

AUGUST 25, 2025,

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, AUGUST 25, 2025, 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
Edna Lopez, Commissioner
Norma Alvarez, Commissioner
Hector Hinojosa, Commissioner
Leo Alarcon, Commissioner

CITY STAFF PRESENT:

Charlie Sosa, Interim City Manager
Mary Valenzuela, City Secretary
Courtney Alvarez, City Attorney
Derek Williams, Systems Administrator
Kyle Benson, IT Director
Emilio Garcia, Health Director
Leticia Salinas, Accounting Manager
Juan J. Adame, Fire Chief
Diana Gonzales, Human Resources Director
Susan Ivy, Parks Director
Deborha Balli, Finance Director
John Blair, Police Chief
Nick Rivas, Administrative Assistant
Manny Salazar, Economic Development
Bill Donnell, Public Works Director
Monika Donnell, Municipal Court Supervisor
Alicia Tijerina, Special Events Coordinator
Charlie Cardenas, City Engineer
Frank Garcia, Wastewater Supervisor
Connie Womack, Tourism Director
James Creek, Captain
Erik Spitzer, Director of Planning and Development Services
Carol Rogers, Human Resources Specialist
Raul Soliz, Human Resources Specialist-Safety Training

I. Preliminary Proceedings.**OPEN MEETING**

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

None.

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

None.

III. Reports from Commission & Staff.²

“At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial Services - Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works-Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time.” **A public hearing on the budget & the proposed tax rate will be held for 5:00 p.m. on September 2, 2025, at City Hall in the Helen Kleberg Groves Community Room, 400 W. King Avenue, Kingsville, Texas 78363.** The vote on the budget & tax rate will be held at 5:00

p.m. on September 8, 2025, at City Hall in the Helen Kleberg Groves Community Room, 400 W. King Avenue, Kingsville, Texas 78363.

Mr. Charlie Sosa, Interim City Manager, gave a brief report on street projects.

Ms. Courtney Alvarez, City Attorney, reported that city offices will be closed on Monday, September 1, 2025, for the Labor Day Holiday. A special meeting has been scheduled for September 2, 2025. During the meeting on September 2, public hearings are scheduled for both the city's proposed budget and proposed tax rate for FY 25-26, as well as the introduction of ordinances for both the proposed budget and proposed tax rate. The next regular commission meeting is scheduled for September 8, 2025. During the meeting on September 8th, the commission will take into consideration the adoption of the proposed budget and proposed tax rate.

Mayor Fugate presented two proclamations: South Texas Rage 8u Champions and Kingsville Pony League 14u All-Star Softball World Series. Mayor Fugate also presented Ms. Courtney Alvarez, City Attorney, with a 25-year Service Award.

IV. Public Comment on Agenda Items.³

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

Mrs. Mary Valenzuela, City Secretary, read, verbatim, into the record three public comments that were submitted electronically on behalf of the following individuals: Carlos Escobedo, Lance Hamm, and Rebecca Trant.

Carlos Escobedo, 1221 E. Caesar, Apt. A, "I am a student at Texas A&M University Kingsville studying Political Science. I, like many students, have recently returned to Kingsville and become aware of the recall proceedings against the city commission. I have also seen many social media posts regarding the recall including several making negative statements about city employees and the city manager. These posts are accusing employees of deleting records and other crimes, the city of mishandling tax dollars, and the city manager of illegal hiring practices including hiring an engineer who is profiting from government grants awarded to the city. These statements are alarming because no evidence or documentation is provided to support the claims. If the claims are true then I think they would hopefully lead to an investigation by law enforcement and that the public should be given any proof that is available by those making the claims. It would also look like these posts are created and supported by the campaign of a city commissioner and families of city employee if not a commissioner themselves. This particular aspect is very worrying as it makes it seem as if the online claims are only meant to push the cause of the recall by making baseless claims, a practice that only hurts the organization they claim to want the best for. Our city is growing, getting fiber internet, and bringing in new industries. The grants and projects are huge in scale and a great thing for Kingsville. I would hate to see the future jeopardized by fighting among the elected officials. I don't know much about the situation surrounding the city manager search, but I do know that any good candidate will check the news and online resources about a community. If they see these posts and squabbles quality candidates may decide they don't want the trouble. Bullying, unproven rumors, and online feuds are for children. Our city has the ability to be so much more than it is if our leaders can rise above their personal feelings and think of the community first. I urge you to please consider the positive direction the town is going in before you cast stones and make accusations towards the people who are making the good happen. I thank you for your time". If the comment is too long or I missed the deadline to give you my comment can it at least be given to the city leaders so they can read it on their own? I don't know if that is allowed, but I feel strongly that they are good people and will listen to reasonable citizens. If we all work together and not fight about little things we can make our home a better place. Thank you.

