

**MERCEDES CITY COMMISSION
REGULR MEETING
NOVEMBER 21, 2017 – 6:00 P.M.
MERCEDES CITY HALL - COMMISSION CHAMBERS**

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Ruben Guajardo	Mayor Pro-Tem
	Howard Wade	Commissioner
	Leo Villarreal	Commissioner
	Cris De Leon Hernandez	Commissioner
	Sergio Zavala	City Manager
	Juan R. Molina	City Attorney

MEMBERS ABSENT: NONE

Staff: Marisol Vidales, Nereida Perez, Tommy Ureste, Maria Salinas, Joselynn Castillo, and Melissa Ramirez from EDC (Present only for Item 9)

1.) CALL MEETING TO ORDER.

Mayor Hinojosa welcomed 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.

Pastor Rick Lavelle said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Hernandez led in the Pledge of Allegiance.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD NOVEMBER 6, 2017. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2017-19 TO PROVIDE THE RIGHT TO THE CITY COMMISSION TO INITIATE REZONING ON PROPERTIES. C.) RATIFICATION OF FIRE DEPARTMENT PROGRAM: RURAL VOLUNTEER FIRE DEPT. ASSISTANCE PROGRAM (HB2604) FOR TRAINING. D.) REQUEST AUTHORIZATION TO SOLICIT PROPOSALS FOR CODIFICATION. E.) APPROVAL OF REQUEST BY CH2MHILL (OMI) TO USE CIVIC CENTER ON DECEMBER 12, 2017 TO HOST MEETING AND WAIVE FEES. F.) APPROVAL OF REQUEST BY MERCEDES BAND BOOSTERS TO USE CIVIC CENTER ON JANUARY 20, 2018 FOR FUNDRAISER AND WAIVE FEES. G.) APPROVAL OF ENGINEERING CONTRACT WITH LEFEVRE ENGINEERING AND MANAGEMENT CONSULTING, LLC. (2017/11/21A) H.) APPROVAL OF PROPOSAL SUBMITTED BY TMLIEBP AND DEARBORN FOR GROUP HEALTH AND GROUP LIFE & AD&D RESPECTIVELY. (#2017/11/21B) I.) APPROVAL OF CONTRACT WITH SAM GARCIA ARCHITECT, LLC FOR MERCEDES SPORTS COMPLEX COMMUNITY PARK PHASE 1-B. (#2017/11/21C) J.) APPROVAL OF CONTRACT EXTENSION WITH WASTE CONNECTIONS OF TEXAS- RGV. (#2017/11/21D) K.) APPROVAL OF REQUEST TO DECLARE SURPLUS INVENTORY AND AUTHORIZE DISPOSAL. L.) REQUEST AUTHORIZATION TO SEEK CONSULTING SERVICES TO PROVIDE A WATER AND WASTEWATER FEE RATE STUDY. M.) APPROVAL OF CONTRACT WITH RABA-KISTNER, INC. (#2017/11/21E)

Mayor Pro-Tem Guajardo made a motion to go through the items under consent agenda one by one. Commissioner Villarreal seconded the motion which passed unanimously. Mayor Hinojosa proceeded to go through the items individually.

- A.) Mayor Pro-Tem Guajardo made a motion to approve the minutes for November 6, 2017. Mayor Hinojosa seconded the motion which passed unanimously.
- B.) Mayor Pro-Tem Guajardo made a motion to approve the second and final reading of Ordinance No. 2017-19. Commissioner Villarreal seconded the motion which passed unanimously.
- C.) Mayor Pro-Tem Guajardo to approve the ratification of fire department program. Commissioner Wade seconded the motion which passed unanimously.
- D.) Mayor Pro-Tem Guajardo made a motion to approve the request to solicit proposals for codification. Mayor Hinojosa seconded the motion which passed unanimously.
- E.) Mayor Pro-Tem Guajardo made a motion to approve the request by CH2MHill to use civic center. Commissioner Villarreal seconded the motion which passed unanimously.
- F.) Mayor Pro-Tem Guajardo made a motion to approve the request by the Mercedes Band Boosters to use the civic center. Mayor Hinojosa seconded the motion which passed unanimously.

- G.) Mayor Pro-Tem Guajardo made a motion to approve the contract with LeFevre Engineering. At a question, Mr. Zavala stated that the monthly retainer fee of \$3,000 has been extracted from the contract. Commissioner Villarreal seconded the motion which passed unanimously.
- H.) Mayor Pro-Tem Guajardo made a motion to approve the proposal submitted by TMLIEBP and Dearborn. Commissioner Wade seconded the motion which passed unanimously.
- I.) Mayor Pro-Tem Guajardo made a motion to approve the contract with Sam Garcia Architect. At a question, Mr. Zavala stated that the issue with the architect contract has been resolved. Commissioner Villarreal seconded the motion which passed unanimously.
- J.) Mayor Pro-Tem Guajardo made a motion to table the contract extension with Waste Connections for clarification. Commissioner Villarreal seconded the motion which passed unanimously.
- K.) Mayor Pro-Tem Guajardo made a motion to approve the items for surplus. Commissioner Wade seconded the motion which passed unanimously.
- L.) At a question, Mr. Zavala stated that after speaking with Dr. Andrew of UTRGV, there is no set fee as they are looking at a fee rate study and not a comparison module. The cost would be estimated around \$5,000. Mayor Pro-Tem Guajardo made a motion to approve the consulting services. Mayor Hinojosa seconded the motion which passed unanimously.
- M.) Mayor Pro-Tem Guajardo made a motion to approve the contract with Raba-Kistner, Inc. Commissioner Villarreal seconded the motion which passed unanimously.

