

**MERCEDES CITY COMMISSION
REGULAR MEETING
MAY 7, 2019 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Ruben Guajardo	Mayor Pro-Tem
	Howard Wade	Commissioner
	Leandro Villarreal	Commissioner
	Cristella De Leon Hernandez	Commissioner
	Sergio Zavala	City Manager
	Arcelia L. Felix	City Secretary
	Anthony Troiani	City Attorney

MEMBERS ABSENT: NONE

Staff: Dagoberto Chavez, Nereida Perez, Marisol Vidales, Jose Figueroa, Saul Rodriguez, Olga Maldonado 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.

All members of the Commission were present which constituted a full quorum.

3.) INVOCATION.

Jose Gomez said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Villarreal led in the Pledge of Allegiance.

Mr. Zavala introduced the new Assistant City Manager, Dagoberto Chavez to the Commission and audience.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING(S) HELD APRIL 16, APRIL 26, AND MAY 2, 2019. B.) RATIFY APPROVAL TO OPEN BANK ACCOUNT RELATED TO CHAPTER 56-6 ACRE TRACT OF LAND. – (RESOLUTION #2019-03) C.) APPROVAL OF REQUEST TO INCREASE CREDIT CARD LIMIT FROM \$5,000 TO \$10,000. – (RESOLUTION #2019-04) D.) APPROVAL OF RESOLUTION #2019-05 REGARDING POSTHUMOUS PROMOTION FOR HUGO RAMOS. E.) APPROVAL OF SECOND AND FINAL READING OF ORDINANCE NO. 2019-09 TO AMEND ORDINANCE NO. 79-29 AS IT RELATES TO CONSUMPTION OF ALCOHOLIC BEVERAGES AT PUBLIC PARKS. F.) APPROVAL OF REQUEST TO SURPLUS ITEMS AND AUTHORIZE DISPOSAL. (BOND & BOND)

Mayor Pro-Tem Guajardo made motion to approve all items under consent agenda A-F. Commissioner Villarreal seconded the motion, which passed unanimously.

6.) CITY MANAGER COMMENTS.

There were no comments made for this item.

7.) PUBLIC HEARING FOR RECEIVING INPUT FROM THE GENERAL PUBLIC ON PARK & RECREATIONAL NEEDS TO UPDATE THE CITY OF MERCEDES'S MASTER PARKS PLAN.

Mayor Hinojosa opened the public hearing at 6:05 pm.

Mike Mesa addressed the Commission regarding the public hearing and receiving input from the public for improvements to the parks.

Esmeralda Guerrero had a discussion with Mr. Mesa regarding the funding for the improvements, at which Mr. Mesa explained the public hearing is to receive input from the community to update the parks. Ms. Guerrero would like improvements on the concession stand, benches, and landscaping.

Jose Gomez asked what Mr. Mesa has found that needs improvements, at which, Mr. Mesa stated at the second public hearing that will be announced and this is the first public hearing asking for input from the community. Mr. Gomez would like the playgrounds replaced due to corrosion.

Luis Huerta and Mr. Saucedo also had comments regarding the pool.

At a question, Mayor Pro-Tem Guajardo stated the pool is open to the public and is rentable.

Manuel Garza expressed his concern about the dust due to the repair to the streets.

Someone stated the cars drive by fast by the parks.

Vernon Hoover suggested having signs stating children at play.

Someone asked to put speed limit signs and speed bumps.

Esmeralda Guerrero stated the City should have a parks and recreation meeting.

Jose Gomez expressed his concern for the citizens walking at the parks and would like to see a pedestrians crossing sign or blinking lights to warn drivers.

Esmeralda Guerrero questioned if drinking was allowed at which Mayor Hinojosa stated there should not be drinking at public parks and if caught could be fined and or arrested.

Ramon Mejia asked for the hours of the swimming pool and expressed he would like the pool to have later hours. Mr. Mejia also stated he would like to see a canopy over the children's play area.

Leonel Benavidez suggested having a team designated to the parks. Mayor Hinojosa stated they will be looking into getting more personnel during the budget workshops.

Mr. Mike Mesa stated all the comments were helpful and have teamed up with HEB to set up a table to ask for more input from the community.

Mayor Hinojosa closed the public hearing at 6:16 pm.

8.) PRESENTATION BY STAFF ON AMBULANCE SERVICE BEING MOBILIZED.

Saul Rodriguez addressed the Commission regarding the relocation of the dispatch to the regional location in Weslaco. Mr. Rodriguez provided a list of the vendors that assisted with the project, stated the security camera system was still in process, and the fiber connection was already complete. Mr. Rodriguez informed the Commission that the completion date is set for May 15, 2019 and the ribbon cutting would be May 17, 2019. Mr. Rodriguez stated the Interlocal agreement has been completed by both cities, the Rio Development Council CEO Ron Garza, and DPS which will allow the move of the satellite from Mercedes to Weslaco. The satellite allows to connect with the TLIDS programs, taps into the Texas Department of Public Safety database, and the FBI database. Mr. Rodriguez provided the Commission with a handout. At a question by Commissioner Hernandez, Mr. Rodriguez stated the City has three dispatchers with a few officers certified to dispatch and assist.

