

**MERCEDES CITY COMMISSION
REGULAR MEETING
DECEMBER 18, 2018 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Ruben Guajardo	Mayor Pro-Tem
	Howard Wade	Commissioner
	Leandro Villarreal	Commissioner
	Cristella De Leon Hernandez	Commissioner
	Sergio Zavala	Assistant City Manager
	Juan Molina	City Attorney
	Arcelia L. Felix	City Secretary

MEMBERS ABSENT: NONE

Staff: Nereida Perez, Tommy Ureste, David Lopez, Olga Maldonado and Joselynn Castillo.

1.) CALL MEETING TO ORDER.

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

2.) ESTABLISH QUORUM.

All members of the Commission were present which constituted a full quorum.

3.) INVOCATION.

Reverend Jacques said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Villarreal led in the Pledge of Allegiance.

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

B.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD DECEMBER 4, 2018.

B.) RATIFY APPROVAL TO OPEN BANK ACCOUNT RELATED TO THE CERTIFICATES OF OBLIGATION. RESOLUTION #2018-16.

Mayor Pro-Tem Guajardo made a motion to approve all items under consent agenda. Commissioner Wade seconded the motion, which passed unanimously.

Mayor Pro-Tem Guajardo made a motion to deviate from the agenda and move to item 13. Commissioner Villarreal seconded the motion, which passed unanimously.

6.) DISCUSSION AND POSSIBLE ACTION ON EXTENSION OF CONTRACT WITH HOLLIS RUTLEDGE & ASSOCIATES FOR PLANNING, MARKETING & GOVERNMENTAL RELATIONS CONSULTANT CONTRACT.

Mr. Hollis Rutledge and Mr. Frank San Martin addressed the Commission regarding grants they have been working on and will be working on in Fiscal Year 18-19. Mr. Rutledge stated that the City has received \$22 per every \$1 paid to Mr. Rutledge. Commissioner Hernandez stated that she would like to see more grant applications for the Police Department. At a question, Mr. San Martin stated the application would be submitted to restore the old Police Department Building. Mayor Pro-Tem Guajardo made a motion to extend the contract with Hollis Rutledge & Associates. Commissioner Villarreal seconded the motion, which passed unanimously.

Mayor Pro-Tem Guajardo made a motion to continue with item 6. Commissioner Wade seconded the motion which passed unanimously.

7.) CITY MANAGER COMMENTS.

Mr. Zavala addressed the Commission regarding the regular meeting on the first Tuesday of the month will need to be rescheduled for the following day on January 2, 2019. Mr. Zavala informed the Commission about the Pre-Bid meetings that were held for the HEB Park and the Mercedes Sports Complex. Mr. Zavala spoke about the bids for the streets projects, which have been published in the newspaper.

8.) PRESENTATION OF DELINQUENT TAX COLLECTIONS REPORT. PERDUE, BRANDON, FIELDER, COLLINS & MOTT LLP.

Hiram Gutierrez addressed the Commission regarding the Delinquent Tax Collections from October 1, 2017 to September 30, 2018. Mr. Gutierrez stated that they filed 56 petitions for Base tax owed to the City. Mr. Gutierrez said they will work with the taxpayers on their delinquent taxes and stated the number of properties for tax sale and for tax resale. Mr. Gutierrez also spoke about bankruptcies, claims, and the collection of delinquent taxes. He stated there was an increase of 5.2% compared to last years and the City collected \$211,000 plus in base tax. Commissioner Hernandez stated the report was not provided for them to review and would like quarterly reports from Perdue, Brandon, Fielder, Collins & Mott at which Mr. Gutierrez stated their next report would be in early February.

9.) DISCUSSION AND POSSIBLE ACTION TO INITIATE AN AMNESTY PROGRAM IN 2019.

Chief Olga Maldonado addressed the Commission regarding an amnesty program in 2019. The program will allow citizens clear unpaid warrants and to waive any court fines. At a question, Chief Maldonado stated the program will be for 1 week every 2 years or any time period the Commission decides.

Commissioner Hernandez stated she would like to know how many warrants there are in total compared to the number of the people that appear for the program. City Attorney Molina commented that the program would benefit the citizens by allowing them to pay a lesser amount, clear their warrants for employment opportunities, and return driver's license. Mr. Molina stated a 10 year period for outstanding warrants is appropriate for the program; however, Mayor Pro-Tem Guajardo stated there should be no time period. There was some discussion regarding the time of the event, staffing, dates, payment methods and period of the program. Mayor Pro-Tem Guajardo made a motion to address the issues with the Amnesty Program and bring the item back for a date at the next meeting. Commissioner Wade seconded the motion, which passed unanimously.

10.) PRESENTATION BY MIKE MESA ON NOI AND THE MITIGATION PROCESS.

Mr. Mike Mesa presented to the Commission that the State has approved the Mitigation process. Mr. Mesa informed the citizens regarding the meaning of an NOI. Mr. Mesa stated the project is worth \$2.2 million with the City providing \$440,000 match or in kind. At a question, Mr. Mesa stated the project's location is on Mile 1 West. Mr. Mesa also informed the Commission that there would be monies for the flood. He stated the deadline for December 31, 2018 would be met.

11.) DISCUSSION AND POSSIBLE ACTION TO APPOINT AN AMBULANCE ADVISORY BOARD.

Mr. Zavala addressed the Commission regarding the Ambulance Advisory Board. Mr. Zavala stated the physician seat was still vacant. Mayor Hinojosa stated they are still trying to find a physician to fill the seat. Commissioner Wade suggested contacting Doctors at the Rio Grande Valley Adult Internal Medicine in Mercedes. Mayor Hinojosa made a motion to table this item. Commissioner Wade seconded the motion, which passed unanimously.

12.) DISCUSSION AND POSSIBLE TO APPOINT A COMPLETE COUNT COMMITTEE.

Mr. Zavala informed the Commission that the Complete Count Committee would assess the City's population, which in turn would help with funding. Mayor Hinojosa made a motion to appoint community member Manuel Garza Jr. and instructed the City Manager to contact the School District, Housing Authority, City, and Chamber to provide their recommendations. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

13.) DISCUSSION AND POSSIBLE ACTION ON A MEMORANDUM OF UNDERSTANDING WITH CITY AND CITY OF WESLACO FOR AMBULANCE BILLING.

Mr. Zavala addressed the Commission regarding an MOU with the City of Weslaco for Ambulance Billing. Mr. Zavala stated that in meeting with Mr. Armando Martinez, he recommends the included billing contract, as it would save the City approximately \$140,000. Mr. Zavala stated the only change would be a 14 day tenure to pay billed invoices instead of the original 10 days. Mayor Pro-Tem Guajardo made a motion to approve the Memorandum of Understanding with the City and City of Weslaco for Ambulance Billing. Commissioner Villarreal seconded the motion which passed unanimously.

14.) DISCUSSION AND POSSIBLE ACTION OF REQUEST BY BURTON, MCCUMBER & LONGORIA, LLP TO CONSIDER AMENDING THE CONTRACTED AMOUNT FOR THE CITY'S ANNUAL AUDIT.

Mr. Zavala addressed the Commission regarding BML requesting an increase for additional work that needs to be done. The proposed increase is \$6,000. Mr. Zavala stated the City has tried to get in contact with Mr. Orozco, the previous auditor, for information requested by BML. At a question regarding the contract date, amount and timeline, Mr. Zavala stated the previous auditor did not provide the necessary information for the selected auditor. Mr. Longoria from BML informed the Commission that to ensure the beginning numbers the previous auditor should provide the complete audit. Mr. Longoria stated they were provided with a draft audit. At a question, Mr. Longoria stated more time would be required and there could be additional cost if needed. Commissioner Wade made a motion to approve the \$6,000 for additional work. Mayor Hinojosa seconded the motion. The motion passed with Mayor Pro-Tem Guajardo and Commissioner Hernandez voting nay.

15.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT/REAPPOINTMENT OF MEMBERS OF THE MERCEDES INDUSTRIAL FOUNDATION, INC.

Mr. Zavala informed the Commission about three seats that will be expiring at the end of December for the Mercedes Industrial Foundation Board. The seats expiring are Robert A. Hinds, Candice Zamora, and Fernando Dominguez. Mr. Zavala stated all three members wish to continue serving on the board. Mayor Hinojosa made a motion to reappoint all three members to the board. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

16.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT/REAPPOINTMENT OF MEMBERS TO THE DEVELOPMENT CORPORATION OF MERCEDES, INC.

Mr. Zavala informed the Commission regarding terms expiring on the Development Corporation of Mercedes Board. Mr. Tony Garza, Mr. Jaime Gonzales, and Mr. Roel Villanueva have all expressed continuing to serve on the board. Mayor Hinojosa made a motion to reappoint all three members to the board. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

17.) DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT TO UPDATE THE CITY OF MERCEDES' MASTER PARK PLAN.

Mr. Zavala addressed the Commission regarding the proposals received for updating the Master Park Plan. The City received three proposals from Guzman & Munoz, Hefner Design Team, PLLC., and Mike Mesa. Mr. Zavala

stated that Mr. Mesa has the most extensive experience with park plans. At a question, Mr. Zavala stated this is a proposal and the amount would be presented to the Commission in the future if approved. The Master Park Plan needs to be updated every five years. At a question about duties, Mr. Zavala stated taking inventory, amenities, additional parks and maximizing usage of the parks. Commissioner Villarreal made a motion to approve Mike Mesa's proposal. Mayor Hinojosa seconded the motion which passed with Commissioner Hernandez voting nay.

18.)DISCUSSION AND POSSIBLE ACTION TO AWARD BID FOR MONITOR & DEFIBRILLATORS (AMBULANCE EQUIPMENT)

Mr. Zavala addressed the Commission regarding monitor and defibrillators. Mr. Zavala stated these are the more pricey items required to initiate the ambulance service. The City received one bid for the monitor & defibrillators from Physio-Control, Inc. for \$96,897. Mr. Zavala stated the bid is below the budgeted amount and recommends approval. Commissioner Hernandez confirmed that the bid is for two units. Commissioner Villarreal made a motion to approve the bid by Physio-Control, Inc. Mayor Hinojosa seconded the motion which passed unanimously.

19.)DISCUSSION AND POSSIBLE ACTION OF FINAL PLAT OF HACIENDA OLIVIA PHASE ONE, 15.055 ACRES BEING A PART OF LLANO GRANDE GRANT BEING A PORTION OF LOT 7, BLOCK 67 OF CAPISSALLO DISTRICT SUBDIVISION, CLASS "A-2" SINGLE FAMILY RESIDENTIAL DISTRICT. DEVELOPER: JIM & OLIVIA TAYLOR. ENGINEER: GUZMAN & MUNOZ

Mr. Zavala addressed the Commission regarding the final plat of Hacienda Olivia phase one. Mr. Zavala stated it is on the East side of Rio Rico. Mr. Zavala said there was an increase on the number of lots from 47 to 52. Mr. Zavala informed the Commission that the Right-of-Way met MPO requirements and the P&Z Board approved water and sewer. At a question, Mr. Zavala stated there are fire hydrants and the storm sewer system are available. Mr. Zavala stated City Code is met and the City will require a two-year warranty from the Developers. At a question from Commissioner Hernandez, Mr. Zavala stated there is no cost to the city, the inspections will be done, and the City will require a one year warranty on new infrastructure. Mr. Quintanilla stated the appraised value is \$10 to \$13 Million for the City. Mayor Pro-Tem Guajardo made a motion to approve the final plat of Hacienda Olivia phase one. Commissioner Villarreal seconded the motion, which passed unanimously.

20.)MONTHLY DEPARTMENT REPORTS.

Monthly reports are included in the packet for the Commission to review. No action.

21.)OPEN FORUM:

Mr. Leonel Benavidez addressed the Commission regarding a lawsuit and questioned who hired the Attorney for the City. Mr. Benavidez also addressed the open forum rules and expressed the need for open forum for the citizens.

Mayor Hinojosa called the meeting into executive session at 7:23 pm. No action will be taken at this time.

22.)EXECUTIVE SESSION:

-DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. – PERSONNEL.

-DISCUSSION REGARDING MERCEDES INVESTMENTS, LP PROJECT (KAMEL) – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.

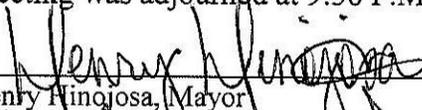
Mayor Hinojosa called the meeting back to order at 9:38 P.M.

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

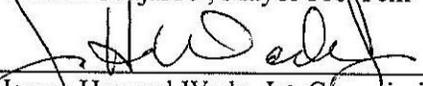
No action taken on the items discussed in executive session.

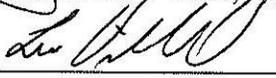
24.) ADJOURN.

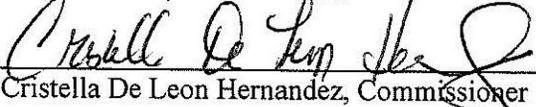
Mayor Hinojosa made a motion to adjourn the meeting. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously. Meeting was adjourned at 9:38 P.M.

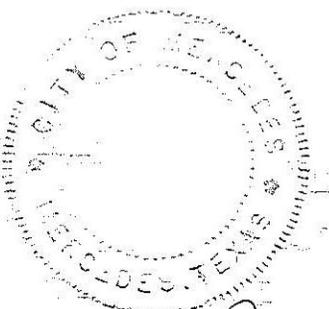

Henry Hinojosa, Mayor

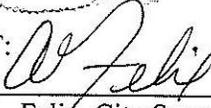

Ruben Guajardo, Mayor Pro-Tem


James Howard Wade, Jr., Commissioner


Leo Villarreal, Commissioner


Cristella De Leon Hernandez, Commissioner



ATTEST: 
Arcelia L. Felix, City Secretary