



**City Council
Special Meeting
February 13, 2023**



A G E N D A

**CITY COUNCIL SPECIAL MEETING
MONDAY FEBRUARY 13, 2023, AT 5:30 P.M. CST
COUNCIL CHAMBERS, CITY HALL BUILDING,
100 SOUTH MONROE STREET, EAGLE PASS,
MAVERICK COUNTY, TEXAS**

ESTABLISHMENT OF QUORUM

MOMENT OF REVERENCE

CITIZENS COMMUNICATIONS AND RECOGNITIONS

ORDINANCE(S)

1. Consideration and possible approval of an ordinance ordering a special election to be held in the City of Eagle Pass, Texas on May 6, 2023, to submit to the qualified voter proposed amendment to the City Charter relating to election and term limit of mayor and council members; 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. Consideration and possible approval of an ordinance amending Section 5-32, Article III, Chapter 5 (Alcoholic Beverages) of the Code of Ordinances of the City of Eagle Pass, Texas, to include Abstract A0793, Roberts, James B., Survey #33 Unit 5, (345 Adams Street Suite #5), within the areas in which the sale of alcoholic beverages for consumption on the premises is permitted; 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.
3. Third and final reading of 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 tract consisting of a total of 10.05 acres of land lying located at Tinsley, James W., Survey 27, Abstract 840, of Maverick County as described in document number 154694 of Maverick County Official Public Records; authorizing implementation of the service plan for said territory; assigning thereto permanent zoning district classification, all as described herein; and providing for an effective date.

RESOLUTION(S)

4. Consideration and possible action to ratify resolution 2023- 08R accepting a petition for and calling for a public hearing on the creation of the Eagle Pass Public Improvement District Number 1 within the City of Eagle Pass, Texas pursuant to Chapter 372 of the Texas Local Government Code and authorizing the mailing and publication of notice of the public hearing.

OTHER BUSINESS

5. Consideration and possible awarding/rejection of a Request for Proposal (RFP#2022-018) for Toll Collection System.

ADJOURNMENT

The City Council reserves the right to consider business out of the posted order and the right to adjourn into Executive Session to discuss items which are not listed as Executive Session items, but which qualify to be discussed in closed session as permitted by the Texas Open Meetings Act, under Chapter 551 of the Texas Government Code.

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 City Secretary, do hereby certify that the Notice of Meeting was posted on the Bulletin Board located in the Lobby at City Hall, 100 South Monroe Street, Eagle Pass, Texas, on Friday, February 10, 2023, at 4:15 p.m.

Imelda B. Rodriguez, TRMC
City Secretary

Item

#2

ORDINANCE NO. 2023-

AN ORDINANCE AMENDING SECTION 5-32, ARTICLE III, CHAPTER 5 (ALCOHOLIC BEVERAGES) OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE PASS, TEXAS, TO INCLUDE ABSTRACT A0793, ROBERTS, JAMES B., SURVEY #33 UNIT 5, (IMP ONLY) (345 ADAMS STREET SUITE #5), WITHIN THE AREAS IN WHICH THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES IS PERMITTED; 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, as follows:

SECTION 1. Section 5-32, Article III, Chapter 5 of the Code of Ordinances of the City of Eagle Pass, Texas, is hereby amended by adding at the end of the description, therein contained, of the areas in which alcoholic beverages may be sold, given, or dispensed, or delivered for consumption on the premises, the following language to-wit:

“Abstract A0793, Roberts, James B., Survey #33 Unit 5” (345 S. Adams Suite #5)

SECTION 2. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Ordinance that its parts shall be severable, and all other parts of this Ordinance shall not be affected thereby, and they shall remain in full force and effect.

SECTION 3. 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 13th Day of February, A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

**READ, PASSED, AND APPROVED ON SECOND READING, this 15th Day of, A.D.,
February 2023.**

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

**READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 16th Day of
March, A.D., 2023.**

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

#3

ORDINANCE NO. 2023-

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 TRACT CONSISTING OF APPROXIMATELY 10.05 ACRES OF LAND LYING LOCATED AT TINSLEY, JAMES W., SURVEY 27, ABSTRACT 840, OF MAVERICK COUNTY AS DESCRIBED IN DOCUMENT NUMBER 154694 OF MAVERICK COUNTY OFFICIAL PUBLIC RECORDS; 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 17th day of January 2023, 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 January 6, 2023 in the San Antonio Express News, a newspaper having general circulation in the City of Eagle Pass, Maverick County, Texas, and also in the Eagle Pass New Gram on January 1 and 6, 2023, 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 **10.05** 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. 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 7. 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 17th Day of January, A.D., 202.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

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

READ, PASSED, AND APPROVED ON SECOND READING, this 9th Day of February A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

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

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 13th Day of February, A.D., 2023.

