

**MERCEDES CITY COMMISSION
REGULAR MEETING
JUNE 16, 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	ACM/Police Chief
	Hugo Perales	I.T Director

1) CALL MEETING TO ORDER

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

2) ESTABLISH QUORUM

Four members of the Commission were present which constitutes a quorum.

3) INVOCATION

City Manager Zavala was voice for those present by expressing an invocation.

4) PLEDGE OF ALLEGIANCE

Commissioner Benavidez led in the pledge of allegiance.

5) OPEN FORUM-

- Ms. Rose Dominguez expressed her concern with some of the CARES Act budget items.
- Ms. Laura Alvarado voiced her concern about the CARES Act budget items and the Citizen Collection Station.
- Ms. Rosie Coronado declined to speak.
- Mr. Jaime Castaneda Contreras stated his concerns with the Weslaco PD inmate housing and treatment of inmates.
- Mr. Leonel Benavidez read a section of the Texas Government Code as it relates to section 418 part B on the Emergency Order.
- Ms. Julie Valdez declined to state her address, therefore did not express her concern.
- Mr. Luis Huerta signed up for open forum but did not answer.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD MAY 29 AND JUNE 2, 2020.

B.) APPROVAL OF RESOLUTION #2020/06/16A ACCEPTING BG-RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM (BAGP) #4082701

C.) APPROVAL OF RESOLUTION #2020/06/16B ACCEPTING CV-CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM (CESF) #4142401

Mayor Pro-Tem Villarreal made a motion to approve all items under consent agenda. At a question, Lt. Diaz and Chief Chavez stated that all police officers will have their own vest and radio to prevent cross contamination due to the virus. Commissioner Hernandez seconded the motion. Upon a called vote, the item was passed unanimously.

7) CITY MANAGER COMMENTS.

Mr. Zavala expressed his gratitude for help from staff and others on the recent sandbagging event. He stated that people were able to also complete their census at the event.

8) DISCUSSION AND POSSIBLE ACTION ON PROPOSED BUDGET AMENDMENT TO INCREASE FUDNING TO THE PUBLIC WORKS DEPARTMENTS' STREET FUND.

Mr. Zavala addressed the Commission regarding the budget amendment to increase the streets fund for asphalt, potholes, and speed humps. The \$20,000 funding is coming from unused funds (vacancies) in the Planning Department.

Mayor Pro-Tem Villarreal made a motion to approve item 8. Commissioner Hernandez seconded the motion. Upon a called vote, the item passed unanimously.

9) DISCUSSION AND ACTION TO REJECT BIDS FOR THE REPAIR OF ROTORS AT SEWER FACILITIES AND RE-AUTHORIZE STAFF TO SEEK NEW SEALED BIDS FOR THE NEEDED REPAIRS.

Public Works Director Figueroa addressed the Commission regarding the 3 bids that were received for Rotor Repair. Mr. Figueroa is seeking to reject all bids due to inconsistencies and to resolicit for bids.

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

10) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE ADOPTING A FEE RATE STRUCTURE FOR FIRE PREVENTION SERVICES.

Mr. Campos informed the Commission that the City of Mercedes has not had fees for fire inspections.

Commissioner Hernandez asked to provide another cities fee rate schedule.

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

11) DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE TO ESTABLISH REGULATIONS FOR PEDDLERS AND ITINERANT VENDORS AS IT RELATES TO THE OPERATION OF MOBILE FOOD VENDORS.

Mr. Zavala addressed the Commission regarding a peddler permit process for mobile food vendors. The first 6 months will have a fee of \$160 and \$100 renewal fee. There will only be 1 mobile vendor for every 6,000 in population. There was discussion regarding the difference between mobile food vendors and stationary vendors. After a brief discussion, Mayor Pro-Tem Villarreal made a motion to approve with the understanding to remove concession trailers. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

12) DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE STAFF TO EXPEND AWARDED STONE GARDEN MONIES TO PURCHASE VEHICLE FOR POLICE PURPOSES.

Police Chief Chavez informed the Commission of the list of vehicles that are down from fleet. Mr. Chavez stated he would like to purchase a vehicle for police purposes.

After a brief discussion, Commissioner Hernandez made a motion for approval. At a question, Mr. Chavez stated he would seek local vendors. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the item passed unanimously.

13) DISCUSSION AND ACTION ON PROPOSED CARES ACT INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE COUNTY OF HIDALGO AND THE CITY OF MERCEDES.

Mr. Zavala stated the CARES funding was approved and sent to the County to disperse among the cities. There was money allotted in the amount of \$132.00 per person and the County is retaining \$18.00 per person in the reserves which brings the total to \$114.00 per person. Mr. Zavala stated that August 31 is the deadline to submit the budget. Mr. Frank San Martin informed the Commission of the process prior to the City being reimburse. The County created a committee to assist and communicate with the Cities as it pertains to the CARES funding.

After discussion, Mayor Pro-Tem Villarreal made a motion to approve the Interlocal Agreement. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

14) DISCUSSION AND ACTION ON APPROVING MONETARY CARES ACT COVID-19 ALLOTMENT.

Mr. Zavala recommended to table this item until the workshop is completed. There was discussion on how the monies for the small businesses could be used.

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

15) DISCUSSION AND POSSIBLE ACTION ON PROPOSED AMENDMENT TO PROFESSIONAL SERVICES CONTRACT WITH HOLLIS RUTLEDGE & ASSOCIATES FOR ADDITIONAL SERVICES TO ADMINISTER THE CARES MONIES AS ALLOTTED TO THE CITY OF MERCEDES

The Commission discussed the contract with Hollis Rutledge & Associates. There was discussion regarding their current work with the city and the need for professional services for the CARES Act grant. Mr. Frank San Martin stated he can do reports for the Commission and the grants that they have been helping the City with. He continued saying that they have the experience with grants and can make sure deadlines are met and guidelines are followed.

After discussion, Commissioner Gomez made a motion to deny the amendment for professional services.

Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed 4 – 1. Mayor Hinojosa dissenting.

16) DISCUSSION AND POSSIBLE ACTION TO REMOVE AND APPOINT A NEW MAYOR PRO-TEM AS PER CITY CHARTER.

Commissioner Benavidez made a motion to nominate Commissioner Gomez for Mayor Pro-Tem due to his years of experience. The motion died due to the lack of a second.

17) DISCUSSION AND POSSIBLE ACTION TO THE IMPLEMENTATION OF MEASURES TO IMPROVE RESPONSIVENESS AND CUSTOMER SERVICE (NON-PERSONNEL RELATED) WITHIN THE CITY OF MERCEDES.

Mayor Hinojosa skipped this item. Commissioner Benavidez stated that it was skipped because it was not put on as requested.

18) DISCUSSION AND POSSIBLE ACTION REGARDING INTERNAL PROCUREMENT POLICIES (APPROVED 8/20/2019)

Commissioner Benavidez stated he would like the item requested in the packet since the item placed is not what he requested. Commissioner Gomez asked if the police department policies have been approved by legal. Mr. Zavala stated that the policies were provided and the changes by legal were highlighted in yellow. No Action was made on this item.

19) DISCUSSION AND POSSIBLE ACTION TO PETITION TO THE GOVERNOR GREG ABBOTT FOR AN EMERGENCY ELECTION BEFORE THE UNIFORM ELECTION DATE OF NOVEMBER 3, 2020.

Commissioner Benavidez stated that COVID cases would increase in September and October as per the CDC. Ms. Castillo addressed the Commission regarding the cost if the City ran its own election which rounded off to \$30K.

Mayor Pro-Tem Villarreal made a motion to not approve item 19. Commissioner Hernandez seconded the motion. Upon a called vote, the item passed 3-2 Commissioner Benavidez and Commissioner Gomez dissenting.

20) DISCUSSION AND POSSIBLE ACTION TO ENTER EMERGENCY ORDER DUE TO PUBLIC HEALTH EMERGENCY RELATED TO COVID-19 PANDEMIC IN CONFORMITY WITH THE STATE OF TEXAS AND HIDALGO COUNTY DISASTER ORDERS CURRENTLY IN PLACE.

Commissioner Hernandez made a motion to approve item 20. Mayor Hinojosa seconded the motion. Upon a called vote, the item passed with Commissioner Benavidez and Commissioner Gomez dissenting.

21) MONTHLY DEPARTMENTAL REPORTS

Department reports are included in the packet for the Commission to review.

Mayor Hinojosa called the meeting into Executive Session at 2:51 P.M.

22) EXECUTIVE SESSION:

- **CONSULTATION WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 (2) TO RECEIVE LEGAL ADVICE AND INFORMATION (LITIGATION UPDATE) PROTECTED BY ATTORNEY CLIENT COMMUNICATION.**

Mayor Hinojosa called the meeting back from executive session at 3:16 PM. The Commission continued with the workshop at this time. The Commission concluded the workshop at 4:43 PM and the Mayor called the meeting back to order.

14) DISCUSSION AND ACTION ON APPROVING MONETARY CARES ACT COVID-19 ALLOTMENT.

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

Upon approving the list of items with budgeted value, Commissioner Benavidez inquires on money for business to include residential, suggesting 300K for businesses and read terms on helping residents. Mayor Pro-Tem Villarreal made a motion to also include allocating \$300K for small businesses, \$100K for individuals, and \$71,927 for administration. Commissioner Hernandez seconded the motion. Upon a called vote, the item passed unanimously.

23) GENERAL SESSION (RECONVENE): POSSIBLE ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION.

No action was taken on the items discussed in executive session.

24) ADJOURN

Commissioner Benavidez made a motion to adjourn. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously. The meeting was adjourned at 4:46 PM.

Henry Hinojosa, Mayor

Leo Villarreal, Mayor Pro-Tem

Cristella De Leon Hernandez, Commissioner

Leonel Benavidez, Commissioner

Jose M. Gomez, Commissioner

ATTEST:

Joselynn Castillo, City Secretary