

**CITY OF LAREDO  
RECOGNITION AND COMMUNICATION NOTICE M2018-  
R-04  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
March 19, 2018  
5:00 P.M.**

**The Mayor will be presenting the following:**

1. Recognizing Pastor Cecy Gutierrez from New Life Assembly of God Church and Diana Sanchez from Workforce Solutions for their leadership in organizing the first “A Night to Shine” Prom from the Tim Tebow Foundation, an event for individuals with special needs and for promoting inclusion, vocational training and success for special needs consumers.

No recognition made.

**CITY OF LAREDO  
CITY COUNCIL MEETING  
M2018-R-04  
CITY COUNCIL CHAMBERS  
1110 HOUSTON STREET  
LAREDO, TEXAS 78040  
March 19, 2018  
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  
Rudy Gonzalez  
Vidal Rodriguez  
Alejandro “Alex” Perez, Jr.  
Alberto Torres Jr.  
Norma “Nelly” Vielma

Mayor  
District I  
District II  
Mayor Pro-Tempore, District III  
District IV  
District V

Charlie San Miguel  
George J. Altgelt  
Roberto Balli  
Jose A. Valdez, Jr.  
Horacio De Leon  
Cynthia Collazo  
Kristina L. Hale

District VI  
District VII  
District VIII  
City Secretary  
City Manager  
Deputy City Manager  
City Attorney

Cm. Vielma joined at 5:32 p.m.  
Cm. Altgelt joined at 5:41 p.m.

## V. MINUTES

Approval of the minutes of February 20, 2018

Motion to approve the February 20, 2018 minutes.

Moved: Cm. Torres

Second: Cm. Balli

For: 7                      Against: 0                      Abstain: 0

Cm. Altgelt was not present.

### Citizen comments

Armando Molina stated that he moved to Laredo a year and a half ago from Corpus Christi. He suggested that the City build another mall on the other side of Loop 20, encouraging Council to get investors and retailers. The Outlet Shoppes are failing and one is needed around International and Shiloh on the outside of Loop 20. Laredo is growing quickly. Mr. Molina also stated a lot of residents speed along Loop 20, which is dangerous. The Loop needs more police presence to help reduce speeding. He noted that speeding also occurs along Del Mar and Shiloh on I-35. He asked Council to consider those suggestions.

Hermila Muñoz relayed a problem she experienced regarding the street near her home, asking for the City's assistance. Horacio De Leon, City Manager, confirmed that his will meet with Ms. Muñoz to find a solution.

Mellie Hereford voiced her opinion that requiring a candidate to pay a filing fee is the City's way of discouraging people from running for office, saying it is not as if the candidates are lining up around the corner for a place on the ballot in the first place. She viewed the agenda item addressing this topic as a vote against democracy, much like Council's previous votes to move the election date, move public comments in Council meetings, pass a resolution that Council no longer has trust in the Elections Administrator, and the proposition on the 2016 ballot making it harder to remove unethical members from the Council. She repeated a phrase from Cm. San Miguel, "silencing of democracy," noting that some of his colleagues are making it a self-fulfilling prophecy by proposing this item. She voiced her disappointment in this item and considered it another transgression against the people of Laredo. It is a potential opening for fraud by collecting signatures of people who are not registered to vote. Mrs. Hereford reminded Cm. San Miguel that his gun item is a federal issue, and the Council has no say in that matter. From the website of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, it is the Department of Justice that protects the communities from violent criminals in the illegal use and trafficking of firearms or explosives and acts of arson,

bombings, and terrorism. Therefore, there is no need for another committee to review this issue. Mrs. Hereford reminded Council that its purpose is to conduct City business only, and there are many items which Council clearly has the power to make a difference. She suggested Council reconsider removing Cm. Vidal Rodriguez from office following his conviction of moral turpitude. She requested that the City not charge a filing fee to give every good candidate an opportunity to serve their community. She voiced her opinion that some people truly love their community and want to make a difference to improve the quality of life for all residents.

Kelly Fitzgerald of Laredoans for Safer Schools and March for Our Lives Laredo announced that Laredo will have a March for Our Lives sister march on Saturday, March 24, 2018, starting at 9:00 a.m. from the Laredo Civic Center parking lot toward the Pan-American Courts. She invited Council to attend.

## **VI. VETERAN RECOGNITION**

- a. Honoring Mr. Alberto Tijerina, for his service as a member of the U.S. Army and recognizing his distinguished service to our Country.

Gabriel Lopez, veteran advocate, reported that Alberto Tijerina served in the US Army and is a graduate of Nixon High School, class of 1998. He joined the Army in 1999 and was married for 11 years with one son. Mr. Tijerina was deployed to Iraq from 2004 to 2005, serving with the Special Forces Unit conducting raids to collect evidence and gather intelligence. In 2006, he served in Operation Jump Start along the US-Mexico border in the Laredo Sector. In 2007, he was deployed to Afghanistan for Quick Reaction Force and Force Protection. Mr. Tijerina was active in many missions throughout his service.

Mr. Lopez noted that Mr. Tijerina's son was only two months old when his father was deployed to Afghanistan. The first steps Emilano Tijerina took were when he welcomed his father home at the Laredo International Airport as he returned from Afghanistan. Mr. Lopez commented on the burden of separation in military families. He continued that Mr. Tijerina became a mentor for soldiers transitioning from military life back to civilian life, and he participates in the Annual Youth Patriot Summer Camp and other events throughout the year. Mr. Tijerina has continued to serve his community as a Police Officer for over 11 years, particularly as an active SWAT member since 2017. He was awarded the Life Saving Award in 2010 and 2011 after saving the lives of a little boy and a little girl, respectively. He is an advocate for drug abuse prevention and homelessness prevention. Mr. Tijerina has vowed to continue to serve for as long as he is physically fit, calling his service a great experience and voicing his pride to live in Laredo, the best city in the world.

Council and attendees gave Mr. Tijerina a standing ovation. He thanked the City for this recognition, noting that he is honored. He thanked his mother for her support and his son for his motivation. He recognized his friends from the National Guard and the Laredo Police Department, who have always supported him and contributed to a team effort. He vowed again to continue serving his community to the best of his ability.

Mayor Saenz presented Mr. Tijerina with a certificate of recognition for his service.

## **VII. COMMUNICATIONS**

- a. Invitation by Tecolotes Dos Laredos to their inaugural game at Uni-Trade Stadium versus Algodoneros de Union Laguna on Saturday March 24, 2018 at 7:00 p.m.

Ramon Chavez, Executive Director of Public Services, noted the City's excitement for the Tecolotes' season in Laredo. That morning, the City joined in a signing ceremony with the Uni-Trade group and believe that this partnership will be a great success.

Jose Antonio Mansur voiced his excitement for the upcoming season and explained the television marketing and exposure that have been set up for the season.

Cm. Balli suggested reaching out to the local university and college.

## **VIII. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES**

1. Appointment by Mayor Pete Saenz of Henry Sauvignet, as Chairman to the Tax Increment Reinvestment Zone Number One.

Motion to approve the nomination of Henry Sauvignet as Chairman to the Tax Increment Reinvestment Zone Number One.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

2. Appointment by Mayor Pete Saenz of Benjamin Puig, Position 6 to the Tax Increment Reinvestment Zone Number One.

Motion to approve the nomination of Benjamin Puig to Position 6 of the Tax Increment Reinvestment Zone Number One.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

3. Appointment by Mayor Pete Saenz of Carole Alexander, Position 7 to the Tax Increment Reinvestment Zone Number One.

Motion to approve the nomination of Carole Alexander to Position 7 of the Tax Increment Reinvestment Zone Number One.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

4. Appointment by Mayor Pete Saenz of Colleen Rodriguez to the Drug and Alcohol Commission.

Motion to approve the nomination of Colleen Rodriguez to the Drug and Alcohol Commission.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

5. Appointment by Council Member Vidal Rodriguez of Dr. Colin Campbell to the Fine Arts & Culture Commission.

Motion to approve the nomination of Dr. Colin Campbell to the Fine Arts & Culture Commission.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

6. Appointment by Council Member Vidal Rodriguez of Cesar Garay to the Drug and Alcohol Commission.

Motion to table.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

7. Appointment by Council Member Vidal Rodriguez of Raul Reyes to the Third Party Funding Advisory Committee.

Motion to approve the nomination of Raul Reyes to the Third Party Funding Advisory Committee.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

8. Appointment by Council Member Charlie San Miguel of Sylvia O. Praesel to the Economic Development Advisory Committee.

Motion to approve the nomination of Sylvia Praesel to the Economic Development Advisory Committee.

Moved: Cm. Torres

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

## IX. PUBLIC HEARINGS

1. Motion to open public hearing #1.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

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

Public Hearing to consider a Petition for the Creation of a Public Improvement District to be named the "Coves at Winfield Public Improvement District" (hereafter the "District"), for Appointment of Directors to manage the District, and authorization of the District to impose assessments at a specified rate within the boundaries of the District pursuant to the provisions of Subchapter A, Chapter 372, Texas Local Government Code (the "PID Act"). The District will be created and organized under the terms and provisions of the PID Act, and of Article III, Section 52; and Article III, Section 52-a, of the Texas Constitution, as applicable, and the inherent power of the Texas Legislature to authorize the creation of political subdivisions of the State. The District will be comprised of an area of approximately 1,027.14 acres of land, situated in the City of Laredo, and within Webb County, Texas. All of the land proposed to be included within the District may properly be included within the District. The District is proposed to be located on the West and East side of Loop 20 at its intersection with Winfield Parkway in the Northeast area of the City of Laredo, Texas.

David Earle, attorney representing the developer of this project, noted that a public hearing must be held prior to this Council considering the creation of a Public Improvement District, as per Chapter 372 of the Texas Local Government Code. Tonight is that public hearing. Notice of this hearing was posted in the newspaper as required by law; it was also sent to the landowners, of which there are two in this particular property. The area that composes the proposed PID boundaries is 1,027.06 acres located on both sides of Loop 20 just above Del Mar Boulevard. The Coves of Winfield will bring over \$70,000,000.00 of investment by the developer alone, along with over \$600,000,000.00 invested by the private sector. There will be over 500,000 square feet of commercial development and over 2,000 new jobs created. A new state of the art public recreation center will be built on the premises as well as a new Laredo Community College District North Side Education Center. All of this will be built without the City encumbering any new debt guaranteed by the General Fund. The PID is a financing mechanism as well as an entity that can maintain these facilities without burdening the City with the cost of doing so.

Mr. Earle reported that the PID will fund and build the recreation center and the LCCD education center. The PID will be responsible for the management and maintenance of the recreation center and the LCCD facility. It will also manage and maintain the parks, green space, and drainage improvements in the Coves at Winfield as identified in a Service and Assessment Plan. The PID will be managed by the private sector through a Board of Directors that the City appoints. It will be a public body subject to the Texas

Open Meetings Act. The recreation center will be the primary facility to be developed by the PID. The LCCD has already adopted a resolution in support of the City's project and agreeing to participate in it by pledging 60% of its tax increment from the TIRZ created back in December 2017 to fund the debt service on the proposed bond to be issued by the PID. He displayed the preliminary layout of the recreation center and the LCCD education center.

Cm. San Miguel noted that this project continues to become more attractive as other investors have joined and brought ideas to the table. He added that the most common request he hears from North Laredo residents is a recreation center.

Mr. Earle noted that the LCCD has already agreed to participate in the PID as a partner, and Webb County has agreed to participate on a preliminary basis and not buy in at this point. At their next meeting, they intend to consider a resolution to clarify their support, which will be 60% as well. Later this month or early next month, this body will have a final plan ready for Council's approval. He noted that on this agenda, there are items for appointing members to the Board: four citizen members and one City member. A draft program budget has been developed; if it changes, Council will be informed. The drafted budget at this time is about \$5.8 million for the Coves recreation center and \$1.1 million for LCCD center. The grand total projected cost totals about \$10 million. The recreation center and LCCD facility will be funded and built by the proposed PID within the project. Contractors should begin in Quarter 1 of 2018 after the City issues certificates of obligation (Cos) or other financing instruments on behalf of the PID for funding the recreation center and related costs. Debt service for the \$10 million Cos will be paid using the revenue from the TIRZ #2 tax increment. The \$10 million Cos will not be a general obligation of the City, but rather a "special revenue" issuance. A private buyer for the Cos has been identified which will reduce the issuance cost and improve the terms. The site plan provides expansion area for additional recreation center and LCCD building space and parking in the future. The PID operational costs will be funded through assessments on real property in the PID, which will be set out in the annual service and assessment plan and assessment roll. He estimated it currently at 15% valuation.

