

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, JANUARY 12, 2026, 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, City Manager
 Mary Valenzuela, City Secretary
 Courtney Alvarez, City Attorney
 Kyle Benson, IT Director
 Derek Williams, Systems Administrator
 Susan Ivy, Parks Director
 Manny Salazar, Economic Development Manager
 Charlie Cardena, Engineer
 Emilio Garcia, Health Director
 Connie Womack, Tourism Director
 John Blair, Police Chief
 Bill Donnell, Public Works Director
 Monika Donnell, Municipal Court Supervisor
 Leticia Salinas, Accounting Manager
 Deborah Balli, Finance Director
 Steve Palacios, Fire Marshall

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)

October 27, 2025 – Regular Meeting

November 10, 2025 – Regular Meeting

November 24, 2025 – Regular Meeting

December 8, 2025 – Regular Meeting

Motion made by Commissioner Lopez to approve the minutes of October 27, 2025, November 10, 2025, November 24, 2025, and December 8, 2025, as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting “FOR”.

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

1. Public Hearing on condemnation of structure at 619 W. Ragland, Kingsville, Texas. (Interim Planning & Development Services Director/City Manager).

Mayor Fugate read and opened this public hearing at 5:02 p.m. Mayor Fugate further announced that this is a public hearing. If anyone would like to speak on behalf of this item they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Charlie Cardenas, City Engineer, reported on this condemnation. Property has been inspected and condemned and has gone through the proper committees in order to bring it forward to this public hearing. This started back in July 2025.

Ms. Alvarez reported that this property was inspected by the building official has done an inspection of the property in July 2025. The report notes that the roof is completely dilapidated allowing water inside, windows and doors are busted out and walls have fallen due to water damage. This property has had no water service since 2006 and electric service since 2005.

There being no further discussion, Mayor Fugate closed this public hearing at 5:04 p.m.

2. Public Hearing on condemnation of structure at 728 W. Doddridge, Kingsville, Texas (shed). (Interim Planning & Development Services Director/City Manager).

Mayor Fugate read and opened this public hearing at 5:04 p.m. Mayor Fugate further announced that this is a public hearing. If anyone would like to speak on behalf of this item

they may do so now with a five-minute limit. Additional time cannot be extended by the City Commission.

Mr. Sosa reported that this is a metal storage shed that is located behind the structure that was blown over by the wind.

Ms. Alvarez stated that the building official has inspected the shed. It was determined that it was broken and hazardous. Notices of violation were sent and received. Notice of hearing was sent and received. There is no water or electricity at this site.

There being no further discussion, Mayor Fugate closed this public hearing at 5:06 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, 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 an update on street projects. He further reported that the contractor will be working on the downtown project beginning next week. All downtown merchants have been notified of the work that will be done next week. Mr. Sosa announced that Mr. Manny Salazar has been named the Interim Planning & Development Services Director. Mr. Salazar started in the new role today.

Ms. Courtney Alvarez reported that the next city commission meeting is scheduled for January 26, 2026. Deadline for staff to submit agenda items for January 26th is January 13, 2026.

Commissioner Lopez commented that she would like to wish Mr. Ruben Chapa, former Golf Course Manager good luck in his next endeavor. The Golf Course under Ruben's guidance and dedication facilitate numerous improvements, including the completion of the golf greens, trimming of mesquite trees, removal of cacti from the ponds, improvements to the sprinkler system and a lot more. The golf course revenue substantially exceeded last year's figures. This is a considerable loss for our city as he was well respected by his employees and community members, according to all the Facebook postings.

Mayor Fugate commended the street crew for their hard work cleaning up the streets.

