

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
JANUARY 19, 2016 -6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS**

**MEMBERS PRESENT:**

Henry Hinojosa	Mayor
Ruben Guajardo	Mayor Pro-Tem
Howard Wade, Jr.	Commissioner
Jose M. Gomez	Commissioner
Armando Lopez	Commissioner
Ricardo Garcia	City Manager
Juan Molina	City Attorney
Arcelia L. Felix	City Secretary

**MEMBERS ABSENT:** None

**Staff:** Jaime Sandoval, Amanda Morales, Marisol Vidales, Rene Garcia, Olga Maldonado and Hernan Gonzales and Melissa Ramirez from EDC.

**1.) CALL MEETING TO ORDER.**

Mayor Hinojosa called the meeting to order at 6:00 p.m.

**2.) ESTABLISH QUORUM.**

All members of the Commission were present after Mayor Pro-Tem Guajardo entered the meeting during the open forum item of the agenda.

**3.) INVOCATION.**

Commissioner Lopez led the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Gomez led in the pledge of allegiance.

**5.) OPEN FORUM.**

Ms. Petra Vidales address the Commission regarding some City concerns. Ms. Yolanda Molina addressed the Commission and asked that they allow the residents to view the City Commission meetings. Mr. Leonel Benavidez addressed the Commission regarding energy renewal at which point Mayor Hinojosa interjected saying that he had already addressed this issue. Mr. Benavidez then said he wanted to speak about ethics and a member of the EDC being employed by a company that was selected to collect taxes. Commissioner Gomez had signed up to speak before the Commission; however City Attorney Molina stated that if he talked about open forum, the issue had already been discussed. Topics related to city cannot be discussed. If there was going to be discussion about other issues that were related to city topics, that could be held to be in violation of open and transparent meeting. Commissioner Gomez began to speak about open records at which point the City Attorney interjected that it could not be discussed.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD JANUARY 5, 2016. B.) APPROVAL OF SECOND AND FINAL READING OF ORDINANCE NO. 2016-01 – REZONING FROM “RMH” TO “A-BUSINESS” FOR WINE AND BEER LICENSE FOR HYNES EVENT CENTER LOCATED AT 2402 EAST WEST BLVD., DESCRIBED AS LOT 2216, BEING A 2.11 ACRE TRACT OF LAND, MORE OR LESS OUT OF LOT 131, SOUTH CAMPACUAS SUBDIVISION, MERCEDES HIDALGO COUNTY, TEXAS. D. APPROVAL OF QUARTERLY INVESTMENT REPORT. D. APPROVAL OF CHANGE ORDER 2 TO CONTRACT WITH O.G. CONST. FOR 2015 STREET, DRAINAGE AND UTILITY IMPROVEMENTS PROJECT. (#2016/01/19)**

Prior to the consideration of the consent agenda Commissioner Gomez stated that he had sent an email on December 21, 2015 about agenda item #9 of the meeting held December 15, 2015 regarding selection of an architect. He added that the action was included but the discussion was not.

At a question by Commissioner Lopez regarding change order No. 2 to the contract with O.G. construction, Mr. Garcia said that the contract was less than estimated, therefore the amount were adjusted.

Commissioner Wade made a motion to approve the items listed under consent. Commissioner Lopez seconded the motion, which passed unanimously.

**7.) PRESENTATION OF DEVELOPMENT CORPORATION OF MERCEDES, INC. MONTHLY REPORT**

Mr. Hernan Gonzales proceeded to give the EDC monthly report.

**8.) DISCUSSION AND POSSIBLE ACTION TO PROVIDE FUNDING FOR SMOKING’ ON THE RIO.**

The City has provided funding to Smokin on the Rio for several years. However, this year they are requesting additional funding, and Mr. Garcia said that if approved, the funding could be done through the Hotel/Motel tax. The EDC will be funding them with \$12,500. Mayor Pro-Tem Guajardo made a motion to approve funding from the City for the amount of \$12,500 from the hotel/Motel tax to Smokin on the Rio.

Commissioner Lopez seconded the motion which passed unanimously.

**9.) DISCUSSION AND POSSIBLE ACTION ENTERING INTO LEASE AGREEMENT WITH STAR EMS.**

Mr. Garcia informed the Commission that Star EMS had approached him about the possibility of being housed at the Fire Dept. Mr. Rudy Martinez from Star EMS addressed the Commission saying that they were making the request because the ambulances as well as the staff vehicles were being vandalized. There was some discussion by the Commission on the possibility of allowing Star EMS to be housed at the Fire Department and Mr. Garcia said that he would like some direction to see how this could work out. Commissioner Gomez made a motion to authorize City Manager Garcia to look into the possibility of a lease agreement with Star EMS and bring back to the Commission for their consideration. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

**10.) DISCUSSION AND POSSIBLE OF FIRST READING OF ORDINANCE NO. 2016-02 CALLING THE 2016 CITY ELECTION FOR COMMISSIONER PLACE #2 AND COMMISSIONER PLACE #4.**

City Manager Garcia read the caption of the ordinance calling the 2016 City officers election which will be held May 7, 2016. Mayor Pro-Tem Guajardo made a motion to approve the first reading of ordinance No. 2016-02 calling the 2016 City Officers election. Commissioner Lopez seconded the motion, which passed unanimously.