Mr. Earle noted that action required now to move forward is to conduct, hold, and close the public hearing regarding the creation of the PID and to consider and approve a resolution appointing four (4) community members and one City representative to the TIRZ #2 Board of Directors.

Mr. Earle explained that the public use of the recreation center would be handled in the same manner as any other recreation center in the City. If the City charges for recreation center memberships, that charge would apply to the center in question in the PID. However, the individuals who reside in this particular development would be paying their fee through the assessment itself, so it would be a bifurcated system. The individuals in the development may pay a higher cost than what a recreation center may charge, but they are also funding other things in the development with that assessment like maintenance of parks and such.

Cm. Vielma asked if there will be a Home Owners Association fee in addition to the assessment fee for residents in this development. Mr. Earle confirmed that there is a Home Owners Association with a very small fee. The assessment fee is tax deductible, even with the recent tax reform changes. There will be a miniscule fee, if any, because a PID cannot enforce covenants. The HOA will be to enforce covenants and for having

any social events that cannot be hosted by the PID, like Christmas parties. The average value of the homes there will be about \$250,000 each, so the PID assessment will be 15% of that per year. The law requires that the potential homebuyer be notified of any fees and assessments before they make a purchase.

Remy Salinas noted that when this group first proposed the PID, they promised a \$10 million recreation center. Now, it appears that the PID is simply throwing the LCCD education center into the City's recreation center, sharing the \$10 price tag. This is another example of how Council is being spoon-fed a program by someone whose business it is to spoon feed programs without seeking advice from other people on what would be in the best interests of the citizens of Laredo. He noted that Fort Worth has PID and TIRZ policies that help the Council and staff use these mechanisms. Laredo just takes the word of a consultant who tells Council what he wants them to believe.

Cm. San Miguel noted that at the very beginning of this concept, classrooms were included in the design of the recreation center. Rather than having a little learning center in the recreation center, LCC initiated an education center.

Mr. Salinas countered that LCC was told they would have an education center or community learning center. They were not told that it would be thrown in with the recreation center to share the \$10 million cost when the original intent was for the recreation center to cost \$10 million by itself. LCC is not getting anything out of this deal, because their deal is being lumped in with the City's \$10 million "promise." He voiced his opinion that this development has not even begun, and the promise to the City has already been broken. He noted that this is just the beginning, adding that he was looking forward to the November 2018 election and is grateful for term limits.

Motion to close public hearing.

Moved: Cm. San Miguel

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

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

2. Motion to open public hearing #2.

Moved: Cm. Torres

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

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

Public Hearing and Introductory Ordinance authorizing the City Manager to amend the Fiscal Year 2017-2018 Department of Community Development budget by increasing revenues and expenditures in the amount of \$126,818.00 in order to appropriate Community Development Block Grant (CDBG) funds available from the property sale of 3002 Anna Street.

There was no public input.



Motion to close public hearing and introduce.

Moved: Cm. Torres

Second: Cm. San Miguel

For: 5                      Against: 0                      Abstain: 0

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

3. Motion to open public hearing #3.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5                      Against: 0                      Abstain: 0

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

Public Hearing amending the 2017 One Year Action Plan to allow for the reprogramming of CDBG funds totaling \$138,643.00 for La Ladrillera Park Improvements in District VIII to include lighting, a drinking fountain, trash receptacles, bike rack, player benches and other amenities as deemed necessary. It is further proposed that the newly created project will be funded through the use of Program Income received from the sale of the property located at 3002 Anna St., \$126,818.00 and fund balance from the Sidewalks District VIII project \$11,825.00.

There was no public input.

Motion to close public hearing.

Moved: Cm. Altgelt

Second: Cm. Torres

For: 6                      Against: 0                      Abstain: 0

Cm. Gonzalez and Cm. Rodriguez were not present.

4. Motion to open public hearing #4.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 8                      Against: 0                      Abstain: 0

Public Hearing and Introductory Ordinance of the City of Laredo, Texas, imposing a ninety (90) day moratorium on applications and plans for development for permits, plats, verifications, zoning changes, site plans and new or revised certificates of occupancy for amusement redemption machine establishments within the corporate city limits of Laredo; adopting written findings justifying the moratorium; providing for waivers and limited exceptions to the moratorium; providing a severability clause; establishing an expiration date; and declaring an effective date.

Kristina L. Hale, City Attorney, explained that this ordinance was made at the direction of Council at the February 9, 2018 strategic planning workshop. In accordance with that directive, staff proceeded with a public hearing before the Planning & Zoning Commission, and there is currently a temporary moratorium in place pursuant to the

Texas Local Government Code. The moratorium will expire on March 27, 2018. This ordinance requires a public hearing and two readings, the second of which must take place by March 27.

Claudio Treviño, Laredo Police Chief, reminded Council that he presented with the District Attorney at the February 9, 2018, strategic planning workshop but will repeat his findings for the benefit of the Council Members who did not hear it previously.

Miguel Rodriguez, Laredo Deputy Police Chief, explained that the Laredo Police Department Narcotics/Vice Units have been investigating amusement redemption establishments in Laredo for illegal gambling. Currently there are several eight-liner amusement centers in the Laredo area, all giving cash “pay-outs” to customers in violation of Texas law. The LPD Narcotics/Vice Unit conducts criminal investigations under Texas Penal Code Chapter 47 (Gambling Promotion, Keeping a Gambling Place, Possession of Gambling Device, Equipment, or Paraphernalia; all are Class A misdemeanors), Chapter 34 (Money Laundering, which ranges from a state jail felony to a first degree felony depending on the value of the funds), and Chapter 71 (Engaging in Organized Criminal Activity, a felony charge).

Deputy Chief Rodriguez reported that in June 2017, an illegal gambling investigation was launched at the PALACE Amusement Center, located at 6703 McPherson Road. The establishment was owned by Andres Gerando Chavez-Lozano, Alma Davila, and Nadia Chavez. During a four-month period, LPD Narcotics/Vice investigators obtained and reviewed multiple bank records, conducted electronic surveillance of the establishment, and went undercover to perform controlled “buys” during which LPD undercover investigators were illegally paid in currency in violation of Chapter 47. After obtaining information and search and arrest warrants, LPD seized \$987,717.00 cash at the owners’ residency at 2912 Wadkins Drive as well as six vehicles. The market value of the home was about \$900,000.00, which had been paid off.

For the second phase of this operation, another investigation was launched in September 2017 at the Magic/Wild Spin; Good Fortune, and Village of Fortunate Amusement Centers, which were owned and operated by Rebecca Villarreal-Lopez, who also owned other amusement centers as far as Zapata, Texas. LPD worked in conjunction with the Texas DPS after obtaining probable cause and securing search and arrest warrants. About \$1.9 million were seized between Laredo and Zapata in currency.

Deputy Chief Rodriguez reported that LPD is currently in Phase III of the investigations, continuing to target criminal organizations promoting illegal gambling through the use of lucrative eight-liner amusement redemption centers. Apart from illegal cash pay-outs, amusement centers also attract criminal elements such as Mexican drug cartels and prison gangs that can launder illegal proceeds. Although this type of investigation often incurs a considerable amount of manpower and financial resources, the LPD Narcotics/Vice Unit is committed to serve the community and enforce Texas law by arresting and subsequently prosecuting offenders. Deputy Chief Rodriguez noted that he could not explain specific details about Phase III, but he informed Council that amusement redemption centers attract additional, often violent, crime into the community. He cited several armed robberies that occurred at the amusement centers or after following the cash carriers to a residence. In one robbery, the victim had her hands and eyes duct taped while her children were present in the home. The robbers followed her home from the establishment. LPD is noticing a pattern associated with “maquinita” amusement redemption establishments and other crimes such as robberies.

Isidro “Chilo” Alaniz, District Attorney, stated that the Texas Constitution clearly prohibits gambling with four exceptions: charity bingo, charity raffles, the Texas Lottery, and pari-mutuel betting on horse and dog races. He reminded Council that he spoke in-depth about specific cases at the strategic planning workshop, but tonight’s purpose is to inform Council that the District Attorney’s Office will continue to prosecute illegal gambling. It is an area of high priority in the DA’s Office because of the epidemic he has seen leading to a rash of crimes against persons and robberies. It is a trend that is seen across the state, and he cautioned Council from waiting until someone is murdered before pursuing these criminals. Overall, amusement redemption establishments are unregulated because of the large sums of money that go through them. These establishments do not use armored vehicles or carriers transporting money; money is often carried in bags.

Cm. Balli noted that a comment was made at the strategic planning workshop that banks were not accepting deposits from amusement redemption establishments and asked if that statement is true. Mr. Alaniz did not speak to bank regulations, but law enforcement found that the banks are following all federal regulations and requirements for suspicious activity reports.

Mayor Saenz confirmed that he made the statement about banks refusing deposits, based on what he had heard.

Mr. Alaniz reported that law enforcement has found that the majority of amusement redemption establishment money are not being deposited in local banks because of the reporting requirements. Large sums of money are being kept in private stashes and safes and hiding places at safe houses or residences. This is akin to drug trafficking. Many methods utilized in these operations are very similar to those in illegal drug trafficking. Mr. Alaniz stated that in his experience as a prosecutor, amusement redemption establishments breed more crime, and trafficking and money laundering go hand in hand. An amusement redemption establishment is only going to make money if it pays out cash; there is almost no way that it can be successful legitimately. How the prosecution of amusement redemption establishments affects policy at the local level is for Council to decide. He thanked the City for the temporary moratorium placed on eight-liner establishments following the strategic planning workshop and asked them to extend the moratorium on permit for the present. He also asked Council to consider placing more requirements on amusement redemption establishments.

Mayor Saenz recalled at the strategic planning workshop law enforcement finding a nexus between these establishments and the Mexican Mafia. He voiced his gratitude of law enforcement prosecuting this epidemic so aggressively.

Deputy Chief Rodriguez confirmed that since February 2018, at least eight armed robberies have been directly linked to amusement redemption establishments, which were reported. Cm. Altgelt asked Council to take into account eight armed robberies that otherwise would not have come about but for the fact that “maquinitas” are target-rich environments. He voiced his agreement that these establishments are clearly paying out cash and carry large volumes of money. Robbers target these establishments because they know that there is no armored vehicle to carry the money, there are no guards or surveillance or high visibility into the establishments. Cm. Altgelt voiced his opinion that the City does not need any more evidence to maintain the moratorium and give code enforcement the ability to impose safety measures for the occupants of the current

amusement redemption establishments in place to retrofit them to be safer than they are now.

Mr. Alaniz added that Deputy Chief Rodriguez's data is only that data which has been reported. He iterated that many establishments are perfect targets because they are operating illegally and therefore unlikely to report robberies which would invite an investigation. He likened the situation to a drug dealer reporting being robbed of the money that he received for selling drugs. He voiced his opinion that the victims of robberies are greater in number than law enforcement knows because they are unwilling to report their own illegal activity.

Cm. Torres asked what exceptional category amusement redemption establishments fall under, since gambling is illegal. Mr. Alaniz explained that that state does not allow a \$5 pay-out; even paying \$1 in cash is illegal. The \$5 "exception" is a gift with a value of \$5 or less, which is another misconception in the community. He reiterated that amusement redemption establishments cannot pay out any amount in actual money. The way that this industry operates is known as the "fuzzy animal" exception, which is the prize or gift worth \$5 or less, usually as a stuffed animal. Amusement redemption establishments operate in which the player redeems their winnings for a prize, which may be toilet paper or soap. As a prosecutor, he noted that the only way an eight-liner can be profitable is if it pays cash to the player. He would not confirm that all amusement redemption establishments are operating illegally without performing an investigation.

Cm. Torres noted that he has consistently voted against Conditional Use Permits for "maquinitas" but currently questions whether Council is being discriminatory against this type of business because of what has been occurring.

Mr. Alaniz restated that before any arrest or search warrants are obtained by law enforcement, probable cause is established through proper police work. Investigators will go into the establishments undercover and observe whether cash pay-outs are being made. Once enough evidence establishes probable cause, law enforcement will move forward with these cases. He noted that there are numerous ways to launder money in any community. Currently in Laredo, amusement redemption centers are proliferating and lend themselves as perfect money laundering opportunities. The cash is swept daily and not deposited into banks, so there is no way of knowing how much money they make. Employees are paid in cash, and establishments may or may not pay their taxes to federal and state governments. Paying for a permit fee does not give any business the right to break the law.

