

**CITY OF LAREDO
RECOGNITION AND COMMUNICATION NOTICE
M2018-R-16
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
October 1, 2018
5:00 P.M.**

The Mayor will be presenting the following:

1. Recognizing Harmony School of Excellence Robotics Team for winning 2nd place in NASA's National Swarmathon competition: Jorge Montes, Israel Demandel, Karina Palacios and their teachers.

Karina Palacios noted that Texas A&M International University invited Harmony School to participate in the NASA Swarmathon.

Nicole Romano, Public Relations Coordinator, emphasized the administration's pride in the robotics team. The Harmony team was a late entry to the competition and had the least amount of time to build their robot, making it all the more impressive that they finished in second place.

Ms. Palacios explained that the competition included a simulation in which teams built robots to collect as many rocks on Mars and deliver them to a base in a set amount of time.

Mayor Saenz commended the students on their responsibility, integrity, and dedication to the competition and added that the students will succeed in college.

Israel Demandel noted his interest in the coding involved with NASA's operations in space. He iterated how important it is to promote TAMIU's events for high school students to get involved.

**CITY OF LAREDO CITY
COUNCIL MEETING
M2018-R-16
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
October 1, 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	Mayor
Vidal Rodriguez	District II
Alejandro "Alex" Perez, Jr.	District III
Alberto Torres, Jr.	District IV
Norma "Nelly" Vielma	District V
Charlie San Miguel	District VI
George J. Altgelt	District VII
Roberto Balli	District VIII
Jose A. Valdez, Jr.	City Secretary
Horacio De Leon	City Manager
Cynthia Collazo	Deputy City Manager
Kristina L. Hale	City Attorney

Cm. Perez joined at 5:46 p.m.

Motion to excuse Cm. Gonzalez's absence.

Moved: Cm. Rodriguez

Second: Cm. Balli

For: 6 Against: 0 Abstain: 0

Cm. Perez was not present.

V. MINUTES

Approval of the minutes of August 13 - 15, 2018 and September 17, 2018.

Jose Valdez, Jr., City Secretary, clarified that the August 13-15, 2018 minutes have already been approved. The agenda item was meant to reflect September 17 and September 25. He noted that the September 25 minutes will be placed on the next Council agenda for approval.

No action taken.

Citizen comments

Travis Cabello, Laredo Shrine Club President, informed Council that he had not heard anything from the City since the last Council meeting when he asked for help securing a vehicle to be used for transporting patients to hospitals in South Texas. He reviewed the minutes from that meeting and there was no mention of it. Cm. Altgelt asked management to add an item to the next Council agenda regarding this issue.

Gloria Freeman read from a prepared statement: "Ladies and gentlemen of the Laredo City Council, I am here today to recommend that the City Council designate a portion of San Bernardo Avenue as the Cesar Chavez Memorial Highway in keeping with El Centro Sí Proposition B in the November 6, 2018 General Election. As a member of the Cesar Chavez Memorial Alliance of South Texas, we have presented a draft resolution and a map to City Council Member Balli for the memorial highway resolution which, in honoring Cesar Chavez, honors working people and families in Laredo and in the state and nation. By carrying out the memorial highway designation, Laredo will join other cities in Texas and the nation honoring Cesar Chavez and the humble, hardworking men, women, and children who have built our city, our station, and our nation. It is a fitting recognition of Hispanic Heritage Month and one that will let visitors to the planned Laredo convention center know that Laredo stands among the first ranked cities in the state and the nation."

Mayor Saenz asked if Council is able to amend the proposition at this point. Horacio De Leon, City Manager, countered that it is too late for any amendments. However, it is at the discretion of Council to name an honorary portion of the highway through a resolution; a proposition is not necessary.

Cm. Balli noted that he has been meeting with the group, and there are a few issues to sort out before bringing the item to Council. He confirmed that the ballots have been printed at this point, so the proposition cannot be amended. This issue would be brought to Council, not the voters.

Roberto Delgado reported that he and Luz Garcia have been working together to bring White Cane Day to Laredo. He advised Council that White Cane Day is October 19, 2018, and he and Ms. Garcia need help.

Luz Garcia informed Council that they have a few issues pending for White Cane Day; parking needs to be secured, and Transit noted that they can use the parking garage but will still have to pay the \$2 per hour fee up to four hours. They also need to secure snacks and food for visitors. The event will be October 19 starting at 9:00 a.m. and will include a walk that finishes at the Jarvis park. Mr. Delgado noted that they are expecting visitors not just from Laredo, but from McAllen and possibly Houston. He noted that they would appreciate any assistance that the City is able to provide to them.

Mayor Saenz asked the City Manager to meet with Mr. Delgado and Ms. Garcia to see to what extent the City can assist. Mr. De Leon confirmed that staff can bring back an item to Council to waive the parking fee for the event, and he agreed to meet with them to discuss their funding needs. Mr. Delgado added that a bus ride will be available to blind or disabled individuals with the appropriate accommodations.

VI. COMMUNICATIONS

1. Invitation by Timothy Franciscus-Timm, of United States Cold Storage, Inc., to the grand opening of their Laredo 1 facility on October 16, 2018 at 11 a.m.

Timothy Franciscus-Timm thanked the City on behalf of the trade community and invited City Council and City staff to the Laredo 1 grand opening on October 16, 2018, on Mines Road.

VII. APPOINTMENTS TO COMMISSIONS, BOARDS AND COMMITTEES

- 2. Appointment by Council Member Rudy Gonzalez, Jr. of Steven Gutierrez to the Drug and Alcohol Commission.

Motion to approve the nomination of Steven Gutierrez to the Drug and Alcohol Commission.

Moved: Cm. Rodriguez

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

VIII. PUBLIC HEARINGS

- 1. Motion to open public hearing #1.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

Public Hearing and Introductory Ordinance amending the FY 2018-2019 Full Time Equivalent Position Listing by adding one (1), Caseworker, R34 position for the Sí Texas – Juntos For Better Health Program. Funding is from Methodist Health Care Ministries through TAMIU, and will allow the City of Laredo Health Department (CLHD) to continue to provide early detection health care services for diabetes, chronic diseases and to integrate behavioral health screenings for the period from August 1, 2018 through July 31, 2019.

Mayor Saenz asked about the funding source.

Horacio De Leon, City Manager, noted that this is a grant, which provides the funding source for this position.

Motion to close public hearing and introduce.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

- 2. Motion to open public hearing #2.

Moved: Cm. Balli

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

Public Hearing and Introductory Ordinance authorizing the City Manager to accept and execute a contract from the community based organization Pillar, amending the FY 2017-2018 Budget by appropriating additional revenues and expenditures in the amount of \$234,087.00, and amending the FY 2018-2019 Full Time Equivalent Position Listing by adding one (1) Licensed Professional Counselor, R37 position and one (1) Health Educator II, R32 position for the City of Laredo Health Department (CLHD) HIV and Behavioral Health Services for the term from September 30, 2018 through September 29, 2019.

Horacio De Leon, City Manager, confirmed that this position is funded through a grant.

Motion to close public hearing and introduce.

Moved: Cm. San Miguel

Second: Cm. Altgelt

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

IX. INTRODUCTORY ORDINANCES

3. Amending Chapter 19, motor vehicles and traffic, Article VIII, stopping, standing or parking, of the Code of Ordinances, City of Laredo, specifically adding subsection 19-364 (26) which establishes a section of the south side of the 2000 block of Blaine St., between S. Malinche Ave. and 40 feet west of S. Malinche Ave., as a "No Parking" zone from the hours of 8:00 a.m. to 5:00 p.m; providing for severability and for effective date and publication.

