

**MERCEDES CITY COMMISSION
REGULAR MEETING
JUNE 16, 2015 -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: Jose M. Gomez Commissioner

Staff: Jaime Sandoval, Arturo Garcia, Marcos Garcia, Marisol Vidales, and Hernan Gonzales 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 except Commissioner Gomez were present which constituted a quorum.

3.) INVOCATION.

Commissioner Lopez led the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Gomez led in the pledge of allegiance.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JUNE 1 AND JUNE 2, 2015. B.) APPROVAL OF SURPLUS ITEMS. C.) UPDATED REQUEST FOR USE OF CIVIC CENTER PAVILLION ON JULY 25, 2015 FOR MEDICAL EXPENSES FOR INOCENCIO LOPEZ. D.) APPROVAL OF CHANGE ORDER #1 TO CONTRACT WITH L&G ON THE 2015 STREET, DRAINAGE, & UTILITY IMPROVEMENT PROJECT. E. APPROVAL OF REQUEST FOR USE OF CIVIC CENTER PAVILION ON JULY 11, 2015 BY NEW BIRTH WORLD OUTREACH.

City Manager Garcia asked that item 6D be tabled due to the change order not being for that contract. Mayor Hinojosa made a motion to approve items 6A, B, C and E and table item 6D under consent agenda. The motion was seconded by Mayor Pro-Tem Guajardo which passed unanimously.

6.) Discussion and possible action of contracts-

(expire 9/30/2015): A.) Juan R. Alvarez (Municipal Court Judge), **B.)** Betts Oil & Butane, Inc. (Fuel purchase supplier **C.)** Cuellar & Associates (Insurance agent); **D.)** Fulbright Jaworski, LLP (Bond Counsel); **E.)** Guzman & Munoz Engineering (City Engineer), **F.)** Harlingen Humane Society (animal shelter); **G.)** Linebarger, Goggan Blair & Sampson (dlqt tax/other fees attorney); **H.)** Long, Chilton, LLP (Auditors); **I.)** Mata, Garcia Architects (City Architect); **J.)** Juan R. Molina (City Attorney); **K.)** Palm Valley Animal Shelter **L.)** RBC-Dain Rauscher, Inc.(Financial Advisors) **M.)** Benjamin Salinas (Health Officer); **N.)** Star E.M.S. (Ambulance Services); **O.)**TML-IRP – Liability/E&O/Physical, Property/mobile/flood)

(expires 10/31/2015): Shepard Walton King (Worker's Comp)

(expires 11/30/2015) Waste Connection (Solidwaste services)

(expires 12/2015): Blue Cross & Blue Shield of Texas (employee health insurance); Cuellar & Associates (Employee supplemental insurance)

(REVIEW ONLY):

-(expires 2017) Texas National Bank (depository bank services)

-(expires 2017) McAfee Insurance (Government Crime insurance);

-(expires 2020) OMI, Inc. (water/wastewater plants)

-(expires 2020) Unifirst (Employee uniform/linen rental)

Mayor Hinojosa went over all the contracts listed on this item. Mayor Pro-Tem Guajardo made a motion to go over each contract separately. Commissioner Lopez seconded the motion and it passed unanimously.

6A.) Mayor Pro-Tem Guajardo made a motion to extend the contract with Juan R. Alvarez for Municipal Court Judge services. Commissioner Lopez seconded the motion, which passed unanimously. **B.)** Mayor Pro-Tem Guajardo made a motion to extend the contract with Betts Oil & Butane, Inc. for fuel purchase supplier services Commissioner Wade seconded the motion, which passed unanimously **C.)** Mayor Pro-Tem Guajardo made a motion to solicit proposals for Insurance agent. Commissioner Wade seconded the motion, which passed unanimously **D.)** Mayor Pro-Tem Guajardo made a motion to extend the contract with Fulbright Jaworski, LLP for bond counsel. Commissioner Lopez seconded the motion, which passed unanimously **E.)** Mayor Pro-Tem Guajardo made a motion to table the contract with Guzman & Munoz Engineering for city engineer services. The motion died for lack of a second. **F.)** Mayor Pro-Tem Guajardo made a motion to extend the contract with Harlingen Humane Society for animal shelter services. Commissioner Lopez seconded the motion, which passed unanimously **G.)** Mayor Pro-Tem Guajardo made a motion to solicit proposals for collection of delinquent tax and other fees services. Commissioner Lopez seconded the motion,

