

MERCEDES CITY COMMISSION
REGULAR MEETING
FEBRUARY 19, 2019 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS

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|-------------------------|------------------------------------|-----------------------|
| MEMBERS PRESENT: | Henry Hinojosa | Mayor |
| | Ruben Guajardo | Mayor Pro-Tem |
| | Howard Wade | Commissioner |
| | Leandro Villarreal | Commissioner |
| | Cristella De Leon Hernandez | Commissioner |
| | Sergio Zavala | City Manager |
| | Arcelia L. Felix | City Secretary |
| | Juan Molina | City Attorney |

MEMBERS ABSENT: NONE

Staff: Nereida Perez, Marisol Vidales, Jose Figueroa, Olga Maldonado and Joselynn Castillo.

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 Juan de los Santos said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Villarreal led in the Pledge of Allegiance.

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

C.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD FEBRUARY 5, 2019.
B.) APPROVAL OF ANNUAL RACIAL PROFILING REPORT AS REQUIRED BY TEXAS CODE OF CRIMINAL PROCEDURES 2.132 – (#2019/02/19A) C.) APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF HIDALGO, TEXAS AND THE CITY OF MERCEDES, TEXAS ON BEHALF OF DR. HECTOR P. GARCIA MEMORIAL LIBRARY TO PROVIDE LIBRARY SERVICES TO COUNTY RESIDENTS. (#2019/02/19B) D.) APPROVAL OF QUARTERLY INVESTMENT REPORT.

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

6.) CITY MANAGER COMMENTS.

Mr. Zavala informed the Commission about speaking with Mr. Ruben Barrera on the Weslaco Mercedes ETJ Agreement. Mr. Zavala and Mayor Hinojosa will be meeting with Hidalgo County Judge. He also spoke about KMB's Saturday event for cleaning Mercedes.

7.) PRESENTATION OF STATEMENT OF QUALIFICATIONS FOR CITY ATTORNEY AND POSSIBLE ACTION TO APPOINT A CITY ATTORNEY (LEGAL OFFICER).

Mr. Zavala said that City Attorney Juan Molina had submitted his letter of resignation and the City had gone out for proposals for City Attorney. The following law firms made a five-minute presentation: O'Hanlon, Demerath & Castillo, P.C.; Juan Ramon Alvarez; Damien C. Orozco, P.C.; Troiani and Sossi; Javier Villalobos, P.C.; Jones, Galligan, Key & Lozano; Humberto Silva; and Orlando Jimenez. All presentations were followed by questions by the Commission. Mayor Pro-Tem Guajardo made a motion to go into executive session to discuss the law firms and come back and vote. The motion died due to a lack of a second. Commissioner Wade made a motion to select the Law firm of Troiani and Sossi. Mayor Hinojosa seconded the motion, which passed unanimously.

Mayor Hinojosa made a motion to present item 8 and 18 at the same time. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

8.) PRESENTATION BY LEFEVRE ENGINEERING ON CITY PROJECT UPDATES.

Richard LaFevre addressed the Commission regarding updates on city projects. Mr. LeFevre stated they have received the scheduling for all the bond and street projects. Mr. LeFevre discussed the water interconnect and water meters. Commissioner Villarreal asked about backflow, at which Mr. LeFevre stated they will be providing backflow prevention.

9.) DISCUSSION AND POSSIBLE ACTION TO AWARD LIFT STATION REHABILITATION PROJECT THROUGH CERTIFICATES OF OBLIGATION.

Richard LaFevre addressed the Commission about the Saenz Utilities firm. Mr. LeFevre recommended the Saenz firm for their base bid. Commissioner Villarreal made a motion to hire Saenz Utilities for the lift station project through certificates of obligation. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

10.) DISCUSSION AND POSSIBLE ACTION TO APPOINT A MUNICIPAL COURT PROSECUTOR.

Commissioner Wade made a motion to table appointing a municipal court prosecutor and to continue with the current prosecutor David Gorena. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

11.) DISCUSSION AND POSSIBLE ACTION TO APPROVE VENDOR TO REPLACE AIR CONDITIONING UNIT AT THE RECREATION CENTER.

No action was taken on this item.

12.) DISCUSSION AND POSSIBLE ACTION TO AWARD FOR CITY'S SUPPLEMENTAL INSURANCE.

Mr. Zavala addressed the Commission about the coverages for supplemental insurance which include Dental, Vision, AD&D, Cancer, Accident and Critical Illness. Mr. Zavala stated the representatives present were Sandra Smith with Aflac and Dion Chavez with Salazar Insurance Group. The two representatives made a five-minute presentation about their products. There was some discussion regarding the price comparison, coverage, accident base bid, disability insurance, and indemnity plans. Mr. Zavala stated the employees are happy with the current providers for Dental and Vision which are Ameritas and Davis Vision. Mayor Pro-Tem Guajardo made a motion to award Ameritas for dental and Davis for vision and to revisit the cancer and accident at a future meeting. Commissioner Wade seconded the motion, which passed unanimously. There was discussion about the meeting date to be on Monday, February 25, 2019.

13.) PRESENTATION AND POSSIBLE ACTION ON ORDINANCE TO ADOPT CRIME STOPPERS, INC. BY-LAWS.

Chief Maldonado addressed the Commission regarding the by-laws and requirements for the Crime stoppers program. Chief Maldonado stated they need to register as a non-profit organization, register the name with secretary of state, apply with the Texas Comptrollers for sales tax exemption, and apply with the IRS for an employer identification number. There was some discussion regarding the time line for the program, the city's role, the filing of the paper work, and board members. Mr. Molina provided his opinion on the matter and the role of the board members. Mr. Molina stated a police officer will need to be appointed for the board. Commissioner Hernandez asked about timeline due to the paperwork not being filed. Mr. Molina stated the item is for the Commission to approve adopting the ordinance. Mayor Pro-Tem Guajardo asked about the role of the police department in the crime stoppers program. Mr. Molina stated the Police department will not be running the board, but merely have a member that will be taking the tips and calling them in. Mayor Pro-Tem Guajardo made a motion to pass the Ordinance to adopt the Crime Stoppers By-laws. Commissioner Villarreal seconded the motion, which passed unanimously.

14.) REQUEST FOR DIRECTION TO USE SURPLUS CERTIFICATE OF OBLIGATION RESOURCES TO ENGAGE WITH THE COUNTY OF HIDALGO FOR AN INTERLOCAL AGREEMENT TO IMPROVE CAMINO REAL VIEJO.

Mr. Zavala addressed the Commission about an interlocal agreement with Hidalgo County for street widening. Mayor Pro-Tem Guajardo made a motion to approve surplus Certificates of Obligation for Camino Real Viejo. Commissioner Villarreal seconded the motion, which passed unanimously.

15.) DISCUSSION AND POSSIBLE ACTION TO PROCURE 9 VEHICLES, WITH FLEET FEATURES, FOR THE POLICE DEPARTMENT THROUGH CERTIFICATES OF OBLIGATION.

Chief Maldonado addressed the Commission about vehicles purchases. Chief Maldonado recommended to procure 3 Tahoes, 3 Charger, and 3 Explorers. At a question about the Chargers, Chief Maldonado stated the County approved Chargers as fleet vehicles and they have had no issues with the vehicle maintenance. Commissioner Wade made a motion to approve procuring 9 vehicles with fleet features for the Police department. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

16.) DISCUSSION AND POSSIBLE ACTION TO SPONSOR THE 2019 SMOKIN' ON THE RIO EVENT AS A CITY MARKETING MEASURE.

Mr. Zavala addressed the Commission regarding the Smokin' on the Rio event. Mr. Zavala stated the City would sponsor the event with funds from Hotel/Motel for \$12,500. Mayor Pro-Tem Guajardo made a motion to approve sponsoring the 2019 Smokin' on the Rio event as presented. Commissioner Villarreal seconded the motion, which passed unanimously.

17.)DISCUSSION AND POSSIBLE ACTION ON BUDGET AMENDMENT ORDINANCE TO TRANSFER FUNDS FROM THE PLANNING DEPARTMENT TO LIBRARY FOR NEEDED FLOORING IMPROVEMENTS.

Mr. Zavala addressed the Commission about a budget amendment needed for flooring repairs at the Library. Ms. Vidales acquired 3 quotes for the flooring between the front doors, front entry and the restrooms. The quotes were from RGV concrete stain for \$2826.25, BBD Decorative Concrete for \$3450.00, and Spaw Glass for \$24,000. Commissioner Wade made a motion to approve the budget amendment to transfer \$2,826.25 from the planning department to the library department for needed flooring improvements. Commissioner Villarreal seconded the motion, which passed unanimously.

18.) DISCUSSION AND ACTION TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MERCEDES AND AEP (CENTRAL DIVISION) TO ENGAGE THE SCORE®/CITYSMART® PROGRAM.