Lance Hamm, 912 South Creek: In my opinion, the dereliction of duty of the five Kingsville City Commissioners not to correct the many violations of the City Charter's RECALL PROCESS this summer, has directly resulted in a Kingsville voter filing a lawsuit against the City of Kingsville in District Court. Have you been informed by the City Attorney that the City Charter has been violated on multiple occasions relating to the recall process? Would you like the City Attorney to immediately inform you when the City Charter has been violated? City residents have heard the City Attorney, in an open meeting, tell this Commission that a third-party could file a lawsuit requesting the Court to compel this Commission to obey one subsection of the city charter relating to a "duty" to call a recall election, but she presumably has not advised this Commission that other plaintiffs could file separate lawsuits to compel this Commission to obey the City Charter on two or three other violations relating to the 30-day requirement and specific/distinct language describing the grounds for removal. If true, these lawsuits can be filed today or in the near future. City residents have heard the City Attorney, in an open meeting, explain a privileged 4-page opinion-letter addressed to this Commission from Lisa Wood, that gave the erroneous opinion that the "ministerial duty to call a recall election" was a duty this Commission "must"

do, even though the recall petition was invalid due to the violation of the 30-day requirement. The 4-page opinion-letter presumably did not advise this Commission that a court's request for a writ of mandamus would most likely be denied because the City Charter does not stipulate a timeframe for this Commission to perform the "duty" and the Court does not have the authority to issue the writ until "all of the requirements" of the City Charter relating to the recall process "have been met." So, on behalf of all concerned city taxpayers, and to avoid more lawsuits in the future, I strongly recommend the five members of this Commission to do their job and correct the MANY violations of the City Charter that have occurred this summer, starting with approving a resolution that REJECTS the recall petition, retroactively effective June 6th, due to the petition not being returned within the 30-day requirement. Here's a list of 4 possible violations that could lead to future lawsuits: 1. 30-day requirement for the recall petition to be returned, 2. Requirement to have the statement of "grounds for removal" to be printed distinctly and specifically on the recall petition, 3. Requirement for the City Secretary TO PRESENT the certified petition to the City Commission at the 23 June 2025 meeting, and 4. Requirement to have 2,805 signatories on the recall petition. Thanks for your consideration.

Rebecca Trant, 820 S. 18th Street: If you have the best interest of the citizens in mind as your true agenda, and know the City's funds are critical to our success in growing Kingsville, why would you not let the recall election move forward and convince me during the election period that you belong on this Commission? To ask the citizens of Kingsville to be satisfied with taxpayer dollars being used to hire an attorney to defend you in a lawsuit that you brought upon yourself because of your personal agenda(s) is a crime. I, as a taxpayer, want to know the potential cost of hiring this attorney before a vote should be taken. You say the recall is not legal and yet, there have been recall elections in the past and not one of you spoke up as to the legality of the process, whether you were a Commissioner at the time or a private citizen. You are not being good stewards of our City funds if you vote to expend City funds in this manner. I was a professional in a leadership position for over 30 years. During that time I served on multiple search committees for executive/professional positions. I know the process as well as, or possibly better than most of you. To expend taxpayer dollars to hire a reputable Search Group to find the most experienced City Manager with the best fit for the City's agenda is a very smart move. What I cannot understand is why we can't find a suitable City Manager candidate in the pool the Search Group has given us. Is there a hidden agenda? Are we not being transparent? Do we already have someone in mind? I, personally, feel the search should be closed and re-posted as soon as possible. Hopefully we have not lost exceptional candidates to other Cities that their Commissioners work for the citizens best interest and not their own agenda! I also believe the Commission should consider including at least 2 citizens that reside in Kingsville to serve on the search committee—one of which should be appointed by the Mayor. We should not consider permanently placing anyone in the position of City Manager that does not have a significant amount of previous experience in that position. In conclusion- I know there are many of us in Kingsville that despair over how the Commissioners are presenting themselves to the public. It is an embarrassment to all of us and we believe it greatly damages any efforts to grow Kingsville. To use your position as a tool for your personal agenda is, what I personally consider, a slap in the face for all citizens of Kingsville.

