NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
JULY 22, 2013 4:30 P.M.
MISSION CITY HALL

PRESENT:
Norberto Salinas, Mayor
Maria Elena Ramirez, Councilwoman
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Mayor Pro Tem
Dr. Armando O'cana, Councilman
David Guerra, City Attorney
Anna Carrillo, City Secretary
Martin Garza, Jr., Interim City Manager

ABSENT:

ALSO PRESENT:
Tadeo Reyna
Daniel Flores
Juan Delgado
Yessica Pedraza
Jeff Linder
Fred Kurth
Richard Perez
Alex Meade
Maxi Lou Link

STAFF PRESENT:
Carmen Morales, Administrative Asst.
Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
Guillermo Seguin, Deputy City Manager
Danny Tijerina, Planning Director
Bobby Salinas, Asst. Planning Director
Roberto Salinas, Public Works Director
Paul Schaefer, Golf Course Director
Joanne Longoria, CDBG Director
Eduardo Belmarez, Purchasing Director
Robert Dominguez, Interim Chief of Police
Janie Flores, Finance Director
Randy Perez, Asst. Finance Director
Julian Gonzalez, Parks & Rec. Director
Luduvico Martinez, B & G Club Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Jesse Lerma, Civil Service Director
Roland Rodriguez, I. T. Director
Luis Contreras, Museum Director
Mayra Rocha, Library Director
Elizabeth Hernandez, Executive Secretary
Jonathan Wehrmeister, Judge

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:42 p.m.

2. Pledge Allegiance and Invocation

Mayor Salinas led the meeting with the pledge of allegiance and Interim City Manager Martin Garza, Jr. gave the invocation.

3. Departmental Reports

Councilwoman Maria Elena Ramirez moved to approve the departmental reports as presented. Motion was seconded by Councilman Ruben D. Plata and approved unanimously 5-0.

4. Report from the Greater Mission Chamber of Commerce

Matt Ruszczak, CEO of the Greater Mission Chamber of Commerce reported on the chamber events that had recently taken place.

5. Gen Long – representing Downtown Merchants on Streetscape Project

Gen Long representing Downtown Merchants on Streetscape Project thanked the Mayor and Council for their support of the Streetscape project and on the Museum Landscape Project.

6. Citizens Participation

Maxi Lou Link from the Upper Valley Art League read a story and presented Mayor with the pair of shoes that was used for the bronze statue.

1.0 Public Hearing
1.1 Planning & Zoning Recommendations
A. Rezoning: Lots 1 & 2, Yessica Pedraza Subdivision, AO-I (Agricultural Open Interim) & R-1 (Single Family Residential) to C-1 (Office Building), Yessica Pedraza Adoption of Ordinance # 3959 approving 1.1A

On July 10, 2013 the Planning and Zoning Commission convened in order to consider the rezoning request mentioned above, which was located 1,200' east of Bryan Road along the north side of Griffin Parkway. There was public opposition during P&Z 7/10/13 Mtg. The concerns voiced were the type of business that would be allowed, not enough parking, and surrounding areas were single family residential. The Board unanimously recommended approval for Lot 1 to be rezoned to C-1 and denial for Lot 2, as per staff's recommendations. FYI, it would take a 4/5ths favorable vote to 'approve' Lot 2 to C-1.

Staff and City Manager Recommendation: Approval for Lot 1 to be rezoned to C-1 and Denial for Lot 2, due to the surrounding, existing single family land uses, in order to comply with the City's FLUM, and to remain consistent with the existing line of demarcation.

Mayor Salinas asked if there were any comments for or against the request.

There were no comments.

Mayor Pro Tem Norie Gonzalez Garza moved to approve the rezoning for Lot 1 only and to adopt Ordinance No. 3959 Rezoning: Lot 1, Yessica Pedraza Subdivision, AO-I (Agricultural Open Interim) to C-1 (Office Building) as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3959

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A LOT 1, YESSICA PEDRAZA SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-1 (OFFICE BUILDING)

B. Conditional Use Permit: Drive-Thru Service Window for Panda Express Restaurant, Lot 1, North Sharyland Commons Subdivision (U/R), C-3, Panda Express c/o Chris Pope
Adoption of Ordinance # 3960 approving 1.1B

On July 10, 2013 the Planning and Zoning Commission convened in order to consider the conditional use permit request mentioned above, which was located approximately 500' north of Victoria Avenue along the east side of Shary Road. There was no public opposition during P&Z 7/10/13 Mtg. The Board unanimously recommended approval as per staff's recommendations.

Staff Recommendation: Approval for 1 year

City Manager recommended approval.

