

MERCEDES CITY COMMISSION  
REGULAR MEETING  
OCTOBER 1, 2013 -6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS

**MEMBERS PRESENT:**

Henry Hinojosa	Mayor
Jose M. Gomez	Mayor Pro-Tem
James Howard Wade, Jr.	Commissioner
Rodolfo Z. Rodriguez	Commissioner
Ruben Guajardo	Commissioner
Ricardo Garcia	City Manager
Juan Molina	City Attorney

**MEMBERS ABSENT:** Commissioner Ruben Guajardo

Staff: Michelle Leftwich, Amanda Morales, Marisol Vidales, Jesse Villarreal, Olga Maldonado, and Tony Aguilar.

**1.) CALL MEETING TO ORDER.**

Mayor Hinojosa called the meeting to order at 6:00 PM.

**2.) ESTABLISH QUORUM.**

A Quorum of the Commission was present.

**3.) INVOCATION.**

Commissioner Rodriguez made the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Guajardo led the pledge of allegiance.

**5.) OPEN FORUM-**

Hernan Gonzales, Executive Director of the Mercedes EDC introduced himself to the Commission and said that he looks forward to working with them in the future.

Jesus Noriega of TxDot updated the Commission on the status of different projects in and around Mercedes.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD SEPTEMBER 17, 24, 2013. B.) APPROVAL OF INTER LOCAL AGREEMENT WITH COUNTY OF HIDALGO FOR OPERATION STONEGARDEN GRANT (#2013/10/01A). C.) APPROVAL OF REQUEST BY HENRY HINOJOSA FOR USE OF MERCEDES CIVIC CENTER BBQ AREA ON OCT. 25-26. D.) APPROVAL OF PROPOSAL BY LONG, CHILTON FOR AUDITING SERVICES FOR FISCAL YEAR 2012-2013.**

Commissioner Rodriguez made a motion to approve all items under consent agenda as presented. The motion was seconded by Mayor Pro-Tem Gomez and passed unanimously.

**7.) PUBLIC HEARING REGARDING A RE-ZONING FROM "B TWO FAMILY RESIDENCE" TO "A-BUSINESS" LOCATED AT 254 N. INDIANA AVE., MORE PARTICULARLY DESCRIBED AS LOTS D, D4, E, E5, AND F6, BLOCK 65, HOYT AND SIEBERT RE-SUBDIVISION, AKA MERCEDES ORIGINAL TOWNSITE SUBDIVISION, MERCEDES, HIDALGO COUNTY, TEXAS. THE ENTITY MAKING THE REQUEST IS ZURIEL INVESTMENTS, LLC.**

Mayor Hinojosa opened the public hearing at 6:06 PM. Michelle Leftwich explained that the rezoning would allow for some small office buildings to be constructed on the property. There were no comments from the audience and the public hearing was closed by Mayor Hinojosa at 6:09 PM.

**- DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2013-22**

**RE-ZONING AS LOTS D, 04, E, E5, AND F6, BLOCK 65, HOYT AND SIEBERT RE-SUBDIVISION, AKA MERCEDES ORIGINAL TOWNSITE SUBDIVISION, MERCEDES, HIDALGO COUNTY.**

Commissioner Rodriguez made a motion to approve the first reading of Ordinance No. 2013-22 rezoning Lots D, D4, E, E5, and F6, block 65, Hoyt and Siebert re-subdivision, aka Mercedes Original Townsite subdivision, Mercedes, Hidalgo County. The motion was seconded by Commissioner Wade and passed unanimously.

**8.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2013-23 APPOINTING BOARD OF DIRECTORS FOR THE CITY OF MERCEDES TAX INCREMENT REINVESTMENT ZONE.**

Commissioner Guajardo made a motion to approve the first reading of Ordinance No. 2012-23 appointing Mayor Henry Hinojosa, Mayor Pro-Tem Gomez, Commissioner Wade, and Commissioner Rodriguez to the board of Directors for the City of Mercedes Tax Increment Reinvestment Zone. The motion was seconded by Commissioner Rodriguez and passed unanimously.

**9.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT/REAPPOINTMENT OF MEMBERS TO THE MERCEDES HISTORIC PRESERVATION COMMISSION.**

Commissioner Guajardo made a motion to re-appoint Joe Bono and Lorrie Marchant and appoint Dahlia de la Cerda and Raquel Gomez to the Mercedes Historic Preservation Commission. The motion was seconded by Commissioner Rodriguez and passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION ON SELECTION OF CANDIDATE FOR HIDALGO COUNTY APPRAISAL BOARD OF DIRECTORS. (#2013/10/01B).**

Commissioner Rodriguez made a motion to select David Hernandez as a candidate for Hidalgo County Appraisal Board of Directors. The motion was seconded by Commissioner Guajardo and passed unanimously.

**11.) DISCUSSION AND POSSIBLE ACTION ACCEPTING THE RESIGNATION OF DR. CABALLERO AS HEALTH OFFICER AND APPOINTING A REPLACEMENT.**

Commissioner Guajardo made a motion to accept the resignation of Dr. Eduardo Caballero and appoint Dr. Benjamin Salinas as the City Health Officer. Mayor Hinojosa seconded the motion and it passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION ACCEPTING RESIGNATION OF DEVELOPMENT CORPORATION OF MERCEDES, INC. BOARD MEMBER AND APPOINTING A REPLACEMENT.**

Commissioner Guajardo made a motion to accept the resignation of board member Mario Dominguez, Jr. The motion was seconded by Commissioner Rodriguez and passed unanimously. Mayor Pro-Tem Gomez made a motion to appoint Rafael Lorenzana to fill Mr. Dominguez's unexpired term. The motion was seconded by Mayor Hinojosa and passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 6:20 PM.

**13.) EXECUTIVE SESSION:**

- DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE CITY MANAGER.
- TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.
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- DISCUSSION ON EVALUATION OF CITY MANAGER RICARDO GARCIA. - TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.
- DISCUSSION REGARDING ANNEXATION. (CAUSE NO. C-5929-13-H- SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - LITIGATION.

There was no action taken during Executive Session.

Mayor Hinojosa called the meeting back to order at 8:04 PM.

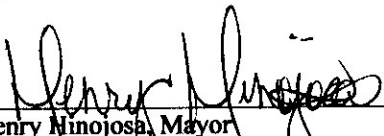
**14.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN EXECUTIVE SESSION.**

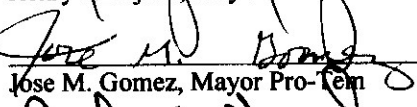
Commissioner Rodriguez made a motion to proceed as discussed in executive session regarding the annexation. The motion was seconded by Commissioner Wade and passed unanimously.

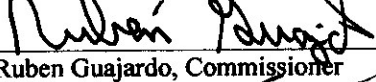
Commissioner Rodriguez made a motion to not extend the contract of City Manager Ricardo Garcia. The motion was seconded by Mayor Pro-Tem Gomez and passed with Commissioner Guajardo voting against it.


**15.) ADJOURN.**

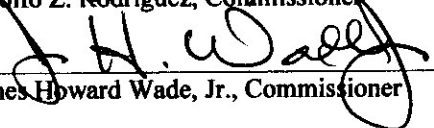
The meeting was adjourned at 8:05 PM

  
Henry Minojosa, Mayor

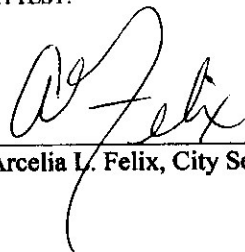
  
Jose M. Gomez, Mayor Pro-Tem

  
Ruben Guajardo, Commissioner

  
Rodolfo Z. Rodriguez, Commissioner

  
James Howard Wade, Jr., Commissioner

ATTEST:

  
Arcelia L. Felix, City Secretary