

MERCEDES CITY COMMISSION
REGULAR MEETING
DECEMBER 3, 2013 - 6:00 P.M.
MERCEDES CITY HALL - COMMISSION CHAMBERS

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

MEMBERS ABSENT: None

Staff: Michelle Leftwich, Amanda Morales, Marisol Vidales, Jesse Villarreal, Chief Maldonado, Hernan Gonzalez 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.

Mayor Pro-Tem Gomez made the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Guajardo led the pledge of allegiance.

5.) OPEN FORUM-

City Manager Ricardo Garcia announced that the City's Fitch credit rating had been upgraded to A+ with a stable outlook.

Ramon Mejia addressed the commission regarding several matters including city leadership, a shooting incident involving police officers, speeding in his neighborhood and government transparency.

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

A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD NOVEMBER 19 AND NOVEMBER 20, 2013. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2013-27 - ESTABLISHING FEES AUTHORIZED BY TEXAS ALCOHOLIC BEVERAGE CODE. C.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER ON DECEMBER 10, 2013 BY CH2M HILL. D.) REQUEST APPROVAL TO EXCHANGE HOLIDAY FROM DEC. 24TH FOR DEC. 26TH.

Commissioner Guajardo made a motion to approve all items under consent agenda as presented. The motion was seconded by Commissioner Wade and passed unanimously.

7.) PRESENTATION OF YEARLY LIBRARY REPORT.

Library Director Marisol Vidales presented an update of the new programs being implemented at the Library and said that participation in all of their programs has increased over the last fiscal year. They have also seen an increase in the number of visitors at the library on a day-to-day basis. There was no action taken on this item.

8.) DISCUSSION AND POSSIBLE ACTION ACCEPTING HIDALGO AND CAMERON COUNTIES IRRIGATION DISTRICT #9'S REQUEST TO INCLUDE CANAL RIGHT OF WAY WITHIN THE CITY OF MERCEDES' EXTRATERRITORIAL JURISDICTION.

Commissioner Rodriguez made a motion to approve Hidalgo and Cameron Counties Irrigation District #9's request to include canal right-of-way within the City of Mercedes Extraterritorial Jurisdiction. Commissioner Guajardo seconded the motion and it passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 6:31 PM.

9.) EXECUTIVE SESSION:

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

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- DISCUSSION REGARDING ANNEXATION. (CAUSE NO. C-5929-13-H- SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - LITIGATION.
- DISCUSSION REGARDING POSSIBLE PURCHASE AND/OR SALE OF REAL ESTATE. - BRAD SCHWARTZ -SECTION 551.072 TEXAS GOVERNMENT CODES ANNOTATED - REAL ESTATE.
- DISCUSSION REGARDING PROJECT BROWNFIELD - ECONOMIC DEVELOPMENT AND REAL ESTATE. - SECTION 551.087 AND SECTION 551.072, TEXAS GOVERNMENT CODES ANNOTATED. - ECONOMIC DEVELOPMENT AND REAL ESTATE.
- DISCUSSION REGARDING SKYVIEW PROJECT. - SECTION 551.087 TEXAS GOVERNMENT CODES ANNOTATED. - ECONOMIC DEVELOPMENT.
- DISCUSSION REGARDING CLAIM BY FORMER MUNICIPAL JUDGE ROGELIO GARCIA. - SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - POTENTIAL LITIGATION.

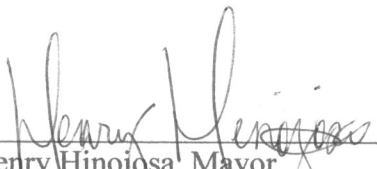
There was no action taken during executive session. Mayor Hinojosa called the meeting back to order at 10:10 PM.

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

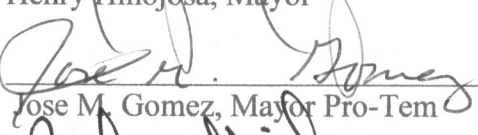
Mayor Hinojosa made a motion to proceed as discussed in Executive Session. The motion was seconded by Commissioner Wade and passed with Mayor Pro-Tem Gomez voting against Project Brownfield. UPDATED AS PER JANUARY 7, 2014 COMMISSION ACTION: "On December 3, 2013 the Commission voted on Project Brownfield. It was approved by majority vote to use monies up to \$100 Thousand for phase 2 site assessment. Again, by majority vote it passed. [Mayor Pro-Tem Gomez] voted against it and it was also noted that no money should be spent before there is a contract between seller, buyer, and the City."

11.) ADJOURN.

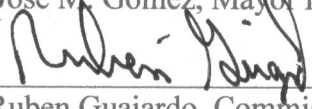
Mayor Hinojosa adjourned the meeting at 10:11 PM.



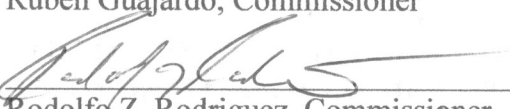
 Henry Hinojosa, Mayor



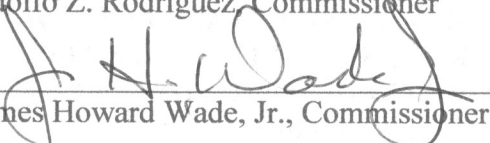
 Jose M. Gomez, Mayor Pro-Tem



 Ruben Guajardo, Commissioner

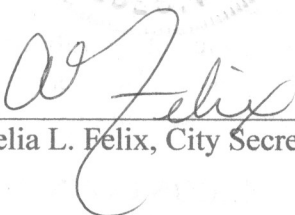


 Rodolfo Z. Rodriguez, Commissioner



 James Howard Wade, Jr., Commissioner

ATTEST:



 Arcelia L. Felix, City Secretary

