

## NOTICE

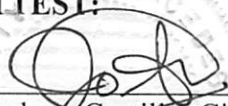
**NOTICE** is hereby given that the City Commissioner of the City of Mercedes, Texas will meet in a **Regular Meeting** on Tuesday, September 17, 2019 at 6:00 P.M. Said meeting will be conducted in the Commission Chambers of the City Hall located at 400 S. Ohio, Mercedes, Texas for the purpose of considering and taking formal action regarding the items listed on the attached agenda.

If during the course of this meeting, the City Commission should determine that a closed or executive meeting or session of the City Commission is required, then such closed or executive meeting or session as authorized by the Texas Open Meeting Act, Texas Government Code Section 551.001, et. seq., will be held by the City Commission at the date, hour, and place indicated in this Notice-Agenda or as soon after the commencement of the meeting covered by this Notice/Agenda as the City Commission may conveniently meet in such closed door or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the section and purpose covered by the following section of the Texas Government Code: 551.071 through 551.087. Should any final action, decision, or vote be required in the opinion of the City Commission with regard to any matter considered in such closed or executive meeting or session, then the final action, decision, or vote shall be either in the open meeting, or at a subsequent public meeting upon notice, therefore, as the City Commission shall determine.

This notice is given in accordance with Vernon's Texas Codes Annotated, Texas Government Code, Section 551.001 et. Seq.

**WITNESS MY HAND AND SEAL OF THE CITY THIS THE 13<sup>TH</sup> DAY OF SEPTEMBER, 2019**

**ATTEST:**

  
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Joselynn Castillo, City Secretary  
Time of Posting: 4:00 P.M

## ACCESSIBILITY STATEMENT

The City of Mercedes recognizes its obligations under the Americans with Disabilities Act of 1990 to provide equal access to individuals with disabilities. Please contact the City Manager's Office at (956) 565-3114 at least 48 hours in advance of the meeting with requests for reasonable accommodations, including requests for a sign language interpreter.

MERCEDES CITY COMMISSION  
REGULAR MEETING  
SEPTEMBER 17, 2019 – 6:00 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS

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- 1.) Call Meeting to Order.
- 2.) Establish Quorum.
- 3.) Invocation.
- 4.) Pledge of Allegiance.

**The City of Mercedes provides a Public Comment period at the beginning of each meeting to provide the public with an opportunity to address issue of public concern.**

**The City encourages all members of the public to utilize this opportunity to comment at the time. The City does not provide for any other time for public comment during the meeting except a member of the public may address the Commission regarding a specific topic where that matter is set for public hearing.**

5.) Open Forum-

Maximum length of time of forum is thirty minutes with individual presentations limited to a maximum of three minutes. The City Commission can take no formal action on any city related matter discussed during the open forum. Persons who wish to participate in this portion of the meeting shall sign up as they arrive, indicating the topic about which they wish to speak. No one will be able to sign up **AFTER 5:50 PM**. The information required for signing up must be completed by that time. No public comments will be allowed during any agenda item unless recognized by the Mayor or if the item requires a public hearing. State your name and address before beginning your presentation.

There can be no comments about specific employees. By Charter, the City Manager is exclusively given authority over personnel matters, including complaints against city personnel. All complaints against city personnel will be addressed pursuant to Mercedes Personnel Policies.

Comments must not be repeated and the Commission is not required to answer any question from the public. Any person who decides to directly question any member of the City Commission will be asked to discontinue their comments. The City Secretary's office representative will be responsible for notifying each presenter that their three-minute time limit has expired.

6.) Consent Agenda (Ordinance No. 98-21):

- A.) Approval of Minutes for City Commission meeting (s) held September 3 and September 10, 2019.
- B.) Second and final reading on an Ordinance Amending Ordinance No. 2013-18 to Re-categorize the levied 'Capital Improvement Fee' to a 'Utility Maintenance Fee'.

- 7.) Consideration and Action to Adopt City of Mercedes Resolution 2019-10 censuring City Commissioner Leonel Benavidez for mistreatment of City employee and untruthfulness. (Mayor)
- 8.) Consideration and Action to Adopt Resolution 2019-11 to set a hearing pursuant to Mercedes City Charter Section 2.07 for proceeding to remove/forfeiture of office of City Commissioner Leonel Benavidez and to provide for publication of same. (Mayor)
- 9.) City Manager comments.
- 10.) Discussion and Possible Action to Consider Adjusting the Time Allotted Citizens to Speak during Open Forum. (City Manager)
- 11.) Update by LEMC on Various Construction Projects Funded by Certificates of Obligation.
- 12.) Presentation by Joe Martinez on Behalf of the Mercedes High School Class of 2000 Regarding the 'No Surrender, No Retreat Mauro Vasquez, Jr. Memorial Scholarship' Fundraising Event.
- 13.) Presentations by Legal Firms to be Engaged as Mercedes' Municipal Court Judge following Presentations by Representative Attorney.
- 14.) Presentations by Legal Firms to be Engaged as Mercedes' Municipal Court Prosecutor following Presentations by Representative Attorney.

- 15.) Presentation by Fulcrum Architects Regarding U.S.D.A. Grant Application to Restore the Historic City Hall/Fire Station.
- 16.) PUBLIC HEARING on parks and Open Space Master Plan to Solicit the Public's Input on Mercedes' Priority Goals & Objectives as they Relate to the City's Parks and Recreation Open Space.
- 17.) Discussion and Possible Action to Approve Submittal of Grant Application for the Rudolf Steiner Charitable Trust. (Library Director)
- 18.) Discussion and Possible Action to select a Depository for the City of Mercedes. (Finance Director)
- 19.) Discussion and Possible Action for Purchase of LP 15 Cardiac Monitors. (Fire Chief)
- 20.) Discussion and Possible Action to Appoint Members to the Mercedes 2020 Census Count Committee. (City Manager)
- 21.) Discussion and Possible Action on an Ordinance to Repeal Ordinance No. 2013-18 to Thus Delete the levied 'Capital Improvement Fee'. (City Manager)
- 22.) Discussion and action to approve the use of C.O. funds for Permeable Sidewalk on 5<sup>th</sup> and Illinois St. (Public Works Director)
- 23.) Discussion and Action to Approve quote for rehabilitation of Lift Station #26. (Public Works Director)
- 24.) Discussion and Action to Approve quote for pipe bursting on the alley between Georgia St. and Washington St.; and the one between Virginia St. and Georgia St. (Public Works Director)
- 25.) Discussion and Action to Approve quote for repairs on sewer line located between Texas Ave. and Missouri St., from 5<sup>th</sup> St. to 6<sup>th</sup> St. (Public Works Director)
- 26.) Discussion and Possible Action to Create Policy for the City of Mercedes for the processing of complaints made by resident(s) of Mercedes. (Commissioner Benavidez & Commissioner Gomez)
- 27.) Tabled: Discussion and Possible Action on Development Corporation of Mercedes FY 2019-2020 Budget. (DCM Director)
- 28.) Tabled: Discussion and Possible Action on Marketing Plan Budget as Proposed by the Development Corporation of Mercedes for FY 2019-2020.
- 29.) Department Monthly Reports.
- 30.) Executive Session:  
-Deliberation regarding Texas Government Code 551.074 to deliberate personnel matters to unappoint or dismiss the City Manager. (Commissioner Benavidez and Commissioner Gomez)
- 31.) Discussion and Possible Action regarding item(s) discussed in Executive Session.
- 32.) Adjourn.