At this time Mr. Garcia stated that the County was requesting the use of the City Commission room for the primary elections. Mayor Hinojosa asked that the Hidalgo County Administrator be contacted and that the item be brought back for their action.

**11.) DISCUSSION AND POSSIBLE ACTION OF RESOLUTION #2016-01 AUTHORIZING TCAP TO NEGOTIATE ELECTRIC SUPPLY AGREEMENT .**

The City Commission had heard a presentation at the previous meeting. The Commission must consider whether or not to continue with TCAP membership. Mayor Pro-Tem Guajardo made a motion to solicit bids for electric supply for the City buildings. Mayor Hinojosa seconded the motion, which passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION REGARDING FORFEITURE OF MEMBERSHIP TO KEEP MERCEDES BEAUTIFUL COMMITTEE .**

The Keep Mercedes Beautiful bylaws were changed so that a forfeiture occurs if a member misses two consecutive meetings and/or two consecutive events. Assistant City Manager Sandoval reported that the KMB board had met and recommended the forfeiture of office by Ms. Esmeralda Guerrero. A report indicated that she had missed eleven of the last events. Ms. Guerrero stated that the Commission did not have the correct information.

Mayor Pro-Tem Guajardo made a motion to accept the forfeiture of office of Ms. Esmeralda Guerrero from the Keep Mercedes Beautiful Committee. Commissioner Wade seconded, saying that it was due to no attendance at the events. The motion carried with Mayor Pro-Tem Guajardo, Commissioner Wade, Commissioner Lopez and Mayor Hinojosa voting in favor of the motion and Commissioner Gomez voting against the motion.

**13.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OR RE-APPOINTMENT OF MEMBERS TO THE PLANNING AND ZONING COMMISSION/BOARD OF ADJUSTMENTS.**

Mr. Jaime Sandoval reported that the term of office for Planning and Zoning /Board of adjustment board member, Brian Acosta and Board of Adjustment alternate members David Mariscal and Jaime Gonzalez were expiring. Mr. Brian Acosta and Mr. David Mariscal would like to be reappointed and Mr. Jaime Gonzales has not been attending the meetings. Mayor Hinojosa made a motion to re-appoint Mr. Brian Acosta to the Planning and Zoning/Board of Adjustment and Mr. David Mariscal as alternate to the Board of Adjustment. Commissioner Lopez seconded the motion, which passed unanimously.

**14.) PRESENTATION OF MONTHLY REPORTS.**

The department monthly reports were provided to the Commission.

Mayor Hinojosa called the meeting into Executive Session at 6:50 p.m.

**15.) EXECUTIVE SESSION:**

- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. -TEXAS GOVERNMENT CODE, SECTION 551.074 -PERSONNEL.
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- DISCUSSION REGARDING HHG MERCEDES HOTEL, LTD. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED -ECONOMIC DEELOPMENT.
- DISCUSSION REGARDING NOTICE OF CLAIM - SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - LITIGATION .

There was no action taken during Executive Session.

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

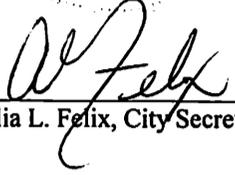
Mayor Hinojosa called the meeting back to order at 7:34 PM. No action will be taken on the items discussed in Executive Session.

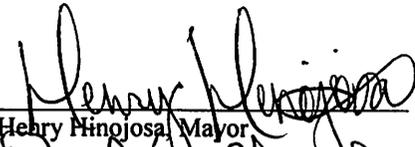
17.) **ADJOURN.**

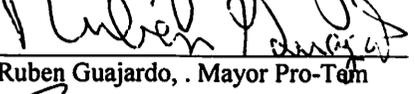
There being no further business the meeting was adjourned at 7:36. PM.

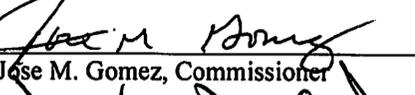


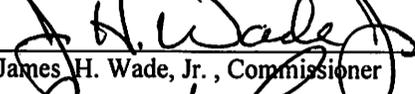
ATTEST:

  
Arcelia L. Felix, City Secretary

  
Henry Hinojosa, Mayor

  
Ruben Guajardo, . Mayor Pro-Tem

  
Jose M. Gomez, Commissioner

  
James H. Wade, Jr., Commissioner

  
Armando Lopez., Commissioner