

**CITY OF LAREDO
RECOGNITION AND COMMUNICATION NOTICE
M2019-R-15
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
September 16, 2019
5:00 P.M.**

The Mayor presented the following:

1. Recognizing the U-16 World Youth Rugby Champions, The Laredo Catanes attended the World Youth Rugby Festival in Irvine where teams from South Africa, USA and the South Pacific participated. It was three full days of rugby where the team played hard to win. During the tournament, they were also lucky enough to participate in clinics led by players and coaches from the U.S. National Rugby Team, The USA Eagles.

Mayor Saenz presented the Laredo Catanes with a certificate of recognition for their achievement.

**CITY OF LAREDO CITY
COUNCIL MEETING
M2019-R-15
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
September 16, 2019
5:30 P.M.**

I. CALL TO ORDER

Mayor Pete Saenz called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Pete Saenz led in the pledge of allegiance.

III. MOMENT OF SILENCE

Mayor Pete Saenz led in moment of silence.

IV. ROLL CALL

In attendance:

Pete Saenz
Rudy Gonzalez, Jr.
Vidal Rodriguez
Mercurio "Merc" Martinez, III

Mayor
District I
District II
District III

Alberto Torres, Jr.
Norma "Nelly" Vielma
Dr. Marte Martinez
George J. Altgelt
Roberto Balli
Jose A. Valdez, Jr.
Rosario Cabello
Robert Eads
Kristina L. Hale

District IV
District V
District VI
District VII
District VIII, Mayor Pro-Tempore
City Secretary
Co-Interim City Manager
Co-Interim City Manager
City Attorney

V. MINUTES

None

Citizen comments

Mellie Hereford quoted Frederick Douglas: "A man's rights rest in the ballot box and in the jury box." She reminded Council that some Members may not remain in their position in 2020 as they need to be voted out due to their lackluster job performance. She voiced her opinion that Council failed to adopt the San Antonio Code of Ethics verbatim, showing that they are only protecting themselves and making themselves unaccountable for any wrongdoing. She noted that HB 2840 will make it mandatory for Council to allow citizens to bring their concerns forward at the beginning of Council meetings. She reminded Council that Cm. Rodriguez tried unsuccessfully to push public comments to the end of the meeting in order to silence democracy. Mrs. Hereford asked where the two proposed budgets are, suggesting that the promise was simply lip service. Laredo was recently ranked as the least affordable Texas City, to be added to the list of other uncomplimentary titles such as "the worst place to raise a family." She reminded Council that these rankings are a result of the policies set by Council. She requested that Council adopt a lower tax rate than what is proposed and trim the budget. Mrs. Hereford reminded Council that if they do not vote for the effective tax rate in order to protect the taxpayers' dollars, they will be jeopardizing their seat.

Roxanne Peña of LearnThink Media invited Council and staff to attend the organization's inaugural Youth Vision Film Festival on Saturday, September 21, at the Alamo Drafthouse, from 10:00 a.m. to 1:00 p.m. LearnThink Media is a new non-profit organization designed to advance the Viva Laredo Comprehensive Plan by enriching artists of all ages, particularly through filmmaking. Over the summer, LearnThink Media hosted four one-week camps where students learned the principles of story development, script-writing, and film production, culminating in teams producing two short films. The Youth Vision Film Festival will present six short films and two stop-motion animation shorts. Through a partnership with the Laredo Housing Authority, 24% of the 50 enrolled students were from low-income households; 7% of the enrollees were children with autism.

VI. RECOGNITION

1. Honoring Veteran of the Month Alejandro Martinez as a member of the United States Marine Corps, and recognizing his distinguished service to our country.

Arturo Garcia, Community Development Director, introduced Alejandro Martinez who joined the Marines when he was 17 years old at the Marine Corps Training Depot in San Diego, California. His first duty station was in 1968 with the Fifth Marines in Vietnam; he subsequently transferred to the Texas Army National Guard. Mr. Martinez had two combat deployments with the Marines in Vietnam as well as two deployments with the Army National Guard to Afghanistan and Bosnia-Herzegovina. He served a total of 38 years in the military, achieving the rank of Staff Sergeant and completing several leadership courses. Mr. Martinez earned a Combat Infantry Badge and two campaign decorations as well as medals for overseas actions. He retired in 2017 as an Airport Police Captain for the City of Laredo after 38 years of employment. Mr. Garcia played a video presentation featuring Mr. Martinez's career and personal highlights.

Mr. Martinez received a standing ovation, and Mayor Saenz presented him with a certificate of recognition for his service.

2. United Way of Laredo would like to recognize the City of Laredo employees for their donation of \$96,752.00 to the last United Way campaign. The employee donations assist 22 non-profit agencies to fulfill their goal of helping the most in need of our community through food and shelter, health and safety, and youth and education programs.

Nadia De Leon of the Community Development Department thanked the City of Laredo employees who contributed to the \$96,752 collected for 22 organizations. Linda Teniente reported that the United Way set a pacesetter goal of \$75,000 for City of Laredo employees, who exceeded it. She thanked management and Council for giving United Way the freedom to collect donations for City employees. She presented a certificate and plaque to Council as a reflection of the organization's appreciation.

Robert Eads, Co-Interim City Manager, reminded Council that this achievement is borne of the employees.

VII. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

1. Appointment by Mayor Pete Saenz of Juan Vargas to the Third Party Funding Advisory Committee.

Motion to approve the nomination of Juan Vargas to the Third Party Funding Advisory Committee.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

2. Appointment of Mayor Pete Saenz of Roberto W. Trevino to the Animal Care

Services Advisory Committee.

Motion to approve the nomination of Roberto W. Trevino to the Animal Care Services Advisory Committee.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7 Against: 0 Abstain: 0

Cm. Altgelt was not present.

3. Appointment by Council Member George Altgelt of Vanessa Perez to the Citizens Environmental Advisory Committee.

Motion to approve the nomination of Vanessa Perez to the Citizens Environmental Advisory Committee.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7 Against: 0 Abstain: 0

Cm. Altgelt was not present.

4. Appointment by Council Member George Altgelt of Jason Hinojosa to the Board of Adjustment.

Motion to approve the nomination of Jason Hinojosa to the Board of Adjustment.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7 Against: 0 Abstain: 0

Cm. Altgelt was not present.

5. Appointment by Council Member George Altgelt of Tomas Izaguirre to the Cemetery Committee.

Motion to approve the nomination of Tomas Izaguirre to the Cemetery Committee.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7 Against: 0 Abstain: 0

Cm. Altgelt was not present.

6. Appointment by Council Member George Altgelt of Rico Valdez to the Animal Care Services Advisory Committee.

Motion to approve the nomination of Rico Valdez to the Animal Care Services

Advisory Committee.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

VIII. PUBLIC HEARINGS

1. Motion to open public hearing #1.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

Public Hearing to consider the adoption of the 2020-2024 Capital Improvement Program of the City of Laredo, as amended.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Dr. Marte Martinez and Cm. Altgelt were not present.

2. Motion to open public hearing #2.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

Public Hearing amending the 2018 One Year Action Plan to allow for the reprogramming of a CDBG project. It is proposed that the El Eden Park Improvements project's scope of work described in the 2018-2019 plan as "improvements to the park including sidewalks, shade structures, exercise equipment, drinking fountains, benches and other amenities as deemed necessary" be changed to "Project improvements will include the extension of the fiber optic network (I-Net) of the City to the El Eden Recreation Center and other amenities as deemed necessary to increase the connectivity and allow citizens to have access to the internet in order to apply for jobs, benefits & services, and continue education. Safety and security will also be enhanced using the same infrastructure to control

and transmit data from security cameras to be viewed both locally and by the Laredo Police Real Time Crime Center to deter and investigate any crime in the area." Funding for this project will remain as initially proposed, \$120,000.00.

