

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
APRIL 16, 2024 – 6:30 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Oscar D. Montoya Sr.	Mayor
	Dr. Ruben Saldana	Mayor Pro-Tem
	Joe Martinez	Commissioner
	Dr. Jacob Howell	Commissioner
	Armando Garcia	Commissioner

<b>STAFF PRESENT:</b>	Alberto Perez	City Manager
	Martie Garcia-Vela	City Attorney
	Joselynn Castillo	City Secretary
	Javier Ramirez	Asst. City Manager
	Nereida Perez	Finance Director
	Francisco Sanchez	Police Chief
	Michael Rocha	I.T Manager

**OTHERS PRESENT:** Ruth Valdez, Orlando Diaz, and Jesus Rodriguez

**1. CALL MEETING TO ORDER**

Mayor Montoya welcomed everyone and called the meeting to order at 6:30 p.m.

**2. ESTABLISH QUORUM**

Three members of the commission were present. Commissioner Howell arrived during the autism awareness presentation. Commissioner Martinez arrived during the management item a, preventive care management by attentive.

**3. INVOCATION**

Mayor Pro-Tem Saldana said the invocation.

**4. PLEDGE OF ALLEGIANCE**

Commissioner Garcia led in the pledge of allegiance.

**5. OPEN FORUM:**

- a. Ms. Crystal Newton addressed the commission regarding her recent acquisition of a historical home, expressing her surprise at its status. She petitioned for the property's removal from the historical district, citing urgency. Mayor Montoya suggested adding her to the agenda for further discussion at the next meeting.

**6. PRESENTATIONS:**

**a. Presentation of Proclamation in honor of Grandmaster Juan “Johnny” Valdivia**

Mayor Montoya shared heartfelt sentiments about “Johnny” and proceeded to read the proclamation in his honor. He extended gratitude to the family, specifically acknowledging Mando and Raul Garcia for consistently highlighting Johnny’s contributions. Mando delivered a stirring tribute to Grandmaster Juan “Johnny” Valdivia, emphasizing his significant impact. They invited the commission to attend an event scheduled for Saturday at 9:45 A.M.

**b. Presentation by Police Chief and Proclamation regarding Autism Awareness**

Police Chief Sanchez addressed the commission, introducing the inaugural autism awareness walk and acknowledging the presence of Team Mario and Bebo's Angels. Commissioner Howell joined the session at this point. Mayor Montoya read the proclamation commemorating autism awareness.

**c. Presentation by Schneider Electric**

Mr. Aaron Garcia from Schneider Electric and Mr. David Smith were both in attendance. Mr. Garcia outlined their recent meeting with Mr. Perez, discussing potential utility projects where Schneider Electric could assist by offsetting or fully covering costs. They conducted an initial audit of the water and wastewater facility. Mr. Smith presented findings from Freese & Nichols regarding dewatering and sludge, highlighting the necessity for updated technology. The projected savings from these initiatives total \$300K, which could fund the implementation of new technology. Mr. Garcia elaborated on the financial aspects, noting that significant positive impacts would be realized by year 10. Schneider Electric proposed a design-build construction contract for the sludge dewatering project at the water plant, emphasizing the need to replace the aging UV system and oxidation ditches. They also offered to conduct a comprehensive energy savings evaluation at the wastewater plant if the city opted to proceed. The investment grade audit would be covered by Schneider Electric, and utilizing TIPS could expedite the process by 3 to 5 months. Mr. Steve Cruz, owner of CB3, expressed concerns about bias in the report by Freese and Nichols, advocating for modern technology and offering financing options. He urged the city to prioritize the best course of action. Mr. Garcia assured neutrality, emphasizing their commitment to the city's best interests. There were no further discussions.

**7. CONSENT AGENDA:**

**a. Approval of Minutes for Meeting(s) held March 26, 2024 and April 2, 2024.**

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

**8. MANAGEMENT ITEMS:**

**a. Preventive Care Management by Attentive**

Ms. Melba Figueroa and Dr. Bron Cavazos presented alongside virtual attendees Mr. Colby Miller and Mr. Josh Kirkland, discussing a tax savings program projected to save the city approximately \$70K annually. The program, in operation since 2016, aims to improve employee's mental, physical, and financial well-being without altering existing benefits. Funded through tax savings, it offers benefits without co-pays for more affordable care. Mr. Kirkland clarified there is a fixed fee of \$129 per participating employee, with \$89 from employees and \$40 from the city. Mayor Montoya assured no upfront costs for the city, emphasizing benefits for employees without impacting current plans. Employees must qualify and utilize the program yearly, with no enrollment required. Commissioner Howell motioned to table this item. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

Mayor Pro-Tem Saldana moved to go into executive session. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. The meeting went into executive session at 8:04 p.m.

Mayor Montoya called the meeting back to order at 9:32 p.m.

**9. BIDS/CONTRACTS:** *Present, discuss, consider and possibly take action regarding:*

**a. Approval of annual contracts for services**

**i. Electrical Services**

Mr. Ramirez informed the commission that the city had solicited bids for electrical services, with a purchasing cap of \$50K from a single vendor. The objective is to establish a vendor pool, allowing for flexibility in selecting vendors and obtaining quotes. This pool will remain active for one year.

Commissioner Howell motioned to approve all contracts under item 9A which include electrical services, auto parts, and sidewalk & curb. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously.

**ii. Auto Parts**

This item was approved during item 9A(i).

**iii. Sidewalks & Curb**

This item was approved during item 9A(i).

**b. Approval of Medical Director**

Legal recommended approval of the agreement for medical director. Commissioner Garcia motioned to approve. Commissioner Martinez seconded. Upon a called vote, the motion passed unanimously.

**10. MONTHLY REPORTS**

- a. MPT Saldana requested the inclusion of a narrative format detailing monthly occurrences at the Police Department. The commission acknowledged the sales tax increases outlined in the finance report and commended the team for their performance during the audit. Mayor Montoya expressed concerns about the reemergence of numerous dogs roaming the streets despite timely efforts in animal control. Lt. Diaz offered to provide a separate report on animal control activities, highlighting the animals picked up. Additionally, it was mentioned that animal control officers will undergo certification training this month, and there was a discussion about acquiring

**11. EXECUTIVE SESSION:**

- a. Discussion with City Manager regarding personnel matters and civic organizations – Section 551.074**  
**b. Consultation with Attorney regarding update on litigation – Section 551.071**  
**c. Consultation with Attorney regarding project updates – Section 551.071 & Section 551.087**

**Addendum:**

- d. Consultation with Legal Counsel regarding pending litigation (Mercedes Investments, LP) – Section 551.071**

- e. **Discussion regarding new proposed Economic Development Project – Section 551.087**

**12. 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

**Addendum:**

- d. **Addendum: Discussion and Possible Action to approve settlement agreement with Mercedes Investments, LP.**

Mayor Pro-Tem Saldana made a motion to authorize legal and city manager to approve a settlement agreement with Mercedes investments, Inc subject to the conditions discussed in executive session, and to proceed as discussed in executive session for item d and e.

Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

- e. **Discussion and Possible Action regarding item E from executive session.**

**13. ADJOURNMENT**

Commissioner Martinez motioned to adjourn. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. The meeting adjourned at 9:53 p.m.