

**MERCEDES CITY COMMISSION
REGULAR MEETING
JANUARY 4, 2022 – 6:30 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT: Jose Martinez Mayor Pro-Tem
Leonel Benavidez Commissioner
Jacob Howell Commissioner
Jose Gomez Commissioner (Webex)

MEMBERS ABSENT: Oscar D. Montoya Sr. Mayor

STAFF PRESENT: Alberto Perez City Manager
Martie Garcia-Vela City Attorney
Javier Ramirez Asst. City Manager
Joselynn Castillo City Secretary
Joaquin Hernandez Public Works Director
Nereida Perez Finance Director
Orlando Diaz Sergeant
Blanca Sanchez Interim Chief of Police
Ervin Vilchis Interim IT Director
Marisol Vidales Library Director

1.) CALL MEETING TO ORDER

Mayor Pro-Tem Martinez called the meeting to order at 6:30 p.m.

2.) ESTABLISH QUORUM

Four members of the Commission were present. Commissioner Gomez joined via webex. Mayor Montoya was absent.

3.) INVOCATION

Commissioner Benavidez said the invocation.

4.) PLEDGE OF ALLEGIANCE

Commissioner Howell led in the pledge of allegiance.

5.) OPEN FORUM

No one signed up

6.) CONSENT AGENDA:

a. APPROVAL OF MINUTES FOR MEETING(S) HELD OCTOBER 19, 2021.

b. APPROVAL OF ITEMS FOR SURPLUS TO BE AUCTIONED.

Commissioner Benavidez motioned to approve. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously.

7.) CITY MANAGER COMMENTS

1.) PROGRESS REPORT ON MANHOLE COVERS

Mr. Perez stated that the City purchased manhole covers to assist during rainfall events. Mr. Hernandez stated that 12 manhole covers have been replaced out of 130. The goal is to do two per week. Mr. Hernandez stated that the manhole covers were to prevent backflow from sewer and prevent the manhole covers from coming out during flooding. Commissioner Howell asked if a third party can assist. Mr. Perez stated that due to the vacancies there may be an option to contract but he is still looking at the options.

8.) MANAGEMENT ITEM(S):

a. DISCUSSION AND POSSIBLE ACTION TO DIRECT CITY MANAGER TO WORK WITH MERCEDES CHAMBER OF COMMERCE AND MERCEDES ECONOMIC DEVELOPMENT CORPORATION ON EXPLORING ALL AVAILABLE OPTIONS TO ENHANCE THE CITY OF MERCEDES OPPORTUNITIES IN KEEPING THE DOWNTOWN AREA ACTIVE WITH BUSINESSES AND OVERALL PLANNED GROWTH/DEVELOPMENT OF OUR CITY.

Commissioner Howell made a motion to approve as read. Mayor Pro-Tem Martinez seconded the motion. Upon a called vote, the motion passed unanimously.

b. DISCUSSION AND POSSIBLE ACTION TO REPLACE /APPOINT MAYOR PRO-TEM.

Commissioner Gomez stated that he would like to replace the Mayor Pro-Tem because Mayor Pro-Tem Martinez has been appointed for one year. Commissioner Gomez made a motion to appoint Commissioner Gomez as Mayor Pro-Tem. Commissioner Benavidez seconded. Commissioner Gomez stated that all the members should have an opportunity to serve as Mayor Pro-Tem. Mayor Pro-Tem Martinez stated he would like to continue serving as Mayor Pro-Tem. Upon a called vote, the motion died due to a tie two to two vote. Commissioner Howell and Mayor Pro-Tem Martinez voted against.

ADDENDUM:

- **REPORT ON BORDER AFFAIRS, LLC REGARDING ARP MONIES RECEIVED AND USED FOR THE CITY OF MERCEDES**

Mr. Garza was not available due to COVID. The report will be provided when he is available.

