

MERCEDES CITY COMMISSION
REGULAR MEETING
FEBRUARY 5, 2013 - 6:00 P.M.
MERCEDES CITY HALL - COMMISSION CHAMBERS

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Leonardo Garcia	Mayor Pro-Tem
	Rodolfo Z. Rodriguez	Commissioner
	Jose M. Gomez	Commissioner
	Dianna G. Tovar	Commissioner
	Ricardo Garcia	City Manager
	Juan Molina	City Attorney

MEMBERS ABSENT:

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

1.) CALL MEETING TO ORDER.

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

2.) ESTABLISH QUORUM.

All members of the commission were present.

3.) INVOCATION.

Commissioner Gomez led the Invocation

4.) PLEDGE OF ALLEGIANCE.

Armando Lopez led the Pledge of allegiance.

5.) OPEN FORUM-

Shannon Simpson addressed the commission regarding thefts at his home and throughout his neighborhood and the response he has received from the Police Department. Joe Perez spoke about a sewage break at his home and asked the Commission to consider restricting certain political sign designs. Jose Santos Cuadra asked that Boyd subdivision be de-annexed from the city and that the Commission work more towards bringing more sources of revenue to Mercedes. Petra Vidales expressed her concern for the high cost to home owners for connecting to the City's water and sewer lines. She also asked the Commission to improve city services in her area and fix roads throughout the City. Armando Lopez asked the Commission to revise the budget to make more funds available for street repairs.

6.) Consent Agenda (Ordinance NO. 98-21):

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JANUARY 15, 2013. B.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER BY BOY SCOUTS TROOP 5 FOR APRIL 19 AND 20, 2013. C.) APPROVAL OF INVESTMENT REPORT FOR MONTH OF DECEMBER, 20 2012.

Commissioner Rodriguez made a motion to approve all items under Consent Agenda as presented. The motion was seconded by Mayor Pro-Tem Garcia and passed unanimously.

7.) PUBLIC HEARING TO CONSIDER AND POSSIBLE ACTION ON A VARIANCE REQUEST FOR A 3 TO 1 LOT WIDTH RATIO ON THE PROPOSED RIO RICO NORTH SUBDIVISION LOTS 1-10 ALSO KNOWN AS THE SOUTH TEN ACRES OF LOT 11 AND ALL OF LOT 12, BLOCK 68, MERCEDES, HIDALGO COUNTY, TEXAS. THE PERSON MAKING THE REQUEST IS PAUL DANIEC.

Mayor Hinojosa opened the public hearing at 6:25 pm. After several questions about the size of the lots and zoning restrictions for the area Mayor Hinojosa closed the public hearing at 6:35 pm. Commissioner Rodriguez made a motion to approve the variance request for a 3 to 1 lot width ratio on the proposed Rio Rico North subdivision lots 1-10 also known as the south ten acres of lot 11 and all of lot 12, block 68, Mercedes, Hidalgo County, Texas. The motion was seconded by Mayor Pro-Tem Garcia and passed unanimously.

8.) DISCUSSION AND POSSIBLE ACTION ON SELECTION OF FINANCIAL ADVISOR FOR TEXAS WATER DEVELOPMENT PROJECT- CWSRF LOAN 76642.

Commissioner Rodriguez made a motion to select RBC Capital Markets as Financial advisor for Texas Water development project CWSRF loan 76642. Mayor Pro-Tem Garcia seconded the motion and it passed unanimously.

9.) DISCUSSION AND POSSIBLE ACTION ON SELECTION OF BOND COUNSEL FOR TEXAS WATER DEVELOPMENT PROJECT- CWSRF LOAN 76642.

Mayor Pro-tem Garcia made a motion to select Fulbright and Jaworski as Bond Counsel for Texas Water development project CWSRF loan 76642. The motion was seconded by Commissioner Tovar and passed unanimously.

10.) DISCUSSION AND POSSIBLE ACTION ON SELECTION OF ENGINEER FOR TEXAS WATER DEVELOPMENT PROJECT- CWSRF LOAN 76642.

After brief presentations by Guzman & Munoz, Sigler, Winston and Greenwood, L&G engineering and LaFevre Engineering Commissioner Rodriguez made a motion to select LaFevre Engineering for Texas Water development project CWSRF loan 76642. The motion was seconded by Commissioner Tovar and passed with Mayor Hinojosa voting for and Mayor Pro-Tem and Commissioner Gomez voting against.

11.) DISCUSSION AND POSSIBLE ACTION ENTERING INTO A CONTRACT WITH UMS FOR UTILITY METERING SYSTEM. #2013/02/05A.

Commissioner Rodriguez made a motion to approve entering into contract with UMS for utility Metering System (#2013/02/05A). The motion was seconded by Mayor Pro-Tem Garcia and passed unanimously.

12.) DISCUSSION AND POSSIBLE ACTION OF PROGRESS REPORT OF ANNEXATION AT BOYD SUBDIVISION.

Several residents of Boyd Subdivision expressed concern about the cost of connecting to the city's sewer lines. After some discussion Commissioner Tovar made a motion to schedule a workshop for February 20, 2013 at 6:00pm. The motion was seconded by Mayor Pro-Tem Garcia and passed unanimously.