Elizabeth Ramos, 615 Elizabeth commented that she is pretty sad for the City of Kingsville, as we have an F-rated school district and fighting with the South Texas Water Authority Kleberg County and then we have the in-fighting here with the City of Kingsville. All around, it just doesn't look good here. It is sad that this is the majority of the reflection of what's happening right now, to which she is upset about. Another person emailed stating that seemingly that everything that is on the internet on social media is a lie, but she is here to say that it is not. She further commented that she actually has some of those records, but she has not posted them. They are out there but she just doesn't understand why people aren't sharing them. She stated that what disappoints her about the agenda today is that 7 and 8 look like a walking quorum. She has seen enough on how boards work and has been on one, and this screams a walking quorum to her. She further commented that for her to stand here, you mostly likely have had those phone calls or meet and greets behind close doors where you have had conversations about what's going to happen on this agenda, and it's just nothing but fireworks on this page. Maybe you want to think about what has been said behind close doors for this agenda here tonight. She further commented that what really bothers her here is item 8, this should be in executive session as you will be discussing personnel or possible personnel. There is nothing to discuss out in the public. She further commented that if you want to get personal in open session, let's go, as she is down for it, but that is not the right place to do it. She commented that what concerns her is that government entities have transparency, to put an item on the agenda like this, should be a special interest to the public. The Texas Supreme Court is also noted that the verbiage you use on your agenda, such as personnel matters and the hiring of someone in your city, should probably have a name next to it because it is of public interest. It gives the public an opportunity to call or email the city to let the city know how they feel and how they would want their community to be. She further commented that she is staring at two city

commissioners that she has called and emailed and no one returned her thoughts or what she wants to say to them and further stated that she was ignored. She stated that one of them she has never seen as a commissioner in years prior to running. She stated that this goes to show how out of touch they are. She further commented to get the agenda right, this should be tabled. She commented that she wants to put her special touch on this, because rumors, whether they are true or not, it get people talking and asking questions and gets people to do open records, as apparently they have to do that because a lot of government entities around here makes them do that. Mrs. Ramos further commented that rumor is that there were some very qualified candidates for city commission, and she is not sure where they went off to. Who is the commission deciding to be the next city manager, possibly? She stated that from the rumor she received that person only has an associates degree, and if she would have known about that she would have applied for the job as she has several associate's degrees. Ramos further commented that the commission needs to think about what they are doing tonight and make the best decision for their constituents and table both of these items until the commission has gotten right on the head.

Noel Esquivel, 2910 Leopard, Corpus Christi, commented that he is the 911 Program Director for the Coastal Bend Council of Governments. He is here to speak on behalf of the consent agenda for the interlocal agreements that will be heard and discussed today. The 911 grant assists in the 11-county region and 17 public safety answering points for the Coastal Bend. One of those is here and is known as a host site to which it will provide connections for the rest of the remote sites around the coastal bend and in our region. This interlocal agreement is an agreement for the local government that operates an approved public safety answering point. This agreement insures performance monitoring and adherence for compliance on equipment. The Coastal Bend Council of Governments also assist inside the interlocal agreement the public safety answering point on reimbursing monies for education, equipment, and services that they might not have on the budget as well as for education training services that are related to telecommunication activities. He further stated that they also provide lifesaving equipment for the front and back room and in this case as the Kingsville Police Department is a host site, they also provide what is known as viper equipment, voice over IP for emergency response, which is delicate equipment that they replace every six years, and front room equipment they replace every three years.

