

MERCEDES CITY COMMISSION  
REGULAR MEETING  
SEPTEMBER 2, 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.**

Pastor Juan de los Santos gave the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Lopez led the pledge of allegiance.

**5.) OPEN FORUM**

Reynaldo Ramirez spoke about his work with training and releasing doves and offered his services for any City events.

Juan de los Santos asked for more police protection for his neighborhood after he and several neighbors had their homes burglarized.

Petra Vidales notes some corrections to the City and EDC websites. She also spoke about the Keep Mercedes Beautiful Committee policies and leadership and she resigned from the board. Mrs Vidales also spoke about the Fire Department.

Joe Perez asked for a town hall meeting with the Commission so that citizens could ask questions and have them answered by members of the Commission. He also asked that the Commission consider allowing one commissioner to be able to place items on meeting agendas without a second signature.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD AUGUST 19, 2014. B. CONTRACT RENEWALS: 1.) JUAN R. ALVAREZ (MUNICIPAL COURT JUDGE) 2.) BETTS OIL & BUTANE, INC. (FUEL PURCHASE SUPPLIER); 3.) CUELLAR & ASSOCIATES ((INSURANCE AGENT ); 4.) FULBRIGHT JAWORKSKI, LLP (BOND COUNSEL); 5.) GUZMAN & MUNOZ ENGINEERING (CITY ENGINEER), 6.) HARLINGEN HUMANE SOCIETY (ANIMAL SHELTER); 7.) LINEBARGER, GOGGAN BLAIR & SAMPSON (DLQT TAX/OTHER FEES ATTORNEY); 8.) LONG, CHILTON, LLP (AUDITORS); 9.) MCAFEE INSURANCE (GOVERNMENT CRIME INSURANCE); 10.) MATA, GARCIA ARCHITECTS (CITY ARCHITECT); 11.) JUAN R. MOLINA (CITY ATTORNEY); 12.) RBC-DAIN RAUSCHER, INC.(FINANCIAL ADVISORS) 13.) BENJAMIN SALINAS (HEALTH OFFICER); 14.)TML-IRP – LIABILITY/E&O/PHYSICAL, PROPERTY/MOBILE/FLOOD). C.) APPROVAL OF INTERLOCAL AGREEMENT WITH MISD FOR EDUCATIONAL RESOURCE OFFICER. (#2014/09/02O\_) D.) APPROVAL OF INTERLOCAL AGREEMENT WITH MERCEDES INDEPENDENT SCHOOL DISTRICT FOR CANINE. (#2014/09/02P) E.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER ON SEPTEMBER, 2014 BY MERCEDES HOUSING AUTHORITY. F.) APPROVAL OF CONTRACT WITH D. WILSON CONSTRUCTION FOR GENERAL CONTRACTOR FOR THE EMERGENCY DOME SHELTER CONSTRUCTION. (#2014/09/02Q)**

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.) PUBLIC HEARING ON PROPOSED 2014 PROPERTY TAX RATE.**

Mayor Hinojosa opened the public hearing at 6:20 p.m. Joe Perez said that he was against the City's tax rate going up and wants the Commission to eliminate several positions in order to save money. Ramon Mejia said that the Commission should lower the tax rate by at least ten cents and also do more to fix streets and sidewalks in all parts of the City. Mayor Hinojosa closed the public hearing at 6:30 p.m. there was no action taken on this item.

**8.) PUBLIC HEARING ON PROPOSED BUDGET FOR FISCAL YEAR 2014-2015 FOR THE CITY OF MERCEDES**

Mayor Hinojosa opened the public hearing at 6:30 p.m. Ramon Mejia said that the city needs to work on streets and other improvements. The public hearing was closed at 6:35 p.m. There was no action taken on this item.

**9.) DEVELOPMENT CORP. MONTHLY REPORT.**

EDC Executive Director Hernan Gonzalez updated the Commission on EDC activities for the month of August. Projects include the annual Texas Street Festival; new websites launched for the City, EDC and Chamber of Commerce; a new ad campaign featuring local businesses; and a small business rent subsidy program. There was no action taken on this item.

**10.) DISCUSSION AND POSSIBLE ACTION APPROVING PRELIMINARY AND FINAL PLAT FOR TAMEZ AND GARCIA'S SUBDIVISION, BEING A 10 ACRES TRACT OF LAND LOCATED ON THE EAST SIDE OF MILE 2 ½ EAST, APPROXIMATELY ¼ MILE SOUTH OF MILE 9 NORTH ROAD, WITHIN THE 5 MILE ETJ, MERCEDES.**

Mayor Pro-Tem Wade made a motion to approve the preliminary and final plat for Tamez and Garcia's Subdivision, being a 10 acre tract of land located on the east side of Mile 2 ½ East, approximately ¼ Mile south of Mile 9 North Road, within the 5 mile ETJ, Mercedes. The motion was seconded by Commissioner Lopez and passed unanimously.

**11.) DISCUSSION AND POSSIBLE ACTION APPROVING PRELIMINARY AND FINAL PLAT FOR SAND MEYER SUBDIVISION, BEING A 3.72 ACRES TRACT OF LAND OUT OF LOT 2, BLOCK 64 CAPISSALLO SUBDIVISION LOCATED ON THE NE CORNER OF LOT 2, SOUTH OF MI. 9 NORTH, WITHIN THE 5 MILE ETJ, MERCEDES.**

Commissioner Guajardo made a motion to approve the preliminary and final plat for Sand Meyer subdivision, being a 3.72 acres tract of land out of lot 2, block 64 CapiSSallo subdivision located on the north east corner of lot 2, south of mi. 9 north, within the 5 mile ETJ, Mercedes. The motion was seconded by Mayor Pro-Tem Wade and passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION OF PROPOSALS SUBMITTED FOR CITY DEPOSITORY BANK SERVICES.**

Representatives from Plains Capital Bank and Texas National Bank made presentations regarding their proposals. Commissioner Lopez made a motion to accept the proposal submitted for City Depository Bank Services by Texas National Bank. The motion was seconded by Mayor Pro-Tem Wade and passed unanimously.

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

Commissioner Lopez made a motion to accept the resignation of Dalia Pena and appoint Leonardo Castaneda to fill the vacated position and also re-appoint members Gilbert Anzaldua, Amanda Brewer, Lisa Martinez, Esmeralda Guerrero, Amenda Martinez, Jose M. Martinez, Vanessa Perez and Alyssa Garcia. The motion was seconded by Commissioner Guajardo and passed unanimously.

**14.) DISCUSSION AND POSSIBLE ACTION OF RESOLUTION #2014-06 IN SUPPORT OF A REGIONAL MPO.**

Mayor Pro-Tem Wade made a motion to approve resolution #2014-06 in support of a regional MPO. The motion was seconded by Commissioner Guajardo and passed unanimously.

Mayor Hinojosa called the meeting into executive session at 7:07 p.m.

**15.) 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 ANNEXATION. (CAUSE NO. C-5929-13-H-SECTION 551.071**

**TEXAS GOVERNMENT CODES ANNOTATED. – LITIGATION**

- **DISCUSSION REGARDING WESMER PROJECT – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED – ECONOMIC DEVELOPMENT.**

- **DISCUSSION REGARDING ECONOMIC INCENTIVES FOR PROJECT GREENFIELD – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC DEVELOPMENT.**

-**DISCUSSION REGARDING WITH GAS ENTERPRISE, INC. – TEXAS GOVERNMENT CODE, SECTION 551.071- POTENTIAL LITIGATION.**

There was no action taken during Executive Session. Mayor Hinojosa called the meeting back to order at 8:16 p.m.

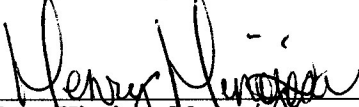
**16.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN EXECUTIVE SESSION.**

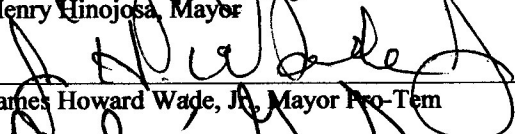
Commissioner Guajardo made a motion to approve the EDC to use up to \$230 thousand in sales tax for project Greenfield. The motion was seconded by Mayor Pro-Tem Wade and passed by the following vote Mayor Hinojosa, Mayor Pro-Tem Wade, Commissioner Guajardo and Commissioner Lopez in favor and Commissioner Gomez against.

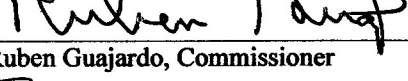
Commissioner Guajardo made a motion to approve the proposed settlement agreement with the bonding company as it relates to the completion of work by GAS Enterprises. The motion was seconded by Commissioner Lopez and passed unanimously.

**17.) ADJOURN.**

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

  
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Henry Hinojosa, Mayor

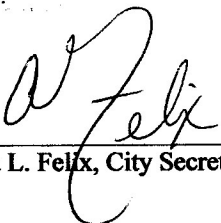
  
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James Howard Wade, Jr., Mayor Pro-Tem

  
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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