Cm. Torres asked for clarification on what the moratorium is meant to accomplish, noting that there may be a misconception that the City is getting rid of all amusement redemption establishments.

Kristina L. Hale, City Attorney, confirmed that the moratorium is to prevent the issuance of new permits for new business for the time being, which is only temporary. A moratorium of this nature can only last at the most 160 days. The purpose is to provide opportunity for staff to develop regulations to better regulate their operations. The City does not have the authority to completely eliminate all amusement redemption establishments.

Mayor Saenz noted that if the amusement centers are operating legitimately, which the District Attorney has doubted, then there should be nothing to worry about. Cm. Torres

clarified that he has no personal issue with a moratorium but is attempting to gather more information for his understanding due to many misconceptions circulating around the issue. He asked management how continuing a moratorium will affect the City's revenues as presented by the Budget Department.

Horacio De Leon, City Manager, noted that a moratorium will have an impact on the City's budget which would require cutting costs. The revenue projected was for the existing amusement centers. Under a moratorium, existing amusement redemption establishments would be able to renew their permits.

Nathan Bratton, Planning Director, confirmed that "maquinita" establishments can operate in zones B-4 and above. Mrs. Hale clarified that with this moratorium, an amusement redemption establishment that is in the proper zone would still not be able to open a new maquinita business during the period of the moratorium.

Cm. Rodriguez voiced his opinion that Council has been attacking amusement redemption centers from all side but asked what the City is doing about poker houses and gambling centers throughout Laredo. He also noted that he has never heard of anyone being forced to play or gamble at amusement redemption centers. It is a patron's personal choice to go to a "maquinita" center.

Chief Treviño responded that LPD has not found any evidence that leads them to those type of operations. The Vice unit has plans to expand and will pursue those operations eventually. He noted his hesitance to speak about particular investigations as they are sensitive and ongoing.

Cm. Vielma voiced her opinion that this moratorium does not fix the problem, nor has voting down new amusement redemption establishments fixed the problem. Both of these actions have simply limited the competition for the current eight-liner centers that are operating to-date. She asked for more information as to how a moratorium could be expanded, and she asked staff to include language for video surveillance or video capabilities in all establishments to ensure that they are in fact giving out the "fuzzy animal" rather than cash. Video footage will allow LPD better accessibility to monitor and enforce legitimate business practice. If amusement redemption centers are not conducive in the City, she suggested that the City zone these businesses out. The modus operandi of these businesses is to avoid depositing their money at the banks, because it makes them susceptible to the IRS. Therefore, these businesses are more susceptible to being followed and robbed. Public safety must be placed at the forefront, and while limiting or removing amusement redemption centers will impact the City's budget, the cost of organized crime and violent crimes is far greater.

Mr. Alaniz explained that the owners of eight-liner establishments typically create shell companies and, through the shell companies, they make bank deposits with the eight-liner revenues to launder the money. Shell companies are typically trucking or shipping companies, car lots, and more.

Mrs. Hale explained that waivers would be pursuant to the Texas Local Government Code, which allows anyone who currently has a business permit or is seeking a new one to apply to the Council as a waiver of the moratorium. Applicants would have to come to Council and make that request.

Cm. Balli stated that the City can accomplish the objective of the ordinance without a

moratorium. The moratorium will have a significant impact on the budget, and he voiced his opinion that Council is inappropriately discriminated against certain types of businesses. While he agreed that amusement center robberies are of great concern, he is equally concerned about robberies of any type of business, like a convenient store. Throughout his career as an attorney, he has seen far more robberies of convenient stores than amusement centers. He stated that he will not support a moratorium. However, he would support Council looking objectively at a permanent ordinance and taking action after debate.

Cm. Altgelt asked Council to review the armed robbery reports taking place in people's homes with their children present. He countered Cm. Balli's argument about convenient store robberies, noting that convenient stores have a lot of security measures in place and surveillance that offers them some protection. That same protection is not being afforded to amusement redemption centers' employees or customers. The City is setting itself up for an increase in violent crime if Council does not maintain a moratorium or impose further controls to safeguard the public. He asked how much worse conditions will have to get before Council approves of imposing a moratorium. He also asked if the City's impacted budget outweighs the value of life. He reminded the attorneys on Council that they took oaths to uphold the law and the Constitution.

Mayor Saenz explained that this matter came about because the Police Department and District Attorney's Office came to the City asking for help in pursuing these criminal activities, for which they needed resource organization. The moratorium is only for a short period of time until City staff brings an ordinance with additional requirements before Council. It would not have a lasting impact on the budget. The ordinance would have protective measures for the public. Anyone wanting to continue with the business in a legal way will not have anything stopping their operation.

Mr. Alaniz clarified that it is not only the paying of cash that is illegal. Receiving the cash payout is illegal as well. So the players are putting themselves at risk of arrest, as well. He agreed that no player is being forced to go into the amusement centers and gamble, but by doing so they are at risk of breaking the law and being prosecuted for that crime. It is the same concept as buying or selling drugs; both parties are breaking the law.

Mayor Saenz noted that the District Attorney and Laredo Police Chief and Deputy Chief are coming to Council with this problem, and he will always give law enforcement the benefit of the doubt. These investigations are not being done lightheartedly, but law enforcement is ensuring the compliance with law and reducing the risk of danger for Laredo citizens.

Cm. Altgelt noted that amusement centers are everywhere in Laredo, and they are so ubiquitous because they are profitable. They are profitable because they are paying cash, not because they are handing out small stuffed animals. This is a simple concept to understand; the City has a problem and needs to responsible regardless of any political pressure. He encouraged Council to support the moratorium and other measures beyond it to make the public safe.

Remy Salinas stated that everyone in the city knows that amusement redemption centers have been operating illegally for years and growing like a cancer. He noted that those who compare this problem to convenient stores is a disservice to the people they serve. Not only does the City need a moratorium, Laredo should follow the example of several other cities and get rid of these establishments that take money from the

community that has a high poverty rate. He stated that this problem should be as highly prioritized as drug addiction and dealing. Amusement redemption centers take money from senior citizens who need family members to bail them out when they have spent their entire checks on eight-liners. The City does not have to renew permits; Laredo is not bound by the state of Texas to renew permits for amusement redemption establishments.

Mrs. Hale countered that the City does have to renew permits. Mr. Salinas disagreed, countering that some cities in Texas have completely removed maquinitas. Those cities and their District Attorneys use organized crime statutes to drive eight-liner centers out of town. He stated that no amusement redemption center is going to have \$1.9 million in cash by giving stuffed animals as a prize. He voiced his opinion that one Council Member is speaking for other parties and implied that he was being influenced by previous political corruption and needs to abandon it for his constituents.

Mrs. Hale clarified that this moratorium is for 90 days, but Council can extend it up to 180 days.

Mr. De Leon reported that staff has been in talks with Representative Richard Raymond and in the legislative agenda. The City has proposed that the state either legalize eight-liner establishment pay-outs or completely legalize the entire operation. He could not confirm that the state is likely to pass any such legislation.

Cm. Rodriguez noted that nobody on Council disregards the lives in Laredo, and he stated that he is not a Council Member to be anybody's parent and tell them what to do with their money. He compared removing maquinita establishments with illegalizing alcoholic beverages, calling them the same thing in terms of wasteful spending or addictive elements. He noted that everybody is responsible for their own character, and he will not support a moratorium. When business owners apply for a permit for maquinitas, he suggested that the application and applicant go through a police background check with the Laredo Police Department. He iterated that some amusement redemption centers are in compliance with the law.

Cm. Torres asked if any cities have pending cases or lawsuits regarding their management of amusement redemption establishments. Mrs. Hale confirmed that there is one case with the Fort Worth Court of Appeals, where certain regulations have been challenged. Some have been found to be legal, such as prohibiting membership clubs and requiring windows to not be tinted or darkened and other measures that would help enforce the lawful operation. However, some types of regulations such as distance requirements have been stricken by the higher courts.

Cm. Vielma asked if other cities have been able to completely eliminate amusement redemption establishments, as Mr. Salinas stated. Mrs. Hale stated that those cities who have been able to get rid of amusement redemption establishments have done so through strict regulations, various task forces, and public nuisance lawsuits if there is enough criminal activity. She noted that public nuisance lawsuits are being considered for some particular locations, but generally, once an amusement redemption establishment has legally been established, there is nothing the City can do because the state allows them to exist at this point. Council can amend the ordinance and provide certain stricter requirements for these establishments in order to ensure legal operation. These amendments would help law enforcement uphold the law. She clarified that the moratorium approved by Council at the strategic planning workshop is temporary; it went

into effect on Friday, March 16, 2018, and is effective for 12 days, pending the adoption of this ordinance. There are very strict hearing requirements to enact this moratorium, so there would have to be a special-called City Council meeting for the second reading of this ordinance by March 27.

Cm. Vielma asked if there is time to make any amendments to the ordinance to include more requirements. Mrs. Hale confirmed that Council can instruct staff to bring those changes to the next reading of the ordinance.

Cm. Torres asked for the City Manager's recommendation on this matter. Mr. De Leon made his recommendation from a fiscal perspective. During the budget process, this Council asked for an increase of the permit fees, to which staff complied. Those revenues were meant to go toward enforcement. For budget purposes, there was a projected increase of amusement redemption establishments, meaning more fee revenues. So that projected increase of revenues will be impacted.

Cm. Vielma asked if the City stands to gain a percentage of the money from asset forfeitures during these arrests and seizures, noting that those monies could be used for law enforcement. Chief Treviño countered that while the City does stand to receive a percentage of those forfeitures, they can only be used for very specific purposes which are very limited in scope. They include equipment and training, but not salaries.

Mayor Saenz noted that, in the long run, illegal amusement redemption establishments will cost the City even more, in terms of both money and human life.

Chief Treviño asked Council to help strengthen the ordinances to better enable law enforcement to uphold the law.

Cm. Rodriguez asked if it would be easier to give law enforcement more investigator positions to counter the criminal activity. Chief Treviño agreed that his suggestion would be helpful.

Cm. Altgelt noted that an ounce of prevention would be most helpful in this situation. Establishing measures to prevent illegal activity is far more cost effective than hiring more office to react to the criminal activity taking place.

Cm. Rodriguez asked how many jobs will be lost if amusement redemption establishments are removed or limited in operation. Mr. De Leon could not confirm that number without performing an analysis. Mayor Saenz countered that the City will not lose jobs.

Armando Cisneros spoke in favor of the moratorium, noting that the same Council Members that advocate for law enforcements are the ones that are not willing to support them now and using ridiculous logic for their positions.

Motion to close public hearing and introduce, adding additional security measures to make the amusement redemption centers safer such as video surveillance, controlled points of access for purposes of ingress and egress, and prohibiting of tinted windows to allow for greater visibility, as amended.

Moved: Cm. Altgelt  
Second: Cm. Vielma



For: 3                      Against: 5                      Abstain: 0  
Cm. Gonzalez              Cm. Rodriguez  
Cm. Vielma                Cm. Perez  
Cm. Altgelt                Cm. Torres  
                                 Cm. San Miguel  
                                 Cm. Balli

Motion failed.

5. Motion to open public hearing #5.

Moved: Cm. Vielma  
Second: Cm. Torres

For: 6                      Against: 0                      Abstain: 0

Cm. Gonzalez and Cm. San Miguel were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a mini-storage facility, on 1.15 acre tract (further described by metes and bounds in attached Exhibit "A"), located at South of Del Mar Blvd. and East of Bartlett Avenue; providing for publication and effective date.

Staff supports the application and Planning & Zoning Commission recommends approval of the Special Use Permit. ZC-28-2018 District V

Edgar Garza of Premier Engineering and representing the applicant spoke in favor of the SUP. He specified the location on a map.

Motion to close public hearing and introduce.

Moved: Cm. Vielma  
Second: Cm. Torres

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

6. Motion to open public hearing #6.

Moved: Cm. Torres  
Second: Cm. Algelt

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 1, Block 1, Villarreal Enterprises Plat, located at 611 Shiloh Dr. Suites, 13 & 14; providing for publication and effective date.

Staff supports the application and Planning & Zoning recommends approval of the Special Use Permit. ZC-27-2018 District VI

Motion to table.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

7. Motion to open public hearing #7.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for Shuttle Services (Van) on Lots 6 and 7, Block 42, Western Division, located at 502 San Bernardo Ave.

