

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
NOVEMBER 20, 2018 – 6:00 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	<b>Henry Hinojosa</b>	<b>Mayor</b>
	<b>Howard Wade</b>	<b>Commissioner</b>
	<b>Leandro Villarreal</b>	<b>Commissioner</b>
	<b>Cristella De Leon Hernandez</b>	<b>Commissioner</b>
	<b>Sergio Zavala</b>	<b>Assistant City Manager</b>
	<b>Arcelia L. Felix</b>	<b>City Secretary</b>
	<b>Juan Molina</b>	<b>City Attorney</b>
<b>MEMBERS ABSENT:</b>	<b>Ruben Guajardo</b>	<b>Mayor Pro-Tem</b>

**Staff: Joselynn Castillo, Nereida Perez, and Marisol Vidales.**

**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 except Mayor Pro-Tem Guajardo, which constituted a quorum.

**3.) INVOCATION.**

Reverend Juan de los Santos said the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Villarreal led in the Pledge of Allegiance.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD NOVEMBER 7, 2018. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2018-40 – REZONING FROM 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 DIST. C.) APPROVAL OF HUMANA CONTRACT FRO EMPLOYEE HEALTH INSURANCE D. \_ RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AND RELEASE AGREEMENT WITH CPG MERCEDES, L.P., DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA WITHIN THE CITY OF MERCEDES AS A NEIGHBORHOOD EMPOWERMENT ZONE NUMBER ONE. E.) RATIFICATION OF PAYMENTS MADE TO ATTORNEY ARNOLD AGUILAR FOR LEGAL SERVICES RENDERED TO COMMISSIONER LEO VILLARREAL ON CAUSE NO. C-2093-17-A, RICHARD GARCIA & DAHIA GARCIA VS. CITY OF MERCEDES LITIGATION FILE.**

At Mayor Hinojosa’s request, City Attorney Molina explained agenda item #5E in which City Manager Zavala is requesting ratification of payments made to Aguilar & Zabarte for legal fees previous to this date, and all legal fees after this date.

Mayor Hinojosa made a motion to approve all items under consent agenda. Commissioner Hernandez seconded the motion which passed with Commissioner Villarreal abstaining from the vote.

**6.)CITY MANAGER COMMENTS.**

No comments were offered by Mr. Zavala.

**7.) PRESENTATION: UPDATE BY MIKE MESA ON FEMA RELIEF RESPONSE.**

Mr. Mike Mesa addressed the Commission saying that the area had not met the 34.6 million threshold to allow for FEMA assistance. He said that the reason had been for the disallowance of the damage to the irrigation districts. He also said that if FEMA assistance is not granted, the City would get credit for his services.

**8.) PUBLIC HEARING TO SOLICIT INPUT ON THE PROPOSED TRANSPORTATION ALTERNATIVE PROGRAM; PROJECT AREA DEFINED AS NEW 5 FOOT SIDEWALKS (ADA ACCESSIBLE) ON BOTH SIDES OF HIDALGO STREET FROM TEXAS STREET THEN WESTWARD TO REYNOSA STREET.**

Mayor Hinojosa opened the public hearing at 6:14 PM.

Mr. Mesa informed the Commission that the Hidalgo County MPO administers a program that is called the Transportation Alternatives Program (TAP) where paved sidewalks can be applied for. The sidewalks Proposed will be along both sides of Hidalgo beginning on Texas then westward to Reynosa Street, which area has a school nearby.

Ms. Yolanda Molina addressed the Commission in support of the sidewalks.

Mr. Miguel Loya addressed the Commission saying he was happy for the application, but would also like sidewalks added to the area of town where he lives which is 429 Indiana. At a call for additional comments none were offered and the public hearing was closed at 6:22 PM.

