

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
JANUARY 17, 2023 – 6:30 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

**MEMBERS PRESENT:** Oscar D. Montoya Mayor  
Joe Martinez Mayor Pro-Tem  
Jacob Howell Commissioner  
Armando Garcia Commissioner  
Ruben Saldana Commissioner

**STAFF PRESENT:** Alberto Perez City Manager  
Martie Garcia-Vela City Attorney  
Joselynn Castillo City Secretary  
Javier Ramirez Asst. City Manager  
Ervin Vilchis I.T Liaison  
Kristine Longoria Human Resources  
Nereida Perez Finance Director  
Michelle Muniz Asst. Library Director  
Richard Morin Recreation Director  
Javier Campos Fire Chief/EMC

**OTHERS PRESENT:** Orlando Diaz, Francisco Sanchez, Salvador Gonzalez, Ruth Valdez, Javier Gracia, Juan Vega Jr., Narciso Escobedo, Antonio Trevino, Ricardo Rodriguez, Rodolfo Zuniga, Isidro Lopez, Samuel Ochoa, Brianna Casares, Adrian Saucedo, Oscar Lopez, Ruben Gutierrez, Jose Hernandez, Nelda Longoria

**1. CALL MEETING TO ORDER**

Mayor Montoya welcomed everyone and called the meeting to order at 6:30 P.M.

**2. ESTABLISH QUORUM**

Four members of the Commission were present which constitutes a quorum. Mayor Pro-Tem Martinez arrived during the recognition of Ricardo Rodriguez.

**3. INVOCATION**

Commissioner Saldana said the invocation.

**4. PLEDGE OF ALLEGIANCE**

Commissioner Howell led in the pledge of allegiance.

At this time, Mayor Montoya stated item 5 will be followed by item 8B and postpone Item 8A.

**5. PRESENTATIONS:**

**a. PROCLAMATION FOR LLANO GRANDE FIRST RESPONDERS FOR THEIR COMMUNITY EFFORTS IN ASSISTING THE MERCEDES FIRE DEPARTMENT EMS**

Fire Chief Campos informed the Commission about the volunteers assisting the first responders and assisting the community. Fire Chief Campos presented an award to the Llano Grande First Responders. Mr. Rich spoke on behalf of the Llano Grande Community and thanked the Commission for the great honor. Mayor Montoya

proceeded to read the proclamation to the Llano Grande First Responders. At this time, the Commission moved to Item 8B.

## **6. OPEN FORUM**

- Mr. Ramon Mejia read a verse from the bible. He expressed his concern about police officers that have not been paid for Elida Fest and the Commission have not done anything to correct the issue. He stated that TML states that becoming an officer of the city, the commission is responsible that employees must be adequately paid. He stated that the Mayor is in law enforcement and does not follow the law. Mayor Montoya informed him to not speak about certain employees. Mr. Mejia stated a police report was filed.
- Mr. Aurelio Garcia stated there was rumors about him getting indicted for helping Mr. Joaquin Hernandez. Someone let him know that he cannot be accepting money from Mr. Joaquin Hernandez. He stated he spoke to the Mayor about someone tagging him on Facebook. Mr. Garcia stated that Mayor Montoya accepted money for his campaign from Mr. Hernandez. Mr. Garcia stated that the claims are not true and he will be filing a police report.
- Mr. Joaquin Hernandez spoke in Spanish. Mr. Hernandez asked about how to address the Commission about employees. Mayor Montoya explained to Mr. Hernandez that the employees cannot defend themselves therefore citizens cannot speak about the employees. Mr. Hernandez asked why there was no contract done for Elida Fest and asked how can the City hire a contractor without a license to operate. Ms. Garcia-Vela stated that the officers were not working for the city during the event. Mr. Hernandez stated that the city should not hire someone without a license for contract work and added the company in question is Municipal services.
- Mr. Roel Galvan Jr. expressed his concern with the fee for the usage of the fields. He stated that the little league cannot operate at \$200+ for usage of the fields. He stated that the ordinance is in the works and added that they would not be able to operate with those fees. He added that all the coaches are volunteers. He explained the fees that the little league needs to pay. Mr. Galvan stated that little league rules do not allow them to turn away a child even for non-payment.
- Mr. Jaime Contreras signed up. Mayor Montoya called 3 times but was not present at the meeting.

## **7. CONSENT AGENDA**

- a. Approval of Minutes for Meeting(S) Held December 20, 2022 And December 27, 2022**
- b. Approval of Budget Amendment 2223-06 For Baseball Field Lighting**
- c. Approval of the 1<sup>st</sup> Quarterly Finance Report**

Mayor Pro-Tem Martinez motioned to approve Item A and C and discuss 7B separately and then discuss Item 10A. Commissioner Garcia seconded. Upon a called vote, motion passed unanimously. Mr. Ramirez stated that the budget amendment is to address the issue of a conduit that was damaged when a vehicle was driving in the back area which is now restricted. Mr. Ramirez stated that they have already hired an electrical engineer to do an assessment of the area. Mayor Pro-Tem Martinez motioned to approve item 7B of the budget amendment. Commissioner Saldana seconded. Upon a called vote, motion passed unanimously. At this time, the Commission moved to item 10A.

## **8. CITY MANAGER COMMENTS:**

**a. Recognition of Tiger Football Players Xavier Sanchez & Ty Trevino.**

This item was postponed.

**b. Recognition of Employee Ricardo Rodriguez**

Mayor Montoya thanked Ricardo Rodriguez for his 41 years of service with the City and shared some memories he has with Mr. Rodriguez. Mayor Montoya presented him with a plaque for his service. Mayor Pro-Tem Martinez arrived during this item. No action required. At this time, the Commission proceeded with the order of the agenda and moved back to item 6.

**c. Update on Parks Lifeguard Training (Commissioner Howell & Garcia)**

Commissioner Howell would like to bring the lifeguards early to have a successful summer year. Mr. Richard Morin and Lee Puckett discussed their plans to certify lifeguards. Mr. Morin state that they have already started advertising and are preparing to upgrade the aquatics program this year. Mr. Puckett stated that getting lifeguards is a problem that every city has struggled with. Sign-ups begin in March for certification and then training in April at the pool. Commissioner Howell wants to make the pool is popular again and would like the pool fees to go back to the city for the pool. Mr. Puckett expressed that people are not applying and being outside versus being indoors with a higher pay is more appealing to applicants. Mr. Puckett state that their goal is to be open for the public, Monday, Wednesday, and Friday. No Action required.

**9. ORDINANCES/RESOLUTIONS: *Present, Discuss, Consider and Possibly Take Action Regarding:***

**a. Approval of Resolution 2023-01 and Agreement for the Temporary Closure of State Right-Of-Way for the 84<sup>th</sup> Annual RGV Livestock Show Parade**

Mayor Pro-Tem Martinez motioned to approve. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

**b. Approval of First Reading of Ordinance 2023-01 Calling the Election for the 2023 City Commission Elections for Mayor, Place 1, and Place 3**

Commissioner Howell motioned to approve and forego the reading. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

**c. APPROVAL OF FIRST READING OR ORDINANCE 2023-02 REGARDING THE UPDATED ANIMAL CONTROL SERVICES**

Mayor Pro-Tem Martinez motion to approved and forgo the reading. Commissioner Garcia second. Mayor Po-Tem Martinez discussed the enforcement process for selling animals. Commissioner Howell would like commission to consider possibly allowing owning chickens inside city limits in the future. Mr. Perez state that aside from our animal control leaving to other cities, they are lacking equipment but its in the works to acquire the proper equipment. Commissioner Saldana thanked Mr. Perez for working to get the proper equipment for Animal Control. Mayor Montoya state that there were more dog bites in Mercedes than there was in Sheriff's Department, and added that it's not just reactive but this concerns the safety of citizens. Legal stated that this ordinance was prepared with issues that are affecting smaller and larger cities. Upon a called vote, the motion passed unanimously.

**10. MANAGEMENT ITEMS: *Present, Discuss, Consider and Possibly Take Action Regarding:***

**a. Approval to Direct City Manager to Secure Funds for Repairs to Collier Park Press Box and Create A Team Up Mercedes Event**

Mayor Pro-Tem Martinez stated that Commissioner Howell and Garcia placed this item on the agenda. Commissioner Howell stated that sports are a big part of his life and

stated that the press box is in poor condition and would like to create the Team Up Mercedes to gather volunteers to help rebuild the press box. He stated if management can find funds to set aside for the repairs to that press box. Mayor Pro-Tem Martinez would like to reach out to businesses and organizations that can help with the repairs. Mr. Javier Gracia stated he did an assessment of the fields when he started and identified some issues. He stated the 2 truckloads cost about \$500 and only covered 1 field. Mr. Gracia stated he did not have a total cost to repair the parks but gave an estimate of \$20,000. Mayor Pro-Tem Martinez stated that if the City gets sponsors then their business can be advertised at the fields. Mayor Montoya asked for staff to put together a strategy to see what staff can do, cost assessment, and what volunteers can do to help. Mr. Perez stated that there are people from the outside coming in to make a profit and there has been scheduling issues. Mr. Perez also added that the parks need breaks for the field to recover and stay in good shape. Mr. Perez stated that park fees is another component to help get funding for the fields. Mayor Montoya suggested putting a committee together that consist of staff and one commissioner to tackle the issues. Commissioner Howell motioned to approve with the Team Up Mercedes event. Mayor Pro-Tem Martinez seconded. Commissioner Saldana stated to get a short list of the items needed to make work this year and then start planning for the following year. Upon a called vote, the motion passed unanimously. At this time, the Commission proceeded with the agenda and moved to item 8C.

**b. Approval of New Appointment and Re-Appointment of Members to the Keep Mercedes Beautiful Committee.**

Commissioner Saldana motioned to approve staff recommendation and appoint Ms. Lisa Cantu to fill the vacancy. Mayor Pro-Tem Martinez seconded. Upon a called vote, the motion passed unanimously.

**c. Approval of the Acquisition of A 40' By 100' Tract of Land for the Installation of a Regional Lift Station**

Mr. Ramirez stated the Commission has a survey for a tract of land near the chick-fil-a. The owner has volunteered to give the land to the City for the lift station to Capisallo Terrace. Commissioner Garcia motioned to approve. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously. Commissioner Howell stated he was proud to proceed with helping Capisallo Terrace. At a question, Mr. Ramirez stated that the condition was for the city to not charge certain fees at which the city does not currently have those fees. Mr. Ramirez stated this is a health and safety issue for the residents in that area. Mayor Montoya stated that the area has issues all year round. Mr. Perez stated that they have been working diligently to get this done and ran into road blocks but fortunately they were able to get this property for the lift station. Mr. Ramirez stated that they are looking at going out for bids in February for the construction of the lift station and be in construction 30 days after. Mr. Perez stated they have been doing their part to not delay the process once approved. Upon a called vote, the motion passed unanimously.

**11. BIDS/CONTRACTS:** *Present, Discuss, Consider and Possibly Take Action Regarding:*

**a. Approval of Waterline Access Agreement with North Alamo Water Supply Corporation for TARS No. 1 Subdivision**

Commissioner Howell motioned to approve. Mayor Pro-Tem Martinez seconded. Mr. Ramirez stated that the water belongs to NAWA and in order to provide fire service for the subdivision TARS No. 1. Upon a called vote, motion passed unanimously.

**b. APPROVAL OF AGREEMENT WITH RETAIL TRENDS, LTD FOR THE DEVELOPMENT OF CAPISSALLO AN IRR TR N319.61'-E1240.04'-W1290.20' LOT 14 BLK 27 10.30 AC GR 10.09AC NET**

Mayor Pro-Tem Martinez motion to approve. Commissioner Garcia seconded. Mr. Ramirez stated this is the agreement discussed earlier on item 10C. Upon a called vote, motion passed unanimously.

**12. MONTHLY DEPARTMENT REPORTS**

**a. POLICE DEPT., LIBRARY, FINANCE/COURT, CITY SEC/HR, FIRE DEPT., PLANNING**

Commissioner Saldana asked about the 50% increase in arrests for PD. Mayor Montoya stated that UCR only allows certain reports. He asked about the Library Board and asked about a borrowing of equipment. Ms. Muniz stated that there is no space and that the library board did not meet in this month. Ms. Perez stated that the council report is any payment made over \$10,000 for the month of December. There was a question about an item on the finance report at which Ms. Perez stated that was the electricity bill. There's a projection of 6.5 mil in sales tax which is the City's portion. Commissioner Howell asked about tax revenue and Mr. Perez stated the city has gone up about \$47K.

**13. ADJOURNMENT**

Mayor Pro-Tem Martinez motion to adjourn. Commissioner Garcia seconded. Upon a called vote, motion passed unanimously. The meeting adjourned at 8:02 P.M.