

**MERCEDES CITY COMMISSION
REGULAR MEETING
AUGUST 16, 2022 – 6:30 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Oscar D. Montoya Sr.	Mayor
	Joe Martinez	Mayor Pro-Tem
	Jacob Howell	Commissioner
	Armando Garcia	Commissioner
	Ruben Saldana	Commissioner (webex)

STAFF PRESENT:	Alberto Perez	City Manager
	Martie Garcia Vela	City Attorney
	Joselynn Castillo	City Secretary
	Nereida Perez	Finance Director
	Joaquin Hernandez	Public Works Director
	Ervin Vilchis	IT Liason
	Pedro Estrada	Police Chief
	Javier Ramirez	Asst. City Manager
	Martin Johnson	Asst. Rec. Director
	Kristine Longoria	Human Resources
	Javier Campos	Fire Chief

OTHERS PRESENT: Axel Vallejo, Brianna Casares, Francisco Sanchez,

1. CALL MEETING TO ORDER

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

2. ESTABLISH QUORUM

Three members of the Commission were present which constitutes a quorum. Commissioner Saldana was present through the webex application. Mayor Pro-Tem Martinez arrived after the pledge of allegiance.

3. INVOCATION

Mayor Montoya said the invocation.

4. PLEDGE OF ALLEGIANCE

Commissioner Garcia led the Pledge of Allegiance.

5. OPEN FORUM-

No one signed up for Open Forum. Mayor Montoya sent condolences to the families of Coach Mike Gonzalez and Officer John J. Vega.

6. PRESENTATIONS:

a. Recognition of the Mercedes Enterprise.

Mayor Pro-Tem Martinez motioned to postpone to the next meeting. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

7. CONSENT AGENDA:

a. Approval of Minutes for Meeting(s) held August 2, 2022

Mayor Pro-Tem Martinez motion to approve the item under consent agenda. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

8. ORDINANCE/RESOLUTIONS: *Present, Discuss, Consider, and Possibly Take Action Regarding:*

a. First reading of Ordinance No. 2022-16 to Rezone Mercedes Original Townsite Lot 24 Blk 69 from Class “B” Two Family to Class “C-1” Apartment District; Applicant: Cynthia P. Gamez (ACM)

b. First Reading of Ordinance No. 2022-17 Prohibiting the Processing, Storage, Application, Disposal and Treatment of Municipal Solid Waste and Wastewater. (ACM)

Mayor Pro-Tem Martinez motioned to approve the first reading of ordinances 2022-16 and 2022-17. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

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

a. Budget Amendment request to Transfer Three (3) Planning Department Positions to the Public Works Department. (Public Works)

Mayor Pro-Tem Martinez motioned to approve the transfer. Commissioner Garcia seconded. Mr. Hernandez informed the Commission of the transfer. The three positions are budgeted and overseen by public works. He stated one position is going to streets department and the other two are going to building maintenance. Upon a called vote, the motion passed unanimously.

b. Vote on Proposed Tax Rate for 2022

Ms. Perez addressed the Commission regarding the proposed tax rate. The City is proposing to keep the tax rate the same. Ms. Perez stated the M&O and debt rate will be shifting rates. Commissioner Howell made a motion to approve. Mayor Pro-Tem Martinez seconded. The general fund and M&O fund will fund the projects for the departments. The I&S fund is used to pay the \$2.1 Million debt from property tax supported debt. At a question, Mr. Perez stated the city is on track with the budget and will be eliminating some of the debt this year. Commissioner Saldana asked for the I&N rate. Ms. Perez stated the rate fluctuates every year but does not expect it to decrease from the 30% rate. Mayor Montoya stated that the staff worked hard to bring the budget down to keep the tax rate at the same rate. Commissioner Saldana stated that in order to keep the city in good shape, the city must continue borrowing but are used for long term investments. Commissioner Saldana stated that the city is at a lower tax rate from 15 years ago. Upon a called vote, the motion passed unanimously. Mr. Perez stated it's a team effort and will soon see the benefits in growth.

c. Directing City Manager to update the City, School and Neighborhood maintenance initiative. (CM)

Mr. Perez had provided a concept before to update the maintenance of streets, sidewalks and walkways for the kids going back to school. Commissioner Howell wants to make sure that the areas are cleaned and patrol is more active for the school year. Commissioner Saldana would like the sidewalks to be repainted. Mayor Pro-Tem Martinez motioned to approve. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously.

