



**City Council
Special Meeting
December 10,
2024**



CITY OF EAGLE PASS
A G E N D A
SPECIAL CITY COUNCIL MEETING
Council Chambers, City Hall,
100 S. Monroe Street, Eagle Pass,
Maverick County, Texas
Tuesday, December 10, 2024, at 5:30 p.m. CST

Once convened, the City Council will take up the following items in any order during the meeting but no sooner than the designated times. Meetings are broadcast live on the Official City Eagle Pass, Texas Facebook Page.

ESTABLISHMENT OF QUORUM

MOMENT OF REVERENCE

CITIZENS COMMUNICATIONS AND RECOGNITIONS

MAYOR'S CONSENT AGENDA ANNOUNCEMENT

A Consent Agenda is contained in this meeting agenda. The consent agenda is designed to assist in making the meeting shorter and more efficient. Items left on the Consent Agenda may not be discussed when the Consent Agenda comes before the Council. If any Council Member wishes to discuss a Consent Agenda item, please tell me now and I will remove the Item from the Consent Agenda and place it in an appropriate place on the meeting agenda so it can be discussed when that item is taken up by the Council. Does any Council Member request removal of a Consent Agenda item?

CONSENT AGENDA ITEMS

1. Second reading of an ordinance amending Chapter 14 (Municipal Solid Waste), Section 14-10 Schedule of rates/fees; of the Code of Ordinances revising and updating fees for services provided; finding that the meeting at which this ordinance is passed is open to the public as required by law; providing a severability clause; and establishing an effective date.
2. Second reading of an ordinance on the proposed request submitted by Terra Tech Engineering & Construction Services on behalf of Libco Enterprises, LLC to consider the establishment of permanent zoning classification, service plan, and master plan designation on the annexation petition of the land described as Being a 42.48 acre tract of land out of a 474.12 acre tract of land conveyed to Libco Enterprises, LLC, recorded in Volume 1745, Pages 327-337, Deed Records of Maverick County, Texas, situated in Survey 26, S.S. Sanders, Abstract 826, Survey 27, J.W. Tinsley, Abstract 840, and Survey 30A, Day Land & Cattle Co., Abstract 1238, Maverick County, Texas, and being more particularly described by metes and bounds; closing of public hearing and possible action.
3. Approval of a resolution of the City Council of the City of Eagle Pass, Texas, authorizing the use of competitive sealed proposals as a method of purchase that provides the best value to the municipality for the design services for utilities, water, and sanitary sewer lines, as part of the Patsy Winn Expansion Project.
4. Approval of a resolution authorizing the submission of a grant application with the U.S. Department of Homeland Security for the FY24 Assistance to Firefighters Grant Program to obtain first responder

vehicles; authorizing the City Manager to act on behalf of the City of Eagle Pass in all matters related to the application; and pledging that if a grant is received the City of Eagle Pass will comply with the grant requirements of the U.S. Department of Homeland Security

ORDINANCE(S)

5. Consideration for approval on first reading of an ordinance of the City of Eagle Pass, Texas amending Chapter 22, Article VI, Section 22-92, of the Code of Ordinances by adding subsection (10) the Riskind Building and the Main Street Incubator, establishing fees for the use of facilities; providing that this ordinance shall be cumulative; providing a severability clause; providing for publication; and declaring an effective date.
6. Consideration for approval on first reading of the City of Eagle Pass, Texas, amending Chapter 23, Article III, Section 23-36, of the Code of Ordinances by removing final plat approval by city council and allowing final plat approval by administration; providing that this ordinance shall be cumulative; providing a severability clause; providing for publication; and declaring an effective date.

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during this meeting to discuss any posted agenda item when authorized by Texas Government Code, Chapter 551, Subchapter D, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and/or 551.087 (Economic Development). Following a closed session, the open meeting will reconvene at which time action, if any, may be taken.

7. Executive Session pursuant Texas Government Code, Chapter 551, Section 551.071 - Consultation with attorney regarding the Community Project Funding Grant and the infrastructure costs related to the road for the first stand-alone university building in Eagle Pass and the creation of a 4-year university; and possible action in open session regarding same.
8. Executive Session pursuant Texas Government Code, Chapter 551, Section 551.074 presentation, discussion and possible action on compensation study, vacation, and paid leave; and possible action in open session regarding same.

ADJOURNMENT

Entrance and parking spaces for disabled persons are available in front of City Hall.

C E R T I F I C A T I O N

I, the undersigned authority, do hereby certify that the above notice of the meeting of the City Council of the City of Eagle Pass is true and correct copy of said notice and was posted on the bulletin board located in the lobby at City Hall in a convenient place to the public, 100 South Monroe Street, Eagle Pass, Texas, and said notice was posted the 6th day of December at 4:40 p.m., more than seventy-two (72) hours prior to the meeting on 10th of December 2024.

Erika Rodriguez
City Secretary

Item

#1

ORDINANCE NO. 2024-

**AN ORDINANCE OF THE CITY OF EAGLE PASS, TEXAS
AMENDING CHAPTER 14 (MUNICIPAL SOLID WASTE),
SECTION 14-10 SCHEDULE OF RATES/FEES; REVISING AND
UPDATING FEES SERVICES PROVIDED BY MUNICIPAL SOLID
WASTE DEPARTMENT; FINDING THAT THE MEETING AT
WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC
AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE;
AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City Council of the City of Eagle Pass, Texas ("City Council") desires to revise and update certain fees involving services provided to the public by the City of Eagle Pass.

WHEREAS, the increase in the City of Eagle Pass trash collection rates is necessary to address rising inflation and the escalation of maintenance and operations, ensuring the sustainability and quality of waste management services for residents.

