



Mayor Oscar D. Montoya  
Commissioner Joe Martinez  
Commissioner Armando Garcia

Commissioner Dr. Jacob Howell  
Mayor Pro-Tem Dr. Ruben Saldana  
City Manager Alberto Perez

MERCEDES CITY COMMISSION  
REGULAR MEETING  
FEBRUARY 6, 2024 – 6:30 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS  
400 S. OHIO AVE., MERCEDES, TX 78570

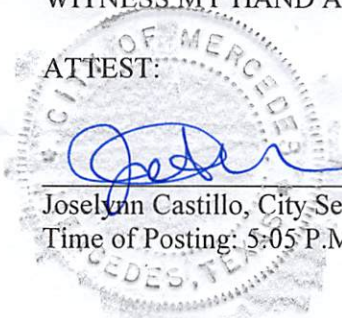
"At any time during the course of this meeting, the City Commission may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Commission under the Texas Disciplinary Rules 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."

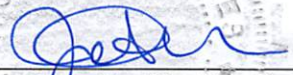
1. **Call Meeting to Order**
2. **Establish Quorum**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Open Forum-**
6. **Consent Agenda:** *(All matters listed under Consent Agenda are considered to be routine by the Governing Body and will be enacted by one motion. There will be no separate discussion 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 Minutes for Meeting(s) held January 16, 2024 and January 26, 2024.
  - b. Second and Final Reading of Ordinance 2024-02 repealing ordinance 2010-08 Mercedes Historic Preservation Landmark Ordinance and Mercedes Historic Preservation Commission
  - c. Approval of Memorandum of Agreement between Methodist Healthcare Ministries and the City of Mercedes
  - d. Approval of Budget Amendment for Ordinance and Contract Specialist (Administration Office)
7. **Ordinances/Resolutions:**
  - a. Approval of First Reading of Ordinance 2024-02 to rezone RHM-Mobile Home Zone for South Campacuas Addition Lot 6, 11, 12, 13, 14 and 3, Block 104 & 105
  - b. Approval of Resolution 2024-03 adopting the Urban County work plan FY 37 (2024)
  - c. Approval of Resolution 2024-04 authorizing the filing of a Grant Application with LRGVDC for a Regional Solid Waste Grant Program
  - d. Approval of Resolution 2024-05 Accepting Operation Stonegarden #3172809
  - e. Approval of Resolution 2024-06 Accepting SH-Bullet Resistant Shield Grant Program
  - f. Approval of Resolution 2024-07 Accepting BG-Rifle Resistant Body Armor Grant Program
  - g. Approval of Resolution 2024-08 Accepting BD-Operation Lone Star Grant Program
  - h. Approval of Resolution 2024-09 Accepting BC-Body Worn Camera (BWC) Program
  - i. Approval of Resolution 2024-10 Accepting HS-State Homeland Security Program – Law Enforcement Terrorism Prevention Activities (LETPA) FY24
  - j. Approval of Resolution 2024-11 Accepting FY25 BL-Local Border Security Program
8. **Management Items:**
  - a. Approval of Memorandum of Understanding between City of Mercedes, Hidalgo County Drainage District No.1 and Hidalgo County Urban County regarding Coordination for 2018 CDBG-DR Infrastructure Competition
  - b. Discussion and Possible Action into Sidewalk Improvements for Florida Ave. & 10<sup>th</sup> St – Martinez/Howell
9. **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 contracts – Section 551.071
  - d. Consultation with Legal counsel pursuant to Texas Gov't Code Section 551.071(1) to discuss pending litigation with Mercedes Investments LP.
10. **Open Session:**
  - a. Item A from Executive Session
  - b. Item B from Executive Session
  - c. Item C from Executive Session
  - d. Possible Action on Executive Session item D regarding pending litigation with Mercedes Investments LP.
  - e. Discussion and possible action to approve Resolution 2024-12 of the City Commission of the City of Mercedes, Texas removing Juan Molina as Trustee of Deed of Trust, appointing the firm of Troiani and Sossi, PLLC as Substitute Trustees, and authorizing Publication of Notice of Trustee's Sale
11. **Adjournment**

Notice is hereby given that the City Commissioners of the City of Mercedes, Texas will meet in a **Regular Meeting** on Tuesday, February 6, 2024 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 2<sup>ND</sup> DAY OF FEBRUARY, 2024.

ATTEST:



  
\_\_\_\_\_  
Joselyn Castillo, City Secretary  
Time of Posting: 5:05 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**  
**JANUARY 16, 2024 – 6:30 P.M.**  
**MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Oscar D. Montoya Sr.	Mayor
	Dr. Ruben Saldana	Mayor Pro-Tem
	Armando Garcia	Commissioner
	Joe Martinez	Commissioner
	Dr. Jacob Howell	Commissioner
<b>STAFF PRESENT:</b>	Martie Garcia-Vela	City Attorney
	Joselynn Castillo	City Secretary
	Javier Ramirez	Asst. City Manager
	Nereida Perez	Finance Director
	Marisol Vidales	Library Director
	David Jimenez	I.T Manager
	Reynaldo Alegria	Public Works Director

- 1. **CALL MEETING TO ORDER**  
Mayor Montoya welcomed everyone and called the meeting to order at 6:30 p.m.
- 2. **ESTABLISH QUORUM**  
Four members of the Commission were present which constitutes a quorum. Commissioner Howell arrived during the pledge of allegiance.
- 3. **INVOCATION**  
Commissioner Martinez said the invocation.
- 4. **PLEDGE OF ALLEGIANCE**  
Commissioner Garcia led in the Pledge of Allegiance.
- 5. **OPEN FORUM-** There were no comments during open forum.
- 6. **CONSENT AGENDA:**
  - a. **Approval of Minutes for Meeting(s) held September 5, 2023 & January 4, 2024.**
  - b. **Second and Final Reading of Ordinance 2024-01 regarding elections and political signs (Electioneering)**  
Commissioner Martinez motioned to approve item A and forgo the reading for item B.  
Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.
- 7. **CITY MANAGER COMMENTS:**
  - a. **Update on 10<sup>th</sup> Street Repairs – Mr. Ramirez**  
Mr. Ramirez stated they set a tentative date for April to begin work on 10<sup>th</sup> Street. The City will need to relocate 2300 FT of 12” water line. The city will purchase the material and the County will provide the labor for the reconstruction of 10<sup>th</sup> Street. The funding is from the Urban County Program. The waterline will need to be replaced with PVC pipe. The waterline relocate will be done in-house. The cost of material for paving is just over \$200K and the waterline portion for material is \$160K. At a question, Mr. Ramirez stated they could report in the near future on potholes. No further questions.
  - b. **Presentation of MHM Grant Information**  
Ms. Vidales informed the commission of the grant received from Methodist Healthcare Ministries of South Texas, Inc in the amount of \$222,645 to be allocated over three years. The grant will pay for one full time employee. They will be doing outreach and create classes based on the survey done during the outreach. The classes are to assist people in learning how to use computers. Ms. Vidales stated they do bilingual classes and any age can sign up for the classes. Ms. Vidales recognized her staff that assisted with the grant application: Ms. Michelle Muniz, Mr. Anthony Cardenas, and Tristan Garza.
- 8. **ORDINANCES/RESOLUTIONS:**
  - a. **First Reading of Ordinance 2024-02 repealing ordinance 2010-08 Mercedes Historic Preservation Landmark Ordinance & Mercedes Historic Preservation Commission**  
Ms. Vidales stated that Historical Board Member Mr. Gabriel Ozuna wrote the new ordinance. The new ordinance has more clear definitions, increased the number of required meetings, provided a more detailed list of duties and powers, added a section for a preservation plan and survey, and criteria and procedure for removing a historic designation. Commissioner Martinez motioned to approve. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously.
- 9. **MANAGEMENT ITEMS:**

a. **Approval of travel reimbursement for Mercedes Historic Preservation Commission member**

Ms. Vidales informed the Commission about Mr. Ozuna, the Historian for the MHPC, will be attending the Texas Historical Commission Real Places Conference in Austin from April 3 to 5. Texas Tropical Trails sponsored his registration but he would like to attend the preconference called Empowering Local Preservation. The total fee is \$79. Commissioner Martinez motioned to approve. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously.

b. **Reinstating members to the Mercedes Historic Preservation Commission**

Ms. Vidales stated that since Ordinance 2024-02 was approved, the Commission would need to reinstate the members. Gabriel Ozuna (Historian), Tracy White (Real-Estate Broker), Jodie Oliver Martinez (Historical Property Owner), Donna Otto (Archeologist) will serve 3 year terms set to expire December 31, 2027. Ms. Vidales recommended appointing Pedro Ayala (Architect), Lorri Marchant (Founding Member) both serving a 2 year term set to expire December 31, 2026. Only the Attorney seat will be vacant. Commissioner Martinez motioned to reinstate the members and appoint the members recommended. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

**10. DEPARTMENTAL MONTHLY REPORTS:**

City Secretary/HR, Rec, Finance, Library, PW, Planning, Fire

Mr. Alegria informed the Commission about the purchase of a new vehicle, the Trenchbox, street sweeper, Pothole Patcher, the press box at the little league fields, the RC mower for Orange St. ditch, and stated the piles of milling at collier park have been removed. Mr. Bobby Gonzalez stated they have a 30 minute turn around time with any issues, stated they have not had any power outages and added that the lift stations are no longer in violation.

Commissioner Howell motioned to go into executive session. 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)*

- 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

Mayor Montoya called the meeting back to order at 8:59 p.m.

**12. OPEN SESSION:**

- a. **Item A from Executive Session**  
No action was taken on this item.
- b. **Item B from Executive Session**  
No action was taken on this item.
- c. **Item C from Executive Session**  
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.



**MERCEDES CITY COMMISSION  
REGULAR MEETING  
JANUARY 26, 2024 – 6:30 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Dr. Ruben Saldana Armando Garcia Dr. Jacob Howell	Mayor Pro-Tem Commissioner Commissioner
<b>MEMBERS ABSENT:</b>	Oscar D. Montoya Sr. Joe Martinez	Mayor Commissioner
<b>STAFF PRESENT:</b>	Alberto Perez Martie Garcia-Vela Joselynn Castillo Javier Ramirez	City Manager City Attorney City Secretary Asst. City Manager

**1. CALL MEETING TO ORDER**

Mayor Pro-Tem Saldana welcomed everyone and called the meeting to order at 12:06 p.m.

**2. ESTABLISH QUORUM**

Three Members of the Commission were present which constitutes a quorum. Mayor Montoya and Commissioner Martinez were absent.

**3. INVOCATION**

Commissioner Howell said the invocation.

**4. PLEDGE OF ALLEGIANCE**

Commissioner Garcia led in the pledge of allegiance.

**5. OPEN FORUM**

There were no comments.

**6. ORDINANCES/RESOLUTIONS:**

Mr. Ramirez informed the Commission about the resolution to commit the city to the FEMA dome project mainly funded by GLO. The project will alleviate flooding in the northern part of Mercedes. The City of Mercedes commitment is \$341,472.40 and may include any amount that might exceed that. Legal recommended to provide authority to management to amend the amount. Commissioner Garcia motioned to approve resolution 2024-02 authorizing \$341,472.40. Commissioner Howell seconded. Mr. Perez stated if the price increases more than his threshold of \$50,000 then he will bring back to Commission. The timeline has not been provided until the resolution and a contract is presented. Upon a called vote, the motion passed unanimously.

**7. ADJOURNMENT**

Commissioner Garcia motioned to adjourn. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously at 12:16 p.m.

**Bids/Contracts**

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**DATE:** February 6, 2024**FROM:** Marisol Vidales, Library Director**ITEM:** **Approval of Memorandum of Agreement Between Methodist Healthcare Ministries and the City of Mercedes.**

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**BACKGROUND INFORMATION:**

As mentioned at the previous City Commission meeting the Dr. Hector P. Garcia Memorial Library (DHPGML) has received a grant award from Methodist Healthcare Ministries of South Texas, Inc. (MHM) for \$221,645 to be allocated over three years. The grant will be used to fund two Digital Navigators/Digital Connectors to provide digital skills courses and services to the community. In order to finalize the award, the Memorandum of Agreement between Methodist Healthcare Ministries and the City of Mercedes must be signed and returned. The agreement will run from January 1, 2024 to December 31, 2026.

The funding will be released as \$73,882 per year. The agreement does outline the project goal, deliverables, disbursements, and the expected reporting dates.

**BOARD REVIEW/CITIZEN FEEDBACK:** Choose an item.**ALTERNATIVES/OPTIONS:****FISCAL IMPACT:** \$

Proposed Expenditure/(Revenue):	Account Number(s):

**Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:****Staff Recommendation:** Staff is recommending to approve the agreement.



# **Memorandum of Agreement**

## **Between Methodist Healthcare Ministries and the City of Mercedes**

Methodist Healthcare Ministries (MHM) will award the City of Mercedes for **Mercedes Library MHM Digital Equity Project** in the amount not to exceed incurred hereunder:

**Total Grant Amount: \$221,645**

Year 1 (2024): \$73,882

Year 2 (2025): \$73,882

Year 3 (2026): \$73,881

This Agreement shall commence on January 1, 2024, and shall terminate on December 31, 2026.

The City of Mercedes aims to provide the community with the skills and tools they need to increase their digital literacy skills. The library currently conducts digital skills classes taught by two Digital Navigators. They provide classes such as Basic Computer Skills, Internet Basics, Email Basics, Microsoft Office, and Google Suite. The overall goal is to increase digital literacy among the population of Mercedes and its surrounding cities. Hidalgo county has a population of 865,677 residents with 28% living in poverty and 29% households receiving SNAP benefits. About 31% in Hidalgo County do not have health insurance coverage. The Rio Grande Valley suffers from low health and digital literacy levels. The Digital Navigators will go beyond their Navigator titles and become Digital Connectors. They'll accomplish this by going into the community and working with residents from three different faith-based organizations and explore additional partnerships. The Digital Connectors will assess each organization and base their programs off the community needs in order to accomplish their program goals.

**CONTRACT NUMBER ID: 3399**

### **PROJECT GOAL**

Support two Digital Navigators/Connectors to implement community centered digital skills classes and workshops at local faith-based organizations.

### **DELIVERABLES**

1. Digital Skills: The goal is to continue teaching digital skills classes to residents of the community. Process evaluations throughout the duration of the program will be through Northstar Digital Literacy created by Literacy Minnesota. Northstar will help Digital Navigators keep track of test scores and program participant progress. The City of Mercedes aims to have each program participant graduate from at least three courses and receive certificates of completion. Literacy in all forms is relevant to libraries, digital literacy plays a vital role in achieving digital equity. By December 2026, the City of Mercedes hopes to help more than 150 residents receive certifications on digital skills.

2. Increase the number of Partnerships/Organizations: The City of Mercedes will go out into the community and start work with faith-based organizations to promote digital literacy by teaching necessary skills to navigate a digital world. They will track the success of this program by keeping count of how many organizations they started with as a baseline and how many they work with at the end of the first year. The goal is to increase their partners from three organizations to five organizations by the end of 2024. By December 31, 2026, the goal is to expand partnerships beyond faith-based organizations to potentially the school district, adult day cares, housing developments, and other local organizations.

3. Affordable Connectivity Program (ACP) Assistance/Increase Coverage: According to the Benton Institute for Broadband & Society ACP Enrollment Performance Tool (2023, April), the City of Mercedes has approximately 5,267 of 7,541 households taking advantage of ACP assistance. There are approximately 2,274 households that have not enrolled in ACP. The Digital Navigators are ACP certified and plan on creating an ACP Enrollment Assistance Program. They will measure the success rate of the program by keeping track of the number of residents they help enroll into the program. The goal is to go beyond the number of residents and assist those in the surrounding zip codes as well. By the end of this grant, the goal is to reduce the number of households that are not enrolled in ACP by half.

**Exhibit A:** Attached are preliminary Key Performance Indicators (KPIs) that the grantee will be responsible for reporting at mid-year and year-end. Grantee will not be responsible for all the KPIs. Grantee will work with MHM staff in early 2024 to finalize KPIs aligned with grant activities. Grantee should note that MHM will provide reporting templates to organize this information, and guidance for grantee on how to measure and collect these KPIs throughout the grant duration.

**Ongoing Activities:** January 1, 2024 - December 31, 2026

#### **Reports:**

Mid-year reports are to be received through the Grantee's MHM online account no later than the 31st of the reporting month. Report schedule is as follows: Mid-year report due by July 31st; Year-end report due by January 31st or the first business day thereafter. In some cases, reports may be required more frequently than twice a year. Failure to provide a final report will deem Grantee ineligible for future funding.

Grantee will also be required to participate in an annual virtual or in-person site visit with MHM staff. MHM will provide various opportunities for trainings, convenings, and check-in calls to discuss emerging opportunities, challenges, programmatic milestones, and successes throughout the grant period. Grantee attendance is encouraged but not required unless otherwise specified. Reporting dates may change based on program needs. If dates are changed, Grantee will receive sixty (60) day advanced notification via email.

#### **GOOD STANDING STATUS**

To be in good standing, an organization must have: no significant unspent grant funds during the grant period, good overall organizational financial standing, and good overall programmatic standing. Grantees who do not meet good standing criteria risk not being considered for future MHM grant funding.

See attached.

#### **DISBURSEMENT**

Methodist Healthcare Ministries will disburse funds, not to exceed \$221,645, under this Agreement to the City of Mercedes according to the following schedule:

Grants of \$150,000 annually or less:

- Total annual award will be disbursed within thirty (30) days of execution of Agreement.
- Grantee will provide a budget to actual summary with mid-year and year-end reports.



- Program delays may delay future disbursements for multi-year grants.

MHM grants of more than \$150,000 annually are not fully disbursed upon execution of the award. Grants over \$150,000:

- MHM will disburse annual grant funds in two payments: within thirty (30) days of execution of Agreement and at mid-year pending program progress.
- If grant funds are allocated for device distribution, Grantee will need to have a clear distribution plan with timeline. If there are program delays with distributing devices, it may delay payment for additional devices.
- Grantee will provide a budget to actual summary with mid-year and year-end reports.
- Lack of progress on goals may delay mid-year disbursement. Grantee will work with MHM staff to determine next steps on disbursement when necessary.
- Program delays may delay future disbursements for multi-year grants.

At the conclusion of the grant, any unspent funds will be returned to MHM. At MHM's discretion, it may allow Grantee to retain all or a portion of unspent funds to further their mission.

### **OTHER**

MHM is proud to partner with the City of Mercedes. MHM is a private, faith-based not-for-profit organization dedicated to creating access to health care for uninsured and low-income families through direct services, community partnership, and strategic grantmaking in 74 counties across South Texas.

Mission: "Serving Humanity to Honor God."

Vision: "To be the leader in improving wellness for the least served"

Core Values: Integrity, Making a Difference, Teamwork Compassion, Spirituality

MHM expects the Grantee to maintain the highest standards of behavior at all times with priority on individual and community safety, obeying the law, managing finances with integrity, treating others with respect, accurately representing information, maintaining academic honesty and respecting intellectual property rights, and protecting youth and the vulnerable. At its sole discretion, MHM may revoke a grant award to a Grantee observed acting in opposition to our Core Values or engaging in any of the following prohibited behaviors:

- i. Discrimination based on race, color, gender, religion, material status, national origin, sexual orientation, political affiliation, age, or other characteristic protected under federal or state law
  - ii. Serious violations of federal, state, or local law
  - iii. Physical, verbal, or sexual abuse or harassment
  - iv. Neglect of the needs of children, youth, or vulnerable populations
  - v. Misrepresentation of information
- Deviation from major timelines, deliverables, and their corresponding budgetary costs will need prior approval from MHM.
  - The terms and conditions of this Memorandum may be changed with the approved consent of both parties.
  - If the City of Mercedes fails to meet the deliverables or timeline outlined in this memorandum to the satisfaction of MHM, MHM reserves the right to terminate payment and be reimbursed for previously disbursed funds related to the unmet deliverables.
  - MHM reserves the right to conduct a program audit of all funds received, and requests funded under this Memorandum. Such audit may be performed by MHM staff, a certified public accounting firm, or other auditors as designated by MHM. MHM reserves the right to

determine the scope of the program audit. Grantee agrees to make available all accounting and program records.

- MHM invites the Grantee to display the MHM logo—indicating that the Grantee is a “Methodist Healthcare Ministries of South Texas, Inc. Funded Partner”—in a variety of Grantee’s public facing displays to include the Grantee’s website. The use of the MHM logo for any placement must be governed by the *Funded Partner Branding Guidelines* provided. MHM shall have the right to approve all public announcements or other public dissemination of information regarding the Memorandum. Grantee agrees to include in its marketing, financial, and other materials disseminated to the public an acknowledgment that Grantee and/or the projects and programs funded by the Memorandum are funded, in whole or in part, by MHM.

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Mr. Jaime Wesolowski  
President & CEO  
Methodist Healthcare Ministries  
4507 Medical Drive  
San Antonio, TX 78229

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Mr. Alberto Perez  
City Manager  
City of Mercedes  
434 S. Ohio Ave.  
Mercedes, TX 78570

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Date

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Date



## **Exhibit A- MHM Digital Equity: Preliminary Key Performance Indicators (KPIs)**

### **All Activities – KPIs**

1. Number of individuals served
2. Number of individuals served by race, age, income, and primary language spoken (optional and self-reported by participants)
3. Number of community outreach events conducted or attended for digital inclusion services promotion
4. Number of organizations engaged for digital equity service promotion or implementation
5. Number of individuals hired as Digital Connectors/Digital Navigators
6. Number of individuals trained as Digital Connectors/Digital Navigators
7. Number of sessions conducted by Digital Connectors (including one-on-one services, classes, and workshops)

### **Digital Skills Activities - Specific KPIs**

#### **1. Digital Skills Virtual Training Course**

- a. Number of unduplicated individuals enrolled in a virtual, self-guided digital skills course
- b. Number of unduplicated individuals who completed a virtual, self-guided digital skills course
- c. Number of virtual, self-guided digital skills courses provided
- d. Number of unduplicated individuals who participated in a virtual, self-guided digital skills course by training type (Foundational Digital Skills, Employment/Job Skills, Health, Education, Accessing Online Public Resources, or Online Safety/Cybersecurity)

#### **2. Digital Skills In-Person Training Course**

- a. Number of unduplicated individuals who participated in an in-person digital skills course
- b. Number of unduplicated individuals who completed an in-person digital skills course
- c. Number of in-person digital skills training courses provided
- d. Number of unduplicated individuals who participated in an in-person digital skills training course by training type (Foundational Digital Skills, Employment/Job Skills, Health, Education, Accessing Online Public Resources, or Online Safety/Cybersecurity)

#### **3. Digital Skills Workshop**

- a. Number of unduplicated individuals who participated in a one-time digital skills workshop
- b. Number of one-time digital skills workshops provided
- c. Number of unduplicated individuals who participated in a one-time digital skills workshop by training type (Foundational Digital Skills, Employment/Job Skills, Health, Education, Accessing Online Public Resources, or Online Safety/Cybersecurity)

#### **4. One-on-One Digital Skills Training or Digital Navigation Services**

- a. Number of unduplicated individuals who received one-on-one digital navigation sessions
- b. Number of one-on-one digital navigation sessions provided
- c. Number of unduplicated individuals who participated in a one-on-one digital navigation sessions by training type (Foundational Digital Skills, Employment/Job Skills, Health, Education, Accessing Online Public Resources, or Online Safety/Cybersecurity)

### **Devices Activities - Specific KPIs**

#### **1. Personal Device Provision**

- a. Number of individuals who receive a device by type (laptop, desktop, tablet, smartphone, hotspot, or internet-enabled, health-related device). Specify new or refurbished.

#### **2. Technical Support Provision**

- a. Number of device-recipients who receive technical support
- b. Number of devices repaired

- c. Number of devices replaced
- 3. Communal Device Provision**
  - a. Number of facilities equipped with new or upgraded devices
  - b. Number of computers installed in computer facilities
  - c. Number of unduplicated visitors to computer facilities
  - d. Total number of visits to computer facilities
  - e. Average number of computer facility users per week
- 4. Personal Device Lending**
  - a. Number of individuals who receive device on loan. Specify type of device and whether new or refurbished.
- 5. Communal Telehealth Space**
  - a. Number of new communal telehealth spaces created
- 6. Device Charging Provision**
  - a. Number of unduplicated individuals who utilized device charging services
  - b. Total number of individuals who utilize device charging services
  - c. Average number of devices charged per week

**Public Benefit Activities - Specific KPIs**

- 1. Benefit Enrollment**
  - a. Number of individuals who enroll in ACP or other free/low-cost internet plan
  - b. Number of individuals who enroll in the ACP Device Benefit or other free/low-cost device program
  - c. Number of individuals who enroll in SNAP or other food assistance public benefit program
  - d. Number of individuals who enroll in a housing assistance public benefit program
  - e. Number of individuals who enroll in TANF or other welfare public benefit
  - f. Number of individuals who enroll in Medicaid, Medicare, or other health insurance public benefit program
  - g. Number of individuals who enroll in unemployment benefits
  - h. Number of individuals who enroll in disability benefits
  - i. Number of individuals who enroll in other public benefit. Specify benefit program.
- 2. Benefit Assistance and Education**
  - a. Number of unduplicated individuals who receive one-on-one assistance with ACP or other free/low-cost internet plan enrollment
  - b. Number of unduplicated individuals who receive one-on-one assistance with the ACP device benefit or other free/low-cost device program enrollment
  - c. Number of unduplicated individuals who receive one-on-one assistance with all other public benefit programs
  - d. Number of workshops or events on public benefit adoption provided

**Other Activities - Specific KPIs**

- 1. Train-the-Trainer Services**
  - a. Number of trainers trained to deliver digital inclusion services
  - b. Number of organizations trained to deliver digital inclusion services
  - c. Number of train the trainer sessions provided
- 2. Digital Skills for Health**
  - a. Number of patients screened for SDOH
  - b. Number of patients whose SDOH screening results indicate a need for technology resource
  - c. Number of patients referred to technology resources

## EXHIBIT B - MHM BRANDING GUIDELINES

### **Funded Partner Guidelines – Use of Methodist Healthcare Ministries' Logo**

Logos help to establish credibility and brand recognition. As such, logos should always be treated with integrity.

When including on a webpage, hyperlink the Methodist Healthcare Ministries logo to [www.mhm.org](http://www.mhm.org).

When including within a document, place the logo on the bottom, right side of the document if at all possible. The vertical or 'stacked' format is the primary and preferred format for all materials\*. A horizontal format is available and will be provided on an as needed basis. The Methodist Healthcare Ministries' Communications department must review all document placements prior to distribution.

The logo is to be used as provided with no changes, including but not limited to changes in the color, proportion, design, or removal of any words or artwork.

The logo may not be animated, morphed or otherwise distorted in perspective or appearance. The logo may not be used in any manner after the termination of your funding contract with Methodist Healthcare Ministries.

#### **Do:**

- Use the logo in a readable manner.
- Leave at least .5" of white space around the logo.
- Maintain the integrity and proportions of the logo.
- Use only the original logo provided by the Methodist Healthcare Ministries Communications department. Please ensure to relay what the logo will be used for on all requests, e.g., inclusion on a Power Point slide, for print on documents and posters or for display on a website, so the appropriate size and formats are provided.
- Place the logo on marketing or promotional materials that are intended to educate the community or stakeholders about our partnership or sponsorship, e.g., event notices, invitations, programs and agendas, etc.

#### **Don't:**

- Don't add additional text such as quotes or numbers, or other graphics such as borders and edges to the logo configuration.
- **Don't** alter, stretch or condense the logo or re-align any of the logo components.
- **Don't** add other design elements to the logo (e.g., outlines, strokes, or dropshadow) or reconfigure the logo design.
- Don't place the Methodist Healthcare Ministries logo on products and publications produced outside the commissioned contract or sponsorship without explicit written authorization.