Mayor Salinas asked if there were any comments for or against the request.

Mr. Jeff Linder from Bannister Engineering spoke in favor of the request.

Councilman Plata moved to approve the CUP and to adopt Ordinance No. 3960 Conditional Use Permit: Drive-Thru Service Window for Panda Express Restaurant, Lot 1, North Sharyland Commons Subdivision (U/R), C-3 as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

2.0 Disposition of Minutes
2.1 City Council Meeting – July 8, 2013

Mayor Pro Tem Garza moved to approve the minutes as presented. Motion was seconded by Councilman Dr. Armando O'cana and approved unanimously 5-0.

3.0 Acknowledge Receipt of Minutes
3.1 Planning and Zoning Commission – June 26, 2013
Citizen's Advisory Committee Meeting – June 11, 2013
Mission Historical Museum – April 17, 2013

Councilman Plata moved to acknowledge the receipt of minutes as presented. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.0 Approvals and Authorizations

4.1 Preliminary Plat Approval: David Reyna Mobile Home & R.V. Subdivision, A 2.122 acre tract of land out of Lot 22-1, West Addition to Sharyland Subdivision, R-4, Developer: David Reyna, Engineer: Melden & Hunt, Inc.

On July 10, 2013 the Planning and Zoning Commission convened in order to consider the Preliminary Plat Approval for David Reyna Mobile Home & R.V. Subdivision. The property was located approximately 300' east of Inspiration Road along the north side of Barnes Street. There was no public opposition during City Council 4/22/13 Mtg. The Board unanimously recommended approval as per staff's recommendations.

Staff Recommendation: Approval subject to: 1) no objection to the 3 proposed variances; 2) compliance with the Model Subdivision Rules; 3) must meet private street maintenance and hold harmless requisites; and 4) exclusion from the water district.

City Manager recommended approval.

After much discussion, Councilman Plata moved to table this item. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.2Approval of Resolution # 1356 of the City Council of the City of Mission Approving the Issuance of Mission Economic Development Corporation Taxable Power Purchase Agreement Revenue Bonds (Nelson Gardens Energy, LLC Project) Series 2013

Lee McCormick, President of Community Development Associates, LLC had facilitated the issuance of Mission EDC Taxable Power Purchase Agreement Revenue Bonds to Nelson Gardens Energy, LLC Project, Series 2013, for assistance under the MEDC Private Activity Bond Program. This was the third 60 day extension for the Mission City Council approval consideration to the Nelson Gardens Energy, LLC Project.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1356 of the City Council of the City of Mission Approving the Issuance of Mission Economic Development Corporation Taxable Power Purchase Agreement Revenue Bonds (Nelson Gardens Energy, LLC Project) Series 2013 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.3 Approval of Ordinance # 3961 granting a wet designation for 610 S. Inspiration, Dollar General # 13966

Staff and City Manager recommended Ordinance approval.

Councilman Plata moved to approve Ordinance No. 3961 granting a wet designation for 610 S. Inspiration, Dollar General # 13966. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

ORDINANCE NO. 3961

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING ORDINANCE NO. 780 DESIGNATING PLACES WHERE BEER AND OTHER ALCOHOLIC BEVERAGES MAY BE SOLD WITHIN THE CORPORATE LIMITS OF THE CITY OF MISSION TO INCLUDE THE PREMISES LOCATED AT 610 S. INSPIRATION

4.4 Approval of Interlocal Agreement between Hidalgo County Irrigation District No. 1 and the City of Mission

Hidalgo County Irrigation District #1 and City desired to cooperate in making needed drainage improvements crossing HCID#1 canal at Glasscock Road just north of FM 495. On July 11, 2013 the HCID#1 board of directors approved construction and bypass method from City's awarded contractor, Garco Industries in conjunction with the provided Interlocal Agreement. The District granted permission to the city to install approximately 162 LF of 42" concrete pipe underneath the irrigation canal. All construction work would be performed in accordance with engineering plans & specifications.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Interlocal Agreement between Hidalgo County Irrigation District No. 1 and the City of Mission as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.5 Acceptance of Quarterly Report of Investments for the Quarter ending June 30, 2013 and Interest Earned for Nine Months Ending June 30, 2013

Acceptance of quarterly report required by the Public Funds Investment Act Section 2256.023 of the Texas Government Code on the total investments for the quarter ending June 30, 2013. The total investments purchased were $2,002,422.36 and the amount of maturing investments was $3,189,242.00 leaving a total of $25,456,972.63 in outstanding investments for the quarter ending June 30, 2013. The total interest earned on all funds year to date was $64,350.24.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve acceptance of Quarterly Report of Investments for the Quarter ending June 30, 2013 and Interest Earned for Nine Months Ending June 30, 2013 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.6 June 2013 Financial Statements

