

**MERCEDES CITY COMMISSION
REGULAR MEETING
MAY 3, 2022 – 6:30 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Oscar D. Montoya Sr.	Mayor
	Joe Martinez	Mayor Pro-Tem
	Leonel Benavidez	Commissioner
	Jacob Howell	Commissioner
	Jose M. Gomez	Commissioner
STAFF PRESENT:	Alberto Perez	City Manager
	Martie Garcia-Vela	City Attorney
	Joselynn Castillo	City Secretary
	Javier Ramirez	Asst. City Manager
	Ervin Vilchis	I.T Liason
	Blanca Sanchez	Interim Police Chief
	Orlando Diaz	Sergeant
	Javier Campos	Fire Chief
	Marisol Vidales	Library Director
	Joaquin Hernandez	Public Works Director
	Axel Vallejo	Executive Admin. Asst.
	Nereida Perez	Finance Director
	Brianna Casares	Public Information Officer

OTHERS: Isaac Huacuja, Humberto Garza, Jovanna Garcia-Trevino, Elijia Casas (GLO), Michelle Cavazos Garcia (GLO, HARP Program)

1.) CALL MEETING TO ORDER

Mayor Montoya called the meeting to order at 6:30 P.M. and welcomed everyone to the meeting.

2.) ESTABLISH QUORUM

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

3.) INVOCATION

Commissioner Gomez said the Invocation.

4.) Pledge of Allegiance

Commissioner Howell led in the Pledge of Allegiance.

5.) Open Forum

- Ms. Jovanna Garcia Trevino asked for clarification on the grass clippings ordinance 2022-07. Ms. Garcia-Trevino read parts of the ordinance. She stated her list of questions on the ordinance. Mayor Montoya stated the Commission cannot answer questions but can place an agenda item on a meeting. Ms. Garcia-Trevino provided

pictures of when public works cut the grass and did not clean up the clippings after they completed cutting. Some of the questions asked were, Is the city going to get fined? Clarify on the amount of grass clippings will be considered for fines.

6.) PRESENTATION

a. Presentation by Texas General Land Office.

Fire Chief Campos addressed the Commission regarding the outreach from Texas GLO to assist in the Homeowners Assistance for repairs to homes of flooding. Mr. Casas stated the program has been out for about a year. This is for the homeowners that were affected by the 2018 and 2019 floods. Mr. Casas stated its for repairing, elevating, reconstruction, temporary relocation and reimbursement. Homeowners can apply online at recovery.texas.gov/harp or by phone at 1-844-893-8937 or by appointment in person in the Weslaco Office at 956-405-3341. Commissioner Benavidez stated that the funds will run out by summer time and citizens will need to apply now. Mr. Casas stated the program was available since it started and due to it closing asking for the partnership with the city to get the word out. At a question, Ms. Michelle stated that if FEMA is requiring the owner to have flood insurance then the applicant will need to continue having that insurance. She stated that they review the requirement and will ask the applicant for the reason they did not have the insurance and present that to GLO. Mr. Casas stated that every situation is unique. Ms. Michelle informed the Commission of the applicant eligibility requirements and required documentation and financial information. The program is divided into three portions, the reimbursement, assistance only, or combination of both. HARP funds can be used to replace a manufactured home with a site-build home, elevation, water well, septic, and accessibility. At a question, elevation pertains to both the home and land. The homeowner will be required to sign a one- or three-year promissory note. Commissioner Benavidez recommended an event in Mercedes for people to apply. Commissioner Howell asked to add a link on the city website for the link to apply.

7.) CONSENT AGENDA

a. Approval of Minutes for meeting(s) held April 19, 2022.

b. Approval of surplus items for auction.

Mayor Pro-Tem Martinez motioned to approve all items under consent agenda. Commissioner Benavidez seconded. Upon a called vote, the motion passed unanimously.

8.) CITY MANAGER COMMENTS

a. Update on Park Equipment

Mr. Perez stated they were asked to provide a park update on equipment. Mr. Perez stated that they are taking additional precautions of removing the playground equipment so that the kids do not cross the barrier and tape to play on the off-limit equipment. Mr. Hernandez provided an update on upgrading the equipment and picnic tables. Commissioner Howell would like the basketball nets to be replaced at the HEB park and would like to replace and improve the lighting at the parks. Mr. Hernandez stated he plans to pave the basketball court with black top. Commissioner Gomez stated that some playground equipment is plastic and

the metal pieces are the ones corroded and to save money, replace the metal equipment. Mr. Hernandez stated he did contact the company that placed the equipment but they stated they no longer make those parts for the playground. Mayor Pro-Tem Martinez asked about the Master Park Plan. Mr. Perez stated that the energy consultant will be assisting on recommending the best lighting for the parks. Commissioner Benavidez stated that its encouraging that Public Works is taking care of the park hazards.

