

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 14, 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
Kyle Benson, IT Director
Nick Chapa, Systems Specialist
Emilio Garcia, Health Director
Juan J. Adame, Fire Chief
Diana Gonzales, Human Resources Director
Deborha Balli, Finance Director
Erik Spitzer, Director of Planning and Development Services
Charlie Cardenas, City Engineer
James Creek, Captain
Frank Garcia, Wastewater Supervisor
Connie Womack, Tourism Director
John Blair, Chief of Police
Rita Pick, GIS Technician

I. Preliminary Proceedings.

OPEN MEETING

Mayor Fugate opened the meeting at 5:24 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)

Motion made by Commissioner Alvarez to approve the minutes of July 14, 2025 with a correction to be made on the July 14, 2025 minutes, which the correction has already been made and given to the commission, and approve the minutes of September 22, 2025 as presented.

Mrs. Valenzuela asked Commissioner Alvarez if she would like to state what the correction is for the record.

Commissioner Alvarez stated that there were parenthesis that she would like to see removed.

Mrs. Valenzuela stated that on page 13 of the minutes for July 14, 2025, agenda item 18, first paragraph, line three, there are parenthesis where it reads "Original petitions were available for inspection during this meeting upon request from the city commission". Valenzuela stated that what Commission Alvarez is asking for is for the parenthesis to be removed from that sentence.

Mayor Fugate asked Commissioner Alvarez if this was her motion. Commissioner Alavarez responded yes.

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

Regular Meeting – July 14, 2025

Regular Meeting – September 22, 2025

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.”

Mr. Charlie Sosa, City Manager, gave a brief report on streets projects. He further commented that the Trash Off event went very well and thanked all those who assisted with this event.

Ms. Courtney Alvarez, City Attorney, reported that the next city commission meeting is scheduled for October 27, 2025. She commented that, as requested by a commission member, we should modify item #16 from the last time it was on the agenda packet to change the City Manager’s contract start date from October 1, 2025, to August 26, 2025.

IV. Public Comment on Agenda Items.³

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

Mrs. Maggie Salinas, 111 N. 5th Street, commented that she would like to review the employment of the last city managers. Three did not comply with some of the city ordinances, such as residency with their families. After a short time, they left their employment. She further stated that each time, it costs taxpayers time and thousands of dollars. Our community, with your leadership skills, has focused on economics, development, education, and training for the workforce. Mrs. Salinas also commented that the city commission has appointed Mr. Charlie Sosa as Interim City Manager, because he is capable and a long-time member of our community. Let us give the opportunity to Mr. Sosa as our City Manager.

Andrew Mendez, 405 E. Alice, commented that he has started a new Facebook page called Kingsville Pothole Patrol. He further stated that he would like to read a story to the City Commission. Once upon a time in Kingsville, all the animals gathered near the city hall. There was a big pothole right in front of the steps, the kind that made carts rattle and feathers fly. Green Jay Oah called out, someone is going to trip and we need to fix this before someone falls, but the animals couldn’t agree on who should fill it. The bull said we will use the strongest mix, the javelinas said no, patch it fast and cheap, and the possums just wanted everyone to stop yelling. They argued from morning to night until the honey badger, Valente, finally shouted while you all are fighting about who is right, the hole keeps getting bigger. The next morning a little calf named Justin walked up with a tiny shovel, he didn’t care about sides, he just started filling the hole one scoop at a time. Oah, the Green Jay joined him and the possum swept the dust. Even Rodensio the old bull smiled and spread the gravel. By sundown the road wasn’t perfect, but it was passable. For the first time in a long time, they all walked across it together. Kingsville’s roads, like its people will always have cracks, but the way we fix them says everything about who we are. We can fight over the holes or pickup a shovel, that’s what civic engagement looks like, not sides, not spectacle, just steady hands and shared streets. Kingsville cares because every road leads home.

