

**NOTICE OF SPECIAL MEETING
MISSION CITY COUNCIL
SEPTEMBER 19, 2011 10:00 A.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Maria Elena Ramirez, Councilwoman
Norie Gonzalez Garza, Councilwoman
David Guerra, City Attorney
Anna Carrillo, City Secretary
Julio Cerda, City Manager

ABSENT:

Leo Olivarez, Mayor Pro Tem
Ruben D. Plata, Councilman

ALSO PRESENT:

Jim Brunson, Progress Times
Bob Galligan, Attorney
Bryce Chandler
Alex Meade, MEDC CEO

STAFF PRESENT:

Guillermo Seguin, Deputy City Manager
Eduardo Belmarez, Purchasing Director
Janie Flores, Finance Director
Randy Perez, Asst. Finance Director
Julian Gonzalez, Parks & Rec. Director
Roberto Salinas, P.E., Public Works Director

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 10:10 a.m.

2. Rescind Award to Rojas Construction, forfeit cashier's check in lieu of bid bond, reject all other bids and authorize staff to rebid for TDRA Street Improvements Project

On August 8, 2011 City Council gave authorization to award the contract for "Street Improvements 2 ½ Street and 4th Street Amendment No.1." Contract was awarded to Rojas Construction and Paving for a total contract amount of \$434,080. Engineer Camacho-Hernandez & Associates provided a letter on August 15, 2011 informing Rojas Construction and Paving of the award. As per Instructions to Bidders," Performance and Payment Bonds are to be submitted within ten (10) days from date of Award.

Thru Camacho-Hernandez & Associates, Mr. Lopez with Rojas Construction and Paving was given until Friday, September 16, 2011 by 12:00 p.m. to submit Payment and Performance Bonds. Mr. Lopez was allowed ample time and failed to provide the bonds as required by Instructions to Bidders and Government Code Sec. 2253.021, PERFORMANCE AND PAYMENT BONDS.

Staff and City Manager recommend rescinding award to Rojas Construction, forfeit cashier's check in lieu of bid bond, reject all other bids and authorize staff to rebid for TDRA Street Improvements Project.

Mayor Salinas recommended returning the cashier's check. City Attorney David Guerra requested that council go into executive session prior to considering this matter in open session pursuant to V.T.C.A. Gov. Code Sec. 551.071, Consultation with Attorney. Council did and thereafter returned to the item in open session.

Councilwoman Norie Gonzalez Garza moved to approve staff recommendation. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 3-0.

3. Award Bid for the purchase of Sewer Jet Rodder for Public Works Department

On July 11, 2011, City Council authorized staff to solicit bids for the purchase of a Sewer Jet Rodder. The City of Mission had accepted and opened four (4) bid responses. Staff recommended awarding to Texas Underground Inc. whose bid was \$36,979.00 and was the lowest responsible bidder meeting all specifications.

Staff and City Manager recommended approval.

Councilwoman Ramirez moved to award bid for the purchase of Sewer Jet Rodder to Texas Underground, Inc. Motion was seconded by Councilwoman Garza and approved unanimously 3-0.

4. Award Bid for the purchase of Three Deck Mower for Public Works Department

On July 11, 2011, City Council authorized staff to solicit bids for the purchase of a Three Deck Mower. The City of Mission had accepted and opened three (3) bid responses. Staff recommended awarding to Amigo Power and Equipment whose bid was \$12,363.00 and was the lowest responsible bidder meeting all specifications.

Staff and City Manager recommended approval.

Councilwoman Garza moved to award bid for the purchase of Three Deck Mower to Amigo Power and Equipment. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

5. Award Bid for the purchase of 10" Wastewater Lift Pumps for Public Works Department

On July 11, 2011, City Council authorized staff to solicit bids for the purchase of 10" Wastewater Lift Pumps. The City of Mission had accepted and opened five (5) bid responses. Staff recommended awarding to Pump and Power Equipment whose bid was \$37,000.00 and was the lowest responsible bidder meeting all specifications.

Staff and City Manager recommended approval.

Councilwoman Garza moved to award bid for the purchase of 10" Wastewater Lift Pumps to Pump and Power Equipment. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

6. Award Bid for Northwest (Hollis Rutledge, Sr.) Park Baseball Fields Fencing

On February 14, 2011, City Council authorized staff to solicit bids for the installation of two baseball fields at Northwest (Hollis Rutledge, Sr.) Park located at 3408 North Inspiration or 2 ½ mile North Inspiration Rd. The baseball fields were part of a series of improvements for the construction of Northwest Park. The City of Mission had accepted and opened six (6) bid responses. Staff recommended awarding to Hurricane Fence Co. meeting all terms and conditions/specifications.

Staff and City Manager recommended approval.

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Councilwoman Ramirez moved to approve to award bid for Northwest (Hollis Rutledge, Sr.) Park Baseball Fields Fencing to Hurricane Fence Co. Motion was seconded by Councilwoman Garza and approved unanimously 3-0.

At 10:17 a.m., Councilwoman Garza moved to convene into executive session to discussion item #2 and the Executive Session item. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

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

Consultation with Attorney, Section 551.071

A. Claim of Church of Jesus Christ of Latter-day Saints on CUP denial and other matters incident thereto

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

At 10:29 a.m., Councilwoman Norie Gonzalez Garza moved to reconvene in open session. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 3-0.

On item A. Councilwoman Ramirez moved to hire Bob Galligan, of Jones, Galligan, Key & Lozano LLP to represent the City as City Attorney David Guerra had recused himself from this case. Motion was seconded by Councilwoman Garza and approved unanimously 3-0.

7. Adjournment

At 10:32 a.m., Councilwoman Garza moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 3-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary