



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
JULY 6, 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.) Update and presentation by Waste Connections.
- B.) Presentation on Streets Update by Public Works Department.

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 Meeting Minutes for May 18, 24, and June 1, 2021.
- B.) Second and Final Reading of Ordinance No. 2021-05 to Rezone Lots 22-31 & 36-52 from Class “N” Newly Annexed to Class “C” Apartment District; Mira Vista Phase II.
- C.) Second and Final Reading of Ordinance No. 2021-06 to Convey City-owned Properties, being lot 19, Block 70, Mercedes Original Townsite to purchaser for value via sealed bids.

9.) City Manager Comments:

- 1.) Waste Water Permit 2.) Update on Collier Park 3.) Update on meeting with IBWC 4.) Food Distribution Event

10.) Ordinances and Resolutions:

- A.) Approval of First reading of Ordinance No. 2021-07 to convey City-owned Properties, being lot 20, Block 70, Mercedes Original Townsite to purchasers for value via sealed bids. (City Attorney)
- B.) Discussion and Possible Action on first reading of Ordinance 2021-08 to rezone Lot 1 Block 104 South Campacuas Addition from Class “N” Newly Annexed to Class “C” Apartment. (PW Director)
- C.) Discussion and Possible Action on first reading of Ordinance 2021-09 amending Ordinance #26 to establish realistic Building Setback parameters for Open Carport Structures. (PW Director)
- D.) Consideration and approval of a resolution relating to establishing the city’s intention to reimburse itself for the prior lawful

expenditure of fund relating to constructing various city improvements from the proceeds of tax-exempt obligations to be issued by the City for authorized purposes; authorizing other matters incident and related thereto; and providing an effective date any other matters related thereto.

- E.) Consideration and approval of a resolution by the City Commission of the City of Mercedes, Texas authorizing and approving publication of Notice of Intention to Issue Certificates of Obligation; complying with the requirements contained in securities and exchange commission rule 15c2-12; and providing an effective date ad any other matters related thereto.

11.) Management Item(s):

- A.) Discussion and Possible Action to designate the County to take the lead in managing Mile 1East expansion project. (Public Works Director)
B.) Discussion and Possible Action on appointing an Assistant City Manager as per City Charter Section 3.04 (Commissioner Gomez)
C.) Discussion and Possible Action to Authorize the City Manager to formulate a plan of action for the disposal of excess dirt (Commissioner Benavidez)
D.) Discussion and Possible Action on the appointment of member to the DCM Committee (Mayor Pro-Tem Martinez)
E.) Discussion and Possible Action to allow the City to utilize Oxy-Clear to remove sewer odors. (PW Director)
F.) Discussion and Possible Action to authorize the City Manager to issue a Notice of Audit with TCEQ. (City Manager)
G.) Discussion and Possible Action on Public Works Departmental Structure and Resources to service all the areas of the City Limits of Mercedes. (Commissioner Benavidez)

12.) Bids/Contracts:

- A.) Approval of changes to the contingency fee agreement with Troiani & Sossi, PLLC, as required by the office of the Attorney General of Texas and authorize the Mayor to sign the amended contract (City Manager)

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.) Consultation with legal pursuant to Texas Government Code 551.071 to receive privileged attorney client communications.
B.) Consultation regarding EMS – Texas Government Code 551.074 Personnel Matters
C.) Discussion on the duties and responsibilities of the City Manager – Section 551.074 Personnel Matters
D.) Discussion regarding Project Raybec – Economic Development 551.087 & Potential Litigation 551.071

15.) Open Session:


- A.) Discussion and Possible Action on items discussed in executive session items A, B, C and D.
B.) Discussion and Possible Action to provide notice of termination of contract for municipal financial advisor services.
C.) Discussion and Possible Action to authorize the City Manager to issue RFP/RFQ's for Financial Advisor Services.

16.) Adjournment

Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a **Regular Meeting** on Tuesday, July 6, 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 2ND DAY OF JULY, 2021.

ATTEST:


Joselynn Castillo, City Secretary
Time of Posting: 5:40 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.