

OCTOBER 23, 2023

A REGULAR MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON MONDAY, OCTOBER 23, 2023, IN THE HELEN KLEBERG GROVES COMMUNITY ROOM, 400 WEST KING AVENUE, KINGSVILLE, TEXAS AT 5:00 P.M.

**CITY COMMISSION PRESENT:**

Hector Hinojosa, Commissioner  
Norma N. Alvarez, Commissioner  
Edna Lopez, Commissioner  
Ann Marie Torres, Commissioner

**CITY COMMISSION ABSENT:**

Sam R. Fugate, Mayor

**CITY STAFF PRESENT:**

Mark McLaughlin, City Manager  
Mary Valenzuela, City Secretary  
Courtney Alvarez, City Attorney  
Kyle Benson, Director of Information & Technology  
Derek Williams, IT  
Emilio Garcia, Health Director  
Deborah Balli, Finance Director  
Bill Donnell, Public Works Director  
Diana Gonzales, Human Resources Director  
Kwabena Agyekum, Senior Planner/HPO  
Janine Reyes, Tourism Director  
Brad Lile, Interim Police Chief  
Rudy Mora, Engineer  
Mike Mora, Capital Improvements Manager  
Susan Ivy, Parks Director  
J.J. Adame, Fire Chief  
Charlie Sosa, Purchasing Manager

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Pro-Tem Hinojosa opened the meeting at 5:00 P.M. with four commission members present. Mayor Fugate was absent from the meeting.

**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 – October 10, 2023**

**Motion made by Commissioner Lopez to approve the minutes of October 10, 2023 as presented, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Hinojosa voting “FOR”. Torres “ABSTAINED”.**

**II. Public Hearing - (Required by Law).<sup>1</sup>**

None.

**III. Reports from Commission & Staff.<sup>2</sup>**

*“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. McLaughlin, City Manager reported that there will be a joint meeting with Kleberg County Commissioners Court to discuss interlocal agreements between the City and Kleberg County. The meeting will take place on Wednesday, November 1<sup>st</sup> at 5:00 p.m. It

was further reported that early voting is taking place, with the first day being today, at the Early Voting Annex Building across from the courthouse.

Ms. Courtney Alvarez, City Attorney reported that the next regular city commission meeting is scheduled for Monday, November 13<sup>th</sup>. The deadline for staff to submit agenda items is November 1<sup>st</sup>. It was further reported that the city will be closed on November 10<sup>th</sup> for Veteran's Day.

At this time, the Commission read and presented three proclamations, National Veteran's Small Business Week, Arbor Day, and Patrolman Sherman Otto Benys, Jr. Day.

#### IV. Public Comment on Agenda Items.<sup>3</sup>

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

Mrs. Vicki Benys, 1914 Martin commented that there are scheduled events on November 3<sup>rd</sup>, Blood Drive will be at Kingsville Police Department in honor of her late husband, Patrolman Sherman Otto Benys, Jr. She further commented that Kleberg County Attorney, Mrs. Kira Talip-Sanchez had a credit for a 5K Run and offered it for an event in honor of Patrolman Benys. The 5K Run is called the 5K Hero United Battle of the Badges. The event will take place on November 4<sup>th</sup> with registration at 7:00 a.m. and 5K Run beginning at 8:00 a.m. She further stated that the 911 call that her husband responded to was a call for domestic violence. She further stated that proceeds from the 5K Run will be shared with organizations such as the Purple Door.

