

**CITY OF LAREDO
RECOGNITION AND COMMUNICATION NOTICE
CITY COUNCIL
CHAMBERS 1110
HOUSTON STREET
LAREDO, TEXAS 78040
October 7, 2019
5:00 P.M.**

The Mayor presented the following:

1. Recognizing Ms. Claudia Villarreal for her heartfelt love to our community and kindness towards her fellow citizens and the future generations to come. Her divine creativity has not gone unnoticed and we are proud to count you among the brightest of the shining stars here in Laredo and the greater South Texas area. We stand with you and your life's purpose of ending bullying in our lifetime.

Ms. Villarreal thanked Council for the recognition and recited her children's book, *The Bully Who Learned to Love*, for the audience. Mayor Saenz presented her with a certificate of recognition for her accomplishment.

**CITY OF LAREDO CITY
COUNCIL MEETING
M2019-R-16
CITY COUNCIL
CHAMBERS 1110
HOUSTON STREET
LAREDO, TEXAS 78040
October 7, 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 a moment of silence.

IV. ROLL CALL

In attendance:

Pete Saenz
Vidal Rodriguez

Mayor
District II

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

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

Dr. Marte Martinez joined at 5:40 p.m.
MPT Balli joined at 6:00 p.m.

Motion to excuse the absences of Cm. Gonzalez and Cm. Vielma.

Moved: Cm. Torres
Second: Cm. Rodriguez
For: 5 Against: 0 Abstain: 0

Dr. Martinez and MPT Balli were not present.

V. MINUTES

Approval of the minutes of August 26, 27, 28, 29, 2019, September 3, 2019, September 6, 2019, and September 16, 2019.

Motion to approve the August 26-29, 2019, September 3, September 6, and September 16, 2019 minutes.

Moved: Cm. Torres
Second: Cm. Altgelt
For: 5 Against: 0 Abstain: 0

Dr. Martinez and MPT Balli were not present.

Citizen comments

Vanessa Perez, La Bota Ranch resident, reminded Council that she addressed her concerns with them at a previous Council meeting and gave them a packet of information. On Thursday, October 3, 2019, the Planning & Zoning Commission approved a utility trailer plat right next to Muller Elementary School to be used for commercial parking of trailers. She noted her surprised that this was approved by the Commission and was further surprised to learn that this item is not going to come to Council for final approval. She asked Council to bring this item to the next Council meeting so that it could receive the discussion that it deserves, mainly because about 1,000 elementary students will be affected by it. She asked if this utility trailer plat will truly help Laredo move forward or is the best use of the land. She reiterated that having an elementary school swallowed up by commercial use and properties may not be the best outcome for the children or the City. The school being built there may have been

the result of bad policy in the first place, but she noted that putting trailers in the lot next to it needs more time and attention from Council.

Cm. Rodriguez asked that this item be placed on the next Council agenda, requesting an explanation as to why it was not going to come back to Council in the first place.

JJ Evans-Lopez recalled that Council is receiving a raise and participate in the retirement system. He voiced his opinion that Council's benefits should be approved via a referendum to prevent Council's abuse of their power over their own salaries and benefits. He encouraged Council to let the people decide.

Gerardo Piña voiced his concern that the boil water notice was supposed to be lifted over the weekend, which did not happen. In his community of Los Presidentes, water out of the tap has a noticeable chlorine smell. He asked for an update or a report that specified what was found in the water or what happened. He also recalled a notice that radioactive agencies were found in the City's water.

VI. INVITATION

1. Invitation by H-E-B on 31st Annual "Feast of Sharing" Thanksgiving Dinner.

Lynda Villarreal, HEB on Guadalupe Street Store Director, invited Council to the 31st Annual "Feast of Sharing" Thanksgiving Dinner on Friday, November 1, 2019. The Feast of Sharing was created to prevent hunger in Texas and Mexico; today, there are 31 dinners held across the State of Texas and Mexico with more than 250,000 meals served to our community. The Feast of Sharing is also a time to bring families together and remember those who are less fortunate than we are. The dinner, as in prior years, is free and will be held from 4:00 p.m. to 8:00 p.m. at the Same Auto Arena, and she estimated that HEB will feed upwards of 12,000 Laredo residents. She noted that HEB has partnered with El Metro to provide free transportation to and from the event, which will provide live music, entertainment, and fun activities for all participants.

Rosario Cabello, Co-Interim City Manager, reminded Council that during the boil water notice event, HEB has graciously assisted the City in providing safe drinking water to its affected community members. She presented Ms. Villarreal with a token of the City's appreciation for HEB's generosity over the last week. Mayor Saenz echoed the same sentiments and thanked Ms. Villarreal and HEB for its civic commitment to Laredo. He noted that the Sisters of Mercy were also incredibly generous in dispensing water to the community during this time.

2. Invitation by the Parks & Recreation Youth Council on the 4th Annual Anti-bully event the will be held on October 12, 2019 at the Blas Castaneda Park from 9:00 a.m. to 12:00 p.m.

Juan J. Gomez, Acting Parks Director, invited Council to the 4th Annual Anti-Bully walk at Blas Castañeda Park, encouraging attendees to wear orange in support of the event. He estimated that about 300 participants will join the walk. There will be food and activities for everyone to enjoy.

VII. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

1. Appointment by Mayor Pete Saenz of Rebecca Cavazos to the Historic Landmark Board.

Motion to approve the nomination of Rebecca Cavazos to the Historic District/Landmark Board.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 5 Against: 0 Abstain: 0

Cm. Altgelt was not present.

2. Appointment by Council Member Rudy Gonzalez, Jr. of Adriana Alexander to the Ethics Commission.

Motion to approve the nomination of Adriana Alexander to the Ethics Commission.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 5 Against: 0 Abstain: 0

Cm. Altgelt was not present.

VIII. PUBLIC HEARINGS

1. Motion to open public hearing #1.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 5 Against: 0 Abstain: 0

Cm. Altgelt was not present.

Public Hearing and possible action to consider facade improvements on the E 14 Varas of Lot 9, Block 26, Western Division, located at 813 Iturbide St in order to remove the existing Life-Tile Roofing system and replacing it with Asphalt Composition Roof Shingles.

The Historic District Landmark Board did not provide a recommendation due to a lack of quorum for the regularly Historic Board meeting of September 12, 2019. Staff supports the application. HDLB-07-2019 District VIII

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Torres
Second: Dr. Marte Martinez
For: 5 Against: 0 Abstain: 0

Cm. Altgelt was not present.

2. Motion to open public hearing #2.

Moved: Dr. Marte Martinez
Second: Cm. Mecurio Martinez
For: 5 Against: 0 Abstain: 0

Cm. Altgelt was not present.

Public Hearing and Introductory Ordinance amending the City of Laredo Land Development Code section 24.62.1(B) – Specific Use Zoning Overlay District to provide for reduced setback overlay districts; adding section 24.75 – Reduced Setback Overlay Zone to establish standards, minimum size requirements, and rules for the establishment of a reduced setback overlay district; providing that this ordinance shall be cumulative; providing a severability clause; providing for publication and effective date.

Staff **does not support** the Ordinance and the Planning and Zoning Commission recommended **denial**.

James Kirby Snideman, Planning Director, explained that property setbacks are a distance typically taken from the property line restricting where structures can be located. They are put in place for reasons of privacy, safety, and greenspace or environmentalism. The Viva Laredo Comprehensive Plan speaks to setbacks but in a few districts rather than city-wide. The Comprehensive Plan also calls for denser, more sustainable development and creative solutions to give owners more freedom with their property. Re-Code Laredo was a Comprehensive Plan recommendation, as well, suggesting that the Land Development Code be updated and made simpler and fairer. Staff is currently reviewing how to implement setback changes; Mr. Snideman noted that changing setbacks may impact the following:

- Density requirements/occupancy limitations
- Stormwater requirements
- Utility requirements
- Parking regulations
- Zoning regulations
- Visibility triangle requirements
- Height limitations
- Floodplain requirements
- Right-of-way widths and requirements
- Easement locations
- Building/Fire Code requirements

Mr. Snideman noted that staff is not recommending a city-wide setback change without performing the proper analysis. This item is considered "Option 2" [Council discussion erroneously noted that public hearing #2 is Option 1 when it is actually Option 2.] He noted that staff is not recommending either option at this time.

Through this option, Council would allow for public notice and involvement as well as a smaller scale to study the impact. Challenges include the additional time required to implement reduced setback overlay districts, and the issue would be better accomplished by amending the underlying zoning through Re-Code Laredo.

Mr. Snideman reiterated that staff's recommendation is to wait and go through the Re-Code Laredo process. He also noted that the Planning & Zoning Commission does not support either option and also recommends waiting for Re-Code Laredo.

Mr. Rodriguez voiced his opinion that the City should give the power back to the people. However, he noted that he is in favor of the reduced setback overlay (RSO). Dr. Marte Martinez initiated a motion to close the public hearing and introduce while allowing for wider driveways.

Mr. Snideman asked that Council clarify that this public hearing apply only to single-family residential properties. He agreed that established neighborhoods will likely have issues with RSOs. He noted that many people in the City who bought their homes do not want a style of development that changes their setbacks. Before the City makes any changes, they need to be careful about how the changes are being made. This is why he is not recommending either option at this time and instead asking Council to wait for Re-Code Laredo. He also clarified that most home owners' associations (HOAs) do not address setbacks RSO provisions would be about the same for most zones (rear five feet, side five feet, front 10 feet); normal zone change processes would apply, and the applicant must demonstrate to the Planning & Zoning Commission and Council that more than 50% of the property owners agree with the RSO application by signature. City staff and resources cannot be used to gather signatures.

Mr. Snideman continued that new RSO districts must be greater than or equal to 100 residential lots with existing structures; they can be expanded by 50 lots or more at a time. RSO districts cannot be used for new development.

Mr. Balli voiced his opinion that it would be impossible for someone other than a developer to pass an RSO. Mr. Snideman stated that the City already has a way for developers with new development to achieve these setbacks, through a PUD development. He reminded Council that this cannot be applied home-by-home, because zoning laws cannot be arbitrary like that. There cannot be two homes in the same zone with different standards; they must be tied together by a reason. Best practices does not lend itself to performing RSOs on a small scale over just a few homes. They are best implemented in larger neighborhoods with a few hundred homes. He added that the burden to reach out to homeowners is much greater with RSOs because the consensus of a neighborhood can change another person's property, which is more serious. This is why the standard is so high.

Cm. Mercurio Martinez estimated that as soon as someone in an RSO builds a second floor, Council Members are going to get phone calls complaining that these neighbors can see into their backyard. MPT Balli countered that this can already occur.

Cm. Altgelt noted that his neighborhood, which was built in the 1970s, is a prime example of suburban sprawl. In front of every home is unused space; everybody has to water and maintain, and effectively pay taxes on, an unused front space in front of their house.

MPT Balli noted that this problem has come before Council at least four times. Mr. Snideman noted that matters this important take time and should be done correctly the first time. He added that 50 homes is too small in terms of zoning an area.

