

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
AUGUST 15, 2017 – 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>Leo Villarreal</b>	<b>Commissioner</b>
	<b>Cristella De Leon Hernandez</b>	<b>Commissioner</b>
	<b>Daniel Tijerina</b>	<b>City Manager</b>
	<b>Juan R. Molina</b>	<b>City Attorney</b>

**MEMBERS ABSENT: NONE**

**Staff: Joselynn Castillo, Sergio Zavala, Marisol Vidales, Rayvn Hinojosa, and Olga Rosas.**

**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 Jaques said the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Wade led in the Pledge of Allegiance.

**5.) OPEN FORUM-**

Ms. Dalia Pena had signed up to speak before the Commission, however, she did not state the topic she was to speak about she said she would not address the Commission.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD AUGUST 1, AND AUGUST 5, 2017. B.) APPROVAL OF 2017-2018 FISCAL YEAR INTERLOCAL AGREEMENT WITH COUNTY OF HIDALGO FOR URBAN COUNTY PROGRAM -#2017/08/05. C.) APPROVAL OF CONTRACT WITH JIMMY CLOSNER & SONS CONSTRUCTION CO. INC. FOR STREET, DRAINAGE, AND UTILITY IMPORVEMENTS FOR LIGHT INDUSTRIAL PARK #2017/08/15B.**

Commissioner Villarreal made a motion to approve items under consent agenda. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

**7.) DISCUSSION AND POSSIBLE ACTION OF FINAL PLAT OF EL NORTE SUBDIVISION 11.29 ACRES, LOT 131, SOUTH CAMPACUAS ADDITION TO THE CAPISALLO RMH MOBILE HOME (ZONE).**

Mr. Sergio Zavala informed the Commission that this proposed development proposed 33 RV spaces. All the internal streets will be paved and are private streets. A public street light will be installed and the monthly fee will be paid by the City. The water and sewer will be provided by the City. Mr. Zavala went over other items regarding the proposed subdivision. He concluded by saying that Planning and Zoning and staff are recommending approval of the plat subject to: approval of the service agreement to monitor private hire hydrants; and providing 3 signed and sealed "as-builts" of the built infrastructure (inclusive of such plans on electronic format previously accepted by the City of Mercedes.)

Mayor Pro-Tem Guajardo made a motion to approve the final plat of El Norte Subdivision as presented. Commissioner Wade seconded the motion which passed unanimously.

**8.) PRESENTATION OF 2017 EFFECTIVE TAX RATE AND DISCUSSION AND POSSIBLE ACTION TO APPROVE THE 2017 PROPOSED TAX RATE AT A FUTURE MEETING AND APPROVING THE TWO PUBLIC HEARING DATES.**

Finance Director Nereida Perez stated that the budget has been discussed using last year's tax rate which is 0.745 with the proposed rate remaining the same. The effective rate is \$.7175 and the rollback rate is .8310.

Commissioner Wade made a motion to set public hearings at 6:00 PM on August 29<sup>th</sup> and on September 5, 2017 on the proposed tax. Commissioner Villarreal seconded the motion, which passed unanimously.

**9.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2017- 05 AMENDING ZONING ORDINANCE NO. 26, AS AMENDED TO INCLUDE A REAR YARD BUILDING SETBACK FOR ACCESSORY STRUCTURES.**

Mr. Zavala stated that Ordinance No. 26 was adopted in 1956 with a minimum rear yard building setback of 20' for some residentially-related zoning districts. It seems that the 20' setback was intended for primary structures only and not accessory structures which are non-living areas. Mr. Zavala is recommending a proposed amendment to the ordinance to allow for a 4' rear yard setback for accessory structures.

Mayor Hinojosa made a motion to approve the first reading of Ordinance No. 2017-04 amending Zoning Ordinance No. 26, as amended to include a rear yard building setback for accessory structures. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2017- 06 UPDATING AND/OR ESTABLISHING PLANNING-RELATED FEE RATE STRUCTURE.**

Mr. Zavala addressed the Commission regarding fees currently been assessed by the City for planning services, saying that some of the fees have remained unchanged for 40 to 60 years. The publication fees alone have increased drastically since then and he is recommending changes to the fee structure for some of the services. Mayor Pro-Tem Guajardo made a motion which he withdrew that the fees should be a pass-through.

Mayor Pro-Tem Guajardo then made a motion to approve the first reading of Ordinance No. 2017-07 updating and/or establishing planning related fee rate structure. Commissioner Villarreal seconded the motion which passed unanimously.

**11.) DISCUSSION AND POSSIBLE ACTION OF CONTRACT AGREEMENT BETWEEN THE CITY OF MERCEDES AND TEXAS PARKS AND WILDLIFE COMMISSION- PROJECT NUMBER 50-000495.**

Mr. Tijerina informed the Commission that Texas Parks and Wildlife had approved a \$1 Million grant proposal to develop a Sports Complex community park which is located to the west of the Community Safe Room/Recreation Facility on North Vermont. The project includes a \$500,000 contribution from Texas Parks & Wildlife, \$350,000 for the land which the City has already acquired and \$150,000 from the City. A power point was presented to the audience and Commission.

Commissioner Wade made a motion to approve the contract agreement with Texas Parks and Wildlife Commission for the development of a Sports Complex Community Park. Mayor Hinojosa seconded the motion which passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION REGARDING TCAP ELECTRIC SUPPLY.**

Mr. Tijerina stated that this item would not be presented due to his waiting for some information from TCAP.

**13.) DISCUSSION AND POSSIBLE ACTION ON FIRST READING OF ORDINANCE NO. 2017 - 07 ESTABLISHING A POLICY OF STEWARDSHIP FOR UTILITY SERVICE CONNECTIONS TO WATER AND WASTEWATER SYSTEMS.**

Mr. Zavala addressed the Commission reporting that this item stemmed from discussions at a workshop. Currently, the citizens are responsible for all costs to connect to water and sewer lines, including paying for any costs involved including open cut costs to streets. The most equitable way is that any work line done on city right of way would be the responsibility of the City and any line work on private property would be done by the owner.

Mayor Hinojosa made a motion to approve the first reading of Ordinance No. 2017-07 establishing a policy of stewardship for utility service connections to water and wastewater systems. Commissioner Villarreal seconded the motion which passed unanimously.

**14.) PRESENTAION OF DEPARTMENT MONTHLY REPORTS- LIBRARY WILL HAVE A POWER POINT PRESENTATION.**

The monthly reports were included for the City Commission's information. The Library proceeded to make a presentation on the upcoming electronic library.

Mayor Hinojosa called the meeting into executive session at 6:40 P.M.

**15.) EXECUTIVE SESSION:**

**-DISCUSSION REGARDING DUTIES AND RESPONSIBILITES OF THE CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODES ANNOTATED. – PERSONNEL.**

No action will be taken on the items discussed in Executive Session.

Mayor Hinojosa called meeting back to order at 7:11 P.M.

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

No action will be taken on this item.

**17.) ADJOURN.**

Mayor Hinojosa made a motion to adjourn. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously. Meeting was adjourned at 7:11 P.M.