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 resolution authorizing the Interim City Manager to execute an Interlocal Agreement for E9-1-1 Public Safety Answering Point Services between the City of Kingsville and the Coastal Bend Council of Governments. (renewal of agreement done every two years), seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

1. Motion to approve of a resolution authorizing the Interim City Manager to execute an Interlocal Agreement for E9-1-1 Public Safety Answering Point Services between the City of Kingsville and the Coastal Bend Council of Governments. (renewal of agreement done every two years). (Police Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

2. Consideration and introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to appropriate funding for Emergency Repairs to the Golf Course Pump Station. (Parks Director).

Mrs. Susan Ivy, Parks Director, stated that Two days ago we had our pump station go down that controls the irrigation at the golf course. . We did not get to water yesterday or today. MIA electric along with PMC (phone) worked together to try and trouble shoot it. They have

determined that the Variable Frequency Drive is bad. The quote for \$12,110.36 is attached. It is vital that we get this replaced so that we can get the course and greens watered. We have determined that there are funds available in the Golf course Improvement fund and are requesting a budget amendment in the amount of \$14,000.00 to cover this repair and any miscellaneous charges for the evaluation that we might receive.

Introduction item.

3. Consideration and approval of a resolution authorizing the Police Chief to enter into a Memorandum of Understanding between the Kingsville Police Department and U.S. Border Patrol Kingsville Station. (Police Chief).

Mr. John Blair, Police Chief, stated that the Kingsville Police Department (KPD) respectfully seeks the City Commission's approval to enter into a Memorandum of Understanding (MOU) with the U.S. Border Patrol (USBP), Kingsville Station. This agreement formalizes a collaborative partnership to enhance public safety, disrupt criminal smuggling activity, and promote operational efficiency through joint enforcement efforts. The U.S. Border Patrol Kingsville Station and the Kingsville Police Department have a long-standing working relationship, often responding to overlapping threats involving human smuggling, narcotics trafficking, and other transnational crimes. In an effort to formalize this partnership, both agencies have drafted an MOU outlining the roles, responsibilities, and operational protocols for a Joint Enforcement Group. Under the agreement, the KPD Officers and/or supervisors will work in a limited role to support joint enforcement efforts alongside USBP agents. The joint mission will target both northbound and southbound smuggling activity within the jurisdiction of Kingsville and the surrounding area. The MOU establishes protocols for custody transfers, information sharing, digital forensics, operational command structure, and use of force. The agreement ensures that both agencies retain administrative control of their personnel and adhere to respective policies and laws. This partnership enhances KPD's enforcement reach, strengthens interagency communication, and contributes to a safer community by targeting organized criminal activity in coordination with federal resources.

Motion made by Commissioner Lopez to approve the resolution authorizing the Police Chief to enter into a Memorandum of Understanding between the Kingsville Police Department and U.S. Border Patrol Kingsville Station, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

4. Consider accepting a monetary donation/grant from the Coastal Bend Regional Advisory Council for the Kingsville Fire Department. (Fire Chief).

Mr. Juan J. Adame, Fire Chief, stated that this item is for approval to accept a CBRAC grant for \$6,261.00. Each year CBRAC distributes funding grants to member EMS organizations. There is no financial impact. This donation will be used in the Fire Department to purchase medical supplies.

Motion made by Commissioner Lopez to approve the acceptance of a monetary donation/grant from the Coastal Bend Regional Advisory Council for the Kingsville Fire Department, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

5. Consideration and introduction of an ordinance amending the Fiscal Year 2024-2025 Budget to accept and expend grant funds from the Coastal Bend Regional Advisory Council Grant for Fire Department medical supplies. (Fire Chief).

Introduction item.

6. Discuss and consider the release of DEAAG grant funds as per the grant process. (Finance Director).

Mrs. Balli, stated that the city was awarded a DEAAG Grant for \$1,700,000 on behalf of the Navy for the construction of a Fire station at the base. This grant award was through an agreement with the Office of the Governor, Texas Military Preparedness Commission on February 13, 2023. As work on this project commenced in 2025, the city is obligated to release \$1,696,408.99 for work that has been completed. Once funding is released, reimbursement will be requested from the Grantor. Reimbursement to the city will occur once all submitted documents have been reviewed and certified by the granting agency. The reimbursement may take up to four months.