9.) DISCUSSION AND POSSIBLE ACTION TO AWARD BID FOR THE WATER WELL REHAB PROJECT, AND AUTHORIZE CITY MANGER TO ENTER IN TO CONTRACT WITH THE AWARDED CONTRACTOR.

Mr. Zavala informed the Commission about the water well rehab project. Mr. Zavala stated there were a few issued with TCEQ due to capacity concerns, at which Mr. Zavala said entering into this contract would address those concerns. Isaac with Sigler, Winston & Greenwood was present for any questions. Mr. Zavala said that the City had received two bid from Bell Water Service for \$301,111.00 and Advance Water Well Technologies for \$332,919.00. Mr. Zavala stated SWG recommends awarding the contract to Bell Water Service in the amount of \$301,111.00 base bid. Isaac stated they did receive an alternate bid from Bell Water service but does not recommend the alternate. Isaac stated the references highly recommended their services. At a question about the years in business, Isaac stated they go by what the company puts on the bid. Another question regarding the timeline, Isaac stated 100 days is the expected in order to go live. Isaac went over the benefit of well water and he expects it to produce about 1.5 million gallons, and it will reduce the cost for the City. Mayor Pro-Tem Guajardo made a motion to award the contract to Bell Water Services in the amount of \$301,111.00. Commissioner Wade seconded the motion, which passed unanimously.

10.) DISCUSSION AND POSSIBLE ACTION TO ADOPT AMENDMENTS TO THE LIBRARY POLICY.

Marisol Vidales addressed the Commission about adopting amendments to the library policy. Ms. Vidales went over the changes to the policy, some of which include loaning out chrome books, e-cards, test proctoring fee, scanning fee, laptop loans and fees, loan periods for DVDs, Interlibrary loans, computer loans and the laptop policy. Commissioner Wade made a motion to accept the amendments to the library policy as read by Staff. Commissioner Villarreal seconded the motion which passed unanimously.

11.) DISCUSSION AND POSSIBLE ACTION TO IMPLEMENT MERCEDES HISTORICAL COMMISSION MILESTONE AWARD.

Marisol Vidales addressed the Commission about establishing a milestone award. Ms. Vidales provided the requirements to qualify for such award. Ms. Vidales said that this came about due to Borderland being in business since 1919 and will turn 100 years. The Company will pay for the plaque. Commissioner Wade made a motion to approve implementing the Mercedes historical commission Milestone Award. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

12.) DISCUSSION AND POSSIBLE ACTION TO APPOINT MEMBERS TO THE CRIME STOPPERS BOARD OF DIRECTORS.

Chief Maldonado addressed the Commission regarding appointment of members to the Crime Stoppers Board of Directors. The board will consist of 7 members. Two citizens have applied for the board. There was some discussion regarding applicants and fees for the background, at which Mayor Hinojosa stated the City will pay for the cost of the backgrounds, which is approximately \$20. Commissioner Wade made a motion to table item 12. As per legal, Commissioner Wade rescinded his motion. Commissioner Hernandez made a motion to table the appointment of members to the Crime Stoppers Board. Commissioner Villarreal seconded the motion which passed unanimously.

13.) DISCUSSION AND POSSIBLE ACTION TO AMEND THE BASEBALL POLICY TO PROVIDE LATITUDE OF SCHEDULING GAMES TO LEAGUES WHO ARE IN THE PROCESS OF BEING NON-PROFIT.

Mr. Zavala addressed the Commission about amending the baseball policy for leagues in the process of being non-profit. Mr. Zavala stated the current policy is for leagues that are 501C-3, however the amended policy will allow for scheduling of games for leagues that have applied to be non-profit but their application is still pending approval. At a question, City Attorney Troianni stated the 501C-3 is very specific non-profit and the non-profit amendment will open up the fields for more leagues that do not qualify specifically for a 501C-3. There was some discussion regarding the policy in place. Commissioner Villarreal made a motion to amend the baseball policy as presented. Commissioner Wade seconded the motion, which passed unanimously.

14.) DISCUSSION AND POSSIBLE ACTION TO RATIFY CITY MANAGER'S ACTION ON INCIDENTAL CHANGE ORDERS FOR CONSTRUCTION PROJECT PACKAGE #1 – CONTRACTOR: EARTHWORKS ENTERPRISES.

Mr. Zavala addressed the Commission about a change order for the amount of \$42,270 for construction package #1 street overlay project. The change order is necessary as recommended by LaFevre Engineering. Israel Gaona addressed the Commission about the installation of the waterline on First Street, which was previously a 6-inch line and will now be a 10-inch line. Mr. Gaona stated that the City is saving money on another project, which will allow them to move monies around for this change order. Mayor Pro-Tem Guajardo made a motion to approve change order for construction package #1. Commissioner Wade seconded the motion, which passed unanimously.

15.)DISCUSSION AND POSSIBLE ACTION TO APPROVE WORK AUTHORIZATION TO R. GUTIERREZ TO PROVIDE A UTILITY MANAGEMENT TRANSITION PLAN.

Mr. Zavala addressed the Commission about authorizing R. Gutierrez to provide a utility management transition plan. Mayor Pro-Tem Guajardo asked if notification has been sent notifying the utility company that the City will no longer continue their service. Mayor Pro-Tem Guajardo made a motion to approve this item. Commissioner Villarreal seconded the motion which passed unanimously

16.)DISCUSSION AND POSSIBLE ACTION ON INTER-LOCAL AGREEMENT WITH MERCEDES INDEPENDENT SCHOOL DISTRICT REGARDING CONTINGENCY SHELTER PROTOCOL.

Mr. Zavala addressed the Commission regarding an inter-local agreement with Mercedes Independent school District. Mr. Zavala stated that Chacon Middle School will be a secondary contingency shelter and will provide bus transportation, security, with the City reimbursing the School District for utility costs during the time the school is utilized. Mayor Pro-Tem Guajardo made a motion to approve the inter-local agreement with Mercedes Independent School district regarding contingency shelter. Commissioner Villarreal seconded the motion which passed unanimously.

17.)DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE STAFF TO SOLICIT FOR LIGHTING IMPROVEMENTS AT UPCOMING SOCCER FIELDS THROUGH CERTIFICATE OF OBLIGATION FUNDING.

No action was taken on this item.

18.)OPEN FORUM.

Mr. Jose Gomez addressed the Commission about his concern regarding a gambling business in Mercedes and would like a response regarding whether or not Mercedes is a sanctuary city.

Mayor Hinojosa called the meeting into executive session at 7:04 pm. No action will be taken during executive session.

19.)EXECUTIVE SESSION:

- ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071, TEXAS GOV'T CODE TO PROVIDE LEGAL ADVICE IN CONNECTION WITH PENDING LITIGATION STYLED AND NUMBERED AS FOLLOWS: RICARDO GARCIA V. CITY OF MERCEDES, ET. AL., CAUSE NO. C-2093-17-A (92ND JUD. DIST. COURT – HIDALGO COUNTY, TEXAS)
- DISCUSSION REGARDING PROJECT A. VASQUEZ – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.
- DISCUSSION REGARDING MERCEDES INVESTMENTS, LP PROJECT. (KAMEL) – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.
- CONSULTATION WITH LEGAL COUNSEL PURSUANT TO SECTION 551.071(1) AND (2), TEXAS LOCAL GOV'T CODE ANNOTATED REGARDING PRIVILEGED ATTORNEY CLIENT CONSULTATION AND ANTICIPATED LITIGATION.

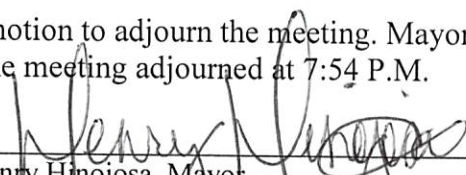
Mayor Hinojosa called the meeting back to order at 7:53 P.M.

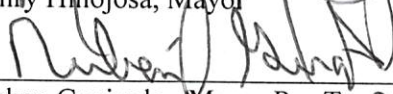
20.)DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSION IN EXECUTIVE SESSION.

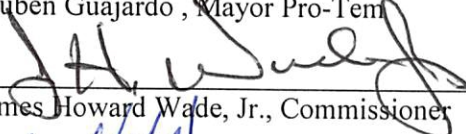
Commissioner Wade made a motion to approve as discussed in Executive Session. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

21.)ADJOURN.

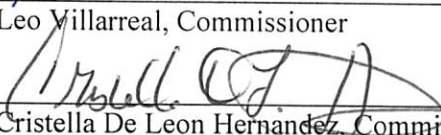
Commissioner Wade made a motion to adjourn the meeting. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously. The meeting adjourned at 7:54 P.M.


Henry Hinojosa, Mayor

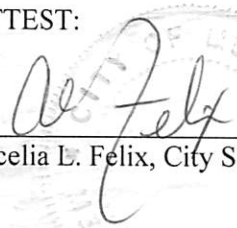

Ruben Guajardo , Mayor Pro-Tem


James Howard Wade, Jr., Commissioner


Leo Villarreal, Commissioner


Cristella De Leon Hernandez, Commissioner

ATTEST:


Arcelia L. Felix, City Secretary

