

MERCEDES CITY COMMISSION  
REGULAR MEETING  
JANUARY 21, 2014 -6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS

<b>MEMBERS PRESENT:</b>	Henry Hinojosa	Mayor
	Jose M. Gomez	Mayor Pro-Tem
	James Howard Wade, Jr.	Commissioner
	Rodolfo Z. Rodriguez	Commissioner
	Ruben Guajardo	Commissioner
	Ricardo Garcia	City Manager
	Juan Molina	City Attorney

**MEMBERS ABSENT:** none

Staff: Michelle Leftwich, Amanda Morales, Marisol Vidales, Jesse Villarreal, Hernan Gonzalez and Melissa Ramirez.

**1.) CALL MEETING TO ORDER.**

Mayor Hinojosa called the meeting to order at 6:00 PM.

**2.) ESTABLISH QUORUM.**

A Quorum of the Commission was present.

**3.) INVOCATION.**

Mayor Pro-Tem Gomez made the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Rodriguez led the pledge of allegiance.

**5.) OPEN FORUM-**

There were no comments made by the public.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JANUARY 7, 2014. B.) APPROVAL OF QUARTERLY INVESTMENT REPORT FOR FIRST QUARTER OF FY 2013-2014. C.) APPROVAL OF MONTHLY BUDGET REPORT. D.) APPROVAL OF REQUEST BY ARMANDO CADENA FOR USE OF THE CIVIC CENTER BBQ AREA FOR A FUNDRAISER.**

Commissioner Rodriguez made a motion to approve all items under consent agenda as presented. The motion was seconded by Mayor Hinojosa and passed unanimously.

**7.) PRESENTATION BY WASTE CONNECTIONS OF TEXAS.**

Carlos Figueroa of Waste Connections of Texas addressed the Commissioners regarding a proposed increase or 3% for all garbage and brush collection rates for both residential and commercial accounts. Mr. Figueroa claims that the rate increase is due to excessive brush disposal costs that were not anticipated during the bid process. There was no action taken on this item.

**8.) PRESENTATION BY MERCEDES PONY LEAGUE.**

Brian Acosta, President of the Mercedes Pony League Board addressed the Commission and asked for several improvements to be made to the fields and park area. Requested improvements include proper alignment of the bases, replacing dirt on the fields, more sidewalks around fields, Cabinets in the concession area, shaded Dugouts, covered bleachers, recycling bins, installation of a new sprinkler system on the fields and storage units for their equipment. There was no action taken on this item.

**9.) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION #2014-01 ADOPTING THE WORK PLAN AND BUDGET FOR URBAN COUNTY PROGRAM YEAR 27(2014).**

The total budget for the budget for Urban County projects is \$278,900. This includes street improvement bond payments of \$145,218; senior services (Amigos Del Valle) for \$10,000; \$10,000 to children's Advocacy Center of Hidalgo County for Abused and Neglected Children; 89,382 to the Mercedes Recreation Center for youth services including construction of a new dome shelter that will also serve as a recreation center; \$15,000 to Dr. Hector P. Garcia Memorial Library for Public Services; \$7,500 for the Fire Station and equipment; and \$1,800 for general program administration. Commissioner Rodriguez made a motion to approve Resolution # 2014-01

adopting the work plan and budget for Urban County program year 27 (2014). Commissioner Guajardo seconded the motion and it passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR SPONSORSHIP OF MDA MUSCLE WALK.**

The MDA Muscle walk is a local walk event that honors people with Muscular Dystrophy while raising funds for MDA's programs. Last year the commission approved a donation in the amount of \$3,000. Commissioner Guajardo made a motion to approve a donation of \$5,000. Commissioner Rodriguez seconded the motion and it passed unanimously.

**11.) DISCUSSION AND POSSIBLE ACTION TO CONSIDER RELEASE OR PARTIAL RELEASE OF LIENS FOR PROPERTIES AT 1118 RUBY AVE., 1348 S. INDIANA AVE., 838 S. MISSOURI AVE., 403 BROOKS ST., 1004 MARYLAND AVE., 1148 MARYLAND AVE., 224 N. MICHIGAN AVE., 1014 JONES, WEBB ST., 127 N. WASHINGTON AVE., GEORGIA AVE.**

Assistant City Manager Michelle Leftwich explained that the properties were all purchased at auction and the owners were unaware at that time that eleven of the twelve lots had weedy lot liens and one has a demolition lien. The total outstanding balance due to the City is \$45,774.83. of that amount \$19,763.96 is the cost of labor, machine hours, fuel, etc. \$2,585 is the amount paid by the city to record the liens and \$23,425.83 is interest that has accrued. Staff is recommending that only the interest fees be waived, as has been done in similar situations in the past. Commissioner Guajardo made a motion to waive only the interest fees in the amount of \$23,425.83 for properties at 1118 Ruby Ave., 1348 S. Indiana Ave., 838 S. Missouri Ave., 403 Brooks St., 1004 Maryland Ave., 1148 Maryland Ave., 224 N. Michigan Ave., 1014 Jones, Webb St., 127 N. Washington Ave., Georgia Ave. The motion was seconded by Commissioner Wade seconded the motion and it passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION TO APPOINT/RE-APPOINT MEMBERS TO THE BUILDINGS AND STANDARDS COMMISSION FOR TWO YEAR TERMS.**

The terms of four members of the Buildings and Standards Commission are set to expire this month. Only one member does not wish to continue serving. Commissioner Rodriguez made a motion to reappoint members Jose Luis Muniz, Antonio Anzaldúa, Yolanda Cruz, and John Gonzales and replace Petra Vidales with Mario Ramirez. Mayor Hinojosa seconded the motion and it passed unanimously.

**13.) DISCUSSION AND POSSIBLE ACTION TO RE-APPOINT MEMBERS TO THE PLANNING AND ZONING COMMISSION/BOARD OF ADJUSTMENTS.**

The terms of one board member and two alternate members have expired and there are still two other vacancies for alternate members. Staff recommended that Brian Acosta and Jaime Gonzalez be reappointed. Commissioner Wade made a motion to reappoint Brian Acosta and Jaime Gonzalez and appoint Ramiro Alvarado and David Mariscal to the vacant positions. The motion was seconded by Mayor Hinojosa and passed unanimously.

**14.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF MEMBER TO THE DEVELOPMENT CORPORATION OF MERCEDES, INC.**

Commissioner Wade made a motion to appoint Oscar Montoya to the Development Corporation of Mercedes, Inc. Mayor Pro-Tem Gomez stated that he had recommended Gilbert Gomez to fill this position at the last meeting and thinks that while all of the applicants are qualified, Mr. Gomez has a history of investing in Mercedes through his three businesses and would be an asset to the community. The motion was seconded by Commissioner Guajardo and passed unanimously.

**15.) PRESENTATION OF DEVELOPMENT CORPORATION OF MERCEDES, INC. MONTHLY REPORT.**

Development Corporation Executive director Hernan Gonzalez made a presentation to the Commission regarding ongoing projects in the city including the Botas de Mercedes project, Construction of the Fire station and a dental clinic, the "Nashville in Mercedes" event scheduled for January 30, 2014 and an update on the sales tax receipts for the month. There was no action taken on this item.

Mayor Hinojosa called the meeting into executive Session at 7:05 p.m.

**16.) EXECUTIVE SESSION:**

- **DISCUSSION ON EVALUATION OF CITY MANAGER RICARDO GARCIA. - TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.**
- **DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. - TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.**
- **DISCUSSION REGARDING PERSONNEL. - TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.**
- **DISCUSSION REGARDING ANNEXATION. (CAUSE NO. C-5929-13-H- SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - LITIGATION.**
- **DISCUSSION REGARDING CLAIM BY FORMER MUNICIPAL JUDGE ROGELIO GARCIA. - SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - POTENTIAL LITIGATION.**

- DISCUSSION REGARDING PROJECT X (UNIVERSITY OF TEXAS ADMINISTRATION FACILITIES) TEXAS GOVERNMENT CODE, SECTION 551.072 – REAL PROPERTY
- DISCUSSION REGARDING G.A.S ENTERPRISES- SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. – POTENTIAL LITIGATION.

There was no action taken during Executive Session. Mayor Pro-Tem Gomez and Commissioner Rodriguez left the meeting during executive Session prior to discussion on the City Manager’s evaluation. Mayor Hinojosa called the meeting back to order at 11:01 p.m.

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

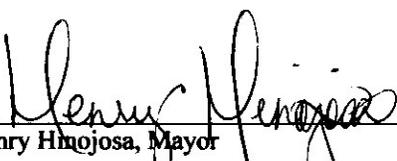
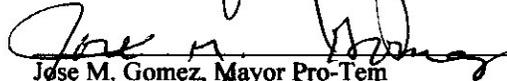
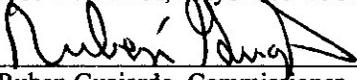
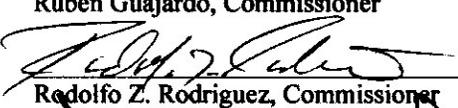
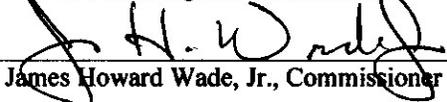
Mayor Hinojosa noted that Commissioner Rodriguez and Mayor Pro-Tem Gomez abstained from discussion regarding the evaluation of city Manager Ricardo Garcia, but he and Commissioners Guajardo and Wade gave an evaluation. Commissioner Guajardo made a motion to proceed as discussed in executive session regarding G.A.S. enterprises with the stipulation that requested Items be taken care of as discussed by 5:00 p.m. on Friday January 24, 2014. The motion was seconded by Commissioner Wade and passed unanimously.

- **ADDENDUM.**
- **DISCUSSION AND POSSIBLE ACTION ON RESOLUTION #2014-02 IN SUPPORT OF JOINT PROPOSAL BY CITY OF MERCEDES AND CITY OF LA FERIA FOR UNIVERSITY OF TEXAS ADMINISTRATIVE OFFICES AND RELATED FACILITIES.**

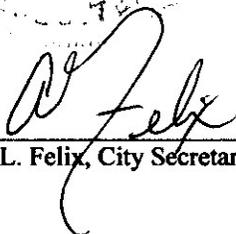
This resolution will allow the staff to submit a joint proposal to the University of Texas system to propose locating their administration facilities and other incidental facilities in Mercedes/La Feria. Mayor Hinojosa made a motion to approve Resolution #2014-02 in support of joint proposal by City of Mercedes and City of la Feria for university of Texas administrative offices and related facilities. The motion was seconded by Commissioner Guajardo and passed unanimously.

**18.) ADJOURN.**

There being no further business, Mayor Hinojosa adjourned the meeting at 11:05 p.m.

  
 Henry Hinojosa, Mayor  
  
 Jose M. Gomez, Mayor Pro-Tem  
  
 Ruben Guajardo, Commissioner  
  
 Rodolfo Z. Rodriguez, Commissioner  
  
 James Howard Wade, Jr., Commissioner

ATTEST:

  
 Arcelia L. Felix, City Secretary