Ordinance Introduction: City Council

4. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 19.28 acres, more or less, located north of FM 1472 and east of Pinto Valle Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

5. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 14.33 acres, more or less, located north of FM 1472 and west of Pinto Valle Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

6. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 4.65 acres, more or less, located north of FM

1472 and east of Pinto Valle Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

7. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 2.9455 acres, more or less, located north of FM 1472 and west of Pinto Valle Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

8. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 6 acres, more or less, located north of FM 1472 and west of Pinto Valle Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

9. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 51.77 acres, more or less, located north of FM 1472 and east of Pinto Valle Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

10. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 3.75 acres, more or less, located north of FM 1472 and west of Pinto Valle Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

11. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 50.24 acres, more or less, located north at the intersection of F.M. 1472 and Santa Isabel Creek, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of B-1 (Limited Business District).

Ordinance Introduction: City Council

12. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 1.7225 acres, more or less, located north of FM 1472 and east of Primero, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

13. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 3.1699 acres, more or less, located south of FM 1472 and west of Silver Mines Rd., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

14. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 17.91 acres, more or less, located north of FM 1472 and west of FM 3338, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

15. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 15.284 acres, more or less, located north at the intersection of FM 1472 and Vidal Cantu Rd., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Staff does not support the initial zone and the Planning and Zoning Commission recommended approval of the proposed zoning.

Ordinance Introduction: City Council

16. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 254.017 acres, more or less, located east of I-35 and north of Bob Bullock Lp./Loop 20, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

17. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 0.1579 acres, more or less, located north of SH 359 and east of Serrano Dr., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for

the annexed territory, and establishing the initial zoning of R-3 (Multi-family Residential District).

Staff does not support the initial zone and the Planning and Zoning Commission recommended approval of the proposed zoning.

Ordinance Introduction: City Council

18. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 13.62 acres, more or less, located south of SH 359 and east of EG Ranch Rd., providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-1 (Light Manufacturing District).

Ordinance Introduction: City Council

19. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 17.61 acres, more or less, located north of SH 359 and east of San Carlos Subdivision Phase II, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of AG (Agriculture Staff does not support the initial zone and the Planning and Zoning Commission recommended approval of the proposed zoning).

Francisco Guerra, Jr., owner of the 17.61-acre tract of land in question, spoke in favor of the annexation and establishing the initial zoning of agriculture. In 2003, he was a party to a participation agreement, for which he paid for water and sewer LUEs. During that time, he donated some property for and granted utility easements to the City of Laredo for the public infrastructure. However, before he can use his LUEs, he has to be annexed. The Planning & Zoning Commission unanimously approved a recommendation for the annexation and initial zoning of ag; however, City staff did not recommend the initial zoning. Mr. Guerra recommended the zoning designation of ag because, in the future, there will be an opportunity to rezone it accordingly.

Vanessa Guerra of the Planning Department reported that staff was not in favor of the proposed zone simply because it was not in agreement with the Comprehensive Plan's designation of low-density residential.

Ordinance Introduction: City Council

20. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 86.17 acres, more or less, located north of SH 359 and east of Bob Bullock Lp./Loop 20, providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of AG (Agriculture District).

Staff does not support the initial zone and the Planning and Zoning Commission recommended approval of the proposed zoning.

Ordinance Introduction: City Council

21. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 298.42 acres, more or less located east of I-35 and north of Union Pacific Railroad Yard (west of Port Drive Extension), providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-2 (heavy Manufacturing District).

Staff does not support the initial zone and the Planning and Zoning Commission recommended approval of the proposed zoning.

Ordinance Introduction: City Council

22. An ordinance altering and extending the boundary limits of the City of Laredo, annexing additional territory of 140.95 acres, more or less located east of I-35 and north of Union Pacific Railroad Yard (east of Port Drive Extension), providing for the effective date of the ordinance, authorizing the City Manager to execute a contract adopting a service plan for the annexed territory, and establishing the initial zoning of M-2 (Heavy Manufacturing District).

Staff does not support the initial zone and the Planning and Zoning Commission recommended approval of the proposed zoning.

Ordinance Introduction: City Council

X. FINAL READING OF ORDINANCES

Motion to waive the final reading of Ordinances 2018-O-126, 2018-O-127, 2018-O-128, 2018-O-129, 2018-O-130, 2018-O-131, 2018-O-132, 2018-O-133, 2018-O-135, 2018-O-136, and 2018-O-141.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

23. 2018-O-126 Ratifying the execution of the contract amendment from the Texas Health and Human Services Commission (HHSC) in the amount of \$151,870.00 for a total of \$5,574,106.00 for FY2018 and \$5,535,050.00 for FY2019 and amending the FY 2018-2019 Full Time Equivalent (FTE) Position Listing by adding one (1) Nutritionist, R36 position for the Women, Infants and Children (WIC) Program of the City of Laredo Health Department (CLHD) to continue to provide nutrition education and food supplemental services to high risk women and children for the term period of October 1, 2017 through September 30, 2019.

Motion to adopt Ordinance 2018-O-126.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

24. 2018-O-127 Authorizing the City Manager to accept and execute the United States Department of Transportation Federal Transit Administration (FTA) grant no. TX-2018-079-00 in the amount of \$437,379.00 with a 15% local match and to amend the FY2018 Transit Capital Grants by appropriating \$243,038.00 in additional revenues and \$248,049.00 in expenditures resulting in a drawdown of fund balance in the amount of \$5,011.00. This FTA grant is a Section 5339 Bus and Bus Facilities Grant Program authorized under the Fixing America's Surface Transportation (FAST) act and will be used to replace one (1) heavy-duty bus and (1) paratransit van that have met their useful life benchmark (ULB).

Motion to adopt Ordinance 2018-O-127.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

25. 2018-O-128 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 19.179 acres, as further described by Metes & Bounds in Exhibit A, located South of Soria Dr. and East of US Hwy 83, from R-3 (Mixed Residential District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. ZC-73-2018 District I

Motion to adopt Ordinance 2018-O-128.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

26. 2018-O-129 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 5.26 acre tract as further described by Metes & Bounds in Exhibit A, located at West of Katiana Dr., from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. ZC-76-2018 District I

Motion to adopt Ordinance 2018-O-129.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

27. 2018-O-130 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 7.45 acre tract as further described by Metes & Bounds in Exhibit A, located at South of S. Texas Ave., and West of Katiana Dr. from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District);

providing for publication and effective date. ZC-77-2018 District I

Motion to adopt Ordinance 2018-O-130.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

28. 2018-O-131 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 1.6432 acre tract, as further described by Metes & Bounds Exhibit A, located at 4200 Jaime Zapata Memorial Highway, from R-3 (Mixed Residential District), B-1 (Limited Business District) and B-3 (Community Business District) to B-4 (Highway Commercial District); providing for publication and effective date. ZC-75-2018 District II

Motion to adopt Ordinance 2018-O-131.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

29. 2018-O-132 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning Lot 1, Block 1, Las Blancas Residential Subdivision, located at 8201 Mejia Rd., from R-1A (Single Family Reduced Area District) to B-3 (Community Business District); providing for publication and effective date. ZC-71-2018 District II

Motion to adopt Ordinance 2018-O-132.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