*To request the Methodist Healthcare Ministries logo or to submit documentation for review, contact [communications@mhm.org](mailto:communications@mhm.org). Please allow between two and four weeks for approvals on all materials.*



*Horizontal logo*



*Vertical or 'stacked' logo\**



**CITY OF MERCEDES**  
**BUDGET AMENDMENT**



FUND: 01

BUDGET AMENDMENT# \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

DATE POSTED: \_\_\_\_\_

Fund	G/L ACCT#	DESCRIPTION	Approved Budget	(Decrease)	Add	Amended Budget
01	512-1010	Full-Time Employees	164,422.00		30,010.00	194,432.00
01	512-1100	Pension Contribution	29,347.00		5,077.00	34,424.00
01	512-1120	Social Security	13,253.00		2,299.00	15,552.00
01	512-1160	Health & Life Insurance	13,641.00		3,137.00	16,778.00
01	540-4015	Capital Outlay	620,205.00	(40,523.00)		579,682.00
						-
						-
						-
						-
						-
						-

Justification/Explanation for change:

Contract / Ordinance Specialist position - Admin office

*[Signature]*

Dept Head Requesting change

Finance Dept

Approved:

*[Signature]*  
City Manager

Mayor



**Ordinances/Resolution**

---

**DATE:** January 25, 2024

**FROM:** Javier A. Ramirez, Assistant City Manager/Planning Director

**ITEM:** Rezone Request: RMH-Mobile Home Zone for South Campacuas Addition Lot 6, 11, 12, 13, 14, and 3, Block 104 & 105

---

**BACKGROUND INFORMATION:****LOCATION:**

61.756 acres (2,690,111.420 Sq. Ft.) out of lots 6, 11, 12, 13 and 14, Block 104 and lot 3, Block 105, South Campacuas Addition Volume 1, Page 1, H.C.M.R. City of Mercedes, Hidalgo County, Texas. Currently zone as Class "C" Business and A-2 Single Family Residence. – Applicant: John J Shannon (Shannon Family Revocable Trust)

**CURRENT ZONE:**

South Campacuas Addition is zone as Class "C" Business and A-2 Single Family Residence.

**ZONE REQUESTED:**

Applicant John J Shannon requesting an RMH- Mobile Home zone.

**ATTACHMENTS:**

- Plat Map
- Metes and Bounds
- Location Site Map
- Warranty Deed
- 200 ft radius map
- Mailing List

**Staff Recommendation:** Approval.

**ORDINANCE NO. 2024-02**

**AN ORDINANCE CHANGING THE CLASSIFICATION FOR ZONING PURPOSES OF THE FOLLOWING TRACT OF LAND: LOT 6, 11, 12, 13 AND 14, BLOCK 104, AND LOT 3, BLOCK 105, SOUTH CAMPACUAS ADDITION (61.756 ACRES, FROM CLASS “C” BUSINESS AND A-2 SINGLE FAMILY RESIDENCE NEWLY ANNEXED TO CLASS “RMH” MOBILE HOME; PROVIDING FOR A SAVINGS AND REPEAL CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on the 25<sup>th</sup> day of January, 2024 a public hearing was held for the purpose of hearing any objections as to why: **LOT 6, 11, 12, 13 AND 14, BLOCK 104, AND LOT 3, BLOCK 105, SOUTH CAMPACUAS ADDITION (61.756 ACRES)**, Mercedes, Hidalgo County, Texas, should be rezoned and classified as follows: from a Class “C” Business and A-2 Single Family Residence Newly Annexed to a Class “RMH” Mobile Home.

**WHEREAS**, the City Commission at its Regular Meeting of February 6<sup>th</sup>, 2024, 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:** **LOT 6, 11, 12, 13 AND 14, BLOCK 104, AND LOT 3, BLOCK 105, SOUTH CAMPACUAS ADDITION (61.756 ACRES)**, Mercedes, Hidalgo County, Texas, should be rezoned and classified as follows: from a Class “C” Business and A-2 Single Family Residence to a Class “RMH” Mobile Home.

**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 6<sup>th</sup> DAY OF FEBRUARY 2024.**

**PASSED, APPROVED AND ADOPTED ON SECOND READING THIS THE 20<sup>TH</sup> DAY OF FEBRUARY, 2024.**

**CITY OF MERCEDES**

---

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

**ATTEST:**

---

**Joselynn Castillo**  
**City Secretary**

**APPROVED AS TO FORM:**

---

**Martie Garcia Vela**  
**City Attorney**



December 15, 2023

**METES AND BOUNDS DESCRIPTION  
61.756 (61.744 ACRES DEED CALL) ACRES BEING OUT OF  
LOTS 6, 11, 12, 13, AND 14, BLOCK 104  
AND LOT 3, BLOCK 105,  
SOUTH CAMPACUAS ADDITION  
CITY OF MERCEDES  
HIDALGO COUNTY, TEXAS**

A tract of land containing 61.756 acres (61.744 deed call) situated in the City of Mercedes, County of Hidalgo, Texas, said 61.756 acres being out of Lots 6, 11 12, 13 and 14, Block 104 and Lot 3, Block 105, South Campacuas Addition, according to the plat thereof recorded in Volume 1, Page 1, Hidalgo County Map Records, said 61.756 acres out of a certain tract conveyed to John J. Shannon and Margaret Shannon, by virtue of a Warranty Deed recorded under Document Number 1724450, Hidalgo County Official Records, said 61.756 acres also being more particularly described as follows:

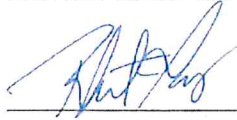
BEGINNING at a No. 4 rebar found at the Southeast corner of Farm Tract 137, out of Block 104 South Campacuas Addition, for an inside corner of this herein described tract.

1. THENCE, N 01° 13' 37" W, at a distance of 459.00 feet, pass the North line of Lot 11, and the South line of Lot 6, continuing for a total distance of 676.34 feet to a No.4 rebar set on the existing South right-of-way line of West Business 83, for the Northwest corner of this herein described tract;
2. THENCE, S 77° 46' 17" E, along the existing South right-of-way line of West Business 83, a distance of 230.73 feet to a No. 4 rebar set for an inside corner of this tract;
3. THENCE, N 88° 41' 16" E, continuing along the existing South right-of-way line of West Business 83, a distance of 200.16 feet to a No. 4 rebar set for an outside corner of this tract;
4. THENCE, S 88° 40' 52" E, continuing along the existing South right-of-way line of West Business 83, a distance of 100.07 feet to a No. 4 rebar set for an inside corner of this tract;
5. THENCE, S 89° 14' 50" E, continuing along the existing South right-of-way line of West Business 83, a distance of 100.07 feet to a No. 4 rebar set for an outside corner of this tract;
6. THENCE, N 88° 30' 16" E, continuing along the existing South right-of-way line of West Business 83, a distance of 100.08 feet to a No. 4 rebar set for an outside corner of this tract;
7. THENCE, N 88° 21' 16" E, continuing along the existing South right of way line of West Business 83, a distance of 177.76 feet to a No. 4 rebar set at the Northwest corner of a certain tract conveyed to Earling Estates LLC, by virtue of a Warranty Deed with Vendor's Lien, recorded under Document Number 1656341, Hidalgo County Official Records, for the Northeast corner of this tract;



8. THENCE, S 01° 13' 36" E, at a distance of 157.82 feet, pass the South line of Lot 6 and the North line of Lot 11, Block 104, at a distance of 616.82 feet pass the existing North right-of-way line of a County Road, at a distance of 676.82 feet, pass the existing South right-of-way line of a County Road, at a distance of 1477.82 feet, pass the South line of Lot 11 and the North line of Lot 14, Block 104, at a distance of 2797.82 feet, pass the South line of Lot 14, Block 104, and the North line of Lot 3, Block 105, continuing for a total distance of 3023.27 feet (deed record 3022.20') to a No. 4 rebar found at the Southeast corner of this tract;
9. THENCE, S 88° 48' 50" W, a distance of 456.33 feet (deed record 456.19') to a No. 4 rebar found on the East line of Farm Tract 140, for the Southwest corner of this tract;
10. THENCE, N 10° 01' 05" E, along the East line of Farm Tract 140, a distance of 184.61 feet (deed record 183.85') to a No. 4 rebar found at an inside corner of this tract;
11. THENCE, N 27° 13' 14" W, at a distance of 49.02 feet pass the North line of Lot 3, Block 105, and the South line of Lot 14, Block 104, continuing for a total distance of 627.55 feet to a No. 4 rebar set at the Southeast corner of Farm Tract 139, and the Northeast corner of Farm tract 140, for an inside corner of this tract;
12. THENCE, N 27° 15' 03" W, at a distance of 688.32, pass the East line of Lot 14, Block 104, and the East line of Lot 13, Farm Tract 139, at a distance of 888.71 feet pass a No.5 rebar found in line, continuing for a total distance of 890.26 feet to a No.4 rebar set for an outside corner of this tract;
13. THENCE, N 13° 55' 09" W, at a distance of 146.97 feet, pass the Southeast corner of Lion Subdivision, according to the plat recorded in Volume 18, Page 39, Hidalgo County Map Records, at a distance of 413.63 feet, pass the Northeast corner of Lion Subdivision, continuing for a total distance of 821.06 feet to a No. 4 rebar set on the existing South right-of-way line of Camino Real Viejo County Road, from which a No.4 rebar found bears S 29° 18' 53" E, a distance of 1.04 feet, for an inside corner of this tract;
14. THENCE, N 01° 13' 37" W, at a distance of 60.00 feet to a No. 4 rebar set on the existing North right of way line of Camino Real Viejo County Road, and the South line of Farm Tract 137, for an outside corner of this tract;
15. THENCE, N 88° 46' 23" E, a distance of 364.00 feet to the POINT OF BEGINNING and containing 61.756 acres, of which 1.744 acres lies within the existing County Road right-of-way, for a net of 60.012 acres of land, more or less.

I, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY AFFIRM THAT THIS METES AND BOUNDS DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON 12/7/2023 UNDER MY DIRECTION AND SUPERVISION.

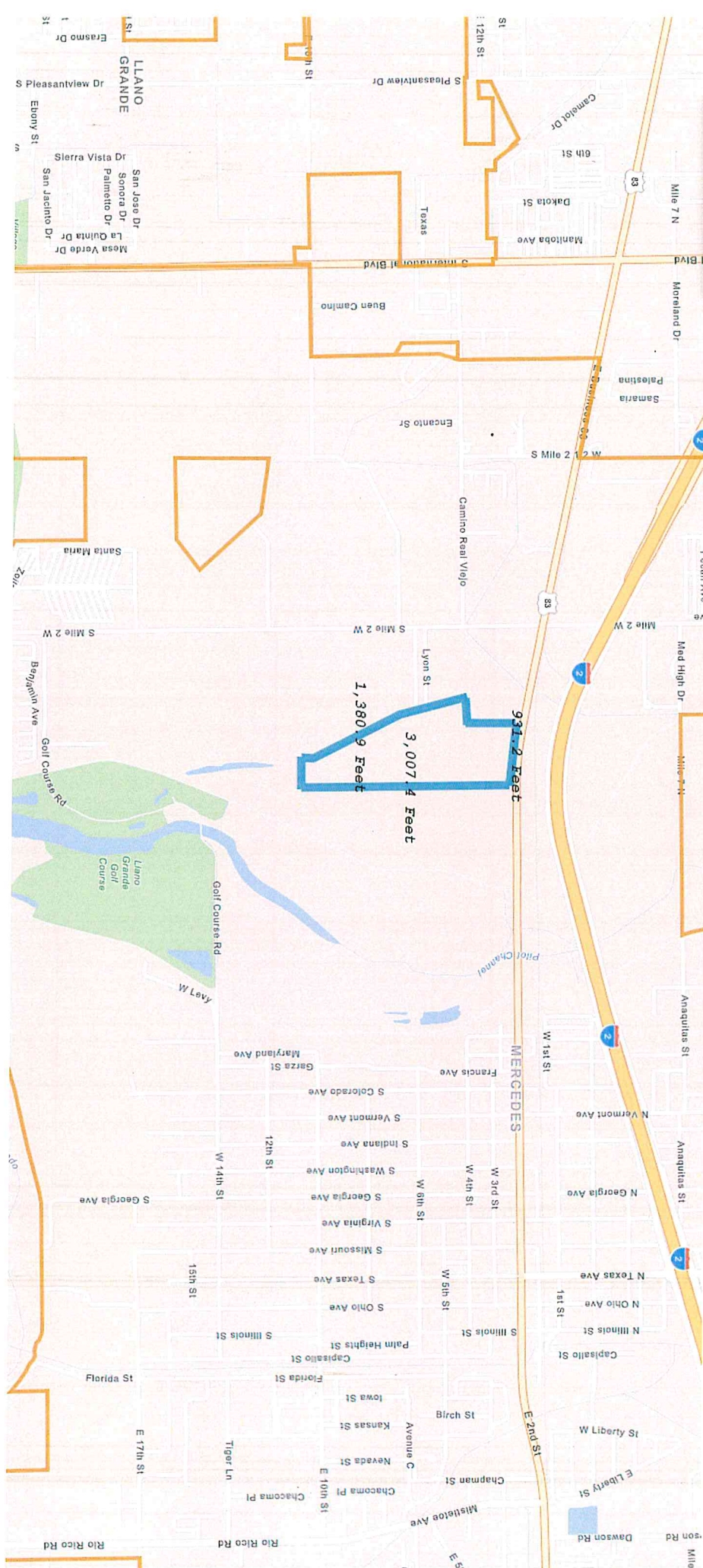


ROBERTO N. TAMEZ, R.P.L.S. #6238

12/15/2023

DATE:





# WARRANTY DEED WITH VENDOR'S LIEN

Conforms to State Bar of Texas Form

817830

Date: **OCTOBER 15, 1999**

Grantor: **AG-RAY LAND AND SUGAR PLANTATION, INC., a Texas corporation**

Grantor's Mailing Address: **P.O. Box 565  
Mercedes, Texas 78570  
Hidalgo County**

Grantee: **JOHN J. SHANNON**

Grantee's Mailing Address: **2409 Griffin Parkway  
Mission, Texas 78572  
Hidalgo County**

Consideration: Ten Dollars and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of Grantee's one certain promissory note of even date herewith, in the principal sum of Two Hundred Ninety Two Thousand Five Hundred and 00/100ths Dollars (\$ 292,500.00) payable to the order of TEXAS STATE BANK, and bearing interest as therein provided; containing the usual clauses providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to Paul S. Moxley, Trustee.

Property (including any improvements):

A 61.74 acre tract or parcel of land, more or less, out of Lots Six (6), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14), Block One Hundred Four (104), and Lot Three (3), Block One Hundred Five (105), SOUTH CAMPACUAS ADDITION to the Capisallo District, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 1, Page 1, Map Records, Hidalgo County, Texas, reference to which is here made for all purposes; said 61.74 acre tract of land being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a No. 4 rebar found at the Southeast corner of Farm Tract 137, out of the South Campacuas Addition to the Capisallo District, and for an inside corner of said tract herein described;

Warranty Deed  
Page 1 of 4



THENCE, North, a distance of 676.35 feet to a No. 4 rebar set on the existing South right-of-way line of Business Highway 83 and for the Northwest corner of said tract herein described;

THENCE, South 76 degrees 32 minutes 40 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 230.73 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, North 89 degrees 54 minutes 53 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 200.16 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, South 87 degrees 27 minutes 15 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 100.07 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, South 88 degrees 01 minutes 13 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 100.07 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, North 89 degrees 43 minutes 53 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 100.08 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, North 89 degrees 34 minutes 53 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 177.76 feet to a No. 4 rebar set for the Northeast corner of said tract herein described;

THENCE, South a distance of 3,022.20 feet to a No. 4 rebar set for the Southeast corner of said tract herein described;

THENCE, West, a distance of 456.19 feet to a No. 4 rebar set for a point on the East line of Farm Tract 140, out of the South Campacuas Addition to the Capisallo District, and for the Southwest corner of said tract herein described;

THENCE, North 11 degrees 14 minutes 44 seconds East, with and along the most southern East line of said Farm Tract 140 for a distance of 183.85 feet to a No. 4 rebar found for an inside corner of said tract herein described;

THENCE, North 25 degrees 59 minutes 37 seconds West with and along the East line of said Farm Tract 140 for a distance of 627.55 feet to a No. 4 rebar found for the Northeast corner of said Farm Tract 140 and Southeast corner of Farm Tract 139, out of the South

Campacuas Addition to the Capisallo District and also being an inside corner of said tract herein described;

THENCE, North 26 degrees 01 minutes 26 seconds West, with and along the East line of said Farm Tract 139 for a distance of 890.26 feet to a No. 4 rebar found for the Northeast corner of said Farm Tract 139 and the Southeast corner of Farm Tract 138, out of the South Campacuas Addition to the Capisallo District, and also being an outside corner of said tract herein described;

THENCE, North 12 degrees 41 minutes 32 seconds West, with and along the East line of said Farm Tract 138 for a distance of 821.06 feet to a No. 4 rebar set for a point on the existing South county road right-of-way line and for the Northeast corner of said Farm Tract 138, and for an outside corner of said tract herein described;

THENCE, North, a distance of 60.00 feet to a No. 4 rebar found for a point on the existing North county road right-of-way line and for a point on the South line of Farm Tract 137, out of the South Campacuas Addition to the Capisallo District, and for an outside corner of said tract herein described;

THENCE, East, with and along the existing North road easement line for a distance of 364.00 feet to the POINT OF BEGINNING, and CONTAINING 61.74 acres of land, more or less, of which 1.74 acres lies in the existing county road right-of-way and leaving a net of 60.00 acres of land, more or less.

Reservations from and Exceptions to Conveyance and Warranty:

1. Zoning and building ordinances in favor of the City of Mercedes.
2. Statutory rights, rules, regulations, easements and liens in favor of Hidalgo & Cameron Counties Irrigation District No. 9.
3. Easements and reservations as shown according to the map and plat thereof recorded in Volume 1, Page 1, Map Records, Hidalgo County, Texas.
4. Any and all prior reservations of all oil, gas and other minerals, and rights of all parties claiming by, through, or under said mineral owner(s), including any and all mineral leases of record.
5. Taxes for 1999 and subsequent years, and subsequent assessments that may be made due to change in the usage of the subject property, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators,

Warranty Deed  
Page 3 of 4



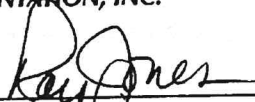
successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

TEXAS STATE BANK, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the Note described. The vendor's lien and the superior title to the Property are retained for the benefit of TEXAS STATE BANK, and are transferred to TEXAS STATE BANK, without recourse on Grantor.

When the context requires, singular nouns and pronouns include the plural.

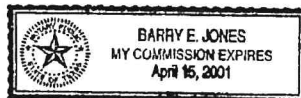
**AG-RAY LAND AND SUGAR  
PLANTATION, INC.**

  
RAY JONES, President

STATE OF TEXAS       §  
                                  §  
COUNTY OF HIDALGO   §

**Acknowledgment**

This instrument was acknowledged before me on the 15<sup>th</sup> of OCTOBER, 1999, by RAY JONES, as President of AG-RAY LAND AND SUGAR PLANTATION, INC., a Texas corporation, on behalf of said corporation.



  
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING,  
PLEASE RETURN TO:

**BARRY E. JONES**  
Attorney at Law  
134 W. Fifth Street  
Weslaco, Texas 78596  
AG-RAY.DEED.SHANNON.JKS

Filed for Record in:  
Hidalgo County  
by Juan D. Salinas III  
County Clerk

On: Oct 26, 1999 at 01:37P

As a  
Recording

Document Number: 817830  
BEJ/#99-15 HCA&T Co. GP#99-003462 15.00

Receipt Number - 245783  
By,  
Bea Cruz

Warranty Deed  
Page 4 of 4

Hidalgo County  
Arturo Guajardo Jr.  
County Clerk  
Edinburg, TX 78540



70 2007 01724450

Instrument Number: 2007-1724450

As

Recorded On: February 21, 2007

Recording

Parties:

To

Billable Pages: 4

Number of Pages: 5

Comment: W.D

**\*\* Examined and Charged as Follows: \*\***

Recording 28.00

Total Recording: 28.00

**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2007-1724450

Receipt Number: 836406

Recorded Date/Time: February 21, 2007 09:02A

**Record and Return To:**

LAW OFFICE OF HOLLIS RANKIN III

920 S. MCCOLL ROAD

EDINBURG TX 78539

User / Station: A Garcia - Cash Superstation 08



STATE OF TEXAS  
COUNTY OF HIDALGO

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas

Arturo Guajardo Jr.  
County Clerk  
Hidalgo County, TX

1724450

\*NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS; YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

## WARRANTY DEED

**DATE:** December 28, 2006

**GRANTORS:** JOHN J. SHANNON

**GRANTOR'S MAILING ADDRESS:** c/o 920 South McColl Rd.  
Edinburg, Texas 78539  
Hidalgo County

**GRANTEES:** JOHN J. SHANNON and MARGARET SHANNON as Trustees  
Of the SHANNON FAMILY REVOCABLE TRUST originally  
Dated March 27, 1997 and as subsequent amended and  
Reinstated

**GRANTEE'S MAILING ADDRESS:** Sabino Executive Suites  
5215 North Sabino Canyon Road,  
Suite 128  
Tucson, Arizona 85750

**CONSIDERATION:** Ten and no/100ths Dollars (\$10.00) and other good  
and valuable consideration

**PROPERTY (including any improvements):**

See Exhibit "A" attached hereto for all purposes.

---

### Reservations from and Exceptions to Conveyance and Warranty:

SUBJECT TO all reservations, exceptions, leases, liens, easements,  
rights, restrictions, uses, and regulations, visible or of record,  
and all taxes.

Grantor, for the consideration and subject to the Reservations  
from Conveyance and the Exceptions to Conveyance and Warranty,  
grants, sells, and conveys to Grantee the property, together with  
all and singular the rights and appurtenances thereto in any way  
belonging, to have and hold it to Grantee and Grantee's heirs,  
successors, and assigns forever. Grantor binds Grantor and  
Grantor's heirs and successors to warrant and forever defend all  
and singular the Property to Grantee and Grantee's heirs,

01/02/2007 12:38 FAX 956 287 8403

HOLLIS RANKIN III

003

successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from and the Exceptions to Conveyance.

When the context requires, singular nouns and pronouns include the plural.

*John J. Shannon*  
JOHN J. SHANNON

## ACKNOWLEDGMENT

STATE OF ARIZONA

\$

COUNTY OF PIMA

\$

This instrument was acknowledged before me on this the 28<sup>th</sup> day of December, 2006 by John J. Shannon.

*Diana Vega*  
NOTARY PUBLIC - STATE OF Texas

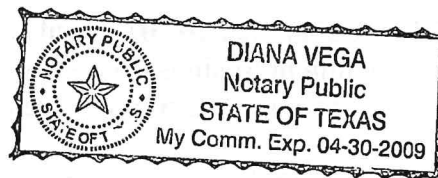
## PREPARED IN THE LAW OFFICE OF:

Law Office of Hollis Rankin, III, P.L.L.C.  
920 South McColl Rd.  
Edinburg, Texas 78539

## AFTER RECORDING RETURN TO:

Law Office of Hollis Rankin, III, P.L.L.C.  
920 South McColl Rd.  
Edinburg, Texas 78539

F/N: 12232  
HHR/dv



A 61.74 acre tract or parcel of land, more or less, out of Lots Six (6), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14), Block One Hundred Four (104), and Lot Three (3), Block One Hundred Five (105), SOUTH CAMPACUAS ADDITION to the Capisallo District, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 1, Page 1, Map Records, Hidalgo County, Texas, reference to which is here made for all purposes; said 61.74 acre tract of land being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a No. 4 rebar found at the Southeast corner of Farm Tract 137, out of the South Campacuas Addition to the Capisallo District, and for an inside corner of said tract herein described;

THENCE, North, a distance of 676.35 feet to a No. 4 rebar set on the existing South right-of-way line of Business Highway 83 and for the Northwest corner of said tract herein described;

THENCE, South 76 degrees 32 minutes 40 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 230.73 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, North 89 degrees 54 minutes 53 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 200.16 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, South 87 degrees 27 minutes 15 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 100.07 feet to a No. 4 rebar set for an inside corner of said tract herein described;

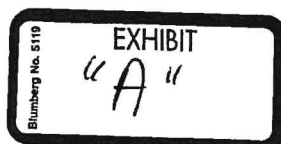
THENCE, South 88 degrees 01 minutes 13 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 100.07 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, North 89 degrees 43 minutes 53 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 100.08 feet to a No. 4 rebar set for an inside corner of said tract herein described;

THENCE, North 89 degrees 34 minutes 53 seconds East, with and along the existing South right-of-way line of Business Highway 83 for a distance of 177.76 feet to a No. 4 rebar set for the Northeast corner of said tract herein described;

THENCE, South a distance of 3,022.20 feet to a No. 4 rebar set for the Southeast corner of said tract herein described;

THENCE, West, a distance of 456.19 feet to a No. 4 rebar set for a point on the East line of Farm Tract 140, out of the South Campacuas Addition to the Capisallo District, and for the Southwest corner of said tract herein described;





THENCE, North 11 degrees 14 minutes 44 seconds East, with and along the most southern East line of said Farm Tract 140 for a distance of 183.85 feet to a No. 4 rebar found for an inside corner of said tract herein described;

THENCE, North 25 degrees 59 minutes 37 seconds West with and along the East line of said Farm Tract 140 for a distance of 627.55 feet to a No. 4 rebar found for the Northeast corner of said Farm Tract 140 and Southeast corner of Farm Tract 139, out of the South

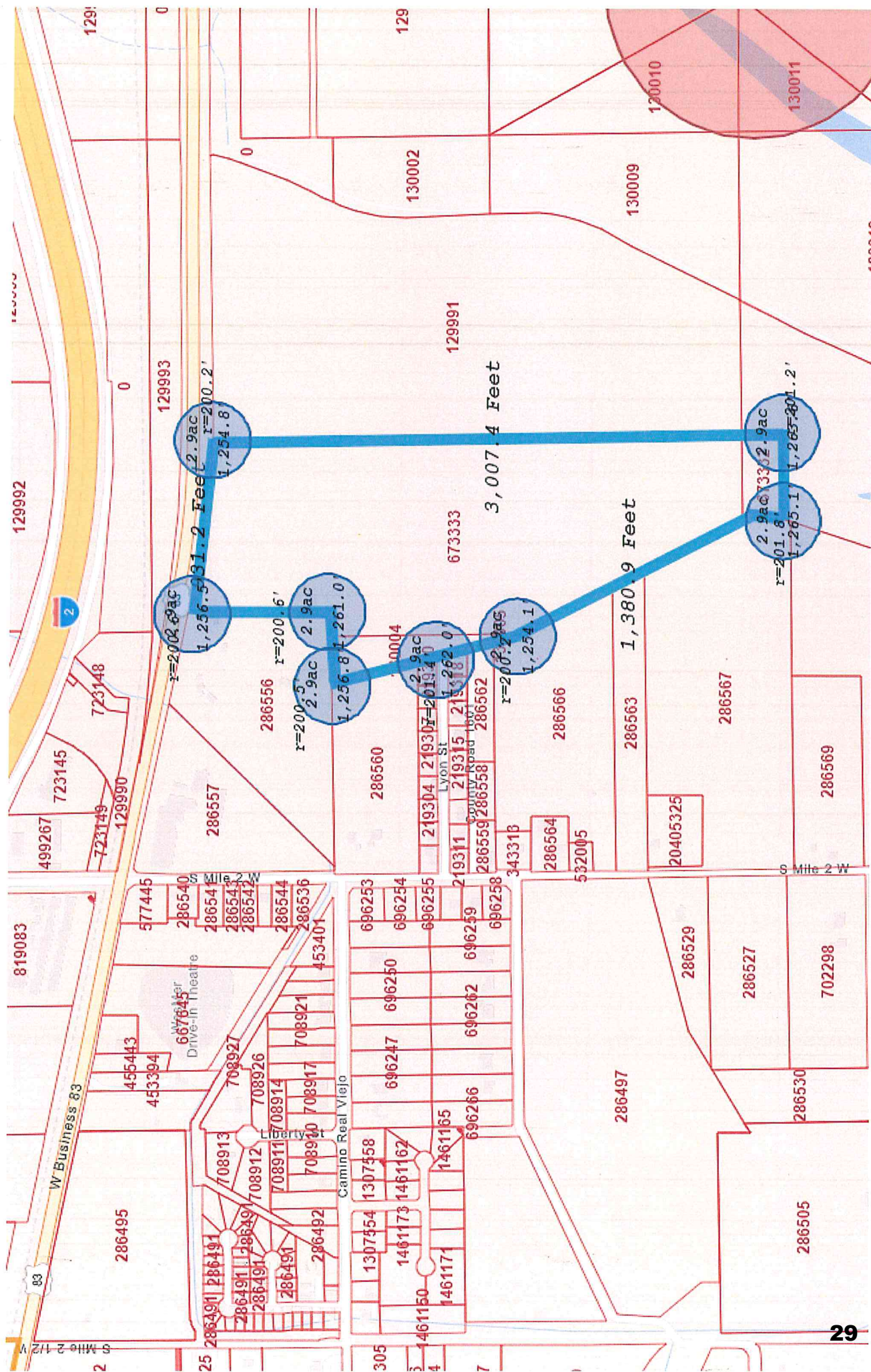
Campacuas Addition to the Capisallo District and also being an inside corner of said tract herein described;

THENCE, North 26 degrees 01 minutes 26 seconds West, with and along the East line of said Farm Tract 139 for a distance of 890.26 feet to a No. 4 rebar found for the Northeast corner of said Farm Tract 139 and the Southeast corner of Farm Tract 138, out of the South Campacuas Addition to the Capisallo District, and also being an outside corner of said tract herein described;

THENCE, North 12 degrees 41 minutes 32 seconds West, with and along the East line of said Farm Tract 138 for a distance of 821.06 feet to a No. 4 rebar set for a point on the existing South county road right-of-way line and for the Northeast corner of said Farm Tract 138, and for an outside corner of said tract herein described;

THENCE, North, a distance of 60.00 feet to a No. 4 rebar found for a point on the existing North county road right-of-way line and for a point on the South line of Farm Tract 137, out of the South Campacuas Addition to the Capisallo District, and for an outside corner of said tract herein described;

THENCE, East, with and along the existing North road easement line for a distance of 364.00 feet to the POINT OF BEGINNING, and CONTAINING 61.74 acres of land, more or less, of which 1.74 acres lies in the existing county road right-of-way and leaving a net of 60.00 acres of land, more or less.



