

**MERCEDES CITY COMMISSION
REGULAR MEETING
MARCH 20, 2018 – 6:00 P.M.
MERCEDES CITY HALL - COMMISSION CHAMBERS**

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Ruben Guajardo	Mayor Pro-Tem
	Howard Wade	Commissioner
	Leandro Villarreal	Commissioner
	Cristella De Leon Hernandez	Commissioner
	Sergio Zavala	Assistant City Manager
	Juan R. Molina	City Attorney
	Arcelia L. Felix	City Secretary

MEMBERS ABSENT: NONE

Staff: Marisol Vidales, Nereida Perez, Olga Maldonado, Tommy Ureste, Jose Figueroa, and Joselynn Castillo.

1.) CALL MEETING TO ORDER.

Mayor Hinojosa welcomed everyone 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 Levell said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Villarreal led in the Pledge of Allegiance.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD MARCH 6, 2018. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2018-06 ZONING ORDINANCE NO. 26, AS AMENDED, TO INCLUDE “TEMPORARY STRUCTURES USED FOR TEMPORARY PURPOSES” IN THE CLASS ‘A’ BUSINESS ZONING DISTRICT. C.) SECOND AND FINAL READING OF ORDINANCE NO. 2018-07 AMENDING SIGN ORDINANCE NO. 2000-03 TO INCREASE THE HEIGHT OF GROUND POLE SIGNS ALONG THE EXPRESSWAY CORRIDOR. D.) SECOND AND FINAL READING OF ORDINANCE NO. 2018-08 AMENDING ORDINANCE NO. 2000-12 WHICH REGULATES THE PARKING OF TRACTOR TRAILERS. E.) APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF HIDALGO, TEXAS AND THE CITY OF MERCEDES, TEXAS ON BEHALF OF DR. HECTOR P. GARCIA MEMORIAL LIBRARY. F.) APPROVAL TO AWARD CONTRACT TO FRANKLIN LEGAL PUBLISHING, INC. TO PROVIDE COMPREHENSIVE CODIFICATION OF CITY ORDINANCES. G.) APPROVAL OF FIRST READING OF ORDINANCE NO. 2018-11 TO APPROVE NEGOTIATED TERMS BETWEEN TEXAS GAS SERVICE AND THE CITY OF MERCEDES, ET. AL., ON THE COST OF SERVICE ADJUSTMENT (COSA) TARIFF.

Mayor Pro-Tem Guajardo made a motion to approve all items under consent agenda but stated that he still disagrees with Ordinance 2018-08, regulating the parking of tractor trailers. Commissioner Villarreal seconded the motion which passed unanimously. Mr. Zavala elaborated on Ordinance 2018-08.

Mayor Hinojosa opened the public hearing at 6:06 P.M.

6.) PUBLIC HEARING AND SUBSEQUENT FORMAL ACTION REGARDING PROPOSED HISTORIC DISTRICT OVERLAY ZONE LOCATED AT 320 S. MISSOURI AVE, MORE PARTICULARLY DESCRIBED AS MERCEDES ORIGINAL TOWNSITE, N. ½ - 15 & S ½ - 16 BLK 15, MERCEDES HIDALGO COUNTY, TEXAS. THE ENTITY MAKING THE REQUEST IS THE CITY OF MERCEDES.

-FIRST READING OF ORDINANCE NO. 2018-09 REGARDING A HISTORIC DISTRICT OVERLAY ZONE LOCATED AT 320 S. MISSOURI AVE. MORE PARTICULARLY DESCRIBED AS MERCEDES ORIGINAL TOWNSITE N. ½ - 15 & S ½ - 16, BLK 15, MERCEDES, HIDALGO COUNTY, TEXAS.

Library Director Marisol Vidales addressed the Commission about designating 320 S. Missouri Ave. a historical home. Ms. Vidales stated the home was built between 1918 and 1924 and is a Craftsman Style home. Ms. Sandra Gomez is the owner and approached Ms. Vidales about making her home historic. After no further comments from the public, the Mayor closed the public hearing at 6:09 P.M.

Commissioner Wade proceeded to make a motion to approve the first reading of Ordinance 2018-09 designating a Historic District Overlay the home located at 320 S. Missouri Ave. described as Mercedes Original Tonwsite, N. ½-15 & S ½-16, Blk. 15, Mercedes, Hidalgo County, Texas. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

7.) DISCUSSION AND POSSIBLE ACTION ON CONTRACT WITH ARCHITECT SAM GARCIA FOR PHASE 1-B OF THE MERCEDES SPORTS COMPLEX PROJECT AS FUNDED BY THE TEXAS PARKS AND WILDLIFE.

