEREAS, the City of Kingsville desires to establish and provide for the administration of a program that provides economic incentives to promote local economic development in the city, pursuant to authority found in federal, state, and local law.

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

I.

THAT the City of Kingsville Economic Development Grant Program and Administrative Manual (attached as Exhibit A) is hereby approved for two years from the effective date of this resolution;

II.

THAT the Guidelines at the end of a term of two (2) years may be readopted, modified, amended or rewritten as the conditions may warrant;

III.

THAT the Guidelines once adopted may be amended or repealed by a vote of three-fourths of the members of the City Commission during the term for which they are effective.

IV.

THAT the city staff shall evaluate each application for conformity with such Guidelines prior to submission to the City Commission.

V.

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

PASSED AND APPROVED by a majority vote of the City Commission on the 13th day of December, 2021.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, City Secretary

APPROVED AS TO FORM:

Courtney Alvarez, City Attorney

CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT PROGRAM AND ADMINISTRATIVE MANUAL

December 2021

Contact:

Mark McLaughlin

City Manager

400 W. King Ave.

Kingsville, TX 78363

(361) 595-8002

mmclaughlin@cityofkingsville.com



CITY OF KINGSVILLE ECONOMIC DEVELOPMENT GRANT (EDG) PROGRAM AND ADMINISTRATIVE MANUAL

PART I. The Economic Development Grant Strategy

Part I. Economic Grant Program Background and Objectives

Part I. A. 1: Background

The City of Kingsville recognizes the challenges of economic development as well as the incredible opportunities that a strategic approach can create. In an effort to bolster the economic development efforts within the city, the City has formed a grant program designed to assist in the creation and/or expansion of businesses in the community.

From the high point of 13,235 jobs in April 2018, Kingsville has lost 2,643 jobs.

Kingsville's poverty rate currently sits at 29.7%, nearly double the state average of 14.9%. The median income for Kingsville is \$38,343, well below the state average of \$59,570.

These factors have led to flat population growth, which hurts the prospects of recruiting development partners to the community.

The Economic Development Grant will seek to address and mitigate one of the most frequent barriers to job creation, project funding.

Part I. A. 2: Grant Objectives

The City of Kingsville and the Kingsville Chamber of Commerce formalized a partnership in 2015 to enhance economic development efforts. Since then, the two organizations have worked aggressively to recruit new development partners to Kingsville. In that time frame the Chamber of Commerce has successfully recruited eight new businesses who have hired over 300 employees with development costs of over \$13 million.

Previous efforts have been primarily focused on recruiting external dollars to the community. The economic development grant program adjusts that approach to focus on incentivizing local residents to create or expand jobs.

It is understood that some resources, whether public or private financing, do not fully meet the needs of a potential project. One of the primary goals of the EDG is to assist those potential business projects by filling the gap in funding needed to launch the project. The EDG is **not** intended to be the sole source of funding for any project in Kingsville. The EDG is intended to augment up to 25% of a total project's cost (allowable costs only). This means the applicant is responsible for 75% of the total allowable project costs in addition to any other costs not allowed under the EDG. Non-allowable project costs listed in Part I. B. 3. below shall not be factored into the percentage calculations. Grant requests of greater than 25% of the allowable project costs shall be considered by the Grant

Administrative Board on a case-by-case basis and shall undergo more detailed scrutiny. No grant application shall be awarded for amounts greater than 50% of the total allowable project cost.

Only projects within the city limits of the City of Kingsville will be eligible to apply for the EDG.

The EDG intends to improve the economic climate of the Kingsville community by focusing on the following:

- The EDG will help to diversify the economy of Kingsville by encouraging new businesses to locate within its boundaries, especially those businesses that are growth oriented that would utilize the local labor force.
- The EDG may require the creation of permanent, full-time jobs for each project.
- The EDG will be used to encourage, develop, and assist business start-ups, retentions and expansions, especially those businesses that promote the efforts of women, minorities, the handicapped, and the low-skilled workers.
- The EDG may be used to encourage and aid in expansion of existing businesses, especially those who would provide jobs to permanent residents of the community.
- The EDG will be used to fill financial gaps for small incubator companies that utilize and promote innovative technologies.
- The EDG may be used to fully utilize the natural resources of the region, being consistent with recognized conservation practices in the development of agricultural and industrial expansion, especially in value-added processing of the region's agricultural products.