IV. Public Comment on Agenda Items.³

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

Harlis Burton, 902 Elizabeth, commented on his concerns regarding the new establishment that will be opening near his home. The establishment is a food truck court, and his concerns is the food truck court area is zoned for retail. He stated that neighbors around were not notified prior to the beginning of construction. Their first notice was posted in front of the property that a food truck court would be coming soon. There is no evidence that ordinance requirements were being met as in permits. He stated that he would like to see some of the permits that they applied for and approved. He stated that during mass, there were three individuals that were concealed carrying. He stated that they were there for a reason and it was during the meeting. He stated that there have been some bad things that have happened in other states, that he feels that we need to take into concern. He stated that if he is correct, this new location, food truck court, is a place for gathering people. He stated that he doesn't see any concern about security. He stated that he has done a lot of research on this and it has been a long process. There were problems with the previous owner, Mr. Nunez, who expected him to pay half of the fence that went up between the two properties, which is not to the regulations. He further commented that he doesn't know who the owners of the property are, as he has heard it has been sublet to someone else.

Gaylen Thompson, 905 Alexander, commented that their concerns are the same as Mr. Burton. He stated that there is an active alcohol location right across the street from this location. He further stated that no one has spoken to them about what is going on, which is their concern. He further stated that the permits there has any permits to discussed these

permits and voted on these permits to which no one has told them anything. He stated that this is their concern.

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 consent agenda items 1, 2, 3, 5, 6, and 7 and move item #4 to the regular section of the agenda due to an error in the wording for that item, seconded by Commissioner Alvarez.

Commissioner Lopez stated that according to agenda item #4 P&Z members are being reappointed to that board which includes Mr. Crispin Trevino who is not a current member, so there is no way that he can be reappointed. She stated that Mr. Trevino is being considered for this appointment in the regular section of the agenda under item #9. With this error, agenda item #4 needs to be removed from the consent agenda and placed under the regular section of the agenda, as Mr. Trevino is not a current member of the P&Z Board.

Mayor Fugate asked Ms. Alvarez if this item needs to be removed and redrafted.

Ms. Alvarez responded that it can be removed and vote on everybody but him for reappointment when you do the removal. Then vote on his initial appointment, which is item #9, which is already in the regular part of the agenda.

Commissioner Lopez asked if what Ms. Alvarez was stating was for the commission to approve everyone else but Mr. Trevino as he is not a current member.

Ms. Alvarez stated that Commissioner Lopez could get a second to her motion to approve items 1, 2, 3, 5, 6, and 7, and approve those under consent, then item 4 would automatically be the first item for the regular portion of the meeting.

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend grant funds from the State Energy Conservation Office (SECO) for Parks lighting projects. (Parks Director).

2. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend donations from Regency Integrated Health and the Womens Club of Kingsville for recreation supplies. (Parks Director).

3. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend grant funds from the Coastal Bend Regional Advisory Council for Fire Department medical supplies. (Fire Chief).

4. Motion to approve reappointment of Steve Zamora, Debbie Tiffie, Larry Garcia, Brian Coufal, Idotha Battle, Krystal Emery, Crispin Trevino each for 2-year terms to the City of Kingsville Planning & Zoning Commission. (Interim Planning & Economic Development Director/City Manager).

Motion made by Commissioner Lopez to approve the reappointment of Steve Zamora, Debbie Tiffie, Larry Garcia, Brian Coufal, Idotha Battle, Krystal Emery each for a 2-year term to the City of Kingsville Planning & Zoning Commission and remove Crispin Trevino from this agenda item, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

5. Motion to approve reappointment of Eden Hernandez, Albert Garcia, John Garza, Orlando Moya, and Larry Garcia each for 2-year terms to the City of Kingsville Zoning Board of Adjustment. (Interim Planning & Economic Development Director/City Manager).

6. Motion to approve reappointment of D.J. Flores, Ruben Cantu, & Linda Castenada for 3-year terms, Max Segovia & Sally Macias for 2-year terms, and Sandra Seymour & Clarice Williams for 1-year terms to the City of Kingsville Park Advisory Board. (Parks Director).

7. Motion to approve reappointment of Leo Garcia as the City Resident representative for a 2-year term, Lorette Williams as the King Ranch representative for a 2-year term, Dr. Bhakta Hetul as the Hotel Industry representative for a 2-year term. (Tourism Director).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

8. Consider appointment of Justin Woodall as the Texas A&M University-Kingsville representative for a 2-year term and Steven Flores as the Main Street Merchant representative for a 2-year term to the City of Kingsville Hotel Occupancy Tax Advisory Board. (Tourism Director).

