MARCH 23, 2026

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, MARCH 23, 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
Leticia Salinas, Accounting Manager
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
J. J. Adame, Fire Chief
James Creek, Captain
Monika Donnell, Municipal Court Supervisor
Diana Gonzales, Human Resources
Kyle Benson, IT Director

I. Preliminary Proceedings.

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

INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)
The invocation was delivered by Ms. Courtney Alvarez, City Attorney, followed by the Pledge of Allegiance and the Texas Pledge.

MINUTES OF PREVIOUS MEETING(S)

None.

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

None.

III. Reports from Commission & Staff.[2]

"At this time, the City Commission and Staff will report/update on all committee assignments which may include but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial Services - Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works-Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."

Mr. Sosa gave a report on street projects. He further mentioned upcoming events.

Ms. Alvarez stated that the next city commission meeting is scheduled for April 13, 2026. Deadline for staff to submit their agenda items is March 31st.

Commissioner Lopez commented This is unfortunate that I have to address this. When interacting with an individual who lacks education and professionalism for the job title that he holds, and who misinterprets informational emails as criticism, it can be very challenging. I have consistently forwarded any/all citizen complaints and Facebook posts concerning the City to the City Manager, a practice I maintained with the previous 2 City Managers without issue, as they were highly educated professionals well-versed in their

roles. I did this because that is my JOB as an elected official to address concerns/complaints from citizens! I will not tolerate accusations of harassment in a resignation letter from a former employee. I have only spoken with her face to face about working with her only once at a function held at the Maggie Salinas Pavilion and it was a pleasant conversation between her and I. If the belief is that I was collaborating with current and former STAFF from her department to undermine her position, that is merely her perspective. She has been totally misled by current management. This approach of blaming others is unacceptable. It is a plain cop-out. I was the only Commissioner who expressed concerns during the Budget process about the City Manager cutting staff in her department, I also voiced my concern about management not allowing her to build upon existing successful event frameworks until she could acquire the experience & knowledge of how she would run that department. Any of my discussions and concerns were directed to the City Manager, as this is the person who works for the Commission. She received second-hand information from an untrustworthy source who has been known to be dishonest. This situation appears to be a case of her being used to spread falsehoods about me and about some of her staff. That's a shame. Spreading false information about someone is a harmful act known as defamation (libel if written, slander if spoken), intended to cause emotional distress, damage reputations, or incite hostility. It can lead to civil lawsuits, financial penalties, and if malicious or threatening, criminal. Lopez further commented that those that know me, know me. She further stated that on another note – Some of you need to get Janine & Mark out of your heads. They've been gone over a year. They are situated and doing great things in their current Cities. Stop letting them live Rent-Free in your heads.

IV. Public Comment on Agenda Items.[3]

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

Mr. Charlie Cardenas, 401 Cecil thanked all the first responders who assisted with the fire that occurred at his home a few days. He further thanked commissioners and residents that showed their support to him and his family.

Elizabeth Ramos, 615 Elizabeth Ave., commented the following: Leo, you have yet again proved how conceded you are. You took the time to figure out the percentage of you winning your seat, you sad, sad, lonely man. You never came to commission meetings prior to you winning and you follow Norma like a sad pet. You have lived her your life and you should have received 99% of those votes, but you didn't, because I ran a clean campaign. I didn't divulge the fact that the previous sitting city manager, prior to Mark, wanted to fire you. Janine saved your ass and you will still be vindictive in supporting Charlie on ethical decisions. I've never been written up at any job I've had, and I know you can't say the same. As far as the Visitor's Center is concerned, the wind had no effect on the fact that brochure were extremely out of date, dirty, and copied so many times, that it looked cheap. The wind didn't have anything to do with the signage of the Butterfly Garden that hadn't been changed in over a year. The wind had nothing to do with the hole on the ground that was a liability. The wind didn't have anything to do with staff laziness. I drove by all the time and in the last year I went by three times and all three times they were closed by the public. I didn't set anyone up, I stopped and filled up my gas tank at Love's coming from Corpus and stopped by the center. I talked to Alicia at the courthouse, were not friends, I don't think she even likes me, she's best friends with Cici. She told me she had been on leave for a while and I wasn't aware and I was being civil. Do you know what being civil means. The Visitor's Center was not doing their job and it has been that way for over a year. Poor numbers at Ranchhand, staff running thin, staff taking too much time off etc. I noticed. If Janine were running things, still I would call her out on it as well, and I did so for many year when she worked here. She wasn't afforded anything special from me when she worked here. Why should anyone else get special treatment? The way that I hold 100% of public entities accountable is 100% ethical of me. Quit giving credit where credit isn't due because you were once burned by city staff and because your mommy Norma told you to.

