

Item 5A

MERCEDES CITY COMMISSION
SPECIAL MEETING
NOVEMBER 7, 2018 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS

MEMBERS PRESENT:	Henry Hinojosa	Mayor
	Ruben Guajardo	Mayor Pro-Tem
	Howard Wade	Commissioner
	Leandro Villarreal	Commissioner
	Cristella De Leon Hernandez	Commissioner
	Sergio Zavala	Assistant City Manager
	Juan Molina	City Attorney

MEMBERS ABSENT: NONE

Staff: Nereida Perez, Saul Rodriguez, Jose Figueroa, and Joselynn Castillo.

1.) CALL MEETING TO ORDER.

Mayor Hinojosa welcomed everyone to the meeting and called the meeting to order at 6:00 p.m.

2.) ESTABLISH QUORUM.

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

3.) INVOCATION.

Interim City Manager Sergio Zavala said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Hernandez led in the Pledge of Allegiance.

Mayor Hinojosa made a motion to move to item 10 after consent agenda. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

5.) CONSENT AGENDA (ORDINANCE NO. 98-21):

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD OCTOBER 16, OCTOBER 26, AND OCTOBER 29, 2018. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2018-39 TO INCLUDE SEWER RATE(S) FOR MULTI-FAMILY/SMALL BUSINESS OUTSIDE CITY LIMITS (OCL). C.) APPROVAL OF 2018 ANNUAL TAX ROLL TOTALS. (#2018/11/07A) D.) REQUEST APPROVAL TO AUTHORIZE STAFF TO SOLICIT FOR RFPS FOR AMBULANCE EQUIPMENT (CARDIAC MONITORS/DEFIBRILLATORS)

Mayor Pro-Tem Guajardo made a motion to approve all items under consent agenda. Commissioner Wade seconded the motion which passed unanimously.

At this time the Commission moved to item 10 on the agenda.

10.)DISCUSSION AND POSSIBLE ACTION TO APPROVE CONTRACT (PROFESSIONAL SERVICES) WITH DR. ANDREW LEVINE, M.D., AS THE CITY OF MERCEDES' MEDICAL DIRECTOR OF THE MERCEDES DEPARTMENT OF PUBLIC SAFETY EMERGENCY MEDICAL SERVICES.

Mr. Zavala stated a medical director is required in order to start the ambulance service. Mr. Zavala said that in meeting with the City's ambulance consultant, they proposed engaging Dr. Andrew Levine who is the medical director for the City of Weslaco. Mr. Zavala said that it is a two-year contract at a monthly fee of \$1,500. Dr. Levine is to provide his own malpractice insurance and include the City of Mercedes as an additional insured party. The insurance coverage must be a minimum of \$1 Million per incident and \$3 Million per occurrence. Mayor Pro-Tem Guajardo made a motion to approve the contract with Dr. Levine for Professional Services as the City of Mercedes' Medical Director. Commissioner Hernandez asked Mr. Armando Martinez if they could negotiate for a 3 year contract at which Armando said yes. Commissioner Wade asked if the contract needs to be executed prior to starting the ambulance services and if the fee is the same as Weslaco. Mr. Martinez acknowledged that the contract must be executed before the ambulance services begin and the fee is less than the fee Dr. Levine is charging Weslaco; Mr. Martinez also stated that the Medical Director will be setting the guidelines. Mayor Hinojosa stated the Ambulances will be Mobile ICUs. Commissioner Villarreal seconded the motion which passed unanimously.

At this time the Commission moved to item 6 and continued as numbered.

6.) CITY MANAGER COMMENTS.

Mr. Zavala addressed the comments made under open forum for the meeting of October 16, 2018. Mr. Zavala addressed the open meetings act violation claim, legal fees, property purchased and sold by the City, the recall and recount process and the USDA grant.

7.) PRESENTATION AND UPDATE BY FELIX RODRIGUEZ, VETERANS SERVICES OFFICE REPRESENTATIVE.

Mr. Felix Rodriguez was not present at the meeting.

8.) CONSIDERATION AND APPROVAL OF A REIMBURSEMENT RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO ACQUIRING AND CONSTRUCTING VARIOUS CITY IMPROVEMENTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.(RESOLUTION NO. 2018-12)

Mr. Zavala addressed the Commission about correspondence with Arnold Cantu III from Norton Rose Fulbright who are assisting to secure the Certificates of Obligation. The documents were included for the Commission to review. Mr. Zavala stated it would include improvements to streets, drainage, equipment procurement, and the payment of engineering costs. Mayor Pro-Tem Guajardo made a motion to approve the Reimbursement Resolution. Commissioner Wade seconded the motion which passed unanimously.

Mayor Hinojosa opened the public hearing at 6:15 pm.