Staff supports the application and Planning & Zoning Commission recommends approval of the Conditional Use Permit. ZC-23-2018 District VIII

Francis Meneses asked Council to vote in favor of this CUP.

Motion to close public hearing and introduce.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

8. Motion to open public hearing #8.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning the West One Half (1/2) of Lot 4, Block 101, Eastern Division, located at: 115 Mier St., from M-1 (Light Manufacturing District) to R-3 (Mixed Residential District).

Staff does not support the application and Planning & Zoning Commission recommends approval of the Zone Change. ZC-25-2018 District VIII

Carlos Pelayo asked Council to approve the zone change.

Ana Villarreal of Planning reported that staff's recommendation is mainly in respect to the Comprehensive Plan. This property is compatible with the surrounding uses, which is residential, but staff follows the Comprehensive Plan. The Plan lists this specific property as light industrial, which is not compatible with residential uses. This request is a down-zone, which is the most appropriate for this neighborhood.

Motion to close public hearing and introduce.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present

9. Motion to open public hearing #9.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 7, Block 1654, Eastern Division, located at 2704 Clark Blvd., from R-1 (Single Family Residential District) to R-O (Residential/ Office District).

Staff does not support the application and Planning & Zoning Commission recommends denial of the Zone Change. Therefore, the applicant has exercised the right to appeal this decision directly to City Council. ZC-26-2018 District IV

Rocio Alarcon noted that she sells insurance at Alarcon Insurance and wants the zone change to meet with her clients in her home office.

Ana Villarreal of Planning confirmed that staff did not receive any letters of opposition regarding this application. She noted that Ms. Alarcon was not present when the Planning & Zoning Commission deliberated on their recommendation. The reason that staff did not support the application is because there is a contradiction between the Comprehensive Plan and the Land Development Code Book. The Comprehensive Plan allows for an R-O, which is what the applicant is requesting, but the Land Development Code Book lists restaurants as R-O, which are not allowed in the Comprehensive Plan. Staff therefore did not support the application as a way of being cautious of the contradiction. Staff recommended a Conditional Use Permit, but she noted that staff had a concern regarding the parking at this location.

Cm. Torres asked staff to bring this item back to Council as a Conditional Use Permit and asked Council to approve it at that time. Cm. Perez asked that staff consider waiving the fee for the applicant in this case.

Ms. Alarcon stated that she accepts Council's recommendation for the CUP, but she noted that parking would not be an issue at this location.

Ms. Villarreal noted that staff did not calculate the parking need for this location because

staff is not required to develop a site plan for any zone change application. She confirmed that the parking requirements for an office are one parking space for every 200 square feet of office space. She clarified that this location has residential space as well, so the applicant would need to provide parking for the new business but also for the resident.

Ms. Alarcon specified that her insurance clients meet with her by appointment only.

Cm. Perez voiced his opinion that this location is appropriate for the requested zone change, though he deferred to Cm. Torres.

Horacio De Leon, City Manager, informed Council that staff can change the application but cannot waive the fees because it would take an amendment to the existing ordinance.

Motion to close public hearing and introduce.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

10. Motion to open public hearing #10.

Moved: Cm. Rodriguez

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

Public Hearing and Introductory Ordinance amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 8.8577 acres, out of Abstract 296, Porcion 32, Antonio Trevino Tract, located south of State Highway 359 and west of EG Ranch Rd., from R-1 (Single Family Residential District) to M-1 (Light Manufacturing District). ZC-78-2017

Staff does not support the application and the Planning and Zoning Commission recommends approval of the Zone Change. District II

There was no public input.

Motion to close public hearing and introduce.

Moved: Cm. Rodriguez

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

11. Motion to open public hearing #11.

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

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

Public Hearing and Introductory Ordinance authorizing the City Manager to accept and execute a grant amendment and appropriate 2018 Operating Budget from the Texas Department of Transportation (TxDOT) on State Urban Grant No. STATE-U-2017-LAREDO-00107 PGA for fiscal year 2018 in the amount of \$77,296.00 for a grand total of \$658,851.00 to be used for Preventative Maintenance and Bus Facilities for the City of Laredo Transit Department.

There was no public input.

Motion to close public hearing and introduce.

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

Against: 0

Abstain: 0

12. Motion to open public hearing #12.

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

Against: 0

Abstain: 0

Public Hearing and Introductory Ordinance authorizing the City Manager to accept a loan from the State Energy Conservation Office (SECO) in the amount of \$1,033,558.00 (one million thirty-three thousand five hundred fifty-eight dollars), and amending the City of Laredo's FY 2017-2018 Waterworks budget by appropriating the said grant revenue to the appropriate expenditure accounts. Funds received from lender pursuant to this agreement to be used for VFD'S and power factor correction implementation at Jefferson Water Treatment Plant as projects identified in Attachment A-1 of the agreement.

There was no public input.

Motion to close public hearing and introduce.

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

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

**X. INTRODUCTORY ORDINANCES**

13. An Ordinance amending Division 1 "Generally," of Chapter 2 "Administration," Article V. "Boards, Commissions, Councils, etc.," of the Laredo City Code to adopt uniform policies for all Boards Commissions and Committees created by the City Council; making various findings and provisions related to the subject; providing for severability,

and providing for an effective date.

Cm. Vielma asked for an amendment to the ordinance in Section 2.157 on “Automatic Forfeiture” to remove the word “consecutive” from the second line because that word already appears in that sentence. She also asked for an amendment to add to the last sentence: “Nothing prohibits the City Council from removing a committee member at any time for any reason, including inefficiency, neglecting duties, or misconduct.”

Ordinance Introduction: City Council, as amended

14. An Ordinance of the City of Laredo, Texas, amending Chapter 2, Article V, Boards, Commissions, Councils, etc., of the Code of Ordinances by adding Division 6, Section 2-242 formalizing the creation and composition of the Public Safety Advisory Committee and by adding Section 2-243 providing for duties and powers and by adding Section 2-244 providing for its advisory capacity; providing that this ordinance shall be cumulative; providing a severability clause; and declaring an effective date.

Ordinance Introduction: City Council

15. Authorizing the City Manager to execute an Amended and Restated License Agreement between the City of Laredo (“Licensor”) and New Cingular Wireless PCS, LLC, (“Licensee”), for space on the water tower located at 1801 Hillside Road, Laredo, Webb County, Texas, for the continued maintenance and operation of wireless communications facilities and related ground facilities. Term of the License Agreement is one (1) initial term of five (5) years commencing February 18, 2018 and ending February 17, 2023, with one (1) additional five (5) year renewal option. The annual license fee will be \$25,000.00 with a four percent (4%) annual escalator.

Ordinance Introduction: City Council

16. Authorizing the City Manager to execute an Amended and Restated License Agreement between the City of Laredo (“Licensor”) and New Cingular Wireless PCS, LLC, (“Licensee”), for space on the water tower located at 8711 McPherson, Laredo, Webb County, Texas, for the continued maintenance and operation of wireless communications facilities and related ground facilities. Term of the License Agreement is one (1) initial term of five (5) years commencing February 18, 2018 and ending February 17, 2023, with one (1) additional five (5) year renewal option. The annual license fee will be \$25,000.00 with a four percent (4%) annual escalator.

Ordinance Introduction: City Council

17. An Ordinance of the City of Laredo, Texas amending Chapter 17, Article 1, Section 17-5, of the Code of Ordinances by adding Subsection (E) Amnesty to provide that City Council shall be authorized to declare limited periods of "Amnesty" to allow borrowers of items from the Laredo Public Libraries to return overdue items or items previously considered lost without payment of fines or other charges and to allow the Laredo Public Libraries to accept return of such items without assessment of such fines, fees, and/or charges; providing that this ordinance shall be cumulative; providing a severability clause; and declaring an effective date.

Ordinance Introduction: City Council

18. Designating as a one-way southbound the 300 to 600 block of Albany Dr., between Rancho Viejo Drive and Lowry Road, during the peak hours of 7:00 a.m. to 8:00 a.m. and 2:30 p.m. to 4:30 p.m., Monday through Friday, during school days, providing for the installation of appropriate signs to indicate one-way traffic and providing for publication and effective date. The Transportation Safety Advisory Committee recommends approval of this request.

Ordinance Introduction: City Council

## **XI. FINAL READING OF ORDINANCES**

Motion to waive final readings of Ordinances 2018-O-040 and 2018-O-041.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

19. 2018-O-040 Authorizing the City Manager to accept and execute a contract from the Texas Department of State Health Services (DSHS), amending the FY 2017-2018 budget by appropriating additional revenues and expenditures in the amount of \$50,625.00 and amending the FY 2017-2018 Full Time Equivalent (FTE) Position Listing by adding one (1) Health Educator II, R32 for the City of Laredo Health Department (CLHD) Healthy Texas Babies Program for the term from execution date through August 31, 2018.

Motion to adopt Ordinance 2018-O-040.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

20. 2018-O-041 amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol, on Lot 1, Block 1, Northridge Commercial Plat, located at 8511 McPherson Rd. Suites 109, 110 & 111; providing for publication and effective date. ZC-24-2018 District VI

Motion to adopt Ordinance 2018-O-041.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

## **XII. CONSENT AGENDA**

Motion to approve Consent Agenda Items #22, 23, and 25-28.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

Motion to approve Consent Agenda Items #29-36, #38-43, #45-50, and #52-53.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5                      Against: 0                      Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

## **XII (a) RESOLUTIONS**

21. 2018-R-37 Authorizing the appointment and confirmation of the City's Representative and the members of the Reinvestment Zone Number Two (2) Board of Directors, City of Laredo, Texas, in accordance with state law.

Horacio De Leon, City Manager, recommended that Council appoint the Legal Department as the City representative of the TIRZ #2 Board of Directors.

David Earle, attorney, noted that the appointment could be the City Attorney or her designee as long as she or her designee meet the requirements of a Board Member set out in the statute. The qualifications are to be over the age of 18, have never committed a felony, and own property in the district or be the agent or employer or owner of property in the district.

Motion to adopt Resolution 2018-R-037 following staff recommendation to appoint the City Attorney or her designee.

Moved: Cm. San Miguel

Second: Cm. Vielma

For: 5                      Against: 0                      Abstain: 0

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

22. 2018-R-39 Authorizing the City Manager to enter into a Memorandum of Agreement in the amount of \$23,805.26 between the City of Laredo Health Department and the Consulate General of Mexico in Laredo for the "Ventanillas de Salud" (VDS) Program to continue to provide through contractual services, bicultural health care education, advocacy and assistance in enrollment to U.S. Federal, State, and local public health services and programs that may be available for migrants for the period beginning January 1, 2018 through December 31, 2018.



Motion to adopt Resolution 2018-R-039.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

23. 2018-R-40 Authorizing the City Manager to submit a grant application in the estimated amount of \$500,132.00 to the Office of the Governor's Homeland Security Grants Division (HSGD) for the purpose of funding the 2019 Local Border Security Program (LBSP). This grant does not require matching funds. Funding will be used to pay for overtime to increase patrol security along the Texas-Mexico border.

Motion to adopt Resolution 2018-R-040.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

24. 2018-R-41 Authorizing the City Manager to negotiate and execute a license agreement with Monaco Development, LLC to perform mitigation activities on City property on Manadas Creek; said license agreement will allow the Monaco Development, LLC to implement mitigation activities (erosion control measures, tree plantings, reseeding, watering and maintenance, removing cut vegetation and/or other debris); there is no financial impact to the City of Laredo.

Cm. Altgelt that off of Shiloh, there is a hike and bike trail, and recently the developers encroached upon the City's property and caused surface damages. In order to lay down an eight-inch sewage line, the developer took out about 45 feet of wilderness. There is only one small patch of green space left within Loop 20 of Laredo, and Howland Engineering and Soliz Paving removed a significant portion of foliage. Cm. Altgelt noted his confusion as to why the green space ordinance was not being respected or enforced. He also asked why a private developer was allowed to damage City land.

John Porter, Environmental Services Director, confirmed that there was some damage to green space north of the Shiloh trails; the developer should have gotten a temporary construction easement to move forward on the development. However, that was not done, and staff is developing an after-the-fact mitigation plan with the developer and his engineers. This item is a license agreement to implement that plan on City-owned property.

Roberto Martinez of Howland Engineering explained that Howland Engineering took these steps because they thought it was necessary to construction the sewage line. There is a trunk line along the green

space that the developer needed to connect for the subdivision development. At a pre-construction meeting, it was decided that the contractor needed more space to safely excavate as per OSHA requirements for an average utility line.

