

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
NOVEMBER 3, 2020 – 1:00 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Henry Hinojosa	Mayor
	Leandro Villarreal	Mayor Pro-Tem
	Cristella Hernandez	Commissioner
	Leonel Benavidez	Commissioner
	Jose M. Gomez	Commissioner

<b>STAFF PRESENT:</b>	Sergio Zavala	City Manager
	Joselynn Castillo	City Secretary
	Anthony Troiani	City Attorney
	Nereida Perez	Finance Director (Webex)
	Dagoberto Chavez	Police Chief/ACM
	Danny Longoria	Police Officer/Inv.
	Francisco Sanchez	Police Sargent
	Lance Elliott	TIRZ Representative

**1.) CALL MEETING TO ORDER**

Mayor Hinojosa called the meeting to order at 1:00 P.M.

**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-**

- Ms. Raquel Hinojosa addressed the Commission regarding Raquel's Daycare to be categorized as business due to the business being in a residential area.
- Mr. Leonel Benavidez informed the Commission about election code section 86.006. Mr. Benavidez encouraged the Community to call the elections department if Candidates visit their home offering help with the ballot.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD OCTOBER 20 & 26, 2020.**

**B.) SECOND AND FINAL READING OF ORDINANCE NO. 2020-16 ON AMENDING ZONING ORDINANCE NO. 26 AS AMENDED TO REQUIRE A MINIMUM TEN-FOOT SIDE YARD BUILDING SETBACK ON ALL CORNER LOTS IN ALL DISTRICTS.**

Commissioner Hernandez made a motion to approve all the items under consent agenda. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

**7.) CITY MANAGER COMMENTS**

Mr. Zavala encouraged the citizens to continue washing their hands and wearing their masks to help stop the spread of COVID-19. He added that he will be conferring with the Finance Department on the best method for citizens to pay their water bills. Mr. Zavala stated that there were 202 new cases and 6 deaths in one day.

**8.) PRESENTATION BY PD CHIEF CHAVEZ REGARDING THE MERCEDES POLICE DEPARTMENT'S SERVICES FOR FY 19-20**

Police Chief Chavez informed the Commission of the difference of the amount of arrests and citations for years 2017, 2018, 2019, and 2020. He stated the amount of arrests and citations has increased from 17-18 to 19-20. Mr. Chavez stated the pandemic may be the cause of the increase due to Adults losing their jobs and juveniles not going to school. There was discussion on the arrest process, arraignments, court fines, in which Mr. Chavez stated that the Judge sets the bond amounts and the citation fines. It was recommended by the Commission to set a workshop with the Judge and Prosecutor.

Mr. Chavez continued with his presentation and stated there has been a nationwide trend on THC sales and distributions, including marijuana, cocaine, crack cocaine, and LSD. He informed the Commission of the drug busts they have successfully ceased, the certified instructors for the City, and the certified field training officers. Investigator Longoria and Sargent Sanchez informed the Commission of the Police Departments accomplishments and expressed their gratitude for the opportunities that have been given.

The Commission commented that they like the community involvement, the customer service provided to the citizens and voiced their thanks to the Police Department for all their hard work. No Action required.

**9.) DISCUSSION AND POSSIBLE ACTION TO TERMINATE THE WESLACO-MERCEDES INTERLOCAL AGREEMENT (IRA) FOR HOUSING MUNICIPAL DETAINEES; AND TO ENTER INTO A ILA WITH DONNA FOR SIMILAR DETAINEE HOUSING SERVICES.**

Police Chief Chavez addressed the Commission regarding opting out of the Agreement with Weslaco for the housing of detainees. Mr. Chavez stated he has been in communication with Donna for similar services at a lower cost to the City.

Commissioner Gomez would like the services to go out for bids. Commissioner Benavidez asked for the reason Weslaco was looking to terminate the agreements. Mr. Zavala stated the City still has a great relationship with the City of Weslaco and the termination letter was provided in the packet.

Mayor Pro-Tem Villarreal made a motion to approve item 9. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed. Commissioner Gomez voted against.

