

**CITY COMMISSION MEETING  
SPECIAL MEETING  
JUNE 26, 2020 AT 3:00 P.M.  
CITY COMMISSION CHAMBERS – MERCEDES CITY HALL**

**CITY COMMISSION PRESENT**

Mayor Henry Hinojosa  
Mayor Pro-Tem Leo Villarreal  
Cris Hernandez  
Jose Gomez  
Leonel Benavidez

**STAFF PRESENT**

Joselynn Castillo, City Secretary  
Anthony Troiani, City Attorney  
Sergio Zavala, City Manager  
Axel Vallejo, Executive Secretary  
Dago Chavez, ACM/Police Chief

**OTHERS PRESENT**

Frank San Martin

(NOTE: meeting was FB live streamed)

**1. CALL MEETING TO ORDER**

Mayor Henry Hinojosa called the meeting to order at 3:20 p.m. (NOTE: Due to posting the agenda 3 days earlier at 3:20 pm, the counsel from the City Attorney was to wait until 3:20 pm to officially call the meeting to order.)

**2. ESTABLISH QUORUM**

A quorum was present. All members of the City Commission were present, with no one being absent.

**3. INVOCATION**

City Manager Sergio Zavala expressed a prayer on behalf of those present.

**4. PLEDGE OF ALLEGIANCE**

City Commissioner Jose Gomez led those present in the Pledge of Allegiance.

**5. DISCUSSION AND POSSIBLE ACTION ON PROPOSED NEW AMENDMENT TO PROFESSIONAL SERVICES CONTRACT WITH HOLLIS RUTLEDGE & ASSOCIATES FOR ADDITIONAL SERVICES TO ADMINISTER THE CARES MONIES AS ALLOTTED TO THE CITY OF MERCEDES (COMMISSIONERS VILLARREAL & HERNANDEZ)**

City Commissioner Jose Gomez stated that on July 3, 2019, a policy was ratified that agenda items cannot come back on a City Commission agenda within 6 months, and he would like a copy of the document that reflected the 2 Commissioners who had signed-off on bringing it back.

City Attorney Anthony Troiani stated that since 2 City Commissioners on the prevailing side had signed a document to bring the agenda item back, then they could discuss and act on it.

Mayor Hinojosa said that after the meeting, he could be provided with a copy of the signed document.

Commissioner Gomez questioned that since 2 “entities” are already “helping”, why would they need a contract with Hollis Rutledge & Associates (HRA).

Mayor Pro Tem Leo Villarreal moved to approve the item, which was seconded by Commissioner Cris Hernandez.

On additional questions or comments, City Commissioner Leonel Benavidez asked about the HRA document that showed ‘June \$10,000’ as services to be rendered by HRA, i.e., how can they justify this value of work because in just a few days, the month of June will end. Mr. Frank San Martin, HRA representative, explained that the payment schedule was prepared to be in alignment with County deadlines, which was August 31, 2020. He added that although the end of the payment schedule was shown as ‘August’, the reality is that HRA will be providing administrative services until the end of the calendar year.

Upon a called vote, the motion to approve the agenda item was approved by a vote of 3-2 (Gomez & Benavidez dissenting).

**6. SECOND AND FINAL READING TO APPROVE ORDINANCE TO ESTABLISH REGULATIONS FOR PEDDLERS AND ITINERANT VENDORS AS IT RELATES TO THE OPERATION OF MOBILE FOOD VENDORS (CITY MANAGER).**

City Manager Sergio Zavala explained that this was the 2<sup>nd</sup> reading of the Mobile Food Vendors Ordinance wherein regulations were being established to allow vendors such as ice cream trucks to sell their goods in Mercedes. Such regulations limited the number of mobile food trucks to 1 for every 6000 in population.

Mayor Pro Tem asked if the initial language allowing ‘temporary structures’ had been removed. The City Manager replied that the initial language allowing temporary structures to sell food had been removed entirely from the ordinance, i.e., it was only for mobile food vending vehicles.

There being no further questions, Mayor Pro Tem moved for approval with City Commissioner Cris Hernandez seconding. Upon a called vote, the item passed unanimously.

**7. ACTION TO EXTEND EMERGENCY DECLARATION ORDER DUE TO A PUBLIC HEALTH EMERGENCY RELATED TO CORONAVIRUS DISEASE (COVID 19).**

City Manager Zavala explained that the Hidalgo County Judge Order had been received after 5pm Thursday, and then a Corrected Supplemental Order was received today by mid-morning. He also expressed that Governor Abbott’s Order was also amended this morning. Zavala requested the Commissions’ understanding in not having Mercedes’ Order in final form ready due to these changing circumstances. Regardless, a revised Order was provided with yellow high-lights. Mr. Zavala read the high-lighted portions in their entirety which included measures such as a curfew for persons 17 & under; curfew for persons 18 & older; recommendation for sheltering-at-home; travel regulations; facial masking being mandated by businesses. It was noted that the bars were also shut down earlier today (except for curbside service).

City Commissioner Leonel Benavidez said that the Governor's restrictions should be added to the City's new Order. Mr. Zavala suggested that the motion for approval could be made 'subject to assimilating the restrictions as set out by the Governor's most recent Order'.

There being no further discussion, City Commissioner Leonel Benavidez made a motion to approve the agenda item subject to assimilating the restrictions as set out in the Governor's more recent Order. Mayor Pro Tem Leo Villarreal seconded the motion. Upon a called vote, the item was unanimously approved.

**8. EXECUTIVE SESSION: A) CONSULTATION WITH THE LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071 (2) TO RECEIVE LEGAL ADVICE AND INFORMATION PROTECTED BY THE ATTORNEY CLIENT COMMUNICATION PRIVILEGE AND DELIBERATION PURSUANT TO TEXAS GOVERNMENT CODE 551.097, AND TO RECEIVE LEGAL ADVICE FROM CITY ATTORNEY REGARDING SAME.**

City Manager Sergio Zavala explained that he had been contacted by both the DCM Executive Director Melissa Ramirez, and DCM Attorney Mark Sossi requesting that this item be withdrawn from consideration. There was no discussion on the item.

**9. GENERAL SESSION: (RECONVENE)**

No discussion or action on this item.

**10. ADJOURN**

City Commissioner Leonel Benavidez moved to adjourn the meeting. Mayor Pro Tem seconded the motion. Upon a called vote, the meeting was adjourned at 3:42 p.m.