Randy Perez, Assistant Finance Director presented the June 2013 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve the June 2013 Financial Statements as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.7 Tax Collections Report – June, 2013

Mr. Perez presented the Tax Collections Report for June, 2013 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Tax Collections Report for June, 2013 as recommended. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.8 Approval of Ordinance # 3962 amending Chapter 110 Traffic and Vehicles by adding Article XII – Vulnerable Road Users

The Mission Police Department had been monitoring the rapid growth of cycling by Mission residents in our community. Our own community had itself embraced this growing activity and there were now dedicated bicycle trails where enthusiasts and regular families ride their bicycles to exercise and for pleasure. Additionally, the Texas Department of Transportation was adding more bicycle lanes to our public roadways. In an effort to protect not only cyclist, but also other vulnerable road users of our community that utilize our roads and right-of-ways, it was imperative to implement this ordinance to provide added protection while traveling upon our roadways. This ordinance would require motorist to yield to a vulnerable road user by vacating the lane of travel of the vulnerable road user or to pass the vulnerable road user at a safe distance.

Staff and City Manager recommended Ordinance approval.

Councilwoman Ramirez moved to approve Ordinance No. 3962 amending Chapter 110 Traffic and Vehicles by adding Article XII – Vulnerable Road Users as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 3962

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING CHAPTER 110 - TRAFFIC AND VEHICLES OF ITS CODE OF ORDINANCES, BY ADDING ARTICLE XII VULNERABLE ROAD USERS, TO PROVIDE FOR SAFE PASSAGE OF VULNERABLE ROAD USERS; CONTAINING A REPEALER CLAUSE; CONTAINING A SAVINGS CLAUSE; PROVIDING FOR A FINE NOT TO EXCEED $500 UPON CONVICTION THEREOF IN ACCORDANCE WITH CHAPTER 1 SECTION 1-14 OF THE CODE OF ORDINANCES OF THE CITY OF MISSION, TEXAS; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR CODIFICATION IN THE CODE OF ORDINANCES OF THE CITY OF MISSION AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

4.9 Approval of Final Five Year Consolidated Plan and Strategy 2013-2017/Action Plan 2013-14 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY '13 CDBG Allocations except LRGVDC-Area Agency on Aging and Amigos del Valle

City Council held a public hearing on June 10, 2013 to solicit input on funding allocations for public service agencies and city departments for the Proposed Five Year Consolidated Plan and Strategy 2013-2017/Action Plan FY'13-14 as required by HUD. No comments were received during the thirty day comment period which ended July 8, 2013.

The following agencies and departments were approved for funding through the FY'13 allocation of $869,443: LRGVDC - Area Agency on Aging ($10,000), Amigos Del Valle ($32,250), Silver Ribbon ($3,875), Easter Seals Society ($3,875), Dentists Who Care ($10,000), Children's Advocacy Center ($10,000), Housing Division ($625,691) and Administration and Project Delivery ($173,752). A subrecipient orientation meeting would be scheduled to discuss their responsibilities to insure compliance with all federal regulations.

Staff Recommendation: Approval of Final Five Year Consolidated Plan and Strategy 2013-2017/Action Plan 2013-14 and authorize City Manager to Execute Subrecipient/Interdepartmental Agreements to consider LRGVDC-Area Agency on Aging and Amigos Del Valle.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Final Five Year Consolidated Plan and Strategy 2013-2017/Action Plan 2013-14 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY '13 CDBG Allocations except LRGVDC-Area Agency on Aging and Amigos del Valle as recommended. Motion was seconded by Councilman O'cana and approved unanimously 5-0.

4.10 Approval of Final Five Year Consolidated Plan and Strategy 2013-2017/Action Plan 2013-14 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY '13 CDBG Allocations to LRGVDC-Area Agency on Aging and Amigos Del Valle

City Council held a public hearing on June 10, 2013 to solicit input on funding allocations for public service agencies and city departments for the Proposed Five Year Consolidated Plan and Strategy 2013-2017/Action Plan FY'13-14 as required by HUD. No comments were received during the thirty day comment period which ended July 8, 2013.

The following agencies and departments were approved for funding through the FY '13 allocation of $869,443: LRGVDC - Area Agency on Aging ($10,000), Amigos Del Valle ($32,250), Silver Ribbon ($3,875), Easter Seals Society ($3,875), Dentists Who Care ($10,000), Children's Advocacy Center ($10,000), Housing Division ($625,691) and Administration and Project Delivery ($173,752). A subrecipient orientation meeting would be scheduled to discuss their responsibilities to insure compliance with all federal regulations.