WHEREAS, the City manager of the City of Eagle Pass is of the opinion that it is in the best interest of the City to effect such increase in order to promote orderly development of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS:

SECTION 1. The City of Eagle Pass Code of Ordinances, Chapter 14, Section 14-10, is hereby amended to read as follows:

Sec. 14.-10 Schedule of Rates/Fees.

1. Service fee for Residential Properties and Multifamily dwellings shall be as follows:

A. City residents within corporate limits.

- i. A monthly Garbage Collection fee (service fee) of [~~thirteen dollars and fifty cents (\$13.50)~~] seventeen dollars (\$17.00) will be charged to individual residences inside the City limits. This service fee will apply to each and every residential unit, regardless of the type of residential structure. In the case of Multifamily structures, each residential unit therein will be charged the residential Garbage Collection fee of ~~\$13.50~~. Seventeen dollars (\$17.00) If a customer requires more than one (1) Refuse Collection Cart, an additional Cart may be requested for a fee of \$13.50 per month.

- ii. If a Person having care, custody and control of a Container requests an additional Collection out of the regularly scheduled Collection for any reason, including failure to place the Container out for Collection on a regularly scheduled Collection, there will be an extra charge of [~~fifteen dollars (\$15.00)~~] **twenty-five dollars (\$25.00)** added to the monthly bill.
- B. County Residents (outside corporate city limits). This section applies if there is an interlocal agreement with the County to provide Collection service. Alternatively, County residents and the City may agree to the terms provide Collection service.
- i. A monthly Garbage Collection fee (service fee) of [~~sixteen dollars and fifty cents (\$16.50)~~] **twenty dollars (\$20.00)** per month shall be charged to individual residences outside city limits but within the County of Maverick. This service fee will apply to each and every residential unit, regardless of the type of residential structure. If a customer requires more than one (1) Refuse Collection Cart, an additional Cart may be requested for a fee of \$16.50 per month. In the case of Multifamily structures, each residential unit therein will be charged the residential Garbage Collection fee of ~~\$16.50~~ **twenty dollars (\$20.00)** per month.
 - ii. Single family residences on premises not abutting public roadways, and to which access is possible only across private property, and premises abutting public roadways but on which the dwelling is so remote from such roadway as to make city collection of garbage impracticable, may [~~be exempted from such collection service and charges~~] **dispose of waste in person with the Solid Waste Department once a week at a designate site in Quemado, Texas with the following collection fees: \$1.00 per 13-gallon garbage bag, \$3.00 per 30-gallon garbage bag, \$5.00 per 50-gallon garbage bag.** All trash disposed of at the site must be contained in garbage bags. [~~For such exemption to be granted, written application must be submitted to and approved by the solid director or his representative in writing.~~]
 - iii. Senior Citizens and Disabled Veteran's Discount within the County. The monthly charge for residential Refuse service to any dwelling unit or manufactured home which is owned and occupied, or rented and occupied by a an individual sixty-five or more years of age or by a veteran shall be [~~fourteen dollars and fifty cents (14.50)~~] **sixteen dollars and fifty cents (\$16.50)** per month. No fee discount shall be applied to additional Containers. No fee discount shall be granted or remain in effect unless the following conditions are met:
2. Rates for commercial properties, except multifamily properties, of city and county residents shall be as follows:
- A. Automated collection (waste wheelers ninety-six (96) gallon), per month, plus tax [~~\$28.00~~] **\$33.00**
 (For county residents outside city limits), per month, plus tax [~~\$30.50~~] **\$35.00**
 City extra pick ups, per pick up, plus tax [~~\$15.00~~] **\$25.00**

County extra pick ups, per pick up, plus tax [~~\$25.00~~] \$35.00

B. Three (3) cubic yard containers, per month, plus tax [~~\$68.00~~] \$73.00

City extra pick ups, per pick up, plus tax [~~\$25.00~~] \$35.00

(For county residents outside city limits), per month, plus tax [~~\$85.00~~] \$95.00

County extra pick-ups, per pick up, plus tax [~~\$35.00~~] \$45.00

C. Twenty (20) cubic yard roll-off container, per pick up, plus tax [~~\$495.00~~] \$500.00

Twenty (20) cubic yard roll-off container, plus tax (one-time delivery charge)

**** These charges are for both city and county residents [~~\$75.00~~] \$85.00.

D. Thirty (30) cubic yard roll-off container, per pick up, plus tax \$600.00

Thirty (30) cubic yard roll-off container, plus tax (one-time delivery charge)

**** These charges are for both city and county residents [~~\$75.00~~] \$85.00.

E. Forty (40) cubic yard roll-off container, per pick up, plus tax [~~\$716.00~~] \$720.00

Forty (40) cubic yard roll-off container, plus tax (one-time delivery charge) **** These charges are for both city and county residents [~~\$75.00~~] \$85.00.

F. Compactors (inside city limits), per pick up, plus tax, plus tonnage [~~\$48.00 per ton~~] (\$50.00 per ton), and fuel surcharge based on state rate [~~\$165.00~~] \$175.00.

G. Compactors (outside city limits), per pick up, plus tax, plus tonnage [~~\$48.00 per ton~~] (\$50.00 per ton), and fuel surcharge based on state rate [~~\$185.00~~] \$195.00

SECTION 2. Severability. If any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or unlawful by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the phrases, clauses, sentences, paragraphs, and sections would have been enacted by the city council without the incorporation in this Ordinance of any such unconstitutional or unlawful phrase, clause, sentence, paragraph, or section.

