

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
FEBRUARY 2, 2016 -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:** None

**Staff:** Jaime Sandoval, Marisol Vidales, Arturo Garcia, Blanca Sanchez 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 were present.

**3.) INVOCATION.**

Rev. Juan De los Santos said the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Mayor Pro-Tem Guajardo led in the pledge of allegiance.

**5.) OPEN FORUM.**

Mr. Joe Perez addressed the Commission regarding someone going into his property cutting the grass and taking item from his property. Ms. Petra Vidales addressed the Commission regarding Ms. Esmeralda Guerrero's removal from the Beautification Committee, the City's debt and the organizational chart. Mr. Leonel Benavidez addressed the Commission reading a section of the Penal Code and the Election Code, and saying he had been contacted by city officials at the last election. Ms. Juanita Rangel addressed the Commission expressing thanks and appreciation to staff and City.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD JANUARY 19, 2016. B.) APPROVAL OF SECOND AND FINAL READING OF ORDINANCE NO. 2016-02 – CALLING THE 2016 CITY ELECTION FOR COMMISSIONER PLACE #2 AND COMMISSIONER PLACE #4 C. APPROVAL OF CHANGE ORDER 2 TO CONTRACT WITH D. WILSON CONSTRUCTION FOR ADDITIONAL TIME FOR THE EMERGENCY DOME SHELTER CONSTRUCTION. (#2016/02/02A). D.) APPROVAL OF REQUEST BY HIDALGO COUNTY ELECTION DEPARTMENT FOR USE OF COMMISSION ROOM FOR PRIMARY ELECTION. E.) APPROVAL OF ANNUAL RACIAL PROFILING REPORT. – (#2016/02/02B)**

Mayor Hinojosa stated that the City Attorney had stated that comments regarding City issues could be held to be in violation of open and transparent meeting regarding Commissioner Gomez signing up to speak in open forum. Commissioner Gomez made a motion to approve item 6A with the correction, 6B, 6C and 6E. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

There was considerable discussion by the Commission on this item. City Manager Garcia reported that the elections Administrator has requested to use the Commission chambers for the primary elections. Inspectors from the department of Justice will be visiting the early voting sites, and if they determine that a site may be a hardship for the elderly or handicapped, they may close the early voting site. She is concerned about the elevation of the ramp. If the City keeps the early voting at the civic center and it is closed down, the Mercedes voters will have to go to Weslaco to vote during early voting period.

Commissioner Wade made a motion to approve the request by the Hidalgo County election Department to use the commission room for the primary election. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously with Mayor Pro-Tem asking that the Department of Justice be asked to come in and inspect the civic center to see whether or not it qualifies.

**7.) PRESENTATION BY MEMBERS OF THE BALLOON FESTIVAL.**

Members of the Balloon Festival were present to give the Commission tokens of appreciation. They reported that 24,000 people had visited the festival over a three-day period. They also said that they would like the festival to become a regional event with other cities participating.

**8.) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION #2016-01 ADOPTING THE WORKPLAN AND BUDGET FOR URBAN COUNTY PROGRAM YEAR 29.**

Mayor Hinojosa made a motion to adopt the workplan and budget for urban county year 29 (2016) with the allocated amount being \$255,727 and include the following: street improvements bond payment (\$145,219), Senior Services -Amigos Del Valle (\$10,000); Senior services Senior Community Outreach (\$7,500); Abused and Neglected Children - Children's Advocacy Center of Hidalgo County(\$5,000); Health Services - Nuestra Clinica del Valle (\$13,000); Public Service – General -Dr. Hector P. Garcia Library (\$13,000); fire station equipment (\$10,000) Parks, Recreational facility

improvements (\$50, 208) & general administration (\$1,800). Commissioner Lopez seconded the motion, and it passed unanimously.

**9.) CONSIDERATION AND APPROVAL OF A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF MERCEDES, TEXAS RELATING TO THE FUTURE SALE OF BONDS BY THE DEVELOPMENT CORPORATION OF MERCEDES INC. DESIGNATED AS "THE DEVELOPMENT CORPORATION OF MERCEDES, INC. SALES TAX REVENUE BONDS, TAXABLE SERIES, 2016" RATIFYING THE CORPORATION'S APPROVAL OF A TERM SHEET RELATED TO THE BONDS, APPROVING THE PROGRAM AND EXPENDITURES RELATED TO THIS PROJECT; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THIS FINANCING; AND PROVIDING AN EFFECTIVE DATE. (RESOLUTION #2016-02).**

Mr. Garcia informed the Commission that Development Corporation of Mercedes and the City Commission had met and both had unanimously approved to issue debt for the development of a commercial park. Both had agreed to issue \$1 million each for the development. The advice of the bond counsel was that the Development Corporation issue the total debt and then enter into an agreement with the City for the City's share of \$1 Million. The note will be for a period of ten years at zero percent.

After some discussion regarding this item, Mayor Hinojosa made a motion to approve Resolution #2016-02. Mayor Pro-Tem Guajardo seconded the motion which passed with the following vote taken: AYES: Mayor Hinojosa, Mayor Pro-Tem Guajardo, Commissioner Lopez and Commissioner Wade. NAYES: Commissioner Gomez.

Mayor Hinojosa called the meeting into Executive Session at 6:54 p.m. No action will be taken during Executive Session.

**10.) EXECUTIVE SESSION:**

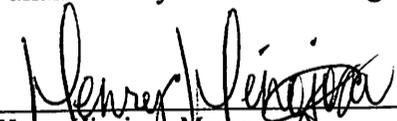
- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. -TEXAS GOVERNMENT CODE, SECTION 551.074 -PERSONNEL.
- DISCUSSION REGARDING PERSONNEL. -TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.
- DISCUSSION REGARDING PROJECT WHAT A. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED -ECONOMIC DEVELOPMENT.
- DISCUSSION REGARDING PROJECT TURNER. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED -ECONOMIC DEVELOPMENT.
- DISCUSSION REGARDING POSSIBLE SALE/CONVEYANCE OF LOT 2, PROFESSIONAL MEDICAL PLAZA - SECTION 551.072, TEXAS GOVERNMENT CODES ANNOTATED -REAL ESTATE.

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

Mayor Hinojosa called the meeting back to order at 8:08 PM. Mayor Hinojosa made a motion to authorize the City Manager and City Attorney to proceed as discussed in executive session on Project What A and Project Turner. Commissioner Wade seconded the motion, which passed unanimously.

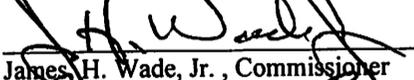
**12.) ADJOURN.**

There being no further items to be discussed, Commissioner Lopez made a motion to adjourn. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously and the meeting was adjourned at 8:09 PM.

  
Henry Hinojosa, Mayor

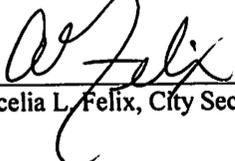
  
Ruben Guajardo, Mayor Pro-Tem

  
Jose M. Gomez, Commissioner

  
James H. Wade, Jr., Commissioner

  
Armando Lopez, Commissioner

ATTEST:

  
Arcelia L. Felix, City Secretary