

MERCEDES CITY COMMISSION
REGULAR MEETING
APRIL 15, 2014 -6:00 P.M.
MERCEDES CITY HALL - COMMISSION CHAMBERS

MEMBERS PRESENT: 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: Henry Hinojosa, Mayor

Staff: Michelle Leftwich, Amanda Morales, Marisol Vidales, Jesse Villarreal, Frank Rios and Hernan Gonzalez.

1.) CALL MEETING TO ORDER.

Mayor Pro-Tem Gomez called the meeting to order at 6:00 PM.

2.) ESTABLISH QUORUM.

A Quorum of the Commission was present.

3.) INVOCATION.

Vernon Hoover made the invocation.

4.) PLEDGE OF ALLEGIANCE.

Mr. Saucedo led the pledge of allegiance.

5.) OPEN FORUM-

There were no comments made during Open Forum.

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

A) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD APRIL 1, 2014. B.) RATIFY USE OF CIVIC CENTER ON APRIL 11TH BY MERCEDES I.S.D. C.) APPROVAL OF QUARTERLY INVESTMENT REPORT.

D.) REQUEST APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT WITH O.G. CONSTRUCTION ON STREET, DRAINAGE AND WATERLINE IMPROVEMENT PROJECT. (#2014/04/15A). E.) APPROVAL OF CONTRACT WITH SAENZ UTILITY CONTRACTORS- 8" GRAVITY SANITARY SEWER LINE. (URBAN COUNTY PROGRAM) #20 L 4/04/L 5B)

Commissioner Wade noted a correction to the minutes for the meeting held April 1, 2014 regarding the dates for the "Meet the Candidate" forums. Commissioner Guajardo made a motion to approve all items under Consent Agenda with the changes to the minutes. The motion was seconded by Commissioner Rodriguez and passed unanimously.

7.) -A. PUBLIC HEARING AND FORMAL ACTION REGARDING A RE-ZONING FROM "B TWO FAMILY RESIDENCE" TO "B BUSINESS" LOCATED AT 535 N. MISSOURI AVE., MORE PARTICULARLY DESCRIBED AS LOT 9-11, BLOCK 1, NORTH MERCEDES HEIGHTS SUBDIVISION, MERCEDES, HIDALGO COUNTY, TEXAS. THE PERSON MAKING THE REQUEST IS ADELMIRA REYNA."

Mayor Pro-Tem Gomez opened the public hearing at 6:05 pm. Assistant City Manager Michelle Leftwich explained that all of the other lots on this block were already zoned "B- Business". the property owner plans to open a bakery. At a call for comments, none were offered and Mayor Pro-Tem Gomez closed the public hearing at 6:07pm.

- B. FIRST READING OF ORDINANCE NO. 2014- 04 RE-ZONING LOT 9-11, BLOCK 1, NORTH MERCEDES HEIGHTS SUBDIVISION, MERCEDES, HIDALGO COUNTY, TEXAS FROM "B TWO FAMILY RESIDENCE "TO "B BUSINESS" LOCATED AT 535 N. MISSOURI AVENUE.

City Manager Ricardo Garcia read the Ordinance by caption. Commissioner Rodriguez made a motion to approve the first reading of Ordinance No. 2014-04 re-zoning lot 9-11, Block 1, North Mercedes heights subdivision, Mercedes, Hidalgo County, Texas from "B- Two Family Residence" to "B- Business" located at 535 N. Missouri Avenue. The motion was seconded by Commissioner Guajardo and passed unanimously.

8.) DISCUSSION AND POSSIBLE ACTION OF RESOLUTION #2014-04 APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MERCEDES, THE DEVELOPMENT CORPORATION OF MERCEDES AND LLANO GRANDE LAKE PARK RESORT AND COUNTRY

CLUB FOR WATERLINE EXTENSION.

Representatives from Llano Grande Lake Park Resort asked that this item be tabled. Commissioner Wade made a motion to postpone discussion on this item for the next City Commission meeting. Commissioner Guajardo seconded the motion and it passed unanimously.

9.) DISCUSSION AND POSSIBLE ACTION REGARDING URBAN COUNTY PROPOSED PROGRAM AMENDMENT TO PROGRAM YEAR 27 (2014).

The funding that the City receives from the Urban County program has been decreased in the amount of \$5,578. Therefore, the original resolution approving the funds is being amended. Commissioner Rodriguez made a motion to approve amending Resolution #2014-01 regarding Urban County proposed program amendment to program year 27 (2014). The motion was seconded by Commissioner Wade and passed unanimously.

10.) PRESENTATION OF DEPARTMENT MONTHLY REPORTS.

There was no action taken on this item.

Mayor Pro-Tem Gomez called the meeting into Executive Session at 6:15 pm.

11.) 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 CLAIM BY MR. JUAN VARGAS. - SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. - POSSIBLE LITIGATION.

There was no action taken during executive session.

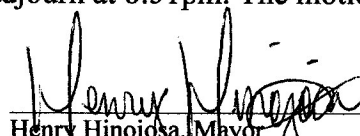
Mayor Pro-Tem Gomez called the meeting back to order at 8:50pm.

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

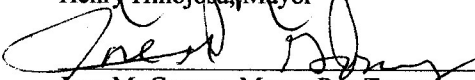
Commissioner Rodriguez made a motion to direct staff to proceed as discussed in Executive Session regarding the claim by Mr. Juan Vargas. The motion was seconded by Commissioner Guajardo and passed unanimously.

13.) ADJOURN.

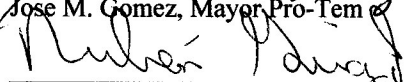
Commissioner Guajardo made a motion to adjourn at 8:51pm. The motion was seconded by Commissioner Wade and passed unanimously.



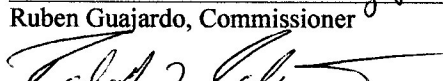
 Henry Hinojosa, Mayor



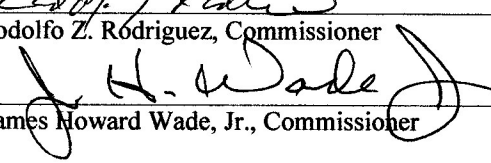
 Jose M. Gomez, Mayor Pro-Tem



 Ruben Guajardo, Commissioner

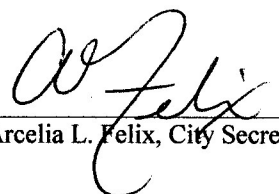


 Rodolfo Z. Rodriguez, Commissioner



 James Howard Wade, Jr., Commissioner

ATTEST:



 Arcelia L. Felix, City Secretary