**10.) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE TO APPROVE THE FINAL FINANCE AND DEVELOPMENT PLAN AND THE INTERLOCAL AGREEMENT BY AND BETWEEN THE ZONE BOARD, HIDALGO COUNTY, AND THE CITY OF MERCEDES**

Mr. Lance Elliott addressed the Commission regarding the development plan for the Tax Increment Reinvestment Zone. He stated that the Outlet Mall's Phase 2 and 3 were not being built which reduces the City's obligation. The county wants the paperwork in the packet and a new interlocal agreement in order to pay and the county asked that the items be separated. At a question on the follow through, Mr. Elliott explained that the County had an EDC Director that wanted the annexation be done at the same time. The county is now on their 4<sup>th</sup> EDC Director and has asked to separate the two issues.

Commissioner Benavidez made a motion to approve item 10. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

**11.) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE ESTABLISHING FIRE SUPPRESSION FEES FOR RELATED SERVICES**

Fire Chief Campos addressed the Commission that the City has been providing the Fire Marshal services for free. The fees were provided in the packet and will commence on January 1, 2021. This will be for all businesses registered in the City of Mercedes.

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

**12.) DISCUSSION AND POSSIBLE ACTION TO APPROVE PURCHASES OF MATERIALS NECESSARY TO REPAIR WATER LINE AT 14<sup>TH</sup> ST AND CAPISSALLO**

Mr. Figueroa informed the Commission of the needed repair for a major 10 in. waterline. The City secured a quote from Ferguson Waterworks in the amount of \$25,092.47 and will be from the CO Funds.

Mayor Pro-Tem Villarreal made a motion to approve item 12. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

**13.) DISCUSSION AND POSSIBLE ACTION TO APPROVE PURCHASE OF FREIGHTLINER PRO-PATCH TRUCK FOR ROAD MAINTENANCE.**

Mr. Figueroa addressed the Commission of the purchase of a Pro-Patch Truck. The City received a quote from Freightliner of Austin in the amount of \$165,827.60 with payment plans for 5 years or 7 years. Mr. Figueroa stated the truck can transport material and has a hot plate to keep the material hot. It also has an oil and material dispenser which would help speed up the process. At a question, Mr. Figueroa stated it will about 6 months to get the truck. Commissioner Benavidez asked if CO funds could be used, Mr. Zavala stated yes CO funds can be used for heavy equipment.

Commissioner Benavidez made a motion to approve item 13 to be used with CO Funds with the 7 year annual payments of \$26,876.73. Ms. Perez stated that CO funds cannot be payments and must be made in full. Commissioner Benavidez amended his motion to approve item 13 with the use of CO Funds for the purchase. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed. Commissioner Gomez voted against.

**14.) TABLED: DISCUSSION AND POSSIBLE ACTION ON PROPOSED INTERLOCAL AGREEMENT BETWEEN THE CITY OF MERCEDES AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL-PUBLIC-SAFETY-EMERGENCY COMMUNICATIONS/911 DIVISION FOR OBTAINING ACCURATE STREET ADDRESSES.**

Mr. Zavala asked that this item remain on the table.

Mayor Hinojosa called the meeting into Executive Session at 2:20 PM. No action will be required for this item.

**ADDENDUM:**

**CONSULTATION WITH LEGAL COUNSEL PURSUANT TO TEXAS GOVERNMENT CODE 551.071(2) FOR THE PURPOSE OF RECEIVING PRIVILEGED ATTORNEY CLIENT COMMUNICATIONS AND PURSUANT TO TEXAS GOVERNMENT CODE 551.071(1) REGARDING PENDING AND ANTICIPATED LITIGATION. (SPECIFICALLY, C-1564-20-J PENDING IN THE 430<sup>TH</sup> DIST. COURT)**

Mayor Hinojosa called the meeting back to order at 2:50 PM. Commissioner Benavidez asked that the item on the PD Transition is supposed to go back on the agenda.

**15.) 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 adjourned at 2:51 PM.

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Leo Villarreal, Mayor Pro-Tem

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Cristella De Leon Hernandez, Commissioner

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Leonel Benavidez, Commissioner

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Jose M. Gomez, Commissioner

ATTEST:

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Joselynn Castillo, City Secretary