



**City Council
Special Meeting
May 13, 2021**



A G E N D A

**CITY COUNCIL SPECIAL MEETING
THURSDAY MAY 13, 2021, AT 5:30 P.M. CST
COUNCIL CHAMBERS, CITY HALL BUILDING,
100 SOUTH MONROE STREET, EAGLE PASS,
MAVERICK COUNTY, TEXAS**

PURSUANT TO SECTION 551.125(b);551.127(b)(g); 551.007 OF THE TEXAS GOVERNMENT CODE AND THE DECLARATION EXTENDED BY GOVERNOR GREG ABBOTT ON MARCH 6, 2021, THIS MEETING OF THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS SHALL BE OPEN AND ACCESSIBLE TO THE PUBLIC VIA THE FOLLOWING FREE-OF-CHARGE VIDEOCONFERENCE LINK: <https://www.facebook.com/OfficialCityEaglePassTexas> AN ELECTRONIC COPY OF THE AGENDA PACKET FOR THE REGULAR MEETING OF THE CITY COUNCIL IS ALREADY AVAILABLE TO THE PUBLIC AT THE FOLLOWING URL: <https://www.eaglepasstx.us/AgendaCenter>. IN LIGHT OF THE ONGOING NATIONAL EMERGENCY AND URGENT THREAT TO PUBLIC HEALTH CAUSED BY THE COVID-19 PANDEMIC, MEMBERS OF THE PUBLIC ARE ENCOURAGED TO FOLLOW THE RECOMMENDATIONS OF GOVERNMENT LEADERS AND THE CDC REGARDING SOCIAL DISTANCING AND SELF-QUARANTINE.

IF YOU ARE A CITIZEN WISHING TO PARTICIPATE IN CITIZENS COMMUNICATIONS, PLEASE CALL ON Thursday May 13, 2021 FROM 2:00 PM TO 4:00 PM AT 830-773-1111 OR SEND EMAIL TO irodriguez@eaglepasstx.us

ESTABLISHMENT OF QUORUM

MOMENT OF REVERENCE

CITIZENS COMMUNICATIONS AND RECOGNITIONS

ORDINANCE(S)

1. Third and final reading of an ordinance amending Section 22-92, Article vi, chapter 22 (Streets, Sidewalks and Other Public Places) of the Code of Ordinances of the City of Eagle Pass by adding new Subsection (10) to set fees for the Eagle Pass Sports Complex; 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.

RESOLUTION(S)

2. Consideration and possible approval of a resolution appointing regular members to the Zoning Board of Adjustment and Appeals of the City of Eagle Pass.

3. Consideration and possible approval of a resolution establishing the Mental Health Board of the City of Eagle Pass; and appointing members to serve in same.
4. Consideration and possible approval of a resolution calling for a City Officers Runoff Election to be held Saturday, June 12, 2021; establishing procedures; and authorizing, approving, and constituting the order for said election.
5. Consideration and possible approval of a resolution of the City Council of the City of Eagle Pass, Texas approving Motor Vehicle Crime Prevention Authority Grant Program; and designating the authorizing official.

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.

CERTIFICATION

I, the undersigned City Secretary, do hereby certify that the agenda mentioned above was posted on the Bulletin Board located in the Lobby at City Hall, 100 South Monroe Street, Eagle Pass, Texas, on Monday, May 10, 2021 at 3:20 p.m.

Imelda B. Rodriguez
TRMC, City Secretary

Item

#1

ORDINANCE NO. 2021-

AN ORDINANCE AMENDING SECTION 22-92, ARTICLE VI, CHAPTER 22 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES) OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE PASS BY ADDING NEW SUBSECTION (10) TO SET FEES FOR THE EAGLE PASS SPORTS COMPLEX; 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, Section 22-92, Chapter 22, (Streets, Sidewalks and other Public Places) of the Code of Ordinances of the City of Eagle Pass which regulates schedule of fees/rentals for Other city-owned buildings, equipment and facilities needs to modify in order to set fees for the Eagle Pass Sports Complex.

WHEREAS, the City Council of the City of Eagle Pass is of the opinion that it is in the best interest of the City to effect such fees 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, as follows:

SECTION 1. Section 22-92, Article VI, Chapter 22 (Streets, Sidewalks and other Public Places) of the Code of Ordinances of the City of Eagle Pass is hereby amended by adding new subsection (10) to read as follows:

Sec. 22-92 Other city-owned buildings, equipment and facilities.