30. 2018-O-133 Amending the Zoning Ordinance (Map) of the City of Laredo by rezoning approximately 5.37 acres as further described by Metes & Bounds in Exhibit A, located East of Casa Verde Rd., and South of Lucia Ct., from R-1 (Single Family Residential District) to R-1A (Single Family Reduced Area District); providing for publication and effective date. ZC-53.B-2018 District V

Motion to adopt Ordinance 2018-O-133.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

31. 2018-O-134 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for a Children's Amusement Services (Outdoors) on Lots 7 and 8, Block 2, San

Jose Subdivision, located at 6321 and 6323 Casa Del Sol Blvd; providing for publication and effective date. ZC-67-2018 District V

Jose Luis Santana spoke in opposition of this Conditional Use Permit. He noted that this property once belonged to the neighborhood, who paid for the swimming pool. It was not a business at that time. He noted that there is a significant rodent and pest problem; an opossum was recently found dead near the trash littered from the customers. The grass is not in compliance with the code enforcement regulations. He noted that the owner is not cleaning up the property. Mr. Santana stated that when he moved into the area, he was told that it was all residential and that there were no businesses in the area. He could not attend past meetings to speak about this issue because he was sick, but he emphasized that the property in question is a nuisance to the neighborhood. Sidewalks are blocked by customer parking along the streets, putting children and neighbors who have difficulty walking in danger.

Cm. Vielma asked how many cars Mr. Santana sees obstructing the sidewalks. He noted that the cars take up the entire blocked on both sides of the street, in addition to the parking spaces that the business has. This occurs almost every Thursday, Friday, Saturday, and Sunday. Music is usually played until about 10:00 or 11:00 p.m., but customers often loiter around their cars and continue to drink and play music from their vehicles. A school is less than two blocks away.

Cm. Vielma asked Council to reconsider authorizing the Conditional Use Permit for this establishment; at the last Council meeting, she made a motion to deny based on the complaints that were received regarding a nuisance. She noted that she walked through the neighborhood and asked multiple neighbors about their experiences. Many of the residents have work schedules that keep them from attending the Council meeting, but they complained of having their cars struck by the overcrowding vehicles on the street or seeing dirty diapers and trash thrown in the street by customers. Mr. Santana added that the owner does not clean that trash that is dropped by his customers.

Mr. Santana reported that when he first moved to the area, the pool was maintained by the community. Each trailer paid \$18 a month for the cleaning and maintaining of the pool, grass, and entrance.

Horacio De Leon, City Manager, noted that Mr. Santana referred to a homeowners' association, which no longer exists. He could not confirm how the pool turned into a commercial business.

Vanessa Guerra of the Planning Department confirmed that the property was sold to someone who turned it into a commercial property.

Mr. Santana reminded Council that the business owner did not comply with the requirements for his Conditional Use Permit last time, asking why Council is now granting him a 10-year permit as he is not expected follow the requirements.

Isaac Liendo, owner of the property and business, reported that he bought the property for \$160,000. He received calls recently from his neighbors that Cm. Vielma was walking through the neighborhood, asking questions of his neighbors, and giving them letters. He voiced his opinion that Mr. Santana was coached about what to say before Council on this item. Cm. Vielma asked Mr. Liendo to report only factual information.

Mayor Saenz asked Mr. Liendo about his title for the property. Mr. Liendo confirmed that he used an in-house title company with Casa Del Sol. When he bought the property, he was given 100% ownership of the pool. He admitted that the grass on the property is high right now, but it has been raining frequently and he has not had the time to trim the grass. He countered that his property is clean and noted that Cm. Vielma told his neighbors that rats were found around when many residents told her that they never saw any. He stated that Cm. Vielma told neighbors to wear white to the Council meeting to stand together in opposition of Mr. Liendo's CUP.

Cm. Vielma agreed that she provided neighbors with a letter inviting them to attend the Council meeting and to provide their feedback on the issue. She stated that she is trying to represent her district but is in the minority because the last vote was against what she thought would be best for the district. To grant a 10-year permit to someone not located in their district, which is going to affect her successor, is uncalled for. She reiterated that many neighbors, while they are not able to attend Council meetings, have complaints about this business.

Motion to deny Ordinance 2018-O-134 and alternatively provide a one-year Conditional Use Permit to ensure that the business owner will comply with the conditions.

Moved: Cm. Vielma

Second: Cm. Altgelt

For: 2

Cm. Vielma

Cm. Altgelt

Against: 5

Cm. Rodriguez

Cm. Perez

Cm. Torres

Cm. San Miguel

Cm. Balli

Abstain: 0

Motion fails

Motion to adopt Ordinance 2018-O-134.

Moved: Cm. Balli

Second: Cm. Torres

For: 5

Against: 2

Abstain: 0

Cm. Rodriguez

Cm. Vielma

Cm. Perez

Cm. Altgelt

Cm. Torres

Cm. San Miguel

Cm. Balli

32. 2018-O-135 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Conditional Use Permit for vehicle/truck storage and business storage on Lot 1, Block 1, JDK, located at 23909 F.M. 1472 Rd; providing for publication and effective date. ZC-72-2018 District VII

Motion to adopt Ordinance 2018-O-135.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

33. 2018-O-136 Amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit for a Restaurant Serving Alcohol on Lot 11, Block 573, Western Division, located at 2601 San Bernardo Ave.; providing for publication and effective date. ZC-78-2018 District VIII

Motion to adopt Ordinance 2018-O-136.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

34. 2018-O-141 Authorizing the City Manager to accept the dedication of Lot 19A, Block 4 Las Flores Subdivision Phase V, from DNL Investments LTD for the use of a park, as recommended by the Parks and Leisure Advisory Committee. The conveyance of Lot 19, Block 4, Las Flores Subdivision Phase IV (detention pond) has been accepted through plat.

Motion to adopt Ordinance 2018-O-141.

Moved: Cm. Balli

Second: Cm. Vielma

For: 7

Against: 0

Abstain: 0

XI. CONSENT AGENDA

XI (a) RESOLUTIONS

35. 2018-R-131 Authorizing the City Manager to accept participation in the Texas Law Enforcement Support Office (LESO) Program and submit and accept requests of property on an as needed basis as deemed necessary by the Chief of Police. The LESO Program (formerly the 1033 Program) allows Law Enforcement Agencies to receive Department of Defense (DoD) excess property. Transfer of property is at no cost to the city and any property received will be recorded in the City's Fixed Asset Inventory System.

Motion to adopt Resolution 2018-R-131.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

36. 2018-R-132 Authorizing City Manager to submit and accept a grant in the amount of \$123,580.68 from the Office of the Governor's Homeland Security Grants Division (HSGD) for the purpose of funding the 2016 Operation Stonegarden Grant (OPSG)/Jim Hogg County. This funding will be used for overtime and fringe benefit expenses and equipment used for Stonegarden Operations. No local match is required.

Motion to adopt Resolution 2018-R-132.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

37. 2018-R-133 Authorizing the City Manager to accept a grant in the amount of \$133,905.03 in discounts for communications and internet access from the Universal Service Program (E-Rate) / the Schools & Libraries Division / Universal Services Administrative Company / Federal Communications Commission. Grant is for the upgrade of the library's technology infrastructure. Total project amount is \$167,381.29 which includes the required 20% match of \$33,476.26. Funding is available in the Library's FY2018-2019 operating budget.

