

**MERCEDES CITY COMMISSION
REGULAR MEETING
FEBRUARY 6, 2024 – 6:30 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Oscar D. Montoya Sr.	Mayor
	Dr. Ruben Saldana	Mayor Pro-Tem
	Armando Garcia	Commissioner
	Joe Martinez	Commissioner
	Dr. Jacob Howell	Commissioner
STAFF PRESENT:	Alberto Perez	City Manager
	Martie Garcia-Vela	City Attorney
	Joselynn Castillo	City Secretary
	Javier Ramirez	Asst. City Manager
	Nereida Perez	Finance Director
	Marisol Vidales	Library Director
	Michael Rocha	I.T Manager
	Orlando Diaz	Lieutenant
	Ruth Valdez	City Manager Secretary

1. CALL MEETING TO ORDER

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

2. ESTABLISH QUORUM

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

3. INVOCATION

Commissioner Martinez said the invocation.

4. PLEDGE OF ALLEGIANCE

Commissioner Garcia led in the pledge of allegiance.

5. OPEN FORUM

Mr. David Salinas and Mr. Eliberto Gonzalez were present to provide the City with a check to the City of Mercedes. Mayor Montoya asked that they provide more information on the next agenda and that they present it as an agenda item.

6. CONSENT AGENDA:

a. Approval of Minutes for Meeting(s) held January 16, 2024 and January 26, 2024

b. Second and final Reading of Ordinance 2024-02 repealing ordinance 2010-08 Mercedes Historic Preservation Landmark Ordinance and Mercedes Historic Preservation Commission

c. Approval of Memorandum of Agreement between Methodist Healthcare Ministries and the City of Mercedes

d. Approval of Budget Amendment for Ordinance and Contract Specialist (Administration Office)

Commissioner Martinez motioned to approve and waive the reading. Commissioner Garcia seconded. Commissioner Martinez amended his motion to discuss item C and approve A, B, and D. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

Item C. Ms. Vidales informed the Commission that this item was presented at the previous meeting regarding the funding for computer classes. Commissioner Martinez motioned to approve. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

7. ORDINANCES/RESOLUTION:

a. Approval of Ordinance 2024-03 to rezone RHM-Mobile Home Zone for South Campacuas Addition Lot 6, 11, 12, 13, 14 and 3, Block 104 & 105

Commissioner Martinez motioned to approve and forgo the reading. Mayor Pro-Tem Saldana seconded. At a question, Mr. Ramirez stated that this ordinance will not impede any future growth in the area. Mr. Mario Reyna with Melben and Hunt and Rob Murry from McKinney, Texas presented to the commission an example of the development they are proposing. They will be extending the utilities to the east of Camino Real. Mr. Reyna stated the planning and zoning commission expressed their concerns with drainage issues. Mr. Reyna stated they have met with Randy Winston regarding the drainage concerns. Mr. Reyna stated they have a curb cut and will have points of ingress and egress. Mr. Murry stated people can bring their own homes as long as they meet code. The mobile park will be for 55 years of age or older. Upon a called vote, the motion passed unanimously.

b. Approval of Resolution 2023-03 Urban County Work plan FY 37 (2024)

Commissioner Martinez motioned to approve the final work plan for Urban County FY 37 (2024). Commissioner Saldana seconded. Upon a called vote, the motion passed unanimously.

c. Approval of Resolution 2023-04 authorizing the filing of a Grant Application with LRGVDC for a Regional Solid Waste Grant Program

Commissioner Martinez motioned to approve. Commissioner Saldana seconded. At a question, Mr. Diego Saenz stated this is for a recycling bin. Mayor Montoya recommended the purchase of two containers. Upon a called vote, the motion passed unanimously.

d. Approval of Resolution 2024-05 Accepting Operation Stonegarden #3172809

e. Approval of Resolution 2024-06 Accepting SH-Bullet Resistant Shield Grant Program

f. Approval of Resolution 2024-07 Accepting BG-Rifle Resistant Body Armor Grant Program

g. Approval of Resolution 2024-08 Accepting BD-Operation Lone Star Grant Program

h. Approval of Resolution 2024-09 Accepting BC-Body Worn Camara (BWC) Program

i. Approval of Resolution 2024-10 Accepting HS-State Homeland Security Program - Law Enforcement Terrorism Prevention Activities (LETPA) F24

j. Approval of Resolution 2024-11 Accepting FY25 BL-Local Border Security Program

Commissioner Howell motioned to approval item D thru J and forgo the reading.

Commissioner Martinez seconded. At a question, Lt. Diaz stated only one resolution is a 25% match and the rest are completely funded. They are requesting 25 shields and stated the odds are high to receive. Upon a called vote, the motion passed unanimously.

8. MANAGEMENT ITEMS:

a. Approval of Memorandum of Understanding between City of Mercedes, Hidalgo County Drainage District No.1 and Hidalgo County regarding Coordination for 2018 CDBG-DR Infrastructure Competition

Mayor Pro-Tem Saldana motioned to approve. Commission Howell seconded. Mr. Ramirez stated that this is for the Mercedes South Lateral which is south of Collier Park to work in conjunction with Urban County and drainage on the project. This will affect just north of the expressway and all the way south to Mercedes Lateral. The county will expand the ditch to have more detention. Upon a called vote, the motion passed unanimously.

b. Sidewalk Improvements for Florida Ave. & 10th St

Commissioner Martinez stated at a previous meeting they discussed sidewalk improvements on Florida Ave from 5th to 10th Street. Commissioner Martinez would like staff to look at getting the costs for putting the sidewalks in the areas. They are concerned for student safety and would like staff to begin budgeting for the sidewalk projects. Mayor Montoya recommends staff to meet with schools to continue with the project to begin when the students are out of school. Commissioner Martinez motioned to begin finding the costs and finding the funding if the city can begin in the summer while the students are not in school. Commissioner Howell seconded. There was discussion regarding the location of the sidewalk and access. Upon a called vote, the motion passed unanimously.

Commissioner Martinez motioned to go into executive session. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously at 7:13 p.m.

9. EXECUTIVE SESSION: Chapter 551, Texas Government Code, Section 551.071 (Consultation with Attorney), Section 551.072 (Deliberation regarding Real Property), Section 551.074 (Personnel Matters) and Section 551.087 (Economic Development)

- a. Discussion with City Manager regarding personnel matters – Section 551.074
- b. Consultation with Attorney regarding update on litigation – Section 551.071
- c. Consultation with Attorney regarding contracts – Section 551.071
- d. Consultation with Legal counsel pursuant to Texas Gov't Code Section 551.071(1) to discuss pending litigation with Mercedes Investments LP

Mayor Montoya called the meeting back to order at 8:45 p.m.

10. OPEN SESSION:

- a. Item A from Executive Session – No action
- b. Item B from Executive Session – No Action
- c. **Item C from Executive Session – No Action**
- d. **Possible Action on Executive Session item D regarding pending litigation with Mercedes Investments LP. – No Action**
- e. **Discussion and possible action to approve Resolution 2024-12 of the City Commission of the City of Mercedes, Texas removing Juan Molina as Trustee of Deed of Trust, appointing the firm of Troiani and Sossi, PLLC as Substitute Trustees, and authorizing Publication of Notice of Trustee's Sale**
Commissioner Martinez motioned. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

11. ADJOURNMENT

Commissioner Martinez motioned to adjourn. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously at 8:46 p.m.