V. **<u>Consent Agenda</u>**

<u>Notice to the Public</u>

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.

<u>CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:</u>

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

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

1. Motion to approve final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend Border Zone Fire Department (BZFD) Grant Award#5837801 for the purchase of portable radios. (Fire Chief).

REGULAR AGENDA

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

VI. Items for consideration by Commissioners.[4]

2. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #2 for the Construction Contract with Grace Paving and Construction, Inc. for the GLO CDBG-MIT Contract 22-085-099-D237 Project 14: Santa Gertrudis Ave. Storm Water Improvements Project. (Santa Monica/Santa Barbara). (City Engineer).

Mr. Charlie Cardenas, City Engineer, stated that this is for the approval of Change Order No. 2 for the General Land Office Community Development Block Grant Mitigation Contract No. 22-085-009-D234. This is to increase the contract time by 60 calendar days and increase the contract amount by $30,750.00.

Motion made by Commissioner Alarcon to approve the resolution authorizing the City Manager to execute Change Order #2 for the Construction Contract with Grace Paving and Construction, Inc. for the GLO CDBG-MIT Contract 22-085-099-D237 Project 14: Santa Gertrudis Ave. Storm Water Improvements Project. (Santa Monica/Santa Barbara), seconded by Commissioner Hinojosa. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

3. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #3 for the Construction Contract with D&J Utility Services LLC for the GLO CDBG-MIT Contract No. 22-085-009-D237 Project 10: N. Armstrong Ave. Storm Water Improvements. (City Engineer).

Mr. Cardenas stated that this item is to increase the contract time by 60 calendar days.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to execute Change Order #3 for the Construction Contract with D&J Utility Services LLC for the GLO CDBG-MIT Contract No. 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: Hinojosa, Alarcon, Lopez, Alvarez, Fugate voting "FOR".

4. Discuss and consider approving a resolution authorizing the City Manager to execute Change Order #4 for the Construction Contract with Donald Hubert Construction Co. for the GLO CDBG-MIT Contract No. 22-082-016-D218 Project 1: 14th Street Sanitary Sewer Improvements. (Loop 428 Lift Station). (City Engineer).

Mr. Cardenas stated that this item is to increase the contract time by 60 calendar days and increase the contract amount by $6,746.00, which will come from the grant. There will be no cost to the city. He further stated that once the project has been completed, there will be a ribbon-cutting event.

Motion made by Commissioner Hinojosa to approve the resolution authorizing the City Manager to execute Change Order #4 for the Construction Contract with Donald Hubert Construction Co. for the GLO CDBG-MIT Contract No. 22-082-016-D218 Project 1: 14th Street Sanitary Sewer Improvements. (Loop 428 Lift Station), seconded by Commissioner Lopez and Commissioner Alarcon. The motion was passed and approved by the following vote: Alarcon, Lopez, Alvarez, Hinojosa, Fugate voting "FOR".

5. Discuss and consider approving a resolution authorizing the City to submit an application for State Appropriations through the Housing and Urban Development's Community Development Fund-Economic Development Initiative Program requesting funding for the redevelopment of ball fields and lighting in Dick Kleberg Park; authorizing the City Manager to submit the grant, the Finance Director as the Financial Officer, and the City Parks Director as the Grant Official to act on the City's behalf with such grant program. (Parks Director).

Mrs. Susan Ivy, Parks Director, stated that for this grant, staff is requesting $1,300,000 to be used for the redevelopment of Ball Fields and Lighting in Dick Kleberg Park. This project

is designed to expand the use of these recreational facilities to allow for longer playing time, improved facilities, and increased tournament play and sports tourism for our community.

