

**MERCEDES CITY COMMISSION
REGULAR MEETING
AUGUST 20, 2019 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

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| MEMBERS PRESENT: | Henry Hinojosa | Mayor |
| | Leandro Villarreal | Mayor Pro-Term |
| | Jose M. Gomez | Commissioner |
| | Leonel Benavidez | Commissioner |
| | Cristella De Leon Hernandez | Commissioner |

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| STAFF PRESENT: | Sergio Zavala | City Manager |
| | Joselynn Castillo | Interim City Secretary |
| | Mark Sossi | City Attorney |
| | Jose Figueroa | Public Works Director |
| | Nereida Perez | Finance Director |
| | Marisol Vidales | Library Director |
| | Dagoberto Chavez | ACM/Police Chief |
| | Hugo Perales | IT Director |

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.

Reverend Juan De Los Santos was voice for those present by expressing an inspired invocation.

4.) PLEDGE OF ALLEGIANCE.

Mayor Pro-Tem Villarreal led in the Pledge of Allegiance.

5.) OPEN FORUM-

- Jose Gomez expressed his concern on items being placed on the agenda.
- DJ Perez with Boy Scouts, is working on receiving his Merit badge and would like to help out in the community.
- Leonel Benavidez stated he asked for the Capital Improvement fee to be placed on the agenda.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETINGS HELD AUGUST 6, 2019.

B.) SECOND AND FINAL READING OF ORDINANCE NO. 2019-17 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND TEXAS GAS SERVICE REGARDING TGS'S APRIL 30, 2019 COSA FILING.

C.) SECOND AND FINAL READING OF ORDINANCE NO. 2019-18 TO APPROVE BUDGET AMENDMENTS PROPOSED BY PUBLIC WORKS.

Commissioner Gomez stated he would like some corrective changes to the minutes to include the motions on some contracts considered on August 6, 2019.

After brief discussion, Commissioner Benavidez moved for approval with the corrections as stated by Commissioner Gomez. After Commissioner Gomez seconded the motion, it was unanimously approved.

7.) CITY MANAGER COMMENTS.

Mr. Zavala stated he attended a Keep Mercedes Beautiful meeting and have been working on recycling and park improvements.

8.) UPDATE BY LEMC ON VARIOUS CONSTRUCTION PROJECTS FUNDED BY CERTIFICATES OF OBLIGATION.

Israel Gaona updated the Commission on the street overlay packages 1, 2, 3 Lorenzana Waterline and Lift station project. Replying to a question, Mr. Gaona stated they will be having a pre-construction meeting in the near future for Lyons Subdivision project.

9.) PRESENTATION BY VIDA'S EXECUTIVE DIRECTOR FOR REQUESTED FUDING FOR FY 19-20.

Priscilla Alvarez, Executive Director for VIDA, informed the Commission and those present the purpose of the program and their goals. Ms. Alvarez stated that VIDA students in the program include Mercedes residents and is requesting funding for the program to help the students get a college degree. Ms. Alvarez stated they were able to assist 22 students with City funding and grants, and is requesting \$55,000 from the City to assist 10 students for FY 19-20. Ms. Yadira testified that she is currently working on becoming a Repertory Therapist, and is grateful for the funding for VIDA.

10.)DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATIONS BY ENGINEERING & CONSULTING FIRMS TO PREPARE PLANS TO PROVIDE SANITARY SEWER TO THE CAPISALLO TERRACE SUBDIVISION.

Mayor Hinojosa informed the Engineering Firms that they will have a 7 minute presentation. Mayor Hinojosa called the firms in the following order, wherein, they provided their presentation:

- Ambiotic Civil Engineering Group, Inc
- Guzman & Munoz
- Sigler, Winston & Greenwood (SWG)
- Fulcrum Consulting Services
- LEMC Civil & Environmental
- G-4 Engineering
- R. Gutierrez Engineering
- Dannenbaum – Not Present
- International Consulting Engineers (ICE)

After each presentation there was a brief Q & A. Thereafter, Commissioner Villarreal moved that SWG be approved for the work involved. Commissioner Hernandez seconded the motion. Upon a called vote, the item was unanimously approved for Sigler Winston & Greenwood Associates.

11.) DISCUSSION AND POSSIBLE ACTION REQUIRED PRESENTATIONS BY ARCHITECTURAL FIRMS TO REMODEL AND EXPAND THE PUBLIC WORKS BUILDING FOR THE POLICE DEPARTMENT USE.

Mayor Hinojosa called for representatives from each firm to do a 7 minute presentation. Representatives from Sam Garcia, Fulcrum Consulting Services, Gignac Architect, and ERO Architects were present and informed the Commission of their qualifications for the project, and provided a brief history of previous projects. The Warren Group was not present.

After brief Q & A, Commissioner Gomez made a motion to select Fulcrum Consulting. The motion died due to a lack of a second. Commissioner Benavidez asked for staff recommendation, at which Mr. Zavala stated that due to the limited scope of services, his recommendation was Sam Garcia. Commissioner Benavidez made a motion to select ERO Architect for their experience. Mayor Hinojosa seconded the motion. Upon a called vote, the motion was passed unanimously.

12.)DISCUSSION AND POSSIBLE ACTON TO DIRECT STAFF TO SECURE PRICE QUOTES TO PAVE AND/OR WIDEN SIDEWALK PAVEMENT SECTION ON TEXAS AVENUE NORTH OF THE EXPRESSWAY(LEADING TO THE RIO GRANDE VALLEY LIVESTOCK SHOWGROUNDS)

No Action was taken on this item due to the purchase amount being under the \$10,000 threshold, and Public Works can do the work.

13.) DISCUSSION AND POSSIBLE ACTION ON REQUEST TO PAVE PORTION OF PUBLIC ALLEY EAST & ABUTTING THE SMOKIN' OAK RESTAURANT

Mr. Zavala stated that Mr. Mario Dominguez Jr. is requesting to pave a portion of the adjoining alley for a desired Drive-Thru window. Mr. Zavala conferred with LeFevre engineering which provided an estimate of \$12,628. Mayor Hinojosa agrees that by paving it will help increase sales tax and the business. Commissioner Gomez stated a concern that a citizen had. Mayor Hinojosa stated that the issues would be addressed. Mr. Zavala stated that helping the businesses would increase the ad valorem tax, but since the owner wants to use a portion of public property to maximize private profit, the Commission could consider paying for half, and the owner paying half. Commissioner Benavidez made a comment about speed bumps.

Commissioner Villarreal moved for approval with Commissioner Benavidez seconding the motion with the condition that Mr. Dominguez pay half the cost. Upon a called vote, the motion was passed unanimously. Mayor Hinojosa stated he voted to approve but does not agree with Mr. Dominguez sharing the cost.

14.) DISCUSSION AND POSSIBLE ACTION TO PAVE PORTIONS OF CEDAR AND MISSOURI.

No Action was taken on this item due to the purchase amount being under the \$10,000 threshold.

15.)DISCUSSION AND POSSIBLE ACTION TO VOTE ON PROPOSED TAX RATE FOR 2019.

Nereida Perez Finance Director discussed tax rate and is currently 0.0745 for \$100. Ms. Perez is recommending that the tax rate remain the same. Due to the tax rate exceeding the current tax rate of 0.07262 2 public hearings are required by September 28, 2019. Commissioner Benavidez stated he would like to finish the reviewing the budget.

After discussion regarding the budget workshops and the next meeting date, Commissioner Hernandez made a motion and 2nd by Commissioner Benavidez to table item 15. The motion was passed unanimously.

16.) DISCUSSION AND ACTION TO AUTHORIZE STAFF TO UNDERTAKE MEASURES TO CONVEY SURPLUS CITY-OWNED PROPERTY DESCRIBED AS LOT 19 & 20, BLOCK 70, MERCEDES ORIGINAL TOWNSITE SUBDIVISION.

Mr. Zavala informed the Commission of the City owned property which used to house the old water tower. A private party is interested in purchasing the property. Mr. Zavala stated that he'd need to get an appraisal, and then post for sealed purchase bids for the lots.

After brief discussion, Commissioner Jose Gomez moved to approve this item. Commissioner Hernandez seconded the motion. Upon a called vote, the item was approved unanimously.

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

Commissioner Hernandez motioned to table this item and for Mr. Chavez to review possible candidates to serve on the board. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the item was unanimously approved.

18.) DISCUSSION AND ACTION TO APPOINT A COMPLETE COUNT CENSUS COMMITTEE.

Mr. Zavala briefed the Commission on the resolution previously approved by Commission to appoint members to the Census committee. Mayor Hinojosa called for recommendations from the Commissioners.

Commissioner Hernandez moved to table this item. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the item was unanimously approved. Mayor Hinojosa told Mr. Zavala to make recommendations from different entities, and bring the item back for consideration.

19.) DISCUSSION AND POSSIBLE ACTION TO ENGAGE LEMC FOR CAMINO REAL VIEJO ROADWAY AND DRAINAGE IMPROVEMENTS.

Mr. Zavala briefed the Commission on the drainage conditions and poorly paved roadway. The area is between two County roads and will have the assistance from the County. At a question, Mr. Israel Gaona stated the plan is to expand the roadway and improve the drainage.

After brief discussion, Commissioner Hernandez moved to approve this item. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the item was unanimously approved.

20.) DISCUSSION AND ACTION TO ACTIVELY POST 'FOR SALE' THE CITY PROPERTY SPECIFIED AS A 0.3 ACRE OUT OF THE LLANO GRANDE GRANT, BEING A PORTION OF BLOCK 2 OF MERCEDES ORIGINAL TOWNSITE (NW CORNER OHIO AVE/2ND STREET)

Mr. Zavala briefed the Commission on the Old Irrigation district Office. The property is City owned since 2009 and recommends to market the property for sealed purchase bids so a private property can own and/or improve it. Mr. Zavala stated the property could be used for Economic Development.

After brief discussion, Commissioner Hernandez moved to approve this item. Commissioner Gomez seconded the motion. Upon a called vote, the item was unanimously approved.

21.) DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY OF MERCEDES INTERNAL PROCUREMENT PROCESS POLICY. (COMMISSIONER BENAVIDEZ & COMMISSIONER GOMEZ)

Commissioner Benavidez discussed the procurement policy with regards to the Sports Complex and asked that staff contact the Commission of purchases over \$10,000 through buyboard.

After brief discussion, Commissioner Benavidez moved to table this item for more information. Commissioner Gomez seconded the motion. Upon a called vote, the item was approved unanimously.

22.) DEPARTMENT MONTHLY REPORTS

Commissioner Benavidez asked to hear a portion of the report from the City Secretary's Office regarding open records. There was discussion regarding the amount of open records received and responded to by staff. Upon a request by the City Commission, Ms. Joselynn Castillo agreed to make copies of the requests for the Commission's information.

Mayor Hinojosa called the meeting into Executive Session at 8:46 pm. No action will be taken during this time.

23.) EXECUTIVE SESSION:

- UPDATE REGARDING MERCEDES INVESTMENTS, LP PROJECT (KAMEL)- SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED- ECONOMIC DEVELOPMENT.
- CONSULTATION WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 REGARDING AUTHORIZING REPRESENTATION IN IRS MATTER.
- CONSULTATION WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 REGARDING CITY OF MERCEDES CONTRACTUAL AGREEMENT WITH WATER CONNECTIONS.
- CONSULTATION WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 REGARDING INFORMATION REQUESTED BY PUBLIC AND COMMISSION TO ENSURE COMPLIANCE WITH LAWFUL PROCEDURES.

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

25.) ADJOURN

Henry Hinojosa, Mayor

Leo Villarreal, Mayor Pro-Tem

Cristella De Leon Hernandez, Commissioner

Leonel Benavidez, Commissioner

Jose M. Gomez, Commissioner

ATTEST:

Joselynn Castillo, Interim City Secretary