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

#4

RESOLUTION NO. 2023-08R

RESOLUTION ACCEPTING A PETITION FOR AND CALLING FOR A PUBLIC HEARING ON THE CREATION OF THE EAGLE PASS PUBLIC IMPROVEMENT DISTRICT NUMBER 1 WITHIN THE CITY OF EAGLE PASS, TEXAS PURSUANT TO CHAPTER 372 OF THE TEXAS LOCAL GOVERNMENT CODE AND AUTHORIZING THE MAILING AND PUBLICATION OF NOTICE OF THE PUBLIC HEARING

WHEREAS, the City Council of the City (the “City Council”) of Eagle Pass, Texas (the “City”) has received a petition (the “Petition”) requesting creation of a public improvement district (the “PID”) under Chapter 372 of the Texas Local Government Code (the Act), from the record owners of taxable real property representing more than fifty percent (50%) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Maverick County) in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment under the proposal; and

WHEREAS, the Petition, a copy of which is attached hereto as Exhibit A, has been examined, verified, and found to meet the requirements of Section 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the boundaries of the proposed PID are described in the attachment to the Petition and shown on the map attached hereto as Exhibit B, said area for the PID being within the City; and

WHEREAS, the City Council accepts the Petition and desires to schedule a public hearing to consider the creation of the PID to finance the following public improvements: onsite roads (including, but not limited to a collector road) and associated utility improvements (water, sewer, drainage), offsite sewer extension (and if needed, offsite roads, water, and drainage), onsite public improvements for residential lots (sewer, water, streets, and drainage), the improvement and construction of water, sanitary sewer, drainage, dry utilities (gas and electric), detention ponds, storm sewer, road, landscaping in public rights of way, or sidewalks, right of way acquisition costs, easement acquisition costs, appraisal costs, geotechnical and hydrological engineering costs, environmental inspections/testing/and remediation costs, well plugging costs, demolition costs, floodplain reclamation costs, tree mitigation costs, park/entry/amenity improvement costs, including any cost or expense of purchasing, constructing, maintaining, acquiring, owning, operating, repairing, leasing, improving, extending, or paying for inside (i.e. onsite) and outside (i.e. offsite) the district boundaries; flood plain and wetlands regulation and endangered species permits, stormwater permits, including mitigation; and all works, improvements, facilities, plants, equipment, appliances, interest in property, and contract rights needed thereof, and administrative facilities needed in connection therewith, related surveying, engineering, and legal fees, costs and expenses, and all rights of way and other interests in land necessary or convenient in connection therewith, as well as reasonable contingencies, associated with the costs of public improvements (collectively, the “Authorized Improvements”). Further, the public improvements financed by the District may include public improvements in compliance with Chapter 372 and in accordance with governing laws. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the

Property.

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

SECTION 1: THAT a public hearing is hereby scheduled at 5:30 p.m. on April __, 2023, at City Hall, 100 South Monroe Street, Eagle Pass, Texas 78852 to receive public comment on the creation of the PID in the area described in the petition attached as Exhibit A and as shown on the map in Exhibit B, pursuant to the Act; and

SECTION 2: THAT notice of said hearing, in the substantially final form presented herewith in Exhibit C, with such changes as may be approved by the City's counsel, shall be published in a newspaper of general circulation in the City before the 15th day prior to the hearing as required by the Act; and

SECTION 3: THAT written notice, in the substantially final form presented herewith with such changes as may be approved by the City's counsel, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment under the PID, before the 15th day prior to the date set for the hearing.

Passed by the City Council of City this 9th day of February 2023.

Rolando Salinas, Jr., Mayor
City of Eagle Pass, Texas

ATTEST:

Imelda Rodriguez, City Secretary
City of Eagle Pass, Texas

EXHIBIT A
PETITION

EXHIBIT B

MAP

EXHIBIT C
Notice of Public Hearing

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF EAGLE PASS TO CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY TO MAKE CERTAIN IMPROVEMENTS OVER CERTAIN PROPERTIES LOCATED WITHIN THE CITY

NOTICE IS HEREBY GIVEN THAT the City Council of City of Eagle Pass, Texas (the “City”), pursuant to Chapter 372.005 Local Government Code, as amended, (the “Act”), will hold a public hearing at 5:30 p.m. on _____ day, April __, 2023, at City Hall, 100 South Monroe Street, Eagle Pass, Texas 78852, for the purpose of considering the establishment of a public improvement district to be located within the City.

In accordance with the Act, the City Secretary has received a petition (the “Petition”) from certain property owners within the City (the “Petitioner”) that request the establishment of a public improvement district for the Empire Industrial Park development within the City.

The Petition and the legal description of the properties to be included in the public improvement district is on file and open for public inspection in the office of the City Secretary at the address stated above. The public hearing is being held with respect to the advisability of creating a public improvement district for the Empire Industrial Park development and the Authorized Improvements (as defined below) to be made therein.