MISSOURI PACIFIC RAILROAD COMPANY  
C/O RIO VALLEY RAILROAD INC  
PO BOX 99  
O FALLON, IL 62269-0099

HOUSTON COPART SALVAGE AUTO AUCTIONS LIMITED PARTNERSHIP  
14185 DALLAS PKWY STE 300  
DALLAS, TX 75254-1327

EARLING ESTATES LLC  
PO BOX 720806  
MCALLEN, TX 78504-0806

EARLING ESTATES LLC  
PO BOX 720806  
MCALLEN, TX 78504-0806

LLANO GRANDE HOLDINGS COMPANY LLC  
1571 BELLEVUE AVE STE 210  
WEST VANCOUVER BC V7V1A6  
CANADA,

CADENA CELIA M  
3212 HERNANDEZ ST  
MERCEDES, TX 78570-9236

GARCIA JUANA ANTONIA ET AL  
3102 S AMANDA ST  
WESLACO, TX 78596-1638

GUTIERREZ SERVANDO & MARGARITA L  
SERVANDO JESUS GUTIERREZ  
815 S MILE 2 W  
MERCEDES, TX 78570-7466

CASTRO ARTURO & FLORINDA S  
1831 S CANALPORT AVE  
CHICAGO, IL 60616-1027

SAENZ LEE ROY & AMANDA  
160 LYON ST  
MERCEDES, TX 78570-9711

DE ANDA JESUS  
168 LYON ST  
MERCEDES, TX 78570-9711

SOLIS CLEMENTE JR  
144 LYON ST  
MERCEDES, TX 78570-9711

HERNANDEZ LEOPOLDO  
441 S MILE 2 W  
MERCEDES, TX 78570-7552

DEAR RESIDENT  
169 LYON ST  
MERCEDES, TX 78570-9711



## RESOLUTION 2024-03

### A RESOLUTION ADOPTING THE WORKPLAN AND BUDGET FOR URBAN COUNTY PROGRAM YEAR 37 (2024)

**WHEREAS**, The City of Mercedes is participating in the Urban County Program; and

**WHEREAS**, The City of Mercedes conducted a Public Hearing on October 16, 2023 at the Mercedes City Hall to solicit on community need in compliance with CDBG requirements.

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

The Urban County Work-Plan and budget for Year Thirty-Seven (2024) is hereby adopted as follows;

Year 37 (2024)	
<b>PROGRAM ACTIVITY</b>	<b>BUDGET</b>
General Program Administration	\$3,000.00
Street Improvements Project	\$262,071.00
<b>Total:</b>	<b>\$265,071.00</b>

**PASSED, APPROVED AND ADOPTED** THIS THE 6<sup>TH</sup> DAY OF FEBRUARY, 2024.

---

Oscar D. Montoya, Sr., Mayor

ATTEST:

---

Joselynn Castillo, City Secretary



**CITY OF MERCEDES**  
**WORKPLAN SUMMARY SHEET**  
**FISCAL YEAR 37 (2024)**

**AVAILABLE FUNDS: \$ 265,071.00**

MATRIX	PROJECT NAME	ESTIMATED
CODE	BRIEF DISCRIPTION (INCLUDE AGENCY NAME)	AMOUNT

21A	General Administration	\$ 3,000.00
03K	Street Improvements	\$ 262,071.00
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
		\$ -
	TOTAL:	\$ 265,071.00

**\* PLEASE DELETE ;LINE ITEMS THAT ARE NOT FUNDED.**

# City of Mercedes

## WORKPLAN PROJECT SHEET

### FY 37 (2024)

**Project Name:** General Administration

**Proposed Budget** \$3,000.00

**National Objective** 570.206 LMA DR.  
**Matrix Code:** 21A

(Check One)  
☒ Benefits low/moderate income  
☐ Prevention/elimination of slum & blight  
☐ Meets an urgent need

**Project Description:** Funds shall be used for expenses related to the compliance of CDBG requirements such as advertisements, postings, coordinating project activities, and related eligible activities.

**Project Location:** Mercedes Municipal Building, 400 S. Ohio Ave. Mercedes, TX 78570

## SECTION II

### Primary Purpose: (Check One)

<input type="checkbox"/> Help the homeless	<input type="checkbox"/> Helps Persons with HIV/AIDS
<input type="checkbox"/> Help persons with disabilities	<input type="checkbox"/> Address public housing needs
<input checked="" type="checkbox"/> Not applicable	

### Priority Need Category: (Check One)

<input type="checkbox"/> Rental Housing	<input type="checkbox"/> Public facility
<input type="checkbox"/> Owner Occupied Housing	<input type="checkbox"/> Infrastructure
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Public Service
<input checked="" type="checkbox"/> Planning/Administration	<input type="checkbox"/> Other

**If Public Services:** (Number of Beneficiaries) N/A

<input type="checkbox"/> Youth	<input type="checkbox"/> People (General)
<input type="checkbox"/> Elderly	

### SECTION III

Specific Objectives: (Check all that apply)

_____	Improved access to affordable owner housing for minorities
_____	Increase number of homeless persons moving into permanent housing
_____	End chronic homelessness
<b>X</b>	Improve the services to low/mod income persons
_____	Improve quality/increase quantity of neighborhood facility for low-income person
_____	Improve quality/increase quantity of public improvements for low-income persons
_____	Remediate and re-develop brownfields
_____	Improve economic opportunities for low income persons

Proposed Outcome: Project will provide the much needed street improvements in the City of  
Garciville for safe and easier access for daily commuters, school buses,  
emergency vehicles and Police.

Will CDBG funds be leveraged?

**X** Yes \_\_\_\_\_ No

If yes... list all funding sources and amounts

1 General Fund	Amount: <u>As Needed</u>
2	Amount: _____
3	Amount: _____
4	Amount: _____

### SECTION IV

**JUST INCLUDE WITH WORKPLAN**

Infrastructure Projects

_____	City map
_____	Flood Zone map
_____	Project site photos

Public Service (Sub-recipients)

_____	Sub recipient agency letter
_____	Beneficiary count
_____	List of minor equip./supplies

### SECTION V

**CERTIFICATION OF COMPLETION**

DOES THE PROPOSED PROJECT MEET A NATIONAL OBJECTIVE?

**X** YES \_\_\_\_\_ NO

COMPLETED BY:



TITLE:

City Secretary

**\*\*\*FOR UCP STAFF USE ONLY\*\*\***

**BENEFITS LOW/MODERATE INCOME**

CENSUS YEAR: 2020

CENSUS TRACT NUMBERS	BLOCK GROUPS (CIRCLE ALL THAT APPLY)					
	1	2	3	4	5	6
	1	2	3	4	5	6
	1	2	3	4	5	6
N/A	1	2	3	4	5	6
	1	2	3	4	5	6
	1	2	3	4	5	6
	1	2	3	4	5	6

TOTAL NUMBER OF PERSONS BENEFITING \_\_\_\_\_

TOTAL NUMBER OF LOW/MOD PERSONS BENEFITING \_\_\_\_\_

TOTAL LOW/MOD PERCENTAGE \_\_\_\_\_

FORMULA: {TOTAL LOW/MOD PERONS / TOTAL NUMBER OF PERSONS= LOW/MOD %

DOES THE PROPOSED PROJECT MEET THE REQUIREMENTS FOR LMA NATIONAL OBJECTIVE?

      X       YES                      NO

**PREVENTION / ELIMINATION OF SLUM & BLIGHT**

OBVIOUS BLIGHT:

1. ACTIVITY ON AN AREA BASIS:

A. Meets State/Local Definition (attache co \_\_\_\_\_ (# of pages attached)

B. Slum/Blight Designated Ordina \_\_\_\_\_ DATE: \_\_\_\_\_

C. % of total Structures Non Relh \_\_\_\_\_

2. ACTIVITY ON A SPOT BASIS: (List location)

\_\_\_\_\_

3. Activity on an Urban Renewal Area: (List Location)

\_\_\_\_\_

DOES THE PROPOSED PROJECT MEET THE REQUIREMENTS FOR SLUM & BLIGHT NATIONAL OJECTIVE?

                     YES       X       NO



**\*\*\*FOR UCP STAFF USE ONLY\*\*\***

## MEETS AN URGENT NEED (ACT OF NATURE)

CERTIFICATION OF SERIOUS / IMMEDIATE THREAT:

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DATE OF OCCURANCE: \_\_\_\_\_

DOCUMENTATION OF DENIAL OF RESOURCES FOR OTHER APPROPRIATE SOURCES:

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DOES THE PROPOSED PROJECT MEET AN URGENT NEED NATIONAL OBJECTIVE?

\_\_\_\_\_ YES ☒ NO

\*\*\*\*\*

## ELIGIBILITY CERTIFICATION

MEETS ALL REQUIREMENTS OF A NATIONAL OBJECTIVE

Olga Rosas  
CDBG Coordinator II

Guadalupe García  
CDBG Division Manager Approval

1-22-2024  
Date

1-22-2024  
Date



# ELIGIBILITY DETERMINATION

(A separate determination must be completed for every proposed activity)

Project Name: 2024 Mercedes - General Administration

Project Number: 5024-50-2101-5000-UCP-OR

## PROJECT ACITIVITY DESCRIPTION:

A. Activity Eligible under Section 570.201 ( e )

B. Compliance with National Objectives:

      x       Benefits low/moderate income (SKIP TO SECTION C)  
             Prevention of slum & blight (SKIP TO SECTION D)  
             Meets an urgent need (SKIP TO SECTION E)

C. Low/Moderate Income Based On:

      x       1. Area Benefit  
             2. Limited Clintele  
                     Presumed  
                     Family Size  
                     Income Eligibility  
                     Removal Architeectural Barriers  
             3. Housing Activity  
             4. Job Creation/Retention

Basis of Determination of Beneficiaries and/or Service aea: 2020 CENSUS

Area Boundary Description: (Physical Address)

Mercedes Municipal Building 400 S. Ohio Ave., Mercedes, TX 78570

AREA BENEFIT CALCULATION: (formula total low/mod persons / total benefiting persons = % low/mod)

Census Tracts: N/A

Block Groups: N/A

                     Total low/mod persons  
                     Total benefiting persons  
                     % low/mod

ECONOMIC DEVELOPMENT CALCULATION

                     # of jobs to be created / retained  
                     # low/mod jobs  
                     Job title  
      N/A       \$ Cost per job  
                     Agreement mechanism to ensure l/m Jobs  
                     Tax Base Improvements  
                     Date for job creation / retained

# ELIGIBILITY DETERMINATION

Page 2

## D. Prevention / Elimination of Slum & Blight

N/A Obvious slum & blight (See attached picture)

### 1. Activity on an Area Basis:

\_\_\_\_\_ Meets State/Local definition ( # of pages attached)  
# \_\_\_\_\_ Slum & blight designated Ordinance # & Date: \_\_\_\_\_  
\_\_\_\_\_ % % of Total structures Non-rehabilitate  
\_\_\_\_\_ Include map of designated boundaries and conditions

### 2. Activity on a Spot Basis:

\_\_\_\_\_ Attached map with highlighted Spot Basis

### 3. Activity in an Urban Renewal Area:

\_\_\_\_\_ Attach map with highlighted Urban Renewal Area.

## E. Meets an Urgent Need

\_\_\_\_\_ Include copy of certification of serious/immediate threat  
N/A \_\_\_\_\_ Date of occurrence  
\_\_\_\_\_ Documentation of denial of resources from other resources

## F. Supplementary Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Eligibility Certification

1/22/24  
Date

1/22/24  
Date

Alba Rosas  
Urban County Program Coordinator II

Guadalupe Garcia  
Urban County Program Division Manager II

City of Mercedes  
WORKPLAN PROJECT SHEET  
FY 37 (2024)

Project Name: Street Improvements

Proposed Budget \$262,071.00

National Objective: LMA

Matrix Code: 03K

(Check One)

X

Benefits low/moderate income

Prevention/elimination of slum & blight

Meets an urgent need

Project Description: Project consists of street paving, full reconstruction within the City of Mercedes to include but not limited to the adjacent/abutting streets within the same general vicinity and related appurtenances. Other expenditures include professional engineering service fees, geo-technical and construction material testing fees, etc.

Project Location: Mile 9 N Road from Mile 2 West to 1400 FT East  
Washington Ave. from 6th Street to 10th Street

## SECTION II

### Primary Purpose: (Check One)

<u>                    </u>	Help the homeless	<u>                    </u>	Helps Persons with HIV/AIDS
<u>                    </u>	Help persons with disabilities	<u>                    </u>	Address public housing needs
<u>                    </u>	<u>X</u> Not applicable		

### Priority Need Category: (Check One)

<u>                    </u>	Rental Housing	<u>                    </u>	Public facility
<u>                    </u>	Owner Occupied Housing	<u>                    </u>	Infrastructure
<u>                    </u>	Economic Development	<u>                    </u>	Public Service
<u>                    </u>	Plannign/Administration	<u>                    </u>	Other

### If Public Services: (Number of Beneficiaries)

<u>                    </u>	Youth	<u>                    </u>	3500	<u>                    </u>	People (General)
<u>                    </u>	Elderly				

## SECTION III

**Specific Objectives:** (Check all that apply)

<input type="checkbox"/>	Improved access to affordable owner housing for minorities
<input type="checkbox"/>	Increase number of homeless persons moving into permanent housing
<input type="checkbox"/>	End chronic homelessness
<input checked="" type="checkbox"/>	Improve the services to low/mod income persons
<input type="checkbox"/>	Improve quality/increase quantity of neighborhood facility for low-income person
<input type="checkbox"/>	Improve quality/increase quantity of public improvements for low-income persons
<input type="checkbox"/>	Remediate and re-develop brownfields
<input type="checkbox"/>	Improve economic opportunities for low income persons

**Proposed Outcome:** Project will provide the much needed street improvements in the City of Mercedes for safe and easier access for daily commuters, school buses, emergency vehicles and Police.

**Will CDBG funds be leveraged?**

☒ Yes ☒ No

**If yes... list all funding sources and amounts**

1	Amount:	
2	Amount:	
3	Amount:	
4	Amount:	

## SECTION IV

**JUST INCLUDE WITH WORKPLAN**

Infrastructure Projects	Public Service (Sub-recipients)
<input checked="" type="checkbox"/> City map	<input type="checkbox"/> Sub recipient agency letter
<input checked="" type="checkbox"/> Flood Zone map	<input type="checkbox"/> Beneficiary count
<input checked="" type="checkbox"/> Project site photos	<input type="checkbox"/> List of minor equip./supplies

## SECTION V

**CERTIFICATION OF COMPLETION**

DOES THE PROPOSED PROJECT MEET A NATIONAL OBJECTIVE?

☒ YES ☐ NO

COMPLETED BY: Jose Lynn Castillo

TITLE: City Secretary



**\*\*\*FOR UCP STAFF USE ONLY\*\*\***  
**BENEFITS LOW/MODERATE INCOME**

CENSUS YEAR: 2020

CENSUS TRACT NUMBERS	BLOCK GROUPS (CIRCLE ALL THAT APPLY)					
<u>0231.04</u>	<u>1</u>	2	3	4	5	6
<u>0229.00</u>	1	2	<u>3</u>	4	5	6
_____	1	2	3	4	5	6
_____	1	2	3	4	5	6
_____	1	2	3	4	5	6
_____	1	2	3	4	5	6
_____	1	2	3	4	5	6
_____	1	2	3	4	5	6

TOTAL NUMBER OF PERSONS BENEFITING 1930  
TOTAL NUMBER OF LOW/MOD PERSONS BENEFITING 3270  
TOTAL LOW/MOD PERCENTAGE 169.36  
FORMULA: {TOTAL LOW/MOD PERONS / TOTAL NUMBER OF PERSONS= LOW/MOD % }

DOES THE PROPOSED PROJECT MEET THE REQUIREMENTS FOR LMA NATIONAL OBJECTIVE?

X YES        NO

**PREVENTION / ELIMINATION OF SLUM & BLIGHT**

**OBVIOUS BLIGHT:**

**1. ACTIVITY ON AN AREA BASIS:**

- A. Meets State/Local Definition (attache co \_\_\_\_\_ (# of pages attached)  
B. Slum/Blight Designated Ordina \_\_\_\_\_ DATE: \_\_\_\_\_  
C. % of total Structures Non Rehe \_\_\_\_\_

**2. ACTIVITY ON A SPOT BASIS: (List location)**

\_\_\_\_\_

**3. Activity on an Urban Renewal Area: (List Location)**

\_\_\_\_\_

DOES THE PROPOSED PROJECT MEET THE REQUIREMENTS FOR SLUM & BLIGHT NATIONAL OJECTIVE?

       YES X NO



**\*\*\*FOR UCP STAFF USE ONLY\*\*\***

## MEETS AN URGENT NEED (ACT OF NATURE)

CERTIFICATION OF SERIOUS / IMMEDIATE THREAT:

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---

DATE OF OCCURANCE: \_\_\_\_\_

DOCUMENTATION OF DENIAL OF RESOURCES FOR OTHER APPROPRIATE SOURCES:

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DOES THE PROPOSED PROJECT MEET AN URGENT NEED NATIONAL OBJECTIVE?

\_\_\_\_\_ YES \_\_\_\_\_ **x** \_\_\_\_\_ NO

\*\*\*\*\*

## ELIGIBILITY CERTIFICATION

MEETS ALL REQUIREMENTS OF A NATIONAL OBJECTIVE

Olga Rosas  
CDBG Coordinator II

Guadalupe Yanez  
CDBG Division Manager Approval

1/22/2024  
Date

1/22/2024  
Date

# ELIGIBILITY DETERMINATION

(A separate determination must be completed for every proposed activity)

Project Name: 2024 Mercedes - Street Improvements

Project Number: 5024-50-0311-5000-UCP-OR

## PROJECT ACITIVITY DESCRIPTION:

A. Activity Eligible under Section 570.201 ( e )

B. Compliance with National Objectives:

      x       Benefits low/moderate income (SKIP TO SECTION C)  
           Prevention of slum & blight (SKIP TO SECTION D)  
           Meets an urgent need (SKIP TO SECTION E)

C. Low/Moderate Income Based On:

      x       1. Area Benefit  
           2. Limited Clintele  
           Presumed  
           Family Size  
           Income Eligibility  
           Removal Architeectural Barriers  
           3. Housing Activity  
           4. Job Creation/Retention

Basis of Determination of Beneficiaries and/or Service aea: 2020 CENSUS

Area Boundary Description: (Physical Address)

Mile 9 North from Mile 2 West 1400 ft East, Mercedes, TX 78570

Washington Ave. from 6th St to 10th St, Mercedes, TX 78570

AREA BENEFIT CALCULATION: (formula total low/mod persons / total benefiting persons = % low/mod)

Census Tracts: 0231.04 and 0229.00

Block Groups: 1 and 3

3270 Total low/mod persons

1930 Total benefiting persons

60.36% % low/mod

ECONOMIC DEVELOPMENT CALCULATION

           # of jobs to be created / retained

           # low/mod jobs

           Job title

      N/A       \$ Cost per job

           Agreement mechanism to ensure l/m Jobs

           Tax Base Improvements

           Date for job creation / retained

## Page 2

N/A Obvious slum & blight (See attached picture)

- |   |   |
|---|---|
|   | Meets State/Local definition ( # of pages attached) |
| # | Slum & blight designated Ordinance # & Date: _____  |
| % | % of Total structures Non-rehabilitable             |
|   | Include map of designated boundaries and conditions |

- Attached map with highlighted Spot Basis

- Attach map with highlighted Urban Renewal Area.

	Include copy of certification of serious/immediate threat
N/A	Date of occurrence
	Documentation of denial of resources from other resources

---

---

---

1-22-24  
Date

1-22-24  
Date

  
Urban County Program Coordinator II

  
Urban County Program Division Manager II



LMISD by Block Group: Block Group 1, Census Tract 231.04, Hidalgo County, Texas

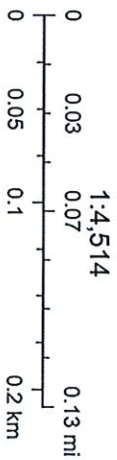
Source	2015ACS
geoname	Block Group 1, Census Tract 231.04, Hidalgo County, Texas
Stusab	TX
Countyname	Hidalgo County
State	48
County	215
Tract	023104
Blckgrp	1
Low	635
Lowmod	<u>1285</u>
Lmmi	2220
Lowmoduniv	<u>2260</u>
Lowmod_pct	<u>56.86</u>
ucLowmod	
ucLowmod_p	0.00
MOE_Lowmod	+/-19.73
MOE_ucLowm	



## 47



LMISD by Block Group





**HLG PLAN REVIEW SERVICES**  
**HOMERO L. GUTIERREZ, P.E., OWNER**  
**P.O. Box 548**  
**Mission, Texas 78505**  
**Tel: 956-369-0988**  
**TBPE Firm Licensed No. F-10426**

**ESTIMATE - QUANTITY FORM**

1/19/2024

ENTITY: MERCEDES  
 PROJECT: MILE 9 N. ROAD  
 LIMITS: MILE 2 WEST TO 1,400 FT EAST

_____	NO DESIGN COMPLETED
X	PRELIMINARY DESIGN
_____	FINAL DESIGN

**PAVING IMPROVEMENTS: Interior Street**

1.	Reclaim 2" HMAC & 8" Caliche	3,422 SY	\$	6.00	\$	20,533.33
2.	2" Hot Mix Asphaltic Concrete w/Prime Coat	3,422 SY	\$	17.00	\$	58,177.78
3.	Re-Grading Bar Ditch	2,800 LF	\$	6.00	\$	16,800.00
4.	Exist. Driveways	5 EA	\$	2,500.00	\$	12,500.00

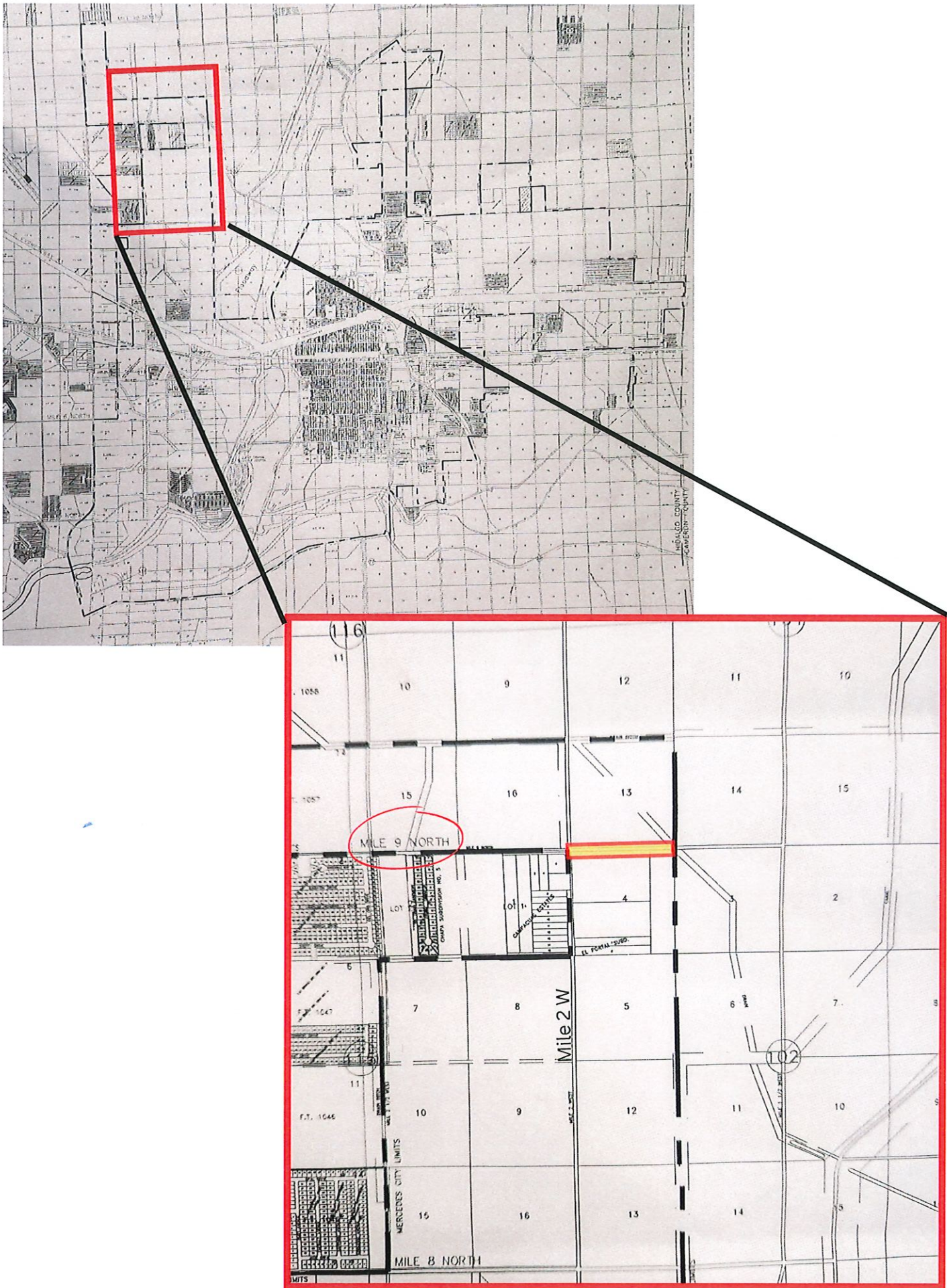
<b>Total Paving Improvements:</b>					<b>\$</b>	<b>108,011.11</b>
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5.	Engineering Fee (Development & Preparation)	10%	\$	108,011.11	\$	10,801.11
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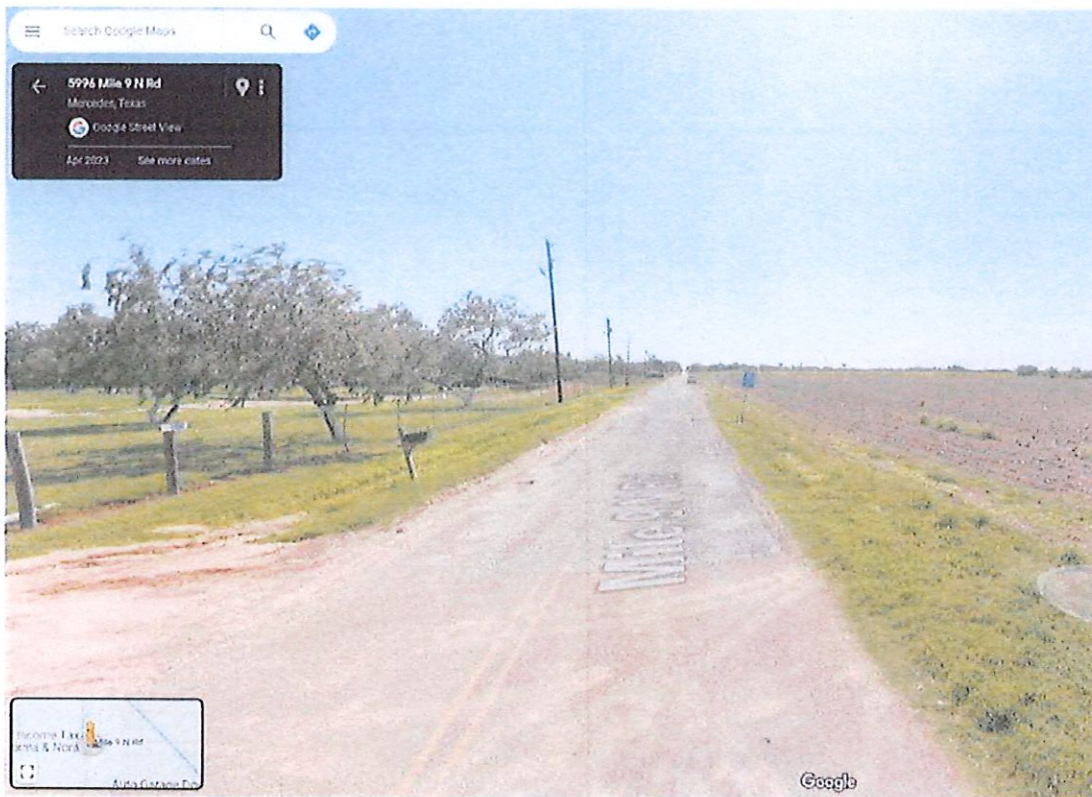
<b>GRAND TOTAL OF IMPROVEMENTS</b>					<b>\$</b>	<b>118,812.22</b>
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*Homero Luis Gutierrez*











LMISD by Block Group: Block Group 3, Census Tract 229, Hidalgo County, Texas

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Source	2015ACS
geoname	Block Group 3, Census Tract 229, Hidalgo County, Texas
Stusab	TX
Countyname	Hidalgo County
State	48
County	215
Tract	022900
Blckgrp	3
Low	285
Lowmod	<u>645</u>
Lmmi	935
Lowmoduniv	<u>1010</u>
Lowmod_pct	63.86
ucLowmod	
ucLowmod_p	0.00
MOE_Lowmod	+/-32.08
MOE_ucLowm	

*Eligible*

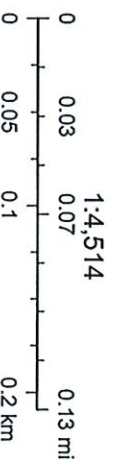


# Mercedes 2024 St Imp. S. Washington Ave (6th St to 10th St)



1/22/2024, 9:40:34 AM

☐ LMISD by Block Group



HLG PLAN REVIEW SERVICES  
HOMERO L. GUTIERREZ, P.E., OWNER  
P.O. Box 548  
Mission, Texas 78505  
Tel: 956-369-0988  
TBPE Firm Licensed No. F-10426

ESTIMATE - QUANTITY FORM

1/19/2024

ENTITY: MERCEDES  
PROJECT: WASHINGTON AVE.  
LIMITS: 6TH ST. TO 10TH ST.

