

FEBRUARY 9, 2026

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, FEBRUARY 9, 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
Derek Williams, Systems Administrator
Susan Ivy, Parks Director
Manny Salazar, Economic Development Manager
Charlie Cardena, Engineer
Emilio Garcia, Health Director
John Blair, Police Chief
Bill Donnell, Public Works Director
Deborah Balli, Finance Director
Frank Garcia, Wastwater Supervisor
J. J. Adame, Fire Chief
James Creek, Captain

I. Preliminary Proceedings.

OPEN MEETING

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)

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

MINUTES OF PREVIOUS MEETING(S)

Regular Meeting - January 12, 2026

Motion made by Commissioner Lopez to approve the minutes of January 12, 2026 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 request for an alcohol variance for a BF-Retail Dealer's Off-Premise License for an establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas. (Interim Planning & Economic Development Director).

Mayor Fugate read and opened this public hearing at 5:02 p.m. Mayor Fugate further announced that this is a public hearing, and 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. Manny Salazar, Interim Economic Development and Planning Director, stated that Mr. Alvarez, applicant for 6th Street Bar and Patio, is requesting an alcohol variance for the location at 1115 South 6th Street. Staff has sent out 17 letters, to which the city received no feedback from those noticed.

There being no further discussion, Mayor Fugate closed this public hearing at 5:04 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 a brief report on street projects. Mr. Sosa gave a report on Kleberg Street. He stated that the Kleberg Street project was completed on Friday. This work will give the city an additional 3-year warranty on Kleberg Street from the date of completion.

Commissioner Hinojosa asked how long the warranty is for. Mr. Sosa responded that it is an additional 3-year warranty.

Commissioner Lopez asked if this was a seal coat. Mr. Sosa responded that they epoxy all cracks, and work was done on the entire surface.

Ms. Courtney Alvarez, City Attorney, reported that the next commission meeting is scheduled for February 23, 2026, with a deadline for staff to turn in their agenda items no later than February 10, 2026.

Commissioner Lopez stated that at an event she attended she was approached by several citizens regarding their interest on serving on city boards. These citizens were disappointed that the last appointment to the P&Z was not announced before the appointment was made. She further stated that for the record, she would like to explain that on the last commission meeting held on January 12, 2026 there was some incorrect comments made concerning the process for appointing a member. As a community member shouted it out this is an agenda item, Commissioner Lopez commented that she does not want to violate and asked the City Attorney if she could continue with her comment.

Ms. Alvarez responded that the commission is not discussing it only making her statement.

Commissioner Lopez further stated that she is making her statement. Lopez further stated that incorrect comments were made concerning the process for appointing a member to any of the city boards, especially the P&Z board members. There were some incorrect comments made concerning the process of appointing members to any city boards, especially the P&Z board member, Krystal Emery and Larry Garcia. These two individuals have confirmed to Commissioner Lopez that they had a procedure to go through. Lopez stated that she will explain Krystal Emery's appointment since one of the commissioners referred to her appointment by name. On May 14th, Krystal requested an in person meeting with then city manager Mark McLaughlin to express her interest in volunteering for an open board position. Mark recommended the P&Z Commission vacancy. Lopez stated that Mrs. Emery had to send a resume and a letter of intent, as Larry Garcia had to do the same thing. Lopez stated that she is not sure why Krystal's term came up last meeting as her term does not expire until June 2026. She further stated that the procedure in appointing board members, mentioned above, shows transparency and gives all the citizens a chance to participate in the process. Lopez stated that the city needs to follow something like that so she doesn't receive a lot of comments from the citizens, to which she doesn't mind public comments, but they are upset as they did not receive any notification about that board. Lopez further stated that there was a public notice in the local newspaper and she also received several calls from concerned citizens with regards to that notice which was for an RFQ #26-03 as it is being asked for seal proposals to be addressed to Mr. Sosa as Purchasing Manager.

Mr. Sosa responded yes, as he is still the acting Purchasing Manager/City Manager at the moment.

Commissioner Lopez asked since when but further stated that she would speak to Mr. Sosa about that at a later time.

Mayor Fugate addressed individuals who were present at this meeting, and stated that for those in the audience, the way the city commission conducts its business, which has been done for years and years, the members of the audience will have the opportunity to speak during public comments. While the commission is conducting business there will be no more outbursts from the audience, or they will be asked to leave the meeting.

Commissioner Lopez stated that she wants for Mr. Sosa to understand that ethically, this is probably not the way to do this. She recommends that those RFQ's go to the City Attorney for review. She stated that transparency builds trust and credibility. She stated that she has a concern that Mr. Sosa puts himself out there as the Purchasing Manager and ultimately, Mr. Sosa will be making the decision on some of the RFQ's.

