

MERCEDES CITY COMMISSION
REGULAR MEETING
SEPTEMBER 20, 2016 -6:00 P.M.
MERCEDES CITY HALL - COMMISSION CHAMBERS

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Armando Lopez	Mayor Pro-Tem
	Jose M. Gomez	Commissioner
	Ruben Guajardo	Commissioner
	James Howard Wade, Jr.	Commissioner
	Juan Molina	City Attorney
	Ricardo Garcia	City Manager

MEMBERS ABSENT: None

Staff: Amanda Morales, Hernan Gonzalez, Jaime Sandoval, Frank Rios, Marisol Vidales and Arturo Garcia.

1.) CALL MEETING TO ORDER.

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

2.) ESTABLISH QUORUM.

A quorum of the commission was present.

3.) INVOCATION.

Mayor Pro-Tem Lopez said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Wade led the pledge of allegiance.

5.) OPEN FORUM.

Petra Vidales spoke regarding the tax rate and salaries of EDC employees.

Armando Garcia spoke about a cleanup organized by the Keep Mercedes Beautiful Committee the previous weekend.

Esmer Guerrero spoke about taxes and spending by the City.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD SEPTEMBER 6 AND SEPTEMBER 12, 2016. B.) SECOND AND FINAL READING OF ORDINANCE 2016-10 REGULATING HANDICAP ON-STREET PARKING DESIGNATION. C.) SECOND AND FINAL READING OF ORDINANCE NO. 2016-11 - AMENDMENTS FOR FISCAL YEAR 2015-2016. D.) SECOND AND FINAL READING OF ORDINANCE NO. 2016-12 ADOPTING THE BUDGET FOR FISCAL YEAR 2016-2017. E.) SECOND AND FINAL READING OF ORDINANCE NO. 2016-13 ADOPTING THE 2016 TAX RATE. F.) APPROVAL OF CONTRACT WITH JIMMY CLOSNER & SONS CONST. CO., INC. FOR REPAIR OF MANHOLE REHABILITATION BY LIFT STATION #18.

Commissioner Gomez made a motion to approve items A, B, C & F and discuss items D&E separately.

The motion was seconded by Commissioner Guajardo and failed by the following vote: Mayor Hinojosa, Mayor Pro-Tem Lopez and Commissioner Wade voted against and Commissioners Gomez and Guajardo

voted in favor.

Commissioner Guajardo then made a motion to approve all items under consent agenda as presented. The motion was seconded by Commissioner Wade and passed with Mayor Hinojosa, Mayor Pro-Tem Lopez, Commissioner Wade and Commissioner Guajardo voting in favor and Commissioner Gomez voting against it.

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

EDC Executive Director Hernan Gonzalez presented the Development Corporations monthly report for the month of September. There was no action taken on this item.

8.) DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR CONTRIBUTION FOR VETERAN'S DAY EVENT.

Last year the Commission approved a contribution in the amount of \$1,500 for the Veteran's Day event. This year the planning committee is requesting that the amount be doubled. Mayor Pro-Tem Lopez made a motion to approve a contribution in the amount of \$3,000 for Veteran's Day event. The motion was seconded by Commissioner Guajardo and passed unanimously.

9.) APPOINTMENT BY MAYOR HENRY HINOJOSA OF HOUSING AUTHORITY BOARD MEMBERS.

There was no action taken on this item.

10.) DISCUSSION AND POSSIBLE ACTION OF ORDINANCE NO. 2016-14 AMENDING ORDINANCE NO. 2013-17 REGARDING WATER RATES.

This ordinance will restructure the tiers that determine water rates based on consumption. The average household consumer will see little to no change on their monthly bill. This will only affect high end users and commercial accounts. Commissioner Wade made a motion to approve the first reading of Ordinance No. 2016-14 amending Ordinance No. 2013-14 regarding water rates. The motion was seconded by Commissioner Guajardo and passed with Mayor Hinojosa, Mayor Pro-Tem Lopez, Commissioner Guajardo and Commissioner Wade voting in favor and Commissioner Gomez voting against it.

11.) DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSALS RECEIVED FOR CITY'S LIABILITY/E&O/PHYSICAL, PROPERTY/MOBILE/FLOOD, AND WORKER'S COMP INSURANCES.

Proposals were received by TML, Montalvo Insurance Agency, and Shepard Walton King. After some discussion Commissioner Wade made a motion to accept the proposal submitted for all coverages except for Worker's Compensation and also accept the proposal submitted by Shepard Walton King for only Worker's Compensation coverage. The annual premium for TML would be \$155,455 and the annual premium for Shepard Walton King would be \$50,235. The motion was seconded by Mayor Pro-Tem Lopez and passed unanimously.

12.) PRESENTATION OF DEPARTMENT MONTHLY REPORTS.

There was no action taken on this item.

Mayor Hinojosa called the meeting into Executive Session at 6:39 p.m.

13.) 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 CONTRACT WITH PIETRA CONSTRUCTION. - SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. -POTENTIAL LITIGATION.**
- **DISCUSSION REGARDING POSSIBLE SALE OF REAL ESTATE TO DR. RENE MARTINEZ. - SECTION 551.087 AND SECTION 551.072, TEXAS GOVERNMENT CODES ANNOTATED - ECONOMIC DEVELOPMENT AND REAL ESTATE**

There was no action taken during executive session.

Mayor Hinojosa called the meeting back to order at 7:50 pm.

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

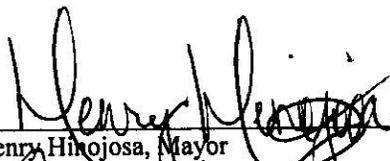
Commissioner Guajardo made a motion to instruct the City Manager and City Attorney to proceed as discussed in executive session. The motion was seconded by Mayor Pro-Tem Lopez and passed unanimously.

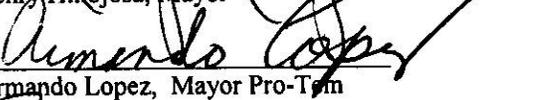
15.) DISCUSSION AND POSSIBLE ACTION APPROVING A NEIGHBORHOOD EMPOWERMENT ZONE DESIGNATION AND APPROVING A DEVELOPMENT AGREEMENT WITH DR. RENE MARTINEZ. RESOLUTION # 2016-14.

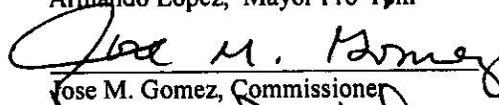
Commissioner Guajardo made a motion to approve Resolution #2016-14 approving a neighborhood empowerment zone designation and approve a development agreement with Dr. Rene Martinez. The motion was seconded by Mayor Pro-Tem Lopez and passed unanimously.

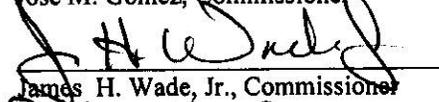
16.) ADJOURN.

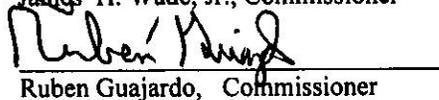
There being no further business to discuss, Mayor Hinojosa made a motion to adjourn the meeting. The motion was seconded by Mayor Pro-Tem Lopez and passed unanimously.


Henry Hinojosa, Mayor

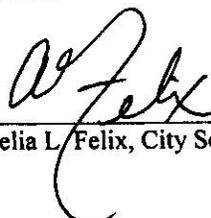

Armando Lopez, Mayor Pro-Tem


Jose M. Gomez, Commissioner


James H. Wade, Jr., Commissioner


Ruben Guajardo, Commissioner

ATTEST:


Arcelia L. Felix, City Secretary