

MERCEDES CITY COMMISSION  
REGULAR MEETING  
MARCH 17, 2015 -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
Juan Molina	City Attorney
Ricardo Garcia	City Manager

MEMBERS ABSENT: None

Staff: Amanda Morales, Marisol Vidales, Hernan Gonzalez, Jaime Sandoval, Antonio Aguilar, Arturo Garcia, and Blanca Sanchez.

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

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

**2.) ESTABLISH QUORUM.**

A quorum of the commission was present.

**3.) INVOCATION.**

Commissioner Lopez led the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Gomez led the pledge of allegiance.

Commissioner Guajardo made a motion to deviate from the agenda and move to the Addendum item. The motion was seconded by Commissioner Lopez and passed unanimously.

**ADDENDUM**

- Discussion and possible action on contract with Hollis Rutledge & Associates.

This item would extend the contract for 12 months from March 2015 to April 2016 at the current rate of three thousand dollars per month. Commissioner Guajardo made a motion to approve the contract with Hollis Rutledge & Associates. The motion was seconded by Commissioner Lopez and passed unanimously.

Commissioner Guajardo made a motion to continue with item #5. Mayor Hinojosa seconded the motion and it passed unanimously.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD MARCH 3, 2015. B.) SECOND AND FINAL READING OF ORDINANCE NO. 2015-03 ABANDONMENT OF SHERI DRIVE BEGINNING ON THE SOUTH PROPERTY LINE OF MELISSA DRIVE, SOUTH TO THE NORTH PROPERTY LINE OF MILE 7 NORTH. C.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER ON APRIL 10TH AND 11TH BY MISD. D.) APPROVAL OF INTERLOCAL AGREEMENT WITH HIDALGO COUNTY LIBRARY SYSTEM (#2015/03/17A)**

Commissioner Gomez noted a correction to the minutes for the meeting held March 3, 2015.

Commissioner Guajardo made a motion to approve all items under consent agenda with the correction noted above. The motion was seconded by Commissioner Lopez and passed unanimously.

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

EDC Executive Director Hernan Gonzalez made a presentation regarding EDC events in the last month including ribbon cutting ceremonies for Air Serv Heating and Air Conditioning and Expressway Printing. He also noted the continued work on the Shelter Dome and recreation facility, the upcoming Rio Grande Valley Livestock Show, and the relocation of VIDA into the former EDC/ Chamber of commerce offices. There was no action taken on this item.

**7.) PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 950 S. MILE 2 WEST,**

**DESCRIBED AS THE SOUTH CAMPACUAS N. 317.13' FT 133 5.00 AC GR 4.85 AC. NET, MERCEDES, HIDALGO COUNTY, TEXAS FROM A "A SINGLE FAMILY RESIDENCE" TO "B- BUSINESS" FOR AN EVENT CENTER. THE PERSONS MAKING THE REQUEST ARE RICARDO AND MANUELA OLIVARES.**

Mayor Hinojosa opened the public hearing at 6:20 p.m. Assistant City Manager Jaime Sandoval noted that the person making the request to rezone the property had asked that the project be cancelled. Mayor Hinojosa closed the public hearing at 6:21 p.m.

**- FIRST READING OF ORDINANCE NO. 2015- 04 - RE-ZONING FROM "A-SINGLE FAMILY RESIDENCE" TO "B BUSINESS" PROPERTY LOCATED AT 950 S. MILE 2 WEST, DESCRIBED AS THE SOUTH CAMPACUAS N. 317.13' FT 133 5.00 AC GR 4.85 AC. NET, MERCEDES, HIDALGO COUNTY, TEXAS**

There was no action taken on this item.

**8.) PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 1440 RIO RICO ROAD DESCRIBED AS 0.686 OF AN ACRE (29,900 SQ. FT.) TRACT OF LAND OUT OF LOT 7, BLOCK 67, CAPISALLO DISTRICT SUBDIVISION, MERCEDES, HIDALGO COUNTY, TEXAS FROM "A SINGLE FAMILY RESIDENCE" TO "B-BUSINESS" FOR RETAIL BUSINESS. THE PERSONS MAKING THE REQUEST ARE GESLER L. MADHERE AND IRMA G. CASTANEDA.**