13.) DISCUSSION AND POSSIBLE ACTION REGARDING PLACING OF POLITICAL SIGNS.

Mayor Hinojosa made a motion instruct staff to draft an ordinance regarding placing of political signs and present it at the next commission meeting. The motion was seconded by commissioner Tovar and passed unanimously.

14.) PROGRESS REPORT ON FORENSIC AUDIT.

Ben Pena of Made a presentation regarding the status of the forensic audit without divulging any conclusions. The audit should be completed by the end of February. There was no action taken on this item.

15.) DISCUSSION AND POSSIBLE ACTION OF REQUEST BY MDA.

Mayor Pro-Tem Garcia made a motion to approve a donation in the amount of three thousand dollars to MDA. The motion was seconded by Commissioner Gomez and passed unanimously.

16.) DISCUSSION AND POSSIBLE ACTION APPROVING CONTRACT WITH CLORE CONSTRUCTION FOR DRAINAGE IMPROVEMENTS PROJECT #2013/02/05B.

Commissioner Tovar made a motion to approve the contract with Clore construction for drainage improvements project #2013/02/05B. The motion was seconded by Commissioner Rodriguez and passed unanimously.

17.) DISCUSSION AND POSSIBLE ACTION APPROVING PROPOSAL BY UNIFIRST FOR UNIFORM SERVICE.

Commissioner Rodriguez made a motion to approve the proposal by Unifirst for uniform services. The motion was seconded by Mayor Pro-Tem Garcia and passed unanimously.

18.) DISCUSSION AND POSSIBLE ACTION APPROVING CONTRACT WITH ZIWA CORPORATION FOR FIRE STATION CONSTRUCTION PROJECT #2013/02/05C.

Commissioner Rodriguez made a motion to approve the contract with Ziwa construction for Fire station construction project (#2013/02/05C). Commissioner Tovar seconded the motion and it passed unanimously.

19.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2013-01- CALLING THE 2013 CITY ELECTION FOR COMMISSIONER PLACE #2 AND COMMISSIONER PLACE #4.

Mayor Pro-Tem Garcia made a motion to approve the first reading of Ordinance No. 2013-01 calling the 2013 city election for Commissioner Place #2 and Commissioner Place #4. The motion was seconded by Mayor Pro-Tem Garcia and passed unanimously.

20.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2013-02 AMENDING BUDGET FOR FISCAL YEAR 2012-2013.

The budget amendment would take two part time positions in the IT and Police departments and make one full time IT Assistant position. Commissioner Gomez made a motion to table this item. The motion was seconded by Mayor Hinojosa and passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 8:00 pm.

21.) EXECUTIVE SESSION

-DISCUSSION REGARDING ISA TAN TEE - ECONOMIC DEVELOPMENT AND REAL ESTATE. - SECTION 551.087 AND SECTION 551.072, TEXAS GOVERNMENT CODES ANNOTATED. - ECONOMIC DEVELOPMENT AND REAL ESTATE.

- DISCUSSION REGARDING HEB AND RETAIL PROJECTS - ECONOMIC DEVELOPMENT. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED - ECONOMIC DEVELOPMENT.

-DISCUSSION REGARDING SUN HOLDINGS - ECONOMIC DEVELOPMENT. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED- ECONOMIC DEVELOPMENT.

-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.

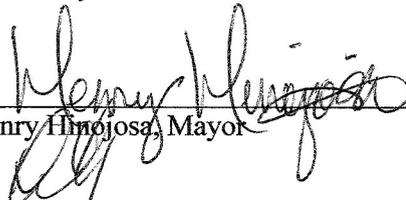
There was no action taken during Executive Session.

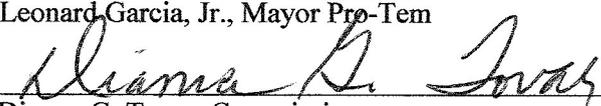
22.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN EXECUTIVE SESSION.

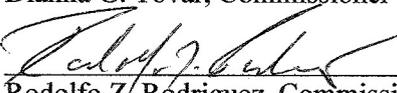
Mayor Hinojosa called the meeting back to order at 9:30 pm. There was no action taken on this item.

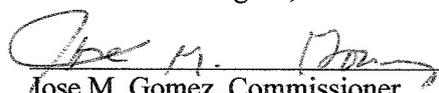
23.) ADJOURN.

Commissioner Rodriguez made a motion to adjourn the meeting. The motion was seconded by Commissioner Gomez and passed unanimously.

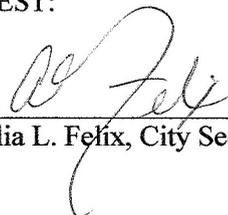

Henry Hinojosa, Mayor

Leonard Garcia, Jr., Mayor Pro-Tem

Dianna G. Tovar, Commissioner


Rodolfo Z. Rodriguez, Commissioner


Jose M. Gomez, Commissioner

ATTEST:


Arcelia L. Felix, City Secretary