- **UPDATED REPORT ON CRITICAL PARK ITEMS PREVIOUSLY REPORTED NEEDING REPAIRS**

Mr. Hernandez stated that they have been working on several fields, painted the restrooms, fixed electrical lights, ordered swings for all city parks, ordered a power washer, etc. The Public Works workhouse is being cleaned and some playground equipment was there and can use some of that new equipment for the parks. Commissioner Benavidez stated that there are playsets that have mildew. Mr. Hernandez stated that the power washer is for those playsets to be cleaned. At a question, Mr. Hernandez stated that they will be replacing the fencing at some of the parks. Commissioner Howell spoke about a cracked basketball court, the equipment, and the basketball court at the Civic Center. Mr. Hernandez stated that the tennis coating is a different material and can get price quotes and added that staff has done the striping at the basketball courts. The Commission thanked the Public Works Department.

- **REPORT ON THE PROGRESS AND SCHEDULE OF PUBLIC WORKS SERVICES INCLUDING ALLEY SCRAPING, STREET MAINTENANCE AND DRAIN INLET CLEANING.**

Mr. Hernandez stated in the last meeting that there were 21 pending work orders and currently has 3 open work orders for potholes. Staff has addressed 22 work orders for the alleys and have 1 pending. Mr. Hernandez stated that the residents are responsible for half of the alley but staff will be assisting. Mr. Hernandez encouraged residents to report any issues. Mr. Perez stated the best way to report is with a smart phone through the 311 app. Mr. Hernandez stated the drain inlet cleaning is on hold do to other work that takes priority because it affects residents.

9.) BIDS/CONTRACTS:

a. **DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE STAFF TO EXPEND AWARDED SUBAWARD AGREEMENT BETWEEN THE CITY OF MERCEDES ON BEHALF OF THE MERCEDES POLICE DEPARTMENT AND THE INSTITUTE FOR INTERGOVERNMENTAL RESEARCH (IIR) IN THE SOUTHWEST BORDER RURAL LAW ENFORCEMENT ASSISTANCE PROGRAM MONIES TO PURCHASE IN-CAR COMPUTERS AND ASSOCIATED EQUIPMENT AND PERIPHERALS.**

Commissioner Howell made a motion to approve. Commissioner Benavidez seconded. Upon a called vote, the motion passed unanimously. Sgt. Diaz informed the Commission of process and award for this agreement. He stated that in total it took about one year and a half to get this award agreement. This will equip 13 units to be able to give tickets on the spot.

Mayor Pro-Tem called the meeting into executive session at 7:05 p.m.

10.)EXECUTIVE SESSION

a. **DISCUSSION REGARDING PROJECT MD – SECTION 551.087 TEXAS GOV'T CODE ANNOTATED – ECONOMIC DEVELOPMENT.**

b. **DISCUSSION REGARDING SALE OR CONVEYANCE OF REAL ESTATE MERCEDES ORIGINAL TOWNSITE S. 88.5' – E110' BLK 2 – SECTION 551.072 TEXAS GOV'T CODE ANNOTATED – DELIBERATION OF REAL PROPERTY**

ADDENDUM

- c. **PRELIMINARY DISCUSSION REGARDING LEGAL MATTERS ON ALL LITIGATION BY RESPONSIBLE LAW FIRMS IN PREPARATION FOR JANUARY 18TH LEGAL UPDATES MEETING – SECTION 551.071 TEXAS GOV'T CODES ANNOTATED – CONSULATION WITH ATTORNEY.**

Mayor Pro-Tem Martinez called the meeting back to order at 8:08 p.m.

11.) OPEN SESSION:

DISCUSSION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION.

- a. Commissioner Benavidez motioned to proceed as discussed in executive session. Commissioner Howell seconded and to provide documentation. Upon a called vote, the motion passed unanimously.
- b. Commissioner Benavidez made a motion to proceed as discussed in executive session. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously.
- c. Commissioner Benavidez made a motion to proceed as discussed and include investigative process. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously.

Commissioner Benavidez asked for a future item to be informed on projects to move forward and disclose and if there are any cases that implicate the commission.

12.) ADJOURNMENT

Commissioner Benavidez motioned to adjourn. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously. The meeting adjourned at 8:11 p.m.