<input type="checkbox"/>	NO DESIGN COMPLETED
<input checked="" type="checkbox"/>	PRELIMINARY DESIGN
<input type="checkbox"/>	FINAL DESIGN

PAVING IMPROVEMENTS: Interior Street

1.	Reclaim 2" HMAC & 8" Caliche	4,834 SY	\$	6.00	\$	29,004.00
2.	2" Hot Mix Asphaltic Concrete w/Prime Coat	4,834 SY	\$	17.00	\$	82,178.00
3.	18" Curb & Gutter	1,000 LF	\$	16.00	\$	16,000.00

Total Paving Improvements:					\$	127,182.00
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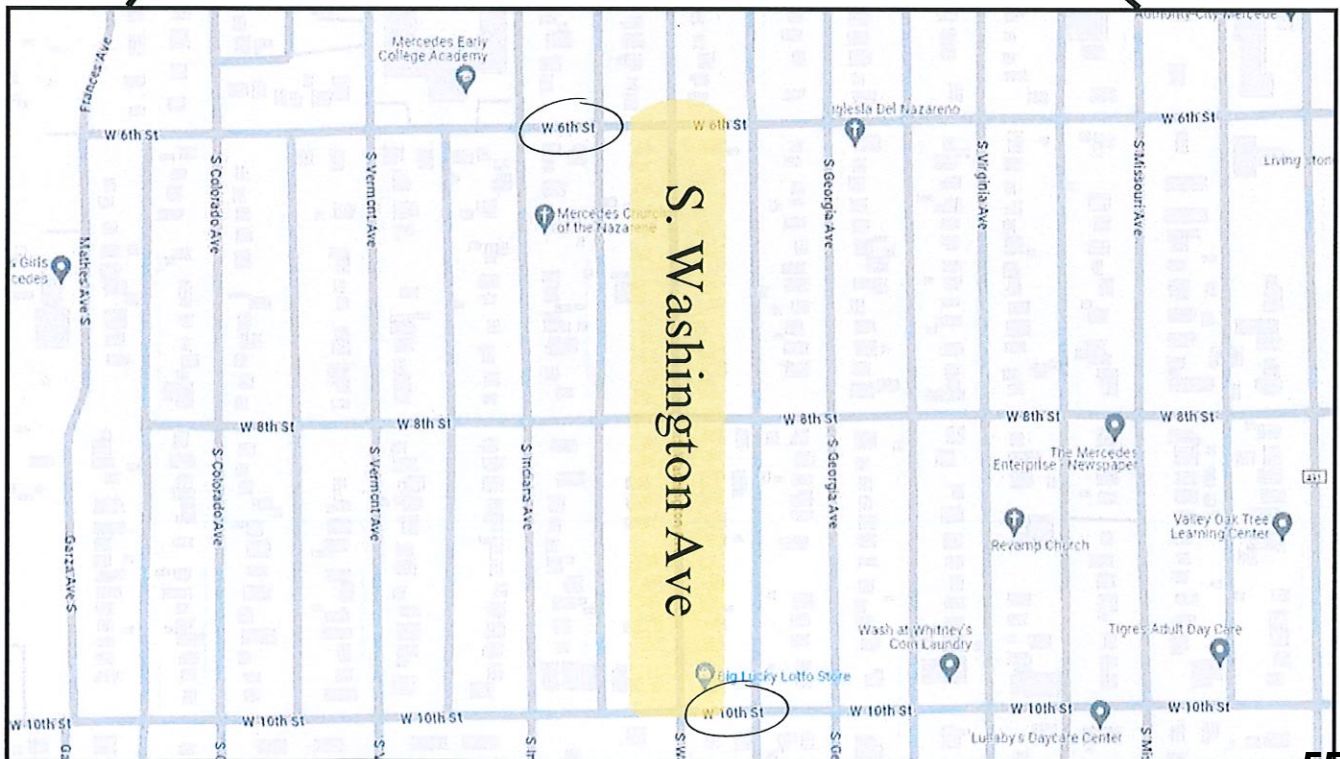
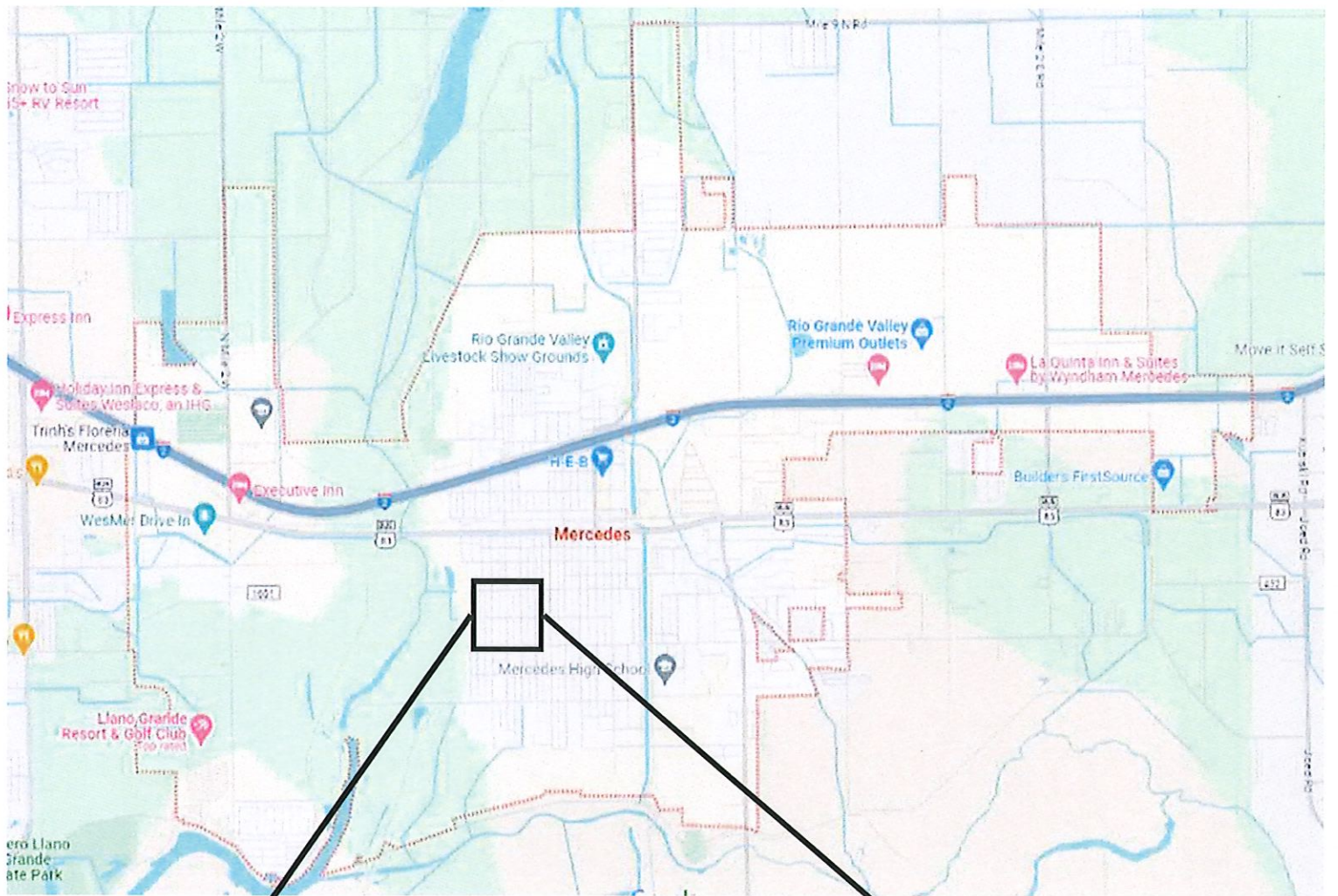
4.	Engineering Fee (Development & Preparation)	10%	\$	127,182.00	\$	12,718.20
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GRAND TOTAL OF IMPROVEMENTS					\$	139,900.20
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*Homero Luis Gutierrez*





















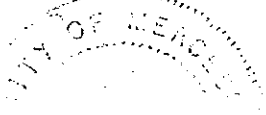


**November 27, 2023**

**To Whom It May Concern:**

**I, Joselynn Castillo, City Secretary of the City of Mercedes, do hereby certify that the attached are true and correct minutes for the City Commission meeting held October 16, 2023 which have been approved by the City Commission of the City of Mercedes on November 7, 2023 and which are filed at Mercedes City Hall.**

**IN WITNESS WHEREOF, I have hereunto subscribed my signature and seal of the City of Mercedes on this the 27th day of November, 2023.**



**SEAL**

A handwritten signature in black ink, appearing to read "Joselynn", is written over a horizontal line.

**Joselynn Castillo,  
City Secretary**

**MERCEDES CITY COMMISSION  
REGULAR MEETING  
OCTOBER 16, 2023 – 6:30 P.M.  
MERCEDES CITY HALL – COMMISSION CHAMBERS**

<b>MEMBERS PRESENT:</b>	Oscar D. Montoya Sr.	Mayor
	Dr. Ruben Saldana	Mayor Pro-Tem
	Armando Garcia	Commissioner
	Joe Martinez	Commissioner
	Dr. Jacob Howell	Commissioner

<b>STAFF PRESENT:</b>	Alberto Perez	City Manager
	Martie Garcia-Vela	City Attorney
	Javier Ramirez	Asst. City Manager
	Nereida R. Perez	Finance Director
	David Jimenez	I.T Manager
	Marisol Vidales	Library Director

**OTHERS PRESENT:** Ruth Valdez

**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**

Commissioner Howell said the invocation.

**4. PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Saldana led in the pledge of allegiance.

**5. PRESENTATIONS:**

- a. Proclamation in memory of Master Sergeant Juan Moya Sr.  
Postponed to the next meeting.

**6. OPEN FORUM:**

No one signed up.

Commissioner Garcia motioned to go into executive session. Commissioner Howell 6:32 PM

**7. EXECUTIVE SESSION:**

- 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 contract for services – Section 551.071

**8. OPEN SESSION:** Mayor Montoya called the meeting back to order at 8:01 P.M.

- a. Item A from Executive Session  
No action

**b. Item B from Executive Session**

No action

**c. Item C from Executive Session**

Commissioner Martinez motion to approve the renewal for administrator of record. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously. Commissioner Martinez motioned to renew the Education Resource officers Agreement with Mercedes ISD. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously.

Commissioner Martinez motioned to move to Item 11A. Commissioner Howell seconded. Upon a called vote, the motion passed unanimously. At this time, the Commission moved to item 11A.

**9. CONSENT AGENDA:**

- a. Approval of Minutes for Meeting(s) held September 19, 2023.  
Commissioner Martinez motioned to approve item 9A. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously.

**10. MANAGEMENT ITEMS:**

**a. Public Hearing: Fiscal Year 37 (2024) Needs Assessment for the County of Hidalgo Urban County Program**

Mayor Montoya opened the public hearing at 8:04 P.M.

Mr. Rolando with Area Agency on Aging stated they have a waitlist of 4 months to 10 months as opposed to 1 year in previous years. They offer homemaking services, health maintenance and residential repairs. At a question from Mayor Pro-Tem Saldana, Mr. Rolando stated that the residents must be 62 and above, resident of Mercedes, and low income. CDBG funding has limitations and requirement residents need to meet. This will assist residents of Mercedes inside and outside city limits.

Mayor Closed the public hearing at 8:09 P.M.

**b. Approval to renew member terms to the Mercedes Historic Preservation Commission.**

Ms. Vidales stated 3 members terms expire in October. Pedro Ayala, Architect, Tracy White, Broker, and Lorri Merchant. Commissioner Martinez motioned to renew. Commissioner Garcia seconded. At a question, Ms. Vidales stated there are a total of 7 members and 2 alternates. They are currently missing 2 members and 1 alternate. Upon a called vote, the motion assed unanimously.

**c. Approval of appointment/reappointment of member to the Keep Mercedes Beautiful Committee.**

Commissioner Martinez motioned to appoint Mr. Cruz Lopez. Mayor Pro-Tem Saldana seconded. Upon a called vote, the motion passed unanimously.

**11. BIDS/CONTRACTS:**

- a. Authorizing the City Manager and City Attorney to proceed with selecting and contracting an Agent of Record based on the Health Insurance proposals.



Commissioner Martinez motioned to approve Ortegón Agency as Agent of Record. Mayor Pro-Tem Saldana seconded. Commissioner Garcia abstained from the Vote. Upon a called vote, the motion passed. Four voted for and one Abstained.

At this time, the Commission proceeded with the order of the agenda and moved to item 9A.

**12. MONTHLY REPORTS**

Monthly reports were provided for the Commission to review. No action required.

**13. ADJOURNMENT**

Commissioner Martinez motioned to adjourn. Commissioner Garcia seconded. Upon a called vote, the motion passed unanimously. The meeting adjourned at 8:12 P.M.

**CONSENT ITEM:**

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**DATE:** February 6, 2024**FROM:** Joselynn Castillo, City Secretary**ITEM:** **Approval of Resolution 2024-04 authorizing the filing of a Grant Application with LRGVDC for a Regional Solid Waste Grant Program**

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**BACKGROUND INFORMATION:**

This grant application is for Solid Waste Management. The grant is a reimbursable type grant with a max amount of \$30,000. The due date for the application is February 15, 2024.

The city currently faces a challenge due to the overflow of materials in the current containers. The overflow has a negative impact on the community.

The City is proposing the purchase of one container and placing it at Collier Park. Purchasing another container will decrease the overflow of trash by adding an extra container to place the items. Placing the container at collier park will add another location and be more convenient for the residents in the area.

Option 1 is the purchase of one container for \$19,190.00 and purchasing some safety equipment such as gloves, vests, etc. for those picking up trash.

Option 2 is purchasing two containers for \$36,230.00, this option will cost the City to allocate \$6,230.00 for the containers due to the grant being a max of \$30,000.

**BOARD REVIEW/CITIZEN FEEDBACK:****ALTERNATIVES/OPTIONS:****FISCAL IMPACT:**

Proposed Expenditure/(Revenue):	Account Number(s):

**Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:****DRAFT MOTION:** Approval of Resolution 2024-04 and selecting an option.

**RESOLUTION NO. 2024-04**

**RESOLUTION OF LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING CITY MANAGER TO ACT ON BEHALF OF THE CITY OF MERCEDES IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF MERCEDES WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.**

**WHEREAS**, the Lower Rio Grande Valley Development Council (LRGVDC) is directed by the Texas Commission on Environmental Quality (TCEQ) to administer solid waste grant funds for implementation of the COG's adopted regional solid waste management plan; and

**WHEREAS**, the City of Mercedes in the State of Texas is qualified to apply for grant funds under the Request for Applications.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MERCEDES IN MERCEDES, TEXAS;**

1. That City Manager is authorized to request grant funding under the LRGVDC Request for Applications of the Regional Solid Waste Grants Program and act on behalf of the City of Mercedes in all matters related to the grant application and any subsequent grant contract and grant project that may result.
2. That if the project is funded, the City of Mercedes will comply with the grant requirements of the LRGVDC, Texas Commission on Environmental Quality and the State of Texas.
3. The grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant.
4. That activities will comply with and support the adopted regional and local solid waste management plans adopted for the geographical area in which the activities are performed.

**PASSED AND APPROVED** by the City Commission of the City of Mercedes, Texas, on this the 6<sup>th</sup> Day of February, 2024.

---

Oscar D. Montoya Sr., Mayor

ATTEST:

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Joselynn Castillo, City Secretary



PO BOX 427  
ALEXANDRIA, MN 56308

# PROPOSAL

Date	Estimate No.
2/2/2024	6003

Bill To  
  
City of Mercedes  
Mercedes, TX  
Juan Vega

Ship To  
  
City of Mercedes  
Mercedes, TX  
Juan Vega

Terms	PO
Net 30	

Item	Description	Qty	Rate	Total
PROG16S-2	Pro-Gravity Recycling Trailer 16 Yard Total Capacity 4 Internal Compartments Single Axle with EZ Lube Hubs 2 Point Stainless Locking Latches Greaseable Hinges on All Unload Doors EZ Flip Lockable Lid Bars Sandblasted, Urethane Primer, Urethane Paint LED Lights 8K Jack 1-1/2" x 1-1/2" Steel Tube Framing Around All Side Unload Doors	1	19,190.00	19,190.00
PROG16S-2	Same as above - Qty 2	2	18,115.00	36,230.00
PROG16S-2	Same as above - Qty 3	3	17,090.00	51,270.00
	Price delivered to Mercedes, TX Additional shipping surcharges will be determined at time of shipment.			

I have examined the above information on equipment and find this information to be correct. This form must be signed and returned to Pro-Tainer before production will begin. Quote pricing cannot be guaranteed and a fuel & steel surcharge could be added. Unless set up for NET 30 terms, orders are not accepted until the down payment is received. If order is cancelled a restocking fee will be deducted from deposit.

<b>Subtotal</b>	\$106,690.00
<b>Sales Tax (7.375%)</b>	\$0.00
<b>Total</b>	\$106,690.00

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Grant	Deadline	Cost Sharing or Matching Requirement	Funding	Contact Information
Municipal Solid Waste Grant Funding	February 16,2024 @ 12 Noon	None	Maximum: \$30,000	<a href="mailto:egrants@gov.texas.gov">egrants@gov.texas.gov</a> (512)463-1919

Description: The purpose of this program is to provide funding for eligible local and regional municipal solid waste management projects in support of the goals and objectives of the adopted Regional Solid Waste Management Plan (RSWMP) for the Lower Rio Grande Valley Development Council (LRGVDC). Funding for this program is provided through a grant from the TCEQ, under the authority of §361.014, Texas Health and Safety Code.

Eligibility Criteria:

- Cities
- Counties
- Public schools and school districts
- Regional Councils of Governments



Highlights	Expense Categories
<ul style="list-style-type: none"> <li>• Availability of funds for programs for solid waste management.</li> </ul>	<ul style="list-style-type: none"> <li>• Diversion from the waste stream and/or collection</li> <li>• Processing for transport and transportation of materials for reuse and/or recycling</li> <li>• Implementation of efficiency improvements to increase source reduction and recycling, to include full-cost accounting systems and cost-based rate structures,</li> <li>• Establishment of a solid waste services enterprise fund, and</li> <li>• Mechanisms to track and assess the level of recycling activity in the community on a regular basis. Please keep in mind that TCEQ will need to know the end use of all the items listed to be recycled (what company is taking the recycled items).</li> </ul>

**CONSENT ITEM: \_\_\_\_\_****DATE:** February 6, 2024**FROM:** Orlando Diaz, Lieutenant Mercedes Police Department**ITEM:** Approval of Resolution 2024-05 Accepting Operation Stonegarden #3172809

**BACKGROUND INFORMATION:** This is a grant funded opportunity through the Governor's Office of Homeland Security Grants Division that the City of Mercedes has historically taken advantage of.

The Grant will award \$100,000.00 to sustain interagency law enforcement operations, and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Mercedes Police Department will assist in the executions of coordinated border security operations.

Accepting the grant will award funds to the City of Mercedes which will allow the ability to conduct enhanced patrol operations in high crime areas, and border security which is a key component in our goal to disrupt illegal smuggling operations.

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

\$

**Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:**

1. Memo
2. Resolution
- 3.
- 4.

**DRAFT MOTION:**



# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

**Francisco J. Sanchez**  
Chief of Police

Date: February 6, 2024  
From: Orlando Diaz, Lieutenant Mercedes Police Department  
Item: OPSG #3172809 Memo

The Regional Joint Operations Intelligence Center (JOIC) is currently coordinating and overseeing Operation Stonegarden. The City of Mercedes Police Department has been granted \$100,000.00 to bolster patrols and facilitate targeted actions aimed at deterring and intercepting criminal activities.

Utilizing \$47,479.00 of the allocated funds, our local law enforcement will intensify patrols beyond the standard working hours of commissioned peace officers. This heightened presence will focus on enforcing traffic regulations and making arrests whenever probable cause exists, particularly in our designated target areas. The remaining \$55,521.00 will be allocated for the acquisition of (2) law enforcement utility vehicles that may assist our department in security & patrol, crowd control, search & rescue.

This strategic allocation aims to combat border-related criminal activities, specifically addressing tactics related to drug and human smuggling in the Texas border region. By maintaining an increased presence and disrupting the operations of gang and cartel organizations, our objective is to create a deterrent effect.

Our comprehensive plan involves not only enhancing patrols but also acquiring necessary resources for efficient law enforcement. By concentrating efforts on targeted areas, enforcing laws, and making arrests based on credible evidence, we intend to curb criminal activities, especially those associated with human and drug smuggling.

Additionally, we will leverage information obtained through informants to further our investigative efforts. The increased police presence and enforcement activities are designed to reassure the citizens of Mercedes and their visitors, fostering a sense of security and ease within our city.

Lt. Orlando Diaz

A handwritten signature in black ink, appearing to read "Orlando Diaz", written over a horizontal line.

**RESOLUTION NO. 2024-05**

**WHEREAS**, The City of Mercedes finds it in the best interest of the citizens of Mercedes, that the HS-Homeland Security Grant Program (HSGP) Operation Stonegarden – FY20 be operated from 03/01/2024 to 02/28/2025; and,

**WHEREAS**, The City of Mercedes agrees to provide, if applicable, matching funds for the said project as required by the Office of Governor, Homeland Security Grants Division; and,

**WHEREAS**, The City of Mercedes agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Mercedes, assures that the funds will be returned to the Office of the Governor in full; and,

**WHEREAS**, The City of Mercedes designates the Mercedes City Manager, or their designee, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mercedes approves submission of the grant application for the Operation Stonegarden – FY20 to the Office of the Governor.

Passed and approved on this the \_\_\_\_\_ Day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Oscar Montoya, Mayor

ATTEST:

\_\_\_\_\_  
Joselynn Castillo, City Secretary

Grant Number: **3172809**



**CONSENT ITEM:** \_\_\_\_\_**DATE:** February 6, 2024**FROM:** Orlando Diaz, Lieutenant Mercedes Police Department**ITEM:** Approval of Resolution 2024-06 Accepting SH-Bullet Resistant Shield Grant Program

**BACKGROUND INFORMATION:** This is a grant funded opportunity through the Governor's Office of Homeland Security Grants Division that the City of Mercedes would like to take advantage to enhance the safety and preparedness of our peace officers at the Mercedes Police Department. The Bullet-Resistant Shield Grant Program for FY2025, facilitated by the Public Safety Office (PSO), aims to equip law enforcement agencies with bullet-resistant shields.

The State of Texas has allocated \$4 million for FY2025 through a Budget Execution Order, duly approved by Governor Abbott on June 28, 2022, under the Texas Government Code Sections 317.002 and 317.005(b). This funding presents a valuable opportunity for our department to procure critical equipment to safeguard our officers in the line of duty.

The primary purpose of this grant is to solicit applications from law enforcement agencies, including the Mercedes Police Department, to obtain bullet-resistant shields. These shields, compliant with the National Institute of Justice (NIJ) Level III, III+, or IV standards, offer enhanced protection to our frontline peace officers.

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

\$

**Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:**

1. Memo
2. Resolution
- 3.
- 4.

**DRAFT MOTION:**



# MERCEDES POLICE DEPARTMENT

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

Francisco J. Sanchez  
Chief of Police

Date: February 6, 2024  
From: Orlando Diaz, Lieutenant Mercedes Police Department  
Item: SH-BRSGP #5066601 Memo

I would like to inform you about an upcoming grant opportunity that holds significant potential for enhancing the safety and preparedness of our peace officers at the Mercedes Police Department. The Bullet-Resistant Shield Grant Program for FY2025, facilitated by the Public Safety Office (PSO), aims to equip law enforcement agencies with bullet-resistant shields.

## **Background:**

The State of Texas has allocated \$4 million for FY2025 through a Budget Execution Order, duly approved by Governor Abbott on June 28, 2022, under the Texas Government Code Sections 317.002 and 317.005(b). This funding presents a valuable opportunity for our department to procure critical equipment to safeguard our officers in the line of duty.

## **Purpose and Benefits:**

The primary purpose of this grant is to solicit applications from law enforcement agencies, including the Mercedes Police Department, to obtain bullet-resistant shields. These shields, compliant with the National Institute of Justice (NIJ) Level III, III+, or IV standards, offer enhanced protection to our frontline peace officers.

## **Grant Application Details:**

Application Process: Applications must be submitted through the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov>.

Key Dates:

Funding Announcement Release: 12/11/2023

Final Date to Submit and Certify an Application: 02/08/2024 at 5:00 PM CST

Earliest Project Start Date: 09/01/2024

Funding Levels:

Minimum: None

Maximum: None

# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

Match Requirement: None

Program-Specific Requirements:

Eligible officers must be directly employed by our law enforcement agency. Adoption of an Active Shooter Policy is mandatory, outlining protocols for assessing active threats and violent encounters.

ALERT Training is required for all officers provided with grant-funded ballistic shields.

## **Eligibility Requirements:**

To be eligible for this grant, our department must comply with various requirements, including Cybersecurity Training, disposition reporting, UCR data reporting, and compliance with federal and state immigration enforcement requirements. Additionally, participating counties must report at least 90% of convictions within five business days to the Criminal Justice Information System.

## **Proposal:**

I propose that the Mercedes Police Department applies for this grant to secure funding for bullet-resistant shields. The acquisition of this equipment aligns with our commitment to officer safety and ensuring we are adequately prepared for potential threats, including active shooter situations.

## **Next Steps:**

If the City Commissioners approve, our department will proceed with the application process, adhering to all specified guidelines and requirements outlined in the grant announcement.

## **Contact Information:**

For any questions or further clarification, please contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Your support in pursuing this grant will contribute significantly to the safety and well-being of our officers. I appreciate your consideration of this proposal.