Mr. Sosa commented that for clarification. Commissioner Lopez responded that Mr. Sosa is not allowed to speak to her.

Mayor Fugate commented that Mr. Sosa is allowed to speak with Commissioner Lopez.

Commissioner Alvarez commented no, as it is a discussion and is not on the agenda.

IV. Public Comment on Agenda Items.³

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

Andrew Mendez, 405 E. Alice Ave., commented that he wants to speak directly to the people of this town about what Kingsville Pothole Patrol is, how it works, and how your role matters. Kingsville Pothole Patrol didn't start as a protest; it started as a question. Why do we talk so much about problems but struggle to fix the ones right in front of us? Over the last few weeks, something important has happened. City crews have stepped up they are working filling potholes. I've spoken with city workers across the Street Department, and I want to say this clearly, the city is doing its part. There is still a gap and that gap is not effort; it's understanding. A lot of people still don't know how to report a pothole the right way. They complain online and talk to neighbors, and they mention it in passing. The city can't fix what it doesn't receive through the system; that's where the Kingsville Pothole Patrol comes in. Our role is simple: to help residents learn how to use the system so the system can work. We are not a middleman, and we are not here to shame anyone, nor are we here to replace city processes. We are here to teach one thing: complaining tells people how you feel, reporting tells the city what to fix, so let me make this as clear and simple as possible. If a pothole is bothering you, shakes your call, and damages your tire, or reminds you every day that your street needs help, go to kingsvillepothole.com. [Kingsvillepothole.com](http://kingsvillepothole.com) takes you directly to the City of Kingsville's official reporting page. No extra steps, no arguing, no confusion, no Kooky Kingsville, just the location and a photo if you have one, and a report the city can act on. With limited resources, data matters. Report matters, and clear information matters. When you submit a pothole correctly, you will be a part of the solution and not just a frustration. Here is the bigger picture, Kingsville Pothole Patrol is more than asphalt, it's about rebuilding trust, one small action at a time. When residents report, and the city responds, confidence grows, participation grows and community grows. You didn't make the pothole, but you can be the reason it gets fixed. Tonight, my ask is simple, if it bothers you, report, kingsvillepotholes.com. That's how we step in together and that's how every road leads home.

Elizabeth Ramos, 615 Elizabeth commented that she is hear to speak about item 24, Discuss and consider introduction of an ordinance amending the City of Kingsville Code of Ordinances Chapter III, Article 1, City Commission, Section 1, Meetings, providing for revision of meeting item to 4:00 p.m. She further commented that she does not need to be her usual self, she will be nice this time. Ramos commented that she knows why this would make a lot of people mad and she does not need to elaborate all the reasons why. Saying no to this and keeping the 5:00 time is the right thing to do. The county gets hate about their 1:30 meetings, so the city will fall right into their little hateful comments online when the city does this.

Lance Hamm, 912 South Creek, read the following comment as stated below. I consider myself a friend to the Mayor and Commissioners, and to the City Staff. But tonight, I do not speak as a friend, but rather as a registered voter of the City of Kingsville not wanting my civil rights violated due to violations of the Kingsville City Charter. As the city comes to the end of the first lawsuit in the 13th Court of Appeals in a couple of weeks, after kindergarten math from Judge in the 105th District Court, and as the Kingsville Record, its editor, and its Board, consistently leaves the residents of Kingsville without factual information regarding violations of the Kingsville City Charter, let me say that the next law suit is the big one, and the most obvious, the one where the City Secretary is sued for not doing her job correctly as the City's Election Officer whereas she violated the Kingsville City Charter many times, as she has testified on the witness stand. And good for her for telling the truth, hopefully telling the truth saved her job as she admitted her mistakes, took responsibility and was possibly trying to save the city from further wasted expense of another lawsuit, or a recall election that a court will throw out, and save the city from paying for ballots, and everything else that comes with hosting a recall election. The Mayor said after the District Court hearing that the City's Attorney had a conflict of interest, he's referring to the attorney in court that was fighting for the City Charter, the attorney that allowed the City Secretary to admit on the witness stand that she violated the City Charter when certifying the recall petition and accepted the petitions on the 31st day rather than the 30th day as required by the Kingsville City Charter, the attorney that led the judge to say that the affidavit was received on the 6th of May, for counting purposes you start counting he day after, May 7th, and you count 30 days, the attorney that unfortunately could not predict the judge was about to apply kindergarten math and ruled the petition was returned in a timely manner, that is the 31st day. The only conflict of interest exhibited in the District Court hearing, and issues regarding ethics, was Mayor Fugate testifying as

a hostile witness against the city, a hostile witness against the city charter and its recall requirements, and a hostile witness against the city secretary for opening her up for the next lawsuit, the one where she is sued for violating the city charter, sued for knowing about the violations, testifying in open court about the violations and not submitting a letter to the city commissioners revoking the certification of the recall petition either in 2025, now, or in the near future before ballots are purchased. Is the city secretary going to allow the certification of the recall petition to hold, without revocation, after testifying on the witness stand the certification was in violation of the Kingsville City Charter. Can she save her job if she does so? Can she survive the next big City lawsuit and its attorney fees paid by the city?

