

**MERCEDES CITY COMMISSION
REGULAR MEETING
JULY 19, 2022 – 6:30 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Oscar D. Montoya Sr.	Mayor
	Joe Martinez	Mayor Pro-Tem(webex)
	Jacob Howell	Commissioner
	Ruben Saldana	Commissioner
	Armando Garcia	Commissioner

STAFF PRESENT:	Alberto Perez	City Manager
	Martie Garcia-Vela	City Attorney
	Joselynn Castillo	City Secretary
	Javier Ramirez	Asst. City Manager
	Kristine Longoria	Human Resources
	Ervin Vilchis	IT Assistant
	Nereida Perez	Finance Director
	Joaquin Hernandez	Public Works Director
	Richard Morin	Recreation Direction
	Javier Campos	Fire Chief

OTHERS PRESENT: Axel Vallejo, Brianna Casares, Francisco Sanchez, Isaias Rodriguez, Orlando Diaz, Jose Hernandez , Janel Caso (Perdue), Romeo Cantu (Perdue), and Hiram Gutierrez (Perdue)

1. CALL MEETING TO ORDER.

Mayor Montoya welcomed everyone and called the meeting to order at 6:30 P.M.

2. ESTABLISH QUORUM

Four members present. Mayor Pro-Tem Martinez logged into webex during open forum, which constitutes a full commission.

3. INVOCATION

Commissioner Saldana said the invocation.

4. PLEDGE OF ALLEGIANCE

Commissioner Howell led in the pledge of allegiance.

5. OPEN FORUM

- Mr. Ramon Mejia addressed the Commission about the old swimming pool had a double tower to dive from. If the children can enjoy heaven why can't they enjoy the swimming pool. The lifeguard's position should have been open since June. Did the City plan to open the swimming pool and budget for it? Why didn't Alberto Perez do something to open the swimming pool. The swimming pool is important to help the children exercise and socialize. It helps relieve stress. Mr. Mejia stated the mayor can open the swimming pool.
- Mr. Leonel Benavidez addressed the Commission about the audit of 2022. There was 7 findings and several corrections to be made. The public wants to see where the leaders are. Looking back at 2020 there was 5 findings and 26 corrective adjustments and currently 7 findings and 63 corrective measures. EMS issue should not be a problem in years to come, the issue has to do with accountability for the transactions. There are concerning issues and

more findings with this commission than in prior years. A retired teacher of Mercedes was seen attending the sonic opening and the gentleman was denied teaching constitutional rights in the City of Mercedes. Mr. Benavidez expressed his concern with COVID precautions.

6. PRESENTATIONS:

a. Perdue Property Tax Collections Report for FY 21-22

Mr. Hiram Gutierrez presented to the Commission have had 1,210 phone calls, mailed 1,457 letters, 304 address updates, 28 field inspections, and entered into 5 payment agreements. Mr. Gutierrez stated that if the efforts do not have the desired affect of payment, they enter into litigation, in which they have filed 25 petitions totaling \$100,256.43 in base tax and seven bankruptcies in the amount of \$18,197.02 in base tax. They have sold 3 properties in the amount of \$6,695.33 and struck-off one in the amount of \$8,741.41. The collections from October 2021 to June 2022 is \$277,767, \$180,979 in delinquent base and \$96,788 in penalties and interest, which is an increase of \$36,491 from the previous year. Collections in percentage has increased from 16.56% to 19.71% percent. Commissioner Howell asked for the percentage amount to bring in to the city. Mr. Gutierrez stated there is a high amount that can still be collected. Mr. Gutierrez stated he would provide Mr. Perez with the return mail amount. At a question, Mr. Gutierrez stated they look at the amount owed and the years of delinquency.

7. CONSENT AGENDA:

a. Second and final reading of Ordinance No. 2022-11 approving the solid waste fees

b. Second and final reading of Ordinance No. 2022-12 regarding the City's Brush Services

c. Second and final reading of Ordinance No. 2022-13 amending Ordinance 2022-08 updating he re-read fee, disconnect/reconnect fee and establishing payment arrangements.

d. Second and final reading of Ordinance No. 2022-14 appointing the members to the TIRZ Board of Directors.

e. Approval of 3rd Quarterly Investment Report.

Commissioner Saldana motioned to approve item a-d. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. Commissioner Garcia motioned to approve item 7E. Commissioner Saldana seconded. Upon a called vote, the motion passed unanimously.

8. CITY MANAGER COMMENTS:

a. Status report on Potholes and Street Repairs.

Mayor Pro-Tem Martinez and Commissioner Howell requested this item. Mr. Hernandez stated they have completed 178 work orders. Last FY there were a total of 108 work orders. There is a remaining budget of \$73,176. At a question about overlays and streets, Mr. Hernandez stated overlays need equipment to strip the street and the city does not have the equipment. Mr. Hernandez stated there are about 10 streets that are identified that need street repairs. There was discussion regarding increasing the budget for streets. At a question, Mr. Hernandez stated that about 95% of the work orders are coming in through the 311 app. In the past 30 days they have received 36 work orders for potholes from the 311 app. Commissioner Garcia would like a 5-year plan to work on the streets.

9. ORDINANCE/RESOLUTIONS: *Present, Discuss, Consider, and Possibly Take Action Regarding:*

a. Ordinance No. 2022-15 to approve the TGS RGS COSA

Mayor Pro-Tem Martinez made a motion to approve. Commissioner Saldana seconded. Upon a called vote, the motion passed unanimously. Mr. Perez stated there was a system-

wide increase for gas and this ordinance is for cities to approve a lower negotiated price than the original amount increased. The settlement equates to a \$967,040 reduction to the Company's request.

10. MANAGEMENT ITEM(S): *Present, Discuss, Consider, and Possibly Take Action Regarding:*

a. Travel Request Approval for Commissioner Saldana and Commissioner Garcia to attend the Newly Elected Officials Conference.

Mayor Pro-Tem Martinez made a motion to approve. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously. Mr. Perez stated the classes are required for newly elected officials.

11. BIDS/CONTRACTS: *Present, Discuss, Consider, and Possibly Take Action Regarding:*

a. 2023 Renewal Agreement with Lonestar Logos Management.

Lonestar logos are signs that are set up of the expressway that advertise the restaurants and hotels nearby. Commissioner Howell made a motion to approve. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

b. Renewal and Local Match for Valley Metro Bus Service for FY 2023.

Commissioner Howell motioned to approve. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

c. POSTPONED: Contract Renewal for Higher Education Training for Workforce Development Skills for Mercedes Residents.

Ms. Irma Garcia addressed the Commission and thanked the City for the partnership. Their goal is making training accessible, intensive case model and helping people move from poverty to middle class. They have served 10 Mercedes residents. Other entities refer the individuals to Mercedes VIDA. VIDA has been in existence since 1995. Ms. Maria a student at STC is doing the LVN program. She has been with VIDA since fall of 2021 and heard about them through STC. Commissioner Howell stated he is proud of her. She stated she has a counselor at VIDA and has Financial workshops on real world situations. She stated she is thankful for their support and introduced her three children who were in attendance. She is in her second level and this is the last week and will be going to her third level. There was discussion about the City's contribution amount. Helping one individual will cost about 5K, they help with tuition, books, uniforms and tools. Commissioner Howell motioned to approve in the amount of \$25K. Commissioner Saldana seconded. Upon a called vote, the motion passed unanimously.

12. DEPARTMENT MONTHLY REPORTS: Richard Morin informed the Commission about the programs. All programs are done at the dome, the only one at the recreation center is the pool. At a question, Mr. Morin stated there is a lifeguard shortage and city would need lifeguards to open the pool. Mr. Morin stated they have a certification class for becoming a lifeguard. Commissioner Howell asked about dog issues. Mr. Hernandez stated that this month they picked up 49 dogs.

ADDENDUM:

Item 8B – Continuing to search for more life guards to open the pool to the public more days out of the week. This item was moot due to the discussion under Department reports.

Item 12 – Library Department Monthly Report. No action required, included for the Commission to review. Commissioner Saldana commended Library Director on her monthly report and the level of details she includes.

Mayor Montoya called the meeting into executive session 7:46 p.m.

13. EXECUTIVE SESSION:

- a. **Discussion regarding personnel matters with the City Manager – Section 551.074**
- b. **Consultation with Attorney to form a 501(C)(3) for museum; consider Fundraiser Event and liabilities – Section 551.071**
- c. **Consultation with Attorney regarding industrial waste processing operations in city limits – Section 551.071**

Mayor Montoya called the meeting back to order at 9:48 p.m.

14. OPEN SESSION:

a. Item A from Executive Session

No action was taken on item A from executive session.

b. Item B from Executive Session

Commissioner Saldana moved to authorize the fundraising event as discussed in executive session. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

c. Item C from Executive Session

Commissioner Howell made a motion to approve subject to discussion in executive session. Commissioner Saldana seconded. Upon a called vote, the motion passed unanimously.

15. ADJOURNMENT

Mayor Montoya adjourned the meeting at 9:50 p.m.