Part I. B Grant Overview

Part I. B. 1: Cost/Job Ratio

One of the primary outcomes of each EDG grant is the creation or retention of jobs in Kingsville. Eligible grant applications will be required to create or retain one job per each \$10,000 that is funded through the grant program. These jobs must be created or retained at the location in the City of Kingsville.

Should an applicant fail to reach the minimum job ratio, the applicant may apply for a waiver if they meet one or more of the following considerations:

- a. Historic preservation/revitalization,
- b. Community need,
- c. Community support, and/or
- d. Long term community value.

Part I. B. 2: EDG Funding Projection

The EDG intends to focus 30% to 50% of the grant funds for working capital. Grants for fixed assets may account for more than 50% of all grant disbursements.

Fixed assets are defined for the purposes of this grant as assets which are purchased for long-term use and are not likely to be converted quickly into cash, such as land, buildings, and equipment.

Working capital is defined for the purposes of this grant as the capital of a business which is used in its day-to-day operations.

Part I. B. 3: Anticipated EDG Investments

The EDG will primarily target, but not be limited to, the creation and retention of jobs in the following areas: industrial, research and development, aerospace, manufacturing, logistics, professional services, high-tech, retail, food establishments, processing, value-added agricultural products, and the service sector. These businesses will be targeted because of the high number of full-time, living wage employment opportunities that these businesses produce.

Activities to be financed by the EDG may include, but not be limited to:

1. Business and industrial acquisitions, construction, conversion, enlargement, repair, modernization, or development costs including improvements to the façade of a building.
2. Purchase and develop land, easements, right-of-ways, buildings, facilities, leases, or materials.
3. Purchase equipment, machinery, or supplies.
4. Pollution control and abatement.
5. Start-up costs and working capital.
6. Job training programs.

Grants may be made to applicants for start-up costs, expansion and retention of jobs, and while large companies may submit applications for EDG assistance, emphasis will be placed on assisting small businesses and residents of the City of Kingsville.

EDG Grants may not be used for:

1. Costs of incorporating a business.
2. Purchase of vehicles.
3. Any project outside of the Kingsville, Texas city limits.
4. Purchase of technology/equipment or software.
5. Collateral for private loans or other grants.
6. To pay off debt of any kind.
7. Consulting fees.
8. Marketing or advertising fees.
9. Professional services including but not limited to: architecture, legal, accounting, finance or any other professional services.
10. Plats and permitting fees or associated costs.
11. Costs associated with storage units.
12. Utility costs or deposits.
13. Down payment for the purchase of property.

Standards to be achieved through the EDG include, but are not limited to:

1. Projects which have a direct economic impact on the community including the creation of jobs and tax base for the City of Kingsville.
2. Minority enterprise development.
3. Women owned business development.
4. Veteran owned business development.

5. Growth potential of applicant companies including number of employees as well as sales.
6. Commitment to hire City of Kingsville or Kleberg County residents including contractors and subcontractors to the fullest extent possible.
7. Commitment to purchasing equipment and materials in the City of Kingsville to the fullest extent possible.
8. Revitalization of agriculture and industrial economy.
9. Revitalization of downtown district.
10. Generation of tax revenues for governmental entities which will enable them to upgrade infrastructure that may result in additional industry expansion.
11. Employment of the handicapped.
12. Linkages with area's existing business economy.
13. Ability of borrower's company to meet TCEQ pollution control standards and other environmental requirements.
14. Proposed commitment of private lending institutions to the project.
15. Other projects approved by the Grant Administrative Board and Kingsville City Commission.