Motion made by Commissioner Alvarez to approve the resolution authorizing the City to submit an application for State Appropriations through the Housing and Urban Development's Community Development Fund-Economic Development Initiative Program requesting funding for the redevelopment of ball fields and lighting in Dick Kleberg Park; authorizing the City Manager to submit the grant, the Finance Director as the Financial Officer, and the City Parks Director as the Grant Official to act on the City's behalf with such grant program, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Alvarez, Hinojosa, Alarcon, Fugate voting "FOR".

6. Discuss and consider approving the purchase of a 2025 Ford F-150 pickup truck for the Police Department via the TIPS USA purchasing cooperative, per staff recommendation. (previous total outfitted cost of $92,519.58; added equipment so new total outfitted cost of $96,609.58) (Police Chief & Purchasing Manager).

Mr. Sosa stated that this was approved at the last commission meeting. There was a discrepancy on the year of the vehicle, but it is a 2025 vehicle, plus the additional fund for new equipment for a radar unit that was installed.

Motion made by Commissioner Alvarez to approve the purchase of a 2025 Ford F-150 pickup truck for the Police Department via the TIPS USA purchasing cooperative, per staff recommendation. (previous total outfitted cost of $92,519.58; added equipment so new total outfitted cost of $96,609.58), seconded by Commissioner Alarcon.

Commissioner Lopez asked if this was one that was authorized without coming to commission for approval.

Mr. Sosa stated that the city has not paid for the vehicle and further responded yes, the truck was ordered.

Commissioner Lopez asked if this was one of the vehicles that was ordered without it first coming to commission.

Mr. Sosa responded yes.

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

7. Discuss and consider final passage of an ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend Operation Lone Star Grant award #4385703 for the purchase of a 2025 Ford F-150 pickup truck. (Police Chief).

Motion made by Commissioner Alarcon to approve the ordinance amending the Fiscal Year 2025-2026 Budget to accept and expend Operation Lone Star Grant award #4385703 for the purchase of a 2025 Ford F-150 pickup truck, seconded by Commissioner Alvarez.

Commissioner Lopez if this was another truck. This is for the one before.

Chief Blair responded yes.

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

8. Discuss and consider approving the purchase of two 2025 Ford F-150 pickup trucks for the Police Department via the TIPS USA purchasing cooperative, per staff recommendation. (for total outfitted cost of both vehicles $143,729.01) (Police Chief & Purchasing Manager).

Chief Blair stated that this item authorizes the purchase of two Ford F-150 Police Responder trucks to support police operations. Both vehicles will be purchased through the TIPS USA purchasing cooperative under Contract #240901. The first vehicle is a fully outfitted 2025 Ford F-150 truck with a total cost of $85,121.77. This purchase is funded from salary savings realized from the Operation Lone Star Grant. The second vehicle is a 2025 Ford F-150 truck with a basic police outfit package at a total cost of $58,607.24. Funds will be transferred from the police department Chapter 59 and the Police Department Vehicle Replacement Fund 105.

Motion made by Commissioner Hinojosa to approve the purchase of two 2025 Ford F-150 pickup trucks for the Police Department via the TIPS USA purchasing cooperative, per staff recommendation. (for total outfitted cost of both vehicles $143,729.01), seconded by Commissioner Alarcon.

Commissioner Lopez asked if this is another vehicle that was purchased before; this is something new.

Ms. Alvarez responded yes.

Commissioner Hinojosa commented that it was approved in the budget when the city accepted the grant.

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

9. <u>Discuss the purchasing threshold under state law and city policy. (Commissioner Alvarez).</u>

Commissioner Alvarez stated that the current policy is $50,000, and in September, the legislators approved, to be effective October 1st, to increase it to $100,000. The other entities She it's automatic and when she asked the City Attorney for her legal opinion, as she had looked it up on TML that this state law supersedes local policy. Alvarez further stated that the new law automatically goes into effect. She further stated that as the City Attorney mentioned to her, as the city attorney also called TML, that certain policies are more stringent which is why she asked for this agenda item to be placed on the agenda. She further stated that item 10 is to approve it. Commissioner Alvarez asked Ms. Alvarez to speak on this.

Ms. Alvarez stated that she is not quite sure what she had read or where she had read it, but what was sent to her by Commissioner Alvarez was only a summary of the bill. Does not provide an analysis of the bill or how it applies. It just sets a cap at the maximum amount that a city can go to before they are required under state law to bid items out. It does not automatically supersede an existing city policy that is at a lower amount.

