

**MERCEDES CITY COMMISSION
REGULAR MEETING
DECEMBER 15, 2020 – 1:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Oscar Montoya	Mayor
	Leandro Villarreal	Mayor Pro-Tem
	Leonel Benavidez	Commissioner
	Cristella De Leon Hernandez	Commissioner
	Jose M. Gomez	Commissioner

STAFF PRESENT:	Sergio Zavala	City Manager
	Joselynn Castillo	City Secretary
	Anthony Troiani	City Attorney
	Nereida Perez	Finance Director (webex)
	Hugo Perales	I.T Director
	Chris Gutschow	USWUG Rep.
	Aaron Voz	USWUG Rep.

1) CALL MEETING TO ORDER

Mayor Montoya 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 Hernandez led in the Pledge of Allegiance.

5) OPEN FORUM-

- No citizens signed up for open forum.

6) CONSENT AGENDA (ORDINANCE. 98-21):

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING HELD DECEMBER 1, 2020.

B.) SECOND AND FINAL READING OF ORDINANCE NO. 2020-20 OF AN ORDINANCE TO ADOPT A STANDARD DESIGN MANUAL FOR PUBLIC INFRASTRUCTURE IMPORVEMENTS, INCLUSIVE OF A PARK DEDICATION PROCESS

C.) APPROVAL OF 2020 ANNUAL TAX ROLL TOTALS

Commissioner Benavidez made a motion to approve item 6A. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

Commissioner Benavidez made a motion to approve item 6B. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

Commissioner Benavidez made a motion to approve item 6C. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

7) CITY MANAGER COMMENTS

City Manager Zavala announced that the Emergency tower in front of City Hall is now active. Mr. Zavala also stated that the City will be working with citizens with setting up payment plans to pay for their water bills.

8) PRESENTATION BY USW UTILITY GROUP ON TRANSITION OF UTILITY O&M SERVICES

Mr. Chris Gutschow and Aaron Voz presented to the Commission the progress on the transfer of the services from the previous firm to USW. It was said that all the equipment should be ready to go for the takeover. At a question by Commissioner Benavidez regarding any improvements, they stated that they would be working with the previous company and staff the first week of January and will provide the Commission with an initial report. This is a non-action item.

9) PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON REZONING ORDINANCE, TO REZONE LOT 1, BLOCK 104, SOUTH CAMPACUAS ADDITION FROM CLASS “N” NEWLY ANNEXED TO CLASS “C” APARTMENT DISTRICT; APPLICANT BEING JORGE S. SALINAS

Mayor Montoya opened the Public Hearing at 1:12 pm.

Mr. Zavala referred to the aerial map that was provided. The vacant site is west of the Intersection of Cameron and Mile 1 West Rd. Nearby land includes residential homes, cemeteries, commercial lots, and levee acreage. The site is in a Flood Zone B and has caliche road that will need street paving improvements and utility extensions.

Mr. Salinas is proposing to build apartments and must comply with City requirements. Mr. Zavala added that the P&Z board tendered a 4-1 vote to deny the rezone and in order for the rezone to be approved, there needs to be a 4/5ths favorable vote by the Commission.

There was no public input.

Mayor Montoya closed the Public Hearing at 1:18 pm.

Commissioner Benavidez made a motion to table due to the P& Z Board denying the request and would like to bring it back for the new commission.

At a question, Mr. Zavala stated that P&Z was focused on storm drainage and the developer would be required to follow the 50 yr storm drainage.

Commissioner Gomez seconded the motion. Upon a called vote, the motion did not pass. Mayor Montoya, Mayor Pro-Tem Villarreal, and Commissioner Hernandez voted against.

Mayor Pro-Tem made a motion to approve the rezone. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed. Commissioner Benavidez and Commissioner Gomez voted against. Mr. Zavala stated that the property will not be rezoned due to the lack of a 4/5ths vote in favor.

10) DISCUSSION AND POSSIBLE ACTION ON 2ND AMENDMENT TO THE CARES ACT INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE COUNTY OF HIDALGO AND THE CITY OF MERCEDES, INCLUSIVE OF PROPOSED AMENDED BUDGET

Mr. Zavala informed the Commission that the County is requesting a revised budget for the use of the reserved funding. Mr. Frankie San Martin stated that the County held a reserved amount of \$298,872.00 and can be used for payroll at 100% for Fire and Police.

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

11) UPDATE ON MERCEDES 311 PROGRAM FUNDED BY CARES ACT.

Mr. Figueroa explained to the Commission the 311 program which will help the citizens be more engaged and easily report any non-emergency issues to the proper department. The launch date will be the first week of January for android devices, iOS is to be determined. At a question, Mr. Figueroa stated that the number of licenses can increase or decrease as needed. Mr. Figueroa expressed that for emergency reporting the City has engaged Code Red services. This is a non-action item.

