

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
JUNE 18, 2024 – 6:30 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Oscar D. Montoya Sr. Dr. Ruben J. Saldana Dr. Jacob C. Howell Joe Martinez Armando Garcia	Mayor Mayor Pro-Tem Commissioner Commissioner Commissioner
<b>STAFF PRESENT:</b>	Martie Garcia-Vela Joselynn Castillo Javier Ramirez Meredith Hernandez Javier Campos Marisol Vidales Juan Vasquez	City Attorney (Virtual) City Secretary Asst. City Manager Interim Finance Director Fire Chief/EMC Library Director I.T Specialist

**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**

Mayor Pro-Tem Saldana said the invocation.

**4. PLEDGE OF ALLEGIANCE**

Commissioner Martinez led in the pledge of allegiance.

**5. OPEN FORUM-**

- Mr. Oscar Galvan addressed the Commission about raising awareness on the health department and playgrounds. Mr. Galvan informed the Commission about the regulations and ADA compliance standards for playgrounds. He stated the city playgrounds are not in compliance with the safety regulations and would like to volunteer his services as a consultant to bring the city up to code.

Commissioner Martinez motioned to move to item 11 for the Fire Chief to do a presentation on the storm. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously. The Commission moved to item 11 on the agenda, at this time.

**6. PRESENTATIONS:**

**a. Proclamation in recognition of Bill Bunton Auto Supply & Machine, Inc.**

Mayor Montoya shared a story about Bunton Auto Supply and read the proclamation. Commissioner Martinez motioned to accept the proclamation. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously. Mr. Bunton thanked the Commission and the community for their support.

**b. Proclamation in recognition of Lions Club 75<sup>th</sup> Anniversary**

Mayor Montoya shared a story about Lions Club and read the proclamation. Commissioner Martinez motioned to accept. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously. Lions Club President said a few words expressing his honor in serving the community and being able to give back to the community.

**c. Recognition of Retired Employee**

Employee was not present.

**d. Presentation by KMB**

Ms. Janet Schofield and Ms. Cathy Cowden presented to the Commission regarding grants they applied for, including the HEB Trees for Texans and National Wildlife Foundation Native Pollinator Garden. Ms. Schofield explained the numerous benefits of planting trees.

Ms. Schofield informed the commission about the assistance they received from Mr. Eugene Fernandez, Mr. Mike Heep, and Mr. Preston Castellon. Mr. Eugene Fernandez, a Brownsville historian dedicated to preserving Montezuma Cypress trees, donated 20 trees to Keep Mercedes Beautiful. Mr. Mike Heep provided plants and offered information on their care, including a watering solution. Mr. Preston Castellon assisted with the initial tree survey, advising on optimal placement, spacing, and maintenance of the trees. The trees were planted on April 27, 2024. Thanks to the grant, they were able to purchase an auger. They also partnered with Cameron County Master Gardener's, Starbucks and VIDA, who provided additional trees and volunteers. Papa Joes and Dairy Queen donated their five-gallon jugs of oil to be repurposed as watering jugs for the trees.

Ms. Schofield also highlighted the efforts of the RGV Pollinator Club and showcased photos of their work they have done along Collier Park fence.

**e. Project Update regarding Capisallo Terrace Waste Water connections.**

Mr. Jose Reyes provided the commission with an update on the Capisallo Terrace Project. The sanitary sewer improvements commenced on September 6, 2023, and were completed by June 7, 2024. The lift

station is now fully operational. The final project cost was \$3,489,236, which reflects a cost savings for the city compared to the original estimate of \$3,524,927.00.

Mr. Reyes noted that the roads currently have compacted caliche. Mr. Ramirez clarified that this was a sanitary sewer project, not a storm drainage project, but mentioned that some of the curbs were replaced as part of the work.

## **7. ORDINANCES/RESOLUTIONS:**

### **a. Approval of Resolution 2024-19 authorizing the use of a credit card**

Ms. Meredith Hernandez addressed the Commission about requested the change of name from the previous finance director to the new interim assistant finance director. Commissioner Martinez motioned to approve and forego the reading. Commissioner Garcia seconded the motion. Upon a called vote, the motion passed unanimously.

## **8. CONSENT AGENDA**

### **a. Approval of Minutes for Meeting(s) held June 4, 2024.**

Commissioner Martinez motioned to approve all items under consent agenda. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

## **9. MANAGEMENT ITEMS: *Present, discuss, consider and possibly take action regarding:***

### **a. Approval of Amendment to the Personnel Policy Manual to include a section regarding attendance, inclement weather and emergencies.**

Human Resources Specialist Kristine Longoria informed the commission about including a policy for attendance during emergency weather events. Commissioner Howell motioned to approve. Commissioner Martinez seconded. Mayor Montoya stated the policy is to have staff come into work and have the department head determine which staff is essential should a weather event were to occur. Upon a called vote, the motion passed unanimously.

## **10. BIDS/CONTRACTS:**

### **a. Approval to renew agreement with Xoana Entertainment Company**

Mr. Ramirez informed the Commission that these advertisements promoting visiting the City of Mercedes are in Mexico on a federal road. Commissioner Martinez motioned to approve. Mayor Pro-Tem Saldana seconded. Commissioner Martinez stated the advertisement has worked. Commissioner Howell stated that about 95% to 98% of people visiting the outlet mall come from Mexico. Upon a called vote, the motion passed unanimously.

### **b. Approval of Interlocal Cooperation Agreement between the County of Hidalgo, Texas and the City of Mercedes, Texas on behalf of Dr. Hector P. Garcia Memorial Library in order to provide library services to county residents**

Ms. Vidales stated the ILA is to provide library services to county residents. A total of \$278K of funding is received for all 13 libraries. Each library receives \$14K. Commissioner Howell motioned to approve. Commissioner Martinez seconded. Upon a called vote, the motion passed unanimously.

## **11. Departmental Monthly Reports**

Fire Chief Campos addressed the Commission and residents regarding Hurricane season. He highlighted that the Memorandum of Understanding (MOU) and Safe Dome are in place for the shelter. Chief Campos stressed the importance of capturing data on damages to meet the threshold for federal funding. Due to an above-average storm forecast this year, extensive training has been conducted with staff.

Residents are encouraged to sign up for emergency notifications via CodeRed by texting "Mercedes" to 99411. Chief Campos warned that the entire coast will be affected, with predictions of 4 to 6 inches of rain, a tornado threat, and potential wind and rain damage. Staff is on standby to assist with debris removal from roads and to maintain city operations.

In response to a question, Mr. Ramirez confirmed that pumps are available for deployment as needed. All outfalls on the south side of the city have been serviced and maintained. These pumps will be used to push water out from the city, helping to alleviate flooding. Mayor Montoya praised the staff for their efforts in clearing inlets and flushing drainage lines.

Chief Campos thanked the public works department for their collaborative efforts in preparing the city for hurricane season.

The Commission moved back to item 6 on the agenda and proceeded with the scheduled agenda.

Commissioner Howell stated the school is changing their hours and asked about the pool hours being limited. He is requesting to extend the hours or an extra day for the public pool.

Commissioner Howell motioned to go into executive session. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. The meeting went into executive session at 7:51 p.m.

## **12. 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. Contracts**

### **d. Deliberation pursuant to Tex. Gov't Code 551.087 regarding economic negotiations and about real property pursuant to Tex. Gov't Code 551.072. Consultation with legal counsel to receive communication protected by attorney client communication privilege pursuant to Tx. Gov't Code 551.071 (2) regarding same.**

### **e. Consultation with legal counsel regarding pending litigation pursuant to Tex. Gov't Code 551.071 (1) (a) and (b).**

**f. Consultation with legal counsel pursuant to Tex. Gov't Code 551.071 (1)(a) and (b) and Tex. Gov't Code 551.071 (2) and regarding real property pursuant to Tex. Gov't Code 551.072**

Mayor Montoya called the meeting back to order at 9:19 p.m.

**13. OPEN SESSION:**

**a. Possible Action pertaining to executive session item a**

Commissioner Howell moved to approve city manager to engage and create a position of an associate municipal judge at \$500 per month as discussed in executive session. Commissioner Martinez seconded. Upon a called vote, the motion passed unanimously.

**b. Possible Action pertaining to executive session item b**

No Action

**c. Possible Action pertaining to executive session item c**

Mr. Ramirez stated this item is to authorize the city manager to execute a contract for well design services subject to legal review with recommendation for Melden and Hunt. Commissioner Martinez motioned to approve. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

Mr. Ramirez recommended to Authorize the City Manager to execute a contract with SAM to provide GIS mapping services subject to legal approval. Commissioner Howell motioned to approve. Commissioner Martinez seconded. Upon a called vote, the motion passed unanimously.

**d. Possible Action pertaining to executive session item d**

Commissioner Martinez motioned to approve the cost sharing acquisition and conveyance of Mercedes Light Industrial Park Phase 1 lot 3 & 4 blk 1 for \$249,000 plus closing costs. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously.

**e. Possible Action pertaining to executive session item e**

Commissioner Martinez motioned to approve DCM conveyance of Mercedes Light Industrial Park Phase 1 Lot 1 & 2 Block 1. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

**f. Possible Action pertaining to executive session item f**

Mr. Ramirez stated the city is looking for approval to execute an agreement with DCM supporting the development of a cold steel company as discussed in executive session with approval from legal counsel. Commissioner Howell motioned to approve. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

**14. Adjournment**

Commissioner Howell motioned to adjourn. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously at 9:24 p.m.