The city council hereby approves and adopts the following user fees and rental charges for other city-owned buildings, equipment and facilities, to be collected by the city at the rate set out herein:

(10) Eagle Pass Sports Complex:

- (a) The city manager shall adopt policies and procedures concerning the use of the Eagle Pass Sports Complex. Failure to comply with posted signs at the complex is prohibited.
- (b) Any person, firm, entity, corporation, school, and organizations of every nature desiring to have exclusive use of the Eagle Pass Sports Complex, located at 1325 Pasty Winn Blvd, shall apply to the City for a permit to use such complex, on a form provided by the City. The City Manager shall approve permit requests based on availability and if deemed to be in the best interest of the City. Approved agreements shall entitle such user to exclusive use of the selected field(s) and/or

facilities and shall obligate such user to return the premises to the City after such use clean and without damage, other than ordinary wear and tear. The City may request liability coverage for the duration of the use as deemed appropriate by the City Manager.

(c) User fees:

Rental Option	Fee	Security and Cleaning Deposit
Youth Baseball/Softball Fields Tournament Rental (includes exclusive use of four youth baseball/softball artificial turf playing fields with lights, scoreboards, and batting cages)	\$600 per day	\$250
High School Baseball Fields Tournament Rental (includes exclusive use of two high school baseball/softball artificial turf playing fields with lights, scoreboards, and batting cages)	\$400 per day	\$250
Full Baseball/Softball Fields Tournament Rental (includes exclusive use of six combined baseball/softball artificial turf playing fields with lights, scoreboards, and batting cages)	\$1,000 per day	\$250
Football/Soccer Turf Field Tournament Rental (includes exclusive use of football/soccer artificial turf playing field with lights and scoreboard)	\$350 per day	\$250
Soccer Field Tournament Rental (includes exclusive use of soccer grass field with lights)	\$300 per day	\$250
Full Football/Soccer Fields Tournament Rental (includes exclusive use of football/soccer artificial turf playing field and soccer grass field with lights and scoreboard)	\$650 per day	\$250
Full Tennis Courts Tournament Rental	\$150 per day	\$250
Recreational Camps & Clinics	\$250 for 4 hours, \$75 for each additional hour, per field	\$100
Baseball/Softball Field Rental	\$25 per hour (two hours minimum)	\$100
Football/Soccer Field Rental	\$35 per hour (two hours minimum)	\$100
Baseball/Softball Field Lighting	\$15 per hour	\$0
Football/Soccer Field Lighting	\$20 per hour	\$0
Adult Baseball/Softball League Rental	\$25 per game	\$250

Adult Football/Soccer League Rental	\$25 per game	\$250
Adult Tennis League Rental	\$5 per court, per hour	\$250

- (d) The City shall not collect any per player or league fee for non-city sponsored youth leagues unless deemed appropriate in writing by the City Manager. Under such authorization by the City Manger the adult league rental fee shall be applied.
- (e) Deposits for security and cleaning obligate the renter to return possession of the facility to the city clean, in good condition, and without damage. The renter's deposit, or any portion thereof as may be necessary, will be applied to any charges incurred by the city in returning the facility clean, in good condition, and without damage. In the event that charges incurred by the city exceed the security and cleaning deposit, the city reserves the right, and renter agrees to pay, such additional charges to return the facility clean, in good condition, and without damage. Failure to pay such additional charges promptly shall result in the city refusing future rentals of the facility to the offending party, and appropriate legal means necessary to recover the additional charges.
- (f) The City shall have exclusive authority to sell food, beverages, or other items within the Sports Complex property unless otherwise approved in writing by the City Manager. The City Manager is authorized to set or amend fees for such concession.
- (g) The City shall have exclusive authority to charge entrance/gate fees for events unless otherwise approve in writing by the City Manager. The City Manager is authorized to set or amend fees for such events.
- (h) All revenue derived from the Eagle Pass Sports Complex shall be restricted for the maintenance, operation and debt of the facility or for City recreational programs.

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 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 22nd Day of April, A.D., 2021.

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary

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

READ, PASSED, AND APPROVED ON SECOND READING, this 4th Day of May, A.D., 2021.