SECTION 3. This ordinance shall be cumulative of all provisions of ordinances of the City of Eagle Pass, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4. The City Secretary of the City of Eagle Pass is hereby directed to publish the proposed Ordinance as required by Section 2-5 of the Charter of the City of Eagle Pass.

SECTION 5. This Ordinance shall be in full force and effect from and after its final passage and publication thereof, in accordance with the City Charter of the City of Eagle Pass.

READ, PASSED, AND APPROVED ON FIRST READING, on this 3rd Day of December A.D., 2024.

ATTEST:

Rolando Salinas
Mayor

Erika Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

READ, PASSED, AND APPROVED ON SECOND READING, on this 10TH Day of December A.D., 2024.

ATTEST:

Rolando Salinas
Mayor

Erika Rodriguez
City Secretary

AYES:
NAYS:
ABSTAIND:
ABSENT:

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING on this ____ Day of _____, A.D., 2024.

ATTEST:

Rolando Salinas
Mayor

Erika Rodriguez
City Secretary

AYES:

NAYS:

ABSTAINED:

ABSENT:

APPROVED AS TO FORM AND LEGALITY:

Ana Sophie Garcia
City Attorney

Item

#2

ORDINANCE NO. 2024-

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF EAGLE PASS, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF SAID CITY CONSISTING OF A 42.48 ACRE TRACT OF LAND OUT OF A 474.12 ACRE TRACT OF LAND CONVEYED TO LIBCO ENTERPRISES, LLC, RECORDED IN VOLUME 1745, PAGES 327-337, DEED RECORDS OF MAVERICK COUNTY, TEXAS, SITUATED IN SURVEY 26, S.S. SANDERS, ABSTRACT 826, SURVEY 27, J.W. TINSLEY, ABSTRACT 840, AND SURVEY 30A, DAY LAND & CATTLE CO., ABSTRACT 1238, MAVERICK COUNTY, TEXAS; AUTHORIZING IMPLEMENTATION OF THE SERVICE PLAN FOR SAID TERRITORY; ALL AS DESCRIBED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City desires to annex the acreage described on attached Exhibit "A" to the City of Eagle Pass, Texas; and

WHEREAS, the City Council deems it in the best interests of the City to effect such extension of the boundaries of the City by annexation of the territory herein described; and

WHEREAS, on the 3rd day of December 2024, at 5:30 p.m., a public hearing was held in the Council Chambers at City Hall, 100 South Monroe Street, giving all persons the right to appear and to be heard regarding the above-described annexation; and

WHEREAS, notice of the above-referenced public hearing was published on November 13 and November 21, 2024 in the Eagle Pass New Gram, and within the territory to be annexed, and said publication date was not more than twenty (20) days, nor less than ten (10) days prior to the date of the above-described public hearing; and

WHEREAS, the population of the City of Eagle Pass, Texas, is in excess of twenty thousand (28,130) inhabitants and the within described territory lies adjacent to and adjoins the City of Eagle Pass, Texas, and contains approximately **42.48** acres of land, more or less.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS, that:

SECTION 1. The matters and facts stated in the preamble hereof are affirmatively found to be true and correct.

SECTION 2. The above-described land and territory lying adjacent to and adjoining the City of Eagle Pass, Maverick County, Texas, and being more particularly defined by metes and bounds on attached Exhibit "A", be and it is hereby

annexed and incorporated into the limits of the territory of the City of Eagle Pass, Texas; and the present boundary limits of said City, at the various points contiguous to said area, shall be altered and amended so as to include said area within the corporate limits of the City of Eagle Pass, Texas.

SECTION 3. The territory described on attached Exhibit "A", shall be part of the City of Eagle Pass, Texas, and the property so added hereby shall bear its prorata part of the taxes levied by the City of Eagle Pass, Texas, and the inhabitants thereof shall be entitled to all the rights and privileges of all the citizens of said City and shall be bound by the acts, ordinances, and resolutions of said City.

SECTION 4. The implementation of the Service Plan outlining the provisions of necessary municipal services to this tract of land is hereby authorized. A copy of said Service Plan is annexed hereto as Attachment I and is incorporated herein by reference for all purposes.

SECTION 5. The City Secretary of this City is hereby authorized and instructed to file, or cause to be filed forthwith, following the adoption of this Ordinance, a copy hereof, with the County Clerk of Maverick County, Texas.

SECTION 6. Permanent Zoning District Classification of General Business is hereby assigned to the above-described 42.48-acre tract of land, and the Zoning Ordinance of said City, dated March 11, 1959, and the "Zoning District Map -- Eagle Pass, Texas" therein referred to, are hereby amended to reflect these changes, and said Zoning Ordinance and said Zoning District Map shall not otherwise be affected by this Ordinance except to the extent and in the particulars hereinabove specifically provided for.

SECTION 7. Severability. If any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or unlawful by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the phrases, clauses, sentences, paragraphs, and sections would have been enacted by the city council without the incorporation in this Ordinance of any such unconstitutional or unlawful phrase, clause, sentence, paragraph, or section.

SECTION 8, This Ordinance shall be in full force and effect from and after its final passage in accordance with the City Charter of the City of Eagle Pass.

READ, PASSED, AND APPROVED ON FIRST READING, on this 3RD Day of December, A.D., 2024.

