

**MERCEDES CITY COMMISSION
REGULAR MEETING
JUNE 18, 2019 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Leandro Villarreal	Newly Elected Mayor Pro-Tem
	Leonel Benavidez	Commissioner
	Cristella De Leon Hernandez	Commissioner
	Jose M. Gomez	Newly Elected Commissioner
	Sergio Zavala	City Manager
	Arcelia L. Felix	City Secretary
	Anthony Troiani	City Attorney

MEMBERS ABSENT:	Ruben Guajardo	Mayor Pro-Tem
------------------------	----------------	---------------

Staff: Dagoberto Chavez, Nereida Perez, Marisol Vidales, Tommy Ureste, Javier Campos, Jose Figueroa, and Joselynn Castillo.

1.) CALL MEETING TO ORDER.

Mayor Hinojosa welcomed everyone to the meeting and called the meeting to order at 6:00 p.m.

2.) ESTABLISH QUORUM.

Four members of the Commission were present which constituted a quorum. Newly elected Commissioner Jose Gomez was present.

3.) INVOCATION.

Reverend Juan De Los Santos said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Villarreal led in the Pledge of Allegiance.

5.) CONSENT AGENDA (ORDINANCE NO. 98-21):

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING(S) HELD JUNE 4, 2019. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2019-12 TO PERMIT A TENURE OF ALLOWANCE FOR PRE-FABRICATED CARPORTS IN RESIDENTIAL SETTINGS. C.) APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF MISSION, TEXAS AND CITY OF MERCEDES, TEXAS ON BEHALF OF DR. HECTOR P. GARCIA MEMORIAL LIBRARY FOR HIDALGO COUNTY LIBRARY SYSTEM E-COMMERCE. (2019/06/18)

Commissioner Benavidez commented about item 16 in the minutes for June 4, 2019. He stated he would like the itemized list for review once received. Commissioner Hernandez made a motion to approve consent agenda items A –C. Commissioner Villarreal seconded the motion, which passed unanimously.

6.) CITY MANAGER COMMENTS.

Mr. Zavala commented about a contract with Ecolectics to install solar panel at city buildings starting with City Hall. They will be installing a carport with solar panels at no cost to the city.

7.) CANVASS THE RETURNS OF 2019 CITY OFFICER'S ELECTION FOR COMMISSIONER PLACE 4 AND DECLARING THE RESULTS.

Mayor Hinojosa read the results of the Runoff for Commissioner Place 4, which are as follows:

	Absentee Voting	Early Voting	Election Day	Total
Ruben “Chano” Guajardo	45	412	163	620
Jose M. Gomez	8	599	201	808
Total Votes	53	1011	364	1428

Mayor Hinojosa stated there were no provisional votes and Mr. Jose M. Gomez received majority of the votes for Commissioner Place 4.

8.) ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COMMISSIONER PLACE 4.

City Secretary Arcelia L. Felix administered the Oath of Office to newly elected Commissioner Jose M. Gomez.

9.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF MAYOR PRO-TEM.

City Attorney Troiani stated all members of the Commission can vote. Commissioner Hernandez made a motion to appoint Commissioner Villarreal as Mayor Pro-Tem. Commissioner Gomez seconded the motion, which passed unanimously.

10.) PRESENTATION AND UPDATE BY LEFEVRE ENGINEERING ON VARIOUS CITY PROJECTS.

Israel Gaona presented to the Commission the updates on the street overlay projects package 1, 2 and 3, Lorenzana Waterline project, Weslaco-Mercedes Waterline interconnect project, and the Lift station rehab project.

11.) DISCUSSION AND POSSIBLE ACTION TO RATIFY THE CITY MANAGER’S ACTION TO APPROVE BUY BOARD PURCHASE OF PRE-FABRICATED METAL PAVILION AND FABRIC CANOPIES WITH METAL FRAME FOR PICNIC SHELTERS AND ACCESSIBLE PLAYGROUND WITH ACCESSIBLE GLIDER FOR THE MERCEDES SPORTS COMPLEX PHASE 1.

Mr. Zavala informed the Commission purchasing some pavilion and canopies for the Mercedes Sports Complex. Mr. Zavala stated that as per the Texas Parks & Wildlife funding agreement the City of Mercedes needs to secure certain improvements for the Sports Complex project. The items to be purchased is a pre-fabricated metal pavilion for the basketball area, 3 fabric canopies with metal frame for the picnic shelters, recreation playground with accessible glider and accessible swings, and excavation and grading of site, concrete ribbon, flexiturf poured in place, and rubber surfacing for the accessible playground area. Commissioner Gomez made a motion to table the item due to the proposal needing more information. Mayor Hinojosa seconded the motion, which passed unanimously.