There was no public input.

Motion to close public hearing.

Moved: Cm. Torres
Second: Cm. Gonzalez
For: 6 Against: 0 Abstain: 0

Dr. Marte Martinez and Cm. Altgelt were not present.

3. Motion to open public hearing #3.

Moved: Cm. Torres
Second: Cm. Gonzalez
For: 7 Against: 0 Abstain: 0

Cm. Altgelt was not present.

Public Hearing and Introductory Ordinance authorizing the Co-Interim City Managers to accept the Federal Aviation Administration Grant No. 3-48-0136-088-2019 in the amount of \$1,000,000.00 of discretionary funding for the 14 CFR Part 150 Noise Abatement Program at the Laredo International Airport. The City's local match in the amount of \$111,112.00 (10%) is available in the Airport Construction Fund Budget. Total project cost is \$1,111,112.00.

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Torres
Second: Cm. Gonzalez
For: 6 Against: 0 Abstain: 0

Dr. Marte Martinez and Cm. Altgelt were not present.

4. Motion to open public hearing #4.

Moved: Cm. Torres
Second: Cm. Gonzalez
For: 7 Against: 0 Abstain: 0

Cm. Altgelt was not present.

Public Hearing and Introductory Ordinance authorizing the Co-Interim City Managers to accept and execute a contract from the community based organization

Dr. Marte Martinez and Cm. Altgelt were not present.

10. Motion to open public hearing #10.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 6

Against: 0

Abstain: 0

Dr. Marte Martinez and Cm. Altgelt were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 299, Eastern Division, located at 2318 Marcella Ave., from R-2 (Multi-Family Residential District) to R-3 (Mixed Residential District); providing for publication and effective date.

The Planning & Zoning Commission recommended denial of the zone change and staff does not support the application. The applicant has since exercised the right to appeal this decision directly to City Council. ZC-64-2019 District IV

James Kirby Snideman, Planning Director, explained that the applicant intends to place a mobile home on this property and rent it out. In an R-3 zone, mobile homes are allowed, but they must be owner-occupied. The current R-2 zone does not allow mobile homes.

Jorge Tovar spoke in opposition to the proposed zone change. The consensus of neighbors is that once mobile homes are allowed, the property value of homes in the area will decrease. Residents of the area in attendance stood in opposition of the proposed zone change, as well.

Motion to close public hearing and deny.

Moved: Cm. Torres

Second: Cm. Mercurio Martinez

For: 8

Against: 0

Abstain: 0

Cm. Torres requested that if the applicant returns to the Planning Department, they be told that the City encourages new construction but not mobile homes.

11. Motion to open public hearing #11.

Moved: Cm. Altgelt

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Special Use Permit for a townhouse on Lot 1, Block 4, Hilltop Subdivision, Phase II, located at 401 Michigan Ave; providing for publication and effective date.

The Planning & Zoning Commission recommended approval of the Special Use Permit and condition numbers 3, 5, and 11. Staff supports the application to include all proposed conditions. ZC-65-2019 District VII

Jerry Salinas, Hilltop Subdivision townhome developer, spoke in favor of the proposed zone change. He explained that this is the second phase of a townhome development that was completed to the west of this location about two years ago, when the Viva Laredo Comprehensive Plan was heavily discussed. He noted that the developers tried to implement as many Comprehensive Plan objectives as possible and discussed this matter at length with the Planning Department and Cm. Altgelt. This development hits a price point that is not found otherwise in the area, incentivizing homeownership to a group of people that would not otherwise be able to live in the area (about \$180,000). The development has been one of the fastest-selling subdivision in the City, and current residents are very happy. Mr. Salinas informed Council that the Planning & Zoning Commission approve the application unanimously and recommended striking three conditions; he asked Council to approve this item and strike those three conditions.

James Kirby Snideman, Planning Director, clarified that Planning staff requests that Council include the three conditions, especially #11, which concerns access on Michigan Avenue. Staff does not want any of the townhomes to have direct access to Michigan Avenue as there are already curb cuts, congestion, and safety concerns on that road. Condition #3 is to provide two parking spaces per townhome that are covered; #5 relates to a minimum yard setback of 20 feet. Mr. Snideman conceded that conditions 3 and 5 are not as pertinent to Planning staff as 11 is.

Cm. Altgelt noted that there are already so many other driveways with direct access to Michigan Avenue; Mr. Snideman countered that this argument is not a good reason to make a bad situation worse. He clarified that while staff fully supports townhomes and providing an affordable product, condition #11 is an important compliance issue to increase safety on this street.

Mr. Salinas conceded that staff's concerns are valid, but he informed Council that the developers took those concerns under consideration as much as possible during their planning of the development phase. Michigan Avenue was never meant to be the thoroughfare that it has become; that burden was meant to be placed upon Springfield Avenue. He noted his anticipation of Springfield's extension. Once that happens, he reminded Council that the City will see traffic on Michigan reduce significantly. He commended Mr. Snideman's work in the Planning Department to-date, noting that he has been a pleasure to work with. Mr. Salinas noted that this matter is one with which he respectfully disagrees.

Cm. Altgelt initiated a motion to close the public hearing and introduce without the three conditions as recommended by the Planning & Zoning Commission. Cm. Vielma asked if it was possible to put eight parking spaces where the landscaping area is located on the schematic and vice versa. Mr. Salinas noted that each townhome will have their own driveway and garage where they can park units. The landscaping feature is positioned in the safety possible location; because of the shape of the landscaping feature and the corners of the property, the development

may lose guest parking spots if the two features were swapped.

Motion to close public hearing and introduce without conditions #3, 5, and 11 as per Planning & Zoning Commission recommendation, as amended.

Moved: Cm. Altgelt

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

IX. SECOND PUBLIC HEARING

12. Motion to open public hearing #12.

Moved: Cm. Torres

Second: Cm. Gonzalez

For: 8

Against: 0

Abstain: 0

Second Public Hearing for the adoption of a tax rate of \$0.634000 per \$100 value for Tax Year 2019. The tax rate will provide revenue for the general fund and debt service. The rate includes \$0.490186 per \$100 value for Maintenance and Operation and \$0.143814 per \$100 value for Sinking Fund of the Debt Service and is estimated to generate a tax levy of \$93,504,360. The City Council will introduce the ordinance on September 16, 2019 at 5:30 P.M. at City Council Chambers located at 1110 Houston St. and is scheduled to vote on the tax rate on September 23, 2019 at 12:30 PM at City Council Chambers located at 1110 Houston St.

Armando Cisneros asked if the City Council have the option to keep property taxes out of pocket the same, noting his understanding that they can. He asked if the City plans to adopt a tax rate that will keep citizens' out-of-pocket taxes the same, noting his understanding that they do not. Adopting the same tax rate will mean that citizens will pay more in property taxes.

Motion to close public hearing.

Moved: Cm. Torres

Second: Cm. Rodriguez

For: 8

Against: 0

Abstain: 0

X. INTRODUCTORY ORDINANCES

13. An Ordinance of the City of Laredo, Texas, establishing and adopting new bylaws for the Laredo Commission for Women; providing eligibility and selection guidelines for the Laredo Commission for Women's Biennial Hall of Fame; providing for scoring and rating procedures to evaluate nominees to the Hall of Fame; providing for a cumulative clause; providing a severability clause; and declaring an effective date.

Sylvia Bruni, Laredo Commission for Women Chair-Elect, reminded Council that the Commission just celebrated its 25th anniversary. As one of the first Commission

Members, she noted her homecoming to return to the Laredo Commission for Women after some time away. She informed Council that the proposed bylaws are nearly identical to the current ones in mission, purpose, and tasks. She assured Council that the Commission will act entirely focused on advancing women in the community. There are eight particular tasks embedded in the bylaws that the Commission will work towards. She noted two small recommendations regarding a reduction in the time to wait to establish quorum from 30 minutes to 15 minutes as well as the clarification of depending on Council for *financial* support.