ATTEST:

Rolando Salinas
Mayor

Erika Rodriguez
City Secretary

AYES:
NAYS: None
ABSTAINED: None
ABSENT: None

**READ, PASSED, AND APPROVED ON SECOND READING, this 10th Day
of December A.D., 2024.**

ATTEST:

Rolando Salinas
Mayor

Erika Rodriguez
City Secretaty

AYES:
NAYS: None
ABSTAINED: None
ABSENT: None

**READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this Day
of, A.O., 2025.**

ATTEST:

Rolando Salinas
Mayor

Erika Rodriguez
City Secretary

AYES:
NAYS: None
ABSTAINED: None
ABSENT: None

APPROVED AS TO FORM AND LEGALITY:

Ana Sophia Garcia
City Attorney



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, TX 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
 W1W1.eaglepasstx.us • planning@eaglepasstx.us

APPLICATION FOR VOLUNTARY ANNEXATION

Applicant Information

Applicant (If not owner): TerraTech Engineering & Construction Services, Inc.

Address: 3292 El Indio Hwy, Eagle Pass, TX 78852

Phone: 830-773-0579

E-mail: ailibson@terratechengineering.com

Owner: LIBCO ENTERPRISES, LLC

Address: 2962 Texcoco Dr., Eagle Pass, Texas 78852

Phone: 830-968-0292

E-mail: jlibson@sbcglobal.net

Property Information

Site Address: Off Regina Pr., Boris Dr., and Nojem Dr. MCAD Property ID No. 3_98_7_

Legal Description (from deed): Being a 42.48 Acre Tract of land out of a 474.12 Acre Tract, conveyed to libco Enterprises, LLC

Acreage: 42.48

Existing Land Use: Vacant

Proposed Land Use: Residential

Existing Zoning: NA

Proposed Zoning: R-2: SECOND ONE-FAMILY DWELLING DISTRICT & B-1: NEIGHBORHOOD BUSINESS DISTRICT

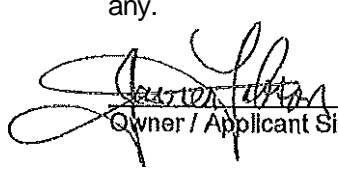
Required Application Attachments

The following documentation is required to be attached to this application:

- Letter signed by the property owner, requesting annexation.
- A warranty deed or other legal document demonstrating current ownership.
- A \$100 check made out to the "City of Eagle Pass".
- Twelve (12) signed and sealed surveyor's drawings (1' to 100")
 - a) Drawings must be full size (24" x 36") prints, showing the current city limits and labeled within one year of the application submittal date.
- One reduced copy (8.5" x 11") of the sealed surveyor's drawing.
- Signed and sealed metes and bounds from surveyor.

STATEMENT OF OWNER/ APPLICANT

I, the undersigned, hereby certify that; (1) I am the owner the land subject to this request for annexation; (2) I authorize TerraTech Engineering & Construction Services, Inc. to act as my agent for all documents pertaining to this annexation application; (3) the information contained in this annexation application or accompanying information is true and correct; (4) I will advise the City in writing of any inaccurate, misleading or false statements in the annexation application or accompanying information; and (5) the City will be advised in writing of any change in ownership of the property that is the subject of this annexation application provided the change of ownership occurs prior to the recording of the final approved annexation plan, if any.


Owner / Applicant Signature

9/20/2024
Date

STATE OF TEXAS §

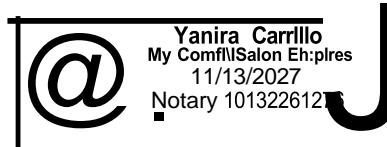
COUNTY OF MAVERICK §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared JAVIER LIBSON & MORRIS LIBSON (Name), PROPERTY OWNERS (Title) known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this the 20 day of September, 2024.

C:..

Notary Public, State of Texas


Yanira Carrillo
My Commission Expires
11/13/2027
Notary 101322612

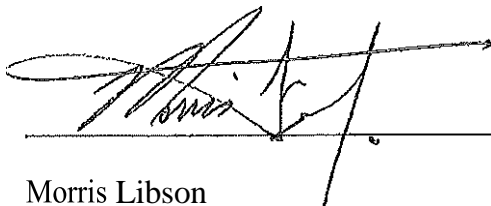


Annexation Request

This document serves as written legal notice by Libco Enterprises, LLC, property owners of 42.48 acres in Eagle Pass, TX, Maverick County, as shown in the submitted annexation drawings, intend to proceed to voluntarily annex and incorporate this area of land into the Eagle Pass City Limits, as described by metes and bounds in the accompanying surveyor's drawing.

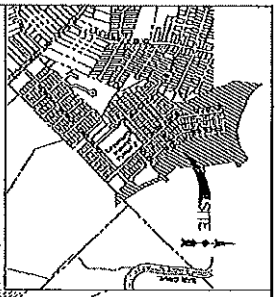
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Managing Member of Valorem Enterprises, LLC, as Managing Member of Libco Enterprises, LLC, a Texas Limited Liability Company •