Lt. Orlando Diaz



**RESOLUTION NO. 2024-06**

**WHEREAS**, The City of Mercedes finds it in the best interest of the citizens of Mercedes, that the SH-Bullet Resistant Shield Grant Program (BRS GP) be operated from 09/01/2024 to 08/31/2025; and,

**WHEREAS**, The City of Mercedes agrees to provide, if applicable, matching funds for the said project as required by the Office of Governor, Homeland Security Grants Division; and,

**WHEREAS**, The City of Mercedes agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Mercedes, assures that the funds will be returned to the Office of the Governor in full; and,

**WHEREAS**, The City of Mercedes designates the Mercedes City Manager, or their designee, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mercedes approves submission of the grant application for the SH-Bullet Resistant Shield Grant Program (BRS GP) to the Office of the Governor.

Passed and approved on this the \_\_\_\_\_ Day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Oscar Montoya, Mayor

ATTEST:

\_\_\_\_\_  
Joselynn Castillo, City Secretary

Grant Number: **5066601**



# VANGUARD



## V

- 20" x 30" - 14.4 lbs with viewport
- 20" x 30" - 14.9 lbs with viewport & light

## VL (Large)

- 21" x 36" - 17.4 lbs with viewport
- 21" x 36" - 18.2 lbs with viewport & light

## VR (Rectangle)

- 21" x 36" - 19.4 lbs with viewport
- 21" x 36" - 21.1 lbs with viewport & light

## FEATURES

- Lightweight (20" x 30" with viewport) weighs only 14.4 lbs
- 3" x 9" Reinforced Viewport
- Weapon Mount System (WMS)
- Shooting platform for accurate handgun and long-gun deployment
- Solid handle system
- Thick high density foam pad
- Unique Hook and Loop forearm strap attachment system
- Reinforced Bolt System for added protection

## THICKNESS = 0.4"

### ////// BALLISTIC PERFORMANCE //////////

#### Special Threats Rounds Tested

- 7.62 x 39mm, 123-grain PS Ball/MS
- 7.62 x 51mm, 149-grain M80
- 5.56 x 45mm, 55-grain M193 Ball



## Quote

Customer: (5290716) CITY OF MERCEDES  
Date: 01/30/2024  
Sales Rep: CAMERON LORD

Page 1 of 1  
Quote Number: 25735082  
Quote Expiration: 02/29/2024

Sold To:  
CITY OF MERCEDES  
PO BOX 837  
MERCEDES, TX 78570-0837  
ORLANDO DIAZ

Ship To:  
CITY OF MERCEDES  
2314 N FM 491  
MERCEDES, TX 78570-2170  
ORLANDO DIAZ

Line	Item	Description	Qty	Retail	Your Price	Ext Total
1	BP3769 BLK	PBE VANGUARD L 21X36 W/VIEWPORT & LIGHT LEVEL III BALLISTIC SHIELD	20		7,614.12	152,282.40
2	BP3768 BLK	PBE VANGUARD LEVEL III 20X30 BALLISTIC SHIELD W/VIEWPORT AND LIGHT Buy Board # 670-22	5		6,373.47	31,867.35

Quote is valid for 30 days

Galls is required to collect sales tax on shipments to certain states. Sales tax will be added where applicable. For tax exempt customers, state laws require us to have signed tax exemption or resale certificates on file at our office. If you are tax exempt, please email or fax this information, (including your Galls account number) to Tax@galls.com or fax 859-268-5946.

SUBTOTAL: 184,149.75  
SHIPPING: 300.00  
TAX.....  
TOTAL.... 184,449.75

Export Restrictions - This may contain commodities restricted in the United States International Trade Regulations.

1340 Russell Cave Rd  
Lexington, KY 40505  
Tel: 800-876-4242 Fax: 877-914-2557

## Galls, LLC Invoice Credit Terms and Conditions of Sale

Payment - Invoices for items delivered pursuant to any sales order are payable only in United States currency. You, your business, and/or your agency (the "Buyer") understand that Galls, LLC (the "Seller") may impose and charge a finance charge that is the greater of 1.5% per month or the highest rate allowed by law on any amount which becomes past due and delinquent. Returned checks may be assessed a \$25.00 service fee. Additionally, Buyer shall be responsible for all collection costs, court costs, and reasonable attorney's fees in connection with the recovery of delinquent amounts.

All sales are made pursuant to these Credit Terms and Conditions of Sale, and Seller objects to any different or additional terms or conditions contained in Buyer's purchase order or any other document submitted by Seller. Payments may be applied against open balances at the sole discretion of Seller and may be applied across accounts if Buyer has more than one account with Seller. Credit memos are non-refundable and may be applied to open invoices at Seller's sole discretion.

Credit Terms - Any extension of credit is based upon all amounts payable on or before the due date on any written, quoted, or agreed terms, and shall be paid in accordance with such terms. If not paid on or before such date, accounts shall be considered delinquent and subject to the additional finance charges as set forth herein.

Buyer agrees to provide Seller, upon request, with an updated credit application as a condition to the continued extension of credit. Buyer acknowledges and agrees that Seller may utilize outside credit reporting services and financial institutions to obtain information on the Buyer as a condition precedent to or for continued extension of credit. Seller may terminate any credit availability within its sole discretion and without prior notice. Buyer's continued solvency is a precondition to any sale made by Seller.

Delays - Where a specific shipping date is not designated on the face hereof or in a subsequent writing signed by the Seller, the Seller shall not be responsible for any delays, nor shall Seller be liable for any loss or damages resulting from such delays. Seller shall not be liable for any delays in filling this order caused by accidents to machinery, differences with employees, strikes, labor shortage, fire, floods, priorities requested or required by an instrumentality of the United States Government or the government of any state, delays in transportation, restrictions imposed by any federal, state or municipal law or regulation, whether valid or invalid, or causes beyond the control of the Seller.

Warranty - Seller shall pass through to Buyer all manufacturer warranties and return policies applicable to Buyer's order. Seller shall take all reasonable actions to ensure that Buyer receives the benefit of such pass through warranties and return policies. Buyer's sole remedies for any goods sold hereunder shall be as provided in such warranties and return policies and shall be solely against the applicable manufacturer. SELLER, ON BEHALF OF ITSELF, DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS, IMPLIED, OR STATUTORY, RELATING TO SUCH GOODS.

Restocking - If a cancellation of an order or a return by Buyer is accepted or initiated by Seller and/or the manufacturer, it may be subject to a restocking charge at the discretion of Seller.

Delivery and Transportation - Products sold herein are sold FOB at the place indicated on the face of this sales order unless otherwise agreed to in writing by Seller and Buyer. The method and agency of transportation and the routing will be designated by the Seller. In the event the Buyer requests alternative shipment or routing, all extra packing, shipping and transportation charges thereby resulting will be for the Buyer's account.

Waiver - No provision herein shall be deemed a waiver by reason of any previous waiver, and no breach of any provision shall be deemed a waiver by reason of any previous breach.

Governing Law - The sole jurisdiction and venue shall be the courts of the Commonwealth of Kentucky.

Export Restrictions - This transaction may contain commodities restricted in the United States International Trade Regulations. If at a later date the Buyer decides these commodities will be exported from the United States please reference the United States Department of Commerce Bureau of Industry and Security Export Administration Regulations (15 CFR 730-774), the United States Department of State International Traffic in Arms Regulations (22 CFR 120-130) as well as any other applicable laws. These laws apply to private, commercial, and government agency export transactions. As an exporter, the Buyer will be responsible for compliance with all U.S. laws relating to the export of these items.

\*Designates this item is on the Galls GSA Contract (47QSWA21D008H) all other items are OPEN MARKET.



Name:

Available

12/11/2023

# Bullet-Resistant Shield Grant Program, FY2025

Due Date

02/08/2024

## Purpose:

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The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with bullet-resistant shields.

## Available Funding:

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State funds for these projects are authorized by a Budget Execution Order proposed by the Legislative Budget Board and ratified by Governor Abbott on June 28, 2022, pursuant to Texas Government Code, Section 317.002 and Section 317.005(b). All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make \$4M for FY2025.

## Eligible Organizations:

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Applications may be submitted by independent school districts, institutions of higher education, units of local government, the Texas Department of Public Safety, and other educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).



## Application Process:

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Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

## Key Dates:

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Action	Date
Funding Announcement Release	12/11/2023
Online System Opening Date	12/11/2023
Final Date to Submit and Certify an Application	02/08/2024 at 5:00PM CST
Earliest Project Start Date	09/01/2024

## Project Period:

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Projects must begin on or after 09/01/2024 and may not exceed a 12-month project period.

## Funding Levels

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Minimum: None

Maximum: None

Match Requirement: None

## Standards

---

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

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Funds may only be used for obtaining bullet-resistant shields compliant with the National Institute of Justice (NIJ) Level III, III+, or IV.

Applicants are encouraged to consider the reasonable cost of their request. PSO will evaluate applications based on the number of frontline peace officers and the average cost per shield.

## Program-Specific Requirements

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**Eligible officers.** Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant.

**Active Shooter Policy.** All eligible organizations that apply for grant funds will ensure its law enforcement agency adopts a Critical Incidents In-Progress (Active Shooter) policy implementing, at a minimum, protocols for assessing an active threat or violent encounter and immediately responding in order to stop the killing, stop the dying, and provide rapid casualty evacuation. The policy should include procedures that address:

- Concepts and Principles
- Community/First Responder Agency Notifications
- Mutual Aid Implementation
- Solo Officer Deployment
- Officer Team Deployment
- Follow-On Responders (Rescue Task Force)
- Incident Command - Unified Command Considerations
- Incident Debriefing
- Training

**ALERT Training.** All officers provided with a grant-funded ballistic shield must have either attended 16 hours of ALERT (Advanced Law Enforcement Rapid Response Training) training within the last 24 months or commit to attend within the next 24 months. ALERT's upcoming course schedule can be found here:

<https://alert.org/Upcoming>.

**Note:** Funding is available through the Public Safety Office to offset travel expenditures associated with attending ALERRT Training. Please refer to the [ALERRT Travel Assistance](#) ~~Funding Units of government must comply with the Cybersecurity Training requirements~~ described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.



4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2025 or the end of the grant period, whichever is later.

5. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's [Sexual Assault Evidence Tracking Program](#) website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency. **83**



not registered in the SAM database and request an UEI number, go to <https://sam.gov/>.

## Prohibitions

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Failure to comply with program eligibility requirements may cause funds to be withheld. Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Any costs ancillary to the purchase of eligible ballistic shields, such as policy development, training costs, and staff; and
2. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

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**Application Screening:** The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Peer/Merit Review:** The Office of the Governor will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, the Office of the Governor will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

**Final Decisions:** The Office of the Governor will consider these factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, or state government priorities and strategies, legislative directives, need, geographic distribution, or other relevant factors.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

## Contact Information

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For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds  
**\$4 Million**

**CONSENT ITEM: \_\_\_\_\_****DATE:** February 6, 2024**FROM:** Orlando Diaz, Lieutenant Mercedes Police Department**ITEM:** Approval of Resolution 2024-07 Accepting BG-Rifle Resistant Body Armor Grant Program

**BACKGROUND INFORMATION:** This is a grant funded opportunity through the Governor's Office of Homeland Security Grants Division that the City of Mercedes would like to take advantage to enhance the safety and protection of our peace officers at the Mercedes Police Department. The FY2025 Rifle-Resistant Body Armor Grant Program, administered by the Public Safety Office (PSO), aims to equip law enforcement agencies with rifle-resistant body armor.

The Texas General Appropriations Act, Article I, Rider 26 for Trusteed Programs within the Office of the Governor, authorizes state funds for the FY2025 Rifle-Resistant Body Armor Grant Program. This initiative addresses the critical need for enhanced protection for our peace officers in the line of duty.

The primary purpose of this grant is to invite applications from law enforcement agencies, including the Mercedes Police Department, to procure rifle-resistant body armor. With an anticipated fund availability of \$1 million, this grant provides a unique opportunity for us to bolster the safety measures for our frontline officers.

**BOARD REVIEW/CITIZEN FEEDBACK:****ALTERNATIVES/OPTIONS:****FISCAL IMPACT:**

Proposed Expenditure/(Revenue):	Account Number(s):
\$ _____	_____

**Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:**

1. Memo
2. Resolution
- 3.
- 4.

**DRAFT MOTION:**



# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

Francisco J. Sanchez  
Chief of Police

Date: February 6, 2024  
From: Orlando Diaz, Lieutenant Mercedes Police Department  
Item: BG-RRBAGP #5066801 Memo

I would like to bring to your attention a crucial grant opportunity that can significantly enhance the safety and protection of our peace officers at the Mercedes Police Department. The FY2025 Rifle-Resistant Body Armor Grant Program, administered by the Public Safety Office (PSO), aims to equip law enforcement agencies with rifle-resistant body armor.

## **Background:**

The Texas General Appropriations Act, Article I, Rider 26 for Trusteed Programs within the Office of the Governor, authorizes state funds for the FY2025 Rifle-Resistant Body Armor Grant Program. This initiative addresses the critical need for enhanced protection for our peace officers in the line of duty.

## **Purpose and Benefits:**

The primary purpose of this grant is to invite applications from law enforcement agencies, including the Mercedes Police Department, to procure rifle-resistant body armor. With an anticipated fund availability of \$1 million, this grant provides a unique opportunity for us to bolster the safety measures for our frontline officers.

## **Grant Application Details:**

Application Process: Applications are to be submitted through the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov>.

### **Key Dates:**

Funding Announcement Release: 12/11/2023

Final Date to Submit and Certify an Application: 02/08/2024 at 5:00 PM CST

Earliest Project Start Date: 09/01/2024

### **Funding Levels:**

Minimum: None

Maximum: None

Match Requirement: None

Program-Specific Requirements:



# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

**Eligible officers to equip:** Grant funds may only be utilized to equip peace officers directly employed by our law enforcement agency.

**Required Agency Policies:** A policy addressing the deployment and allocation of vests or plates to officers and their usage is mandatory for grant application.

**Personally Fitted Vest Requirement:** All vests purchased with grant funds must be personally fitted for individual officers.

**Eligibility Requirements:**

To be eligible for this grant, our department must comply with various requirements, including Cybersecurity Training, disposition reporting, UCR data reporting, and compliance with federal and state immigration enforcement requirements.

**Proposal:**

I propose that the Mercedes Police Department applies for this grant to secure funding for rifle-resistant body armor. The acquisition of this equipment aligns with our commitment to officer safety and ensures our readiness for situations involving firearms.

**Next Steps:**

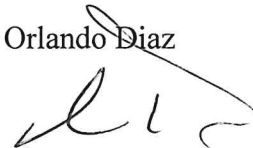
If the City Commissioners approve, our department will proceed with the application process, adhering to all specified guidelines and requirements outlined in the grant announcement.

**Contact Information:**

For any questions or further clarification, please contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Your support in pursuing this grant will contribute significantly to the safety and well-being of our officers. I appreciate your consideration of this proposal.

Lt. Orlando Diaz





**RESOLUTION NO. 2024-07**

**WHEREAS**, The City of Mercedes finds it in the best interest of the citizens of Mercedes, that the BG-Rifle Resistant Body Armor Grant Program (RRBAGP) be operated from 09/01/2024 to 08/31/2025; and,

**WHEREAS**, The City of Mercedes agrees to provide, if applicable, matching funds for the said project as required by the Office of Governor, Homeland Security Grants Division; and,

**WHEREAS**, The City of Mercedes agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Mercedes, assures that the funds will be returned to the Office of the Governor in full; and,

**WHEREAS**, The City of Mercedes designates the Mercedes City Manager, or their designee, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mercedes approves submission of the grant application for the BG-Rifle Resistant Body Armor Grant Program (RRBAGP) to the Office of the Governor.

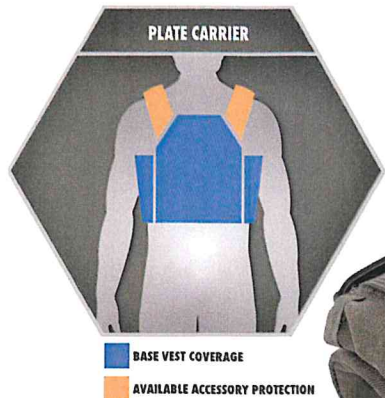
Passed and approved on this the \_\_\_\_ Day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Oscar Montoya, Mayor

ATTEST:

\_\_\_\_\_  
Joselynn Castillo, City Secretary

Grant Number: **5066801**



# SOHPC



Shown with  
optional KWIQ-Clip



Back

## FEATURES

- Adjustable two point shoulder strapping system with rear side release buckles
- External cummerbund system accommodates soft ballistic inserts (Optional)
- Foam padded trap protector available with soft ballistic inserts (Optional)
- Removable internal buckle waist strap
- Ballistic backer inserts for hard armor plate pockets (Optional)
- MOLLE compatible webbing throughout the vest
- Bottom loading front and back hard armor plate pockets accommodates 10" x 12" or ESAPI plates
- 3 mag insert included in the front flap
- ID panels in the front and back

pointblankenterprises.com



# 20260X

## THREAT LEVEL: LEVEL III - STANDARD NIJ 0101.06 - STAND-ALONE

We offer several types of Hard Armor Plates capable of defeating high-powered Level III & IV rifle rounds either in combination with soft body armor systems or as a stand-alone. These plates are available in a choice of two shapes (full-size or shooter's cut), designed to meet your individual needs for comfort and function. Additional options include the choice of ultra-light polyethylene or ceramic plates which will affect weight and thinness.



Protection Type / Level: III  
Configuration: Stand-Alone  
Thickness: 1.25"  
Curvature: Multi-Curve  
Construction: Ceramic / Composite

### ////// BALLISTIC PERFORMANCE //////////

#### Rounds defeated:

- 7.62mm x 51mm (M80)
- 7.62mm x 39mm PS Ball (MSC)
- 5.56mm x 45mm M855 (SS109)
- 5.56 x 45mm (M193)

SIZE	SHAPE	WEIGHT
6" x 6"	Full-Size (single curve)	1.5 lbs
6" x 8"	Full-Size (single curve)	2.0 lbs
8" x 10"	Shooter's Cut	3.0 lbs
8" x 10"	Full-Size	3.4 lbs
10" x 12"	Shooter's Cut	4.6 lbs
10" x 12"	Full-Size	5.0 lbs
7.25" x 11.5"	Shooter's Cut	3.1 lbs
8.75" x 11.75"	Shooter's Cut	4.0 lbs
9.5" x 12.5"	Shooter's Cut	4.6 lbs
10.25" x 13.25"	Shooter's Cut	5.3 lbs
11" x 14"	Shooter's Cut	6.0 lbs

\*All weights are approximate



## Quote

Customer: (5290716) CITY OF MERCEDES  
Date: 02/02/2024  
Sales Rep: CAMERON LORD

Page 1 of 1  
Quote Number: 25760406  
Quote Expiration: 03/03/2024

Sold To:  
CITY OF MERCEDES  
PO BOX 837  
MERCEDES, TX 78570-0837  
ORLANDO DIAZ

Ship To:  
CITY OF MERCEDES  
2314 N FM 491  
MERCEDES, TX 78570-2170  
ORLANDO DIAZ

Line	Item	Description	Qty	Retail	Your Price	Ext Total
3	BP3324 BLK CSTM 00	SOHPC-IV CARRIER W/ KWIQ&#8208;CLIP	36		289.00	10,404.00
3.1	BP0001	BODY ARMOR CARRIERS	36			
4	BP3348 10X12	PBE 20260X STAND ALONE LVL III+ FULL SIZE, MULTI-CURVE PLATE Buy Board # 670-22	72		599.00	43,128.00

Quote is valid for 30 days

Galls is required to collect sales tax on shipments to certain states. Sales tax will be added where applicable. For tax exempt customers, state laws require us to have signed tax exemption or resale certificates on file at our office. If you are tax exempt, please email or fax this information, (including your Galls account number) to Tax@galls.com or fax 859-268-5946.

SUBTOTAL: 53,532.00  
SHIPPING: 300.00  
TAX.....  
TOTAL.... 53,832.00

Export Restrictions - This may contain commodities restricted in the United States International Trade Regulations.

1340 Russell Cave Rd  
Lexington, KY 40505  
Tel: 800-876-4242 Fax:877-914-2557



## Galls, LLC Invoice Credit Terms and Conditions of Sale

Payment - Invoices for items delivered pursuant to any sales order are payable only in United States currency. You, your business, and/or your agency (the "Buyer") understand that Galls, LLC (the "Seller") may impose and charge a finance charge that is the greater of 1.5% per month or the highest rate allowed by law on any amount which becomes past due and delinquent. Returned checks may be assessed a \$25.00 service fee. Additionally, Buyer shall be responsible for all collection costs, court costs, and reasonable attorney's fees in connection with the recovery of delinquent amounts.

All sales are made pursuant to these Credit Terms and Conditions of Sale, and Seller objects to any different or additional terms or conditions contained in Buyer's purchase order or any other document submitted by Seller. Payments may be applied against open balances at the sole discretion of Seller and may be applied across accounts if Buyer has more than one account with Seller. Credit memos are non-refundable and may be applied to open invoices at Seller's sole discretion.

Credit Terms - Any extension of credit is based upon all amounts payable on or before the due date on any written, quoted, or agreed terms, and shall be paid in accordance with such terms. If not paid on or before such date, accounts shall be considered delinquent and subject to the additional finance charges as set forth herein.

Buyer agrees to provide Seller, upon request, with an updated credit application as a condition to the continued extension of credit. Buyer acknowledges and agrees that Seller may utilize outside credit reporting services and financial institutions to obtain information on the Buyer as a condition precedent to or for continued extension of credit. Seller may terminate any credit availability within its sole discretion and without prior notice. Buyer's continued solvency is a precondition to any sale made by Seller.

Delays - Where a specific shipping date is not designated on the face hereof or in a subsequent writing signed by the Seller, the Seller shall not be responsible for any delays, nor shall Seller be liable for any loss or damages resulting from such delays. Seller shall not be liable for any delays in filling this order caused by accidents to machinery, differences with employees, strikes, labor shortage, fire, floods, priorities requested or required by an instrumentality of the United States Government or the government of any state, delays in transportation, restrictions imposed by any federal, state or municipal law or regulation, whether valid or invalid, or causes beyond the control of the Seller.

Warranty - Seller shall pass through to Buyer all manufacturer warranties and return policies applicable to Buyer's order. Seller shall take all reasonable actions to ensure that Buyer receives the benefit of such pass through warranties and return policies. Buyer's sole remedies for any goods sold hereunder shall be as provided in such warranties and return policies and shall be solely against the applicable manufacturer. SELLER, ON BEHALF OF ITSELF, DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS, IMPLIED, OR STATUTORY, RELATING TO SUCH GOODS.

Restocking - If a cancellation of an order or a return by Buyer is accepted or initiated by Seller and/or the manufacturer, it may be subject to a restocking charge at the discretion of Seller.

Delivery and Transportation - Products sold herein are sold FOB at the place indicated on the face of this sales order unless otherwise agreed to in writing by Seller and Buyer. The method and agency of transportation and the routing will be designated by the Seller. In the event the Buyer requests alternative shipment or routing, all extra packing, shipping and transportation charges thereby resulting will be for the Buyer's account.

Waiver - No provision herein shall be deemed a waiver by reason of any previous waiver, and no breach of any provision shall be deemed a waiver by reason of any previous breach.

Governing Law - The sole jurisdiction and venue shall be the courts of the Commonwealth of Kentucky.

Export Restrictions - This transaction may contain commodities restricted in the United States International Trade Regulations. If at a later date the Buyer decides these commodities will be exported from the United States please reference the United States Department of Commerce Bureau of Industry and Security Export Administration Regulations (15 CFR 730-774), the United States Department of State International Traffic in Arms Regulations (22 CFR 120-130) as well as any other applicable laws. These laws apply to private, commercial, and government agency export transactions. As an exporter, the Buyer will be responsible for compliance with all U.S. laws relating to the export of these items.

\*Designates this item is on the Galls GSA Contract (47QSWA21D008H) all other items are OPEN MARKET.

Name:

Available

12/11/2023

# Rifle-Resistant Body Armor Grant Program, FY2025

Due Date

02/08/2024

## Purpose:

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The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with rifle-resistant body armor.

## Available Funding:

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State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 26 for Trusteed Programs within the Office of the Governor.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make available \$1M for FY2025.

## Eligible Organizations:

---

Applications may be submitted by the Texas Department of Public Safety, units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure; including municipalities, counties, independent school districts, universities, federally recognized Native American tribes, community colleges, and hospital districts.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

## Application Process:

---

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

## Key Dates:

---

Action	Date
Funding Announcement Release	12/11/2023
Online System Opening Date	12/11/2023
Final Date to Submit and Certify an Application	02/08/2024 at 5:00PM CST
Earliest Project Start Date	09/01/2024

## Project Period:

---

Projects must begin on or after 09/01/2024 and may not exceed a 12 month project period.

## Funding Levels

---

Minimum: None

Maximum: None

Match Requirement: None

## Standards

---

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.



## Eligible Activities and Costs

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Funds may be used for obtaining body armor compliant with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) type III (rifles) or type IV (armor piercing rifle) body armor; including bullet-resistant vests, ballistic plates, and plate carriers.

Due to the limited availability of funds, applicants are encouraged to consider the reasonable cost of their request. PSO will evaluate applications based on number of frontline peace officers and the average cost per vest.

## Program-Specific Requirements

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**Eligible officers to equip.** Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant. Funds may not be used to equip officers employed by other agencies that are not eligible to apply. PSO may prioritize the equipping of certain types of officers or applicants if the total requested funds exceed the funds appropriated by the Legislature.

**Required Agency Policies.** As required by Chapter 772.0075, Texas Government Code, an eligible organization may apply for grant funds only after its law enforcement agency adopts a policy addressing the:

- 1) Deployment and allocation of vests or plates to its officers; and
- 2) Usage of vests or plates by its officers.

PSO requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. PSO also requires that the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive Research Forum. See [\*"A Practitioner's Guide To the 2011 National Body Armor Survey of Law Enforcement Officers"\*](#) for more information.

**Personally Fitted Vest Requirement.** All body armor vests purchased with grant funds must be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. "Personally fitted" does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

- 1) Correctly-sized panels and carrier, determined through appropriate measurement; and
- 2) Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([\*Active Standard ASTM E3003\*](#)). The [\*Personal Armor Fit Assessment checklist\*](#), is excerpted from ASTM E3003. **95**



## Eligibility Requirements

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1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. This disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice

(written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2025 or the end of the grant period, whichever is later.

5. Each non-profit 501(c)(3) organization must certify that it does not have, and will continue not to have any policy, procedure, or agreement (written or unwritten) that in any way encourages, induces, entices, or aids any violations of immigration laws. Additionally, the organization certifies that it does not have in effect, purport to have in effect, and is not subject to or bound by any rule, policy, or practice (written or unwritten) that would: (1) encourage the concealment, harboring, or shielding from detection of fugitives from justice or aliens who illegally came to, entered, or remained in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, the organization certifies that it will not adopt, enforce, or endorse a policy which prohibits or materially limits the enforcement of immigration laws, and will not, as demonstrated by pattern or practice, prohibit or materially limit the enforcement of immigration laws.

Each non-profit organization must download, complete and then upload into eGrants the [CEO/NGO Certifications and Assurances Form\[A3\]](#) certifying compliance with federal and state immigration enforcement requirements.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>). Failure to comply with program or eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.



## Prohibitions

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Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Any costs ancillary to the purchase of eligible body armor, such as policy development, training costs, and staff; and
2. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

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**Application Screening:** The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Peer/Merit Review:** The Office of the Governor will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, the Office of the Governor will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

**Final Decisions:** The Office of the Governor will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

## Contact Information

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For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds

**\$1 Million**

**CONSENT ITEM: \_\_\_\_\_****DATE:** February 6, 2024**FROM:** Orlando Diaz, Lieutenant Mercedes Police Department**ITEM:** Approval of Resolution 2024-08 Accepting BD-Operation Lone Star Grant Program

**BACKGROUND INFORMATION:** This is a grant funded opportunity through the Governor's Office of Homeland Security Grants Division that the City of Mercedes would like to take advantage to support local projects that enhance interagency border security operations in alignment with Operation Lone Star's objectives to enhance our capabilities in border security operations, contributing to the safety and well-being of our community.

The Operation Lone Star Grant is initiated by the Public Safety Office (PSO) to facilitate coordinated efforts in deterring and interdicting criminal activities related to border security. The program encompasses various sectors, including law enforcement, jail operations, human remains processing, court administration, and fire/EMS operations.

The primary objectives of the program include: Improve the effectiveness of Operation Lone Star, reduce border-related criminal activity, and implement operational methods for outbound/southbound operations, increase detention capacity and support functions to manage increased criminal activity due to illegal migration surges, assist county medical examiner offices in processing the remains of undocumented migrants humanely, boost capacity and expediency in case preparation, adjudication, and criminal trials of Operation Lone Star defendants, and increase capacity for emergency response efforts provided by locally operated Fire/EMS agencies.

