

**MERCEDES CITY COMMISSION
REGULAR MEETING
OCTOBER 6, 2020 – 1:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Leandro Villarreal	Mayor Pro-Tem
	Leonel Benavidez	Commissioner
	Cristella De Leon Hernandez	Commissioner
	Jose M. Gomez	Commissioner
STAFF PRESENT:	Sergio Zavala	City Manager
	Anthony Troiani	City Attorney
	Joselynn Castillo	City Secretary
	Nereida Perez	Finance Director (webex)
	Dagoberto Chavez	Police Chief/ACM
	Jose Figueroa	Public Works Director
	Javier Campos	Fire Chief/EMC (webex)
	Marisol Vidales	Library Director
	Armando Martinez	Admin. Of Records EMS (webex)
	Isaac Huacuja	SWG Representative

1) CALL MEETING TO ORDER

Mayor Hinojosa called the meeting to order at 1:00 PM

2) ESTABLISH QUORUM

All members of the Commission were present which constitutes a full quorum.

3) INVOCATION

City Manager Zavala said the invocation.

4) PLEDGE OF ALLEGIANCE

Commissioner Gomez led in the pledge of allegiance.

5) OPEN FORUM

- There were no citizens signed up for open forum.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING(S) HELD SEPTEMBER 15, 25 & 28, 2020.

Commissioner Benavidez approved the items under consent agenda. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

7) CITY MANAGER COMMENTS

Mr. Zavala encouraged the Citizens of Mercedes to complete the census online, by phone or by mail.

8) DISCUSSION AND POSSIBLE ACTION TO APPROVE UPDATED CONSULTANT AGREEMENT BETWEEN ARMANDO A. MARTINEZ AND THE CITY OF MERCEDES.

Mr. Armando Martinez addressed the Commission about his contract with the City. He stated the contract will include a fire training program and will be a training facility to be added to his scope of services. The proposed contract is set to expire on 2023. Mr. Martinez stated that the contract could be dated to the start of the fiscal year to correspond with EMS certification dates. This will save the City money by not needing to send the employees to outside training which costs \$2,500. Fire Chief Campos stated Mr. Martinez is a level 3 instructor and recommends approval. There was discussion regarding the requirements needed to be a level 3 instructor, Mr. Martinez's attendance to the trainings for the employees, and the termination clause.

After discussion, Mayor Pro-Tem Villarreal made a motion to approve item 8. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed. Commissioner Gomez voted against.

9) DISCUSSION AND POSSIBLE ACTION TO APPROVE BUYBOARD PRICE QUOTATION FOR REQUIRED EQUIPMENT FOR THE COLLIER PARK DRAINAGE PROJECT.

Mr. Zavala addressed the Commission regarding some items needed for the mitigation project at Collier Park. A quote was received from Ferguson Waterworks which is a Buyboard vendor in the amount of \$13,454.12. The items would be used for line connections and basins.

Commissioner Benavidez made a motion to approve the quote from Ferguson Waterworks in the amount of \$13,454.12. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

10) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION TO APPROVE SUBMITTAL OF TWDB APPLICATION FOR FUNDING THE SANITARY SEWER IMPROVEMENTS FOR CAPISSALLO TERRACE.

Mr. Zavala addressed the Commission about applying for available funding from the TWDB for Capisallo Terrace Subdivision for sanitary sewer improvements.

Commissioner Hernandez made a motion to approve the resolution. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

At a question, Mr. Zavala stated the funding is a 1% loan for the next 30 years. Mayor Hinojosa stated that County is bringing infrastructure to outside city limits but this would be for the subdivision. Commissioner Benavidez stated that there are CO funds for Capisallo Terrace already.

11) DISCUSSION AND POSSIBLE ACTION ON REIMBURSEMENT RESOLUTION FOR THE CAPISSALLO TERRACE SANITARY SEWER PROJECT.

Mr. Zavala stated to the Commission that Capisallo Terrace still have septic tanks and are in a low-lying area which floods. The resolution would need to be adopted so that the current engineering costs could be reimbursed back to the City later.

Commissioner Hernandez made a motion to approve item 11. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

Mr. Isaac Huacuja from Sigler, Winston & Greenwood stated that if the resolution was not in place, they would not be able to move forward with construction.

12) DISCUSSION AND POSSIBLE ACTION TO SELECT A VENDOR FOR NEEDED ROOF REPAIRS FOR THE DR. HECTOR P. GARCIA MEMORIAL LIBRARY.

Mr. Figueroa addressed the Commission that the City received 3 quotes for needed roof repairs for the Library. The quotes were from the following:

McAllen Roofing	\$24,762.00
Adept Facilities & Design	\$89,867.81
Pentagon Commercial Roofing	\$128,999.00

Mr. Figueroa stated the City has worked with McAllen Roofing in the past and recommends their approval.

