

MERCEDES CITY COMMISSION
REGULAR MEETING
MAY 4, 2021 – 6:00 P.M.
MERCEDES CITY HALL – COMMISSION CHAMBERS
400 S. OHIO AVE., MERCEDES, TX 78570

“At any time during the course of this meeting, the City Commission may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the City Commission may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.”

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

Maximum length of time of forum is forty-five minutes with individual presentations limited to a maximum of five 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 five-minute time limit has expired.

6.) Presentations:

- A.) Proclamation presentation for MHS Band
- B.) Proclamation presentation for MHS Athletics Dept
- C.) Presentation by Perdue Brandon Fielder Collen & Mott
- D.) Presentation by Landstar Telecom for IT services
- E.) Presentation by SWG- Isaac Huacuja

7.) **Consent Agenda:** *(All matters listed under Consent Agenda are considered to be routine by the Governing Body and will be enacted by one motion. There will be no separate discussion of these items; however, if discussion is desired, that item(s) will be removed from the Consent Agenda and will be considered separately.)*

- A.) Approval of Budget Amendment for Executive Admin’s Travel and Training
- B.) Approval of Budget Amendment for the Mercedes EOC Building

8.) **City Manager Comments:**

- 1.) Welcoming of the New Public Works Director
- 2.) Welcoming the 82nd Annual Rio Grande Valley Livestock Show
- 3.) Larson Mystery Grant Announcement
- 4.) Proposed Animal adoption program with Jessica DeAnda
- 5.) Public Safety Department Quarterly Crime Report
- 6.) Preliminary report on needs assessment for all City of Mercedes Departments
- 7.) Strategic plan for water, sewer, and street repair
- 8.) Discussion regarding loose animals
- 9.) Update on water loss rate

9.) **Ordinances and Resolutions:**

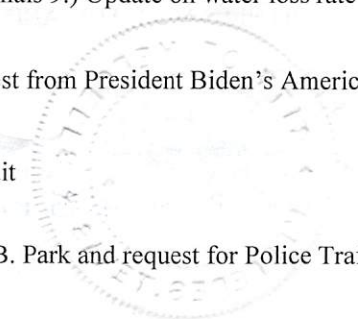
- A.) Discussion and Possible Action on Resolution No. 2021-13 in support of Funding request from President Biden’s American Jobs Plan
- B.) Discussion and Possible Action on Resolution No. 2021-14 in support of SB 594
- C.) Discussion and Possible Action on Resolution No. 2021-15 in support of revolving credit

10.) **Management Item(s):**

- A.) Discussion and Possible Action regarding waiver of fees for the use of Pavilion at H.E.B. Park and request for Police Traffic Control for a Benefit 5K Run
- B.) Discuss and Possible Action regarding the Solid Waste Disposal with USW

11.) **Bids and Contracts:**

- A.) Discussion and Possible Action to initiate request for qualifications (RFQ) for City Attorney (General Counsel) position.
- B.) Discussion and Possible Action to select a grant writer



12.) Tabled Items:

- A.) Discussion and Possible Action to Authorize the payment of Legal Expenses for Commissioner Benavidez, as a City expense.
- B.) Discussion and Possible Action on Mercedes Drainage Projects Update including proactive efforts. (Benavidez)

13.) Future Agenda Items:

- A.) Update on Emergency Services pending Audit Results -Armando Martinez
- B.) Master drainage plan
- C.) Master thoroughfare plan
- D.) Street repairs
- E.) Future plan for water storage
- F.) Manhole and lift station repair plan
- G.) Plan for Sand bag distribution

14.) 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.) Consultation and Discussion on Economic Development Project Gabriela(Section 551.087)
Consultation and Discussion on pending and anticipated litigation:
- B.) Consultation and Discussion on pending and anticipated litigation (Section 551.071 (1)(a) and to receive privileged and confidential attorney client communications (Section 551.071(2)).

Cause No. C-5044-19-C; City of Mercedes v. Mercedes Investments, LP, and Mercedes Investments, G.P., LLC FKA Mercedes Investments, LLC; In the Judicial District Court of Hidalgo County, Texas; and Cause No. C-4846-19-A; Mercedes Investments, LP v. City of Mercedes, Mayor Henry Hinojosa and Mercedes Industrial Foundation, Inc.; In the 92 Judicial District Court of Hidalgo County, Texas;

Cause No. C-1564-20-J; City of Mercedes vs. Juan R. Molina, Individually and d/b/a The Law Office of Juan R. Molina Defendant, In the 430th District Court of Hidalgo County, Texas; and

Cause No. C-1274-20-B; City of Mercedes v. Roland Arriola, Texas Valley Communities Foundation d/b/a Texas Polytechnic Institute, Texas Valley Communities Foundation, Texas Polytechnic Institute, Troy Investment Company No. 41, and Juan Molina; In the 93rd Judicial District Court of Hidalgo County, Texas (consolidated with C-1564-20-J and Cause No. C-1604-G in the 370th District Court).

B.) Consultation with legal counsel pursuant to Texas Government Code 351.071(2) for purpose of receiving privileged attorney client communications pursuant to Texas Government Code 551.071(1) regarding pending and anticipated litigation. (Raybeck Investments, Ltd. and Sec. 351.101 of the Tax Code).

15.) Open Session:


- A.) Discussion and Possible Action on item A of Executive Session.
- B.) Discussion and Possible Action on item B of Executive Session.
- C.) Discussion and Possible Action on item c of Executive Session.

16.) Adjournment

Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a **Regular Meeting** on Tuesday, May 4, 2021 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 above. 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 30th DAY OF APRIL 2021.

ATTEST:


Joselynn Castillo, City Secretary
Time of Posting: 4:15 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.