Motion to adopt Resolution 2018-R-133.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

38. 2018-R-134 Amending Resolution No. 2018-R-88 by adding one (1) additional memorandum of understanding (Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) - National Integrated Ballistic Information Network (NIBIN)) to the list of cooperative working agreements/mutual assistance

agreements/memorandums of understanding between the City of Laredo Police Department and various federal, state and local agencies, including but not limited to: Drug Enforcement Administration (DEA), Federal Bureau of Investigations (FBI), SCAN, et al., a comprehensive list is attached hereto as "Exhibit A". The Police Department's participation is part of the community service provided to our citizens with no cost to the City of Laredo.

Motion to adopt Resolution 2018-R-134.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

39. 2018-R-135 Authorizing the City Manager to enter and execute a Memorandum of Understanding (MOU) between the Laredo Independent School District ("LISD"), a political subdivision of the State of Texas, acting through it's Board of Trustees, and The City of Laredo ("City"), a municipal corporation, acting through it's City Council, related to the fence surrounding the Vidal M. Trevino School of Communications and Fine Arts Campus.

Motion to adopt Resolution 2018-R-135.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

40. 2018-R-137 Authorizing the City Manager to accept the Federal Aviation Administration Grant No. 3-48-0136-086-2018 in the amount of \$2,000,000.00 for the 14 CFR Part 150 Noise Abatement Program and Noise Contour Study at the Laredo International Airport. The City's local match in the amount of \$222,223.00 is available in the Airport Construction Fund Budget. Total project cost is \$2,222,223.00.

Motion to adopt Resolution 2018-R-137.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

41. 2018-R-138 Authorizing the City Manager to accept the Federal Aviation Administration Airport Improvement Program Grant No. 3-48-0136-085-2018 in the amount of \$3,625,107.00 and Grant No. 3-48-0136-087-2018 in the amount of \$7,549,126.00 for the Rehabilitation of Cargo Apron, Phase 11 and Phase 12 at the Laredo International Airport. The City's local match in the amount of \$1,241,581 is available in the Airport Construction Fund Budget. Total project cost is \$12,415,814.

Motion to adopt Resolution 2018-R-138.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

42. 2018-R-139 Authorizing the City Manager to enter into a Memorandum of Agreement in the amount of \$25,000.00 between the City of Laredo Health Department and the Consulate General of Mexico in Laredo for the "Ventanillas de Salud" (VDS) Behavioral Health Protection Strategy Program to provide through contractual services, bicultural mental health education, counseling, referrals, advocacy, and assistance in enrollment to U.S. Federal, State, and local public health services and programs that may be available for migrants to address behavioral health care for the period beginning September 28, 2018 through December 31, 2018.

Motion to adopt Resolution 2018-R-139.

Moved: Cm. Torres

Second: Cm. Balli

For: 7

Against: 0

Abstain: 0

XI (b) MOTIONS

43. Authorizing the City Manager to approve an amendment to a service contract for Sound Insulation Service awarded to W. D. Schock Company, Inc. which will increase the contract by \$2,275.00 dollars to mitigate environmental hazards. This will support the City of Laredo International Airport Noise Compatibility Program, Sound Insulation Phase 12. Funding is available through the FAA Airport Improvement Projects (AIP) Grant #81.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

44. Authorizing the City Manager to execute payments to Laredo Trade and Travel Center, DBA Casa Laredo, for the Monterrey's office daily operations. Total budget for Fiscal year 2018-2019 is \$148,000.00 and expenses will not exceed this amount. Funding is available in the Convention & Visitors Bureau Department budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

45. Consideration for approval to award a professional services contract to Slay Engineering Company, Inc., Laredo, Texas, for an amount not to exceed \$57,000.00 for design and preparation of plans and specifications for the Fasken Recreational Center Shade Structure (Palapa) located at 15201 Cerralvo Drive. Design work is to be done on a fast track basis. Funding is available in the 2016 CO-District VII Priority Funds.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

46. Consideration for approval of the Sidewalk Improvements Phase I Tilden Avenue/Eistetter Street Area (19 Blocks) – District IV as complete, approval of change order no. 1 an increase of \$4,169.30 for the balance of quantities actually constructed in place, release of retainage, and approval of final payment in the amount of \$35,671.49 to ALC Construction, Co., Inc, Laredo, Texas. Final construction contract amount is \$150,097.90. Funding is available in the 2017 CO.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

47. Consideration to authorize the purchase of two (2) Solar Trailers with Mini-domes and License Plate Readers (LPRs) from Wireless CCTV, LLC., in the amount of \$104,602.00. The purchase of these mobile LPRs shall be made utilizing GSA Contract Pricing. These mobile LPRs will be used in conjunction with our Operation Stonegarden deployments and will be placed in high traffic areas along roads that have been identified as threat areas by U.S. Border Patrol and have proven to be hot spots for human/drug smuggling. Funding is available is the Special Police Fund- 2017 Operation Stonegarden Grant.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

48. Consideration to renew annual supply contract number FY16-072 with Nery Enriquez Trucking, El Campo, Texas, in an amount of up to \$40,000.00 for the purchase of bermuda grass required for all Parks & Leisure projects. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This is the second of six (6) extension periods. There was no price increase during the last extension period. If the pricing remains the same or price adjustment has mutual agreement from both parties and the City agrees to extend the contract, the contract shall automatically renew for another one year period. All materials are purchased on an as needed basis and funding is available in the Parks & Leisure Department Fund.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

49. Consideration to renew and amend annual service/supply contracts FY17-060 by 25% for the repairs/replacement/new installation of shades for the Parks & Leisure Department to the following vendors:

1. Gutierrez Machine Shop, Laredo, Texas, in an amount up to \$87,500.00; and
2. Impression Design, Laredo, Texas in an amount up to \$50,000.00.

All services will be secured on an as needed basis. This contract establishes a percentage discount on original manufacturer shades and a labor rate for these services. The City of Laredo Purchasing Department shall obtain quotes from the primary and secondary vendor for all quotes that exceed \$3,000.00. The term of this contract shall be for a period of one (1) year beginning as of the date of its execution. This is the first of two, 1 year extension periods. There was no price increase during the last extension period. If the pricing remains, the same or price adjustment has mutual agreement from both parties and the City agrees to extend the contract, the contract shall automatically renew for another one year period. Funding is available in the Parks Maintenance Budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

50. Consideration to renew contract number FY15-049 to the sole bidder, Rafter P. Transport, Floresville, Texas in an amount up to \$250,000.00 to provide hauling and disposal services of approximately 5,500 cubic yard of wastewater bio-solids from the City of Laredo South Wastewater Treatment Plant. This shall be extension 3 of 6. The frequency and number of loads varies depending on the City's need. The bid price is based on a \$1,645.00 and \$1,780.00 per cubic yard rate. All services will be purchased 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. Funding is available in the Utilities Department – Wastewater Treatment Division budget.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

51. Authorizing the City Manager to approve Amendment No. 9, to CDM Smith, in the amount of \$45,100.00 for the professional Engineering and Construction

services for Replacement of two existing Belt Filter Presses and provide survey, metes and bounds for AEP Easement for South Laredo Wastewater Treatment Plant (SLWWTP) 12 to 18 MGD Expansion Project. The revised contract amount is \$8,022,110.00. Funding is available in the 2012 Sewer Revenue Bond account.

Motion to approve.

Moved: Cm. Torres

Second: Cm. Altgelt

For: 7

Against: 0

Abstain: 0

END OF CONSENT AGENDA

XII. STAFF REPORTS

52. 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.

