

**MERCEDES CITY COMMISSION
REGULAR MEETING
SEPTEMBER 15, 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
	Nereida Perez	Finance Director (webex)
	Dagoberto Chavez	Police Chief/ACM
	Jose Figueroa	Public Works Director
	Javier Campos	Fire Chief/EMC
	Marisol Vidales	Library Director
	Hugo Perales	I.T Director
	Melissa Ramirez	DCM Director (webex)

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 full quorum.

3) INVOCATION

City Manager Zavala said the invocation.

4) PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Villarreal led in the pledge of allegiance.

5) OPEN FORUM

- There were no citizens signed up for open forum.

At this time, Mayor Hinojosa recognized Ms. Diana Serna and presented her with a Certificate of Recognition.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING(S) HELD SEPTEMBER 1 & 9, 2020.

Commissioner Benavidez added information to the minutes of September 1, 2020 regarding Mr. Armando Martinez agreeing to provide the Commission a Collection Rate.

Commissioner Benavidez approved the items under consent agenda with corrections stated. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

7) CITY MANAGER COMMENTS

Mr. Zavala encouraged the Citizens of Mercedes to complete the census online, by phone or by mail. Mr. Zavala added that completing the Census would help with funding, street maintenance, school funding, and more.

8) DISCUSSION AND POSSIBLE ACTION ON DEVELOPMENT CORPORATION OF MERCEDES BUDGET FOR FY 2020-2021.

DCM Director Melissa Ramirez informed the Commission that the Development Corporation has a surplus of \$250K and recommends approval.

Commissioner Hernandez made a motion to approve with automobile allowance to be moved from Personnel Cost to other services and charges. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed with Mayor Pro-Tem Villarreal voting against.

9) PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR 2020-2021.

Mayor Hinojosa opened the Public Hearing on the Budget for Fiscal Year 2020-2021 at 1:13 PM.

There was no input from the public and no calls were received.

Mayor Hinojosa closed the Public Hearing at 1:15 PM.

10) FORMAL ACTION ON FIRST READING OF ORDINANCE NO. 2020-14 ADOPTING THE CITY OF MERCEDES BUDGET FOR FY 2020-2021.

Commissioner Hernandez made a motion to approve adopting the budget for FY 2020-2021. Mayor Pro-Tem Villarreal seconded the motion.

Commissioner Gomez asked about the add on the Taxes to balance the budget. Finance Director Nereida Perez stated that an amount from the reserves was used to balance the Budget and stated if that amount is not used it will not affect the City's rating. Upon a called vote, the motion passed. Commissioner Benavidez and Commissioner Gomez voted against.

Mayor Pro-Tem Villarreal read a statement aloud. (Attachment A)

11) FORMAL ACTION ON FIRST READING OF ORDINANCE NO. 2020-15 ADOPTING THE 2020 TAX RATE.

Mr. Zavala stated that during the budget workshops the Commission discussed the Tax Rate and stated that the tax rate should remain the same. The tax rate is 0.745 for every \$100.

Mayor Pro-Tem Villarreal made a motion to approve the tax rate to remain the same. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

Commissioner Gomez asked the Finance Director if the City will need to increase the tax rate. Ms. Perez stated that the tax rate depends on the dept service. Ms. Perez added that there was revenues from property tax and fire fees.

12) DISCUSSION AND POSSIBLE ACTION ON MEMORANDUM OF UNDERSTANDING BETWEEN BEHAVIORAL HEALTH SOLUTIONS OF SOUTH TEXAS (BHSST) AND DR. HECTOR P. GARCIA MEMORIAL LIBRARY.

Ms. Vidales addressed the Commission regarding an MOU with Behavioral Health Solutions of South Texas to host virtual meeting to educate children on the prevention of drugs and alcohol use.

Commissioner Benavidez made a motion to approve item 12. Mayor Pro-Tem Villarreal seconded the motion.

Upon a called vote, the motion passed unanimously.

13) DISCUSSION AND POSSIBLE ACTION TO APPOINT THREE MERCEDES HISTORIC PRESERVATION COMMISSION MEMBERS.

Ms. Vidales informed the Commission of three members to the Historic Preservation Commission whose terms are set to expire in October. Ms. Vidales stated that 2 of the members (Ms. Marissa Wallace and Mr. Alejandro Medina) have expressed interest in continuing their service. Ms. Hilda Thompson has moved out of state; therefore, her seat needs to be filled. Ms. Vidales recommended to appoint Ms. Donna Otto to the vacant seat. Ms. Otto is currently an alternate member.

Mayor Pro-Tem Villarreal made a motion to re-appoint Ms. Wallace and Mr. Medina and to appoint Ms. Otto to the Historic Commission. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

14) DISCUSSION AND POSSIBLE ACTION ON PROPOSED INDIVIDUAL ASSISTANCE PROGRAM, AS FUNDED FROM CARES MONIES.