Motion made by Commissioner Alvarez to approve the appointment of Justin Woodall as the Texas A&M University-Kingsville representative for a 2-year term and Steven Flores as the Main Street Merchant representative for a 2-year term to the City of Kingsville Hotel Occupancy Tax Advisory Board, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

9. Consider appointment of Crispin Trevino for a 2-year term to the City of Kingsville Planning & Zoning Commission. (Interim Planning & Development Services Director/City Manager).

Motion made by Commissioner Lopez to table this item, and she will explain why.

Commissioner Lopez stated that she would like to thank Mr. Trevino for wanting to serve and for already serving as the city's representative to the Kingsville Appraisal District Board. She stated that the reason she is asking to table this item is that normally, the commission is told when there are positions open, and it is known publicly so that people can know that there is a position open. This is a very important board, as all other boards are as well. She further stated that this item is listed under the Interim P&Z Director/City Manager, which is the presenter, which is Mr. Charlie Sosa, at this time. She stated that with this being said she is suggesting that this could be seen as appointing a family member to this board, which he was currently overseeing as of this morning. She also stated that the information of the vacancy of this board was not shared with the City Commission at an open meeting and passed practice of appointing citizens to our board has been to announce the opening at a commission meeting and to make our citizens aware of the opening so that they have the opportunity to request that they be considered. Lopez further commented that she does not understand the rush to fill this position as a quorum is always met and we need to be transparent and give the citizens the opportunity to be considered. She further commented that this is why she is asking to table this item.

Commissioner Alvarez commented that the problem in tabling this item is that it will be six months.

Mayor Fugate commented that the commission doesn't table it, we pass it. Mayor Fugate asked staff if this was ever discussed in one of our meetings that there was an opening.

Commissioner Alvarez and Commissioner Lopez responded no.

Commissioner Alvarez commented that the directors are the ones that make the recommendation.

Commissioner Lopez commented that the city commission always announce it and people call in and she has been asked by a lot of people that whenever the city has an opening to let them know as they would like to serve on that board. In this case there was no announcement. She is not sure what she is supposed to tell them. She stated that it would be fair to wait one more meeting and you will have the public on notice if they would like to participate.

Mayor Fugate asked Ms. Alvarez for her legal opinion on this situation.

Commissioner Hinojosa commented that this was not announced, but in the past, they haven't announced that there is an opening on any board, so the commission goes ahead and approves it.

Commissioner Alarcon commented that the last one he remembers is the opening that Krystal Emery was appointed to, which was brought up by past City Manager, Mr. Mark McLaughlin. That opening was just on the agenda.

Commissioner Alvarez commented that they are usually just on the agenda.

Commissioner Lopez commented that she recalls them being announced so that it would give the people notice. She stated that instead of the motion she passes.

Mayor Fugate asked if you want to pass on an item, does there have to be a second.

Ms. Alvarez responded that the commission hasn't done it in the past, but it can certainly be done. It is usually a consensus to pass it.

Commissioner Alvarez asked that if it is moved to approve until the next city commission that would be on January 26th, but the deadline to turn in agenda items is tomorrow.

Commissioner Lopez commented that there is no need to rush this as this board has enough members for a quorum. This would give citizens to opportunity to call in if they are interested in serving.

Commissioner Hinojosa commented that the its been the board itself to recommend for somebody to be on that board.

Ms. Alvarez stated that we have had a hybrid, if there is a vacancy and if the director doesn't have a name, for example if a board member has moved or decides to no longer serve, then the board will try to find someone that is qualified. It is also mentioned to the commission where names can be proposed as well.

Mayor Fugate commented that there has not been one set rule on how this is to be done.

Commissioner Lopez commented that she is trying to help Mr. Sosa since he was in charge of this and it is a family member of his, just to be more transparent. She stated that she is just trying to be more transparent.

