

MERCEDES CITY COMMISSION  
REGULAR MEETING  
AUGUST 5, 2014 -6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS

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

MEMBERS ABSENT: none

Staff: Amanda Morales, Marisol Vidales, Hernan Gonzalez, Alicia Aguilar and Frank Rios.

**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 Lopez gave the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Mayor Pro-Tem Wade led the pledge of allegiance.

**5.) OPEN FORUM.**

Commissioner Gomez addressed the public regarding a request he made to place an item on the agenda. The item was not placed on the agenda due to lack of a co-sponsor from the Commission.

Petra Vidales spoke in favor of allowing commissioners to place items on the agenda unilaterally. She also spoke against the most recently appointed member of the EDC Board of Directors.

Esmeralda Guerrero agreed that Commissioners should be allowed to place items on agendas without a co-sponsor. She also echoed previous comments regarding the selection of EDC board members and spoke against the Botas de Mercedes project.

Joe Martinez updated the commission on the success at the recent Keep Mercedes Beautiful Adopt-A-Highway cleanup event.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD JULY 15, AND JULY 30, 2014. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2014-09 AMENDING ORDINANCE NO. 2012-01. C.) SECOND AND FINAL READING OF ORDINANCE NO. 2014- 11 REGARDING TEXAS GAS SERVICE COST OF SERVICE ADJUSTMENT. D.) APPROVAL OF UTILITY ACCOUNT WRITE OFFS FOR 2008-2009. E.) APPROVAL OF AMENDMENT TO INTERLOCAL AGREEMENT WITH COUNTY OF HIDALGO FOR TAX ASSESSMENT AND COLLECTION.(#2014/08/05A) F.) APPROVAL OF CHANGE ORDER NO. 3 TO THE CONTRACT WITH O. G. CONSTRUCTION COMPANY, LLC FOR 2013 STREET, DRAINAGE, & WATER IMPROVEMENTS. (#2014/08/05B). G.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER ON AUGUST 9<sup>TH</sup> BY POP WARNER.**

Commissioner Guajardo made a motion to approve all items under Consent Agenda as presented. The motion was seconded by Commissioner Lopez and passed unanimously.

**7.) PRESENTATION OF DEVELOPMENT CORPORATION OF MERCEDES, INC. MONTHLY REPORT.**

Development Corporation Executive Director Hernan Gonzalez addressed the Commission and gave updates on several projects including construction on Dona Totas Restaurant, Mayo Hermanos Office Space, and a multi-tenant industrial building. Mr. Gonzalez also showed a new video advertising the City of Mercedes. There was no action taken on this item.

**8.) DISCUSSION AND POSSIBLE ACTION ON BIDS RECEIVED ON THE STRUCK-OFF PROPERTIES DESCRIBED AS FOLLOWS:**

**-LOT 3, VALLE DE PALMAS SUBD., UNIT NO. 1 AND LOT 4, VALLE DE PALMAS SUBD., UNIT NO. 1**

**-LOT 5, VALLE DE PALMAS SUBD., UNIT NO. 1**

**-LOT 6, VALLE DE PALMAS SUBD. UNIT NO. 1**

Bids were received at a tax resale for the above mentioned properties on June 3, 2014. These properties had previously been struck off the city's tax roll due to delinquency. Commissioner Guajardo made a motion to approve the bids received on the struck-off properties described as follows: Lot 3, Valle de Palmas Subd. Unit no. 1 and lot 4, Valle de Palmas Subd., unit no. 1; Lot 5, Valle de Palmas Subd. Unit no. 1; and Lot 6, Valle de Palmas Subd. Unit no. 1. The motion was seconded by Mayor Pro-Tem Wade and passed unanimously.

**9.) DISCUSSION AND POSSIBLE ACTION OF INTERLOCAL AGREEMENT WITH PALM VALLEY ANIMAL SHELTER FOR QUARANTINE SERVICES. (#2014/08/05B)**

Commissioner Guajardo made a motion to approve the Interlocal agreement with Palm Valley Animal Shelter for quarantine services (#2014/08/05B). The motion was seconded by Commissioner Lopez and passed unanimously.

**10.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2014-12 AMENDING PERSONNEL POLICIES.**

Several years ago the Commission approved an amendment to the City's personnel policies granting insurance coverage to retirees with at least 15 years of service to the City. The coverage for retirees currently extends for two years after retirement. Retirees will be continue to be covered provided that the Commission allocates necessary funding. This Ordinance will also allow the City to drop coverage for retirees if they either take another job that provides insurance coverage, or on the month the retiree reaches the age of 65 and is eligible for Medicare coverage. Mayor Pro-Tem Wade made a motion to approve the first reading of Ordinance No. 2014-12 amending Personnel Policies. The motion was seconded by Commissioner Guajardo and passed with the following vote: Mayor Hinojosa, Mayor Pro-Tem Wade, Commissioner Guajardo and Commission Lopez voted in favor of the motion; and Commissioner Gomez voted against the motion to approve the Ordinance.

**11.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF MEMBER(S) TO KEEP MERCEDES BEAUTIFUL.**

There are currently four vacancies on the Keep Mercedes Beautiful Committee. Mayor Pro-Tem Wade made a motion to appoint Graciela Flores, Lucy Delgado, Alyssa Garcia, and Vanessa Perez to Keep Mercedes Beautiful. The motion was seconded by Commissioner Lopez and passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2014-13 AMENDING BUDGET FOR FISCAL YEAR 2013-2014.**

Commissioner Guajardo made a motion to approve the first reading of Ordinance No. 2014-13 amending the budget for Fiscal year 2013-2014. The motion was seconded by Commissioner Lopez and passed unanimously.

**13.) REQUEST AUTHORIZATION TO ADVERTISE FOR IT STATEMENT OF QUALIFICATIONS.**

The city solicited applications for the position of IT Manger in June 2014. Only two applications were filed with the Human Resources Department and for this reason the City Manager is requesting contract IT services to an outside company. Commissioner Guajardo made a motion to authorize staff to advertise for IT statements of qualification. The motion was seconded by Commissioner Lopez and passed unanimously.

Mayor Hinojosa called the meeting into Executive Session at 6:39 p.m.

**14.) EXECUTIVE SESSION:**

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

**-DISCUSSION REGARDING PERSONNEL. – TEXAS GOVERNMENT CODE, SECTION 551.074 - PERSONNEL.**

**-DISCUSSION REGARDING CAUSE NO. CL-14-2912-F ISIDRA FONSECA VS. CITY OF MERCEDES, TX. - SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. – LITIGATION.**

**-DISCUSSION REGARDING ANNEXATION. (CAUSE NO. C-5929-13-H- SECTION 551.071 TEXAS GOVERNMENT CODES ANNOTATED. – LITIGATION.**

**-DISCUSSION REGARDING THE POSSIBLE SALE OF LOTS 3-A & 3-B, D. VOGEL BUSINESS PARK SUBDIVISION, SECTION - SECTION 551.072 TEXAS GOVERNMENT CODES ANNOTATED - REAL ESTATE.**

**-DISCUSSION REGARDING THE POSSIBLE SALE OF LOT 3-C , D. VOGEL**

**BUSINESS PARK SUBDIVISION, SECTION - SECTION 551.072 TEXAS  
GOVERNMENT CODES ANNOTATED - REAL ESTATE.  
CONSULTATION WITH CITY ATTORNEY REGARDING POSSIBLE ACQUISITION OF  
CCN FROM NORTH ALAMO WATER SUPPLY CORPORATION. SECTION 551.071,  
TEXAS GOVERNMENT CODES ANNOTATED-CONSULTATION WITH ATTORNEY.**  
There was no action taken during executive session.

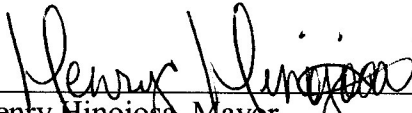
Mayor Hinojosa called the meeting back to order at 8:35 p.m.

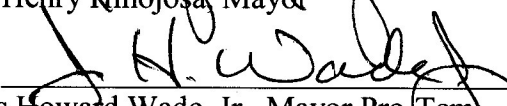
**15.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN  
EXECUTIVE SESSION.**

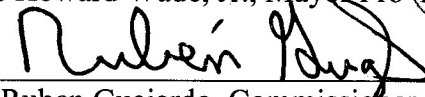
Commissioner Guajardo made a motion to direct staff to proceed as directed in Executive Session. The motion was seconded by Commissioner Lopez and passed unanimously.

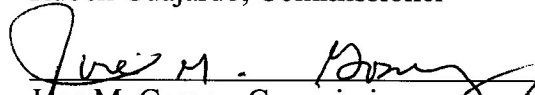
**16.) ADJOURN.**


There being no further business to discuss, commissioner Guajardo made a motion to adjourn. The motion was seconded by Commissioner Lopez and passed unanimously.

  
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Henry Hinojosa, Mayor

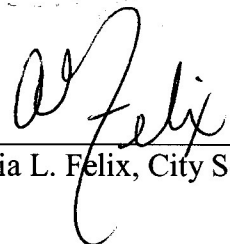
  
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James Howard Wade, Jr., Mayor Pro-Tem

  
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Ruben Guajardo, Commissioner

  
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Jose M. Gomez, Commissioner

  
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Armando Lopez, Commissioner

ATTEST:

  
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Arcelia L. Felix, City Secretary