Ordinance Introduction: City Council

14. An Ordinance of the City of Laredo, Texas, amending Chapter 17, Article II, Administration, by adding a new Division IV of the Code of Ordinances providing for the Laredo Public Art Program and delineating the administration of the same; authorizing the allocation of 2% of the construction costs of eligible Capital Improvement Projects; establishing criteria for review of suitable capital projects and establishing a method for calculating art appropriations for capital projects; providing that this ordinance shall be cumulative; providing a severability clause; providing for publication; and declaring an effective date.

Motion to table until the next Council meeting.

Moved: Dr. Marte Martinez

Second: Cm.

For:

Against: 0

Abstain:

15. Ratification of the Co-Interim City Managers execution of all necessary documents granting an easement and right of way to AEP Texas Central Company to install and construct certain electric distribution facilities at the Laredo International Airport fuel farm. Said easement being a 15 foot wide easement lying solely within a portion of 34.45 acres, being the south part of block 1, out of the remainder 1259.09 acres, Laredo Airport Subdivision, Webb County, Texas ; said tract of land conveyed to grantor on deed recorded in volume 478, page 471, deed records of Webb County, Texas; providing for an effective date.

Ordinance Introduction: City Council

16. An Ordinance of the City of Laredo, Texas, providing for the adoption of a tax rate of \$0.634000 per \$100 value. This tax rate will have a Maintenance and Operation Rate of \$0.490186 per \$100 value and an Interest and Sinking Fund Rate of \$0.143814 per \$100 value for the levy and the collection of General and Special Ad Valorem taxes for the City of Laredo for Tax Year 2019 and Fiscal Year 2019-2020.

Ordinance Introduction: City Council

XI. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinances 2019-O-154, 2019-O-155, 2019-O-156, 2019-O-157, and 2019-O-158.

Moved: Cm. Torres
Second: Dr. Marte Martinez
For: 6 Against: 0 Abstain: 0

Cm. Gonzalez and Cm. Vielma were not present.

17. 2019-O-154 Ordinance adopting the proposed annual budget for fiscal year 2019-2020 by appropriating the proposed revenues, expenditures and balances reported therein for the beginning October 1, 2019 and ending September 30, 2020, consistent with the financial plan described in said annual budget (see Exhibit "A") and motions approved by City Council at public Workshop on August 26-29, 2019 (see Exhibit "B") and authorizing the Co-Interim City Managers to implement said annual budget. (AS AMENDED)

Motion to adopt Ordinance 2019-O-154.

Moved: Cm. Torres
Second: Dr. Marte Martinez
For: 6 Against: 0 Abstain: 0

Cm. Gonzalez and Cm. Vielma were not present.

18. 2019-O-155 An Ordinance authorizing the Co-Interim City Managers to execute all documents for the purchase of the "Surface Only" of the following thirteen (13) tracts of land; 2720 Ventura Legally described as Lot 1 BLK 650 WD; 2720 Ventura Street Legally described as Lots 2, 3, 4 BLK 650 WD; South Part of Tract 1 (Gilbert Avenue between Water Street); ALL of BLK 649 WD; Tract 2 (Gilbert Avenue between Ventura Street and Piedregal Street); Lots 1, 2, 3, 4, 7 & 8 BLK 640 WD; South part of Tract 3 (Atlee Avenue between Ventura Street and Piedregal Street); Lot 1-2 BLK 634 WD; Lots 3 & 4 BLK 634 WD; ALL of BLK 641 WD; Tract 4 (Atlee Avenue between Piedregal street and Soledad Street); ALL of BLK 633 WD; ALL of BLK 626 WD as Summarized on exhibit "A" from Rodolfo Garcia, Sr. in the negotiated amount of Two Hundred Ninety-Seven thousand dollars and no cents (\$297,000.00), as appraised by Frank Leal an independent state certified appraiser, for land preservation and to protect the natural resources in the areas of the river bend along the Rio Grande in proximity to the International Rail Bridge and Laredo College; funding is from the Environmental Services Department; and providing for an effective date.

Motion to adopt Ordinance 2019-O-155.

Moved: Cm. Torres
Second: Dr. Marte Martinez
For: 6 Against: 0 Abstain: 0

Cm. Gonzalez and Cm. Vielma were not present.

19. 2019-O-156 An Ordinance of the City of Laredo, Texas, Amending Chapter 2, Article II, Division 6 (Pay Administration), of the City Code of Ordinance, specifically Section 2-87.7(c)(12)(a), by providing a 2.5% Cost of Living Adjustment (COLA) to all City employees, with the exception of Interns, Cooperative Education Program employees (CO-OPS), Elected Officials, Temporary Staffing Agency employees, and employees subject to any Collective Bargaining Agreement; the adjustment to the existing wage schedule includes an adjustment to the minimum pay to \$12.00 per hour, an adjustment to the spread between all grades, and the elimination of pay grades W44 and W45 and the addition of pay grade R46 and R47; providing for a repealing clause; providing for a severability clause; and providing for an effective date of October 1, 2019.

Motion to adopt Ordinance 2019-O-156.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Vielma were not present.

20. 2019-O-157 An Ordinance authorizing the Co-Interim City Managers to activate the Laredo Fire Department's fourth Aerial Truck by reclassifying nine (9) Full Time Equivalent Firefighter positions to the position of three (3) Captains, three (3) Fire Drivers, and three (3) Fire Assistant Drivers. This Aerial Truck will be located at Fire Station #14, 5309 Cielito Lindo Blvd., and will provide quick responses and protection to South Laredo. The mobilization of this aerial truck will fulfill SAFER Grant requirements as proposed. The reclassification funding is available in the Fire Department Operating Budget. The estimated amount is \$165,238.00.

Motion to adopt Ordinance 2019-O-157.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Vielma were not present.

21. 2019-O-158 An Ordinance authorizing the Co-Interim City Managers to sell the "Surface Only" of a closed section of the 1900 Block of Bismark Street to Gerardo "Jerry" Salinas of Gateway Builders, LTD. pursuant to section 272.001(b) of the Texas Local Govt. Code. Tract was appraised and a fair market value of \$49,000.00 was established by a

State Certified Independent appraiser Frank Leal. It is described as a tract of land containing 0.2257 acre (9,832 sq. ft.), more or less, out of Bismark Street R. O. W., situated in the Western Division of the City of Laredo, Webb County, Texas. The City of Laredo reserves any and all visible and apparent easements recorded or not recorded, being generally described in attached Exhibit "A", and approving the Post Closure Property Improvement Plan as described in Exhibit "B", which is in compliance with Section 10 of the Street Closing/Sales Policy Handbook, and providing for an effective date.

Motion to adopt Ordinance 2019-O-158.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. Vielma were not present.

XII. CONSENT AGENDA

AIRPORT: STAFF SOURCE JEFFREY J. MILLER, AIRPORT DIRECTOR

22.2019-R-147 Authorizing the Co-Interim City Managers to submit a grant application, if offered, to the Federal Aviation Administration in the estimated amount of \$10,500,000.00 for the Laredo International Airport and authorizing the Co-Interim City Managers to execute all necessary documents resulting from the award. The purpose of the grant is to provide funding for the rehabilitation of Cargo Apron Phase 13. The City's Local match in the amount of \$1,166,666.00 (10%) is available in the Airport Construction Fund. Total project cost is approximately \$11,666,666.00.