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary

AYES:
NAYS:
ABSTAINED:
ABSENT:

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

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

Item

#2

RESOLUTION NO. 2021-R

**A RESOLUTION APPOINTING REGULAR MEMBERS
TO THE ZONING BOARD OF ADJUSTMENT AND
APPEALS OF THE CITY OF EAGLE PASS**

WHEREAS, Section 9-6 of the City Charter created the Zoning Board of Adjustment and Appeals of the City of Eagle Pass and Section 20 of the Zoning Ordinance provides that members of the Board shall be property owners in the City of Eagle Pass; and

WHEREAS, through Resolution No. 05-06-R, the City Council determined that the Board shall be composed of five (5) regular members and that each Council Member shall appoint one member according to their place number, with the Mayor's place being number five; and

WHEREAS, Section 20 the Zoning Ordinance also calls for appointment of up to four Alternate Board Members whom shall possess equal qualifications as Regular Members; such Alternates shall be selected at large; and

WHEREAS, the term of office of all regular members expired on February 15, 2021, and the persons herein named meet the above-stated qualifications.

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

SECTION 1. The following persons are hereby appointed Regular Members of the Zoning Board of Adjustment and Appeals of the City of Eagle Pass:

1. _____
2. _____
3. _____
4. _____
5. _____

SECTION 2. _____ and _____ are hereby appointed as Alternate Members of the Zoning Board of Adjustment and Appeals of the City of Eagle Pass.

SECTION 3. The term of office for all these members shall be for two years and shall expire on the 15th day of February, 2023.

READ, PASSED, AND APPROVED this 13th Day of May, A.D., 2021,

ATTEST:

Luis E. Sifuentes
Mayor

Imelda B. Rodriguez
City Secretary

Item

#4

RESOLUTION NO. 2021-R

A RESOLUTION CALLING FOR A CITY OFFICERS RUNOFF ELECTION TO BE HELD SATURDAY, JUNE 12, 2021; ESTABLISHING PROCEDURES; AND AUTHORIZING, APPROVING AND CONSTITUTING THE ORDER FOR SAID ELECTION

WHEREAS, the City Charter of the City of Eagle Pass requires that an officers' Runoff Election be held in the event that no candidate receives a majority of all the votes casted for any given position; and

WHEREAS, said Charter further requires that a Resolution be adopted calling for said Runoff Election immediate upon declaring the official results of the City Officers' Special Election; and

WHEREAS, the requirements of the Charter dictate that the City Council make all regulations which it considers needful or desirable, not inconsistent with the laws of the State of Texas; and

WHEREAS, the laws of the State of Texas dictate that certain election process requirements be met.

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

SECTION 1. A City Officers' Runoff Election be held in this City on the 4th Saturday following the preceding election, which date is Saturday, June 12, 2021.

SECTION 2. In accordance with Sections 4-1 and 4-5 of the Charter of the City of Eagle Pass, a Runoff election shall be conducted on Saturday, June 12, 2021 to elect one of the following candidates to the position of Councilperson, Place 4 these candidates having received the most votes for said positions at the City Officers' General Election held on Saturday, May 1, 2021:

COUNCILPERSON, PLACE 2

MARICARMEN PERALES RANGEL

MONICA J. CRUZ

SECTION 3. The City Secretary shall give notice of such election by publishing the notice in the newspaper at least once not earlier than the 30th day or later than the 10th day before Election Day.

SECTION 4. Said election shall be held in accordance with the Texas Election Code and only resident qualified voters of this City shall be eligible to vote.

SECTION 5. The order of the names on the runoff ballot shall be in the same relative order as they appeared on the general election ballot.

SECTION 6. The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote for the candidate of their choice with the ballots to contain such provisions, markings and language as

required by law. All official ballots shall be printed and numbered consecutively from one (1) to four thousand (4000). The City shall use the voting equipment of Maverick County as stated in the Interlocal Government Agreement.