#### V.

##### Consent Agenda

##### Notice to the Public

*The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

##### CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

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

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

**1. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedules, amending the location of speed limit zones on West King Avenue and reducing the speed limit to 45 mph; providing for appropriate penalties, fines, and fees regarding the regulation thereof. (per TxDOT request). (City Attorney).**

**2. Motion to approve final passage of an ordinance amending the City of Kingsville Code of Ordinances Chapter VII, Article 5, Traffic Schedules, providing for a revised school zone for the Santa Gertrudis Independent School District's Elementary and Intermediate School on King Street. (per TxDOT request). (City Attorney).**

**3. Motion to approve membership with Electric Reliability Council of Texas (ERCOT) for 2024. (renewal of annual membership). (City Attorney).**

##### REGULAR AGENDA

##### CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

#### VI. Items for consideration by Commissioners.<sup>4</sup>

**4. Consider appointing Eden Hernandez to the Zoning Board of Adjustment for a two-year term as a regular member. (Interim Planning & Economic Development Director).**

Motion made by Commissioner Lopez and Commissioner Alvarez to approve the appointment of Eden Hernandez to the Zoning Board of Adjustment for a two-year term as a regular member, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Alvarez, Lopez, Hinojosa voting "FOR".

**5. Consider a resolution accepting a Petition for and calling for a public hearing on the creation of the Somerset at Kingsville Public Improvement District Number 1 within the City of Kingsville, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing. (City Attorney).**

Ms. Alvarez stated that previously the city had done this about a year ago. Due to inflation and other supply costs, things have gone up. The project hasn't started yet but they need to update the PID to increase the amount that the PID would cover due to the inflation that has incurred between the last time this was done and now. This resolution accepts the petition requesting for it to be established and sets a public hearing date for November 27, 2023, at 5:00 p.m.

**Motion made by Commissioner Torres to approve the resolution accepting a Petition for and calling for a public hearing on the creation of the Somerset at Kingsville Public Improvement District Number 1 within the City of Kingsville, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing, seconded by Commissioner Alvarez.**

Commissioner Hinojosa asked about streetlights within this area.

Mr. Wiley McIlwain of Somerset Land Co. stated that the streetlights are not included in the PID funding because it doesn't end up being part of the public infrastructure. The lights are installed and owned by AEP for which he signs a contract with them during the time period during the development process and they figure how many services they will get and as per his contract he will pay them the difference on what credits they give him for the number of houses.

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

**6. Consider a hearing: on of the City Commission of the City of Kingsville, Texas, setting a public hearing under Section 311.003 of the Texas Tax Code for the creation of a Tax Increment Reinvestment Zone within the City of Kingsville, Texas; authorizing the issuance of notice by the City Manager of Kingsville, Texas regarding the public hearing; directing the City to prepare a preliminary reinvestment zone financing plan; and providing for an effective date. (City Attorney).**

Ms. Alvarez stated that the city received a request to create the TIRZ. This is similar to the PID, you accept the petition for the request then set a date for the public hearing, which in this case would be December then take further action on it. She stated that she has spoken with bond counsel Mr. Dan Martinez, and he will be present at the meetings for both public hearings. If this is approved, then we go to see if other taxing entities would like to participate or not. If they do, then they may appoint one person to the Board of Directors and that Board would be responsible for supervising the TIRZ and the funds collected and disbursed from that according to the Tax Code. She further stated that this would assist with funding development for land within the area covered by the TIRZ.

**Motion made by Commissioner Alvarez to approve the resolution of the City Commission of the City of Kingsville, Texas, setting a public hearing under Section 311.003 of the Texas Tax Code for the creation of a Tax Increment Reinvestment Zone within the City of Kingsville, Texas; authorizing the issuance of notice by the City Manager of Kingsville, Texas regarding the public hearing; directing the City to prepare a preliminary reinvestment zone financing plan; and providing for an effective date, seconded by Commissioner Lopez.**

Commissioner Torres asked if both resolutions were for Somerset but have to be two separate resolutions.

Ms. Alvarez stated that because there are two different types of economic development tools, the PID would have to be done first then the TIRZ.

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

**7. Consider declaring Oxcon Systems the sole source product and Andale Construction the sole source installer of polymeric composite micro materials and awarding quote for same. (for concrete overlay on parts of Kleberg Avenue and on parts of 8th Street; using Street Maintenance Fee). (Purchasing Manager).**

Mr. Charlie Sosa, Purchasing Manager stated that this item authorizes the city to award and approve a contract with Andale Construction from Vally Center of Kansas for the resurfacing of Kleberg Avenue from 6<sup>th</sup> Street to 9<sup>th</sup> Street and 8<sup>th</sup> Street from Kleberg Avenue to King Avenue.