Cm. Altgelt asked if Howland Engineering obtained permission from the City, in writing, allowing them to knock down the flora.

Ricardo Villarreal of Howland Engineering explained that when the previous owners of this land sold it to the City, within that agreement the land owner reserved a 15-foot easement. At the time of the design, the Utilities Department decided that the sewer line would be best along the boundary of the Monaco development and not going through residential lots. The depth of the utility line dictates how wide the easement needed is. After the pre-construction meeting, Howland Engineering sent emails to various departments in the City to obtain permission, and he displayed emailed responses from departments notifying Howland Engineering that the additional path raised no objections. He reported that Howland Engineering met with the Parks & Leisure Services Department on-site, and the work took about 4-5 days. Staff put up safety netting for bikers on the trail. On behalf of the firm, he apologized for any inconvenience caused to the public, especially the bikers. In the construction process, Howland Engineering cleared a 40-foot path, like in any construction. While documentation says that the vegetation was destroyed, he stated that the vegetation will grow back, as with most construction processes. The vegetation will grow back quicker depending on how close it is to the creek.

Cm. Altgelt countered that the brush was knocked over with a bulldozer blade, which he considers construction.

Mr. Villarreal noted that a drone has captured aerial photographs. The foliage in the area is very dense, and the green space ordinance has parameters that allow the developer to replace anything that has been cleared. Developers clearing brush and foliage is not a violation of the ordinance, because clearing is a necessity for construction. Cm. Altgelt countered that the developer cleared the vegetation without a permit and asked if that is a violation.

Mr. Porter confirmed that in this situation, being first-order, clearing without a permit is not a violation because the land is not a wetland. What is at issue in this situation is a temporary construction easement was not secured beforehand. Staff could have accounted for that. CM. Altgelt accepted the clarification.

Mr. Villarreal confirmed that Howland Engineering has a mitigation plan that will replace 20 trees that are four-inch caliber and above. The creek bed has already been opened; an environmental inspector was present during the opening. The developer followed the requests and requirements during the inspected opening. Howland Engineering is in talks with the Environmental Services Department for recommendations on what type of seeding to use for revegetation. Mr.

Villarreal spoke in favor of this item given the mitigation plan in place.

Cm. San Miguel, specifying that this area is in his district, stated that he has worked with the developer prior to the construction or zoning requirements. The developers and engineering firms are all reputable and have been providing great work and jobs for the community for many years. He noted that if Cm. Altgelt had performed the proper investigation, he would have realized that had this not been done, human life would have been risked. He noted that going into a trench that is two feet wide and twelve feet deep would have been very dangerous for the workers performing this construction. To accomplish a safe working environment, it was absolutely necessary to use more space. More space is also needed to put the displaced dirt that was dug up. By his calculation, Cm. San Miguel estimated 40 to 42 feet necessary to install this sewer line. There is no way that this job could have been done safely without taking the 40 feet easement and clearing the vegetation. He voiced his surprise that this item was placed on the agenda and placing staff members and the engineering firm on the spot. He stated that staff and the developers and contractors did the right thing to guarantee the safe working conditions for this project. He added that the users of the hike and bike trails would not have been willing to risk the lives and safety of the workers in order to have more access to their trails or local flora. He reiterated that the developer has agreed to remediate the area. He pointed out that Cm. Altgelt placed a lot of value in human life when discussing criminal activity surrounding amusement redemption establishments, but he is placing the value of green space over human life in this case.

Cm. Perez noted that Howland Engineering has done excellent work for the City and has been one of the most responsible firms in town. He noted that if they did anything in violation of policy, he doubted that it was done with malice or bad intentions. He voiced his assurance that they will repair any damages that were made.

Cm. Altgelt countered that if Cm. San Miguel had worked with the engineering firm from the onset of this development and had experience working in ditches or trenches, he would know that there are devices put in place to ensure the integrity of the trench walls. There are sensitive ways to dig in environmentally-sensitive areas, and he added that Howland Engineering had to remediate again because they dug up a creek bed in District VII. He emphasized that this is the third time Howland Engineering conducted business in such a way that they had to remediate the situation after the fact. In the case of the Shiloh trails area, the firm was supposed to ask for permission from the landowner, in this case the City, to use the area while digging. That was not done and caused surface damages. There is a cost to the damage done to the landowner's property, and in this case it was estimated to be 1.5 acres of surface area in addition to the 20-foot easement. He voiced his opinion that developers must respect the little amount of green space left in the city. He voiced his hope that Howland Engineering's need to remediate areas after construction never happens again because the City and Howland Engineering do business



of the renaming of this dog park.

Motion to adopt Resolution 2018-R-044.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

28. 2018-R-45 A Resolution renaming the dog park at North Central Park to Duko's Dog Park. The Facilities Naming Commission is in favor of the renaming of this dog park.

Motion to adopt Resolution 2018-R-045.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

## **XII (b) MOTIONS**

29. Authorizing a contract amendment in the amount of \$14,000.00 for Community Development Strategies (CDS) for professional services and travel expenses as it relates to the feasibility review of and terms of agreement for the Tax Increment Reinvestment Zone #2 (TIRZ #2) for a total contract amount of \$43,750.00. The combined TIRZ #2 contract and the Port Grande contract for \$15,000.00 will total \$58,750.00 for professional services for this vendor. Funding is available in General Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

30. Ratification of the nomination of Habitat for Humanity of Laredo-Webb County to apply for the 2018 Wells Fargo and U.S. Conference of Mayors (USCM) CommunityWINS (Working/Investing in Neighborhood Stabilization) Grant Program in partnership with the City of Laredo to provide a holistic approach in neighborhood revitalization in a low income area of the City of Laredo. The proposed project area is surrounded by Martin High School, from HWY 35 to Santa Cleotilde, Ave. and from Jefferson St. to Callaghan St.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

31. Consideration for approval of Amendment no. 3, an increase of \$6,507.90 to the consulting and inspection services contract with Terracon Consultants, Inc., Laredo, Texas, for Fire Stations No. 1 and 5. Current contract amount including this amendment is \$54,486.30. Funding is available in the 2017 CO Issue.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

32. Consideration for approval of change order no. 3, an increase of \$19,872.00 for Asbestos Abatement Services and Mold Remediation for Fire Station Nos. 1 and 5 contract with Jupe Environmental, Inc., San Antonio, Texas, for additional abatement work at Fire Station No. 5. Current contract amount with this change order is \$99,654.00. Funding is available in the 2017 CO Issue.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

33. Consideration for approval of award of construction contract to the lowest responsible bidder, Romo Contractors, LLC., Laredo, Texas, in the amount of \$59,710.00 for the Muller Park Site Improvements with a construction contract time of sixty (60) calendar 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 May 2018. Funding is available in the 2016 CO Bond.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

34. Consideration for approval to award a construction contract to the lowest bidder ALC Construction, Inc., Laredo, Texas, in the base bid amount of \$95,000.00 for the Telecommunications Building Roof Replacement Project with a construction contract time of ninety (90) calendar 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 June 2018. Funding is available in the 2017 CO Issue.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

35. Consideration for approval to reject the bids received for the Community Development Municipal Housing Build Out Office/Warehouse Space located at 5511 Thomas Avenue since the bids were over the budget allotted and authorization to re-design and re-bid the project. No financial impact.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

36. Consideration for approval of the Laredo International Airport Taxiway G Extension and General Aviation Apron Phase 9 Reconstruction as complete, approval of final change order no. 4, an increase of \$8,836.00 for the balance of quantities actually constructed in place, release of retainage and approval of final payment in the amount of \$404,590.50 to Reim Construction, Inc., Mission, Texas. Final construction contract amount is \$6,783,736.00. Funding is available in the Airport Construction Fund – Federal Aviation Administration (FAA) Grant No. 82.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

37. Consideration for approval to award a construction contract to the lowest qualified bidder AZAR Services, L.L.C., Laredo, Texas, in the amount of \$93,952.40 (which includes the base bid and additive alternate) for the Bartlett Sports Complex Park Basketball Court Project with a construction contract time of ninety (90) calendar 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 June 2018. Funding is available in the 2016 CO.

Ricardo Rodriguez of South Texas Buildcon, asked Council to consider his bid for this project. His bid was disqualified because he sent a copy of the bid bond rather than submitting an original. He explained that on 10:15 a.m. on Wednesday, he received a second addendum which did not give his bond company enough time to send an

original. They sent him an electronic copy, which he used with his bid submission. He stated that the Engineering Department released the second addendum.

Rogelio Rivera, Engineering Director, countered that the second addendum had nothing to do with the bid content; project was out for bids for over a month, which gave all applicants plenty of time to secure original bid bonds. There were eight bidders, and everybody submitted original bid bonds. Not complying with the bid process is an automatic disqualification. In this case, a copy of a bid bond is an automatic disqualification; it is similar to giving someone a copy of a check. A bid bond copy is of no value. He noted that South Texas Buildcon is an out-of-town company, but they still had over a month to secure an original bid bond. He confirmed that the second addendum was only a clarification and did not affect the bid. The addendum was released Wednesday morning when the bid was due Thursday in the late afternoon.

Mr. Rodriguez noted that his insuring company is based out of Pennsylvania.

Horacio De Leon, City Manager, reminded Council that if they consider a bid bond copy to be a minor irregularity, they have the power to waive it and not disqualify this bidder. He voiced his opinion that he wouldn't consider this to be minor.

Mr. Rivera agreed that a bid bond copy is not considered a minor irregularity.

Cm. Vielma stated that she would like more time to review this situation.

Mr. Rodriguez countered that his bid would result in a 19.1% savings to the City if Council selects his company over AZAR Services.

Motion to postpone until the next Council meeting.

Moved: Cm. Vielma

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

38. Consideration for approval of the Laredo Animal Care Services Administrative Offices located at 5202 Maher Avenue as complete; release of retainage; and approval of final payment in the amount of \$8,596.00 to Zertuche Construction, LLC., Laredo, Texas. Final construction contract amount is \$48,596.00. Funding is available in the 2016 CO Issue.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

39. Authorizing the City Manager to approve the purchase of the equipment FibroScan 502 Touch Package, from sole source Echosens in the amount of \$146,000.00 for hepatic



disease testing, specifically for Hepatitis-C. This is part of a project with UT/Health Science Center San Antonio. Funding is available in the Health Department budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

40. Authorizing the City Manager to enter into and execute a contract between West Safety Solutions and the City of Laredo for the purchase and installation of Power Metrics Advanced to provide reporting and analytics services for Jim Hogg, Starr, Webb and Zapata Counties through the Houston Galveston Area Council of Governments (HGAC) Cooperative Purchasing Contract No. EC07-16 in the total amount of \$118,262.16 from April 2018 through August 2019, a total of seventeen months. Funding is available in the Regional 9-1-1 Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

41. Authorizing and advancing funding to the Laredo Urban Transportation Study - Metropolitan Planning Organization (LUTS - MPO) in the amount not to exceed \$335,000.00 for payment to CDM Smith, Inc. consulting services for the development of the 2020-2045 Metropolitan Transportation Plan (MTP) Update/FAST Act Project, which said sums are 100% reimbursable from federal funds supplied to the M.P.O. as per the fiscal agreement between the City and the MPO. Funding is available in the General Fund - Planning MPO Grant.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

42. Authorizing and advancing funding to the Laredo Urban Transportation Study - Metropolitan Planning Organization (LUTS - MPO) in the amount not to exceed \$46,400.00 for payment to Kimley-Horn and Associates consulting services for the development of the Update of the 2015 Kansas City Southern Railroad Quiet Zone Study, which said sums are 100% reimbursable from federal funds supplied to the M.P.O. as per the fiscal agreement between the City and the MPO. Funding is available in the General Fund - Planning MPO Grant.

Motion to approve.

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

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

43. Authorizing the City Manager to enter into an agreement with Halff Associates, Inc. to prepare the City Council Districts 3 and 4 Neighborhood Plans in an amount not to exceed two hundred fifty two thousand six hundred dollars (\$252,600.00) to include, but not limited to, analysis of residential and streetscape design, residential in full design standard analysis of one way pairs (Bartlett and Malinche), and evaluation of land use, traffic, aesthetic conditions of two major thoroughfares, land development code amendment recommendations district wide, and evaluation of pedestrian facility conditions to be incorporated into 5 mini-action plans: Two neighborhood action plans, one corridor action plan and two walkability studies. Funding is available in the 2017 CO for both districts.

Motion to approve.

