

**MERCEDES CITY COMMISSION
REGULAR MEETING
MAY 5, 2015 – 6:00 PM
MERCEDES CITY COMMISSION CHAMBERS**

MEMBERS PRESENT: James Howard Wade, Jr. Mayor Pro-Tem
Jose M. Gomez Commissioner
Ruben Guajardo Commissioner
Jose M. Gomez Commissioner

Ricardo Garcia City Manager
Arcelia L. Felix City Secretary
Juan Molina City Attorney

MEMBERS ABSENT: Henry Hinojosa Mayor

Staff: Jaime Sandoval, David Lopez, Marisol Vidales, Marcos Garcia, Frank Rios, Ray Sanchez and Hernan Gonzalez.

1.) CALL MEETING TO ORDER.

Mayor Pro-Tem Wade called the meeting to order at 6:00 p.m. He announced that Mayor Hinojosa would be out for two meetings due to medical reasons. He also announced that the next regular meeting would not be held on May 19th because a quorum of the Commission would not be present, and the meeting would be held on May 26th.

2.) ESTABLISH QUORUM.

All members of the Commission except Mayor Hinojosa were present at the meeting after Commissioner Guajardo entered the meeting during item #5.

3.) INVOCATION

Commissioner Gomez said the invocation.

4.) PLEDGE OF ALLEGIANCE.

Commissioner Lopez led the pledge of Allegiance.

5.) CONSENT AGENDA (ORDINANCE NO. 98-21): A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING(S) HELD APRIL 21, 2015; B.) SECOND AND FINAL READING OF ORDINANCE NO. 2015-06 REZONING 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-TWO-FAMILY RESIDENCE". C.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER ON MAY 14, 2015 BY MERCEDES HIGH SCHOOL BAND; . D.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER ON MAY 22, 2015 BY WASTECONNECTION FOR EMPLOYEE SAFETY APPRECIATION EVENT. E.) APPROVAL OF REQUEST FOR USE OF CIVIC CENTER ON MAY 28-29, 2015 BY MERCEDES HIGH SCHOOL SENIOR CLASS. F.) PRESENTATION OF QUARTERLY INVESTMENT REPORT. G.) APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT WITH SOUTHERN TRENCHLESS SOLUTIONS FOR THE SANITARY SEWER COLLECTION SYSTEMS REHABILITATION PROJECT TWDB-CWSRF PROJECT NO. 73642 (#2015/05/05A).

Commissioner Gomez stated that he would be abstaining from item 5B due family member relationship. Commissioner Lopez made a motion to approve the items listed under consent. Mayor Pro-Tem Wade seconded the motion which passed with Commissioner Gomez abstaining from item 5B due to family member relationship.

6.) PRESENTATION BY VIDA.

Ms. Priscilla Alvarez from VIDA gave the Commission a mid-year report. She said that more than half of the participants are in the 25-50 year age bracket; 89% of those are female. She also said that the City of Mercedes' contribution had been supplemented by federal funds and that 19 people from Mercedes had been served by the City's contribution.

Commissioner Guajardo and Mayor Pro-Tem Wade thanked Ms. Alvarez for moving into Mercedes and welcomed them into the community.

7.) PRESENTATION BY WASTE CONNECTIONS.

Ms. Yomeida Trevino, Greg Trowe, and Enrique Hinojo from Waste Connections were present to inform the Commission that they would be hosting a safety meeting on Friday, May 22nd for the City employees and they proceeded to invite the commission to the event. They added that they would be providing handouts for the employees on summer safety.

Commissioner Guajardo asked that they stay in communication with the staff at city hall so that any problems that come up can be addressed quickly.

8.) DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF RESOLUTION TO SUBMIT APPLICATION FOR JUSTICE ASSISTANCE GRANT. (#2015-08).

City Manager Garcia informed the Commission that the police department is looking at applying for grant funding and part of the application process is the submittal of a resolution.

Commissioner Guajardo made a motion to approve Resolution #2015-08 authorizing the submittal of an application for a Justice Assistance grant Commissioner Lopez seconded the motion which passed unanimously.

9.) PRESENTATION, DISCUSSION AND POSSIBLE ACTION OF PROPOSALS RECEIVED FOR CONSTRUCTION MATERIALS TESTING SERVICES FOR THE 2015 STREET, DRAINAGE & UTILITY IMPROVEMENTS PROJECT.

Proposals were received from the following four companies for construction materials testing services: L&G Consulting Engineers, Millenium Engineers Group, Inc.; Raba Kistner Consultants and Professional Services Industries. Representatives from each company gave brief presentations to the Commission about their companies and the Commission members were given an opportunity to ask questions.

Following the presentations Commissioner Gomez made a motion to accept the proposal submitted by Millenium Engineers Group and the motion died for lack of a second. Commissioner Lopez made a motion to accept the proposal submitted by L & G Consulting Engineers for construction materials testing services for the 2015 street, drainage & utility improvements project. Commissioner Guajardo seconded the motion which passed with Commissioner Gomez voting against the motion.

10.) DISCUSSION AND POSSIBLE ACTION OF CHANGE ORDER NO. 7 TO THE CONTRACT WITH O.G. CONSTRUCTION COMPANY, LLC FOR 2013 STREET, DRAINAGE & WATER IMPROVEMENTS (#2015/05/05B).

City Engineer Jose Munoz was present for this item. He went over change order No. 7 for the amount of \$128,093.34 which he said was mostly due to unforeseen underground conditions or utilities which were not marked when they requested utility spotting before surveying the project and for additional items requested by staff. He mentioned that prior to bidding, it had been anticipated that some of the street base material would be good and could be reused, however, weather conditions had deteriorated the material and new flex-base material had to be purchased. Commissioner Guajardo commented that there was a huge difference between the original and change order and he was concerned about it and asked why another engineer was not overseeing the project. At comments regarding overview by another engineer, Mr. Garcia said that when the City hires an engineer to design city projects there has never been a second engineer to oversee the construction part of it. The City engineer, however, does review subdivisions and private developments which are done by other engineers.

After further discussion by the Commission regarding the change order and the material base, Mayor Pro-Tem Wade made a motion to approve change order No. 7 (final) to the contract with O.G. Construction, LLC for the 2013 Street, drainage and waterline improvements project. Commissioner Lopez seconded the motion, which passed unanimously.

11.) CONSTRUCTION STATUS REPORT ON TEXAS WATER DEVELOPMENT BOARD SANITARY SEWER COLLECTION SYSTEMS REHABILITATION PROJECT TCOMPANY, LLC FOR 2013 STREET, DRAINAGE & WATER IMPROVEMENTS (#2015/05/05B).

Mr. Garcia gave an update on the Texas Water Development Board project No. 73642. He reported that the loan amount is \$3,255,000 with an interest rate of 2.38% and the grant is for the amount of \$1,395,000. The project involves expanding and rehabilitation of lift station #10, the replacement of lift station #13, the rehab and upgrade of lift station #3, and the rehab and upgrade of lift station #11. The rehabilitation of manholes through and sewer lines throughout the community are also being rehabilitated. The trenchless technology is being used on this project.

Mr. Jose Luis Saucedo addressed the Commission regarding the lift station located within his property. Mr. Garcia informed him that this is one of the lift stations that will be repaired.

Mayor Pro-Tem Wade called the meeting into Executive Session at 7:26 P.M. No action will be taken during Executive Session

12.) 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.

After executive session, Mayor Pro-Tem Wade called the meeting back to order at 8:46 P.M.

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

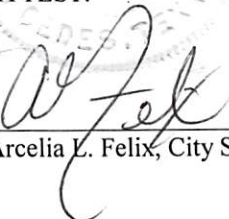
No action will be taken on the items discussed in executive session.

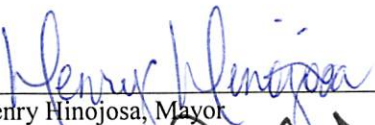
15.) ADJOURN.

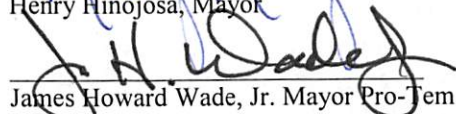
There being no further business to discuss, Commissioner Lopez made a motion to adjourn. Commissioner Gomez seconded the motion and it passed unanimously and the meeting adjourned at 8:47 p.m.

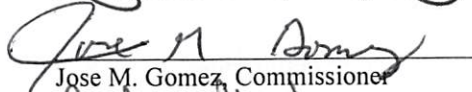


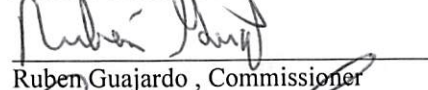
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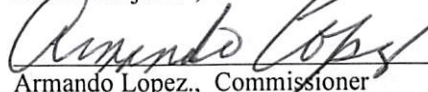

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