Staff Recommendation: Approval of Final Five Year Consolidated Plan and Strategy 2013-2017/Action Plan 2013-14 and authorize City Manager to Execute Subrecipient/Interdepartmental Agreements except LRGVDC-Area Agency on Aging and Amigos Del Valle

City Manager recommended approval.

City Attorney David Guerra suggested to Mayor Salinas and Mayor Pro Tem Garza that they abstain from voting and deliberation on this item since HUD perceived a conflict of interest because they both serve on these boards.

Councilman Plata was asked to preside over this item.

Councilwoman Ramirez moved to approve Final Five Year Consolidated Plan and Strategy 2013-2017/Action Plan 2013-14 and authorize City Manager to execute Subrecipient/Interdepartmental Agreements receiving FY '13 CDBG Allocations to LRGVDC-Area Agency on Aging and Amigos Del Valle as recommended. Motion was seconded by Councilman O'cana and approved 3-0 with Mayor Salinas and Mayor Pro Tem Garza abstaining.

4.11 Award bid for "Housing Assistance Program Phase 12-II"

On May 13, 2013 City Council authorized staff to solicit bids for two (2) reconstruction and two (2) rehabilitation projects. The City of Mission had accepted and opened six (6) bid responses for these projects. Staff recommended awarding to G&G Contractors for the reconstruction of two (2) homes and rehabilitation of one (1) home. G&G Contractors had met all the Terms & Conditions and Specifications and came within budget. Staff recommended awarding to GMG Construction for the rehabilitation of one (1) home. GMG Construction had met all the Terms & Conditions and Specifications and came within budget. CAC met on July 9, 2013 and approved staff's recommendation as indicated below and approved as follows:

G & G Contractors - $118,140
601 West 4th - $48,730
903 Lee - $51,730
1911 Victoria St - $17,680

G.M.G. Construction - $18,800
200 Keralum - $18,800

The city had been utilizing 75% of the annual CDBG allocation for several years for reconstruction projects. Since 1999, a total of 345 families to date had been provided some form of housing assistance. Out of the 345 families, 220 families were provided with reconstruction assistance while 125 families were provided with rehabilitation assistance (including CDBG-R, CDBG-DR and SSBG funds).

City Manager recommended approval.

Councilwoman Ramirez moved to approve to award bid for "Housing Assistance Program Phase 12-II" as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.12 Authorization to solicit bids for "Housing Assistance Program - Phase 12-II A"

CAC met on May 7, 2013 and approved staff's recommendation to provide assistance for the reconstruction of two (2) homes through the CDBG program as follows:

Reconstruction:
806 Cuchilla – 2 bedrooms (Subject to final approval by City Attorney)
1308 Blue Rock – 2 bedrooms

Staff Recommendation: Solicit bids for "Housing Assistance Program - Phase 12-II A"

City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids for "Housing Assistance Program - Phase 12-II A" as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.13 Write-off uncollectable utility accounts receivable

Provided for staffs review and approval was a summary of the amounts to be written off at this time. The amounts were for the three (3) month period of April 2012 through June 2012.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve to write-off uncollectable utility accounts receivable as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.14 Authorization to transfer park zone funds from Northeast Neighborhood Park Zone to Bentsen Palm Regional Park Zone

Staff was requesting authorization to transfer funds from the Northeast Park Zone to the Southwest Bentsen Palm Regional Park Zone for the construction of proposed bathroom facilities. Reference to Ordinance No. 3367 – an Ordinance of the City of Mission, Texas amending the Park Dedication Ordinance No. 1340 to allow the usage of Park Zone Funds with City Council approval for Regional Recreation Sites. (Fund requested $30,000.00)

Staff and City Manager recommended approval.

Councilman O'cana moved to authorize to transfer park zone funds from Northeast Neighborhood Park Zone to Bentsen Palm Regional Park Zone as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

4.15 Authorization to solicit bids for the construction of bathroom facilities at Bentsen Palm Community Park

Staff was seeking authorization to solicit bids for the construction of bathroom facilities Northwest of the baseball fields at Bentsen Palm Community Park.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to solicit bids for the construction of bathroom facilities at Bentsen Palm Community Park as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.16 Budget Amendment – General Fund and Park Dedication Fund

Mr. Perez presented the budget amendments BA–2013-49 thru BA–2013-51 to the City Council for approval.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to approve budget amendments BA–2013-49 thru BA–2013-51 as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.17 Approval of Interlocal Agreement between City of McAllen, County of Hidalgo and the City of Mission concerning certain improvements to Taylor Rd. from US 83 Expressway North to 1300 Ft. North of Dove

City of Mission, City of McAllen and County of Hidalgo desired to cooperate in making needed transportation improvements to Taylor Road from US 83 Expressway North to 1300 ft. North of Dove Street. The City of Mission would be the fiduciary agent for this project and would assume the role of project development lead, the City of Mission desired to complete Phase I of the project development which included the Environmental Assessment, Public Involvement & Schematic services for this project.