Date: 9/20/24

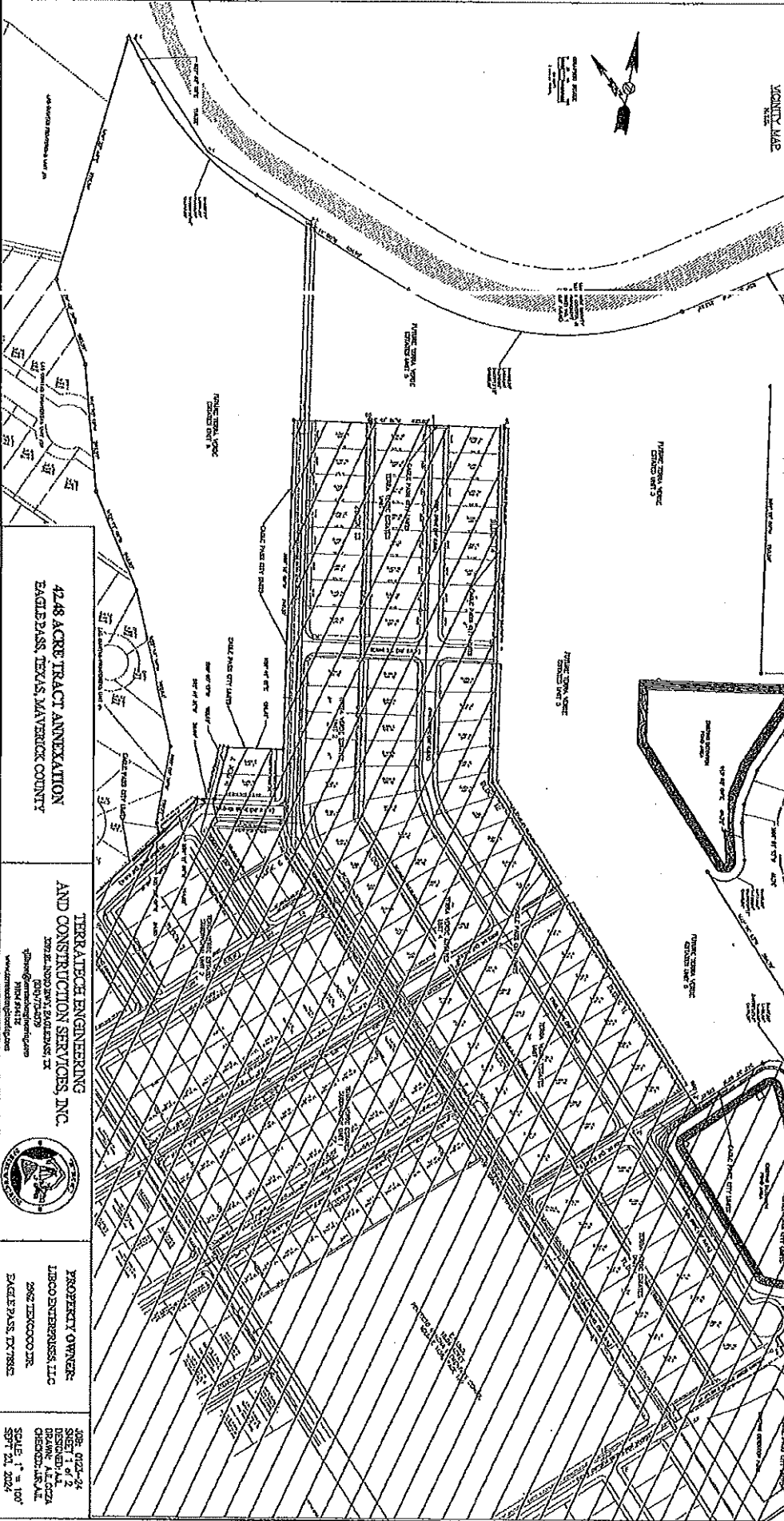
Morris Libson

Managing Member of MVN Enterprises, LLC, as Managing Member of Libco Enterprises, LLC, a Texas Limited Liability Company



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42.48 ACRE TRACT ANNEXATION
 EAGLEPASS, TEXAS, MAVERICK COUNTY

TERRACE ENGINEERING
 AND CONSTRUCTION SERVICES, INC.
 2301 E. INDEPENDENCE BLVD. SUITE 100
 DALLAS, TEXAS 75246
 (972) 771-1237
 www.terrace-engineering.com



PROPERTY OWNER
 LIMCO ENGINEERS, LLC
 2801 TEXACO DR.
 EAGLEPASS, TEXAS

JOB: 012-24
 REVISION: 1
 DRAWN: A. COZZA
 CHECKED: R. B. ALI
 SCALE: 1" = 100'
 SHEET NO. 1024

Item

#3

COUNCIL COMMUNICATION

MEETING DATE: 12.10.24	SUBJECT OF DELIBERATION: Discussion and possible action to approve a resolution for issuing an RFQ for design services for utilities, water and sanitary sewer lines, as part of the Patsy Winn Expansion Project.
REQUESTED BY: Abelardo Vara, Engineer Omar Rodriguez, Purchasing Manager	DEPARTMENT SOURCE: Engineering Purchasing
BACKGROUND/PREVIOUS ACTION: Previously awarded Economic Development Administration Grant for the road expansion of Patsy Winn Blvd. Grant No. 08-79-05668.	
COST: To be determined	BUDGETED or FUNDING SOURCE: Funds CIP 63 & EDA Grant
RECOMMENDATION FROM DEPARTMENT DIRECTOR: Approve the Resolution	
FINANCE DIRECTOR'S COMMENTS:	
CITY MANAGER'S COMMENTS:	
LEGAL COUNSEL COMMENTS:	
ATTACHMENTS:	
SUGGESTED MOTION: To allow the City to proceed with a solicitation and procurement of professional services for project needs.	

RESOLUTION NUMBER 2024-R

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF EAGLE PASS, TEXAS,
AUTHORIZING THE USE OF COMPETITIVE
SEALED PROPOSALS AS THE METHOD OF
PURCHASE THAT PROVIDES THE BEST
VALUE TO THE MUNICIPALITY FOR THE
DESIGN SERVICES FOR UTILITIES, WATER
AND SANITARY SEWER LINES, AS PART OF
THE PATSY WINN EXPANSION PROJECT.**

WHEREAS, the City of Eagle Pass, Texas is a home-rule Municipal Corporation duly organized under the laws of the State of Texas;

WHEREAS, it is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, as given to all as required by Title 5, Chapter 551 of the Texas Local Government Code, as amended;

WHEREAS, Section 252.021(c) of the Local Government Code provides that if the governing body of a municipality is considering using a method other than competitive sealed bidding it must determine before notice is given the method of purchase that provides the best value for the municipality;

WHEREAS, it is the desire of the City Council to use a method other than competitive sealed bidding for the Design services for utilities, water and sanitary sewer lines, as part of the Patsy Winn Expansion Project; and

WHEREAS, the City Council finds and determines that the competitive sealed proposals method of purchase or procurement of goods and/or services provides the best value for the municipality for the Design services for utilities, water and sanitary sewer lines, as part of the Patsy Winn Expansion Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS:

SECTION 1. All the above provisions are found to be true and correct and incorporated into this Resolution.