Mayor Fugate commented that you can be lower but can't be higher.

Ms. Alvarez responded that this was correct. She further stated that with regards to this policy, the policy, since it was approved on September 25, 2017, has set the limit at what is required to be, not just bid out, it sets the purchasing procedures, various dollar amounts of contracts, or goods or services to be acquired and aside from setting out the procedure it indicates who has the authority to enter into a contract to approve a proposal for certain types of dollar thresholds. She further stated that the current policy, since 2017, has been that if it is $50,000 or more, the only authority that staff has for items above that is to determine the purchasing method. Will we go out for bids or use a purchasing cooperative or does it meet one of the statutory exemptions in Local Government Code Section 252, which is where cities get authority for purchases under state law. The authority for purchasing cooperatives is found in another section of the Local Government Code, Section 271. She stated that a city has to comply with both of those codes. Depending on the type of purchase, perhaps other codes or constitution, and city policies. In this instance, we the have the policy that says that we have to comply with state law and comply with this policy. For a long time they were set at the same benchmark, now the stated raised the threshold, but did not automatically raise our threshold. Alvarez further stated that she confirmed that when she called TML's Legal Department to and they said yes it is a correct interpretation because cities can have lower or more restrictive purchasing guidelines.

Commissioner Alvarez asked if it could change if the commission changes the policy.

Ms. Alvarez responded yes. She further stated that the policy states that just because an item is budgeted does not automatically mean the department has the right to purchase of that item. The policy also indicates that the commission authority, the commission is the only one that can approve the contract, approve the proposal, so that a P.O. could be issued because at the time you approve the proposal by the time you issue the P.O. to the vendor their assuming that staff has already received commission approval, you have the valid authority to enter into that agreement with that vendor. This is why the policy has set out the process and the steps that need to followed and in the order they need to be followed.

Commissioner Hinojosa commented that in a situation like that, where it's time sensitive, the commission can always go back and ratify that action, as it was mentioned by the Mayor. It's equipment that you have to order ahead of time in order to get it quicker. He further stated that this has been the process as far as he can remember, and the city has never received a finding on that.

Ms. Alvarez responded that she is not aware of any instances where there has been a time-sensitive nature that would not have provided staff with the time to present an item to the commission, especially if it's being purchased through a purchasing cooperative.

Commissioner Hinojosa commented that Ms. Alvarez is in the Legal Department, this would be the Finance Department that would know this. In the past this has been done and the audit has never said anything about that.

Ms. Alvarez responded that to the best of her knowledge, staff has gotten commission approval when ordering things because they need to get the approval to have the valid authority to order.

Mayor Fugate asked that if all the commission is doing is increasing the threshold from $50,000 to $100,000, because the state does it. Fugate further stated that the city will do what the state does.

10. Discuss and consider approving a resolution revising the City of Kingsville Purchasing Policy and Procedures Manual. (City Manager/Purchasing Manager).

Motion made by Commissioner Alvarez to approve the resolution revising the City of Kingsville Purchasing Policy and Procedures Manual, seconded by Commissioner Hinojosa.

Commissioner Alvarez asked that if there is an item to purchase and it is more than $100,000 but if it's on BuyBoard, you don't have to go out for bids.

Mr. Sosa responded that this was correct. It will still need to be brought to commission for approval, but the bidding process that has already been done through the purchasing cooperative.

Commissioner Alvarez commented that you would not need to go out for bids.

Mr. Sosa responded no.

Ms. Alvarez commented that you cannot issue a P.O. for that item until the commission approves it. She further commented that this is how it is supposed to work.

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

11. Discuss and consider Commissioner Lopez's nominee for the City of Kingsville Ethics Review Board. (City Attorney).

Motion made by Commissioner Lopez to nominate Ms. Becky Trant for the City of Kingsville Ethics Review Board, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Hinojosa, Alarcon, Lopez, Fugate voting "FOR".

VI. Adjournment.

As there was no further business to come before the City Commission, the meeting was adjourned at 5:45 p.m.

Sam R. Fugate, Mayor

ATTEST:

Mary Valenzuela, TRMC, City Secretary