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 Lopez and Commissioner Alarcon. 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 a donation from the Tractor Supply Foundation to help with Police Department's Blue Santa event. (Police Chief).
2. Motion to approve final passage 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).
3. Motion to approve final passage 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).
4. Motion to approve reappointment of Krystal Emery to the City of Kingsville Planning & Zoning Commission for a two-year term, running from June 2026-June 2028. (her current term has not expired; June 2024-June 2026) (Commissioner Lopez) (Economic Development Manager/ Interim Planning & Development Services Director).
5. Motion to approve reappointment of Norma Sue Adrian to the City of Kingsville Health Board for a three-year term running from February 2026-February 2029. (Health Director).
6. Motion to approve reappointment of Lupe Ruiz and Gloria Bigger-Cantu as Resident representatives and Elaine Jameson, Sylvia Molina, and Rose Morales as Downtown Merchant representatives to the City of Kingsville Main Street Advisory Board, each of the representatives for a two-year term running from February 2026-February 2028. (Tourism Director).
7. Motion to approve reappointment of Kathy Pawelek to the City of Kingsville Hotel Occupancy Tax Advisory Board as the Conner Museum representative for a two-year term running from February 2026-February 2028. (Health Director).
8. Motion to approve a resolution authorizing the Mayor to execute the Permission and Indemnity Agreement with the King Ranch, Inc. for the 21st Annual Ride on the Wild Side Charity Bike Event. (City Attorney).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.⁴

9. Discuss and consider approving an alcohol variance for a BF-Retail Dealer's Off-Premise License for an establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas. (Economic Development Manager/ Interim Planning & Development Services Director).

Motion made by Commissioner Alvarez to approve the alcohol variance for a BF-Retail Dealer's Off-Premise License for an establishment known as 6th St. Bar and Patio, 1115 S. 6th St., Kingsville, Texas, seconded by Commissioner Lopez and Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

10. Discuss and consider the appointment of Jacob Perkins as a Downtown Merchant representative and Rudy Trevino as the Texas A&M University-Kingsville representative to the City of Kingsville Main Street Advisory Board, each for a two-year term running from February 2026-February 2028. (Tourism Director).

Motion made by Commissioner Hinojosa to approve the appointment of Jacob Perkins as a Downtown Merchant representative and Rudy Trevino as the Texas A&M University-Kingsville representative to the City of Kingsville Main Street Advisory Board, each for a two-year term running from February 2026-February 2028, seconded by Commissioner Lopez and Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

11. Discuss and consider the appointment of Devraj Patel as a Hotel Industry representative on the City of Kingsville Hotel Occupancy Tax Advisory Board for a two-year term running from February 2026-February 2028. (Tourism Director).

Motion made by Commissioner Lopez to approve the appointment of Devraj Patel as a Hotel Industry representative on the City of Kingsville Hotel Occupancy Tax Advisory Board for a two-year term running from February 2026-February 2028, 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 authorizing City sponsorship of and participation in Meet the Blues event to be held at the JK Northway on April 17, 2026 through waiver of cost of City security and emergency services personnel at the event. (in conjunction with the Wings Over South Texas Airshow is to take place April 18 & 19, 2026 at NAS-Kingsville). (Tourism Director).

Motion made by Commissioner Lopez to approve the sponsorship of and participation in Meet the Blues event to be held at the JK Northway on April 17, 2026 through waiver of cost of City security and emergency services personnel at the event. (in conjunction with the Wings Over South Texas Airshow is to take place April 18 & 19, 2026 at NAS-Kingsville, seconded by Commissioner Hinojosa and Commissioner Alarcon. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

13. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #1 to the construction contract with Mor-Wil LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 3: E. Caesar Ave. storm water improvements. (City Engineer).

Mr. Cardenas stated that this change order addresses unforeseen issues during construction. It was noted that during rain events and utility breaks in the city, Caesar Ditch would hold the runoff water, causing damage and delays at the construction site. Additionally, the city had been incurring the testing cost during construction. CO-1 would allow the grant to pay for the testing cost.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to execute Change Order #1 to the construction contract with Mor-Wil LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 3: E. Caesar Ave. storm water improvements, seconded by Commissioner Alarcon. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

14. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #1 to the construction contract with Mor-Wil LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 5: E. Caesar Ave. storm water improvements. (City Engineer).