Commissioner Lopez asked why the project wouldn't continue up to the courthouse. Mr. Sosa responded due to the price. Mr. Sosa further stated that the city has received a lot of complaints in the area of 8<sup>th</sup> Street. Mr. Sosa further stated that once the commission sees the surfacing material that will be used, if it's satisfactory, then they can continue with the rest of the area.

Commissioner Hinojosa asked what the fund balance is in maintenance fees. Mr. Sosa responded that what is annually collected is \$1 million. But staff would like to save some of those funds to be able to do some of the other streets throughout the city.

Mr. McLaughlin stated that the fund balance is around \$900,000 currently. He further stated that what is being proposed is just the driving lanes as those are the worst parts of those roads. Under the advisement of the Street Supervisor and Public Works Director, they believe that this coating should go from curb to curb which means they can't go from 6<sup>th</sup> to 9<sup>th</sup> Street, we can only go from 6<sup>th</sup> to 8<sup>th</sup> Street and from King to Klebert on 8<sup>th</sup> Street. What has been spoken about, 6<sup>th</sup> to 9<sup>th</sup> Street driving lanes only and the part of 8<sup>th</sup> Street will cost about \$375,000. If staff removes the piece from 8<sup>th</sup> to 9<sup>th</sup> Street, we can fill in the parking all along Kleberg from 5<sup>th</sup> to 8<sup>th</sup> Street and do the parking areas on 8<sup>th</sup> Street so that it's completely covered from curb to curb the price would be around \$600,000. Mr. McLaughlin stated that we have the funds for one or the other.

**Motion made by Commissioner Alvarez to declare Oxcon Systems the sole source product and Andale Construction the sole source installer of polymeric composite micro materials and awarding quote for same. (for concrete overlay on parts of Kleberg Avenue and on parts of 8th Street; using Street Maintenance Fee), seconded by Commissioner Lopez.**

Commissioner Torres asked if staff considered going all the way down to the courthouse. Mr. McLaughlin yes, but it would cost over \$ 1 million. Commissioner Torres asked what the recommendation from the Street Department is. Mr. McLaughlin stated that their recommendation is from 6<sup>th</sup> Street to 8<sup>th</sup> Street, on Kleberg curb to curb and 8<sup>th</sup> to King Avenue. Commissioner Torres asked if the Street Department looked at the area from 9<sup>th</sup> Street to 10<sup>th</sup> Street where most people have fallen.

Mr. Bill Donnell, Public Works Director, responded that the entire street was looked at but what is being brought to the commission now is a small portion of the entire project. There is no way that the entire project could be done. He further stated as far as patching between 9<sup>th</sup> and 10<sup>th</sup> Street, what is needed is to do a better job of patching before the parades.

Commissioner Hinojosa stated that he would go along with the staff's recommendation as other streets need to be worked on as well.

Commissioner Lopez commented that she would like for staff to budget in the next fiscal year funds to finish this project and continue all the way towards the courthouse.

Mr. McLaughlin commented that for the next budget cycle, he will be requesting the street fee to be increased due to inflation.

Commissioner Hinojosa asked about the warranty for this product. Mr. Sosa responded that it has a 10-year warranty, but they have found out that this product lasts up to 25 years.

Commissioner Lopez commented that this commission will probably not be around in 25 years...

Commissioner Hinojosa called for the question.

Commissioner Hinojosa further asked for clarification on the agenda item that the commission would be approving, what is being proposed is from 6<sup>th</sup> Street to 8<sup>th</sup> Street on Kleberg from curb to curb, then 8<sup>th</sup> Street from Kleberg to King Avenue. Mr. McLaughlin responded that this was correct.

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

**8. Consider approving a Proclamation naming November 3, 2023 as Arbor Day in the City of Kingsville. (Parks Director).**

Mrs. Susan Ivy, Parks Director, stated that this is a step in working towards the designation of Tree City USA.