Part I. B. 4: Private Investment Leveraging

The EDG portfolio will work to maintain the minimum ratio of two private investment dollars for each EDG dollar (2:1 ratio). The private investment dollars can come from, but are not limited to, the following: area banks, savings and loan associations, investment companies, personal capital, and venture capitalists.

Reasonable assurances must be provided by the applicant that the grant proceeds will not be used to substitute for private capital. These assurances will include execution of the Bank Commitment Letter and Bank Certification of Surplus Asset Unavailability. In addition, personal financial statements will be reviewed in order to determine the availability and accessibility of private capital.

Part I. B. 5: Business Assistance Needs

It is understood that financing is but one of the business development components needed for a successful EDG program. All aspects of business management assistance will be necessary for a successful grant application.

The Kingsville Chamber of Commerce has strategic partnerships with the SBA and SBDC who can assist applicants with business plan development and other items necessary for a successful application.

Part I. C: EDG Application Criteria

Part I. C. 1: Application Criteria

Due to the risk the City incurs in the form of grant funding, the following criteria for an EDG must be considered, and prepared as part of an application submission:

- Permanent residents of the City of Kingsville will receive preferential consideration.
- Must be 18 years of age or older.

- Project must fall within the city limits of Kingsville, Texas.
- Must provide a history and description of the business and an analysis of management ability.
- Must provide a statement detailing use of grant proceeds.
- Must provide an analysis of economic impact.
- Resumes of those involved in day-to-day management.
- A balance sheet and income statement for the previous three years or the life of the business if less than three years old.
- A current (within 90 days of application) balance sheet and income statement.
- For a new business, a pro forma balance sheet and annualized income statement for the first two years.
- A monthly cash flow analysis for 12 months, or 3 months beyond break-even point, if longer than 12 months.
- A schedule of debts which includes the original date, amount, payment, interest rate, balance owed, maturity, to whom payable and collateral securing loan. Indicate if loan is current or delinquent.
- Description of jobs created or retained along with position titles and wage information.
- A schedule of debt financing planned for the next 12 months.
- If the business is a franchise, include a copy of the franchise agreement and the franchisor's disclosure statement that is required by the Federal Trade Commission.
- The names of affiliated (ownership or management) or subsidiary businesses and year-end financial statements for each.
- A copy of any previous government financing received by any principals or affiliated companies. Include the name of the agency, the original date and amount, outstanding balance, loan status and collateral securing the loan.
- If a corporation, a resolution from the board of directors authorizing the company to borrow.
- If a partnership, a copy of the partnership agreement.
- If applicable, a copy of the existing or proposed lease agreement and "Landlord's Waiver Agreement."
- A quote from an independent contractor that is registered with the City of Kingsville for construction projects on an "as completed basis."
- Preliminary plans and specifications, including copies of key cost documents such as real estate purchase agreements, contractor cost estimates, vendor quotes for machinery and equipment, etc.
- If applicable, a statement of costs incurred in the application preparation & by whom.
- Bank certification of no surplus assets availability.
- Certification that the applicant or project partners have not previously filed for bankruptcy protection.

Part I. C. 2: Economic Development Grant Amounts

The EDG will range from a minimum of \$10,000 to a maximum of \$250,000. However, should the nature of a project be such that it would help achieve the stated goals of the EDG, (i.e. creation of a large number of jobs, etc.), the City of Kingsville may elect to

recommend approval for EDG grants that are less than \$10,000, or that exceeds \$250,000 provided there is an affirmative recommendation from the Grant Administrative Board and approval by the Kingsville City Commission.

EDG project funds shall be awarded to the grant recipient at either 50% of project completion or when 50% of applicant's total project funding is expensed. These conditions shall be established in the grant commitment letter from the City of Kingsville. All funds from the City of Kingsville to the grant applicant shall be via direct deposit to the approved banking institution listed in the commitment letter.

Part I. C. 3: Economic Development Micro Grants

EDG applicants wishing to request an amount less than \$10,000 may apply for a micro grant.