Mayor Hinojosa opened the public hearing at 6:21 p.m. Mr. Sandoval explained that staff was recommending that the rezone be denied due to the future land use map showing the area to be Low Density Residential. The request was denied by the Planning & Zoning board at their meeting on March 2, 2015. Irma Castaneda, The property owner making the request, addressed the Commission and asked that the request be approved based on past cases of spot zoning and the approval of conditional use permits for businesses in similar situations. Gesler Madhere another of the business owners explained that the proposed business would be an adult daycare center for special needs individuals and that they would offer services that are not currently available in this area. A parent of one of the facility's clients asked that the rezone be approved so that her daughter would have access to the services to be offered. Tony and J.C. Rodriguez live in the area near the proposed daycare center and spoke against the approval of the rezone. They are concerned that if the rezone is approved and the business fails, that a convenience store or other type of business would be able to move into that location and have a negative impact on the neighborhood. Petra Vidales said that she cares for a relative with special needs and would like to see a business like this come to Mercedes. Ramon Mejia is in favor of the rezone and stated that the area in question would benefit from more businesses. City Manager Ricardo Garcia explained that the city does not approve spot zoning and that other businesses had been allowed to operate in residential areas due to a conditional use permit being issued. He suggested that the property owners meet with staff to find a solution that would benefit everyone. Mayor Hinojosa closed the public hearing at 6:59 p.m.

**-FIRST READING OF ORDINANCE NO. 2015-05 – REZONING FROM "A-SINGLE FAMILY RESIDENCE" TO "B-BUSINESS" FOR RETAIL BUSINESS PROPERTY LOCATED AT 1440 RIO RICO ROAD DESCRIBED AS 0.686 OF AN ACRE (29,900 SQ. FT.) TRACT OF LAND OUT OF LOT 7, BLOCK 67 CAPISALLO DISTRICT SUBDIVISION, MERCEDES, HIDALGO COUNTY, TEXAS.**

Commissioner Guajardo made a motion to table this item. The motion was seconded by Mayor Hinojosa and passed with Mayor Pro-Tem Wade, Mayor Hinojosa, Commissioner Guajardo and Commissioner Lopez voting in favor. Commissioner Gomez abstained due to a family connection to the property owners.

**9.) PUBLIC HEARING TO SOLICIT INPUT IN PREPARATION OF AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR AN OUTDOOR RECREATION GRANT FOR PARK IMPROVEMENTS.**

Mayor Hinojosa opened the public hearing at 7:00p.m. Carlos Colina- Vargas explained that Texas Parks & Wildlife provides grant funding for the development of parks and requires that the city solicit public input for the application process. The City is in the process of applying for a grant in the amount of \$400 thousand. Petra Vidales asked how much the city would be required to match if the grant funding was approved. The city would be required to match the amount of funding granted, \$400 Thousand in this case. Ramon Mejia asked what the grant funding would be used for. Mr. Colina- Vargas explained that the funding would be used to develop a large park and sports complex next to the Safe Shelter Dome and recreation center currently under construction. Esmer Guerrero asked if the city currently owns the land being proposed for the park in question. City Manager Ricardo Garcia stated that the City does not currently own the land, but that the acquisition of the land would be part of the proposed use of the grant funds. Mayor Hinojosa closed the public hearing at 7:10 p.m.

**10.) REPORT REGARDING TEXAS PARKS AND WILDLIFE DEPARTMENT'S APPROVAL**

**OF THE MERCEDES PARKS, RECREATION OPEN SPACE MASTER PLAN.**

Mr. Carlos Colina Vargas explained that the City had recently approved an updated parks master plan and that the plan had been submitted to Texas Parks and Wildlife for approval. The plan was approved by Parks & Wildlife and the approval gives the city valuable points in the grant application process. There was no action taken on this item.

**11.) DISCUSSION AND POSSIBLE ACTION ADOPTING RESOLUTION #2015-04 AUTHORIZING AN APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR OUTDOOR RECREATION GRANT IN THE AMOUNT OF \$400,000, AND FURTHER AUTHORIZING THE FIRM OF CARLOS COLINA-VAGAS AICP & ASSOCIATES TO PREPARE AND SUBMIT THE APPLICATION.**

Mayor Pro-Tem Wade made a motion to approve Resolution #2015-04 authorizing an application to the Texas Parks and Wildlife department for outdoor recreation grant in the amount of \$400,000, and further authorizing the firm of Carlos Colina-Vargas AICP & Associates to prepare and submit the application. The motion was seconded by Commissioner Guajardo and passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION OF CONTRACT WITH UNIFIRST FOR EMPLOYEE UNIFORM SERVICE.**

The contract for employee uniform services is currently set to expire at the end of March 2015. Mayor Hinojosa made a motion to approve extending the contract for three years. The motion was seconded by Commissioner Lopez and passed unanimously.

**13.) DISCUSSION AND POSSIBLE ACTION REGARDING THE SUBMITTAL OF A GRANT APPLICATION TO THE KNAPP COMMUNITY CARE FOUNDATION.**

The application is for a grant in the amount of \$500,000. The funding would be used to install a fitness trail at the park being proposed to be built near the safe shelter dome. Mayor Hinojosa made a motion to approve the submittal of a grant application to the Knapp Community Care Foundation. The motion was seconded by Commissioner Lopez and passed unanimously.

**14.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OR REAPPOINTMENT OF MEMBERS TO THE BUILDING & STANDARDS COMMISSION.**

Mayor Hinojosa made a motion to reappoint Jose Vela and Monte Churchill as members and Juan O. Martinez and Esmer Guerrero as alternate members to the building & Standards Commission. The motion was seconded by Commissioner Lopez and passed unanimously.

**15.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF MEMBERS TO THE KEEP MERCEDES BEAUTIFUL COMMITTEE.**

Mayor Pro-Tem Wade made a motion to appoint Jason Lee Rangel, Marcos Garcia, and Joanna Ybarra to the Keep Mercedes Beautiful Committee. The motion was seconded by Commissioner Guajardo and passed unanimously.

**16.) DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF MEMBER TO THE LIBRARY BOARD.**

Mayor Hinojosa made a motion to appoint Roy De Leon to fill a vacant position with his term expiring November 2016 and reappoint members Mirta Flores and Dahlia de la Cerda. The motion was seconded by Commissioner Guajardo and passed unanimously.

**17.) PRESENTATION OF DEPARTMENT MONTHLY REPORTS.**

There was no action taken on this item.

**18.) DISCUSSION AND POSSIBLE ACTION OF ORDINANCE NO. 2015-06 AMENDING ORDINANCE NO. 2012-17.**

This ordinance amends the current animal control ordinance and limits the number of pets allowed per household to four and establishes a fine of \$500 for exceeding that limit. Commissioner Guajardo made a motion to approve Ordinance No. 2015-06 amending Ordinance No. 2012-17. The motion was seconded by Mayor Hinojosa.

Mayor Hinojosa called the meeting into Executive Session at 7:37 p.m.

**19.) 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 PROJECT MEDICAL II - ECONOMIC DEVELOPMENT. – SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED. – ECONOMIC**

**DEVELOPMENT.**

There was no action taken during Executive Session.

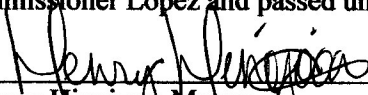
Mayor Hinojosa called the meeting back to order at 9:35 p.m.

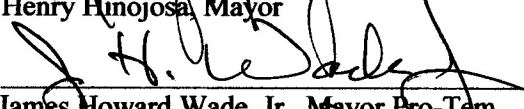
**20.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN EXECUTIVE SESSION.**

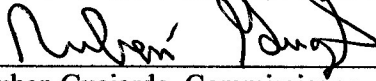
Commissioner Guajardo made a motion to proceed as discussed in executive session. The motion was seconded by Commissioner Lopez and passed unanimously.

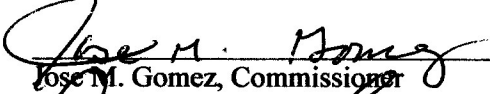
**21.) ADJOURN.**


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

  
\_\_\_\_\_  
Henry Hinojosa, Mayor

  
\_\_\_\_\_  
James Howard Wade, Jr., Mayor Pro-Tem

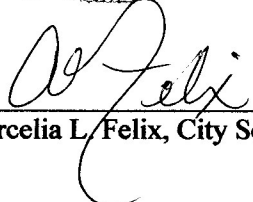
  
\_\_\_\_\_  
Ruben Guajardo, Commissioner

  
\_\_\_\_\_  
Jose M. Gomez, Commissioner

  
\_\_\_\_\_  
Armando Lopez, Commissioner



ATTEST:

  
\_\_\_\_\_  
Arcelia L. Felix, City Secretary