



**City Council
Special Meeting
June 28, 2021**

Item

#1

ORDINANCE NO. 2021-

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF LOT 8, BLOCK 29 OF HILLCREST ADDITION (663 COLORADO STREET), FROM R-1 (FIRST ONE-FAMILY DWELLING DISTRICT) TO R-3 (DUPLEX DISTRICT); 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, a Public Hearing of the Planning and Zoning Commission of the City of Eagle Pass was held on May 13, 2021, at 5:30 p.m. in the Council Chambers at City Hall, after publication of notice thereof as required by law, on the proposal to change the zoning district classification as stated in the CAPTION hereof; and

WHEREAS, a Public Hearing of the City Council of the City of Eagle Pass was held on June 1, 2021, at 5:30 p.m. in the Council Chambers at City Hall, after publication of notice thereof as required by law, on the proposal to change the zoning district classification as stated in the CAPTION hereof; and

WHEREAS, following the Planning and Zoning Commission public hearing and meeting, the Planning and Zoning Commission recommended to the City Council that the proposed rezoning be effected; and

WHEREAS, the City Council of the City of Eagle Pass is of the opinion that it is in the best interest of the City and its residents to effect such change 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, that:

SECTION 1. Lot 8, Block 29 of Hillcrest Addition, from R-1 (First One-Family Dwelling District) to R -3 (Duplex District).

SECTION 2. This Ordinance shall not be construed to interfere with, or to abrogate or annul any previously adopted Zoning Ordinances of the City of Eagle Pass nor the "Zoning District Map--Eagle Pass, Texas" therein referred to, except to the extent and in the particulars hereinabove specifically provided; and neither said Zoning Ordinance, nor said Map shall be otherwise affected hereby.

SECTION 3. 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 phase, clause, sentence, paragraph, or section.

READ, PASSED, AND APPROVED ON FIRST READING on this 1st Day of June, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Davis, Diaz, Ramon
NAYS: None
ABSTAINED: None
ABSENT: None

READ, PASSED, AND APPROVED ON SECOND READING, this 28th Day of June, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this ___ Day of June A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

APPROVED AS TO FORM AND LEGALITY:

Langley & Banack, Inc.
City Attorney

Item

#2

ORDINANCE NO. 2021-

AN ORDINANCE AMENDING CHAPTER 15 (GAS AND GAS FITTINGS), ARTICLE III, SECTION 15-33 ; AND CHAPTER 21, (PLUMING) ARTICLE I, SECTION 21-2 (5), AND ADDING NEW SUBSECTION (c) OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE PASS, TEXAS TO INCLUDE THE SERVICES OF A LICENSED PLUMBING INSPECTOR FEE; 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

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

SECTION 1. That Chapter 15, Article III, Section 15-33 (c) of the City's Code of Ordinances is hereby amended to include the following:

Sec. 15-33 Inspection and Permit Fees

The fees for all work shall be as indicated in the following schedule when performed by City of Eagle Pass Staff:

- c. If the City contracts the services of a licensed plumbing inspector, the department may set an inspection fee in an amount that is reasonably related to the expense incurred by the municipality.

Any and all fees shall be paid by the person to whom the permit is issued.

SECTION 2. That Chapter 21, Article I, Section 21-2, (5) (c) of the City's Code of Ordinances is hereby amended to include following:

Sec. 21-2 (Amendment)

- c. If the City contracts the services of a licensed plumbing inspector, the department may set an inspection fee in an amount that is reasonably related to the expense incurred by the municipality.

Any and all fees shall be paid by the person to whom the permit is issued.

SECTION 3. 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 phase, clause, sentence, paragraph, or section.

SECTION 4. 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 1st Day of June, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Davis, Diaz, Ramon
NAYS: None
ABSTAINED: None
ABSENT: None

READ, PASSED, AND APPROVED ON SECOND READING, this 28th Day of June, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 3rd Day of November, A.D., 2020.

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

APPROVED AS TO FORM AND LEGALITY:

Langley & Banack, Inc.
City Attorney

DRAFT

Item

#3

RESOLUTION NO. 2021-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS AUTHORIZING THE USE OF AMERICAN RESCUE PLAN ACT OF 2021 FUNDING FOR COVID-19 RECOVERY PROGRAMS AND DESIGNATING THE CITY MANAGER AS THE AUTHORIZING OFFICIAL

WHEREAS, the American Rescue Plan Act of 2021 was passed by the 117th United States Congress and signed into law on March 11, 2021;

WHEREAS, the American Rescue Plan Act of 2021 authorized \$21.6 billion for states, territories and local governments to assist with the recovery from the effects of the COVID-19 pandemic;

WHEREAS, the United States Department of Treasurer has released an Interim Final Rule regarding eligible uses of the funding received through the American Rescue Plan Act of 2021;

WHEREAS, the Interim Final Rule provides local governments authority to make certain determination relating to the eligible uses of such funding;

WHEREAS, the City of Eagle Pass will implement programs with a good faith intent to comply with the provisions of the Interim Final Rule;

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

SECTION 1. The City of Eagle Pass hereby accepts the funding provided by the American Rescue Plan Act of 2021 and authorizes the City Manager to act on all contractual matters related to said funding.