Mr. Cardenas stated that Change Order No. 1 is for a bypass pumping system and lab testing procedures for the entire project duration. This will extend to 15 contract days.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute Change Order #1 to the construction contract with Mor-Wil LLC for the GLO CDBG-MIT Contract 22-085-009-D237 Project 5: E. Caesar Ave. storm water improvements, seconded by Commissioner Hinojosa. 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 City Manager to execute Change Order #3 to the construction contract with Donald Hubert

Construction Co. for the GLO CDBG-MIT Contract 22-082-016-D218 Project 1: 14th Street sanitary sewer improvements project. (City Engineer).

Mr. Cardenas stated that Project 1, Forced Main and Lift Station Wastewater Improvements, is a critical component of the city's infrastructure upgrades. This project includes the installation of a new lift station, Wastewater forced main, Cast in Place Pipe, junction boxes, and related appurtenances to improve wastewater infrastructure and operations risks.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute Change Order #3 to the construction contract with Donald Hubert Construction Co. for the GLO CDBG-MIT Contract 22-082-016-D218 Project 1: 14th Street sanitary sewer improvements project, seconded by Commissioner Hinojosa and Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

16. Discuss and consider a resolution authorizing the City Manager to execute Change Order #4 to 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 addresses unforeseen issues during construction, including utility adjustments with a conflict with the 6x4 concrete box being constructed. As a result, a change in design will need to be added to include a larger 7x4 concrete box.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute Change Order #4 to 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 Hinojosa. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

17. Discuss and consider authorizing emergency purchase and repairs to the blowers at the North and South Wastewater Treatment Plants. (Public Works Director).

Motion made by Commissioner Hinojosa to authorize the emergency purchase and repairs to the blowers at the North and South Wastewater Treatment Plants, seconded by Commissioner Alarcon.

Mr. Bill Donnell, Public Works Director stated that this is for emergency repairs, as the city is limping along for the last few years on the blowers. He stated that the South Plant Blower, the Turbulex, is down, for probably a year, running on a backup blower which is a 1978 Spencer Blower that was rebuilt about 8 years ago. That plant is running on the old blower and we don't have a backup blower, which is required by TCEQ that all plants have to have primary and secondary blower. The North Plant, is running on the Turbulex Blower which were installed in 2006. There is an old Hoffman that is 1975 that has been down for about a year and there are issues in trying to figure out what is wrong with it and why it won't work. They have replaced soft start and the motor was new but people have come and tested and finally a company was called from the Valley area and they took the entire unit and it was determined that it was bad. They are waiting for a motor and that will be installed. Donnell stated that the Turbulex is running at 55%. These Turbulex blowers that were installed in 2006 continually have electrical issues and parts you can't find. He further stated that they have had IT and flow down specialists from Minnesota several times and they haven't figured out the Turbulex Blower at the South Plant. The only thing they come up with is having to replace all the electrical issues for about \$160,000, and you still have an old blower that you can't get parts for or repair. Donnell further stated that the old blowers, they are direct derive. You have a motor with a soft start and fires up and spins as fast as the motors turns it. The Turbulex is high efficiency and blows off air that is required by the plant. So currently, with the North Plant blower only being able to blow at 55%, the ammonias are going higher and we are barely able to complete the biological process with the air, as we are limited. Donnell stated that this is why this is being brought to the commission as a four blower system, the primary and the backup, because we are in jeopardy of busted permit and he does not want to stand in front of the commission with a busted permits and we have been asking for years to get these replaced. It's not the only thing that we really need, but that is what we are here today asking for. Grants and other things, opportunities have gotten in the way of getting them replaced.

Commissioner Alvarez asked that to get new ones it was mentioned that since 2006 they were repaired or were they new back then.

Mr. Donnell responded that two Turbulex Blowers were bought back then, one at the North Plant and one at the South Plant, and then we retained the original blowers when the plants were built as a backup.

Commissioner Alvarez asked what the cost would be for the new blowers.

Mr. Donnell responded that the North Wastewater Treatment Plant will be \$1,306,200.00 and the South Wastewater Treatment Plant \$1,191,620.00.

Mayor Fugate asked if these hadn't already been replaced.

Mr. Donnell responded that the city went through emergency blower repairs which cost around \$80,000.00, for the South Plant.

Mr. Sosa commented that what the Mayor is thinking about are the UV Lights that were just repaired not to long ago.

Commissioner Alvarez commented that Mr. Donnell commented that there were no grants available.

Mr. Donnell responded that what he stated was that they have been asking for years. There had been money budgeted at one time, but grants are available and so it was said to push for grants. He further stated that we have pushed for grants as long as we can. The mid-mod money came and we just need to act on it and have these things replaced or we will be in a worse situation.