6.) DISCUSSION AND POSSIBLE ACTION TO APPROVE INCIDENTAL EXPENDITURES FOR PUBLIC INFRASTRUCTURAL NEEDS AS PROPOSED BY PUBLIC WORKS.

Mr. Zavala addressed the Commission about items being requested by Public Works that are needed to provide sewer services, meter relocates, and fire hydrants that need to be replaced. The three companies that were approached were Ferguson whose bid was \$35,982.04, Core & Main whose bid was \$36,271.34, and Aguaworks whose bid was \$40,561.04. Mayor Pro-Tem Guajardo asked that we consider going with the local company which is Aguaworks. Mayor Pro-Tem Guajardo made a motion to go with Aguaworks for infrastructural needs. Commissioner Wade commented that the amount is a big difference from the lower bid. Commissioner Villarreal then stated that Aguaworks already helps out the city with trouble shooting meters and emergency calls after hours. Commissioner Villarreal seconded the motion which passed unanimously. At a question, Mr. Molina stated there was enough on the record to go with the higher bid after the discussion.

7.) DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF 100 WATER METERS RELATED TO THE NORTH ALAMO WATER SUPPLY CORPORATION BUYOUT AGREEMENT.

Mr. Zavala addressed the Commission about authorizing the purchase of the needed 100 meters which will cost \$26,250. North Alamo Water Supply will be sending out notices to the customers that will be transitioned to the City of Mercedes. Mr. Zavala stated the City needs to be ready when NAWSC removes their meters. Mayor Pro-Tem Guajardo made a motion to approve the purchase of 100 meters. Commissioner Villarreal seconded the motion which passed unanimously.

8.) DISCUSSION AND POSSIBLE TO ALLOCATE \$60,000 TOWARDS THE CONTINUATION OF "LITTLE NASHVILLE".

Mr. Zavala addressed the Commission about allocating \$60,000 to fund the economic development effort. Mr. Zavala stated that there is an estimate of \$6,000 per event for the next 10 months which will fall within budget. Mayor Pro-Tem Guajardo made a motion to approve allocating \$60,000 from the Hotel/Motel sales tax fund for the continuation of "Little Nashville". Commissioner Villarreal seconded the motion which passed unanimously. Commissioner Hernandez stated to get local vendors.

9.) DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE PAYMENT TO BURTON, MCCUMBER & CORTEZ LLP FOR THE DCM FORENSIC AUDIT.

Mr. Zavala addressed the Commission about authorizing payment to Burton, McCumber & Cortez LLP for the DCM Forensic Audit. Mr. Zavala stated that the forensic audit was provided exclusively to City Attorney, Mr. Molina. Mr. Zavala recommends approval of payment in the amount of \$15,237.95. Mayor Hinojosa made a motion to authorize payment to Burton, McCumber & Cortez. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

10.) DISCUSSION AND POSSIBLE ACTION OF RESOLUTION #2017-13 ADOPTING THE WORKPLAN AND BUDGET FOR URBAN COUNTY PROGRAM YEAR 31 (2018).

Mr. Zavala addressed the Commission about adopting the workplan and budget for Urban County Program for year 31. Mr. Zavala stated that \$248,834 was the estimated amount for next year's urban county program. A pre-determined amount is earmarked to pay-off the street bond project. Mr. Zavala stated the remaining balance is \$105,568. After speaking with Urban County officials, they indicated the funds will be released in December 2017. Commissioner Wade made a motion to approve Resolution #2017-13. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

11.) DISCUSSION AND POSSIBLE ACTION TO APPROVE THE 5-YEAR CONSOLIDATED PLAN'S PRIORITIES RATING LIST. (URBAN COUNTY)

Mr. Zavala informed the Commission that the items that would rate high on the needs assessment for Mercedes would include Parks, Recreational Facilities, Flood Drain Improvements, Water and sewer Improvements, Street Improvements, Clearance and Demolition, and Code Enforcement. Other items rated moderate include senior, youth, and health services. Mr. Zavala recommends approval. Commissioner Wade made a motion to approve the 5-year consolidated plan's priorities rating list. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

12.) PRESENTATION OF DEPARTMENT MONTHLY REPORTS.

The monthly reports are included for the Commission to review.

13.) OPEN FORUM-

Mr. David Garza addressed the Commission for his gratitude on the fast response from the public works department's animal control.

Mayor Hinojosa called meeting into Executive Session at 6:26 pm.

14.) EXECUTIVE SESSION:

-DISCUSSION REGARDING DUTIES AND RESPOSIBILITIES OF THE ASSISTANT CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. – PERSONNEL.

- DISCUSSION REGARDING PROJECT LM. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.

-DISCUSSION REGARDING PROJECT REYNOSO. (UPDATE) – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.

-DISCUSSION REGARDING PROJECT COLLEGE. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.

-DISCUSSION REGARDING PROJECT ORCHARD VILLAGE. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.

-DISCUSSION REGARDING PROJECT ST. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.

-DISCUSSION CONCERNING PROJECT HEALTH. SECTION 551.072, TEXAS GOVERNMENT CODES ANNOTATED – REAL ESTATE.

Mayor Hinojosa called the meeting to order at 8:10 pm.

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

Mayor Pro-Tem Guajardo made a motion to approve Project LM, Project Reynosos, table Project College, approve Project Orchard Village, deny Project ST, and approve Project Health. Commissioner Wade seconded the motion which passed unanimously.

18.) ADJOURN.

Mayor Hinojosa made a motion to adjourn. Commissioner Wade seconded the motion which passed unanimously. Meeting was adjourned at 8:11 pm.