Applicants for micro grants must complete the full application process, demonstrate that they meet all other application requirements with the exception of the 1 job they have created/retained per \$10,000 awarded.

Micro grant application will undergo the same review process as larger EDG grant applications and shall be allowed up to a maximum of 50% of the applicants allowable cost share amounts. (The typical 25% grant/75% applicant match does not apply to micro-grants).

The project must provide a clear and defined need for the prospective business and must directly relate to the opening, expansion, or upgrade of the business.

Part I. C. 4: Credit Reports

The following credit, and other, reports will be used to determine the credit worthiness of the applicant and/or principals.

1. Personal credit report of applicant.
2. Personal credit report of principals.
3. Business credit reporting utilizing TRW, Dun & Bradstreet, or any other reporting agency as determined by the Grant Administrative Board.
4. Telephone verification of creditors not reflected on credit reports.
5. Letters of recommendation by public and community business leaders if credit reports have insufficient credit listings.

All credit reports and other information collected by the EDG Grant Administrative Board will be incorporated into the grant application, which is presented to the Kingsville City Commission.

Personal and confidential information will be redacted from the reports. Personal and confidential information will consist of personal addresses, dates of birth, bank account information, credit report information, driver's license information, and social security numbers, or other information deemed confidential under the law.

Part I. C. 5: Appraisal Reports

Independent appraisal reports will be required for the purchase of land, construction projects, or improvements to an existing facility which is owned by the applicant.

Appraisal reports from the Kleberg County Appraisal District shall not be the sole source for appraisal information and valuation.

In some cases, where an appraisal has previously been completed, but is over two years old, a letter of update will be requested. EDG projects involving construction will require an "as built appraisal." Appraiser certifications will be the minimum "state certified" or better. The appraisal information is incorporated into the grant application.

PART II. GRANT OPERATIONAL PROCEDURES

Part II. Organizational Structure

Part II. A. 1: Overview of the EDG Organizational Structure

Administration of all EDG's shall fall to the authority of the Grant Administrative Board. Final disposition on approval or denial of EDG applications rests solely with the Kingsville City Commission. The Grant Administrative Board will possess the ability to:

1. Find projects.
2. Screen and package grants.
3. Process applications and forward recommendations to the Kingsville City Commission.
4. Monitor and Close grants.

The Grant Administrative Board, the Kingsville Chamber of Commerce, the Kingsville Economic Development Corporation, and City of Kingsville shall not provide any legal, accounting, or professional assistance for applicants. Applicants needing assistance for professional services will be required to seek such assistance from other sources.

Part II. A. 2: Grant Administrative Board

The Grant Administrative Board shall be the entity responsible for receiving applications, assessing their validity and potential for success in accordance with this manual, and making a recommendation on approval or denial of EDG applications to the Kingsville City Commission.

The Grant Administrative Board shall consist of three fixed positions as follows:

- A. City Manager-Chair,
- B. City of Kingsville Planning Director-Vice Chair and voting member,
- C. President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce-voting member,

and five (5) at-large voting members nominated by the Kingsville City Manager and approved by the Kingsville City Commission. The five at-large members shall represent a cross section of the local business community. The members of the board must have extensive business and financial expertise.

The Grant Administrative Board shall meet on a monthly basis or as needed by order of the chair.

The at-large Grant Administrative Board Members shall serve terms of two years with no limitation on the number of terms served.

The Grant Administrative Board shall follow Roberts Rules of Order and comply with provisions of the Texas Open Meetings Act. As an open meeting, the Grant Administrative Board shall conduct all business to include a vote on the final recommendation of each project before sending the package to the Kingsville City Commission.

As many of the details required for a thorough assessment of a EDG application contain personally identifiable information, and other sensitive information, the Grant Administrative Board Chair has the authority to appoint subcommittees of Grant Administrative Board Members to convene in private outside the Texas Open Meetings Act to discuss each application, interview the applicant if necessary, and bring those recommendations to the full board for a discussion and vote during posted meetings.