SECTION 2. The City of Eagle Pass will use funding to directly benefit individuals and households affected by COVID-19. Through the following programs:

- (a) Mortgage Assistance Program
- (b) Rental Assistance Program
- (c) Utility Bill Assistance Program

The City will adopt guidelines set forth by the State of Texas' Mortgage Assistance Program and Rental Assistance program. The maximum income eligibility for all programs will be set at 100% of the 2021 Area Median Income for Eagle Pass. Maximum reimbursement per household may not exceed the household's verified financial loss rounded up to the next complete monthly approved allocation.

SECTION 3. The City of Eagle Pass will use funding to directly benefit small business affected by COVID-19 in accordance with the approved guidelines through the following programs:

- (a) Small Business Grant
- (b) Workforce Development Program

SECTION 4. The City of Eagle Pass will use funding to directly benefit essential employees by providing additional pay to the following employees who have been deemed to provide essential services by the City's chief executive in accordance with the approved guidelines:

- (a) Public Safety Employees: Certified Law Enforcement and Certified Fire/EMT personnel shall receive an additional \$2.00 per hour as compensation for the risk associated with COVID-19 through September 2022.
- (b) Non-Public Safety Government Services Employees: City employees, other than public safety employees shall receive an additional \$240 monthly payment for the risk associated with COVID-19 due to their job required person-to-person contact through December 2021.

SECTION 5. The City of Eagle Pass will use funding to replace up to \$3,300,000 in lost revenue during the 2020 fiscal year. International Bridge Toll Revenue decreased \$2,646,144, Sales Tax decreased \$176,234, and Franchise Tax decreased \$162,427 from fiscal year 2019 to fiscal year 2020. In addition, the anticipated revenue loss for International Toll Revenue for fiscal year 2021 is \$600,000. These funds will be allocated to following government services:

- (a) Infrastructure Improvements
- (b) Roadway Maintenance
- (c) International Bridge Operations and Improvements

SECTION 6. The City of Eagle Pass will use funding to cover COVID-19 response expenses incurred to protect public health.

SECTION 7. The City of Eagle Pass will use funding to cover administrative cost associated with the above listed programs in an amount not to exceed \$100,000. Such expenses may include personnel, supplies, application processing, and advertisement costs.

READ, PASSED, AND APPROVED, this 25th day of June, A.D., 2021.

ATTEST:

Rolando Salinas, Jr.
Mayor

Imelda B. Rodriguez
City Secretary

Item

#4

RESOLUTION NO. 2021-R

A RESOLUTION AMENDING RESOLUTION NO. 2020-64R DECLARING THE OFFICIAL HOLIDAYS FOR THE CITY OF EAGLE PASS FOR FISCAL YEAR 2020-2021, BY ADDING THE JUNETEENTH

WHEREAS, Resolution No. 2020-64R, of the Personnel Rules and Regulations of the City of Eagle Pass stipulate that the City Council will determine the official City holidays each year; and

WHEREAS, said Resolution naming Juneteenth holiday as June 18, 2021.

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

SECTION 1. Resolution No. 2020- 64R declaring the official holidays for the City of Eagle Pass for fiscal year 2020-2021 is hereby added to read as follows:

<u>HOLIDAY</u>	<u>OBSERVANCE DAY</u>
Juneteenth	June 18, 2021

SECTION 2. The remaining holidays of Resolution No. 2020-39R, shall continue in full force and effect.

READ, PASSED, AND APPROVED, this 28th Day of June, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

Item

#5

RESOLUTION NUMBER 2021-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, PRODUCTION, AND
DISTRIBUTION OF THE CITY MAGAZINE**

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, production, and distribution of the city magazine;

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, production, and distribution of the city magazine .

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, production, and distribution of the city magazine 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 28th day of June, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

Item

#6

RESOLUTION NUMBER 2021-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 SPORTS COMPLEX FIELD MAINTENANCE SERVICES

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 Sports Complex Field Maintenance Services;

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 Sports Complex Field Maintenance Services .

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 Sports Complex Field Maintenance Services 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 28th day of June, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

Item

#7

COUNCIL COMMUNICATION

MEETING DATE: June 28, 2021	SUBJECT OF DELIBERATION: Consideration and possible awarding of bids for RFP#2021-020 Della Willars Fire Station Reconstruction Project.						
REQUESTED BY: Jesse Rodriguez, Finance Director	DEPARTMENT SOURCE: Finance Department						
BACKGROUND/PREVIOUS ACTION: The City received three (3) proposals on May 17, 2021: <table style="width: 100%; border: none;"><tr><td style="width: 60%;">Frontera Construction</td><td style="text-align: right;">\$3,231,000.00</td></tr><tr><td>Triun General Contractors</td><td style="text-align: right;">\$3,312,000.00</td></tr><tr><td>Waterman Construction</td><td style="text-align: right;">\$3,314,675.00</td></tr></table>		Frontera Construction	\$3,231,000.00	Triun General Contractors	\$3,312,000.00	Waterman Construction	\$3,314,675.00
Frontera Construction	\$3,231,000.00						
Triun General Contractors	\$3,312,000.00						
Waterman Construction	\$3,314,675.00						
COST:	BUDGETED or FUNDING SOURCE? : CIP						
RECOMMENDATION FROM DEPARTMENT DIRECTOR: To approve award							
FINANCE DIRECTOR'S COMMENTS: Same as above.							
CITY MANAGER'S COMMENTS:							
LEGAL COUNSEL COMMENTS:							
ATTACHMENTS: Recommendation Panel Evaluation							
SUGGESTED MOTION: To award to Triun General Contractors							