

**MERCEDES CITY COMMISSION
REGULAR MEETING
MAY 21, 2019 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:

Henry Hinojosa	Mayor
Ruben Guajardo	Mayor Pro-Tem
Leandro Villarreal	Commissioner
Cristella De Leon Hernandez	Commissioner
Leonel Benavidez	Commissioner
Sergio Zavala	City Manager
Arcelia L. Felix	City Secretary
Anthony Troiani	City Attorney

MEMBERS ABSENT: NONE

Staff: Dagoberto Chavez, Nereida Perez, Jose Figueroa, 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.

City Manager Sergio Zavala said the invocation.

4.)PLEDGE OF ALLEGIANCE.

Commissioner Villarreal led in the Pledge of Allegiance.

4a.) PROCLAMATION – MERCEDES TIGER BAND.

Mayor Hinojosa presented a proclamation to the Mercedes Tiger Marching Band, Color Guard, Mariachi band, and Winter Guard and their Director Mr. McKinney.

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

A.)APPROVAL OF MINUTES FOR CITY COMMISSION MEETING(S) HELD MAY 7 AND MAY 13, 2019. B.) APPROVAL OF RESOLUTION #2019-06 ACCEPTING STONEGARDEN GRANT. C.) APPROVAL OF REQUEST FOR SPONSORSHIP FOR TEXAS STREET FESTIVAL. D.) APPROVAL OF SECOND AND FINAL READING OF ORDINANCE NO. 2019-10 CALLING RUNOFF ELECTION. E.) APPROVAL OF CHANGE ORDER 2 TO CONTRACT WITH PEGAS JPS FOR TRENCH SAFETY PROTECTION. F.) APPROVAL OF REQUEST TO SURPLUS ITEMS AND AUTHORIZE DISPOSAL. (BOND & BOND) G.) APPROVAL OF QUARTERLY INVESTMENT REPORT.

Mr. Zavala addressed the Commission regarding putting item 5C on the table for the sponsorship of the Texas Street Festival due to the request exceeding the 50% threshold. Mayor Hinojosa made motion to approve items A, B, D, E, F, & G and to table Item C. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

6.)CITY MANAGER COMMENTS.

Mr. Zavala commented about the City of Mercedes not being a sanctuary city and about the recycling center's street and adding signs.

7.)PRESENTATION AND UPDATE BY LEFEVRE ENGINEERING ON VARIOUS CITY PROJECTS.

Israel Gaona presented to the Commission the updates on the street overlay projects packages 1, 2 and 3, Boyd Subdivision project regarding sanitary sewer lines, which is complete, Lorenzana Waterline project, the Weslaco-Mercedes waterline interconnect project, and the lift station rehab project.

8.)DISCUSSION AND POSSIBLE ACTION ON REQUEST BY MERCEDES PONY LEAGUE TO SEEK CORPORATE SPONSORSHIP TO REPAIR/REPLACE BASEBALL FIELD SCOREBOARD.

Mr. Zavala informed the Commission about a request from the Pony League. The request is for the City to authorize the Pony League to solicit funding to repair or replace the scoreboard at Collier Park. Mr. Zavala stated that any funding from a sponsor would need approval from the Commission as well as a MOU. At a question, Mr. Zavala said the funding would go to the Pony League to repair or replace the scoreboard and any surplus monies would be the sponsors' decision on where to use it. Mayor Pro-Tem Guajardo made a motion to approve the request by Mercedes Pony League to seek corporate sponsorship to repair/replace Baseball field scoreboard. Commissioner Villarreal seconded the motion, which passed unanimously.

9.) DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE STAFF TO REQUEST RFP'S FOR ENGINEERING SERVICES (ROW SURVEYING, ETC.) FOR THE MPO 1 MILE EAST ROAD.

Mr. Zavala informed the Commission about soliciting RFPs for the mile 1 East project. The project entails, preparing a ROW map showing the parcels, surveying parcels, and preparing maps for each parcel. There was

some discussion about the City Engineer's working on the project, at which Mr. Zavala stated that procurement policy requires the City to go for RFP's, however, the engineers could submit a proposal for the project. Mayor Pro-Tem Guajardo made a motion to approve staffs' request to solicit RFP's for engineering services for the MPO 1 Mile East Road. Commissioner Villarreal seconded the motion, which passed unanimously.

10.)DISCUSSION AND POSSIBLE ACTION ON ORDINANCE TO AMEND THE ZONING ORDINANCE TO INCLUDE A MODERATE DENSITY-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT.

Mr. Zavala addressed the Commission regarding an amendment to the Zoning Ordinance to include a moderate density-single family residential zoning district. Mr. Zavala stated the lot sizes would start at 5,000 sq. ft., which allows 5 ft. setbacks, 18 ft. garage door setbacks, and the ordinance outlines the permitted and conditional uses. Phase 1 of the subdivision would have an estimated residential improvement value of \$1.8 to \$2 million. Mayor Pro-Tem Guajardo made a motion to approve amending the zoning ordinance. At a question, Mr. Zavala to explained the difference between the zoning districts. Commissioner Villarreal seconded the motion, which passed unanimously.

11.)DISCUSSION AND POSSIBLE ACTION TO RATIFY CITY MANAGER'S ACTION ON PROPOSAL FROM SIGLER, WINSTON, & GREENWOOD FOR OVERSIGHT CONSTRUCTION MANAGEMENT SERVICES FOR WATER WELL PROJECT.