Commissioner Alvarez asked if this is like a brother or something to Mr. Sosa.

Commissioner Lopez responded that Mr. Trevino is a cousin.

Commissioner Alvarez responded that if it's a cousin, it is not nepotism.

Commissioner Lopez responded that it's not nepotism, but Mr. Sosa. Mr. Trevino already serves on a board, and it needs to be transparent.

Mayor Fugate commented that it will be up to what the commission wants to do with this item, as it is on the agenda. The item could be passed on and brought up at the next meeting or vote on it now.

Motion made by Commissioner Hinojosa approve the appointment of Crispin Trevino for a 2-year term to the City of Kingsville Planning & Zoning Commission.

Mrs. Mary Valenzuela, City Secretary, stated that a motion was already made by Commissioner Lopez and asked if Commissioner Lopez would like to remove that motion.

Commissioner Lopez stated that she will remove her motion, as they already know what they are going to do.

Commissioner Hinojosa's motion was seconded by Commissioner Alarcon.

Commissioner Alvarez stated that as for the deadline for the January 26th meeting, asked how late can you add a name to the agenda or do they wait until the following meeting, should this item not pass tonight.

Ms. Alvarez responded that since this is only a board appointment and not a contract or an ordinance that requires a lot of drafting, for this one particular item this one time, we can get it Thursday morning.

Commissioner Hinojosa asked if there is a rule or ordinance that states that any board member can not serve because they are related to the city manager or any other city official.

Ms. Alvarez responded that she doesn't think to regards to being related to the city manager, she thinks that if she heard the commissioner correctly, with regards to Commissioner Lopez concern was that up until the announcement made at the meeting earlier today, that the city manager was not putting Mr. Manny Salazar in charge of the Planning Department. The city manager had been to that point in charge of the Planning

Department. The concern there was that he was going to be appointing a family member to a board that he would have been supervising.

Commissioner Alvarez stated that she would like agenda item stating that it would be the other Interim Planning Director. At the next meeting there will be another agenda item that states, it could be him again, but then it's not coming that it's a relative of Mr. Sosa. Commissioner Alvarez asked if Mr. Manny Salazar was related to Mr. Trevino.

Mayor Fugate responded no.

Commissioner Lopez commented that this is all for transparency.

Ms. Alvarez commented that if the concern was that the city manager was to oversee the board, as the Interim Planning Director and he has removed himself and has placed someone else to the position as Interim Planning Director then that immediate level of supervision of that relative is no longer there.

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

10. Consider condemnation of structure located at 619 W. Ragland, Kingsville, Texas. (Interim Planning & Development Services Director/City Manager).

Motion made by Commissioner Hinojosa, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be correct without substantial reconstruction then declare the building or structure to be a public nuisance and order its demolition by owner/agenda/person in charge within 30 days, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

11. Consider condemnation of structure located at 728 W. Doddridge, Kingsville, Texas (shed). (Interim Planning & Development Services Director/City Manager).

Motion made by Commissioner Hinojosa, motion finding not able to repair building or structure is unsafe and present condition is a violation of ordinances and cannot be correct without substantial reconstruction then declare the building or structure to be a public nuisance and order its demolition by owner/agenda/person in charge within 30 days, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

12. Discuss and consider accepting monetary donation from Tractor Supply Foundation through the Hometown Hero's program. (Police Chief).

Mr. John Blair, Police Chief stated that this is a request for approval to accept a donation in the amount of \$250.00 from the Tractor Supply Foundation Fund. Each year the Tractor Supply Foundation through the Hometown Hero's Program donates funds to local first responders organizations. The donation will be used to help purchase items for the Blue Santa event.

Motion made by Commissioner Lopez to accept monetary donation from Tractor Supply Foundation through the Hometown Hero's Program, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

13. Discuss and consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend a donation from the Tractor Supply Foundation to help with Police Department's Blue Santa event. (Police Chief).

Introduction item.

14. Discuss and consider approving a resolution authorizing the Chief of Police to enter into a Memorandum of Understanding between the City of Kingsville Police Department and Flock Group Inc.-Flock Safety for law enforcement technology. (Police Chief).