Mr. Zavala notified the Commission the proposed Individual Assistance Program for Mortgage and Rental Assistance. He stated that there would be a committee of staff reviewing the applications, it's a first come first serve basis, \$1,000 max, no appeal, and reimbursement clause for fraudulent applications. At a question, Mr. Zavala stated that he will look into other options other than mortgage, possibly providing gift cards for groceries.

After discussion, Mayor Pro-Tem Villarreal made a motion to table this item and bring back with info requested by Commissioner Hernandez. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

There was discussion regarding the assistance other cities are providing, nepotism regulations, the applications per household. Mr. Frankie San Martin stated the funds need to be used by October 31, 2020.

15) DISCUSSION AND POSSIBLE ACTION FOR PURCHASE OF LP 15 CARDIAC MONITORS.

Fire Chief Javier Campos stated that the City only received one bid from Stryker Sales Corporation for the Cardiac monitors. Mr. Campos stated that the funding will come from the EMS Fund. Commissioner Benavidez asked if CARES Funding could be used. Mr. San Martin stated CARES Funding can be used if its for COVID purposes.

After discussion, Commissioner Benavidez made a motion to approve the purchase of LP 15 Cardiac Monitors with CARES Funding. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

16) DISCUSSION AND POSSIBLE ACTION TO APPROVE A 3-MONTH EXTENSION TO JACOBS FOR WATER AND WASTEWATER OPERATIONS & MANAGEMENT SERVICES.

Mr. Zavala addressed the Commission regarding an extension to the Jacobs Contract. The contract is set to expire September 30, 2020 and the City is currently in the RFP process of the services.

Commissioner Benavidez made a motion to approve the 3-month extension with the 3% increase. Commissioner Gomez seconded the motion. Upon a called vote, the motion passed. Commissioner Hernandez and Mayor Pro-Tem Villarreal voted against. Commissioner Hernandez asked why Jacobs had an increase and the amount of the 3% increase for each month. Commissioner Benavidez stated that there had been negotiations with Jacobs to decrease the extension from 6 months to 3 months.

17) DISCUSSION AND POSSIBLE ACTION ON AWARDED POINT TO POINT 100 MBPS LEASE NETWORK LINE INSTALLATION BETWEEN MERCEDES PD AND WESLACO PD LOCATION.

I.T Director Hugo Perales informed the Commission about a new police system being used to share information from Dispatch, Records and Patrol. The connection will be from Weslaco PD to the Public Works building which is temporarily housing the Police Department. Mr. Perales provided the 3 quotes for a 36-month period from Smartcom for \$499 per month, Spectrum for \$1,100 per month, and from AT&T for \$1,160 per month.

Mayor Pro-Tem Villarreal made a motion to approve the quote from Smartcom for \$499 per month. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

18) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION TO APPROVE A LINE OF CREDIT WITH TEXAS NATIONAL BANK

Mr. Zavala informed the Commission regarding a line of credit with Texas National Bank. The City had to use the General Fund to purchase CARES Funding equipment that is pending reimbursement from the County. Due to the slow process the General Fund has not been replenished. Commissioner Hernandez asked about the \$8,250 fee.

Ms. Perez stated that all loans have an origination fee whether used or not. Ms. Perez stated there is a need for the credit to make sure payroll is being paid since payroll comes from the general fund which has not been replenished yet by the county.

After discussion, Mayor Pro-Tem Villarreal made a motion to approve item 18. Mayor Hinojosa seconded the motion. Upon a called vote, the motion passed. Commissioner Benavidez and Commissioner Gomez voted against due to lack of information.

Commissioner Hernandez asked if the \$8,250 fee can be paid by CARED Funding. Mr. Zavala stated they can check and submit to the County for reimbursement of the fee, if possible.

19) MONTHLY DEPARTMENT REPORTS

Department monthly reports are provided in the packet for the Commission to review.

Mayor Hinojosa called the meeting into Executive session at 2:09 PM.

20) EXECUTIVE SESSION:

- 1) DCM ITEM CONSULTATION WITH LEGAL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 (2) FOR THE PURPOSE OF RECEIVING PRIVILEGED ATTORNEY CLIENT COMMUNICATIONS REGARDING ECONOMIC DEVELOPMENT AND;**

2) CONSULTATION WITH LEGAL PURSUANT TO TEXAS GOVERNMENT CODE 551.071(1) REGARDING ENDING LITIGATION.

Mayor Hinojosa called the meeting back to order at 2:52 PM.

21.) DISCUSSION AND POSSIBLE ACTION ON EXECUTIVE ITEM 2.

Mayor Pro-Tem Villarreal made a motion to authorize Troiani & Sossi Law Firm to make an offer on Cause No. C-1604-20-G pending in the 370th District Court. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously. Commissioner Benavidez stated that the motion doesn't involve ending litigation.

22.) ADJOURN

Mayor Pro-Tem Villarreal made a motion to adjourn. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously. The meeting was adjourned at 2:54 P.M.

ATTEST:

Henry Hinojosa, Mayor

Joselynn Castillo, City Secretary