John Temple, 519 S. 19th Street, commented that he does not understand how you would pay that much money for a company to pick out candidates and not even pay attention to it. He further stated that if it was a professional company, they must have presented quality candidates, as it is their job. He further stated that if he was going to look at people to build a house, if he got fourteen contractors that gave him pointers, he wouldn’t choose someone else. Mr. Temple stated that it is not a personal attack on Mr. Sosa, but to him he just wonders what the commission is thinking. Did the commission already know that they were going to choose Mr. Sosa? If so, the city should have just saved the money. He further stated that he had read something with regards to the city manager about some issue with regards to delivering limestone, he is not sure if that was something that happened while he was here or at a previous job, but as far as he knows, a city employee can not use city materials or city workers to do personal things. He also stated that maybe the commission already knew they were going to choose Mr. Sosa but the commission had to cover their CYOA and do the search committee and say that no one came up so you were going to hire the guy that the commission was going to hire in the first place. Mr. Temple stated that it could seem that way to him and maybe to several others.

Toni Pena, 440, E CR 2190, but owns property in the city at 1401 Brenda. Mrs. Pena commented that she is here tonight to express her support for City Manager Charlie Sosa. Charlie has lived here many years and he is a Kingsville resident that knows our streets, our people, our struggles, and our true potential. He is not playing politics, he is driven by a genuine commitment to see the city thrive. Since stepping in at Interim City Manager,

Charlie has delivered. He has brought in stability, professionalism, and focus. He provided direction when the city was drifting. He listens, communicates, and works hard. He finds solutions that benefit every single taxpayer in Kingsville. You placed trust in his ability and he has delivered. He has proven himself to be qualified for this job. There are countless successful leaders in this world who built their careers through experience, dedication, and service, not just a piece of paper. Think of Steve Jobs, Walt Disney, and Henry Ford. Charlie has done exactly that. His qualifications are written in his years of hard work and the results he has delivered in this city. Some people have brought up events from 20 years ago, a matter that has been legally resolved and cleared. Mrs. Pena further commented that she would like to ask to pause and think honestly if your decades old mistakes were dragged into the spotlight today, how far would any of us get. We see people in far higher offices in this country who have overcome felonies and still serve. Right here in our communities are family members that we celebrate those that have stumbled and paid their dues and have gone on to build successful lives. She stated that this is not weakness, is it strength to her and that is redemption. None of us live in glass houses and know people who found a better path and what defines a person is not their one bad day but years of dedication that follow. She further commented that Charlie has shown nothing but growth, humility and dedication to this city. That's the kind of leadership we should be supporting, the kind that puts progress over politics and service over self-interest. She further stated that tonight she ask this commission and the community to move forward and stop feeding division and start focusing on unity and progress. What truly matters is working together to move Kingsville forward.

Elizabeth Ramos, 615 Elizabeth Ave., commented that normally when you apply for a professional job there is a certain requirement process that you need to go through. She stated that she wants the three to listen to what she has to say. If you want 100% support, no matter who you choose as a City Manager, there's an application process, a process where that person will tell you their vision for the City of Kingsville. That person will tell you their plan of action and present slides or some type of presentation to the city commission. She feels that this step has been completely forgotten about, which is an important step, because you want those votes yes, and you want to know what you are saying yes to. Mrs. Ramos further stated that she hopes that the commission goes back to the drawing board and did things the proper way. Heard what the interim city manager had to say or any future applicants would want to tell you about what they want to do for our city. She stated that she wishes that the commission would not skip that step as it is important no matter what anyone did a long time ago, they still need to have a plan in place and the city commission needs to have goals for their city manager and are they the person to reach those goals or fill those voids on what needs to be in the city. She stated that she has done some pressure washing in her days after hurricanes in Florida, she loves to pressure wash, but hers broke and she has had this issue in her front yard forever and a day where the main water line keeps bursting and the city treats her yard like a third world country. It looks like it got bombed in her front yard and nobody ever comes to clean it up or make it look half as decent as it was before. She stated that she has a disabled veteran at home and she has a bad back and bad feet and she does not want to spend \$3,000 to fix her front yard. She stated that it should not be her responsibility it should be looking like it was before the issue happened. She stated that she reached out to the Public Works Department asking who fault was this, because this is when LyteFiber was putting down the lines. She stated that she didn't get a straight answer out of that but the next morning she did see the Interim City Manager out in her front yard with the Fire Chief looking at her yard. She would have really liked some kind of communication at her front door on what was going on which is definitely something that has been lacking in the City of Kingsville. So whom ever the commission chooses, she ask they do better on that. She stated that she was impressed because when she came back from spending the day with her daughter, he is out there pressure washing the mud that this caused back into her yard and they did the best they could to make it look good. She stated that she was impressed that he used a fire truck to pressure wash the road. A road that is brand new, which she would like to keep that way, so she commends him for going a little bit more than the past city manager ever did, which was cool.

