

**MERCEDES CITY COMMISSION  
REGULR MEETING  
AUGUST 1, 2017 – 6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Henry Hinojosa	Mayor	
	Ruben Guajardo	Mayor Pro-Tem	
	Cristella De Leon Hernandez	Commissioner	
	Howard Wade	Commissioner	
	Leo Villarreal	Commissioner	
	Juan R. Molina	City Attorney	
	Daniel Tijerina	City Manager	
	Arcelia Felix	City Secretary	

**MEMBERS ABSENT:** NONE

**Staff:** Sergio Zavala, Olga Maldonado, Arturo Garcia, Nereida Perez, Marisol Vidales, 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 Juan De Los Santos said the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Hernandez led in the Pledge of Allegiance.

**5.) OPEN FORUM.**

Yolanda Molina voiced her concern to the Commission about the DCM and would like a forensic audit to be done.

David Garza addressed the Commission about liens on some properties that have been paid but still appear and made some comments about Mr. Ernesto Silva.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JULY 18, 2017. B.) RATIFY APPROVAL OF TEXAS GAS SERVICE RESOLUTION 2017-09. C.) APPROVAL OF INTERLOCAL AGREEMENT WITH MISD FOR EDUCATIONAL RESOURCE OFFICER (#201708/01) D.) APPROVAL OF INTERLOCAL AGREEMENT WITH LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR E911 PUBLIC SAFETY ANSWERING POINT SERVICES (#2017/08/01B). E.) APPROVAL OF REQUEST TO DECLARE SURPLUS INVENTORY AND AUTHORIZE DISPOSAL. F.) APPROVAL OF INVESTMENT POLICY AND STRATEGY RESOLUTION #2017-10.**

Commissioner Wade made a motion to approve items under consent agenda. Commissioner Villarreal seconded the motion which passed unanimously.

**7.) DISCUSSION AND POSSIBLE ACTION OF BIDS RECEIVED FOR MERCEDES LIGHT INDUSTRIAL PARK.**

The following bids were received for the Mercedes Light Industrial Park: Jimmy Closner & Sons, LLC submitted a base bid of \$1,238,673.60, alternate 1bid for \$169,754.70, and alternate 2 bid for \$25,174.00; GLZ Construction, LLC submitted a base bid of \$1,239,096.25, alternate 1 bid for \$124,674.50, and alternate 2 bid of \$13,741.00; Rigney Construction, LLC submitted a base bid for \$1,288,366.00, alternate 1 bid for \$153,535.00, and alternate 2 bid for \$15,472.00; International Consulting Engineers submitted a base bid of \$1,332,867.25, alternate 1 bid for \$160,200.50, and alternate 2 bid for \$30,367.00; RG Enterprises, LLC submitted a base bid for \$1,398,379.59, alternate 1 bid for \$182,813.28, and alternate 2 bid for \$28,589.32; and G&T Paving, LLC submitted a base bid of \$2,078,253.25, alternate 1 bid for \$220,497.75, and alternate 2 bid for \$25,174.00. There was some discussion on the pricing, alternate bids, and the roads included in the base bid. Mr. Belmarez offered some comments to the Commission regarding the bond requirements. The City engineer has reviewed the bids and recommends that the bid be awarded to the lowest bidder. Commissioner Wade made a motion

to award the contract for the Mercedes Industrial Park to Jimmy Closner & Sons, LLC for the base bid and include Alternate 2 with new caliche. Mayor Pro-Tem Guajardo seconded the motion which passed with Commissioner Villarreal and Commissioner Hernandez voting naye.

**8.) DISCUSSION AND POSSIBLE ACTION ON REQUEST BY GARCES FAMILY TO WAIVE MOWING FEES AND ASSOCIATED COSTS TO LOT 10, BLOCK E., EBONY PARK SUBDIVISION.**

Mr. Zavala addressed the Commission saying that the required annual letter for the weedy lot was sent to the wrong address; therefore the Garces family was never made aware of the liens. Mayor Hinojosa made a motion to waive the mowing fees and associated costs on lot 10, block E, Ebony Park Subdivision. Commissioner Wade seconded the motion which passed unanimously.

**9.) DISCUSSION AND POSSIBLE ACTION AMENDING SECTION 10.38 AND 10.39 OF MERCEDES POLICE DEPARTMENT RULES AND REGULATIONS POLICY MANUAL REGARDING OUTSIDE EMPLOYMENT FOR THE MERCEDES POLICE DEPARTMENT.**

Police Chief Maldonado was present to answer questions. Chief Maldonado addressed the Commission that every request to work a second job will be looked at individually and an application must be done. Commissioner Wade made a motion to approve this item as presented by Chief Maldonado. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION OF LINE ITEM BUDGET AMENDMENT FOR PLANNING DEPT TO PUCHASE BACKHOE.**

Mr. Tijerina addressed the Commission that the backhoe is needed for clearing out brush. Commissioner Wade made a motion to approve this item. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

**11.) DISCUSSION AND POSSILBE ACTION TO ENGAGE BURTON, MCCUMBER, & CORTEZ, LLP TO REVIEW DEVELOPMENT CORPORATION OF MERCEDES, INC. FINANCIAL STATEMENTS FOR THE LAST THREE FISCAL YEARS.**

City Manager Tijerina stated that there was a need to engage Burton, McCumber & Cortez to review the financial statements of the DCM. Mayor Pro-Tem Guajardo made a motion to engage Burton, McCumber & Cortez to review DCM financial statements for the last three fiscal years. Mayor Hinojosa seconded the motion which passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 6:54 pm. No action will be taken during Executive Session

**12.) EXECUTIVE SESSION:**

**-DISCUSSION REGARDING DUTIES AND RESPONSIBLITIES OF THE CITY MANAGER. - SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. - PERSONNEL.  
-ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071, TEXAS LOCAL GOV'T CODE TO PROVIDE LEGAL ADVICE IN CONNECTION WITH PENDING LITIGATION STYLED AND NUMBERED AS FOLLOWS: RICARDO GARCIA V CITY OF MERCEDES, ET. AL., CAUSE NO. C-2093-17-A (92<sup>ND</sup> JUD. DIST. COURT – HIDALGO COUNTY, TEXAS)**

Mayor Hinojosa called meeting back to order at 8:19 pm.

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

Mayor Pro-Tem Guajardo made a motion to approve and proceed as discussed in executive session. Mayor Hinojosa seconded the motion which passed with Commissioner Villarreal abstaining from the vote.

**14.) ADJOURN.**

There being no further items to be discussed, Mayor Hinojosa made a motion to adjourn the meeting. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously and the meeting was adjourned at 8:20 PM.