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

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

44. Authorizing the City Manager to enter into an agreement with Armadillo Construction Co. Ltd. for the extension of Springfield Ave. north of International Blvd. and providing for Armadillo's financial participation in the cost of construction of the roadway.

Motion to table.

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

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

45. Consideration to authorize the purchase of four hundred and eighty (480) rifle-resistant body armor vests for the Police Department in the amount of \$182,170.00 from Galls through the Buyboard Cooperative Purchasing Program's contract pricing. Funding is available in the Special Police Fund.

Motion to approve.

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

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

46. Consideration to authorize the purchase of two hundred (200) ballistic vests for the

Police Department in the amount of \$145,800.00 from Galls through the Buyboard Cooperative Purchasing Program's contract pricing. Funding is available in the Police Department General Fund budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

47. Consideration to authorize the use of State of Texas, Department of Information Resources (DIR) Cooperative Purchase contracts to purchase computers, computer hardware, computer software, telecommunications and other goods and services offered through DIR Cooperative Purchase contracts. The City is a member of the State of Texas - Texas Procurement and Support Services (TPASS) Cooperative Purchasing Program which allows the City of Laredo to take advantage of approved State contracts. Funding for Cooperative Purchase contracts and services are available in the respective departmental budgets.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

48. Consideration to award annual contract FY18-033 for the purchase of Original Equipment Manufacturer (OEM) parts/service for the City's Case equipment to the sole bidder Nueces Power Equipment, Corpus Christi, Texas, in an amount up to \$75,000.00. All parts and services will be secured on an as needed basis. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This contract allows for two additional, one year extensions upon mutual agreement of the parties. Funding is available in the Fleet Maintenance budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

49. Consideration to award annual contracts FY18-031 for the purchase of police and passenger car tires to the following low bidders:

1. Section I: GCR Tire Centers, Nashville, Tennessee in an amount up to \$ 183,631.00; and
2. Section II: Hesselbein Tire Southwest, San Antonio, Texas in an amount up to

\$79,803.00.

All tires will be secured on an as needed basis. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This contract allows for two additional, one year extensions upon mutual agreement of the parties. Funding is available in the Fleet Maintenance budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

50. Consideration to authorize a professional services contract with Arredondo, Zepeda, & Brunz, LLC, Dallas, TX, in the estimated amount of \$148,980.00 for consulting services to assist the City in its examination of landfill options, including the potential of expanding the current landfill, the potential of siting of a new facility, and the review of offers from private landfill owners to purchase an existing site. Funding is available in the Solid Waste Fund for Fiscal Year 2017-2018.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

51. Authorizing the City Manager to execute the contract for the collection of delinquent property taxes and other charges with the firm of Flores, Flores, & Canales, P.L.L.C. for the period of October 1, 2018 to September 30, 2021. Funding is available in General Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

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

52. Approving monthly adjustments to the tax roll. The amounts to be adjusted for the month of February 2018, represent an increase of \$19,301.00. These adjustments are determined by the Webb County Appraisal District and by court orders.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

53. Consideration to increase annual service contract FY16-002, currently awarded to Cantu Electric, Laredo, TX, to include and allow for a 25% increase in utilization for set contract. Contract currently in the estimated maximum amount of \$321,560.80 for the maintenance of the illumination systems along IH 35, Loop 20, FM 1472 and US Hwy. 83/SH 359 interchange for a term of one year. The contract vendor is required to maintain, repair, and/or replace the various appurtenances related to the existing roadway assemblies.

1. Electrical work, materials and equipment, specifically; installation of lights in the amount of \$60,360.00.

The 25% increase in utilization is due to the City's increase demand for electrical operational needs for various city departments to include Bridge I installation of LED lights and other similar project. Funding is available in respective departmental budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

54. Consideration to authorize a professional services contract with Lockwood, Andrews & Newnam, Inc., in the estimated amount of \$599,999.30 to develop traffic signal coordination timing plans for 6 high traffic volume time periods on FM 1472 /Mines Road (am, noon, pm & off-peak, Monday peak and Friday peak). Also, develop traffic signal coordination timing plans for 4 typical weekday high traffic volume time periods (am, noon, pm & offpeak) along US Highway 83 (Zapata Highway), Bob Bullock Loop (Loop 20), McPherson Road, State Highway 359, Business IH35 and IH 35 Frontage Roads for a total of 80 traffic signal controlled intersections. This project is being funded by Coordinated Border Infrastructure (CBI) Funds. Funding is in the Capital Grant Fund.

Motion to table.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

55. Consideration to award a contract through BuyBoard Contract (#498-15) to SHI Government Solutions for acquisition of a Cityworks Asset Management software premium Enterprise License Agreement (ELA) for the purpose of utilities infrastructure asset management. The contract is on an annual basis for the term of three (3) years in the amount of \$74,469.00, beginning year one (1), \$85,107.00, beginning of year two (2) and \$95,745.00, beginning of year three (3). Through additional evaluation of software capabilities/offerings of the Standard Enterprise License Agreement (ELA), a

determination has been made that an upgrade to a Premium ELA is the appropriate level of licensing. The agreement offers an annual 'ramped' pricing structure for three (3) years not to exceed a total of \$255,321.00. Funding is available in the water and sewer construction accounts.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

56. Authorizing the City Manager to sign amendment -1 in the amount of \$106,883.00 with Lockwood, Andrews & Newnam, Inc. (LAN) for the Utilities Department Asset Management Plan Phase II (implementation). The total contract including this amendment will be \$304,019.00. Funding is available in the 2011 Sewer Revenue Bond and Environmental Services Department account.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

#### END OF CONSENT AGENDA

### **XIII. STAFF REPORTS**

57. 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 Internal Auditor's report as presented.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

58. Discussion with possible action regarding the implementation of an election candidate filing fee or signature petition in lieu of filing fee, and any other matters incident thereto.

Motion to postpone until the next Council meeting.

Moved: Cm. Balli

Second: Cm. Rodriguez

For: 6

Against: 0

Abstain: 0

Cm. Gonzalez and Cm. San Miguel were not present.

59. Discussion with possible action on the introduction of the Laredo Convention & Visitors Bureau (LCVB) Service and Incentives Program for approval and implementation of the program.

Aileen Ramos, Convention & Visitors Bureau Director, explained that this item is to make the process equitable and fair for everyone asking for funds and sponsorships from the City, specifically from CVB. Usually these requests come directly to CVB, from Council, or from other departments. CVB uses a form in which all of the events and/or participants coming to Laredo are measured to ensure that they qualify for funding or sponsorship. When CVB is approached for funding, the applicant is asked to fill out an Event/Group Qualifying Form to verify all of the pertinent information.

Cm. Torres noted that the new qualifying form shows that events or groups can receive funding “up to” certain amounts of money, and he asked if that was advisable since some groups who may only need \$500 will now ask for \$1,000 because it is the first threshold. Ms. Ramos clarified that there are other requirements that would allow for that group to receive the full \$1,000, such as the number of room nights. If the applicant does not meet that room night requirement, they will not receive \$1,000 but could still qualify for their \$500 financial need.

Cm. Torres noted that he has heard many compliments for CVB since Mrs. Ramos’ appointment and congratulated her on her hard work.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

60. Status report on the CDBG Freddy Benavides Recreational (Sisters of Mercy) Water Feature (Lazy River) adjacent to the City of Laredo Cigarroa Recreation Center Swimming Pool at 2201 Zacatecas Street.

Rogelio Rivera, Engineering Director, reported that the last change order for this project was approved, but the project is still ongoing. Since February 5, 2018, the unliquidated damages per day have been calculated as \$700 per day, and liquidated damages have been calculated as \$25,000. There are still items to be completed, and staff estimates that the project can be completed by the middle of April 2018. The contractor and the bonding company have been advised, but the City has not received a response from the bonding company. The City received a letter from the contractor that he is working on the pumps and the slides which had to be reordered. The project is about 90% complete.

Tony Ayala of Sunset Pools thanked Council for the opportunity to continue working on this project. He took full responsibility for the project and noted that there have been multiple delays. He emphasized that he wants to make things right, and he presented a rendering of the project design before Sunset Pools was awarded the project. He noted that the slides have been modified to more than double in length and include

loops. This will be much taller than the original schematic. However, he confirmed that Sunset Pools will provide these longer, taller slides at no extra cost for the lazy river.

Cm. Rodriguez voiced his willingness to accept the better, more expensive slides for no extra cost but asked the City Manager for his recommendation.

Horacio De Leon, City Manager, noted that he had not previously seen this proposal from Sunset Pools. He reported that he had an informal discussion with Mr. Ayala outside of the workplace and asked for the value of the two new slides.

Mr. Ayala reported that the two 50-foot slides were valued at \$110,000. The two 250-foot slides would be provided at no extra cost and are valued at \$500,000.

Mr. De Leon asked how long it would take to install these slides if approved and if that would affect the already-delayed project completion date.

Mr. Ayala noted that he is working on another project that can use the 50-foot slides. He estimated that installing the 250-foot slides would take about two or three weeks. Sunset Pools is willing to take the penalty of liquidated damages or to offer these slides at no extra cost to make it right.

Mr. De Leon noted that the City has a contract with Sunset Pools and is enforcing it, so whether Council chooses to accept the offer from Sunset Pools will be a policy decision. If Council accepts the proposal, then the contract would need to be amended and brought back before Council for approval. He recommended that Council secure a completion date as part of the negotiation.

Cm. Rodriguez noted that these slides would be a big benefit to the lazy river.

Mr. Ayala reported that these slides were confirmed safe and in compliance with the required standards. Sunset Pools and Ruiz Engineering have taken all of the necessary pre-steps to ensure that these slides will safely fit into this lazy river feature. He noted that the project can be completed by the first or second week of May at the latest. This pool does not currently have the automatic chlorination system because if there is a leak, the City will never know because of the automatic refilling of lost water. He added that a lack of training will leave City staff ill-equipped to repair any leaks or issues with an automatic chlorination system. He offered to develop recommendations for a chlorination system that is easy to operate and has training available to City employees maintaining it.

Mr. De Leon clarified that the new completion date has been established as the first or second week of May 2018.

Mr. Rivera informed Council that staff will need Mr. Ayala's proposal in writing for ratification.

Motion to approve and negotiate a contract amendment for the acceptance of two 250-foot slides and a completion date for the CDBG Freddy Benavides Recreational (Sisters of Mercy) Water Feature (Lazy River) and bring that amendment back to Council for approval and initiate negotiates in this week, as amended.

Moved: Cm. Rodriguez



Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. Perez, and Cm. Torres were not present.

61. Presentation of the Fiscal Year 2016-2017 Comprehensive Annual Financial Report (CAFR) prepared by the City of Laredo's Financial Services Department and audited by the Independent Audit Firm of Canales, Garza, and Baum, P.L.L.C.

Martin Aleman, Executive Director of Finance & Technology, informed Council that the auditors have concluded the external audit of the City.

Juan Jose Garza, auditor from Canales, Garza, and Baum, reported that the auditors' investigation included gathering sufficient documentation to arrive at an opinion on the state of the City's finances. He informed Council that the City received an unqualified clean opinion from the auditing firm, meaning that any person can rely on the financial statements of the City. This is the best opinion that any firm could apply to the City. The firm issues one main report as well as an internal controls report as they relate to government auditing standards and a single audit report, which reports on the federal and state grants that the City receives. In the single audit report, the firm is required to report any material witnesses or significant deficiencies encountered during the audit. Mr. Garza announced that the firm found no significant deficiencies during the investigation for this report. He certified the general fund balance of the City in the amount of \$45,062,923.00; there was an increase in the general fund of \$622,700.00. He commended the City and Management on that increase, as it speaks to the financial responsibility of management.

Horacio De Leon, City Manager, informed Council that during the audit, it was brought to his attention that the City is carrying the receivables for the past five years. It had been the practice of previous City Managers that the City do not write them off for several reasons. There has been no write-off for the last 12 years or so, so that number keeps increasing. He recommended that Council allow staff to bring the receivables over five years old back to be written off. While they are not being collected, they are still on the City's ledger. Now is a good opportunity for Council to make this consideration. He cited ambulance charges as the most prominent example. These old receivables equate to about \$24 million, which are uncollectable. It is good practice to write those receivables off.

Motion to bring back receivables in excess of five years to be written off, as per the recommendation of the City Manager.

Moved: Cm. Torres

Second: Cm. Rodriguez

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

62. Discussion with possible action to consider a second request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Patrol Officer James B. Boyd.

Motion to approve.