MPT Balli stated that it would be very difficult to find many property owners in the Downtown areas since the original owners have moved out of town or are dead and their estate has not been probated to their descendants. He suggested that at the next Council meeting, each Council Member propose specific neighborhoods in their district in which they would like to apply RSOs. Mr. Snideman countered that to do so, the City would need to notice all of those areas beforehand.

Dr. Martinez voiced his opposition to allowing a setback change for a property owner who did not respond to a notice. He withdrew his motion.

Motion to close public hearing and introduce for 50 homes and allow for five feet on the front setbacks on either side to allow for wider driveways and to specify that RSOs would apply to single-family residential properties, as amended.

Moved: Dr. Marte Martinez
Second: Cm. Torres
Motion withdrawn.

Cm. Rodriguez initiated a motion to close and introduce, approving the RSO with the recommendation of widening the front setback to allow for wider driveways and apply it to single-family residential houses for 12 houses, with letters advising them of the rezoning for the RSO.

Motion to close and introduce, approving the RSO with the recommendation of widening the front setback to allow for wider driveways and apply it to single-family residential houses for 12 houses, with letters advising them of the rezoning for the RSO.

Moved: Cm. Rodriguez
Second: Cm. Torres

For: 3	Against: 3	Abstain: 0
Cm. Rodriguez	Cm. Mercurio Martinez	
Cm. Torres	Dr. Marte Martinez	
MPT Balli	Cm. Altgelt	

Motion fails.

Motion to close and introduce with staff's recommendation of single-family residential lots.

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 4	Against: 2	Abstain: 0
Cm. Rodriguez	Cm. Mercurio Martinez	
Dr. Marte Martinez	Cm. Torres	
Cm. Altgelt		
MPT Balli		

Motion fails.

No further action taken.

3. Motion to open public hearing #3.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 5	Against: 0	Abstain: 0
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Cm. Altgelt was not present.

Public Hearing and Introductory Ordinance amending the City of Laredo Land Development Code; Section 24.65.8 R-1A – Single Family Reduced Area District; Section 24.65.9 R-1B – Single Family High Density District; Section 24.77.2 (9) Front Yard Setbacks; Section 24.77.2 (11) Rear Yard Setbacks; and Section 24.77.1 Dimensional Standards Chart to modify the front yard, side yard, and rear yard setbacks in the City of Laredo; providing that this ordinance shall be cumulative; providing a severability clause; providing for publication and effective date.

James Kirby Snideman, Planning Director, noting that this item is considered "Option 1," which staff does not recommend; staff does not recommend either option at this time. [Council discussion erroneously noted that public hearing #2 is Option 1 when it is actually Option 2.] If Council were to adopt city-wide setback changes, it would be fast and change all residential zones at once, but it would lack public involvement with no thorough analysis of its impact. It also would not follow the Viva Laredo Comprehensive Plan. Mr. Snideman reiterated that staff's recommendation is to wait and go through the Re-Code Laredo process. He also noted that the Planning & Zoning Commission does not support either option and also recommends waiting for Re-Code Laredo.

Jesus Ruiz spoke in favor of this item, which is the Technical Review Board recommendation. City-wide setback changes would increase water conservations as homeowners will be able to make more use of their lots. The replacement cost of housing is very expensive; but allowing families to build additional living areas in

their backyards can help reduce the cost of housing for those families. He noted that these changes would be safe as long as the Fire Code compliance is maintained. What was taken away from landowners in the early 1980s can be given back today. Allowing people to add more living area on their lots provides a larger tax base for the City. He asked Council to vote in favor of this item.

Cm. Rodriguez voiced his opinion that the City should give the power back to the people. However, he noted preference for the reduced setback overlay (RSO). Dr. Marte Martinez initiated a motion to close the public hearing and deny.

Motion to close public hearing and deny.

Moved: Cm. Rodriguez

Second: Cm. Torres

For: 3	Against: 3	Abstain: 0
Cm. Rodriguez	Cm. Mercurio Martinez	
Cm. Torres	Dr. Marte Martinez	
MPT Balli	Cm. Altgelt	

Motion fails.

Motion to support staff's recommendation and close and deny.

Moved: Cm. Mercurio Martinez

Second: Dr. Marte Martinez

For: 4	Against: 2	Abstain: 0
Cm. Mercurio Martinez	Cm. Rodriguez	
Cm. Torres	MPT Balli	
Dr. Marte Martinez		
Cm. Altgelt		

Motion fails.

No further action taken.

4. Motion to open public hearing #4.

Moved: Dr. Marte Martinez

Second: Cm. Mecurio Martinez

For: 5	Against: 0	Abstain: 0
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Cm. Altgelt was not present.

Public Hearing and Introductory Ordinance authorizing Co-Interim City Managers to accept a grant award in the amount of \$103,080.00 from the Office of the Governor, Public Safety Office, Criminal Justice Division to fund the Special Investigations Unit Crimes Against Women Project for the period of October 1, 2019 through September 30, 2020; and to amend the FTE's by adding one (1) Investigator position as awarded by the Office of the Governor, Public Safety

Office, Criminal Justice Division. This grant will fund salaries and travel/training for the Special Investigations Unit. The grant requires cash match in the amount of \$44,278.00 which is available as a transfer in from General Fund for a total grant amount of \$147,358.00. Funding is available in the Special Police Fund.

There was no public hearing.

Motion to close public hearing and introduce.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 5

Against: 0

Abstain: 0

Cm. Altgelt was not present.

5. Motion to open public hearing #5.

Moved: Dr. Marte Martinez

Second: Cm. Mecurio Martinez

For: 5

Against: 0

Abstain: 0

Cm. Altgelt was not present.

Public Hearing and Introductory Ordinance amending the Transit Department FY 2019-2020 Full Time Equivalent (FTE) Position Listing by creating one (1) additional position for a Public Transportation Agency Safety Plan Officer (PTASP Officer) at a total estimated cost of \$60,000.00. Funding Available in El Metro Operations Fund.

There was no public hearing.

Motion to close public hearing and introduce.

Moved: Dr. Marte Martinez

Second: Cm. Mercurio Martinez

For: 5

Against: 0

Abstain: 0

Cm. Altgelt was not present.

IX. INTRODUCTORY ORDINANCES

6. Authorizing the Co-Interim City Managers to amend the lease agreement approved by Ordinance No. 2001-O-042 as amended between D & P Enterprises, A Nevada Corporation, as Lessee, and City of Laredo, as Lessor, as for assignment of lease agreement to 6552 BBL TX, LLC, as Assignee, for Tract No., 8 containing approximately 2.82 acres of property located at the Laredo International Airport. All other terms and conditions remain the same in effect; providing for an effective date.

Ordinance Introduction: City Council

7. Authorizing the Co-Interim City Managers to amend the City of Laredo FY 2020 Airport Construction Fund Budget to accept and appropriate the Federal Aviation Administration Grant No. 3-48-0136-089-2019 in the amount of \$9,856,303.00 funding for the rehabilitation of Cargo Apron Phase 13 at the Laredo International Airport. The City's local match in the amount of \$1,095,145.00 (10%) is available in the Airport Construction Fund Budget. Total project cost is \$10,951,448.00.

Ordinance Introduction: City Council

8. An Ordinance of the City of Laredo, Texas, providing for the Laredo Public Art Program and delineating the administration of the same; authorizing the allocation of two percent (2%) of the construction costs of eligible Capital Improvement Projects for art; establishing criteria for review of suitable capital projects and establishing a method for calculating art appropriations for capital projects; providing for qualifications, term limits, and additional duties for the Fine Arts and Culture Commission; providing that this ordinance shall be cumulative; providing a severability clause; and declaring an effective date.

Alyssa Cigarroa of CultivArte, the Fine Arts & Culture Commission, and City Maker thanked all parties involved in crafting this ordinance, noting that it will help arts and culture thrive in Laredo.

Ordinance Introduction: City Council

9. An Ordinance of the City of Laredo, Texas, amending Section 2-5 of the Code of Ordinances "City Council Meetings" to provide the rules governing public comments at city council meetings in accordance with House Bill 2840; to allow members of the public three (3) minutes to address the city council before the city council's consideration of an agenda item or under the agenda item "citizen comments" for non-agenda items; to direct the City Secretary of the City of Laredo or designee to develop an online registration system to allow members of the public wishing to address the city council to fill out the required witness registration card electronically; providing a cumulative and repealer clause; providing a severability clause; and providing for related matters.

Ordinance Introduction: City Council

10. An Ordinance of the City of Laredo, Texas, providing for participation in the Texas Municipal Retirement System for persons who hold and are regularly engaged in the performance of duties of an elective office that normally requires actual performance of services in a participating department of the municipality for not less than 1,000 hours a year in accordance with Section 852.107, Title 8, Texas Government Code, as amended; providing that this ordinance shall be cumulative; providing a severability clause; and declaring an effective date.

Ordinance Introduction: City Council

11. Authorizing the Co-Interim City Managers to execute a lease agreement with Laredo Crime Stoppers Inc. (LCS) for the use of office space located at Police Substation No. 9, 320 E. Ryan St., Laredo, Texas, 78041, described as Lot 5 Block 494, situated in the Eastern Division of the City of Laredo, Webb County, Texas for a term of ten (10) years at an annual rate of one dollar (\$1) and contingent on satisfaction of City insurance requirements, and providing for an effective date.

Ordinance Introduction: City Council

12. Authorizing Co-Interim City Managers to execute all documents for the purchase of the following three (3) tracts of land: 0.54 Acre tract, 0.25 Acre tract, and 0.11 Acre tract out of the Property Legally described as a 2.0 Acre (87,120 square feet) tract of land out of a called 2.000-Acre tract of land Recorded in Volume 1927, Page 53, W.C.D.R. , City of Laredo, Texas, being out of Porcion 22, Dona Maria Jesus Sanchez, Original Grantee, Abstract 277, Webb County, Texas, otherwise known as 8801 Mines Road, as depicted on Exhibits "A", "B", and "C" from Jose C. Resendez in the negotiated amount of Three Hundred Forty Thousand Dollars and no cents (\$340,000.00). Acquisition is needed for the West Laredo Corridor – Phase II Realignment of Las Cruces and Flecha Lane to address traffic, drainage and public safety; and would bring Condemnation Case 2015EDA000004C3 to a resolution; Funding is available in the Capital Improvement Fund-West Laredo Corridor-Phase II grant; and providing for an effective date.

Ordinance Introduction: City Council

13. Amending Article VI [Investment Policy] of Chapter 2 [Administration] of the Code of Ordinances in order to:
 1. Update Investment Officers Titles;
 2. Adjust / Update the current Broker / Dealer List and:
 3. Provide for an effective date

Ordinance Introduction: City Council

14. Amending Ordinance 2011-O-019 and authorizing the Co-Interim City Managers to allow the Utilities Department to sell water and sewer capacity to future landowners that are using their platted lot or tract as multifamily, commercial, industrial or combination of commercial-residential inside of the 15 colonias listed in the interlocal agreement and did not participate in the oversizing of the water and sewer extensions that will serve future developers inside and outside of the colonias; and providing for an effective date.

