



Mayor Oscar D. Montoya  
Mayor Pro-Tem Joe Martinez  
Commissioner Leonel Benavidez

Commissioner Jacob Howell  
Commissioner Jose M. Gomez  
City Manager Alberto Perez

MERCEDES CITY COMMISSION  
REGULAR MEETING  
AUGUST 3, 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.) Items on the Regular Agenda

City Commission encourages members of the public to address items on the Regular Agenda posted for discussion and action. On the day of the meeting by 5:45 p.m., persons wishing to speak may sign up at the City Secretary's table outside the Council chambers. The City Secretary also will accept e-mail or faxed requests in advance of the meeting. Speakers will be limited to 5 minutes each. Members of the public will be allowed to speak on the specific agenda items that they sign up for a total of 5 minutes at the beginning of the meeting.

Please call the City Secretary's Office at (956) 565-3114 if we may assist you in participating in the City Commission meetings.

7.) Presentations:

A.) Status Report on Street Repair and potholes.

8.) 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 items for surplus.

9.) City Manager Comments:

1.) Update on Soil Lab Results (collier Park) 2.) EMS Memo (waiting on the Attorney) 3.) 2021 Elevated Inspection Report and Assessment 4.) TCEQ Violations 5.) Introduction of the new Police Chief 6.) Update on American Rescue Plan 7.) Update on projects done by R. Gutierrez and LEMC (HCE) 8.) Recognition of Employees retirement 9.) City Wide Clean-Up Event

10.) Ordinances and Resolutions:

A.) Discussion and Possible Action on first reading of Ordinance 2021-10 relating to Texas Gas Service (TGS) to adopt the settlement agreement.

11.) Management Item(s):

A.) Discussion and Possible Action on a Plan of Action for the maintaining of Ditches in the City of Mercedes including inter local agreement with presiding Districts. (Comm. Benavidez)

B.) Discussion and Possible Action to authorize City Manger to proceed with a Master Drainage Plan. (Howell & Martinez)

C.) Discussion and Possible Action to authorize City Manger to proceed with RFP/RFQ for water rate study.

**12.) Bids/Contracts:**

- A.) TABLED: Discussion and Possible Action to select a City Attorney and Direct City Manager to execute contract.
- B.) Discussion and Possible Action on Interlocal Agreement with City of Weslaco regarding Animal Control Services.

**13.) Future Agenda Items:**

**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.) Discussion and Update on Economic Development projects – Texas Government Code 551.087
- B.) Discussion and Possible Action Duties and Responsibilities of the City Manager – Police Department – Texas Gov't Code Section 551.074
- C.) Consultation with legal counsel pursuant to Texas Government Code 551.071 for an update regarding all pending, contemplated and active litigation, pursuant to Texas Government Code 551.071.

**15.) Open Session:**

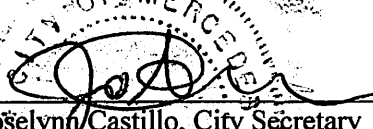
- A.) Discussion and Possible Action on items discussed in executive session items A, B and C.

**16.) Adjournment**

Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a **Regular Meeting** on Tuesday, August 3, 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 30<sup>TH</sup> DAY OF JULY, 2021.

ATTEST

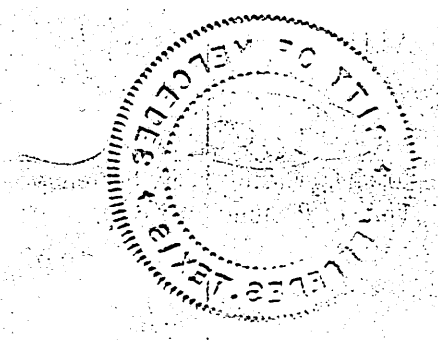
  
Joselyn Castillo, City Secretary  
Time of Posting: 7:05 P.M.

**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.**

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