



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  
SPECIAL MEETING  
FEBRUARY 4, 2022 – 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.

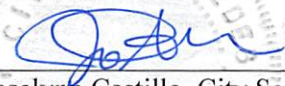
Comments must not be repeated and the Commission is not required to answer any question from the public. Any person who decides to directly question any member of the City Commission will be asked to discontinue their comments. The City Secretary’s office representative will be responsible for notifying each presenter that their five-minute time limit has expired.

- 6.) Discussion and Possible Action on first reading of Ordinance No. 2022-02 to rezone J.A. Chapman’s Subdivision Lot 1-5 Block 6 from Class “N” Newly Annexed to Class “B” Business: Applicant – Charles G. and Julia Ann Bertholf
- 7.) Adjournment

Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a **Regular Meeting** on Friday, February 4, 2022 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 31<sup>st</sup> DAY OF JANUARY, 2022.

ATTEST:

  
\_\_\_\_\_  
Joselynn Castillo, City Secretary  
Time of Posting: 9:30 A.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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UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

TO : DIRECTOR, FBI (100-100000-100000)  
FROM : SAC, NEW YORK (100-100000-100000)  
SUBJECT: [Illegible]

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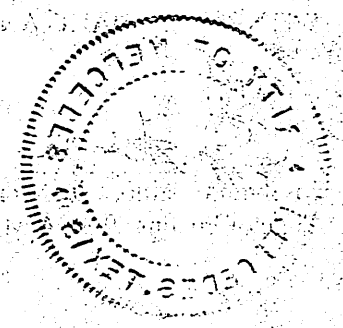
RE: [Illegible]

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**Ordinances/Resolution**

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**DATE:** February 4, 2022  
**FROM:** Javier A. Ramirez, Assistant City Manager  
**ITEM:** Rezone J.A. Chapman's Subdivision Lot 1-5 Block 6  
From Class "N" Newly Annexed to Class "B" Business  
Applicant: Charles G and Julia Ann Bertholf

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**BACKGROUND INFORMATION:**

**LOCATION:** The site is on located on the South/East corner of E 2<sup>nd</sup> St. and Chapman St East of H.E.B. Park/Civic Center (see vicinity map). The surrounding zones are a mixture of the following:

**North-** Industrial/Residential **South-**Apartment/Residential **East-**Residential **West-**Park

Since this property fronts E 2<sup>nd</sup> St it would make sense to rezone this location for business use. After much research was done it shows only the South 26' of Lot 1 and North 47' of Lots 8-9, Block 6 was rezoned from Class "N" Newly Annexed to Class "L" Local Retail. This property was previously used for business but was never rezoned. The current structures on this property will be demolished and if this rezone is approved there will be a new business that will be constructed in the near future. Not only will it bring in more business but it will give the area an appealing look.

**ATTACHMENTS:**

- Location Site Map
- Zoning Map
- Photo of Location

**Staff Recommendation:** Approval







Google

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE CHANGING THE CLASSIFICATION FOR ZONING PURPOSES OF THE FOLLOWING TRACT OF LAND: J. A. CHAPMANS SUBDIVISION LOT 1-5 BLOCK 6, FROM “N” NEWLY ANNEXED TO CLASS “B” BUSINESS DISTRICT; PROVIDING FOR A SAVINGS AND REPEAL CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on the 4<sup>th</sup> day of February, 2022 a public hearing was held for the purpose of hearing any objections as to why: J. A. Chapmans Subdivision Lot 1-5 Block 6, Mercedes, Hidalgo County, Texas, should be rezoned and classified as follows: from a Class “A” Newly Annexed to a Class “B” Business District.

**WHEREAS**, the City Commission at its Regular Meeting of February 4<sup>th</sup>, 2022, having considered the rezoning of the above-described property as listed in the foregoing section and having heard the pros and cons as to such rezoning request, is of the opinion that the aforementioned rezoning is in the best interest of the City of Mercedes, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MERCEDES, TEXAS:**

**Section 1:** J. A. Chapman’s Subdivision Lot 1-5 Block 6, FROM “N” NEWLY ANNEXED TO “B” BUSINESS DISTRICT, Mercedes, Hidalgo County, Texas, should be rezoned and classified as follows: from a Class “N” Newly Annexed to a Class “B” Business District.

**Section 2:** That the aforementioned rezoning of the above property be incorporated into the official map of the City of Mercedes, Texas by the City Planner of said City.

**Section 3:** That if any provision, section, subsection, phrase, paragraph, sentence, clause or portion of this Ordinance shall for any reason be declared invalid, such invalidity shall not affect the remaining provisions of this Ordinance or their application of persons or sets of circumstances and to this end, all provisions of this Ordinance or parts of Ordinances in conflict herewith are hereby repealed.

**Section 4:** This Ordinance shall become and be effective in accordance with the City Charter of the City of Mercedes, Texas and the laws of the State of Texas.

**PASSED, APPROVED AND ADOPTED ON FIRST READING THIS THE 4<sup>th</sup> DAY OF FEBRUARY 2022.**

**PASSED, APPROVED AND ADOPTED ON SECOND READING THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

**CITY OF MERCEDES**

\_\_\_\_\_  
**Oscar D. Montoya, Sr., Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Joselynn Castillo**  
City Secretary

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**Martie Garcia Vela**  
City Attorney