

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
APRIL 3, 2018 – 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>Leandro Villarreal</b>	<b>Commissioner</b>
	<b>Cristella De Leon Hernandez</b>	<b>Commissioner</b>
	<b>Sergio Zavala</b>	<b>Assistant City Manager</b>
	<b>Juan R. Molina</b>	<b>City Attorney</b>
	<b>Arcelia L. Felix</b>	<b>City Secretary</b>

**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.**

Commissioner Howard Wade 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 20, 2018. B.) SECOND AND FINAL 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. C.) SECOND AND FINAL READING OF ORDINANCE NO. 2018-10 THAT REFLECTS AN UPDATED EMERGENCY MANAGEMENT PLAN. D.) SECOND AND FINAL 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. E.) SECOND AND FINAL READING OF ORDINANCE NO. 2018-12 AMENDING UTILITY RATE ORDINANCE NO. 2016-14 TO ESTABLISH RATES FOR UN-METERED LOTS THAT CONNECT TO SANITARY SEWER. F.) ACTION TO ENTER INTO A MOU WITH THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT – HOMELAND SECURITY INVESTIGATIONS INCLUSIVE OF REIMBURSEMENT MEASURES OF JOINT OPERATIONS. (#2018-04-03). G.) APPROVAL OF REQUEST TO DECLARE LIBRARY SURPLUS INVENTORY AND AUTHORIZE DISPOSAL. H.) APPROVAL TO RE-VERIFY THE ALLOCATION OF QUARTERLY PAYMENTS TO THE HIDALGO COUNTY APPRAISAL DISTRICT (HCAD).**  
Commissioner Wade stated a correction on the vote in the minutes under item 6. Commissioner Wade made a motion to approve all items under consent agenda with the correction as stated. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

**6.) PRESENTATION OF VARIOUS CITY PROJECTS BY UTRGV ENGINEERING STUDENTS – SENIOR DESIGN CAPSTONE PROGRAM.**

A UTRGV representative introduced the first team that would be presenting to the Commission. The first team presenters were Brandon Jaramillo, Jennifer Lima, Sulema Sosa, and Rosie Sanchez. Their power point included sidewalks for 5<sup>th</sup> and Florida St. and also provided cost estimates and design options. The second team presenters were Sergio Contreras, Gerardo Romero, Heriberto Cantu, and Everardo Suarez. Their power point demonstrated areas in need of storm drainage and provided their recommendations to improve the areas.

**7.) DISCUSSION AND POSSIBLE ACTION TO APPROVE THE TECHNICAL ASSISTANCE AGREEMENT BETWEEN THE NORTH AMERICAN DEVELOPMENT BANK AND THE CITY OF MERCEDES AS IT RELATES TO A CITY ENVIRONMENTAL PROJECT.**

Mr. Zavala addressed the Commission about the Technical Assistance Agreement. This project reflects Mercedes' commitment to TCEQ on a previous declaration to provide a green infrastructure program. The Technical Assistance Agreement will provide \$30,000 toward the City of Mercedes' efforts to undertake this program. There will be no financial cost to the City except for matching in-kind services. UTRGV will provide

monitoring and reporting to the North American Development Bank. Mayor Pro-Tem Guajardo made a motion to approve the Technical Assistance Agreement between NADB and the City of Mercedes. Commissioner Villarreal seconded the motion which passed unanimously.

**8.) DISCUSSION AND POSSIBLE ACTION TO AMEND ORDINANCE NO. 2007-23 TO REDUCE THE PERMIT FEES FOR CHARITABLE EVENTS.**

Mr. Zavala informed the Commission that the City currently has a \$30 fee for permits for charitable events and recommends reducing the fee to \$10.00. Commissioner Wade made a motion to approve amending ordinance no. 2007-23 to reduce the permit fees for charitable events. Commissioner Villarreal seconded the motion which passed unanimously. (Ordinance No. 2018-13)

**9.) DISCUSSION AND POSSIBLE ACTION ON POLICY TO HAVE CITY REIMBURSED BY EMPLOYEE WHO SECURES CDL THROUGH CITY SPONSORSHIP BUT SEPARATES FROM CITY EMPLOYMENT WITHIN 12 MONTHS THEREFROM.**

Mr. Zavala explained to the Commission about a policy on reimbursement for CDL. An employee who receives a CDL through City sponsorship will need to be employed for a year after securing the CDL. If the employee separates from employment prior to the 12 months, the employee will then pay back the City for the CDL. Commissioner Wade made a motion to approve said policy for employees to reimburse the city for CDL. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 6:47 P.M.

**10.) EXECUTIVE SESSION:**

- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE ASSISTANT CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. – PERSONNEL.
- DISCUSSION OF WALKING TRAIL – SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. – POTENTIAL LITIGATION.
- UPDATE REGARDING MERCEDES INVESTMENTS, LP PROJECT (KAMEL) – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.
- UPDATE REGARDING HEB PARK RETROFIT – 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 (92<sup>ND</sup> JUD. DISTRICT COURT HIDALGO COUNTY, TEXAS), AND RELATED LEGAL ISSUES.

Mayor Hinojosa called the meeting to order at 9:25 P.M.

**11.) 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.

No action was taken on items discussed in executive session.

**12.) ADJOURN.**

Commissioner Wade made a motion to adjourn. Commissioner Villarreal seconded the motion which passed unanimously. Meeting was adjourned at 9:26 P.M.