Mr. Zavala addressed the Commission about the water well project from Sigler, Winston, & Greenwood. Mr. Zavala stated that the proposal for the Oversight Construction Management Services for Water Well Project is \$17,500. Mayor Pro-Tem Guajardo made a motion to approve ratifying City Manager's action. Commissioner Villarreal seconded the motion, which passed unanimously.

12.)DISCUSSION AND POSSIBLE ACTION ON RESOLUTION # 2019-07 TO TEMPORARILY SUSPEND EFFECTIVE RATE OF PROPOSED AEP RATE(S).

Mr. Zavala informed the Commission that AEP filed an application (Docket No. 49494) to increase the distribution rate by 4.2% and decrease the transmission rate by 0.7%. Mr. Zavala stated the resolution's purpose is to suspend the rate change for 90 days after the date of the rate change, which is June 5, 2019. Mayor Pro-Tem Guajardo made a motion to approve resolution #2019-07, to temporarily suspend effective rate of proposed AEP rates. Commissioner Villarreal seconded the motion, which passed unanimously.

13.)DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE DISPOSITION (AUCTION) OF SEIZED VEHICLES.

Assistant City Manager Mr. Chavez informed the Commission about three vehicles that were awarded to the City and is asking for authorization to dispose the seized vehicles at auction. The vehicles are a 2005 Ford truck which the Public Works department expressed interest in keeping, a 2009 Ford Edge, and a 2003 Lincoln Navigator. At a question, Mr. Chavez stated the vehicles were awarded in 2015 and as per the Police Department policy, the City has 90 day to dispose of seized vehicles. Mr. Chavez commented that there are nine vehicles still pending documentation to be awarded to the City. Commissioner Hernandez made a motion to authorize the disposition of two seized vehicles and to keep one vehicle for the Public Works Department. Commissioner Benavidez seconded the motion, which passed unanimously.

14.)DISCUSSION AND POSSIBLE ACTION TO MOVE OPEN FORUM TO LINE ITEM 5 FOR MERCEDES CITY COMMISSION REGULAR MEETINGS.

Commissioner Villarreal made a motion not to approve moving open forum to line item 5 for the Mercedes City Commission regular meetings. Mayor Pro-Tem Guajardo had stepped out and discussion continued once he returned. Commissioner Hernandez seconded the motion. Commissioner Benavidez stated that he placed the item on the agenda due to the Citizens being priority and there could be rules and regulations for the open forum. Mayor Pro-Tem Guajardo stated if the items is to be agenda driven then it could be moved up, however, the citizens would still be heard at the meetings since open forum still available. The motion passed 4 to 1 with Commissioner Benavidez voting nay.

15.) TABLED: DISCUSSION AND POSSIBLE ACTION TO APPROVE CONTRACT WITH FULCRUM CONSULTING SERVICES.

Mayor Pro-Tem Guajardo made a motion to un-table item 15. Commissioner Villarreal seconded the motion, which passed unanimously.

Mr. Zavala addressed the Commission regarding the contract with Fulcrum Consulting Services. Mr. Zavala stated the contract was reviewed by the City Attorney and by Fulcrum, which agreed to the changes proposed by the City and after approval, will be sent for approval from USDA. Mayor Pro-Tem Guajardo made a motion to approve the contract with Fulcrum Consulting services. Commissioner Villarreal seconded the motion, which passed unanimously.

16.)DEPARTMENT REPORTS.

Monthly reports are included for the Commission to review.

17.)OPEN FORUM.

Ms. Esmeralda Guerrero expressed to the Commission her interest in past projects and her concern with a gambling location in the City.

Mayor Hinojosa called the meeting into executive session at 6:50 pm. No action will be taken at this time.

18.)EXECUTIVE SESSION:

- ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071, TEXAS GOV'T CODE ANNOTATED TO PROVIDE LEGAL ADVICE IN CONNECTION WITH PENDING AND/OR CONTEMPLATED LITIGATION RELATED TO FIREARMS.

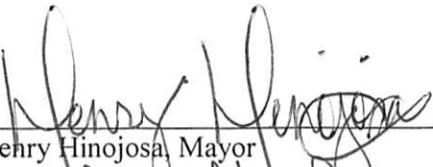
Mayor Hinojosa called the meeting back to order at 7:15 P.M.

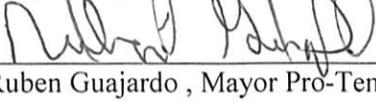
19.)DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSION IN EXECUTIVE SESSION.

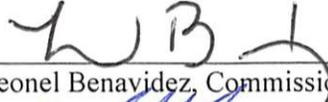
No Action was taken on this time.

20.)ADJOURN.

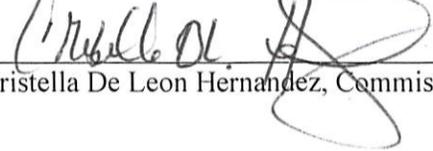
Mayor Hinojosa made a motion to adjourn the meeting. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously. The meeting adjourned at 7:16 P.M.


Henry Hinojosa, Mayor

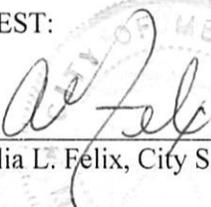

Ruben Guajardo , Mayor Pro-Tem


Leonel Benavidez, Commissioner


Leo Villarreal, Commissioner


Cristella De Leon Hernandez, Commissioner

ATTEST:


Arcelia L. Felix, City Secretary