Motion to adopt Resolution 2019-R-147.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

BUILDING: STAFF SOURCE VICTOR LINARES, ACTING BUILDING DIRECTOR

23. 2019-R-141 Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Stephanie Sanchez for a proposed project located at 2122 E Ash St, lot 25; block 1129; Buena Vista subdivision that consists of 2bd addition, in accordance with authorized guidelines and criteria established for the Neighborhood Empowerment Zone (NEZ). This agreement will be for a five (5) year

period and will abate taxes on new improvements for the purpose of economic development. The project has an estimated capital investment total of \$62,850.00, estimated annual tax abatement total of \$398.19 and estimated total fee waivers of \$3,150.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2019-R-141.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

BUDGET: STAFF SOURCE GILBERTO SANCHEZ, BUDGET DIRECTOR

24. 2019-R-149 A Resolution of the City Council of the City of Laredo, Texas, approving the continued imposition of the bingo prize fee for bingo games conducted within the corporate limits of the City of Laredo; approving the continued receipt of its share of bingo prize fee funds; authorizing the Co-Interim City Managers or designee to notify each licensed authorized organization in the city of the continued imposition of the fee; and declaring an effective date.

Motion to adopt Resolution 2019-R-149.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

ENVIRONMENTAL: STAFF SOURCE JOHN PORTER, ENVIRONMENTAL DIRECTOR

25. Authorizing the Co-Interim City Managers to accept the donation from Robert Rodriguez, of a 1.1840 tract of land being out of tract 1 (2.83 acres) recorded in volume 106, pages 491-492, official public records of Webb County, Texas and share five (8.4851 acres called), recorded in volume 66, pages 830-831, official public records of Webb County, Texas situated in poricon 23 (a-283), Leonardo Sanchez, original grantee. Also authorizing Co-Interim City Managers to accept a development agreement between the City of Laredo and Roberto Rodriguez. The acquisition of this land is necessary for drainage purposes; and providing for an effective date. Real estate transaction will be recorded in General Fund and the Fixed Asset System.

Motion to approve.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

FLEET MANAGEMENT: STAFF SOURCE RONALD MILLER, FLEET DIRECTOR

26. Consideration to renew annual contracts FY16-071 with the following vendors:

a. Velco Inc., Laredo, Texas in an amount up to \$20,000.00; and

b. Hydrhose Services, Laredo, Texas in an amount up to \$25,000.00;

for the fabrication of hydraulic hoses with fittings for the City's heavy equipment. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This is the third of five extension periods. There was no price increase during the last extension period. All hoses will be purchased on an as needed basis. Funding is available in the Fleet Maintenance Budget.

Motion to approve.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

27. Consideration to authorize the purchase of two (2) Ford Escapes, one (1) Ford F250 Crew Cab Truck, two (2) Ford F250's Extended Cab Truck w/animal control cages, two (2) Ford F150's Extended Cab Trucks, and one (1) Ford F350 Regular Cab & Chassis w/tilt wrecker body in the total amount of \$278,395.60 from Silsbee Ford, Silsbee, Texas through the GoodBuy Cooperative Purchasing Program's contract pricing. These vehicles are replacement units for vehicles which have already reached their useful life. Funding is available in various Department Funds.

Motion to approve.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

28. Consideration to authorize a purchase contract utilizing the BuyBoard Cooperative Purchasing Program pricing to Holt Caterpillar, San Antonio, Texas for the purchase of one (1) backhoe loader and one (1) utility paving compactor in the total amount of \$131,128.71 for the Public Works and Parks & Recreation Departments. Funding is available in the 2016 TAX-T/E C.O and 2015 CO Bond. Capital Outlay Fund.

Motion to approve.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

29. Consideration to authorize a purchase contract utilizing the HGAC Purchasing Program pricing through TMCO Inc., San Antonio, Texas for the purchase of two (2) street sweepers in the total amount of \$526,940.00 for the Public Works Department. These sweepers are replacement units for street sweepers which have already reached their useful life. Funding is available in the 2015 C.O. Issue, 2016 C.O. Issue and the 2017 C.O. Issue Funds.

Motion to approve.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

HEALTH: STAFF SOURCE DR. HECTOR GONZALEZ, HEALTH DIRECTOR

- 30.2019-R-139 Ratifying the execution of a contract amendment from the Health and Human Services Commission (HHSC) in the amount of \$171,000.00 for a total amount of \$564,050.00 for the continuation of the City of Laredo Health Department (CLHD) Women's Health Preventive Health Services and Family Planning for the term period from September 1, 2019 through August 31, 2021.

Motion to adopt Resolution 2019-R-139.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

- 31.2019-R-150 Authorizing the Co-Interim City Managers to accept and execute a contract with the Texas Department of Family and Protective Services in the amount of \$590,159.00 for the continuation of the City of Laredo Health Department (CLHD) Nurse Family Partnership (NFP) program to provide first-time mothers and their newborn home nurse visitation to improve health outcomes for women and their baby for the first two years of the newborn's development and wellness for the term from September 1, 2019 through August 31, 2020.

Motion to adopt Resolution 2019-R-150.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

32. Approving the City of Laredo EMS Charity Policy to adhere to the Texas Health and Human Services Commission (HHSC) Ambulance Supplemental Payment Program (TASPP) and the Centers for Medicaid and Medicare Services (CMS) and authorizing the Co-Interim City Managers to implement such policy to become effective October 1, 2019. In the event emergency transport services are done for patients that: cannot pay, meet the charity care guidelines, and are determined to be eligible to be a charity care patient, then the cost of these services will be submitted to the TASPP program for reimbursement from HHSC/CMS. Once the City of Laredo Fire/EMS Department determines the patient is a charity care patient, these costs cannot be further billed by the City of Laredo Fire/EMS Department to the charity care patient and the City of Laredo EMS/Department will make no further attempts to collect from the patient.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

HUMAN RESOURCES: STAFF SOURCE MELINA BERMUDEZ, HUMAN RESOURCES DIRECTOR

33. Consideration to award a two (2) year professional services contract FY19-088 to ComPsych Corporation, Chicago, Illinois to provide an Employee Assistance Program (EAP) and to authorize the Co-Interim City Managers to execute all contract documents. This program allows employees to receive confidential assistance in many areas without having to access their medical benefits. The

City of Laredo provides EAP coverage to approximately 2,615 employees plus their dependents. The types of services provided are: confidential counseling (stress, anxiety, depression, relationships, grief, etc.), financial planning, legal support, smoking cessation to name a few. It is estimated that the program will incur a cost of approximately \$47,383.80 per year and contract has option to be renewed three (3) additional one (1) year periods. The contract is based on a fee of \$1.51 per active employee per month. Contract has a five (5) year price rate guarantee and is subject to future appropriations. Funding is available in the Risk Management Fund - Human Resources Employee Health and Wellness Division.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

LIBRARY: STAFF SOURCE MARIA G. SOLIZ, LIBRARY DIRECTOR

34. Discussion and possible action on the recommendation by the Fine Arts and Culture Commission of the mural for the Martha C. Narvaez City Hall Apartments (820 Convent Avenue).

Maria Soliz, Library Director and staff liaison to the Fine Arts & Culture Commission, introduced Ricardo Castillon as the winning proposal for the mural project at the Martha C. Narvaez City Hall Apartments located at 820 Convent Avenue.

Ricardo Castillon, artist, presented his design for the mural. The original idea for the mural is a timeline for Laredo's history; the mural is divided into seven panels to represent each of the seven flags flown over Laredo. Each panel is dedicated to those periods of history.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Mercurio Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Vielma and Cm. Altgelt were not present.

PARKS & RECREATION: STAFF SOURCE JUAN J. GOMEZ, JR., ACTING PARKS & RECREATION DIRECTOR

35. Consideration to authorize the purchase of six (6) riding mowers from AG-PRO through John Deere Company, Cary, North Carolina, for park maintenance of all landscaped areas in the total amount \$129,146.16 for the Parks &

Recreation Department. The purchase of this equipment shall be made utilizing the BuyBoard Cooperative Contract Pricing Program. Funding is available in the 2012 Tax & Revenue C.O. Fund.