Mr. Zavala addressed the Commission about Mr. Sam Garcia agreeing to the changes to the contract. Mayor Pro-Tem Guajardo made a motion to approve the contract with Sam Garcia for Phase 1-B of the Mercedes Sports Complex Project. Commissioner Villarreal seconded the motion which passed unanimously.

8.) DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2018-10 THAT REFLECTS AN UPDATED EMERGENCY MANAGEMENT PLAN.

Fire Chief Tommy Ureste addressed the Commission about updates to the Emergency Management Plan. Mr. Ureste stated the Emergency Management Plan must be updated every 5 years and was last updated in 2013. Mayor Pro-Tem Guajardo made a motion to approve the first reading of Ordinance No. 2018-10 updating the Emergency Management Plan. Commissioner Villarreal seconded the motion which passed unanimously.

9.) APPROVAL OF THE REQUEST FOR PAYMENT FROM JIMMY CLOSNER & SONS FOR THE INFRASTRUCTURE CONSTRUCTION WORK AT THE MERCEDES LIGHT INDUSTRIAL PARK SUBDIVISION.

Mr. Zavala addressed the Commission regarding the payment request from Jimmy Closner & Sons. Mr. Zavala stated the amount due is \$239,549.10 - the City's project engineer has approved the work and invoice. AT&T has agreed to relocate their equipment in order for the contractor to fully pave the affected streets. Commissioner Villarreal made a motion to approve the request for payment from Jimmy Closner & Sons as presented. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

10.) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE NO. 2018-12 AMENDING UTILITY RATE ORDINANCE NO. 2016-14 TO ESTABLISH RATES FOR UN-METERED LOTS THAT CONNECT TO SANITARY SEWER.

Mr. Zavala introduced the new public works director, Jose Figueroa, to the Commission. Mr. Figueroa addressed the Commission about an ordinance establishing sewer rates for residents who have properties without city water that would like to connect to sanitary sewer. Mayor Pro-Tem Guajardo made a motion to approve the first reading of Ordinance No. 2018-12. Commissioner Wade seconded the motion which passed unanimously.

11.) PRESENTATION OF MONTHLY REPORTS.

Department reports are included for the Commission's review. Police Chief Olga Maldonado addressed the Commission about the live stock show and recognized all the law enforcement agencies that assisted. Chief Maldonado handed the Commission a report on citations issued and the revenues the city has earned.

Mayor Hinojosa called the meeting into Executive Session at 6:23 P.M.

12.) EXECUTIVE SESSION:

- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE ASSISTANT CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. – PERSONNEL.
- DISCUSSION REGARDING PUBLIC WORKS DIRECTOR. – SECTION 551.074 TEXAS GOVERNMENT CODE ANNOTATED. – PERSONNEL.
- DISCUSSION REGARDING FIRE DEPARTMENT PERSONNEL AS EMTS IN POSSIBLE AMBULANCE SERVICE. – SECTION 551.074 TEXAS GOVERNMENT CODES ANNOTATED. – PERSONNEL.
- DISCUSSION OF WALKING TRAIL – SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. – POTENTIAL LITIGATION.
- DISCUSSION REGARDING TEXAS VALLEY COMMUNITIES FOUNDATION – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.
- UPDATE REGARDING MERCEDES INVESTMENTS, LP PROJECT (KAMEL) – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.
- ATTORNEY CONSULTATION PURSUANT TO SECTION 551.071, TEXAS GOV'T CODE, TO PROVIDE LEGAL ADVICE AND COUSEL IN CONNECTION WITH THE LAWSUIT STYLED AND NUMBERED, RICHARD & DAHLIA GARCIA VS. CITY OF MERCEDES, ET. AL., CAUSE NO. C-2093-7-A (92ND JUD. DISTRICT COURT HIDALGO COUNTY, TEXAS), AND RELATED LEGAL ISSUES.

Mayor Hinojosa called the meeting to order at 8:40 P.M.

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

DISCUSSION AND POSSIBLE ACTION REGARDING LAWSUIT STYLED AND NUMBERED, RICHARD & DAHLIA GARCIA VS. CITY OF MERCEDES, ET. AL., CAUSE NO. C-2093-7-A.

Mayor Pro-Tem Guajardo made a motion authorize City Manager and City Attorney to proceed as discussed in executive session. Commissioner Villarreal seconded the motion which passed unanimously.

14.) ADJOURN.

Mayor Pro-Tem Guajardo made a motion to adjourn. Commissioner Wade seconded the motion which passed unanimously. Meeting was adjourned at 8:41 P.M.