Riazul Mia, Utilities Director, reminded Council that the City of Laredo provides 15 colonias with water and sewer services due to an agreement with Webb County. Per the agreement, the City can only provide water and sewer services to residential customers in the colonias; the City has seen much interest for commercial and multi-family utilization. Therefore, the ordinance would need to be amended to provide for that additional service.

Cm. Rodriguez voiced his understanding that this would not be possible since the water pressure would be adversely affected in South Laredo if the colonias increased their water usage. Mr. Mia countered that amending the ordinance per staff's recommendation would actually help South Laredo's water issues. Cm. Rodriguez reiterated his sentiments and recommended that the City address its current issues before expanding its services.

MPT Balli noted that one of the issues facing the Utilities Department is a financial one, and the City needs to invest in its infrastructure. In order to do so, the City needs utility income. If staff says that this amendment will help with better water flow and cleaner water supply, then he voiced his support of using the income for infrastructure repairs.

Mr. Mia reminded Council that the City is flushing away a lot of the water in South Laredo because customers do not use much water in this part of the city. Cm. Rodriguez countered that the City could instead take that water and irrigate its parks rather than throwing it away.

Mr. Mia noted that the colonias are outside of City limits; it is not possible to use that water to irrigate parks, and there are no parks anyway. The infrastructure in the colonias is already built.

Cm. Altgelt stated his opinion that if the City wants to correct its low chlorine residual problem by increasing water flow and to sell its water to a market and increase income at the same time, amending this ordinance is a way to accomplish both objectives. It also prevents the waste of water that gets flushed down the storm drain. Mr. Mia added that the water pressure referred to by Cm. Rodriguez is a separate issue from what is being addressed in this item.

Ordinance Introduction: City Council

X. FINAL READING OF ORDINANCES

Motion to waive the final readings of Ordinances 2019-O-160, 2019-O-161, 2019-O-162, 2019-O-163, 2019-O-164, 2019-O-165, 2019-O-166, 2019-O-168, 2019-O-169, and 2019-O-172.

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

- 15. 2019-O-160 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.

Motion to adopt Ordinance 2019-O-160.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

16. 2019-O-161 Authorizing the Co-Interim City Managers to accept and execute a contract from the community based organization PILLAR. Funding is from the United States Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA). Amending the FY 2018-2019 Budget by appropriating additional revenues and expenditures in the amount of \$195,131.00 for the City of Laredo Health Department (CLHD) HIV and Behavioral Health Services for the term from September 30, 2019 through September 29, 2020. (AS AMENDED)

Motion to adopt Ordinance 2019-O-161.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

17. 2019-O-162 An Ordinance of the City of Laredo, Texas, amending Chapter 13, "Food and Food Products," Article II "Food Products Establishments" of the City of Laredo Code of Ordinances, providing an update for the adoption of rules, regulations and associated fees for food trucks and food establishments; providing for a cumulative clause; providing a severability clause; and providing for publication and an effective date.

Motion to adopt Ordinance 2019-O-162.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

18. 2019-O-163 An Ordinance of the City of Laredo, Texas, amending chapter 15, "Health and Sanitation," Article I "In General," and Article IV "Tire Business Registration Program" of the Laredo Code of Ordinances to provide clarification and alignment of fees associated with various services rendered by the City of Laredo Health Department; providing a severability clause; providing for publication and an effective date. (AS AMENDED)

Motion to adopt Ordinance 2019-O-163.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

19. 2019-O-164 Authorizing the Co-Interim City Managers to accept funds in the amount of \$314,120.00 from the South Texas 9-1-1 Regional Administration Division to cost share personnel at the Laredo Police Department Public Safety answering point (PSAP) in accordance with section 771.0751 of the Texas Health and Safety Code and rule 251.3 use of revenue in certain counties from the commission on state emergency communications; and amending the FY2018 - 2019 General Fund Budget of the City of Laredo by appropriating revenues and expenditures in the amount of \$314,120.00 for Laredo Police Department Communications Division salaries.

Motion to adopt Ordinance 2019-O-164.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

20. 2019-O-165 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Special Use Permit for Oil and/or Gas Extraction and Production (Plug/Abandonment of Well) on approximate .8324 acres out of Porcion 38, Abstract 472, T. Sanchez Tract, located at South of Don Camilo Blvd; providing for publication and effective date. ZC-54-2019 District III

Motion to adopt Ordinance 2019-O-165.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

21. 2019-O-166 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing the issuance of a Special Use Permit for Oil and/or Gas Extraction and Production (Plug/Abandonment of Well) on approximate .8324 acres out of Porcion 38, Abstract 472, T. Sanchez Tract, located at South of Don Camilo Blvd; providing for publication and effective date. ZC-55-2019 District III

Motion to adopt Ordinance 2019-O-166.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

22. 2019-O-167 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. ZC-64-2019 District IV

Cm. Torres recalled that this ordinance was denied at the last Council meeting during public hearing. He asked why it is on the agenda for a final reading when it was already denied. When an answer was not forthcoming, he initiated a motion to deny.

Motion to **deny** Ordinance 2019-O-167.

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

23. 2019-O-168 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. ZC-65-2019 District VII

Motion to adopt Ordinance 2019-O-168.

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

24. 2019-O-169 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.

Motion to adopt Ordinance 2019-O-169.

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

25. 2019-O-172 Authorizing the Co-Interim City Managers to amend the City of Laredo FY 2018-2019 Parkland Acquisition and Park Improvement Fund budget to appropriate revenues and expenditures in the amount of \$355,814.85. Revenues are from park improvement fees and/or cash payment in lieu of land paid by the developers of Cuatro Vientos East, Lomas Del Sur, Phoenix Village, Los Presidentes Unit 1, Sunset Heights, Monaco Phase II, and RW Ranch Subdivisions. The expenditures will be utilized as per Ordinance 2008-O-058 Section 24.56.2.E and Amended Ordinance 2019-O-036 Section 24.56.2.C for park improvements. (AS AMENDED).

Motion to adopt Ordinance 2019-O-172.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

XI. CONSENT AGENDA

AIRPORT: STAFF SOURCE JEFFREY J. MILLER, AIRPORT DIRECTOR

26. 2019-R-157 Authorizing the Co-Interim City Managers to approve a sub-lease between L.A. Ventures, Inc., as Lessee, and Federal Express Corporation, as Sub-lessee. FedEx shall pay Sub-Lessor \$3,500.00 per month rent for a term of one (1) year, to lease no less than 50 but up to 144 parking spaces within the 3.64 acres of land known as Tract 9, Lot 1, Block 1 leased by Lessee at the Laredo International Airport. The lease between the City of Laredo, as Lessor and L. A. Ventures, Inc. as Lessee, was approved by Ordinance No. 2005-O-113 on May 23, 2005. Subleasing is allowed as per Article VII, with written Lessor's consent; such consent shall not be unreasonably withheld. All other terms and conditions remain unchanged and in effect; providing for an effective date.

Motion to adopt Resolution 2019-R-157.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

27. Consideration to ratify the issuance of an emergency purchase orders by the Co-Interim City Managers in the amount not to exceed \$60,620.52 to Wunderlich-Malec Systems, Inc, Eden. Praire, MN for Airport Security System Services and related Software Maintenance Support for the City of Laredo International Airport. These services are obtained using Houston-Galveston Area Council Cooperative pricing under contract HGAC SE05-18 . Funds are available in the International Airport Funds.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

28. Consideration to award contract FY19-097 Modification/Removal of Baggage Handling System to sole bidder G & S Mechanical USA Inc., Wichita, KS in the amount of \$177,891.00. This project involves the modification to the existing airport terminal outbound Baggage Handling System due to the relocation of Transportation Security Administration (TSA) CT-80 scan machine from the

terminal lobby. Funds are available on the International Airport Funds.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

BRIDGE: STAFF SOURCE YVETTE LIMON, BRIDGE DIRECTOR

29. Consideration to award a contract to sole source provider, TransCore L.P., for the purchase of 10,000 Automatic Vehicle Identification (AVI) sticker tags in the amount of \$125,000.00. These AVI sticker tags are TransCore's Amtech Technology eGo® Plus Windshield sticker tags; have a protocol of 915 Mhz radio frequency; are programmable beam powered; are windshield dash mounted tags and used for the Laredo Bridge System Electronic Toll Collection System. Funding is available in the Bridge System Fund.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

BUILDING: STAFF SOURCE ARTURO GARCIA, ACTING BUILDING DIRECTOR

30. 2019-R-142 Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Juan Ordonez for a proposed project located at 2403 Ventura St, lot 3 & 6; block 625; western division that consists of 4bd house, 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 \$160,000.00, estimated annual tax abatement total of \$1,014.15 and estimated total fee waivers of \$3,474.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2019-R-142.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

31. 2019-R-143 Authorizing and approving a fee waiver and a Tax Abatement Agreement between the City of Laredo and Capra Investments Inc. For a proposed project located at 1919 Hidalgo St, lot 10; block 288; western division that consists of 4 units 2 bdrm apartments, 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 \$178,842.00, estimated annual tax abatement total of \$1,133.86 and estimated total fee waivers of \$6,027.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2019-R-143.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

32. 2019-R-162 Authorizing and approving a fee waiver and a tax abatement agreement between the City of Laredo and Jose A. Lopez for a proposed project located at 1220 Garfield St, lot 5 & east 23.11 feet of lot 6; block 692; eastern division that consists of 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 \$80,000.00, estimated annual tax abatement total of \$507.20 and estimated total fee waivers of \$1,354.00. Guidelines and criteria for the agreement are set forth in the attached agreement and information.

Motion to adopt Resolution 2019-R-162.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

CITY ATTORNEY: STAFF SOURCE KRISTINA L. HALE, CITY ATTORNEY

33. Presentation by Earthjustice on lawsuit filed on behalf of the Rio Grande International Study Center (RGISC) and other individuals and entities challenging President Trump's National Emergency Declaration, with possible action.

Raul Garcia of Earthjustice explained that Earthjustice is a non-profit law firm that typically handles environmental matters. In this case, the firm is taking on the border wall; President Trump declared a national emergency in February 2019, essentially calling Laredo and the border between the United States and Mexico a "war zone." The administration took money that would otherwise be meant for construction and other matters and diverted it to build border barriers throughout the southern border. Building a wall has been a long-standing campaign promise of President Trump. There are currently about eight lawsuits against the Trump Administration, and Mr. Garcia clarified that this lawsuit does not challenge the

funds being appropriated for use in the Rio Grande Valley for border wall construction; those funds were appropriated by Congress. Laredo has been caught in the middle of a standoff between Congressional and executive power at the federal level. The time to negotiate with the Trump Administration has come and gone as they are not actually listening to the communities affected by their policies. In order to build the wall, the Administration is waiving every single law that would give citizens and municipalities a say in how it will be built through the National Environmental Policy Act which guarantees public input and goes through environmental analyses. The only place where the federal government can waive these laws is on borders such as Laredo's. Congressman Henry Cuellar has stated himself that the Trump Administration stabbed the community in the back by announcing dozens of miles of border wall unchecked while the communities were attempting to negotiate.