Motion to approve.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

POLICE: STAFF SOURCE CLAUDIO TREVINO, CHIEF OF POLICE

36. 2019-R-137 Authorizing the Co-Interim City Managers to accept a grant application in the amount of \$145,000.00 from the Office of the Governor's Homeland Security Grants Division (HSGD) for the purpose of funding the 2020 Local Border Security Program (LBSP) for the period of September 01, 2019 through August 31, 2020. This grant does not require matching funds. Funding will be used to pay for overtime to increase patrol security along the Texas-Mexican border. Funding is available in the Special Police Fund.

Motion to adopt Resolution 2019-R-137.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

37. 2019-R-138 Authorizing the Co-Interim City Managers to ratify and accept an Up-Armored High Mobility Multipurpose Wheeled Vehicle (HMMWV) from the Texas Law Enforcement Support Office (LESO) Program. The LESO Program (formerly the 1033 Program) allows law enforcement agencies to receive Department of Defense (DoD) excess property. The transfer of this asset is at no cost to the city and will be recorded in the City's Fixed Asset Inventory System.

Motion to adopt Resolution 2019-R-138.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

38. 2019-R-144 Authorizing the Co-Interim City Managers to submit a grant application in the amount of \$150,000.00 to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), for the funding of FY 2019 Gulf States Regional Law Enforcement Technology Assistance Initiative. The grants performance period start date is December 1, 2019 and is for 24 months duration. The objective of the initiative is to improve technology and resources to the Gulf States law enforcement agencies to increase information sharing on both local and regional basis. There is no required cash match.

Motion to adopt Resolution 2019-R-144.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

39. 2019-R-145 Authorizing the Co-Interim City Managers to submit a grant application in the amount of \$40,000.00 to the Texas Department of Transportation to fund the STEP Impaired Driving Mobilization (IDM) program. The City of Laredo will match \$12,400.00 for a total grant amount of \$52,400.00. This grant is to pay overtime salaries to officers in order to increase enforcement to arrest individuals driving while intoxicated (DWI) and driving under the influence (DUI) of alcohol by minor. Funding will be available in the Special Police Fund.

Motion to adopt Resolution 2019-R-145.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

40. Authorizing the Co-Interim City Managers to enter into and execute an Interlocal Cooperation Agreement between the City of Laredo (City) and Laredo College (LC) for the purpose of collaboration concerning the integration of video camera system to be used by the Real Time Crime Center (RTCC) for law enforcement purposes.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

UTILITIES: STAFF SOURCE RIAZUL MIA, UTILITIES DIRECTOR

44. Accepting the completion of the AMI Communication System Improvements - Antenna Tower Installation project and also, authorizing change order no. 1, in the amount of \$65,000.76 as credit and releasing the final payment in the amount of \$39,332.77 which includes retainage amount of \$9,803.78 to Johnston Technical Services, Inc. dba JTS, from Dallas, Texas. The final contract amount is \$225,604.24 and the contract time is one hundred and twenty (120) working days. The change order is due to a credit based on reduced installation scope of work and unused contingency allowance. Funding is available in the 2014 Sewer Revenue Bond and 2016 Water Revenue Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

45. Authorizing the Co-Interim City Managers to execute a contract utilizing the BuyBoard Cooperative Purchasing Program pricing to Insituform Technologies, LLC., of Chesterfield, Missouri, for the rehabilitation of the 30" sewer collector located in the East side median of IH35 from Calle del Norte to the Zacate Creek in the amount of \$1,571,964.00 and providing for 120 calendar days for completion. Funding is available in the 2015 Sewer Revenue Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

46. Authorizing the Co-Interim City Managers to execute a contract in the amount of \$554,500.00 with engineering consultants LNV, Inc. to provide engineering services for the study, design, plans, specifications, bid, and construction review services for the Replacement of Lyon Street Ground Storage Tank to Meet Existing and Future Needs Project. Funding is available in the 2016 Water Revenue Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

END OF CONSENT AGENDA

XIII. STAFF REPORTS

47. Discussion with possible action on ongoing audits and/or irregularities identified by the Internal Auditor including the potential assignment of other and/or additional auditing duties; and any other matters incident thereto.

Motion to approve the auditor's report.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

48. Presentation by Honeywell of their Investment Grade Audit for Energy Efficiencies for Utilities Operations with possible action for an Energy Saving Performance Contract.

Dick Williams of Honeywell reported that Honeywell has found \$33,855,147 in savings over the next 20 years to use for improvements in the City's infrastructure. An investment of \$18,693,041 is needed to capture this savings and will occur in two phases. He iterated Honeywell's guaranteed energy savings, so this situation is at no risk to the City. He reported that Honeywell was awarded a five-year contract with the City through the Cooperative Purchasing Network to perform an Investment Grade Audit (IGA), which began on November 9, 2018. The IGA final report was submitted on July 31, 2019. He projected that the installation of the audit findings will take about 14 months upon award between October and December 2020. Honeywell guarantees performance for up to 20 years, 2021-2040.

Mr. Williams explained that Honeywell has been in operation for 134 years with a value of \$42 billion; the organization pioneered Performance Contracting in the 1980s and have implemented over 7,000 performance contracts. The company has secured over \$6 billion in savings guarantees and assisted over 100 projects with municipalities. He commended the Viva Laredo Comprehensive Plan, noting that Honeywell prioritized savings that met the Comprehensive Plan's sustainability goals.

Tom Bokeno of Honeywell explained that Honeywell reviewed eight water and wastewater treatment plants and pumping stations during the auditing process; he noted that he identified old pumps, low-efficiency pumps, and other parts as in need of replacement for cost savings. Of the 31 pumps evaluated, 20 are well beyond their life expectancy; several pumps have efficiency losses from 15-52%. Variable Frequency Drives are obsolete, and all exterior site and indoor lighting is inefficient. Maintenance and repair costs are rising by over 5% per year with \$2 million annual electric cost for the buildings analyzed. He cited a blower inefficiency at the South Laredo plant.

Mayor Saenz voiced his understanding that the cost to the City will be \$18 million, but the City will see a savings that will double its return on investment over 20 years. He asked where the \$18 million funding source is supposed to come from. Riazul Mia, Utilities Director, reminded Council that the equipment needs to be replaced anyway. The City is lucky that the equipment is still running currently.

Mr. Williams agreed that the City has done an excellent job of keeping its equipment running as long as it has. Mr. Bokeno explained that Honeywell is paid as a general contractor; the IGA is a performance-based contract because Honeywell guarantees that the City's savings will hit its budget each year at no risk to the City.

Mr. Mia noted that the \$18 million investment is why staff is proposing two phases; the first phase will cost \$10 million while the second phase is about \$8 million. Payment of that bond will come from the energy and operations savings. Mr. Williams stated that the typical warranties on the proposed pumps is for one year on the workmanship and labor. Each phase will take about 14 months to complete. The life expectancy of the pumps is another 30 years, more with routine maintenance.

Cm. Altgelt reminded Mr. Williams that the City has been thoroughly misled in the past regarding its utilities and has struggled to recover. Mr. Mia informed Council that Honeywell initially proposed to fund the debt, but after speaking with management, the City decided to fund the project through its bond.

Mr. Williams explained that Honeywell initially offered to fund the debt at 3% for 20 years through Bank of America. Cm. Altgelt voiced his frustration that Honeywell or staff did not present a mapped-out visual of the City's projected expenditures if they utilize the various options available, either through the City's own bond funding or using Honeywell's funding. Given that comparison, Council could make a most-informed decision in the best interest of the City. Mr. Mia assured Council that this comparison was performed and will be presented momentarily.