Commissioner Lopez asked Mr. Sosa if these blowers had already been ordered.

Mr. Sosa responded we haven't ordered them yet, which is why we are here tonight, so that we can push for the ordering of these blowers so that we can get them in, because it is not something that is readily available, so they will be coming.

Commissioner Lopez commented that some of the information in the packet made it seem as if it had already been ordered.

Mr. Sosa responded that those are the quotes. The cost for shipping them, because they are going to fly them in, as that is the astronomical cost to them, because of the emergency we are in. So, we spoke to GLO.

Mayor Fugate asked how long it will take to have these replaced.

Mr. Donnell responded that we have one that we are looking to redirect that was ordered by someone else and they are going to redirect one and that's an expedited shipping cost to save the South Plant.

Mayor Fugate asked if someone else had ordered and now they don't want to pick it up.

Mr. Donnell responded that we are redirecting due to the emergency of our situation. The company is going to offer that.

Commissioner Lopez commented that then we did order.

Mr. Donnell responded that the company is going to offer that to us, to redirect.

Commissioner Lopez commented that if they are already doing that, then we did order something, and commented to Mr. Sosa that we are going to get something.

Commissioner Hinojosa commented that sometimes you have to order them if it's an emergency.

Mayor Fugate asked if this is the thing that we did when we got money from the other departments.

Mr. Sosa responded that the first time we were going to change the blower it was part of the issue, but we had the issue with the UV Lights that we ran into. So we used all the ARP Funds from different departments as it was close to \$1.5 million to replace that. He further stated that this is what this money was initially for, was for the UV Lights. We replaced the UV Lights so we went back and changed the grant to add the blowers to it. Since the blowers and the UV Lights were in the same location we didn't have to work on a environmental as it was already done for this grant. That's why the mid-mod money came in at the right time, beneficially we received close \$4 million for wastewater and water and that's what this money is going to go for. Sosa stated that they did speak with GLO and GLO said to go ahead and get them because the nature of the urgency of us going into busting the permit.

Mayor Fugate asked how long we have had the mid-mod money.

Mr. Sosa responded that we recently got notified about six months ago that we have this mid-mod money. We applied for it two years ago.

Mayor Fugate stated that he recalls that they had held us up as we were the first ones to apply for it and the last ones to get it.

Mr. Donnell commented that these blowers are magnetic bearings and oil-free, which means that they are maintenance-free, while the other blowers require oil and other maintenance that these won't require.

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

18. Discuss and consider approving a resolution authorizing the Mayor to execute an Advanced Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project Utilizing Transportation Developmental Credits Both On-System and Off-System with the Texas Department of Public Safety. (amending agreement approved 1/23/23). (City Engineer).

Mr. Cardenas stated that this is the Safe Routes to School Grant. The city is responsible for any overruns or change orders, which this is not any of that. Cardenas further stated that the city also applied for additional funding of \$866,000 from the Federal Government. This will cover any change orders and overruns. One in particular being the addition of sidewalks on Johnston Street which was previously worked on with the stormwater between Armstrong and College Place, which are over by Harrel Elementary School.

Commissioner Lopez asked if Harrel Elementary School will be closing, will it jeopardize anything with the sidewalks.

Mr. Cardenas stated that it should not jeopardize anything, as contracts have already been signed.

Motion made by Commissioner Alarcon to approve the resolution authorizing the Mayor to execute an Advanced Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project Utilizing Transportation Developmental Credits Both On-System and Off-System with the Texas Department of Public Safety. (amending agreement approved 1/23/23), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

19. Discuss and consider approving a resolution of the City of Kingsville authorizing the submission of an application to the Texas Water Development Board (TWDB) for the Drinking Water State Revolving Fund Loan Program's Call for Projects for City water system projects; requesting financial assistance from TWDB; authorizing the filing of an application for assistance; and making certain findings in connection therewith. (City Engineer).

Motion made by Commissioner Hinojosa to approve the resolution of the City of Kingsville authorizing the submission of an application to the Texas Water Development Board (TWDB) for the Drinking Water State Revolving Fund Loan Program's Call for Projects for City water system projects; requesting financial assistance from TWDB; authorizing the filing of an application for assistance; and making certain findings in connection therewith, seconded by Commissioner Alarcon.

Mr. Cardenas introduced Mr. Isaac Guajuaca from Garver Engineering. Mr. Guajuaca stated that they have been working with the city for the last several years in including efforts for the North and South Water Plants with their issues and potential solutions. He further stated that they are also pursuing funding opportunities for the city. He stated that their last effort, about a year and a half ago, has paid dividends where they have been selected for funding opportunity of \$19.6 million, have been selected and invited to apply for that funding. This resolution is one of the requirements. He further stated that the projects that have been prioritized by the management of this city to tackle with this funding that we will be receiving include two new ground water wells, rehabilitation of the ground storage tanks, and minor improvements to the distribution system.