which passed unanimously H.) Mayor Pro-Tem Guajardo made a motion to extend the contract with Long, Chilton, LLP for auditor services. Commissioner Lopez seconded the motion, which passed unanimously I.) Mayor Pro-Tem Guajardo made a motion to extend the contract with Mata, Garcia Architects for city architect services. Commissioner Lopez seconded the motion, which passed unanimously J.) Mayor Pro-Tem Guajardo made a motion to extend the contract with Juan R. Molina for city attorney services. Commissioner Lopez seconded the motion, which passed unanimously K.) Mayor Pro-Tem Guajardo made a motion to extend the contract with Palm Valley Animal Shelter. Commissioner Lopez seconded the motion, which passed unanimously L.) Mayor Pro-Tem Guajardo made a motion to extend the contract with RBC-Dain Rauscher, Inc. for financial advisors services. Commissioner Lopez seconded the motion, which passed unanimously M.) Mayor Pro-Tem Guajardo made a motion to extend the contract with Benjamin Salinas for health officer services. Commissioner Wade seconded the motion, which passed unanimously N.) Commissioner Wade made a motion to extend the contract with Star E.M.S. for ambulance services. Mayor Hinojosa seconded the motion, which passed unanimously O.) Mayor Pro-Tem Guajardo made a motion to extend the contract with TML-IRP for Liability/E&O/Physical, Property/mobile/flood insurance service. Commissioner Lopez seconded the motion, which passed unanimously

(expires 10/31/2015):

Mayor Pro-Tem Guajardo made a motion to extend the contract with Shepard Walton King for Worker's Comp services. Commissioner Wade seconded the motion, which passed unanimously (expires 11/30/2015)

Mayor Pro-Tem Guajardo made a motion to extend the contract with Waste Connection for solidwaste services. Commissioner Lopez seconded the motion, which passed unanimously.

(expires 12/2015): Mayor Pro-Tem Guajardo made a motion to solicit proposals for employee health insurance/employee supplemental insurance/AD&D services. Commissioner Wade seconded the motion, which passed unanimously.

Commissioner Wade made a motion to extend the contract with Guzman & Munoz for city engineer services. Commissioner Lopez seconded the motion which passed with Mayor Pro-Tem Guajardo voting against the motion.

7.) PRESENTATION OF EDC MONTHLY REPORT.

Mr. Hernan Gonzales proceeded to give the EDC monthly report. He mentioned that they were recognized at the TEDC conference in Galveston as well as by the Hidalgo County commissioners court.

8.) DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF RULES AND PROCEDURES FOR OPEN FORUM.

Mr. Garcia presented a draft that the City Attorney and he had worked on for rules and procedures for open forum after taking comments from the City Commission. Thirty minutes are still allowed under open forum with the time being limited to three minutes per spokesperson. In addition, decorum rules were also added. Commissioner Gomez stated that he had wanted no change from the previous rules. Mr. Molina commented that the rules were mostly rules of civility and decorum. Mayor Pro-Tem Guajardo made a motion to approve the rules and procedures for open forum. Commissioner Lopez seconded the motion, which passed unanimously.

9.) DISCUSSION AND POSSIBLE ACTION ON ENTERING INTO CONTRACT WITH REDFISH RECYCLING.

Assistant City Manager, Jaime Sandoval informed the Commission that the City's recycling process is becoming more difficult; only Weslaco and Pharr will take the materials which have to be washed and classified. There is a company called Redfish Recycling that will provide the containers and take the material at no cost to the City. The current containers will still be utilized within the community. At a concern by Commissioner Wade regarding people coming in to throw trash, Mr. Sandoval said that the new containers would be placed at city hall. Mayor Pro-Tem Guajardo made a motion to approve entering into contract with Redfish Recycling. Commissioner Lopez seconded the motion, which passed unanimously.