Mr. Garcia noted his understanding that Laredo has pitched the design of a bulkhead wall in lieu of a border wall, but those plans are over 10 years old. Therefore, there is no current environmental analysis as to what those plans will do to the environment and in accordance with the environmental changes that have taken place over the last decade. He reminded Council that the Trump Administration has already begun building the border wall, and the agency overseeing the construction has not engaged with the City of Laredo, which is highly problematic. He noted that this was the plan from the beginning; the Trump Administration never planned to engage with local communities. President Trump stated that he wanted the wall built and painted black and would pardon any law broken by any of his administration officials in order to build it. Mr. Garcia noted that these statements should inform Council on how lawless this monument to hate will be. He asked Council to stand with their constituents and the individuals who care about this issue and be active and outspoken against the border wall. Staying silent is no longer an option. He reminded Council and the public that when someone slanders or insults one's family, they are not to be negotiated with but stood up to. President Trump called Laredo a "war zone," implying that it does not deserve the same protection that the law gives to everyone else in the country and that he will build the wall with or without the rule of law. Mr. Garcia asked the City to join the lawsuit and speak out against the border wall. He suggested that Council pass a resolution opposing the declaration of a national state of emergency and by filing an amicus brief in opposition to the wall.

Kristina L. Hale, City Attorney, confirmed that if Council gave the direction, staff can file an amicus brief as a friend of the court but would not be a party in the case. The amicus brief would provide relevant information based upon the resolution and the findings of what has been discussed. She noted that if Council wants the City to take more action, that can be discussed in executive session.

Dr. Marte Martinez initiated a motion to go into executive session to discuss this matter. Cm. Altgelt noted his respect for Earthjustice but noted that many of his clients in his private law practice are individual Border Patrol agents who may not share the viewpoint that is being expressed tonight. Out of an abundance of caution, he noted his respectful abstention and recusal from executive session.

Motion to go into executive session to discuss this matter.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 5

Against: 0

Abstain: 1

Mayor Pete Saenz

Cm. Altgelt

Cm. Rodriguez

Cm. Mercurio Martinez

Cm. Torres

Dr. Marte Martinez

MPT Balli was not present.

Following executive session, Mayor Saenz reported that no action was taken.

Joseph Hein stated that he is a property owner along the river. His property would be part of the second phase of construction after Laredo going towards Zapata. He noted the obligation to speak against the border wall as the father of two children and defend the property that they will inherit. The claims made by the Trump Administration about the border being an unsafe place are lies; he often brings them to the ranch and would never do so if he thought that doing so would put their lives at risk. He has owned and been going to this ranch property since he was a child himself and has never been in danger. Most people who live near Laredo know the truth; he discouraged Council from negotiating for a bulkhead as the citizens truly do not want any barrier put in place along the river. Negotiating for the bulkhead would spread the message to the White House that Laredo is agreeing under the Administration's terms even though it is not what the community wants and is untruthful. He cautioned Council from dividing the message and making it easier for the Trump Administration to win.

Rosa Maria De Llano noted that she was born in Nuevo Laredo but came to Laredo, Texas over 50 years ago for the better opportunities. The rest of her family lives in Nuevo Laredo, and she asked what a border wall would mean to them. To them, it is a symbol of hate, racism, and isolation. It is an aberration to separate the people because we are all the same people. She urged Council not to compromise on this whim from the White House who do not know what good people are in these communities.

Anna Wirshing, a resident of Laredo for the past 43 years, noted that she loves this town. Any newcomers seeing the border wall or bulkhead will not feel safe; the wall will make Laredo look like an unwelcoming fortress, which is not how the community feels. She asked Council to pass the resolution opposing the declaration of a national emergency, the border wall, and the bulkhead.

Gerry Schwebel noted that there is more that unites us than divides us, and there is more opposition to the border wall along the southern border than support. He reminded Council that words matter, and Laredo must tell a better story. Alternatives to the border wall are listed in a Solutions for Border Security document, such as cleaning the vegetation along the riverbank, are far less

expensive than a physical structure. He encouraged Council to push measures that make more common sense and see how those work rather than building a physical structure. He voiced his concern over getting into a legal battle, asking the City to analyze the merits of a potential lawsuit before taking any action.

Tom Miller noted that he has covered all 52 miles of the river along Webb County's border, and the area that was first noted by the Trump Administration as a location for the border wall is perhaps one of the most pristine areas of the river. The City has made a tremendous investment in a water plant that will be about 10 minutes from the proposed construction. He asked what is to prevent the construction of a border wall from causing further damage to the City's water supply that it cannot afford. The wall is unnecessary, and illegal immigration numbers are decreasing steadily. Laredo has had the river as its natural border for centuries. It unites the two communities rather than dividing them.

Sylvia Bruni stated that she has worked with the River Pierce Foundation in San Ignacio, Texas, over the last several months, who is the steward of some of the most priceless treasures found in South Texas and is mere feet away from the Rio Grande. She voiced her agreement with the sentiments of the other speakers, and she reminded Council that civic leaders should be dedicated to the community's children. Near the end of her teaching career, she noticed that she was teaching in a technological age that was drastically different from that in which she grew up; children must be taught to be ready for the new information age, be driven by data, and take advantages of smart ways to live and work. She noted her disappointment in Laredo's children growing up witnessing an archaic, useless steel wall coming down the wall, which is contrary to everything that citizens have learned that they need to protect their country's border. The claims made against border towns like Laredo as cities of murderers and rapists are driven by dangerous whims and completely lack any data. She recommended that Council, as representatives of the entire community, be courageous and do the right thing.

Joanna Luna noted that in her school system, she was taught both the good and bad actions that shaped history and that partisanship divides countries. She learned that in this government, you get nothing unless you create a movement of large magnitude. Walls separate people, as with the Berlin Wall. She reminded Council that illegal immigration is actually at a record low, though this fact is ignored. She asked why a wall would work now when it did not work when the Great Wall of China was first built. The cons of the border wall outweigh the pros, and building it will destroy the Rio Grande and its delicate ecosystem. The wall will also strip landowners of that which is theirs for a laughable recompensation. The money reserved for actual national emergencies will be exploited for the wrong reasons, and countless laws will be waived in the name of isolation and xenophobia.

Chris Rincon noted that Section 106 of the National Historic Preservation Act of 1966 throws a monkey wrench in every single project in which federal money is involved; however he learned that this law was waived for the border wall. He recalled that the Treviño Uribe Rancho, the national historic landmark with which

he works, was restored in 2016 and 2017 by a team using federal funds through the Save America's Treasures Program; it is possible that the border wall will adversely affect the entire San Ignacio Historic District. He asked if that law was one which the Trump Administration circumvented to carry out this agenda without a single environmental impact for a national treasure.

Paul Frey asked why the wall must be along the river if it is needed at all. There are checkpoints much farther back in areas that are not as environmentally sensitive. He noted his significant doubt that a wall is necessary as it is a waste of time and money. He asked Council to pass the resolution in question and to file the amicus brief. The community can certainly lobby the government to do a better job with immigration rather than building a wall.

Maxine Rebeles stated that she is taking her family and students to go kayaking on the river; if the border wall is constructed as planned, then they will not have this opportunity ever again in Laredo. She noted that as young students are just now opening their eyes to the importance and significance of the river, it is about to be taken away from them because of a racist administration. She reminded Council that they will either be standing with the citizens and youth of Laredo or with the racist administration.

Olga Elizondo, Zapata County Commissioner, reported that Zapata was one of the first municipalities to sign a resolution like what is currently being presented. She noted that the borders are secured and she has faith in her border officials who have been dutifully performing their jobs; the wall is unnecessary. She voiced her concern that the border wall is meant to replace actual border patrol officers. Zapata has a lake with utilization from fishermen, and it is one of the community's biggest asset and resource. With a wall, Zapata will be significantly affect. A bird center is in San Ignacio, and she noted that she often goes to feed the birds by herself because the river is a safe place.

Michael Carrillo stated that the "invasion" being referenced by mainstream media is not individuals crossing the river into the United States; the "invasion" is happening by our own federal government. Support for the wall largely comes from people who live far away from Laredo, and he asked why people who are not even in this community get to dictate what happens in Laredo's own backyard. He cautioned Council not to stay silent while President Trump's ploy for reelection impacts Laredo's community. There is always a right side and wrong side of history, He urged Council to approve the resolution opposing the declaration of a national emergency and to fight against putting a racist monument in the City's backyard.

Melissa Cigarroa reminded Council that if the City does not raise its voice, then the community will be devastated. The risk of environmental degradation is significant, and she reminded Council that contractors will build the wall and have less incentive to make sure they do not dump into the river or clean up construction debris. The healthiest portion of the river, where the City draws its water for the entire population, is under direct threat. If the border wall does not destroy the City's park property, it will divide it from the community it was

intended to serve. The City of Laredo is not embroiled in a national emergency; the citizens of Laredo celebrate with their sister city both culturally, historically, and through entertainment. The Tecolotes is a binational team that both cities share proudly.

Tricia Cortez asked Council to take a verbal and legal stand in opposition to the declaration of a national emergency. She noted that the City is negotiating for just one mile of a bulkhead because the Administration is unwilling to negotiate for all 12 miles of Laredo's riverfront. The White House has demonstrated multiple times that they will behave how they want on their own terms. Citizens just learned that the US Treasury, through the National Emergency Declaration, just diverted another \$600 million into the border wall construction for South Texas.

Cm. Torres initiated a motion to direct staff to issue or join the requested amicus brief in support of the Rio Grande International Study Center and to update and readdress the 2006-R-012, 2017-R-044 which oppose the wall in order to incorporate what was provided to Council.

Cm. Rodriguez informed the public that Council hears them and noted that he would support a resolution that delays or prevents the border wall from coming to Laredo. He emphasized that Council stands with its constituents.

Cm. Mercurio Martinez added that he also stands with the citizens who addressed Council, noting that Laredo does not need a wall. It represents hatred and bigotry and is spit in the face of the City's neighbors to the south. He questioned why the Administration is not also considering a border wall on the northern border, noting that Canada, the United States, and Mexico are all one nation.

Mayor Saenz voiced his agreement with the public's comments.

Motion to direct staff to issue or join the requested amicus brief in support of the Rio Grande International Study Center and to update and readdress the 2006-R-012, 2017-R-044 which oppose the wall in order to incorporate what was provided to Council.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

Cm. Altgelt was not present.