Full Grant Administrative Board membership consists of eight voting members. A quorum is either: 1) five members one of which must be either the Chair or Vice Chair, or 2) if a membership slot is vacant, a quorum is 50% of the total membership plus one (with the one being either the Chair or Vice Chair).

To consider a project and recommend it to the Kingsville City Commission, a quorum of the Grant Administrative Board is required. The project may only be forwarded to Commission with a majority vote of the quorum either with a recommendation of approval or denial. In the event of a tie vote of the Grant Administrative Board, the tie-breaker will be an additional vote amongst the three fixed members only, with the overall vote results passed to the Kingsville City Commission.

Part II. A. 3. EDG Selection Criteria

EDG applicants shall submit their application and all required documentation in paper form, as well as submit any questions to the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce at the Kingsville Chamber of Commerce:

Manny Salazar
President/CEO
Kingsville Chamber of Commerce
231 E. Kleberg Avenue
Kingsville, Texas 78363
Manny@Kingsville.org
(361) 592-6438

Upon completion of the application and submission of necessary documentation, the Grant Administrative Board will review all applications internally either in a subcommittee or full membership. The EDG Grant Administrative Board will make a formal recommendation to the Kingsville City Commission on all grant applications, recommending either the application be approved or denied. The Kingsville City Commission has sole authority to make final decisions on any and all applications. A 4/5ths majority vote of the Kingsville City Commission is required to overturn a Grant Administrative Board recommendation.

EDG applications are available at the Kingsville Planning Department, at the Kingsville Chamber of Commerce, or online at the City of Kingsville or Kingsville Chamber of Commerce websites.

Part II. A. 4: Performance Assessment Process

The EDG Performance Assessment will be achieved under several processes. The response to EDG marketing efforts will be monitored to assess the types of proposed projects, the financing needs, and to determine public sector support for business development and/or retention in the community.

The EDG portfolio will be monitored to see how key components of the EDG plan are being accomplished. The semi-annual EDG Performance Assessment update will be presented to City Commission, while other updates may be presented throughout the year as requested by City Commission.

Part II. B. Grant Application and Processing Procedures

Part II. B. 1: Grant Application

An applicant is solely responsible for submitting a completed application and all required documentation to the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce. The following is required before consideration by the Grant Administrative Board:

- A. A completed application form (available at Kingsville Planning Department, Kingsville Chamber of Commerce or online at either the City of Kingsville or the Kingsville Chamber of Commerce websites).
- B. A history and description of the business and an analysis of management ability.
- C. A statement detailing total project cost, amount and percentage of grant requested, and designated use of grant proceeds.
- D. Must provide an analysis of economic impact.
- E. Resumes of those involved in day-to-day management.
- F. A balance sheet and income statement (current within the previous 90 days of application) for the previous three years or the life of the business if less than three years old.
- G. For a new business, a pro forma balance sheet and annualized income statement projected for the first two years of the business.
- H. A monthly cash flow analysis for 12 months, or 3 months beyond break-even point, if longer than 12 months.
- I. A schedule of debts which includes the original date, amount, payment, interest rate, balance owed, maturity, to whom payable and collateral securing loan. Indicate if loan is current or delinquent.
- J. Description of jobs created or retained along with position titles and wage information.
- K. A schedule of debt financing planned for the next 12 months.
- L. If the business is a franchise, include a copy of the franchise agreement and the franchisor's disclosure statement that is required by the Federal Trade Commission.
- M. The names of affiliated (ownership or management) or subsidiary businesses and year-end financial statements for each.

- N. A copy of any previous government financing received by any principals or affiliated companies. Include the name of the agency, the original date and amount, outstanding balance, loan status and collateral securing the loan.
- O. If a corporation, a resolution from the board of directors authorizing the company to apply for EDG funds and be bound to the guideline requirements.
- P. If a partnership, a copy of the partnership agreement.
- Q. If applicable, a copy of the existing or proposed lease agreement and "Landlord's Waiver Agreement."
- R. A quote from an independent contractor that is registered with the City of Kingsville for construction projects on an "as completed basis."
- S. Preliminary plans and specifications, including copies of key cost documents such as real estate purchase agreements, contractor cost estimates, vendor quotes for machinery and equipment, etc.
- T. If applicable, a statement of costs incurred in the application preparation & by whom.
- U. Bank certification of no surplus assets availability.
- V. Certification that the applicant or project partners have not previously filed for bankruptcy protection.
- W. Permission to pull credit reports.