Chief Blair stated that this is a request for approval to enter into a contract with Flock Group, Inc. for the deployment of an automated license plate reader system. This contract will support the continued effort to strengthen public safety, expand investigative capability, and modernize our approach to crime prevention. The contract will be funded through the Edward Byrne Memorial Justice Assistance Grant Program FY 2026 in the amount of \$72,975.00. The grant requires no cash match.

Motion made by Commissioner Lopez to approve the resolution authorizing the Chief of Police to enter into a Memorandum of Understanding between the City of Kingsville Police Department and Flock Group Inc.-Flock Safety for law enforcement technology, seconded by Commissioner Alvarez. The motion was passed and

approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

15. Discuss and consider approving a resolution authorizing the Police Chief and Fire Chief to enter into a Mutual Aid Agreement for Complex Emergency Response and Investigation Planning with the Texas Department of Public Safety, the Kleberg County Sheriff's Office, and other local, state, and federal law enforcement and fire agencies. (Police Chief).

Chief Blair stated that the Kingsville Police Department and Fire Department jointly request approval for the city to enter into a mutual aid agreement for Complex Emergency Response and Investigation Planning with the Texas Department of Public Safety. This MOU is required under Texas House Bill 33, which mandates integrated planning, response, and investigative coordination for active attack incidents at primary and secondary school facilities in each county. The MOU establishes a framework for shared responsibilities, joint exercises, and communications interoperability, coordinated emergency medical response, fire suppression, integration, evidence handling processes, and deployment of combined personnel, facilities, equipment, and supplies. There is no direct financial obligation associated with approving or joining this MOU.

Motion made by Commissioner Lopez to approve the resolution authorizing the Police Chief and Fire Chief to enter into a Mutual Aid Agreement for Complex Emergency Response and Investigation Planning with the Texas Department of Public Safety, the Kleberg County Sheriff's Office, and other local, state, and federal law enforcement and fire agencies, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

16. Discuss and consider approving a resolution authorizing the Police Chief to enter into a Memorandum of Agreement 287(g) Task Force Model with the United States Department of Homeland Security-Immigration and Customs Enforcement. (Police Chief).

Chief Blair stated that this is a resolution to participate in the DHS/ICE 287(g) Task Force Model Program. Through an MOA, this program provides limited, supervised federal authority to designate officers to support investigations tied to criminal activity, trafficking, and transnational crime. Participation strengthens the ongoing collaboration with DHS, U.S. Border Patrol-Kingsville Station, aligns with the Operation Lone Star missions, and enhances regional public safety efforts. There is no direct cost to the city to participate. DHS/ICE training, certification, and program oversight. An initial grant by DHS/ICE upon final approval of the MOA, KPD will be eligible for \$100,000 and an additional \$7,500 sworn officer who completes the online 40-hour 287g Task Force Officer Model Course. With a full sworn staff of 51, KPD could receive approximately \$482,500 total upon approval.

Motion made by Commissioner Alvarez to approve the resolution authorizing the Police Chief to enter into a Memorandum of Agreement 287(g) Task Force Model with the United States Department of Homeland Security-Immigration and Customs Enforcement, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

17. Discuss and consider authorizing the Parks Director to execute an Addendum to the TeeSnap Customer Agreement with TeeSnap, LLC. (Parks Director).

Mrs. Susan Ivy, Parks Director, stated that Teesnap currently provides booking services for tee times online and website services. Current agreement allows them to book 8 players per day of golf without any fee for us in exchange for the services they are providing. The new addendum provides for an additional 4 players per day with additional web advertising services in return.

Motion made by Commissioner Alarcon to authorize the Parks Director to execute an addendum to the TeeSnap Customer Agreement with TeeSnap, LLC, seconded by Commissioner Lopez and Commissioner Hinojosa. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

18. Discuss and consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to appropriate funding for the installation of a turf area around home plate at one baseball field at Dick Kleberg Park. (Parks Director).