Joel Saenz, 307 W. Ailsie, commented that a lot of the commission's constituents are disappointed in all five of them. All we see is people getting six-digit figures salaries but see no progress in our city, in any department. Six months ago it was said that the street in front of HEB was going to be fixed but nothing has been done. He stated that he asked again and he received the response soon. He further commented when does the city commission intend in following the charter. When has the city turned around and starting paying six-digits to personnel for not doing their job. Now you turn around and you are going to hire somebody for \$180,000.00, which is a bit much. Hold them accountable for the job position they are supposed to have.

Kathleen Studder, 410 E. Ailsie Ave., commented that she is new to the city and has only lived here for two years and doesn't know Mr. Sosa. She has 12 years of law enforcement in her background and what she has seen and studying human behavior, people rarely change their spots. He is going to have quite a budget to work with and receive a decent salary. Her concern is the fact that he has shown no remorse as she hasn't seen anything in the paper or on Facebook that he has decided to apologize for his past and show that

he has reformed. The concern is that if he was willing to do it once and with a big budget like that what happens if there is an extra \$25.00 or \$100.00 and its gone. She further commented that should the commission continue and want to hire Mr. Sosa, she does not have anything against personally and don't know him, but leopard rarely change their spots. She is asking that there be monthly audits that are published in the paper to show how he is handling the city's budget.

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

- 1. Motion to approve City participation in annual events and parades for FY2025-2026. (Tourism Director).**
- 2. Motion to approve submittal of membership application to the Electric Reliability Council of Texas (ERCOT) for 2026. (renewal of annual membership). (City Attorney).**

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

3. Consider a resolution authorizing the City to submit an application to the Texas Parks and Wildlife Department's Community Outdoor Outreach Grant Program for the purpose of requesting funding for community nature based, family oriented, recreational programming with no cash match required; authorizing the City Manager to submit the grant and the City Parks Director as the Grant Official to act on the City's behalf with such grant program. (Parks Director).

Mr. Charlie Sosa, City Manager, stated that the city intends to apply for the Texas Parks & Wildlife Grant under the Community Outdoor Grant Program. The application will be for up to \$65,000 of grants funds for training, staffing, program organization and implementation for Nature Based, family oriented, outdoor activities hosted at Dick Kleberg Park, local schools and in various Texas State Parks.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City to submit an application to the Texas Parks and Wildlife Department's Community Outdoor Outreach Grant Program for the purpose of requesting funding for community nature based, family oriented, recreational programming with no cash match required; authorizing the City Manager to submit the grant and the City Parks Director as the Grant Official to act on the City's behalf with such grant program, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

4. Consider accepting monetary donations from various sources for Parks Department Healthy Families Program. (Parks Director).

Motion made by Commissioner Alvarez to accept monetary donations from various sources for Parks Department Healthy Families Program, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

5. Consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend donations for Parks Department Healthy Family Events. (Parks Director).

Introduction item.

6. Consideration and approval of Bid No. 25-20 award for GLO CBDG-MIT Contract No. 22-085-009-D237 Project 1: E. Santa Gertrudis Ave. near Fairview, Storm Water Improvement Project, as per recommendation of consulting engineer. (City Engineer).

Mr. Charlie Cardenas, City Engineer, stated that this project includes which consists of the installation of approximately 370 LF of 3' x 4' reinforced concrete box, mill and overlay and overlay approximately 1,460 square yards of existing street asphalt, and storm outfall structure with items associated with the installation and related appurtenances to improve stormwater drainage and reduce fixture flood risks. The total bid range is from \$510,426 to \$666,431.