Mr. Figueroa addressed the Commission about an MOU between the City of Mercedes and AEP. Mr. Figueroa stated the program would help the City on energy saving measures, its energy efficient, cost effective, and will lower utility bills. Mayor Pro-Tem Guajardo made a motion to approve the MOU between the City of Mercedes

and AEP to engage the Score®/CitySmart® program. Commissioner Wade seconded the motion, which passed unanimously.

19.)DISCUSSION AND ACTION TO APPROVE TWO (2) MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MERCEDES AND THE RESEARCH, APPLIED TECHNOLOGY, EDUCATION, AND SERVICE (RATES) D.B.A. RATES/RGV TO COMPLY WITH TCEQ'S PHASE II STORMWATER RULES.

Mr. Figueroa addressed the Commission about two Memorandum of Understanding. Mr. Figueroa stated the City will still be sponsored but will be able to move freely due to being a non-profit. Mayor Pro-Tem Guajardo made a motion to approve two memorandum of understanding between the City of Mercedes and the Research, applied technology, education, and service to comply with TCEQ's phase II stormwater rules. Commissioner Villarreal seconded the motion, which passed unanimously.

20.)DISCUSSION AND POSSIBLE ACTION ON BASEBALL FIELD SCHEDULING GUIDELINES.

Mr. Zavala addressed the Commission saying the City will be gathering the schedules for teams. Mr. Zavala discussed the non profit teams, for profit teams, insurance, and fees for use of the City resources and concession stand. Commissioner Villarreal made a motion to approve the Baseball field scheduling guidelines with no fees for the leagues and no fees for the concession stand use. Commissioner Wade seconded the motion, which passed unanimously.

21.)UPDATE BY CHIEF MALDONADO ON AMNESTY PROGRAM.

Chief Maldonado informed the Commission that no one has come in for the amnesty program. There was some discussion regarding the state wide roundup. Commissioner Wade stated the City should reinstate the Amnesty program in April after the roundup that will occur in March.

22.)PRESENTATION BY INSIGHT PUBLIC SECTOR REGARDING IT SERVICES.

No action was taken on this item.

23.)DEPARTMENT REPORTS.

Department reports are included for the Commission to review.

24.)OPEN FORUM

Mr. Leonel Benavidez addressed the Commission about audits, policy & procedures, contract files, elections, infrastructure, and loans.

Mayor Hinojosa called the meeting into executive session at 8:54 pm. No action will be taken at this time.

25.)EXECUTIVE SESSION:

-DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. – PERSONNEL.

-DISCUSSION BY MARK HANNA REGARDING ECONOMIC DEVELOPMENT PROJECT. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.

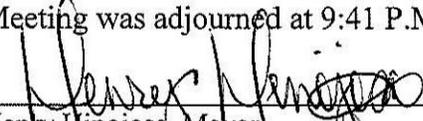
Mayor Hinojosa called the meeting back to order at 9:41 P.M.

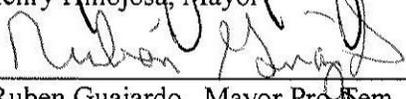
26.)DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSION IN EXECUTIVE SESSION.

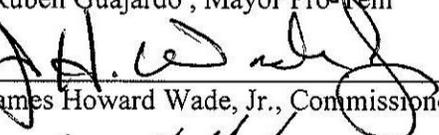
No action taken on the items discussed in executive session.

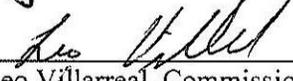
27.)ADJOURN.

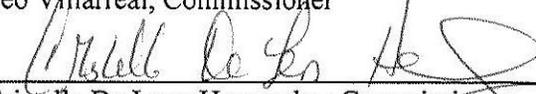
Mayor Hinojosa made a motion to adjourn the meeting. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously. Meeting was adjourned at 9:41 P.M.

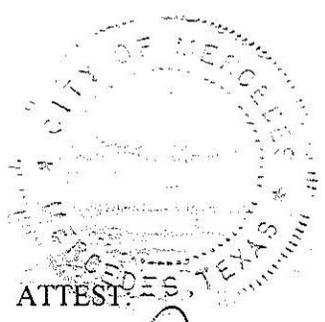

Henry Hinojosa, Mayor

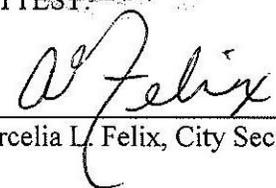

Ruben Guajardo, Mayor Pro-Tem


James Howard Wade, Jr., Commissioner


Leo Villarreal, Commissioner


Cristella De Leon Hernandez, Commissioner




Arcelia L. Felix, City Secretary