

**NOTICE OF SPECIAL MEETING
MISSION CITY COUNCIL
DECEMBER 23, 2013 10:00 A.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., City Manager

ABSENT:

ALSO PRESENT:

Bob Galligan, Attorney
Julie Silva, Progress Times

STAFF PRESENT:

Aida Lerma, Deputy City Manager
Randy Perez, Assistant Finance Director

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 10:05 a.m.

At 10:05 a.m., Councilman Armando O'cana moved to convene into executive session. Motion was seconded by Councilman Ruben Plata and approved unanimously 5-0.

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

Consultation with Attorney Sec. 551.071

- A. City of Mission vs BFI Waste Services of Texas, LP, dba Republic Services of Rio Grande Valley and other matters incident thereto
- B. Enforcement of dilapidated structure ordinance requirements

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

At 11:30 a.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 5-0.

On Item A: No Action

On Item B: No Action

2. Approval of Ordinance # 4045 an Ordinance of the City Council of the City of Mission, Texas authorizing the Mayor to execute a Settlement Agreement and Contract Documents incidental thereto in regard to the lawsuit styled: *City of Mission, Texas v. BFI Waste Services of Texas, LP, dba Republic Services of Rio Grande Valley*, Civil Action No. 7:12-CV-00139, in the United States District Court for the Southern District of Texas, McAllen division, and dedicating a fund for the payment of the amended Solid Waste Collection Contract and Landfill Disposal Agreement between the City of Mission, Texas and BFI Waste Services of Texas, LP, dba Republic Services of Rio Grande Valley

The City and BFI Waste Services of Texas, LP dba Republic Services of Rio Grande Valley desired to amend the Contract and enter into a Settlement Agreement in conjunction with the lawsuit styled: *City of Mission, Texas v. BFI Waste Services of Texas, LP dba Republic Services of Rio Grande Valley*.

This ordinance was to approve the entry of the Settlement Agreement, the Amended Contract, to specify the fund by which Contractor would be paid for solid waste collection services pursuant to the Amended Contract and to specify the fund by which the City would pay for the landfill disposal agreement to be entered as part of the Settlement Agreement.

The Mayor was authorized to execute the Settlement Agreement and contracts incidental thereto in the above-referenced lawsuit on behalf of the City of Mission, and counsel for the City was authorized to seek the entry of the Agreed Judgment called for in the Settlement Agreement, and, in connection therewith, a Fund was to be dedicated for the payment to Contractor for its solid waste collection services under the Amended Contract and the payment of funds for the landfill disposal agreement.

Councilman O'cana moved to approve Ordinance # 4045 an Ordinance of the City Council of the City of Mission, Texas authorizing the Mayor to execute a Settlement Agreement and Contract Documents incidental thereto in regard to the lawsuit styled: *City of Mission, Texas v. BFI Waste Services of Texas, LP, dba Republic Services of Rio Grande Valley*. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4045

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT AND CONTRACT DOCUMENTS INCIDENTAL THERETO IN REGARD TO THE LAWSUIT STYLED: *CITY OF MISSION, TEXAS v. BFI WASTE SERVICES OF TEXAS, LP, dba REPUBLIC SERVICES OF RIO GRANDE VALLEY*, CIVIL ACTION NO. 7:12-CV-00139, IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, McALLEN DIVISION, AND DEDICATING A FUND FOR THE PAYMENT OF THE AMENDED SOLID WASTE COLLECTION CONTRACT AND LANDFILL DISPOSAL AGREEMENT BETWEEN THE CITY OF MISSION, TEXAS AND BFI WASTE SERVICES OF TEXAS, LP, dba REPUBLIC SERVICES OF RIO GRANDE VALLEY

3. Adjournment

At 11:32 a.m., Mayor Pro Tem Norie Gonzalez Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary