

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
NOVEMBER 21, 2023 – 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

**MEMBERS ABSENT:** 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 R. Perez Finance Director  
Michael Rocha I.T Manager  
Marisol Vidales Library Director

**OTHERS PRESENT:** Ruth Valdez

**1. CALL MEETING TO ORDER**

Mayor Montoya welcomed everyone and called the meeting to order at 6:31 PM.

**2. ESTABLISH QUORUM**

Four members of the Commission were present which constitutes a quorum. Commissioner Howell was absent.

**3. INVOCATION**

Commissioner Martinez said the invocation.

**4. PLEDGE OF ALLEGIANCE**

Mayor Montoya led in the pledge of allegiance.

**5. PRESENTATIONS**

**a. Lung Cancer Awareness Proclamation**

Mayor Montoya read the proclamation. Ms. Clara Chapa with DHR Health informed everyone that the leading cause of death in men and women is lung cancer. She encouraged the community to be proactive with their health and added that the goal is to help people live a healthy lifestyle. For screening, call 956-362-2250 there is a promotion of \$135 for a 3D lung screening. Ms. Chapa stated she would be emailing a flyer. She also stated the October promotion is still available. The promotion is \$99 for a 3D mammogram. No action required.

**b. Presentation by Perdue Brandon's Collection Report for Fiscal Year 2022-2023**

Ms. Janelle Caso and Mr. Romeo Cantu were present for the delinquent tax report. Ms. Caso stated she contacted 2,110 people, mailed 3,364 letters and updated 311 addresses. They conducted 33 field inspection due to no contact with a resident to check if they were currently living in the home. Base tax collected for the city is \$11,946. If tax payer

refuses to make a payment or payment arrangements then they file suit. They filed 51 original petitions, issued 4 Tax Warrants and took a sheriff deputy to the business owner and issued notice to pay. They collected \$3,439 on a sales tax property. Sold 2 properties in a tax resale where \$16,730 was collected making it a total of \$20,169 collected. \$74,775 was collected in penalties and interest and \$160,909 was collected on delinquent base tax from October 2022 to September 2023. Texas Homeowner Assistance Fund Program assisted 202 households in Mercedes and paid a total of \$1,162,163. At a question, Ms. Caso stated that homeowners were notified about the assistance program. The commission asked for the demographics of the residents with delinquent taxes. For Court fees and fines, they contacted 1,656 residents, mailed 22,162 letters and updated 876 addresses. Total cash collected \$67,349 and cases resolved \$33,130 and total liquidated is \$100,479. Top 10 zip codes by debtors has Mercedes with most cases at 1,810 from municipal court cases. The delinquent accounts are all over the United States. Total liquidated amount since August of 2016 is \$526,542. At a question, Ms. Caso stated if there is a defendant with court fines of \$300 and the person passed away, those fines cannot be collected. The cases resolved is the amount the city does not receive. No action required.

## **6. OPEN FORUM**

There were no citizens signed up for open forum.

## **7. CONSENT AGENDA**

### **a. Approval of Minutes for Meeting(s) held November 7, 2023**

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

## **8. MANAGEMENT ITEM**

### **a. Approval of Agreement between the City of Mercedes and Mercedes ISD for Emergency Responsive Services & Sheltering**

Commissioner Martinez made a motion to approve. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. Mayor Montoya asked which schools are approved by Red Cross. Ms. Castillo will gather the information to provide to the Commission.

## **9. MONTHLY REPORTS**

Mr. Perez explained the plan with Public works to assist getting organized and have a work plan. He also provided an update on the Capisallo Terrace lift station and sewer connection project. The project is beneficial to the residents in the area and can utilize the entire property.

Mayor Montoya informed everyone about the animal control department, we are working on the animal control issues but it takes time because shelters are full. Mayor Pro-Tem Saldana stated that the City impounded 600 animals which shows how much has been done. No further question. No action required.

Commissioner Martinez motioned to bring the item on code of ordinances to open session. Commissioner Garcia seconded. Passed unanimously. At this time, item C from executive session was moved to the open.

## **10C. Consultation with Attorney regarding code of ordinances – Section 551.071**

Mr. Hector Castillo and Ms. Vicki Lyle were present. Mr. Perez stated the City received complaints from residents regarding harassment on their way to vote. Mr. Castillo stated that Ms. Hilda Salinas the elections coordinator for the County of Hidalgo was in support of them attending as private citizens. Mr. Castillo stated that painting the lines has helped. He stated the recommendations due to complaints. Some concerns are the parking spaces and designating parking spaces for voters, Handicapped parking spaces needs the signs and to be painted, have voter parking signs. Ms. Salinas suggested the City of Pharr and Weslaco and Hidalgo County, Palm View and Mission have good samples of electioneering ordinances. No further discussion.

Commissioner Martinez motioned to go into executive session. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. The meeting went into executive session at 7:35 pm.

**10. 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 code of ordinances – Section 551.071**
- d. Consultation with Attorney regarding contract for services – Section 551.071**

**11. OPEN SESSION:** Mayor Montoya called the meeting back to order at 8:55 PM.

**a. Item A from Executive Session**

No Action was taken on this item.

**b. Item B from Executive Session**

No Action was taken on this item.

**c. Item C from Executive Session**

Commissioner Martinez motioned to proceed as discussed in executive session. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously.

**d. Item D from Executive Session**

Mayor pro-Tem Saldana moved to proceed as discussed in executive session.

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

Mayor Montoya read a letter from the School District's Superintendent acknowledging our Fire/EMS staff.

**12. ADJOURNMENT**

Commissioner Garcia motioned to adjourn. Commissioner Martinez seconded. Upon a called vote, the motion passed unanimously. The meeting adjourned at 9:00 PM.