The total Phase I project development cost would be $1,170, 000 of which Mission would contribute $390,000. The City of McAllen and the County of Hidalgo would each contribute a fixed lump sum in the amount of $390,000.

Mission, McAllen and the County would seek to fund the construction and ROW costs of this project through Hidalgo County MPO and TxDOT.

Staff and City Manager recommended approval.

Councilman O'cana moved to approve Interlocal Agreement between City of McAllen, County of Hidalgo and the City of Mission concerning certain improvements to Taylor Rd. from US 83 Expressway North to 1300 Ft. North of Dove as recommended. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.18 Discussion and Action on Interlocal Agreement between the City of Mission and the Lower Rio Grande Valley Development Council (LRGVDC) for a Transit – Oriented Development Project – Conway Avenue

The purpose of the Interlocal was two-fold. First, it would permit the City and LRGVDC to apply for Federal Transit Administration funding to off-set the costs associated with the City of Mission's Conway Avenue Streetscape Project. Secondly, the Interlocal outlined the details for a two (2) year pilot program where the City would allocate additional funding to Valley Metro in the amount and for the purposes outlined in the last paragraph of this summary.

The City of Mission and the LRGVDC desired to cooperate in a transit-oriented development project to enhance the pedestrian walkway along Conway Avenue between 1st Street and 14th Street within the city limits of Mission.

This project would improve the visibility and use of transit services, provide increased mobility and access for the elderly and disabled improve safety, and enhance the value of City property. This Interlocal included the City's participation wherein the City of Mission would provide funding in the total amount of $200,000 (payable on a quarterly basis), in addition to the ongoing local match already provided annually, for a pilot period of two (2) years, for the purpose of supporting Valley Metro operations or vehicle acquisition.

Staff Recommendation: Staff recommended approval of the Interlocal Agreement between LRGVDC and the City of Mission.

City Manager recommended approval.

Councilman Plata moved to approve Interlocal Agreement between the City of Mission and the Lower Rio Grande Valley Development Council (LRGVDC) for a Transit – Oriented Development Project – Conway Avenue as recommended. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

5.0 Unfinished Business

5.1 Public Hearing Agenda Item: Rezoning: Lots 16-18, Bryan Pointe Subdivision, Ph. I, C-(General Business) to P (Public Zone), Ignite Public Schools & Community Service Center
Adoption of Ordinance # _____ approving 5.1

On June 26, 2013 the Planning and Zoning Commission convened in order to consider the rezoning request mentioned above, which was located approximately 600' east of Bryan Road along the south side of E. 1st Street. There was no public opposition during P&Z 6/26/13 Mtg. The Board unanimously recommended approval as per staff's recommendations.

Item 5.1 remained on the table.

6.0 Routine Matters

6.1 City Manager's Comments

Mr. Garza thanked Museum Director Luis Contreras and all of the directors that helped out with support of the Museum Landscape Project.

6.2 Mayor's Comments

None

At 5:40 p.m., Councilman Plata moved to convene into executive session for items 7.1A and 7.1B of the agenda. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

7.0 Executive Session pursuant to V.T.C.A. Gov. Code Sec. 551.001

7.1 Consultation with Attorney Sec. 551.071

A. City of Mission v Alejandro Gonzalez

B. City of Mission vs BFI Waste Services of Texas, LP, dba Republic Services of Rio Grande Valley

7.2 The City Council will reconvene in open session to take any actions necessary

At 6:18 p.m., Councilman O'Cana moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.1-A, Mayor Pro Tem Garza moved to authorize the City Manager to hire an attorney from Austin to represent the City and to negotiate settlement with Mr. Gonzalez. Motion was seconded by Councilman Plata and approved unanimously 5-0.

On item 7.1-B, Councilman Plata moved to authorize Jones Galligan Key & Lozano to appeal the decision of the Supreme Court to the 5th District Court of Appeals and authorize City Manager to continue negotiations with Mr. John Deicla. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

8.0 Adjournment

At 6:20 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

_____
Norberto Salinas, Mayor

ATTEST:

_____
Anna Carrillo, City Secretary