Commissioner Alvarez commented that she saw a story on KRIS 6 and asked if the story was with regards to this project.

Mr. Cardenas responded yes.

Motion made by Commissioner Alarcon to approve Bid No. 25-20 award for GLO CBDG-MIT Contract No. 22-085-009-D237 Project 1: E. Santa Gertrudis Ave. near Fairview, Storm Water Improvement Project, as per recommendation of consulting engineer, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

7. Consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend Body Worn Camera Grant #5094901 funding for replacement of outdated body worn cameras. (Police Chief).

Mr. John Blair, Police Chief stated that a total of \$28,525 was received for fiscal year 2026. Staff is seeking approval to accept and utilize the grant sponsored by the Office of the Governor under Grant #5094901. Funds must be used to purchase body-worn cameras, digital video storage, retrieval systems, or cloud-based services and requires a 25% cash match of \$7,131 by the grantee.

Introduction item.

8. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances section 15-6-21-Definitions to revise the definition for tiny homes. (Director of Planning & Development Services).

Mr. Erik Spitzer, Director of Planning & Development Services stated that this adopts the latest definition of a tiny home. In the past the definition of Tiny Home was between 400 square feet and 1,000 square feet. It did not address where it sat on actual wheels or trailer. Back in 2018 the International Residential Code reestablished and has a new definition which is that a tiny home is now a dwelling with a square footage of less than 400 square feet and not located or supported on axles or wheels. The ordinance does address it for zoning and addresses the specified size for parcels, but where it does apply for zoning and tiny homes that we address it and comply with and are incongruent with the International Residential Code.

Introduction item.

9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances sections 15-6-21-Definitions and 15-6-25-Cargo Containers to revise the definition and regulations for cargo/shipping containers. (Director of Planning & Development Services).

Mr. Spitzer stated that places within Texas and the country are using shipping and or cargo containers to construct residential structures. The concern is that the city doesn't currently address it, and staff has had recent questions from residents asking what we can do, can we use these to build. This is an item to address that shipping cargo containers may be used to construct residential structures within the city provided all the requirements in Section 15-6-25(a)(1-3) are met. The structure will have to meet the current International Building Codes 3-1-114, and they will submit it the same way if there were going to build any new residential construction which is a pre-development application as well as a normal building permit and would have to abide by windstorm and any other information. The structural design needs to be represented of style and elevation similar to other structures in the area, including roofing and siding, this way it does not stick out. If someone desire to build that structure within the Historical District, just like others would need to go to the Historical Development Board to seek and potentially gain approval and then to the commission for final decision. With all sections of the International Residential Code related to both one and two-family residential structures, he has been advised they use these cargo and shipping containers for not only one but also two-family structures as well.

Introduction item.

10. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances section 15-1-6-Schedule of Permit Fees to update uses and costs for certain permits, especially for parking lots and laydown yards. (Director of Planning & Development Services).

No introduction or discussion on this item was taken.

11. Consider final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 1-City Commission, Section 1-Meetings, providing for revision of process when Mayor and Mayor Pro Tem leave a meeting. (Commissioner Alarcon).

Motion made by Mayor Fugate to approve the ordinance amending the City of Kingsville Code of Ordinances Chapter III-Administration, Article 1-City Commission, Section 1-Meetings, providing for revision of process when Mayor and Mayor Pro Tem leave a meeting, seconded by Commissioner Alarcon.

Mayor Fugate commented that this change was a good idea.

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

12. Executive Session: Pursuant to Section 551.074, Texas Government Code, Personnel Exception, the City Commission shall convene in executive session to deliberate the duties and compensation of the City Manager. (Mayor Fugate).

Mayor Fugate read the executive session for the record and convened the meeting into closed session at 6:03 p.m.

Mayor Fugate reconvened the meeting into open session at 6:14 p.m.

13. Consider rescinding appointment of Charlie Sosa as City Manager. (Mayor Fugate).

Motion made by Commissioner Lopez to rescind the appointment of Charlie Sosa as City Manager, seconded by Mayor Fugate.

