

MERCEDES CITY COMMISSION  
REGULAR MEETING  
SEPTEMBER 17, 2013 -6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS

**MEMBERS PRESENT:** Henry Hinojosa Mayor  
Jose M. Gomez Mayor Pro-Tem  
James Howard Wade, Jr. Commissioner  
Rodolfo Z. Rodriguez Commissioner  
Ricardo Garcia City Manager  
Juan Molina City Attorney

**MEMBERS ABSENT:** Commissioner Ruben Guajardo

Staff: Michelle Leftwich, Amanda Morales, Marisol Vidales, Jesse Villarreal, Olga Rosas, and Tony Aguilar.

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

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

**2.) ESTABLISH QUORUM.**

A Quorum of the Commission was present.

**3.) INVOCATION.**

Mayor Pro-Tem Gomez made the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Rodriguez led the pledge of allegiance.

**5.) OPEN FORUM-**

David Garza addressed the commission regarding a fundraiser for a n injured veteran and about the Capital Improvement fee.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD SEPTEMBER 3, 2013. B.) SECOND AND FINAL READING OF AN ORDINANCE ADOPTING THE 2013 TAX RATE (ORDINANCE NO. 2013-16). C.) APPROVAL OF REQUEST BY AMIGOS DEL VALLE FOR USE OF MERCEDES CIVIC CENTER ON DECEMBER 20<sup>TH</sup>. D.) REQUEST APPROVAL OF CHANGE ORDER NO.2 TO CONTRACT WITH ZIWA CORPORATION DECREASING CONTINGENCY AND INCREASING CONTRACT TIME(#20 13/09/17 A) .E.) REQUEST APPROVAL BY MERCEDES POP WARNER FOR USE OF LITTLE LEAGUE BASEBALL FIELDS ON SEPTEMBER 26 & 27. F.) APPROVAL OF INTERLOCAL AGREEMENT WITH MISD FOR EDUCATIONAL RESOURCE OFFICER. (#2013/09/17B) G.) APPROVAL OF INTERLOCAL AGREEMENT WITH MERCEDES INDEPENDENT SCHOOL DISTRICT FOR CANINE. (#2013/09/17C) H.) REQUEST APPROVAL BY RGV LOW COST SPAY/NEUTER CLINIC FOR USE OF CIVIC CENTER ON OCTOBER 4, 2013. I.) SECOND AND FINAL READING OF AN ORDINANCE ESTABLISHING UTILITY RATES. (ORDINANCE NO. 2013-17) J.) REQUEST APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT WITH GAS ENTERPRISE, INC. FOR EXTENSION OF TIME. (#2013/09/17D).**

Commissioner Rodriguez made a motion to approve all items under Consent Agenda. The motion was seconded by Commissioner Wade and passed unanimously.

**7.) PRESENTATION OF ACHIEVEMENT FOR PLANNING EXCELLENCE.**

The American Planning Association honored the City of Mercedes for achievement in Planning Excellence. Mayor Hinojosa read the award certificate and presented it to Assistant City Manager and Planning Director Michelle Leftwich. There was no action taken during this item.

**8.) DISCUSSION AND POSSIBLE ACTION APPROVING INCENTIVES FOR HISTORIC OVERLAY DISTRICT ZONING.**

The Historic preservation committee would like to designate a part of Missouri street from 3<sup>rd</sup> to 5<sup>th</sup> streets as historically significant. The committee would like to offer home owners in this area an incentive in the form of grants for roofing and renovations to their homes. This would help offset the additional scrutiny that they would face in renovating the buildings once they have been designated as Historic. Commissioner Rodriguez made a motion to approve the incentives for historic overlay zoning. The motion was seconded by mayor Pro-Tem Gomez and passed unanimously.

**9.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2013-18- REPEALING ORDINANCE NO. 2004-23 AND ESTABLISHING A CAPITAL IMPROVEMENT FEE.** Mayor Hinojosa made a motion to approve the first reading of Ordinance No. 2013-18 repealing Ordinance No. 2004-23 and establishing a Capital Improvement fee. Commissioner Rodriguez seconded the motion and it passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION ACCEPTING RESIGNATION OF DEVELOPMENT CORPORATION OF MERCEDES, INC. BOARD MEMBER AND APPOINTING A REPLACEMENT.** Commissioner Rodriguez made a motion to table this item . The motion was seconded by Commissioner Wade and passed unanimously.

**11.) SELECTION OF AUDITOR FOR AUDITING SERVICES FOR FISCAL YEAR 2012-2013.** Mayor Pro-Tem Gomez made a motion to select Long, Chilton LLP for City Auditor for Audit for fiscal year 2012-2013. The motion was seconded by Commissioner Wade and passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 6:25 PM.

**12.) EXECUTIVE SESSION:**

- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. - TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.
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- DISCUSSION REGARDING ANNEXATION- SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - POTENTIAL LITIGATION.

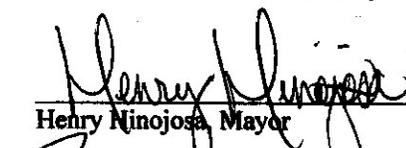
There was no action taken during executive Session.

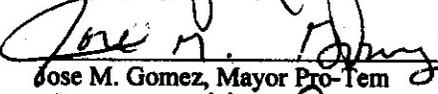
**13.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN EXECUTIVE SESSION.**

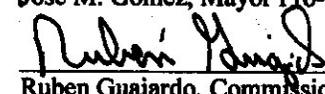
Mayor Hinojosa called the meeting back to order at 8:59 PM. Commissioner Rodriguez made a motion to instruct staff to proceed as discussed in executive session. The motion was seconded by Commissioner Wade and passed unanimously.

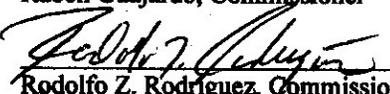
**14.) ADJOURN.**

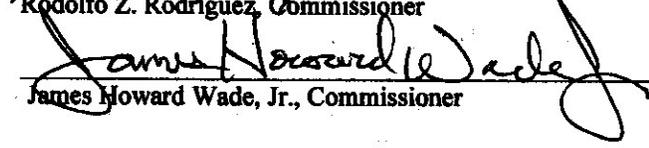
Commissioner Rodriguez made a motion to adjourn the meeting at 9:00 PM. Commissioner Wade seconded the motion and it passed unanimously.

  
Henry Hinojosa, Mayor

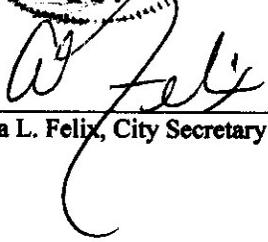
  
Jose M. Gomez, Mayor Pro-Tem

  
Ruben Guajardo, Commissioner

  
Rodolfo Z. Rodriguez, Commissioner

  
James Howard Wade, Jr., Commissioner



  
Arcelia L. Felix, City Secretary