General Nature of the Authorized Improvements: The purpose of the public improvement district is to provide funds for public improvement projects authorized by the Act that are necessary for development of District property, which public improvements will include: onsite roads (including, but not limited to a collector road) and associated utility improvements (water, sewer, drainage), offsite sewer extension (and if needed, offsite roads, water, and drainage), onsite public improvements for residential lots (sewer, water, streets, and drainage), the improvement and construction of water, sanitary sewer, drainage, dry utilities (gas and electric), detention ponds, storm sewer, road, landscaping in public rights of way, or sidewalks, right of way acquisition costs, easement acquisition costs, appraisal costs, geotechnical and hydrological engineering costs, environmental inspections/testing/and remediation costs, well plugging costs, demolition costs, floodplain reclamation costs, tree mitigation costs, park/entry/amenity improvement costs, including any cost or expense of purchasing, constructing, maintaining, acquiring, owning, operating, repairing, leasing, improving, extending, or paying for inside (i.e. onsite) and outside (i.e. offsite) the district boundaries; flood plain and wetlands regulation and endangered species permits, stormwater permits, including mitigation; and all works, improvements, facilities, plants, equipment, appliances, interest in property, and contract rights needed thereof, and administrative facilities needed in connection therewith, related surveying, engineering, and legal fees, costs and expenses, and all rights of way and other interests in land necessary or convenient in connection therewith, as well as reasonable contingencies, associated with the costs of public improvements (collectively, the “Authorized Improvements”). Further, the public improvements financed by the District may include public improvements in compliance with Chapter 372 and in accordance with governing laws. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Estimated Cost of the Authorized Improvements: The estimated cost to fund the Authorized Improvements is \$75,000,000.

Boundaries of the Proposed District: The public improvement district would include the Property as depicted in Exhibit A.

Proposed Method of Assessment for the Public Improvement District. The City shall levy assessments on each lot within the public improvement district in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including accrued and unpaid interest), and certain assessments may be paid in annual installments (including interest and debt). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed in part by the assessment and must continue for a period necessary to retire the indebtedness on those Authorized Improvements (including interest).

Proposed Apportionment of Costs between the District and the City for the Public Improvement District. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the public improvement district and/or from other sources of funds, if any, available to the Petitioners, including lawfully available funds of the City from the sources and in the amounts as directed by the City Council.

All interested persons are invited to attend such public hearing to express their views with respect to the establishment of a public improvement district for the Empire Industrial Park development and the Authorized Improvements to be made therein.

Any interested persons unable to attend the hearing may submit their views in writing to Imelda Rodriguez, City Secretary at irodriguez@eaglepasstx.us prior to the date scheduled for the hearing.

This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

GIVEN THIS ____ day of April,
2023.

CITY OF EAGLE PASS, TEXAS

EXHIBIT A

Boundaries

Approximately 461 acres located in the City of Eagle Pass, bound by Texas Highway 1021 and Texas Highway 480. A full description of the boundaries of the proposed Eagle Pass Public Improvement District Number 1 is available at City Hall, 100 South Monroe Street, Eagle Pass, Texas 78852.

Item

#5

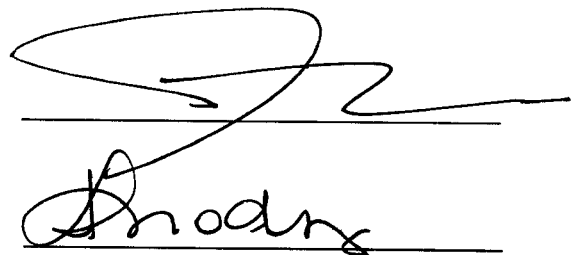
COUNCIL COMMUNICATION

MEETING DATE: February 13, 2023	SUBJECT OF DELIBERATION: Consideration and possible awarding for RFP#2022-018 City of Eagle Pass Toll Collection System
REQUESTED BY: Jesus Rodriguez, Finance Director	DEPARTMENT SOURCE: Finance Department
BACKGROUND/PREVIOUS ACTION: The City received three (3) proposals on November 10, 2022. The total base bids were as follows: P-Square Solutions LLC - \$5,493,677.00 The Revenue Markets Inc - \$3,920,928.16 (officially withdrew their proposal on 2/07/2023) E-Transit - \$3,884,984.30	
COST: To be determined	BUDGETED or FUNDING SOURCE: 62 – CIP
RECOMMENDATION FROM DEPARTMENT DIRECTOR: To approve award	
FINANCE DIRECTOR’S COMMENTS: Same as above.	
CITY MANAGER’S COMMENTS:	
LEGAL COUNSEL COMMENTS:	
ATTACHMENTS: Bid Tabulation	
SUGGESTED MOTION: To award to P-Square Solutions and authorize Interim City Manager to negotiate and execute agreement.	

City of Eagle Pass
RFP#2022-018
City of Eagle Pass Toll Collection System
NOVEMBER 10, 2022 @ 3:00 PM

RESPONSES RECEIVED

COMPANY NAME
P. Square Solution LLC.
\$5,423,677 454 calendar days
The Revenue Markets Inc.
\$3,920,928.16 360 calendar days
E-Transit.
\$3,884,984.30 452 calendar days.



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