Mrs. Ivy stated that this is a request to approve a budget amendment to appropriate \$10,500 from the necessary budget amendment line items for park field improvements. The Kingsville Pony League and Kleberg County will be funding the installation of turf areas at the home plate areas of baseball fields #4, 5, and 6 in Dick Kleberg Park. Each field costs an estimated \$10,500. This will provide a permanent turf area at home plate, replacing the red dirt area that constantly requires dirt replacement and chalking. Improvement of these areas will be a start in the improvements needed to entice

tournament play to the park. Funding has been committed by Kingsville Pony League for \$10,500, plus other funding for improvements to storage and concession stands. Kleberg County will be addressing this same request at their January meeting.

Commissioner Lopez asked how this would be paid. Mr. Sosa responded that it will be paid through reserves.

Introduction item.

19. Discuss and consider introduction of an ordinance amending the Fiscal Year 2025-2026 Budget to appropriate funding for the 2021 TASA Call for Projects- Interschool & Residential Multimodal Connectivity. (City Engineer).

Mr. Cardenas stated that this budget amendment proposes allocating funds for the 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity. The original budget for this project, as awarded by TxDOT, was listed at \$1,248,433.00. The remaining total from the awarded budget is \$0.00, and the requested \$80,076.43 is the remaining balance owed to TxDOT for the cost of preliminary engineering and construction oversight. The total amount of money used on this project was spent on making sidewalk improvements around Harvey Elementary. This improvement was to provide a safer route to school for those who use any non-motorized form of transportation. The amendment appropriates \$80,076.43 for the 2021 TASA Call for Projects – Interschool & Residential Multimodal Connectivity

Introduction item.

20. Discuss and consider a resolution authorizing the City Manager to execute a Change Order #1 for the construction contract with Grace Paving and Construction, Inc. for the GLO CDBG-MIT Contract 22-085-009-D237 Project 14: E. Santa Gertrudis Ave. storm water improvements. (work area-Santa Monica and Santa Barbara). (City Engineer).

Mr. Cardenas stated that this project includes the installation of box culverts along Santa Monica and Santa Barbara Blvd. This contract would extend for an additional 60 days.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute a Change Order #1 for the construction contract with Grace Paving and Construction, Inc. for the GLO CDBG-MIT Contract 22-085-009-D237 Project 14: E. Santa Gertrudis Ave. storm water improvements. (work area-Santa Monica and Santa Barbara), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting “FOR”.

21. Discuss and consider a resolution authorizing the City Manager to execute a Change Order #2 for the construction contract with D&J Utility Services LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 10: N. Armstrong Ave. storm water improvements. (City Engineer).

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to execute a Change Order #2 for the construction contract with D&J Utility Services LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 10: N. Armstrong Ave. storm water improvements, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting “FOR”.

22. Discuss and consider a resolution authorizing the City Manager to execute a Change Order #3 for the construction contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 2: N. 19th Street- storm water improvements project. (City Engineer).

Mr. Cardenas stated that this change order is for a 90-day extension. This project is by the Jubilee School and the Kleberg County Sheriff's office.

Motion made by Commissioner Lopez to approve the resolution authorizing the City Manager to execute a Change Order #3 for the construction contract with R.S. Parker Construction LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 2: N. 19th Street- storm water improvements project, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting “FOR”.

23. Discussion on duties, appointment, and qualifications of the City of Kingsville Ethics Review Board. (Commissioner Hinojosa).

Commissioner Hinojosa stated that the reason he asked for this to be placed on the agenda is to be sure of what the duties are for those the commission chooses to appoint to this committee. This is the first time there has been a code of ethics filed, and the city does not have a board. He stated that he also would like to know what the qualifications are that he has already seen and does not have a problem with, but he does not know if he can discuss

what is in the agenda packet as he does have other questions pertaining to the agenda packet information. He further asked if that could be discussed or does it have to be placed on another agenda.

Ms. Alvarez responded that when they had met, he was talking about discussing duties, appointments, and qualifications. If his discussion is with regards to those areas, then the commission is free to proceed.

