

**MERCEDES CITY COMMISSION
REGULAR MEETING
JANUARY 15, 2019 – 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	City Manager
	Arcelia L. Felix	City Secretary
	Juan Molina	City Attorney

MEMBERS ABSENT: NONE

Staff: Nereida Perez, Marisol Vidales, Tommy Ureste, Jose Figueroa, Olga Maldonado, Saul Rodriguez, Richard Morin, Martin Johnson 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.

Reverend Uvaldo Jacques said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Villarreal led in the Pledge of Allegiance.

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

B.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JANUARY 2, 2019. B.) APPROVAL OF CONTRACT WITH HECTOR LOPEZ FOR SOCCER FIELDS AT MERCEDES SPORTS COMPLEX. C.) APPROVAL OF REQUEST TO ADVERTISE FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES FOR THE CITY OF MERCEDES' HISTORICAL FIREHOUSE (NW 4TH/OHIO). D.) APPROVAL TO AUTHORIZE STAFF TO SOLICIT FOR RFP FOR NEEDED APPRAISAL SERVICES ON FLORIDA AVENUE SIDEWALK EASEMENTS. E.) APPROVAL TO AUTHORIZE STAFF TO APPLY FOR THE TEXAS BOOK FESTIVAL GRANT.

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

6.) CITY MANAGER COMMENTS.

Mr. Zavala stated he would address his comments under the Department Head presentations.

7.) PRESENTATION BY DEPARTMENT HEADS: (A) RECREATION CENTERS (B) LIBRARY DEPARTMENT (C) FIRE DEPARTMENT (D) FINANCE DEPARTMENT (E) POLICE DEPARTMENT (F) PUBLIC WORKS (G) I.T. DEPARTMENT (H) CITY SECRETARY, AND (I) PLANNING DEPARTMENT.

The department heads made oral presentations about this past year's accomplishments and the goals for next year.

8.) DISCUSSION AND POSSIBLE ACTION TO AUTORIZER THE CITY MANAGER TO ISSUE FIVE (5) BUILDING PERMITS ON LOTS AT THE UN-RECORDED CROWN HAVEN SUBDIVISION.

Mr. Zavala addressed the Commission regarding the Crown Haven Subdivision. Mr. Zavala stated the subdivision is up to code and all elements have been assessed which include the utilities, inspection, and the water and sewer. Mr. Zavala informed the Commission that the developer is requesting 5 permits for construction which need to be approved by Commission due to the plat still in the process of being recorded. Mr. Zavala stated there will be no occupancy until the plat is recorded. Mayor Pro-Tem Guajardo made a motion to authorize the City Manager to issue five building permits on the un-recorded Crown Haven Subdivision. Commissioner Villarreal seconded the motion. Mayor Hinojosa clarified that the motion passed subject to no occupancy and the building permit process to be enforced. The motion passed unanimously.

9.) PRESENTATION AND UPDATE BY LEFEVRE ENGINEERING ON THE STATUS OF PAVING AND UTILITY PROJECTS LET OUT FOR BIDS.

Richard LaFevre informed the Commission that the bids were opened last week and he suggested coming once a month to update the Commission on the projects. Mr. LeFevre stated the 6 projects that were bid out all came in under budget. They will evaluate the bids, check references next week, and have a recommendation and asked if a special meeting could be called to issue the notice of award to the approved bidder. The consensus of the Commission was to call for a Special meeting on January 22nd. The Lift station project has been pushed back two weeks to allow for the addition of 3 needed rotors

10.) DISCUSSION AND POSSIBLE ACTION TO CONSIDER AWARDING CONTRACT ON BID FOR THE MERCEDES CIVIC CENTER PROPOSED PAVING, ELECTRICAL, IRRIGATION AND LANDSCAPING IMPROVEMENTS.

Isaac Huacuaja, representing Sigler, Winston, & Greenwood addressed the Commission regarding the bids received for the Mercedes Civic Center on paving, electrical, irrigation and landscaping. He provided a brief statement regarding the lowest bidder and their background and knowledge, which was NM Contracting for \$253,534.60. There was some discussion regarding, the reference checks, any complaints, the funding, and the timeline. Mayor Hinojosa made a motion to award the Mercedes Civic Center proposed paving, electrical, irrigation and landscaping improvements to NM Contracting for \$253,534.60. Commissioner Wade seconded the motion, which passed unanimously.

11.) DISCUSSION AND POSSIBLE ACTION TO CONDITIONALLY APPROVE EXTENSION OF CONTRACT BY AND BETWEEN THE CITY OF MERCEDES AND MED CARE EMS, INC.

Mr. Zavala informed the Commission about the contract with Med Care EMS, which expires 2019. Mr. Zavala stated Med Care will continue to provide services pursuant to the terms of the existing contract until the City initiates the City-run ambulance service. Mayor Pro-Tem Guajardo made a motion to conditionally approve extending the contract by and between the City of Mercedes and Med Care EMS, Inc. Commissioner Wade seconded the motion, which passed unanimously.

12.) DISCUSSION AND POSSIBLE ACTION TO POSSIBLE AWARD CONTRACT FOR THE MERCEDES SPORTS COMPLEX PHASE 1.

Mr. Zavala addressed the Commission about receiving 5 bids for the Mercedes Sports Complex Phase 1. After going over the bid amount, Mayor Pro-Tem Guajardo made a motion to table item 12, in order to ask Mr. Garcia questions about the contractors. Commissioner Hernandez seconded the motion, which passed unanimously.

13.)DISCUSSION AND POSSIBLE ACTION ON FIRST READING OF ORDINANCE NO. 2019-01 CALLING THE 2019 CITY OFFICER'S ELECTION.