SECTION 2. The City Council of the City of Eagle Pass, Texas hereby finds and determines that the use of competitive sealed proposals (i.e. best value) will provide the best value for the City as it relates to the Design services for utilities, water and sanitary sewer lines, as part of the Patsy Winn Expansion Project and related services, and it directs city staff to implement its findings and determinations;

SECTION 3. If any section, part, or provision of this Resolution is declared unconstitutional or invalid by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Resolution that its parts shall be severable, and all other parts of this Resolution shall not be affected thereby, and they shall remain in full force and effect; and

SECTION 4. This resolution is effective immediately upon its passage.

READ, PASSED, AND APPROVED this 10th day of December, A.D., 2024.

ATTEST:

Rolando Salinas
Mayor

Erika Rodriguez
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Ana Sophia Garcia
City Attorney

Item

#4

COUNCIL COMMUNICATION

MEETING DATE: 12.10.24	SUBJECT OF DELIBERATION: Discussion and possible action to approve a resolution for the submission of the U.S. Department of Homeland Security FY24 Assistance to Firefighters Grant Program.
REQUESTED BY: Rodolfo Cardona, Assistant Fire Chief	DEPARTMENT SOURCE: Fire Department

BACKGROUND/PREVIOUS ACTION: If awarded, federal funds will be used to acquire a tanker truck and ambulance to enhance first responder operations.

COST: Matching Funds: 71,634.09	BUDGETED or FUNDING SOURCE: N/A
RECOMMENDATION FROM DEPARTMENT DIRECTOR: Approve the Resolution	
FINANCE DIRECTOR'S COMMENTS:	
CITY MANAGER'S COMMENTS:	
LEGAL COUNSEL COMMENTS:	
ATTACHMENTS:	
SUGGESTED MOTION:	

RESOLUTION NO. 2024 - R

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR THE FY24 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM TO OBTAIN FIRST RESPONDER VEHICLES; AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF EAGLE PASS IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF EAGLE PASS WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE U.S. DEPARTMENT OF HOMELAND SECURITY

WHEREAS, the purpose of the Assistance to Firefighters Grant Program is to protect the health and safety of the public and firefighting personnel against fire and fire related hazards; and

WHEREAS, the City of Eagle Pass, is committed to providing matching funds as fulling requirements of grant application; and

WHEREAS, the City agrees that in the event of loss or misuse of the U.S. Department of Homeland Security funds, the City will return said funds to the U.S. Department of Homeland Security in full.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS:

SECTION 1. That the **City Manager** is authorized to request grant funding under the U.S. Department of Homeland Security, for the purchase of first responder vehicles and act on behalf of the City of Eagle Pass in all matters related to the grant application and any subsequent grant contract and grant project that may result. The grant funding will provide for the purchase of a tanker truck and ambulance.

SECTION 2. That if the project is funded, the City of Eagle Pass will comply with all federal and state grant requirements of the U.S. Department of Homeland Security.

SECTION 3. The grant funds and any grant funded equipment or supplies will be used only for the purposes for which they are intended under the grant.

SECTION 4. This resolution is effective immediately upon its passage.

READ, PASSED, AND APPROVED, this 10TH day of December, A.D., 2024.

ATTEST:

Rolando Salinas, Jr.
Mayor

Erika A. Rodriguez
City Secretary

APPROVED AS TO FORM AND LEGALITY:

Ana Sophia Garcia
City Attorney

Item

#5

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EAGLE PASS, TEXAS, AMENDING CHAPTER 22, ARTICLE VI, SECTION 22-92, OF THE CODE OF ORDINANCES BY ADDING SUBSECTION (10) THE RISKIND BUILDING AND THE MAIN STREET INCUBATOR, ESTABLISHING FEES FOR THE USE OF FACILITIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, On September 27, 2024, the Riskind Building held an official ribbon cutting and opened to the public. The Riskind Building is comprised of two retail spaces, a restaurant, and a ghost kitchen downstairs available for the public to lease, and the main street incubator upstairs; and

WHEREAS, The Riskind Building, located at 364 Main Street, is a historic structure recently restored with the purpose of fostering entrepreneurship in Eagle Pass. This revitalized space is home to six economic development offices, two reception areas, three conference rooms, a shared workspace, an extension of the art center, and a ghost kitchen. The building is designed to stimulate the local economy by providing essential support to entrepreneurs and small businesses in the area. In alignment with this mission, the Main Street Business Incubator will offer a nurturing environment for new businesses during their critical startup phase, significantly enhancing their chances of success; and

WHEREAS, The Main Street Business Incubator will provide new businesses an environment that can support their start-up phase and increase their likelihood of success. The Main Street Business Incubator will provide opportunities for entrepreneurs by offering mentorship and learning opportunities through an accelerator program. The opportunities will be in the form of four (4) different memberships with access to the incubator space, conference rooms, and other amenities listed in the agreements; and

WHEREAS, on July 30, 2024, City Council motioned to approve the fees set forth below for The Riskind building including but not limited to the incubator space leases, the retail space lease and the fees for the business incubator and a fee copies.

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

Section 1. The City of Eagle Pass Code of Ordinances, Chapter 22, Article VI, is hereby amended as follows:

Sec. 22-92.- The Riskind Building and Main Street Business Incubator

(a) The city manager or his designated representative is hereby authorized to enter into contracts not to exceed a term of four (4) years for retail space located at The Riskind Building.

(b) The Main Street Business Incubator provides three (3) membership levels and daily passes. Each membership level has it

<u>The Riskind:</u>	
<u>Retail Space</u>	<u>\$1.00 psf per month, First Year</u>
	<u>\$1.25 psf per month, Second Year</u>
	<u>\$1.50 psf per month, Third Year and Fourth Year</u>
<u>Late Payment Penalties</u>	<u>\$20.00 late charge per day on payments not made by 11th day when due</u>
	<u>Ten percent (10%) per annum interest penalty on payments not made within 30 days</u>
<u>Main Street Business Incubator:</u>	
<u>Day Pass</u>	<u>\$25.00 per day</u>
<u>Level 1 Membership</u>	<u>\$100.00, per month</u>
<u>Level 2 Membership</u>	<u>\$200.00, per month</u>
<u>Level 3 Membership</u>	<u>\$500.00, per month</u>
<u>Copies- Black and White</u>	<u>\$0.25 per page</u>
<u>Copies- Color</u>	<u>\$0.50 per page</u>

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Eagle Pass, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. The City Secretary of the City of Eagle Pass is hereby directed to publish the proposed Ordinance as required by Section 2-5 of the Charter of the City of Eagle Pass.

Section 5. This Ordinance shall become effective immediately upon publication.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS _____ DAY OF _____ 2024.

**ROLANDO SALINAS
MAYOR**

ATTESTED:

**IMELDA B. RODRIGUEZ
CITY SECRETARY**

APPROVED AS TO FORM:

**ANA SOPHIA GARCIA
CITY ATTORNEY**

Item

#6

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EAGLE PASS, TEXAS, AMENDING CHAPTER 23, ARTICLE III, SECTION 23-36, OF THE CODE OF ORDINANCES BY REMOVING FINAL PLAT APPROVAL BY CITY COUNCIL AND ALLOWING FINAL PLAT APPROVAL BY ADMINISTRATION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, On August 2, 2005, Ordinance Number 05-22 went into effect granting City Council the ultimate authority to approve a final plat; and

WHEREAS, Texas House Bill 3699 passed and went into effect on September 1, 2023. HB3699 allows for the governing body of a municipality to delegate to one or more officers or employees of the municipality the ability to approve, approve with conditions or disapprove a plat; and;

WHEREAS, City of Eagle Pass City Council and the Planning and Zoning commission meet once a month. The current final plat approval method requires approval from both Council and the Commission, approval, approval with conditions, or denial by the Community Development Director would allow for a more efficient process.

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

Section 1. The City of Eagle Pass Code of Ordinances, Chapter 23, Article III, Section 23-36 is hereby amended as follows:

Sec. 23-36. Processing of the final plat.

a. Preliminary plat required.

No final plat shall be considered unless a preliminary plat has been submitted to the commission for its consideration and approval with possible recommendations. However, if a previously approved final plat has been duly recorded and the subdivider wishes to increase the size of the lots by combining two (2) or more lots or by combining one (1) lot with a portion of the adjacent lots, in such manner that no portion of a lot remains smaller than the original lots, no preliminary plat will be necessary, but the subdivider shall adhere to the conditions set forth herein for the submission of a final plat and replating without vacating the previous plat.

b. Submission of final plat. As soon as practicable after the subdivider is notified of the approval of the preliminary plat by the commission, but in no event later than six (6) months from the date of conditional approval of his preliminary plat, the subdivider or his engineer shall submit to and file with the ~~[city manager]~~ **community development director**:

(1) The original and ~~[ten (10)]~~ **four (4) for properties within city limits, six (6) for properties within extraterritorial jurisdiction** blue or black line copies **and one (1) digital set** of the final plat, resub division plat or replat, together with the specifications set forth herein;

2. Accompanying data as provided under section 23-35;

3. Detailed cost estimates as required herein;

4. A written or illustrative description incorporating the final plat to the existing master plan of the City of Eagle Pass;

5. Any other required information as provided by the [commission] or the ~~[city manager]~~ **community development director**.

6. Payment of any required fees or administrative costs.

If the subdivider fails to submit the final plat to the ~~[city manager]~~ **community development director** within the time period set forth herein, the approval of the commission of the preliminary plat shall become null and void unless an extension of time is applied for and granted by the commission.

c. Review of submissions.

1. The ~~[city manager]~~ **Community Development Director** shall check the final plat as to its conformity with the City of Eagle Pass ~~[Master Plan]~~ **Development Plan**, major street plan, land use plan, zoning districts and the standards and specifications set forth herein or referred to herein before presenting same for final approval to the ~~[commission and thereafter to the city council]~~ **community development director**.

2. The ~~[city manager]~~ **community development director**

3. shall submit copies of the final plat and data as required by subsection 23-35 to the following for review and comment:

a. The waterworks and sewer system;

b. The Chief Building Official of the City of Eagle Pass;

c. The director of parks and recreation;

d. The public works director

e. The fire chief;

f. The city attorney.

3. Procedure for securing letters of certification. The data shall be reviewed by the appropriate agency within thirty (30) days. When a department or agency specified in section 23-35 determines that the proposed plat or any required accompanying data does not conform to the requirements of this chapter, the agency shall so notify the applicant for plat approval. The applicant may, at ~~[his]~~ **their** option, revise any nonconforming aspects. The agency may, at its option, extend the review period for a maximum of an additional thirty (30) days. Within no later than sixty (60) days from the date of submission, the appropriate official shall issue a letter of certification giving approval or indicating the section and specific

requirement of the subdivision regulations, and the respect in which the proposed plat does not comply. The plat may, at the request of the applicant, be formally filed with the commission accompanied by a letter requesting a variance as specified in section 23-11 herein. Letters of certification shall remain valid for a period not to exceed six (6) months from date of issuance.

d. Application for final plat approval.

(1) Formal request. A formal written request should be submitted to the [~~city manager~~] **community development director** in substantially the same form as attached herein as **Exhibit "A"**.

2. Attached documents. The following documents must be attached to the written request:

a. Certificates and letters of certification.

1. Tax certificate: A certificate from the city tax collector and from the proper official of other taxing agencies within whose jurisdiction the proposed subdivision lies to the effect that all ad valorem taxes have been paid on the land included within the subdivision.

2. Certificates concerning utilities:

i. Water Works System of Eagle Pass. Letter of certification from the city water works board of trustees and, in addition, if applicable, other approved water purveyors, stating that adequate service is available to the subdivision or stating that adequate service is not available to the subdivision. In addition, thereto, a letter of certification from the water works general manager stating whether the water facilities meet the requirements of section 23-67 and whether the wastewater facilities meet the requirements of section 23-66 and whether the final engineering report meets the requirements of section 23-35(a)(4)c.

ii. Gas and electric companies. Letters of certification from the gas and electric companies will be furnished for subdivisions within the service areas of such companies. Letters will certify that adequate service is available and that the proposed subdivision plats and utility layouts have been approved or disapproved.

3. Certificate of the department of public works: Letter of certification from the department of public works stating that the department has received and approved or disapproved the data required by section 23-35.

4. Certificate of the fire department: Letter of certification stating that the fire department has received and approved or disapproved the data required by section 23-35.

b. Water and wastewater facility documents. A final plat will be approved only if the facilities for water and wastewater service have been fully constructed or if the city has received an adequate financial guarantee of performance approved by city council.

1. As to completed facilities written proof that the facilities have been completed and comply with the requirements under the Model Subdivision Rules.

2. As to unfinished facilities:

i. A draft of the subdivision construction agreement.

ii. A draft of the financial guarantee of performance as required under section 11 of the subdivision construction agreement and as provided by Texas Local Government Code § 212.0106, and the Model Subdivision Rules (31 TAC, Chapter 364).

e. Final plat approval process.

(1) Within a reasonable time not to exceed thirty (30) days from the date of formal written request, the ~~[city manager]~~ **community development director** shall ~~[set and submit]~~ review the final plat, **The community development director shall either approve, disapprove, or recommend changes pursuant to the requirements of state law or this chapter.** ~~[and accompanying data to the commission at the next available meeting.] [The city manager shall submit written recommendations and suggestions as to approval or disapproval and shall include in his report recommendations to the commission on the amount of value to be placed on any required documents under this chapter as well as any other fee or bond the city manager sees fit in recommending to the commission pursuant to the Model Subdivision Rules or this chapter.] **The director shall approve a plat that complies with the Model Subdivision Rules, state law, and this chapter.** [The city manager's report shall include an up-to-date copy of the city's final plat checklist for the subdivision.] [A copy of the city manager's report shall be provided to the subdivider at least three (3) days prior to the date of the meeting of the commission.]~~

(2) If the request is denied by the ~~[commission]~~ **community development director**, the subdivider shall be provided with written recommendations by the ~~[commission]~~ **community development director** within seven (7) days from the ~~[meeting]~~ **denial** date and shall have thirty (30) days thereafter in which to cure the defect(s). The subdivider shall submit a written request for reconsideration to the ~~[city manager]~~ **community development director** within the required time. ~~[The city manager shall present the final plat for reconsideration at the next available commission meeting.]~~

(3) ~~[If the request is approved, the city manager shall set the final plat for approval at the next available city council meeting. The approval by the commission shall contain recommendations to the city council on the amount of value to be placed on any required documents under this chapter as well as any other fee or bond the commission sees fit in recommending to the city council pursuant to the Model Subdivision Rules or this chapter.]~~

(4) ~~[The city manager shall submit a written report to the city council with the proposed recommendations made by him and the commission as well as his suggestions as to approval or disapproval. The city council shall either approve, disapprove, or recommend changes pursuant to the requirements of state law or this chapter. The~~

~~subdivider shall be provided with the written recommendations by the city council within seven (7) days from the meeting date and shall have thirty (30) days thereafter in which to cure the defect(s).]~~

~~(5) [It is a valid defense to the city manager for noncompliance with the time limits provided under this section, if the commission or city council is unable to establish a quorum or an emergency arises which causes the cancellation of the commission or city council's next available meeting.]~~

f. Formally filed plats. For the purpose of the time limits established by Texas Local Government Code §212.009, no plat shall be deemed formally filed unless:

- (1) The requirements under section 23-36(d) are met;
- (2) If applicable, a request for variance as specified in section 23-11 has been submitted to the commission in writing as required herein; and
- ~~(3) [The subdivider or his agent appears in person at the meeting of the commission considering the plat approval.]~~

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Eagle Pass, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. This Ordinance shall become effective immediately upon passage.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR
ON THIS ___ DAY OF _____ 2024.**

**ROLANDO SALINAS
MAYOR**

ATTESTED:

ERIKA RODRIGUEZ
CITY SECRETARY

APPROVED AS TO FORM:

ANA SOPHIA GARCIA
CITY ATTORNEY