Commissioner Hinojosa asked if there was any forgiveness in this loan? Mr. Guajuaca responded yes, up to \$10 million.

Ms. Alvarez commented that there is a 30% match.

Commissioner Lopez asked if the City Attorney has reviewed all documents? Ms. Alvarez responded that what she has received has been reviewed.

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

20. Discuss and consider approving a resolution authorizing application to, administration of, and acceptance of Office of the Governor, Public Safety Office Criminal Justice Division's Body-Worn Camera Grant Program, FY2027; authorizing the Chief of Police to act on the City's behalf with such program. (no cash match) (Police Chief).

Chief Blair stated that this resolution is for approval to apply for funding through the FY 2027 Office of the Governor Solicitation Body-Worn Camera Grant Program. This grant will continue to support advanced body-worn camera technology and associated digital evidence management systems. The total project cost is \$38,034.06. The grant requires a 25% cash match of \$9,508.52, of which funds will be sourced from Chapter 59 funds.

Motion made by Commissioner Alvarez to approve the resolution authorizing application to, administration of, and acceptance of Office of the Governor, Public Safety Office Criminal Justice Division's Body-Worn Camera Grant Program, FY2027; authorizing the Chief of Police to act on the City's behalf with such program. (no cash match), seconded by Commissioner Lopez and Commissioner Hinojosa.

21. Discuss and consider approving a resolution authorizing application to, administration of, and acceptance of Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2027 for cameras and equipment for the Kingsville Police Department. (no cash match) (Police Chief).

Motion made by Commissioner Lopez to approve the resolution authorizing application to, administration of, and acceptance of Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2027 for cameras and equipment for the Kingsville Police Department. (no cash match), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

22. Discuss and consider approving a resolution authorizing application to, administration of, and acceptance of Violence Against Women Justice and Training Program (VAWA), FY2027 Grant for the Kingsville Police Department; authorizing the Chief of Police to act on the City's behalf with such program. (30% cash match). (Police Chief).

Chief Blair stated that this item is for the approval of a resolution to apply for funding under the FY 2027 Violence Against Women Justice and Training Program administered by the Office of the Governor, Public Safety Office. This grant will support a coordinated, victim-centered response to crimes against women through the assignment of a dedicated Family Violence Detective and a Victim Case Manager. Chief Blair further stated that there is a 30% cash match.

Motion made by Commissioner Alarcon to approve the resolution authorizing application to, administration of, and acceptance of Violence Against Women Justice and Training Program (VAWA), FY2027 Grant for the Kingsville Police Department; authorizing the Chief of Police to act on the City's behalf with such program. (30% cash match), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

23. Discuss and consider approving a resolution authorizing the City Manager to enter into a Memorandum of Understanding between the City of Kingsville and Texas A&M University-Kingsville for Student Internship Program. (Human Resources Director).

Mr. Sosa stated that the city is interested in partnering with TAMUK to create an internship program to provide TAMUK students with the opportunity to gain real work experience in their field of student to complement their university education. The program is an unpaid internship program in which students receive credit for hours of internship work experience. The city has previously partnered with TAMUK to provide internship work experience for TAMUK students. This internship program is an unpaid program. This provides individuals selected for the program the opportunity to gain real-world work experience. Once an internship position is identified, the city will work with TAMUK to have the university post the internship position in their career services site. City department directors will review applications and interview interested candidates for the specified internship position. The department in which the intern is placed will process any student specific evaluations and provide documentation to TAMUK when the student has completed the internship. There is no financial impact to the city.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to enter into a Memorandum of Understanding between the City of Kingsville and Texas A&M University-Kingsville for Student Internship Program, seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

24. Discuss and consider introduction 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 meeting time to 4pm. (City Manager).

Mayor Fugate stated that after hearing from several concerned citizens, he doesn't think this would be a good idea.

Mr. Sosa stated that this is only a recommendation for the commission, but it will be up to them to approve.

Commissioner Lopez stated that as she understands that it would be good from some city employees to get home early, the meetings are for the people. She further stated that as it is important to take care of the staff members, maybe moving their agenda items up to the first part of the agenda would help, and then they can leave. Lopez further stated that her concern is that some of the citizens won't be able to attend as they work until 5:00 p.m. The point is for it to be reasonable for the general public to attend. Lopez further stated that another concern she has is that on September 8th, which we might reconsider an ordinance was removed that removed the electronic submission for public comments. While it is always good for citizens to come in and make their comment, we should reconsider amending that ordinance. That ordinance will also provide a voice for those citizens that are homebound. Government without representation is a dictatorship. Lopez further stated that we need to consider everybody.