Mayor Saenz recalled the Internal Auditor reporting on some hiring practices with third parties. He voiced his understanding that it is being addressed and remedied based on recommendations.

Horacio De Leon, City Manager, confirmed that staff initiated the audit described by the Mayor. The purpose of the audit was to determine if any nepotism occurred between temporary employees and permanent employee positions. The report has been reviewed, and changes have already been implemented.

Cm. Torres recalled that Council asked that staff look into the cost analysis and contract with Elite Employment. He asked if that was part of the audit or if it could be added to the list. Mr. De Leon recalled Council asking this question during the budget workshop, but it was not an audit request. Cm. Torres clarified that he is requesting a cost analysis of the contract for temporary employees and to determine if that service can be done in-house.

Veronica Baeza, Internal Auditor, confirmed that staff can audit the contract for compliance and determine a cost analysis. Cm. Torres noted that Council will wait for the cost analysis from the Human Resources Department and task the Auditor with any additional questions, if necessary.

No action taken.

53. Presentation with discussion and possible action on negotiating employment contracts with appointed officials who are subject to confirmation by the City Council, and any other matters incident thereto.

Cristian Rosas-Grillet, Assistant City Attorney, reported that there was a previous request as to whether it is permissible to have an employment contract with certain appointed officials that were subject to confirmation by Council. There are a few positions as defined in the City Charter that are

appointed by the City Manager and confirmed by Council. Legally, Texas is an employment-at-will state, and the City can have employment contracts that determine what the terms of that employment will be. In this particular case, all of the positions specified by the City Charter, with the exception of the Planning Director, are already filled. Generally, a contract is drawn with prospective employees and not employees that are already employed with the City. The City shall determine if there are new consideration to the benefit of the City that is being received and exchanged for the contract terms. If Council finds valid considerations that justify an employment contract, then they can do so. The contract would not change the structure and composition of the employment that does not coincide with the City Charter, but employment salary, compensation, and severance could be formalized in the form of an agreement.

Cm. Balli cited the City Secretary position and asked if the City could add a contract term that the employee take the measures necessary to complete a certification. Mr. Rosas-Grillet noted that the adequacy of consideration rests with the Council.

Motion to go into executive session to discuss a potential employment contract for the aforementioned positions.

Moved: Cm. Balli

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

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

Motion to direct the City Manager to discuss with the relevant Department Directors to determine which Directors would like to negotiate an employment contract, what their potential terms would be, and report the list and the potential benefits back to Council.

Moved: Cm. Balli

Second: Cm. Torres

For: 6

Against: 0

Abstain: 0

Cm. Vielma was not present.

54. Discussion with possible action on identifying, developing, and approving the specific goals and performance objectives deemed necessary for the proper operation of the City, and which achieve the City's policy objectives, for use as criteria in the City Manager's future performance evaluations in accordance with Section 3 of the City Manager's Employment Agreement.

Motion to go into executive session to discuss this item.

Moved: Cm. Balli

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

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

Motion to direct the City Manager and City Attorney to bring forth the evaluation objective as discussed in executive session.

Moved: Cm. Balli

Second: Cm. Torres

For: 7

Against: 0

Abstain: 0

55. Presentation by the staff of the City Attorney's Office regarding the legality of City Council's request to consolidate the Tax Department, with discussion and possible action.

Kristina L. Hale, City Attorney, reminded Council that they directed staff to research the legality of contracting its tax services with Webb County despite the City Charter provision that the City shall have a Tax Department and an appointed Tax Assessor-Collector. As she indicated last time, she explained that the City Charter specifically designates the Tax Assessor-Collector and his/her responsibilities. This part of the Charter is pursuant to Section 6.22 (b) of the Texas Property Tax Code for home-rule cities, which also determine that a tax assessor-collector shall be appointed and shall be responsible for the assessment and collection of taxes. All of the cities that staff researched that contract with their counties have a silent provision or state that they will be compliant with the Tax Code. None of those cities have the tax assessor-collector designated. Mrs. Hale read from an Attorney General's opinion that states that once the City appoints a tax assessor-collector, those responsibilities are with that individual and cannot be contracted out. The only type of duties that can be contracted out are clerical duties, which would still be under the supervision of the tax assessor-collector. Based on that opinion and the other cities researched, Mrs. Hale stated that the City would have to go out for a Charter amendment proposition in order to make any changes; the earliest that a Charter amendment proposition could be voted upon is May 2019.

Cm. Vielma noted that she brought this item forward because she had researched the City of San Antonio and how they consolidated to only one entity for taxation and collection. Looking at the budget for contractual services alone, it is about the same cost as getting this service from the County. She noted that Council can add this as a possible Charter amendment for the Charter Revision Commission to review.

Horacio De Leon, City Manager, informed Council that staff recommends places this item as a Charter amendment proposition and give Council the flexibility to reconsider its Tax Department structure if the amendment passes. If it passes, Council can reconsider the cost savings of consolidation and make a decision at that time.

Motion to direct staff to bring a Charter amendment proposition to Council regarding consolidating the Tax Department.

Moved: Cm. Altgelt
Second: Cm. Vielma
For: 7 Against: 0 Abstain: 0

56. Discussion with possible action to provide the utilities customer options to donate to local non-profit organizations when they are paying their utility bill at the counter.

Motion to table until the next Council meeting.

Moved: Cm. Torres
Second: Cm. San Miguel
For: 5 Against: 0 Abstain: 0

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

XIII. EXECUTIVE SESSION

Motion to go into executive session to discuss Items #57-58.

Moved: Cm. Balli
Second: Cm. San Miguel
For: 6 Against: 0 Abstain: 0

Cm. Perez was not present.

57. Request for Executive Session pursuant to Texas Government Code Section 551.071(1) to consult with attorney on pending or contemplated litigation regarding request to grant a License Agreement to the United States Customs and Border Protection and the US Army Corps of Engineers for purposes of conducting a Right of Entry for Survey on the City of Laredo's 926.998 acres of farmland located in La Grulla, Star County, Texas that will include environmental assessments, property surveys, appraisals and any such work incidental to the government's assessment of the property for possible future acquisition as needed for construction of the border wall, and return to open session for possible action.

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

Kristina L. Hale, City Attorney, reminded Council that at the last Council meeting, there was a right-of-entry vote that did not pass. The federal government has contacted the City and asked for right-of-entry to conduct surveys, and this litigation is for them to gain that entry to perform the surveys and take soil samples. She emphasized that this license agreement is purely right-of-entry; there is no action at this time to purchase the property or to condemn the property. She recommended that Council grant the license agreement to shorten the time from 18 months to about 12 months, as the agreement is merely a technicality.

Cm. Rodriguez spoke on behalf of his constituents in opposition to the license agreement and the border wall in general.

Mayor Saenz agreed that the City has been against a border wall all along. However, granting the license agreement does not guarantee that a wall will be constructed. He asked if the City would fight the litigation for the right of entry.

Mrs. Hale confirmed that if Council votes against the license agreement, the City will fight the litigation, which will be a very quick process. Staff will handle the litigation in-house, but the litigation will likely be filed in Starr County.

Cm. Altgelt noted that with how the federal government operates, fighting the litigation will be a losing battle. Granting the license agreement will save the cost of time and money in litigation; for the sake of efficiency, the City should simply proceed. However, he voiced his understanding and support of Cm. Rodriguez's position. Cm. Vielma agreed, adding that as much as she is an advocate for immigrants' rights and opponent of the wall, it is responsible to save the taxpayers' dollars on litigation that will very likely favor the federal government as a matter of logic.