10.) DISCUSSION AND POSSIBLE ACTION OF ORDINANCE NO. 2015-07 AMENDING THE PARKING LOT ORDINANCE 2012-01.

Mr. Sandoval presented an ordinance amending Exhibit C of parking lot ordinance No. 2012-01. He said that the proposed ordinance addresses the downtown area where there is limited or no parking and they cannot comply with the current requirements.

Mayor Pro-Tem Guajardo made a motion to approve the first reading of Ordinance No. 2015-07 amending the parking lot ordinance No. 2012-01. Commissioner Wade seconded the motion, which passed unanimously.

11.) DISCUSSION AND POSSIBLE ACTION APPOINTING AN ALTERNATE TO THE HIDALGO COUNTY METROPOLITAN PLANNING ORGANIZATION.

Mr. Garcia stated that the Mayor Pro-Tem normally serves as the alternate to the Mayor on the Hidalgo County MPO. Mayor Pro-Tem Guajardo stated that he could not take on additional duties and proceeded to appoint Commissioner Lopez. Commissioner Lopez commented that he currently serves on Amigos del Valle, therefore, Mayor Pro-Tem Guajardo rescinded his motion and made a motion to appoint Commissioner Wade as alternate to the Hidalgo County Metropolitan Planning Organization. Commissioner Lopez seconded the motion, which passed unanimously.

12.) DISCUSSION AND POSSIBLE ACTION APPOINTING AN ALTERNATE TO THE LRGVDC BOARD OF DIRECTORS.

Commissioner Lopez made a motion to appoint Commissioner Wade as alternate to the LRGVDC Board of Directors. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

13.) PRESENTATION OF MONTHLY REPORTS.

The department monthly reports were provided to the Commission.

Mayor Hinojosa called the meeting into Executive Session at 6:41 p.m.

14.) EXECUTIVE SESSION:

- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. -TEXAS GOVERNMENT CODE, SECTION 551.074 -PERSONNEL.
- DISCUSSION REGARDING PERSONNEL. -TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.
- DISCUSSION REGARDING PROJECT C.L. HEALTHCARE SECTION 551.087 AND SECTION 551.072, TEXAS GOVERNMENT CODES ANNOTATED –ECONOMIC DEVELOPMENT AND REAL ESTATE.
- DISCUSSION REGARDING PROJECT BAGDAD. –ECONOMIC DEVELOPMENT – SECTION 551.087. TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.
- DISCUSSION REGARDING ANNEXATION. (CAUSE NO. C-5929-13-H) –SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. – LITIGATION .

There was no action taken during Executive Session.

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

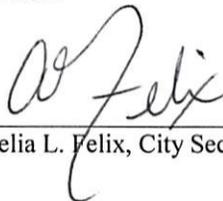
Mayor Hinojosa called the meeting back to order at 7:56 PM. Commissioner Wade made a motion to proceed as discussed in executive session on project C.L. Healthcare and on project Bagdad. Mayor Hinojosa seconded the motion which passed unanimously. On the annexation item - Cause No. C-5929-13G, City Manager Garcia read the annexation ordinance No. 2015-08) approving the settlement of cause No. C-529-13H. Mayor pro-Tem approved the first reading of the settlement ordinance (#2015-08) of Cause No. C-5929-H. Commissioner Wade seconded the motion which passed unanimously.

16.) ADJOURN.

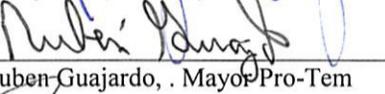
Mayor Pro-Tem Guajardo made a motion to adjourn. Commissioner Lopez seconded the motion which passed unanimously and the meeting was adjourned at 7:59 PM.

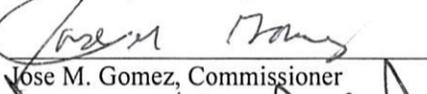


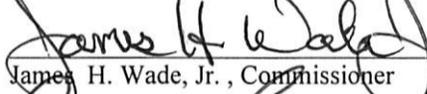
ATTEST:


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