Mayor Saenz asked if staff has inventoried all pumps for the most accurate assessment. Mr. Mia confirmed that staff and Honeywell have done so regarding water and wastewater.

Mr. Williams reported that if the City continues to operate and spend as it does

today, the City will spend \$5.7 million per year by the end of the 20-year period, which is an extra \$3.2 million more than what is spent to-date. However, the City will immediately start with a \$1.2 million savings after Phase 2 has been completed. He noted that the payment gradually escalates as the savings escalate due to state requirements of positive or neutral cash flow each year. Mr. Williams noted that Honeywell performed a vulnerability analysis from the standpoint of the current system's reliability. He noted that the pipes bringing in water from the Rio Grande are sucking in sand and grit that is degrading the pump system faster than expected. He noted that whether this problem was a flaw of the design needs to be further evaluated.

Cm. Altgelt noted his understanding that the cost of energy will continue to drop every year as it currently does, resulting in a savings to the City that is realized without Honeywell's performance-based contract. Mr. Williams countered that through Honeywell's contract, the City is made sustainable. If Honeywell does not meet its performance measures, they must reimburse the City for the difference of those savings.

Robert Eads, Co-Interim City Manager, explained that management's biggest concern is the City's exposure to risk and vulnerability. Honeywell's rates are guaranteed whether the costs increase or decrease. If energy costs decrease, then the City gets an immediate benefit in paying less. If costs increase, then Honeywell will have to reimburse the City if that savings is impacted. Mr. Williams noted that historically for the past 100 years, energy costs have risen 3.22% per year, though not recently.

Mr. Mia asked that Council authorize the Co-Interim City Managers to negotiate a contract with Honeywell for Phase 1, which staff will bring back to Council for approval. When the City is ready for Phase 2, staff will bring that to Council, as well. He reminded Council that needs the equipment anyways as part of its infrastructure needs. Part of the City's negotiations with Honeywell include pumps at the industry standard. If the City wants to purchase higher-priced pumps, the City must be willing to pay that higher cost. Honeywell must provide the City with the costs. Dr. Marte Martinez noted his understanding that the \$18 million price tag is only the bottom line; the City stands to spend more if they purchase equipment at a higher price than Honeywell's proposal. Mr. Mia clarified that those costs will be brought to Council.

Mr. Williams clarified that Honeywell assumes the risks because after the fact, parties tend to engage in finger-pointing for any shortfalls in the expected savings. Honeywell also assumes the risk of the equipment.

Mr. Mia explained that the State of Texas used BuyBoard for IGA performance contracts, and the City of Laredo selected Honeywell's response. He added that Zacate Creek Wastewater Treatment Plant was removed from the scope of the audit because it is being closed and is not worth the energy savings to revamp the plant.

Motion to direct staff to enter into negotiations with Honeywell for an agreement

regarding Phase 1 only and to bring the contract back to Council for approval.

Moved: Cm. Altgelt

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, Cm. Torres, and Cm. Vielma were not present.

XIV. EXECUTIVE SESSION

Motion to go into executive session.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, and Cm. Vielma were not present.

49. Request for Executive Session pursuant to Texas Local Government Code 551.071(1)(A) to consult with city attorney on pending litigation in City of Laredo vs. Jose C. Resendez Cause no. 2015EDA000004-C3; pending in County Court at Law #2, Webb County, Texas; and return to open session for possible action.

Following executive session, Mayor Pete Saenz reported that no action was taken. He asked that management proceed as discussed.

XV. RECESS AS THE LAREDO CITY COUNCIL AND CONVENE AS THE LAREDO MASS TRANSIT BOARD

Motion to recess as the Laredo City Council and convene as the Laredo Mass Transit Board.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, Cm. Torres, and Cm. Vielma were not present.

50. Authorizing the Co-Interim City Managers for the purchase of two (2) Ticket Genfare Vending Machines and Genfare Mobile Payment for the EI Metro Transit System in the amount of \$229,336.07 from Sole Source provider GFI Genfare. This system will allow bus riders to purchase bus tickets and bus passes at the Transit Center or via mobile phone. Funding is available in the Sales Tax Fund.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, Cm. Torres, and Cm. Vielma were not present.

51. Authorizing the Co-Interim City Managers to execute a contract for the purchase two (2) Paratransit Vans for the El Lift Department in the amount of \$202,915.62 utilizing the Georgia DOAS Purchase State Contract # 99999-001-SPD0000138 with Alliance Bus Group, Incorporated from Lewisville, Texas. Funding is available in the Federal Transit Administration Section 5339 Grant #TX-2017-066, FTA Grant #TX-2018-079 and Section 5310 FTA Grant # TX-2019-063-00. The required 15% local match for the grant will be funded by Transit Sales Tax.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, Cm. Torres, and Cm. Vielma were not present.

52. Consideration to authorize to purchase of products, service, hardware and software to Sole Source Provider GFI Genfare for an approximate annual amount of \$80,000.00. GFI Genfare is the manufacturer and sole source provider for Fixed Route vehicles Fareboxes and related items such as Parts, Equipment, Repair Services, System Management Hardware and Software. The term of this service is for five (5) years, subject to future appropriation funds. Funds are available on the Transit Fund.

Motion to approve.

Moved: Cm. Balli

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, Cm. Torres, and Cm. Vielma were not present.

XVI. ADJOURN AS THE LAREDO MASS TRANSIT BOARD AND RECONVENE AS THE LAREDO CITY COUNCIL

Cm. Altgelt commended the Transit System for its wonderful capital upgrades using savings realized internally and other cost-saving measures. He noted that the Transit System helps the City serve its most vulnerable populations and encouraged them to keep up the great work.

Motion to adjourn as the Laredo Mass Transit Board and reconvene as the Laredo City Council.

Moved: Cm. Balli

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, Cm. Torres, and Cm. Vielma were not present.

53. **GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

A. **Request by Mayor Pete Saenz**

1. Discussion with possible action on how to best promote Port Laredo as well as how to promote civic pride in our community, and any matters incident thereto. (Co-Sponsored by Council Member Dr. Marte A. Martinez)

Dr. Marte Martinez noted that the City has some representation at various trade shows, but there is no active representation to promote the City as the #1 land port and leader in trade. He stated that he and Mayor Saenz intended to have a representative promote Laredo not just as a City but as the Mecca in Trade. That representative would present at these shows and show Laredo as the leader in industry that it is.

Aileen Ramos, Convention & Visitors Bureau Director, reported that staff has been doing this in the past among the Bridge System, Airport, and the Convention & Visitors Bureau. This representation has its own budget since presentations are not free and are often part of a sponsorship. This last year, staff made changes away from that activity.

Mayor Saenz recalled seeing some representation of the City of Laredo, but not as much as he thought the City merited as the leading land port in the country. As members of various associations and entities, the City should be maximizing its opportunity to advertise its status. He noted that this representation requires relationship building, and he has seen other port cities more consistently command attention for their organization.

Cm. Altgelt voiced his opinion that Port Laredo and a civic pride campaign are two very different things. A well-orchestrated civic pride campaign is managed by experts who exclusively perform this function. It is a targeted and specific endeavor. He agreed with previous comments by Dr. Marte Martinez that it is time for Laredo to begin acting like a metropolitan city of 300,000 residents. He recalled previous years in which Laredo marketed itself as "Living on the Edge" and "I Came to Laredo and Survived," neither of which are the images or attitudes that Laredo wants to be associated with. He initiated a motion to go out for an RFQ for a separate civic pride campaign, a port campaign, and an airport campaign for the City of Laredo.

Robert Eads, Co-Interim City Manager, explained that staff is aware that better campaigns are packages, adding that within staff's presentation Council will see staff's recommendation to seek proposals. He voiced his intention to hire in-house staff for actively marketing, promotions, and campaigns for the Bridge System. Staff who has previously served in these roles were either not replaced when they left the City or are pulled from their current duties at a detriment to those operations.