Mayor Fugate stated that he would like to explain to the citizens where his position is on this and this has to be the hardest decision he has ever had to make as Mayor, and he has been Mayor for 21 years. Mayor Fugate stated that he likes Charlie as he has done a good job. He knows Kingsville and he knows the people and is very responsive. He has done a really good job as interim, but we are already out on a limb, he doesn't have the academics and does not have a college degree, which is part of the city's minimum requirements. Fugate further stated that it's ok, as he can live with that, as mentioned during public comments, there are a lot of people that you can use as examples of those who don't have a college degree and did well in life. He stated that he can overlook that and overlook the lack of experience as he doesn't have any city manager experience but he knows this town and knows the people and staff and does a good job, which is why he voted for him for the job, but this new revelation that has come up out of New Mexico he can not let that pass. Fugate stated that it is a serious issue and because of that he can't in good conscious agree to hire him. He further stated the commission circumvented the process, and this will be his fifth city manager since he's been Mayor and this has never been done what was done in this case. The commission always picked four to five finalists and they were interviewed. This time, that was not done and he stated that he is part at fault for that, but the city spent \$16,000 and to him that is something that the commission needed to do and they didn't do it. He stated that this is his position on this and it is not personal or political. It is a well-founded concern and he hopes the community can understand that as this is the way he feels about it.

Commissioner Lopez stated that the concern about New Mexico is there but also the concern about him using city property for personal gain is also a big concern for her.

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

14. Consider appointment of Interim City Manager and setting compensation for the position. (Mayor Fugate).

No discussion or action taken on this item as it becomes mute due to the vote for item 13.

15. Consider authorizing staff to move forward with re-opening job search for City Manager position with outside firm. (Mayor Fugate).

No discussion or action taken on this item as it becomes mute due to the vote for item 13.

16. Consideration and approval of a resolution authorizing the Mayor to execute a City Manager Employment Agreement with Charles L. Sosa. (Commissioner Hinojosa).

Mr. Spitzer asked if he could speak.

Mayor Fugate asked if this was Mr. Spitzer's item. Mr. Spitzer responded that this item was for consideration.

Commissioner Lopez commented that the commission would need to make a motion and have a second, and then Mr. Spitzer could speak.

Motion made by Commissioner Hinojosa to approval of a resolution authorizing the Mayor to execute a City Manager Employment Agreement with Charles L. Sosa, seconded by Commissioner Alvare.

Commissioner Lopez commented that he is asking for Mr. Spitzer to speak.

Mr. Spitzer commented that he was hoping that he didn't have to speak, but he has too many concerns himself for the public. He stated that he would like to clarify a few things. He has read the contract and would like to bring some facts. He stated that he is tired of the innuendos and claims without fact. Spitzer stated that in the contract that the commission is now considering again, performance evaluation, it is his understanding that the city manager is going to work with the city commission, no longer the Mayor, to develop performance criteria within the next six months of his commencement date, that is correct. He asked if staff and the public will be able to see that.

Mayor Fugate commented that it is in the contract.

Commissioner Alvarez commented that the Mayor is part of the commission. So when it says commission, that includes the Mayor.

Mr. Spitzer further stated that this is not what the original one said. He is asking all the commission, what did the formers city manager's contract stipulate.

Commissioner Lopez commented that the proper language should have read Mayor and Commission.