**BOARD REVIEW/CITIZEN FEEDBACK:****ALTERNATIVES/OPTIONS:****FISCAL IMPACT:**

Proposed Expenditure/(Revenue):	Account Number(s):
\$	

**Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:**

1. Memo
2. Resolution
- 3.
- 4.

**DRAFT MOTION:**





# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

Francisco J. Sanchez  
Chief of Police

Date: February 6, 2024

From: Orlando Diaz, Lieutenant Mercedes Police Department

Item: BD- Operation Lone Star Grant Program (OLS) #5067101 Memo

I would like to bring to your attention a valuable funding opportunity for the Mercedes Police Department through the Operation Lone Star Grant Program (OLS) for the fiscal year 2025. The grant, which is currently open for applications until March 14, 2024, aims to support local projects that enhance interagency border security operations in alignment with Operation Lone Star's objectives.

## **Background:**

The Operation Lone Star Grant is initiated by the Public Safety Office (PSO) to facilitate coordinated efforts in deterring and interdicting criminal activities related to border security. The program encompasses various sectors, including law enforcement, jail operations, human remains processing, court administration, and fire/EMS operations.

## **Grant Purpose and Benefits:**

The primary objectives of the program include:

- **Enhancing Law Enforcement Operations:** Improve the effectiveness of Operation Lone Star, reduce border-related criminal activity, and implement operational methods for outbound/southbound operations.
- **Jail Operations:** Increase detention capacity and support functions to manage increased criminal activity due to illegal migration surges.
- **Human Remains Processing:** Assist county medical examiner offices in processing the remains of undocumented migrants humanely.
- **Court Administration:** Boost capacity and expediency in case preparation, adjudication, and criminal trials of Operation Lone Star defendants.
- **Fire/EMS Operations:** Increase capacity for emergency response efforts provided by locally operated Fire/EMS agencies.

# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

## **Available Funding:**

The grant provides state funds authorized under the Texas General Appropriations Act, Article I, for Trusteed Programs within the Office of the Governor. The funding range is from a minimum of \$20,000 to a maximum of \$5,000,000, with no matching requirement.

## **Eligibility:**

Eligible organizations include units of local government and federally recognized Native American tribes. Preference is given to applicants within or providing support services to counties meeting specific criteria related to proximity to international borders.

## **Eligibility Requirements:**

Compliance with Cybersecurity Training requirements.  
Reporting 90% or above on adult and juvenile dispositions.  
Compliance with U.S. Department of Homeland Security procedures.  
Registration in the federal System for Award Management (SAM) database.

## **Prohibitions:**

Grant funds may not be used for lobbying, inherently religious activities, weapons, or other unallowable costs.

## **Program-Specific Requirements:**

Maintain a local disaster declaration related to border security.  
Active participation in prosecuting misdemeanor offenses.  
Compliance with DPS Joint Operations and Intelligence Centers activities.  
Weekly participation in JOIC Unified Command conference calls.  
Reporting significant border-related events.  
Submission of Border Incident Assessment Reports (BIAR).

## **Application Process:**

Applicants must register and apply for funding through the Office of the Governor's eGrants grant management website (<https://eGrants.gov.texas.gov>).

## **Key Dates:**

Funding Announcement Release: 01/15/2024  
Final Date to Submit Application: 03/14/2024 at 5:00 PM CST  
Earliest Project Start Date: 09/01/2024

# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

**Funding Levels:**

Minimum: \$20,000

Maximum: \$5,000,000

Match Requirement: None

**Purpose:**

I am seeking your permission to proceed with the application for this grant on behalf of the Mercedes Police Department. This grant presents an excellent opportunity to enhance our capabilities in border security operations, contributing to the safety and well-being of our community.

**Next Steps:**

If you approve, we will initiate the application process promptly, ensuring all required documentation is submitted before the deadline. Your support in securing this grant will enable us to strengthen our efforts in border security and public safety.

Should you have any questions or require additional information, please do not hesitate to contact me. I appreciate your consideration of this matter and look forward to your support.

Lt. Orlando Diaz  




**RESOLUTION NO. 2024-08**

**WHEREAS,** The City of Mercedes finds it in the best interest of the citizens of Mercedes, that the FY25 BD-Operation Lone Star Grant Program (OLS) be operated from 09/01/2024 to 08/31/2025; and,

**WHEREAS,** The City of Mercedes agrees to provide, if applicable, matching funds for the said project as required by the Office of Governor, Homeland Security Grants Division; and,

**WHEREAS,** The City of Mercedes agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Mercedes, assures that the funds will be returned to the Office of the Governor in full; and,

**WHEREAS,** The City of Mercedes designates the Mercedes City Manager, or their designee, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mercedes approves submission of the grant application for the FY25 BD-Operation Lone Star Grant Program (OLS) to the Office of the Governor.

Passed and approved on this the \_\_\_\_\_ Day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Oscar Montoya, Mayor

ATTEST:

\_\_\_\_\_  
Joselynn Castillo, City Secretary

Grant Number: **5067101**

Name:

# Operation Lone Star Grant Program (OLS), FY2025

Available  
01/15/2024  
Due Date  
03/14/2024

## **Purpose:**

The Public Safety Office (PSO) is soliciting grant applications for local projects that support Operation Lone Star.

The purpose of the program is to enhance interagency border security operations supporting Operation Lone Star including the facilitation of directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations to:

### **Law Enforcement**

- Increase the effectiveness and impact of Operation Lone Star.
- Reduce border-related criminal activity in Texas.
- Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
- Decrease the supply of drugs smuggled into and through Texas from Mexico.
- Disrupt and deter operations of gang and cartel criminal organizations.
- Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
- Decrease use of specific areas for crime as targeted in directed action missions.
- Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
- Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
- Increase coordination between local and state law enforcement agencies in planning, execution, and analysis of border security operations.

### **Jail Operations**

- Increase capacity for detention operations and other supporting functions associated with increased criminal activity due to surges in illegal migration.

### **Human Remains Processing**

- Support county medical examiner offices in the humane processing of the remains of undocumented migrants.

### **Court Administration**

- Increase capacity and expediency in case preparation, magistration, pre/post-adjudication proceedings, and criminal trials of OLS defendants.

### **Fire/EMS Operations**

- Increase capacity for fire/EMS operations in direct support of OLS.

### **Available Funding:**

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, for Trusted Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

### **Eligible Organizations:**

1. Units of local government; and
2. Federally Recognized Native American tribes.
3. Eligible applicants must be a county, or a municipality located in a county that has issued a disaster declaration relating to border security.
4. Preference will be given to eligible applicants within or providing support services to a County that is:
  - adjacent to or a portion of which are located within 20 miles of an international border;
  - adjacent to two counties located on an international border with a population of more than 5,000 and less than 7,500 according to the most recent federal decennial census; or
  - adjacent to the Gulf Intracoastal Waterway, as defined by Section 51.002, Transportation Code;
5. Jurisdictions not physically located within a county described in item 4. above (border county), but applying to provide support services to a jurisdiction that is physically located within a border county must submit a letter of support, memorandum of understanding or other similar documentation from the border county(ies) requesting their supportive services.

### **Application Process:**

Applicants must access the Office of the Governor's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

### **Key Dates:**

Action

Date

Funding Announcement Release

01/15/2024

Online System Opening Date

01/15/2024

Final Date to Submit and Certify an Application

03/14/2024 at 5:00PM CST

Earliest Project Start Date

09/01/2024

### **Project Period:**

Projects must begin on or after 09/01/2024 and may not exceed 08/31/2025.

### **Funding Levels**

Minimum: \$20,000

Maximum: \$5,000,000

Match Requirement: None



### **Standards**

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

### **Eligible Activities and Costs**

Funding may be used to provide additional personnel, equipment, supplies, contractual support, travel, and training in support of **Operation Lone Star** activities, including for any one or more of the following activities.

**Operation Lone Star - Law Enforcement.** Activities related to law enforcement operations in support of OLS:

#### **LAW ENFORCEMENT PERSONNEL - OVERTIME**

- Overtime for increased patrol, search and rescue, recovery operations, and/or investigative capacity for certified peace officers.
- Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in Operation Lone Star, such as Communications Officer/Dispatcher overtime necessary to maintain a safe Officer to Dispatcher ratio.
- Overtime for non-exempt administrative personnel supporting Operation Lone Star.
- Overtime backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide law enforcement personnel.

#### **LAW ENFORCEMENT PERSONNEL – REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**

- Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during Operation Lone Star.
- Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.
- Regular time for administrative personnel supporting OLS law enforcement activities.
- Hiring or contracting temporary staff to support OLS law enforcement activities.
- Personnel backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide law enforcement personnel.

#### **LAW ENFORCEMENT - EQUIPMENT & TECHNOLOGY**

- Costs for equipment, technology, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during Operation Lone Star.

#### **LAW ENFORCEMENT - SUPPLIES and DIRECT OPERATING EXPENSE**

- General office supplies and program supplies related to OLS law enforcement activities. Operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by the PSO that are critical to success of the program. Examples include:
  - The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, and similar equipment used during the hours in which grant-funded staff are working.
  - Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.
  - Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.

#### **LAW ENFORCEMENT – TRAVEL & TRAINING**

- Travel, per diem, and lodging costs associated with personnel, augmentees, or contractors engaged in OLS activities.

**Operation Lone Star - Human Remains Processing.** Activities related to the humane processing of the remains of undocumented migrants:

#### **MEDICAL EXAMINER PERSONNEL – OVERTIME**

- Overtime for OLS death investigations conducted by a medical examiner, deputy examiner, trained technician, or a forensic pathologist as authorized under Article 49.25 of the Code of Criminal Procedure.
- Overtime for non-exempt administrative personnel supporting a County Medical Examiner's Office.

#### **MEDICAL EXAMINER PERSONNEL – REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**

- Regular time for county medical examiner personnel conducting OLS death investigations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- Part-time to Full-Time: Personnel costs for part-time county medical examiner personnel to bring them to temporary full-time status.
- Regular time for administrative personnel supporting a County Medical Examiner's Office.
- Hiring or contracting temporary staff to assist or conduct OLS death investigations.

#### **MEDICAL EXAMINER - EQUIPMENT & TECHNOLOGY**

- Costs for equipment, technology, or the rental of equipment related to the processing of OLS death investigations, temporary morgues, and/or additional body storage capacity.

#### **MEDICAL EXAMINER - SUPPLIES and DIRECT OPERATING EXPENSE**

- Costs for supplies and direct operating expenses related to conducting OLS death investigations.

## **MEDICAL EXAMINER – CONTRACTUAL**

- Costs associated with the outsourcing of OLS death investigations, temporary body storage, and other contractual costs incurred by a county medical examiner's office related to the humane processing of the remains of undocumented migrants.

**Operation Lone Star – Jail Operations.** Activities related to the intake, processing, and holding of OLS inmates in local detention facilities.

## **JAIL OPERATIONS PERSONNEL – OVERTIME**

- Overtime for jailers and support staff related to the intake, processing, and holding of OLS inmates.
- Overtime for non-exempt administrative personnel supporting a local detention facility.
- Overtime backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide jailers.

## **JAIL OPERATIONS PERSONNEL - REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**

- Augmentees: Personnel costs for jailers who are not regular employees of a funded agency, but are brought on as needed to specifically assist in the intake, processing, and holding of OLS inmates.
- Regular time for jailers. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- Part-time to Full-Time: Personnel costs for part-time jailers to bring them to temporary full-time status.
- Regular time for administrative personnel supporting OLS corrections activities.
- Hiring or contracting temporary jail staff to support OLS corrections activities.
- Personnel backfill costs for non-border county agencies directly supporting OLS. Agencies must upload a letter of support from the border county for which the non-border county intends to provide jailers.

## **JAIL OPERATIONS - EQUIPMENT & TECHNOLOGY**

- Costs for equipment, technology, or the rental of equipment related to the intake, processing, and holding of OLS inmates.

## **JAIL OPERATIONS - SUPPLIES and DIRECT OPERATING EXPENSE**

- Costs for office supplies, program supplies, and other direct operating expenses related to the intake, processing, and holding of OLS inmates. Examples include: Inmate transportation to court proceedings or state custody.

## **JAIL OPERATIONS – CONTRACTUAL**



- Costs associated with outsourcing OLS inmates to other county jail facilities and/or other contractual costs incurred by a county jail facility related to the intake, processing, and holding of OLS inmates.

#### **JAIL OPERATIONS – TRAVEL & TRAINING**

- Travel, per diem, and lodging costs associated with jail personnel, augmentees, or contractors engaged in OLS corrections activities.

**Operation Lone Star – Court Administration.** Activities related to the case preparation, magistration, pre/post-adjudication proceedings, and criminal trials of OLS defendants.

#### **COURT ADMINISTRATION PERSONNEL – OVERTIME**

- Overtime for courtroom staff, court coordinators, and clerks supporting court operations, including but not limited to, case preparation, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.

#### **COURT ADMINISTRATION PERSONNEL - REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**

- Regular time for courtroom staff, court coordinators, and clerks. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- Part-time to Full-Time: Personnel costs for part-time courtroom staff, court coordinators, and clerks to bring them to temporary full-time status.
- Hiring or contracting temporary courtroom staff, court coordinators, and clerks to support OLS courts activities.

#### **COURT ADMINISTRATION - EQUIPMENT & TECHNOLOGY**

- Costs for equipment and technology to support court operations, including but not limited to, case preparation, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.

#### **COURT ADMINISTRATION - SUPPLIES and DIRECT OPERATING EXPENSE**

- Costs for office supplies, program supplies, and other direct operating expenses to support court operations, including but not limited to, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.

#### **COURT ADMINISTRATION – CONTRACTUAL**

- Costs associated with contractual costs incurred to support court operations, including but not limited to, magistration, pre/post-adjudication proceedings, and criminal trials for OLS defendants.

**Operation Lone Star – Fire/EMS Operations.** Activities related to emergency response efforts provided by locally operated Fire/EMS agencies.

#### **FIRE/EMS OPERATIONS (RESCUE) – OVERTIME**

- Overtime for increased rescue call volume, search and rescue, and/or recovery operations.
- Overtime for rescue support personnel. These costs may include overtime for personnel necessary to support rescue personnel that are operating on incident scenes and participating in Operation Lone Star, such as telecommunications professional overtime necessary to maintain a safe responder to dispatcher ratio.
- Overtime for non-exempt administrative personnel supporting Operation Lone Star.

#### **FIRE/EMS OPERATIONS (RESCUE) – REGULAR or STRAIGHT-TIME & TEMPORARY POSITIONS**

- Part-time to Full-time: Personnel costs for part-time rescue personnel in order to bring them to temporary full-time status.
- Hiring or contracting temporary staff to support OLS rescue activities.

#### **FIRE/EMS OPERATIONS - EQUIPMENT & TECHNOLOGY**

- Costs for equipment, technology, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during Operation Lone Star.

#### **FIRE/EMS OPERATIONS (RESCUE) – SUPPLIES and DIRECT OPERATING EXPENSE**

- General office supplies and program supplies related to OLS rescue activities. Operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by the PSO that are critical to success of the program. Examples include:
  - Costs associated with fuel, lubricants, and minor emergency repairs or maintenance for vehicles, and similar equipment used during the hours in which grant-funded staff are working.
  - Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.
  - Maintenance costs must be prorated to show the usage of vehicles or equipment for regular rescue duties as compared to usage while first responders are working grant-funded rescue operations.

#### **FIRE/EMS OPERATIONS – TRAVEL & TRAINING**

- Travel, per diem, and lodging costs associated with personnel, augmentees, or contractors engaged in OLS activities.

#### **Program-Specific Requirements**

1. Eligible applicants, as applicable, assure to continue and/or renew a local disaster declaration relating to border security for the entirety of the project period. The expiration or dissolution of a local disaster declaration may result in the early termination of the grant agreement.

2. Eligible applicants in a border county, as described in the Eligible Organizations section, must upload a letter from the county attorney expressing their office's active participation in prosecuting misdemeanor offenses, as appropriate, in support of Operation Lone Star.

3. Eligible applicants performing law enforcement functions must agree to perform the following activities:

- Participate in operational planning and coordination meetings, information/intelligence sharing meetings, and After Action Reviews (AARs) established by the Texas Department of Public Safety's (DPS) Joint Operations and Intelligence Centers (JOICs).
- Participate weekly on the JOIC Unified Command conference calls or meetings as required by the JOIC.
- Report significant border-related events that occur during each 24-hour period.
- Conduct enhanced law enforcement patrolling activities if funded for those activities through this grant.
- Submit information on incidents using the Border Incident Assessment Report (BIAR).
  - The grantee shall report all border-related incidents to the appropriate JOIC using the BIAR. BIAR reporting shall include events that occur during Enhanced Operation activities AND events that occur during Steady State activities. Enhanced (Surge) Operations originate out of the use of Lone Star funds when the local agency chooses to increase the hours of patrol or investigations. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall Lone Star mission, such as organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, human trafficking, human smuggling, home invasions with a border or organized crime nexus, illegal immigration, border-related murders, gang-related murders, vehicle thefts, or drug trafficking.
  - The BIAR is the primary incident and information-reporting tool for the grantee in local border security operations. The grantee shall ensure all BIARs conform to the respective standards outlined by the JOIC and are submitted within 24 hours of the end of shift and/or the timeframes established by the JOIC.

4. Coordinate planning and execution of border security and supporting operations with the DPS South Texas or West Texas, if requested by those regions.

5. Applicants performing overtime activities must provide a copy of the local overtime policy as approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period. The policy must:

- Clearly describe how overtime will be calculated;
- Be consistent with the agency's local overtime policy;
- Treat overtime for grant-paid personnel the same as non-grant paid personnel.

6. Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:

- OT is time actually worked that exceeds the required number of hours during an employee's designated work period, as per grantee's policies and procedures.



- OT must be worked to support border security operations.
- The project OT rate shall be no more than one-and-one-half (1.5) times the employee's regular pay rate.
- Exempt salaried employees working border security operations may be reimbursed for overtime only if the grantee's overtime policy specifically allows for this.
- PSO will only reimburse the grantee for OT that does not exceed a total of 16 hours worked (regular plus OT) during any 24-hour period.

### **Eligibility Requirements**

1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information [Resources Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's [Sexual Assault Evidence Tracking Program](#) website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant.

5. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply

with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security (“DHS”) to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency’s custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2025 or the end of the grant period, whichever is later.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>)

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

#### **Prohibitions**

Grant funds may **not** be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. Lobbying;
3. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. Vehicles or equipment for government agencies that are for general agency use;
5. Weapons, ammunition, tasers, or explosives;
6. Admission fees or tickets to any amusement park, recreational activity or sporting event;
7. Promotional gifts;
8. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel;
9. Membership dues for individuals;
10. Any expense or service that is readily available at no cost to the grant project;
11. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
12. Fundraising;
13. Salary Stipends;
14. Aircraft (including sUAS, drones, unmanned aerial aircraft);
15. Fire Engines;
16. Ambulances (types 1, 2, & 3);
17. Any other prohibition imposed by federal, state, or local law.

#### **Selection Process**

**Application Screening:** PSO will screen all applications to ensure that they meet the requirements included in the funding announcement.



**Peer/Merit Review:** Applications will be reviewed by PSO staff in consultation with subject matter experts appointed by the PSO Executive Director. Funding decisions will be based on eligibility and operational content, which includes, but is not limited to, the following:

1. Compliance - Past compliance with grant requirements, reporting, and information sharing.
2. Performance – Impact and effectiveness of the Applicant’s participation in previous border security operations or activities, and effectiveness in using grant funds awarded for border security.
3. Risk – The Applicant’s need as indicated by data available on border-related criminal activity, population, and other factors.
4. Other Funding – The Applicant’s history of applying for, receiving, and/or effectively utilizing other sources of funding available to support border security activities (e.g. Operation Stonegarden).

**Final Decisions:** The Office of the Governor will consider rankings along with other factors and make all final funding decisions. Other factors may include reasonableness, cost effectiveness, overall funds availability, geographic distribution, or other relevant factors.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

**Contact Information**

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds

\$TBD



**CONSENT ITEM: \_\_\_\_\_****DATE:** February 6, 2024**FROM:** Orlando Diaz, Lieutenant Mercedes Police Department**ITEM:** Approval of Resolution 2024-09 Accepting BC-Body Worn Camera (BWC) Program

**BACKGROUND INFORMATION:** This is a grant funded opportunity through the Governor's Office of Homeland Security Grants Division that the City of Mercedes would like to take advantage to apply for the FY2025 Body-Worn Camera Grant Program. This grant opportunity, made available by the Public Safety Office (PSO), is designed to equip peace officers with body-worn cameras, enhancing transparency, accountability, and public safety.

The Texas General Appropriations Act, Article I, Rider 35 for Trusteed Programs within the Office of the Governor, authorizes state funds for the FY2025 Body-Worn Camera Grant Program. With an expected allocation of \$10 million, this grant serves as a vital resource for law enforcement agencies seeking to implement or improve their body-worn camera programs.

The primary purpose of this grant is to invite applications from law enforcement agencies, including the Mercedes Police Department, to procure body-worn cameras. The integration of body-worn cameras offers several benefits, including improved evidence documentation, increased officer accountability, and enhanced community relations.

**BOARD REVIEW/CITIZEN FEEDBACK:****ALTERNATIVES/OPTIONS:****FISCAL IMPACT:****Proposed Expenditure/(Revenue):**

\$

**Account Number(s):****Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:**

1. Memo
2. Resolution
- 3.
- 4.

**DRAFT MOTION:**



# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

**Francisco J. Sanchez**  
Chief of Police

Date: February 6, 2024  
From: Orlando Diaz, Lieutenant Mercedes Police Department  
Item: BC- Body-Worn Camera Grant Program #5067001 Memo

I would like to seek your approval and support for the Mercedes Police Department to apply for the FY2025 Body-Worn Camera Grant Program. This grant opportunity, made available by the Public Safety Office (PSO), is designed to equip peace officers with body-worn cameras, enhancing transparency, accountability, and public safety.

## **Background:**

The Texas General Appropriations Act, Article I, Rider 35 for Trusteed Programs within the Office of the Governor, authorizes state funds for the FY2025 Body-Worn Camera Grant Program. With an expected allocation of \$10 million, this grant serves as a vital resource for law enforcement agencies seeking to implement or improve our body-worn camera program.

## **Purpose and Benefits:**

The primary purpose of this grant is to invite applications from law enforcement agencies, including the Mercedes Police Department, to procure body-worn cameras. The integration of body-worn cameras offers several benefits, including improved evidence documentation, increased officer accountability, and enhanced community relations.

## **Grant Application Details:**

Application Process: Applications must be submitted through the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov>.

### **Key Dates:**

Funding Announcement Release: 12/11/2023

Final Date to Submit and Certify an Application: 02/08/2024 at 5:00 PM CST

Earliest Project Start Date: 09/01/2024

Funding Levels:

Minimum: None

Maximum: None

# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

Match Requirement: 25%

Program-Specific Requirements:

**Eligible officers:** Grant funds may only be used to equip peace officers engaged in traffic or highway patrol or those who are primary responders directly responding to calls for assistance from the public.

**Policy:** A comprehensive policy for the use of body-worn cameras, including activation guidelines, data retention provisions, storage, public access, officer access, supervisory review, and handling of equipment malfunctions, is mandatory for grant application.

**Training:** Law enforcement agencies must provide training to officers and personnel who will come into contact with video and audio data obtained from body-worn cameras.

**Reporting:** Annual reporting of the costs of implementing a body-worn camera program is required.

**Eligibility Requirements:**

To be eligible for this grant, our department must comply with various requirements, including Cybersecurity Training, disposition reporting, UCR data reporting, and compliance with federal and state immigration enforcement requirements.

**Proposal:**

I propose that the Mercedes Police Department applies for this grant to secure funding for body-worn cameras. The adoption of this technology aligns with our commitment to transparency, officer professionalism, and community trust.

**Next Steps:**

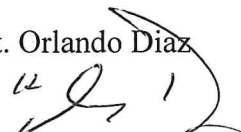
Upon your approval, our department will initiate the application process, adhering to all specified guidelines and requirements outlined in the grant announcement.

**Contact Information:**

For any questions or further clarification, please contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Your support in pursuing this grant will contribute significantly to the advancement of our law enforcement capabilities and community relationships. I appreciate your consideration of this proposal.

Lt. Orlando Diaz





**RESOLUTION NO. 2024-09**

**WHEREAS,** The City of Mercedes finds it in the best interest of the citizens of Mercedes, that the BC-Body-Worn Camera (BWC) Program be operated from 09/01/2024 to 08/31/2025; and,

**WHEREAS,** The City of Mercedes agrees to provide, if applicable, matching funds for the said project as required by the Office of Governor, Homeland Security Grants Division; and,

**WHEREAS,** The City of Mercedes agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Mercedes, assures that the funds will be returned to the Office of the Governor in full; and,

**WHEREAS,** The City of Mercedes designates the Mercedes City Manager, or their designee, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mercedes approves submission of the grant application for the BC-Body-Worn Camera (BWC) Program to the Office of the Governor.

Passed and approved on this the \_\_\_\_ Day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Oscar Montoya, Mayor

ATTEST:

\_\_\_\_\_  
Joselynn Castillo, City Secretary

Grant Number: **5067001**

Name:

# Body-Worn Camera Grant Program, FY2025

Available

12/11/2023

Due Date

02/08/2024

## Purpose:

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The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with body-worn cameras.

## Available Funding:

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State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 35 for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make available \$10M for FY2025.

## Eligible Organizations:

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Applications may be submitted by the Texas Department of Public Safety, municipalities, and counties that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

## Application Process:

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Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

## Key Dates:

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Action	Date
Funding Announcement Release	12/11/2023
Online System Opening Date	12/11/2023
Final Date to Submit and Certify an Application	02/08/2024 at 5:00PM CST
Earliest Project Start Date	09/01/2024

## Project Period:

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Projects must begin on or after 09/01/2024 and may not exceed a 12 month project period.

## Funding Levels

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Minimum: None

Maximum: None

Match Requirement: 25%

## Standards

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Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.



## Eligible Activities and Costs

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Funds may be used for obtaining body-worn cameras, digital video storage, and retrieval systems or cloud-based services. Subscriptions and/or leasing services that fall within the 12-month performance period are eligible.

## Program-Specific Requirements

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**Eligible officers.** Pursuant to Sec. 1701.652, Occupations Code, grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) who:

1. Engage in traffic or highway patrol or otherwise regularly detain or stop motor vehicles; or
2. Primary responders who respond directly to calls for assistance from the public.

**Policy.** Pursuant to Sec. 1701.655, Occupations Code, a law enforcement agency that receives a grant to provide body worn cameras to its peace officers or that otherwise operates a body worn camera program shall adopt a policy for the use of body worn cameras. The policy must ensure that a body worn camera is activated only for a law enforcement purpose and must include:

1. Guidelines for when a peace officer should activate a camera or discontinue a recording currently in progress, considering the need for privacy in certain situations and at certain locations.
2. Provisions relating to data retention, including a provision requiring the retention of video for a minimum period of 90 days.
3. Provisions relating to storage of video and audio, creation of backup copies of the video and audio, and maintenance of data security.
4. Guidelines for public access, through open records requests, to recordings that are public information.
5. Provisions entitling an officer to access any recording of an incident involving the officer before the officer is required to make a statement about the incident.
6. Procedures for supervisory or internal review.
7. The handling and documenting of equipment and malfunctions of equipment.
8. Consistent with the Federal Rules of Evidence and Texas Rules of Evidence.

The policy may not require a peace officer to keep a body worn camera activated for the entire period of the officer's shift.

**Training.** Pursuant to Sec. 1701.656, Occupations Code, a law enforcement agency must provide training to:

1. Peace officers who will wear the body worn cameras.
2. Any other personnel who will come into contact with video and audio data obtained from the use of body worn cameras.

## Eligibility Requirements

~~Reporting.~~ Pursuant to Sec. 1701.653, Occupations Code, a law enforcement agency shall annually report to the Texas Commission on Law Enforcement (TCOLE) regarding the costs of implementing a body worn camera program, including all known equipment costs and costs for data storage. Local entities of government must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources [Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's Sexual Assault Evidence Tracking Program website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public



accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant.

5. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2025 or the end of the grant period, whichever is later.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>). Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.