Commissioner Wade made a motion to approve a Resolution authorizing the submittal of an application to the Hidalgo County MPO for the Transportation Alternatives Program. Mayor Hinojosa seconded the motion, which passed unanimously. (Resolution #2018-14)

**9.)DISCUSSION AND ACTION ON RESOLUTION TO SUPPORT STRENGTHENING THE TEXAS TRAUMA NETWORK. (RESOLUTION NO. 2018-15)**

Mr. Jesus Ozuna from Doctors Hospital at Renaissance presented a Resolution in which the City supports the efforts to get a Level 1 trauma center in this area. DHR's efforts have received support from most of the valley cities. Mayor Hinojosa made a motion to approve Resolution No. 2018-15, in which the City expresses support for a Level 1 Trauma center. Commissioner Wade seconded the motion which passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION TO APPROVE MEDICAL DIRECTOR'S CONTRACT AS AMENDED BY DR. ANDREW LEVINE.**

Mr. Zavala stated that Dr. Levine had amended his contract to reflect a change from \$1,000,00 to \$200,000.00 per incident and from \$3,000,000 to \$600,000 per occurrence. Mr. Armando Martinez, the City's consultant, said that under the Tort reform, the amended amounts would be sufficient.

Mayor Hinojosa made a motion to approve the medical director's contract with Dr. Levine, as amended for Professional Services as the City of Mercedes' Medical Director. Commissioner Villarreal seconded the motion which passed unanimously.

**11.)DISCUSSION AND POSSIBLE ACTION ON BILLING FOR AMBULANCE MEDICAL SERVICES.**

Mr. Armando Martinez addressed the Commission regarding the billing services from the City of Weslaco. He and Mr. Zavala had talked with Weslaco about a 20% across the board fee of the billing collected. However, Mr. Martinez noted that Option 2 was available in which the City would pay for the hiring of a temporary full-time billing clerk at approximately \$3100 a month. This will be a much better option for the City.

Commissioner Wade made a motion to approve option #2 on the billing by the City of Weslaco which is for the hiring of a temporary full-time billing clerk. Commissioner Villarreal seconded the motion which passed unanimously.

**12.) DISCUSSION AND ACTION ON FIRST AMENDMENT TO THE ADVANCED METERING INFRASTRUCTURE AGREEMENT.**

Ms. Nereida Perez addressed the Commission regarding the contract between the City and Sensus for the Software agreement. She said that the project will relocate the servers located at city hall and have Aquametic hosting the software and data. In addition, the current software will be upgraded to the newest update. In 2014 the City had entered into a pilot program and later decided to go full service; however Sensus never billed the City for the hardware or software support. Ms. Perez went over the benefits of the upgrades and how it would help with the reporting. She stated that funds are budgeted from this fiscal year.

Commissioner Wade made a motion to approve the first Amendment to the Advanced Metering Infrastructure Agreement. Commissioner Villarreal seconded the motion which passed unanimously.

**13.) DISCUSSION AND ACTION TO AUTHORIZE STAFF AND SIGLER, WINSTON & GREENWOOD TO SOLICIT BIDS FOR HEB PARK IMPROVEMENTS PHASE I.**

Mr. Zavala said that staff and Commissioner Villarreal had worked to finalize the improvements to HEB park. The improvements for this phase will include improving the pave roundabout, extend electricity, provide a loading ramp to the amphitheater as well as improving the area in front of the amphitheater with stair-step layers of landscaping, lighting and masonry improvements and provide irrigation system for a portion of the grass-seeded area.

Commissioner Wade made a motion to authorize the advertising for bids for Phase I HEB Park improvements. Mayor Hinojosa seconded the motion which passed unanimously.

**14.) PRESENTATION OF MONTHLY REPORTS.**

The department monthly reports were included in the Commission packet.

**15.)OPEN FORUM:**

-Jose Gomez addressed the Commission regarding the legal fees for Leo Villarreal. Mr. Miguel Loya had likewise signed up to speak about the legal fees in agenda item 5E; however, Mayor Hinojosa said that it was the same item as Mr. Gomez.

-Mr. Albert Cano addressed the Commission commending Mr. Zavala for his assistance on a matter and also talked about potholes and the City asking Pct. #1 for assistance.

-Ms. Yolanda Molina addressed the Commission regarding their authorization to pay legal fees.

-Leonel Benavidez addressed the Commission regarding questions on a student case and City Agenda.

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

**16.)EXECUTIVE SESSION:**

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

**-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 7:33 P.M.

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

No action will be taken on the items discussed in executive session.

**18.) ADJOURN.**

Mayor Hinojosa made a motion to adjourn the meeting. Commissioner Wade seconded the motion which passed unanimously, and the meeting was adjourned at 7:34 P.M.