Commissioner Hinojosa stated that he does have questions in other areas on the information that is included in the agenda packet. He asked if this needed to be done at the next meeting.

Ms. Alvarez asked if his questions were related to duties, appointments, and qualifications of the board members, or if they were something unrelated to those topics.

Commissioner Hinojosa stated that it is not relating to the qualifications, its relating to what is in the packet. He stated that if he understands correctly, they are following the code of ethics of the Local Government Code Art. 5 Ch 4 and 171. Chapter 4 is public officials and 171 is conflict of interest.

Ms. Alvarez responded that there is a code of ordinance which is found in Chapter 3, under the administration section of the City of Kingsville Code of Ordinances and in Article 13 is where the code of ethics is set out. Items 3-13-1, the statement purpose all the way through the end, which the last item is 3-13-57, Severability.

Commissioner Hinojosa asked if he could ask any questions. Ms. Alvarez responded that he could ask his questions and then at that time she can determine if it falls within what has been posted on the agenda. Commissioner Hinojosa stated that what he wants to know is what is the definition of a public official. He stated that what he interprets as to what a public official is, would be any of the commissioners, department heads, city manager, city attorney, and municipal judge.

Ms. Alvarez stated that the official term is defined in the first set of definitions which are under 3-13-2 which includes 10 categories of individuals.

Commissioner Hinojosa stated that Section 3-13-2 is not what was included in the agenda packet. What was included was 3-13-36 through 3-13-47.

Ms. Alvarez stated that Sections 36-47 are with regard to the Ethic Review Board.

Commissioner Hinojosa asked if the public official does it list all the positions of a public official.

Ms. Alvarez stated that those are all listed in the definition section, but they are not called a public official; it's just called official.

Commissioner Hinojosa asked if this is on the lobbyist.

Ms. Alvarez responded no, as he may be looking at a different set of definitions. Alvarez stated that there is a set of definitions under 3-13-2 that list official and under that it includes 10 categories of individuals, Mayor, members of the commission, municipal court judge, city manager, city secretary, all department heads and assistant department heads, assistant to the Mayor, Executive Secretary, and members of all boards, commissions, committees, and other bodies created by the city commission pursuant to federal or state law or city ordinance including entities that may be advisory only in nature and board members of any entity who are appointed by the city commission to such board membership.

Commissioner Hinojosa further asked that if there is a code of ethics filed against the City Attorney, is the City Attorney exempt, as he did not hear Ms. Alvarez say City Attorney under the definitions.

Commissioner Alvarez stated that Ms. Alvarez did say City Attorney.

Ms. Alvarez responded that regardless, she is still a department head.

Commissioner Hinojosa asked if that would fall under that. He also asked if the City Attorney would also be a public official. Ms. Alvarez responded yes. Hinojosa stated that he only wanted to verify that because the City Attorney is the complaint officer for any complaints filed under the code of ethics.

Ms. Alvarez responded yes.

Commissioner Hinojosa stated that it addresses having a third party, an attorney from outside the city, they can be appointed under the recommendation of the City Attorney. He stated that he does not know who she would make that recommendation to or does it go to the board.

Ms. Alvarez responded that it is addressed in the ordinance, but this is not staying on topic with what we have posted.

Commissioner Hinojosa stated that 3-13-40 states that the city attorney is the compliant officer and it also stated under (b) independent counsel, he stated that then the city attorney can appoint an outside counsel if it falls under certain categories. He further stated that it also says that if it falls under any of the positions mentioned, then an outside counsel needs to be appointed. This would be for the Mayor or the a member of the city commission, city employee that is a department head or that is at a higher rank. Hinojosa asked who would be at a higher rank.

Ms. Alvarez responded that it would be the city manager, city attorney or municipal court judge. Those three positions would be a higher rank than department heads.

Commissioner Hinojosa asked that as the complaint moves up, they would be following the ordinance. (Held up a copy of the ordinance that was included in the agenda packet).

Ms. Alvarez responded yes.