- SECTION 7.** Early voting for said election shall begin on the (June 1, 2021) and shall continue through the (June 8, 2021). Early voting shall be held at the Multi-Purpose Center located in Fort Duncan Park, 480 S. Adams Street, Eagle Pass, Texas, and shall be conducted on the City's official business days during the early voting period from 8:00 a.m. to 5:00 p.m., except that on June 2, 2021, and June 7, 2021, early voting shall be conducted from 8:00 a.m. to 8:00 p.m.
- SECTION 8.** In accordance with Section 83.005 of the Texas Election Code, the City Secretary shall conduct said early voting and shall deputize such clerks as she deems necessary to assist her in the conduct of said early voting.
- SECTION 9.** On the day of the election, Saturday, June 12, 2021, the polls shall be open from 7:00 a.m. to 7:00 p.m., and said polls shall be located at the Multi-Purpose Center, located at the Fort Duncan Park in the City of Eagle Pass with Generosa Davila as Presiding Judge and Carmen Almaraz as Alternate Presiding Judge.
- SECTION 10.** An Early Voting Ballot Board, consisting of Arturo Delgado who is hereby appointed as Presiding Judge, and four other members appointed by said Presiding Judge, is hereby created to process early voting results for the subject election.
- SECTION 11.** A copy of this Resolution shall be given to the Presiding Election Judges and Alternate Presiding Judge not later than the 20th day from the date hereof and shall serve as the notice of election and notice of appointment required to be given by Sections 4.007 and 32.009 of the Texas Election Code.
- SECTION 12.** Generosa Davila, Presiding Judge, shall appoint the necessary number of clerks to assist in the election, which number shall be not less than two (2) and not more than fourteen (14).
- SECTION 13.** Said election judges shall be paid seventeen dollars (\$17.00) per hour and said clerks shall be paid twelve dollars (\$12.00) per hour, for each hour that the polls remain open, and for no more than one (1) hour worked before the polls open, and the Presiding Judges shall be paid an additional twenty-five dollars (\$25.00) for delivering the records and supplies after said election.
- SECTION 14.** A central counting station for counting the ballots of this election is hereby established to be located at the Maverick County Court House, Eagle Pass, Texas, and the procedures set forth in Subchapter C of Chapter 127 of the Texas Election Code shall be followed regarding the handling and sorting of the ballots.
- SECTION 15.** Arturo Delgado is hereby appointed as Presiding Judge of the Central Counting Station and shall be paid a fee of \$500.00, Teodoro Roy Schmerber is hereby appointed as Manager and Tabulation Supervisor, and Cecilia Maldonado is hereby appointed as Assistant Tabulation Supervisor and shall be paid a fee of \$500.00 each to process the counting and results of the City Officers Runoff Election to be held on Saturday, June 12, 2021.
- SECTION 16.** The returns of said election shall be made to the Mayor of the City of Eagle Pass or to the general custodian of election records immediately after the ballots are counted.

SECTION 17. Not earlier than the 3rd day or later than the 11th day after said election, the City Council shall meet, open the returns, canvass and officially declare the results of the election.

SECTION 18. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the election and to assist where necessary in the conduct of said election.

READ, PASSED, AND APPROVED, this 13th Day of May, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

Item

#5

COUNCIL COMMUNICATION

MEETING DATE: May 13, 2021	SUBJECT OF DELIBERATION: Consideration and possible approval of a resolution to submit an application for the Motor Vehicle Crime Prevention Authority Grant.
REQUESTED BY: Chief of Police Alberto Guajardo Eagle Pass Police Department	DEPARTMENT SOURCE: Eagle Pass Police Department Auto Theft Task Force
BACKGROUND/PREVIOUS ACTION: The Eagle Pass Police Department has for the past 29 years applied and received funding from the Motor Vehicle Crime Prevention Authority (MVCPA) to participate in a statewide program aimed at the reduction, prevention, and recovery of stolen vehicles and prosecution of persons involved in Auto Theft. This program has been a successful one due to the dedicated Investigators and Officers that make-up the Auto Theft Task Force. Thank you very much for all your support.	
COST: \$0	BUDGETED or FUNDING SOURCE: The Grant Program and the City of Eagle Pass Police Department assist with general fund monies to meet the match.
RECOMMENDATION FROM DEPARTMENT DIRECTOR: Approval: This program has been a great success.	
FINANCE DIRECTOR'S COMMENTS: Concur with Department Director's recommendation.	
CITY MANAGER'S COMMENTS:	
LEGAL COUNSEL COMMENTS:	
ATTACHMENTS: Resolution	
SUGGESTED MOTION: Accepted resolution.	

RESOLUTION NO. 2021-R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
EAGLE PASS, TEXAS APPROVING MOTOR VEHICLE
CRIME PREVENTION AUTHORITY GRANT PROGRAM;
AND DESIGNATING THE AUTHORIZING OFFICIAL**

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat motor vehicle burglary in the jurisdiction; and

WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle burglary and theft; and

WHEREAS, City of Eagle Pass has agreed that in the *event* of loss or misuse of the grant funds, City of Eagle Pass assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

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

SECTION 1. That Alberto Guajardo, Chief of Police, is designated as the Program Director and Jesus Rodriguez, Financial Officer, is designated as the Financial Officer for this grant.

SECTION 2. This Resolution becomes effective immediately after being passed and approved.

READ, PASSED, AND APPROVED, this 13th Day of May, A.D., 2021.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary