

MERCEDES CITY COMMISSION  
REGULAR MEETING  
FEBRUARY 5, 2019 – 6:00 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS

<b>MEMBERS PRESENT:</b>	<b>Henry Hinojosa</b>	<b>Mayor</b>
	<b>Ruben Guajardo</b>	<b>Mayor Pro-Tem</b>
	<b>Howard Wade</b>	<b>Commissioner</b>
	<b>Leandro Villarreal</b>	<b>Commissioner</b>
	<b>Cristella De Leon Hernandez</b>	<b>Commissioner</b>
	<b>Sergio Zavala</b>	<b>Assistant City Manager</b>
	<b>Juan Molina</b>	<b>City Attorney</b>

**MEMBERS ABSENT: NONE**

**Staff: Nereida Perez, Marisol Vidales, Tommy Ureste, David Lopez, Mary Salinas 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 Uvaldo Jacques said the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Villarreal led in the Pledge of Allegiance.

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

**D.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JANUARY 15, AND JANUARY 22, 2019. B.) APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH AMERICAN RED CROSS. C.) APPROVAL OF INVESTMENT POLICY AND STRATEGY. (RESOLUTION #2019-01) D.) APPROVAL TO SUBMIT GRANT APPLICATION TO WALMART COMMUNITY GRANT PROGRAM. E.) SECOND AND FINAL READING OF ORDINANCE 2019-02 TO AMEND CHAPTER 34 OF THE CITY'S PERSONNEL SICK LEAVE POLICY. F.) SECOND AND FINAL READING OF ORDINANCE NO. 2019-03 REGARDING POLLUTION PREVENTION IN STORMWATER TO PROVIDE COMPREHENSIVE STORMWATER REGULATIONS. G.) APPROVAL OF E-RATE INTERNET SERVICE CONTRACT TO SMARTCOM TELEPHONE, LLC FOR DR. HECTOR P. GARCIA MEMORIAL LIBRARY.**

Mayor Pro-Tem Guajardo made motion to approve all items under consent agenda A-G. There was some discussion regarding some corrections on the MOU with American Red Cross and to the minutes of January 22, 2019. Commissioner Wade seconded the motion. The motion passed unanimously with corrections to be made to the items stated.

**6.) CITY MANAGER COMMENTS.**

Mr. Zavala explained to the Commission about the City's debt, revenues, bonds, certificates of obligation, and the City's A+ rating.

**7.) PRESENTATION BY FELIX RODRIGUEZ FROM THE HIDALGO COUNTY VETERANS' SERVICES.**

Mr. Felix Rodriguez thanked the Commission for the work they have been doing for all veterans. He stated they help veterans from all locations. Many veterans from different states also call Mr. Felix and Mr. Perez because of their professional service. Mr. Rodriguez introduced several decorated veterans and each expressed their appreciation to the Commission. Mayor Hinojosa stated that the City is providing an office for Veteran services rent-free. Sam Perez informed the Commission about the number of veterans coming into the Mercedes Office and the waiting period for appointments. Mr. Perez informed the Commission about how to request more days. Mayor Hinojosa asked Commissioner Villarreal to assist in the process to request more time for Mr. Rodriguez and Mr. Perez to be at the Mercedes Office. The veterans present addressed the commission about the history of the awards and provided their background.

**8.) PRESENTATION BY RUBEN R. BARRERA OF LANGLEY & BANACK, INC. TO PROVIDE AN UPDATE ON COMPLETING THE MERCEDES-WESLACO JURISDICTIONAL MATTER.**

Mr. Barrera addressed the Commission regarding the jurisdictional matter between Mercedes and Weslaco. Mr. Barrera informed the Commission about the history of the establishment of Mercedes and Weslaco. Mr. Barrera addressed the source of the dispute with the overlapping boundaries. Mr. Barrera stated the issue has already been settled and discussed the next steps in the process to set the corporate boundary, ETJ, and utility lines. Mr. Barrera stated he would like to get back to the Commission at the end of May and having a joint meeting in the future. Mr. Barrera stated the process would take about 6 months to 1 year. Mr. Zavala asked Mr. Barrera to explain to a family in the audience about the de-annexation which he recommends doing all the de-annexations at once.

**9.) PRESENTATION BY FIERCE SPORTS NATION, LLC, DBA TEXAS VALLEY SPORTS ON PROPOSED SPORTS PROGRAMMING IN MERCEDES.**

A representative from Fierce Sports Nation informed the Commission about the encouraging youth to be in sports. He stated they organize football, volleyball, and basketball games for young adults from all over the valley. He listed the foundations that have endorsed the programming and thanked the City of Mercedes for allowing the company access to venues for the games. They have partnered with STC. At a question, the representative stated players have a chance to continue having friendly competition and has not had an agreement with any City which made it difficult to find venues.

**10.) DISCUSSION AND POSSIBLE ACTION TO ESTABLISH AN ENHANCED JOB DESCRIPTION FOR THE ASSISTANT CHIEF POSITION TO ASSIST IN THE FIRE/EMS PROGRAM.**

Mr. Zavala addressed the Commission regarding the enhanced job description for the Assistant Fire Chief as recommended by Armando Martinez. Mr. Zavala stated the Assistant Fire Chief will assist with Fire department and EMS. Mr. Zavala stated the job description had been approved in March of 2013 by Commission. Commissioner Hernandez made a motion to approve item 10. Commissioner Villarreal seconded the motion, which passed unanimously.

**11.) DISCUSSION AND POSSIBLE ACTION TO APPOINT OR RE-APPOINT THE 5 REGULAR MEMBERS AND 4 ALTERNATES TO THE BUILDING AND STANDARDS COMMISSION.**

Mr. Zavala informed the Commission about the duties of the Building and Standards Commission. The seats for appointment or reappointment are for Jose Luis Muniz, Jose Vela, Monte Churchill, Yolanda Cruz and a vacant seat and the 4 alternate seats by Esmer Guerrero, John Gonzalez, Juan Martinez, and Mario Ramirez. Commissioner Hernandez made a motion to approve reappointing all current members and appoint Antonio Anzaldua III to the Vacant seat and reappoint the 4 alternate members. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION TO APPOINT OR RE-APPOINT 2 SEATS ON THE PLANNING AND ZONING COMMISSION; AND 1 ALTERNATE TO THE ZONING BOARD OF ADJUSTMENTS.**

Mr. Zavala addressed the Commission about the responsibilities of the Planning and Zoning Commission and the Zoning Board of Adjustments. Mr. Zavala stated there are two seats set to expire on the P& Z Board, which are held by Roy Gonzalez and Jose Rodriguez and an alternate seat on the Zoning Board of Adjustments held by Mirta Flores. All members wish to continue serving on the board. Mayor Pro-Tem Guajardo made a motion to re-appoint all members. Commissioner Villarreal seconded the motion, which passed unanimously.

**13.) DISCUSSION AND POSSIBLE ACTION TO APPROVE CONTRACT TO ENGAGE HECTOR BALDERAS, LLC. FOR MERCEDES SPORTS COMPLEX PHASE 1.**

Sam Garcia provided a document to the Commission and updated the Commission about Phase 1 of the Mercedes Sports Complex. Mr. Garcia stated the total contract amount for Hector Balderas, LLC is \$408,544.40 which included the base and 3 alternates. Mr. Garcia stated the City received a grant from Texas Parks and Wildlife in the amount of \$500,000 which the bid came in at a lesser price. Mr. Garcia said alternate 3 will not be paid with the grant money but will be withdrawn from the allocated money for the remediation and improvements of the existing trails at the park. Mr. Garcia informed the Commission that the AIA documents come together to form the owner/contractor agreement. The handout highlighted the items being provided by the contractor and by the City due to the City being able to purchase through buyboard. Mr. Garcia stated the specification had a timeline of 180 days for construction. Mr. Zavala stated he would like a meeting in the near future for pre-construction. At a question, Mr. Molina stated he has read the contract. Mayor Pro-Tem Guajardo made a motion to approve contract to engage Hector Balderas, LLC for Mercedes Sports Complex Phase 1. Commissioner Villarreal seconded the motion, which passed unanimously. Commissioner Wade wanted clarification on the grant money that is left. Mr. Garcia stated that money can be used to purchase items that are not provided by the general contractor but are required by the grant. Mr. Garcia will provide a memo to the Commission on the exact amount of money left over from the grant.

**14.) DISCUSSION AND POSSIBLE ACTION TO APPOINT DR. BETO ALANIS TO THE AMBULANCE ADVISORY BOARD.**

Mr. Zavala addressed the Commission regarding the Ordinance to create an Ambulance Advisory Board. The only seat not filled was the Medical Director. Dr. Beto Alanis expressed interest in serving on the board. Mayor Hinojosa made a motion to appoint Dr. Beto Alanis to the Ambulance Advisory Board. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

**15.) DISCUSSION AND POSSIBLE ACTION TO AWARD BID RECEIVED FOR LORENZANA ROAD WATER LINE AND ENTER INTO CONTRACT WITH ROTH EXCAVATING INC.**

Mr. Zavala addressed the Commission about receiving a letter from LeFevre engineering to table this item in order to get the necessary easements to proceed in awarding the Contract. Mayor Hinojosa made a motion to table item 15. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

**16.) DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION #2019-02 ADOPTING THE WORKPLAN AND BUDGET FOR URBAN COUNTY PROGRAM YEAR 32. (2019)**

Mr. Zavala informed the Commission about the programs requesting assistance from the Urban County program Year 32. Mayor Hinojosa stated he would like the amount for Nuestra Clinica del Valle has requested \$13,000 this year and would like to continue giving \$10,000 and allocate the remaining amount to the new clinic. Mayor Pro-Tem Guajardo made a motion to approve resolution #2019-02 as outlined. Commissioner Villarreal seconded the motion, which passed unanimously.

17.) **TABLED: DISCUSSION AND POSSIBLE ACTION ON AMENDING CONTRACT WITH ARMANDO MARTINEZ, ADMINISTRATOR OF RECORD, TO INCREASE MONTHLY RETAINER.** Mayor Pro-Tem Guajardo made a motion to un-table item 17. Commissioner Villarreal seconded the motion, which passed unanimously.

Mr. Zavala informed the Commission about the changes to the Contract which includes increasing the monthly retainer from \$3,000 to \$4,000 per month. Mayor Pro-Tem Guajardo made a motion to approve amending contract with Armando Martinez. Commissioner Wade seconded the motion, which passed unanimously.

**18.) OPEN FORUM:**

Mr. Jose Gomez addressed the Commission about his disapproval with the City of Mercedes' commercial. Mr. Leonel Benavidez addressed the Commission about the elections, importance of attending City meetings, and voter turnout.

Mayor Hinojosa called the meeting into executive session at 7:11 pm. No action will be taken at this time.

**19.) 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.
- DISCUSSION BY MARK HANNA REGARDING ECONOMIC DEVELOPMENT PROJECT. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.
- UPDATE ON ECONOMIC DEVELOPMENT PROJECTS BY EXECUTIVE DIRECTOR MELISSA RAMIREZ. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.

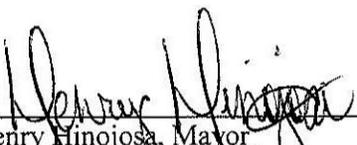
Mayor Hinojosa called the meeting back to order at 8:46 P.M.

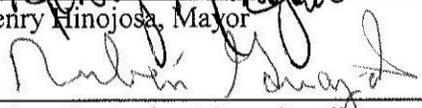
**20.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSION IN EXECUTIVE SESSION.**

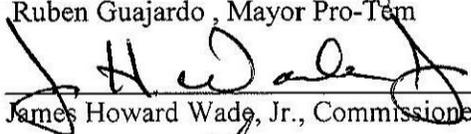
No action will be taken on the items discussed in executive session.

**21.) ADJOURN.**

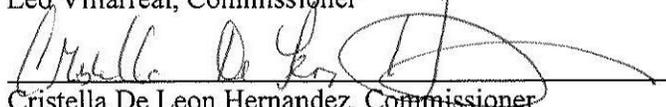
Mayor Hinojosa made a motion to adjourn the meeting. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously. Meeting was adjourned at 8:47 P.M.

  
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Henry Hinojosa, Mayor

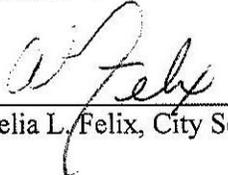
  
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Ruben Guajardo, Mayor Pro-Tem

  
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James Howard Wade, Jr., Commissioner

  
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Leo Villarreal, Commissioner

  
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Cristella De Leon Hernandez, Commissioner

ATTEST:

  
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Arcelia L. Felix, City Secretary

