



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
DECEMBER 7, 2021 – 6:30 P.M.
MERCEDDES CITY HALL – COMMISSION CHAMBERS
400 S. OHIO AVE., MERCEDDES, 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 6:20 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.) **Consent Agenda:**

- A.) Approval of Minutes for Meeting(s) held September 7, 2021.

7.) **City Manager Comments**

- A.) Food Distribution B.) Update on Street Repairs (Comm. Howell & Martinez) C.) Announcement of the New Asst. City Manager. D.) Agenda Packages to be posted for the public (Comm. Benavidez & Gomez) E.) Update on Ordinance on lawn debris (Comm. Benavidez & Gomez)

8.) **Ordinance/Resolutions:**

- A.) PUBLIC HEARING: Discussion and Possible Action on first reading of Ordinance No. 2021-16 to rezone Mercedes Memorial Cemetery AN IRR TR-E240.85’-W435.85’-N427.46’ Lot 1 3.33AC GR3.22AC Net from Class “B” Two Family Residence to Class “B” Business District. (PW Director)

9.) **Action Item(s):**

- A.) Discussion and Possible Action to approve the purchase of a New Fire Truck outfitted with Fire Equipment with CO funding. (Fire Chief)
- B.) Discussion and Possible Action to approve the purchase of a new vehicle for the Fire Marshal. (Fire Chief)
- C.) Discussion and Possible Action to fill ditch with dirt between 10 St. to 6th St. on westside of Florida St. for a sidewalk. (Comm. Benavidez & Gomez)
- D.) Discussion and Possible Action on regarding City Commissioners drug testing. (Comm. Benavidez & Gomez)
- E.) Discussion and Possible Action to form a memorial committee for residents who died as a result of Covid-19 (Comm. Benavidez & Gomez)
- F.) Discussion and Possible Action for resources needed to repair potholes as they pose a hazard in and around school zones and narrow highways. (Comm. Benavidez & Gomez)
- G.) Discussion and Possible Action to direct City Manager to develop a “Sister City” plan that incorporates attracting tourism, increase shopping in Mercedes and potential mutual aid plans with cities across the border. (Comm. Howell & Martinez)
- H.) Discussion and Possible Action to direct City Manager to work with EDC on developing a yearly façade program to improve businesses in Mercedes downtown area. (Comm. Howell & Martinez)

- I.) Discussion and Possible Action to direct City Manager to devise a priority order and programmed updates of projects involving the approved Certificate of Obligation Funds and Grants. (Comm. Howell & Martinez)
- J.) Discussion and Possible Action to use allocated funds for Parks, Recreation Facility Improvements from the Community Development Block Grant on the Walter Collier Sports Complex, and Saladino Park. (Mayor Pro-Tem Martinez & Comm. Howell)
- K.) Discussion and Possible Action to create a Public Information Officer (PIO) position. (Comm. Howell & Martinez)
- L.) Discussion and Possible Action on Approval to Advertise for Bids for Collier Park Drainage Improvements Phase II Project. (PW Director)
- M.) Discussion and Possible Action on approval of the rehabilitation of WWTP clarifier no. 1, including engineering work authorization and advertising for construction bids. (SWG)
- N.) Discussion and Possible Action to proceed with work authorization for planning and design of sludge management system for the WTP. (SWG)

10.) Bids/Contracts:

- A.) Discussion and Possible Action to migrate Incode to a cloud-based service. (Finance Director/IT Director)

11.) 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 regarding duties and responsibilities of the City Manager with regards to the Police Department– Texas Gov’t Code 551.074 – Personnel Matters.
- B.) Legal consultation on all ongoing litigation or pending litigation and potential litigation and conflict of Interest between Commission and political supports involved in litigation and confidentiality with the City of Mercedes – Texas Gov’t Code 551.071 – Attorney Communication (Comm. Benavidez/Gomez/City Manager)
- C.) Discussion regarding the City Manager not assisting Election Candidates during working hours. – Texas Gov’t Code 551.074 – Personnel Matters. (Comm. Benavidez & Gomez)
- D.) Discussion and Possible Action on approved action taken by the City Commission regarding Leandro “Leo” Villarreal’s paid legal fees and reimbursement options. (Comm. Benavidez & Gomez)

12.) Open Session:


Discussion and Possible action on items discussed in executive session.

13.) Adjournment

Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a **Regular Meeting** on Tuesday, December 7, 2021 at 6:30 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 3RD DAY OF DECEMBER, 2021.

ATTEST



Joselyn Castillo, City Secretary
Time of Posting: 7:00 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.