Commissioner Benavidez made a motion to approve the quote by McAllen Roofing in the amount of \$24,762.00.

Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

13) DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN REGION ONE EDUCATIONAL SERVICE CENTER AND DR. HECTOR P. GARCIA MEMORIAL LIBRARY.

Ms. Vidales informed the Commission about the MOU between Region One Educational Services and the Library. The service will provide ESL classes for adults living in Mercedes at the Library. The MOU will be required on a yearly basis. Ms. Vidales stated that due to the pandemic only virtual classes have been held and if it becomes possible for in-person classes the MOU will allow it. Ms. Vidales said the MOU has a section that states that the Library provide a safe and secure facility. City Attorney Troiani stated he could prepare a waiver in response to that section due to the pandemic.

Commissioner Benavidez made a motion to approve the MOU with the waiver stated by the City Attorney. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

14) DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE STAFF, THROUGH THE NON-PROFIT RCARA, INC., TO APPLY FOR FUNDING THE RUDOLF STEINER CHARITABLE TRUST.

Ms. Vidales addressed the Commission regarding the Rudolf Steiner Charitable Trust which offers grants to non-profit organizations. Ms. Vidales stated that Library Board member Ms. Diane Roman-Goldsberry would like to apply on behalf of the library. The amount being sought is \$2,700, \$2,200 for tables in the Texas Room and \$500 for art books. The grant will not affect the City's budget.

Commissioner Benavidez made a motion to approve item 14. Commissioner Gomez seconded the motion. Upon a called vote, the motion passed unanimously.

15) DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT BETWEEN THE CITY OF MERCEDES AND THE COUNTY OF HIDALGO ELECTIONS DEPARTMENT FOR ELECTION SERVICES FOR THE NOVEMBER 2020 ELECTIONS

Ms. Castillo addressed the Commission regarding the contract with Hidalgo County for Election Services for the November Elections. Ms. Castillo stated that the estimate is in the amount of \$41,917.63 and based on 100 percent voter turnout and will be a shared cost between the City and the County.

Mayor Pro-Tem Villarreal made a motion to approve item 15. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

16) DISCUSSION AND POSSIBLE ACTION ON INTERLOCAL AGREEMENT 2020-21 A1 BETWEEN THE CITY OF MERCEDES, TEXAS AND THE MERCEDES INDEPENDENT SCHOOL DISTRICT.

Police Chief Chavez addressed the Commission regarding the MOU with the Mercedes School District for Educational Resource Officers. Mr. Chavez stated the agreement would remain at 2 officers and stated some language was added due to the classed being virtual due to COVID.

After a brief discussion, Mayor Pro-Tem Villarreal made a motion to approve the interlocal agreement with MISD. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

Mayor Hinojosa called the meeting into Executive session at 2:05 PM. City Attorney Troiani asked that Commissioner Benavidez step out of Executive Session for an item due to him being part of the litigation. Mayor Hinojosa stated there would not be discussion on the 2020-2021 budget process due to the item needing a topic to discuss.

17) EXECUTIVE SESSION:

1) CONSULTATION WITH LEGAL PURSUANT TO TEAS GOVERNMENT CODE 551.071(2) FOR THE PURPOSE OF RECEIVING PRIVILEGED ATTORNEY CLIENT COMMUNICATIONS AND PURSUANT TO TEXAS GOVERNMENT CODE 551.071(1) REGARDING PENDIGN AND ANTICIPATED LITIGATION. (SPECIFICALLY, ITEM A. C-4034019-L PENDING IN THE 464TH DIST. COURT; ITEM B. C-1274-20-B PENDING IN THE 93RD DIST. COURT; ITEM C. C-1604-20-G PENDING IN THE 370TH DIST. COURT AND ITEM D C-1564-20-J PENDING IN THE 430TH DIST. COURT)

ADDENDUM:

- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. – FEASIBILITY REPORT POLICE DEPT. BUILDING & 2020-2021 BUDGET PROCESS PER CITY CHARTER ARTICLE III SECTION 3.04.

Mayor Hinojosa called the meeting back to order at 2:51 PM.

18.) DISCUSSION AND POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS A, B, C AND D.

A.) No Action was taken on this item.

B.) & D.) Mayor Hinojosa made a motion to proceed as discussed in Executive Session, add a party and hire an expert. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

C.) No Action was taken on this item.

19.) DISCUSSION AND POSSIBLE ACTION ON EXECUTIVE ITEMS.

No action was taken on the addendum discussed in executive session.

20.) ADJOURN

Commissioner Benavidez made a motion to adjourn. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously. The meeting was adjourned at 2:52 P.M.