



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 17, 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.) Presentation by Mr. Humberto Garza Border Affairs on American Rescue Plan.
- B.) Update on current budget line item status. (Comm. Howell & Martinez)

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.) Second and Final Reading of Ordinance 2021-10 relating to Texas Gas Service (TGS) to adopt the settlement agreement.
- B.) Approval of budget amendment to Public Works department from Library.

9.) City Manager Comments:

- 1.) Update on the Texas Book Festival Grant

10.) Management Item(s):

- A.) Presentation of 2021 Tax Rate and Discussion and Possible Action to Approve the proposed Tax Rate and approve the meeting date for the public hearing and adoption of the tax rate. (Finance Director)
- B.) Discussion and Possible Action to approve the changes to the Mercedes Historical Preservation Commission Grant. (Library Director)
- C.) Discussion and Possible Action to appoint an applicant to the Mercedes Historical Preservation Commission. (Library Director)
- D.) Discussion and Possible Action on the purchase of utility trailers. (Public Works Director)
- E.) Discussion and Possible Action to purchase a Caterpillar Paver Machine (Public Works Director)
- F.) Discussion and Possible Action on drug testing for elected officials and employees. (Comm. Gomez & Benavidez)
- G.) Discussion and Possible Action to direct City Manager to develop a City, School, and Neighborhood maintenance initiative. (Comm. Howell & Martinez)

- H.) Discussion and Possible Action to approve City Manager to implement the recommended water rate. (City Manager)
- I.) Discussion and Possible Action to approve City Manager to go out for RFQ's for an Energy Consultant (City Manager)
- J.) Discussion and Possible Action to provide City Manager the authority to make purchases up to \$50,000 in appropriated and budgeted funds without City Commission approval. (City Manager)
- K.) Discussion and Possible Action to direct City Manager to formulate a drainage/flooding committee in order to secure public input. (Comm. Howell & Martinez)

**11.) Bids/Contracts:**

- A.) Discussion and Possible Action to select a Financial Advisor and to direct the City Manager to negotiate a contract.
- B.) Discussion and Possible Action to approve the contract for General Counsel Services with Martie Garcia-Vela Attorney at Law, P.C. (City Manager)

**12.) Future Agenda Items:**

**13.) Monthly Department reports**

**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 Possible Action pursuant to Texas Government Code 551.074 “(1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Manager; or (2) to hear a complaint or charge against the City Manager” (Comm. Benavidez & Gomez)
- B.) Consultation with legal counsel pursuant to Texas Gov’t Code 551.071 regarding pending litigation.

**15.) Open Session:**

- A.) Discussion and Possible Action on executive session item A.
- B.) Deliberation and action on item in executive session regarding pending litigation.

**16.) Adjournment**

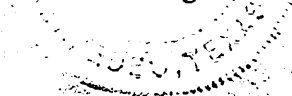
Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a **Regular Meeting** on Tuesday, August 17, 2021 at 6:00 P.M. Said meeting will be conducted in the Commission Chambers of the City Hall located at 400 S. Ohio, Mercedes, Texas for the purpose of considering 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 13<sup>TH</sup> DAY OF AUGUST, 2021.

ATTEST:



Joselyn Castillo, City Secretary  
Time of Posting: 5:25 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.**