**Motion made by Commissioner Alvarez to approve the proclamation naming November 3, 2023 as Arbor Day in the City of Kingsville, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa voting "FOR".**

**9. Consider introduction of an ordinance amending the City of Kingsville Code of Ordinances by amending Chapter III-Administration, Article 3-Departments, Boards, & Commissions, by adopting Sections 3-3-160 through 3-3-170, providing for creation of a Tree Board, duties, prohibitions, recommendations, and education. (Parks Director).**

Mrs. Ivy stated that in an effort to become a Tree City, we must establish a Tree Board to oversee the planning, installation, care, and education of trees in our community. The ordinance commits the Parks Advisory Board to serve as the Tree Board with advisement from the Texas Forest Service, Kleberg Kenedy Agri Life Extension, Kingsville Parks & Recreation, Kingsville Public Works, Tourism, Planning Department, and City Manager's Office. The Tree Board Operations will operate through the Parks Department. An application to become a Tree City will be presented to the City Commission for approval sometime in November 2023.

Introduction item.

**10. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for the Water Meter Carry Over Project. (Finance Director).**

Mrs. Deborah Balli, Finance Director stated that the water meter project started in Fiscal Year (FY) 22-23 with an estimated completion date of December 31, 2023. At the time the FY 23-24 budget was being developed it was difficult to determine how far along the project was going to be at the end of FY 22-23. The Finance Department decided to wait until the beginning of FY 23-24 to establish the remaining budget. The amount of this budget amendment is the amount that is the balance of this project at the end of FY 22-23 and is the amount that needs to be appropriated for FY 23-24 expenditures.

Introduction item.

**11. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for the purchase orders rolled forward from the prior Fiscal Year. (Finance Director).**

Mrs. Balli stated that at the end of each fiscal year, there are outstanding purchase orders that have been created and sent to vendors, and due for various reasons as to why they remain outstanding.

Introduction item.

**12. Consider authorizing use of Tourism ARP Funds for installation of signage at Tourism Center. (Tourism Director).**

Ms. Janine Reyes, Tourism Director stated that in June the City Commission approved the use of Tourism ARPA funds to order updated video screens to promote upcoming events at our office space right off the highway. After delivery, facilities staff determined that due to its large size and the need for some support bracket hardware. The signage will be installed by Macareno Signs. The quote provided by Macareno Signs is for an additional \$2,500.

**Motion made by Commissioner Lopez to authorize use of Tourism ARP Funds for installation of signage at the Tourism Center, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Lopez, Torres, Alvarez, Hinojosa voting "FOR".**

**13. Consider introduction of an ordinance amending the Fiscal Year 2023-2024 Budget to appropriate funding for the additional expenditures on the Tourism Video Signage Carry-Over Project. (Tourism Director).**

Introduction item.

**14. Consider a resolution authorizing the City Manager to execute a Lease with Maintenance Agreement, State and Local Government Addendum, and other documents related thereto with Toshiba Business Solutions. (copier services; via DIR purchasing program). (IT Director).**

Mr. Kyle Benson, IT Director stated that the city is currently under agreement with Kyocera Document Solutions for leased print equipment and print services. The quality of service has been sub-par and billing has been inaccurate and inconsistent over the last 18-24 months. After multiple attempts to work with Kyocera to remedy the issues, we are unable to reach a mutually beneficial resolution and therefore wish to change providers to a company better able to meet the needs of the organization while also billing in a fashion necessary to meet our financial obligations. The new contract with Toshiba Business Solutions is for a 48-month term. This contract would include a lump sum payoff of the existing contract in place with Kyocera as well as the replacement of all leased multi-function printers.

Commissioner Hinojosa asked what the payoff amount is for the current contract. Mr. Benson responded that the amount is \$44,388.90.