Motion made by Commissioner Alvarez to approve the release of DEAGG grant funds as per the grant process, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

7. Discuss and consider to retain/hire an attorney to represent the City of Kingsville, Commissioners Norma Nelda Alvarez, Lionel "Leo" H Alarcon, and Hector Hinojosa

in lawsuit filed by Selina Tijerina in Cause No 25-377-D, in the 105th District Court of Kleberg County, Texas. (Commissioner Alvarez).

Motion made by Commissioner Alvarez to approve retaining/hiring an attorney to represent the City of Kingsville, Commissioners Norma Nelda Alvarez, Lionel "Leo" H Alarcon, and Hector Hinojosa in lawsuit filed by Selina Tijerina in Cause No 25-377-D, in the 105th District Court of Kleberg County, Texas, seconded by Commissioner Alarcon.

Mayor Fugate asked that Ms. Alvarez assist him with this and stated that the City of Kingsville is in this motion, and asked if she and the McKibben Law Firm already represent the city.

Ms. Alvarez responded that, as it happens, anytime the city is served with a suit, it is sent out to the insurance carrier and they will determine whether or not if they will be providing coverage. Because it is a claim that is covered under the city's policy and in this instance the claim that is in this petition is not covered under the policy, which is why the city has to have this action item in order to hire someone to represent the with those funds coming out of the city's coffers and not TML's coffers.

Mayor Fugate asked if they normally have to do this by a motion if we are not covered by the city's insurance.

Ms. Alvarez responded that it happens so very seldom that yes, we generally will have someone appointed to represent us, we make recommendations, TML was contacted to see what other firms in the area which includes Corpus Christi, South Texas and San Antonio that they use to represent governmental entities because you can still hire them on our own, since they already have experience representing governmental bodies and generally have governmental rates.

Mayor Fugate commented that when this thing came up for a vote, to call the election, he asked Ms. Alvarez that in her end discussion, with her, in her, she informed the commission that it would be a violation of the charter not to call the election, was this correct?

Ms. Alvarez responded that there was a discussion that was on the record with regards to the charter states, it's the duty of the commission.

Mayor Fugate asked Ms. Alvarez is she mentioned to the Commission that it would be a violation not to call the election.

Ms. Alvarez responded that the charter states that the commission has the duty to call the election.

Mayor Fugate stated that when they didn't, they violated the charter.

Ms. Alvarez responded that it made the city subject to a lawsuit, for violation of the charter.

Mayor Fugate asked when they didn't, they violated the charter.

Ms. Alvarez responded yes and further commented that she represents, not the individuals, she represents the organization, and the item is about hiring counsel.

Mayor Fugate stated that he wants to make sure that he understands this correctly, and commented that Ms. Alvarez, as their attorney, in open court, said that the commission has violated the city's charter, and by violating the charter, these commissioners have violated their oath.

Ms. Alvarez responded that she will not get into that discussion, as the agenda item is for consideration to retain and hire an attorney and further stated that she thinks she understands where the Mayor is going, but at the same time, the city as an entity, organization, has been sued. The insurance carrier for the city is not providing coverage. Therefore, a firm needs to be, she needs to be authorized to contact a firm to file an answer on the city's behalf, and represent the city. That individual will then look at the claims and make a determination whether or not they can represent the city and the individuals because we have a unified defense or whether there needs to be separate attorneys. If there are separate attorneys recommended by the firm that the city hires, then the commissioners would be notified at that time.

Mayor Fugate stated that he understands this, we need to hire a lawyer for the city, and he understands that. But if you have somebody who has violated the charter and has violated their oath, and now they want the citizens and the taxpayers of this city to pay for their representation, he gets heartburn with that. Fugate further asked if they should have to pay for their lawyers?

Ms. Alvarez responded that the attorney that the city hires to defend the city will make the assessment whether or not they feel they can provide a defense for the city and the three commissioners.

Mayor Fugate stated that this is not what this motion says.

Ms. Alvarez responded that it says the city and the three commissioners.

Mayor Fugate stated that the motion says that they will be hiring lawyers for them, regardless of whether or not there is a conflict.

Ms. Alvarez responded that for the city and the three commissioners. She further stated that if the attorney cannot do that, then the city cannot pay for their defense, because we would not have a unified defense.