34. Rescinding Ordinance introduced July 1, 2019, accepting donation of a 18.785 acre tract of land, more or less, situated in Porcion 35, Abstract 546, Jose M. Diaz, Original Grantee and Survey 2149, Abstract 594, R.H. Raines, Original Grantee, within the City Limits of the Laredo and Webb County, Texas, out and part of the New Santa Fe, LTD. (71.986 Acre) Tract I, recorded in Volume 4394, Pages 566-572 of the Webb County deed records.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

CONVENTION & VISITORS BUREAU: STAFF SOURCE AILEEN RAMOS, CVB DIRECTOR

35. Authorizing the Co-Interim City Managers to execute payments to Laredo Trade and Travel Center, DBA Casa Laredo, for the Monterrey office's daily operations. Total budget for Fiscal Year 2019-2020 is \$150,000.00 and expenses will not exceed this amount. Funding is available in the Convention & Visitors Bureau Department budget.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

36. Authorizing the Co-Interim City Managers to negotiate and execute contracts with U.S. and Mexico billboard, print, electronic and other media vendors. Media plan advertisements for the Laredo Convention & Visitors Bureau will be placed beginning January 2020. The total amount is not to exceed \$1,185,256.00, comprised of \$624,516.00 for Mexico and \$560,740.00 for U.S. promotion. Funding is available in the CVB FY 2019-2020 budget.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

ENGINEERING: STAFF SOURCE RAMON E. CHAVEZ, CITY ENGINEER

37. Consideration for approval of the selection of additional consultants for the Construction Materials Quality Testing and Subsurface Exploration Services FY2019 – FY2020 and authorization to negotiate a professional services contract for each respective project assigned on a rotation basis.

Four (4) additional firms responded to the request for qualifications on Friday, August 6, 2019, at 4:00 P.M. and will be included in the current list of consultants.

1. Castle Engineering & Testing, LLC., Laredo, Texas
2. Caballero Engineering, LLC., Laredo, Texas
3. Carrillo & Associates, Inc., Laredo, Texas
4. CMT-Tec, LLC., Laredo, Texas

Funding will be determined as projects are awarded.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

38. Consideration for approval of the selection of consultant for the Asbestos Containing Building Materials Investigations/Abatement FY2019 – FY2020 and authorization to negotiate a professional services contract for each respective project assigned on a rotation basis.

Six (6) firms responded to the request for qualifications on Friday, September 6, 2019, at 4:00 P.M. as follows:

1. Castle Engineering & Testing, LLC., Laredo, Texas
2. Millennium Engineers Group, Inc., (MEG), Laredo, Texas
3. Astex Environmental Services, San Antonio, Texas
4. TTL, Inc., San Antonio, Texas
5. Terracon Consultants, Inc., Laredo, Texas
6. O'Connor Engineering & Science, Inc., Laredo, Texas

Funding will be determined as projects are awarded.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

39. Consideration for approval of Amendment No. 1 an increase of \$33,350.00 to the professional services contract with Slay Architecture, Laredo, Texas, for the Barbara Fasken Community Center. This Amendment No. 1 is to incorporate Cortes Studio into the project scope of work for the design of the Tree House. Consultant is providing credits for the original treehouse design and parking lot section. Current contract amount with this amendment is \$119,650.00. Funding is available in the 2017 CO – District VII Priority Funds – Project # D71830.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

40. Consideration for approval of Amendment No. 5 an increase in the amount not to exceed \$373,650.00 to the professional services contract with Structural Engineering Associates, Inc., San Antonio, Texas, for the World Trade International Bridge US Customs Exit Booth Expansion for Bi-National Agency

Coordination, and Participation at Governmental Agency Meetings in different USA cities and Mexico City. Current engineering contract amount with this amendment is \$2,370,887.48 with time extension to June 30, 2021. Funding is available in the Bridge Construction Fund.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

41. Consideration for approval of award of construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the amount of \$117,950.00 (reduced base bid) for the Bartlett Sports Complex Park Amphitheater Project with a construction contract time of ninety (90) working days; and authorizing the City Manager to execute all related contract documents contingent upon receipt and approval of insurance and bond documents. Completion date for the project is scheduled for December 2019. Funding is available in the 2015, 2016, 2017 and 2018 CO Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

42. Consideration for approval of the selection of consultant THC, Inc., Duluth, GA, for the Noise Abatement Sound Insulation Program and authorization to negotiate a professional services contract. A total of four (4) firms responded to the request for qualifications. Funding will be available in FAA Grant 80.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

ENVIRONMENTAL: STAFF SOURCE JOHN PORTER, ENVIRONMENTAL DIRECTOR

43. Authorizing the Co-Interim City Managers to sign a joint-funding agreement with U.S. Geological Survey (USGS) for the Texas Data Collection Program, during the period of October 1, 2019 through September 30, 2024 in the amount of \$274,500.00 (\$54,900.00 per year). Under the program, USGS will maintain four (4) stream monitoring stations in Zacate & Manadas Creek and will be responsible for the upkeep and calibration of the stations. These monitoring stations provide real-time rainfall, flooding, flow, and video data to the department as well as to the Traffic, Fire and Police Departments for better response during flooding events. This is a renewal of this agreement. Funding is available in the

Environmental Services Department.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

44. Authorizing the Co-Interim City Managers to sign Amendment 2, for the additional engineering services contract with Crane Engineering- Laredo, Texas in the amount of \$37,607.18. The total contract amount with this amendment is \$65,907.18 for the Riverbend Project. Amendment #2 proposes to perform an update to proposed trail design, design a parking lot and educational lookout, prepare plans, specifications, and cost estimates as well as provide bidding phase services. Funding is available in the 2015 C.O. Bond.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

FINANCE: STAFF SOURCE JOSE F. CASTILLO, ACTING FINANCE DIRECTOR

45. 2019-R-160 Expressing official intent to reimburse General Fund with Tax-Exempt Obligation proceeds for costs associated with the acquiring municipal equipment and municipal vehicles for the City Transit Department.

Motion to adopt Resolution 2019-R-160.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Rosario Cabello, Co-Interim Manager, asked that this item be pulled until the Finance Plan is approved.

Motion to rescind.

Moved: Cm. Torres

Second: Cm. Mercurio Martinez

For: 6

Against: 0

Abstain: 0

The plan of finance was presented to Council.

Motion to adopt Resolution 2019-R-160.

Moved: Dr. Marte Martinez

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

46. 2019-R-161 Resolution directing publication of notice of intention to issue City of Laredo, Texas combination tax and revenue certificates of obligation, in one or more series, in the maximum principal amount of \$44,500,000.00, for the purpose of:

- (1) Planning, constructing, improving and repairing city streets, sidewalks, and drainage improvements, together with right-of-ways acquisition, traffic and street signalization, landscaping, and lighting improvements;
- (2) Acquiring, constructing and improving municipal parks and recreational facilities;
- (3) Constructing, acquiring, equipping, renovating and improving city owned buildings,
- (4) Purchasing land located in the southeastern quadrant of the city for municipal landfill facilities,
- (5) Purchasing land located in the city's downtown area for municipal parking and
- (6) Paying legal, fiscal, and engineering fees in connection with such projects

Motion to adopt Resolution 2019-R-161.

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

Rosario Cabello, Co-Interim Manager, asked that this item be pulled until the Finance Plan is approved.

Motion to rescind.

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

The plan of finance was presented to Council.

Motion to adopt Resolution 2019-R-161.

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

47. Consideration to renew annual service contract number FY18-092 with LED Electric and Lighting Contractor, Laredo, Texas in an amount up to \$600,000.00 for electrical repair services to include, but not limited to: minor, repairs,

maintenance of various electrical systems, and/or equipment devices for various City Departments. 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 first of four extension periods. There was no price increase during the last extension period. All services will be purchased on an as needed basis. Funding is available in respective departmental budgets.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

48. Consideration to award contract number FY19-094 to a Consulting Firm to provide Federal Legislative and Lobbying Consulting Services for the City of Laredo. The contract amount shall be announced/determined at City Council Meeting and is subject to future appropriations. This contract shall be for one (1) year with three (3) one-year renewal options, as approved by City Council and upon mutual agreement of the parties. All legislative and lobbying consulting services will be on a continuous basis. Funding is available through Utilities, Solid Waste and General Fund.

Miguel Pescador, Purchasing Agent, reported that four responses were submitted for this service. After reviewing and ranking the submittals, he recommended Akin.

Motion to approve staff's recommendation of Akin

Moved: Dr. Marte Martinez

Second: Cm. Altgelt

For: 6

Against: 0

Abstain: 0

FIRE: STAFF SOURCE STEVE LANDIN, FIRE CHIEF

49. Consideration to award contract FY19-085 to Fire Recovery USA, Roseville, CA for professional services of an outside agency to assist in the recovery of emergency fire/rescue responses and extrication services provided by the City of Laredo Fire Department during the a motor vehicle accident. Fire Recovery will be responsible for obtaining reimbursement for services provided by our Fire Department utilizing expertise with Medicare and private insurance companies. Fire Recovery USA will charge the City 20% of all collections received as a result of their billing activities. The term of this contract is for two (2) years with an annual performance review, and the option to renew for one (1) two (2) year period to be negotiated with selected firm.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

FLEET MANAGEMENT: STAFF SOURCE RONALD MILLER, FLEET DIRECTOR

50. Consideration to renew the existing annual contract FY18-085 with Gonzalez Auto Parts, Laredo, Texas in an amount up to \$115,000.00, for the purchase of automotive batteries for the City's Fleet vehicles. All batteries will be secured on an as needed basis. There was no price increase during the last extension period. The term of this contract shall be for a period of one (1) year. This is the first of three extension periods. Funding is available in the Fleet Maintenance Budget.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

HEALTH: STAFF SOURCE DR. HECTOR GONZALEZ, HEALTH DIRECTOR

51. 2019-R-153 Authorizing the Co-Interim City Managers to enter into contract with the Texas Department of State Health Services through the South Texas Development Council (STDC) in the amount of \$131,516.00 for the continuation of the City of Laredo Health Department State Services Program for HIV prevention and education for the term of September 1, 2019 through August 31, 2020.

Motion to adopt Resolution 2019-R-161.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

52. Authorizing the Co-Interim City Managers to enter into a continuation lease agreement between the City of Laredo and Gloria Barrera to allow the City of Laredo to continue to operate on the property located on 515 W. Viggie Street in Hebbbronville, Texas 78361 for the City of Laredo Health Department Women, Infants and Children (WIC) nutrition, supplemental and health promotion programs. The term of the agreement shall be for \$1,387.50 per month for three (3) years and with an option to renew for an additional two (2) years for a total of \$83,250.00 beginning September 1, 2019 through August 31, 2024, contingent on funding availability. Funding is available through the Health Department WIC Budget.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

HUMAN RESOURCES: STAFF SOURCE MELINA BERMUDEZ, HUMAN RESOURCES DIRECTOR

53. 2019-R-156 A resolution of the City Council of the City of Laredo, Texas, adopting a Lactation Policy enabling employees to express milk during working hours in an adequate and private place, other than a restroom, in accordance with section 619.003 of the Texas Government Code; and providing for an effective date.