**Motion made by Commissioner Torres to approve the resolution authorizing the City Manager to execute a Lease with Maintenance Agreement, State and Local Government Addendum, and other documents related thereto with Toshiba Business Solutions. (copier services; via DIR purchasing program), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Torres, Alvarez, Lopez, Hinojosa voting "FOR".**

**15. Consider authorizing use of ARP Funds for Police Department network improvements. (IT Director).**

Mr. McLaughlin stated that this item authorizes approval of the installation of outdated network equipment including firewalls and network switches, upgrade of server operating systems to supported versions and reconfiguration of network and server infrastructure to industry best practices and CJIS compliance, and replacement of access control hardware for the Kingsville Police Department Central location.

**Motion made by Commissioner Torres to authorize use of ARP Funds for the Kingsville Police Department network improvements, seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa voting "FOR".**

**16. Consider authorizing purchase of Police Department network improvements through FreeIT Data Solutions of Austin, Texas via DIR Contract as per staff recommendation. (using ARP funds). (IT Director).**

**Motion made by Commissioner Alvarez to authorize purchase of Police Department network improvements through FreeIT Data Solutions of Austin, Texas via DIR Contract as per staff recommendation. (using ARP funds), seconded by Commissioner Lopez. The motion was passed and approved by the following vote: Lopez, Torres, Alvarez, Hinojosa voting "FOR".**

**17. Consider authorizing purchase of Police Department access control as part of network improvements through American Integrated Solutions of Corpus Christi, Texas via GoodBuy Contract as per staff recommendation. (using ARP funds). (IT Director).**

**Motion made by Commissioner Lopez to authorizing purchase of Police Department access control as part of network improvements through American Integrated Solutions of Corpus Christi, Texas via GoodBuy Contract as per staff recommendation. (using ARP funds), seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Torres, Alvarez, Lopez, Hinojosa voting "FOR".**

**18. Consider introduction of an ordinance amending the Fiscal 2023-2024 Budget to appropriate funding for the Police Department technology infrastructure. (network improvements ARP funds). (IT Director).**

Introduction item.

**19. Consider introduction of an ordinance amending the Fiscal 2023-2024 Budget to appropriate funding for the purchase of golf equipment and course improvements. (Parks Director).**

Mrs. Ivy stated that this item is asking for approval of a budget amendment to allocate \$14,500 for a zero-turn mower for the Golf Course, \$7,400 for aeration of greens, and \$4,400 for fairway sprinkler heads.

Commissioner Alvarez asked if the city would still be in charge of the Golf Course. Mr. McLaughlin responded yes, as it was included in the Fiscal Year 23-24 budget.

Introduction item.

**20. Consider authorizing the use of ARP Funds for various Park improvements. (Parks Director).**

Ms. Ivy commented that they are still working on several projects and some of the funding was uncertain at budget time as to whether it would be completed last year or not. The total for the projects is \$301,489.83 less the \$180,000 budgeted which equals to \$121,489.83 needed.

**Motion made by Commissioner Torres to authorize the use of ARP Funds for various Park improvements, seconded by Commissioner Alvarez. The motion was passed and approved by the following vote: Alvarez, Lopez, Torres, Hinojosa voting "FOR".**

**21. Consider introduction of an ordinance amending the Fiscal 2023-2024 Budget to appropriate funding for the ARP funded Parks projects roll forward from the prior fiscal year. (Parks Director).**

Introduction item.

**22. Consider additional one-time compensation for Finance Director for work performed during the budgetary process due to Accounting Manager vacancy. (City Manager).**

**Motion made by Commissioner Alvarez to approve the additional one-time compensation for the Finance Director for work performed during the budgetary process due to the Accounting Manager vacancy, seconded by Commissioner Torres.**

Commissioner Alvarez commented that this was a lot of extra work that needed to be done on the Finance Directors part and also having to work on the city's budget.

Ms. Alvarez commented that the Finance Director also had to prepare the quarterly reports and also do the bond rerating and bond issuance, which were all going on at the same time and normally have two people working on that.

Mr. McLaughlin commented that this was his initiative and he felt that being an exempt employee, the city policy doesn't require any extra compensation for exempt employees. However, after Mr. David Bodiford left the position in June, he has full accountability, through emails, for all the extra hours that the Finance Director worked without Mr. Bodiford's assistance. He further commented that he himself took up some of the duties to assist with the budget process, but the Finance Director worked an additional 220 extra hours in three months which is working two extra weeks in one month. He further commented that normally, in the past, when Mr. Bodiford was still with the city, he would grant them a 40-hour leave for all the extra hours worked. He stated that this was above and beyond and felt she should be compensated. He stated that this is a one-time stipend for the Finance Director. This is not to set a precedence as everyone's compensation is already fixed in the compensation plan. He stated that he would be addressing these types of situations on a case-by-case basis and have it brought forward to the commission for their approval. He stated that what he is asking for is to compensate the Finance Director for the extra hours worked in July, August, and September at \$1,000 for each of those months, for a total of \$3,000.

Commissioner Torres asked if this is like any other stipend that is given to any other position. Mr. McLaughlin responded that there are not too many stipends given in the city, this is only a one-time stipend.

Commissioner Lopez asked if there were any other stipends given out. Mr. McLaughlin responded that the only other stipend that is given is to the Tourism Director for Public Information Officer (PIO), as it is not worth it for the city to hire a full-time employee for PIO. Commissioner Lopez further asked if there is anything in writing for setting stipends. Mr. McLaughlin responded that the policy talks about what exempt employees do but it also says that the City Manager may make recommendations on changes to the compensation plan.

Commissioner Hinojosa commented that he is aware of the type of work that is needed to build a budget, it's a lot of work, especially for one individual. He further asked if anyone else within the Finance Department could assist with all this work.

Mr. McLaughlin responded no because what goes into the building of the budget is working in the EA's and DR's and the finance staff is working on the real-time budget by doing accounts receivable and accounts payable.

Commissioner Hinojosa commented that this would not create a precedence in the future. Mr. McLaughlin responded no and doesn't want anybody on staff to think that they could go out and work extra hours and think they would receive compensation for it. He would see this as a case-by-case and see if it is justified that they have done more than what the policy says that an exempt employee is supposed to do.

Commissioner Lopez asked where the city stands in hiring for that particular position. Mr. McLaughlin responded that the position had already been filled a week ago.

Commissioner Alvarez calls for the question.

Commissioner Hinojosa calls for a roll call vote.

Commissioner Lopez comments that the call for the question made by Commissioner Alvarez did not have a second.

Commissioner Torres commented that she seconded the call for the question made by Commissioner Alvarez.

Commissioner Lopez commented that it was not announced.

Commissioner Hinojosa commented that there was a call for the question by Commissioner Alvarez and seconded by Commissioner Torres.

**The motion was passed and approved by the following vote: Torres, Alvarez, Hinojosa voting "FOR". Lopez "ABSTAINED".**

**23. Consider out-of-state travel for Commissioner Torres to attend the NALEO Policy Institute on Health: Creating Pathways Toward Latino Well-Being from November 15-18, 2023 in Newport Beach, CA. (Commissioner Torres).**

Commissioner Torres stated that expenses for this trip would be paid for by a scholarship she was awarded by NALEO.

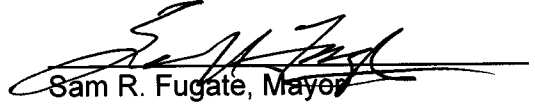
Commissioner Alvarez asked if the trip was to be paid for through a scholarship and not city funds, why would it require commission approval?

Mrs. Alvarez responded that any out-of-state travel for city business, paid for by city funds or through a scholarship, would require commission approval in order to insure the traveler through the city's insurance.


**Motion made by Commissioner Alvarez to approve the out-of-state travel for Commissioner Torres to attend the NALEO Policy Institute on Health: Creating Pathways Toward Latino Well-Being from November 15-18, 2023, in Newport Beach, CA, seconded by Commissioner Torres. The motion was passed and approved by the following vote: Torres, Alvarez, Lopez, Hinojosa voting "FOR".**

**VI. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 6:16 P.M.

  
Sam R. Fugate, Mayor

**ATTEST:**

  
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Mary Valenzuela, TRMC, CMC, City Secretary