

NOVEMBER 21, 2008

**A SPECIAL MEETING OF THE CITY OF KINGSVILLE CITY COMMISSION WAS HELD ON FRIDAY, NOVEMBER 21, 2008 IN THE HONORABLE ROBERT H. ALCORN COMMISSION CHAMBERS CITY HALL / 200 EAST KLEBERG AVENUE AT 12:00 P.M.**

**CITY COMMISSION PRESENT:**

Sam R Fugate, Mayor  
Al Garcia, Mayor Pro-tem  
Charles E Wilson, Commissioner  
Arturo Pecos, Commissioner  
Stanley Laskowski, Commissioner

**CITY STAFF PRESENT:**

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

**I. Preliminary Proceedings.**

**OPEN MEETING**

Mayor Fugate announced he would forego all formalities and announced quorum as present.

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

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

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

**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, Convention and Visitor’s Bureau, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, and Texas Municipal League. Staff reports include the following: Building & Development , Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, 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. No formal action can be taken on these items at this time.”*

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

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

Mayor Fugate called for comments on all agenda and non-agenda items. There were no comments.

**V. Consent Agenda**

NONE

**REGULAR AGENDA**

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

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

**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 threatened/contemplated litigation concerning anticipatory breach of jail contract by Kleberg County. (City Attorney).**

Mayor Fugate announced the Executive Session. The Commission convened into executive session at 12:02 P.M.

The Commission reconvened at 12:30 P.M.


**2. Discuss and consider enacting Article IX of the Contract between the City of Kingsville and Kleberg County relating to the jail. (City Attorney).**

Mayor Fugate explained Article IX deals with going into arbitration or mediation with the County on the per diem for City prisoners. He stated that the people involved in the mediation/arbitration committee are: the Mayor, the City Manager, Police Chief, the Sheriff, the County Judge and the County Court at law Judge. He added this would have to be done in the next sixty days. Mayor Fugate stated the County has already taken action on this item.

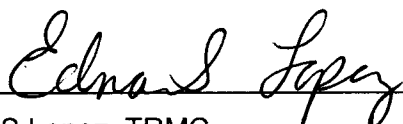
**Commissioner Wilson made a motion to enact Article IX of the contract between the City of Kingsville and Kleberg County, as it relates to the jail contract, seconded by Commissioner Garcia. The motion was passed and approved by the following vote: Fugate, Pecos, Laskowski, Garcia, Wilson voting "FOR".**

**VII. Adjournment.**

There being no further business to come before the City Commission, the meeting was adjourned at 12:32 P.M.

  
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 Sam R Fugate, Mayor

ATTEST:

  
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 Edna S Lopez, TRMC  
 City Secretary