Cm. Rodriguez countered that fighting the litigation is not a waste of taxpayer dollars as the City is not going to hire outside counsel. He iterated the importance of the City raising its voice in opposition of the wall in every step of the process, even if it is a losing battle.

Cm. Altgelt cautioned Council that the City will not be able to negotiate the terms of the license agreement if they push for litigation and lose. Mrs. Hale confirmed that this information is correct.

Motion to enter into a license agreement with the United States Customs and Border Protection and the US Army Corps of Engineers for the purpose of conducting a right-off-entry for survey.

Moved: Cm. Altgelt

Second: Mayor Saenz

For: 2

Against: 5

Abstain: 0

Cm. Vielma

Mayor Saenz

Cm. Altgelt

Cm. Rodriguez

Cm. Perez

Cm. Torres

Cm. San Miguel

Cm. Balli

Motion fails.

58. Request for Executive Session pursuant to Texas Government Code 551.071(1)(A) to consult with attorney on pending litigation in Laredo Jet Center, LLC vs. City of Laredo, Cause no. 04-17-00316-CV; pending in the Fourth Court of Appeals; Laredo Jet Center, LLC vs. City of Laredo and Elizabeth Benavides Elite Aviation, Inc.; Cause no. 2017CVK002669-D3, and pending in the 341st District Court, Webb County, Texas; Laredo International Airport of the City of Laredo vs. Altair Aviation, Cause no. 2017CVD000046-L2, and pending in County Court at Law #1, Webb County, Texas; and Laredo International Airport of the City of Laredo vs. Altair Aviation; Cause no. 2017CVD000047-L2 and pending in County Court at Law #1, Webb County,

Texas; and return to open session for possible action.

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

Doanh “Zone” Nguyen, attorney representing the Laredo Jet Center, reported that Laredo Jet Center proposed a settlement that was presented to the City Attorney’s Office. Laredo Jet Center has been paying the full amount of the lease hold and for the hangar that was torn down (despite not having the space available for them and having to lease space next door). LJC still wants to build the hangar, either for the \$2 million investment or for up to \$6 million investment if a millionaire investor comes in and takes over. Mr. Nguyen asked Council for cooperation to resolve this case instead of fighting for the sake of fighting. There is a dispute over the amounts since the Airport used to put together agreements without the City Attorney’s Office having the opportunity to review them; as a result, the agreements were often contradictory.

John Holler, Laredo Jet Center owner, informed Council that he got into this business in 2009, when minimum standards required subleasing of hangar space that was not available at the airport. This practice was nonsensical, so he approached the Airport Director at the time, Mr. Flores, and proposed building a new hangar where the current one stood. Laredo Jet Center met the time standard for tearing down the hangar, and his expectation was that LJC would not have to pay for a hangar that does not exist. When he received the bill the next month for the hangar lease, he protested it. Throughout this process, Laredo Jet Center has had to pay the land lease plus the hangar lease for a hangar that does not even exist anymore. In the last 10 months, LJC has also paid a holdover fee, all of which comes to \$7,800 a month. As a businessman who is trying to do something advantageous for Laredo, the pushback from the City has caused the process to stall. He reiterated that he is still eager to build the new hangar and save 12 employees from losing their job if this endeavor is abandoned.

Ernesto Benedetto of Laredo Jet Center noted that he is one of the 12 employees that is at risk of losing his job if this new hangar is not built. LJC is bringing a competitive service in a very competitive market. He noted that there have been rumors that LJC has had FAA violations and assured Council that LJC takes FAA and TSA compliance very seriously. If LJC is allowed to continue its work, they can bring additional services, like Air Life, to Laredo.

Rudolph Hoffman, airport tenant for over 40 years, noted that he received a letter 50 days ago from the City stating that he is not in compliance with his lease agreement in matters that have not changed for the last 35 years. This has never been brought to his attention before, but he cleaned his lease space as was asked of him. However, despite his cleaning, he received a notification that he was being evicted from his lease. This has greatly surprised him, as he has been a tenant for so long and initiated the foreign trade zone in Laredo. The motorcycles which were cited as the reason for his eviction are part of his foreign trade zone; they are bonded merchandise and are there legally. He asked Council to reverse his eviction as he has never had problems with the City before and intends to keep it that way.

Motion to proceed as directed.

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

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

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

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

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

59. Consideration to authorize the purchase of (1) 35 ft. low-floor Compressed Natural Gas (CNG) bus in the amount of \$494,163.00 for Gillig L.L.C ("Gillig") Hayward, California, through a joint procurement with Corpus Christi Regional Transit Authority, Request for Proposal (RFP) No.:2013-V-20. Funding is available through the Transit's Sales Tax fund and the Federal Transit Administration (FTA) Section 5339 Bus and Bus Facilities grant. FTA Grant # TX-2018-079-00 in the amount of \$437,379.00 with local match in the amount of \$77,185.00 (15%) from Transit Sales Tax. (Contingent on the approval of Final Reading #2018-O-127.)

Motion to approve.

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

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

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

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

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

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

60. GENERAL COUNCIL DISCUSSIONS AND PRESENTATIONS

A. Request by Mayor Pete Saenz

1. Discussion with possible action to ratify the agreement between Fire Chief

Steve E. Landin and the City of Laredo that was approved in writing by City Manager Carlos Villarreal in May 2011. The agreement indicates how accruals will be paid, health benefits, retirement plan and longevity; and any other matters incident thereto. (Co-Sponsored by Council Member Nelly Vielma)

Motion to go into executive session to discuss this item.

Moved: Cm. Balli

Second: Cm. San Miguel

For: 6

Against: 0

Abstain: 0

Cm. Perez was not present.

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

Cm. Balli reported that a memorandum dated September 23, 2011, between the Fire Chief, the Human Resources Department, and the City Manager's Office. It is erroneously dated in the Mayor's agenda item as May 2011, but the memorandum establishes the understanding that the Fire Chief would remain the Fire Chief and in return have his benefit leave payout as follows: unlimited annual leave and sick leave and longevity payout in the same manner as a fire fighter, and the pension and medical benefits will remain on the fire fighter plan as a contributing member. Cm. Balli noted that the only issue with this memorandum is that it never came before Council. However, City staff operated under the assumption that this memorandum was acting as a contract. The current City Manager knew about this, and the Fire Chief was operating under the assumption that this memorandum was an essential agreement for him to remain Fire Chief. Based on this information, Cm. Balli made a motion to respect the terms of this memorandum and make it part of the Fire Chief's retirement and payout agreement.

Cm. Altgelt stated that he could not, in good conscience, vote for an unratified, unenforceable contract that allows for the unlimited recovery of annual leave and sick leave. To go from a fire fighter to supervisor is to receive an increase in pay. There is always a give and take, and when a Fire Chief receives a substantial salary to the tune of \$179,000 annually, then there is usually a cutoff somewhere rather than a limitless amount of benefit leave that can be paid out to him.

Steve Landin, Fire Chief, asked that Council take the vote rather than continue to discuss the matter in open session. He has been operating under this particular agreement, although it was not ratified at the time. He is within a two-year window of retiring and can do so at any time. He reminded Council that he has been performing the duties of his previous position as Emergency Management Coordinator in addition to serving as the Laredo Fire Chief. His salary increase was less than 5% more than his Assistant Fire Chief. At the same time, he was stripped of his accrual values by 115 days since he took the position. When the City hires an internal Fire Chief, that employee is both promoted and stripped of benefits at the same time, which is not a good practice. He asked Council to ratify and approve the memorandum terms as those terms are what he agreed to with upper management as part of his employment.