Mayor Fugate responded that this is not what this says.

Ms. Alvarez responded that she wrote what she was instructed to write.

Mayor Fugate responded that this is not what it reads. What these individuals could come back and say is that the commission voted hire lawyers for them whether they were in the wrong or not, and then the taxpayers of this community will have to pay these individuals that didn't do their job.

Commissioner Hinojosa asked Ms. Alvarez that if TML didn't cover this because this is not a criminal case.

Ms. Alvarez responded that they said that the cause of action in the suit was not covered under the city's policy.

Commissioner Hinojosa asked if because it was not criminal or was it civil.

Ms. Alvarez responded, no, it was not a covered claim.

Commissioner Hinojosa stated that they usually give a reason why they don't cover that.

Ms. Alvarez responded yes.

Commissioner Hinojosa asked for the reason.

Ms. Alvarez stated that there were no civil damages or monetary relief that was being sought and there are some other items which are stated on the letter because they have definitions for things at length, but it is not a covered claim; because they are just asking the court to order the election or have you all order the election. That is not a monetary claim.

Commissioner Hinojosa stated that there have been some discrepancies and the accusations on the time limit and all that which were discussed.

Commissioner Alvarez asked for a point of order because the commission is getting off and getting into discussion and that is not part of the agenda item.

Commissioner Hinojosa commented that he would back off.

Commissioner Lopez stated that, for the record, she specifically asked Ms. Alvarez when the vote was taken on the election, she specifically asked if they did not vote to have an election, the commission would be in violation of the charter. Commissioner Lopez further stated that Ms. Alvarez's answer to her was yes ma'am.

Ms. Alvarez responded that the charter says the commission has a duty to order the election.

Commissioner Lopez stated that Ms. Alvarez's answer to her was Yes ma'am. Commissioner Lopez further stated that she would like this on the record.

Commissioner Hinojosa asked for the motion to be re-read to make sure.

Mayor Fugate stated that a motion had already been made.

Mrs. Mary Valenzuela, City Secretary, commented that a motion with a second had already been made, and now a vote is ready to be taken.

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

8. Discuss and consider the appointment of the City Manager for the City of Kingsville. (Commissioners Hinojosa & Alvarez).

Mayor Fugate commented that this will be the fourth city manager since he has been here and the commission has always gone into executive session to discuss this, which is the proper procedure to do this. He stated that he does not want to comment on the candidates, but it is something that has been done in the past and the commission is deviating from the process and he would agree with the citizen that came up to the podium and asked to not do this tonight until we have it done in executive session and then the commission can come out and vote on the individual for the City Manager position. Mayor Fugate asked that the commission not to act on this item until we get this done in a proper form.

Commissioner Hinojosa commented that when he went to Ms. Alvarez, about having this item on the agenda, she did not mention anything about that it had to be in executive session and asked why Ms. Alvarez did not correct him at that time.

Ms. Alvarez responded that it is not required, it has been a practice, and when the other commissioner asked her, he was instructed that none was needed.

Commissioner Hinojosa asked if it was not required.

Ms. Alvarez responded that this was correct.

Mayor Fugate commented yes, that it is more of a customary process.

Commissioner Alarcon commented that it was on executive session but then the Mayor and Mayor ProTem walked out.

Mayor Fugate responded that this was correct, as he felt ill and got really sick about what was going on, therefore he had to leave.

Commissioner Alarcon commented that they were not told that, they just walked out.

Mayor Fugate commented that if they don't want to have an executive session with it now, that is fine.

Motion made by Commissioner Hinojosa to appoint Charlie Sosa as the next City Manager for the City of Kingsville, seconded by Commissioner Alvarez.

Commissioner Lopez commented that she is unable to support the motion currently under consideration because this is not the procedure that is historically used to hire for the top executive position for the City of Kingsville. The city hired a professional search firm to find our next City Manager, with the contract for this service costing taxpayers \$16,000. We were presented with a set of four highly professional, qualified, and experienced applicants, followed by two additional sets of four applicants each, totaling twelve applicants. The candidate in question did not apply for the job, resulting in a deviation from established application procedures. As a result, I am facing difficulties in making a sound decision, as the absence of a resume or application prevents me from comparing this candidate's qualifications and experience to those of the other applicants presented by the search company. She further commented that this is making it very hard as the city has never done this and she agrees with the Mayor that we have always gone through executive session to discuss this. Even at the executive session that they were supposed to go to, they would not have been able to make a decision. She stated that she is not sure what happened here, but the commission needs an executive session to discuss this, and he did not apply.

