

MERCEDES CITY COMMISSION  
REGULAR MEETING  
JULY 15, 2014 -6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS

MEMBERS PRESENT:

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

MEMBERS ABSENT: none

Staff: Michelle Leftwich, Amanda Morales, Marisol Vidales, Hernan Gonzalez and David Lopez.

Before calling the meeting to order, Mayor Hinojosa signed a proclamation in support of the Region One ESC My Brother's Keeper- Building Ladders of Opportunity Initiative.

**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.**

Commissioner Lopez gave the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Guajardo led the pledge of allegiance.

**5.) OPEN FORUM.**

Joe Martinez of the Keep Mercedes Beautiful Committee invited the Mayor and Commissioners to participate in a clean-up taking place July 19<sup>th</sup>.

Commissioner Guajardo made a motion to deviate from the agenda and go to item #8. The motion was seconded by Mayor Pro-Tem Wade and passed unanimously.

**8.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2014- 11 REGARDING TEXAS GAS SERVICE COST OF SERVICE ADJUSTMENT.**

Ken Jones of the Lower Rio Grande Valley Development Council addressed the Commission and explained that several Valley cities had joined together to negotiate an agreement with Texas Gas Service regarding the cost of service. As a result of this agreement residential customers will see an estimated 31% decrease in their bills. Commissioner Guajardo made a motion to approve the first reading of Ordinance No. 2014-11 regarding Texas Gas Service cost of service adjustment. The motion was seconded by Commissioner Lopez and passed unanimously.

Commissioner Guajardo made a motion to return to item #6. The motion was seconded by Commissioner Lopez and passed unanimously.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JULY 1, 2014. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2014-09 AMENDING ORDINANCE NO. 2012-12. C.) SECOND AND FINAL READING OF ORDINANCE NO. 2014-10 PROHIBITING USE OF CITY STREETS BY VEHICLES WHOSE BODY WEIGHT EXCEEDS 15,000 POUNDS, PROVIDING SPECIFIC ROUTES FOR TRUCKS OF SUCH SIZE AND EXEMPTIONS FOR DELIVERY TRUCKS GOING TO COMMERCIAL ESTABLISHMENTS NOT ON THOSE SPECIFIED ROUTES. D.) APPROVAL OF QUARTERLY INVESTMENT REPORT. E.) APPROVAL OF REQUEST TO DECLARE ADDITIONAL SURPLUS INVENTORY AND AUTHORIZE DISPOSAL. F.) APPROVAL OF CHANGE ORDER #1 TO THE CONTRACT WITH SAENZ UTILITY CONTRACTOR LLC UNDER THE URBAN COUNTY PROGRAM FUNDS. (#2014/07/15).**

Commissioner Lopez noted that item #2 stated that all members of the commission were present at the meeting held July 1, 2014 when Commissioner Guajardo was actually absent from that meeting. Commissioner Guajardo made a motion to approve all items under consent agenda with the correction being made to the minutes for the meeting held July 1, 2014. The motion was seconded by Commissioner Lopez and passed unanimously.

**7.) DISCUSSION AND POSSIBLE ACTION OF CONTRACTS-**

**(EXPIRE 9/30/2014): A.) JUAN R. ALVAREZ (MUNICIPAL COURT JUDGE) B.) BETTS OIL & BUTANE, INC. (FUEL PURCHASE SUPPLIER); C.) CUELLAR & ASSOCIATES (INSURANCE AGENT ); D.) FULBRIGHT JAWORKSKI, 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.) MCAFEE INSURANCE (GOVERNMENT CRIME INSURANCE); J.) MATA, GARCIA ARCHITECTS (CITY ARCHITECT); K.) JUAN R. MOLINA (CITY ATTORNEY); L.) PLAINS CAPITAL BANK; M.)**

**PALM VALLEY ANIMAL SHELTER N.) RBC-DAIN RAUSCHER, INC.(FINANCIAL ADVISORS)  
O.) BENJAMIN SALINAS (HEALTH OFFICER); P.)TML-IRP – LIABILITY/E&O/PHYSICAL,  
PROPERTY/MOBILE/FLOOD);**

City Manager Ricardo Garcia recommended that the Commission solicit bids for the depository services currently being handled by Plains Capital Bank. Commissioner Guajardo made a motion to review each contract individually. The motion died for lack of a second. Mayor Hinojosa made a motion to renew all contracts expiring on September 30, 2014 except for Plains Capital Bank. The motion was seconded by Commissioner Lopez and passed unanimously.

**(EXPIRES 10/31/2014): Q.) SHEPARD WALTON KING (WORKER'S COMP)**

**(EXPIRES 11/2014): R.) CUELLAR & ASSOCIATES (EMPLOYEE SUPPLEMENTAL INSURANCE);**

**(EXPIRES 12/2014): S.) BLUE CROSS & BLUE SHIELD OF TEXAS (EMPLOYEE HEALTH INSURANCE);**

Commissioner Guajardo made a motion to renew the city's contracts with Shepard Walton King for worker's Compensation Insurance; Cuellar & Associates for employee supplemental insurance and Blue Cross & Blue Shield of Texas for employee health insurance. Commissioner Lopez seconded the motion and it passed unanimously.

**REVIEW ONLY:**

**(EXPIRES 2015) STAR E.M.S. (AMBULANCE SERVICES); UNIFIRST (EMPLOYEE**

**UNIFORM/LINEN RENTAL); WASTE CONNECTION (SOLID WASTE SERVICES)**

**(EXPIRES 2020) OMI, INC. (WATER/WASTEWATER PLANTS)**

There was no action taken on the City's contracts with Star EMS, Unifirst, Waste Connections of Texas or OMI, Inc.

**9.) AUTHORIZATION TO ADVERTISE FOR BIDS IN CONNECTION WITH THE  
TWDB/CWSRF PROJECT #73642-SANITARY SEWER SYSTEM REHABILITATION –CIIP—  
MANHOLE REHABILITATION PROJECT.**

Commissioner Guajardo made a motion to approve the TWDB/CWSRF Project #73642-Sanitary Sewer System Rehabilitation –CIIP—Manhole Rehabilitation Project. The motion was seconded by Mayor Pro-Tem Wade and passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION ACCEPTING RESIGNATION OF  
DEVELOPMENT CORPORATION OF MERCEDES, INC. BOARD MEMBER AND  
APPOINTING A REPLACEMENT.**

Commissioner Guajardo made a motion to accept the resignation of Development Corporation of Mercedes, Inc. board member Armando Lopez and appoint Jaime Gonzalez to fill his unexpired term. The motion was seconded by Mayor Pro-Tem Wade seconded the motion and it passed by majority decision with Commissioner Gomez voting against.

**11.) DISCUSSION AND POSSIBLE ACTION APPOINTING A MEMBER TO AMIGOS DEL  
VALLE BOARD OF DIRECTORS.**

Commissioner Guajardo made a motion to appoint Commissioner Lopez to serve as a member and Commissioner Gomez as an alternate member of Amigos Del Valle Board of Directors. The motion was seconded by Mayor Hinojosa and passed unanimously.

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

Mayor Hinojosa made a motion to Mayor Pro-Tem Wade to serve as an alternate to the LRGVDC Board of Directors. Commissioner Guajardo seconded the motion and it passed unanimously.

**13.) DISCUSSION AND POSSIBLE ACTION APPOINTING AN ALTERNATE TO HIDALGO  
COUNTY URBAN COUNTY ADVISORY COUNCIL.**

Mayor Pro-Tem Wade made a motion to appoint Commissioner Guajardo as an alternate member to the Hidalgo County Urban County Advisory Council. The motion was seconded by Commissioner Lopez and passed unanimously.

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

There was no action taken on this item.

Mayor Hinojosa called the meeting into Executive Session at 6:21 p.m.

**15.) 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.**

**-CONSULTATION WITH ATTORNEY TO DISCUSS PENDING OR CONTEMPLATED LITIGATION AND  
SETTLEMENT OFFER REGARDING OPERATIONS, MANAGEMENT INTERNATIONAL (OMI) VS.  
JOHN DOE – POSSIBLE LITIGATION SECTION 551.071 TEXAS GOVERNMENT CODES  
ANNOTATED.**

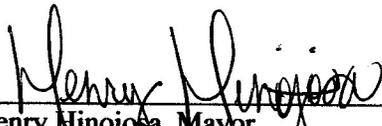
There was no action taken during Executive Session. Mayo Hinojosa called the meeting back to order at 7:35p.m.

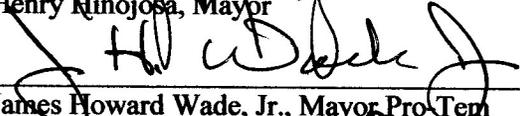
**16.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN EXECUTIVE SESSION.**

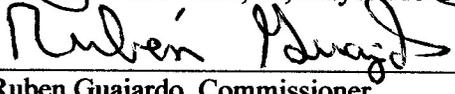
There was no action taken on this item.

**17.) ADJOURN.**

There being no further business to discuss, Commissioner Guajardo made a motion to adjourn the meeting at 7:36 p.m. The motion was seconded by Mayor Pro-Tem Wade and passed unanimously.

  
\_\_\_\_\_  
Henry Hinojosa, Mayor

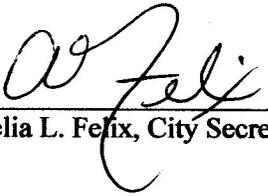
  
\_\_\_\_\_  
James Howard Wade, Jr., Mayor Pro-Tem

  
\_\_\_\_\_  
Ruben Guajardo, Commissioner

  
\_\_\_\_\_  
Jose M. Gomez, Commissioner

  
\_\_\_\_\_  
Armando Lopez, Commissioner

ATTEST:

  
\_\_\_\_\_  
Arcelia L. Felix, City Secretary