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

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

63. Discussion with possible action to consider a fourth request for an extension of Injury Leave with pay in accordance with 143.073 (b) of the Texas Local Government Code for Patrol Officer Roberto Vedia.

Motion to approve.

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

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

64. Status report on Rail Crossing issues at Scott Street/Los Olividados, and requesting an extension of committee deadline until at least April 16, 2018.

Robert A. Eads, Traffic Director, reported that Council asked the City Manager to form a committee with City staff and Los Olividados representatives by the first of December 2017, which has been done. The committee was tasked to bring a recommendation to Council by March 31, 2018, and the committee has been meeting often. Because of good traction on this topic, the committee requests more time to fully develop the recommendation rather than present a halfhearted recommendation to Council. He reminded Council that the issues being discussed by the committee is the railroad crossing at Scott Street and the community that lives immediately surrounding that crossing. Residents often get caught and delayed at that crossing, which requires more time to find a solution.

Motion to extend the deadline to April 16, 2018, for the committee recommendation.

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

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

65. Staff update regarding the sewage discharges and the failing pumps at the Nuevo Laredo sewage treatment plant and potential threats to the public as a result of pump failures.

Dr. Hector Gonzalez, Health Director, reported that after several meetings with the Health and Environmental Binational Subcommittee, a diplomatic note was issued by the State Department for a report and action. A status update and timeline for the repair of the pumps have been requested. The City offered to provide technical assistance to NADBank in an effort to expedite the repairs. The City will also ask the State Department for a copy of their response. To his knowledge, Mexico has not responded to the diplomatic note and inquiries, although authorities have noted their

concerns as well. Dr. Gonzalez noted that the City wants all of its correspondence in writing. All parties are interested in finding a resolution for this problem.

Cm. Altgelt voiced his concern that the International Boundary Water Commission informed the City in their meeting that the organization had known about this problem for the past 18 months. The 24 year-old sewage treatment plant in southern Nuevo Laredo that was paid for by NADBank and the State of Texas was in need of repairs. Of six pumps, that plant is down to 1.5 functional pumps. If one more pump fails, the City faces a potential environmental disaster in which 30 million gallons a day of sewage outfall into the Rio Grande. Communities downstream of Laredo and Nuevo Laredo get their drinking water and irrigation water from the Rio Grande and stand to be devastated in that event. There is no amount of chlorination or treatment that could be provided to repair this sewage outfall. He emphasized the absolute necessity to prevent this problem from reaching a worst-case scenario.

Dr. Gonzalez reported that the governing body of Nuevo Laredo met on Friday, March 16, regarding this issue. The City has requested the minutes of that meeting for a follow-up.

Cm. Altgelt asked Dr. Gonzalez to report to Council regarding what transpired at that meeting based on the minutes he receives.

Motion to send a diplomatic note to all of the relevant entities regarding the City's concerns and desire for a resolution as it relates to any technical expertise or resources that the City can provide as soon as possible.

Moved: Cm. Altgelt

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

#### **XIV. EXECUTIVE SESSION**

Motion to go into executive session to consult with attorney in connection with the City's rights, duties, privileges, and obligations under Chapters 143 and 174 of the Texas Local Government Code and in response to the notice of intent to collectively bargain tendered by the Laredo Fire Fighters Association, Local 872.

Moved: Cm. Balli

Second: Cm. Torres

For: 7

Against: 0

Abstain: 0

Cm. Altgelt was not present.

66. Attorney consultation pursuant to Section 551.071(2) of the Texas Government Code, to provide legal advice and counsel in connection with the City's rights, duties, privileges, and obligations under Chapters 143 and 174 of the Texas Local Government Code and in response to the notice of intent to collectively bargain tendered by the Laredo Fire Fighters Association, Local 872.

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

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

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

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

67. Consideration to authorize El Metro, Laredo Transit Management, Inc., (LTMI), to purchase one (1) 2019 Ford F550 RC Flat Stake Bed with crane from Grande Truck Center, San Antonio, Texas, in the amount of \$69,713.00. The purchase of this vehicle will be through the BuyBoard Cooperative Purchasing Program, (BuyBoard Contract 521-16), funded with FTA Federal Grant, TX-34-0005-00.

Claudia San Miguel, Transit Director, explained that this truck will replace the current one in service, which is a 1994 flatbed truck. A frame is mounted on the truck for the utility team to bring equipment and materials for repairing and upgrading bus stops. The 1994 truck has reached its maximum life expectancy. She could not confirm how many park benches are built per week, but she estimated roughly around 30 a week. The Department manufactures the benches and replace those that have experienced too much wear and tear, as per a replacement program. Currently, the plan is to stop building concrete and wood benches and start using wire mesh benches, which are more cost-effective and attractive to the users. The flatbed truck is still necessary because staff still needs to pick up the debris and old parts and bring the new materials and equipment to the site.

Mrs. San Miguel confirmed that the Transit Department operates under Council directive to have a bus shelter at every bus stop, such as a canopy and amenities. There is a plan and scheduling to accomplish this directive, and Council has supplied some funding. The Department has received compliments from residents around more attractive bus shelter facilities.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

**XVI. 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. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

## **GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS**

68.

### **A. Request by Mayor Pete Saenz**

1. Discussion with possible action on the Texas Workforce Commission's new "app" and its application in the Laredo area.

Rogelio Treviño of Workforce Solutions, reminded Council that the primary goal of Workforce Solutions is to help the people of Laredo and South Texas find employment. Laredo is currently enjoying a low unemployment rate under 4%, which economists consider full employment. However, in this area, there are still individuals who struggle with unemployment. He noted that they have been using social media and applications to generate awareness of the organization's services. She introduced the Jobs Near Me application, which is a QR code that can be scanned with a smartphone to generate a map of job postings in the area of the individual.

Andre De La Garza, Workforce Solutions Project Director, displayed the app layout, which shows job postings as balloons. Hovering over each balloon will display information related to the job at that location, including the position title, education requirement, work week, and numbering of positions. Workforce Solutions is working on color-coding the balloons to easily distinguish between entry-level or advanced positions and to incorporate the Laredo bus routes into the map for users that do not have a vehicle. Every employer is outreached by Workforce Solutions, so there is no requirement on the part of the employer to add the positions to the map; Workforce Solutions populates jobs from the Work In Texas system.

Users can specify their job search in the map and filter their results. Once the user finds a position that he or she wants to apply for, clicking on the position link takes the user to the Work In Texas listing with instructions on how to apply. Ms. De La Garza noted that marketing for the app or links to the map should be posted in the City's buses and along pedestrian areas to create more opportunity for the citizens. QR codes could be placed at City Hall, at the Outlet Shoppes, and other areas Downtown in particular.

Mayor Saenz voiced his enthusiasm for this app and its applicability in Laredo to help the workforce. He asked staff to consider its utilization and to advertise the app on the City's website.

No action taken.

### **B. Request by Council Member Rudy Gonzalez, Jr.**

1. Discussion with possible action to instruct and authorize staff to install (2) speed humps at 100-200 Los Fresnos Loop, 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

other matters incident thereto. City Council District I Priority Funds will be used for this project. Total cost will be \$4,000.00.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

2. Discussion with possible action to instruct and authorize staff to install (3) speed humps at 2000-2100 Avenida Mexico, 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 other matters incident thereto. City Council District I Priority Funds will be used for this project. Total cost will be \$6,000.00.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

### **C. Request by Council Member Alberto Torres, Jr.**

1. Discussion with possible action to re-name the Ochoa-Sanchez Park as the Dr. Martha E. Villarreal Park as recommend and approved by the Facility Naming & Recognition Commission; and any other matters incident thereto.

Motion to approve.

Moved: Cm. Torres

Second: Cm. San Miguel

For: 7

Against: 0

Abstain: 0

Cm. Gonzalez was not present.

Cm. Torres noted some confusion as to the renaming of this park, which he wanted to clarify. The Facility Naming & Recognition Commission allowed the renaming of this park because it has become a tradition in Laredo to name parks and facilities after the schools that are adjacent to the park, or the facility is named after streets or subdivisions. This park was named after the schools near this park, which were Ochoa Elementary and Sanchez Elementary. He informed the community that renaming this park does not take anything away from the Hermelinda Ochoa family or Laredo founder Tomás Sanchez. The Commission felt that Dr. Villarreal's merit made her worthy of the name change as it is because of her that the park is in existence in the first place. She has 40 years of experience as an educator and gathered signatures for a petition in the 1990's to create the park for the community's children. If not for her, the children of the community would not have

this park today.

Dr. Martha E. Villarreal stated that in 1997 she saw a great need in this area for over 800 students that had no place to play. She collaborated with a group of people and walked the neighborhood for signatures. She thanked Council for this recognition and voiced her pleasure at the park still being in use.

Cm. Torres reported that the City will invest \$100,000 into this park for the renaming.

2. Discussion with possible action to instruct staff to develop a plan of action to replace the stop signs in District IV; and any other matters incident thereto.

Robert Eads, Traffic Director, reported that staff has calculated the actual cost to replace the stop signs in District IV, of which there are about 1,100 (7,000 total in the City). The cost of the materials alone is \$65 per sign with installation costs bringing the cost up to about \$100 per sign. The City Manager has been working with the department to help fund part of the material costs, and Mr. Eads reported that the Traffic Department will be able to replace about 300 signs a month. He estimated that about 1,800 signs can be funded, which would take about six months to replace. Staff has priorities in zones throughout the entire city. The process is methodical and is approached apolitically. He offered to provide this information in the next Council Friday packets.

Mr. De Leon asked Mr. Eads to provide Council a prioritized list of the signs in need of replacement. Cm. Torres agreed, noting that he would be willing to fund the high priority signs. However, if staff is already receiving the materials then he requested that his district receive their share first.

No action taken.

#### **D. Request by Council Member Nelly Vielma**

1. Staff report and possible action on raising the age limit to 21 years of age to purchase tobacco products due to the health risks associated with tobacco use.

Motion to table.

Moved: Cm. Vielma

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

2. Discussion with possible action requesting status on El Metro underutilized routes and alternatives for express service connection via Loop 20 from the South to TAMIU and Mines Road and transportation fee reimbursement options from Medicaid and Veterans programs and any other matters incident thereto. (Co-Sponsored by Council Member George Altgelt)

Claudia San Miguel, Transit Director, noted that a proposed crosstown express route would run from LCC South Campus to Fasken Recreation Center through

Cuatro Vientos all the way to Loop 20 and Mines Road. She recommended avoiding putting the bus on the loop to avoid any delays. She recommended a 45-minute frequency of this route, starting at 7:00 a.m. and ending at 9:00 p.m. on weekdays, 6:30 a.m. and ending at 5:30 p.m. on Saturdays, and no service on Sundays. This schedule is because the usual user of this route will likely be students or people going to and from work. The cost of a heavy duty vehicle will be double that of a light duty vehicle. All combined costs of staff, benefits, fuel, and maintenance will total about \$1 million for four vehicles running. The Department will need the capital investment for the revenue vehicle, whether light duty or heavy duty.

Mrs. San Miguel reported that a five-year plan was funded by the Metropolitan Planning Organization and has been completed for the Transit Department; it was presented to the MPO within the past six months. Part of the plan recommends not bringing every bus route Downtown but instead having some that circulate through the northern areas of town and only bringing some buses Downtown. Mrs. San Miguel reminded Council that the Five Year Plan was completed less than a year ago; the five-year plan includes survey results, which were used to develop the plan.

Cm. Torres asked where the funding will come from to hold town hall meetings and perform surveys. He asked if the City will need a consultant to manage these outreach efforts.

Horacio De Leon, City Manager, clarified that some of those steps can be done in-house, such as the surveys. Mrs. San Miguel agreed, noting that some of that work has already been done to prepare the Five-Year Plan.

Cm. Altgelt added that the MPO has funds available that could be used to accomplish some of these directives. Council could also set targets for those funds.

Motion to schedule a workshop to analyze and prioritize the recommendations of the Transit Department's Five Year Plan, as prepared by the MPO, meeting as the Mass Transit Board.

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

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

#### **E. Request by Council Member Charlie San Miguel**

1. Discussion with possible action on creating a committee to ensure that any and all laws related to the purchase and possession of firearms within city and county limits, including the reporting requirements of sections 411.052 and 411.0521 of the Texas Government Code, are being followed and enforced, in an effort to make our schools and communities safer, and any other matters incident thereto.

Motion to table.

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

Against: 0

Abstain: 0



Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

#### **F. Request by Council Member George Altgelt**

1. Discussion and possible action to pass a Resolution in support of Bridge 4/5 and the construction of a connecting multi-modal outer loop to facilitate trade and mobility in an environmentally sensitive/smart growth manner. Said resolution to also include a separate bridge for north and south bound rail lines to and from Mexico.

Cm. Altgelt stated that some of the takeaway points from the strategic planning workshop were that the Bridge #4/5 in a vacuum does not work, nor does the outer loop in a vacuum. However, the combination of the two does work. He noted that this proposed resolution is not in lieu of expanding the World Trade Bridge, but in retrospect he would have included Bridge #5/6 in this item. He asked for input from the transportation industry.

Cm. Perez noted that it takes about 10 years to obtain the permit, so this item has a timeline of about 15-20 years.

Jesus Alberto Molina stated that warehousing or logistic companies in Laredo are significantly hindered by the congestion along the bridge and highways passing through Laredo.

Cm. Altgelt clarified that the intention is not to eliminate or change any of the current routes or bridge lanes but simply to make it more efficient for commercial traffic to move between the border and through Laredo.

Cm. Vielma asked Cm. Altgelt to consider amending his item to include talking with the Mexican Federal Administration to ensure the most efficient solution for commercial border-crossing. She suggested having a meeting with the Secretario de Comercial Transporte and MFA to establish the priorities of both sides for this project.

Horacio De Leon, City Manager, reported that staff has been working on a Port Master Plan to establish and prioritize the needs for the next 25 years. The City's short-term goal is to make the bridge more efficient, and several projects have been proposed to accomplish that goal. These project plans are already in motion. A second priority is to make the Colombia International Bridge more efficient; staff has already heard of proposed changes to the budget for improving the infrastructure of that bridge. He noted that staff has met with the Mexican Department of State and Transportation Department already, and they have prioritized Bridge 4/5 in the proposed location of South Laredo. Congressman Henry Cuellar, and the agreement was that these projects would move forward at the same time, with one being accomplished sooner than the other. The studies requested by Council would have to be a part of the Port Master Plan and would also include a feasibility study on the bridge at the proposed location, which is proposed by the Mexican private sector. The feasibility studies performed in the past would no longer be valid and need to be performed again. He recommended that the City do those studies and finalize the Port Maser Plan. He noted that a lot of infrastructure is being proposed throughout the state, so the City would want to make a decision soon to ensure the completion of these goals.

Henry Gonzalez asked if the City has a similar resolution in place for the World Trade Bridge expansion or the Colombia Bridge in an effort to make crossing easier for commercial traffic. If not, then he voiced his opinion that the City is placing all of its emphasis on Bridge 4/5, which is of concern to the transportation and warehousing industry. The transportation and warehousing industry would like to see the expansion of the World Trade Bridge, where all of the warehouses are. He noted that a resolution would make this more official and asked Council to consider that.

Cm. Altgelt answered that there is no resolution in place for Mr. Gonzalez's concerns, but that is because Council has taken action to address those concerns.

Motion to approve a resolution in support of Bridge 4/5 in the outer loop as presented and an additional railroad bridge with a northbound and southbound line in and out of Mexico and to have a meeting with the Mexico federal departments to establish the short-term and long-term priorities of both entities, as amended.

Moved: Cm. Altgelt

Second: Cm. Balli

For: 4

Cm. Perez  
Cm. Vielma  
Cm. Altgelt  
Cm. Balli

Against: 2

Cm. Rodriguez  
Cm. Torres

Abstain: 0

Motion failed.

Cm. Gonzalez and Cm. San Miguel were not present.

2. Discussion and possible action as to what happened regarding the destruction of parts of the Shiloh Hike and Bike Trail.

Cm. Altgelt that off of Shiloh, there is a hike and bike trail, and recently the developers encroached upon the City's property and caused surface damages. In order to lay down an eight-inch sewage line, the developer took out about 45 feet of wilderness. There is only one small patch of green space left within Loop 20 of Laredo, and Howland Engineering and Soliz Paving removed a significant portion of foliage. Cm. Altgelt noted his confusion as to why the green space ordinance was not being respected or enforced. He also asked why a private developer was allowed to damage City land.

John Porter, Environmental Services Director, confirmed that there was some damage to green space north of the Shiloh trails; the developer should have gotten a temporary construction easement to move forward on the development. However, that was not done, and staff is developing an after-the-fact mitigation plan with the developer and his engineers. This item is a license agreement to implement that plan on City-owned property.

Roberto Martinez of Howland Engineering explained that Howland Engineering took these steps because they thought it was necessary to construction the sewage line. There is a trunk line along the green space that the developer needed to connect for

the subdivision development. At a pre-construction meeting, it was decided that the contractor needed more space to safely excavate as per OSHA requirements for an average utility line.

Cm. Altgelt asked if Howland Engineering obtained permission from the City, in writing, allowing them to knock down the flora.

Ricardo Villarreal of Howland Engineering explained that when the previous owners of this land sold it to the City, within that agreement the land owner reserved a 15-foot easement. At the time of the design, the Utilities Department decided that the sewer line would be best along the boundary of the Monaco development and not going through residential lots. The depth of the utility line dictates how wide the easement needed is. After the pre-construction meeting, Howland Engineering sent emails to various departments in the City to obtain permission, and he displayed emailed responses from departments notifying Howland Engineering that the additional path raised no objections. He reported that Howland Engineering met with the Parks & Leisure Services Department on-site, and the work took about 4-5 days. Staff put up safety netting for bikers on the trail. On behalf of the firm, he apologized for any inconvenience caused to the public, especially the bikers. In the construction process, Howland Engineering cleared a 40-foot path, like in any construction. While documentation says that the vegetation was destroyed, he stated that the vegetation will grow back, as with most construction processes. The vegetation will grow back quicker depending on how close it is to the creek.

Cm. Altgelt countered that the brush was knocked over with a bulldozer blade, which he considers construction.

Mr. Villarreal noted that a drone has captured aerial photographs. The foliage in the area is very dense, and the green space ordinance has parameters that allow the developer to replace anything that has been cleared. Developers clearing brush and foliage is not a violation of the ordinance, because clearing is a necessity for construction. Cm. Altgelt countered that the developer cleared the vegetation without a permit and asked if that is a violation.

Mr. Porter confirmed that in this situation, being first-order, clearing without a permit is not a violation because the land is not a wetland. What is at issue in this situation is a temporary construction easement was not secured beforehand. Staff could have accounted for that. CM. Altgelt accepted the clarification.

Mr. Villarreal confirmed that Howland Engineering has a mitigation plan that will replace 20 trees that are four-inch caliber and above. The creek bed has already been opened; an environmental inspector was present during the opening. The developer followed the requests and requirements during the inspected opening. Howland Engineering is in talks with the Environmental Services Department for recommendations on what type of seeding to use for revegetation. Mr. Villarreal spoke in favor of this item given the mitigation plan in place.

Cm. San Miguel, specifying that this area is in his district, stated that he has worked with the developer prior to the construction or zoning requirements. The developers and engineering firms are all reputable and have been providing great work and jobs for the community for many years. He noted that if Cm. Altgelt had performed the proper investigation, he would have realized that had this not been done, human life

would have been risked. He noted that going into a trench that is two feet wide and twelve feet deep would have been very dangerous for the workers performing this construction. To accomplish a safe working environment, it was absolutely necessary to use more space. More space is also needed to put the displaced dirt that was dug up. By his calculation, Cm. San Miguel estimated 40 to 42 feet necessary to install this sewer line. There is no way that this job could have been done safely without taking the 40 feet easement and clearing the vegetation. He voiced his surprise that this item was placed on the agenda and placing staff members and the engineering firm on the spot. He stated that staff and the developers and contractors did the right thing to guarantee the safe working conditions for this project. He added that the users of the hike and bike trails would not have been willing to risk the lives and safety of the workers in order to have more access to their trails or local flora. He reiterated that the developer has agreed to remediate the area. He pointed out that Cm. Altgelt placed a lot of value in human life when discussing criminal activity surrounding amusement redemption establishments, but he is placing the value of green space over human life in this case.

Cm. Perez noted that Howland Engineering has done excellent work for the City and has been one of the most responsible firms in town. He noted that if they did anything in violation of policy, he doubted that it was done with malice or bad intentions. He voiced his assurance that they will repair any damages that were made.

Cm. Altgelt countered that if Cm. San Miguel had worked with the engineering firm from the onset of this development and had experience working in ditches or trenches, he would know that there are devices put in place to ensure the integrity of the trench walls. There are sensitive ways to dig in environmentally-sensitive areas, and he added that Howland Engineering had to remediate again because they dug up a creek bed in District VII. He emphasized that this is the third time Howland Engineering conducted business in such a way that they had to remediate the situation after the fact. In the case of the Shiloh trails area, the firm was supposed to ask for permission from the landowner, in this case the City, to use the area while digging. That was not done and caused surface damages. There is a cost to the damage done to the landowner's property, and in this case it was estimated to be 1.5 acres of surface area in addition to the 20-foot easement. He voiced his opinion that developers must respect the little amount of green space left in the city. He voiced his hope that Howland Engineering's need to remediate areas after construction never happens again because the City and Howland Engineering do business together. He encouraged the engineering firm to take the opportunity to make this situation better.

Mr. Villarreal assured Council that Howland Engineering cares about the environment and deals with multiple projects throughout town where they have dealt with critical areas. He added that the client is going above and beyond in the mitigation plan. He apologized again for the inconvenience to the public. Because Howland Engineering values its relationship with the City, they have been in constant contact with City staff throughout this process.

Mr. Porter confirmed that the developer is taking the appropriate steps to remediate the area, but he noted that if the resolution does not pass, then the parties cannot enter into the license agreement and implement the mitigation plan.

Cm. San Miguel asked if the developer volunteered to remediate this area alongside City staff, would the resolution be necessary. Mr. Porter answered that if they are to be doing work on City property, then they need this license agreement. Cm. San Miguel requested that the engineers and developers meet with City staff and come back to Council with something that is mutually agreed upon, and at that point Council can vote on the resolution without amendments.

Motion to direct staff to meet with the engineers and developers and come back to Council with a mutually agreed upon remediation plan.

Moved: Cm. San Miguel

Second: Cm. Balli

For: 5

Against: 0

Abstain: 0

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

3. Discussion and possible action to require as part of the occupancy permit for every school that operates in the City to have a properly trained and armed guard at every controlled point of access that limits the public ingress and egress to that facility, that the school districts train and drill their students and teachers quarterly what to do in the event of a school shooting and/or any other practices or measures necessary to secure the safety of staff and children.

Cm. Altgelt noted that this item is in relation to the recent mass murders of students and teachers in the news. A few years ago, LISD School Board President Hector "Tito" Garcia invited Council to attend the inaugural teacher in-service day. David Grossman had been invited to speak and stated that all of the school shootings that have occurred in the nation are preventable. He noted that mass shootings do not occur at airports because airports have armed, trained guards with the means to inspect people and the contents of their bags and belongings. Other safety measures can also be installed. Cm. Altgelt reported that he had a discussion with the City Attorney's Office regarding this item, and counsel recommended was for the City to request its Police Department (and submit an open records request from the school district police department) the incidents of weapons on campus to give a clear picture of how many times someone has snuck past security at the front entrance of school buildings. He noted City departments as an example: visitors cannot enter the City Manager's Office or the City Attorney's Office without being "buzzed in" through a locked door.

Cm. Altgelt also reminded Council that school predators target school campuses with vulnerabilities, like unsupervised entrances and open doors. Having a trained, armed guard or limited access entrances will deter a predator from endangering Laredo students. He noted that Council has an obligation to ensure that local children are safe when they go to school. He anticipated pushback from schools who may believe that the City cannot dictate what the school districts can do, but he encouraged Council to engage all schools to ensure school safety.

Kristina L. Hale, City Attorney, confirmed that if there is sufficient evidence that support Mr. Altgelt's recommendations, then Council can pass action to this effect. Any interested party can challenge that action, but it is possible for Council to pass it in the first place, as long as it is the least restrictive measure to meet the goal.

Motion to direct staff to gather data that supports or refutes instances of weapons (or threats of weapons) on school campuses and if so, form a committee comprised of school district, elected, and appointed officials to meet with City staff to include conditions that will harden the entrances to schools and require training of schools and their personnel.

Moved: Cm. Altgelt

Second: Cm. Vielma

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.

## **XVII. ADJOURN**

Motion to adjourn.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 5

Against: 0

Abstain: 0

Cm. Gonzalez, Cm. San Miguel, and Cm. Balli were not present.