Part II. B. 2: Grant Approval Procedures

The Grant Administrative Board will consider each grant request on a first-come-first serve basis and will take appropriate action in order to make a recommendation to the Kingsville City Commission. This document is a guide for use by the Grant Administrative Board; however, each application is unique, and the Grant Administrative Board has authority to evaluate each application on its merits and potential for success using any available research to reach a decision.

The Grant Administrative Board may take action to recommend the EDG with standard conditions; recommend the EDG with additional conditions; defer the EDG until additional information is obtained, or not recommend the EDG. The Kingsville City Commission must then agree to either approve or reject the Grant Administrative Board's recommendation. As previously stated in Part II.A.2., a 4/5th's majority vote of the Kingsville City Commission is required to overturn a Grant Administrative Board's recommendation.

A successful EDG applicant will receive a thirty-day commitment letter from the City of Kingsville City Manager containing the following minimum content:

- A. EDG award amount,
- B. Terms of the EDG to include scope of work and detailed specifics for use of grant funding,
- C. Banking instructions,
- D. Any additional EDG conditions presented by the Grant Administrative Board and approved by the Kingsville City Commission.
- E. Non-compliance conditions
- F. EDG amendment procedures,
- G. Instructions for EDG reporting and document retention

The commitment letter shall be signed and returned to the Kingsville City Manager and shall be retained on-file at the Kingsville Chamber of Commerce office within thirty days

of receipt by the EDG recipient. An extension of time may be granted upon request by the recipient if approved by the Grant Administrative Board.

An unsuccessful EDG applicant from the Kingsville City Commission will receive a denial letter from the City of Kingsville City Manager, which will list reasons for the denial of the application. The letter will be without prejudice and will allow the applicant to reapply if the negative conditions should change or if additional information is offered for the Grant Administrative Board's and City Commission's consideration.

Grant applications shall be considered until annual City of Kingsville budgeted amounts in Fund 123 are encumbered.

Part II. B. 3: Grant Disbursement

Once a grant application has been approved by the Kingsville City Commission and the executed commitment letter has been returned to the City of Kingsville and is on-file at the Chamber of Commerce office, the applicant will work with the Chamber of Commerce and City of Kingsville Finance Department for transfer of approved grant funding pursuant with the terms of the grant.

Grant funding shall be transferred to the applicant under the following conditions:

- A. Micro-grants shall be transferred to the applicant's banking institution as delineated in the commitment letter no later than 30 days after return of the commitment letter to the City of Kingsville.
- B. Any EDG applicant awarded an amount over the micro-grant award level shall receive funding as prescribed in the commitment letter no earlier than either:
 - (1) The project is at least 50% complete (construction) per the assessment of the City of Kingsville Building Official, or,
 - (2) At least 50% of allowable expenses have been incurred and paid for by the applicant.

Under certain circumstances, the Grant Administrative Board may recommend to the Kingsville City Commission alternatives for EDG disbursement outside the 50% rules stipulated above.

Should a grant recipient fail to return the signed commitment letter to the City of Kingsville City Manager within 30 days of receipt, the grant will be considered abandoned. (A letter is considered received when----) Should a grant recipient wish to pursue a grant after the 30-day window, they must provide a letter to the Grant Administrative Board detailing the failure to comply with the terms of receipt for funds and remedy for the failure. The Grant Administrative Board may recommend to City Commission an extension for the applicant to receive funds or deny the extension. If a grant is not approved by City Commission for extension, the applicant must re-start the entire process from the beginning.

