

APRIL 28, 2006

A SPECIAL MEETING OF THE CITY OF KINGSVILLE, TEXAS CITY COMMISSION WAS HELD ON FRIDAY, APRIL 28, 2006 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS, CITY HALL / 200 EAST KLEBERG AVENUE AT 12:00 NOON

**CITY COMMISSION PRESENT:**

Sam R Fugate, Mayor  
Al Garcia, Commissioner  
Stanley Laskowski, Commissioner

**CITY COMMISSION ABSENT:**

Charles E Wilson, Mayor Pro-tem  
Arturo Pecos, Commissioner

**CITY STAFF PRESENT:**

Carlos Yerena, City Manager  
Courtney Alvarez, City Attorney  
Edna S Lopez, City Secretary  
Mark Rushing, Finance Director

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate called the meeting to order in the Commission Chambers at 12:15 P.M.

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

The invocation was delivered by City Manager Yerena, followed by the Pledge of Allegiance or the Texas Pledge.

**MINUTES OF PREVIOUS MEETING(S) – Required by Law**

NONE

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

NONE

**III. Petitions, Grievances, and Presentations.<sup>2</sup>**

**1. City Manager's Report. (City Manager).**

Mayor Fugate called for the City Manager's report. City Manager Yerena stated he had nothing to report.

**2. City Attorney's Report. (City Attorney).**

Mayor Fugate called for the City Attorney's report. Ms Alvarez updated the Commission regarding their request on a letter that was to be sent to the AG property owners within the City.

**3. City Commission's Reports. (City Commission).**

Mayor Fugate called for the City Commission's reports. Commissioner Garcia reported on a forming a possible joint communication effort between the City and Appraisal District regarding discovery of new construction.

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

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

NONE

**V. Consent Agenda**

NONE

**REGULAR AGENDA****CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:****VI. Items for consideration by Commissioners.<sup>4</sup>**

The Commission convened into Executive Session at 12:20 P.M.

**1. Executive Session: Under Section 551.071 of the Texas Open Meetings Act, the City Commission shall convene in Executive Session to seek legal advice from the City Attorney regarding pending litigation concerning BGI, Inc. v. City of Kingsville, No. 05-150-D, in the 105<sup>th</sup> District Court of Kleberg County, Texas. (City Attorney).**

The Commission reconvened into Regular Session at 12:55 P.M.

**2. Consider authorizing the City Manager to enter into a confidential settlement agreement for the resolution of all matters in dispute regarding pending litigation of BGI, Inc. v. City of Kingsville. (City Attorney).**

Commissioner Laskowski made a motion to authorize the City Manager to enter into a confidential settlement agreement for the resolution of all matters in dispute regarding pending litigation of BGI, Inc v. City of Kingsville in an amount as recommended by outside counsel, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Garcia, Laskowski voting "FOR". Wilson, Pecos "ABSENT".

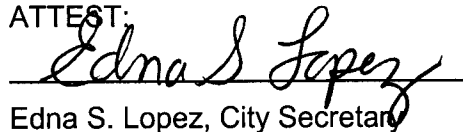
**VI. Adjournment.**

There being no further business to come before the Commission, the meeting was adjourned at 12:57 P.M.



Sam R. Fugate, Mayor

ATTEST:



Edna S. Lopez, City Secretary