Mayor Saenz added that this representative needs a certain command of attention and personality to successfully carry out this objective. Mr. Eads agreed.

Mrs. Ramos stated that the Convention & Visitors Bureau attempts to address civic pride through destination trainings and similar program. A broader push is needed and can be attainable through the upcoming 265th anniversary of Laredo's founding and the 180th anniversary of the Republic of the Rio Grande.

Rafael Benavides, Public Information Officer, explained that staff aims to establish a clear and coordinated effort to instill pride among Laredo citizens while celebrating the historic anniversaries of the founding of our city and the creation of the Republic of the Rio Grande throughout the year 2020. The Convention & Visitors Bureau and Public Information Office will work together to organize and execute this campaign through a number of events and outreach activities. This campaign partners with the community through the creation of committees for history, culture, public art, and events that will be incorporated into the campaign.

Cm. Altgelt noted the vast outdoor recreational resources that the City has that is unknown to most citizens and visitors of Laredo. He suggested that the City reacquaint itself with its surroundings in order to actively engage the public on the amenities and events taking place in Laredo.

Mrs. Ramos continued that civic pride campaigns without the community is pointless. The City will partner with existing institutions and collect corporate sponsorships to assist with the costs of events for the campaign in 2020. She emphasized that the first impression that a visitor gets about a city is the locals. Locals are the face of the city, and when a local is uninformed or not proud of their home, it is detrimental. Making a strong case for a proud community is going to make Laredo a much better destination.

Mayor Saenz encouraged staff to move forward with the Four Blocks/Boulevard of the Americas project, as it truly is the first impression, aesthetically, of Laredo. Mr. Benavides noted that part of the civic pride campaign is to highlight contributions of Laredoans to arts and culture. The intention is to show that these individuals have found commercial artistic success because of the experience they have had as Laredoans.

Mrs. Ramos noted that staff is working with the Webb County Heritage Foundation, the Rio Grande International Study Center, CultivArte, and other organizations to contribute to this campaign. She stated staff's intentions to go out for RFQs for a branding agency to develop a professional campaign for the anniversary events. The campaign should last throughout the year 2020 for the anniversary events, but staff hopes that it would last beyond the next year so that the civic pride campaign can be evergreen. She proposed the funding as follows:

Branding	\$25,000
Media/Advertising	\$25,000
Events	\$100,000
Total	\$150,000

Cm. Altgelt amended his motion to include funding for the civic pride campaign as presented. Mrs. Ramos continued that staff will maintain a website for this campaign at no extra cost since it will be created and maintained in-house. She noted that the budget for branding is reasonable because the City intends to utilize local artists and agencies for its graphic design.

Cm. Altgelt asked if publishing this budget would hurt the competitive of the RFQ, since branding agencies that know the City is looking to spend \$25,000 will likely bid as close to that number as possible. Citing that reasoning, he withdrew his amendment.

Dr. Marte Martinez asked if the proposed budget is in addition to the RFQ; Mrs. Ramos clarified that this budget is for the RFQ itself. Staff does not need these monies to start working on October 1, 2019.

Motion to go out for RFQs for a civic price campaign, a port campaign, and an airport campaign for the City of Laredo.

Moved: Cm. Altgelt

Second: Cm. Mercurio Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Rodriguez, and Cm. Vielma were not present.

2. Discussion of status with possible action on the Transportation Reinvestment Zone (TRZ) covering areas from US HWY 59 to South 83 along Cuatro Vientos Rd/Loop 20, and any matters incident thereto. (Co-Sponsored by Council Member Rudy Gonzalez, Jr., Council Member Vidal Rodriguez, and Council Member Nelly Vielma)

Motion to table.

Moved: Mayor Saenz

Second: Cm. Torres

For: 7

Against: 0

Abstain: 0

Cm. Vielma was not present.

B. Request by Council Member Nelly Vielma

1. Status on hot pursuit guidelines for federal, local and State Law Enforcement Officers, and any matters incident thereto.

Cm. Vielma reported that she has represented several individuals in serious injury or wrongful death cases as a result of law enforcement's pursuit of a suspect. She noted that she was almost squashed between two vehicles during a DPS pursuit of another vehicle, adding that the crime was not even a felony. She asked for clarification as to the Police Department's policy as well as any recommendations for communicating with other law enforcement agencies to ensure consistent guidelines in Laredo's city limits.

Claudio Treviño, Laredo Police Chief, confirmed that the Webb County Sheriff's Department and Texas DPS have jurisdiction in the city limits and are able to perform hot pursuits within the scope of their operations. The Police Department updated its policy in regards to hot pursuits based upon evidence-backed research. The officer involved in this type of chase has discretion to engage in a pursuit, but the updated 10-page policy outlines the risks and mandates that supervisors are made aware of these chases. It offers guidelines as to when to initiate and stop a chase in a way that ensures the risks do not offset the benefit. He confirmed that staff can provide copies of the policy to Council. A consultant has been assisting the Police Department in updating its policies, and he noted that the Department has shared this new pursuit policy with at least one local entity to help guide their pursuit situations. He recommended inviting the other law enforcement entities for discussion and comparisons of their policies.

Cm. Vielma asked that management assist the Police Department in bringing other law enforcement agencies to a discussion regarding consistent policies and guidelines.

Cm. Altgelt voiced his understanding that Border Patrol's pursuit policy requires that the agent request and obtain permission before engaging in a pursuit, especially within city limits and in urban areas of the city. Chief Treviño agreed, clarifying that he has not seen the actual policy. To the best of his knowledge, Border Patrol has a zero pursuit policy unless cleared through the authority. Cm. Altgelt continued that the drivers of vehicles carrying drugs or undocumented individuals engage in high rates of speed into the City to hide among other motorists. Casualties occur when these high-speed drivers lose control of their vehicles and turn over, often causing unrestrained passengers to be ejected from the vehicles. He noted his appreciation for Cm. Vielma's objection but questioned how effective it will actually be as drug and human traffickers typically don't have much regard for human life.

No action taken.

C. Request by Council Member George Altgelt

1. Discussion and possible action to determine Union Pacific railroad easement to be abandoned and revert back to the city.

Kristina L. Hale, City Attorney, explained that staff reviewed these documents. Based upon case law, the railroad easement is not something that the City can revoke without Union Pacific's permission. The easement was duly recorded and duly granted, therefore the railroad must permit the abandonment and reversal to the City.

Motion to direct staff to engage with Union Pacific Railroad and request that they abandon their easement and revert it back to the City.

Moved: Cm. Altgelt

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Mercurio Martinez, Cm. Torres, and Cm. Vielma were not present.

2. Discussion and possible action regarding a traffic impact ordinance, and any matters incident thereto.

Danny Magee, Traffic Safety Director, explained that the City has grown and has lost focus on how to accommodate that growth. The City pushes the same infrastructure to support those new vehicles, but alternative solutions are needed. Many other large cities have a traffic impact ordinance, which directs the City how to manage new traffic generation. There are statistical numbers for how many vehicles can be accommodated on a particular lane or highway.

Cm. Altgelt voiced his understanding that what led to the City being in its current traffic situation was previous leadership not having the data to make informed decisions and a general lack of planning. There are clearly steps that the City must take now rather than later as a preventive measure rather than treatment of a larger problem.

Mayor Saenz agreed. Robert Eads, Co-Interim City Manager, informed Council that previous Traffic Directors attempted a traffic impact ordinance many times; it is a difficult decision to make to put the burden on development. Currently, it is requested but not required, so the vast majority of developers do not complete one.

Cm. Altgelt added that he has seen developers claim that they performed their own traffic impact ordinance that says they do not need as much street as is requested by the City or TxDOT.

Dr. Marte Martinez stated that the impact ordinance evaluates the immediate impact of the new subdivision as it is developed. However, the City has the responsibility, since it knows of the active plats going forward, to foresee the future impact of development rather than the immediate impact. This ordinance cannot be so stringent upon the first developer than it does not take into account the subsequent developers of the area along the road that will have to contribute to the roadways. He noted his opinion that the City has not taken a serious look at all of the fees that are taken from developers and asked if the City is applying these fees equally to other similar cities at an equitable amount.

Mr. Eads explained that the development community would be required to provide a traffic impact analysis to a certain extent. However, those developers contract that analysis out as a service to their business; he could not confirm any company in the City of Laredo that can provide that analysis. The City contracts these services from companies in San Antonio.

Mr. Magee emphasized that he is supportive of development, but he noted that the City should better plan for it so that there is adequate room for it.

James Kirby Snideman, Planning Director, stated that generally, growing cities have impact fees in place so that for every unit of development added, the City assesses an impact fee for the different utility that it expects to build. That is the fairest way to assign a responsibility of the road. When the City makes a developer responsible for traffic impact analyses, the municipality ends up subsidizing that growth or the road is not built to the right standard and faces a substandard service to residents. He voiced his agreement that a traffic impact analysis ordinance is the right decision for the City of Laredo because it will show a more fair way to assess what the City will do with roads and utilities. He added that sometimes the City develops in phases and decides to put in major thoroughfares in the last phase, which may or may not come to completion. If the City had impact fees that it could bond against, then those major roads would be built in the first phase.

Mr. Eads voiced management's support of adopting a traffic impact ordinance. Cm. Altgelt initiated a motion to direct staff to develop a traffic impact ordinance and to bring it back directly to Council rather than going through the Technical Review Board, explaining that many of the TRB members are in the development or engineering industry and are therefore stakeholders in the development community. He voiced his opinion that it would be more meaningful to have their input in public comments directly to Council as opposed to the ordinance dying a slow death in their committee.

Dr. Martinez suggested instead that Council give the TRB a deadline to have a recommendation for Council. If Council intends to make decisions based on public input, then they should at least get feedback from the development community on this issue.

Mr. Snideman stated that having the TRB as a standing board that the development community comprises (noting his opinion that the TRB is not an accurate reflection of the development community) through which ordinances and standards must pass, the Council is giving the development community an extra voice. The City already has a board dedicated to issues of land use, planning, and traffic through the Planning & Zoning Commission. Developers are welcome to attend those meetings and participate in the process in public hearings. He noted his opinion that having a separate committee such as the Technical Review Board is unfair. The normal process should not include a stop at the TRB; the ordinance should go to the Planning & Zoning Commission for recommendation to Council.

Mr. Eads added that the TRB is an ad-hoc committee with a specific mission; the City has tacked on other missions since it was revived. However, once the board answers the question that was put to it, it is dissolved.

Cm. Altgelt conceded, noting that the ordinance will go through the Planning & Zoning Commission through the normal process.

Motion to direct staff to develop a traffic impact ordinance and to bring it back directly to Council rather than the Technical Review Board.

Moved: Cm. Altgelt

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Torres, Cm. Vielma, and Cm. Balli were not present.

3. Discussion and possible action regarding the implementation of any and all ordinances relevant to the implementation of "Vision Zero" in light of the recent automobile crashes on TxDOT right of ways, and any matters incident thereto.

Cm. Altgelt reminded the public that one of Rosario Cabello, Co-Interim City Manager, was involved in a serious traffic accident over the last week. The City of Laredo adopted "Vision Zero" to reduce the number of traffic deaths or serious injuries to zero in Laredo; he added his opinion that this is not a lofty goal. With the correct design and speed mitigation control measures, this goal can be attained. He recalled a discussion with Danny Magee of the Traffic Safety Department in which he was told that Council is going to have to bring forward ordinances to give "Vision Zero" meaning.

Danny Magee, Traffic Safety Director, reported that Council adopted "Vision Zero" in January 2019; since then, the Vision Zero Summit took place on May 22, 2019 with 12 departments and agencies represented: Police, Fire, El Metro, City Manager's Office, TxDOT, Bike Laredo, Health, and FHWA, among others. The action plan is still pending; he identified the main focus areas for the City to concentrate upon:

- Reducing collisions at signalized intersections
- Reducing collisions involving pedestrians
- Reducing collisions involving trucks
- Reducing collisions involving bicycles
- Reducing crashes involving distracted drivers
- Reducing speeding-related crashes
- Improving safety at unsignalized intersections
- Addressing aggressive driving collisions

Cm. Altgelt noted that other cities who adopted Vision Zero performed traffic studies and prioritized the streets and intersections with the most-reported crashes. For the City of Laredo, the intersection at McPherson Road and Del Mar Boulevard is the most dangerous.

Mr. Magee commended Mayor Saenz for bringing Vision Zero to Council's attention, noting that only four cities in Texas have done so: San Antonio, Austin, Houston, and Laredo. He reported that staff is always looking to build more sidewalks and keep the current ones free of vehicle parking. When vehicles park on sidewalks, it forces pedestrians, including children, to walk on the street.

Cm. Altgelt asked if law enforcement issues warnings first or citations for parking violations such as parking on the sidewalk. Mr. Magee reported that the Traffic Safety Department has discussed having its parking enforcement officers assist the Police Department in dealing with this issue.

Claudio Treviño, Police Chief, reported several complaints of cars parked on sidewalks and issue a warning to the community when they begin citing violations. The pattern is cyclical in which complaints piled up, law enforcement issues citations, and offenders reduce their parking offenses. Law enforcement then addresses other issues, and after a while complaints come in of parking violations again.

Cm. Altgelt voiced his opinion that having the Parking Enforcement Division of Traffic Safety handle parking violations would be the more practical solution to the problem rather than pulling law enforcement from their duties. Chief Treviño stated that Police will continue to issue citations for these offenses, but the officers' downtime is used to cite parking violations to-date.

Mayor Saenz noted complaints from residents saying that they only have a garage and driveway for two cars but have more than two cars; some old neighborhoods do not have wide streets for parking on the streets. Mr. Magee stated that parking on sidewalks is to be avoided at all costs for the safety of pedestrians. If Council wants to prioritize cars off of sidewalks, then streets need to be widened.

Cm. Altgelt initiated a motion to direct staff to use personnel from the Downtown Parking Enforcement Division for two hours a day every day to enforce parking in residential neighborhoods. Mr. Magee reminded Council that the goal is not to issue a lot of citations; the intention is for community outreach to tell residents to make other arrangements for their cars.

Cm. Mercurio Martinez noted that there is already Code Enforcement in neighborhoods, but more personnel is needed. Mr. Magee reminded Council that, for whatever reason, there are a lot of aggressive drivers in Laredo.

Dr. Marte Martinez noted that this issue must be collaborative, meaning that when parking enforcement or law enforcement sees a parking violation, they ticket the vehicle. If residents see a parking violation, report it for citation or warning.

Motion to direct staff to use any and all means to strengthen parking enforcement in residential neighborhoods, as amended.

Moved: Cm. Altgelt

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Torres, Cm. Vielma, and Cm. Balli were not present.

Mr. Magee reported that he is meeting with other cities to develop a speed-mitigation recommendation to Council, as the City of Laredo has a significant speeding problem as it is. Cm. Altgelt requested that management bring this item back in 60 days.

D. Request by Council Member Rudy Gonzalez, Jr.

1. Discussion with possible action to add lights on the Hike & Bike Trail at Independence Park and any matters incident thereto.

Cm. Gonzalez informed Council that staff is already working on this matter, so no action is required at this time.

No action taken.

XVII. ADJOURN

Motion to adjourn.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Torres, Cm. Vielma, and Cm. Balli were not present.