10. BIDS/CONTRACTS: *Present, Discuss, Consider, and Possibly Take Action Regarding:*

a. Approval of Interlocal Agreement between Mercedes Independent School District and the Mercedes Police Department. (PD)

Mayor Pro-Tem Martinez made a motion to approve. Commissioner Howell seconded. Commissioner Howell explained that partnership will update from having two school resource officers to five resource officers. Commissioner Howell commended the Police Department for working with the School district on the active shooter training. Upon a called vote, the motion passed unanimously.

b. Interlocal Agreement between the City of Mercedes and the City of Weslaco for Animal Care Services.

Mr. Perez informed the Commission that this is a renewal and has two changes on the fees for impoundment and the deceased animal fee has increased. Mayor Pro-Tem Martinez motioned to approve. Commissioner Garcia seconded. Commissioner Howell asked for other option and the cost for the city to have the services. Mr. Perez stated the requirements to have the shelter at the city and is currently not in the books for Mercedes. Mayor Montoya stated to look at the option of providing spay and neuter for a fee in order to return the animals to the owners. The Commission stated that education is key. Upon a called vote, the motion passed 4 to 1. Commissioner Howell voted against.

c. Approval of Memorandum of Understanding (MOU) Addendum between the Children's Advocacy Center of Hidalgo and Starr Counties and the Mercedes Police Department. (PD)

Police Chief Estrada stated the changes of the MOU are just the signature. Mayor Pro-Tem Martinez motion to approve. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously.

d. Entering into Contract for Engineering Services (CM)

Mr. Perez stated that the City is growing and there is a higher need to keep up with the demands of the customers. Mr. Ramirez stated the city went out for engineering services. He stated 19 firms submitted and provided the commission with a list of the engineer's staff are recommending. Mr. Fred Resendez

from Freese and Nichols provided a brief description of their company. Mr. Richard Correa from Garver specialty water and wastewater and municipal service. Casa Engineering Mr. Juan Vigilio Garcia Civil and Surveying Associates, his background is water and wastewater. Mr. Guzman and Munoz provided a short history of his work, B2Z, David Rivera specializes in roadway, drainage, construction management, and geotechnical services. Mayor Pro-Tem Martinez motioned to move forward with the recommended engineering on rotation. Commissioner Howell seconded. Commissioner Howell stated the city wants to get things done. Mayor Montoya stated some of the biggest complaints was that it took forever to do business here. He added that the engineers should be putting the pressure to keep moving projects forward. Upon a called vote, the motion passed unanimously.

11. Departmental Monthly Reports:

Police Dpt., Public Works, Library, Planning, Finance/Municipal Court, City Secretary/HR/PIO, Fire

The Department reports were included for the Commission to review. No action required.

Mayor Montoya called the meeting into executive session at 7:17 P.M.

12. 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. Discussion regarding Project Lopez – Section 551.087
- b. Discussion regarding Projects Update from DCM– Section 551.087
- c. Consultation with Attorney regarding legal requirements for school safety and police department requirements – 551.071
- d. Discussion regarding Project Updates from the City – Section 551.087
- e. Consultation with Attorney regarding ETJ legal requirements – Section 551.071

Mayor Montoya called the meeting back to order at 9:22 P.M.

13. Open Session: *Discuss, Consider, and Possibly Take Action Regarding*

a. Item A from Executive Session

Mayor Pro-Tem Martinez motioned to proceed as discussed in executive session. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. Mayor Pro-Tem Martinez rescinded his previous motion and motioned to approve the DCM loan in the amount of \$85,260 with a 3% interest rate advertised for 15 years. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

b. Item B from Executive Session

No action was taken on this item.

c. Item C from Executive Session

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

d. Item D from Executive Session

No action was taken on this item.

e. Item E from Executive Session

Mayor Pro-Tem Martinez motioned to proceed as discussed in executive session. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

14. Adjournment

Mayor Montoya adjourned the meeting at 9:25 P.M.