

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
MARCH 1, 2022 – 6:30 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Oscar D. Montoya Sr.	Mayor
	Joe Martinez	Mayor Pro-Tem
	Leonel Benavidez	Commissioner
	Jacob Howell	Commissioner
	Jose M. Gomez	Commissioner
<b>STAFF PRESENT:</b>	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
	Richard Morin	Recreation Director
	Nereida Perez	Finance Director
	Isaac Huacuja	City Engineer

**1.) CALL MEETING TO ORDER**

Mayor Montoya called the meeting to order at 6:30 PM.

**2.) ESTABLISH QUORUM**

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

**3.) INVOCATION**

Commissioner Gomez said the invocation

**4.) PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Martinez led the Pledge of Allegiance.

**5.) OPEN FORUM – No one signed up for open forum.**

**6.) CONSENT AGENDA**

**A.) Approval of Minutes for Meeting (s) held February 15, 2022 & February 22, 2022.**

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

**B.) Second and final reading of Ordinance No. 2022-05 to adopt a Cell Tower Ordinance.**

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

**C.) Approval of budget amendment for the Public Information Officer.**

Ms. Castillo informed the Commission that they had previously approved hiring for a public information officer. The budget amendment is to move the funds from the planning department, which had a vacancy, to the city secretary's department. Mayor Pro-Tem Martinez made a motion to approve. Commissioner Howell seconded. Upon a called vote, the motion passed 4 to 1. Commissioner Benavidez voted against.

## **7.) MANAGEMENT ITEMS**

### **A.) Discussion and Possible Action on a Fund Balance Policy.**

Mr. Perez informed the Commission of the need for a fund policy. The fund policy is needed to prepare for emergencies. Commissioner Howell made a motion to approve. Mayor Pro-Tem Martinez seconded. Mr. Perez informed the Commission on the plan to get to the funds needed during emergencies. Mayor Pro-Tem Martinez asked if the comment made by Mr. Perez that we are north of \$1Mil. Mr. Perez stated that this is a requirement for a standards and pores and would help for the city to not go out for loans. Mr. Perez stated that he is required to go to a class to manage this fund and he cannot change the fund without commission approval. Part of the budget meetings the commission will decide how much funds will go to the fund. Upon a called vote, the motion passed unanimously.

### **B.) Discussion and Possible Action to Re-Appoint 3 seats on the Planning & Zoning Commission and two alternates to the Zoning Board of Adjustments.**

Mr. Ramirez informed the Commission of the vacancies and expired terms for the P&Z Board. Commissioner Benavidez made a motion to reappoint Ms. Dominguez, Mr. Loya, and Mr. Mariscal and appoint Mr. Jonathan Munoz and Mr. Leonard Garcia. Mayor Pro-Tem Martinez seconded. Mr. Ramirez stated that the ZBA board has two seats that have expired and recommends renewal. Mayor Pro-Tem Martinez recommended replacing Mirta Flores. Commissioner Gomez recommends Mr. Julian Valdez for P&Z. Commissioner Benavidez amended his motion to renew Ms. Rosie Dominguez, Miguel Loya and David Mariscal and appoint Jonathan Munoz and Leonard Garcia to the P&Z board and reappoint the ZBA members. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed 4 to 1. Commissioner Gomez voted against.

### **C.) Discussion and Possible Action for monthly reports to be presented to the City Commission by DCM Director on DCM activity.**

Commissioner Benavidez and Gomez placed this item on the agenda. Commissioner Benavidez stated the city invests over \$1 Mil into the DCM and wants to inform the public of the activity in the DCM. This can be productive as businesses unfold. Mayor Pro-Tem Martinez made a motion for getting a monthly report in Executive session. Commissioner Benavidez seconded and added that the DCM could present to the commission items that are not confidential or part of executive session. Upon a called vote, the motion passed unanimously.

## **8.) BIDS/CONTRACTS**

### **A.) Discussion and Possible Action on Approval of Interlocal Agreement between City of Weslaco and City of Mercedes for Mid-Valley Regional Communication Center.**

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

### **B.) Discussion and Possible Action to approve the agreement for EMS Billing Specialist Services.**

Fire Chief Campos is requesting approval of the agreement for EMS Billing. Mayor Pro-Tem Martinez motioned to approve. Commissioner Howell seconded. Mayor Pro-Tem Martinez amended the motion to include that the agreement will be for two years. Commissioner Howell seconded. Commissioner Howell would like an annual update and for the contract to come in 6 months prior to the expiration date. Mayor Pro-Tem Martinez amended his motion to include a yearly report. Commissioner Howell seconded. Commissioner Gomez stated that there is no performance report. Commissioner Benavidez stated the audit finding was addressed and the City is not going out for bids. It was stated that the company has the same

ownership. Upon a called vote, the motion passed 3 to 2. Commissioner Benavidez and Gomez voted against.

**C.) Discussion and Possible Action to approve a Waterline Access Agreement between North Alamo Water Supply Corporation and the City of Mercedes.**

Mr. Ramirez informed the commission that the Waterline access agreement is to allow the City to install fire hydrants on the north alamo waterlines. Commissioner Benavidez motioned to approve. Mayor Pro-Tem Martinez seconded. The Mile 9 North Meadows is a new subdivision in the city limits but with north alamo water. Mr. Perez inserted a minor change. Commissioner Benavidez amended his motion in accordance with Mr. Perez's recommendation. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

Commissioner Benavidez motioned to go into executive session. Mayor Pro-Tem Martinez seconded. The motion passed unanimously. The meeting went into executive session at 7:01 P.M.

**9.) EXECUTIVE SESSION**

**A.) Consideration of Real Estate: Mercedes Original Townsite S. 25' of LT 11, BLK 46 – Section 551.072 Texas Gov't Code Annotated – Deliberation regarding Real Property.**

**B.) Discussion regarding Project Rios of Mercedes – Section 551.087 Texas Gov't Code Annotated – Economic Development**

**C.) Consultation with legal regarding road conditions and potential remediation procedures – Section 551.071 Texas Gov't Code Annotated – Consultation with Attorney (Comm. Benavidez & Gomez)**

Mayor Montoya called the meeting back to order at 7:31 PM.

**10.) OPEN SESSION**

**A.) Discussion and Possible Action on Item A listed in executive session.**

Commissioner Benavidez made a motion to approve DCM acquisition of Mercedes Original Townsite S. 25' of Lot 11, BLK 46 in the amount of \$118K. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

**B.) Discussion and Possible Action on Item B listed in executive session.**

Mayor Pro-Tem Martinez made a motion to approve as discussed in executive for \$257K. Commissioner Howell seconded. Upon a called vote, the motion passed 4 to 1. Commissioner Benavidez abstained from the vote.

**C.) Discussion and Possible Action on Item C listed in executive session.**

Mayor Pro-Tem Martinez motioned for no action. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously.

**11.) ADJOURNMENT**

Mayor Montoya adjourned the meeting at 7:32 P.M.