9.) MANAGEMENT ITEM(S) : *Discuss, Consider, and Possibly Take Action Regarding:*

a. Authorizing City Manager to go out for bids to outsource the repair of high traffic streets needing repairs

Mr. Perez stated that the items of potholes and street repairs are of concern and outsourcing is an option. Mayor Pro-Tem Martinez made a motion to approve to go out for RFP's. Commissioner Benavidez seconded. Upon a called vote, the motion passed unanimously.

b. Appointment of a member to the Mercedes Historic Preservation Commission

Ms. Vidales stated she has one vacancy for the board and 2 vacancies for the alternate. Ms. Erin Pena applied for the Historian position which will have a term until 2024. Mayor Pro-Tem Martinez motioned to approve. Commissioner Benavidez seconded. Upon a called vote, the motion passed unanimously.

At this time, Commissioner Benavidez motioned to move to item 10. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

c. Requesting approval to complete and submit a joint application with hidalgo county drainage District No. 1 with City of Mercedes serving as Project Lead, for the 2018 South Texas Floods Competition to the Texas General Land Office.

Mr. Humberto Garza stated the City asked him to look at the application for the 2018 and 2019 joint funding. County Commissioner David Fuentes, Omar Anzaldua, and Saul Garcia were present. Mr. Garza stated the designation from the GLO focuses on certain cities to receive those funds and Mercedes is on the list. The Application is due August 1, 2022. County Commissioner David Fuentes stated this is the City of Mercedes application and the Drainage district is only a part but Mercedes is the lead. Ditch 3 is already a project with \$2 Mil assigned and this application will assist in completing the project. The area around the dome needed a detention facility to relieve some of the flooding issues in the dome area. Both of the projects fit as part of the this grant opportunity. The City of Mercedes has a great chance of being awarded due to the City of Mercedes being named specifically and qualified the entire county for the funding. Mr. Fuentes stated there is a process. Commissioner Benavidez motioned to approve items 9C through 9G. Mayor Pro-Tem Martinez seconded. Mr. Perez stated that the applications are not simple and applauds Commissioner Fuentes for their

assistance. Upon a called vote, the motion passed unanimously. Mr. Anzaldúa informed the Commission of the projects to increase the capacity of flood waters.

d. Requesting Approval to complete and submit application for the 2019 Disasters Competition to the GLO.

This item was voted on with Item 9C.

e. Requesting approval for City of Mercedes Mayor to sign Federal Assistance Standard Form 424 (SF-424), along with any other documentation that may be needed, in preparation for submittal of application(s) to GLO's 2018 South Texas Floods Competition. (ACM)

This item was voted on with Item 9C.

f. Requesting approval for City of Mercedes Mayor to sign Federal Assistance Standard Form 424 (SF-424), along with any other documentation that may be needed, in preparation for submittal of application(s) to GLO's 2019 Disasters Competition. (ACM)

This item was voted on with Item 9C.

g. Request to advertise Notice for Public Comments in local newspaper(s) for submittal of application(s) to GLO's 2018 South Texas Floods Competition and 2019 Disasters Competition. (ACM)

This item was voted on with Item 9C.

10.) BIDS/CONTACTS: *Discuss, Consider, and Possibly Take Action Regarding:*

a. Approval of Memorandum of Understanding (MOU) between the United States Department of Veterans Affairs, Texas Valley Coastal Bend Healthcare System (VATVCBHCS) and the Mercedes Police Department. (PD)

Interim Police Chief Sanchez stated that the VA is reaching out to police department for a MOU for aid to the VA. Commissioner Howell motioned to approve. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

b. Interlocal Cooperation Agreement between the County of Hidalgo Precinct 1 and the City of Mercedes on the Mile 8 street repairs (City Manager)

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

c. Auction Agreement with Galindo Auctions. (City Secretary)

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

At this time, Mayor Montoya called the meeting into executive session at 7:25 P.M.

Items 9C through 9G would be discussed after executive session.

11.) EXECUTIVE SESSION: *Chapter 551, Texas Government Code, Section 551.071 (Consultation with Attorney), Section 551.072 (Deliberation regarding Real Property), Section 551.074 (Personnel Matters) and Section 551.087 (Economic Development)*

a. Consultation with Attorney regarding update on legal matters - Section 551.071 Texas Gov't Code Annotated - Consultation with Attorney

Mayor Montoya called the meeting back to order at 8:00 P.M. Move to item 9C through 9G.

12.) OPEN SESSION: *Discuss, Consider, and Possibly Take Action Regarding:*

a. Item A listed in executive session.

Commissioner Howell made a motion to direct City Manager and Legal to move forward with Litigation. Commissioner Benavidez seconded. Upon a called vote, the motion passed unanimously.

13.) ADJOURN

Mayor Montoya adjourned the meeting at 8:13 P.M.