City Secretary Ms. Felix addressed the Commission about an Ordinance to call the 2019 City Officer's Election. Ms. Felix stated the positions up for elections are Place 2 currently held by Commissioner Wade and Place 4 held by Mayor Pro-Tem Guajardo. Ms. Felix provided the dates to file for a place on the ballot and the early voting dates and location. Mayor Pro-Tem Guajardo made a motion to approve the first reading of an Ordinance calling the election. Mayor Hinojosa seconded the motion, which passed unanimously.

14.) DISCUSSION AND POSSIBLE ACTION ON PROPOSED MEMORANDUM OF UNDERSTANDING WITH THE RIO GRANDE VALLEY LIVESTOCK SHOW ORGANIZATION FOR WATER PUMP USAGE.

Mr. Zavala addressed the Commission regarding post-storm meetings for partnerships. Mr. Zavala informed the Commission of the idea brought up in the meeting, which is having the RGVLS procure a large water pump and, if the City partially paid for the pump, it would be made available to the City to be used elsewhere. Mayor Pro-Tem Guajardo made a motion to approve the MOU with RGVLS for water pump usage. Commissioner Wade seconded the motion, which passed unanimously.

15.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 34 OF THE CITY'S PERSONNEL SICK LEAVE POLICY.

Mr. Zavala addressed the Commission regarding the Personnel Sick leave policy to allow sick leave to be donated from employee to employee if all available leave has been exhausted for unique circumstances. Mr. Zavala stated the City Manager will make the final decision on the sick leave donation. Commissioner Wade made a motion to approve the ordinance to amend Chapter 34 of the City's Personnel Sick Leave Policies. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

16.)DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF AN ORDINANCE REGARDING POLLUTION PREVENTION IN STORMWATER TO PROVIDE COMPREHENSIVE STROMWATER REGULATIONS.

Mr. Figueroa addressed the Commission about an Ordinance for Pollution Prevention in Storm water. Mr. Figueroa stated the Ordinance is to address the requirements of the permit and to control and minimize increases in storm water runoff, soil erosion, stream channel erosion, and nonpoint source pollution, which will prevent threats to public health and safety. Mr. Figueroa informed the Commission of the issues being addressed by the Ordinance and by approving the City will comply with TCEQ requirements. Mayor Pro-Tem Guajardo made a motion to approve the first reading of an ordinance on Pollution prevention. Mayor Hinojosa seconded the motion which passed unanimously.

17.)DISCUSSION AND POSSIBLE ACTION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF MERCEDES AND HIDALGO COUNTY FOR RURAL EMERGENCY SERVICES. #2019/01/15

Mr. Ureste addressed the Commission regarding an Interlocal Agreement with the Hidalgo County Rural Services. Mr. Ureste stated the contract is to expire January 1, 2022 and the City will be reimburse for each call outside city limits. Mayor Pro-Tem Guajardo made a motion to approve the Interlocal

Agreement between the City of Mercedes and the Hidalgo County Rural Services. Commissioner Villarreal seconded the motion which passed unanimously.

18.)DISCUSSION AND POSSIBLE ACTION TO DETERMINE THE METHOD OF BASEBALL FIELD USAGE AT COLLIER PARK.

Mr. Zavala addressed the Commission regarding the method of baseball field usage at Collier Park. He informed the Commission about the previous ways the park was scheduled and provided options on the scheduling for 2019. Mayor Pro-Tem Guajardo made a motion to go in-house and allow the resources to Mr. Morin in order for the Recreation Department to do the scheduling. There was some discussion regarding the need for additional staff, rest days for the field, maintenance of the fields, and scheduling. Commissioner Hernandez stated she would like the item to come back at a future meeting at which Mr. Zavala stated it would need to come back due to a required budget amendment. Commissioner Wade seconded the motion, which passed unanimously.

19.)DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF MEMBER AND ALTERNATE MEMBER TO THE MERCEDES HISTORIC PRESERVATION COMMISSION.

Ms. Vidales addressed the Commission about a vacancy left by Ms. Eileen Mattei. Ms. Vidales stated the alternate seats are filled by Ms. Sylvia Carlin and Mr. Deval "Pino" Shah and there has only been one application by Mr. Alejandro Medina; that, if appointed would run until October 4, 2019. Ms. Vidales' recommendation is to appoint Ms. Sylvia Carlin to the seat left by Ms. Eileen Mattei and appoint Mr. Alejandro Medina to the Alternate seat. Mayor Hinojosa made a motion to approve the recommendation by staff on the appointment of member and alternate to the Mercedes Historic Preservation Commission. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously.

20.)TABLED: DISCUSSION AND POSSIBLE ACTION ON AMENDING CONTRACT WITH ARMANDO MARTINEZ, ADMINISTRATOR OF RECORD, TO INCREASE MONTHLY RETAINER.

Mayor Hinojosa made a motion to un-table item 20. Mayor Pro-Tem Guajardo seconded the motion, which passed unanimously. Mr. Zavala informed the Commission that the enhanced contract has been provided for their review. Mr. Armando Martinez was not present. Mayor Hinojosa made a motion to table this item. Commissioner Hernandez seconded the motion, which passed unanimously.

21.)OPEN FORUM:

Mr. Leonel Benavidez addressed the Commission about loans, CO's, and debt the City currently has and a response letter for Open Records.

Mayor Hinojosa called the meeting into executive session at 8:52 pm. No action will be taken at this time.

22.)EXECUTIVE SESSION:

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

Mayor Hinojosa called the meeting back to order at 9:39 P.M.

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

No action taken on the items discussed in executive session.

24.) ADJOURN.

Mayor Hinojosa made a motion to adjourn the meeting. Commissioner Wade seconded the motion, which passed unanimously. Meeting was adjourned at 9:40 P.M.