

**MERCEDES CITY COMMISSION
REGULAR MEETING
APRIL 19, 2022 – 6:30 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

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

OTHERS PRESENT: Isaac Huacuja, Ramon Mejia

1.) CALL MEETING TO ORDER

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

2.) ESTABLISH QUORUM

Four members of the Commission were present. Commissioner Benavidez arrived during Open Forum.

3.) INVOCATION

Commissioner Howell said the invocation.

4.) PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Martinez led the Pledge of Allegiance.

5.) OPEN FORUM

- Mr. Ramon Mejia addressed the Commission regarding item 10A the energy consultant. He expressed his opposition for the service. Mr. Mejia stated that the city should hire all three companies and let them compete for the best pricing. He asked why only have one company and he added that the firms didn't provide a rate.

6.) CONSENT AGENDA

- a. **Approval of Minutes for Meeting(s) held April 5, 2022.**
- b. **Second and final reading of Ordinance No. 2022-07 approving the grass clippings ordinance.**
- c. **Approval of 2nd Quarterly Investment Report**

Mayor Pro-Tem Martinez motioned for approval of all items under consent agenda. Commissioner Gomez seconded. Upon a called vote, the motion passed unanimously.

7.) CITY MANAGER COMMENTS

a. Update on Urban County Funds

Mr. Perez stated they met with urban county representatives on funding. He added there are funds from 2019 still available. Mr. Ramirez stated there is a project for Mile 8 street improvements. There were some surplus funds from 2019 and 2020 that could be used for materials on the Mile 8 project. Mr. Perez stated no funds are being taken from any departments that had requested funds through urban county. At a question, Mr. Ramirez stated that the project kicks-off should be the end of May or start of June. Commissioner Gomez stated that the Mile 8 project has been in the works by previous and present commission.

8.) ORDINANCES/RESOLUTIONS

a. Discussion and Possible Action on Resolution No. 2022-06 denying the amended recovery factors to increase distribution rates.

Commissioner Benavidez made a motion to deny the amended recovery factors to increase the distribution rates. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

9.) Management Items

a. Discussion and Possible Action of a Budget Amendment Request for the Public Works Department to Replace Three Computers.

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

10.) BIDS/CONTRACTS

a. Discussion and Possible Action to select a firm and award a contract for Energy Consulting services.

Mayor Pro-Tem Martinez made a motion to accept Marco A. Arredondo and bring back to the commission for the contract. Commissioner Howell seconded. Mr. Perez will bring back the terms and pricing. Commissioner Benavidez stated that he requested a price bid. He stated that the city will not be getting the best price possible from one firm rather than a competing rate from all firms for that reason Commissioner Benavidez is voting against. Commissioner Gomez stated that item is action to award a contract but they cannot approve without contract. Mayor Montoya stated that when you go for RFQ you pick the best qualified and then negotiate a contract and if the city and company cannot agree they can move to the next best qualified or select to rebid. Only one broker is allowed to provide pricing (energy consultant). There was discussion regarding the RFP and RFQ process. Mr. Perez stated that the point system was based off of their bid packet. Upon a called vote, the motion passed 3 to 2. Commissioner Benavidez and Commissioner Gomez voted against.

b. Discussion and Possible Action on request for IT Support Service Hours.

Mr. Vilchis is requesting the service for the firewall issues. Commissioner Howell motioned to approve. Commissioner Benavidez seconded. Mr. Vilchis stated the service is necessary for security vulnerabilities. The amount is \$6,600 for 40

hours. Mr. Vilchis added that hurricane season is around the corner and he will need the support. Upon a called vote, the motion passed unanimously.

11.) MONTHLY REPORTS

No action is required.

12.) EXECUTIVE SESSION: Mayor Montoya called the meeting into Executive Session at 7:00 P.M.

- a. **Discussion regarding duties and responsibilities of the City Manager - Section 551.074 Texas Gov't Code Annotated - Personnel Matters**
- b. **Consultation with Attorney regarding update on legal matters - Section 551.071 Texas Gov't Code Annotated - Consultation with Attorney**
- c. **Consultation with Attorney regarding donation of property - Section 551.071 & 551.072 Texas Gov't Code Annotated - Consultation Deliberation regarding Real Property**

ADDENDUM

- d. **Discussion regarding purchase of real property – Section 551.072 Texas Gov't Code Annotated – Deliberation of Real Property**

Mayor Montoya called the meeting back to order at 8:19 P.M.

13.) OPEN SESSION:

- a. **Discussion and Possible Action on item A listed in executive session.**
No action was taken.
- b. **Discussion and Possible Action on item B listed in executive session.**
No action was taken.
- c. **Discussion and Possible Action on item C listed in executive session.**
Commissioner Benavidez made a motion to proceed as discussed in executive session. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

ADDENDUM

- d. **Discussion and Possible Action regarding purchase of real property.**
Commissioner Howell made a motion to direct city manager to postpone the item and bring back as discussed in executive session. Commissioner Benavidez seconded. Upon a called vote, the motion passed unanimously.

14.) ADJOURNMENT

Mayor Montoya adjourned the meeting at 8:21 p.m.