Commissioner Hinojosa stated that he knows that the complaint is confidential and only two people that know about it at this time, City Attorney and City Secretary. He asked that at what point the complaint stops being confidential? Until it goes all the way up through the process? As eventually it will come to the city commission for approval, based on what the board decides. Based on the information or the evidence they are able to collect. Which in this case the City Attorney will be in charge of that.

Ms. Alvarez responded that she would assist the board in whatever the board asks or need assistance with. The board itself would control the process with regards to the complaint. The board with regards to disposition could either dismiss, make a recommendation of dismissal or make a recommendation for action, recommendation for a civil remedy which would then come before the city commission for consideration, or they can make a recommendation for criminal prosecution which would then go to the law enforcement agency.

Commissioner Hinojosa stated that the commission is going to ask somebody to be part of this board and they need to know what they are getting into, what are the duties and looking forward to be. He further stated that social media can kill us, he believes it was Albert Garcia saying that they appoint people to boards, but there is no training. At what point in time will they get any training or will they get any training as to what they are supposed to do or follow and who will do the training. Hinojosa stated that it is hard as he will have to go and get someone and ask them if they would like to serve on this board and if he is asked what the duties are, he wouldn't know what to tell them. He stated that he would like to get someone to serve on the board that will be able to follow the duties.

Ms. Alvarez responded that this board, as with any other board, have the staff liaison that is responsible with working with the board, train any board member, as the staff liaison for this board one would be training anybody that is appointed to the board to help guide them with regard to the roles and responsibilities as she is sure every director does for their board when they have a new member.

Commissioner Hinojosa stated that this is a very sensitive board. He stated that this is where he is at a loss, he understands that someone has to give them some type of direction based on the complaint and confidentiality. Bringing in a board where now instead of two people knowing now there will be seven. At one point in time the information will need to be disclosed to the board. He stated that it is hard for him to be able to appoint somebody at this point plus the other thing hanging over his head is the recall. He further stated that he would rather wait until the recall is behind us, before he appoints somebody. He stated that those are the two things that bother him about this board at this time.

Commissioner Alvarez asked, for clarification, that the board could dismiss or whatever, and asked if what Ms. Alvarez meant with regards to dismiss is to dismiss the complaint and not the person.

Ms. Alvarez responded that it is an advisory board.

Commissioner Alvarez further asked if it would come back to the city commission, comes back the decision of the ethics review board comes to the commission to make the final decision. She further stated that this city was established in 1904 and there has never been

an ethics committee so why all of a sudden do we have to do this as it is very complicated and there is more than two people that know about this complaint, as she thinks that the whole town knows about who the complaint is. She further stated that she doesn't know why the city is looking into doing this as the city has survived all this time without one and why even having to have one know.

Commissioner Alarcon stated that the city has all the other boards, these boards are all public and they use the Community Room for meetings. Alarcon asked what would happen with the Ethics Review Committee when they meet? Will their meeting be made public?

Ms. Alvarez responded that this is addressed in the code of ordinances as well, not sure if it falls under duties, appointments, or qualifications, but there is a level of discretion within board meetings and that is covered in the ordinance advisory opinions are provided to the city commission and those would be public records.

Mayor Fugate commented that what may help the city commission is if the city attorney would develop a qualifications, duties and responsibilities of these members, just do a summary of that. He further stated that it may assist. He further stated that the first question they will get from someone they asked to serve on this board will be what are the duties.

Ms. Alvarez responded to review complaints that are received that qualify under this particular ordinance.

Mayor Fugate asked Ms. Alvarez to draft up a summary, it would probably help. Commissioner Hinojosa commented that he would like to see in that summary the packet that was included in the agenda. This way they will no the ins and outs

Ms. Alvarez responded yes, it was included in the agenda packet as well, as per Commissioner Hinojosa's request.

24. 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 a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

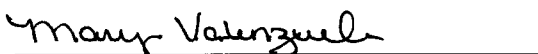
Ms. Alvarez stated that an executive session is not needed at this time.

VI. Adjournment.

As there was no further business to come before the City Commission, the meeting was adjourned at 6:20 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary