

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

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Leandro Villarreal	Mayor Pro-Tem
	Jose M. Gomez	Commissioner
	Leonel Benavidez	Commissioner
	Cristella De Leon Hernandez	Commissioner
STAFF PRESENT:	Sergio Zavala	City Manager
	Joselynn Castillo	Interim City Secretary
	Anthony Troiani	City Attorney
	Tommy Ureste	Fire Chief/EMC
	Javier Campos	Asst. Fire Chief
	Jose Figueroa	Public Works Director
	Nereida Perez	Finance Director
	Marisol Vidales	Library Director
	Ravyn Hinojosa	City Manager's Admin. Asst.
	Dagoberto Chavez	ACM/Police Chief
	James Cooper	Police Dept.
	George Diaz	Police Dept.
	Roy Rocha	Police Dept.
	Leroy Hernandez	Police Dept.

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 Uvaldo Jacques was voice for those present by expressing an inspired invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Gomez led in the Pledge of Allegiance.

5.) PROCLAMATION – 7 MEMBERS OF THE SOUTH TEXAS SYNERGY TEAM.

Mayor Hinojosa presented a proclamation to members of the South Texas Synergy team for their historic win in the Pony International World Series Championship game in Houston, Texas. Mr. Brian Acosta expressed his gratitude to the Commission for the recognition to the team and their support.

6.) OPEN FORUM-

-Sergio Reyes expressed his concern for the children walking from school on 10th Street and Virginia due to a dumpster being places in an area that will block the view for vehicles.

-Michael Cano informed the Commission of 7 tracts of land that will be for sale on September 3, 2019. Mr. Cano stated the 7 tracts land is the previous H&H property and provided a brochure regarding the properties for sale.

- Miguel Loya stated his concern regarding the online citizens concern form and stated he would like a call back from the departments on the status of the concern. Mr. Loya also voiced his disagreement on how the City Commission 'mooted' several City Commission items that had been previously acted on, but had been attempted to be re-visted for possible reconsideration.

- Jacob Howell stated that the Commission's priorities should be drainage issues, economic growth, and an economic growth plan.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETINGS HELD JULY 16 CC JULY 30, 2019.

B.) SECOND AND FINAL READING OF ORDINANCE NO. 2019-14 TO REPEAL ORDINANCE NO. 2002-04 AN ORDINANCE THAT PROVIDES THE OPPORTUNITY FOR THE CITY TO PAY FOR CITY COMMISSION'S HEALTH INSURANCE.

C.) SECOND AND FINAL READING OF ORDINANCE NO. 2019-15 TO ESTABLISH CREDIT FOR WATER DISPOSAL FEE FOR ABOVE –GROUND SWIMMING POOLS.

D.) SECOND AND FINAL READING OF ORINANCE NO. 2019-16 ON BUDGET AMENDMENT TO ADD ONE FULL-TIME PARAMEDIC TO THE FIRE/EMS STAFF.

E.) APPROVAL OF REQUEST TO DECLARE SURPLUS INVENTORY AND AUTHORIZE DISPOSAL. (BOND & BOND AUCTION).

F.) APPROVAL OF INTERLOCAL AGREEMENT WITH SOUTH TEXAS VO-TECH FOR WORK STUDY PARTICIPANTS.

G.) APPROVAL OF THE QUARTERLY INVESTMENT REPORT.

Commissioner Hernandez made motion to approve all items under consent agenda A-G. Mayor Pro-Tem Villarreal seconded the motion, which passed unanimously.

8.) CITY MANAGER COMMENTS.

Mr. Zavala stated there were no comments due to the long agenda.

9.) RECOGNITION OF MERCEDES POLICE DEPARTMENT POLICE PERSONNEL AND TEXAS DEPARTMENT OF PUBLIC SAFETY TROOPERS.

Police Chief Dagoberto Chavez recognized Officer Roy Rocha, Officer Leroy Hernandez, Sgt. George Diaz, Communications Officer Julissa Salazar, DPS Trooper Joseph Macias, DPS Trooper Ruben Romano, and DPS Trooper Henaro Castillo, for their fast response to a kidnapping in progress that occurred July 14, 2019. Mr. Chavez presented them with a letter of accommodation and thanked them for their service.

10.) DISCUSSION AND POSSIBLE ACTION TO ENGAGE PROFESSIONAL SERVICES FOR MEDICAL BILLING OF MERCEDES FIRE/EMS SERVICES, AND ACQUIRING BILLING SOFTWARE.

Fire Chief/EMC Tommy Ureste presented this item stating that the matter of Mercedes engaging someone with seasoned experience on ambulance billing is desired because Ms. Alicia Lopez would state & calculate the high level of EMS service at the maximum legal rate. Since Mr. Lopez knew the software, there'd be no need for training, and she would hit the ground running. This would magnify the return reimbursement to the City. On the Tri Tech software, Mercedes needed this software for said billing service.

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

11.) DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE STAFF TO SOLICIT BIDS FOR 2 HEART MONITORS.

Fire Chief/EMC Tommy Ureste presented this item indicating that the 2 heart monitors would be used as a contingency measure and to always be prepared, in case one of the primary monitors went down. The equipment would be funded through the existing budget provided for the department.

The matter was briefly discussed. Thereafter, Mayor Pro-Tem Villarreal moved for approval, with Commissioner Hernandez seconding the motion. Upon a called vote, the item was unanimously approved.

12.) DISCUSSION AND ACTION FOR APPROVAL OF CONTRACT WITH CINTAS FOR UNIFORMS, JANITORIAL, SUPPLIES, AND MATS SERVICES.

Public Works Director Jose Figueroa briefed over the prepared write-up, citing that what compelled the move toward Cintas was cost savings and service through the Co-op method. Mercedes was in the Co-op.

After brief discussion, Mayor Pro-Tem Villarreal moved for approval as presented. After, Commissioner Benavidez seconded the motion, it was unanimously approved.

13.) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE APPROVING A NEGOTIATED RESOLUTION BETWEEN THE CITY AND TEXAS GAS SERVICE REGARDING TGS'S APRIL 30, 2019 COSA FILING.

City Manager Sergio Zavala stated that TGS has proposed a rate increase of \$2,161,343 but, after examination of the proposal, it was determined that a negotiated settlement rate that was lower (\$2,087,516) would be more appropriate. There was additional information provided as to other issues that correlated with the proposed increase, such as TGS' change of insurance provider, and that TGS has not yet provided a method of how they were going to return the accumulated deferred income tax to affected customers. The merits of the ordinance addressed these issues.

It was stated that most other Valley cities are approving, or had approved, the template ordinance to reflect solidarity on this issue of TGS' rate increase.

After the presentation, Mayor Pro-Tem Villarreal moved for approval, with Commissioner Hernandez seconding the motion. Upon a called vote, the item was unanimously approved.

14.) PRESENTATION AND POSSIBLE ACTION ON RESOLUTION ON THE CENSUS 2020.

City Manager Zavala had received a recommended Resolution from the U.S. Census Bureau so that all cities would organize complete count committees so that citizens could be properly educated on the significant importance of the census, and Mercedes' efforts to have everyone 'counted' would be magnified. Mr. Zavala said that Mr. Manuel Garza had been appointed, but there needed to be additional citizens appointed at the next regular City Commission Meeting.

After brief discussion, Commissioner Hernandez moved for approval. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion was unanimously approved.

15.) DISCUSSION AND POSSIBLE ACTION TO SOLICIT FOR RFP'S FOR DEPOSITORY SERVICES.

Finance Director Nereida Perez stated that, by statutory law, Mercedes had to seek RFPs for depository services. This must occur every 5 years, and it had been 5 years since the city's current depository had been selected.

Commissioner Hernandez moved for approval of the item. Mayor Pro-Tem Villarreal seconded the motion, which was then unanimously approved.

16.) DISCUSSION AND POSSIBLE ACTION TO APPROVE BUDGET AMENDMENTS PROPOSED BY PUBLIC WORKS.

Public Works Director Jose Figueroa presented this item outlining the rationale for the needed budgetary amendments.

After brief discussion, Commissioner Hernandez moved for approval, which was then seconded by Commissioner Benavidez. The motion was then unanimously approved upon a called vote.

17.) DISCUSSION AND ACTION TO APPROVE QUOTE FOR LABOR ON THE 10TH ST. GRINDER PUMP PACKAGE.

Staff stated that the city had secured the pumps to save money, but the labor to install the sewer infrastructure and grinder pump had been solicited for price quotes. The quotes received were stated as :

Southern Trenchless.....	\$26,500
Roth Excavating.....	\$32,000
DigLine Texas, LLC.....	\$25,878
OMT Utilities.....	\$24,500

After assessing the quotes and examining the experience of the vendors, City Staff recommended that the City Commission approve the contract be awarded to OMT Utilities.

After brief discussion, Mayor Pro-Tem Villarreal moved to approve Staff's recommendation. Commissioner Benavidez seconded the motion. Upon a called vote, the motion was unanimously approved.

18.)DISCUSSION AND POSSIBLE ACTION TO AWARD BID & CONTRACT REARDING THE LYONS STREET SANITARY SEWER IMPROVEMENTS PROJECT.

Mayor Hinojosa stated that he placed this item on the agenda, and cited his reasons for such, which included a concern of work orders that may or may not be needed, dependent on the circumstances encountered during construction.

Thereafter, Mr. Israel Gaona of LEMC (consulting engineering firm) presented the City Commission with a summary of the project, i.e., the existing 2 perimeter sewer lines would be abandoned, and a new sewer line with proper slope would be installed in the street to provide the services to the affected homes. The street would necessarily be re-paved. The bids that were received for this project were as followed:

RDH.....	\$542,569
Go Underground.....	\$567,927.64
McAllen Multi Service.....	\$633,075
Earth Works.....	\$709,109.20
Saenz Utility Contractors.....	\$783,016.75
I.O.C.....	\$997,777.77
Jimmy Closner & Sons.....	\$998,505

There was discussion regarding the work involved, and the examination of the contractors. Thereafter, Mayor Pro-Tem Villarreal moved to award the contract for the sewer project to RDH in the amount of \$542,569. Mayor Hinojosa seconded the motion. Upon a called vote, the motion was approved by a vote of 4 to 1 (Com. Jose Gomez dissented).

19.) DISCUSSION AND POSSIBLE ACTION TO AMEND MIKE MESA'S CONTRACT FROM A 5-YEAR MASTER PARKS PLAN UPDATE TO NOW PROVIDE A 10-YEAR MASTER PARKS PLAN.

Mr. Mike Mesa stated that during the course of the 5-year update, it was discovered that Mercedes actually needed a 10-year Master Plan. He explained the additional work needed to be done to complete the 10-year plan. Mr. Mesa replied to a Commissioner's inquiry of the cost for the last 10-year plan (\$50+K).

After brief discussion, Mayor Pro-Tem Villarreal moved to approve this item as recommended by Staff. Mayor Hinojosa seconded the motion. Upon a called vote, the item was unanimously approved.

20.) DISCUSSION AND ACTION TO AUTHORIZE STAFF TO SEEK SEALED BIDS TO REPLACE CLAY SEWER LINES AT THE FOLLOWING LOCATIONS: ALLEY/BUS HWY 83 BETWEEN WASHINGTON & GEORGIA; AND ALLEY/BUS HWY 83 BETWEEN VIRGINIA & GEORGIA.

Public Works Director Figueroa presented this item stating that it was urgent to perform the work, but first needed the Commission's approval to seek sealed bids to replace the 6" clay sewer lines with 8" PVC lines.

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.

**21.) REVIEW AND POSSIBLE ACTION OF CONTRACTS:
(EXPIRE 9/30/2019):**

- (1.) JUAN R. ALVAREZ (MUNICIPAL COURT JUDGE)....contract lifted - City to seek RFQs
- (2.) BURTON, MCCUMBER & LONGORIA (AUDITORS)...City to seek RFQs.
- (3.) FULBRIGHT & JAWORSKI, LLP (BOND COUNSEL)....contract kept.
- (4.) SAMUEL GARCIA (ARCHITECT).....No action - Garcia contract isolated to Sports Park
- (5.) GUTIERREZ, R. ENGINEERING....contract kept.
- (6.) LEFEVRE (LEMC) ENGINEERING...contract kept.

- (7.) SIGLER, WINSTON & GREENWOOD ENGINEERING...contract kept. Upon a called vote, the engineering contracts numbered 5, 6, & 7 were approved to continue with Commissioner Benavidez and Commissioner Gomez voting nay.
- (8.) PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP (DLQT. TAX/ OTHER FEES ATTORNEY)...contract kept. Upon a called vote, contract was approved to continue with Commissioner Gomez and Commissioner Benavidez voting nay.
- (9.) TML-IRP (LIABILITY/E&O/PHYSICAL, PROPERTY/MOBILE/FLOOD)...contract kept.
- (10.) CITY OF WESLACO (ANIMAL IMPOUNDMENT SERVICES)
(EXPIRES 11/2019)...contract kept.
- (11.) MONTALVO INSURANCE – TEXAS MUTUAL WORKER’S COMP...city to seek RFQs.
- (12.) HUMANA (HEALTH INSURANCE)...city to seek RFPs.
- (13.) WASTE CONNECTIONS OF TEXAS (SOLID WASTE SERVICES)
(EXPIRES 12-31-19)...City to seek RFPs.
- (14.) TROIANI & SOSSI LAW (CITY ATTORNEY)...no action thus kept for now.
- (15.) MCAFEE INSURANCE (GOVERNMENT CRIME INSURANCE)...no action thus kept for now.
- (16.) JACOBS (CH2MHILL) (OMI, INC.) (WATER/WASTEWATER PLANT)
(EXPIRES SEPT. 2020)...City to seek RFQs & assess with forthcoming transition plan
- (17.) RBC – DAIN RAUSCHER, INC. (FINANCIAL ADVISORS)...no action thus kept for now.

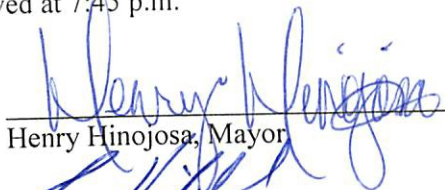
CONSULTANTS:

- (18.) LANGLEY & BANACK, INC. (POST ETJ-ANNEXATIONS & DE-ANNEXATIONS LEGAL SERVICES)...contract kept.
- (19.) ARMANDO MARTINEZ (ADMINISTRATOR OF RECORD/EMS)...Tabled to amend via City Attny
- (20.) DR. ANDREW LEVINE – MEDICAL DIRECTOR...no action/contract kept.
- (21.) ISRAEL PEREZ – MARKETING FACILITATOR...terminated
- (22.) HOLLIS RUTLEDGE (PLANNING, MARKETING & GOV’T RELATIONS)...contract kept
- (23.) TIF SERVICES OF SOUTH TEXAS (TIRZ SERVICES)...no action/contract kept.
- (24.) DAVID R. GORENA (CITY PROSECUTOR)...city to seek RFQs.
- (25.) MIGUEL MESA (MASTER PARKS PLAN)...no action.

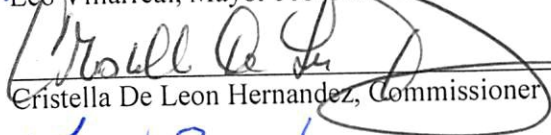
City Attorney Anthony Troiani stated that there were several contracts that had to be amended, thus prior to signing any new extension or new contract, they needed to be reviewed for approval by the City’s legal counsel.

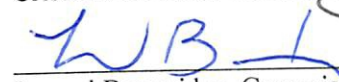
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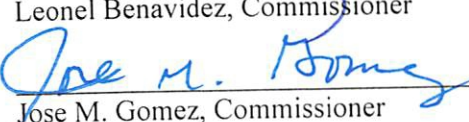
Mayor Hinojosa moved to adjourn the meeting. Commissioner Hernandez seconded the motion. Upon a called vote, the motion to adjourn was unanimously approved at 7:45 p.m.


Henry Hinojosa, Mayor



Leo Villarreal, Mayor Pro-Tem


Cristella De Leon Hernandez, Commissioner


Leonel Benavidez, Commissioner


Jose M. Gomez, Commissioner

ATTEST:


Joselyn Castillo, Interim City Secretary