Motion to adopt Resolution 2019-R-156.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

INFORMATION SERVICES & TELECOMMUNICATION: STAFF SOURCE HOMERO VAZQUEZ-GARCIA, IST DIRECTOR

54. Authorizing the Co-Interim City Managers to enter into and execute contract payments with vendors AT&T and Western States Communications (WSC) for providing the existing 9-1-1 telephone network and wireless/equipment maintenance for the South Texas Region, including Jim Hogg, Starr, Webb and Zapata Counties, in the total amount of \$415,510.00 (an annual amount of \$207,755.00 per year for a two year period) from September 1, 2019 through August 31, 2021. Funding is available in the 9-1-1 Regional Fund.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

POLICE: STAFF SOURCE CLAUDIO TREVINO, CHIEF OF POLICE

55. Consideration to authorize the purchase of two (2) patrol units from Lake Country Chevrolet, Jasper, Texas in the amount of \$86,478.96. The purchase of these vehicles shall be made utilizing the Goodbuy Contract Pricing Program. Funding is available in the 2018 Operation Stonegarden Grant-Special Police Fund.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

SOLID WASTE: STAFF SOURCE STEPHEN GEISS, SOLID WASTE DIRECTOR

56. Consideration to authorize the purchase of one (1) 2019 Ford F-150 regular cab

truck, one (1) 2020 Ford Explorer, three (3) 2020 Ford F-350 regular cab for the total amount of \$161,689.75 from Silsbee Ford, Silsbee, Texas through the GoodBuy and BuyBoard Cooperative Purchasing Program contracts. These trucks are replacement vehicles for trucks which have already reached their useful life. The 2019 F-150 and 2020 Ford Explorer will be for Sanitation operations and the three (3) 2020 Ford F-350 will be for Landfill operations. All the trucks will be assigned to the Solid Waste Department for operations. Funding is available in the Solid Waste Funds.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

TAX: STAFF SOURCE DORA MALDONADO, TAX ASSESSOR COLLECTOR

57. 2019-R-154 Nominating Council Member Vidal Rodriguez as the City of Laredo's candidate to the Webb County Appraisal District Board of Directors for the 2020-2021 Term as per Section 6.03 of the Texas Property Tax Code and directing the City Secretary to transmit a copy of this resolution to the Chief Appraiser of the Webb County Appraisal District before October 15, 2019. Prior to December 15, 2019, City Council will cast its 934 Votes in any manner it wishes for those individuals listed on the ballot provided by the Chief Appraiser.

Motion to adopt Resolution 2019-R-154.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

UTILITIES: STAFF SOURCE RIAZUL MIA, UTILITIES DIRECTOR

58. 2019-R-151 Ratification of the Co-Interim City Managers accepting the conveyance of a 15' Utility Easement, 26.255.4 Square Feet of land out of lot 1-F, Block 1, Re-Plat of Jacaman Ranch, Unit 1 Recorded in Volume 23, Pages 52-53, Map Records, Webb County, Texas., and being more particularly described by Metes and Bounds in attached Exhibit "B" & "C" and depicted on exhibit "A" attached hereto and made part hereof, area known as south of Jacaman road and west of Saldana avenue. The easement will serve as a Utility and Access easement for the purpose of; to install, construct, replace, repair, and perpetually maintain a water meter, water mains and the right of free, full and unimpeded access to grantee's equipment; and providing for an effective date.

Motion to adopt Resolution 2019-R-151.

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

59. Authorizing the Co-Interim City Managers to release partial retainage amount of \$500,000.00 (46.6% of current 5% of retainage amount of workdone) to Pepper-Lawson Waterworks, LLC., Texas for the South Laredo Wastewater Treatment Plant 12 MGD to 18 MGD Expansion Project, pending the approval of Texas Water Development Board (TWDB). The contractor has completed the project to substantial completion on August 8, 2019 and the expansion portion of the plant has been operation since then. The remaining of the retainage will be released upon completion of outstanding and punch list items. This project is funded by the Texas Water Development Board (TWDB) Sewer Bond, Series 2015B. Funding for the partial release of retainage is available in the aforementioned bond.

Motion to approve.

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

60. Consideration to renew the existing annual contract FY18-004 with Metropolitan Compounds, Pembroke Pines, Florida, in an amount up to \$100,000.00, for the purchase of asphalt pot hole patch materials for the Utilities Department. All materials will be secured on an as needed basis. There was no price increase during the last extension period. The term of this contract shall be for a period of one year. This is the last extension period for this contract. Funding is available in the Water Works Fund.

Motion to approve.

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

61. Authorizing the Co-Interim City Managers to approve and execute Change Order #2 amounting to a deduction of (\$78,740.00) for a final contract value amount to \$1,671,370.00, acceptance of the project, and release of retainage amounting to \$83,568.50 to Insituform Technologies, LLC. of Chester field, Missouri for the IH-35 Sanitary Sewer Rehabilitation Phase 2 project. The project has been completed on July 2019. Funding is available in the 2015 Sewer Revenue Bond.

Motion to approve.

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

62. Consideration to select and negotiate with Plummer Associates, Inc. of Austin, Texas for the permit renewal with Texas Commission on Environmental Quality (TCEQ) for South Laredo Wastewater Plant (SLWWTP), Columbia Wastewater Treatment Plant (CWWTP), Sombretillo Wastewater Treatment Plant (SWWTP), Penitas Wastewater Treatment Plant (PWWTP), Manadas Wastewater Treatment Plant (MWWTP), and Parra & Company of San Antonio, Texas for the permit renewal for Zacate Wastewater Treatment Plant. Permits renewal packages for the plants must be submitted to TCEQ before March 2020. There is no cost involved in this part of the Request for Qualification/selection of consultant process.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

63. Consideration to award contract FY19-092 to the low bidder Environmental Treatment Technologies, Georgetown, Texas in the amount of \$171,289.00 for the purchase and installation of a mechanical bar screen and screw conveyor at the North Laredo Wastewater Treatment Plant for the Utilities Department. The estimated time for completion of this project is between fourteen and thirty working days. Funding is available in the 2014 Sewer Revenue Budget Fund.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

64. Authorizing the Co-Interim City Managers to purchase additional material as needed of Wireless Flow Monitoring Equipment required to calculate the hydraulic model and design the sanitary sewer of the City, from ADS Environmental Services from Huntsville, Alabama in the amount of \$46,021.70. Funding is available in the Utilities Department, Wastewater Division Operational Budget.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

END OF CONSENT AGENDA

XII. STAFF REPORTS

65. 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: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

66. Presentation of the Plan of Finance by Noe Hinojosa of Estrada-Hinojosa & Company, Inc., as it relates to various proposed bond issuances including a Certificate of Obligation Bond, Revenue Bond and General Obligation Refunding Bond, with possible action.

Noe Hinojosa of Estrada-Hinojosa & Company reported that the City has \$156,121,211 in FY2020 itemized project needs. This is to be funded through a combination of Certificates of Obligation (COs), revenue bonds, PFCOs, and a TWDB loan. The City is actually co-signing for two enterprises: Solid Waste and Environmental Services. Debt models take into account the interest on the City's debt outstanding. The recently adopted \$0.145 rate that the City adopted is more than enough to pay for \$20 million of debt obligation. He projected that the tax fund will increase to \$307,195,000. He recommended that Council approve the issuance of \$44.5 million as presented in Resolution 2019-R-161.

Motion to accept the plan of finance.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

67. Discussion with possible action on the in kind support of the 2019 Jamboozie on November 2, 2019 at Montalvo Tres Laredos Park.

Priscilla Iglesias, Laredo Main Street Executive Director, reminded Council that Laredo Main Street is a non-profit organization that works to redevelop Downtown Laredo through historic preservation. Jamboozie has been one of Laredo Main Street's biggest events for the past 21 years, which will be held on November 2, 2019. She asked for Council's approval to use Tres Laredos Park for the event as well as the City's assistance that has been graciously provided in years past. She noted that these requests have been submitted to management in writing.

Rosario Cabello, Co-Interim City Manager, informed Council that management has already approved the sale of alcohol and music; there will be Police, Fire, Solid Waste, Traffic, and other related Departments assisting with this event, so there will be some costs to the City to support this event. The various Departments will have to absorb the estimated \$24,000 of additional costs for this event, but she reiterated that management supports the Jamboozie.

Motion to support the Jamboozie event by authorizing the usage of Tres Laredos

Park and to approve financial support upon the recommendation of management and the Convention & Visitors Bureau.

Moved: Cm. Torres

Second: Cm. Mercurio Martinez

For: 5

Against: 0

Abstain: 0

Cm. Altgelt and MPT Balli were not present.

Ms. Iglesias invited Council to a press conference announcing the 2019 Jamboozie Festival on Tuesday, October 8, 2019. She recognized the UETA representative, Roberto Portillo, noting that UETA is Jamboozie's title sponsor.

XIII. EXECUTIVE SESSION

Motion to go into executive session to discuss Item XIII. 68.

Moved: Cm. Torres

Second: Dr. Marte Martinez

For: 6

Against: 0

Abstain: 0

68. Request for Executive Session pursuant to Texas Local Government Code Section 551.072 to deliberate the value of real property pertaining to a potential purchase of parcels within the Central Business District at 1420 Houston and 819 Santa Maria; and to return to open session for possible action.

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

XIV. 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. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

Cm. Mercurio Martinez and Cm. Altgelt were not present.

69. Authorizing the Co-Interim City Managers to execute a contract for the purchase two Low-Floor Light Duty Buses for the El Metro Department Neighborhood Circulator route in the amount of \$244,881.92 utilizing the Georgia DOAS Purchase State Contract # 99999-001-SPD0000138 with Alliance Bus Group, Incorporated from Lewisville, Texas. Funding is available in General Fund. Motion is contingent on the approval of the reimbursement resolution.

Motion to approve contingent upon the approval of the reimbursement resolution.

Moved: Dr. Marte Martinez
Second: Cm. Torres
For: 5 Against: 0 Abstain: 0

Cm. Mercurio Martinez and Cm. Altgelt were not present.

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

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

Moved: Cm. Torres
Second: Cm. Balli
For: 5 Against: 0 Abstain: 0

Cm. Mercurio Martinez and Cm. Altgelt were not present.

70. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

A. Request by Mayor Pete Saenz

1. Discussion with possible action on the status on recent "water boil" advisory; and any matters incident thereto.

Robert Eads, Co-Interim City Manager, explained that staff has worked efficiently with TCEQ over the weekend. Some concerns were water tanks and some other thresholds that the City must meet. Staff believes that the City is in compliant. He noted that Jaime Garza of TCEQ could not be present this evening but sent a statement: "The TCEQ continues to work with the City of Laredo on the ongoing boil water notice. On October 7, 2019, the TCEQ review tank and distribution data provided by the City of Laredo Utilities Department. A review of this data by the TCEQ revealed that the conversion from the chloramines for free chlorine was complete. The Utilities Department provided notice to the TCEQ that they will begin required chlorine residual, pressure, and bacteriological sampling to demonstrate that the boil water notice can be lifted as per TCEQ rules. The Utilities Department will collect samples from 85 representative locations in the area of the boil water notice. Depending upon the timing, sampling, and required analysis, the City has projected that the boil water notice may be lifted on Wednesday, October 9, 2019, if all bacteriological samples are found negative and pressure and chlorine residuals continue to be adequately maintained."

Mr. Eads stated his interpretation that TCEQ is satisfied with the results that the City has shown currently. Staff is performing the required testing and will have results tomorrow. Barring any arising issues, the City may lift its boil water notice on Wednesday. All TCEQ parties in contact with the City have been satisfied with the chlorine residual levels. He reminded Council that staff tests the

chlorine residual levels daily; they are public documents and are readily available to the public through TCEQ. He noted that the City could also make this information available on the City of Laredo's website.

Riazul Mia, Utilities Director, confirmed that staff can provide what has been provided to TCEQ on the City's website. He reminded Council that at no point during this incident were any bacteria found in the water supply. The boil water notice was a precautionary measure due to the Department failing to maintain adequate disinfectant residuals.

Dr. Marte Martinez commended the Utilities Department for their diligent work in alleviating the water issue that has affected the City in the past few weeks. He thanked Mr. Mia for his leadership with the Utilities staff that addressed the issue. Mr. Eads also recognized Dr. Gonzalez and his Health team for their sampling. This matter was a massive undertaking and was taken seriously by all staff.

Mr. Mia expressed his gratitude to Senator Judith Zaffirini and Representatives Richard Raymond and Tracy King for their assistance to the City.

No action taken.

B. Request by Council Member Dr. Marte A. Martinez

1. Discussion with possible action to clarify and catalog our current incentive packages in order to create standardized future incentive for target/novel industries, and any matters incident thereto.

Dr. Marte Martinez explained that the Viva Laredo Comprehensive Plan calls for attracting new industry such as biotechnology and light manufacturing. He heard of new businesses coming into San Antonio, and one reason why San Antonio is able to receive new investments is due to their 4A/4B status, which Laredo does not have. However, the City still needs to compete and incentive new industries to come to Laredo. The beginning step is the standardization of economic development tools; next, the City can find novel economic ways to target these industries. Without a plan, the City will never succeed, and he encouraged staff to develop a thorough plan for economic tools and industries to provide higher-paying jobs in Laredo. He initiated a motion to direct staff to start the process of clarifying, cataloging, and creating new incentive packages with the current budget for target novel industries in alignment with the Viva Laredo Comprehensive Plan, including biotech and light manufacturing. He clarified that his intention is not to limit the industries to only biotech and light manufacturing, but municipalities should focus on one to three different industries to target rather than making broad sweeps across the board.

Tecló Garcia, Economic Development Director, agreed that best practices in the field of economic develop focus on targeted industries for greater success. The Comprehensive Plan highlights areas in which the City can take advantage and succeed. While the City does not have a 4A/4B tax status, there are creative

ways to incentivize businesses and investors. The community's workforce is just as important as the incentive that the City can offer. Laredo has a large market of young workers (over 80% of the workforce is aged 35 and younger) that can fill the desired positions to which Dr. Martinez's motion is targeted.

Robert Eads, Co-Interim City Manager, added that any measures incentives will be a way for the City to measure itself and gauge whether its incentives have been successful. By cataloging and indexing these economic tools in one office, the City can analyze them and determine what works for the community.

Mayor Saenz noted that every year, the City commits to tax abatements without much understanding of whether it is profitable. Mr. Eads added that there is a 3% cap forthcoming, and the City needs to be sensitive to all of the malleable factors at play in the field.

Dr. Martinez stated that when the City uses economic tools, there tends to be growth. However, that growth should be compared to unaffected areas to determine whether the economic incentive tools are cost-effective or if they are too selective. Moving forward, the City must track metrics to make decisions.

Mayor Saenz reminded Council that the City depends highly upon property taxes, and every year the City must budget how much money is available. It may come to pass that the City cannot afford to provide tax abatements because its needs are too great to forego the tax revenue.

Dr. Martinez noted that if there is a way that the City could allocate a portion of their sales taxes every year towards a fund to equal a 4A/4B structure, then the City will have a hefty fund after 10 years. Mayor Saenz voiced his opinion that this is a lofty goal since every year, the City struggles to balance the budget, but he agreed with Dr. Martinez that the City must still try.

Mr. Garcia reported that he recently met with the San Antonio TIF and TIRZ managers, of which there are 20, and they have a high share in the reinvestment. These boards typically put 85% back into the TIRZ, and the General Fund keeps 15%. There are only a few TIRZ boards that split with the General Fund 50/50. He voiced his opinion that an incentive program is not the first option when looking at businesses to come to Laredo; doing so equates to "putting our cards on the table" at the beginning of the process. He reminded Council that there are other ways to lure companies other than flat-out incentives. He reminded Council that with the right educational demographics, there are monies available that aren't just City money. If a biomedical or light manufacturing company has the resources to invest for so many skilled jobs, then Texas Workforce and Laredo College can provide that training with state money. If the company is significant enough, the Governor's Office would likely get involved with Enterprise funds. These resources are at the City's disposal when necessary.

Mr. Eads noted that staff plans to provide Mr. Garcia with an assistant and internal committee to build a team for economic development.

Motion to direct staff to start the process of clarifying, cataloging, and creating new incentive packages with the current budget for target novel industries in alignment with the Viva Laredo Comprehensive Plan, including biotech and light manufacturing.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

2. Status update on the Detox Facility, and any matters incident thereto.

Dr. Hector Gonzalez, Health Director, reported that Webb County published a Request for Qualifications (RFQ) for a formal architect to submit a design of the Detox Facility. There were seven proposals submitted, and a committee of County and City staff will review and grade them to develop a recommendation for awarding the RFQ.

Kristina L. Hale, City Attorney, confirmed that the City will be responsible for the maintenance of the facility. Dr. Gonzalez noted that once the architect is selected for the design, the County has committed to sell bonds for the facility based on the cost.

No action taken.

C. Request by Council Member George Altgelt

1. Discussion and possible action to create and or amend an ordinance that prohibits the city from bidding against itself by posting dollar amounts or stating them leading up to or during at staff presentation or request for funding for any purpose, and any matters incident thereto.

Cm. Altgelt voiced his difficulty when budgeting projects in open session before going out for bids or RFQs because the responses always come in hovering around that budgeted amount. He asked why the City is negotiating against itself in the bidding process.

Cm. Rodriguez voiced his understanding that Council voted on this matter months ago to be fiscally transparent to the public.

Miguel Pescador, Purchasing Agent, explained that for construction bids, staff does not disclose its budget; that is kept in-house. Normally, when staff goes out on bids for materials and supplies, they will provide quantities. However, contractors are savvy enough to ask for previous contracts or do their own research for the ballpark figures that the City is preparing to spend. He suggested that Council provide a clause in any potential ordinance to allow for automatic rejections and rebids so that they City may expedite its procurement flow.

Rosario Cabello, Co-Interim City Manager, reminded Council that the City has its five-year Capital Improvement Plan with cost estimates included, which must be followed for the City's bond sales. Robert Eads, Co-Interim City Manager, added that the City Charter requires that disclosure for bond sales in the CIP. At every available point that the City is not required to provide estimated budgets for projects which would harm the bidding process, he voiced his agreement with Cm. Altgelt's sentiments.

Kristina L. Hale, City Attorney, confirmed that the City always has the right to reject any and all bids. Mr. Pescador agreed, suggesting that the ordinance could include the right to reject a bid that is over 25% of the City's expected budget for the project.

Dr. Marte Martinez voiced his understanding that opposition to Cm. Altgelt's item comes from the viewpoint that negotiations will become veiled and secretive. If Council is to move forward with this item, he noted that there should be a financial limit that management knows even if it is not publically available. This will give management the ability to negotiate to a certain extent.

Mr. Pescador noted that vendors can purchase software that allows them to research purchase orders from across the state for similar materials or services that allow them price their bids accordingly.

Motion to create or amend an ordinance that prohibits the City from bidding against itself by posting dollar amounts or stating them leading up to or during negotiation or staff presentations to the extent that it is not prohibited by law and that the Purchasing Department develop systems to ensure that the City is spending taxpayer dollars in the most economically frugal way possible.

Moved: Cm. Altgelt

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

MPT Balli was not present.

2. Discussion and possible action to have signage on City Hall to bear the name of Aldo Tatangelo, and any matters incident thereto.

Cm. Altgelt noted that he met with Dr. Jerry Thompson, who has met extensively on Mayor Aldo Tatangelo and how City Hall came to be built. He read the following statement: "Aldo Tatangelo was a businessman and mayor of Laredo. He was born in the Italian community of Federal Hill in Providence, Rhode Island on September 16, 1913. He was the son of Nicola and Bendetta Tatangelo, Italian immigrants who arrived to the United States in 1910. He was one of five children; his father was a jeweler and, after dropping out of high school in 1921, Tatangelo went to work for his father and attended night school. He eventually earned a degree from Bryant and Strattan College in Laredo and worked for his father's jewelry manufacturing company Standard Ring and Novelty Company, in Cranston, Rhode Island. In 1943 during World War II, he enlisted in the United

States Navy and served until 1945. Around this time, he married Alice Natali DeLong; they had three children. After the war, Tatangelo established Atlantic Optical Products, a sunglasses company in Providence, Rhode Island. The businesses quickly prospered, and operations increased to production of 5,000 pairs of sunglasses per year. In 1949, Tatangelo, with a partner, opened a branch of the company in Mexico City and some years later, he and his family moved to Mexico City so that he could supervise the operations. Upon the death of his mother in 1963, he sold the business and moved to Laredo, Texas. Once in Laredo, he established a jewelry manufacturing and optical products enterprise on both sides of the US border. Tatangelo took interest in the civic affairs of his new home, and in 1973, he spearheaded efforts to build a volunteer fire station in Laredo. His involvement soon turned to politics; he was one of the first to successfully challenge the corrupt political machine led by the then-Mayor Martin, whose party had ruled Laredo for 84 years. Tatangelo was elected Mayor of Laredo and served from 1978 to 1990. He was regarded by the community as a man who was honest, who had a progressive vision for the City, and whose heart was as big as his colorful personality. He was particularly popular in the poorer neighborhoods of Laredo. As mayor, Tatangelo had a paternalistic view of the City and saw the citizens as though they were his own family. He modernized the City and brought it back from years of neglect. For example, most of the streets were paved under Tatangelo's administration. He oversaw comprehensive public service projects such as drainage, introduced a pension plan for public workers, and established apartments for comptroller, parks and recreation, community development, engineering, and planning & zoning."

Cm. Torres agreed that Mayor Tatangelo did a lot for the City of Laredo. There are many who would argue that Mayor Martin also did much for the City, despite a mishap that occurred during his tenure. However, every mayor has done what they could and contributed to this community in their different ways. Mayor Saenz has contributed, and Mayor Betty Flores remains the first and only female Mayor in Laredo's history. He asked why should would be less deserving of having this building named after her. He noted that while Mayor Tatangelo is very deserving, he voiced his opinion that City Hall should not be named after any individual because it is the City's building. City Hall is a second home of the people and should only bear the City's name. He suggested that the City implement a bust of Mayor Tatangelo within City Hall to honor him or name another facility after him. He reiterated that City Hall should remain as Laredo City Hall.

Rosario Cabello, Co-Interim City Manager, reported that management asked staff to research if any Texas city had its City Hall under any other name. Out of nine or 10 cities reviewed, none of them named their City Hall after another person. In March 2008, there was a motion to name a future convention center after Mayor Tatangelo. After much discussion, there was a motion approved to name City Hall after Aldo Tatangelo, She could not confirm why this directive was never actualized afterward.

Cm. Altgelt recalled Dr. Thompson noting that this action was previously taken,

questioning why it was not done. Cm. Torres suggested having Council discuss this when there is a full body present. Cm. Altgelt agreed but noted that it is rare in a city's history to have someone of his industry and caliber that did so much for the community and change a history of corruption and racketeering.

Motion to table.

Moved: Cm. Altgelt

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

MPT Balli was not present.

D. Request by Council Member Vidal Rodriguez

1. Discussion with possible action to instruct the Co-Interim City Managers to authorize staff to install speed humps under the Special Provision of the Speed Hump Installation Policy, and to authorize the use of asphalt type speed humps, instead of a speed cushion, which is currently required under the policy; and any matters incident thereto. City Council District II Priority Funds will be used for this project.

- a. (1) Speed Hump on 1000 block of North Ejido

Motion to approve.

Moved: Cm. Rodriguez

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

MPT Balli was not present.

2. Discussion with possible action to purchase land in order to construct a "Ground" tank to include a post chlorination system at Las Blancas Elevated tank and in the proposed Cuatro Vientos area to address the low water pressure; and any matters incident thereto. (Co-Sponsored by Council Member Rudy Gonzalez, Jr.)

Cm. Rodriguez explained that this was also in the CIP, but his intention was to expedite the process and make it a priority.

Motion to approve.

Moved: Cm. Rodriguez

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

MPT Balli was not present.

3. Discussion with possible action to issue a 25% discount on our water bill due to the inconvenience of our Boil Water Notice; and any matters incident thereto. (Co-Sponsored by Council Member Rudy Gonzalez, Jr.)

Angie Cantu, Utilities Operations Manager, noted that the first option for a proposed discount is a 25% discount on water use only. For residential customers, this would cost about \$460,428; for commercial accounts, this would cost about \$312,226.48. Option 1 would result in a total budget impact of \$772,654.48. She clarified that the discount would only be for one month. When asked about prorating the daily discounts for the affected days, Mrs. Cantu reported that 12 estimated days of the boil water notice would result in an \$11.52 discount per account for residential accounts and \$62.96 for commercial accounts, leading to a total budget impact of \$1,196,168.22. She clarified that the discount would be applied city-wide, not only in the affected areas. This option is the fourth option prepared by staff.

Mrs. Cantu presented Option 2, a set fee discount of \$10.52 on all residential accounts and \$39.61 on all commercial accounts for a total budget impact of \$955,100.71. Mayor Saenz noted that there is an affected area and then non-affected areas, asking why applying discounts city-wide would be considered fair.

Cm. Rodriguez explained that in a utility billing cycle, the City has been under a boil water notice for a full week, or 24% of a month; a \$10 discount on residential accounts would not even pay for the amount of water purchased or boiled in affected homes. The boil water notice has been a major inconvenience, which is why he added this item to the Council agenda. He noted that the discount was calculated for the entire City as per state law, but unaffected areas could choose to donate their discounts back to affected households.

Mrs. Cantu explained that the discount would be applied as an average of the customer's usage for that month. For instance, a 2,000 gallon user would get a discount of about \$2.51; a 10,000 gallon user would get a discount of about \$6.62.

Cm. Altgelt countered that the City provided, through HEB, large quantities of bottled water to the affected areas. He questioned the logic of then providing the entire city with utility discounts. Cm. Rodriguez noted that the affected customers had to also purchase their own waters and drive to the donated water pick-up locations as a result of customer service that the City failed to provide. Cm. Altgelt voiced his opinion that the bigger misstep of the City was its unclear public notice, equating it to yelling "fire" in a theater. He noted that the City failed to explain that the boil water notice went into effect due to a lack of chlorine in the water, leading to residents panicking over harmful bacteria in the water supply, which was not the case. He reminded Council and staff that the City's delivery of its message is as important as the message itself. He cited the City's history of poor decisions and negligence regarding Laredo's utility infrastructure and estimated that the majority of the water used by utility customers during the boil water notice was to bathe and flush toilets rather than direct consumption.

Cm. Rodriguez reminded Cm. Altgelt that the City advised residents to let their water run for five minutes before using it to dispense the chlorine. This would result in a significant increase of water usage and inconvenience, no matter the use for that water. The discount must be applied city-wide by state law rather than selected districts.

Kristina L. Hale, City Attorney, clarified that legally the Council can make its own determination as to a public purpose to give this discount to only a few selected districts; however, because there is no authority for a convenience fee or a credit, it would be safer to apply this discount across the board to prevent a legal challenge. Robert Eads, Co-Interim City Manager, reminded Council that the report budgetary impacts of these discount options have taken into account the increased rates in effect. The increased revenues are estimated to be about \$200,000 to \$225,000 per month; therefore, the offset of the proposed discounts would take several months to recover from.

Cm. Rodriguez reiterated his opinion that the citizens of Laredo are worth the revenue offset for a few months given the inconvenience placed upon them. He initiated a motion to approve a 25% discount for water customers for the month.

Dr. Marte Martinez reminded Council that the City has an aging infrastructure system that requires more money from the City. He noted that he cannot, in good faith, say that all citizens should get this discount. The people of North or West Laredo did not have an inconvenience imposed upon them like the people of South or East Laredo. The blanket discount is not representative or fair to the people that did were affected by this incident for at least a week. He stated that applying a discount on a per-day basis only to the affected areas seems like the fairest application of the discount. This also makes much more financial sense to the City to only assist the affected residential and commercial customers.

Rosario Cabello, Co-Interim City Manager, asked staff if the City can even technically separate rates among utility customers. This decision would be a billing nightmare and may be very time-consuming. Dr. Martinez added that the City still does not have a full idea of what happened in this incident. Council does not have to rush into this decision and can reimburse those affected customer two or three months down the road once they get a thorough understanding of the situation. He voiced his opinion that this is the better option for Laredo in the long run, to which Mayor Saenz agreed.

MPT Balli stated that he was one of the only Council Members who voted against the water rate increase though he did not think it was a foolish decision on Council's part. He noted his interpretation that the Utilities Department is now having to do more work with less money, and it does not make sense to set up the City to be unable to invest in its infrastructure. He added that he is unable to support Cm. Rodriguez's motion as it is stated but would support a motion to apply a discount only to affected residential users with no irrigation systems for the time period in which they were affected by the boil water notice and to bill it as soon as the City can logistically and thoroughly apply the discount. He

clarified that he would support a motion to exclude commercial accounts because losses can be written off by businesses.

Cm. Torres clarified that for 12 hours, North and West Laredo were affected by the boil water notice, noting that it would be fair to provide them with a 3% discount for that time period as well.

Riazul Mia, Utilities Director, reminded Council that the City performs free chlorination of the water lines twice a year, so having occasional water that smells highly chlorinated is no more an inconvenience during this incident as it is twice a year every year. Also, 25% is not much of a discount for any particular household. If Council wants to fairly apply the discount, he recommended a fixed dollar amount. Cm. Rodriguez withdrew his motion.

Motion to approve a 25% discount for all water customers for the month of the boil water notice incident.

Moved: Cm. Rodriguez
Second: Cm. Torres
Motion withdrawn.

MPT Balli initiated a motion to remove the \$10 minimum fee on affected residential accounts for the public purpose of alleviating the failed customer service provided by the City's utilities. Mrs. Cabello agreed that it would be fairest to remove the base from those affected accounts rather than applying a percentage discount and having some households receive \$2.50 while others receive \$10.00.

Mr. Mia noted that if the minimum fee were to be removed from commercial accounts, the fee is \$39.61. Cm. Torres noted that this would, once again, result in businesses and accounts with more resources getting a bigger discount than small residences.

Mrs. Cabello voiced her concern over the City's legal exposure in segregating accounts for a discount. Cm. Rodriguez agreed, noting that Council should consider both residential and commercial accounts. He asked how many businesses shut down or lost money because they could not provide drinks.

Mr. Mia reminded Council that about 58,000 customers are still on the boil water notice. MPT Balli asked if the City could afford offering a \$10 fee waive on commercial accounts, as well. Robert Eads, Co-Interim City Manager, confirmed that the City can afford this particular exposure.

Motion to not charge the minimum base fee in the affected area for residential (\$10.52) and commercial (\$39.61) accounts, as amended.

Moved: MPT Balli
Second: Dr. Marte Martinez
For: 6 Against: 0 Abstain:

E. Request by Council Member Mercurio Martinez, III

1. Discussion with possible action on the availability of adding sprinkler systems throughout our city parks; and any matters incident thereto.

Cm. Mercurio Martinez noted that as the Utilities Department explained that some parts of the City has such low consumption that thousands of gallons are going down storm drains, he realized that this water could be better utilized to irrigate parks that do not already have sprinkler systems.

Riazul Mia, Utilities Director, explained that staff will work with the Parks & Recreation staff to flush any appropriate lines that were not already flushed because the homes have not been built yet. He reminded Council that with more irrigation, the Parks & Recreation staff will have a higher maintenance need to maintain the grass at the City's parks.

Motion to instruct staff to come up with a plan to utilize unconsumed water for irrigating City parks via sprinkler systems and to bring that plan back to Council.

Moved: Cm. Mercurio Martinez

Second: Dr. Marte Martinez

For: 5

Against: 0

Abstain: 0

MPT Balli was not present.

F. Request by Council Member Nelly Vielma

1. Discussion with possible action to instruct staff to design and construct a right turn lane at the intersection of McPherson Road & Jacaman Road. Estimated construction cost is \$111,500.00. District Priority Funds will be utilized for this project upon funding availability.

Cm. Altgelt asked if this item is an example of his Discussion item to not disclose the estimated cost so as to prevent the City from bidding against itself in the procurement process.

Robert Eads, Co-Interim City Manager, confirmed that Cm. Vielma has been in contact with management and staff about this item and wants to move forward with this project.

Motion to approve.

Moved: Dr. Marte Martinez

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

MPT Balli was not present.

XVI. ADJOURN

Motion to adjourn.

Moved: Mayor

Second: Cm. Torres

For: 5 Against: 0

Abstain: 0

MPT Balli was not present.