

**MERCEDES CITY COMMISSION
REGULAR MEETING
JULY 21, 2020 – 1:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

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

STAFF PRESENT:	Sergio Zavala	City Manager
	Anthony Troiani	City Attorney
	Joselynn Castillo	City Secretary
	Dagoberto Chavez	Police Chief/ACM
	Hugo Perales	I.T Director

1) CALL MEETING TO ORDER

Mayor Hinojosa called the meeting to order at 1:00 PM

2) ESTABLISH QUORUM

All members of the Commission were present which constitutes a quorum. Commissioner Gomez was present via a phone call.

3) INVOCATION

City Manager Zavala said the invocation.

4) PLEDGE OF ALLEGIANCE

Commissioner Benavidez led in the pledge of allegiance.

5) OPEN FORUM

- Mr. Israel Coronado expressed his concern with the Covid Pandemic, Public Funding, Elections.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING(S) HELD JULY 7, 10, 14 AND 16, 2020.

B.) SECOND AND FINAL READING ON ORDINANCE 2020-10 TO AMEND THE ZONING ORDINANCE'S REGULATION(S) ON ESTABLISHING A FRONT SETBACK BASED ON ALIGNMENT TO ONE OTHER STRUCTURE ON THE SAME BLOCK ON THE SAME SIDE OF THE STREET

Mayor Pro-Tem Villarreal made a motion to approve items 6A and 6B. Commissioner Hernandez seconded the motion. Upon a called vote, the item passed unanimously.

7) CITY MANAGER COMMENTS

Mr. Zavala stated that Staff has made needful cuts to the Budget already. Mr. Zavala informed that the doors to City Hall have been locked and curbside is now available in order to follow social distancing.

8) DISCUSSION AND POSSIBLE ACTION ON REQUEST BY GM ENGINEERING & SURVEYING FOR A 2ND PLAT APPROVAL EXTENSION FOR HACIENDA OLIVIA SUBDIVISION.

Mr. Zavala informed the Commission about the Ordinance amending the subdivision code approved by Commission. The City received a request to extend the application to record a plat. The first request expired June 2020 and if approved the new request would expire December 2020. At a question, Mr. Zavala stated that if the extension is not approved then the property would just be undeveloped land. Mr. Zavala continued by stating more time is needed to fix some issues with sidewalks, streetlights, etc.

After a brief discussion, Mayor Pro-Tem Villarreal made a motion to approve. Mayor Hinojosa seconded the motion. Upon a called vote, the item passed 3 to 2. Commissioner Benavidez and Commissioner Gomez voted nay.

9) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE APPROVING THE SETTLEMENT TERMS AND RATE TARIFFS AS THEY RELATE TO THE TGS COSA RATE INCREASE MATTER.

Mr. Zavala addressed the Commission about the TGS's proposal to raise the rates pursuant to the COSA tariff. The original request from TGS is a \$1.9 Mil increase and with the agreed reduction to the revenue requirement, the total increase is \$1.8 Mil. The new rates will be implemented on or after July 29, 2020.

Commissioner Benavidez made a motion to approve item 9. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

10) DISCUSSION AND POSSIBLE ACTION ON AGREEMENT WITH AEP TO USE LED FIXTURES WHEN REPLACING BULBS ON PUBLIC STREET LIGHTING.

Mr. Zavala addressed the Commission about potential saving with LED lighting. The lights would only be replaced when the bulbs go out.

After a brief discussion, Commissioner Benavidez made a motion to approve item 10. Commissioner Gomez seconded the motion. Upon a called vote, the motion passed unanimously.

11) DISCUSSION AND POSSIBLE ACTION TO FORMALLY ADOPT A COMPLAINT POLICY.

Mr. Zavala informed the Commission of the complaint policy. He provided the steps the City would take to keep track of the complaints and respond to the Complaints.

After discussion, Mayor Pro-Tem Villarreal made a motion to approve item 11. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

12) DISCUSSION AND ACTION TO ADOPT RESOLUTION AS CONTINGENCY MEASURE IN RESPONSE TO SB2 ON ROLLBACK TAXES.

Finance Director Perez stated that due to the disaster the bill allows the City some flexibility to recover all needs before making a final decision. The bill would only go into effect if the Tax rate is higher than the rollback rate if approved by Commission. Mr. Troiani stated that historically Cities can increase the rate up to 8%. The past year the increase was change to up to 3.2% and with the disaster declaration the City can increase back to 8%.

After discussion, Mayor Pro-Tem Villarreal made a motion to approve item 12. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed 3 to 2. Commissioner Benavidez and Commissioner Gomez voted against.

13) DISCUSSION AND POSSIBLE ACTION TO APPROVE PURCHASES FOR A STAND-ALONE EOC AS PART OF CARES FUNDING PROJECTS.

Mr. Figueroa stated that only one submitted from Vanguard. The company is part of TIPS, which follows procurement policy. All the requirements for the EOC Building are met.

Mayor Pro-Tem Villarreal made a motion to approve. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

14) DISCUSSION AND POSSIBLE ACTION TO APPROVE EXPENDITURE(S) TO LOWEST RESPONSIBLE VENDOR OF REIMBURSED INSURANCE PAYMENT TO REPLACE PD VEHICLE.

Police Chief Chavez informed the Commission of a Police Unit that was struck on the expressway which was deemed a total loss. The City was reimbursed from TML and Chief Chavez proposed purchasing 2 vehicles for the price reimbursed.

Mayor Pro-Tem Villarreal made a motion to approve item 14. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

15) UPDATE ON 2020 UTILITY O&M PROCESS.

Mr. Zavala stated that Jacobs is currently the Utilities Firm. Mr. Zavala stated a request has been sent to Jacobs for an extension and the requested items needed to post for the bids. Commissioner Hernandez recommended that

a committee submit their recommendation and bring to the Commission. Mr. Troiani stated all the documents will be provided to the candidates. This item was only an update; no action is required.

Mayor Hinojosa called the meeting into Executive Session at 1:48 PM.

16) EXECUTIVE SESSION:

- 1) CONSULTATION WITH LEGAL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 (2) FOR THE PURPOSES OF RECEIVING PRIVILEGED ATTORNEY CLIENT COMMUNICATIONS AND PURSUANT TO TEXAS GOVERNMENT CODE 551.071 (1) REGARDING TO ANTICIPATED LITIGATIONS AND BRIEFING OF 'ALL' ONGOING LITIGATIONS.**

17) GENERAL SESSION (RECONVENE):

No action was taken on the executive session items.

18) ADJOURN

Commissioner Benavidez made a motion to adjourn. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

Henry Hinojosa, Mayor

ATTEST:

Joselynn Castillo, City Secretary