12) DISCUSSION AND POSSIBLE ACTION ON PROPOSED BUDGET AMENDMENT FORM THE PLANNING DEPARTMENT TO THE PUBLIC WORKS DEPARTMENT FOR FACILITY MAINTENANCE (LIBRARY ROOF REPAIR)

Mr. Figueroa addressed the Commission regarding the Library Roof Repair by McAllen Roofing. There was some needed funding to cover the repair and the Planning Director agreed to use some of the Planning funds from wages for the library building roof. The amount bid for the roof was \$24,762.00.

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

13) DISCUSSION AND POSSIBLE ACTION TO ACT ON RESOLUTION APPROVING AN EXTENSION ON THE CURRENT REVOLVING LOAN WITH TEXAS NATIONAL BANK

Mr. Zavala informed the Commission that the City was their own resource and funding for items purchased and are pending reimbursement from the County. The loan was previously approved and the Staff is asking for approval of a 120-day extension on the loan. At a question, Ms. Perez stated there would not be any additional fees and the initial 60-day loan would expire on Friday. Commissioner Benavidez stated he wants a report on the activity per month.

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

14) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE TO AMEND ZONING ORDINANCE NO. 26, AS AMENDED, TO REUCE THE REAR YARD BUILDING SETBACK FROM TWENTY FEET (20') TO TEN FEET (10') FOR PRIMARY STRUCTURES IN CERTAIN RESIDENTIAL ZONING DISTRICTS

Mr. Zavala addressed the Commission that the current rear yard building setback for single family homes is 20'. Mr. Zavala is proposing to reduce it to a 10' rear setback. The zoning districts it would apply to are Class "A" Single Family Residential District (SFRD), Class "A-1" SFRD, Class "A-2" SFRD, Class "B" Two Family Residential District, and Class "B-1" TFRD. Adjusting the setback would help Mercedes families maximize their property and increase the value. Mr. Zavala stated that the setback is for a primary home and not for storage rooms or pools.

Mayor Pro-Tem Villarreal made a motion to approve item 14. Commissioner Benavidez seconded the motion. Upon a called vote, the motion passed unanimously.

15) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT AND/OR REAPPOINTMENT OF THREE (3) BOARD OF DIRECTOR MEMBERSHIPS ON THE DEVELOPMENT CORPORATION OF MERCEDES (DCM)

Commissioner Hernandez made a motion to table item 15 and then amended her motion to table and have a deadline of December 28, 2020. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

16) DISCUSSION AND POSSIBLE ACTION TO APPROVE A PRICE QUOTE FOR CITY PHONE SERVICE PROVIDER

Mr. Perales addressed the Commission about the phone services with TelligentIP. TelligentIP had upgraded the phone system for "security purposes" and now has given the City the following options or the phones would not be compatible with the new system starting January 1, 2021:

Purchase new phones compatible with their new system	\$5,829.00
Enter into an early contract renewal for 36 months	\$3,273.47/mo.

Mr. Perales provided the Commission with 2 quotes to possibly have a better option, they are as follows:

Spectrum VoIP for 36 month contract	\$1,724.48/mo.
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This includes new updated hardware and 1 mo. Trial and 32 months of service for free and spectrum will payoff the current contract of \$15,822.18.

Company Helifax Technologies, LLCB for 36 mo	\$2,009.33/mo
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Mr. Perales recommends Spectrum VoIP.

Commissioner Gomez made a motion to table item 16. Commissioner Benavidez seconded the motion. Upon a called vote, the motion did not pass. Mayor Montoya, Mayor Pro-Tem Villarreal and Commissioner Hernandez voted against.

Mayor Pro-Tem Villarreal made a motion to approve contingent to the quote from Spectrum to have the payoff amount. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

17) TABLED: DISCUSSION AND POSSIBLE ACTION ON PROPOSED INTERLOCAL AGREEMENT BETWEEN THE CITY OF MERCEDES AND THE LOWER REO GRANDE VALLEY DEVELOPMENT COUNCIL – PUBLIC SAFETY – EMERGENCY COMMUNICATIONS/9-1-1 DIVISION FOR OBTAINING ACCURATE STREET ADDRESSES

Mayor Pro-Tem Villarreal made a motion to un-table item 17. Commissioner Hernandez seconded the motion. Upon a called vote, the motion passed unanimously.

Mr. Zavala addressed the Commission to consider entering an Interlocal Agreement with LRGVDC 9-1-1 for property addresses. The agreement can be terminated with a 30 day notice.

Commissioner Benavidez made a motion to approve item 17. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

18) MONTLY DEPARTMENT REPORTS

Commissioner Benavidez stated to include reports from the 311 program in the packet and to provide a total on the monthly reports of the \$1.5M loan.

19) ADJOURN

Commissioner Hernandez made a motion to adjourn. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously. The meeting adjourned at 2:20 pm.