12.) DISCUSSION AND POSSIBLE ACTION TO RATIFY CITY MANAGER’S ACTION FOR EMERGENCY WATER LINE REPLACEMENT WORK NEAR BUS. HWY. 83/MILE 2 WEST AREA.

Mr. Zavala informed the Commission about the City’s need to replace an asbestos water line near Business Hwy 83 & Mile 2 West. A 10” PVC line to be 5’ under the drainage ditch flow line. Mr. Figueroa stated the line would be about 30’ long. The City received 3 bids from OMT Utilities for \$24,500, PEGA JPS for \$25,000, and Southern Trenchless for \$26,000. Mr. Zavala stated due to the high risk of a water line breaking, the City Manager’s office proceeded to engage the lowest responsible bidder OMT Utilities for \$24,500. If not acted on the break could result to no service to citizens and disabling the use of affected fire hydrants in the area. Commissioner Hernandez made a motion to approve ratifying the City Manager’s action for emergency water line replacement work to OMT for \$24,500. Commissioner Gomez seconded the motion, which passed unanimously.

13.) DISCUSSION AND POSSIBLE ACTION TO APPROVE SINGLE SERVICE CONTRACT TO LONESTAR LOGOS FOR 2019.

Mr. Zavala addressed the Commission regarding the signs placed on the east and west bound lanes of the highway. The signs advertise restaurants, hotels, etc. within the City limits of Mercedes. The cost for the signs is \$12,825 and if not approved, the signs will be removed. Mr. Zavala stated the funds will come from Hotel/Motel sales tax revenue. At a question by Commissioner Gomez, Mr. Zavala stated the cost for the signs is equal to the previous year. Mayor Pro-Tem Villarreal made a motion to approve the single service contract with Lonestar Logos for 2019. Commissioner Gomez seconded the motion which passed unanimously.

14.) DEPARTMENT REPORTS.

Monthly reports are included for the Commission to review. Commissioner Gomez asked Ms. Nereida Perez to speak about the sales tax dollars. Ms. Perez stated the City received \$543,281.86 from the State Comptroller, out of that amount the City received \$347,323.99. Ms. Perez stated that the EDC receives 25% of the City's portion which is \$127,536.12, the city pays the outlet mall \$33,137.41 and the EDC pays a portion in the amount of \$8,284.35.

15.)OPEN FORUM.

Ms. Lucy Delgado presented to the Commission a photo of the Mercedes Tiger Marching band performing at Disney and expressed her gratitude on the proclamation given to the band and orchestra.

Mr. Robert Canales of Waste Connections invited the Commission to the Safety rally they are hosting for the City employees.

Mr. Crisoforo Pena addressed the Commission about sewer lines in a newly annexed area, a police department incident, and re-zoning property along Mile 1 E. Mr. Perez commented that the Chief of Police should be from Mercedes.

Ms. Velda Garcia addressed the Commission about transparency and is making a formal complaint. The City Attorney informed Ms. Garcia that she cannot speak about specific employees or Commission. Ms. Garcia spoke about employees being held accountable for their actions.

Mayor Hinojosa called the meeting into executive session at 6:40 pm. No action will be taken at this time.

16.)EXECUTIVE SESSION:

- DISCUSSION REGARDING PROJECT P. CORTINO. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.

- DISCUSSION REGARDING PROJECT CANADA. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.

- DISCUSSION WITH CITY ATTORNEY PURSUANT TO: REGARDING INTERLOCAL AGREEMENT TO ENSURE COMPLIANCE WITH STATUTORY AND PROCEDURAL GUIDELINES RELATED TO PUBLIC SAFETY AND LAW ENFORCEMENT PROCEDURES. PURSUANT TO SECTION 551.071, TEXAS GOV'T CODE ANNOTATED.

- CONSULTATION WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 TO RECEIVE LEGAL ADVISE REGARDING A MATTER PROTECTED BY THE ATTORNEY CLIENT COMMUNICATIONS PRIVILEGE.

- CONSULATION WITH LEGAL COUNSL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 TO RECEIVE LEGAL ADVISE REGARDING A MATTER PROTECTED BY THE ATTORNEY CLIENT COMMUNICATIONS PRIVILEGE.

Mayor Hinojosa called the meeting back to order at 8:25 P.M.

17.)DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSION IN EXECUTIVE SESSION.

Mayor Pro-Tem Villarreal made a motion to that the EDC as far as performance phase, issue out 10% of construction when construction is finished for \$58,301. Commissioner Gomez seconded the motion, which passed unanimously. No action was taken on Project Canada.

18.)ADJOURN.

Mayor Pro-Tem Villarreal made a motion to adjourn the meeting. Mayor Hinojosa seconded the motion, which passed unanimously. The meeting adjourned at 8:27 P.M.