

MERCEDES CITY COMMISSION
REGULAR MEETING
July 16, 2013 - 6:00 P.M
MERCEDES CITY HALL - COMMISSION CHAMBERS

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Jose M. Gomez	Commissioner
	Ruben Guajardo	Commissioner
	James Howard Wade, Jr.	Commissioner
	Ricardo Garcia	City Manager
	Juan Molina	City Attorney

MEMBERS ABSENT: Rodolfo Z. Rodriguez, Commissioner

Staff: Michelle Leftwich, Amanda Morales, Marisol Vidales, Jesse Villarreal, and Olga Maldonado

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.

Commissioner Gomez made the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Wade led the pledge of allegiance.

5.) OPEN FORUM-

Lilia Anzaldua and Liz Stenhouse of the Keep Mercedes Beautiful committee informed the Commission that the group had received the Gold Star Award at the annual Keep Texas Beautiful meeting. They also thanked Michelle Leftwich for all she does to help Keep Mercedes Beautiful.

David Garza addressed the Commission regarding a Capital Improvement fee that is added to each water bill.

Jesus Noriega of TxDot gave the commission an update on several projects going on in and around Mercedes.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (5) HELD JULY 1, JULY 2, AND JULY 8, 2013. B.) APPROVAL OF AUTHORIZATION #2013/07 /16A AUTHORIZING BANK SIGNATURES. C.) APPROVAL OF REQUEST BY LIL TIGER ALL-STARS FOR USE OF CIVIC CENTER PAVILION FOR CHEERLEADING PRACTICE. D.) APPROVAL OF QUARTERLY INVESTMENT REPORT.

Commissioner Guajardo made a motion to approve all items under consent. The motion was seconded by Commissioner Wade and passed unanimously.

7.) DISCUSSION AND POSSIBLE ACTION OF CONTRACTS-

(EXPIRE 9/30/2013 A.) JUAN R. ALVAREZ (MUNICIPAL COURT JUDGE), B.) DR EDUARDO CABALLERO (HEALTH OFFICER); C.) FULBRIGHT JAWORSKI, LLP (BOND COUNSEL). D.) GUZMAN & MUNOZ ENGINEERING (CITY ENGINEER), E.) HARLINGEN HUMANE SOCIETY (ANIMAL SHELTER); F.) LINEBARGER, GOGGAN BLAIR & SAMPSON (DLQT TAX/OTHER FEES ATTORNEY); G.) LONG, CHILTON, LLP (AUDITORS); H.) MCAFEE INSURANCE (GOVERNMENT CRIME INSURANCE); I.) MATA, GARCIA ARCHITECTS (CITY ARCHITECT); J.) JUAN R. MOLINA (CITY ATTORNEY); K.) PALM VALLEY ANIMAL SHELTER L.) RBC-DAIN RAUSCHER, INC. (FINANCIAL ADVISORS) M.) STAR E.M.S. (AMBULANCE SERVICES); N.) TML-IRP LIABILITY/E&O/PHYSICAL, PROPERTY/MOBILE FLOOD);

Commissioner Guajardo made a motion to review each contract individually. The motion was seconded by Commissioner Gomez and passed unanimously.

A.) Commissioner Guajardo made a motion to retain Juan R. Alvarez as Municipal Court Judge. The motion was seconded by Commissioner Gomez and passed unanimously.

B.) Commissioner Guajardo made a motion to retain Dr. Eduardo Caballero as Health officer. The motion was seconded by Commissioner Wade and passed unanimously.

C.) Commissioner Guajardo made a motion to retain Fulbright Jaworski, LLP as Bond Counsel. The motion was seconded by Commissioner Gomez and passed unanimously.

D.) Commissioner Guajardo made a motion to retain Guzman & Munoz Engineering as City Engineer. The motion was seconded by Commissioner Wade and passed unanimously.

E.) Commissioner Guajardo made a motion to retain Harlingen Humane Society for animal shelter services. The motion was seconded by Commissioner Gomez and passed unanimously.

F.) Commissioner Guajardo made a motion to retain Linebarger, Goggan Blair & Sampson for delinquent tax/other fees attorney. The motion was seconded by Commissioner Gomez and passed unanimously.

G.) Commissioner Guajardo made a motion to solicit statements of qualifications for City Auditor services. The motion was seconded by Commissioner Wade and passed with Commissioner Gomez voting against the motion.

H.) Commissioner Guajardo made a motion to retain McAfee Insurance for Government Crime insurance. Commissioner Wade seconded the motion and it passed unanimously.

I.) Commissioner Guajardo made a motion to retain Mata, Garcia Architects for City Architect Services. Commissioner Gomez seconded the motion and it passed unanimously.

J.) Commissioner Guajardo made a motion to retain Juan R. Molina as City Attorney. Commissioner Wade seconded the motion and it passed unanimously.

K.) Commissioner Guajardo made a motion to retain Palm Valley Animal Shelter . The motion was seconded by Commissioner Gomez and passed unanimously.

L.) Commissioner Guajardo made a motion to retain RBC-Dain Rauscher, Inc. as Financial Advisors. Commissioner Gomez seconded the motion and it passed unanimously.

M.) Commissioner Guajardo made a motion to have staff evaluate the cost of the City taking over EMS services and solicit proposals for ambulance services. The motion died for lack of a second. Commissioner Gomez made a motion to retain Star E.M.S. for Ambulance Services.

N.) Commissioner Gomez made a motion to retain TML-IRP for Liability/E&O/Physical, Property/mobile/flood insurance. Commissioner Guajardo seconded the motion and it passed unanimously.

(EXPIRES 10/31/2013): SHEPPARD WALTON KING (WORKER'S COMP)

(EXPIRES 11/2013): CUELLAR & ASSOCIATES (INSURANCE AGENT)

(EXPIRES 12/2013): BLUE CROSS & BLUE SHIELD OF TEXAS (EMPLOYEE HEALTH INSURANCE); CUELLAR & ASSOCIATES (EMPLOYEE SUPPLEMENTAL INSURANCE)

-Commissioner Guajardo made a motion to retain Sheppard Walton King for worker's Compensation insurance. The motion was seconded by Commissioner Wade and passed unanimously.

-Commissioner Guajardo made a motion to retain Cuellar & Associates as Insurance agent. The motion was seconded by Commissioner Gomez and passed unanimously.

- There was no action taken regarding employee health insurance.

- Commissioner Guajardo made a motion to retain Cuellar & associates for employee supplemental insurance.

(REVIEW ONLY):

-(EXPIRES 2014) BETTS OIL & BUTANE, INC. (FUEL PURCHASE SUPPLIER); FIRST NATIONAL BANK (CITY DEPOSITORY); UNIFIRST (EMPLOYEE UNIFORM/LINEN RENTAL)

-(EXPIRES 2015) WASTE CONNECTION (SOLIDWASTE SERVICES)

-(EXPIRES 2020) OMI, INC. (WATER/WASTEWATER PLANTS)

There was no action taken regarding these contracts.

8.) PUBLIC HEARING REGARDING A RE-ZONING FROM "B TWO FAMILY RESIDENCE" TO "C-1 APARTMENTS" LOCATED AT 635 S. TEXAS AVE., 717 S. TEXAS AVE., 725 S. TEXAS AVE. AND 739 S. TEXAS AVE., MORE PARTICULARLY DESCRIBED AS LOT 4- 11, BLOCK 122, MERCEDES ORIGINAL TOWNSITE SUBDIVISION, MERCEDES, HIDALGO COUNTY, TEXAS. THE PERSONS MAKING THE REQUEST ARE MERCEDES CHRISTIAN CHURCH, NORMA SILVA, ELVIA D. ARGUELLES AND PAULITA BETANCOURT AND GREGORIO TANGUMA.

- DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2013-11 RE-ZONING LOT 4-11, BLOCK 122, MERCEDES ORIGINAL TOWNSITE SUBDIVISION, MERCEDES, HIDALGO COUNTY, TEXAS FROM "B TWO FAMILY RESIDENCE" TO "C-L APARTMENTS" LOCATED AT 635 S. TEXAS AVE., 717 S. TEXAS AVE., 725 S. TEXAS AVE. AND 739 S. TEXAS AVE. Mayor Hinojosa opened the public Hearing at 6:45 PM. At a call for comments from the audience, none were offered and Mayor Hinojosa closed the public hearing at 6:48 PM.

Commissioner Guajardo made a motion to approve the first reading of Ordinance No. 2013-11 re-zoning lot 4-11, block 122, Mercedes Original Townsite subdivision, Mercedes, Hidalgo County, Texas from "B- two family residence" to "C-1 Apartments". Commissioner Gomez seconded the motion and it passed unanimously.

9.) DISCUSSION AND POSSIBLE ACTION APPROVING PRELIMINARY AND FINAL PLAT FOR ALEJANDRA GONZALEZ SUBDIVISION, BEING A 2.0 ACRES TRACT OF LAND OUT OF FARM TRACT 2029, NORTH CAPISALLO DISTRICT SUBDIVISION, MERCEDES.

Commissioner Gomez made a motion to approve the preliminary and final plat for Alejandra Gonzalez Subdivision. The motion was seconded by mayor Hinojosa and passed unanimously.

10.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OR REAPPOINTMENT OF MEMBER(S) TO THE DEVELOPMENT CORPORATION OF MERCEDES, INC.

Commissioner Wade made a motion to reappoint Armando Lopez and replace Leo Villarreal and Dalia De la Cerda with Richard Galvan and Joel Quintanilla respectively. Commissioner Guajardo seconded the motion which passed with Mayor Hinojosa voting against the motion.

11.) AUDIT REPORT ON EDC LOAN UPDATE.

Commissioner Gomez made a motion to have the EDC loan audit presented. The motion was seconded by Commissioner Wade and passed unanimously.

Mayor Hinojosa called the meeting into executive session at 6:55 PM.

12.) EXECUTIVE SESSION:

-DISCUSSION REGARDING RIO- TEX MEATS PROJECT - ECONOMIC DEVELOPMENT. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED - ECONOMIC DEVELOPMENT.
-DISCUSSION REGARDING RIO GRANDE VALLEY LIVESTOCK SHOW - ECONOMIC DEVELOPMENT. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED - ECONOMIC DEVELOPMENT.
-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.

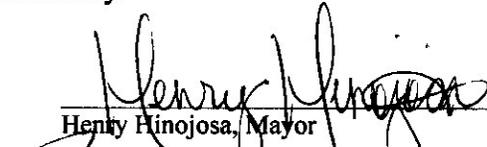
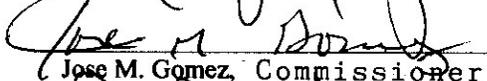
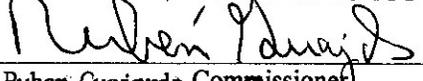
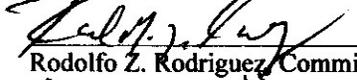
There was no action taken during executive session.

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

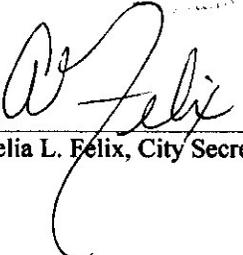
Mayor Hinojosa called the meeting back to order at 9:19 PM. Commissioner Guajardo made a motion to instruct staff to proceed as discussed in executive session. The motion was seconded by Commissioner Gomez and passed unanimously.

14.) ADJOURN.

Commissioner Wade made a motion to adjourn the meeting at 9:20 PM. The motion was seconded by Commissioner Guajardo and passed unanimously.


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

ATTEST:



Arcelia L. Felix, City Secretary