9.) PUBLIC HEARING ON A PROPOSED REZONING A TRACT DESCRIBED AS CAMPACUAS AN IRR TR. W. 184.09' – E. 1060.53' – N. 981.27', LOT 15, BLOCK 114 (4.0 AC.NET), FROM CLASS "N" NEWLY ANNEXED DISTRICT TO CLASS "B" BUSINESS DISTRICT, APPLICANT: JAVIER SOLIS.

Mr. Zavala addressed the Commission regarding the surrounding areas. No comments were made from the public, and Mayor Hinojosa closed the public hearing at 6:17 pm.

-FIRST READING OF AN ORDINANCE – REZONING A TRACT DESCRIBED AS CAMPACUAS AN IRR TR. W. 184.09' – E. 1060.53' – N. 981.27', LOT 15, BLOCK 114 (4.0 AC. NET), FROM CLASS "N" NEWLY ANNEXED DISTRICT TO CLASS "B" BUSINESS DISTRICT.

Commissioner Wade made a motion to approve the first reading of the Ordinance. Mayor Hinojosa seconded the motion which passed unanimously.

11.)DISCUSSION AND POSSIBLE ACTION OF REQUEST BY PUBLIC WORKS DIRECTOR TO PURCHASE INVENTORY ITEMS FOR THE UTILITIES DIVISION OF PUBLIC WORKS.

Mr. Figueroa addressed the Commission regarding utility inventory running low. Mr. Figueroa said that the parts are required to connect water and sewer services. They received a quote for \$14,295.75 from Ferguson Waterworks who is on BuyBoard. Commissioner Wade made a motion to approve the purchase of inventory items by the Public Works Director for the Utilities Division. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

12.)DISCUSSION AND POSSIBLE ACTION TO AWARD PROPOSAL FOR POLICE DEPARTMENT CAMERAS AND ACCESS CONTROL (SECURITY).

Mr. Rodriguez addressed the Commission regarding the bids received for the cameras and access controls for the police department. Ten bids were submitted and nine were accepted because one bid included items which were on the banned list. The bids were from: American Surveillance (\$69,831.48), Convergint (\$121,920.49), Protech Security, Security International (\$108,247.00), Superior Alarms (\$81,156.38), Vanguard IT (\$69,465.15), Knight Security Systems (\$82,951.00), NCS (\$100,755.00), OverWatch (\$112,979.00), and STS 360 (\$72,428.53). Mr. Rodriguez explained the criteria used to grade the vendors, their locality, the score they received, and the four-member committee grading. AT a question by Mayor Hinojosa, Saul stated that Convergint was the highest bid. Mr. Rodriguez recommended American Surveillance and provided the Commission with information on their work and products. Commissioner Hernandez asked whether the Company had any lawsuits at which Mr. Rodriguez stated he did not research on lawsuits but received letters of recommendation. At a question by Commissioner Wade regarding the length of service, Mr. Rodriguez stated that it's an ongoing maintenance. Mayor Pro-Tem Guajardo made a motion to approve the bid submitted by American Surveillance (\$69,831.48). Commissioner Wade seconded the motion which passed unanimously.

13.)OPEN FORUM:

-Jose Gomez addressed the Commission regarding the USDA Grant and transparency and accountability from local government.

-Leonel Benavidez addressed the Commission regarding legal fees received through open records and the \$10,000 threshold.

Mayor Hinojosa called the meeting into executive session at 6:33 pm. No action will be taken during Executive Session.

14.)EXECUTIVE SESSION:

-DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE ASSISTANT CITY MANAGER. – SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. – PERSONNEL.

-DISCUSSION REGARDING CITY MANAGER APPLICATIONS – SECTION 551.074 TEXAS GOVERNMENT CODES ANNOTATED. – PERSONNEL

-DISCUSSION REGARDING PROJECT BUXANI – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.

-DISCUSSION REGARDING MERCEDES INVESTMENTS, LP-PROJECT UPDATE. (KAMEL) – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECOMONIC DEVELOPMENT.

Mayor Hinojosa called the meeting back to order at 8:29 P.M.

15.)DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSION IN EXECUTIVE SESSION.

Mayor Hinojosa made a motion to proceed as discussed in executive session on project Buxani and refer to TIRZ board and create a memorandum of understanding and proceed as discussed in executive session on the water park project by Javier Perez. Mayor Pro-Tem Guajardo seconded the motion which passed unanimously.

16.)DISCUSSION AND POSSIBLE ACTION TO APPOINT CITY MANAGER

Mayor Hinojosa made a motion to select Sergio Zavala as the City Manager. Commissioner Wade seconded the motion which passed unanimously.

17.) ADJOURN.

Mayor Hinojosa made a motion to adjourn the meeting. Commissioner Villarreal seconded the motion which passed unanimously, and the meeting was adjourned at 8:31 P.M.