

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
MAY 16, 2017 – 6:00 P.M.  
MERCEDES CITY HALL - COMMISSION CHAMBERS**

**MEMBERS PRESENT:**

|                        |                             |
|------------------------|-----------------------------|
| <b>Henry Hinojosa</b>  | <b>Mayor</b>                |
| <b>Armando Lopez</b>   | <b>Mayor Pro-Tem</b>        |
| <b>Ruben Guajardo</b>  | <b>Commissioner</b>         |
| <b>Howard Wade</b>     | <b>Commissioner</b>         |
| <b>Jose Gomez</b>      | <b>Commissioner</b>         |
| <b>Juan R. Molina</b>  | <b>City Attorney</b>        |
| <b>Daniel Tijerina</b> | <b>Interim City Manager</b> |
| <b>Arcelia Felix</b>   | <b>City Secretary</b>       |

**MEMBERS ABSENT:** None

**Staff:** Arturo Garcia, Nereida Perez, Joselynn Castillo and Hernan Gonzalez from EDC.

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

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

**2.) ESTABLISH QUORUM.**

All members of the Commission were present, which constituted a full quorum.

**3.) INVOCATION.**

Reverend Jacques said the invocation.

**4.) PLEDGE OF ALLEGIANCE.**

Commissioner Howard Wade led in the Pledge of Allegiance.

Commissioner Wade made a motion to move to item 7 and 8. Commissioner Guajardo seconded the motion which passed unanimously.

**7.) CANVASS OF 2017 CITY OFFICER'S ELECTION FOR MAYOR, COMMISSIONER PLACE 1 AND COMMISSIONER PLACE 3.**

Mayor Hinojosa proceeded to read the canvassing results for City Officer's election held May 6, 2017 which are as follows:

| <b>Mayor</b>   |     | <b>COMMISSIONER PLACE 1</b> |     | <b>COMMISSIONER PLACE 3</b> |     |
|----------------|-----|-----------------------------|-----|-----------------------------|-----|
| Henry Hinojosa | 931 | Leo Villarreal              | 657 | Julia Valdez                | 259 |
| Jose Gomez     | 653 | Velda Garcia                | 290 | Cris De Leon Hernandez      | 593 |
|                |     | Leonel Benavidez            | 315 | Armando Lopez               | 725 |
|                |     | Ramon Mejia                 | 65  |                             |     |
|                |     | Justin Cadena               | 262 |                             |     |

408 votes were cast on election day; 1,075 votes were cast during early voting; 93 absentee ballots were cast and 1 provisional vote was cast. Mayor Henry Hinojosa was the declared winner for the Mayor's position.

Mayor Hinojosa states there were no candidates who received majority vote for Place 1 or Place 3, therefore a runoff will be held for those positions. Commissioner Wade made a motion to approve item 7 accepting the canvass of the 2017 City Officer's election. Commissioner Guajardo seconded the motion which passed unanimously.

**8.) ADMINISTER OATH OF OFFICE TO NEWLY ELECTED MAYOR.**

Municipal Judge Carlos Ortegon administered the Oath of Office to newly elected Mayor Hinojosa.

**5.) OPEN FORUM.**

Julia Garza addressed the Commission voicing her concern to the Commission that several properties on South Texas Ave have a flooding problem and would like to see the matter taken care of.  
Julianne Moore addressed the Commission regarding being allowed to get a permit to set her funnel cake stand at a local business.

Roberto Canales was present to invite the Commission on behalf of Waste Connections to attend the safety rally they will be hosting at the Mercedes Civic Center.

Miguel Loya addressed the Commission on his concern over the lawsuit against the City by the City Manager.

Petra Vidales also voiced her concern to the Commission on the pending lawsuit.

Yolanda Molina addressed the Commission on protecting the children in the community by getting sidewalks on Hidalgo St. as well as voicing concern over the lawsuit.