Mayor Saenz noted that there is an aspect of this issue that cannot be made public at this time. However, he noted that it is difficult for him to justify such a large windfall if Chief Landin were to retire before January 31, 2019.

Chief Landin noted that he did not know that Council was going to opt for such an attractive retirement incentive program this year; Cm. Torres countered that it has been on Council's agenda for months at this point. Chief Landin agreed but clarified that this year's retirement incentive program does not change what he agreed to in 2011.

Kristina L. Hale, City Attorney, explained that at the time this memorandum's terms were entered into, the "agreement" would have required Council action. So it is not enforceable as it stands. However, Council could and has found considerable considerations since that time, so Council ratify that agreement at this point.

Cm. Altgelt voiced his concern, not against Chief Landin but in general, about the precedent that would be set if Council ratifies a memo that essentially allows a City Manager to go rogue and enter into contracts with them via memoranda without getting those terms approved by Council.

Chief Landin noted that when he was negotiating these terms in 2011, the City Manager at the time indicated to him that City Managers have some flexibility to do certain things, and he had no reason to believe that the detrimental reliance on these terms was going to be questioned or at risk. He has relied on these terms during virtually his entire term as Fire Chief, and now that he is nearing retirement and making those plans, he would like a decision to be made so that he can adequately prepare for the future.

Cm. Balli voiced his support of Chief Landin staying with the City for two more years and asked that he inform the City of his intentions to retire as soon as he makes the decision.

Chief Landin reported that he has been contacted by other communities for management-level positions overseeing multiple public safety departments and divisions, so he has been fielding inquiries from those communities. If the terms of his 2011 negotiation are respected, he would more seriously consider staying until the end of 2020. He reiterated his love for working for the citizens of Laredo and his respect for Council and management.

Cm. Vielma voiced her belief that it is only fair to ratify the agreement made in 2011 given the sacrifices that Chief Landin has made to the City under those terms. Ratifying this agreement should have no bearing on the retirement incentive program as those are two separate issues.

Chief Landin reminded Council that his salary is the product of many years with COLA adjustments and merit raises, not a drastic increase in pay when he became Fire Chief.

Motion to ratify the agreement with respect to the terms of the aforementioned memorandum and have the terms be part of the Fire Chief's retirement and

payout agreement.

Moved: Cm. Balli

Second: Cm. San Miguel

For: 6 Against: 1 Abstain: 0

Cm. Rodriguez Cm. Altgelt

Cm. Perez

Cm. Torres

Cm. Vielma

Cm. San Miguel

Cm. Balli

B. Request by Council Member Roberto Balli

1. Discussion with possible action for the City of Laredo to take all measures to immediately mow grass and de-weed all parks, creeks, and other properties maintained by the City of Laredo that are overgrown due to recent rains, and any matters incident thereto. (Co-Sponsored by Mayor Pro-Tempore Charlie San Miguel)

Cm. Balli noted that it has been raining frequently, and much of the City facilities' grass is overgrown.

Motion to direct staff to immediately mow grass and de-weed all parks, creeks, and other properties maintained by the City of Laredo that are overgrown.

Moved: Cm. Balli

Second: Cm. San Miguel

For: 5 Against: 0 Abstain: 0

Cm. Rodriguez and Cm. Altgelt were not present.

C. Request by Council Member Rudy Gonzalez, Jr.

1. Discussion with possible action to direct City Manager to authorize staff to install speed hump under 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.
 - a. One (1) speed hump on Gregorio Lerma Drive between Fidel Padilla Drive and Santos Morales Drive.

Motion to approve and designate District I Priority Funds as the funding source.

Moved: Cm. Torres

Second: Cm. San Miguel

For: 5 Against: 0 Abstain: 0

Cm. Rodriguez and Cm. Altgelt were not present.

D. Request by Council Member Vidal Rodriguez

1. Status update regarding the front and back setbacks as set forth by ordinance for residential properties in order to maximize lot use, and any other matters incident thereto.

Motion to table.

Moved: Cm. Torres

Second: Cm. Perez

For: 5

Against: 0

Abstain: 0

Cm. Rodriguez and Cm. Altgelt were not present.

E. Request by Council Member Alejandro "Alex" Perez

1. Discussion with possible action on trash/debris accumulating in front of properties and reporting procedures for cleaning and enforcement.

Cm. Perez reported that the past few weeks, he and staff have noticed a lot of trash and debris accumulating around the old hospital and Cacon areas in front of residences. The situation is getting out of hand and may be due to a lack of communication between Solid Waste and Code Enforcement. He voiced his opinion that someone is not performing their job duties and policy must be followed.

Cm. Torres agreed with Cm. Perez and noted that this problem exists across the City but is more predominant in Districts I through IV and District VIII. While there is a bulky trash ordinance, Council and staff still have an obligation and duty to keep the City clean. If workers are passing by couches and bulky trash, they should pick it up. He noted that Council is great at creating new ordinances but lacks efficiency in enforcing them. There is a mass trash pick-up event every year, but it is not enough. He stated that it is not going to cost the City extra for a Solid Waste employee in a trash truck who is already passing through the area collecting trash to stop and pick up a mattress laying in the street and adding it to the back. There are many renters in the area who do not have the incentive to keep their residences free of bulky trash who blame their landlords. He asked staff what the City can do to pick up this trash.

Cm. Balli added that he has never seen the bulky trash accumulation as bad as it currently is and noted that he is not sure what is causing it.

Cm. Perez stated that many areas in District III accumulating these eyesores are low-income neighborhoods, and it is not going to be worthwhile to try to fine them and take them to court. However, the trash still needs to be picked up.

Stephen Geiss, Solid Waste Director, recalled several months ago in which Cm. Rodriguez made a motion to start picking up bulky items and debris; before that, Solid Waste never picked up those items. Instead, staff would send those residents to Code Enforcement and tell them that it was the residents' responsibility to remove the trash. Now there is a mechanism in which the resident can call 311 and request the City to come pick up their bulky trash or debris. The resident is then charged to have that trash or debris picked up. That

service was added in February 2018.

Cm. Perez noted that this service might work, but he asked management to go to the areas in question and view the problem firsthand. At this point, it is out of control and is beyond the point of code enforcement.

Mr. Geiss reported that the Solid Waste Services Department has four grapple operators and eight grapples. The Department has not been able to hire two grapple operators. In the last six months, the Department has picked up over 6,000 branch pick-up calls, for which the Department does not charge. The resident simply needs to call 311 and their branches will be placed on the Department's schedule and picked up free of charge. There is not enough personnel or equipment to stop at every pile of debris that is spotted but not added to the schedule.

Horacio De Leon, City Manager, voiced his understanding that the City needs to add more resources to the issue. The number of calls to 311 have increased exponentially, and the Solid Waste Department is trying to keep up with the high call volume rather than having a route where they patrol and pick up accumulated debris. Responding to calls eventually spends more gas and other resources, but if there were a route that they routinely followed for that purpose, it might remedy the problem. He voiced his agreement that any couch or bulky trash that is in a right-of-way should be picked up immediately by City staff that is able to do so.

Cm. Perez reiterated that the City needs to clean everything up first and then worry about enforcing the ordinances.

Mr. Geiss clarified that the Department picks up trash by zip code and not by district because zip codes are well-defined.

Cm. Rodriguez recommended that the Department dedicate one grapple to each district as soon as possible. If each Council Member can guarantee his or her constituents that a grapple is available for the district's needs, it will help prevent the deterioration of some of the trash-prone neighborhoods.

Mr. Geiss reminded Council that the 311 call-in service has always been available for residents to call for their branches. He also noted that residents heard about the bulky item pick-up days and threw their items on the curb. They continue to do so even after the pick-up ended. Mr. Geiss informed Council that the Department used a grapple for each zip code to pick up bulky items thinking it would take a week to complete the task. It took a month and a half and cost over \$70,000 in overtime. This is because residents continued to throw out their trash daily. That behavior continues. He reminded Council that if a resident has a utility account, the Department will pick up all of their branches free of charge. Many branch piles require multiple trips from a grapple to get them to the landfill.

Cm. Torres voiced his opinion that staff should bring this problem to management's attention as they see it occurring.

Mr. De Leon reminded Council that the Department is picking up the trash and

debris, it is simply difficult to keep up with the demand.

Motion to direct the City Manager to bring a plan of action to the next City Council meeting regarding the large accumulation of trash and debris to address the issue year-round and to include public service announcements educating the public on the proper procedure for discarding their trash, as amended.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Altgelt was not present.

2. Discussion with possible action to direct the City Manager to accept and/or enter into negotiations regarding the donation of the additional eight acres by Richard Hachar Properties and seven acres by Juan Salinas thus completing the fifty acres around the SOLA Center.

Motion to direct the City Manager to accept and/or enter into negotiations regarding the donation of the additional eight acres by Richard Hachar Properties and seven acres by Juan Salinas thus completing the fifty acres around the SOLA Center.

Moved: Cm. Torres

Second: Cm. Balli

For: 6

Against: 0

Abstain: 0

Cm. Altgelt was not present.

F. Request by Council Member Alberto Torres, Jr.

1. Discussion with possible action to review and amend the current scoring tool being used by staff to award contracts or jobs or recommend the selection of contractors; and any other matters incident thereto.

Cm. Torres reported that several Texas cities have a different scoring mechanism when it comes to those companies that have a certain amount of local employees. In Laredo, companies receive a certain weight for being local, but the definition of "local" could simply mean one person in a local office. He voiced his opinion that it is unfair to use the same percentage for local companies with multiple local employees as opposed to a parent company with a single-manned local office in Laredo.

Horacio De Leon, City Manager, asked Cm. Torres to clarify whether he means consultants or contractors, because contractors are awarded their contracts based on their bids. The City's evaluation tool is used during the selection of consultants.

Motion to direct staff to bring back a mechanism for amending the scoring tool to award professional services contracts that favor local companies employing local workers, as amended.

Moved: Cm. Torres
Second: Cm. San Miguel
For: 5 Against: 0 Abstain: 0

Cm. Rodriguez and Cm. Altgelt were not present.

2. Discussion with possible action to formally define the use of the police substations; and any other matters incident thereto.

Motion to table until the next Council meeting.

Moved: Cm. Torres
Second: Cm. San Miguel
For: 5 Against: 0 Abstain: 0

Cm. Rodriguez and Cm. Altgelt were not present.

G. Request by Council Member Nelly Vielma

1. Discussion with possible action to design a retaining wall and an erosion control plan by Bartlett Park basketball court to include a possible amphitheater and any matters incident thereto.

Cm. Vielma reported that the funding will come from District V priority funds.

Motion to approve.

Moved: Cm. Torres
Second: Cm. San Miguel
For: 5 Against: 0 Abstain: 0

Cm. Perez and Cm. Altgelt were not present.

2. Discussion with possible action to implement a plan for debt defeasance and transfer to the 4A/4B Taxation taking into account the legislative requirements, timeline for voters input on a resolution and financial bond commitments, and any matters incident thereto.

Martin Aleman, Executive Director of Finance & Technology, reported that staff is currently working with bond counsel to finish the language of the City's legislative bill so that it may be presented during the next legislative session. The bill would give the City the authorization to convert the sports venue tax to a 4A/4B taxation. He presented a timeline as follows:

November 6, 2018 – Sports complex relocation election
October-December 2018 – City meetings with member of the House or Senate that will be introducing the Sales Tax Conversion Legislation
January 8, 2019 – 86th Legislature convenes; file Sales Tax Conversion Legislation
May 27, 2019 – (140th day); Last day of 86th Legislature; Provision would have to be written into legislation that ratifies the calling of the Sales Tax Conversion

Election in August 2019 as the Sales Tax Conversion Legislation would not be effective until after August 2019. If this ratification language is not included in legislation or is stricken, the City would not be able to hold the Sales Tax Conversion Election until May 2020.

August 19, 2019 – Last day for the City to call a November 2019 Sales Tax Conversion Election if Sales Tax Conversion Legislation. City must decide at this point whether it will present the voters with a full sales tax conversion or a partial sales tax conversion (e.g., 1/8 venue sales tax, 1/8 4B sales tax).

November 5, 2019 – Sales Tax Conversion Election

If the Sales Tax Conversion Election is successful, then such conversion shall be effective on the date that all bonds or other obligations of the City that are payable from the Venue Sales Tax have been paid in full or defeased. This requirement is meant to comply with the covenants set forth in the bond documents authorizing the City's currently outstanding Venue Sales Tax Bonds.

Cm. Torres noted that this is an important item that requires all of Council to be present without being rushed.

Horacio De Leon, City Manager, reminded Council that Council had already directed staff to proceed. If Council makes any changes, then the timeline will be changed and brought back to Council.

No action taken.

H. Request by Mayor Pro-Tempore Charlie San Miguel

1. Discussion with possible action to consider outsourcing all building inspections and any other matters incident thereto.

Victor Linares, Acting Building Director, reported that staff contacted several municipalities and found that they do not outsource their building inspections. These cities include Austin, Corpus Christi, Del Rio, McAllen, and San Antonio. Inspections are performed in-house, but Mr. Linares found that the City of Austin breaks its building inspections down into regions. McAllen has combination certified inspectors. San Antonio requires all foundations to be inspected by a structural engineer. He recommended that the City keeps its inspection in-house but have the opportunity to have combination certification for its inspectors.

Cm. San Miguel clarified that he had no intention of outsourcing all building inspections. He noted his understanding that multiple certifications per inspector has always been an option. Mr. Linares confirmed that two inspectors do have multiple certifications, but they are more senior inspectors.

Horacio De Leon, City Manager, reminded Council that inspectors cannot do work on a construction site because it would create a conflict of interest.

Cm. Balli voiced strong concerns over the outsourcing of inspectors to the private sector as it might lead to corruption. His concern is for the homeowner who has an inspector that passes everything erroneously and then suffers the consequences afterward. With the City conducting inspectors, there is a chain

of command and supervision to track the process. Mayor Saenz voiced his agreement with Cm. Balli's concerns.

Jesus Ruiz informed Council that 70% of new homes being built in Laredo are built by 10 builders. If the City has a system to outsource its inspections, then the City's staff workload would be reduced by 40%, freeing them up to focus on the other services of the Department.

Motion to table until the next Council meeting.

Moved: Cm. San Miguel

Second: Cm. Torres

For: 5

Against: 0

Abstain: 0

Cm. Rodriguez and Cm. Altgelt were not present.

XVI. ADJOURN

Motion to adjourn.

Moved: Cm. Torres

Second: Cm. San Miguel

For: 5

Against: 0

Abstain: 0

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