Mr. Spitzer stated that he is not speaking to that, he is speaking to the resulting and after it is approved in writing, it's going to be approved by the commission. Then there going to provide with reasonable the city manager an adequate opportunity to discuss it and then there will be an annual performance review. He asked if anybody remembers that requirement. He further stated that he is talking now because of what happened to the former city manager. We shouldn't be discussing this right now. He asked if a performance evaluation for the former city manager happen the last time before his contract was not renewed. Spitzer stated that he is speaking for him right now and if the commission would like him to show up that can be done. He is speaking for the former city manager. So there is no question about facts, he is speaking facts today. He asked if anybody want to refresh their minds. If they did, why doesn't everyone know why his contract was not renewed. No one will answer that simple question of why his contract was not renewed. So why is a staff member or someone from the public say we are going to do another contract but we are not going to follow it again. Spitzer asked if we are going to follow the contract this time. He stated that he thinks they should. As some point the annual performance is going to be reviewed, does all the criteria need to be met. To discuss an adjustment of base salary. He stated that he does like the fact that it was changed from an automatic amount to something different. Will the performance criteria change after the first year, if he doesn't make it. Does that mean you can lower it if he doesn't meet specific criteria. He stated that he would hope it does, as he thinks that's important. The starting salary for someone without experience, and he has heard all the debates and he is fine with that, but is this what we are really talking about, well beyond the established current mid-point in the compensation plan. He stated that he didn't realize that here in the city we started, with no experience, and we didn't start low to mid, we just went beyond and straight to the top. This is something that he is curious about. He stated that for facts, for all those that are concern, by contrast the

offer, the offer to which the former city manager didn't even ask for, what he asked for was what does the rest of the state, which he believes he asked the HR Department to provide that. That amount was voted 3-2 no. That amount is lower than the starting salary for the new city manager. He had almost nine years of experience and he still doesn't know what he did wrong and there is nothing written to show it, even though he had a contract. Spitzer stated that this is not making sense to him.

Commissioner Lopez commented that given the knowledge we now possess about Charlie's background it would be unwise to vote in favor in keeping as city manager or providing him the effort to return to his former position as a Purchasing Manager in the Finance Department. This decision may not serve the best interest of our city and our citizens. The decision to retain Charlie in any city position is extremely concerning. His entire employment history with the city raises significant concerns. The public elects us to be diligent with the use of taxpayers dollars. We invested \$16,000 of taxpayers funds on a firm to assist in attaining a higher objective, which unfortunately did not happen. The letter received from a concerned citizens detailed disturbing information about Charlie, to which Charlie himself has verified the information to be true. Charlie pleaded guilty, no contest with theft charges in New Mexico. The report from 2016 he misused city equipment for personal gain is also very disturbing. While I believe in giving people second chances I'm hesitant to do this when it involves a theft charge and giving him the opportunity in managing millions of taxpayer dollars. If you cannot be honest in small matters, you cannot be honest in large matters. This entire incident has resulted in significant negative publicity for the city. This is why we retain a search firm to help the hiring so that this does not happen. The former city manager's salary has already been said that it was \$168,000 and the new city manager will be earning \$180,000 which is 7.3% higher than the former city manager salary who had all the qualifications. Plus, he will be getting 20 weeks of severance pay if he is terminated. He will be highest paid city manager in the history of Kingsville. On December 5th he was given an raise when the commission appointed him city manager. On December 9th he was approved an additional stipend of \$7,000 plus car allowance and this budget year, none of the employees will receive any cost-of-living increase. Meanwhile a vote is scheduled here to consider a third salary increase for Charlie in less than nine months. This contract constitutes a golden parachute for Charlie. My purpose of attending these meetings is to create a positive impact for our citizens, inspired by my dedication to public service, however, decisions seem to be already made. Before moving forward on voting for this contract for Charlie, the city should conduct a thorough background investigation on Charlie and verify his educational credentials as we required of the twelve applicants that were presented to the commission by the search firm. We, as city commissioners, have to walk in the dignity of our office, and still as she has said, the power belongs to the people.

Mr. Spitzer stated that one final correction, Mark McLaughlin never was looking for another job. There were folks looking for him and called him in the summer and he told them that he intended to retire from the City of Kingsville with at least a renewal of one contract or more. He stated that we need to stop with the non-facts, be transparent and speak the facts.

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

17. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding pending litigation in Cause No. 25-377-D, Selina Tijerina vs. City of Kingsville, Texas, Norma Nelda Alvarez, Hector M. Hinojosa, and Lionel "Leo" H. Alarcon in the 105th Judicial District Court of Kleberg County, Texas. (City Attorney).

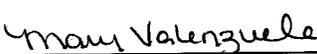
The commission decided that this executive session was no longer needed.

VI. Adjournment.

There being no further business to come before the City Commission, the meeting was adjourned at 6:30 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary