
MERCEDES CITY COMMISSION
REGULAR MEETING
JANUARY 7, 2025 – 6:30 PM
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**
6. **Consent Agenda**
 - a. Approval of Minutes for Meeting(s) held December 3, 2024
 - b. Approval of Second and Final Reading of Ordinance 2024-23 regarding Parks and Recreational Facility Fees
7. **Ordinances/Resolutions**
 - a. 2nd Public Hearing and Approval of First Reading of Ordinance 2025-01 regarding the voluntary annexation of 0.628 Acres, more or less, out of Lot 14, Block 64, Capisallo District Subdivision (Gregoria Rodriguez)
 - b. 2nd Public Hearing and Approval of First Reading of Ordinance 2025-02 regarding the voluntary annexation of 2.025 Acres, more or less, out of Lot 4, Block 26, Capisallo District Subdivision (William Leggett)
8. **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 with City Manager regarding personnel matters – Section 551.074
 - b. Consultation with Attorney regarding update on litigation - Section 551.071
 - c. Consultation with Attorney regarding Project Updates – Section 551.087
9. **Open Session**
 - a. Possible Action pertaining to executive session item A
 - b. Possible Action pertaining to executive session item B

- c. Possible Action pertaining to executive session item C

10. Adjournment

Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a Regular Meeting on Tuesday, January 7, 2025 at 6:30 PM. 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 3RD DAY OF JANUARY, 2025.

ATTEST:

Joselynn Castillo, City Secretary
Time of Posting: 4:45 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.

**MERCEDES CITY COMMISSION
REGULAR MEETING
DECEMBER 3, 2024 – 6:30 PM
MERCEDES CITY HALL – COMMISSION CHAMBERS**

MEMBERS PRESENT:	Oscar D. Montoya Sr.	Mayor
	Dr. Ruben J. Saldana	Mayor Pro-Tem
	Dr. Jacob C. Howell	Commissioner
	Joe Martinez	Commissioner
	Armando Garcia	Commissioner
STAFF PRESENT:	Alberto Perez	City Manager
	Joselynn Castillo	City Secretary
	Martie Garcia Vela	City Attorney (Virtual)
	Meredith Hernandez	Interim Finance Director
	Francisco Sanchez	Police Chief
	Juan Vasquez	I.T Specialist
	Tom Villagomez	Public Works Director
	Marisol Vidales	Library Director
	Armando Villela	Parks Director

OTHERS PRESENT: Yvonne Ortegon

1. CALL MEETING TO ORDER

Mayor Montoya welcomed everyone and called the meeting to order at 6:30 p.m.

2. ESTABLISH QUORUM

All members of the Commission were present, which constitutes a full quorum.

3. INVOCATION

Mayor Pro-Tem Saldana said the invocation.

4. PLEDGE OF ALLEGIANCE

Commissioner Martinez led in the pledge of allegiance.

5. OPEN FORUM

No residents signed up for open forum.

6. PRESENTATION

a. First Public Hearing regarding the voluntary annexation request by Gregoria Rodriguez

Mayor Montoya opened the public hearing at 6:32 p.m. There were no comments from the public. Mayor Montoya closed the public hearing at 6:36 p.m.

b. First Public Hearing regarding the voluntary annexation request by William Leggett

Mayor Montoya opened the public hearing at 6:36 p.m. There were no comments from the public. Mayor Montoya closed the public hearing at 6:38 p.m.

7. CONSENT AGENDA

a. Approval of Minutes for Meeting(s) held November 19, 2024

Commissioner Martinez motioned to approve item A and take out item B from consent agenda for discussion. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously. Mayor Pro-Tem Saldana clarified in the minutes that there are two Dakota Streets. One is spelled with a “C” and the other with a “K” and added that the street Dacota with a “C” will be the one repaved.

b. Approval of Second and Final Reading of Ordinance 2024-22 creating Tax Increment Reinvestment Zone No. Two, City of Mercedes; making all the findings as required by Chapter 311, Texas Tax Code, and as set forth within the ordinance document attached herein

Commissioner Martinez motioned to approve item B. Mayor Pro Tem Saldana seconded. Upon a called vote, the motion passed unanimously.

8. MANAGEMENT ITEMS: *Present, discuss, consider and possibly take action regarding:*

- a. Appointment of six individuals to the Tax Increment Reinvestment Zone Number Two, City of Mercedes Board of Directors with four representing the City, and two representing the developers, and designating the Mayor as Chairman of the Board**

Mayor Pro-Tem Saldana motioned to move this item to executive session. Commissioner Martinez seconded. Upon a called vote, the motion passed unanimously.

After Executive Session: Commissioner Martinez motioned to accept Joe Olivarez and Jaime Ortiz, Mayor, Commissioner Howell, Commissioner Garcia and Mayor Pro-Tem Saldana to the TIRZ No. 2 Board. Commissioner Howell will be an advisory member. Passed unanimously.

- b. Approval of changes to the Dr. Hector P. Garcia Memorial Library Policy**

Commissioner Martinez motioned to approve. Mayor Pro-Tem Saldana seconded.

Mayor Pro-Tem Saldana asked about the fees for the Texas Room. Ms. Vidales stated that outside organizations will request to use the room and the fee would be for those organizations wanting to rent the room for their meetings. Upon a called vote, the motion passed unanimously.

9. ORDINANCES/RESOLUTIONS

- a. Approval of First Reading of Ordinance 2024-23 regarding Parks and Recreational Facility Fees**

Parks Director Armando Villela stated the ordinance is to impose a fee for the fields at Collier park. He provided a fee comparison for five cities in the valley. The fees will help improve the conditions of the fields and will be accessible to the residents for usage. The fees include per hour usage, per tournament, per game, and lighting fee. This would be the first time the city will be charging for the services. Commissioner Martinez motioned to approve the ordinance and forego the reading. Mayor Pro-Tem Saldana seconded. Mayor Montoya stated that the fields will need maintenance if they will be rented out. Mr. Villela stated they have begun assessment of the fields to get them up to a standard. Commissioner Howell recommended considering sponsorship of the fields, putting turf, and discounts for usage per week. There was discussion regarding the benefit of charging the fees and the expectation of the fields. At a question, Interim Finance Director Meredith Hernandez stated a new line item for the park fees for the fields would need to be added to the budget. Mr. Villela stated that for the leagues they will do a facility use agreement. Mayor Montoya added to purchase security cameras for the area. Upon a called vote the motion passed unanimously.

10. BIDS/CONTRACTS

- a. Approval for City Manager to enter into contract for recommended carrier for the RFP portion of the Section 125 Cafeteria Plan Health and Wellness Programs**

Ms. Yvonne Ortegon addressed the commission about a portion of the supplemental RFP which included a tax saving program. There is a potential tax savings of \$69K per year and also offers a tax saving for the employee. Only one bid was received. Commissioner Martinez motioned to approve. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

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)*

Commissioner Howell motioned to go into executive session. Commissioner Martinez seconded. Upon a called vote, the motion passed unanimously at 6:59 p.m.

- a. Discussion with City Manager regarding personnel matters – Section 551.074**
- b. Consultation with Attorney regarding update on litigation - Section 551.071**
- c. Consultation with Attorney regarding contracts – Section 551.071**
- d. Discussion regarding economic development update – Section 551.087**

12. OPEN SESSION

Mayor Montoya called the meeting back to order at 7:47 p.m.

a. Possible Action pertaining to executive session item a

No action was taken on this item.

b. Possible Action pertaining to executive session item b

No action was taken on this item.

c. Possible Action pertaining to executive session item c

Commissioner Howell motioned to authorize the City Manager to extend the current contract or renew the agreement for legal services. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

d. Possible Action pertaining to executive session item d

No action was taken on this item.

13. ADJOURNMENT

Commissioner Martinez motioned to adjourn. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously at 7:51 p.m.

ORDINANCE NO. 2024-23

AN ORDINANCE AMENDING APPENDIX A FEE SCHEDULE, ARTICLE A2.000 PARKS, RECREATIONAL FACILITIES AND CIVIC CENTER FEES; TO INCLUDE A SECTION FOR PARK FACILITY RENTAL FEES; PROVIDING FOR PUBLICATION; PROVIDING FOR CODIFICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR EFFECTIVE DATE

WHEREAS, the City of Mercedes provides Parks & Recreation Services to the community and certain fees are necessary to offset the operational and administrative costs incurred by the City in doing so; and

WHEREAS, the City of Mercedes currently does not provide for park facility rental fees and such fees shall be added under Article A2.001, Section A2.002 Parks and Recreational Facilities Rental Fees of the City of Mercedes Code of Ordinances; and

WHEREAS, after review of the current fees, the City Commission desires to amend such provisions to allow for agreements with entities and/or individuals wherein the City is sponsoring or promoting such events that will assist in bringing to the City a broad range of activities and entertainment of commercial value thereby enhancing the quality of life of the general public.

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

Section 1: Appendix A Fee Schedule, Article A2.000 Parks, Recreational Facilities and Civic Center, Section A2.002 Parks and Recreational Facilities Rental Fees of the City of Mercedes Code of Ordinances is hereby amended to add the new provisions underlined below:

Section A2.002 Parks and Recreational Facilities Rental Fee

1. Park Facility Rental Fees

a. Collier Park Baseball/Softball Facility usage fees

Collier Park	Deposit per Field	Time Block	Mercedes Resident	Non-Resident
<i>Practice Only</i>	\$25.00	2 Hrs.	\$40.00	\$50.00
<i>Recreation Games</i>	\$50.00	4 Hrs.	\$75.00	\$100.00
<i>Tournaments</i>	\$75.00	Per Day/Per Field	\$150.00	\$175.00
<i>Field Lights</i>	N/A	Per Day/Per Field	\$20.00	\$30.00

2. Reservations:

- a. Game reservations must be made at least 5 days in advance (unless approved by City Manager/Parks Director)

- b. Tournament Reservations must be made at least 2 weeks in advance

3. Cancellations:

- a. Cancellation of any game and tournament must be made at least 5 days prior to event for full refund.

4. Resident/Non-Resident:

- a. Renters who live within the city limits of Mercedes are required to show proof of residency via Identification and utility bill within the past 60 days.

5. Insurance:

- a. Renter must sign a waiver of liability releasing the City of Mercedes of all liability.
- b. Renter for tournaments and games must also provide proof of general liability insurance for their participants and event.

Note: If a person/entity rents all four (4) baseball/softball fields (located at Collier Park) for a tournament and for the same rental period, a \$25 discount will apply per field per day.

6. Co-Sponsorship and Co-promotion of Events held at City's Park Facilities

- a. Co-sponsorship of Events at City Park Facilities. Subject to City Commission approval, the City Manager may enter into co-sponsorship agreements with entities and/or individuals for events held at the City's Park Facilities whereby the City sponsors the event when co-sponsorship will assist in bringing to the City a broad range of activities and entertainment of commercial value thereby enhancing the quality of life of the general public. Such agreements shall be considered on a case by case basis and shall be made under terms and conditions deemed by the City Commission to be in the best interest of the general public. Co-sponsorship agreements are not subject to the park facility rental fees provided by this ordinance, but such fees may be used as consideration in such agreements.
- b. Co-promotion of Events at City Park Facilities. Subject to City Commission approval, the City Manager may enter into co-promotion agreements with entities and/or individuals to promote events held at the City's Park Facilities whereby the City shares part of the cost of promoting the event when co-promotion will assist in bringing to the City a broad range of activities and entertainment of commercial value thereby enhancing the quality of life of the general public. Such co-promotional agreements shall be considered on a case by case basis and shall be made under terms and conditions deemed by the City Commission to be in the best interest of the general public. Co-promotional agreements are not subject to the park facility rental fees

provided by this ordinance, but such fees may be used as consideration in such agreements.

SECTION 2. PUBLICATION. The City Secretary of the City of Mercedes is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in Mercedes, Texas, in accordance with the applicable laws of this State.

SECTION 3. CONFICATION. The City Secretary is hereby directed to cause this Ordinance to e codified in the Code of Ordinance of the City of Mercedes, Texas, and in accordance with the applicable laws of this State.

SECTION 4. SEVERABLTY. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Commission in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION 5. REPEALER CLAUSE. This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinances shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE. 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.

READ, PASSED AND APPROVED ON FIRST READING this the 3rd day of December, 2024.

READ, PASSED AND APPROVED IN SECOND READING this the 7th day of January, 2025.

CITY OF MERCEDES

Oscar D. Montoya Sr. Mayor

ATTEST:

Joselynn Castillo, City Secretary

Martie Garcia-Vela, City Attorney

DATE: January 7, 2025
FROM: Adrian Perez, Planning Director
ITEM: **Discussion and possible action to 2nd Public Hearing and Approval of First Reading of Ordinance 2025-01 regarding the voluntary annexation of 0.628 Acres, more or less, out of Lot 14, Block 64, Capisallo District Subdivision (Gregoria Rodriguez)**

BACKGROUND INFORMATION:

Mrs. Rodriguez is in the process of petitioning for self-annexation into the city. As part of the procedure for self-annexation, the request requires the scheduling of a second public hearing, in conjunction with the first reading of the ordinance related to this matter.

BOARD REVIEW/CITIZEN FEEDBACK:**ALTERNATIVES/OPTIONS:****FISCAL IMPACT: (Total Costs)****Proposed Expenditure/(Revenue):****Account Number(s):**

\$

Finance Review by: (Has finance reviewed it to make sure we have the funds Yes/No/Not Applicable)

LEGAL REVIEW:**ATTACHMENTS:**

1. Ord. 2025-01

STAFF RECOMMENDATION: Approval

ORDINANCE NO 2025-01

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF 0.628 ACRES, MORE OR LESS, OUT OF LOT 14, BLOCK 64, CAPISALLO DISTRICT SUBDIVISION, VOLUME “P”, PAGE 225, HIDALGO COUNTY MAP RECORDS, AS REQUESTED BY GREGORIA RODRIGUEZ, SAID PROPERTY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF THE CITY OF MERCEDS, TEXAS; AND PROVIDING FOR THE EXTENSION OF THE CITY'S BOUNDARIES AND EXTRA-TERRITORIAL JURISDICTION, THEREBY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, on October 15, 2024, the City Council accepted a petition from City of Mercedes, for voluntary annexation of the above described property and adjoining roadways of said property, more particularly described herein in Exhibits "A" proposed to be annexed by the City of Mercedes; and

WHEREAS, the City of Mercedes seeks to annex the above described property, more particularly described herein in Exhibits "A"; and

WHEREAS, the property hereinafter described adjoins, lies adjacent to, or is within the extraterritorial jurisdiction of the City of Mercedes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MERCEDS, TEXAS, THAT:

SECTION I: AUTHORITY OF LAW: All requirements of the law have been met in the passing of this Ordinance.

SECTION II: The land described in Exhibits "A", attached hereto and made a part hereof for all purposes, being territory adjacent to and adjoining the City of Mercedes, Texas, is hereby added and annexed to the City of Mercedes, Texas, and said property therein described shall be included within the boundary limits of such city, and the present boundary limits of such city, at the various points contiguous to the areas hereinafter described, are altered and amended so as to include said areas within the corporate limits.

SECTION III: The herein described property and the area to be annexed shall be a part of the City of Mercedes, Texas, and the property so added hereby shall bear its pro rata share of the taxes levied by the City of Mercedes, Texas. The inhabitants hereof shall be entitled to all of the rights and privileges of citizens of the City of Mercedes, Texas, in areas having similar characteristics of topography, land utilization and population density, and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Mercedes, Texas.

SECTION IV: The extraterritorial jurisdiction of the City of Mercedes shall expand in conformity with this annexation and shall comprise an area around the new corporate limits of the City, consistent with state law.

SECTION V: Upon annexation of the herein described property, the acreage within the City limits of Mercedes will be increased by 0.628 acres, more or less, out of lot 14, block 64, Capisallo District Subdivision, volume “P”, page 225, Hidalgo County Map Records, City of Mercedes, Texas, which does

not exceed the statutory limitations as set out in Section 43.055, Tex. Local Gov't C. (Vernon 1988 and Vernon Supp. 1994).

SECTION VI: The requirement of three separate readings of this Ordinance is hereby dispensed with by a vote of not less than a majority of the members of the City Council present.

SECTION VII: Upon final passage, this Ordinance shall be published in the official newspaper of the City of Mercedes, Texas, as provided by law, and shall be and remain in full force and upon passage.

SECTION VIII: If any part, phrase or sentence of this Ordinance is held void or unconstitutional by a court of competent jurisdiction, or if any tract of land or portion of any tract of land hereby annexed shall be held to be ineligible for annexation or wrongfully annexed, the remaining portions of this Ordinance and the remaining tracts so annexed shall be considered severable and shall remain in full force and effect.

SECTION IX: In accomplishing the annexation of the property herein described the City of Mercedes has strictly followed the provisions of the Charter of the City of Mercedes, and the state statutes as they apply to annexations and any possible deviation from these provisions was unintentional and not material to the accomplishment of this annexation.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the City Commission of the City of Mercedes, Texas, at which a quorum was present and which was held in accordance with V.T.C.A., Government Code, Section 551.041, on the ____ day of _____, 2025.

CITY OF MERCEDES

Oscar D. Montoya, Sr., Mayor

ATTEST:

APPROVED AS TO FORM:

Joselynn Castillo
City Secretary

Martie Garcia Vela
City Attorney

DATE: January 7, 2025
FROM: Adrian Perez, Planning Director
ITEM: **Discussion and possible action to 2nd Public Hearing and Approval of First Reading of Ordinance 2025-02 regarding the voluntary annexation of 2.025 Acres, more or less, out of Lot 4, Block 26, Capisallo District Subdivision (William Leggett)**

BACKGROUND INFORMATION: Mr. Leggett is in the process of petitioning for self-annexation into the city. As part of the procedure for self-annexation, the request requires the scheduling of a second public hearing, in conjunction with the first reading of the ordinance related to this matter.

BOARD REVIEW/CITIZEN FEEDBACK: n/a

ALTERNATIVES/OPTIONS: n/a

FISCAL IMPACT: (Total Costs)

Proposed Expenditure/(Revenue):

\$

Account Number(s):

Finance Review by: (Has finance reviewed it to make sure we have the funds Yes/No/Not Applicable)

LEGAL REVIEW: n/a

ATTACHMENTS:

1. Ord. 2025-02

STAFF RECOMMENDATION: Approval

ORDINANCE NO 2025-02

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF 2.025 ACRES, MORE OR LESS, OUT OF LOT 4, BLOCK 26, CAPISALLO DISTRICT SUBDIVISION, VOLUME “P”, PAGE 226, HIDALGO COUNTY MAP RECORDS, AS REQUESTED BY WILLIAM STERLING LEGGETT, SAID PROPERTY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF THE CITY OF MERCEDS, TEXAS; AND PROVIDING FOR THE EXTENSION OF THE CITY'S BOUNDARIES AND EXTRA-TERRITORIAL JURISDICTION, THEREBY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, on October 15, 2024, the City Council accepted a petition from City of Mercedes, for voluntary annexation of the above described property and adjoining roadways of said property, more particularly described herein in Exhibits "A" proposed to be annexed by the City of Mercedes; and

WHEREAS, the City of Mercedes seeks to annex the above described property, more particularly described herein in Exhibits "A"; and

WHEREAS, the property hereinafter described adjoins, lies adjacent to, or is within the extraterritorial jurisdiction of the City of Mercedes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MERCEDS, TEXAS, THAT:

SECTION I: AUTHORITY OF LAW: All requirements of the law have been met in the passing of this Ordinance.

SECTION II: The land described in Exhibits "A", attached hereto and made a part hereof for all purposes, being territory adjacent to and adjoining the City of Mercedes, Texas, is hereby added and annexed to the City of Mercedes, Texas, and said property therein described shall be included within the boundary limits of such city, and the present boundary limits of such city, at the various points contiguous to the areas hereinafter described, are altered and amended so as to include said areas within the corporate limits.

SECTION III: The herein described property and the area to be annexed shall be a part of the City of Mercedes, Texas, and the property so added hereby shall bear its pro rata share of the taxes levied by the City of Mercedes, Texas. The inhabitants hereof shall be entitled to all of the rights and privileges of citizens of the City of Mercedes, Texas, in areas having similar characteristics of topography, land utilization and population density, and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Mercedes, Texas.

SECTION IV: The extraterritorial jurisdiction of the City of Mercedes shall expand in conformity with this annexation and shall comprise an area around the new corporate limits of the City, consistent with state law.

SECTION V: Upon annexation of the herein described property, the acreage within the City limits of Mercedes will be increased by 2.025 acres, more or less, out of lot 4, block 26, Capisallo District Subdivision, volume “P”, page 226, Hidalgo County Map Records, City of Mercedes, Texas, which does

not exceed the statutory limitations as set out in Section 43.055, Tex. Local Gov't C. (Vernon 1988 and Vernon Supp. 1994).

SECTION VI: The requirement of three separate readings of this Ordinance is hereby dispensed with by a vote of not less than a majority of the members of the City Council present.

SECTION VII: Upon final passage, this Ordinance shall be published in the official newspaper of the City of Mercedes, Texas, as provided by law, and shall be and remain in full force and upon passage.

SECTION VIII: If any part, phrase or sentence of this Ordinance is held void or unconstitutional by a court of competent jurisdiction, or if any tract of land or portion of any tract of land hereby annexed shall be held to be ineligible for annexation or wrongfully annexed, the remaining portions of this Ordinance and the remaining tracts so annexed shall be considered severable and shall remain in full force and effect.

SECTION IX: In accomplishing the annexation of the property herein described the City of Mercedes has strictly followed the provisions of the Charter of the City of Mercedes, and the state statutes as they apply to annexations and any possible deviation from these provisions was unintentional and not material to the accomplishment of this annexation.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the City Commission of the City of Mercedes, Texas, at which a quorum was present and which was held in accordance with V.T.C.A., Government Code, Section 551.041, on the ____ day of _____, 2025.

CITY OF MERCEDES

Oscar D. Montoya, Sr., Mayor

ATTEST:

APPROVED AS TO FORM:

Joselynn Castillo
City Secretary

Martie Garcia Vela
City Attorney