## Prohibitions

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Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. Any costs ancillary to the purchase of body-worn cameras, video storage, and retrieval systems or cloud-based services such as policy development, training costs, and staff;
2. Any in-car cameras and/or service agreements for in-car camera software; and
3. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

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**Application Screening:** The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Peer/Merit Review:** The Office of the Governor will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, the Office of the Governor will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

**Final Decisions:** The Office of the Governor will make all final funding decisions based on eligibility, reasonableness, availability of funding, geographic distribution, cost effectiveness, or other relevant factors.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

## Contact Information

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For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds  
**\$10 Million**

**CONSENT ITEM: \_\_\_\_\_****DATE:** February 6, 2024**FROM:** Orlando Diaz, Lieutenant Mercedes Police Department**ITEM:** Approval of Resolution 2024-10 Accepting HS-State Homeland Security Program – Law Enforcement Terrorism Prevention Activities (LETPA) FY24

**BACKGROUND INFORMATION:** This is a grant funded opportunity through the Governor’s Office of Homeland Security Grants Division that the City of Mercedes would like to take advantage to apply for the State Homeland Security Program – Law Enforcement Terrorism Prevention Activities (SHSP-L) grant for the Federal Fiscal Year 2024. The grant, with available funding between \$1.5 - \$2 million, presents a valuable opportunity for our department to enhance our capabilities in preventing terrorism and targeted violence and preparing for potential threats that pose a significant risk to the security of Texas citizens.

The SHSP-L grant, in accordance with the Congressional mandate (911 Act), allocates at least 35% of the combined Homeland Security Grant Program funding for Law Enforcement Terrorism Prevention Activities (LETPA). The program aims to support state, tribal, and local preparedness activities to build law enforcement capabilities and strengthen public safety measures against terrorist attacks.

The grant focuses on projects that improve the ability of jurisdictions to prevent threatened or actual acts of terrorism and protect citizens, residents, visitors, and assets against significant threats and hazards. Prevention, in this context, refers to capabilities necessary to avoid, prevent, or stop a threatened or actual act of terrorism.

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

\$

**Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:**

1. Memo
2. Resolution
- 3.
- 4.

**DRAFT MOTION:**



# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

Francisco J. Sanchez  
Chief of Police

Date: February 6, 2024

From: Orlando Diaz, Lieutenant Mercedes Police Department

Item: HS- State Homeland Security Grant Program (LETPA) #5068101 Memo

I would seek your approval for the Mercedes Police Department to apply for the State Homeland Security Program – Law Enforcement Terrorism Prevention Activities (SHSP-L) grant for the Federal Fiscal Year 2024. The grant, with available funding between \$1.5 - \$2 million, presents a valuable opportunity for our department to enhance our capabilities in preventing terrorism and targeted violence and preparing for potential threats that pose a significant risk to the security of Texas citizens.

## **Background:**

The SHSP-L grant, in accordance with the Congressional mandate (911 Act), allocates at least 35% of the combined Homeland Security Grant Program funding for Law Enforcement Terrorism Prevention Activities (LETPA). The program aims to support state, tribal, and local preparedness activities to build law enforcement capabilities and strengthen public safety measures against terrorist attacks.

## **Purpose:**

The grant focuses on projects that improve the ability of jurisdictions to prevent threatened or actual acts of terrorism and protect citizens, residents, visitors, and assets against significant threats and hazards. Prevention, in this context, refers to capabilities necessary to avoid, prevent, or stop a threatened or actual act of terrorism.

## **Key Information:**

- Available Funding: Between \$1.5 - \$2 million
- Eligible Organizations: State agencies, regional councils of governments, units of local government, nonprofit organizations, universities, or colleges, and federally recognized Native American tribes.
- Application Process: Applications must be submitted through PSO's eGrants grant management website.

**Grant Focus Areas:** The grant supports projects in the following key areas:

- Emergency Operations Centers and Technology: Establishing and maintaining a unified operational structure, implementing WebEOC, enhancing emergency operations centers, and conducting incident management training.



# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.

Mercedes, Texas 78570

(956) 565-3102 Fax (956) 565-2583

- Information and Intelligence Sharing/Cooperation: Projects focused on intelligence and information sharing, joint training and planning, and implementing suspicious activity reporting initiatives.
- Planning: Development of state and regional risk assessments, core capability planning, training, and exercises for terrorism prevention, protection, and response.
- Protection of Soft Targets/Crowded Places: Implementation of security measures to mitigate risks at places where people gather, assessment of critical infrastructure vulnerabilities, and planning, training, and exercises for critical infrastructure protection.
- Support of First Responder Capabilities: Enhancing capacity to detect and resolve threats involving CBRNE devices, sustaining tactical teams, equipment needs, and coordinating regional training exercises.

## **Program-Specific Requirements:**

To be eligible for the grant, our department must ensure compliance with the National Incident Management System (NIMS), maintain adoption and implementation of NIMS, and participate in the 2024 Nationwide Cybersecurity Review (NCSR).

## **Eligibility Requirements:**

There are specific eligibility criteria, including compliance with cybersecurity training requirements, reporting dispositions, UCR data, and participation in the statewide electronic tracking system for sexual assault evidence.

## **Prohibitions:**

Grant funds are prohibited from supporting certain costs, including inherently religious activities, lobbying, salaries of elected officials, general agency-use vehicles or equipment, weapons, ammunition, tasers, and more.

## **Selection Process:**

The application screening process involves peer/merit review, where the COG's homeland security advisory committee prioritizes applications. Final funding decisions consider eligibility, FEMA National Priorities, COG priorities, availability of funding, and cost-effectiveness.

## **Application Process:**

Interested parties are encouraged to engage in the application process through the PSO's eGrants grant management website (<https://eGrants.gov.texas.gov>). Local and regional projects should coordinate with their respective councils of governments (COG), while state agencies can directly submit applications to PSO.

## **Key Dates:**

Funding Announcement Release: 12/11/2023

Online System Opening Date: 12/11/2023

Final Date to Submit and Certify an Application: 02/08/2024 at 5:00 PM CST

Earliest Project Start Date: 09/01/2024

# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

## **Funding Levels:**

Minimum: \$10,000

Maximum: None, with regional allocations determined through a risk-based formula.

## **Proposal:**

The Mercedes Police Department proposes to allocate funds for projects aimed at enhancing our law enforcement terrorism prevention activities, aligning with the core capabilities essential to achieving a secure and resilient state. Detailed project plans will be submitted, highlighting the direct impact on our community's safety.

## **Next Steps:**

We seek the City Commissioners' permission to proceed with the application for the SHSP-L grant. This strategic initiative aligns with our commitment to ensuring the safety of our citizens and strengthening our law enforcement capabilities.

I believe that pursuing this grant will significantly enhance our department's capabilities in counter-terrorism efforts and contribute to the overall security of our community. I kindly request your approval to proceed with the application process.

Thank you for your time and consideration. If you have any questions or require additional information, please do not hesitate to contact me.

Lt. Orlando Diaz

A handwritten signature in black ink, appearing to read "Lt. Diaz", with a large, stylized flourish extending from the end of the signature.

**RESOLUTION NO. 2024-10**

**WHEREAS,** The City of Mercedes finds it in the best interest of the citizens of Mercedes, that the FY24 HS-State of Homeland Security Grant Program (SHSP) – Law Enforcement Terrorism Prevention Activities (LETPA) be operated from 09/01/2024 to 08/31/2025; and,

**WHEREAS,** The City of Mercedes agrees to provide, if applicable, matching funds for the said project as required by the Office of Governor, Homeland Security Grants Division; and,

**WHEREAS,** The City of Mercedes agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Mercedes, assures that the funds will be returned to the Office of the Governor in full; and,

**WHEREAS,** The City of Mercedes designates the Mercedes City Manager, or their designee, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mercedes approves submission of the grant application for the FY24 HS-State of Homeland Security Grant Program (SHSP) – Law Enforcement Terrorism Prevention Activities (LETPA) to the Office of the Governor.

Passed and approved on this the \_\_\_\_ Day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Oscar Montoya, Mayor

ATTEST:

\_\_\_\_\_  
Joselynn Castillo, City Secretary

Grant Number: **5068101**



Name:

## State Homeland Security Program – LETPA Projects (SHSP-L) – Federal Fiscal Year 2024

Available

12/11/2023

Due Date

02/08/2024

### Purpose:

The purpose of this announcement is to solicit applications for projects that support state and local efforts to prevent terrorism and targeted violence and prepare for the threats and hazards that pose the greatest risk to the security of Texas citizens. PSO provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving a secure and resilient state.

Per Congressional mandate (911 Act), at least twenty-five percent (25%) of the combined Homeland Security Grant Program funding must be used for Law Enforcement Terrorism Prevention Activities (LETPA). **FEMA has increased this requirement to 35%.** This solicitation supports state, tribal and local preparedness activities that continue to build law enforcement capabilities to prevent terrorist attacks and provide law enforcement and public safety communities with funds to support critical prevention and protection activities. All LETPA investments must be consistent with capability targets set during the Threat and Hazard Identification and Risk Assessment (THIRA) process, and gaps identified in the State Preparedness Report (SPR).

The State Homeland Security Program-LETPA (SHSP-L) is intended to support investments that improve the ability of jurisdictions to:

- **Prevent** a threatened or actual act of terrorism; and/or
- **Protect** its citizens, residents, visitors, and assets against the greatest threats and hazards;

Prevention is defined as the capabilities necessary to avoid, prevent, or stop a threatened or actual act of terrorism.

Many activities which support the achievement of target capabilities related to terrorism preparedness may simultaneously support enhanced preparedness for other hazards unrelated to acts of terrorism.

However, **all SHSP-LETPA projects must assist grantees in achieving target capabilities related to preventing or thwarting an initial or follow-on terrorist attack.**

### Available Funding:

Federal funds are authorized under Section 2002 of the Homeland Security Act of 2002, as amended (Pub. L. No. 107-296), (6 U.S.C. 603). State Homeland Security Program (SHSP) funds are made available through a Congressional appropriation to the United States Department of Homeland Security (DHS). All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

### Eligible Organizations:

1. State agencies;
2. Regional councils of governments;
3. Units of local government;
4. Nonprofit organizations;
5. Universities or Colleges; and
6. Federally recognized Native American tribes.

### Application Process:

Applicants must access PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

1. For eligible local and regional projects:

- Applicants must contact their applicable regional council of governments (COG) regarding their application.
- Each of Texas' 24 COGs holds its own application planning workshops, workgroups, and/or subcommittees and facilitates application prioritization for certain programs within its region. Failure to comply with regional requirements imposed by the COG may render an application ineligible.

2. State agencies, and other organizations proposing projects to increase preparedness statewide, may submit applications directly to PSO.

#### **Key Dates:**

##### **Action**

##### **Date**

Funding Announcement Release

12/11/2023

Online System Opening Date

12/11/2023

Final Date to Submit and Certify an Application

02/08/2024 at 5:00PM CST

Earliest Project Start Date

09/01/2024

#### **Project Period:**

Projects selected for funding must begin between September 1, 2024 and March 1, 2025, and expire on or before August 31, 2026. Additional guidelines are below:

1. Project periods should be structured so that projects that include grant-funded salaries and/or annual recurring costs do not overlap with the project periods of previous or future grant awards with the same costs.
2. Project periods should be structured so that projects that include grant-funded salaries and/or annual recurring costs are on a 12 **or** 24-month grant cycle/performance period.
3. Project periods for equipment only projects are generally awarded for a 6 to 12-month grant period.
4. PSO will consider proposed start or end dates falling outside of these guidelines on a case-by-case basis.

#### **Funding Levels**

Minimum: \$10,000

Maximum: None. However, PSO uses a risk-based formula to determine regional allocations. Local agencies should contact their regional COG for amounts historically available to the region and any maximum established by their COG. Additionally, PSO expects to make available approximately \$1.5 – \$2 million to state agencies in support of 10 - 15 projects under this solicitation and the SHSP-Regular solicitation.

Match Requirement: None

#### **Standards**

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.



### **Eligible Activities and Costs**

1. The Federal Emergency Management Agency (FEMA) has established National Priority Areas (NPA) for the Homeland Security Grant Program and requires the State to dedicate at least 30% of Texas' SHSP funds to projects under the NPAs. The NPAs and prescribed amounts for each NPA are noted below. PSO anticipates these priorities will remain in place for the 2023 SHSP grant cycle. Applicants are encouraged to submit projects under these National Priority Areas when the primary core capability addressed is consistent with a National Priority Area description below. Note: The National Priority Areas are subject to change without notice upon release of the federal Notice of Funding Opportunity (NOFO).

2. Grant projects must be consistent with the Federal Emergency Management Agency (FEMA) Preparedness Grants Manual and Information Bulletin (IB) 473 which discusses eligible activities outlined in:

- a. The National Prevention Framework;
- b. The National Protection Framework where capabilities are shared with the prevention mission area; and
- c. Section 2006 of the Homeland Security Act of 2002, as amended.

3. Grant projects must be consistent with the program purpose stated above and must be submitted in support of one of the following approved activity areas:

#### **a. Emergency Operations Centers and Technology**

- i. Establishing and maintaining a unified and coordinated operational structure and process that integrates critical stakeholders across and among all levels of government and with critical private and nonprofit sectors to protect against potential threats, conduct law enforcement investigations, or engage in enforcement, protective, and response activities.
- ii. Implementing WebEOC and other situational awareness and decision support tools.
- iii. Enhancing emergency operations centers.
- iv. Conducting or participating in incident management training and/or exercises.

#### **b. Information and Intelligence Sharing/Cooperation (NPA - Required to fund at least 3%)**

*(Note: Applicants should submit Fusion Center projects under this Law Enforcement Terrorism Prevention Activities (LETPA) solicitation.)*

##### **Core Capability:** Intelligence and Information Sharing

- i. Identifying, developing, providing, and sharing timely, accurate, and actionable information, data, or knowledge among government or private sector entities to include information sharing with all DHS components, fusion centers, and other entities designated by DHS.
- ii. Cooperation with DHS officials and other entities designated by DHS in intelligence, threat recognition and analysis.
- iii. Joint training and planning with DHS officials and other entities designated by DHS.
- iv. Enabling interdiction and disruption of terrorist activity through enhanced understanding and recognition of pre-operational activity and other crimes that may be precursors or indicators of terrorist activity.
- v. Paying for personnel or contractors to serve as qualified intelligence analysts and/or to participate in information, investigative, and intelligence sharing activities specifically related to homeland security.
- vi. Assessing threat information to inform continued prevention operations and ongoing response activities.
- vii. Implementing and maintaining suspicious activity reporting initiatives.
- viii. Implementing or sustaining public information and warning systems to relay information regarding terrorism threat.

#### **c. Planning**

- i. Developing state and regional risk and preparedness assessments, including those related to special events.



- ii. Core capability development planning, to include typing and tracking of equipment and special response teams.
- iii. Planning and execution of training and exercises focused on terrorism prevention, protection and response.
- iv. Multi-jurisdictional operational planning to include plans for regional operational coordination of terrorism prevention, protection, and response capabilities.
- v. Maintaining or updating Emergency Operations Plans, consistent with guidance in CPG 101.v2 and the whole community approach to security and emergency management.
- vi. Planning for continuity of operations.

**d. Protection of Soft Targets/Crowded Places (NPA - Required to fund at least 3%)**

**Core Capabilities:** Operational Coordination; Public Information and Warning; Intelligence and Information Sharing; Interdiction and Disruption; Screening, Search, and Detection; Access Control/Identity Verification; Physical Protective Measures; Risk Management for Protection Programs

- i. Implementing target hardening and other measures associated with increased security to mitigate risks at places where people gather, such as schools, workplaces, entertainment venues, transportation nodes, and houses of worship.
- ii. Assessing critical infrastructure vulnerabilities and interdependencies, particularly those involving multiple sites and/or sectors.
- iii. Planning, training, exercises, equipment, and modeling enabling responsible jurisdictions to mitigate threats to and vulnerabilities of critical infrastructure facilities, assets, networks, and systems.
- iv. Analyzing critical infrastructure threats and information sharing with private sector partners.
- v. Enhancing public awareness, education and communications, and increasing reporting of suspicious activities related to critical infrastructure.

**e. Support of First Responder Capabilities**

*Note: Because there is the potential for significant overlap between this activity area and the FEMA National Priorities, applicants should first check whether their proposed project is consistent with the description and core capabilities outlined for the National Priority Areas.*

- i. Sustaining and enhancing capacity to detect and resolve threats involving chemical, biological, radiological, nuclear and explosive (CBRNE) devices or weapons of mass destruction (WMD).
- ii. Sustaining and enhancing tactical teams including HAZMAT response and decontamination, Urban Search and Rescue, and SWAT.
- iii. Sustaining equipment needs, including personal protective equipment, WMD pharmaceuticals, calibration and maintenance for WMD-related detection and identification systems, and closely related investments to update or sustain current equipment.
- iv. Sustaining and enhancing efforts to delay, divert, intercept, halt, apprehend, or secure threats or hazards (includes capabilities related to Border Security).
- v. Coordinating regional training exercises with federal, state and local law enforcement participation focused on responding to terrorism-related events and increasing participation with community and business organizations.
- vi. Identifying or locating terrorists through active and passive surveillance and search procedures including systematic examinations and assessments, bio-surveillance, sensor technologies, or physical investigation and intelligence.

**Program-Specific Requirements**

1. All capabilities being built or sustained must have a clear link to one or more of the following Core Capabilities in the National Preparedness Goal: **Planning; Public Information and Warning; Operational Coordination; Intelligence and Information Sharing; Interdiction and Disruption; Screening, Search and Detection; and Forensics and Attribution.**
2. Many capabilities which support terrorism preparedness simultaneously support preparedness for other hazards. Grantees must demonstrate this dual-use quality for any activities implemented under this program that are not explicitly focused on terrorism preparedness. Law Enforcement Terrorism



Prevention Activities implemented under SHSP must support terrorism preparedness by building or sustaining capabilities that relate to the prevention of terrorism.

3. Grantees are required to maintain adoption and implementation of the National Incident Management System (NIMS). The NIMS uses a systematic approach to integrate the best existing processes and methods into a unified national framework for incident management across all homeland security activities including prevention, protection, response, mitigation, and recovery. Grantees must use standardized resource management concepts for resource typing, credentialing, and an inventory to facilitate the effective identification, dispatch, deployment, tracking and recovery of resources.

4. Cities and counties must have a current emergency management plan or be a legally established member of an inter-jurisdictional emergency management program with a plan on file with the Texas Division of Emergency Management (TDEM). Plans must be maintained throughout the entire grant performance period. If you have questions concerning your Emergency Management Plan (preparedness) level, contact your Emergency Management Coordinator (EMC) or your regional Council of Governments (COG). For questions concerning plan deficiencies, contact TDEM at [tdem.plans@tdem.texas.gov](mailto:tdem.plans@tdem.texas.gov).

5. Grantees will be required to complete the 2024 Nationwide Cybersecurity Review (NCSR), enabling agencies to benchmark and measure progress of improving their cybersecurity posture. The Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent for each recipient agency should complete the NCSR. If there is no CIO or CISO, the most senior cybersecurity professional should complete the assessment. The NCSR is available at no cost to the user and takes approximately 2-3 hours to complete. For more information about the NCSR, visit: <https://www.cisecurity.org/ms-isac/services/ncsr/>.

#### **Eligibility Requirements**

1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information [Resources Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex

offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's [Sexual Assault Evidence Tracking Program](#) website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant.

5. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>).

Failure to comply with program or eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

### **Prohibitions**

Grant funds may not be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:

1. inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. lobbying;
3. any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. vehicles or equipment for government agencies that are for general agency use and/or do not have a clear nexus to terrorism prevention, interdiction, and disruption (i.e. mobile data terminals, body cameras, in-car video systems, or radar units, etc. for officers assigned to routine patrol; general firefighting equipment or uniforms);
5. weapons, ammunition, tasers, weaponized vehicles or explosives (exceptions may be granted when explosives are used for bomb squad training);
6. weapons or weapons accessories to include but not limited to optics/sights, ammunition pouches, slings, firearm silencers, bayonets, or other accessories designed for use with any firearms/weapon;
7. admission fees or tickets to any amusement park, recreational activity or sporting event;
8. promotional items or gifts;
9. food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel or where pre-approved for working events;
10. membership dues for individuals;
11. any expense or service that is readily available at no cost to the grant project;
12. any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
13. fundraising;
14. legal services for adult offenders;
15. amateur radios and equipment, FMS radios, GMRS radios, Mobile ad hoc networks (MANETs), or other radio equipment that is not P25 compliant;
16. riot equipment including but not limited to shields, batons, less-lethal ammunition, and grenades designed or intended for dispersing crowds; and
17. any other prohibition imposed by federal, state, or local law.

### **Selection Process**

**Application Screening:** PSO will screen all applications to ensure that they meet the requirements included in the funding announcement.

1. **Peer/Merit Review:** For eligible local and regional projects:



- a. Each COG's homeland security advisory committee will prioritize all eligible applications using the region's risk-informed methodology.
  - b. PSO will accept priority listings that are approved by the COG's executive committee.
  - c. PSO will make all final funding decisions based on eligibility, FEMA National Priorities, COG priorities, reasonableness, availability of funding, and cost-effectiveness.
2. For statewide discretionary projects, applications will be reviewed by PSO staff members or a review group selected by the executive director.
  3. The State must designate at least 30% of available SHSP funding to projects supporting the FEMA NPAs listed above as outlined in the FY 2023 HSGP guidance. PSO encourages the COG regions to solicit projects to support each of the NPAs listed in this solicitation.

**Final Decisions – All Projects:** The executive director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, PSO or state government priorities and strategies, legislative directives, need, geographic distribution, or other relevant factors.

PSO may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, PSO may revise projects to address a more limited focus.

#### **Contact Information**

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds

\$1.5 - 2M

- a. Each COG's homeland security advisory committee will prioritize all eligible applications using the region's risk-informed methodology.
  - b. PSO will accept priority listings that are approved by the COG's executive committee.
  - c. PSO will make all final funding decisions based on eligibility, FEMA National Priorities, COG priorities, reasonableness, availability of funding, and cost-effectiveness.
2. For statewide discretionary projects, applications will be reviewed by PSO staff members or a review group selected by the executive director.
  3. The State must designate at least 30% of available SHSP funding to projects supporting the FEMA NPAs listed above as outlined in the FY 2023 HSGP guidance. PSO encourages the COG regions to solicit projects to support each of the NPAs listed in this solicitation.

**Final Decisions – All Projects:** The executive director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, PSO or state government priorities and strategies, legislative directives, need, geographic distribution, or other relevant factors.

PSO may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, PSO may revise projects to address a more limited focus.

#### **Contact Information**

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds

\$1.5 - 2M

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**DATE:** February 6, 2024**FROM:** Orlando Diaz, Lieutenant Mercedes Police Department**ITEM:** Approval of Resolution 2024-11 Accepting FY25 BL-Local Border Security Program

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**BACKGROUND INFORMATION:** The Public Safety Office (PSO) is currently accepting grant applications for the Local Border Security Program (LBSP) to support Operation Border Star in the state fiscal year 2025. Operation Border Star focuses on utilizing intelligence to enhance the effectiveness of federal, state, and local law enforcement assets, aiming to deter and interdict criminal activity along the border.

This grant aims to bolster interagency law enforcement operations and elevate local law enforcement patrols, enabling strategic actions to deter and interdict criminal activities. The Mercedes Police Department commits to actively participating in coordinated border security operations.

By accepting this grant, The Mercedes Police Department secures funding to conduct enhanced patrol operations, particularly in high-crime areas. This initiative aligns seamlessly with our overarching goal of disrupting illegal smuggling operations, making border security a pivotal aspect of our strategic endeavors.

**BOARD REVIEW/CITIZEN FEEDBACK:****ALTERNATIVES/OPTIONS:****FISCAL IMPACT:****Proposed Expenditure/(Revenue):**

\$

**Account Number(s):****Finance Review by:****LEGAL REVIEW:****ATTACHMENTS:**

1. Memo
2. Resolution
- 3.
- 4.

**DRAFT MOTION:**





# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

Francisco J. Sanchez  
Chief of Police

Date: February 6, 2024

From: Orlando Diaz, Lieutenant Mercedes Police Department

Item: BL-Local Border Security Program (LBSP) #5068301 Memo

I would like to seek your approval for the Mercedes Police Department to apply for the Local Border Security Program (LBSP) grant for the Federal Fiscal Year 2025 to support Operation Border Star in the state fiscal year 2025. Operation Border Star focuses on utilizing intelligence to enhance the effectiveness of federal, state, and local law enforcement assets, aiming to deter and interdict criminal activity along the border.

## **Background:**

The LBSP grant, funded through the Texas General Appropriations Act, Article I, Rider 20, aims to support Operation Border Star during state fiscal year 2025. This operation focuses on intelligence-driven strategies to strengthen federal, state, and local law enforcement actions. Its primary goals include sustaining interagency law enforcement operations, enhancing local law enforcement patrols, and deterring criminal activities, particularly in the Texas border region.

## **Purpose:**

The grant focuses on projects that improve the ability of jurisdictions to prevent threatened or actual acts of terrorism and protect citizens, residents, visitors, and assets against significant threats and hazards. Prevention, in this context, refers to capabilities necessary to avoid, prevent, or stop a threatened or actual act of terrorism.

## **Key Information:**

The grant provides funds for eligible organizations, including units of local government and federally recognized Native American tribes. Eligible applicants must be located in specific counties within the six DPS Joint Operations and Intelligence Centers (JOIC) regions.

## **Program-Specific Requirements:**

To be eligible, the City of Mercedes commits to participating in operational planning meetings, sharing intelligence, reporting border-related events, conducting enhanced law enforcement patrols, and integrating air, ground, and marine operations.

# **MERCEDES POLICE DEPARTMENT**

2314 N. FM 491 Rd.  
Mercedes, Texas 78570  
(956) 565-3102 Fax (956) 565-2583

## **Eligibility Requirements:**

Applicants must comply with cybersecurity training, reporting dispositions to DPS, submitting UCR data, participating in the sexual assault evidence tracking system, and adhering to federal immigration enforcement requirements.

## **Grant Application Details:**

Available Funding: \$TBD

Application Due Date: March 14, 2024

Application Process: Applicants must register and apply through the PSO's eGrants grant management website (<https://eGrants.gov.texas.gov>).

## **Key Dates:**

Funding Announcement Release: January 15, 2024

Online System Opening Date: January 15, 2024

Final Date to Submit Application: March 14, 2024 at 5:00 PM CST

Earliest Project Start Date: September 1, 2024

## **Funding Levels:**

Minimum: None

Maximum: None

Match Requirement: None

## **Proposal:**

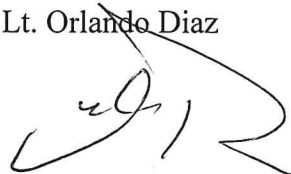
The Mercedes Police Department proposes to allocate funds to support the participation in the Local Border Security Program (LBSP) for the fiscal year 2025. The allocated funds will be instrumental in enhancing law enforcement capabilities, fostering interagency collaboration, and ultimately contributing to the safety and security of our community.

## **Next Steps:**

We seek the City Commissioners' permission to proceed with the application process for the Local Border Security Program (LBSP) and secure this important grant.

Thank you for your time and consideration.

Lt. Orlando Diaz



**RESOLUTION NO. 2024-11**

**WHEREAS,** The City of Mercedes finds it in the best interest of the citizens of Mercedes, that the FY25 BL-Local Border Security Program be operated from 09/01/2024 to 08/31/2025; and,

**WHEREAS,** The City of Mercedes agrees to provide, if applicable, matching funds for the said project as required by the Office of Governor, Homeland Security Grants Division; and,

**WHEREAS,** The City of Mercedes agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Mercedes, assures that the funds will be returned to the Office of the Governor in full; and,

**WHEREAS,** The City of Mercedes designates the Mercedes City Manager, or their designee, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mercedes approves submission of the grant application for the FY25 BL-Local Border Security Program to the Office of the Governor.

Passed and approved on this the \_\_\_\_\_ Day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Oscar Montoya, Mayor

ATTEST:

\_\_\_\_\_  
Joselynn Castillo, City Secretary

Grant Number: **5068301**



Name:

# Local Border Security Program (LBSP), FY2025

Available

01/15/2024

Due Date

03/14/2024

## Purpose:

The Public Safety Office (PSO) is soliciting grant applications under the Local Border Security Program (LBSP) for projects that support Operation Border Star during state fiscal year 2025.

Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity. Program participants shall assist in the execution of coordinated border security operations in an effort to:

- Increase the effectiveness and impact of Steady State and Surge Operations.
- Reduce border-related criminal activity in Texas.
- Implement and increase the effectiveness of operational methods, measures, and techniques for outbound/southbound operations.
- Decrease the supply of drugs smuggled into and through Texas from Mexico.
- Disrupt and deter operations of gang and cartel criminal organizations.
- Decrease specifically targeted tactics (such as conveyance methods) for drugs in the Texas border region.
- Decrease use of specific areas for crime as targeted in directed action missions.
- Increase the effectiveness of air operations mission planning and prioritization.
- Increase the coordination and integration of air-ground team operations to include Texas Military Forces (TMF) aviation, United States Customs and Border Protection (USCBP) Air and Marine, Texas Department of Public Safety (DPS) Aircraft Division, and United States Coast Guard (USCG) aviation support.
- Increase the effectiveness of directed action missions based upon intelligence and analysis to ensure they target the most serious threats and are conducted in high pay-off areas.
- Increase the number and quality of analytical intelligence products developed at the Unified Command and state levels.
- Increase intelligence-based operations at the Unified Command level through integration of TxMap, sector specific information, and intelligence analysis.
- Aid in the humane retrieval and processing of the remains of undocumented migrants.

## Available Funding:

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 20 for the Truusted Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

## Eligible Organizations:

1. Units of local government; and
2. Federally Recognized Native American tribes.
3. Eligible applicants must be located in a County within one of the six DPS Joint Operations and Intelligence Centers (JOIC) Regions including:

- **El Paso JOIC** – El Paso County.
- **Coastal Bend JOIC** – Aransas County, Bee County, Calhoun County, Dewitt County, Goliad County, Gonzales County, Guadalupe County, Jackson County, Jim Wells County, Karnes County, Kleberg County, Lavaca County, Live Oak County, Matagorda County, McMullen County, Nueces County, Refugio County, San Patricio County, Victoria County, and Wharton County.
- **Marfa JOIC** – Brewster County, Culberson County, Hudspeth County, Jeff Davis County, Pecos County, Presidio County, Reeves County, and Terrell County.
- **Del Rio JOIC** – Dimmit County, Edwards County, Kinney County, Maverick County, Real County, Uvalde County, Val Verde County, and Zavala County.
- **Laredo JOIC** – Duval County, Frio County, Jim Hogg County, La Salle County, Webb County, and Zapata County.
- **Rio Grande Valley JOIC** – Brooks County, Cameron County, Hidalgo County, Kenedy County, Starr County, and Willacy County.

#### **Application Process:**

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding.

#### **Key Dates:**

Action

Date

Funding Announcement Release

01/15/2024

Online System Opening Date

01/15/2024

Final Date to Submit and Certify an Application

03/14/2024 at 5:00PM CST

Earliest Project Start Date

09/01/2024

#### **Project Period:**

Projects selected for funding must begin on or after September 1, 2024 and expire on or before August 31, 2025.

#### **Funding Levels**

Minimum: None

Maximum: None

Match Requirement: None

#### **Standards**

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards ([TxGMS](#)), [Federal Uniform Grant Guidance](#), and all statutes, requirements, and guidelines applicable to this funding.

#### **Eligible Activities and Costs**

Funding may be used to provide additional personnel, equipment, supplies, contractual support, travel, and training in support of Operation Border Star activities, including for any one or more of the following activities.

**OPERATION BORDER STAR – LAW ENFORCEMENT:** Activities related to law enforcement operations in support of border operations.

#### **1. Law Enforcement Personnel - Overtime**

- Overtime for increased patrol and/or investigative capacity for certified peace officers.

- Overtime for law enforcement support personnel. These costs may include overtime for personnel necessary to support officers that are on patrol and participating in border security operations, such as Jailer overtime, or Communications Officer/Dispatcher overtime, necessary to maintain a safe Officer to Dispatcher ratio.
- Overtime for non-exempt administrative personnel supporting border security grants.
- Overtime for law enforcement support and administrative personnel should be limited and anything greater than 10% may not be funded or may require significant additional data and justification.

## **2. Law Enforcement Personnel – Regular or Straight-Time**

- Augmentees: Personnel costs for law enforcement personnel who are not regular employees of a funded agency, but are brought on as needed to specifically cover border security operations so that there can be a force multiplier during a period of “surge.”
- Regular time for law enforcement personnel working border operations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- Part-time to Full-Time: Personnel costs for part-time law enforcement personnel in order to bring them to temporary full-time status.
- Regular time for administrative personnel supporting border security grant activities.

**3. Law Enforcement Equipment:** Costs for equipment, or the rental of equipment, which will benefit the border security mission and will be routinely utilized during border security operations.

**4. Law Enforcement Supplies and Direct Operating Expenses:** Certain operational costs are also allowable, such as vehicle operating costs or costs for minor emergency repairs as described below, or for other services pre-approved by PSO that are critical to success of the program.

- The cost of fuel, lubricants, and minor emergency repairs or maintenance for vehicles, aircraft, boats, generators, and similar equipment used during the hours in which grant-funded staff are working.
- Only actual expenses supported by invoiced gas, oil, and repair or maintenance receipts may be reimbursed under this grant.
- Maintenance costs must be prorated to show the usage of vehicles or equipment for regular law enforcement duties as compared to usage while officers are working grant-paid patrols.
- The cost of minor emergency repairs, such as tire repair or fan belt replacement, to vehicles or equipment used in program operations is allowable.

**OPERATION BORDER STAR – HUMAN REMAINS PROCESSING:** Activities related to the humane processing of the remains of undocumented migrants.

### **1. Medical Examiner Personnel - Overtime**

- Overtime for death investigations conducted by a medical examiner, deputy examiner, trained technician, or a forensic pathologist as authorized under Article 49.25 of the Code of Criminal Procedure.
- Overtime for non-exempt administrative personnel supporting a County Medical Examiner’s Office.



## **2. Medical Examiner Personnel – Regular or Straight-Time and Temporary Positions**

- Regular time for county medical examiner personnel conducting death investigations. Grant funds must be used to supplement existing funds and not supplant funds that have been budgeted for the same purpose.
- Part-time to Full-Time: Personnel costs for part-time county medical examiner personnel in order to bring them to temporary full-time status.
- Regular time for administrative personnel supporting a County Medical Examiner's Office.
- Hiring or contracting temporary staff to assist or conduct death investigations.

## **3. Medical Examiner – Equipment and Technology**

- Costs for equipment, technology, or the rental of equipment related to the processing of death investigations, temporary morgues, and/or additional body storage capacity.

## **4. Medical Examiner – Supplies and Direct Operating Expenses**

- Costs for supplies and direct operating expenses related to conducting death investigations.

## **5. Medical Examiner – Contractual**

- Costs associated with the outsourcing of death investigations, temporary body storage, and other contractual costs incurred by a county medical examiner's office related to the humane processing of the remains of undocumented migrants.

### **Program-Specific Requirements**

#### **1. Eligible applicants must agree to perform the following activities:**

- Participate in operational planning and coordination meetings, information/intelligence sharing meetings, and After Action Reviews (AARs) established by the Texas Department of Public Safety's (DPS) Joint Operations and Intelligence Centers (JOIC).
- Participate weekly on the JOIC Unified Command conference calls or meetings as required by the JOIC.
- Report significant border-related events that occur during each 24-hour period.
- Conduct enhanced law enforcement patrolling activities.
- Recognize and react to information/intelligence to adjust times and locations of enhanced patrol activities.
- Identify significant border-related trends or areas of interest that may be developed into focus areas for future operations.
- Conduct surveillance, interdictions, investigations, and collect and disseminate information within its jurisdiction or cross-jurisdiction lines as required.
- Conduct Steady State operations and respond to calls for service.
- Integrate air, ground, marine, and remote operations.

#### **2. Eligible applicants must agree to submit information on incidents using the Border Incident Assessment Report (BIAR).**

The grantee shall report all border-related events to the JOIC using the BIAR. BIAR reporting shall include events that occur during Enhanced Operation activities AND events that occur during Steady

State activities. Enhanced (Surge) Operations originate out of the use of LBSP funds when the local agency chooses to increase the hours of patrol or the number of investigative bodies. Steady State activities are defined as normal patrol or investigative duties that do not use grant funds, but directly impact the overall LBSP mission, such as organized crime arrests, terroristic activities, weapons trafficking arrests, kidnappings, human trafficking, human smuggling, home invasions with a border or organized crime nexus, illegal immigration, border-related murders, gang-related murders, vehicle thefts, or drug trafficking.

The BIAR is the primary incident and information-reporting tool for the grantee in local border security operations. The grantee shall ensure all BIARs conform to the respective standards outlined by the JOIC and are submitted within 24 hours of the end of shift and/or the timeframes established by the JOIC.

3. Applicants must provide a copy of the local overtime policy as approved by its governing board. This policy will be considered the official policy for grant purposes and must be used throughout the grant period.

- The policy must:
  - Clearly describe how overtime will be calculated;
  - Be consistent with the agency's local overtime policy;
  - Treat overtime for grant-paid personnel the same as non-grant paid personnel.
  - Project Overtime (OT) shall be reimbursed following the grantee's overtime policy and the requirements as stated below:
  - OT is time actually worked that exceeds the required number of hours during an employee's designated work period, as per grantee's policies and procedures.
  - OT must be worked to support border security operations.
- The project OT rate shall be no more than one-and-one-half (1.5) times the employee's regular pay rate.
  - Exempt salaried employees working border security operations may be reimbursed for overtime only if the grantee's overtime policy specifically allows for this.
  - PSO will only reimburse the grantee for OT that does not exceed a total of 16 hours worked (regular plus OT) during any 24-hour period.

### **Eligibility Requirements**

1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the [Cybersecurity Training Certification for State and Local Governments](#). A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information [Resources Statewide Cybersecurity Awareness Training](#) page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will



report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's [Sexual Assault Evidence Tracking Program](#) website for more information or to set up an account to begin participating. Additionally, per Section 420.042 "A law enforcement agency that receives evidence of a sexual assault or other sex offense...shall submit that evidence to a public accredited crime laboratory for analysis no later than the 30th day after the date on which that evidence was received." A law enforcement agency in possession of a significant number of Sexual Assault Evidence Kits (SAEK) where the 30-day window has passed may be considered noncompliant [\[A1\]](#) [\[A2\]](#) .

5. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

6. Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the [CEO/Law Enforcement Certifications and Assurances Form](#) certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2025 or the end of the grant period, whichever is later.

7. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to <https://sam.gov/>).

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

#### **Prohibitions**

Grant funds may **not** be used to support the unallowable costs listed in the **Guide to Grants** or any of the following unallowable costs:



1. Inherently religious activities such as prayer, worship, religious instruction, or proselytization;
2. Lobbying;
3. Any portion of the salary of, or any other compensation for, an elected or appointed government official;
4. Backfill costs for personnel participating in operations;
5. Vehicles or equipment for government agencies that are for general agency use;
6. Aircraft (fixed-wing & rotary-wing);
7. Weapons, ammunition, tasers, or explosives;
8. Admission fees or tickets to any amusement park, recreational activity or sporting event;
9. Promotional gifts;
10. Food, meals, beverages, or other refreshments, except for eligible per diem associated with grant-related travel;
11. Membership dues for individuals;
12. Any expense or service that is readily available at no cost to the grant project;
13. Any use of grant funds to replace (supplant) funds that have been budgeted for the same purpose through non-grant sources;
14. Fundraising;
15. Construction;
16. Medical services;
17. Legal services for adult offenders; and
18. Any other prohibition imposed by federal, state, or local law.

### **Selection Process**

**Application Screening:** The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Peer/Merit Review:** Applications will be reviewed by PSO staff in consultation with DPS Regional JOIC representatives. Funding decisions will be based on eligibility and operational content, which includes, but is not limited to, the following:

- Compliance – Past compliance with grant requirements, reporting, and information sharing.
- Performance – Impact and effectiveness of the Applicant’s participation in previous border security operations or activities, and effectiveness in using grant funds awarded for border security.
- Risk – The Applicant’s need as indicated by data available on border-related criminal activity, population, number of officers, and other factors.
- Other Funding – The Applicant’s history of applying for, receiving, and/or effectively utilizing other sources of funding available to support border security activities (e.g. Operation Stonegarden or Operation Lone Star).

**Final Decisions:** The Executive Director will consider rankings along with other factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, or state government priorities and strategies.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

### **Contact Information**

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

Total Funds

\$TBD

Memorandum of Understanding

Between City of Mercedes,

Hidalgo County Drainage District No. 1, and

Hidalgo County Urban County

Regarding Coordination for 2018 CDBG-DR Infrastructure Competition

**WHEREAS**, chronic flooding has affected the economy and health and safety of the citizens of the City of Mercedes, of Hidalgo County, and of the State of Texas; and

**WHEREAS**, over the last several years, the Rio Grande Valley has suffered significant catastrophic flood events that have resulted in six Major Disaster Declarations (FEMA-4223-DR, FEMA-4245-DR, FEMA-4272-DR, FEMA-4377-DR, FEMA-4454-DR, FEMA-353-EM); and

**WHEREAS**, City of Mercedes was awarded funding from the Texas General Land Office's CDBG-DR 2018 Infrastructure Competition to implement a project known as the City of Mercedes South Mercedes Lateral Improvements Project – Phase 3 (“Project”), that will mitigate flooding in the City of Mercedes and provide community resilience; and

**WHEREAS**, solving flooding requires regional coordination, as floodwater does not stop at political boundaries; and

**WHEREAS**, over the last several years, City of Mercedes, Hidalgo County Drainage District No. 1, and Hidalgo County Urban County have implemented robust outreach coordination efforts with the public as well as with the General Land Office (“GLO”) to identify regional needs and solutions for mitigation of flooding; and

**WHEREAS**, the Project is an identified priority to mitigate flooding in the City of Mercedes and in Hidalgo County; and

**WHEREAS**, the City of Mercedes proposed Project will effectively and safely store and redirect stormwater away from low-to-moderate income (“LMI”) housing and towards drainage reservoirs, providing both local and regional flood control; and

**WHEREAS**, the awarded GLO funding will be issued to the City of Mercedes, who will serve as the fiduciary and lead local agency for the GLO’s grant funding, and Hidalgo County Drainage District No. 1 will assist City of Mercedes in construction cost overruns and Hidalgo County Urban County will assist City of Mercedes with tasks, as further described in this MOU; and



**WHEREAS**, the Project will have an immediate and measurable effect in permanently mitigating flooding and safeguarding the health and safety of citizens in the City of Mercedes, the Rio Grande Valley, and the State of Texas;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Mercedes, the Board of Hidalgo County Drainage District No. 1, and the Hidalgo County Commissioners' Court on behalf of Hidalgo County Urban County agree to enter into this MOU in order to assist the City of Mercedes to undertake the design, planning, environmental, grant management, and construction of the Project in full compliance with all GLO and Housing and Urban Development ("HUD") rules and regulations.

**LET US BE FURTHER RESOLVED THAT** the City of Mercedes acknowledges that although Hidalgo County Drainage District No. 1 and Hidalgo County Urban County will assist the City of Mercedes in the present Project, the City of Mercedes is the only entity responsible for the successful implementation and delivery of the present Project.

### **1. Objective of the Document**

*(GLO Instructions: Clearly state the objective of the document. State the overall intent of the document including a brief statement of the intent of each party.)*

1.1 The objective of this document is to state the roles and responsibilities of the City of Mercedes, Hidalgo County Drainage District No. 1, and Hidalgo County Urban County regarding funding and implementation of the GLO's CDBG-DR 2018 Infrastructure Competition. The overall objective is to work in partnership to maximize value and to construct the Project, which will serve to mitigate flooding and provide benefits to low-to-moderate income populations and housing.

### **2. Parties Involved**

*(GLO Instructions: Clearly identify each party involved.)*

2.1 City of Mercedes ("City"), Hidalgo County Drainage District No. 1 ("Drainage District" or "HCDD1"), and Hidalgo County Urban County ("Urban County") will work in partnership with the General Land Office ("GLO"). All formal notices regarding this MOU shall be submitted as follows:

**If to City:**

City of Mercedes  
Attn: Alberto Perez, City Manager  
400 South Ohio  
Mercedes, TX 78570

**If to HCDD1:** Hidalgo County Drainage District No. 1  
Attn: Raul E. Sesin, P.E., C.F.M.  
902 N. Doolittle Rd.  
Edinburg, Texas 78542

and

Hidalgo County Drainage District No. 1  
Attn: Richard Cortez, Chairman of the Board  
902 N. Doolittle Rd.  
Edinburg, Texas 78542

**If to Urban County:** Hidalgo County Urban County  
Attn: Steven De La Garza, Director  
1916 N. Tesoro Ln.  
Pharr, Texas 78577

**If to GLO:** General Land Office  
Attn: Amanda Brinker, Program Manager  
1700 Congress Ave.  
Austin, Texas 78701

2.2 Pursuant to the Action Plan regarding GLO's 2018 CDBG-DR Infrastructure Competition, City of Mercedes will serve as the lead and fiduciary regarding the Project.

2.3 Drainage District and Urban County will assist City of Mercedes pursuant to the terms in this MOU.

2.4 Day-to-day activities will be handled by City Manager Alberto Perez on behalf of the City. Day-to-day activities will be handled by General Manager Mr. Raul E. Sesin, P.E., C.F.M. on behalf of the Drainage District. Day-to-day activities will be handled by Mr. Steven De La Garza on behalf of Urban County.

2.5 Activities outside day-to-day activities will require approval by the City Council of the City of Mercedes, the Board of Hidalgo County Drainage District No. 1, and the Hidalgo County Commissioners' Court on behalf of Hidalgo County Urban County. All decisions outside of day-to-day activities will be coordinated with GLO's designated representative.

### **3. Time Period**

*(GLO Instructions: Specify the time period of the agreement with start and end dates.)*

3.1 The terms of this MOU shall start upon approval by the City Council of the City of Mercedes, the Board of Hidalgo County Drainage District No. 1, and the Hidalgo County

Commissioners' Court on behalf of Urban County. The MOU shall be in effect for a period of five (5) years or until the Project is completed pursuant to Section 6 of this MOU. Should additional time be needed to complete the obligation of this MOU, the City Council of the City of Merced, the Board of Hidalgo County Drainage District No. 1, and the Hidalgo County Commissioners' Court can extend this MOU for terms of five (5) additional years, as needed to complete the Project.

#### **4. Roles and Responsibilities**

*(GLO Instructions: roles and responsibilities will be subject to the specific circumstances of the application/project. -Clearly identify the specific duties and responsibilities of each party. Include each entity's sole responsibilities, as well as responsibilities shared by all parties, as appropriate. -Clearly specify which party is financially responsible for which items, when payments are due (as appropriate), and any other detail that will help to avoid confusion or disputes.)*

4.1 Pursuant to the Action Plan regarding GLO's 2018 CDBG-DR Infrastructure Competition, City of Merced will serve as the lead and fiduciary regarding the Project. The City of Merced submitted the grant applications to the GLO.

4.2 The projected costs for Grant Management Services is \$15,000. The projected cost for Environmental Services is \$10,000. Drainage District shall pay for these costs. None of the funds from the GLO's 2018 CDBG-DR Infrastructure Competition shall be used to pay for these services. This funding will be provided at no cost to the City of Merced.

4.3 Drainage District and Urban County will provide Grant Management Services and Environmental Services for the Project. Drainage District and Urban County shall implement these services through their in-house staff.

4.4 Drainage District will provide Design, Construction Management, and Technical Assistance for the Project. The Drainage District, through its in-house engineering department, will perform the design for the Project. These services will be provided at no cost to the City of Merced.

4.5 During the construction of the Project, City of Merced will be the owner of the Project. All of the funds received by the City of Merced for the Project will be allocated to construction costs.

4.6 Upon completion of the Project, in compliance with Section 6 of this MOU, the Drainage District will take over ownership of the Project and Drainage District agrees to perform maintenance work in perpetuity for the Project.

4.7 Drainage District estimates that the annual maintenance cost for Project will be \$10,000.00. Drainage District agrees to allocate funding from its annual maintenance and operation budget in perpetuity for the management of the Project. Should additional costs be



necessary for maintenance and operations, Drainage District agrees to allocate any additional costs as needed to complete the maintenance and operation work associated with the Project.

4.8 The Drainage District shall conduct the Acquisition as needed for the implementation of the Project. All acquisition will be performed in accordance with all pertinent HUD requirements, including but not limited to the Uniform Relocation Assistance and Real Property Acquisition Act ("URA"). City of Mercedes acknowledges that although the Drainage District will perform the Acquisition, the City of Mercedes is ultimately the responsible entity to ensure that all of the acquisitions are performed in compliance with HUD and URA requirements.

4.9 Should there be any cost overruns needed to complete the Project, other than the costs discussed above, the Drainage District will fund up to a cumulative total of Two Hundred and Fifty Thousand Dollars (\$250,000.00) of the difference needed to complete these projects.

4.10 Drainage District may perform any obligations it has herein with in-house personnel, any third party selected by the Drainage District, or a combination thereof, at Drainage District's sole discretion.

## **5. Dispute Resolution**

*(GLO Instructions: Confidentiality clauses, as appropriate. -Indemnity clauses, as appropriate. - Dispute resolution and settlement clauses should be included in case a breach, invalidation, or termination of the document occurs. Ensure prompt resolution and identify the manner in which the dispute shall be settled. -Clearly identify termination options.)*

5.1 Should a dispute arise, GLO shall form a part of all negotiations and be given time to participate and advise the City of Mercedes, Drainage District, and Urban County regarding the best way to proceed.

5.2 Given that all parties are governmental entities that are subject to the Texas Public Information Act, there shall not be any confidentiality clauses in this MOU.

5.3 City of Mercedes, Drainage District, and Urban County release each other and the GLO of any liability caused by the implementation of this MOU and the Project.

5.4 Should a dispute arise between City of Mercedes, Drainage District, and Urban County, the parties, along with a representative from GLO, hereby agree to cooperate in good faith to resolve the dispute. Should this be unsuccessful, City of Mercedes, Drainage District, Urban County, and a representative from GLO shall attend mandatory mediation. Should that be unsuccessful, the City of Mercedes, the Drainage District, or Urban County can each agree to abandon their responsibilities under this MOU with a 30-Day Written Notice. In case City of Mercedes, the Drainage District, or Urban County exercise this option: (1) City of Mercedes will become the sole owner of the Project; (2) City of Mercedes agrees to undertake all responsibilities of the Drainage District and Urban County as needed to complete the Project and

to maintain and operate the Project in perpetuity; and (3) Drainage District and Urban County agree to allow City of Mercedes to own the Project as well as to give the city the ability to perform maintenance and operation activities on the Project.

5.5 Under no circumstance shall the City of Mercedes be liable to the Drainage District or Urban County or vice-versa.

5.6 This MOU does not grant any waivers of immunity.

## **6. Closeout of Project**

*(GLO Instructions: Clearly identify final closing activities and completion of the agreement, as appropriate.)*

6.1 Upon Completion of Project, and submission of all closeout paperwork to GLO and HUD, should any be needed, the City of Mercedes will take ownership of the Project. The City of Mercedes will then transfer ownership of the Project to Drainage District.

6.2 City of Mercedes, Drainage District, and Urban County will work cooperatively with GLO to perform all closeout tasks for the Project.

6.3 City of Mercedes, Drainage District, and Urban County agree to keep GLO updated of any developments regarding the Project and to provide periodic reports regarding the activities accomplished through the implementation of the Project.

## **7. Miscellaneous Provisions**

7.1 **Conflict with Applicable Law.** Nothing in this MOU shall be construed so as to require the commission of any act contrary to law, and whenever there is any conflict between any provision of this MOU and any present or future law, ordinance or administrative, executive or judicial regulation, order or decree, or amendment thereof, contrary to which the parties have no legal right to contract, the latter shall prevail, but in such event the affected provision or provision of this MOU shall be modified only to the extent necessary to bring this MOU within any such legal requirements and only during the times such conflict exists.

7.2 **No Waiver.** No waiver by any party hereto of any breach of any provision of this MOU shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.

7.3 **Entire Agreement.** This MOU contains the entire agreement between the parties hereto, reflecting the subject matter hereto and each party acknowledges that neither has made (either directly or through any agent or representative) any representation or agreement in connection with this MOU not specifically set forth herein. This MOU may be modified or amended only by

agreement in writing executed by Drainage District, Urban County, and City of Mercedes, only after approval of the GLO, and not otherwise.

**7.4 Texas Law to Apply.** This MOU shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Hidalgo County, Texas. The parties hereby consent to personal jurisdiction in Hidalgo County, Texas.

**7.5 Additional Documents.** The parties hereto covenant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of this MOU.

**7.6 Successors.** This MOU shall be binding upon and inure to the benefit of the parties hereto and their respective administrators, legal representatives, successors and assigns where permitted by this MOU.

**7.7 Assignment.** This MOU shall not be assignable.

**7.8 Headings.** The headings and captions contained in this MOU are solely for convenience reference and shall not be deemed to affect the meaning or interpretation of any provision of paragraph hereof.

**7.9 Gender and Number.** All pronouns used in this MOU shall include the other gender, whether used in the masculine, feminine or neuter gender, and singular shall include the plural whenever and so often as may be appropriate.

**7.10 Authority to Execute.** The execution and performance of this MOU by Drainage District and City of Mercedes have been duly authorized by all necessary laws, resolutions or governing body action of the parties and this MOU constitutes the valid and enforceable obligations of Drainage District, Urban County, and City of Mercedes in accordance with its terms only after approval of the GLO.

**7.11 Non-Discrimination.** This MOU and all related activities shall be conducted in a manner that does not discriminate against any person on a basis prohibited by applicable law or City of Mercedes, Urban County, and Drainage District policy, including without limitation race, color, national origin, religion, sex, age, veteran status, or disability.

**7.12 Appendix II To CFR 200-Contract Provisions.** Pursuant to 2 CFR 200.326, a non-Federal entity's contracts must contain the applicable provisions described in Appendix II to 2 CFR 200-Contract Provisions for non-Federal Entity Contracts under Federal Awards. Therefore, if applicable, the provisions of Appendix II to 2 CFR 200 are attached and incorporated by reference into this contract should it be subject to Federal award.



7.13 **Governmental Purpose.** Each party hereto is entering into this MOU for the purpose of providing for governmental services or functions and will pay for such services out of current revenues available to the paying party as herein provided.

7.14 **Commitment of Current Revenues Only.** In the event that, during any term hereof, the governing body of any party does not appropriate sufficient funds to meet the obligations of such party under this MOU, then any party may terminate this MOU upon ninety (90) days written notice to the other party. Each of the parties hereto agrees, however, to use its best efforts to secure funds necessary for the continued performance of this MOU. The parties intend this provision to be a continuing right to terminate this MOU at the expiration of each budget period of each party hereto pursuant to the provisions of Tex. Loc. Govt. Code Ann. §271.903.

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Alberto Perez  
City Manager of the City of Mercedes, Texas

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Richard Cortez  
Chairman of Board of  
Hidalgo County Drainage District No. 1

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Steven De La Garza  
Director of Hidalgo County Urban County

### GLO Instructions re: MOU

*Applications that involve multiple entities or jurisdictions must clearly identify all parties and the roles and responsibilities of each party, to include financial involvement and/or liability. Applicants may provide a conditional or draft Memorandum of Understanding, Interlocal Agreement, or other binding vehicle identifying those roles and responsibilities. Applications involving multiple entities or jurisdictions that proceed to award will require a fully executed document signed by all parties. Execution of the document may occur after the application is deemed fully eligible. The contents of any given Memorandum of Understanding, Interlocal Agreement, or other binding vehicle designed to clarify roles and responsibilities will be subject to the specific circumstances of the application/project. Each document should be prepared and written in a manner that best covers the liabilities of all parties involved. The document is ultimately the responsibility of the agreeing parties. The GLO encourages each local entity to consult local legal counsel regarding contractual matters. Some best practices to consider when preparing and writing such a document are: -Clearly state the objective of the document. State the overall intent of the document including a brief statement of the intent of each party. -Clearly identify each party involved. -Specify the time period of the agreement with start and end dates. -Clearly identify the specific duties and responsibilities of each party. Include each entity's sole responsibilities, as well as responsibilities shared by all parties, as appropriate. -Clearly specify which party is financially responsible for which items, when payments are due (as appropriate), and any other detail that will help to avoid confusion or disputes. -Confidentiality clauses, as appropriate. -Indemnity clauses, as appropriate. -Dispute resolution and settlement clauses should be included in case a breach, invalidation, or termination of the document occurs. Ensure prompt resolution and identify the manner in which the dispute shall be settled. -Clearly identify termination options. -Clearly identify final closing activities and completion of the agreement, as appropriate. These are a basic outline of topics and/or issues that should be considered. Other topics and/or issues may also need to be included to fully address the particular project*