Part III. : Grant Monitoring and Closing Procedures

Part III. A. 1: Grant Monitoring Procedures

Monitoring of the EDG shall be conducted by the President/CEO of the Kingsville Economic Development Corporation/Chamber of Commerce with reports monthly to the Grant Administrative Board. The following monitoring tasks include:

- a) Make periodic visits to the recipient to review the use of funds to ensure compliance with terms approved by Kingsville City Commission.
- b) Request and review receipts and other documents from the applicant to affirm that funds have been spent for the approved purpose.
- c) Request and review documents to verify the requirement of the creation or retention of one job per each \$10,000 that is funded through the grant program has been met, unless the micro-grant exception applies.
- d) Coordinate with the Kingsville Planning Director to ensure that the applicant is following all City permitting procedures.
- e) Try to ensure the applicant is following all applicable laws of federal, state, and City government.
- f) Accept and validate EDG recipient reports as directed in the commitment letter.

Approval of an EDG Grant does not create an exemption from the permitting and review process as required by the City of Kingsville.

Part III. A. 2: Grant Non-Compliance Procedures

Should an applicant be found to be out of compliance with the terms of the grant, or an amended grant, the Grant Administrative Board will send a letter to the recipient indicating which terms are out of compliance.

The grant recipient shall be provided 10 days from the date of the letter to respond and take the necessary steps to correct items that are out of compliance.

Should a grant recipient fail to respond and/or fail to take necessary steps to correct items that are out of compliance within the 10-day timeframe, the grant will be considered void and the recipient must repay the City of Kingsville 100% of the grant award without regard for the amount of funds that have been previously spent by the recipient.

In addition, if the project pulled any permits from the City, the City may revoke any existing Certificate of Occupancy (COO) or deny an updated COO for non-compliance with the terms of the EDG. Further avenues that may be used for non-compliance include placing a lien on the property in the amount of the award, and/or taking other legal action as allowed by law.

Part III. A. 3: Grant Close-out Procedures

Upon successful completion of the EDG project to the satisfaction of President of the Kingsville Economic Development Corporation/Chamber of Commerce, AND, the City of Kingsville Planning Director, a final report on the project shall be submitted to the Kingsville City Manager with both aforementioned member signatures verifying completion of the project. The final report shall include:

- A. Verification that all terms of the commitment letter have been completed,
- B. A final expense report provided by the EDG recipient detailing all expenses on the project and a detailed itemization of authorized EDG expenses.
- C. A closeout document signed by the Kingsville City Manager, Kingsville Planning Director and the President/CEO of the Kingsville Economic Development

Corporation/Chamber of Commerce shall mark the official closeout date of the EDG project.

Part IV. Administrative Procedures

Part IV. A. 1: Grant Files and Closing Documentation

Electronic files will be maintained by Chamber of Commerce staff for each grant for a period of seven years from the date of grant completion.

Files will contain the following documents:

- A. Completed and approved Grant Application and supporting documents,
- B. Grant approval documents and correspondence, and,
- C. Copies of all other required reports and documents for the processing of the grant from start to completion.

Part IV. A. 2: Accounting Procedures

All EDG accounts will be direct deposited by the grant recipient in an FDIC insured financial institution as stipulated within the commitment letter.

EDG grant funds must be direct deposited by grant recipient in an independent account or subaccount to prevent mixing of grant funds with other funds.

Grant funds must remain segregated until all such funds are expended.

The EDG Administrative Board may request, and grant recipient must provide, documents to verify segregation of funds.

Any EDG funds un-expensed upon completion of the approved project shall be returned to the City of Kingsville.

Part IV. A. 3: EDG Application Rules for Application and Re-visit Rates

No person may be awarded, or, be utilizing more than one EDG at the same time.

EDG applications may not be submitted by more than one person to run concurrently on a single project. Example, a husband and wife may not individually apply for EDG's to be used on a joint project.

Once a recipient has successfully executed an EDG project through the closeout process, they are eligible to re-apply for another EDG no earlier than two years following the official closeout date of the previous EDG.