Commissioner Hinojosa commented that the city has always given employees a chance so they can have a first shot at applying for the job. He further stated that here they went the reverse. The city went and got a search firm to give the city the highly qualified candidates and the ones that he saw he did not like any them. He further stated that they had recycle/rethreads and he didn't want that for whatever reason they were not employed in other places. We have someone in-house that has been with the city for over 10 years that knows what is going in the city. You will not get a city manager that will have a degree in finance, engineering or HR. He further stated that this is why he is asking this commission to appoint Charlie Sosa as he has been the unofficial Assistant City Manager. He knows what is going on out in the city. Hinojosa further stated that everyone has their opinion, but this is his opinion of Mr. Sosa. Mr. Sosa is very well liked in the community and he is out there in the community talking to people. Hinojosa stated that this is why he has selected Mr. Sosa that he be appointed as the next city manager for the City of Kingsville.

Commissioner Lopez commented that this is not a favoritism thing. This has to do with our citizens. Yes, Mr. Sosa is well-liked, and she understands that and so far he has done a good job, but the qualifications that the commission spoke about and wanted are not being met. She further stated that us not giving an employee a chance is not true. But for a city manager we have always looked for a search firm. Commissioner Lopez stated that they have their opinion and she has hers.

Mayor Fugate commented that he would like to take exception to one comment that one of the commissioners made. The city had some really good candidates that applied for this job and were working in city government and were well qualified. Fugate further commented that he wants the citizens to know that the \$16,000 that were spent on hiring a search firm did a good job. Everyone one of them had city manager experience at one time or another. It is not fair to say that he didn't like any of them, as he saw the last five and there were a couple in there that he thought were good. He further stated that we have always, in the past, taken the twelve that come in and they get narrowed down to three and invite them to come to visit with them in person and this was not done. Mayor Fugate further stated that he has not been in control of this body since May when the commission took the oath. Decisions are already made before the commission meets and all he is doing is conducting is the meeting. He is not making decisions. As a consequence the commission did not follow their procedure, and it is correct, there is nothing in the charter that says that they have to. The commission hasn't violated any rules or ordinances or laws, but it is a custom that we had in the past, and it has worked well for us. One of the things that Kingsville has had in the past 20 years is some really good city manager's that have come here and been very professional and done a great job. Fugate stated that we didn't follow the procedure and he thinks the commission needs to, but if the commission wants to move forward today with this appointment, he understands that it is already the decision that has been made. At this time, Mayor Fugate called for the rollcall vote.

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

9. Discussion on proposed City of Kingsville Fiscal Year 25-26 budget. (Interim City Manager).

Mr. Sosa stated that the proposed budget is about \$104,141,646.37. He stated that there was \$4,370,416.12 change in the initial proposed budget, with the majority of the change due to the new grant that was added for \$3,964,573.00. The proposed tax rate is .76918 and the current tax rate is .7700. New tax revenue rate is .71665 and the voter approved tax rate is .76919.

Commissioner Hinojosa asked what the tax rates are in the budget. Mr. Sosa responded that the proposed tax rate is .76918.

Commissioner Lopez asked if the commission was going to hear from staff.

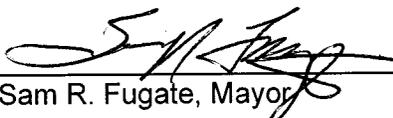
Mr. Sosa responded that due to the fact that there were some major cutbacks in all departments, due to the shortfall the city was in. There was not very much change deleted from the budget to make budget and some of the positions that were cut. He further stated that they didn't think it was necessary to see what it was cut on each department because they went back and cut more from where they had already been cut for several years in the past.

Commissioner Lopez asked if Mr. Sosa had talked with the department heads to let them know where cuts had been made.

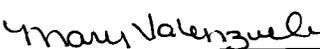
Mr. Sosa responded yes.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 5:57 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary