

## RECOMMENDATION TO THE KINGSVILLE CITY COMMISSION

### AGENDA ITEM

Consideration and approval of a resolution approving the rejection (with a retroactive rejection date, effective June 6, 2025) of the papers comprising a recall petition submitted by Selina A. Tijerina, and/or other petitioner(s), to the Kingsville City Secretary on June 6, 2025, due to a clear violation of the Kingsville City Charter, in that the Kingsville City Charter, Article II, Section 24 (6), clearly states that, "All papers comprising a recall petition shall be returned and filed with the person performing the duties of the City Secretary within thirty (30) days after the filing of the affidavit herein before provided for," and the recall petition papers were returned on the thirty-first (31) day in violation of the Kingsville City Charter, and whereas the recall affidavit from Selina A. Tijerina, and/or other petitioner(s), was received and filed by the City Secretary on May 6, 2025, and whereas the papers comprising the recall petition were received and filed by the City Secretary on June 6, 2025, and whereas the date of June 6, 2025, was thirty-one (31) days after the filing of the recall affidavit on May 6, 2025, which violated the thirty (30) day statute of the Kingsville City Charter as stated above, and whereas, due to this City Commission rejection of the recall petition submitted by Selina A. Tijerina, and/or other petitioner(s), the current recall process to recall three (3) City Commissioners (Alvarez, Hinojosa, and Alarcon) requires no further action by the City Commission, and whereas any petitioner(s) may take action to begin the recall process from the beginning in obedience with the Kingsville City Charter, if they so desire, including obedience of the Kingsville City Charter, Article II, Section 24 (5), that states any recall petition, "must distinctly and specifically state the ground(s) upon which such petition for removal is predicated, and if there be more than one ground, such as for incompetency, noncompliance with this Charter, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of such matters and things with which he or she is charged."

**RESOLUTION #2025-\_\_\_\_\_**

**A RESOLUTION AUTHORIZATING THE REJECTION (WITH A RETROACTIVE REJECTION DATE, EFFECTIVE JUNE 6, 2025) OF ALL PAPERS COMPRISING A RECALL PETITION SUBMITTED BY SELINA A. TIJERINA, AND/OR OTHER PETITIONER(S), TO THE KINGSVILLE CITY SECRETARY ON JUNE 6, 2025, DUE TO A CLEAR VIOLATION OF THE KINGSVILLE CITY CHARTER, IN THAT THE KINGSVILLE CITY CHARTER, ARTICLE II, SECTION 24 (6), CLEARLY STATES THAT, “ALL PAPERS COMPRISING A RECALL PETITION SHALL BE RETURNED AND FILED WITH THE PERSON PERFORMING THE DUTIES OF THE CITY SECRETARY WITHIN THIRTY (30) DAYS AFTER THE FILING OF THE AFFIDAVIT HEREIN BEFORE PROVIDED FOR,” AND THE RECALL PETITION PAPERS WERE RETURNED ON THE THIRTY-FIRST (31) DAY IN VIOLATION OF THE KINGSVILLE CITY CHARTER, AND**

**WHEREAS**, the recall affidavit from Selina A. Tijerina, and/or other petitioner(s), was received and filed by the City Secretary on May 6, 2025, and

**WHEREAS**, the papers comprising the recall petition were received and filed by the City Secretary on June 6, 2025, and

**WHEREAS**, the date of June 6, 2025, was thirty-one (31) days after the filing of the recall affidavit on May 6, 2025, which violated the thirty (30) day statute of the Kingsville City Charter as stated above, and

**WHEREAS**, due to this City Commission rejection of the recall petition submitted by Selina A. Tijerina, and/or other petitioner(s), the current recall process to recall three (3) City Commissioners (Alvarez, Hinojosa, and Alarcon) requires no further action by the City Commission, and

**WHEREAS**, any petitioner(s) may take action to begin the recall process from the beginning in obedience with the Kingsville City Charter, if they so desire, including obedience of the Kingsville City Charter, Article II, Section 24 (5), that states any recall petition, “must distinctly and specifically state the ground(s) upon which such petition for removal is predicated, and if there be more than one ground, such as for incompetency, noncompliance with this Charter, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of such matters and things with which he or she is charged.”

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Kingsville, Texas:

I.

**THAT** the City Commission rejects (with a retroactive rejection date, effective June 6, 2025) all papers comprising a recall petition submitted by Selina A. Tijerina, and/or other petitioner(s),

to the Kingsville City Secretary on June 6, 2025, due to a clear violation of the Kingsville City Charter, in that the Kingsville City Charter, Article II, Section 24 (6), clearly states that, “All papers comprising a recall petition shall be returned and filed with the person performing the duties of the City Secretary within thirty (30) days after the filing of the affidavit herein before provided for,” and the recall petition papers were returned on the thirty-first (31) day in violation of the Kingsville City Charter.

II.

**THAT** all resolutions or parts of resolutions in conflict with this resolution are repealed to the extent of such conflict only.

III.

**THAT** this Resolution shall be and become effective on and after adoption, with the exception that the rejection date of the recall petition in question is retroactively set to be effective June 6, 2025, the date the violation of the Kingsville City Charter occurred.

**PASSED AND APPROVED** by a majority vote of the City Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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Sam R. Fugate, Mayor

**ATTEST:**

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Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

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Courtney Alvarez, City Attorney