**9.) DISCUSSION AND POSSIBLE ACTION OF FIRST READING OF ORDINANCE NO. 2017 – 04. – CALLING FOR A RUNOFF ELECTION FOR COMMISSIONER PLACE 1 AND COMMISSIONER PLACE 3.**

Interim City Manager Tijerina proceeded to give the dates and times for early voting for the runoff election and early voting. Mayor Pro-Tem Lopez made a motion to approve the first reading of Ordinance No. 2017-04. Commissioner Guajardo seconded the motion which passed unanimously.

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

Mr. Hernan Gonzales proceeded to give his presentation on EDC's monthly report.

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

**A.) APPROVAL OF MINUTES FOR CITY COMMISSION MEETING (S) HELD MAY 9, 2017. B.) APPROVAL OF INCLUSION OF EXHIBIT C TO CONTRACT AMENDMENT WITH GUZMAN & MUNOZ. C.) APPROVAL OF REQUEST TO RENAME BUDGETED POSITION OF STAFF ACCOUNTANT TO PURCHASING AGENT.**

Commissioner Wade made a motion to approve items under consent agenda. Mayor Pro-Tem Lopez seconded the motion, which passed unanimously.

A request was made by the Director of Urban County Program Diana Serna to move item 14. Commissioner Guajardo made a motion to approve to move to item 14. Mayor Pro-Tem Lopez seconded the motion, which passed unanimously.

**14.) DISCUSSION AND POSSIBLE ACTION OF 2018-20 FISCAL YEAR INTERLOCAL AGREEMENT WITH COUNTY OF HIGALGO FOR URBAN COUNTY PROGRAM. - #2017/05/16.**

Ms. Serna addressed the Commission if the City would like to continue participating in the Urban County Program. Commissioner Wade made a motion to approve item 14. Mayor Pro-Tem Lopez seconded the motion which passed unanimously.

**11.) DISCUSSION AND POSSIBLE ACTION OF INTERLOCAL AGREEMENT WITH UTRGV FOR REGIONAL TASK FORCE TO AID COMPLIANCE WITH TCEQ PHASE II STORMWATER RULES.**

Agusto Sanchez-Gonzalez with UTRGV passed a handout to the Commission. Mr. Sanchez Gonzalez stated that the Task Force will be present during audits to assist, will be able to apply for grants that the City will not receive, and will aid in the compliance with TCEQ. At a question by Mayor Pro-Tem Lopez, Agusto stated that the Task Force focuses on water quality over flooding. Commissioner Guajardo made a motion to pass item 11. Mayor Pro-Tem Lopez seconded the motion which passed unanimously.

**12.) DISCUSSION AND POSSIBLE ACTION OF INTERLOCAL AGREEMENT WITH UTRGV FOR PREPARATION OF TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER PERMIT APPLICATION AND STORMWATER PLAN.**

Mr. Tijerina addressed the Commission this interlocal agreement will be with UTRGV and the Task force will be responsible for preparing a stormwater permit application and plan to be in compliance with TCEQ. Commissioner Wade made a motion to approve item 12. Mayor Pro-Tem Lopez seconded the motion which passed unanimously.

**13.) DISCUSSION AND POSSIBLE ACTION OF REQUEST BY M.I.S.D. FOR SCHOLARSHIP 5K RUN/WALK.**

Interim City Manager Tijerina addressed the Commission that at a letter by Superintendent Trevino, M.I.S.D., they will be hosting a 5K run/walk fundraiser which all proceeds will go to providing \$1000 scholarships to as many 2017 seniors as possible, and would like a monetary donation from the City. Commissioner Gomez made a motion to contribute \$300 to the Scholarship 5K run/walk. Mayor Hinojosa seconded the motion which passed unanimously.

**15.) DISCUSSION AND POSSIBLE ACTION OF REQUEST BY UTRGV FOR SPONSORSHIP FOR ANNUAL STORM WATER CONFERENCE.**

Mr. Tijerina recommended to the Commission not to contribute this year to UTRGV due to the City budget. Mayor Pro-Tem made a motion not to participate this year but maybe next year. Mayor Hinojosa seconded the motion which passed unanimously.

**16.) DISCUSSION REGARDING UTILITIES/INFRASTRUCTURE FOR REMERA ADDITION.**

Interim City Manager Tijerina addressed the Commission that he has received letters concerning the lack of sewer in a portion south of the Remera Addition. Mr. Tijerina requested to be given time to look into the Remera Addition for costs to be presented present at a later meeting. At a question by Mayor Hinojosa, City Attorney Juan Molina stated this item is for discussion and no action is needed to proceed.

**17.) DISCUSSION AND POSSIBLE ACTION TO TERMINATE RESOLUTION NO. 2016-14 AND PERFORMANCE AGREEMENT WITH DR. RENE MARTINEZ D/B/A/ STARR PHARMACY.**

Mr. Tijerina addressed the Commission that terminating Resolution No. 2016-14 and the performance agreement with Dr. Rene Martinez will allow for other businesses that are interested in the real estate. Commissioner Guajardo made a motion to terminate Resolution No. 2016-14 (and performance agreement). Mayor Pro-Tem Lopez seconded the motion which passed unanimously.

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

The monthly reports were included for the City Commission's information.

At a question by Commissioner Gomez, City Attorney Mr. Molina states that due to the Homebuyers tax abatement falling under economic development the item is able to be discussed behind closed doors. It was then added by the rest of the Commission this is not about the 5 acres Commissioner Gomez asked about.

Mayor Hinojosa called the meeting into Executive Session at 7:03 pm. No action will be taken during Executive Session.

**19.) EXECUTIVE SESSION:**

**-DISCUSSION REGARDING DUTIES AND RESPONSIBILITIES OF THE INTERIM CITY MANAGER. - SECTION 551.074, TEXAS GOVERNMENT CODE ANNOTATED. - PERSONNEL. -DISCUSSION CONCERNING HOMEBUYERS TAX ABATEMENT. - SECTION 551.087, TEXAS GOVERNMENT CODES ANNOTATED - ECONOMIC DEVELOPMENT.**

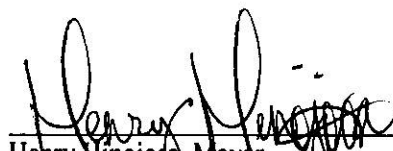
Mayor Hinojosa called meeting back to order at 7:40 pm.

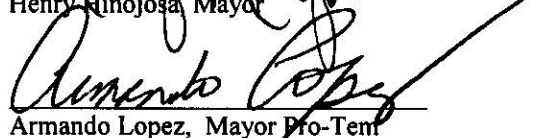
**20.) DISCUSSION AND POSSIBLE ACTION REGARDING ITEM(S) DISCUSSED IN EXECUTIVE SESSION.**

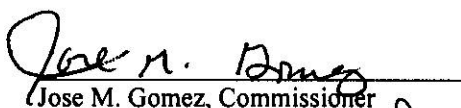
Mayor Hinojosa made a motion to approve the Homebuyers Tax Abatement. Commissioner Guajardo seconded the motion which passed unanimously.

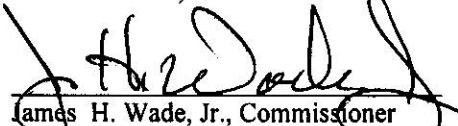
**21.) ADJOURN.**

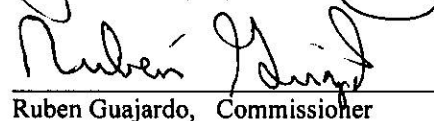
There being no further items to be discussed, Commissioner Guajardo made a motion to adjourn the meeting. Mayor Pro-Tem Lopez seconded the motion, which passed unanimously and the meeting was adjourned at 7:41 PM.

  
Henry Hinojosa, Mayor


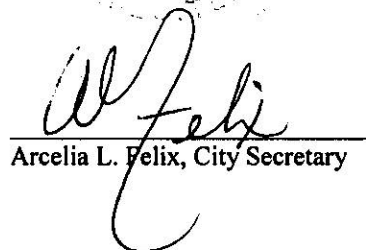
  
Armando Lopez, Mayor Pro-Tem

  
Jose M. Gomez, Commissioner

  
James H. Wade, Jr., Commissioner

  
Ruben Guajardo, Commissioner

ATTEST:

  
  
Arcelia L. Felix, City Secretary