

**MERCEDES CITY COMMISSION
REGULAR MEETING
JANUARY 7, 2020 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Henry Hinojosa Leandro Villarreal Leonel Benavidez Jose M. Gomez	Mayor Mayor Pro-Tem Commissioner Commissioner
MEMBERS ABSENT:	Cristella De Leon Hernandez	Commissioner
STAFF PRESENT:	Sergio Zavala Anthony Troiani Joselynn Castillo Nereida Perez Dagoberto Chavez Marisol Vidales Hugo Perales Tommy Ureste James Cooper Kristine Longoria	City Manager City Attorney City Secretary Finance Director ACM/Police Chief Library Aide I.T Director Fire Chief/EMC Lieutenant City Secretary Clerk

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.

Four members of the Commission were present which constituted a quorum.

3.) INVOCATION.

Pastor Nava was voice for those present by expressing an inspired invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Gomez led in the Pledge of Allegiance.

5.) OPEN FORUM-

- Ms. Rosie Dominguez expressed her concerns regarding the compliance of the Open Meetings Act on open forum.
- Mr. Jacob Howell stated his opinion on City goals which included a master economic plan, Community participation & feedback, support for local businesses, citizens, & employees, and trust in the Commission.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD DECEMBER 17, 2019.

Mayor Pro-Tem Villarreal made a motion to approve the item under consent agenda. Commissioner Benavidez stated to add the name of the firm that was selected to Item 14 of the December 17, 2019. Commissioner Benavidez seconded the motion. Upon a called vote, the item was unanimously approved.

7.) CITY MANAGER COMMENTS.

Mr. Zavala addressed the concerns expressed in open forum. He explained the difference between open forum and public hearing, stated he would like to revisit on the master economic plan and city comprehensive plan. Mr. Zavala also informed the Commission about the annual reports from staff, Mr. Zavala would like to move forward with the Complaint Committee, and he stated the City is #6 in sales tax in Hidalgo County.

Mayor Hinojosa opened the Public Hearing at 6:17 PM.

8.) PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON PROPOSED REZONING OF LOTS 14 & 15, BLOCK 128, MERCEDES ORIGINAL TOWNSITE, FROM CLASS "B" TWO FAMILY RESIDENTIAL TO CLASS "C" APARTMENT.

- Mr. Edelmiro Dominguez voiced his concerns regarding the volume of traffic in the area, speeding, and stated there would be more traffic from the tenants that will need to turn into the parking lot of the apartments that are being proposed.
- Ms. Esmer Guerrero expressed her concern regarding the traffic, the students that attend the school nearby, and the sidewalks.
- Ms. Julieta Garza voiced her concern regarding the flooding issues in the area. Ms. Garza is concerned that rain water will flow to her property if the proposed rezone is approved.
- Mr. David Garza expressed his concern with the apartments not having an office, traffic concerns, and stated if the apartments are not rented they may become government issued apartments.

Mayor Hinojosa closed the public hearing at 6:35 PM.

- **FIRST READING OF AN ORDINANCE ON PROPOSED REZONING OF LOTS 14 & 15, BLOCK 128, MERCEDES ORIGINAL TOWNSITE, FROM CLASS “B” TWO FAMILY RESIDENTIAL TO CLASS “C” APARTMENT.**

Mayor Hinojosa made a motion to not pass the rezone. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the item was not passed unanimously.

9.) DISCUSSION AND POSSIBLE ACTION ON ORDINANCE TO AMEND THE CITY OF MERCEDES’ SUBDIVISION ORDINANCE TO ADD A PROVISION FOR EXTENDING A SUBDIVISION PLAT’S APPROVAL.

Mr. Zavala stated that Project Hacienda Olivia will need an extension and if not, the firm will need to refile for the subdivision plat. The ordinance will add a provision that will allow the Commission to exempt and extend the process for 1 year.

After a brief discussion, Commissioner Gomez made a motion to table the Ordinance amendment until after May 2020 for the new Commission. Commissioner Benavidez seconded the motion. Upon a called vote, the item was 2 to 2 with Mayor Hinojosa and Mayor Pro-Tem Villarreal voting against.

10.) DISCUSSION AND POSSIBLE ACTION TO APPROVE AUDIT FOR FY 17-18 BY BURTON MCCUMBER & LONGORIA.

Mr. Longoria presented to the Commission the Audit for FY 17-18. He stated the challenges he faced with the previous auditor and provided an overview of the audit which included the following:

- The important numbers for the Commission to focus on.
- The City recognized over \$1 mil in Federal Funds
- The 41 Adjustments stated in the audit.
- The responsibility of Management
- The General Fund, funds balance is at \$3.6 Million.
- The Auditor expressed a clean opinion and stated that the City can run for 120 days without revenues.
- The Auditor briefed over the Water & Sewer Plant fund which owes the General Fund.
- There were questions regarding the material weakness. Mr. Longoria stated that its not a negative, but is something that can be improved.
- Mr. David Garza asked when the City was notified of the problems with the previous auditor.

Mr. Zavala stated there was an exit conference on January 6, 2020 and there have been meetings throughout the process.

Mayor Hinojosa made a motion to approve the audit. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the item was 2 to 2 with Commission Gomez and Commissioner Benavidez voting against.

11.) TABLED: DISCUSSION AND POSSIBLE ACTION ON ENTRAVISION CONTRACT.

Commissioner Benavidez made a motion to un-table item 11. Mayor Hinojosa seconded the motion. Upon a called vote, the item was approved unanimously.

Mr. Tony Garza stated that the commercials reach approximately 472,000 people in the valley. Mr. Garza stated a survey will need to be done if they want to know how many people visit Mercedes due to the commercials. The Marketing Committee recommends approval. Mayor Hinojosa stated that the City of Mercedes is number 6 in sales tax.

After discussion, Mayor Pro-Tem Villarreal made a motion to approve the Entravision Contract. Commissioner Benavidez seconded the motion. Upon a called vote, the item passed unanimously.

12.) DISCUSSION AND POSSIBLE ACTION ON PROPOSED CHANGE ORDER(S) FOR THE LYONS SUBDIVISION SANITARY SEWER IMPROVEMENTS.

Mr. Hilario Ortiz stated that a change order was needed to on Lyons Subdivision due to the field conditions. Mr. Ortiz said there was about 6 inches of Caliche base under the road and they will need to upgrade pumps and panels from 10 horsepower to 15 horsepower.

After brief discussion, Mayor Pro-Tem Villarreal made a motion to approve the change order. Mayor Hinojosa seconded the motion. Upon a called vote, the item passed unanimously.

13.) DISCUSSION AND POSSIBLE ACTION ON PROCURING A CAMERA AND PAGING SYSTEM FOR THE CITY OF MERCEDES' SAFE DOME FACILITY.

Mr. Zavala informed the Commission that the FEMA Safe Dome needs cameras for the safety and security of the children. The City received quotes from three vendors.

- Universal Info System - \$12,537.32
- ProTech Security System - \$28,000
- Superior Alarms - \$19,317

After discussion, Commissioner Benavidez made a motion to select Universal Info System in the amount of \$12,537.32. Mayor Pro-Tem Villarreal seconded the motion. Upon a called vote, the motion passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 7:21 PM.

14.) EXECUTIVE SESSION: CONSULTATION WITH ATTORNEYS, AS AUTHORIZED BY SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE, REGARDING LEGAL ISSUES INVOLVING POSSIBLE AMENDMENT OF THE AGREEMENT BETWEEN THE CITIES OF MERCEDES AND WESLACO APPORTIONING THE AREA OF EXISTING AND PROSPECTIVE CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION AREA, AND UTILITY SERVICE AREAS BETWEEN THE CITIES AND ESTABLISHING AN AGREED BOUNDARY LINE ("BOUNDARY AGREEMENT") AS IT RELATES TO A 177.98 ACRE TRACT, LOTS 7, 8, 9, 10 & 15, BLOCK 116, CAMPACUAS ADDITION SUBDIVISION OF LLANO GRANDE GRANT, & OUT OF FARM TRACTS 1056, 1057, & 1058, WEST AND ADAMS TRACT SUBDIVISION

Mayor Hinojosa called the meeting back to order at 7:43 P.M.

15.) OPEN SESSION: DISCUSSION AND POSSIBLE ACTION TO APPROVE IN GENERAL TERMS AN AMENDMENT OF THE AGREEMENT BETWEEN THE CITIES OF MERCEDES AND WESLACO APPORTIONING THE AREA OF EXISTING AND PROSPECTIVE CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION AREA, AND UTILITY SERVICE AREAS BETWEEN THE CITIES AND ESTABLISHING AN AGREED BOUNDARY LINE ("BOUNDARY AGREEMENT") AS IT RELATES TO A 177.98 ACRE-TRACT, LOTS 7, 8, 9, 10 & 15, BLOCK 116, CAMPACUAS ADDITION SUBDIVISION OF LLANO GRANDE GRANT, & OUT OF FARM TRACTS 1056, 2057, & 1058, WEST AND ADAMS TRACT SUBDIVISIONS ("177.98 ACRE-TRACT"); AUTHORIZING AND DIRECTING THE CITY MANAGER AND LEGAL COUNSEL FOR THE CITY TO NEGOTIATE THE SPECIFIC TERMS OF AN AMENDMENT TO THE BOUNDARY AGREEMENT AND TO BRING BACK TO THE CITY COMMISSION THE RECOMMENDED SPECIFIC TERMS OF AN AMENDMENT TO THE BOUNDARY AGREEMENT AS IT RELATES TO THE 177.98 ACRE-TRACT FOR THEIR FURTHER CONSIDERATION AND ACTION.

Mayor Pro-Tem Villarreal made a motion to approve the agreement between the City of Mercedes and the City of Weslaco. Commissioner Benavidez seconded the motion. Upon a called vote, the item was unanimously approved.

16.) ADJOURN.

Mayor Pro-Tem Villarreal made a motion to adjourn. Commissioner Benavidez seconded the motion. The meeting was adjourned at 7:44 P.M.