Mayor Fugate commented that for the longest time, commission meetings were at 6:00 p.m., then changed to start at 5:00 p.m.

Commissioner Hinojosa commented that if someone wants to attend the meetings, if change to 4:00 p.m., then they can adjust their lunch hour to make it possible for them to attend. If the public wants to make comments, they should be able to come before the commission and make their comments. Hinojosa stated how the commission would know if someone submits an online comment who the person is. Hinojosa commented that he has no problem with the 4:00 p.m. start time but leave the ordinance regarding public comments as is. If they want to comment, they should come forward.

Commissioner Alvarez asked if there is anything in the code that requires from someone to sign in prior to making their comment?

Ms. Alvarez responded that there is nothing in the Charter or on the code that require for someone to sign in for public comments, but there is nothing that states they would need to sign in at this time.

Commissioner Alvarez stated that she is asking because she was asked that question.

Commissioner Lopez commented that she is worried about people that can't attend the meeting, especially if they are homebound. She stated that she was asked that a lot of people watch the meetings online and are not able to, the comments section has changed and they can only comment and only the city sees it. She stated that she had gotten on and this is what its telling her.

Ms. Alvarez responded that she is not sure, but a discussion item can be added about this topic at the next meeting, if that is what Commissioner Lopez would like.

Commissioner Lopez asked for it be added, as she has been asked that question.

Commissioner Alvarez asked if they had three minutes or five minutes.

Mayor Fugate commented that it is three minutes for public comments, and that time can be extended by commission approval, and five minutes for comments on public hearings.

Commissioner Lopez stated that she understands as she was a city employee at one time, but these are her comments she has to make.

Introduction item.

25. Discuss and consider nomination of members to the City of Kingsville Ethics Review Board. (City Attorney).

Mayor Fugate and Commissioner Lopez commented that this is in the Charter.

Ms. Alvarez stated that Ethics is in the code of ordinances and was adopted in 2002.

Motion made by Commissioner Hinojosa to discuss and consider nomination of members to the City of Kingsville Ethics Review Board, seconded by Commissioner Alarcon.

Ms. Alvarez stated that as it is stated in the memo and the ordinance, each commission member gets to nominate a person, so we will need the name of each individual.

Commissioner Hinojosa stated that there needs to be discussion on this.

Ms. Alvarez stated that discussion can take place before commission naming each individuals name forward.

Mayor Fugate stated that the commission will discuss it then consider it second.

Mrs. Mary Valenzuela, City Secretary asked that with what has been said and discussion will take place, asked if Commissioner Hinojosa would like to remove his motion, as stated, from the floor.

Commissioner Hinojosa stated that he would amend his motion and take out nomination of members to the City of Kingsville's Ethics Board, Commissioner Alarcon seconded the amended motion.

Commissioner Alvarez asked if the commission needed to vote on the amendment. Mayor Fugate responded no, they were going to discuss it.

Commissioner Hinojosa stated that he doesn't have any problems with the Ethics Board, although he does not agree with the ordinance that was approved back in May 10 of 04. It does not address the people that the commission oversee, the City Manager, City Attorney, and Municipal Court Judge. He asked what if the complaint is against the City Attorney, where does it go from there, as she is the presiding officer on this board. He stated that this is why he does not agree in making a nomination now, until the ordinance is changed. Hinojosa further stated that the commission should be the ones to determine what happens to those three individuals. He further stated that they don't have the expertise to do an investigation, so we need to have it in the ordinance that we need to hire an outside attorney so that it may be transparent, as the commission talks about transparency, this is the time now for the commission to be transparent, on this particular item.

Mayor Fugate commented to Ms. Alvarez if she was not the presiding judge over this.

Ms. Alvarez responded no. In the ordinance it states that when the board meets, the board amongst its own members will elect who will be in charge and who is second in charge. She further stated that she is the staff liaison for the board.

Mayor Fugate commented as it is with all city boards.

Ms. Alvarez further stated that there is a section in the ordinance that states if certain individuals should have complaints made about them then the City Attorney will recuse and an outside attorney would be hired to handle the liaison duties for that complaint before the board.

Mayor Fugate asked that what Commissioner Hinojosa just said, it is already in the ordinance.

Ms. Alvarez responded yes.

Commissioner Hinojosa asked where in the ordinance is it stated.

Ms. Alvarez responded that with regards to the Chair and Vice-Chair that information can be found in Section 3-13-37(H). She further stated that it is also referenced in her memo in the las bullet under membership. Alvarez further stated that this was one of Commissioner Hinojosa's concerns that she was in charge of the board to which she responded that she is not in charge of the board. The board meets and elects its own president.

Commissioner Hinojosa commented that she is the Compliance Officer. So if there is a complaint against the City Attorney, Compliance Officer, or any of the other two, what would she do about the board.

Ms. Alvarez responded that if the complaint is on any of the five commission members, City Manager, or the Municipal Court Judge or herself, then obviously she would comply with the ordinance section 3-13-40(b) that addresses Commissioner Hinojosa's concern.

Commissioner Hinojosa commented that is it, 3-13-40(b).

Mayor Fugate commented that what Ms. Alvarez has stated is that if there is a complaint against her, commission, city manager, or municipal court judge, she would have to recuse herself and get outside counsel to handle it. Fugate further commented that this should satisfy Commissioner Hinojosa's concern. Mayor Fugate commented that this is a committee that by ordinance the commission is supposed to create. This is just like any other committee that the city has. He further asked what is bothering the commission from moving forward in creating this board. What is the motive? He further stated that it is in the ordinance and the commission should comply with the ordinances and if the commission doesn't want it then to take it out, but for now we have to comply.

Commissioner Alvarez stated that she doesn't understand that since 1904 this board has never been developed.

Mayor Fugate commented that it is in the city's ordinances.

Commissioner Alvarez stated that no one ever did anything about it before if its been in the ordinance forever.

Mayor Fugate commented that this is not something that he brought to the commission. He is only trying to comply with the city's ordinances.

Commissioner Alvarez commented that she asked for this to be in executive session but was told that it couldn't be as it doesn't fall under an executive session.

Commissioner Lopez commented that she feels that Ms. Alvarez has answered every question already. The commission just needs to get it done and despite it was in 2004 and not sure why they never appointed individuals to this board, it is known that there are some concerns and the city needs to have this board or the city would be in violation.

Commissioner Hinojosa stated that he knows about the other boards, but this is a very sensitive board. People that he asked to be on this board, don't want to serve on it. He further commented that they do not have a nominee at this time.

Mayor Fugate commented that the first person he asked turned it down, so he understands what Commission Hinojosa is saying, but just because it's hard doesn't mean the commission shouldn't do it. He further stated that there are people that will serve, as he has already found someone to serve on this board. He stated that he has asked a lawyer to serve on this board. Mayor Fugate further asked if there is a motion to nominate members.

Motion made by Commissioner Lopez to nominate members as the ordinance needs to be complied with, seconded by Mayor Fugate.

Mayor Fugate opened it up for discussion.

Commissioner Hinojosa commented that he does not have a nomination and asked if this could wait until the next meeting and he would have a nomination by then.

Commissioner Alvarez commented that she has asked several people and they responded no.

Commissioner Alarcon commented that he has his nomination, although they were hesitant about it, but waiting is not a problem for him.

Mayor Fugate commented that this has been going back and forth for a while and asked when the next commission meeting is scheduled for.

Ms. Alvarez responded that the next meeting is scheduled for February 23, 2026.

Commissioner Lopez asked Ms. Alvarez what would happen if they didn't have a nomination. Is there another way of appointing.

Ms. Alvarez responded no, not in the ordinance.

Commissioner Lopez commented that the city would be in violation of the ordinance if they don't appoint someone.

Mayor Fugate commented that what concerns him is that the appearance in this is that this body doesn't want to appoint a committee to oversee the commission and make sure that the commission is complying. This is the appearance out there. He further stated that if he was a citizen out there, he would be asking what is the problem. He stated that the commission may want to work a little harder and have individuals appointed to this board. He further stated that he is willing to wait one more meeting for the commission to make their nominations.

Commissioner Alvarez commented that she will have someone at the next meeting.

No action was taken on this item and motions were not removed from the floor.

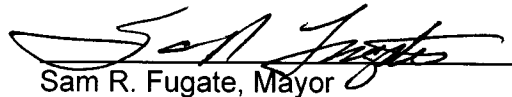
26. Executive Session: Pursuant to Section 551.071, Texas Government Code, Consultation with Attorney Exception, the City Commission shall convene in executive session to seek legal advice from the City Attorney regarding a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter. (City Attorney).

Mayor Fugate announced the executive session and convened the meeting into closed session at 6:21 p.m.

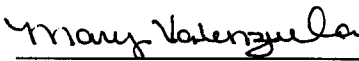
Mayor Fugate reconvened the meeting into open session at 7:11 p.m.

VI. Adjournment.

As there was no further business to come before the City Commission, the meeting was adjourned at 7:12 p.m.


Sam R. Fugate, Mayor

ATTEST:


Mary Valenzuela, TRMC, City Secretary